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Submission to the United Nations Universal Periodic Review of

Republic of Cameroon

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Submitted by:¹

Réseau des Défenseurs des Droits Humains (REDHAC)
Center for Human Rights and Democracy in Africa (CHRDA)
Robert F. Kennedy Human Rights (RFKHR)



**ROBERT F.
KENNEDY
HUMAN
RIGHTS**

¹ A description of the submitting organizations is on page 2. Contact information for the submitting organizations is in Annex 1.

Réseau des Défenseurs des Droits Humains (REDHAC)

The Central Africa Human Rights Defenders Network (REDHAC) is composed of national coalitions, human rights defense associations, and other human rights defenders. Created in 2007, REDHAC conducts various activities including advocating with Central African states, sub-regional, regional and international human rights mechanisms. REDHAC trains and supports human rights defenders including by supporting their work, providing legal assistance, and building solidarity. REDHAC also advocates for Central African states to implement and respect international human rights laws and norms. Finally, REDHAC works to prevent and resolve conflicts in the Central African region.

Center for Human Rights and Democracy in Africa (CHRDA)

The Centre for Human Rights and Democracy in Africa (CHRDA) is an independent and apolitical non-governmental organization. The Centre is a non-profit organization created purposely for the promotion, protection and respect for human rights and democracy. To achieve these goals, CHRDA complies with national and international laws governing non-governmental organizations and their activities. Before 2005, CHRDA was known as a committee for the Defence of Human Rights in Cameroon. In 2005, it was renamed and officially registered as the Centre for Human Rights and Democracy in Africa. Our work ranges from human rights monitoring, documenting and reporting, advocacy for gender equality, humanitarian aid, provision of pro bono legal aid to victims of human rights violations, free vocational training to the population, advocacy, sensitization, and a host of other activities.

Robert F. Kennedy Human Rights (RFKHR)

Robert F. Kennedy Human Rights (RFKHR) is a non-governmental organization founded in 1968 by the family and friends of former United States Attorney General Robert F. Kennedy to continue his legacy of fighting for a more just and peaceful world. The international advocacy and litigation team works to protect human rights across Africa, the Americas, and Asia, with a particular emphasis on protecting civic space. RFKHR participates directly in strategic litigation of emblematic cases at the international and regional level.

I. Introduction

1. In this submission, Réseau des Défenseurs des Droits Humains (REDHAC), the Center for Human Rights and Democracy in Africa (CHRDA), and Robert F. Kennedy Human Rights (RFKHR) analyze the Republic of Cameroon's fulfillment of its human rights obligations since Cameroon's prior Universal Periodic Review (UPR) in May 2018. The submission assesses Cameroon's implementation of recommendations received during its previous cycle, and provides specific and action-oriented recommendations based on the State's response and actions over the past five years.
2. In particular, this submission aims to provide information on restrictions to civic space and human rights violations as they relate to human rights defenders (HRDs) in Cameroon. HRDs in Cameroon face a multitude of challenges including intimidation and harassment, arbitrary arrest and detention, torture, and even killings. Journalists deal with similar challenges, especially as it relates to the conflict between the Cameroonian government and Anglophone separatists. More broadly, such threats to HRDs and journalists directly restrict civic space and put the basic rights to freedom of expression, freedom of association and assembly in jeopardy.

II. Background and Recent Developments

3. Since 2016,¹ Cameroon has been plagued by conflict between the Cameroonian government and Anglophone separatists, violent attacks and killings by Boko Haram insurgents in the Far North region,² inter-ethnic violence, and conflict in neighboring Central African Republic.³⁴ Both Separatists and Cameroonian officials have committed serious human rights abuses.⁵ Over 6,000 civilians have been killed as a result of the conflict,⁶ approximately 598,000 people are displaced, and at least 2 million people are in need of humanitarian aid.⁷
4. The conflict continues to be marked by the forced closure of schools by separatists, as well as attacks on schools and children. Only 46% of schools are functioning and 54% of students are enrolled for the 2022-2023 academic year in the North-West and South-West regions.⁸ Also, targeted attacks on healthcare facilities and workers have restricted aid delivery and access to vital care and services.⁹
5. In the midst of this complex security and humanitarian crisis, civic space has been effectively closed. The Cameroonian government continues to stifle freedom of expression, association and assembly, including through the intimidation and arrest of protestors.¹⁰ HRDs regularly face significant challenges and risks in pursuit of their vital work. In particular, women human rights defenders (WHRDs) face unique challenges as a result of gender-based attacks and violence.
6. Despite prior recommendations from all three previous UPR cycles, which were accepted by the Cameroonian government, little to no action has been taken to implement them and abide by international human rights law obligations. Furthermore, the government has recommended that other states strengthen civil society and promote civil and political rights and civil society more broadly in their own countries.¹¹ However, Cameroonian authorities have failed to follow through on their obligations and have actively violated fundamental human rights since the previous UPR

cycle, with an acute impact on the work of HRDs and civil society.

