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CAMEROON: Attacks Against Independent Press

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Introduction:

Africa Watch has strongly protested recent attacks against the independent press in Cameroon. After a period of significantly relaxed censorship in the spring and summer of 1990, in recent weeks the authorities have launched a campaign to intimidate the independent press -- particularly the newspaper Le Messenger.¹

In the late spring and summer of 1990, it seemed as if the regime of President Paul Biya, a one-party state controlled by the Rassemblement Democratique de Peuple Camerounais (RDPC), was beginning to liberalize some of its repressive practices. One of the most notable changes was the significant easing of censorship, which led to a considerable amount of press freedom, virtually without government interference. During the party congress at the end of June 1990, President Biya announced a series of liberalizations, including: ending certain aspects of the emergency regulations that had been in force since 1962 concerning the laws on subversion; easing of travel restrictions by abolishing the need for exit visas; reinforcing press freedom by introducing a new press law (see below); and establishing a national human rights commission. This was followed later in July with an announcement that all political prisoners would be released and, on August 10, President Biya issued a presidential clemency decree for political prisoners, under which some well-known political prisoners -- including Yondo Black, Anicet Ekane and Djeukam Tchameni -- were released.²

The attacks against Le Messenger must be seen in the context of government promises of democratization in Cameroon, including the introduction of a multiparty system. In his December 3 speech to the National Assembly, President Biya cited press freedom in Cameroon as an illustration of the new, liberal attitude of his government, yet he made it clear that there were limits to his tolerance. He stated:

The rules of democracy call for a certain change in attitude. A specific example is freedom of the press. The State has eased censorship. Ministers must ensure the implementation of this measure. But journalists, for their part, must remain honest and

¹Le Messenger was created in October-November 1979 as a weekly journal of information, debate and political commentary. It has a circulation of 50,000-60,000 throughout Cameroon, as well as subscribers in other parts of Africa, Europe and North America.

²In February 1990, ten prominent citizens were arrested for attempting to form an alternative political party. They were tried from March 30 to April 5 on charges of "subversion," under Ordinance No. 62-of-18 of March 12, 1962. Three of them were sentenced to prison terms: Yondo Black, a lawyer and former president of the Cameroon Bar Association, received three years; Anicet Ekane, a company director, four years; and Jean-Michel Tekam (tried in absentia), five years. Mr. Ekane was also convicted of "insulting the President," under Article 153 of the Penal Code. The trial galvanized protest among previously silent sectors of the population, including lawyers, journalists and students.

It should be noted that on April 22, President Biya announced that those still in prison relating to the April 1984 coup attempt would be released. The government's communique stated that the amnesty reflected the need to strengthen national unity. It is believed that this measure would effect some 100 prisoners, although no exact information is currently available. Some of these prisoners have already completed their sentences but have remained in detention; a few of those arrested after the coup may have died in detention.

worthy of their role as providers of information. Under no circumstances whatsoever must they distort information.

The incidents discussed below raise serious doubts about the government's commitment to press freedom and democratization. They also directly contradict the President's New Year's address which affirmed that "no one will be disturbed any longer because of his ideas, his opinions, his convictions..."

The Government Attacks "Le Messenger":

In late December 1990, Pius Njawe, the editor of Le Messenger, and Célestin Monga, an economist who also writes for Le Messenger and Jeune Afrique Economie, published in Paris, came under government scrutiny and were the subject of an investigation. In early January, charges were brought against them -- Article 153 of the Penal Code, showing contempt for the President of the Republic, and Article 154, showing contempt for members of the National Assembly, the Courts and Tribunals -- relating to an open letter written by Monga to President Biya in the December 27 issue (#209) of Le Messenger which criticized the government.

On December 27, shortly after the issue #209 of the newspaper was put on sale, police began to confiscate it in the streets. Reports indicate that police raided the offices of Le Messenger that night; many of the employees were interrogated, and some were taken to the police station.

On December 28, one of Le Messenger's lawyers, Charles Tchoungang, lodged a formal complaint with the prosecutor of Douala about the police actions against the newspaper. He protested the illegal confiscation of issue #209 and other documents in Le Messenger's office; the arrest of Emmanuel Ngankam Noubissie, an editor at the paper; and direct threats made by police against Mr. Tchoungang himself, in front of five witnesses. At this writing, there has been no response to his complaint.

