

CAMEROON

Blatant disregard for human rights

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Introduction

Fundamental human rights are persistently violated in Cameroon. In many cases these violations occur when the law is deliberately ignored or contravened by the authorities. There is little accountability for human rights violations and the perpetrators generally act with impunity.

Hundreds of critics and opponents of the government, in particular members and supporters of opposition political parties, journalists, human rights activists and students, have been harassed and assaulted, arrested and imprisoned. Torture and ill-treatment by the security forces of both political detainees and common-law prisoners is routine. Some victims have died as a result of injuries inflicted while in custody. Others have been killed when the security forces have used what appeared to be excessive lethal force. Conditions in Cameroon's prisons amount to cruel, inhuman and degrading treatment and result in a high mortality rate. More than one hundred prisoners are reported to be under sentence of death; the first execution since 1988 was reported to have taken place in January 1997.

Detainees are often held beyond the legal limit allowed by law before being brought before a judicial authority to be either charged or released. In other cases legislation allowing administrative detention has been used to detain critics and opponents of the government without charge or trial and without the right to challenge their detention before a court. Where the courts have ordered the release of political detainees, the administrative authorities have in some cases refused to comply with the court's ruling. Often there are serious irregularities in judicial procedures in cases brought against government opponents. A revised Constitution which was signed into law in January 1996 did little to strengthen the independence of the judiciary.

In addition to violations of the law by government authorities, there is also widespread abuse by traditional rulers, who act with the tacit approval of the government. Traditional rulers, in particular in the north of Cameroon, continue to detain illegally and ill-treat political opponents.

Amnesty International is making specific recommendations for urgent and effective measures to end systematic violations of human rights in Cameroon. It is calling on the Cameroon Government: to end harassment and detention of its critics and opponents solely for peacefully exercising their rights to freedom of expression and of association; to introduce

safeguards to protect all detainees and prisoners from torture and ill-treatment; to maintain strict control on members of the security forces to ensure that indiscriminate, excessive and lethal force is not used; to improve life-threatening prison conditions; and to abolish the death penalty.

Amnesty International is also calling on the international community, including the United Nations (UN), the Organization of African Unity (OAU), the Commonwealth and the European Union (EU), to seriously scrutinize violations of human rights in Cameroon and to take effective measures to ensure that Cameroon adheres fully to its human rights commitments.

Political developments in Cameroon

Both parliamentary and presidential elections were scheduled for 1997. As elections have approached - parliamentary elections in May and the presidential election in October - the political climate has become increasingly tense and the Cameroon Government has strengthened its efforts to suppress criticism and opposition. Elections last took place in 1992. President Paul Biya was re-elected in October 1992, narrowly defeating his main rival, John Fru Ndi, leader of the principal opposition political party, the Social Democratic Front (SDF). There were reports of widespread electoral fraud. The SDF had boycotted legislative elections in March 1992, the first multi-party elections since 1964. Opposition political parties had called for an independent electoral commission to oversee elections in 1997 but this was rejected by the government.

Initially scheduled for March 1997, parliamentary elections were postponed until 17 May 1997. In late March 1997, seven weeks before the elections, violence occurred in the English-speaking North-West Province, a stronghold of the opposition. This resulted in the arrest of between two and three hundred opposition supporters, predominantly of the SDF, in both North-West and South-West Provinces where the issue of greater autonomy remains a source of considerable political tension. All were held without charge or trial. Among those arrested were members of the Southern Cameroons National Council (SCNC), a group which has advocated independence for the two English-speaking provinces, and an affiliated organization, the Southern Cameroons Youth League (SCYL).

On 6 June 1997 the Supreme Court announced that the ruling *Rassemblement démocratique du peuple camerounais* (RDPC), Cameroon People's Democratic Movement

(CPDM), had gained an absolute majority with 109 seats. The main opposition parties, the SDF and the *Union nationale pour la démocratie et le progrès* (UNDP), National Union for Democracy and Progress, won 43 and 13 seats respectively.

Both the SDF and the UNDP had called for the elections as a whole to be annulled because of fraud and irregularities. However, the Supreme Court annulled the elections in only seven constituencies in Mayo-Banyo Division, Adamawa Province, in Mayo-Rey Division, North Province, and in Ndé Division, West Province. Candidates of the CPDM gained the seats in re-run elections held on 3 August 1997. The elections on 17 May 1997 were monitored by international observers who noted irregularities and intimidation and recommended that an impartial and independent institution, such as an independent electoral commission, be established to oversee future elections.

Although the presidential election was scheduled for October 1997, a date had not been set by August 1997. A government minister who resigned in April 1997 and announced his intention to stand against President Biya was subsequently imprisoned, together with his presidential campaign director. Although charged with financial impropriety, it appeared that their arrests and imprisonment were politically motivated.

There are fears that suppression of opposition to the government will further increase in the period preceding and following the presidential election, with a corresponding increase in human rights violations.

Although a national human rights monitoring body has been established, it is unable to carry out its work effectively and independently. The *Comité national des droits de l'homme et des libertés*, the National Commission on Human Rights and Freedoms, was inaugurated by President Biya in February 1992. Set up by decree in November 1990, its members - representatives of governmental and non-governmental bodies - were appointed by President Biya to whom the Commission reports. It is responsible to the Prime Minister's Office. The Commission is also able to submit its reports to other competent authorities, such as prison, police and gendarmerie officers, but cannot make its findings public. Although members of the Commission are able to visit prisons and police and gendarmerie headquarters, its work has on several occasions been blocked by the authorities. The Commission has undertaken several initiatives for the promotion of human rights such as training seminars for law enforcement officials, including the armed forces, police, gendarmes (the paramilitary police) and prison personnel. However, its composition, the restrictions placed on its activities, in particular its

inability to make its findings public, and a lack of resources, seriously compromise its ability to have a significant impact on the human rights situation in Cameroon¹.

Cameroon's obligations under international human rights law

Cameroon constantly violates its obligations under international human rights law, including the International Covenant on Civil and Political Rights (ICCPR)², and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment³. The UN Human Rights Committee considered Cameroon's second periodic report under the ICCPR in March 1994; it deplored the many cases of illegal detention, torture, death sentences and extrajudicial executions in Cameroon and made recommendations to address these human rights violations. However, the human rights situation in Cameroon has since deteriorated. It is expected that Cameroon's third periodic report will be considered by the UN Human Rights Committee in 1998.

Cameroon is also a party to the African Charter on Human and Peoples' Rights⁴ (African Charter). Although its first report became due in 1991, the Cameroon Government is yet to submit its report to the African Commission on Human and Peoples' Rights. President Biya was chair of the OAU from July 1996 until June 1997. At a time when the Cameroon Government had an opportunity to provide leadership on protection and respect for human rights and to set an example in respecting the provisions of the African Charter, serious human rights violations continued to be committed in Cameroon.

Recommendations

¹ For guidelines on the mandate, composition and functioning of national institutions for the promotion and protection of human rights, refer to Proposed Standards for National Human Rights Commissions (AI Index: IOR 40/01/93), published by Amnesty International in January 1993.

² Cameroon ratified the International Covenant on Civil and Political Rights in 1984. It has also ratified its First Optional Protocol which enables individuals to submit complaints of violations of the provisions of the Covenant to the UN Human Rights Committee .

³ Cameroon ratified the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment in 1986.

⁴ Cameroon ratified the African Charter on Human and Peoples' Rights in 1989.

- C the Cameroon Government should adhere to the obligations to respect and protect human rights which it has undertaken by ratifying the International Covenant on Civil and Political Rights, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the African Charter on Human and Peoples' Rights**

Arrests and detention of critics and opponents of the government

Hundreds of critics and opponents of the Cameroon Government have been arrested and detained. Most have been prisoners of conscience. They have included members and supporters of opposition political parties, in particular the SDF and the UNDP. Journalists have also been victims of harassment, arrest, detention, conviction and imprisonment. During 1996 and 1997 - especially during the months leading up to and during the parliamentary elections and as the presidential election approaches - repression of freedom of expression in Cameroon has intensified.

Legal restrictions on the right to freedom of expression

The right to freedom of expression in Cameroon is guaranteed by both international human rights law and national law. The revised Cameroon Constitution, amended in December 1995 and signed into law in January 1996, provides for freedom of expression and of the press⁵. Cameroon is also bound by Article 19 of ICCPR which states that everyone shall have the right to hold opinions without interference and that everyone shall have the right to freedom of expression.

Commenting on the amendments to the Constitution in December 1995, Amnesty International noted that, according to the revised Constitution, freedom of expression and of the press shall be guaranteed under conditions fixed by law and that no person may be

⁵ In its preamble the revised Constitution states that: "The freedom of expression, of the press, of assembly, of association and of trade unionism shall be guaranteed under the conditions fixed by the law." ("*La liberté d'expression, la liberté de presse, la liberté de réunion, la liberté d'association, la liberté syndicale sont garanties dans les conditions fixées par la loi.*")

prosecuted, arrested or detained, except in cases and according to the manner determined by law. The ICCPR strictly limits restrictions to these rights. For example, the right to freedom of expression may be subject to certain restrictions but these may "only be such as are provided by law and are necessary: (a) For respect of the rights or reputations of others" or "(b) For the protection of national security or of public order (*ordre public*), or of public health and morals". Amnesty International was concerned that the revised Constitution would permit restrictions to be imposed on the rights set out in the Constitution which go beyond those permissible under international law. It recommended that the Constitution ensure that no law or regulation and no action by the executive agencies of government abolish or abridge the fundamental rights and freedoms contained in the Constitution.

Whereas in previous years opponents and critics of the government were usually held for short periods without charge or trial, since 1995 journalists have been charged with criminal offences, tried and convicted. Legal provisions making defamation a criminal offence have been used to prosecute journalists solely because of their opposition to the government and for exercising their right to freedom of expression.

The Cameroon Penal Code specifies that criminal defamation (*diffamation*), abuse (*injure*), contempt (*outrage*) and dissemination of false news (*propagation de fausses nouvelles*) are offences punishable by prison terms and heavy fines. Amnesty International acknowledges that elected politicians, including the President, are entitled to seek legal redress through civil action for any written or spoken statement which they consider to be defamatory. However, there is serious concern that the growing number of convictions of journalists for criminal offences restricts the right to freedom of expression and that the legal system is being used to prosecute and imprison journalists because of their criticism of members of the government and those closely associated with the government. Amnesty International considers that most of the journalists convicted, sentenced to prison terms and imprisoned have been prisoners of conscience.