III. Main Violations of Rights: Implementation of Prior UPR Recommendations

7. The recommendations accepted by Cameroon from previous UPR cycles included to investigate threats or acts of aggression against HRDs and bring perpetrators to justice, to fully respect the rights of HRDs, and take all necessary measures to enable them to carry out their legitimate activities without fear of reprisal and free of all restrictions. Recommendations also included further advancing freedom of expression, decriminalizing all offenses that violate freedom of expression and prosecuting those that threaten and attack HRDs, and adopting all necessary measures to ensure that the press can work freely. Recommendations related to freedom of association and assembly include protecting the right to protest, and lifting any restrictions on these rights that are not in line with the ICCPR. Further recommendations call for an end to arbitrary arrest and detention, torture, and enforced disappearance and extrajudicial killings. Cameroon has failed to abide by nearly all of its previous recommendations.

Human Rights Defenders

8. The situation of HRDs in Cameroon continues to deteriorate. HRDs are frequently prevented from carrying out their work in the North-West and South-West regions due to intimidation, harassment, and other forms of persecution at the hands of the Cameroonian authorities. HRDs are not allowed access to free, independent information and face reprisals for cooperating with the UN. As shown in the cases below, many HRDs have been convicted by criminal or military courts, and others are facing criminal proceedings.
9. Cameroon also fails to protect HRDs from non-state armed groups (NSAGs) who are increasingly targeting CSOs, HRDs, and journalists due to their position on alleged violations committed by these NSAGs.¹² CHRDA and its leaders, Felix Agbor Nkongho and Akem Kelvin Nkwain, have been targeted on multiple occasions.¹³ There has been an upward trend in the number of threats since October 2021, with peaks in April-July 2022. These threats are also posted online on NSAGs' social media accounts. This similarly creates a difficult and dangerous environment for HRDs to work. The government has largely failed to protect HRDs and to effectively investigate threats and other abuses against them.¹⁴
10. In 2020, CHRDA's President, Mr. Felix Agbor Nkongho, was dismissed from his job as a lecturer in the Faculty of Law and Political Science of the State-owned University of Buea, Cameroon. The dismissal came after a written demand from the Minister of Higher Education to the university's Vice-Chancellor to take action against Mr. Nkongho's breach of "the University's code of ethics and conduct".¹⁵ The Minister's demand was related to a written exam in which Mr. Nkongho asked his students to critically engage with and discuss the ongoing armed conflict in the North-West and South-West regions.
11. Lawyers, especially those representing NSAGs members or leaders, face multiple challenges related to the country's failing criminal justice system, including harassment and the use of military courts. On May 31, 2021, Barrister Amungwa Tanyi Nicodemus was arrested and detained on charges of inciting terrorism. According to CSO reports, after Barrister Amungwa

complained that Cameroon's criminal procedure had been breached in his client's case, the gendarmerie seized Barrister Amungwa's phone without a warrant, and found old photographs of alleged military abuses in the North-West and South-West regions.¹⁶ These alleged findings led to his arbitrary arrest and he was transferred to the Service Central des Recherches Judiciaires at the Secretariat for Defense (SED). He was released on June 9, 2021.

12. In Cameroon, women, girls, LGBTIQ individuals and all others working on gender issues face major risks. WHRDs face unique risks and challenges including gender-based discrimination, gender-specific threats and violence, exclusion, targeting of family members and loved ones, barriers to accessing decision-making spaces, stigmas, work-place harassment, smear campaigns, travel bans, and gender-specific online harassment and violence. WHRDs in the North-West and South-West regions face heightened challenges due to the conflict.¹⁷ Starting in 2017, Maximilienne Ngo Mbe, Executive Director of REDHAC, and Alice Nkom, advocate at the Bar of Cameroon and REDHAC Board member, faced physical attacks, death threats, intimidation and harassment from NSAGs.¹⁸ After five UN Special Rapporteurs wrote to officials regarding the incident, the Government responded stating that it was not possible to provide protection for HRDs.¹⁹ Further, the Government surveilled REDHAC members with officers in plain clothes and unmarked cars.²⁰ Ngo Mbe and Nkom were also subjected to additional screening at the Douala International Airport and received anonymous phone calls and text messages. In **May 2019**, Esther Omam Njomo, was threatened and attacked along with her family and coworkers following her testimony before the UN Security Council side meeting on the humanitarian situation in Cameroon.²¹ It is believed that such attacks were perpetrated by NSAGs. It does not appear that the Government took any measures to protect Ms. Njomo or her family. On **June 13, 2020**, Dominique Fousse, a lawyer at the Cameroon Bar and one of her clients were allegedly attacked at the Bonabéri Gendarmerie Company in Douala's 4th district. The attack occurred at the gendarmerie where she was defending her client in a landlord-tenant dispute.²² On **March 14, 2022**, Glede Bruno, the Director of Judicial Police in Yaoundé, summoned Maximilienne C. Ngo Mbe to report to the police on March 23 to discuss the legal status of REDHAC. Bruno told Ngo Mbe that if she failed to report to police as requested, she would be forced to do so by all legal means. The officer questioned Ngo Mbe and her lawyer about suspicions of money laundering, embezzlement of funds from foreign partners, and failure to register REDHAC staff members with the National Social Insurance Fund. This complaint came from the Presidency of the Republic, in particular from Mr. Ferdinand Ngoh Ngoh, General Secretary of the Presidency of Cameroon, according to the investigator.