On January 1, Monga was arrested and interrogated. He was held without charge and was not permitted any visitors until his release on January 3. The passports of both Njawe and Monga were confiscated on January 7.

In Monga's open letter, entitled "Rigged Democracy," he criticized President Biya's December 3 address, in which the President stated "I have brought you democracy and liberty." The letter also criticized the recent session of the Cameroonian parliament. Monga wrote:

Like many other Cameroonians, I was shocked by the outrageously condescending, paternalistic and pretentious tone that you used at the National Assembly on December 3 when addressing the Cameroonian people. How could you allow yourself to say to 11 million Cameroonians: 'I have brought you democracy...' This is a country where every day, the most fundamental human rights are ridiculed and where the majority of the people do not have enough to live on, while a small handful of opportunists share the

riches of the country with impunity?

The government contends that although issue #209 of Le Messenger was submitted to the censor, as required by the new press law (see below), "the procedural rules were not respected."³ A Cameroonian official from the Ministry of Territorial Administration -- the Assistant Director of Political Affairs, Mr. Erik Essoussé -- explained the seizure of Le Messenger as follows: "Le Messenger deposited two copies of its journal at our offices, but the journal was put into circulation before we had given our point of view. Yet this journal contained two articles that undermined the authorities."⁴

According to Le Messenger, however, two copies of the newspaper were brought to the appropriate authorities -- the Office of Political Affairs of the Ministry of Territorial Administration -- at 9:00 a.m. on December 27, as stipulated by the new press law (see below). Four hours later, when the authorities had not yet completed their examination, the editors of Le Messenger decided to proceed with distributing the paper, as of 4:30 p.m. Shortly thereafter, the printing house that produces the newspaper -- SOPECAM -- was informed that issue #209 had been seized.

Journalists Convicted:

The first session of Monga and Njawe's trial took place on January 10 in Douala. More than 100 lawyers from the Cameroon Bar Association joined together to act as the defense counsel. The trial was adjourned until the following week.⁵

In the city of Douala, large demonstrations were held by well-known musicians, intellectuals, representatives of newly-formed political parties, and others concerned with freedom of expression. There were a number of short-term arrests -- including Lapiro de Mbanga, a very popular singer -- and a number of instances of police brutality. Reports indicate that Djeukam Tchameni, a former political prisoner who was an active supporter of the defendants, was beaten by police.

On January 18, Messrs. Njawe and Monga were given six-month suspended sentences

³Monda Bakoa, "Pourquoi le 'Messenger' a-t-il été saisi?" Cameroon Tribune, January 4, 1991. It should be noted that this is one of the government's official newspapers, which indicates that it prints the government's version of events.

⁴Quoted in Cameroon Tribune, Ibid.

⁵The trial of Monga and Njawe was the first case to be tried since the abolition of the laws on "subversion," which have been in force since 1962. Prior to the revisions of the emergency regulations, which took place in December 1990, trials on charges of "insulting the President" (under which Monga and Njawe were charged) would have fallen under the "subversion" provisions of the emergency regulations, which provide for the trials to be held in a military court. On December 5, the Parliament voted to abolish the laws on subversion; on December 19, law #90/046 was promulgated, which abolished the 1962 law on subversion (#62/OF/12 of March 12, 1962).

and a fine of 300,000 CFA (\$1,150) each on charges of showing contempt for the courts and tribunals and members of the National Assembly. The charge of showing contempt for the President was dropped.

There are reports that on January 18, the judge's rulings on certain of the defense lawyers' motions were announced on Radio Cameroon and national television before they were announced in court. When the defense lawyers learned of this, they asked that the judge condemn the radio and television journalists for violating the secrecy of the deliberations. When the judge refused, the lawyers protested by dissolving themselves as the defense counsel. Since their lawyers were no longer present, the defendants refused to speak for the rest of the trial.

Demonstrators Killed in Garoua:

On January 17, when the trial against Njawe and Monga was due to reconvene, demonstrations took place in a number of Cameroonian cities. In the northern city of Garoua, however, troops fired on a demonstration supporting Messrs. Njawe and Monga and calling for democratization. At this writing, information indicates that at least one and possibly as many as three people may have been killed, and many others wounded.⁶

Suspicious Actions and Threats Against "Le Messenger" and its Lawyers:

On the night of January 22-23, the offices of Le Messenger were broken into. Among the items taken was the central memory of the newspaper's computer system. The circumstances surrounding the burglary remain suspicious.

