



CAMEROON

A TRANSITION IN CRISIS

© ARTICLE 19

ISBN 1 870798 19 8

October 1997

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1 INTRODUCTION

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The second multi-party elections represent a crucial stage for countries in the process of democratic transition. Cameroon's first multi-party elections were marred by the lack of opposition participation in March 1992. Later in the year the presidential elections were highly criticized by opposition political parties and international observers. This proved a precursor of things to come. The fairness of this year's legislative elections, which resulted in a ruling party majority, has been seriously questioned by local and international observers, and few believe that the presidential elections due later this year will be either free or fair.

As Cameroon organizes its second round of multi-party elections, repeated violations of the right to freedom of expression have undermined the process of democratic transition undertaken since the early 1990s. The state broadcasting corporation, *l'Office de Radiodiffusion Télévision Camerounaise* (CRTV), which is under tight government control, has failed to provide fair and even-handed coverage of opposition political parties. This problem is exacerbated by the absence of a procedure through which individuals can apply for private broadcasting licences. The introduction in 1997 of community radio stations in Cameroon, while in itself a positive development, is unlikely to significantly reduce this information deficit. Meanwhile, the harassment and imprisonment of journalists in the print media for criticizing government authorities has had a chilling effect on the press in Cameroon.

Political party activists continue to face many limitations on the right to freedom of assembly and freedom of expression. Administrative authorities have prohibited opposition party meetings, particularly in the Centre, South and Far North provinces. Opposition representatives have been subject to arbitrary detention and imprisonment, sometimes on the basis of criminal charges which appear to be unfounded. Others have

been targeted with intimidation by security agents and ruling party activists, who are believed to act on the orders of government officials.

Attacks on opposition representatives are at their worst in the *Département* of the Mayo-Rey, North Province. There a government-appointed traditional leader, the Lamido of Rey-Bouba, has proscribed opposition party activities. Opposition activists and those suspected of opposition leanings have been detained illegally in private prisons run by the Lamido of Rey-Bouba, for periods ranging from a few weeks to several years. Others have been beaten or killed by his network of armed guards. Members of the National Assembly who belong to the *Union nationale pour la démocratie et le progrès* (UNDP) have been systematically prevented from meeting their constituents, including in the run-up to the 1996 municipal and 1997 legislative elections.

National human rights groups have been prevented from freely monitoring the election process in Cameroon. An independent programme to train 2,000 national election observers was arbitrarily cancelled by the Cameroonian authorities. Many registered NGOs were refused accreditation by the Ministry of Territorial Administration to monitor the 1997 legislative elections. Moreover, some human rights activists were subject to intimidation or arbitrary arrest and detention by the government. NGOs seeking to monitor violations have, on occasion, been denied access to the media by the government.

This report casts a critical spotlight on the workings of Cameroon's democratic process and its media. It concludes that fundamental freedoms of expression and assembly, vital to the political process, are routinely violated despite guarantees under the Constitution and international law. Recognizing the critical role of the media in this process, the report condemns both the seizure of newspapers and other forms of state censorship. It calls for institutional changes to establish and protect the independence of state owned radio and television stations. The report draws attention to the multiple cases of ill-treatment and arbitrary imprisonment faced by political opponents.

ARTICLE 19 calls on the Cameroonian government to take a series of measures to protect the right to freedom of expression throughout the second multi-party elections. The Cameroonian authorities need to address media freedom, the right to express political ideas, and the freedom of national human rights monitors to carry out their activities without government interference. Moreover, institutional changes are required in order to protect the right to freedom of expression and should be rapidly implemented in order to enable the Presidential election due to take place later this year to be considered free and fair. These steps are urgently needed in order to bring Cameroon in line with its obligations under the International Covenant on Civil and Political Rights (ICCPR) and the (first) Optional Protocol, which Cameroon has signed and ratified. ARTICLE 19 calls on foreign governments and intergovernmental bodies, including the Commonwealth of Nations, of which Cameroon is a member, to urge the government to guarantee basic human rights.

An Assessment of the October 11, 1992 Election in Cameroon, National Democratic Institute for International Affairs, 1993.

CAMEROON

Population: 13.3 million

Land area: 475,440 km²

Capital: Yaoundé

Life expectancy: 57 years

Adult literacy: 37%

Infant mortality: 56 per thousand

Media

1992: 1.78 million radio and 288,000 TV sets

Newspapers: 400 registered, some 10 regular

Broadcasting: the government is the only radio and TV broadcaster

Economy

Currency: CFA franc

GNP per capita: US\$650 in 1995

Human development index: 133 in world

GDP: agriculture (39%), industry (23%), service sector (38%)

Main exports: timber, coffee, cocoa, cotton, bananas and rubber

Prospects

Economic growth is forecast at 3.5% for 1996-97 and 1997-98.

Oil production currently accounts for a relatively small portion of the country's overall economic growth. The last two years have witnessed a recovery following the 1994 devaluation of the CFA franc. From 1986 the economy had been hit by falling oil and commodity prices. In contrast, the 1970s to the mid-1980s witnessed steady growth averaging 7.5% per annum based primarily on strong agricultural exports.

People

Languages: 279 African; official — French and English

Religion: 40% of the people animist, 40% Christian and 20% Muslim

Ethnic groups: 250. The largest is the Bamiléké in the west, but this group has never held political power. When President Ahidjo, a northern Fulani, retired he was replaced by Paul Biya of the south-eastern Beti group.

(Sources: World Bank Report 1997; Human Development Report 1997.)

Brief History

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1884 German Kamerun Protectorate until 1916.

1919 Divided by France (four-fifths of territory: French Cameroun) and Britain (one-fifth: Northern and Southern Cameroons).

1922 Both zones are subject to mandates of the League of Nations.

1946 Mandates are turned into UN Trust Territories.

1960 French territory becomes independent after five years' armed struggle. Ahmadou Ahidjo elected as the country's first president.

1961 British Southern Cameroons votes to join Cameroon in plebiscite; Northern Cameroons joins Nigeria. A federal system is set up.

1966 Dominant parties in both states form *Union nationale Camerounaise* (UNC), heralding the one-party state.

1972 A unitary state is formed — the *République unie du Cameroun* (United Republic of Cameroon) — with a new Constitution.

1981 Cameroonian and Nigerian troops clash on disputed Bakassi peninsula.

1982 Ahidjo resigns due to ill health and transfers power to Paul Biya, who becomes President.

1983 Biya announces that a conspiracy to topple the government has been put down.

1984 Ahidjo is tried *in absentia*. Coup plot fails and 46 plotters are executed.

1985 The UNC is renamed *Rassemblement démocratique du peuple Camerounais* (RDPC).

1990 A number of people belonging to the unofficial opposition organization the Social Democratic Front (SDF) are arrested and tried for subversion. Civil unrest follows. A multi-party system is adopted.

1991 Further unrest occurs. Renewed opposition demands are made for an election timetable. An opposition alliance is formed. More than 100 people are killed in riots. Calls are made for political amnesty. A general strike takes place.

1992 The first multi-party legislative elections are held in March. The SDF boycott the poll. The RDPC forms an alliance government with small opposition parties. The *Union nationale pour la démocratie et le progrès* (UNDP) becomes the main opposition party in the National Assembly. Biya is re-elected president in the disputed poll held in October.

1993 There is opposition pressure for constitutional reform. Draft legislation is proposed by the government. Constitutional talks are effectively shelved after the government announces cuts in public sector salaries. More unrest follows. Security forces kill 50 people from the ethnic group of Arab Choa in northern Cameroon, apparently in retaliation for acts of armed banditry.

1996 Revised Constitution passed.

1996 Municipal elections take place after four years' delay.

1997 The second multi-party legislative elections are held on 17 May. The fairness of the election is highly contested by opposition parties. The RDPC win a majority. The Presidential election is due in late 1997.

Source: *Africa South of the Sahara, 1996* (London: Europa Publications, 1996)

2 BACKGROUND

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Cameroon became a member of the Commonwealth of Nations in 1995. Under the 1991 Harare Declaration, all member states are required to demonstrate a commitment to the principles of democracy and human rights. But, as this section documents, the history of multi-party polls in the country shows the system is deeply flawed. It concludes that an independent electoral commission is needed to oversee the electoral process. In 1994, the United Nations Human Rights Committee condemned widespread violations of the

International Covenant on Civil and Political Rights (ICCPR), which Cameroon has signed and ratified. Stronger guarantees for basic human rights are therefore necessary to ensure the move towards a genuine democratic political system.

2.1 The Path to Multi-party Politics

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The transition to democracy in Cameroon began in the late 1980s, when multiple candidates of the ruling Cameroon People's Democratic Movement (RDPC) were allowed to contest the municipal elections in late 1987 and the legislative poll in 1988. In the same year, Paul Biya was the only candidate in the presidential election, officially obtaining 98.7% of the vote. Reflecting the political changes throughout much of sub-Saharan Africa, opposition groupings emerged in 1990 and began to stage pro-democracy demonstrations. In June 1990, the government announced that it was planning a number of democratic reforms and declared that the RDPC would soon compete in multi-party elections.

The December 1990 Law on Political Parties, which legalized opposition political parties, was passed as part of more far-reaching legislative reform which the government called the "Liberty Laws". These included the Law on Freedom of Social Communication, which retained pre-publication censorship, the Law on Freedom of Association, the Law on the Maintenance of Order, and the Law on Public Meetings and Demonstrations. The first two opposition parties, the Union of Cameroonian Peoples (UPC) and the Integral Democracy for Cameroon (DIC) were authorized in early 1991, followed by the Social Democratic Front (SDF), the National Union for Democracy and Progress (UNDP) and 13 other smaller parties. In August 1991 Maigari Bello Bouba, former Prime Minister under President Ahmadou Ahidjo, returned from exile and assumed leadership of the UNDP in January 1992. Political party support from this period onwards has tended to be defined along regional and sometimes ethnic lines. The SDF draws its primary support from the West Province, where the Bamiléké are from, and the anglophone North West Province. The UNDP is strong in the three mainly Muslim Northern provinces, while the RDPC traditionally has been strong in the Centre and South provinces, where the Beti ethnic group is based.

This period was fraught with unrest and continuing human rights violations. Two journalists from *Le Messager*, an independent newspaper, were tried in early 1991 for publishing an open letter to President Biya. Twelve major opposition personalities were briefly detained in September 1991 and released a few weeks later. Pro-democracy demonstrations in Yaoundé, Douala, Bamenda and Bafoussam from mid-April were followed by "Operation Ghost Towns" (*villes mortes* — general strikes) in May. These protests brought what many observers consider to be the most serious civil disturbances in Cameroon since independence. In late April President Biya granted an amnesty to political exiles and political prisoners, including those convicted of the 1984 "coup

attempt". In December 1991, the National Assembly passed a new electoral code which would enable multi-party legislative elections to be held in the country.