Freedom of Expression and Press Freedom

13. Despite previous recommendations regarding freedom of expression, there have been numerous attacks on civic space and restrictions on freedom of expression and opinion resulting in multiple violations of international human rights law since the previous UPR cycle. Such violations include attacks on journalists and the press and obstructing HRDs from doing their work through multiple tactics including banning protests and gatherings, arbitrary arrest, detention, fair trial violations, torture, enforced disappearances, and extrajudicial killings. While all of these attacks taken individually impede on the right to freedom of expression and opinion, collectively, they show a wider narrative of an increasingly hostile and closed environment for civic space and human rights in Cameroon.

14. Since the previous UPR, press freedom has been in decline. Attacks against journalists in Cameroon have taken the form of censorship, arbitrary arrests, detention, fair trial violations, torture, enforced disappearance, and extrajudicial killings.²³ According to CPJ, five journalists, Amadou Vamoulké²⁴, Kingsley Fomunyuy Njoka, Mancho Bibixy²⁵, Thomas Awah Junior²⁶, and Tsi Conrad²⁷ all remain imprisoned as of March 2023.²⁸
15. On **January 23, 2023**, Martinez Zogo, journalist and director of the private radio show *Amplitude FM*, was found mutilated, tortured, and dead five days after he was abducted by unknown assailants.²⁹ He was kidnapped on January 17, 2023 as he tried to enter a police station. On **February 2, 2023**, Jean-Jacques Ola Bebe, radio presenter and Orthodox Catholic priest, was found murdered in Yaoundé. As of March, the government had failed to investigate his death.
16. On **March 21, 2022**, Cédric Noufele, journalist and editor-in-chief of the Equinox Group, was summoned to the prefect of Wouri for his television program “Right of Reply” in which the Government alleged that he “insulted” the President. The governor of Littoral sent direct threats via letter to Séverin Tchounkeu, president of the Equinox Group. Mr. Noufele underwent an investigation and on **April 1, 2022**, the CNC suspended Séverin Tchounkeu, Cédric Noufele, and the program for one month.³⁰ On **May 18, 2022**, Bisong Macdella Bessong, a journalist working for the outlet Kick422, was denied entry into Molyko Stadium to cover a meeting because she forgot her physical accreditation forms. She was brutally dragged from the premises and beaten by police officers. On **November 15, 2022**, journalist from Equinox TV and presenter of the program, *Équinoxe Soir* and Engilbert Lebon Datchoua were threatened with arrest for their work.³¹
17. On **April 29, 2021**, journalist and cameraman for Canal 2 International, Bertrand Tsasse, was viciously beaten by officers from Yaoundé’s 5th Municipal Police, headed by Major Augustin Mbala, for covering clashes between motorcycle taxi drivers and municipal officials.³² On **June 13, 2021**, journalist for *The Voice* Theodore Mih Ndze was arbitrarily arrested by security forces in Yaoundé without an arrest warrant.³³ On **September 9, 2021**, journalist Sébastien Ebala, after multiple hearings, was sentenced to two years in prison for contempt against the head of state and for spreading fake news electronically.³⁴
18. On **March 17, 2020**, journalist and correspondent for television channel Canal 2 International, Éric Golf Kouatchou was kidnapped and arbitrarily detained by unidentified members of a special police unit.³⁵ In a separate incident, on **April 2, 2020**, he was abducted and forcibly disappeared by members of an unidentified special police unit who took him to an undisclosed location. He was released on April 13, 2020.³⁶ On **August 17, 2020**, journalist and editor of newspaper *Climate Social*, Mbombock Mbock Matip, was abducted by officers at the direction of Colonel Joel Emil Bankui, Commander of the Military Security Division (SEMIL), and taken to the central prison from Kodengui to Yaoundé. He was detained at the SED and brought before a military court judge who charged him with “spreading false news.”³⁷ On **September 22, 2020**, journalist Jarvis Tah Maih, and his cameraperson Christian Tebong of *My Media Prime TV*, were arrested while covering a protest in Douala.³⁸

19. On **January 30, 2019**, two journalists working for *Le Jour*, Théodore Tchopa and David Eyengue Nzima were arbitrarily arrested and detained for their coverage of the arrest of political opponent Maurice Kamto.³⁹ On **May 28, 2019**, a journalist for *Cameroon Web* news site, Paul Chouta, was arrested by police officers in Yaoundé following a defamation complaint.⁴⁰ According to the American Bar Association, the charges against Mr. Chouta constituted a severe violation of his right to freedom of expression and the proceedings were marred by fair trial violations.⁴¹ One year after his release, Mr. Chouta was assaulted by unidentified men in Yaounde. Only a short police investigation took place in relation to the incident.⁴²
20. On **October 23, 2018**, Michael Biem Tong, a journalist, HRD, and director of the online media outlet *Hurinews*, was arbitrarily arrested and detained by Colonel Joël Emile Bankui. He was accused of leaving three voicemails that contained “secessionist” leanings. He was forced to make a confession after being tortured.⁴³ On **October 29, 2018**, Gustave Flaubert Kengne, editor of the newspaper *Orientation Hebdo*, and coordinator of the Citizen Media Group was arrested and detained in Bafoussam Prison for 28 days.⁴⁴ On **November 2, 2018**, journalist and editor-in-chief of the English-language desk of the private media channel *Equinoxe Television*, Mimi Mefo Takambou, was summoned to the Littoral-Bonanjo Gendarmerie Legion. She was accused of spreading false news and advocating for terrorism. She was brought before the Military Tribunal and imprisoned in Douala-New Bell prison for three nights.⁴⁵ On **November 3, 2018**, journalist and head of newspaper *Le Messenger à l'Ouest*, Joseph Olinga Ndoe, was arrested by members of the National Gendarmerie who held him incommunicado before transferring him to a prison cell in the Research Brigade (a unit of the National Gendarmerie in charge of the Judicial Police). He was later released on bail.⁴⁶
21. On **July 29, 2016**, journalist, HRD, and former Director General of *Cameroon Radio and Television*, Amadou Vamoulké was arbitrarily arrested and detained for alleged embezzlement of public funds.⁴⁷ He has been imprisoned ever since. On **December 20, 2022**, he was sentenced to 12 years in prison and ordered to pay 76,000 USD in fines.⁴⁸

