

AFRICAN UNION		UNION AFRICAINE
الاتحاد الأفريقي African Commission on Human & Peoples' Rights		UNIÃO AFRICANA <u>Commission Africaine des Droits de l'Homme & des Peuples</u>
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Ref: ACHPR/PROVM/CMR/650/17/..461...2017

Date: 1 March 2017

H.E. Mr. Paul Biya
The President of the Republic of Cameroon
Office of the President
State House
The Republic of Cameroon

Your Excellency,

SUBJECT: REQUEST FOR PROVISIONAL MEASURES UNDER RULE 98 OF THE RULES OF PROCEDURE OF THE AFRICAN COMMISSION ON HUMAN AND PEOPLES' RIGHTS

In my capacity as the Chairperson of the African Commission on Human and Peoples' Rights (*the Commission*), I have the honour to bring to Your Excellency's kind attention, a Complaint that has been brought against the Republic of Cameroon in terms of Article 55 of the African Charter on Human and Peoples' Rights (*the African Charter*).

The Complaint has been seized by the Commission and registered as **Communication 650/17- Kum Bezeng and 75 Others (represented by Professor Carlson Anyangwe) v The Republic of Cameroon** (the Respondent State).

The Complaint has been lodged on behalf of KUM Bezeng and 75 Others (*on behalf of themselves and of the People of the former UN Trust Territory of the Southern Cameroons under the United Kingdom Administration, (the Victims)*) by **Professor Carlson Anyangwe** (*the Complainant*).

Your Excellency, in the Complaint, it is alleged that since December 2016, there has been massive, indiscriminate and arbitrary arrests, disappearances of suspects in Southern Cameroons, all of them picked up during the night without any due process of an arrest warrant and taken to Yaoundé where they are locked up and tortured. The indiscriminate arrest includes Appellate Court State Prosecutors, teachers, lawyers, and other senior elites of Southern Cameroons extraction. The Complainant further alleges that to date, it is estimated that over 200 people have been abducted from Southern Cameroons by government security forces, some have been found locked up in life-threatening jails in Yaoundé, some have not been traced and there are rumours that they have been killed and buried in mass graves around Yaoundé.

The Complainant avers that the intimidation and act of collective punishment of Southern Cameroonians by the government of the former French Cameroun continues unabated with the total blackout of internet services in Southern Cameroons since January 2017, further provoking the anger of a population accustomed to using social

media to communicate, and internet-based cash transfers to send money for business transactions and to relatives.

The Complainant alleges that since the shutdown of internet in Southern Cameroons there are, indiscriminate stop-and-on-the-spot checks, seizures and arrests of persons suspected of disseminating information through social media. This has resulted in the seizure and destruction of mobile phones of a number of citizens of Southern Cameroons simply because messages about the civil disobedience were found in their phones.

The Complainant avers that all the towns and villages in Southern Cameroons are heavily militarized and there are reports of arrests and shootings (with live ammunitions) on a daily basis, resulting to lootings, destruction of property and more deaths. The Complainant states that the number of persons killed by the military is as yet difficult to determine but they are certainly high to have elicited serious concern worldwide. The *Daily Mail* of London, 13 February 2017, gives the conservative figure of "at least six protesters shot dead and hundreds others arrested". Lawyers have boycotted Courts in Southern Cameroons for over four months now, schools have been shut for the same period of time and proponents of federalism are arrested. According to the Complainant, it is now a treasonable and even an offence of terrorism to advocate for federalism, as, according to the government of la République du Cameroun, federalism is a threat to the unity of Cameroon. There is therefore no Court with jurisdiction to adjudicate any petition calling for a federation system in Cameroon.

Your Excellency, the Complainant has requested the Commission to invoke Rule 98 of its Rules of Procedure and issue Provisional Measures to prevent irreparable harm to the inhabitants of the North West and South West regions of Cameroon.

Your Excellency, if the allegations in the above-referenced Communication are correct, it would be a great cause for concern, as it would constitute gross violation of the provisions of the African Charter, in particular 1, 2, 3, 4, 5, 6, 7, 9, 10, 11, 12, 13, 17, 19, 20, 21, 22, 23 and 24 of the African Charter.

In view of the above, the Commission respectfully requests Your Excellency to intervene in the matter and ensure that the Government of the Republic of Cameroon adopts Provisional Measures to:

1. halt all forms of intimidation, kidnapping, arrest, shootings and other acts of violence against residents of the North West and South West regions of Cameroon;
2. disclose the whereabouts of all those arrested that their whereabouts are not yet known; and
3. restore internet connections in the North West and South West Regions of Cameroon.

Your Excellency, I would like to indicate that the grant of Provisional Measures does not in any way affect the decision of the Commission on the Complaint, and to reassure Your Excellency that the Commission will do everything in its power to ensure that this Communication is dealt with expeditiously.

Considering the commitment of the Republic of Cameroon to the cause of human rights, including through its ratification of the African Charter, I have no doubt that the present request for Provisional Measures will be followed by a positive response.

The Commission kindly requests the Respondent State to report back on the implementation of the Provisional Measures granted, within fifteen (15) days of receipt of this letter, in accordance with Rule 98(4) of its Rules of Procedure.

I would like to inform Your Excellency that as part of my responsibility, I am required to report to each Ordinary Session of the Commission on the actions that I have taken in my capacity as the Chairperson and as a Member of the Commission. In that regard, the content of this letter as well as any response received from Your Excellency will be included in my report to the 60th Ordinary Session of the Commission from 8 to 22 May 2017, in Niamey, Niger, as well as, in my Activity Report to the African Union Policy Organs.

Please accept, Your Excellency, the assurances of my highest consideration.



The image shows a handwritten signature in black ink, which appears to be 'P. Tlakula'. The signature is written over a circular official seal. The seal contains the text 'SECRETARIAT' at the top, 'AFRICANA COMMISSIO IN HUMANIS ET POPULI DIGNITATE' around the perimeter, and 'COMMISSION AFRICAINE DES DROITS DE L'HOMME' and 'AU-UA' in the center.

Hon. Commissioner Pansy Tlakula
Chairperson of the African Commission on Human and Peoples' Rights