2.2 Elections

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After some delay, the first multi-party legislative elections went ahead in March 1992. By that point some 48 political parties had officially registered. Of the major opposition parties, the UPC and UNDP contested the election. However, the SDF refused to participate, claiming that the vote would not be fair. Although international observers noted a number of irregularities on polling day, these are not believed to have had a serious impact on the results, and the monitors considered the election to have been generally free and fair. The RDPC won 88 seats; the UNDP, 68; the UPC, 18; and the Movement for the Defence of the Republic (MDR), 6. Following the election the RDPC formed an alliance with the MDR and established a narrow majority.

On 25 August 1992, in the midst of opposition disarray, President Biya called the presidential election for 11 October. The poll initially had been expected in April 1993. Less than a month before the poll, the National Assembly passed a new presidential electoral code which introduced a single-round vote, created residency requirements which eliminated one candidate, and retained the role of the Ministry of Territorial Administration (MINAT) in organizing the elections. The legislation also barred electoral alliances.

The election day was marred by widespread irregularities, violence and human rights abuses. The National Democratic Institute for International Affairs condemned the poll as fraudulent and noted that "the Cameroonian government ... took unusually extreme and illegitimate actions to ensure the president's victory." Bamiléké, members of an ethnic group based in the West and believed to have given widespread support to the SDF, were attacked in many parts of the South and Centre provinces by RDPC supporters during the days following the poll. On 20 October 1992, John Fru Ndi of the SDF claimed that he had won the election with 38.7% of the votes. However, the next day the National Vote-Counting Commission announced that President Paul Biya had won 39.9% of the votes, compared with 35.9% for the SDF and 19.5% for the UNDP candidate. The Supreme Court endorsed these official results.

The election results sparked a series of protests, particularly in the anglophone North West Province, where the SDF is based. These demonstrations led to destruction of property and some attacks on RDPC members. On 27 October the government declared a State of Emergency in the North West Province; hundreds of opposition supporters were detained for several months and dozens of others were beaten or killed by the security forces. Government critics in many parts of Cameroon were forced to go into hiding or flee the country. John Fru Ndi was placed under house arrest until the end of the year.

The country's first multi-party municipal elections, planned for 1992, took place almost four years later in early 1996. Opposition parties won 104 of a total of 336 seats. International and domestic observers reported that the poll was "generally free and fair", despite complaints by opposition parties that the authorities in many areas blocked voter registration and arbitrarily disqualified party candidates. A total of 96 appeals were submitted to the Supreme Court relating to such alleged irregularities. The court annulled 18 election results but announced that it was unable to rule in most of the cases. The government, in breach of the law, has failed to hold new elections in these areas.

Moreover, the government has sometimes tried to influence the composition of municipal councils through the use of decrees. A 1993 decree enables the government to appoint delegates to municipal councils in urban areas. In 1995, 75 out of 250 municipal councils reportedly were appointed by decree, mostly in rural areas, although they were subsequently replaced by elected councillors in early 1996. The installation of government appointees in addition to the elected representatives in a number of municipal councils in mid-1996 drew criticism from opposition parties.

2.3 Second Multi-party Elections — the 1997 legislative election

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The second multi-party elections are crucial to any democratic transition. Yet in Cameroon the second multi-party legislative election has been marred by serious irregularities and the fairness of voting procedures has been even more widely questioned than in all three polls to date.

At the end of January 1997, the legislative election which had been scheduled for March was indefinitely postponed, officially to address complaints by opposition parties about problems with voter registration and to allow time for the establishment of the Constitutional Council (*Conseil constitutionnel*), which was responsible for announcing the results.

In early March 1997 a revised electoral law was passed. This gave the Constitutional Council authority to assume the role which the supervisory commissions (*commissions de supervision*) had played in tabulation of votes locally, and enabled the government to create new constituencies. The National Assembly was dissolved a week later on 9 March, giving the President power to rule by decree. However, according to the March 1997 electoral law, elections should have taken place within a week of the end of the legislative term. On 23 March the government declared that the election would be held in May, but still gave no date. In early April, the poll was announced for 17 May.

Political parties were given only until 7 April to declare the constituencies in which they would compete. Yet the government moved to redefine a number of constituencies

shortly before the deadline by which opposition parties needed to indicate the constituencies which they would contest. A total of 26 new constituencies were created in the provinces of Far North, Littoral, North, North West, and South West.

The main complaint raised by opposition parties was voter registration. They contended that residents of pro-opposition areas were systematically barred from obtaining voter cards. Moreover, particular problems arose in the South West Province and in parts of Yaoundé, where people were required to produce "residency cards", authorized by local chiefs, in order to register. Although MINAT did not publicly issue official registration figures for 1997, the government-owned *Cameroon Tribune* reported that a total of 3,882,725 people had registered to vote. The Commonwealth Secretariat noted that MINAT had disclosed to their observer team a figure of 3,719,774 registered voters. However, these figures represent a sharp decline compared with registration in previous years. The Commonwealth Secretariat estimate that the number of registered voters nationally had fallen by approximately 300,000 since 1996. The Washington-based National Democratic Institute for International Affairs (NDI) reported that in 1992 registration was estimated at 4.2 million nationally. The SDF office of the Centre Province claims that registration in that province fell from 90,000 in 1992 to 37,000 in 1997.

Over 1,000 candidates representing a total of 45 parties competed in 74 constituencies for the election. International travel was barred from 16 to 17 May as a security precaution and travel between cities was prohibited, officially in order to prevent voters from casting their ballot twice. In the business capital of Douala there were reports that the ban on public transportation prevented some voters from reaching the polling stations.

Following the election, opposition parties complained of widespread irregularities, including polling sites which had been moved or closed, and intimidation of activists. In many areas, opposition party representatives designated to monitor the voting booths were refused access. Some of these problems also were reported by national and international observers, including by the International Foundation for Election Systems (IFES) and by the joint "*Francophonie*" team from the Agency for the Francophone World (*Agence de la Francophonie*, part of the *Agence de Coopération Culturelle et Technique* — ACCT) and the International Group of Francophone Parliamentarians (*Assemblée Internationale des Parlementaires de Langue Française*).

Within two days of the poll, the SDF and the UNDP called for the annulment of the entire election and subsequently lodged an appeal with the Supreme Court which was rejected. Before the official announcement of the results, a total of 150 petitions and protests were submitted by 11 political parties to the Supreme Court. Three weeks after the poll, the Supreme Court declared an RDPC majority, with 109 of the 180 seats. The remaining official results were: SDF, 43 seats; UNDP, 13 seats; five seats to the UPC and three seats to smaller parties. The Supreme Court cancelled the results in three constituencies: the Mayo-Banyo, Mayo-Rey, and Nde. Elections in these areas were held again on 3 August 1997. The RDPC won additional seats in the constituencies where elections were repeated, bringing the total number of ruling party seats to 116.

2.4 Freedom of Expression and the Democratic Process

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Despite constitutional provisions for human rights, violations of the right to freedom of expression have marred the transition to multi-party politics in Cameroon since 1990. The UN Human Rights Committee, which monitors compliance with the ICCPR, noted in its 1994 review of Cameroon's human rights record that "freedom of expression is not guaranteed, owing to the requirement of prior deposit of all publications, censorship and the control exercised by the authorities over the press, radio and television." The Committee also criticized "the multiple cases of torture, ill-treatment, extrajudicial execution and illegal detention, suffered in particular by journalists and political opponents."

These problems were further underscored by the case of writer Albert Mukong who submitted a complaint to the Human Rights Committee under the (first) Optional Protocol of the ICCPR in February 1991. This Protocol, which Cameroon signed and ratified, enables individuals to bring cases against the government for violations of the ICCPR. The Human Rights Committee declared in August 1994 that Albert Mukong's right to freedom of expression had been violated when he was imprisoned by the Cameroonian government in 1988 and 1990 for criticizing President Paul Biya during a BBC interview. The Committee concluded that "the legitimate objective of safeguarding and indeed strengthening national unity under difficult political circumstances cannot be achieved by attempting to muzzle advocacy of multi-party democracy, democratic tenets and human rights." The Committee recommended that the Cameroonian government provide Albert Mukong with "appropriate compensation". However, to date no such measures have been taken.

2.5 Ensuring Free and Fair Elections

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There is a pressing need for far-reaching reforms to enable the forthcoming Presidential elections, expected by the end of 1997, to be considered free and fair:

- An independent electoral commission is urgently needed. Such a body would oversee the organization of elections. It should investigate widespread reports of irregularities in the voter registration procedure. Such a body should also be responsible for investigating complaints about human rights abuses against political party representatives.

- The electoral system needs to be reformed so as to enable an effective procedure for appeals against the election results. The current structure, whereby the Supreme Court is responsible for both announcing the results and addressing appeals by competing parties, does not allow for an independent appeals process. The Constitutional Council therefore should be established without further delay, in accordance with the electoral laws.
- Basic human rights are a crucial component in any situation of political transition. The Cameroonian government must bring its practices into line with its obligations under the ICCPR, the 1991 Harare Declaration, and the African Charter on Human and Peoples' Rights. It should take steps to implement the ruling of the Human Rights Committee in the case of writer Albert Mukong, brought under the (first) Optional Protocol of the ICCPR.

3 CENSORSHIP — THE MEDIA AND ELECTIONS

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The media are critical to the development of a genuine democratic system. They represent a forum for debate on issues of national importance and hold politicians up to public scrutiny. But, as this section shows, the country's media suffer from government interference and manipulation. National television and radio are entirely government-controlled, whilst newspapers are often seized and banned. Many journalists have been subject to prison sentences for criticizing the government; some have been physically attacked. This section calls for safeguards to ensure an independent media. It welcomes plans to open community radio stations in rural areas. However, ARTICLE 19 calls on the government to introduce regulations to enable applications for private radio licences and to end arbitrary restrictions on the print media.

3.1 Broadcasting — Opening up the Airwaves?

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The *Office de Radiodiffusion Télévision Camerounaise* (CRTV), the state broadcasting corporation, operates the only radio and television stations in the country and is controlled by the government. Seven years after formally abolishing CRTV's broadcasting monopoly, the government has failed to implement regulations for the licensing of private radio stations. Radio is Cameroon's most important medium because of high illiteracy rates and difficulties with newspaper distribution outside major urban centres. There were an estimated 1.78 million radio sets in 1992. Television is confined

to a smaller group, with approximately 288,000 sets in the same year. CRTV covers about 80% of the country, with shortwave stations in each of the 10 provinces and two FM stations. According to a 1988 decree, CRTV is a financially autonomous, public corporation under the trusteeship of the Ministry of Communications. It is governed by a Board of Directors (*Conseil d'Administration*) composed of six government representatives and four other persons appointed by the Head of State. The President of the Board is appointed by decree (Article 5 (1)). This body oversees all matters relating to the radio station, including programming and the recruitment of managerial staff. Its decisions are subject to review by the Ministry of Communications (Article 6 (3)).

The National Communication Board (*Conseil National de la Communication* — CNC) was created in 1990 and formally recognized in 1991 as a consultative body on communication policies which reports to the office of the Prime Minister. Its mandate is to issue recommendations which aim to:

ensure respect for and the peaceful development of the following principles: equal access to the media, especially during an election period; the independence of public service broadcasting, protected by legislation and regulations; transparency, pluralism and balanced programming in broadcasting companies.