Freedom of Association and Assembly

22. Although the government did not officially ban any organizations, it continued to restrict the activities of some NGOs, including Doctors without Borders (MSF) and Un Monde Avenir. On **July 15, 2022**, MSF announced its decision to close project bases in Kumba and Mamfe in the Southwest Region beginning on August 1, 2022. The decision followed the suspension of MSF activities by authorities three months earlier, when security forces arrested and detained four MSF staff members in December 2021 and January 2022.⁴⁹
23. On **June 27, 2022**, several members of the Collective of Visually Impaired Outraged Cameroonians (CAMIC) were arbitrarily arrested and detained for half a day before being released.⁵⁰ On **June 29, 2022**, the sub-prefect of Yaoundé 1st prohibited a public meeting organized by the editor of newspaper *Geminal*, Jean Bosco Talla. On June 28, Mr. Talla informed authorities of the public meeting planned for June 30, at the Franco Hotel in Yaoundé. The administrative authority then issued a receipt of declaration of the public meeting. A day later, the authorities banned the meeting on the grounds that the meeting’s theme “The Succession in Cameroon: Games and Issues,” presented a risk of disruption to the social order.⁵¹

24. In **July 2021**, authorities banned a protest by political party Mouvement pour la Renaissance du Cameroun (MRC) that was scheduled for July 25 in Yaoundé, citing COVID-19 concerns and the maintenance of public order. However, on the same day, a demonstration by ruling party supporters in Bertoua was allowed to take place. In **September 2021**, authorities banned demonstrations in English-speaking areas ahead of October 1, the 60th anniversary of Cameroon's reunification.
25. On **May 11, 2020**, six volunteers from Survie-Cameroon-Survival Initiative (SCSI) were arbitrarily arrested and detained by security forces while distributing protective masks and disinfectant gel to residents of Yaoundé to protect them from COVID-19.⁵² On **May 12, 2020**, Mr. Penda Ekoka Christian, Special Advisor to MRC's President and Mr. Alain Fogue, MRC's National Treasurer, were summoned for an investigation by judicial police in relation to their work with the SCSI. On May 14-15, they both appeared before the Judicial Police and the case was closed without further action.⁵³ On **September 22, 2020**, Mr. Fogue and three other MRC activists were arrested in front of the party's leader Maurice Kamto's residence and taken to an unknown location following a peaceful demonstration organized by the MRC.⁵⁴ They remain in detention and have had their habeas corpus hearings postponed multiple times.⁵⁵ On **September 18, 2020**, five young members of the group Stand Up for Cameroon were abducted and taken to the Gendarmerie of Bonanjo where they were then sent to the Central Prison of New Bell for "attempted conspiracy, revolution and insurrection."⁵⁶ On **November 4, 2020**, 32 MRC activists were held in detention under a provisional detention order at the Central Prison of Kodengui by the investigating judge of the military court of Yaoundé.⁵⁷ On **November 10, 2020**, police fired tear gas canisters at lawyers demonstrating at the Bonanjo Court of First Instance for the release of two of their colleagues imprisoned for their work. There were more than 300 lawyers present wearing their black robes who were assaulted while demonstrating in the middle of the courthouse.⁵⁸ On **November 24, 2020**, the sub-prefect of Maroua prohibited a march organized by the Citizen Collective for November 29 to protest lack of water, roads, and energy resources. Following this, the sub-prefect prohibited all marches, activities, publications, meetings, and public demonstrations planned by the Citizen Collective.⁵⁹
26. On **January 26, 2019**, clashes took place in Douala after the government banned demonstrations in response to Maurice Kamto's claims to victory in the presidential elections in 2018.⁶⁰ On **January 29, 2019**, MRC members were arbitrarily arrested and detained after protesting. Police used tear gas and live ammunition to attack protesters before arresting them. On **March 4, 2019**, the sub-prefect of Yaoundé 5th, Mr. Mamadi Mahamat, prohibited a human rights workshop organized by New Human Rights of Cameroon. On **June 24, 2019**, seven members of the Association for the Defense of Students' Rights in Cameroon (ADDEC), were arbitrarily arrested and detained. They were accused of "hostility and attack against state security."
27. On **September 22, 2018**, the government banned another MRC protest led by the party's president Mr. Maurice Kamto. On **October 15, 2018**, the sub-prefect of Douala banned a CSO press conference that included Un Monde Avenir, REDHAC, Dynamique Citoyenne, and Women's International League for Peace and Freedom (WILPF). On **the same day**, an MRC press conference in Yaoundé was also banned.⁶¹ On **October 24, 2018**, the sub-prefect of Yaoundé prohibited Cabral Libii's press conference at his Yaoundé headquarters citing it as an

“undeclared demonstration.” On **November 1, 2018**, the Government disrupted and banned a press conference paying tribute to Félic Roland Moumié at the home of activist Mboua Massok. On **November 4, 2018**, MRC members were arrested during an alleged unauthorized meeting taking place in Bafoussam.

