

NORTHERN CAMEROON

ATTACKS ON FREEDOM OF EXPRESSION BY

GOVERNMENTAL AND TRADITIONAL AUTHORITIES

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ACRONYMS AND COMMONLY USED TERMS

<i>belaka</i>	A traditional chief according to ethnic Mbum customs
CODERSAZO	Comité pour le développement de la région de Mayo-Sala et Mayo-Zoro, (Committee for the Development of the Region of Mayo-Sala and Mayo-Zoro)
RDPC	Rassemblement démocratique du peuple camerounais (Cameroon People's Democratic Movement)
<i>dogari</i>	Palace guards under the control of a <i>lamido</i>
ICCPR	International Covenant on Civil and Political Rights

<i>lamido /lamibe</i> (plural)	Traditional chief in the predominantly Muslim north
<i>lamidat</i>	Traditional kingdom under the control of a <i>lamido</i>
MDDHL	Mouvement pour la défense des droits de l'homme et des libertés (Movement for the Defence of Human Rights and Liberties)
SDF	Social Democratic Front
UNDP	Union nationale pour la démocratie et le progrès (National Union for Democracy and Progress)

INTRODUCTION

More than three years after Cameroon's return to multi-party politics, the government continues to curtail the right to freedom of expression, one of the most basic principles in any democratic system. Attacks on government critics and opposition activists are particularly widespread in rural areas where support for opposition parties is strong and gross violations often go unreported in either the national or international press. The government frequently uses bans on political activity, restrictions on freedom of association, intimidation and arrest to curb opposition activities outside the main urban areas. Threats of criminal charges have also been used to harass government critics.

These problems are especially pervasive in northern Cameroon, the focus of this report. In the three northern provinces of Adamoua, the North and Far North, powerful traditional Muslim chiefs or *lamibe*, who are appointed by the government, provide yet another mechanism through which freedom of expression is often stifled. Opposition activists and representatives of non-governmental organizations in northern Cameroon contend that traditional authorities regularly interfere with their peaceful activities. They cite numerous examples of beatings, detention in private prisons, banishment, and violent dispersal of peaceful gatherings by *lamibe* and their armed guards.

At the same time, ARTICLE 19 has received credible reports that the government has dismissed some traditional leaders because of their support for opposition parties. Government authorities not only have failed to stop illegal actions by traditional authorities against opposition activists but also have intervened to thwart the attempts of victims to bring traditional chiefs to court.

Moreover, rural democracy has been undermined in Cameroon by the government's decision in February 1995 to appoint by decree 75 out of 250 local councils; all of the appointments were made in rural areas. Although local elections had been planned for all local councils in 1995, Augustin Kontchou Kouomegni, Minister of Communications, explained that the "law foresees the appointment of local councillors in areas considered difficult and specific." He stated that this measure, which was introduced by presidential decree, is justified in areas where traditional chiefs do not support democracy.¹

This publication documents, amongst others, the following reported abuses:

¹ William Wallis, BBC World Service, *Focus on Africa*, 21 Feb. 1995). Originally planned for 1994, the municipal elections have been repeatedly delayed and, as of early June 1995, still have not been scheduled.

- the detention without charge or trial for more than six months of 28 opposition activists and local party leaders, eight of whom still had not been released at the beginning of June 1995;
- the continuing detention in private prisons of at least eight opposition activists by the Lamido of Rey-Bouba; some of the detainees are believed to have been held for more than two years;
- beatings, harassment, intimidation and detention of opposition activists and other perceived government critics by *lamibe* and their guards in other areas of northern Cameroon;
- interference by administrative and traditional authorities with attempts by victims to take legal action against *lamibe* for alleged human rights violations.

ARTICLE 19 is calling on the government to immediately investigate the reports of violations of freedom of expression set out in this publication, and to institute urgent institutional and legal reform in order to ensure respect for human rights and an accountable system of government in northern Cameroon.

BACKGROUND

President Paul Biya's ruling Rassemblement démocratique du peuple camerounais (RDPC, Cameroon People's Democratic Movement) won a narrow majority in the March 1992 parliamentary elections, which were generally considered to be free and fair.² In the run-up to presidential elections six months later, however, the government severely curtailed opposition party activities and the vote itself was marred by widespread irregularities. The post-election period resulted in civil disturbances and a massive government crack-down in which hundreds of opposition supporters were arrested. Dozens of others were beaten or killed by security forces.³

In the October elections, Paul Biya was re-elected to the Presidency, the real seat of power in Cameroon.⁴ The National Assembly (parliament) meets only twice annually, for a total of two months, and, in practice, has never posed a serious challenge to the policies of the President. The President has powers to legislate by decree when the National Assembly is not in session.