Yet its relationship to the office of the Prime Minister and its limited "consultative" powers prevent the CNC from carrying out this role effectively. Moreover, its members are not independently appointed; four of its 19 members are government representatives. They and the CNC President are appointed by presidential decree.

The government maintains that CRTV is dedicated to a policy of openness and strives to create what Minister of Communications Augustin Kontchou Kouomegni calls a "glass house for the people." Yet CRTV journalists generally refrain from directly criticizing the government or ruling party. The corporation provides disproportionate coverage of RDPC activities, giving "relatively little attention to opposition events," though observers noted some modest improvement in this regard towards late 1996. An opinion poll in 1994 found that 67% of viewers surveyed believed Cameroonian television is "partisan", 73% felt that the reporting is "not politically neutral", while 57% considered that television failed to promote democracy in the country.

3.1.1 CRTV and the elections

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Throughout the year, all political parties represented in the National Assembly are granted regular airtime on radio and television every week. *L'Expression Directe* gives parties a total of two hours per week of direct access broadcasting on the radio and one hour on television; half of this time is reserved for the pro-ruling party majority and half for the opposition parties. Their respective time allocations are calculated by the Ministry

of Communications according to the relative number of votes which the parties obtained during the most recent legislative poll.

During the two-week official campaigning period leading up to each election, different arrangements are made for direct party access programmes. A total of 120 minutes on radio and 60 minutes on television are reserved for direct access programmes. However, *L'Expression Directe* and a number of other debate programmes are suspended during this period, officially not to present a bias in favour of those parties already in the National Assembly.

Two factors are given equal weight in the allocation of a party's airtime during the campaigning period: the number of candidates running for each party, and the number of constituencies which the party is contesting. Parties are also given airtime on provincial radio stations in a manner consistent with their presence in particular regions. The calculations are made by the Ministry of Communications and then submitted to the CNC for review and comment.

CRTV's overall coverage of election campaigns appears to have given unfair predominance to RDPC activities since the first multi-party legislative election held in 1992. Four days before the 11 October 1992 presidential election, broadcasts recorded by the NDI revealed that the ruling party was given 142 minutes of news time compared with a total of 12 minutes for all the opposition parties. From 26 September to 3 October, CRTV is reported to have devoted 346 minutes to news about the RDPC and 124.5 minutes on the activities of all the opposition parties. The government disputed NDI's figures but defends CRTV's generally disproportionate reporting on the ruling party, stating that: "Each CPDM [RDPC] organ made electoral news each day, that is at the section, subsection, cell, etc., whereas other parties reported only from areas where their chairpersons were campaigning."

Studies conducted by *Conscience Africaine-Cameroon*, a pro-democracy NGO, found that in the two months leading up to the 1996 municipal election, coverage of the RDPC accounted for 727 minutes (93.7%) out of a total 776 minutes of television news on political parties. Other parties received 48 minutes (6.3%). The approximate percentages were similar between 18 February and 4 March, in the run-up to the 1997 National Assembly election: RDPC, 84%; UNDP, 9%; UPC; 7%. The group found that during this period only political parties represented in the National Assembly received television coverage on the main news programmes.

3.1.2 Censorship

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Censorship of political views and other material is widespread. In May 1996 the weekly debate programme on Yaoundé FM 94 public radio, *Les Heures fugaces*, was banned. The host Fidèle Kouam Djilo and guest, Garga Haman Adji, leader of the Alliance for

Democratic Development (ADD), had planned to speak about the demise of former President Ahmadou Ahidjo. The programme, which had been widely advertised, was barred just before it was due to go on the air. Station managers contended that the show's host had not completed the necessary paperwork.

During the 1992 presidential campaign, pronouncements by opposition party candidates on *L'Expression Directe* were censored by the authorities. CRTV refused airtime for a videotaped presentation by opposition leader Jean-Jacques Ekindi of the *Mouvement Progressiste* (Progressive Movement — MP) on 2 October 1992 because the station argued that it contained "vociferous attacks" against the RDPC and "insulting words" about President Biya. Following a review by the CNC, the segment was broadcast on 7 October. However, on 9 and 10 October, Ekindi's time slots were again censored, allegedly without explanation. The government maintained that the candidate was "suspended ... two days before the end of the campaign, for not respecting legal provisions."

Nor is censorship limited to political parties and campaigning. In early March this year, the Canadian High Commission sponsored a series of pro-democracy advertisements on CRTV as part of a wider voter education programme. Although the advertisements were broadcast for the first two or three days, they were then discontinued. Two weeks later CRTV resumed these broadcasts following protests by the High Commission.

Following the eruption of violence in the North West Province in late March 1997, *Crossfire*, a popular weekly chat show broadcast on the Bamenda provincial station, was suspended on the orders of the Governor (see page 33). This lively hour-long programme covered topics ranging from the environment and land issues to human rights violations. It was still banned as of early July.

3.1.3 "Radios Rurales" — breaking the monopoly

The most likely end to the government radio monopoly for the foreseeable future seems to rest with a Canadian-funded project to set up five "rural radio" stations in remote areas of the country which CRTV does not reliably reach. The government has allowed community radio stations to be established despite the absence of a formal procedure governing the licensing of private radio stations. This initiative takes advantage of a loophole in the Law on Mass Communications whereby "community radios" are considered distinct from private radios and therefore are not technically subject to the same licensing procedures.

The "community radio stations", of 5 kilowatts each, are planned for Oku (North West), Mamfe (South West), Foutouni (West), Lolodorf (South) and Dana (Far North) provinces. The first two stations in the anglophone areas are scheduled to open by late 1997. The project is to be carried out by the ACCT in collaboration with the Cameroonian government, which will provide technical assistance. The focus of the radio

project is on rural communities, particularly where they are involved in communal conflicts. Its sponsors have said that, although the project will start as a means of "communication for the people," they are "hoping it will become a forum which proves independent of CRTV."

The contract reportedly strictly prohibits access by political parties as well as "government propaganda." Moreover, Annexe V of the Draft Schedule of Conditions for Local Radio, Cameroon suggests that news programmes are not expected to feature heavily on its agenda. Article 4 states that the agenda aims primarily to:

To allow the expression of the voice of rural communities as a means of communication ... to promote their greater welfare; to support and underpin socio-economic development initiatives and activities at a local level; to improve the standing of traditional knowledge.

3.2 Attacks Against the Press

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The first half of the 1997 election year witnessed continuing attacks on the print media. Journalists have been arrested and detained for writing articles critical of the government or government officials; some have faced physical abuse or threats. The authorities maintain sweeping powers to ban or seize newspapers. Some 400 newspapers are reportedly registered, but only about 30 were still being published by the end of 1996, and less than 10 on a regular basis. The only daily newspaper is the government-owned *Cameroon Tribune*, which is published in both French and English. Newspapers face significant financial costs because of the high price of newsprint and the lack of infrastructure. However, sales are restricted due to the level of illiteracy.

3.2.1 Seizure of newspapers

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The 1996 Law No. 96/04 amending the Law relating to Freedom of Social Communication provides government authorities with sweeping powers to seize and ban newspapers. Articles 13 and 14 require all newspapers to deposit copies of each edition with the Public Prosecutor (*Procureur*) and administrative authorities within two hours of publication.

According to Article 17 (1) administrative authorities can order the seizure of newspapers which they consider to be a "threat to public order or to good morals". The International Covenant on Civil and Political Rights (ICCPR), to which Cameroon is party, recognizes

"public order" as permissible grounds for restrictions on the right to freedom of expression. However, a restriction sought on such grounds is not legitimate unless its demonstrable effect is to protect a country's existence or territorial integrity against the use or effect of force, or its capacity to respond to the use or threat of force, whether from an internal or external force.

The law also permits private individuals to appeal to the administrative authorities to seize particular newspapers if they consider that these threaten their "honour, dignity, esteem, reputation or private life". Although protection of reputation and privacy are provided for in international law, they cannot be used to justify the seizure of publications.

On 5 May this year, copies of *L'Expression* were confiscated in Yaoundé, reportedly because the edition featured an interview with Titus Edzoa, former Minister of Health, who resigned on 20 April and announced that he would contest the presidential election. In the interview, Edzoa claimed that Biya was the most wealthy Cameroonian and that he controlled the country's oil revenues. He also alleged that Biya donated 1.5 million CFA francs (US\$2916) to *Jeune Afrique Economie* from development aid provided by the European Union. The very next day issues of *L'Anecdote*, another private newspaper, were seized from newspaper vendors in Yaoundé. The edition contained a piece which stated that SDF opposition leader John Fru Ndi and Titus Edzoa had held a meeting.

3.2.2 Arrests of journalists

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The Ngangue and Njawé case

On 22 January 1997, Eyoum Ngangue, a journalist with the privately owned newspaper *Le Messenger* and co-editor of its satirical weekly, *Le Messenger Popoli*, was arrested and imprisoned to serve a sentence he had received in late 1996. He had been convicted in February 1996, jointly with editor Pius Njawé, for defamation of and insult (*outrage*) to the president and all the members of the National Assembly, and for dissemination of false news. The charges stemmed from an article which criticized the draft amendments to the 1972 Constitution and from two separate cartoons which mocked the government's preparations for the 1996 OAU summit and speculated as to possible internal conflicts within the armed forces.

The two journalists initially were each sentenced to a fine of 2.5 million CFA francs (US\$4,860). On 3 October, after an appeal by the Public Prosecutor, the Littoral Appeals Court overruled the original sentence and imposed prison terms of six months on Pius Njawé and one year on Eyoum Ngangue. The Appeals Court reduced the fines from 2.5 million CFA francs to 100,000 CFA francs (US\$194) for Njawé and 300,000 CFA francs (US\$583) for Ngangue. The next day the journalists submitted an appeal against the conviction to the Supreme Court which could not be processed until 7 November, when

the Appeals Court issued a written judgment. Pius Njawé was arrested and imprisoned on 29 October 1996. On 14 November, the Supreme Court granted his request for conditional release (*liberté provisoire*) pending its decision on the case and he was released the following day.

While Pius Njawé was in detention, the authorities did not attempt to arrest Eyoum Ngangue, despite the fact that he had received a longer prison sentence. Eyoum Ngangue continued his journalistic activities throughout late 1996 but is reported to have been under regular surveillance by security agents. He was arrested following a summons of 21 January 1997 and imprisoned at the Central Prison in Douala. Pius Njawé maintained that he was refused access to Ngangue from 18 February until 14 March. On 27 March 1997 the Supreme Court granted Ngangue conditional release pending its decision on the appeal.

Ngangue's detention generated a strong national and international campaign for his release. His brother Eyoum Ndoumbe, a journalist with the government owned daily newspaper, *Cameroon Tribune*, was briefly suspended from his position, a few days after he created a committee of journalists, the *Appel international pour la libération d'Eyoum Ngangue*, to campaign on behalf of Ngangue. According to the Cameroonian press freedom group, *l'Organisation Camerounaise pour la Liberté de la Presse*, *Cameroon Tribune* confirmed that Eyoum Ndoumbe was suspended solely because of his role in these campaigns.