Arbitrary Arrest and Detention

28. In **November and December 2022**, the Buea Military Tribunal arrested, detained, and tried five staff members of Médecins Sans Frontières (MSF) before their acquittal.⁶² They were accused of complicity with secession. Based on MSF's public reports, four of the staff in question were initially arrested in Nguti (South-West region) while transporting a patient with a gunshot wound to a hospital. In April 2022, MSF made the decision to suspend activities in the South-West region.⁶³
29. In **May 2020**, the Yaoundé Military Court sentenced Mancho Bibixy Tse to 15 years in prison at Kondengui Central Prison for peacefully exercising his freedom of expression. Similarly, in December 2016, journalist Tsi Conrad, was sentenced to 15 years in prison for sharing videos and images of protests. Both remain detained with limited contact with their families. On **May 16, 2020**, Séverin Le Juste Bikoko, HRD and member of Tournons La Page Cameroun (TLP), was arbitrarily arrested and detained by security officials in his family residence in Yaoundé.⁶⁴ On **September 13, 2020**, Laure Noutchang was arbitrarily arrested and detained at the Groupement Mobile d'Intervention (GMI) of Banonjo in Douala for calling on MRC activists to attend an upcoming march. On **September 21, 2020**, artist Joe la Conscience was arrested at his home for his art. He was released the following day.⁶⁵
30. On **March 3, 2018**, members of the Dynamique Citoyenne, were arbitrarily arrested and detained for organizing as part of the group Tournons La Page Cameroun.⁶⁶ On **May 23, 2018**, Mancho Bibixy Tse, Aselacha Martin, Tangwa Malvin, Tah Emilie, Kingham Valentine, and Thomas Awah Junior, all HRDs and journalists from the Anglophone region, were arbitrarily arrested and detained during a peaceful protest related to the conflict in Bamenda.⁶⁷

Torture

31. HRDs, journalists, and political opposition face the greatest risk of torture while in detention. Local and international organizations have documented more than 300 acts of torture committed by Cameroonian defense and security forces (DSFs) between January 2018 and December 2022.⁶⁸ DSF members have been accused of committing acts of torture in prisons, in makeshift camps, at check points, in local administrative office buildings, in response to attacks by NSAGs, and during attempts to silence or punish activists, journalists, lawyers, and protestors. In most of the documented cases, victims said they were beaten with various objects, including wooden sticks, planks, electric cables, machetes, and guns. Some were also forced into humiliating positions. In a few cases, victims were severely mutilated and/or killed.
32. Between **April 2021 and November 2022**, CHRDA documented seven separate acts of torture and inhumane and degrading treatment of eleven men, committed by Chief Ewume John in the South-West region.⁶⁹ Chief Ewume John is the traditional authority of Bwasa Village in Buea and

a member of the Cameroon military. He has been seen on multiple occasions publicly humiliating and torturing unarmed civilians alleged to be separatist fighters or to share separatist ideology. In some instances, he has recorded the acts of torture on video, which he or his supporters then circulate on social media. One victim filed a complaint against him with the military tribunal on July 13, 2022, but the torture continues and the government has failed to investigate.⁷⁰

33. On **May 29, 2022**, Jean Claude Tella, a lawyer at the Cameroon Bar Association, was on his way to a meeting when he was taken by gendarmerie members in civilian clothing and put in a gendarmerie vehicle without being informed of the purpose of his arrest nor being shown a warrant. He was accused of fraud. He was asked to undress and was thrown into a cell with his hands cuffed behind his back. According to REDHAC, he was taken out of the cell and subjected to torture and ill-treatment. He was released the next day after his colleagues intervened on his behalf.
34. On **June 18, 2020**, journalist Ernest Dieudonné Obama Nana was arbitrarily arrested, detained, tortured and subjected to cruel, inhuman, and degrading treatment.⁷¹
35. On **January 30, 2019**, Mr. Che Jacob was abducted by three masked men from the Gendarmerie who accused him of sponsoring separatist groups.⁷² He was tortured for weeks at the Gendarmerie Brigade in Buea and at a makeshift camp located at a privately-owned tea factory in Tole. Officers tried to force him to make a confession and demanded to know if he knew where separatists were hiding. He was held at the makeshift camp for 45 days before being taken back to the Gendarmerie Brigade where he made his first official statement to a judicial police officer and highlighted the torture he experienced. He was then brought to the military tribunal in Buea where he gave another statement raising the issue of his torture. He was accused of secessionism and presented to a military judge.
36. From **2016 through 2023**, human rights activist and director of the organization, Organic Farming for Gorillas (OFFGO), Jan Cappelle and his lawyer were subject to intimidation and reprisals including death threats, kidnapping, torture of family members, and were shot at during a failed kidnapping attempt. Such violative behavior continues because of a failure of Cameroonian officials to investigate and punish perpetrators including high ranking officials and businessman Mr. Baba Danpullo.⁷³ While the government did open a case into Cappelle's torture, false arrest, destruction of his properties, and use of conditional threats following significant international and UN pressure in October 2022, the Consul of Cameroon in Belgium refused to issue Cappelle a visa to enter Cameroon and honor the summons from the court. In the meantime, many alleged perpetrators fled the country.
37. Other incidents of torture since the previous UPR include the cases of Mr. Tabassang Augustine, Mr. Foshi Vitalis, Mr. Woyo Marius, Mr. Louis Bonkuyung, Mr. Ibrahim Bellow, Mr. Kingsley Fumunyuy Njoka, Mr. Koangne Nyepo Blaise Eleme, and Mr. Wirba Didymus Nsoseka.