In Cameroon, political party support is divided on regional and sometimes ethnic lines, with the Social Democratic Front (SDF) prevailing in North West Province and the National Union for Democracy and Progress (UNDP) deriving much of its support in the mainly Muslim north. The ruling party, the RDPC, has its power base among the Beti ethnic

² Out of the 180 parliamentary seats, the RDPC won 88; the National Union for Democracy and Progress (UNDP), 68; the Union of Cameroonian Peoples (UPC), 18; and the Movement for the Defence of the Republic (MDR), 6. The Social Democratic Front (SDF), as well as a few smaller parties, boycotted the elections.

³ Many government critics were forced to go into hiding or flee the country. John Fru Ndi, leader of the SDF, the candidate widely believed to have won the election, was placed under house arrest for several months. Between mid-1992 and mid-1993, government attacks on the media reached unprecedented levels. See *Cameroon: The Press in Trouble* (ARTICLE 19, July 1993).

⁴ These were the first multi-party elections in Cameroon since 1965. Cameroon became a one-party state in 1966 and remained so until 1990, when the government legalized opposition parties.

group of the south. Since 1992, the level of violations has reduced somewhat in Yaoundé and Douala, the political and business capitals. Elsewhere, in smaller towns and rural areas, however, attacks on freedom of expression continue at an alarming rate. ARTICLE 19 has received numerous reports of abuses against opposition supporters and government critics in the towns and villages of North West Province, the SDF stronghold. In mid-October 1994, for example, following a widely observed two-day boycott by the SDF, dozens of SDF supporters were arrested in Bamenda and Bafoussam, two major centres, and in the villages of Fundong and Njinikom. They were detained for several days and then released without charge. Opposition activists are also frequently denied permission to hold meetings. Supporters of the All-Anglophone Conference, an organization based in North West Province which advocates a return to a federal system in Cameroon, have been repeatedly harassed by local government authorities and the security forces.

There has been a long history of human rights violations in northern Cameroon and against northerners. Following an alleged coup attempt in April 1984 in which supporters of former President Ahmadou Ahidjo were said to be involved, many northerners were singled out for abuse by the government.⁵ Between 500 and 1,000 people were reportedly killed by government forces and many others were detained or imprisoned. The Biya administration also systematically removed northerners from positions within the government and the military.⁶

ARTICLE 19 conducted field research in northern Cameroon in November 1994 in order to investigate reported violations of freedom of expression against opposition activists, government critics and representatives of non-governmental organizations. In the areas visited, the UNDP is the most active opposition party and its supporters consequently appear to be the main targets of abuse by government and traditional authorities.

PART A: FORMAL ATTACKS ON FREEDOM OF EXPRESSION IN THE NORTH

1. DETENTION OF 28 OPPOSITION ACTIVISTS

The government of Cameroon on a number of occasions has used criminal charges to intimidate or silence its critics and opponents.⁷ The most disturbing current example occurred in Far North Province following an incident on 30 July 1994 in which a crowd stoned a government

⁵ Ahmadou Ahidjo, a northerner, was elected President in 1960 and held power until November 1982, when he suddenly announced that he intended to step down from the Presidency, apparently due to health problems. He chose as his successor Paul Biya, then Prime Minister. In 1983, Ahmadou Ahidjo publicly criticized the government of Paul Biya and, in February 1984, he and two of his top aides were convicted in their absence of planning a coup.

⁶ More recently, government security forces reportedly massacred an estimated 55 Choa Arabs on 17 February 1994 in Far North Province, apparently in retaliation for the killing of a soldier and a village chief by armed bandits the day before. There are frequent raids by armed bandits in this area, which is close to Cameroon's border with Chad, and a number of reports have been received of arbitrary detentions, beatings and other abuses of suspected criminals by the security forces.