A law passed in January 1996⁶ removed pre-publication censorship which had been introduced in December 1990. However, the authorities retained wide powers to seize and ban newspapers. Under this amended legislation, any newspaper considered by the

⁶ The Law amending and supplementing Law No. 90/052 of 19 December 1990 relating to the Freedom of Mass Communication (*Loi modifiant et complétant certaines dispositions de la loi No. 90/052 du 19 décembre 1990 relative à la liberté de communication sociale*), No. 96/04 of 4 January 1996.

authorities to be a threat to public order or good morals can be seized. The Ministry of the Interior (*Ministère de l'Administration territoriale*) retained the authority to ban newspapers on these grounds.

There is concern that the revised Constitution and the restrictions on freedom of expression provided by the law introduced in January 1996 may be implemented to an extent which exceeds restrictions permissible under international law.

Arbitrary detention

Under Cameroon law, detainees cannot be held beyond 72 hours without being brought before a judicial authority to be either charged or released. However, critics and opponents of the government are frequently held without charge far in excess of this limit. In some cases, political detainees have been held for many months, occasionally years, without charge or trial. These include about 50 of those arrested in connection with the violent incidents in North-West Province in late March 1997 and four members of the SCNC detained since 1995 and 1996.

In addition, administrative detention for an indefinite period without referral to the courts is provided by legislation introduced in December 1990. The Law relating to the Maintenance of Law and Order (*Loi relative au maintien de l'ordre*), No. 90/054 of 19 December 1990, gave the authorities unlimited powers of administrative detention, without any legal safeguards, of people suspected of "banditry" (*banditisme*). This law gave unspecified government officials broad and permanent powers of detention without charge or trial⁷. Detainees have no opportunity to challenge the reasons for their detention, and no review process for such detentions was provided in the law.

This legislation continues to be used frequently to detain political opponents without charge or trial. Such arbitrary arrest and detention contravenes obligations Cameroon has voluntarily undertaken by ratifying the ICCPR and the African Charter; Article 9(1) of the ICCPR and Article 6 of the African Charter prohibit arbitrary arrest and detention.

⁷ The Law relating to the Maintenance of Law and Order, No 90/054 of 19 December 1990, specified that "Administrative authorities may, at all times and depending on the circumstances, ... take measures to detain persons for a renewable period of 15 (fifteen) days in order to fight banditry." (*"Les autorités administratives peuvent, en tout temps et selon les cas, ... prendre des mesures de garde à vue d'une durée de quinze (15) jours renouvelables dans le cadre de la lutte contre le banditisme."*).

Some prosecutions in cases of arbitrary detention have been reported. For example, a court in the capital, Yaoundé, in 1996 convicted six policemen, four of them *in absentia*, on charges of having arbitrarily arrested, detained and beaten a lawyer from the Public Prosecutor's office in October 1994. They were sentenced to lengthy prison terms and fines.

Political opponents are also held illegally for lengthy periods by traditional rulers, who act with the tacit approval of the government.

Political opponents

Members and supporters of opposition political parties, in particular the SDF and the UNDP, have been continually targeted for harassment and arrest. In most cases they appeared to be prisoners of conscience, detained solely because of their peaceful political views and activities.

Social Democratic Front

The large number of arrests of members and supporters of the SDF in 1997 surrounding the parliamentary elections conform to a long established pattern of harassment, arrest and detention.

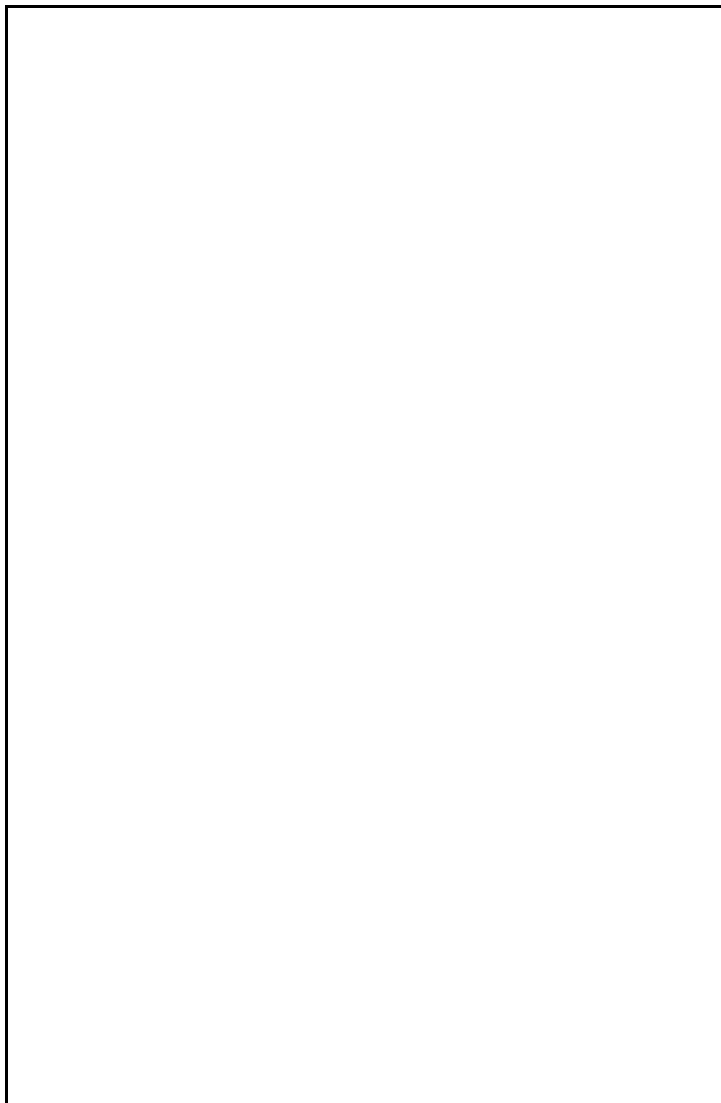
Six SDF members, arrested in Mbanga, Littoral Province, in January 1996 at the time of local government elections, were held on charges of disturbing the peace until their conditional release in August 1996. Although President Biya's party, the CPDM, took control of a majority of local authorities, opposition political parties made important gains, particularly in major towns. A subsequent government decree nominated government representatives to replace elected mayors as chief executives in 20 significant authorities. In March 1996 more than 40 SDF members and supporters were arrested following demonstrations in protest against this imposed appointment of government representatives; 32 remained held in the Central Prison in Buea, South-West Province, for six weeks despite a court order that they be released. Among those arrested was **Lawrence Chimasa**, an SDF official arrested in Bamenda, North-West Province, following a demonstration, and **Charles Nkwanyuo**, an SDF official in Limbe, South-West Province, who was arrested on 1 April 1996 and held for 48 hours.

Joseph Lavoisier Tsapy, a lawyer and SDF mayor of Bafoussam, West Province, was abducted by unidentified men, believed to be members of the security forces, in early June 1996 and held for several days. The same month, **Ndang George Achu**, an SDF official for

Santa, North-West Province, was held for two weeks under the Law relating to the Maintenance of Law and Order, No. 90/054 of 19 December 1990. Also in June 1996 shots were fired at the home in Bamenda of the National Chairman of the SDF, John Fru Ndi. On 20 July 1996 **Paul Kameroun**, SDF Deputy Secretary for Organization in Littoral Province, was arrested at Manengolé, Mungo Division, and subsequently transferred to the Central Prison, New Bell, in Douala before being released uncharged.

Arrests of members of the SDF continued into 1997. **Saïdou Yaya Maïdadi**, a prominent SDF member from the north of Cameroon, was arrested on 24 January 1997 and held in Maroua, Far-North Province, until 5 February 1997. Although charged with contempt of the head of state (*outrage au chef de l'Etat*), he was not brought to trial.

A large number of people - estimates vary from between two to three hundred - were arrested in North-West Province following attacks by armed groups on military, police and civilian establishments in late March 1997 in which several people were killed. Members and supporters of opposition political parties, in particular the SDF, were targeted for arrest, apparently without evidence of their personal involvement in the attacks. North-West Province is a stronghold of the SDF and the attacks occurred seven weeks before the parliamentary elections. The SDF accused the authorities of exploiting the situation of insecurity to intimidate members and supporters of opposition political parties and to prevent political activity in the weeks preceding the elections. About one hundred people were also reported to have been arrested in South-West Province in early April 1997 in connection with these events but were later released.



A woman holding the bullets which killed her brother in the violence in North-West Province in late March 1997

The series of attacks by armed groups occurred in the towns of Kumbo, Oku, Jakiri, Bamenda, Mbengwi, Bafut and Bambui between 27 and 31 March 1997, apparently with the objective of obtaining arms and ammunition. Ten people, including a gendarmerie commander and two other gendarmes, were reported to have been killed. While no group publicly claimed responsibility, the attacks were attributed by the authorities to members of a group supporting independence for the English-speaking provinces. The presence of the security forces was intensified in both North-West and South-West Provinces and a curfew imposed in North-West Province which was not lifted until three months later on 3 July 1997. There were widespread abuses by the security forces in North-West Province including rape, beating and kicking,

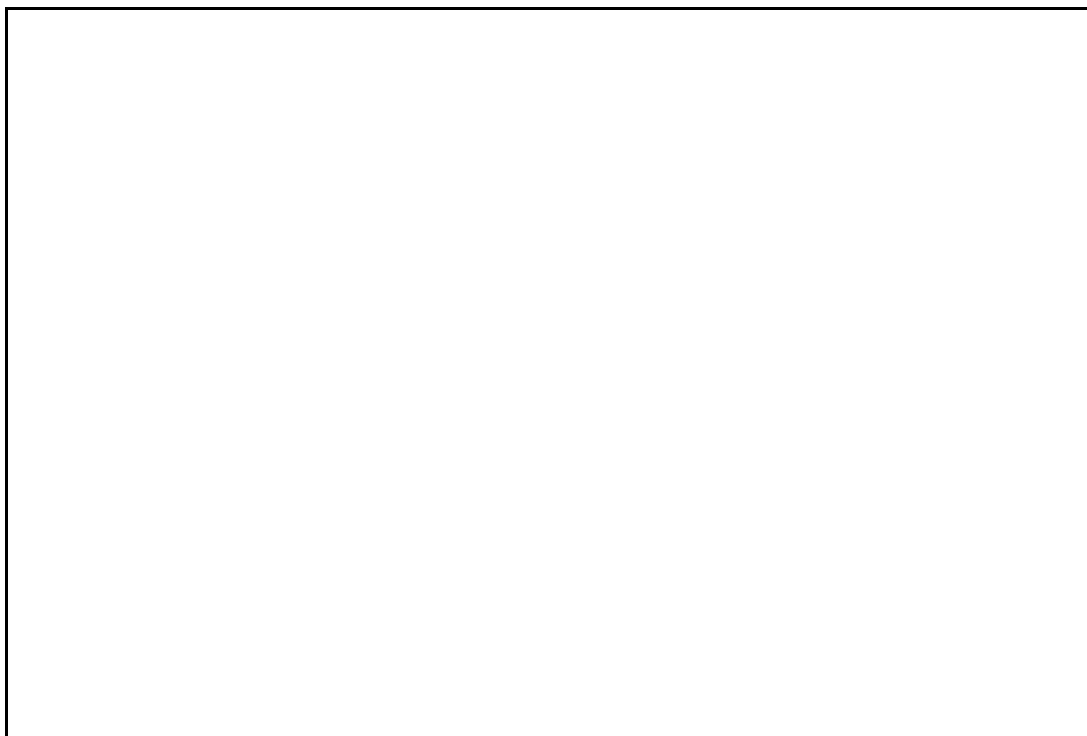
public humiliation, looting, destruction of property and extortion of money. Many of those arbitrarily arrested were only released after making a payment to the security forces.