Njawé and Kameni case

In another major case involving *Le Messenger*, on 3 April 1997 journalists Pius Njawé and Tientcheu Kameni won an appeal in the Littoral Appeals Court against their conviction last year for "insult to a government official" (*outrage*). On 24 April 1996, each of them had been sentenced to five-month prison terms, fined 200,000 CFA francs (US\$389) and required to pay 2 million CFA francs (US\$3,889) in *dommages et intérêts* (damages). The case was brought on account of an article published in *Le Messenger* earlier in the year, which accused the Deputy Prime Minister (*Vice-Premier Ministre*) Responsible for Territorial Administration, Gilbert Andzé Tsoungui, of electoral fraud, citing the case of a Douala neighbourhood where the results of the January 1996 municipal election were widely disputed.

Menounga case

Evariste Menounga, Publications Director of *L'Indépendant hebdo*, was arrested on 17 March 1997 and taken to the gendarmerie in Yaoundé, where he was interrogated about his sources for an article published a few days earlier. The report maintained that there could be a mutiny in the army. During his interrogation, Menounga is reported to have been informed that his arrest had been ordered by Minister of Defence, Philippe Menye Me Mve. He was detained at the gendarmerie until 20 March, when he was charged with dissemination of false news (*propagation de fausses nouvelles*), and incitement to revolt

or sedition (*incitation à la révolte*). He was then transferred to the Central Prison of Yaoundé in Nkondengui.

The trial of Evariste Menounga opened on 17 April 1997 and, according to an observer from the Paris-based *Reporters sans frontières*, Menounga's lawyers argued that the involvement of the Minister of Defence in initiating the case against him was in breach of normal procedure. The trial was then adjourned for the judge to deliberate the case. On 16 May, Evariste Menounga was found guilty on both counts; the court issued a suspended sentence of six months' imprisonment.

3.2.3 Physical violence

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Journalists in Cameroon also risk physical abuse by the authorities. In February 1997, reporter Christian Mbipgo Ngah of *The Herald*, a privately owned English-language newspaper, was arrested while returning to his residence and taken to the Santa Gendarmerie Brigade in Bamenda. He is reported to have been severely beaten for several hours and interrogated about his reporting. Ngah was released without charge a few hours later, after being forced to promise that he would no longer publish articles which criticized former Prime Minister Simon Achidi Achu, the gendarmerie, or the administrative authorities in Santa and Mezam. He required hospital treatment for the injuries he sustained from the beating.

According to *The Herald*, another of its journalists, Mfume Godfrey, was warned by an official that he might face the same abuses which Christian Mbipgo Ngah had suffered. *The Herald* reported that Mfume Godfrey received this threat from Chebui Philip Mekikia, of the Ndop sub-divisional office, because of a news brief which he had written. In a separate case last year, another journalist with *The Herald*, Mr Forbin, was manhandled by police in the Douala neighbourhood of Akwa in April 1996 while he was trying to interview students participating in a demonstration.

3.3 Steps to Broadcasting Reform

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- Key reforms are needed to transform CRTV into a truly independent public broadcasting corporation guaranteed at a minimum by an independent Board of Directors.
- The failure to implement the relevant provisions of the Law No. 90/052 of 19 December 1990 relating to the freedom of social communication represents a flagrant breach of the right to freedom of expression. The government must institute statutory regulations and

establish an independent authority to govern the licensing of private radio stations. The process for allocating broadcasting licences should be independent, transparent, and non-discriminatory.

- The role of allocating airtime to opposition political parties during the official campaigning period, and on the programme *L'Expression Directe*, should be removed from the Ministry of Communications and assumed by an independent body.
- CRTV should provide more balanced coverage of the activities of opposition political parties.
- An independent mechanism should be established for responding to broadcasting complaints. The CNC, in order to fulfil this role, would need to be restructured in order to become fully independent of the government and to evolve from its advisory role.

3.4 Steps to Press Freedom

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- Any restriction on freedom of expression based on "threat to public order" must be clearly and narrowly defined in law.
- The provisions granting the banning and seizure of newspapers on the grounds of honour, dignity, esteem, reputation or private life should be repealed.
- It is unacceptable in principle for offences such as defamation or dissemination of false news ever to be punishable by imprisonment. Such practices constitute a gross breach of the right to freedom of expression. Any complaints of defamation should be dealt with solely through the courts as civil cases.
- The authorities should cease the practice of imprisoning journalists for exercising their right to freedom of expression and immediately release any individuals who are currently detained on this basis.
- The government should ensure that all allegations of violence, intimidation or harassment of journalists are promptly and impartially investigated and that those responsible for such abuses are brought to justice.

4 ASSEMBLY AND OPPOSITION DENIED

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Freedom of assembly, particularly the right to attend meetings and peaceful demonstrations, is an essential part of democracy. The exchange of ideas through such activities is central to participation in the political process. Yet as this section reports, meetings have often been prevented or broken up by police. Opposition politicians have also faced arbitrary detention, and sometimes have been convicted on the basis of charges which appear to be unfounded. In the North West Province, an opposition stronghold, between 100 and 300 were detained without charge for several months following a number of attacks on administrative and security officials in late March. In the lead-up to the 1997 legislative election, opposition activists were subject to violence and intimidation. This section calls on the authorities to protect opposition members from such abuses and to release any individuals currently being detained on account of their political views or affiliations.

4.1 The Right to Freedom of Assembly

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The right to freedom of assembly in Cameroon is defined primarily by Law No. 90/055 Regulating Meetings and Public Demonstrations and Law No. 90/053 of 19 December 1990 on Freedom of Association, which states that public meetings are "free" but need to be declared to the authorities beforehand. Activists must make this "declaration" to the local *sous-préfecture* at least three days beforehand for meetings and seven days in advance for a rally. The declaration needs to contain information about the nature of the gathering as well as details on where and when the meeting will be held. In principle, this measure is sufficient in order to hold an assembly and a receipt (*récépissé*) is not technically required. However, in practice this receipt serves as an authorization which must be obtained but is frequently denied to opposition parties for vague or arbitrary reasons. This procedure is inconsistent with modern jurisprudence on the right to freedom of assembly. Moreover, although the law only applies to public meetings or rallies, this restriction is commonly required for gatherings in private premises.

During the official two-week campaigning period leading up to each election, a *récépissé* is no longer required. In theory, organizers only need to "inform" the administrative authorities, even at short notice, as to where and when public meetings or rallies are planned. However, the authorities can restrict the time and venue, and still may refuse permission to hold the meetings, for reasons of public order.

4.1.1 Notice — meeting cancelled

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The right to freedom of assembly for political parties has been severely curtailed in Cameroon since the transition to multi-party politics in the early 1990s. In the run-up to the 1997 election, ARTICLE 19 received information about interference with opposition party campaigns and meetings in the Centre and South provinces, areas traditionally known as pro-RDPC strongholds, as well as in the Far North Province, where the RDPC also aimed to win a large number of votes.

The SDF, a major opposition party based in the North West Province, faced arbitrary obstacles to the right to freedom of assembly on several occasions in 1997. In one incident, a conference the SDF organized to present its economic policy was subject to interference by the authorities. On 24 February Alhadji Sani, President of the SDF in the Centre Province, informed a *sous-préfet* of the *arrondissement* of Yaoundé III about the conference, which was scheduled for 15 March at the Hilton Hotel in Yaoundé. The *sous-préfet* required the SDF to submit the names and profiles of the persons scheduled to speak, in breach of normal procedure, which the SDF then provided. Just one week before the conference, the administrative official rejected the application because he objected to the participation of André Gauron, a French national and former French prime ministerial adviser "in a debate of internal politics which concerns Cameroonians." The SDF agreed to remove André Gauron from the speakers' list on 10 March and obtained permission two days later.

SDF leader John Fru Ndi was denied authorization to meet activists from the local party at Makenene, la Lékié *département*, also in the Centre Province, in mid-February this year. The *Sous-préfet* of Makenene failed to give the SDF reasons for proscribing the meeting. On another occasion, a tour by John Fru Ndi scheduled to take place throughout the Centre Province from 20 April until 2 May 1997 was prohibited by the administrative authorities, reportedly on the orders of the Governor. According to the SDF office in Yaoundé, which was notified of the refusals by several *sous-préfets*, the party was ordered to wait until the official campaigning period began on 3 May 1997 before holding meetings. This restriction curtailed a larger campaigning tour which had visited the North, Far North, Adamaoua, and East provinces.

Local party representatives also face restrictions on less high profile gatherings. The SDF reported that a meeting due in March was refused in the District of Nkolafamba, Mefou et Afamba *Département*, Centre Province. The meeting had been called to plan for the establishment of an SDF office in that electoral constituency. In a letter addressed to the SDF, the authorities stated that the gathering could not go forward because the SDF party representatives involved in organizing it had not been "accredited" by the administrative authorities. They also cited security grounds as a basis for their refusal.

In another case, the violent incidents in the North West Province were used as a pretext to ban a meeting of 4,000 organized by the SDF near Yaoundé in early April 1997. The SDF had planned to host traditional dance groups, bringing together presentations from anglophone and Bamiléké groups, often viewed as supporting the opposition, with a performance by a Beti troupe, the ethnic group of President Biya. The administrative authorities reportedly told the organizers that the meeting could not take place because

Yaoundé had been "infiltrated" by individuals who had organized attacks on government officials in the North West Province in late March (see page 33).

The UNDP faced similar interference. In the Centre Province, on 24 January 1997 UNDP spokesperson Bassa Ambassa was prevented by gendarmes from entering Mbam et Kim *département* with Nicole Okala, member of the political committee of the UNDP and former President of the Socialist Union of Cameroon, who is from that region. They were expected to attend party meetings to discuss potential candidates from the area for the legislative elections. Six gendarmes are reported to have stopped the two UNDP members at the entrance of the *département* and, after checking their national identity cards, barred them from entering, allegedly on the orders of the *Préfet*. The Vice-President of the UNDP Central Committee, Célestin Bedzigui, made a formal complaint to the Commander of the Gendarmerie Legion of Centre Province about the incident, which received no response.

In Bipindi, South Province, the authorities are reported to have prohibited opposition rallies five days before the elections "with the reason that Bipindi was the government's stronghold."

In Maroua, the Far North Province, the authorities banned political party meetings from around 10 May 1997 and throughout the entire campaigning period, according to the Movement for the Defence of Human Rights and Freedoms (MDDHL). This measure is reported to have been announced on the radio. In the *arrondissement* of Kolofata in the *Département* of Mayo Sava, about 90 km from Maroua, and the home town of Secretary-General of the Presidency Amadou Ali, a number of meetings by UNDP local party representatives were banned in 1997.