⁷ On 20 July 1992, Gabriel Wato, an outspoken member of the banned human rights group CAP Liberté (Comité d'action populaire pour la liberté et la démocratie), was charged with incitement to revolt. He spent several months in detention and was declared a prisoner of conscience by Amnesty International. During the crack-down which followed the presidential elections in October 1992, the government arrested hundreds of SDF activists and charged party leaders with incitement to violence. (*Amnesty International Report 1993*, London.)

minister's car, causing it to veer off the road. One person was killed and several were injured. After this incident, 28 members of the opposition UNDP, including local party leaders, were arrested in Maroua, the capital of Far North Province. They were accused of responsibility for both the stoning of the minister's car and the death resulting from it. The authorities, however, have not produced substantial evidence against any of the 28 individuals and it appears that most of them were not even present at the scene of the incident. They were all held without trial for more than six months, despite efforts by defence lawyers to obtain at least provisional release. ARTICLE 19 believes that their long detention on alleged criminal grounds was politically motivated and intended by the authorities to disrupt UNDP activity in Far North Province.

The stoning incident occurred in the context of a rift within the UNDP party leadership. The official who was attacked, Hamadou Moustapha, Vice Prime Minister in charge of Housing and Town Planning, as well as Issa Tchiroma, Minister of Transportation, had just been criticized by the president of the UNDP, Maigari Bello Bouba, for accepting government positions in a July 1994 cabinet reshuffle without consulting him.⁸ On 23 July, Maigari Bello Bouba announced that the two ministers, by accepting their new government posts, had effectively excluded themselves from the UNDP. The two ministers and their supporters contested this decision. In the days that followed, UNDP leaders organized meetings to discuss the dispute.

Local UNDP leaders in Maroua obtained official permission for a planned meeting and march to take place on 30 July. The day before the march was to take place, however, the Prefect of Maroua⁹ summoned Hamadou Adjipresident of the local UNDP section, and informed him that Hamadou Moustapha would arrive in Maroua, his home town, on the day of the march. Hamadou Adjipresident assured the Prefect that the meeting and march were due to be completed before the minister's arrival and that all possible steps would be taken to prevent any violence.

At the UNDP meeting itself, Hamadou Adjipresident reportedly sought to prevent any problems by urging activists to go straight home after the march. Nevertheless, the situation remained tense. In the morning, some people gathered near the airport and jeered at supporters of the minister who were awaiting his arrival. Security forces dispersed the crowd and no violence occurred. A more serious confrontation took place after the minister arrived in the early afternoon and was travelling from the airport to the centre of Maroua. As the UNDP meeting was coming to an end, a rumour circulated that some of the minister's supporters, who were gathering at Makabaye bridge to greet him, had injured a child. The rumour turned out to be false but, despite further efforts by the meeting's organizers to urge those present to return straight home, some people instead went to Makabaye bridge. There, fighting broke out and the ministerial convoy was stoned as it crossed the bridge.

1.1 The Detainees

The 28 UNDP activists were arrested in the weeks following the 30 July incident and accused by the authorities of committing joint acts of looting, assault occasioning death, obstruction of

⁸ The two ministers first accepted government posts without conferring with Maigari Bello Bouba in 1992, after the presidential election. The move led to an internal split within the party. Both founding members of the UNDP, Hamadou Moustapha and Issa Tchiroma served as the UNDP Administrative Secretary and Vice-President, respectively, until January 1995, when the UNDP central committee voted to formally bar them from the party.

⁹ Prefects are appointed by presidential decree to head the administration of departments or divisions, geographical areas into which Cameroon is divided. They are responsible for ensuring law and order and public welfare.

the public highway and causing slight bodily harm (*coaction de pillage en bande, coups mortels, obstacle sur la voie publique, et blessures légères*). No formal charges were brought, however, and no substantial evidence has been produced against any of those arrested.

The case has been marked by significant procedural irregularities. Over a period of several months, lawyers representing the detainees submitted applications to the Public Prosecutor (*Procureur de la République*) for their provisional release (*liberté provisoire*) but did not receive a decision, although Cameroonian legal procedure requires that the President of the Tribunal respond to such an application within three days. On 24 November 1994, a court in Maroua ruled that 14 of the 28 detainees should be granted provisional release; all the leading local UNDP activists, such as Hamadou Adji and Mamadou Alioum, Secretary-General of the local UNDP section, were denied provisional release on the grounds that the authorities were still in the process of interviewing witnesses about them. The defence lawyers then lodged an appeal on behalf of this latter group while the Public Prosecutor appealed against the court's decision to release 14 of the detainees. In doing so, he blocked the release of the 14 whom the court had ruled should be released provisionally.

