



DECLARATION OF CIVIL SOCIETY ORGANISATIONS



Action Civile 237.

INTERNATIONAL HUMAN RIGHTS DAY: DIGNITY, FREEDOM AND JUSTICE FOR ALL

« CONDITIONS OF DETENTION: PERIL IN PRISON, POLICE AND GENDARMERIE UNITS IN CAMEROON »

The State of Cameroon has adopted national laws and ratified several regional and international instruments that protect the physical and moral integrity of detainees, as well as their rights to health and life.

a) At the national level

- Preamble of Law No. 96/06 of 18 January 1996 to amend the **Constitution of Cameroon** of 2nd June 1972, amended and supplemented by Law No. 2008/001 of 14 April 2008;

- Law 2005/007 of 27 July 2005 on the **Criminal Procedure Code, Section 122 (4)**: "*The State shall be responsible for feeding persons remanded in police custody. However, such persons shall have the right to receive from members of their families or from their friends the means of subsistence and other necessities*"; **Section 123 (1)** "*The person remanded in police custody may, at any moment, be examined by a medical officer appointed by the State Counsel of his own motion. Such medical officer may be assisted by another chosen by the person on remand at his own expense*".

b) At the regional level

- The **African Charter on Human and Peoples' Rights** in its **article 4** "*Human beings are inviolable. Every human being shall be entitled to respect for his life and the integrity of his person. No one may be arbitrarily deprived of this right.*"

- **Robben Island Guidelines on Torture, Article 20 (b)** "*The right to an independent medical examination*"; Article 33 "*Take steps to ensure that the treatment of all persons deprived of their liberty are in conformity with international standards guided in the United Nations Standard Minimum Rules for the Treatment of Prisoners*".

c) At the international level

- **UN Standard Minimum Rules for the Treatment of Prisoners** (the Mandela Rules); **Rule 22 1.** "*Every prisoner shall be provided by the prison administration at the usual hours with food of nutritional value adequate for health and strength, of wholesome quality and well prepared and served*". **2. Rule 24 1.** "*The provision of health care for prisoner is a State responsibility. Prisoners should enjoy the same standard of health care that are available in the community, and should have access to necessary health-care services free of charge without discrimination on the ground of their legal status*".

Violations of rights related to respect for life, physical and moral integrity of detainees.

Considering all the above-mentioned instruments, the Civil Society Organisations note:

- That most prisons in Cameroon, both in urban and rural areas, have become real deathtraps. The conditions of detention are execrable, both from the qualitative and quantitative point of view.
- That the dilapidated, inadequate and inappropriate infrastructure for the reception of remand prisoners and detainees, both in prisons and in police and gendarmerie units, already constitute elements of torture and inhuman and degrading treatment for the residents.
- That almost all prisons do not provide the minimum access to healthy food and acceptable sanitary facilities.
- That more than 50% of prisoners and remand prisoners have no means of sleeping.
- That the prison administration does not provide prisoners with the means to maintain healthy hygiene.
- That in Cameroon's prisons, especially the one in Maroua, the medicines intended for free to prisoners and remand prisoners are sold to them. The prices range from CFAF 50 to CFAF 300 depending on the medicine.
- That corruption and racketeering are scourges that plague places of detention, endangering the conditions of detention. Detainees and remand prisoners who do not have financial means cannot have access to basic services.
- That in some prisons in Cameroon, notably the one in Maroua in the Far North region, men who test positive for Covid-19 or any other infection are not immediately treated.

At least a dozen inmates have died in Cameroon's prisons, including :

- Rodrigue NDAGUEHO KOUFET, aged 30, who succumbed to cholera on 7 April 2022 due to his non-treatment by the health units.
- The case of ASANG Virginus who died on 17 November 2022 of leukaemia. It should be noted that he had been detained at the Kondengui Central Prison for five years. He had not been admitted to a hospital for treatment until his illness worsened and death ensued, sometime after he was referred by his family to Jamot Hospital in Yaoundé.
- VENYENI Romanus died on 20 November 2022, two days after he had been taken to Mbingo Hospital because his health had deteriorated and he had not been admitted by the prison authorities for treatment.

CSOs note that detention facilities in police and gendarmerie units are increasingly becoming death row.

- The case of torture and death of young PONG LYDO, aged 18, in the cell of the Gendarmerie Brigade of Loum, which occurred on 22 September 2022.

In view of the above, the **Civil Society Organisations**

- **Denounce and condemn** the serious violations of the rights of detainees as provided for by the UN Standard Minimum Rules for the Treatment of Prisoners; the Robben Island Guidelines on Torture; Law 2005/007 of 27 July 2005 on the Criminal Procedure Code of Cameroon.

➤ **Call on :**

The Government of Cameroon

- To respect and protect the physical and moral integrity of all detainees and remand prisoners as provided for by the UN Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules).
- To ensure that prisons have appropriate health care facilities as provided for in Rule **25(1)** of the Nelson Mandela Rules: *"Every prison shall have in place a health-care service tasked with evaluating, promoting, protecting and improving the physical and mental health of prisoners, paying particular attention to prisoners with special health-care needs or with health issues that hamper their rehabilitation"*
- On the urgent need to improve the reception areas (cells) that guarantee the security and integrity of detainees in police and gendarmerie units.
- On the urgent need to put in place a framework for the rapid examination of the files of accused persons, in order to decongest the detention centres.
- Respect for treaties, conventions and other regional and international instruments relating to the protection of detainees.

The African Commission on Human and Peoples' Rights

- On the urgent need to ensure that the State of Cameroon respects its commitments relating to the protection of the rights of detainees and remand prisoners, in accordance with sub-regional instruments.

The United Nations Human Rights Council

- On the need to invite the State of Cameroon to take strong measures in line with international instruments, especially the respect of the UN minimum standards for the treatment of detainees, both in prisons, in police and gendarmerie units.

Human rights organisations and all Cameroonian citizens

- On the need to reinforce vigilance and monitoring of detention conditions specifically in police and gendarmerie units, through vigilance and citizen mobilisation.
- On the need to promote information sharing spaces and intensify denunciation actions.

Done in Douala, on 10 December 2022

CIVIL ACTION 237: Contact for the Signatories

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Signed by:

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