



PRESS STATEMENT

CENTRE FOR HUMAN RIGHTS EXPRESSES SERIOUS CONCERN OVER HUMAN RIGHTS SITUATION IN CAMEROON AND CALLS ON GOVERNMENT TO END HUMAN RIGHTS VIOLATIONS

17 February 2017

The Centre for Human Rights, Faculty of Law, University of Pretoria, is deeply concerned about the deteriorating human rights situation in the North West and South West regions of Cameroon (English-speaking Cameroon), including reported arbitrary arrests, abductions, extra-judicial killings, involuntary disappearances, rape, torture and inhumane treatment of detainees, trial of civilians by military tribunals, shut down of internet services and the shutdown of schools (since November 2016).

By its actions and omissions, the government of Cameroon has failed to protect its citizens and as such stands in violation of the obligations imposed upon it by the Preamble to the Constitution of Cameroon which among others guarantees the right to life; freedom from torture; cruel and inhumane or degrading treatment or punishment; right to liberty and security of person; right to fair hearing; freedom of expression; and freedom of association and assembly. As a member of the African Union, Cameroon is also obliged to give effect to these rights as enshrined in article 4 (the right to life), article 5 (the guarantee against torture, cruel, inhumane and degrading treatment), article 6 (the right to liberty and security of the person), article 7 (the right to a fair trial), article 9 (freedom of expression), article 10 (freedom of association) and article 11 (freedom of assembly) of the African Charter on Human and Peoples' Rights.

The Centre recalls that the former Chairperson of the African Union, Dr. Nkosazana Dlamini-Zuma, had issued a statement on 18 January 2017, in which she noted the "loss of lives and destruction of property that have taken place in some cities and towns in the two [English-speaking regions] of Cameroon." She further expressed concern at the "closing of schools and medical facilities, as well as

acts of violence, arbitrary arrests and detention of individuals suspected of participating in the demonstrations.” Dr. Dlamini-Zuma’s statement called for “restraint” and urged the government of Cameroon to initiate a dialogue “in order to find a solution to the social, political and economic issues motivating the protests.” She also reiterated the “AU’s support for the respect of the rule of law, and the right to peaceful demonstrations which are critical tenets of democracy.”

The Centre reminds the government of Cameroon of the 2009 decision of the African Commission in *Mgwanga Gunme & 13 Others v Cameroon*, where the African Commission held that the government of Cameroon had no justification to subject persons to torture, cruel and inhuman treatment or punishment even in cases of public emergencies, and that the state has an obligation to guarantee the right to freedom of assembly while maintaining law and order; that persons arrested should be tried within a reasonable time; and noted that the trials of civilians by military tribunals were in violation of the African Charter. In this decision, the Commission called on the government of Cameroon to abolish discriminatory practices against and to cease numerous violations of the people of the North West and South West of the country. It also identified some root causes of concern, including the violation of the right to development of the people of this region.

The Centre for Human Rights makes the following call:

In the light of the urgency of the situation, the daily loss of life and potential threat to international peace and security, the Centre makes the following call:

- The government of Cameroon must immediately halt the on-going military operations in the English-speaking regions of Cameroon, withdraw the army, restore internet services and desist from any further actions that may worsen the human rights plight of the inhabitants of these two regions. On the longer term, it should take steps to address the underlying roots of the conflict.
- The African Union Commission should investigate the alleged violations of human rights and bring the perpetrators to justice. Its Peace and Security Council should prioritise the situation, and consider what appropriate steps should be taken to remedy the government’s apparent unwillingness to protect its own population.
- The African Commission on Human and Peoples’ Rights should conduct an on-site visit to the English-speaking regions of Cameroon in line with its mandate under the African Charter, and hold a public hearing and deliberations during the upcoming Ordinary Session of the Commission in Niamey, Niger, focusing on the atrocities alleged to have been perpetrated in

Cameroon. It should, in particular, hold a public hearing on the extent of compliance by Cameroon with the Commission's 2009 decision in the *Gunme* case.

- The UN Secretary General and the UN Security Council (particularly because Cameroon is a former UN trust territory) as well as the British and French Governments (the former colonial powers) should prevail on the government of Cameroon to stop the military operations and engage in dialogue with the English-speaking citizens of the country. Given the long history of this problem and in order to ensure a peaceful and long term solution, the Centre suggests that the Secretary General of the UN, through the Special Representative to Central Africa, Mr Francois Lounceny Fall, and the Security Council, in consultation with the AU, should appoint a special mediator to facilitate the negotiations for a permanent solution to the problems.
- The Government of South Africa should add its weight and voice to those of the UN and the AU and use the relevant diplomatic avenues to bring pressure to bear on the government of Cameroon to stop all forms of human rights violations being committed against the English-speaking citizens of Cameroon.

In order to prevent a deterioration of the current situation in Cameroon into one of anarchy, chaos and armed conflict that could threaten international peace and security, concrete measures must be put in place immediately. Appropriate positive steps must be taken to ensure that the rights of the people of the English-speaking regions are respected, protected and fulfilled and grievances resolved through constructive dialogue and other relevant political and legal avenues.

For more information, please contact:

Prof Frans Viljoen

Director

Centre for Human Rights

University of Pretoria

Tel: (012) 420 3228

Email: frans.viljoen@up.ac.za

www.chr.up.ac.za