Even opposition municipal councillors are affected by arbitrary constraints on the right to freedom of assembly. In Douala, the Mayor of the First *Arrondissement*, Dr Leolein Njakwa, was refused permission to hold a press conference on 18 September 1996 to publicize his findings from a needs assessment evaluation which he had conducted in the constituency. In another case, he was banned from hosting a charity ball for economically disadvantaged children in late March 1997.

4.2 Detention of Opposition Representatives

As the presidential election draws nearer, individual government opponents have been targeted for arrest. Titus Edzoa, formerly a close associate of President Biya, resigned from his post as Minister of Health in April and declared he would run for President. On 5 June he reported that he was placed under house arrest and that the authorities had confiscated his passport; on 4 July he was arrested and reportedly charged with corruption and embezzlement of public funds.

Five days before the legislative election, Michel Atangana Abega, Edzoa's campaigns director, is reported to have been arrested. According to Edzoa's office, the arrest was ordered by the Director of Presidential Security (*Directeur de la Sécurité présidentielle*), Minlo Medjo. Party officials report that they had begun receiving threats after releasing an open letter to the United Nations which criticized the government.

In another case, the security service sought to arrest Jean-Michel Nintcheu, a member of the National Executive Committee of the SDF, who owns a printing company in Douala, on the morning of 3 June 1997. He had travelled outside the country for personal reasons a few days beforehand. His younger brother, Brice Nintcheu, and three employees, Paul Gona, Lucas Tah and Emmanuel Nzie, were detained instead. They were released without charge on 24 June. Nintcheu reportedly was accused of inciting revolt on account of leaflets his company printed for the SDF.

The official election results announced on 6 June, which gave the RDPC a majority in the National Assembly, led to considerable protest by opposition groups. A demonstration outside the Supreme Court on that day was dispersed by police and 13 participants were detained, including Alhadji Sani, President of the SDF in the Centre Province. All the people detained during the demonstration were released about a week later. They were charged with: insult to the Head of State (*outrage au chef de l'Etat*), incitement to revolt or sedition (*incitation à la révolte*), unauthorized public demonstration (*manifestation sur la voie publique sans autorisation*) and contempt of the Supreme Court (*insulte à la Cour Suprême*). Also in June a number of other SDF activists are reported to have been briefly detained in Yaoundé and Douala and released without charge.

Before the election results were announced, between 25 and 50 SDF members were detained in Kumba and Buea (South West Province), including the SDF President of Meme Division. These detentions followed a violent incident involving opposition and ruling party activists on 20 May in Kumba, which took place after a demonstration organized by a pro-RDPC traditional chief. The SDF activists were held without charge and released between 19 and 21 June after protests by the newly elected SDF members of the National Assembly.

Activists were also detained before the legislative poll for gathering in unauthorized political party meetings. In Mbonge, a small town in the South West Province, 18 SDF activists were apprehended in mid-March after police intervened and dispersed a group which had gathered at a private residence. The organizer, Patrick Mokwe, a local SDF party leader, had applied for authorization one week beforehand to hold a party convention of 300 delegates. Administrative authorities refused the application two days before the scheduled meeting. According to local SDF activists, approximately 200 delegates arrived on the day of the meeting before they could be informed of the cancellation.

Although they did not hold a formal meeting, the participants reportedly stayed for a meal at the house of Patrick Mokwe. About 27 people were present when police intervened to break up the function and arrested 18 of the local SDF activists. Three of

them reportedly were manhandled by the police during the arrest. Two higher level activists from outside Mbonge who were present, John Epie, SDF Coordinator for Meme division and Raphael Tanye, the Divisional Organizing Secretary, were not targeted by the authorities and the others fled the premises. The party leaders followed the police to the station but initially were denied access to the activists in detention; on 20 March their lawyer succeeded in meeting with the detainees. The Divisional Officer Emile Mooh is reported to have issued a "Prefectorial order" for them to be detained for 15 days. They were released without charge on 23 March following their lawyer's appeals to the authorities in Kumba and diplomatic pressure from the United States Ambassador.

Outspoken opposition representatives in rural areas are especially vulnerable to arbitrary detention. Saïdou Yaya Maïdadi, the President of the SDF in the North Province (*Président provincial*) and member of the SDF National Executive Committee (*bureau exécutif*), was arrested in Maga, the Far North Province, on 24 January 1997 and taken to Maroua. He was charged with insult to the head of state (*outrage au chef de l'Etat*), in connection with a number of SDF communiqués which he released in 1995 calling on activists not to support President Biya during the latter's visit to Maroua. This charge was brought despite the fact that it is in breach of the Penal Code to pursue a case more than two years after the act was committed. Saïdou Yaya Maïdadi was granted conditional release twelve days later but was subsequently summoned for questioning about this case on three separate occasions during the campaigning period for the legislative election. He ran as the SDF candidate for Garoua in the legislative poll.

In other isolated areas in the Far North Province, activists have also been at risk of detention. Mal Oumarou Sanda, from the village of Bogo, a local secretary of the UNDP's commission in charge of electoral lists and distribution of voting cards in the district of Bogo, and driver of the UNDP Member of the National Assembly Abdoulaye Kouila, was arrested in mid-March 1997, on suspicion of armed robbery and murder. He was released on 27 March 1997 but arrested again on 2 April. He remained in custody as of early June. Prior to his arrest, Mal Oumarou Sanda is reported to have been pressured by the *Sous-préfet* of Bogo and the President of the local RDPC party section of Diamaré Nord to resign from the UNDP and join the ruling party.

Christine Siamta, an active SDF representative and treasurer based in Yagoua, 125 km from Maroua, who reportedly aimed to run for the legislative elections, was convicted of inflicting bodily harm (*blessures légères*), breaking and entering (*violation de domicile*) and threats (*menaces*) against the child of a gendarme in May 1997. The charges against her stemmed from a physical fight, between her child and the child of the gendarme, in which she intervened. Her child's arms allegedly had been injured by the other child. Christine Siamta was sentenced to two years' imprisonment; her lawyers have appealed against the conviction.

On 28 March 1996, a judgment was announced in the case of 22 UNDP party activists who had been arrested in Maroua in 1994 in connection with the stoning of a Minister's convoy. The charges against six others arrested with them had been dropped. Seven of the UNDP members were sentenced to 10 years' imprisonment and are currently held in

Maroua Central Prison. An eighth activist was sentenced *in absentia* to 15 years' imprisonment. In addition, eight other UNDP representatives received suspended sentences of three years' imprisonment. The 16 convicted were also issued fines totalling 115 million CFA francs (US\$223,605). In April 1996 their lawyers submitted an appeal against the conviction, but by the end of the year it had not yet been reviewed. Six other defendants had been acquitted earlier. According to Amnesty International, "There was no evidence of individual responsibility for any criminal act against those convicted. They were prisoners of conscience."

4.3 "Destabilization" in the North West Province

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From 27 to 31 March 1997, a number of attacks were made on administrative and security officials in several towns of the North West Province. Officially 10 people were killed, including three gendarmes, and a number of others were injured. Although the Minister of Communications declined to speculate as to the identities of the assailants, the *Préfet* of the *département* of Mezam is reported to have accused the Southern Cameroons National Council (SCNC), an anglophone separatist movement, of being behind the violence. Some opposition leaders alleged that the government provoked the attacks in an attempt to disrupt the electoral process in the region. Reports in the Cameroonian press were also sceptical of the claim that SCNC "rebels" had committed the violence, suggesting that it could have been government-sponsored. A curfew was declared on Saturday 29 March, from 7 p.m. to 6 a.m., which was reduced on Thursday 8 May to 10 p.m. to 6 a.m. It was lifted entirely on 3 July 1997.

These incidents were followed by the arrest and detention without charge of an estimated 100 to 300 individuals in the North West Province from early April 1997. By early July most of the detainees are reported to have been released without charge. Twelve remained incommunicado at the gendarmerie in Bamenda and 37 had been transferred to the Central Prison in Yaoundé. None of those who remain in detention have been charged. ARTICLE 19 has received reports that some of the detainees have been severely tortured. Up to 100 more persons are reported to have been briefly detained in the South West Province in early April. National and international human rights groups appealed unsuccessfully to the Cameroonian government for information on the exact number of people being detained and on the legal grounds for their arrest. There is growing concern that those who remain in detention may face trial before a military tribunal or special tribunal without guarantees that their basic rights will be respected.

A number of active opposition representatives were targeted in the large-scale arrests. George Yimbu, SDF District Chairman for Bui Division was arrested and beaten in the town of Kumbo on 30 March before being transferred to Bamenda the next day. According to the Human Rights Clinic and Education Centre (HURCLED), he previously had been briefly detained and beaten on 1 June 1996 for organizing an unauthorized

political meeting. Other SDF members detained in the course of the arrests are: Joseph Abongwi, Simon Achu, Gregory Afenji and Edet Che Ndingsah. In addition, the First Vice-President of the UNDP Lawrence Formambuh is reported to have been arrested on 30 March.

4.3.1 Detention deaths

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Amnesty International and the Bamenda-based Human Rights Defence Group documented a number of cases in which detainees died in detention after torture or mistreatment. Samuel Tita reportedly died from torture on 1 May 1997, about a month after he was arrested. Pa Mathias Gwei died on 25 May, a few hours after being admitted to a hospital after he had become critically ill as a result of torture. He had been arrested in Oku, Bui Division and transferred to the Gendarmerie Legion in Bamenda, where he was held incommunicado. *Cameroon Post* also reported in early May that three soldiers who had been detained were also tortured to death in early May. It is alleged that they were tortured in an attempt to force them to implicate the SDF in the attacks. They were among 13 other military personnel who were transferred to Yaoundé after their arrest in Bamenda.

The following detainees at the Gendarmerie Legion are reported to have suffered serious injuries during their arrest: Martin Chenwie, Thomas Fonkwa, Peter Nyamka Niba, Wilson Che Niba, Wilfred Angwagor Nji and Paul Tibit Toka. Some of them allegedly received bullet and bayonet wounds. They have not been granted access to medical assistance.

Political activists also reportedly were targeted in the South West Province when up to 100 were detained there in early April. According to the HRDG, on 2 April the SDF office in Limbe was broken into and one SDF activist was arrested in the neighbourhood of Mile 4. Most of the detainees in the South West Province were held briefly and released without charge.

4.4 Violence and the National Assembly Elections

In addition to arrests and restrictions on freedom of assembly, opposition activists in Cameroon face various forms of intimidation, harassment and physical abuse. There were also reports of government-sponsored violence, with ruling party militants in some instances allegedly acting on the orders of government officials. Such incidents increased in the run-up to the legislative polls.

Violence or the threat of violence also hindered the full participation of voters and political parties in the electoral process. In some cases opposition representatives were prevented from casting their votes or posting monitors at the polling sites, as is stipulated in the electoral law. Observers from the "*Francophonie*" group cited cases of violence against voters and "the presence in some voting sites of a supposed 'vigilance committee' whose role remains to be clarified." IFES also reported "the presence of self-identified 'private' security personnel outside some polling stations; when questioned, these personnel would not supply further information."