On 3 February 1995, the Public Prosecutor ordered the provisional release of 13 of the 28 detainees. This move was irregular as normally only the court, not the Public Prosecutor, has the power to intervene once an appeal has been lodged.¹⁰ A further seven of the detainees were granted provisional release on 10 March, on personal and health grounds, by order of the President of the Court of Appeal. The same day, the Public Prosecutor denied that in November he had ever made an appeal against the decision to release 14 of the detainees; he maintained that he had appealed against the release of only one detainee, Yougouda Garga, and was not aware that the others were still in detention.

Ten of the detainees reportedly suffered urgent medical problems but were denied appropriate care for several months. For example, 70-year-old Ali Ousmane was not given hospital treatment until late December despite repeated requests by his lawyers in early November. He was suffering from a hernia and was experiencing difficulties urinating.¹¹ One of the activists reported to be still in detention as of June 1995, Saïdou Katchalla, suffers from diabetes.

1.2 A Wider Pattern of Intimidation

Prior to their arrest, several of the detainees appear to have been targeted for intimidation by government authorities because of their political views or contact with an opposition party. The case of Mamoudou Abdoukadini, a traditional chief in Kodek, near Maroua, illustrates what appears to be a wider pattern of intimidation against opposition supporters. After Mamoudou Abdoukadini declared his support for the UNDP publicly in August 1994, he reportedly was summoned by the Prefect and told that, as a traditional leader, he should not associate with the opposition. On 18 February 1994, he was deposed from his traditional leadership position.¹² Officially, Mamoudou Abdoukadini was dismissed for delays in collecting taxes from local inhabitants. This, however, seems to be a common problem among traditional leaders and in this case appears to have been used as a pretext to dismiss a traditional chief because of his

¹⁰ *Cameroun: Arrestation d'opposants politiques et détention sans jugement*, Amnesty International, 16 Feb. 1995.

¹¹ *Ibid.*

¹² When the government decided to appoint by decree the members of 75 local councils in Cameroon on 21 February 1995, Mamadou Abdoukadini was dismissed from his position as *Premier Adjoint au Maire de la Commune Rurale* (First Deputy Mayor of the Town Council) and replaced by a member of the ruling party.

political affiliation.

On 21 February 1994, protesters rallied peacefully in Maroua against Mamoudou Abdoukadinou's dismissal, although security forces reportedly tried unsuccessfully to prevent them from gathering in front of the office of the Governor of Far North Province. Government authorities scheduled the installation of a new chief for 23 June 1994. A few days earlier, 10 local dignitaries reportedly were warned by local government authorities that they would face sanctions if they did not approve the appointment of the new traditional leader, a supporter of the ruling party.¹³

In a similar case, a dignitary from Maroua, Kaïgamma Ndjidda, appears to have been removed from his traditional position because of his contact with the UNDP. Although not a UNDP activist, he apparently helped with logistical arrangements for UNDP meetings. Kaïgamma Ndjidda reportedly was warned by administrative officials that he should only facilitate RDPC activities. Like Mamadou Abdoukadinou, he was removed from his position on 18 February 1994.

The arrests of the 28 UNDP members were followed by a ban on all forms of political activity in northern Cameroon which remained in force until about December 1994. Despite the lifting of the ban, however, UNDP supporters continued to face restrictions on their political activities. One such example occurred when local UNDP leaders sought official authorization to hold a public meeting in Maroua on 14 January 1995. On 12 January, the meeting's organizers were summoned to the office of the current Governor of Far North Province in Maroua and reportedly told that they would not be given authorization to hold the planned meeting unless they provided statements detailing what each of them proposed to say at the meeting. The UNDP leaders, who included Hamadou Maloum, a former Governor of Far North Province, as well as two members of the National Assembly, Oumarou Bongo and Boubakari Paye, refused to submit verbal statements and, consequently, were forced to cancel the public meeting. Nevertheless, there was a high security force presence in Maroua from 12 to 14 January, apparently to ensure that UNDP activists would not assemble.