On the night of January 19-20, the office of Yondo Black -- one of their lawyers as well as one of the defendants in the last major political trial in April (see News From Africa Watch, June 1990) -- was also the subject of a suspicious burglary. The only item missing from Black's office was his file about the Monga-Njawe trial.

In addition, Pius Njawe and some of his lawyers have reported receiving anonymous death threats by telephone and by mail. At this writing, the threats against Mr. Njawe continue, forcing him to provide extra security at the office of Le Messenger and to take special precautions for himself.

⁶It should be noted that on May 26, 1990, seven people were killed in clashes between demonstrators and security forces at a rally in support of a newly-formed political party, the Social Democratic Front. Reports indicate that several thousand people gathered in Bamenda, in the northwestern part of the country, to take part in the rally that had been announced earlier in the month, despite government warnings that the meeting would be considered illegal. According to the government radio, the demonstrators were trampled to death; however, other reliable reports indicate that the security forces fired tear gas and live ammunition on the crowd.

Given the timing and the items targeted in these robberies, it is widely believed that they were political in nature. Africa Watch has urged the police authorities to conduct a full and immediate investigation of these events.

New Press Law Continues Prior Censorship:

Cameroon is one of the few countries in Africa where prior censorship still exists; that is, all publications must be submitted to the censor before publication. Although prior censorship has been exercised throughout post-independence Cameroon, it is only the new press law that actually codifies the practice.

In the RDPC party congress held in late June 1990, President Biya raised hopes that censorship would be abolished in Cameroon. Nevertheless, in his December 3 speech before the National Assembly, he merely stated that censorship would be "eased."

The December 19, 1990 law #90/052 concerning "the freedom of social communication," i.e., the press, continues the practice of censorship. Article 14, section 3 of the law stipulates that all press organs must submit to the prefect -- the censor -- two copies of their publications -- either proofs, or actual copies -- before distribution. For daily papers, the new law reduces the time in which the censor must review the copy from four hours to two hours; all other publications are subject to the four-hour delay.

Section 3, Article 13 and 14 of the new law deal with the compulsory submission of copy. Article 14 states: "The newspaper issues thus submitted may be censored in whole or in part where there is a conflict with the principles of public policy." In case of conflict with these public principles, Section 4, Article 17 stipulates that the press organ can be seized or banned on orders of the Minister of Territorial Administration. Although the censorship decisions can be appealed, the courts do not have to rule on the case until one month has passed, at which point the news article may have lost its relevance.

Recommendations:

Africa Watch is calling on the Cameroonian authorities to:

- * Cease the harassment of Le Messager, and in general end the attacks against the independent press, and institute legal protections to guarantee freedom of expression, in accordance with internationally-recognized human rights;
- * End the practice of prior censorship of all publications, thus allowing Cameroonians

access to information without governmental interference;

- * Reverse the convictions of Messrs. Njawe and Monga, who were sentenced for the legitimate exercise of their rights to freedom of expression, and investigate the suspicious robberies and threats to which they have been subjected;
- * Conduct an immediate investigation into the police shootings in Garoua, and prosecute those responsible for the killings.

Send appeals to:

Son Excellence
Monsieur Paul Biya
President de la Republique
Palais de la Presidence
1000 Yaounde
Cameroon

Ambassador Paul Pondi
Embassy of Cameroon
2349 Massachusetts Ave., NW
Washington, DC 20008

M. Adolphe Moudiki
Ministre de la Justice et Garde des Sceaux
Ministere de la Justice
1000 Yaounde 4
Cameroon

Africa Watch is a nongovernmental organization founded in 1988 to monitor human rights practices in Africa and to promote respect for internationally recognized standards. Its Chairman is William Carmichael; its Executive Director is Rakiya Omaar; its Research Director is Richard Carver; its Research Consultant is Alex de Waal; its Research Associates are Janet Fleischman and Karen Sorensen; its Associates are Jo Graham and Ben Penglase.

Africa Watch is part of Human Rights Watch, an organization that comprises Americas Watch, Asia Watch, Helsinki Watch and Middle East Watch. The Chairman is Robert L. Bernstein; the Vice Chairman is Adrian DeWind; the Executive Director is Aryeh Neier; the Deputy Director is Kenneth Roth; the Washington Director is Holly Burkhalter; the Press Director is Susan Osnos.