Among SDF officials arrested in North-West Province were local councillors **Joseph Abonwi** and **Gregory Afenji** and ward chairmen **Simon Achu** and **Edet Che Ndingsah**.

Paulinus Jua, an SDF candidate for Boyo Division, was also among those arrested. He was held by the *Brigade Mixte Mobile* (BMM), the security police, in Bamenda before being released uncharged. **George Yimbu**, SDF Divisional Chairman for Bui Division, was arrested in Kumbo on 30 March 1997, subsequently released and then rearrested on 1 June 1997 when gendarmes prevented an SDF conference from taking place in Kumbo.

Most of those arrested were transferred to the headquarters of the Gendarmerie Legion and the BMM in Bamenda after first being held in police and gendarmerie headquarters in the towns where they were arrested. Those at the Gendarmerie Legion were held incommunicado; repeated requests to the Governor of North-West Province, Francis Fai Yengo, for visits to be allowed were refused. Many of those held at the Gendarmerie Legion were severely beaten. They were also denied adequate food, water and medical care, and sanitary facilities were grossly inadequate. Five detainees died apparently as a result of torture and lack of medical care.

Several young boys were among those arrested in North-West Province and held for several weeks. Eight school students were arrested in Oku, Bui Division, and transferred to the Gendarmerie Legion in Bamenda; they included **Nshon Godlove**, aged 14, **Eric Sa'a**, aged 15, and **Kedzem Zoah**, aged 13.



Two young boys in detention in Bamenda, North-West Province, in April 1997

Arrests continued during the following weeks but some detainees were released. Forty-nine detainees were released from the Gendarmerie Legion and the BMM on 16 May 1997, the day before the parliamentary elections, and a further 21 subsequently released.

More than one hundred of those arrested in North-West Province were, however, transferred to Yaoundé. Although some were later released, 16 who were held at a gendarmerie headquarters began a hunger-strike on 4 May 1997 in support of their demand to be either charged or released. At least two of these detainees were reported to have been released on 2 June 1997; those remaining were transferred to the Central Prison in Yaoundé, known as Nkondengui prison. Others, including a woman, **Prisca Fonyam**, a nurse, were transferred from Bamenda to Yaoundé in June 1997. One of the detainees in Nkondengui prison, **Ngwa Richard Formasoh**, died on 5 July 1997, apparently as a result of dehydration caused by diarrhoea which was not treated. Another detainee, **Pa Chakara**, a farmer aged 58, was reported to have been transferred to hospital. Eleven detainees who remained at the

Gendarmerie Legion in Bamenda were finally transferred to Nkondengui prison in late July 1997: **John Geh Anye** and **Anoh Ndum Robinson**, both from Momo Division, **Geh Sama Atambun**, from Mezam Division, and **Lawrence Fai**, **Edwin Jumven**, **Thomas Kidze**, **Frederick Kiven**, **Iderisu Bika**, **A. Jumban Lukong**, **Muhamadou Nso Seka** and **Patrick Yimbu**, all from Bui Division.

Almost 50 of those arrested in North-West Province were still held in Nkondengui prison by mid-August 1997, more than four months after their arrest. Neither they nor any others arrested in connection with the events in North-West Province were charged with any offence. Amnesty International acknowledges the government's responsibility to bring to justice those responsible for the attacks in North-West Province. However, many of those arrested appeared to have been detained only because of their association with the SDF. Others were associated with the SCNC or the affiliated SCYL.

Arrests of SDF members and supporters continued around the period of the parliamentary elections on 17 May 1997. At least 25 and possibly as many as 50 members and supporters of the SDF were arrested between 15 May 1997 and 5 June 1997 in South-West Province. There were violent incidents in Kumba, South-West Province, on 20 May 1997 shortly after the elections when SDF supporters were reported to have been attacked by unidentified armed men, whom SDF officials described as supporters of the ruling CPDM. The presence of the security forces in South-West Province was intensified. Those detained were held without charge or trial in Buea and Kumba until their release between 19 and 21 June 1997. They were reported to have been arrested on the orders of the Governor of South-West Province, Peter Oben Ashu, and held in administrative detention under the provisions of the legislation introduced in December 1990. The releases followed an announcement by the 43 SDF members of the National Assembly that they planned to go to South-West Province to demand the release of their detained supporters.

From 31 May 1997 until 2 June 1997 the security forces were reported to have raided several districts of Douala during the night. Hundreds of people were arbitrarily arrested and detained for several hours before being released without charge. The security forces appeared to be deliberately creating an atmosphere of fear and intimidation in order to discourage demonstrations in the period leading up to the announcement of the election results on 6 June 1997.

On 3 June 1997 police raided the printing company in Douala of **Jean-Michel Nintcheu**, a member of the national executive committee of the SDF. Jean-Michel Nintcheu had previously been arrested on several occasions as leader of another opposition political

party, the *Rassemblement pour la Patrie*, Rally for the Nation, which later merged with the SDF. In the absence of Jean-Michel Nintcheu, four employees, **Paul Gwa**, **Emmanuel Nzie**, **Lucan Danjing** and **Samuel Moucheu**, as well as Jean-Michel Nintcheu's brother, **Brice Nintcheu**, were arrested. They were later charged with inciting revolt (*incitation à la révolte*) and attempting to overthrow state institutions by force (*tentative de renversement des institutions par la force*). They were released on 24 June 1997 to await trial.

There were further arrests on 6 June 1997 when the election results were announced by the Supreme Court. Thirteen SDF members and supporters were arrested during a peaceful demonstration outside the Supreme Court in Yaoundé; they included **Alhadji Sani**, SDF Provincial Coordinator for Central Province. On 5 June 1997 **Prince Fesco William Mango**, SDF Divisional Coordinator for Fako Division, South-West Province, was arrested apparently for being in possession of an official document signed by the Secretary General of the SDF. **Du Du Wimgang** was reported to have been arrested on 7 June 1997 when he went to provide food for Prince Fesco William Mango. Despite the legal limit of 72 hours, these 15 detainees did not appear before the Public Prosecutor's office until 11 June 1997 when they were charged with several offences including contempt of the head of state and inciting revolt. They were held at a police station until their release to await trial on 13 June 1997; they appeared in court twice before they were finally acquitted of the charges against them on 24 July 1997.

Southern Cameroons National Council

Members of the SCNC, which was established to represent the interests of the minority English-speaking community in Cameroon, have also been arrested and detained because of their political opinions and activities. Although the SCNC is not a political party, it shares members and supporters with opposition political parties, in particular the SDF.

Proposals made in 1994 by the English-speaking community for a federal system of government were not incorporated into the revised Constitution which was enacted in January 1996. The issue of greater autonomy for North-West and South-West Provinces remains a source of considerable political tension. The SCNC has advocated independence for these two provinces.

Four SCNC members arrested in 1995 and 1996 have since remained held without charge or trial. The SCNC organized a referendum in North-West and South-West Provinces in September 1995 on the question of independence. Several people were

arrested in connection with collecting signatures for the referendum. Although most were subsequently released, three men arrested in late September 1995 remained held in Nkondengui prison in Yaoundé: **Abel Apong**, **Christus Achan Kenebie** and **John Kudi**. A fourth, **Jacob Djenta**, is reported to have been held since October 1996, also in connection with the referendum.

Members of the SCNC were prominent among the large number of people arrested following the violent events of late March 1997 in North-West Province and many of those who remained detained without charge or trial in Nkondengui prison in connection with these events were associated with the SCNC or the SCYL. Anyone against whom there is evidence of involvement in the violence in North-West Province should be charged and granted a prompt and fair trial in accordance with international standards.

Union nationale pour la démocratie et le progrès

Seven members of the UNDP have been imprisoned since 1994. They were among some 30 UNDP members detained following an incident in Maroua on 30 July 1994 during which one person was killed and several others wounded. There were clashes when a government minister, Hamadou Mustapha, also a UNDP member, was attacked with stones following his arrival in Maroua allegedly by some UNDP members who criticized him for remaining in President Biya's government. Some people were apparently arrested at their homes later that day or in the following days. They included **Hamadou Adji**, president of the local section of the UNDP. Twenty-eight people were charged with complicity in joint acts of looting, assault occasioning death, obstruction of the public highway and causing slight bodily harm. In November 1994 a court ordered the provisional release of 14 of them, but the prosecuting authorities appealed against this decision⁸.

Twenty detainees were, however, provisionally released between February and April 1995, including Hamadou Adji, but eight others remained held. Their trial, initially scheduled for July 1995, was repeatedly postponed. The case was finally heard in late 1995 and a decision was expected in February 1996, that is, following the local government elections on 21 January 1996. On 8 February 1996, however, the court announced that judgment had been deferred until the following month.

⁸ For further information, refer to [Cameroon: Arrest of political opponents and detention without trial](#) (AI Index: AFR 17/02/95), published by Amnesty International on 16 February 1995.

On 28 March 1996 a judgment was announced on the cases of 22 of the defendants; the cases against the remaining defendants had previously been dropped. Seven received sentences of 10 years' imprisonment and remained held in the Central Prison in Maroua: **Djarfarou Bachirou, Abakar Bello, Alioum Oumarou Katchalla, Hamadou Mazoumai, Abdouraman Mohamadou, Ndjidda Tandai, Hamadou Mohamadou Yaro**. An eighth defendant, **Ahmed Abdouraman**, was sentenced *in absentia* to 15 years' imprisonment.

Eight defendants received suspended sentences of three years' imprisonment, two of whom, Hamadou Adji and Oumarou Saïdou, had been successful UNDP candidates in the local government elections. All those convicted were also ordered to pay fines. Six other defendants were acquitted. Those who were convicted appealed against their convictions and sentences. The Court of Appeal did not consider the case, however, until 8 August 1997 when it was adjourned until 10 October 1997.

There appeared to have been no evidence against any of those convicted of individual responsibility for any criminal act. According to reports, none was actually arrested at the time of the incidents in July 1994. Repeated delays in bringing the defendants to trial and in announcing the judgment further suggested that the motives for the arrest and detention of these UNDP members were political: their membership of the UNDP and, in particular, their opposition to the participation of two UNDP members in the government.