PART B: INFORMAL ATTACKS ON FREEDOM OF EXPRESSION

Traditional chiefs play an important role in rural communities in Cameroon. Along with local dignitaries, chiefs are involved in decision-making on many aspects of daily life in villages, from land disputes to marital and family problems. Chiefs, who are appointed by the government, have the same legal status in all provinces. Yet the extent of their authority varies enormously among different regions and ethnic groups. In the predominantly Muslim north, traditional chiefs or *lamibe* are extremely powerful, representing the culmination of religious as well as customary and administrative authority. Unlike traditional authorities in other regions, *lamibe* control armed palace guards, or *dogari*, who serve to reinforce their authority over local inhabitants. In remote regions, where central government does not have a strong presence, the traditional kingdoms or *lamidats* in ways still resemble autonomous territories. Although *lamibe* are accountable to the government in law, in many cases they appear to be permitted to act with complete impunity.

¹³ The new chief is alleged to have illegally detained another UNDP activist, Oumarou Abdoulaye Sirina Burme, for six days in early January 1995 before bringing him to the Brigade de Maroua (gendarme station). The chief accused him of coming to the palace with weapons. Oumarou Abdoulaye Sirina Burme was held in prison until 22 February 1995, when he was released without charge.

ARTICLE 19 has gathered many credible reports of flagrant violations of the right to freedom of expression by *lamibe* in northern Cameroon. The pattern of abuse suggested by these reports points to a serious erosion of human rights in the region and merits full investigation and action by the government.

2. THE EMERGENCE OF TRADITIONAL KINGDOMS

The highly structured systems of traditional leadership in the Far North, North and Adamoua Provinces of Cameroon are unlike those in other regions of the country. Over the centuries, people migrated in small groups to northern Cameroon from the surrounding pre-colonial empires of Kanem, Borno and Kwararafa. Although the earliest incoming populations initially settled in small groups and along ethnic lines, they generally did not retain a strong ethnic identity; these migrant communities were continually in flux and there was significant intermingling among them.¹⁴

Between the 18th and 19th centuries, however, social groups in northern Cameroon became more cohesive as many people converted to Islam and established independent Muslim kingdoms or *lamidats*. The earliest of these political entities were the Lamidats of Bindir, Garoua, and Rey, founded by communities of the Peul ethnic group.¹⁵ Yet more organized political systems began to emerge following the *jihad* launched by Uthman dan Fodio, a Fulbe leader, between 1804-1809.¹⁶ The Fulbe *jihad* strove to create Muslim governments that operated according to Islamic teachings and to encourage existing Muslim governments to respect orthodox practices. Towns such as Maroua, Bindir, Garoua, and Rey-Bouba became centres of larger *lamidats*.¹⁷ In addition, the *jihad* of Uthman dan Fodio gave rise to a new position, that of the *lamido*, whose role was both political and spiritual. The *lamido* was responsible for ruling the clearly defined territory of the *lamidat*, maintaining law and order, and ensuring the political assimilation of all ethnic groups within it. The *lamido* also appointed representatives, who were expected to follow his instructions and to demonstrate total allegiance.¹⁸

These highly structured Muslim kingdoms were to remain intact until the early 20th century. Unlike the southern coastal regions, which came into contact with Europeans as early as the 16th century, northern Cameroon remained untouched by colonial powers until the mid-19th century. Even when Europeans began to infiltrate northern Cameroon, their impact on the socio-political systems was at first superficial. Instead of trying to abolish the *lamidats*, Europeans often used them to collect taxes and to maintain law and order.¹⁹ The German invasions of 1899 and 1901-1903 undermined the traditional leaders of the north. After World War I, however, *lamibe* regained power under the French colonial government, which relied

¹⁴ Generally, groups such as the Fulbe, Mbum, Laka, Duru and Batta, which arrived much later — between the 18th and 20th centuries — have maintained a strong ethnic affiliation. Other groups, including the Kotoko, Matakam, Manara, Nyam-Nyam, Toupouri, Massa, Mofu, Tikar and Fali, are in fact recent resettlements of people who were brought together during the Fulbe invasions and the colonial era. (M Njeuma, "The lamidates of northern Cameroon, 1800-1894," in M Njeuma (ed.), *Introduction to the History of Cameroon* (New York: St Martin's Press, 1989), 2.

¹⁵ P Gaillard, *Le Cameroun: Tome I*, (Paris: l'Harmattan, 1989), 48.

