

# REPUBLIC OF CAMEROON

## GOVERNMENT'S RESPONSE TO THE REPORT ON THE HUMAN RIGHTS' SITUATION IN THE NORTH WEST AND SOUTH WEST REGIONS BY HUMAN RIGHTS WATCH

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## **GENESIS OF THE CRISIS**

Since the last quarter of 2016, Cameroon's North-West and South-West Regions have been plagued by socio-political tensions, which have taken a violent turn in recent months. This situation arose from trade union demands by common law lawyers and teachers of the Anglophone sub-system of education to which the Government of the Republic, through dialogue and consultations with the said unions, provided appropriate answers. The Government's response sometimes went beyond the initial demands.

However, extremists, most of whom are based outside the country and with local links made a move to undermine such efforts and aggravate the situation, by trying to replace sometimes legitimate demands by trade unions with a secessionist agenda. Through more extravagant claims, manipulation, intimidation, threats and diverse pressures, the extremists stalled dialogue and created a climate of fear and tension through misinformation, the dissemination of hate messages and incitement to violence. In the pursuit of their macabre plan, they have created armed gangs that carry out numerous attacks against the Forces of Law and Order, public buildings and the civilian population in the idle hope of realizing their utopian plan of partitioning Cameroon.

In addition to hate speech and incitement to violence on social media, and the spread of fear among the population, the terrorists have committed many crimes and atrocities in the North-West and South-West Regions, by launching attacks notably on economic activities, members of the Defence and Security Forces (DSFs) as well as administrative and traditional authorities. Similarly, the holding of the education system hostage, through destruction, burning down of schools and attacks on teachers and school children, has until now been one of the preferred tactics of the secessionists, who have also been noted for kidnapping girls and women who are forced into marriage and subjected to gang rape.

The main victims of these terrorist groups the civilian population, particularly in rural areas. As a result of numerous atrocities against them (assassination, robbery, rape, kidnapping, racketeering, etc.) and the atmosphere of extreme fear created by threats, intimidation, the spread of false information or "Fake News", etc., many of them have sought refuge abroad or in other regions of Cameroon.

Beyond the sense of hospitality and the tremendous spirit of solidarity once more demonstrated by the Cameroonian people for their compatriots in distress due to this crisis, the Government has taken its

responsibilities by preparing an "Emergency Humanitarian Assistance Plan" to help meet the essential needs of the people living under the threat of secessionist terrorists, or forced to abandon the tranquillity of their homes, as well as their daily activities to flee from their murderous madness.

Furthermore, in view of the deteriorating security situation in the two regions and the risk the situation poses to Cameroon's territorial integrity, the Government could not remain indifferent. Like all other governments in the world, which ensure the protection of institutions, the security of persons and property as well as the territorial integrity of the State, it has taken necessary and appropriate measures in compliance with its international obligations and the laws and regulations of the Republic to restore order and security in the two regions.

It is within this context that the NGO *Human Rights Watch* fielded a mission in Cameroon in June 2018 and, in order to get the other side of the story, submitted a questionnaire and a draft mission report to the Government for comments.

The reaction of the Government is contained in this document and is articulated around providing answers to the questionnaire (I), and comments on the draft report (II) and the atrocities committed by the secessionists (III).

## **I. ANSWERS TO QUESTIONS PUT TO CAMEROON BY *HUMAN RIGHTS WATCH***

### ***Question 1: On investigations opened to sanction cases of human rights violations and other atrocities committed by Security Forces in the North-West and South-West since 2016***

The Defence and Security Forces deployed in the North-West and South-West Regions are subject to strict compliance with human rights regulations. As part of Government's 'zero tolerance' policy, all alleged atrocities reported are systematically investigated. Where such abuses prove to be founded, disciplinary sanctions are taken against the perpetrators thereof, without prejudice to criminal proceedings. The fact that all the actions undertaken to this effect are not always widely disseminated to the public does not in any way mean that they are not taken. For example, and without being exhaustive, the following are some cases where members of the DSFs have been brought to book:

- on 4 September 2017 in Kifen village (Bui), during a round-off of Indian hemp farmers, elements of the local Gendarmerie Company made excessive use of their weapons. One of the suspects was fatally wounded by gunfire. Following the incident, the Gendarmerie Company Commander was relieved of his duties and arraigned to the Bamenda Military Tribunal, together with his men;
- on 12 May 2018 in Nkongle (Lebialem), three members of the Gendarmerie were arraigned to the Buea Military Tribunal. They are suspected of causing bodily harm on the person of Tsobonyi Alphonse Tatia alias “Title man”, alias “General”, involved in the adoption of civilians and assassination of personnel of the Defence and Security Forces;
- on 25 June 2018, a non-commissioned officer of the Nkongsamba (Mungo) Ground-to-Ground Artillery Regiment, suspected of sexual abuse on a young woman in Tombel (Kupe-Muanenguba), was brought before the Yaounde Military Tribunal where the matter is pending.

Any other case of human rights violation reported to the authorities will be investigated. Appropriate sanctions will be taken and disseminated, where necessary.

***Question 2: On measures taken to ease access by humanitarian workers to the affected populations in the two regions***

Reacting to the humanitarian situation generated by the crisis, the Government has taken concrete measures to ease access by humanitarian organizations to the affected populations. Elements of the Rapid Intervention Battalion (BIR) escort and protect humanitarian convoys. Other measures taken aim to secure the routes and sites used by humanitarian workers in the affected areas. Such measures enabled the deployment of an inter-agency mission of the United Nations and other humanitarian organizations (ICRC, HCR, CICF, Care International, Action against Hunger, etc.) in March 2018 to provide humanitarian assistance and aid to displaced persons.