Members and supporters of the UNDP continued to be harassed, arrested and detained, including in the period leading up to the parliamentary elections in May 1997. Seven people were reported to have been arrested in early May 1997 in Kolfata, Mayo-Sava Division, Far-North Province, because of their support for the UNDP. **Ganama Modou Abba, Modou Ali, Tounoma Fandi, Aouza Modou, Modou Sali, Mal Moh Yanoussa and Modou Zama** were released uncharged after 72 hours.

On 12 May 1997 members and supporters of the UNDP including a former member of the National Assembly, **Nana Koulagna**, were reported to have been attacked by the private militia of the traditional ruler, known as the *lamido*, of Rey Bouba, in Mayo-Rey Division; five people died in the confrontation. Despite an illegal ban announced by the *lamido* in Mayo-Rey Division, UNDP members and supporters had attempted to campaign for the elections in Mbang Rey on 12 May 1997. According to reports, the *lamido*'s private militia attacked Nana Koulagna and other UNDP members, two of whom were killed. The UNDP delegation is reported to have reacted in self-defence and three members of the militia died in the ensuing confrontation. The UNDP delegation reported the incident to the administrative authorities and the gendarmerie in Touboro and were subsequently escorted to the town of Tcholliré. The following day Nana Koulagna and 15 others, including **Baba Koulagna, Pierre Nana and Dieudonné Salaou**, were arrested, apparently accused of murder. They were first held at a gendarmerie headquarters and then, in early July 1997, transferred to the Central Prison in

Garoua, North Province. Two were subsequently released. Those remaining in detention had not been charged with any offence by mid-August 1997.

While acknowledging the seriousness of the events in Mbang Rey on 12 May 1997, which resulted in five deaths, as well as the responsibility of the authorities to prosecute those responsible for criminal offences, Amnesty International was concerned that Nana Koulagna and other UNDP members may have been arrested only because of their legitimate political activities, without evidence of individual responsibility for any recognizably criminal act. These fears were reinforced by a persistent pattern of intimidation, physical assault and detention of supporters of the UNDP in Mayo-Rey Division and also the fact that no member of the *lamido's* private militia was arrested in connection with the incidents on 12 May 1997.

The Supreme Court subsequently annulled the election in Mayo-Rey Division because of fraud and irregularities; CPDM candidates were successful in a re-run election held on 3 August 1997.

Other political opponents

Members of other opposition political parties as well as others perceived as opponents of the government have also been arrested and detained.

On 20 April 1997 **Titus Edzoa**, a prominent member of the CPDM, Minister of Health in the government of President Biya and a former Secretary General at the Presidency, announced his resignation from the government and his intention to stand as a candidate in the presidential election. His home in Yaoundé was subsequently surrounded by members of the *Groupement spécial d'opérations* (GSO), Special Operations Group, a special unit of the security forces. He was placed under administrative detention, effectively held under house arrest, from 5 June 1997, unable to leave his home or receive visitors other than members of his family; his passport was confiscated. He was arrested on 3 July 1997, on accusations of misappropriation of public funds (*détournement de fonds publics*), and imprisoned at Nkondengui prison.

Also imprisoned in Nkondengui prison on 3 July 1997, accused of the same offence, was **Michel Thierry Atangana Abega**, Titus Edzoa's presidential campaign director. He had been arrested on 12 May 1997 and detained by the judicial police (the police investigation department). His family was not allowed to visit him until 15 May 1997 and he was repeatedly denied access to his lawyer. A request by his lawyers for conditional release was rejected by a court on 13 June 1997.

Both men were transferred to a gendarmerie headquarters in Yaoundé on 22 July 1997 amid reports that the gendarmerie was to reopen the investigation, initially carried out by the

police, into the accusations against them. Neither had been formally charged by mid-August 1997. Both men appeared to have been arrested and imprisoned solely for political reasons - Titus Edzoa's criticism of President Biya and the government and his stated intention to stand against President Biya in the presidential election and Michel Thierry Atangana Abega's close association with him - and to prevent Titus Edzoa from contesting the presidential election.

On 3 June 1997, **Mboua Massok**, acting Secretary General of another opposition political party, the *Programme social pour la liberté et la démocratie* (PSLD), Social Programme for Liberty and Democracy, was arrested and held in administrative detention on the orders of the *préfet* (Senior Divisional Officer) under the provisions of the legislation introduced in December 1990. He was held in New Bell prison in Douala for 15 days before being released.

Journalists

Since 1995 an increasing number of journalists have been brought to trial on criminal charges, convicted and sentenced to terms of imprisonment for criticizing government authorities. Most have been prisoners of conscience. In some cases there were serious irregularities in judicial procedures and the cases against them appeared to have been attempts by the authorities to inhibit criticism of prominent members of the government, those closely associated with them, or government policies.

Attacks on freedom of expression in Cameroon continued and intensified during 1996 and into 1997 as both parliamentary and presidential elections approached. As many as nine journalists were convicted on criminal defamation charges and sentenced to heavy fines and prison terms during 1996. Several had been detained on previous occasions. Others were arrested and detained before being released without charge. Journalists were harassed and assaulted and newspapers suspended and confiscated. Harassment, intimidation and prosecution of journalists critical of the government violate the right to freedom of expression guaranteed by Article 19 of the ICCPR and Article 9 of the African Charter.

Detention and imprisonment

On 22 January 1997 **Alain Christian Eyoum Ngangué**, a journalist working for the independent newspaper *Le Messenger* and its satirical supplement, *Le Messenger Popoli*, was arrested and imprisoned at New Bell prison in Douala. He had been sentenced on 3 October 1996 by the Court of Appeal in Douala to a one-year prison sentence and a fine.

In February 1996 Alain Christian Eyoum Nangué and the director of *Le Messenger*, **Pius Njawe**, had been sentenced to fines after being convicted of charges of contempt of the President of the Republic and members of the National Assembly (*outrage par injure fait au président de la République ainsi qu'aux membres de l'Assemblée nationale*) and disseminating false news. The charges, which related to an article which appeared on 1 December 1995, were brought by the Public Prosecutor's office; no complaint had been brought by any individual. Both the defendants and the prosecution appealed against the conviction and sentence.



Alain Christian Eyoum Nangué

On appeal, conviction on only one of the charges - contempt of the President of the Republic and members of the National Assembly - was upheld. However, the sentences were increased to fines and terms of imprisonment: Alain Christian Eyoum Nangué to one year and Pius Njawe to six months. Both men appealed to the Supreme Court against their conviction and sentences. Although receiving the less severe sentence, Pius Njawe was arrested on 29 October 1996. He was imprisoned in New Bell prison until 15 November 1996 after the Supreme Court ordered his conditional release.

Alain Christian Eyoum Nangué was arrested on 22 January 1997. Several journalists and his wife were held for two hours at a police station on 15 March 1997

after a meeting at the premises of *Le Messager* to discuss his imprisonment. On 27 March 1997, more than two months after his arrest, the Supreme Court ordered his conditional release; he was released four days later.

Other journalists who were convicted and sentenced to prison terms during 1996 were not imprisoned but were still under threat of being arrested at any time. They included **Patrice Ndedi Penda**, director of the newspaper *Galaxie*, who received a two-year prison sentence on 11 June 1996 and a fine after being convicted of defamation, contempt of public bodies (*outrage aux corps constitués*) and dissemination of false news in a case brought by the Minister of State in charge of Agriculture, Frédéric Augustin Kodock. Although an arrest warrant was issued after his conviction, he was not imprisoned.

The publisher of the *Cameroon Post* newspaper, **Paddy Mbawa**, was released from New Bell prison in August 1996 after being imprisoned for a year. He had been sentenced in July 1995 to a sentence of six months' imprisonment after being convicted of defamation; he received a further sentence of six months' imprisonment in August 1995 after being convicted of publishing false news. While in prison, in November 1995, he received two further suspended sentences of three and six months' imprisonment. Several similar cases against him were still pending and on 7 April 1997 he was reported to have been sentenced to three months' imprisonment for defamation and disseminating false news.

In addition to Alain Christian Eyoum Ngangué, other journalists imprisoned since the beginning of 1997 included **Evariste Menounga** and **Bosco Tchoubet**. On 17 March 1997 Evariste Menounga, editor-in-chief of an independent newspaper, *L'Indépendant Hebdo* (formerly *Le Nouvel Indépendant*), who had previously been detained without charge for three weeks in late 1996, was arrested and imprisoned at Nkondengui prison. His arrest followed the publication of an article about disaffection among the Cameroon armed forces. He was reported to have been detained on the orders of the Minister of Defence, rather than the case being brought by the Public Prosecutor. Although charged with inciting revolt and disseminating false news, he was convicted of the second charge only and received a six month suspended sentence on 16 May 1997. He was not, however, released until four days later. The director of the independent newspaper *La Révélation*, Bosco Tchoubet, was arrested in Yaoundé on 30 April 1997. His arrest followed an article alleging that the Minister of State in charge of Economy and Finance, Edouard Akame Mfoumou, had established private militias. After being held for a week without his family being informed of his place of detention, he was charged with contempt and defamation and transferred to Nkondengui prison. On 15 July 1997 he was convicted and received a suspended sentence of six months' imprisonment; he was released the following day.

In many cases there have been serious irregularities in judicial procedures against journalists. For example, in the case of **Paddy Mbawa**, publisher of the *Cameroon Post*,

written judgments of the various cases against him were withheld, preventing submission of appeals against convictions and sentences. In August 1995 **Pius Njawe** and **Hiréné Atenga**, respectively director and journalist of *Le Messager*, received two-month suspended sentences and were ordered to pay fines after being convicted of defamation and contempt of the then Secretary of State for National Security, Jean Fochivé. The charges followed an article alleging that police had misappropriated substantial sums of money. According to reports, the court did not allow the two journalists to present in their defence information in support of their allegations.

In addition to the trial and conviction of several journalists during 1996, others were arrested and detained without charge or trial. They included journalists from the independent newspapers *Le Nouvel Indépendant* and *Le Front Indépendant*, which was established after the temporary shut down of *Le Nouvel Indépendant*. In October 1996 the Minister of the Interior declared that *Le Nouvel Indépendant* was operating illegally because its director had been absent for several months and the Law relating to the Freedom of Mass Communication, No. 90/052 of 19 December 1990, required every newspaper to have an editor to assume legal responsibility for articles published. The newspaper's director, **Ndzana Seme**, had been sentenced to one year's imprisonment and a fine in October 1995 after being convicted of contempt of the head of state, non-compliance with pre-publication censorship requirements and inciting revolt; he fled Cameroon in February 1996.