Enforced Disappearances and Extrajudicial Killings

38. Under Article 6(1) of the ICCPR, Cameroon has a duty to protect every human being's right to life.⁷⁴
39. In **April 2022**, members of the DSF arrested 40 bikers accompanying a corpse to Oku, North-West region. Multiple news outlets reported that 24 of those arrested were brought to trial before the Military Tribunal in Bamenda, while 16 others were forcibly disappeared.⁷⁵ On **July 8, 2022**, four photos emerged on social media of seven alleged NSAG fighters in Bafut, North-West region. One photo shows them half naked in front of a house and chained, captured alive by members of the DSF. The other three photos show three of the seven killed and their bodies dumped into mud. On **July 31, 2022**, members of the DSF captured two alleged separatist fighters named "General Rasta" and "Colonel John" in Bambur, North-West region. Photos emerged on social media of the fighters alive, restrained and bloodied. Photos shared later show their deceased bodies on display in the middle of Bambi.⁷⁶ On **November 7, 2022**, videos and photos emerged on social media of an alleged NSAG fighter called "General Gideon" in Kumba, South-West region who was shown alive but chained to a pole.⁷⁷ That same day, photos were shared that showed him executed and publicly displayed in Kuma Centre.⁷⁸
40. Mr. Samuel Ajiekah Abuwe (also known as Samuel Wazizi), a news anchor and camera operator, was arrested and held incommunicado on **August 2, 2019** for allegedly criticizing the government's handling of the conflict. He later died in police custody. It took ten months for Cameroonian authorities to admit that Mr. Abuwe died in detention. As of March 2023, his body has still not been returned to his family.
41. On **August 6, 2018**, Mohwa Franklin, President of the human rights association, Frontline Fighters for Citizen Interest (FFCI), was forcibly disappeared after he left the Azim Hotel in Kumba.⁷⁹ He had arrived there four days earlier to document cases of human rights violations in Anglophone regions of Cameroon related to the conflict.

Fair Trial Rights

42. Cameroon is obligated to protect and uphold fair trial rights and proper judicial procedure as enshrined in Articles 9(1-5) of the ICCPR.⁸⁰
43. Since the previous UPR, there have been numerous fair trial violations including, denying access to lawyers or family, harassment and intimidation, discrimination, poor treatment in detention facilities, and failure to keep proper records and documentation.
44. Based on CHRDA's investigation on the situation of persons arrested and detained in relation to the armed conflict in the North-West and South-West regions in 2021 and 2022, most inmates from these two regions were transferred to a local police station, security base, military barrack, or makeshift camp after their arrest. Once they were transferred, they were denied contact with a lawyer or their family. Further, many persons held at these transfer sites were subjected to torture and/or inhuman and degrading treatment. Detainees would then be transferred to divisional or regional judicial police stations, military bases, or central stations before being sent to national detention centers in Yaoundé. They then remained in Yaoundé for weeks or months before being sent to one of the 15 main prisons in the country. These prisons are operated by multiple

organizations within the Cameroonian government including the SED, Directorate General for External Research (DGRE), Direction de Surveillance Territoires (DST), Securite Militaire (SIMIL), and Direction de Police Judiciare (DPJ). Such groups are known for committing brutal acts of torture.

45. While in detention, detainees face horrific conditions including poor nutrition, spread of infectious diseases, lack of qualified medical attention, and overcrowding. On **August 5, 2020**, Tanguem Thomas, who had been in pretrial detention, without appearing before a court, since 2017 at the Central Prison of Kodengui, died handcuffed to his hospital bed due to denial of treatment for diabetes and other ill treatment. Overcrowding is primarily a result of prolonged pretrial detention due to court delays. According to CHRDA, as of the submission date 58% of the prison population consists of pretrial detainees. On **May 20, 2021**, Paul Chouta, a blogger and whistleblower, was arbitrarily arrested and spent more than 24 months in pretrial detention.⁸¹ He was later released two days after his conviction. There are also issues with keeping inmates detained who do not have the ability to pay heavy court fines and failure to release detainees after they have served their prison time.⁸²
46. Fair trial violations include instances of civilians being summoned to military courts instead of having their cases adjudicated through traditional civilian court systems. On **November 29, 2021**, Awasum Mispa Fri, lawyer at the Cameroon bar and President of the Women of the MRC, was summoned to the military court of Yaoundé and placed in pre-trial detention at the Central Prison of Kondengui.⁸³ She was released four days later after domestic and international pressure.⁸⁴ After several referrals, on December 28, 2021, she was sentenced to seven years in prison. In **July 2022**, Kouam Tatchuemo Adolphe, an MRC activist, was sentenced to two years in prison by the Military Court of Douala for participating in peaceful protests on September 22, 2020.⁸⁵ While in prison, he was chained to his hospital bed despite objections from medical staff and as a result has suffered from atrophy of his upper limbs.
47. On **May 11, 2018**, Musa Usman Ndamba, national vice-president of the Mbororo Social and Cultural Development Association (MBOSCUDA),⁸⁶ faced fair trial violations and judicial harassment which lasted five years.⁸⁷ He was sentenced to 6 months in prison and a fine of 500,000 FCFA on charges of “defamation of character”.⁸⁸ He was freed on June 12, 2018.⁸⁹