This climate of intimidation was exacerbated by the continuing curfew and arrests in the North West Province as well as by travel restrictions introduced by the Ministry of Territorial Administration in the run-up to the legislative poll. Cameroon's borders were closed from the evening of Thursday 15 May until the morning of Sunday 18 May, the day after the election. Meanwhile, on polling day travel was prohibited between cities; all bars and other "places of entertainment" were prohibited from operating. International observers noted that in some cases armed guards of pro-RDPC traditional leaders enforced the travel restrictions, thus exposing opposition activists to the possibility of further harassment.

Several attacks on SDF activists were reported during the election period. Violence erupted after the poll in the South West Province, where international observers noted serious problems with intimidation on polling day, including by police posted in and around the polling sites. In Yaoundé, on Tuesday 13 May, seven SDF activists allegedly were wounded by a number of RDPC members armed with machetes. The attack occurred in the presence of local officials when opposition representatives demonstrated to demand their voting cards. One SDF representative reportedly sustained a broken leg in the assault.

In Makenene, the *Département* of Mbam and Inoubou, Ruth Tabita, an SDF activist who aimed to run for the parliamentary election, suffered serious knife wounds when she was attacked in late February following a party meeting. She was assaulted two hours after the meeting when she had gone to pick up her birth certificate and financial deposit to reserve her place as a candidate. The assailant is reported to have warned her to stop her activities with the SDF. Ruth Tabita required hospitalization for the injuries she sustained.

In another case reported in late March, SDF Local Secretary Peter Tabot and Joël Ngoh, local SDF Information Officer, had their property destroyed during the night of 28-29 March after the establishment of a local SDF section in Ngomedzap, *Département* of Nyong and So'o. The house of Tabot, who is from the North West Province, and the restaurant of Ngoh, who is from the area, were burned. According to the SDF in Yaoundé, this incident occurred two days after local officials had warned the activists to stop organizing in the locality.

On 16 May the SDF parliamentary candidate for Balikumbat, in the constituency of Ngo-Ketunjia South, is reported to have had the fence of his compound set on fire. Moreover,

the International Foundation for Election Systems reported that SDF representatives in that area were not allowed access to the polling station.

In the South Province, opposition party activists of *La Nationale*, a small party with members only in this region, also were prevented from monitoring polling sites in three areas because of harassment by RDPC militants. In the voting booth of N'Koutou, Ebolowa *arrondissement*, Jean Nnengue was severely beaten by the crowd. In the same *arrondissement*, Joseph Ela was subject to similar intimidation in the voting booth of Mvong. In a third polling site in N'Nelfou, also in the *arrondissement* of Ebolowa, another *La Nationale* activist was assaulted by RDPC activists. According to party President Abel Eyinga, Maître Meto'o Patrice, the candidate for the legislative election in Mekomo in Ebolowa *arrondissement*, was prevented from voting by RDPC activists.

Since the announcement of the legislative results, SDF activists in Yaoundé also have been targeted for intimidation. On 2 July 1997, Thomas Yemafou, SDF Treasurer in Yaoundé III was approached by three persons claiming to be from the RDPC, who allegedly threatened to kill him if he did not resign from the party. He had been summoned by the police in early June. Pascal Zamboue, National Assembly candidate who also lives in the same area, had a bottle of gas thrown through the window of his house on 7 June.

Recommendations:

- Cameroon's requirements for holding meetings and demonstrations represent a *de facto* permit system, whereby authorization can be denied. This restriction should be abolished.
- The government should immediately release any individuals currently being detained on account of their political opinions.
- The authorities should investigate any incidents of intimidation or violence against opposition activists. Those responsible should be brought to justice. It must also examine reports that "private" security personnel and "vigilance committees" were present at certain voting sites.

5 TRADITIONAL LEADERS SUPPRESS EXPRESSION

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In Cameroon's three northern provinces, government-appointed traditional leaders have been responsible for human rights abuses against government critics. The worst abuses against opposition party representatives in Cameroon have occurred in the *Département*

of the Mayo-Rey, North Province, which is controlled by the Lamido of Rey-Bouba. Scores of opposition representatives have been detained illegally in a series of private prisons operated by the Lamido; some have been chained or beaten.

In July 1995, ARTICLE 19 issued the first report to contain detailed information on the abuses within this territory and called on the government to take immediate action to stop them. The Cameroonian authorities have never denied any of the information published by ARTICLE 19. However, more than two years later the government still has failed even to investigate the violations. Meanwhile, foreign governments and intergovernmental bodies have failed to take action on behalf of opposition activists who have been held in illegal detention, despite their willingness to denounce other forms of human rights abuses, such as the imprisonment of journalists. Some diplomats have argued that these abuses are merely a "traditional" problem. The Cameroonian press rarely reports on the region.

5.1 The *Département* of the Mayo-Rey

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This area of 36,524 km² corresponds to the Lamidat of Rey-Bouba, one of the oldest and most powerful *lamidats* in Cameroon. These pre-colonial Muslim kingdoms became highly structured and expansive political entities after the *jihad* launched by Uthman dan Fodio, a Fulbe leader, between 1804 and 1809. The position of *lamibe* (singular, *lamido*) as leaders of the kingdoms was also created during this period. Their role, which was both political and spiritual, seemingly reflected and incorporated the beliefs of local non-Muslim ethnic groups. During the colonial and post-independence periods, government authorities relied heavily on *lamibe* to maintain control over populations in the North. Under a 1977 Decree, traditional leaders were granted broad and ill-defined powers to act as "auxiliaries" of central government.

Extreme human rights violations against government critics in this region appear to be a relatively recent phenomenon, arising with the transition to multi-party politics. The first multi-party legislative election is reported to have taken place without major obstructions and representatives of the UNDP won all three seats for the *Département*. However, in the run-up to the presidential election of October 1992, between 40 and 70 opposition activists are reported to have been detained illegally in private prisons run by the Lamido of Rey-Bouba. The presidential poll in this *Département* was marked by intimidation and serious irregularities.

Since the 1992 presidential election, abuses against opposition activists have steadily continued. Opposition representatives in Mayo-Rey have suffered beatings, extrajudicial killings, and detention in illegal prisons for periods ranging from a few weeks to several years. UNDP members of the National Assembly, unable to move freely in the area, are categorically denied access to their constituents. Political meetings and rallies are

prohibited, except for small gatherings in private homes of activists in Tcholliré, the only town where the opposition members of the National Assembly are allowed to reside. Most of the atrocities have been committed by armed guards (*dogari*) who report to the Lamido and reportedly number over 100.

The 1996 municipal and 1997 legislative elections in the *Département* of the Mayo-Rey were marred by serious abuses on and leading up to the polling day. Attempts by UNDP representatives to hold peaceful meetings during the campaign periods have repeatedly been met with violence. Guards were allegedly posted inside voting booths throughout the *Département* except for the town of Tcholliré where opposition members face less harassment. Voting is reported to have been fraught with irregularities, and the results of the 1997 legislative elections were annulled by the Supreme Court following an appeal by the UNDP. They were held again in this area on 3 August 1997, when the three UNDP Members of the National Assembly lost their seats to RDPC candidates.

5.1.1 Election campaigns — beatings and political killings

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In early January 1996, a convoy of 41 UNDP members, including two opposition Members of the National Assembly, several municipal candidates and members of local supervisory commissions, was attacked by the armed guards of the Lamido. Adama Haman Daouda, Member of the National Assembly for Tcholliré and Amadou Bakary Gouroudja, the representative for Rey-Bouba had met the Lamido the previous day to obtain permission to carry out their political campaigns in the *Département*. The Lamido is reported to have agreed to allow UNDP meetings to take place on 8 January. The UNDP activists departed from the town of Tcholliré at 9.30 a.m. that day and arrived in Rey-Bouba around 1.00 p.m., where they were offered a meal by local dignitaries in the Lamido's palace.

Yet as they were eating, a local resident reportedly informed them that the Lamido had planned an attack on the delegation. Ahmadou Bakary Gouroudja immediately left the group to seek assistance from *Sous-préfet* Jean Kalandi, who reportedly refused to intervene. Gouroudja then appealed unsuccessfully to the *Commandant de Brigade* for help. By the time he returned to the visitors' area, the group had already been attacked and the activists reportedly had dispersed. Gouroudja found his colleague Haman Adama Daouda 1.5 km away from Rey-Bouba town. He had been stripped and badly beaten, sustained an open wound on his head, and was being chased by two local dignitaries. The member of the National Assembly appealed again to the *sous-préfet* to intervene but the latter is reported to have refused to help evacuate the activists. When the two National Assembly members returned to the Lamido's palace by car to search for the other party members, their vehicle was again attacked by *dogari*; the driver and two passengers were beaten. A total of 13 UNDP members were seriously injured and three vehicles destroyed, one of which was set on fire. Others had been chased by *dogari* over a

distance of 3 km. Haman Adama Daouda was hospitalized on 24 January and died as a result of his head injuries on Sunday 18 February.

After the death of Haman Adama Daouda, the UNDP proposed an inquiry by members of the National Assembly into his death and into human rights violations in Mayo-Rey (*Résolution portant création d'une Commission d'enquête parlementaire sur la mort du député Haman Adama Daouda et sur les violations des droits et des libertés dans le Mayo-Rey*) in the session of June 1996, which was signed by 85 members of the National Assembly. This motion was unsuccessful as RDPC Members of the National Assembly argued that an independent commission of inquiry would interfere with the investigations to be carried out by the judiciary. Yet more than a year since the death of Haman Adama Daouda, there is no evidence of a government investigation in this region and those responsible for his beating have not been brought before the courts, despite the extensive evidence submitted by his family, colleagues and witnesses.

The campaign for the second multi-party legislative election also led to the loss of lives in the *Département* of the Mayo-Rey. On 12 May 1997, a few days before the legislative election, a number of *dogari* attacked the delegation of Nana Koulagna, then UNDP Member of the National Assembly for Toubouro, in Mbang-Rey, killing two UNDP members. They reportedly fought back in self-defence and three *dogari* died. The group had been trying to reach Touboro, where Nana Koulagna was the UNDP National Assembly candidate.

The political killings followed an attempt by the UNDP to campaign in the *Département* despite a ban on political meetings imposed by the Lamido. The delegation immediately reported the incident to the police in Touboro, who escorted them to the gendarmerie station in Tcholliré, ostensibly for their own protection. However, when they arrived in Tcholliré the next day Nana Koulagna and the 16 other activists present were placed under preventative detention and accused of murder. They were transferred to Garoua where they were being held as of mid-August 1997; two were subsequently released. The remaining 14 UNDP activists are: Mr Hamidou, Mr Baba Koulagna, Mr Salaou Dieudonné, Mr Dewa, Mr Ibrahim, Mr Ousmanou, Mr Issa, Mr Hamidou, Mr Nana Pierre, Mr Mamoudou, Mr Ousseini, Mr Hamalamou, Mr Iya, and Mr Hamadjoda. The Minister in charge of Territorial Administration (*Vice-Premier ministre chargé de l'Administration territoriale*), Gilbert Andze Tsoungi announced that he had ordered an investigation into the incident and that those responsible would be brought to justice. However, ARTICLE 19 is concerned that these activists may have been imprisoned because they attempted to carry out their political campaign despite the ban by the Lamido.