Evariste Menounga of *Le Nouvel Indépendant* was arrested on 27 November 1996 in Yaoundé and released on 19 December 1996. His colleague **Peter William Mandio** was arrested on 4 December 1996 and held for 12 days in connection with an article on 3 October 1996 criticizing the Minister of Public Works, Jean-Baptiste Bokam. **Daniel Atangana**, a journalist of *Le Front Indépendant*, was arrested on 10 December 1996 and released almost three weeks later. His arrest followed an article on 2 December 1996 criticizing the commander of the presidential guard, Lieutenant-Colonel Titus Ebogo. All three journalists were held without charge beyond the legal limit of 72 hours. Evariste Menounga's family was denied visits until 5 December 1996 and Peter William Mandio was held in isolation for five days. **Josué Banga Kack**, the editorial director of *Le Front Indépendant*, had been arrested on 4 December 1996 and held for 48 before being released uncharged.

Pierre Essama Essomba, managing editor of the government-owned *Cameroon Tribune*, was detained for six hours for questioning on 14 August 1996 after publishing a letter to the editor critical of the then Minister of Justice, Douala Moutomé.

Harassment and physical assault

In addition to being convicted and sentenced to terms of imprisonment, journalists have also been harassed and intimidated by the security forces in apparent attempts to deter them from freely pursuing their professional activities. No action is known to have been taken by the Cameroon authorities to identify those responsible for these incidents and bring them to justice.

Vianney Ombe Ndzana, publisher of the newspaper *Génération*, was sentenced to five months' imprisonment and a fine for abuse and defamation on 3 May 1996 following publication of an article accusing a company director of professional misconduct; the court also ordered the suspension of *Génération*. He was not imprisoned but on 20 August 1996 he was seriously injured during an assault by several armed men in Yaoundé who then fired shots at his car. He was subsequently admitted to hospital. He had escaped an earlier attack on the night of 29/30 July 1996 when unidentified men entered the offices of *Génération*.

On 10 September 1996 **Nicolas Tejoumessie**, editor-in-chief of the weekly *Challenge Nouveau*, was reported to have been abducted in Douala by four men in civilian clothes but who claimed to be members of the security police. They accused him of publishing articles critical of President Biya and his wife, including criticism of the costs incurred in holding the OAU summit in Yaoundé in July 1996. He was taken to a forest about 30 kilometres from Douala where he was beaten on his body and feet with electric cable before being abandoned. The managing director of *Challenge Hebdo* had received similar treatment in December 1995: **Etienne Tasse** was abducted by unidentified assailants on 1 December 1995. Handcuffed, he was taken to the same forest outside Douala. He was reported to have been accused of not complying with censorship requirements and of printing articles critical of the government. He was interrogated about the newspaper's finances, sources of information and his political affiliation. He was reported to have been stripped, his hands tied behind his back and beaten before being abandoned.

On 26 February 1997 a journalist working for the independent newspaper *The Herald*, **Christian Mbipgo Ngah**, was reported to have been arrested in Santa, Mezam Division, North-West Province. Apparently accused of writing articles critical of government authorities and the security forces, he was taken to gendarmerie headquarters in Santa where he was beaten for several hours before being released uncharged. He subsequently required hospital treatment.

Newspaper vendors have also been harassed and detained by the security forces. In late August 1995 news vendors selling the newspaper *La Messagère* (which appeared after its predecessor, *Le Messenger*, was suspended) in Douala and Yaoundé were arrested and held for two to three days. **Pius Njawe**, director of *Le Messenger*, and **Séverin Tchounkeu**, director of the newspaper *La Nouvelle Expression*, were detained and questioned after expressing concern to the authorities about the detention of the news vendors.

There have been many instances where newspapers have been banned and seized. For example, on 5 May 1997 copies of the weekly *L'Expression* were seized from news vendors in Yaoundé because of the inclusion of an interview with Titus Edzoa, former Minister of Health and Secretary General at the Presidency, who had resigned from the government on 20 April 1997 and announced his candidature for the presidential election. The following day another newspaper, *L'Anecdote*, was confiscated apparently because of an article referring to a meeting between Titus Edzoa and the leader of the SDF, John Fru Ndi. On 24 June 1996 the Deputy Prime Minister in charge of the Interior, Gilbert Andzé Tsoungui, ordered the banning of the independent weekly newspaper *Mutations* on the grounds that it posed a threat to public order after the newspaper questioned the conduct of the parliamentary elections. A court in Yaoundé ordered that the ban be lifted 4 July 1997.

On 7 July 1997 the Minister of State for Communication, Augustin Kontchou Kouomegni, withdrew the accreditation of **David Ndachi Tagne**, a correspondent for *Radio France Internationale*. He was accused of grossly distorting facts, tarnishing the image of Cameroon and intending to disturb public order. However, no particular report filed by David Ndachi Tagne was given as grounds for these accusations.

Copies of five independent newspapers, *L'Expression*, *Le Messenger*, *Mutations*, *Dikalo* and *La Plume du Jour*, were seized by gendarmes in Yaoundé on 18 August 1997, apparently after the publication the previous week of the contents of a telephone conversation between the Minister of State in charge of Economy and Finance, Edouard Akame Mfoumou, and the Secretary General at the Presidency, Amadou Ali.

Human rights activists

Members of human rights organizations have been harassed, arrested and detained because of their work in defence of human rights.

Abdoulaye Math, National President of the *Mouvement pour la défense de droits de l'homme et des libertés* (MDDHL), the Movement for the Defence of Human Rights and Liberties, a non-governmental human rights organization based in Maroua was arrested on 27 February 1997. He was arrested after boarding a plane for Yaoundé, on his way to attend a human rights training seminar in the USA. He had recently returned from Garoua where he had organized a conference on human rights abuses in northern Cameroon. Although no warrant was produced at the time of his arrest, he was subsequently charged with fraud (*escroquerie*) and selling pharmaceuticals without a permit. He appeared in court on 5 March 1997; although he was released to await trial, the Public Prosecutor, Bouba Wanie, appealed against this decision. However, the Court of Appeal subsequently upheld the ruling and Abdoulaye Math was released on 7 March 1997. Although the case was due to be heard on 7 May 1997, judicial authorities said that the file on the case had disappeared.

Members of the MDDHL had in the past been harassed and arrested. In April 1995 Abdoulaye Math was summoned by the Public Prosecutor and given a letter from the Ministry of Justice stating that he was prohibited from practising law in Cameroon with immediate effect. He appealed against this ban and continued to work.

Mahamat Djibril, a member of the MDDHL, was detained in June 1995. He was assaulted and arrested in Maga, Far-North Province, when he went to investigate alleged abuses by the police. The police officer who was reported to have assaulted him had previously been criticized by the MDDHL for arbitrary arrest and ill-treatment of detainees. Mahamat Djibril was subsequently beaten by three other police officers. Three days later the Public Prosecutor charged Mahamat Djibril with assaulting a police officer and causing a disturbance and he was transferred to prison in Yagoua. His trial was repeatedly postponed and he was not conditionally released until November 1995. He was finally brought to trial in March 1997; he was convicted of assuming an unauthorized qualification (*usurpation d'un titre*) and given a three month suspended sentence. Consideration of his appeal against conviction and sentence was postponed until September 1997.

Students at the University of Yaoundé

A series of strikes and protests at the University of Yaoundé began in May 1996 calling for improved facilities and protesting against additional fees introduced by the authorities, for example to use the university library. Although the authorities made some concessions, the strike continued. During June 1996 more than 200 students were reported to have been arrested. Many appeared to have been arrested only because they were perceived as leaders of the student movement and opposed to the government.

On 14 June 1996 security forces were reported to have raided students' quarters near the university, dragging students from their rooms. These arrests followed violent confrontations between students and the security forces, and also a vigilante group known as *auto-défense* operating with the acquiescence of the university authorities and the security services. University buildings were burned and a university lecturer assaulted.

The *auto-défense* was established by the Rector of the University of Yaoundé, Professor Jean Messi, in 1996 to counter student unrest. Its members, some of whom are students themselves, work closely with the security forces. Many students were assaulted and handed over to the security forces by members of the *auto-défense*. Members of the *auto-défense* were also implicated in the death of a student.



The University of Yaoundé I

While most of the students arrested in June 1996 were detained briefly, at least 12 were detained without charge for more than a month. They included **Christophe Ebanga Onguene**, **Alexandre Lebeau Mbaye**, **Patrice Kennedy Ikoe Natoa**, **Patrick Asanga Nde**, **Jeremiah Mudah**, **Victor Che Tangawah** and a teacher of philosophy, **Israël Kuenmoé**, who were held in various places of detention, by police, security police (the *Centre national d'études et de recherches* (CENER)), and special units of the security forces. Some were prominent members of a students' organization, the *Comité pour la protection des droits des étudiants*, Committee for the Protection of Students' Rights. They were held until 17 July 1996 before being brought before a court, charged with offences relating to disturbances at the university and conditionally released. When they appeared in court on 4 September 1996, it was announced that the file on their case was missing. No further action by the judicial authorities was taken.

Although there were violent incidents at the university, during which university buildings were destroyed and a university lecturer physically assaulted, it appeared that there may have been no evidence of individual responsibility for a criminal offence against those charged.

On 27 October 1996 five other students were arrested at the University of Yaoundé: **Roger-Alexis Wamba**, **Jules Armand Mbe**, **Blaise Ngoune Temgoua** and two others were accused of provoking further unrest at the university. They were detained illegally overnight at

the university by members of *auto-défense*. The following day they were transferred to the custody of the security services and detained at the *Secrétariat d'Etat à la Défense*, the Ministry of Defence. While two students were released shortly afterwards, Roger-Alexis Wamba, Jules Armand Mbe and Blaise Ngoune Temgoua were held for more than two weeks before being brought before a judicial authority, far exceeding the legal limit of 72 hours. They were charged with inciting revolt against the government and institutions of the Republic (*incitation à la révolte contre le gouvernement et les institutions de la République*) and released to await trial. However, their trial was repeatedly postponed. Neither Roger-Alexis Wamba, Jules Armand Mbe nor Blaise Ngoune Temgoua was known to have been accused of personal involvement in any specific act of violence.

Several students associated by the authorities with unrest at the university were suspended from the university. The situation at the University of Yaoundé, and other universities, remained tense. The *auto-défense* continued to operate at the University of Yaoundé and, following the arrests in October 1996, there were further reports of harassment and detention of students by members of the *auto-défense*.