IV. Recommendations

The signatories of this submission issue the following recommendations to the Government of Cameroon:

- Ensure that HRDs and journalists are able to effectively carry out their work, including investigations into human rights violations in the North-West and South-West regions, without fear of reprisal or intimidation, both online and offline, and guarantee their safety and well-being, including protection from non-state armed groups;
- Ensure that all Cameroonians have open access to free, independent information;
- End the judicial harassment and intimidation of lawyers defending members of non-state armed groups and ensure their safety and well-being;
- Ensure that WHRDs and LGBTQI+ activists are able to carry out their work safely, including by ending gender-based discrimination, gender-specific threats and violence, stigmas, work-place

harassment, smear campaigns, and gender-specific online harassment;

- Investigate all acts of threats or aggression against HRDs, WHRDs, and LGBTQI+ activists and bring those perpetrators to justice;
- Ensure the right to freedom of expression and cultivate a thriving civic space by decriminalizing all offenses that violate freedom of expression and prosecuting those that threaten and attack those appropriately exercising this right;
- Investigate and prosecute all threats and attacks on journalists;
- Respect the right to peaceful assembly and protest and lift any restrictions not in line with the ICCPR and international human rights standards;
- Ensure the right to association, including by eliminating the abuse of laws to limit political gatherings and criticism of the government and lift any restrictions not in line with the ICCPR and international human rights standards;
- Ensure the independence of associations, including the right to obtain funding for their work and the right to demonstrate;
- End the use of arbitrary arrest and detention and ensure any arrests are in compliance with ICCPR obligations;
- Eradicate torture and carry out investigations into all alleged acts of torture and ill-treatment;
- Ratify the Optional Protocol on the Convention against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment;
- End all enforced disappearances and extrajudicial killings and hold all perpetrators accountable;
- Guarantee the right to a fair trial and access to justice and end all fair trial violations, including the use of military courts for civilians;
- Ensure that prison conditions are safe, healthy, clean, and in line with international human rights standards on prisons and detention;
- Fully cooperate with the Secretary-General and OHCHR on the human rights situation in Cameroon.

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³ The UN Security Council (UNSC) held its first and only Arria-formula meeting on the conflict in Cameroon on May 13, 2019. On March 21, 2022, the Council of the European Union approved conclusions on Cameroon and called for an immediate cessation of violence and respect for human rights in the North-West and South-West regions. On April 29, 2022, the UN Committee on the Elimination of Racial Discrimination highlighted concerns about the crisis in Cameroon and urged the Cameroonian government to find a peaceful resolution to the conflict and hold perpetrators accountable. The Swiss-led mediation process, launched in 2019, ended in September 2022 after President Paul Biya suspended the government's participation. In January 2023, Canada announced that it would lead peace-talks with the Cameroonian government and separatist forces. However, shortly after the announcement, the Cameroonian government claimed that it did not agree to such talks.

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⁵ Separatists have attacked civilians, including aid workers, students, teachers, and religious leaders. See *Cameroon*, Human Rts. Watch, <https://www.hrw.org/africa/cameroon>. The Cameroonian government has committed arbitrary arrests and detention, torture, SGBV, extrajudicial killings, and mass killings. See *Cameroon*, Human Rts. Watch, <https://www.hrw.org/africa/cameroon>.

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⁹ *Cameroon*, Global Centre for the Responsibility to Protect (Feb. 28, 2023), <https://www.globalr2p.org/countries/cameroon/>.

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- ¹¹ Recommendation 133.6 from *UPR of Uzbekistan (2nd Cycle - 24th Sess.)*, Thematic List of Recommendations, Office of the High Comm'n'r for Human Rts. available at https://www.ohchr.org/sites/default/files/lib-docs/HRBodies/UPR/Documents/Session16/UZ/UzbekistanMatriceRecommendations_E.docx. Recommendation 134.64 from *UPR of Rwanda (3rd Cycle - 47th Sess.)*, Thematic List of Recommendations, Office of the High Comm'n'r for Human Rts. available at https://www.ohchr.org/sites/default/files/lib-docs/HRBodies/UPR/Documents/Session37/RW/UPR37_Rwanda_Thematic_List_of_Recommendations.docx.
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⁷⁹ *Cameroun : Disparition forcée de M. Franklin Mowha, Président de FFCI*, Fédération Internationale pour les Droits Humains (Sept. 25, 2018), <https://www.fidh.org/fr/themes/defenseurs-des-droits-humains/cameroun-disparition-forcee-de-m-franklin-mowha-president-de-ffci>.

⁸⁰ ICCPR, arts. 9(1)-9(5).

⁸¹ *Libération du blogueur et lanceur d'alertes Paul Chouta*, ACAT France (May 21, 2021), <https://www.acatfrance.fr/bonne-nouvelle/liberation-du-blogueur-et-lanceur-d-alertes-paul-chouta->.