5.1.2 Harassment of UNDP Members of the National Assembly and party candidates

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On other occasions UNDP members of the National Assembly for the Department have faced physical attacks during their tenure. Nana Koulagna, UNDP Member of the National Assembly for Touboro, 200 km south-east of Rey-Bouba, has been "banished" from the entire Department by the Lamido of Rey-Bouba since 1992. On 17 October 1996, after seeking permission from the Lamido, he travelled to Touboro and, as a security precaution, immediately contacted the administrative authorities, the police, and local *dogari* of the Lamido upon his arrival around 12 noon. Although the authorities initially allowed him to stay, a few hours later the *sous-préfet* is reported to have informed Koulagna that the Lamido had ordered him to leave. Yet after negotiating with the *dogari* Koulagna reportedly obtained permission to stay the night.

Despite these arrangements, the concession of Nana Koulagna was attacked around that night by an estimated 100 *dogari*. Gendarmes stationed at the house to protect Koulagna reportedly failed to respond. Five relatives of Koulagna received bullet wounds: his nephews Abou Bakari, Hamidou Ousmane and Yaya Sadjo as well as his cousins Ibrahim Djaboulé and Moussa Temba. The latter, who was shot three times, died around noon the following day from the injuries he sustained. The *Commandant de brigade* and *commissaire de brigade* came to the scene after the attack and Koulagna left the *Département* under their escort the next day.

Other UNDP party candidates have been subject to repeated restrictions on their freedom of movement. Flaubert Waissoua, deputy (*candidat suppléant*) of Aboubakar Nassourou, UNDP National Assembly candidate for Rey-Bouba in the 1997 legislative election, who is based in Tcholliré, faces intimidation when he tries to travel to other parts of the *Département*, even for personal reasons. In early January 1997, he was interrogated by local guards when he arrived in Baïkwa, North Rey, where he is from. He was only allowed to leave after he insisted that he had come only to visit his family. Around 15 January 1997, after he had left the area, two family members in Béré and one friend in Baïkwa also were summoned for interrogation by the local *dogari*, Moussa Tonga, who is based in Sinassi and reportedly responsible for all of North Rey.

5.1.3 Illegal detention of opposition activists in private prisons

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In mid-1995, ARTICLE 19 documented the cases of eight political activists and one former guard of the Lamido who were being held illegally in private prisons in Rey-Bouba, some of them since 1992. In 1997, many of these individuals remain in detention; a number of others have died while being held illegally. Although two long-term detainees were released in 1996, the pattern of arrests continues. Conditions of detention and duration of imprisonment vary. Some detainees are held incommunicado whilst others are allowed access to their families. Many detainees have been chained or beaten during their illegal detention.

In many cases individuals targeted on account of their political beliefs have been detained and subsequently released. In one such incident, **André Taou**, who lives in Tcholliré, considered an opposition base, was arrested in early March 1997, when he travelled to see his mother in Béré, North Rey, because he was suspected of belonging to the UNDP. He was taken to Rey-Bouba and initially detained incommunicado in the house of Dogari Djataou where he was heavily guarded. He is reported to have been chained to a chair for the first six days of his detention. The Lamido is reported to have summoned Taou's mother and sister and told them that he would be released after the legislative election, joking that he was staying in Rey-Bouba to help count the ballots after the legislative election. He later escaped on Friday 4 April.

Another individual was arrested after being accused of supporting UNDP Member of the National Assembly Nana Koulagna. **Mal Inoussa** was detained in October 1996 after having been spotted giving Koulagna water at the intersection of Mbaï Mbou, 33 km from Touboro, Koulagna's town of origin, when the latter was leaving the area following an attack. Mal Inoussa was released in March 1997.

In Madingring, on the border of the *Département* of the Mayo-Rey, an individual was arrested by a dignitary of the Lamido in March 1997 because he was falsely suspected of belonging to the UNDP. **Ladan Gambo** had transported two calendars with UNDP slogans from local UNDP party leaders in Tcholliré to a member of the UNDP central committee. He is reported to have been chained and beaten before being detained for four days in the concession of the Lamido in Madingring.

Two long-term detainees were also released in 1996. **Alhadji Yerima Sadou**, a 57-year-old member of the UNDP and uncle of the Lamido, was detained in March 1993 after he had received a visit from the President of the UNDP Bello Bouba who came to express his condolences over the death of a friend of his and UNDP member, Saidou Youba. He was severely beaten, questioned over his membership of the UNDP, and held incommunicado until May 1994. In August 1994 he fell ill but initially was denied medical care; on 13 November 1996 the Lamido released him so that he could seek medical assistance in Garoua. He is asthmatic, suffered rheumatism in his knees and tuberculosis. Alhadji Yerima Sadou also has experienced severe atrophy in one leg.

Oumarou Mal Goni, an 80-year-old farmer and *marabout* (Islamic mystic), who had been detained since August 1992, was freed in March 1996. Although not a member of the UNDP, he had friends in the party and was accused of being the "*marabout* of UNDP people." He was severely beaten on the head in the course of his arrest; during the first five days of detention his neck and feet were chained and attached to the ceiling. Goni was detained incommunicado for the first three and a half years in the house of Dogari Naguida. He experienced temporary loss of feeling in his legs because of lack of circulation. Goni currently suffers from rheumatism.

Long-term detainees include **Djamhoura**, detained since late June 1995. A loader (*chargeur*) from Ria, he was detained in Tcholliré because the Lamido accused him of

supporting Koulagna. Initially he was detained in the house of Souley Issa and then in the house of dignitary Mahondé.

Issa Dalil from Madingring, the UNDP representative in Gor and employee of Sodécoton, has been detained since January 1993 in the house of Dogari Adamou Hamassani. He was held incommunicado until November 1993, when the Lamido allowed him to leave place of detention for up to a few hours at a time. In June 1997 he tried unsuccessfully to escape; as of early July he reportedly was being held chained in an area without a roof.

Modibo (marabout) Alkali (traditional judge) **Souïbou**, a UNDP member from Mbang-Rey, has remained in detention since May 1993. The Lamido is reported to have accused him of being the mystic of Nana Koulagna. He earlier had been appointed as a traditional judge by the Lamido.

Modibo Saidou, a 70-year-old *marabout* and herder from Mbang-Rey also was detained in 1993. He is reported to be held in the house of Dogari Ndaï. His family has been granted access to him and he is permitted to leave the concession briefly during the day. **Modibo Mal Halidou**, son of Modibo Haman Adama, from Mbang-Rey, was arrested in May 1993. He was accused of supporting Nana Koulagna. His family was denied access to him until 1994. After his brother died, his children were allowed to see him. He has been detained at the house of dignitary Hamadjoda Maibongo.

A detainee named **Djalla Samboule** was arrested on 5 May 1996, prior to the inauguration on 6 May of the new Mayor of Tcholliré, a UNDP member. Samboule died on 1 April 1997, shortly after his release. This local chief had brought tamtams (traditional instruments) to celebrate the inauguration of the opposition mayor. On 17 March 1997, he was released into the hospital in Garoua. He died as a result of internal haemorrhaging.

Three local chiefs, **Laoukoura Mourboulé**, **Djondahou** and **Gor Rigama**, were arrested for allowing UNDP members to live in their respective areas near Tcholliré. Another person, **Wirai**, is reported to have been arrested with them for alleged sympathy towards the UNDP. They were detained after the inauguration of municipal councillors in Tcholliré on 6 May 1996.

On 3 April 1997, two UNDP members known as **Yaya Guinness** and **Bekoutou Jean-Pierre** were arrested in Madingring. They are reported to have since been transferred to Rey-Bouba. Yaya Guinness was freed in May but Bekoutou Jean-Pierre remained in detention as of early July 1997.

Also reported to be in detention as of early July 1997, is **Souïbou**, a *chargeur* and member of the UNDP from Touboro. He allegedly remains under house arrest in the concession of the dignitary Oumarou Souka.

A number of detainees have died while being held illegally by dignitaries of the Lamido of Rey-Bouba. **Yadji Madji**, from Mbang-Rey, died in detention following an illness in May 1995; he had been in detention since May 1993. **Nassourou Gou**, who had been held since May 1993 in the concession of Dogari Oumarou Souka, is reported to have died on 10 March 1995. **Hamadou Balla**, a 58-year-old UNDP activist from Tcholliré, died in April 1995, after two-and-a-half years in illegal detention.

5.2 Putting an End to State-sponsored Repression

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ARTICLE 19 is calling on the Cameroonian government to take the following steps:

- Release immediately and unconditionally all those detained in private prisons operated by the Lamido of Rey-Bouba. These prisons are illegal under Cameroonian law and represent a flagrant violation of Cameroon's obligations under the ICCPR.
- Establish an independent investigation into the incident on 12 May in which *dogari* and UNDP activists were killed. Nana Koulagna and the other UNDP party representatives currently in detention should be released if they have been arrested on account of their political activities.
- *Dogari*, guards who report to the Lamido in the *Département* of the Mayo-Rey, must be immediately disarmed.
- Ensure law enforcement personnel are made fully accountable and trained in human rights awareness.
- Set up a judicial commission of inquiry to investigate allegations of human rights violations by *lamibe* and their armed guards in Northern Cameroon.

ARTICLE 19 again calls on the international community to endorse these recommendations.

6 SILENCING THE OBSERVERS

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Since 1990, Cameroon has seen the development of a number of NGOs working in the areas of human rights and democracy. Several independent organizations have succeeded in carrying out educational programmes without government interference. However, groups which monitor human rights violations have faced problems ranging from arbitrary restrictions to intimidation and sometimes arrest by the authorities. Access to information from the government and access to prisons remain a pervasive problem which hampers the ability of NGOs to carry out investigations. The government's National Commission on Human Rights and Freedoms, although nominally set up in 1990 to serve as a link between the government and NGOs, has never made public its findings on human rights abuses.

6.1 The Case of *Conscience Africaine*

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Conscience Africaine-Cameroon, a pro-democracy organization with affiliated groups in 16 African countries, has been targeted for harassment because of its activities to monitor the electoral process in Cameroon since 1996. The umbrella organization *Conscience Africaine* was created in New York in 1994 and the NGO *Conscience Africaine-Cameroon* was officially registered in Yaoundé in October 1995. In 1995 the umbrella organization *Conscience Africaine* jointly hosted an international training seminar with USIS for election observers in Yaoundé. Following complaints by MINAT that *Conscience Africaine-Cameroon* was an "international organization," it re-registered in the *Département* of Wouri in September 1996. Although it is affiliated with other NGOs, *Conscience Africaine-Cameroon* maintains that according to the law it is a national organization as all of its members are Cameroonian nationals. Under Cameroonian law, national organizations must present themselves to the *préfecture* where they are based and automatically receive legal status if the authorities fail to reject the application within a two-month period. The requirements for international organizations are more stringent; they must first obtain special approval from the Ministry of Foreign Affairs and MINAT to open offices in Cameroon.

