

BRIEFING PAPER

Universal Periodic Review

APRIL 2023

THE SITUATION OF HUMAN RIGHTS DEFENDERS IN CAMEROON

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In its May 2018 Universal Periodic Review (UPR), Cameroon accepted 2 recommendations regarding human rights defenders (HRDs). Cameroon has committed to guarantee the rights to freedom of expression, association and assembly for HRDs, take all necessary measures to lift restrictions, and create an enabling space to work without fear of reprisals. However, the situation remains dangerous for HRDs in Cameroon, with many facing harassment, violent attacks, killings and other threats due to their work. HRDs reporting about the situation in the Anglophone region are particularly vulnerable.

A. RISKS FACING HUMAN RIGHTS DEFENDERS

1. In March 2019, the Committee on Economic, Social

and Cultural Rights expressed concerns about the situation of HRDs because they work in restrictive

- conditions, particularly HRDs advocating for economic, social and cultural rights. In addition, the Committee recommended that Cameroon provide adequate protection to HRDs from harassment, intimidation or reprisal.¹ In May 2022, the Committee on the Elimination of Racial Discrimination stated its concerns about the dangers faced by HRDs working on ethnic/ethnolinguistic / ethno-religious groups / indigenous peoples, including killings, enforced disappearances, intimidation, harassment, arbitrary arrest and detention. The Committee urged Cameroon to take legislative measures to allow HRDs to work without fear of reprisals.²
2. Several HRDs monitoring and reporting human rights violations and abuses in the Anglophone region have been targeted. Akem Kelvin Nkwain, a human rights officer at the Centre for Human Rights and Democracy in Africa (CHRDA), received various death threats from armed separatist groups following his reporting about the human rights abuses in the Anglophone regions. This was also the case for Felix Agbor Nkongho, a human rights lawyer and founder of the CHRDA.³
 3. Samuel Ajiekah Abuwe was arrested in August 2019 under alleged charges of terrorism for which he could face up to 13 years in prison. However, he died in 2020 in custody without being formally charged. According to a journalists' consortium, his family and lawyer, Mr Abuwe was tortured during his detention.^{4 5}
 4. In January 2020, the headquarters of the Human Rights Defenders Network in Central Africa (REDHAC) was partially destroyed by a fire, which included essential archives. The cause of the fire remains unknown.⁶ In December 2021, the divisional officer of Yaoundé 2 banned a high-level consultation organized by the REDHAC. Later, the authorities arbitrarily detained and deported a South African woman human rights defender (WHRD), Corlett Letlojane, who was travelling to attend the conference. Before the conference, the Executive Director of REDHAC and other members were summoned by the authorities to question the legal status of REDHAC.^{7 8} The divisional officer justified banning the consultation with the security and COVID-19 pandemic-related concerns as reasons.⁹
 5. In September 2020, Moussa Bello, an activist, was arrested in Douala. He was sent to jail for 16 months for provoking an uprising after a protestation walk. He was allegedly a victim of psychological and physical violence in detention. While entering the prison cell, common law prisoners slapped him.¹⁰
 6. Amadou Vamoulke is a 73-year-old journalist in poor health. In December 2022, he was sentenced to 12 years in prison. According to the Committee to Protect Journalists (CPJ), Vamoulke was targeted due to his independent management of the state broadcaster Cameroon Radio Television (CRTV).¹¹
 7. In March 2022, Doctors Without Borders (DWB) suspended its services in the Southwest region after the government accused DWB of interacting with and protecting separatists in the conflict area.¹²
 8. Martinez Zogo, an HRD and radio reporter, known for exposing government corruption and misappropriation of state funds in his famous program *Embouteillage* was abducted, tortured and assassinated in January 2023.¹³
 9. The Cameroon government hindered the efforts of several national and international human rights groups investigating and publishing findings on human rights cases by harassing their members, limiting access to prisoners, refusing to share information, and threatening violence against NGO personnel. According to the US State Department, Cameroon's government criticised reports from international NGOs, including Amnesty International (AI) and Human Rights Watch (HRW), accusing them of publishing baseless accusations.¹⁴
 10. Following the release of the HRW report *Civilians Massacred in Separatist Area* in February 2020, the Minister of Communication, Rene Emmanuel Sadi, accused HRW and other organisations of attempting to undermine the State's reputation and the institutions' stability. The government also stated that it possesses evidence that links the report's author with terrorists.^{15 16}
- B. OFFICIAL RESTRICTIONS ON THE SPACE FOR HUMAN RIGHTS DEFENDERS**
11. In December 2018, the former Special Rapporteur on HRDs expressed his concerns about the 2014 law on acts of terrorism. He declared that this law is instrumentalised to threaten, intimidate and silence HRDs and even justify their arbitrary arrests and detentions.¹⁷ According to the US State Department, Cameroon instrumentalises the 2014 law on acts of terrorism to suppress dissent and arrest HRDs, journalists and opposition party members. Therefore, the State restrains HRDs' freedom of expression and opinion through this legislation.¹⁸
 12. In May 2018, Mancho Bibixy Tse, a journalist reporting on the rights of the Anglophone minority, was sentenced to 15 years in prison and a fine of 268 million francs CFA after being charged with acts under the 2014 law on acts of terrorism.¹⁹ This law also led to the imprisonment of Tsi Conrad, Thomas Awah and Kingsley Njoka. The Committee to Protect Journalists reports that all four remain detained due to administrative