⁸² While conducting this investigation, CHRDA could not gather all relevant information because they were denied visits and regularly intimidated and harassed by government officials.

⁸³ *MRC : Awasum Misa, la présidente des femmes aux portes de Kondengui?*, Actu Cameroun (Dec. 2, 2021), <https://actucameroun.com/2021/12/02/mrc-awasum-misa-la-presidente-des-femmes-aux-portes-de-kondengui/>.

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⁸⁵ *Cruauté humaine : un célèbre prisonnier personnel de Paul Biya enchaîné sur son lit d'hôpital fait rougir le MRC*, Cameroun Web (Aug. 3, 2022), <https://www.camerounweb.com/CameroonHomePage/NewsArchive/Cruauté-humaine-un-c-l-bre-prisonnier-personnel-de-Paul-Biya-enchain-sur-son-lit-d-h-pital-fait-rougir-le-MRC-675083>.

⁸⁶ MBOSCUA is an organization that works to defend the rights of members of the Bororo indigenous community.

⁸⁷ *Cameroun : Condamnation de détention arbitraire de M. Musa Usman Ndamba*, Fédération Internationale pour les Droits Humains (May 18, 2018), <https://www.fidh.org/fr/themes/defenseurs-des-droits-humains/cameroun-condamnation-et-detention-arbitraire-de-m-musa-usman-ndamba>; Letter to Minister of Justice Laurent Eso from Michael Pates, Re: ABA Center for Human Rights Report on apparent judicial harassment of human rights defender, Musa Usman Ndamba (Aug. 22, 2016), https://www.americanbar.org/content/dam/aba/administrative/human_rights/reportonjudicialharrasmentofhumanrightsdefenderm-usausmannndamba.pdf.

⁸⁸ *Cameroon: Ongoing judicial harassment of Mr. Musa Usman Ndamba*, Fédération Internationale pour les Droits Humains (April 29, 2020), <https://www.fidh.org/en/issues/human-rights-defenders/cameroon-ongoing-judicial-harassment-of-mr-musa-usman-ndamba>.

⁸⁹ *Cameroon: Musa Usman Ndamba released on bail but still facing judicial harassment*, Fédération Internationale pour les Droits Humains (June 20, 2018), <https://www.fidh.org/en/issues/human-rights-defenders/cameroon-musa-usman-ndamba-released-on-bail-but-still-facing-judicial>.

Annex 1

Réseau des Défenseurs des Droits Humains

Address: 17 Rue 1108 Bali
1e Villa Portais Marron
Douala, Cameroon

Contact: Maximilienne C. Ngo Mbe
Executive Director
mbe_max@yahoo.fr
+237 653402818

Center for Human Rights and Democracy in Africa

Address: Box 524 Buea
Fako Division, Cameroon

Contact: Nkongho Felix Agbor-Balla
President
nkongho@chrda.org
+237 679721499

Robert F. Kennedy Human Rights

Address: 1300 19th Street NW #750
Washington, DC 20036, USA

Contact: Angelita Baeyens
VP International Advocacy and Litigation
legal@rfkhumanrights.org
+1 202-906-0987

Annex 2

HAUT-COMMISSARIAT AUX DROITS DE L'HOMME • OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS

PALAIS DES NATIONS • 1211 GENEVA 10, SWITZERLAND

www.ohchr.org • TEL : +41 22 917 9119 • FAX : +41 22 917 9022 • E-MAIL : ohchr-petitions@un.org

REFERENCE: G/SO 229/31 CMR (2)
DA/MLG/AK 1159/2022

Le 5 décembre 2022

Monsieur,

J'ai l'honneur de vous informer que la requête datée du 19 mai 2021, que vous avez présentée au Comité contre la torture en vertu de l'article 22 de la Convention contre la torture et autres peines ou traitements cruels, inhumains ou dégradants au nom de M. Jacob Kum Che, a été enregistrée sous **le numéro 1159/2022**. Vous êtes prié de bien vouloir vous référer à ce numéro dans toute correspondance avec le Comité.

Conformément à l'article 115 du Règlement intérieur du Comité, une copie de la requête a été transmise à l'État partie en le priant de fournir, dans un délai de deux mois, des renseignements et observations se rapportant à la question de la recevabilité. Si l'État partie ne conteste pas la recevabilité de la requête, il est invité à soumettre par écrit, dans un délai de six mois, des explications ou des observations se rapportant au fond. Toute réponse reçue de l'État partie vous sera communiquée afin de vous permettre de formuler d'éventuels commentaires.

Veuillez noter, par ailleurs, que les décisions finales adoptées par le Comité sont rendues publiques. Par conséquent, si vous souhaitiez que l'identité de l'auteur ne soit pas révélée au public dans la décision finale, nous vous prions de l'indiquer au plus vite. Au vu de la publicité importante dont font l'objet les décisions du Comité (y compris leur diffusion par internet, qui rend très difficile la rectification des données en circulation), il pourrait être impossible de répondre à une demande d'anonymat qui serait soumise après la publication de la décision du Comité. Le Comité ne saurait en aucune façon être tenu responsable vis-à-vis de l'auteur.

Je vous prie d'agréer, Monsieur, l'expression de ma considération distinguée.



Ibrahim Salama
Chef

Section des traités relatifs aux droits de l'homme

M. Felix Nkongho
E-mail: nkongho@chrda.org / icnd@omct.org