In April 1996, the organization reported that its mail had been tampered with and shortly afterwards its offices were broken into and a number of project files were taken, along with two computers and other equipment. Although the organization reported the incident to the police and formally raised it with the authorities, there does not appear to have been an investigation into the break-in.

On 18 November 1996, the United States Information Service (USIS), the British Council and *Conscience Africaine* launched the Project for Civic Education and Training of Election Observers, a programme to train a total of 2,000 Cameroonian election observers, with 200 people to be recruited from each of the country's ten provinces. The project was funded by Germany, Japan, The Netherlands, Spain, the United States, the European Commission and the United Kingdom.

The programme was well-received by the public and a total of 10,000 individuals are reported to have applied to become monitors by late 1996. Workshops to be led by six international experts were planned for each of the ten provinces from 28 January to 5 March 1997. These were intended to train the monitors in time for the legislative elections, which were originally expected to be held in early March 1997.

The organization's director, Hilaire Tshudjo Kanga, reported that he began to receive anonymous threats from the very start of this election programme. According to Kanga, these became more frequent in early December, with anonymous callers warning him approximately every two days to stop his work. These threats were followed by an attack around 9.00 p.m. on 9 January 1997 in which Kanga was pursued from his office by two cars that trailed him for several blocks and then ran his car off the road near the Sun Star Hotel. He lost consciousness and was briefly hospitalized after the accident for chest injuries.

Some two weeks after the incident, MINAT arbitrarily banned the training programme, which already had been authorized to take place in three of the ten provinces. This measure came just as the programme was scheduled to begin and after several of the international participants had arrived in Cameroon. The Cameroonian authorities contacted the funders directly and alleged that the organization was illegal, accusing the group of acting as a front for the opposition. In a conference at the Hilton Hotel in Yaoundé, the Deputy Prime Minister (*Vice-Premier Ministre*) Responsible for Territorial Administration also publicly attacked the group for its links to the National Democratic Institute for International Affairs in a previous project.

The authorities argued that the election programme could not go forward because *Conscience Africaine* is a "chapter of an international organization" and was therefore required to obtain special permission from the government in order to operate in Cameroon. *Conscience Africaine* reports that it has never received a written notice from MINAT formally challenging its legal status. Since the incident, the group has succeeded in obtaining authorization for other programme activities such as press conferences. Threats against the organization have ceased, although on 26 March 1997 the offices were broken into a second time. The intruders reportedly fled after the night-watchman intervened.

6.2 Other Groups

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Other human rights groups also have faced similar restrictions on their activities. The MDDHL, one of the country's most active human rights organizations, was refused permission to hold a training seminar for election observers on 20-22 April in Maroua, Far North Province. The *Sous-préfet* notified the group of his refusal on 18 April, stating that their request had come at an "inopportune time."

Another organization, the Human Rights Defence Group (HRDG), reported on 17 April that their "Ndop Seminar" had been proscribed. The Governor of the North West Province is alleged to have ordered the seminar to be cancelled because of the group's report, *HRDG Reaction To The Ongoing Upheavals in the North West Province*. This publication, released on 8 April, was the first to cover the abuses which followed the violence in the North West Province in late March.

While the Cameroonian authorities welcomed foreign observers for the 1997 legislative election from the Commonwealth, the ACCT, the International Foundation for Election Systems, and from a number of embassies, many national election monitors were denied accreditation by MINAT. The Human Rights Clinic and Education Centre (HURCLED), a registered NGO based in Bamenda, North West Province, had its entire application rejected, despite the fact that its director had held a number of meetings with the Governor to discuss its plans for election observation. The MDDHL in Maroua requested permission for 60 members to observe the elections in the three northern provinces, Adamaoua, the North and the Far North Province, but received accreditation for only 12 monitors. MINAT informed the NGOs of their observer status for the most part only after 14 May, leaving them very little time to plan for the deployment of their observers, which is particularly problematic in the more remote areas where logistical obstacles are significant.

6.3 Mistreatment of Election Observers

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Monitors who attempt to observe elections without official accreditation risk mistreatment by the authorities. Two members of HURCLED who attempted to monitor the polls in Balikumbat, the constituency of Ngo-Ketunjia South, a pro-RDPC area in a province known to be overwhelmingly pro-SDF, were expelled from the area by police in the morning of 17 May. Another HURCLED observer who was posted at a polling booth located in a police compound in Bamenda, although allowed to monitor, was harassed by the police when two international election observers sought to speak with him.

On an earlier occasion, the Chairman of the HRDG for Mamfe, Manyu Division, was forced by government authorities to suspend the organization's plans to observe the municipal election of 21 January 1996 in Manyu Division, South West Province. On 19 January, the police and Minister of Higher Education, Peter Agbor Tabi, are reported to have approached HRDG's Chairman Elessa Ekeme Francis at his office, the Satellite Insurance Company, and required him to write a letter to all the group's members in Mamfe within eight hours to call off their election activities, threatening that otherwise he "would be eliminated." Following the incident, Elessa Ekeme Francis filed a complaint with the Police Commissioner and State Counsel.

6.4 Arrest and Physical Abuse of Human Rights Activists

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In addition to restrictions on election monitoring activities, in early 1997 a number of human rights activists were subject to arbitrary arrest and detention by the authorities. On 27 February 1997, the President of the MDDHL, lawyer Abdoulaye Math, was arrested and charged with fraud and selling pharmaceutical products without a licence. He had been taken from an aeroplane in Maroua, where he was travelling to the United States to attend a human rights training programme sponsored by USIS. Abdoulaye Math had hosted a well-publicized conference on human rights violations in Northern Cameroon a few days earlier. On 7 March, after an international campaign, Abdoulaye Math was released on bail and the charge of selling pharmaceutical products without a licence was dropped. He was due to stand trial on 7 May 1997 but the case could not go forward because the judicial authorities reported that his file had disappeared.

Two members of the HRDG were arrested in the indiscriminate round-up which followed the attacks on administrative and security officials in the North West Province in late March. Sama Richard Ndifang, a businessman and member of the HRDG, was arrested on 1 April 1997 and had his right foot cut off while being held at the gendarmerie. He was then taken to the hospital for surgery. Another member of the HRDG, Mr Njakoy, was arrested in Oku and transferred to Bamenda. He is reported to have sustained serious injuries to his face and head after being beaten while in custody.

A member of the MDDHL, Mahamat Djibril, was tried and convicted in March 1997 of fraudulent representation of title (*usurpation de titre*) by allegedly pretending he was a police officer during an investigation. He was given a three-month suspended sentence. The charges stemmed from an incident in June 1995 in which Mahamat Djibril was arrested and reportedly assaulted after he entered a police station to investigate a case of reported abuse by officers. His lawyer has appealed against the verdict.

6.5 Links to the Media Cut

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Moreover, human rights groups in some cases have had their access to the media arbitrarily restricted by government authorities. A few days before the 1997 legislative election, the MDDHL was refused the opportunity to broadcast a communiqué nationally on the CRTV station in Maroua to request all its members to travel to the group's office so it could organize the deployment of its observers on election day. According to the MDDHL, the head of radio in Maroua required prior approval from the Governor or the *Préfet* before agreeing to air the communiqué. This is the first such problem reported by the human rights group, which frequently has broadcast statements to publicize its concerns about human rights violations.

In another incident, Robert Ménard, Director of the Paris-based *Reporters sans frontières*, was denied permission to hold a press conference on 13 November 1996 to publicize the group's campaign for the release of journalist Pius Njawé. The press conference, originally scheduled to take place at the Hôtel Arcade in Douala, had to be moved to the offices of *Le Messager* following a warning by the police. A representative from the World Association of Newspaper Publishers (FIEJ) had been denied a visa to accompany the delegation.

6.6 Steps to Protect Human Rights Monitors

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Domestic observers play an invaluable role in exposing human rights abuses; when they are restricted from training monitors and publicizing information, there is a far greater chance that violations will continue.

ARTICLE 19 calls on the Cameroonian government to:

- Ensure that NGOs have access to the state-owned media.
- Observe the right of NGOs to freedom of assembly. They should be allowed to hold conferences, training workshops or press conferences without arbitrary interference.
- Guarantee that NGOs are not prevented from their monitoring of elections or human rights issues. During the election period, observers should be accredited by an independent body at least several weeks in advance of the polls. There should be no arbitrary restrictions in this process.
- Ensure that human rights activists are not subject to harassment, intimidation, arbitrary arrest or violence. Any such incidents should be immediately investigated by the authorities.
- Guarantee NGO access to prisons and government information in order to be able to carry out thorough investigations. They should have access to government officials.

RECOMMENDATIONS

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ARTICLE 19 calls on the government of Cameroon to take the following measures to protect the right of freedom of expression and to enable the presidential and other forthcoming elections to be considered free and fair. These steps are urgently needed to bring Cameroon into line with its obligations under the International Covenant on Civil and Political Rights (ICCPR) and the (first) Optional Protocol, which Cameroon has signed and ratified.

ARTICLE 19 urges foreign governments and intergovernmental and international bodies such as the UN Commission on Human Rights, the Commonwealth, and the African Commission for Human and Peoples' Rights to fully endorse these recommendations:

1 The government should establish a fully independent electoral commission to oversee the organization of elections. Such an independent body is urgently needed to give credibility to the electoral process in Cameroon. It should investigate widespread reports of irregularities in the voter registration procedure. It should also be responsible for investigating complaints about access by political parties to the state owned media. An independent electoral commission should have the role of accrediting national and international election observers.

2 The state broadcasting service (CRTV) should be restructured so as to become independent from the government. This must be guaranteed, at a minimum, by an independent board of directors. The state owned media must provide fair and unbiased coverage of the activities of all major political parties. The government should immediately develop regulations for the allocation of private radio broadcasting licences.

3 Direct access political party programmes during the campaigning period should not be subject to censorship by CRTV. It is strongly recommended that the media be exempted from legal liability for unlawful statements made by candidates or party representatives during the course of the election campaign.

4 The authorities should take urgent measures to protect press freedom in Cameroon. The media have a crucial role to play in informing the public about issues of national interest during the election campaign.

5 The government should ensure that the right to freedom of assembly is fully respected in practice. The *Loi N. 90/055 du 19 décembre 1990, Régime des Réunions et manifestations publiques* must not be used to require permits for public meetings or rallies.

6 Political opponents, human rights monitors and journalists must be able to pursue their peaceful activities free from fear of arrest or government harassment. Any reports of violence, intimidation or harassment against

them should be promptly and impartially investigated and those responsible should be brought to justice.

7 The authorities should release immediately all those detained or imprisoned for the peaceful expression of their views or beliefs, including those held unlawfully in private prisons.

8 The government should establish a judicial commission of inquiry to investigate allegations of human rights violations against political opponents, which have occurred in the *Département* of the Mayo-Rey. The guards of the traditional leaders should be immediately disarmed.

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