Recommendations

- C the Cameroon Government should end harassment, arrest and detention of critics and opponents of the government, including members of opposition political parties, journalists, human rights activists and students, solely for peacefully exercising their rights to freedom of expression, association and assembly as guaranteed by the International Covenant on Civil and Political Rights and the African Charter on Human and Peoples' Rights**
- C all prisoners of conscience should be immediately and unconditionally released**
- C all political detainees held without charge or trial should either be charged with a recognizably criminal offence and tried promptly, in accordance with international standards for fair trials, or otherwise released**
- C allegations of violence, intimidation and harassment by the security forces of critics and opponents of the government should be impartially and effectively investigated and those responsible brought to justice**

Illegal detention and ill-treatment by traditional rulers

In northern Cameroon, traditional rulers, known as *lamibe*, are responsible for harassment, illegal detention and ill-treatment and, in some cases, the death of political opponents. While they

have certain administrative powers, they do not have the authority to arrest and detain. In many areas of northern Cameroon, however, they have detained members and supporters of opposition political parties and other critics. Traditional rulers act with the tacit approval of the government and no action has been taken to investigate the serious human rights abuses committed by them and their private militias.

In May 1993 Abdoulaye Ahmadou, the *lamido* of Rey Bouba, Mayo-Rey Division, Northern Province, a prominent supporter of the ruling CPDM, was reported to have ordered some 300 armed men under his control to open fire on the inhabitants of Mbang Rey following protests against the removal from office of a local chief by the *lamido*; about 10 people died and several others were wounded. Despite complaints to the government by opposition members of the National Assembly from Mayo-Rey Division about detentions and killings, there was no official investigation.

Bakari Madi, who had been detained and tortured for more than six months in 1993 and 1994 because of his criticism of the *lamido* of Mindif, Kaélé Division, Far-North Province, initiated legal proceedings against the *lamido*. After repeated delays, the case was scheduled to be heard in February 1995 but the *lamido* and six other defendants failed to appear in court and the case was postponed. According to reports, the Public Prosecutor, under pressure from officials of the Ministry of the Interior, announced that the case could not proceed without authorization from the Minister of Justice. It had still not been heard by August 1997. In the few cases where legal proceedings against *lamibe* have been successful, the court's ruling has often been ignored.

The *lamido* of Rey Bouba has consistently intimidated and abused members and supporters of the opposition. The UNDP, however, was successful in Mayo-Rey Division in the parliamentary elections of March 1992. As well as political opponents, those who refuse to pay a tax levied by the *lamido* have been detained and beaten by the *lamido*'s private militia.

Traditional rulers operate private prisons in residences of the *lamido* and local dignitaries. A number of people were reported to be held in private prisons under the orders of the *lamido* of Rey Bouba who maintains prisons in palaces in Rey Bouba and Tcholliré.

Among UNDP members and supporters reported to have been detained illegally in private prisons on the orders of the *lamido* of Rey Bouba were **Issa Dalil, Alhadji Djama'a Sadou Bouba, Djamhoura, Oumar Mal Goni, Alim Hayatou, Modibo Mal Halidou, Modibo Saïdou, Modibo Alkali Souïbou, Halidou Haman Adama Mal** and **Yerima Oumarou**. Some of those reported to still be held by mid-1997 had been detained for more than four years. Three local chiefs from the area around Tcholliré who were reported to have been arrested on the orders of the *lamido* of Rey Bouba in May 1996 were among those reported to be still detained in 1997: **Laoukoura Mourboulé, Djondahou** and **Gor Rigama** were apparently arrested because they allowed UNDP members to live in their localities. Another

UNDP member, **Jean-Pierre Bekoutou**, who was arrested in Madingrin on 3 April 1997 and subsequently transferred to Rey Bouba, was also reported to remain in detention several months after his arrest.

At least four people - **Hama Riskou** from Godi, **Alhadji Mohaman Bala** from Tcholliré, **Madji Yadji** from Mbang Rey and **Nassourou Gou** - were reported to have died during 1995 as a result of ill-treatment and neglect while held in illegal detention on the orders of the *lamido* of Rey Bouba.

A UNDP member of the National Assembly from Mayo-Rey Division, **Haman Adama Daouda**, died on 18 February 1996 after being attacked on 8 January 1996 by the private militia of the *lamido* of Rey Bouba. Haman Adama Daouda, another UNDP politician, **Ahmadou Bakary**, and a delegation of about 40 other people were attacked with sticks, knives and machetes while campaigning for the local government elections. Haman Adama Daouda subsequently died in hospital in Yaoundé from head injuries. According to reports, the security forces did not intervene to prevent the violence. Both Haman Adama Daouda and Ahmadou Bakary had previously been victims of harassment and detention by the personal guard of the *lamido*. The leader of the UNDP, Bello Bouba Maïgari, announced that he intended to initiate judicial proceedings following the death of Haman Adama Daouda. Complaints submitted to the Public Prosecutor in Garoua have, however, never been pursued by the judicial authorities and no action has been taken against those responsible.

Nana Koulagna, like other UNDP members of the National Assembly from Mayo-Rey Division, had in the past been repeatedly threatened, assaulted and restricted in his movements in Mayo-Rey Division. Elected to represent Touboro, he had to remain in Ngaoundéré because of threats to his personal safety. The *lamido* of Rey Bouba is reported to have prohibited opposition members of the National Assembly from remaining in the area. According to reports, when Nana Koulagna and his delegation arrived in Rey Bouba in late October 1996 in order to hold a meeting, they were attacked by the *lamido*'s armed personal guard. In the violent confrontation which ensued two people were reported to have died and about 30 others were injured: many received wounds from knives, machetes and lances.

Further violent confrontations between UNDP members and the private militia of the *lamido* of Rey Bouba occurred on 12 May 1997 in Mbang Rey, shortly before the parliamentary elections. Five people died - two UNDP members and three members of the militia. Nana Koulagna and 15 other UNDP members and supporters, including **Baba Koulagna**, **Pierre Nana** and **Dieudonné Salaou**, were subsequently arrested, apparently accused of murder. Although two were later released, those remaining in the Central Prison in Garoua had not been charged by mid-August 1997. Given the context of repeated abuse against UNDP supporters in Mayo-Rey Division, it appeared that they may have been arrested because of their political activities, without evidence of individual responsibility for any criminal act.

These traditional rulers exercise authority granted to them by the government and therefore the Cameroon Government is directly responsible for the actions of the *lamibe*. Violations of the rights guaranteed by the ICCPR and the African Charter are being committed by traditional rulers with the acquiescence of the government.

Recommendations

- C the Cameroon Government should order the immediate release of all those held illegally by traditional rulers in private or unofficial prisons**
- C an independent inquiry should be established to investigate allegations of human rights abuses, including illegal detention, torture and ill-treatment and unlawful killings, by traditional rulers and their private forces, in order to bring to justice those responsible**

Torture and ill-treatment

Torture and ill-treatment of both political detainees and criminal suspects remain routine in Cameroon. Some victims have died as a result of their injuries. Both police and gendarmes systematically ill-treat detainees. Prisoners held in Cameroon's prisons are also frequently ill-treated.

In March 1994 the UN Human Rights Committee concluded that torture and ill-treatment appeared to be practised systematically by the security forces and had on several occasions resulted in the death of victims. It strongly recommended that the Cameroon Government take all necessary measures to prevent torture and ill-treatment, that all cases of torture and ill-treatment be investigated in order to prosecute those responsible, that those found guilty be punished and that the victims be compensated.

The frequency of beatings of detainees, including on the soles of their feet, was acknowledged publicly at a training seminar for law enforcement officials, including police, gendarmes and prison officers, organized in July 1994 by the *Comité national des droits de l'homme et des libertés*, National Commission on Human Rights and Freedoms.

Significant new legislation relating to the prohibition of torture was adopted by the National Assembly in November 1996 and promulgated by President Biya in January 1997⁹.

⁹ The Law to amend the Penal Code, No. 97/009 of 10 January 1997, created a new Section 132(a) (*Article 132 (bis)*) relating to torture.

This amendment to the Penal Code specified that torture cannot be justified under any circumstances¹⁰ and that anyone convicted of injury or death as a result of torture is punishable by sentences varying from two years' to life imprisonment.

Investigations into reports of torture and ill-treatment and prosecutions of those responsible have been rare. However, action has been taken by the authorities in a few cases. When a lawyer from the Public Prosecutor's office, **Hubert Olama**, visited a police station in Yaoundé in October 1994 to inspect detainees, including detained journalist Ndzana Seme, he was himself held for five hours, stripped and beaten. Six police officers were subsequently arrested and prosecuted. They were sentenced, four *in absentia*, to lengthy prison terms and fines in 1996.

A police inspector was convicted of assault and fined in July 1996. The victim of the assault, **Matilda Banyong Swiri**, was arrested in Bamenda in June 1995 and held for about six days before being released without charge. She sustained serious injuries, including fractured ribs, after being beaten, punched and kicked. However, the police inspector was reported to have been transferred from Bamenda and did not pay the fine. No steps were known to have been taken to enforce the sentence imposed by the court.

Amnesty International continued to receive reports of torture and ill-treatment throughout 1996 and into 1997.

Students at the University of Yaoundé

During unrest at the University of Yaoundé in 1996, during which some 200 students were arrested and detained, several student leaders were tortured and ill-treated. **Christophe Ebanga Onguene** and **Alexandre Lebeau Mbaye** were arrested by members of the *auto-défense* on 10 June 1996 and subsequently repeatedly beaten. **Patrice Kennedy Ikoe Natoa** and **Patrick Asanga Nde** were arrested on the 26 June 1996 by members of the *auto-défense* in the office of the Rector of the University of Yaoundé. They were stripped, beaten and subsequently detained in several different places including the *Division provinciale de la police judiciaire*, Provincial Division of the Judicial Police, and the GSO where they were reported to have been tortured with electric shocks and on a *balançoire*, where they were beaten while suspended from a rod passed between their hands tied behind their legs. They were also taken to the CENER, where they were reported to have been shown films of

¹⁰ Paragraph 5(c) of the new Section 132 (a) specifies that no exceptional circumstance whatsoever, whether a state of war, threat of war or internal political instability, can be invoked to justify torture ("*Aucune circonstance exceptionnelle, quelle qu'elle soit, qu'il s'agisse de l'Etat de guerre ou de menace de guerre, d'instabilité politique intérieure ou de tout autre état d'exception ne peut être invoqué pour justifier la torture*").

executions carried out in Cameroon in 1984 and threatened with the same fate. **Israël Kuenmoé**, a teacher arrested with student leaders, was reported to have sustained a serious injury to his left eye as a result of beatings.

One student died as a result of a violent attack by members of the *auto-défense*; his death amounted to an arbitrary killing. On 13 June 1996 students protesting against the exclusion from the university of six of their colleagues were pursued by members of the *auto-défense* and the security forces. **Benjamin Mvogo** died immediately after being beaten and stabbed in the stomach and chest. No official investigation into his death was undertaken and no action was taken against those responsible.