delays and a judge's ruling to constitute a new panel.^{20 21}

13. During a press conference in March 2020, the Minister of Territorial Administration formally accused some national organisations and media actors of receiving funds from foreign donors to destabilise the country. The Minister also summoned all NGOs operating in Cameroon to provide a report within 60 days and threatened to suspend those who will fail to do so. Law N°90/53 and N°99/014 allow the Minister of Territorial Administration to dissolve any association or NGO. The dissolution can happen due to the alleged deviation from its purpose and whose activities seriously undermine public order and State security.²²

C. INTIMIDATION AND REPRISALS FOR ACCESSING INTERNATIONAL AND REGIONAL MECHANISMS

14. Esther Omam Njomo, the Executive Director of Reach out Cameroon, advocates for protecting women and children in the Northwest and Southwest regions. In May 2019, she gave testimony in New York during an informal meeting of the UN Security Council (Arria Formula). Later, she, her family and co-workers were allegedly threatened through phone calls and online attacks.²³
15. Nfor Hanson Nchanji, a human rights journalist, participated in the tenth session of the UN Forum on Minority Issues. Afterwards, he and his family continuously faced online attacks and death threats, forcing him to live in exile. In March 2019, soldiers reportedly burned down Mr Hanson Nchanji's home.²⁴
16. Several special procedures mandate holders published a communication on the case of Prince Vincent Awazi, co-founder of the NGO Organic Farming for Gorillas Cameroon (OFFGO) and Elvis Brown Luma Mukuna, lawyer of OFFGO (CMR 3/2019). Later, both received death threats and had to hide for some time. It is alleged that on 21 March 2020, Mr Luma Mukuna was nearly kidnapped in Bamenda. On 27 March 2020, armed men attacked him and his brother-in-law. In September 2019, the special procedures mandate holders issued a follow-up communication (CMR 5/2019) on the attacks against the OFFGO's offices and staff. A grenade attack by armed men in a military vehicle in Tudig village reportedly targeted the OFFGO's offices. Jan Joris Capelle, the co-founder of OFFGO, was expelled from Cameroon and currently holds Belgian citizenship. He sent a visa application to travel to Cameroon after which Mr Awazi allegedly received death threats. During the same month, Mr Capelle, on his arrival in Yaoundé, was forcibly sent back to Belgium

without any explanation.²⁵

D. HUMAN RIGHTS DEFENDERS FACING PARTICULAR RISKS

17. The former Special Rapporteur on HRDs stated that in the context of the crisis in the Cameroonian English-speaking regions and the conflict with Boko Haram, HRDs addressing the internal conflicts are highly vulnerable. Peaceful protesters become victims of arbitrary detention and violence.²⁶ In November 2021, Felix Agbor Nkongho, a human rights lawyer and HRD of the Anglophone minority in Cameroon, received various death threats through social media after attending a retreat focusing on the human rights situation in the Cameroonian English-speaking regions. He was forced to quit his job as a lecturer at the State-owned University of Buea after he faced reprisals for including a question on the Anglophone crisis in an exam.²⁷
18. The European Parliament condemned reprisals and intimidations against Cameroonian HRDs, particularly women HRDs (WHRDs), within the context of the conflict in the Northwest and the Southwest regions.²⁸ A WHRD, Ms Caryn Dasah, strongly advocates against sexual and gender-based violence, especially in fragile zones and works on issues of impunity and access to justice for victims and survivors through her organisation Hope Advocates Africa. She has reportedly been threatened, intimidated and attacked. There were even attempts to kidnap her since the outbreak of the Anglophone crisis. These reprisals occurred due to her activities to support women and children in the conflict region. The government has not investigated attacks which specifically target WHRDs.^{29 30}
19. According to Advocates for Human Rights and Alternatives Cameroon, Cameroon fails to protect HRDs assisting LGBTI persons adequately. Anti-LGBTI groups threaten, harass and commit physical violence against HRDs advocating for LGBTI persons' rights. These HRDs are subject to discrimination, threats, hate crimes, arbitrary arrests, government harassment and surveillance. Also, they are frequently attacked for opposing homophobia and LGBTI discrimination.³¹
20. In December 2019, civil society organisations, representatives of local and indigenous communities and land rights defenders held a meeting in Yaoundé. They demonstrated their opposition to the State and private investors' destruction of indigenous communities' lands through peaceful means, including administrative and legal remedies and dialogues with private actors. However, the authorities continue criminalising those defenders who urged

authorities to stop the criminalisation of land and environmental HRDs. These defenders remain subject to legal proceedings and bullying by local authorities.³²