Furthermore, pursuant to the Head of State’s high instructions, a CFAF 12.7 billion “Emergency Humanitarian Assistance Plan in the North-West and South-West Regions 2018-2019” was instituted in June

2018. National and international humanitarian agencies could support the implementation of this United Nations-backed Plan.

***Question 3: On Government readiness to allow unlimited access of journalists and human rights organizations to the crisis regions***

Journalists of the national and international media are free to operate in the areas affected by insecurity. Reports are regularly produced in these areas and broadcast by many private media (Canal2, STV, Equinox TV, etc.), including foreign media (TV5, BBC, etc.). There is therefore no media blackout on the events unfolding in the two regions. Some channels have even had access to the terrorist armed groups and broadcast reports on their activities.

However, the main difficulty here is ensuring the safety of journalists. Foreign journalists in particular, operating on the national territory, are subject, as obtains worldwide, to an accreditation process that is not compulsory when it comes to visiting crisis-affected areas, so that special measures can be taken to ensure their protection.

The same applies to access by human rights organizations to these areas. It is a commitment that the Government will honour irrespective of developments on the ground.

***Question 4: On the measures taken by Government to protect schools against attacks and provide children with alternative forms of education.***

The Government has instituted static guard teams and mixed patrols (Police/Gendarmerie/Army) to protect school facilities, teachers and students in areas under serious threats by terrorist armed groups. These measures enabled the conduct of school activities and official examinations during the 2018 academic year without any major incidents, thereby foiling the terrorists' plans of imposing a blank school year.

As concerns teaching, adjustment measures were taken to guarantee the inalienable right to education for all children by organizing catch-up classes, extending teaching periods, postponing the deadline for submitting files and the dates of official examinations, and making the choice of examination centre flexible.

The Government will continue and step up these measures to prevent attacks against schools in the North-West and South-West during the 2018-2019 academic year.

**Question 5: Can the Government undertake to endorse the Safe Schools Declaration?**

The Government has no objection to acceding to this declaration. In that connection, the Minister of Basic Education last November wrote to the Governors of the North and Far-North Regions under attacks by the Boko Haram terrorist sect to reiterate compliance with this legal instrument.

**II. THE GOVERNMENT OF CAMEROON'S OBSERVATIONS ON THE ALLEGATIONS CONTAINED IN THE DRAFT REPORT BY HUMAN RIGHTS WATCH**

***A. Excessive use of force by personnel of the Defence and Security Forces (DSFs)***

The use of force by the DSFs is strictly regulated by the laws and regulations in Force, and remains proportionate to the extent of the threat. In addition, to prevent and report excesses, the Defence and Security Forces are always accompanied in their operations by an external detachment of the Gendarmerie. A similar measure has been taken at the National Security by the Special Services Control Division.

***B. Alleged torture and extrajudicial killings***

The Government provides guarantees for fair trial to all accused persons. It ensures the protection of their physical and moral integrity against all forms of violence.

From the beginning of the crisis to end-June 2018, 965 people have been arrested and prosecuted before the competent courts in Bafoussam, Bamenda, Buea, Douala and Yaounde. As at July 2018, the trials have already led to 103 decisions ordering discontinuance of prosecution and 114 judgments, including 30 acquittals. In all these cases, the rights of the defence have been preserved.

Pursuant to the Cameroon Penal Code, all acts of torture, cruel and inhuman or degrading treatments are severely punished. These concerns are part of the training modules of the Defence and Security Forces (DSFs).

***C. Cases of ill-treatment and extortion of detainees***

Persons arrested in connection with the ongoing events in the North-West and West Regions are subject to the same detention

conditions as other detainees. They are not given any special treatment as a result of the circumstances of their arrest.

#### ***D. Attacks against villages: arson and assassinations***

The pictures presented in the Report do not help to establish, beyond reasonable doubt, that Cameroon's DSFs are the perpetrators of such atrocities. The Government has irrefutable evidence that the terrorists have burnt down houses of people who do not support their cause or who collaborate with the authorities or the DSFs. The terrorists subsequently blame such acts on the DSFs

### **III. SOME STATISTICS ON ATROCITIES COMMITTED BY TERRORISTS IN THE NORTH-WEST AND SOUTH-WEST REGIONS**

The atrocities committed by the terrorists are many in the two crisis regions. As at date, the following atrocities have been recorded:

- 82 civilians kidnapped, many of whom are missing;
- 120 schools burnt down;
- 109 DSF personnel killed;
- 14 attacks against traditional rulers;
- 170 attacks against the structures, personnel and convoys of the Defence and Security Forces;
- 25 vehicles of the Defence and Security Forces destroyed;
- 200 DSF personnel wounded.

It cannot be ruled out that other atrocities had been committed by the secessionist fighters at the time of drafting this response by the Government of Cameroon on the human rights situation in the North-West and South-West Regions.

The Government of Cameroon is working relentlessly to resolve this crisis in order to return to lasting peace, and reiterates its commitment to preserving the country's unity and territorial integrity, in strict compliance with the international legal instruments to which it is signatory and its domestic legislation.



Moreover, Cameroon will continue to contribute to building peace, maintaining international security and promoting and protecting human rights./-