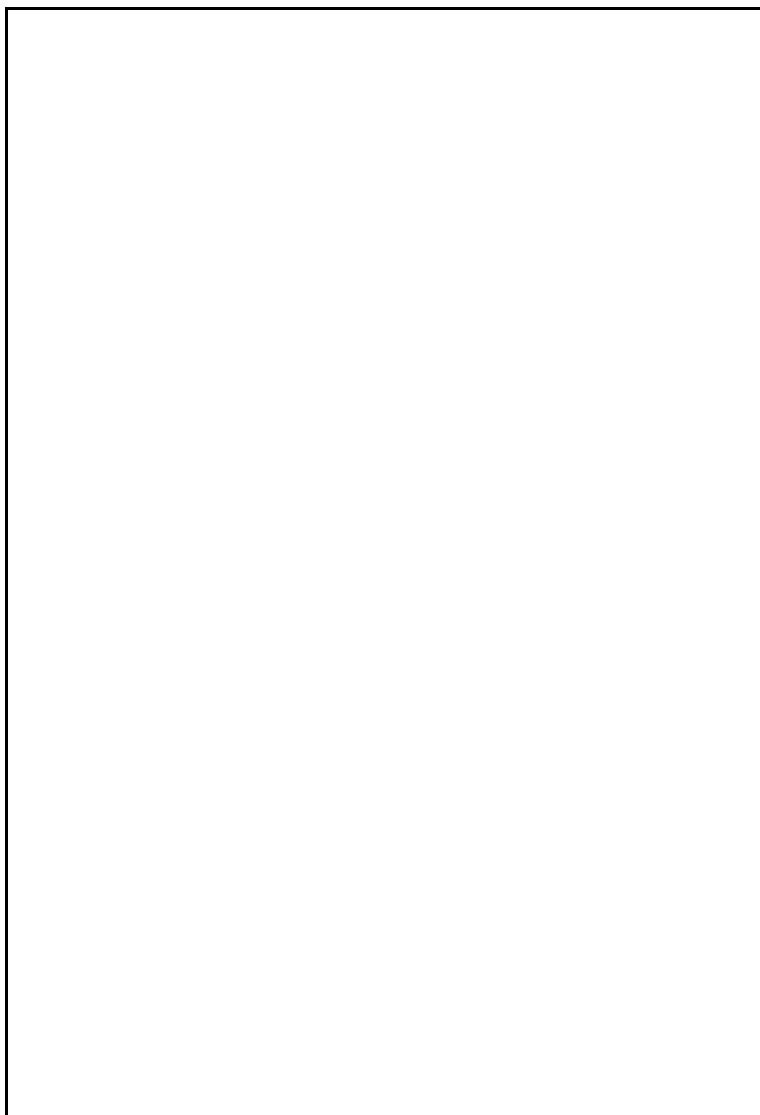
Other students detained in October 1996 by members of the *auto-défense* at the University of Yaoundé were stripped and beaten on their buttocks and the soles of their feet before being handed over to the security forces.

Detainees arrested in North-West Province in March and April 1997

Many of the large number of people detained following attacks on police, military and civilian establishments in several towns in North-West Province in March 1997 were tortured and ill-treated by the security forces, both at the time of their arrest and subsequently in detention at police stations and gendarmerie headquarters. At least five people were known to have died as a result of torture and ill-treatment and subsequent lack of medical care.

A man arrested in Oku, **Emmanuel Konseh**, a tailor who was married with children, was reported to have been severely beaten and stabbed with a bayonet; he died on 28 March 1997 while being transferred to Bamenda.

Many of those who were transferred to Bamenda had been tortured and ill-treated at the time of their arrest and were then subjected to further physical abuse while held at the Gendarmerie Legion in Bamenda. They received no visits and, although many had bayonet and bullet wounds, were denied medical care. On 1 May 1997, a month after his arrest in Mbengwi, Momo Division, **Samuel Tita**, aged 38 and married with five children, died, apparently as a result of lack of medical care and food. A further death occurred the same month: **Pa Mathias Gwei**, who was married with children, had been arrested in Oku. Although critically ill as a result of torture, he is reported to have been denied medical treatment. He was finally admitted to hospital on 25 May 1997 where he died a few hours later. A further death was reported the following month: **Daniel Tata**, from Bui Division, was reported to have died in custody at the Gendarmerie Legion in June 1997.



Ndifet Zacharia Khan in a military hospital in Yaoundé, July 1997

Some of those initially held either at the Gendarmerie Legion or the BMM in Bamenda were subsequently transferred to Yaoundé. Although some were later released, almost 50 remained held at Nkondengui prison. One of those held, **Ngwa Richard Formasoh**, a tyre repairer aged 25 from Mile 8, Mankon, in Bamenda, was reported to have died on 5 July 1997 at Nkondengui prison, apparently as a result of dehydration caused by diarrhoea for which he did not receive treatment. While in the Gendarmerie Legion in Bamenda, he was reported to be suffering from a severe stomach complaint.

One of those detained at the Gendarmerie Legion appeared to have been singled out for particularly brutal treatment. **Ndifet Zacharia Khan**, a traditional medicine

practitioner and father of seven children, was arrested in Bamenda and badly beaten first at a police station and then at the Gendarmerie Legion. He sustained serious injuries to his legs and buttocks. Although transferred to a military hospital in Bamenda, his condition deteriorated, with the development of extensive gangrene. He was transferred to a military hospital in Yaoundé on 1 June 1997 where he continued to receive treatment, the authorities making a contribution towards the cost. Toes on both feet had to be amputated.

Sama Richard Ndifang, a businessman who was arrested on 1 April 1997, was reported to have sustained serious injuries to his right foot, subsequently requiring hospital treatment. While held at the Gendarmerie Legion in Bamenda, his foot was cut with a machete.

Reports of the arrests which occurred in North-West Province in March and April 1997 indicated extensive abuses by the security forces. Civilians were beaten, kicked and humiliated. Many incidents of rape were reported. People were forced to lie on the ground both in the heat of the sun and in heavy rainfall; they were forced to lie in mud and remain in their soiled clothing. Elderly people were humiliated and degraded by, for example, being forced to jump like children. Property was searched and looted and money extorted.

On 28 March 1997 security forces, both military and gendarmerie forces, were reported to have entered a church in Oku, where people had sought refuge after the arrival of several hundred members of the security forces. They ordered the women to leave the church. The men were forced to lie on the floor and were then beaten and trampled on. One man reported that he subsequently passed blood in his urine. A woman in Oku was kicked when arrested and held for five days at gendarmerie headquarters where she was stripped and refused the use of her clothing. Early on the morning of 23 April 1997 soldiers and gendarmes forced their way into homes in Melim Kumbo, Bui Division. Many of the inhabitants were kicked and beaten; those arrested were taken to gendarmerie headquarters where beatings continued.

Torture and ill-treatment in Cameroon's prisons

In addition to extremely harsh conditions in Cameroon's prisons, ill-treatment of prisoners is endemic. Prisoners are reported to be regularly beaten, especially on the soles of their feet, and subjected to the *balançoire*. They are sometimes chained and held in punishment cells without light, sanitation or water. In the Principal Prison in Mbalmayo, Central Province, prisoners were reported to have been flogged in 1995.

At the Central Prison in Bamenda a prisoner who attempted to escape in 1996 and who was later recaptured was shot in the legs apparently as a punishment. According to reports, he received no medical care for two weeks.

On 18 May 1997 a prisoner held at the Central Prison in Maroua was reported to have died after being beaten by prison guards. **Mikila Beledé**, who had been arrested earlier in the year accused of aggravated theft, attempted to escape but was captured by police. After being returned to the prison he was reported to have been severely beaten and died as a result. No investigation into his death was known to have been initiated. Another prisoner at Maroua Central Prison, **Tchoupla**, known as Petit Soko, who attempted to escape on 31 July 1997 was reported to have been stripped and severely beaten by prison guards. A member of the human

rights organization MDDHL, **Mohamadou Moustapha**, who intervened to protest against the treatment of Tchoupla was reported to have himself been beaten.

These cases indicate that, although the government has ratified the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, it is not willing to take any concrete measures to end the widespread practice of torture and ill-treatment which is in clear violation of its obligations under the treaty. The government is also in violation of Article 7 of the ICCPR and Article 5 of the African Charter which prohibit torture and cruel, inhuman or degrading treatment or punishment.

While the government has adopted legal provisions to make torture a criminal offence, it has taken few steps to bring to justice and punish members of the security forces who are responsible for the torture of detainees.

Recommendations¹¹

- C safeguards should be introduced to protect all detainees and prisoners from torture and ill-treatment to conform to Cameroon's international obligations, including under the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment**
- C the Cameroon Government should demonstrate its total opposition to torture; it should make clear to all law enforcement officials that torture will not be tolerated under any circumstances**
- C it should be made clear during the training of all officials involved in the custody, interrogation or treatment of prisoners that torture is a criminal act**
- C prisoners should be brought before a judicial authority promptly after being taken into custody and relatives, lawyers and doctors should have prompt and regular access to them**
- C all complaints of torture should be impartially and effectively investigated; the methods and findings of such investigations should be made public; and those responsible for torture should be brought to justice**

¹¹ Refer also to Amnesty International's Twelve-Point Program for the Prevention of Torture, October 1983.

Harsh prison conditions

Prison conditions are extremely harsh throughout Cameroon, and particularly in more isolated areas of the country. They fall far short of international standards for the treatment of prisoners, including the UN Standard Minimum Rules for the Treatment of Prisoners and the Body of Principles for the Protection of All Persons under Any Form of Detention and Imprisonment. In 1995, more than 16,000 people were reported to be held in Cameroon's prisons which fall under the responsibility of the Ministry of the Interior. Both criminal and political prisoners are held in conditions which deny their basic rights, which pose a threat to both health and life and which amount to cruel, inhuman and degrading treatment. The severity of conditions in some prisons in Cameroon does not appear to be attributable only to material shortages but rather to be either deliberate or the result of serious negligence on the part of the authorities.

Most prisons are severely overcrowded and sanitary facilities are non-existent or inadequate. Health care and nutrition are also seriously deficient. Many prisoners suffer from diseases such as tuberculosis and skin complaints for which they do not receive medical treatment. As a result, there is a high mortality rate among prisoners. According to reports, some 170 prisoners died between January and October 1995. In 1996 three prisoners a week were reported to have died at New Bell prison in Douala and at the Central Prison in Mantoum, West Province, two to three deaths a week were reported. Although Mantoum Central Prison held some 580 prisoners at that time, resources provided by the authorities were reported to have been adequate for only 80 prisoners.

There is particular concern about the situation of women and minors. Men and women, adults and minors are reported to be often held together. Minors, some under the age of 14, the legal minimum age for imprisonment, are reported to be sexually abused by adult prisoners. There have also been reports of sexual assault of women prisoners by prison officials.

Prisoners often have to pay guards to avoid detention in those parts of the prison where conditions are harshest. Prison officials also extort money from the prisoners through threats of ill-treatment.