E. THE RESPONSE OF THE STATE REGARDING THE PROTECTION OF HUMAN RIGHTS DEFENDERS

21. Cameroon recently became a Human Rights Council member for the fourth time for the period 2022-2024.³³ While presenting its candidacy, the State made voluntary pledges and commitments to respect and protect human rights. Nevertheless, there was no reference to HRDs or their protection.³⁴
22. The Cameroon Human Rights Commission (CHRC) remains underfunded and is unable to hold human rights abusers to account effectively. The gender balance provision of the composition of the members of the CHRC Section 14(2) is yet to be fulfilled. Several observers questioned the decision to establish a new institution. They expressed concerns regarding CHRC's ability to confront the government that funds it to promote and protect human rights, prevent torture and check violations by the State.^{35 36 37}
23. Until now, no specific legislation on protecting HRDs has been adopted at the national level. However, in 2021, Senator Pierre Flambeau Ngayap proposed a bill to the office of the Cameroonian Senate to promote and protect HRDs in Cameroon. So far, this is the only proposition for a legislative text addressing the existing gap.³⁸
24. Special procedures mandate holders wrote a letter to President Paul Biya on the case of Elvis Brown Luma Mukuna and Jan Joris Cappelle. The Cameroonian authorities replied in October 2022 that HRDs may carry out their activities freely as long as they follow the national laws. In addition, they stated that HRDs should be able to communicate with the UN and its independent experts without any fear of reprisal or intimidation.^{39 40}

RECOMMENDATIONS TO THE GOVERNMENT OF CAMEROON:

- Refrain from criminalising the legitimate activities of HRDs and repeal all aspects of laws and policies that restrict their activities and rights as recognised and enshrined in the UN Declaration on Human Rights Defenders.
- Revise the 2014 Antiterrorism law to ensure that the definitions of terrorism and terrorist are clear, precise, accord with international law and are not overbroad or subject to arbitrary or discriminatory interpretation and application, guaranteeing that the law is not used or misused to criminalise or otherwise hinder the work of HRDs.
- Ensure that the application of national laws designed to guarantee public safety and public order does not hinder HRDs in their exercise of the rights to freedom of expression, association and peaceful assembly.
- Desist from restricting or criminalising the work of HRDs, and immediately and unconditionally release all HRDs detained in association with the exercise of their rights to freedom of expression, association or peaceful assembly, or their exercise of the fundamental right to defend and advocate for rights.
- Demonstrate strong, high-level political support for HRDs through public statements by State officials, which raise awareness about, recognise, and support their vital and legitimate work.
- Enact laws and policies that give full force and effect to the UN Declaration on Human Rights Defenders, safeguard the right to safe and unhindered access to international human rights mechanisms, and prohibit acts of intimidation and reprisals against HRDs who engage with the UN and regional human rights systems. In particular, prioritise and support the enactment of a specific national law on HRDs which accords with the Declaration and with the Model National Law on the Recognition and Protection of HRDs.
- Publicly affirm the legitimate role of women HRDs and those working on women's rights. Protect them from violations by State and non-State actors by acknowledging such violations and implementing security measures.
- Publicly report on the implementation of recommendations made to the State of Cameroon by the UN Special Rapporteur on Human Rights Defenders.
- Ensure that the Cameroon Human Rights Commission is provided with adequate funds to safeguard its independence and effectiveness, and that commissioners are appointed through public, merit-based processes that respect the gender parity principles set out in CHRC Act section 14(2).
- Conduct prompt, thorough, independent, impartial investigations of all threats and attacks against HRDs, ensuring that victims are provided with effective remedy and that perpetrators are held accountable.

ABOUT THIS BRIEFING PAPER

ISHR, the Cameroon Network of Human Rights Organizations & Pathways for Women's Empowerment and Development encourage States to consult UPR submissions by local activists and make recommendations to Cameroon regarding the protections of HRDs. This paper is a result of compiling public information and direct contact and experience in the protection of HRDs. Readers should consult the sources provided for additional information.

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