In March 1994 the UN Human Rights Committee deplored the brutality practised in Cameroon's prisons. It stated that detention centres where men and women, convicted and unconvicted prisoners, adults and juvenile offenders are held in the same, generally insalubrious, cells were a violation of Article 10 of the ICCPR, which specifies that anyone deprived of their liberty should be treated with humanity and with respect for the inherent dignity of the human person. Article 10 specifically states that those accused of offences should be held separately from convicted prisoners and that juvenile offenders should be segregated from adults. Prison conditions in Cameroon also violate Article 5 of the African Charter which guarantees the right to respect of human dignity and the prohibition of cruel, inhuman or degrading treatment.

Instances where a prisoner dies as a result of ill-treatment or harsh prison conditions amount to arbitrary deprivation of life in violation of Article 6 of the ICCPR and Article 4 of the African Charter.

Recommendations

- C the Cameroon authorities should take urgent and effective measures to ensure that all prisons in Cameroon conform to international standards for the treatment of prisoners, including the UN Standard Minimum Rules for the Treatment of Prisoners**

- C the health of all prisoners should be ensured while in custody; adequate food, medical attention, washing and sanitary facilities should be provided, and prisoners should have daily exercise in the fresh air**

Use of excessive and lethal force by the security forces

Death and serious injury have resulted when excessive and lethal force appeared to have been used by the security forces. In some, but not all, cases investigations into such killings were undertaken.

In December 1995 **Ebenezer Tamanfor** was shot dead after being apprehended by the security forces. He had failed to stop his vehicle and was pursued by two policemen in Mezam Division. According to reports, when he said that he had not realised that it was a police request to stop and had feared armed robbers, he was shot in the head. No action was taken against those responsible. At least two other people died in incidents in 1995 where excessive force appeared to have been used by the security forces. In January 1995 a seven-year-old girl died when police in Yaoundé fired at a taxi which had failed to stop.

During 1996 several people were reported to have died in incidents where excessive lethal force appeared to have been used by the security forces. They included a criminal suspect, **André Tchietcho**, shot while held at a gendarmerie headquarters in Douala in March 1996, and a taxi driver, **Joseph Desiré Tuete Kuipo**, who was shot by a policeman in Douala on 24 May 1996, apparently after he refused to pay a bribe at an unofficial roadblock.

On 9 August 1996 violence resulting from an inter-communal conflict between the villages of Bambui and Fungie in Mezam Division resulted in the deaths of several people and serious injuries to many others. The following day, gendarmes from Bamenda were reported to have intervened in Bambui, firing shots and grenades indiscriminately at a large crowd gathered at the palace of the Fon of Bambui, a traditional ruler. Three people were reported to

have been killed: **Juliana Ngwafu Munu**, aged 60, who died instantly from a shot to the head, **Anita Nyengweh**, aged 25, who died later in hospital, and **Ache Alah**, aged 24, who also died in hospital as a result of bullet wounds to his abdomen and legs.

Such killings by the security forces amount to extrajudicial executions or arbitrary killings in violation of the right to life guaranteed under Article 6 of the ICCPR and Article 4 of the African Charter.

In addition to the three deaths in Bambui on 10 August 1996, 16 people were reported to have been seriously injured. They included a 26-year-old mother of three children, **Florence Fanyeih**, who lost her right hand and suffered extensive burns to her chest and thighs in a grenade explosion.



Florence Fanyeih, Sub-Divisional Hospital, Bambui, North-West Province, August 1996

On 8 January 1997 several people were reported to have been injured when gendarmes opened fire during the arrest of Damien Ngah, the Fon of Fungom, in Menchum Division, North-West Province, in connection with a dispute about land and grazing rights. Five women - **Comfort Njang, Odilia Siy, Frida Jah, Ngie Sarah Meh, Mary Che** and **Anasthasia N dum**

- were reported to have been admitted to hospital either with gunshot wounds or with injuries sustained from beatings with gun butts. Although the High Court in Wum ordered Damien Ngah's release on 30 January 1997, the gendarmerie refused to comply with this order. The following day, when a group of women protested at the gendarmerie headquarters, gendarmes were reported to have opened fire wounding 22 people, three of them seriously.

Youssoufa Hamidou was reported to have received a bullet wound to his left knee on 26 May 1997 in Guider, North Province, when the security forces, both police and gendarmes, opened fire to disperse a peaceful demonstration. Members and supporters of the UNDP were calling for the annulment of the results of the elections on 17 May 1997, for the establishment of an independent electoral commission and for the release of former UNDP member of the National Assembly, Nana Koulagna.

Injury caused by the security forces through the use of excessive and indiscriminate force amounts to ill-treatment and is in violation of Article 7 of the ICCPR and Article 5 of the African Charter which prohibit cruel, inhuman or degrading treatment.

According to international standards and, in particular, the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials, law enforcement officials should, as far as possible, apply non-violent means before resorting to the use of force and firearms. Law enforcement officials should not use firearms against people except in self-defence or in defence of others against the imminent threat of death or serious injury, to prevent the perpetration of a particularly serious crime involving grave threat to life, to arrest a person presenting such a danger and resisting their authority, or to prevent his or her escape, and only when less extreme measures are insufficient to achieve these objectives. In any event, intentional lethal use of firearms may only be made when strictly unavoidable in order to protect life.

Amnesty International is calling on the Cameroon authorities to immediately give clear instructions to all law enforcement officials to adhere to these principles at all times.

Recommendations

- C strict control on members of the security forces should be introduced, in accordance with international standards, in order to ensure that indiscriminate, excessive and lethal force is not used**
- C law enforcement officials should only use force when strictly necessary and only to the minimum extent required under the circumstances. Lethal force should not be used except when strictly unavoidable in order to protect life**

The death penalty

Amnesty International considers the death penalty to be a violation of the fundamental right to life and the right not to be subjected to cruel, inhuman or degrading punishment and opposes its use unconditionally. None of the many studies carried out in various countries has produced scientifically conclusive proof that the death penalty has any special deterrent effect compared with other punishments.

In Cameroon the death penalty is prescribed by the Penal Code for crimes which include: murder committed with premeditation; acts of violence or physical assaults against a government employee, with the intention of killing him; traffic in toxic or dangerous wastes; and aggravated theft. Since the adoption of the Law to amend certain provisions of the Penal Code, Law No. 90/061 of 19 December 1990, the death penalty for aggravated theft is incurred if violence used has resulted in death or serious injury.

Although death sentences continue to be regularly passed by the courts, until 1997 the last executions known to have taken place were in 1988. Amnesty International has received reports that **Antoine Vandi Tize**, sentenced to death several years previously after being convicted of murder and detained at the Central Prison in Maroua, was executed by firing squad at Mokolo, Mayo-Tsanaga Division, Far-North Province, on 9 January 1997. It is possible that other executions may also have taken place after appeal procedures were exhausted.

In 1995 more than one hundred prisoners were reported to be under sentence of death and were known to be held in prisons in Douala, Dschang, Garoua, Tcholliré and Yaoundé. They may also be held in other prisons. Prisoners under sentence of death are often held separately from other prisoners. Some are held constantly in chains, for example at Tcholliré II prison, in Mayo-Rey Division.

In March 1994 the UN Human Rights Committee expressed concern that, despite a recent reduction, the number of offences punishable by the death penalty in the Penal Code was still excessive, in particular for aggravated theft or traffic in toxic or dangerous wastes. It also expressed concern about the number of death sentences passed by the courts.

On 3 April 1997 the UN Commission on Human Rights adopted Resolution 1997/12 which called on states which retain the death penalty "to consider suspending executions, with a view to completely abolishing the death penalty". Resolution 1997/12 also called on states which have not yet abolished the death penalty to restrict the number of offences for which the death penalty may be imposed.

Recommendations

- C Amnesty International urges the government of Cameroon to abolish the death penalty in law. Pending abolition, all death sentences should be commuted and no further death sentences passed**
- C the Cameroon Government should ratify the Second Optional Protocol of the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty**

Cameroon and the international community

In addition to its specific recommendations to the Cameroon Government to take urgent and effective measures to end violations of human rights, Amnesty International is also calling on the international community, including the UN, the OAU, the Commonwealth and the EU, to seriously scrutinize violations of human rights in Cameroon and to take effective measures to ensure that Cameroon adheres fully to its human rights commitments.

Cameroon was admitted to the Commonwealth in November 1995 despite reservations both within Cameroon and internationally that it had not made sufficient progress towards respect for human rights. A delegation from the Commonwealth Secretariat visited Cameroon in July 1995; its report, however, was not made public. The Commonwealth Heads of Government next meet in Edinburgh, United Kingdom, in October 1997. During its two years of membership of the Commonwealth, the fundamental human rights of Cameroon's citizens have been persistently violated. As a member of the Commonwealth, Cameroon should fulfil the commitments to the rule of law and human rights contained in the Harare Commonwealth Declaration of 1991.

Cameroon and the EU are parties to the Lomé IV Convention (1991-2001). This Convention is an all-embracing multilateral instrument allowing cooperation in the areas of development aid, trade, cultural and social relations between the EU and 70 African, Caribbean and Pacific (ACP) countries.

Article 5 of the Lomé IV Convention refers explicitly to human rights: "Cooperation shall be directed towards development centred on man, the main protagonist and beneficiary of development, which thus entails respect for and promotion of all human rights"¹². The

¹² "La coopération vise à un développement centré sur l'homme, son acteur et bénéficiaire principal, et qui postule donc le respect et la promotion de l'ensemble des droits de celui-ci."

Convention is monitored by the ACP-EU Council of Ministers, the ACP-EU Committee of Ambassadors, but also by an ACP-EU Joint Parliamentary Assembly which brings together twice a year representatives from the 70 ACP states with 70 Members of the European Parliament and which has mainly consultative powers. The next meeting of the ACP-EU Joint Parliamentary Assembly is due to take place in Togo at the end of October 1997.

Recommendations

- C the OAU Secretary General should closely monitor the human rights situation in Cameroon, in particular since there are fears that human rights violations may increase in the period around the presidential election scheduled for October 1997**
- C if appropriate, the OAU Secretary General should refer concerns to the OAU Mechanism for Conflict Prevention, Management and Resolution in order to take steps to prevent developments which could lead to a serious deterioration in the human rights situation in Cameroon**
- C the Commonwealth should establish a mechanism to monitor constantly violations of human rights in Cameroon and take measures to ensure that Cameroon adheres to the principles of the Harare Commonwealth Declaration**
- C the Council of the European Union should remind Cameroon of its obligations under Article 5 of the Lomé IV Convention, in particular in view of the forthcoming presidential election**
- C members of the ACP-EU Joint Parliamentary Assembly, due to take place in October 1997, should use this opportunity to review the human rights situation in Cameroon**