¹⁶ In addition, the Muslim Fulbe sought to convert non-Muslims to Islam or to enslave them. (Njeuma, note 14 above, at 3.

¹⁷ *Ibid.*, at 11.

¹⁸ See *ibid.*, at 11-14.

¹⁹ *Ibid.*, at 21-26.

heavily on traditional structures, using indirect rule to administer the region. In the post-independence period, *lamibe* received strong support from the then President, Ahmadou Ahidjo, a Fulbe from the north, who was Head of State from 1960-1982.

3. LEGAL STATUS OF TRADITIONAL CHIEFS

France and the United Kingdom ruled separate areas of present day Cameroon from World War I until the country's independence in 1960 and developed different regulations regarding the status of traditional leaders in their jurisdictions. Between 1961 and 1972, Cameroon was organized as a federation. The country became a united republic in 1972 and a series of laws was introduced to regularize the legal status of traditional chiefs in the francophone and anglophone areas of Cameroon.

Decree No. 77-245 of 15 July 1977, "To Organize Chiefdoms," divides the country into traditional chiefdoms, ranked as First, Second, or Third Class according to the size or economic and demographic importance of the territory each comprises.²⁰ The Decree formally establishes traditional leaders as "auxiliaries" of central government while it purports to uphold the local customs in each area.²¹ Chiefs are appointed by high-level government officials, but must come from families traditionally eligible for positions of customary authority. First Class Chiefs are appointed by the Prime Minister, Second Class Chiefs by the Minister of Territorial Administration, and Third Class Chiefs by the local Prefect. The Decree requires government officials to consult with "competent elders" before traditional chiefs may assume their functions.

Traditional chiefs are granted broad and ill-defined powers. Article 19 of Decree No. 77-245, for example, states that traditional leaders are required to aid administrative authorities in "guiding the people". Under Article 20, chiefs are also responsible for:

- (1) transmitting the directives of the administrative authorities to their people and ensuring that such directives are implemented;
- (2) helping, as directed by the competent administrative authorities, in the maintenance of law and order; and
- (3) collecting taxes and fees for the state and other local authorities.

In addition, Article 20 requires chiefs to "carry out any other mission that may be assigned to them by the local administrative authority."

Administrative authorities are required to evaluate traditional chiefs on a yearly basis, considering their efforts to promote "economic and social development" (Article 28). Government officials reserve the right to take disciplinary measures against chiefs in cases of "shortcoming in the performance of their duties ... inefficiency, inertia, or extortion from citizens."²²

There appear to be no administrative mechanisms, other than the courts, through which citizens can lodge grievances about local chiefs. Furthermore, Article 27(1) could have the

²⁰ The various chiefdoms are subdivided: a First Class Chiefdom includes within its jurisdiction at least two Second Class Chiefdoms and a Second Class Chiefdom has a minimum of two Third Class Chiefdoms.

²¹ Decree No. 77-245, Ch. III, Art. 19.

²² *Ibid.*, Ch. IV, Art. 29(1).

effect of shielding chiefs from potential criticism. It states that the government "shall be bound to protect Chiefs against ... contempt ... interference, abuse or defamation ... to which they may be exposed by reason or on occasion of the performance of their duties."²³

Traditional chiefs have no legal powers of arrest and are not considered to be above the law. Palace guards, or *dogari*, are meant to fulfil strictly ceremonial functions and appear not to have any formal legal status. In many areas of northern Cameroon, however, *lamibe* appear to exercise absolute power and armed *dogari* reportedly serve to carry out their orders. ARTICLE 19 has received credible reports from the rural north that opposition supporters as well as other outspoken individuals are frequently beaten and detained in private prisons and that, in the Lamidat of Rey-Bouba, palace guards on various occasions have opened fire on unarmed civilians.

4. THE LAMIDAT OF REY-BOUBA IN THE MAYO-REY

Le Mayo-Rey n'est-il pas le Cameroun? N'y a-t-on pas droit à la justice comme ailleurs?"

(an inhabitant of the Mayo-Rey)

The Lamidat of Rey-Bouba, one of the oldest and most powerful *lamidats* in the country, covers 36,524 square km in the Department of the Mayo-Rey and has a population of between 130,000 and 180,000. It is ruled by a First Class Chief, the Lamido of Rey-Bouba, who controls a palace guard which some estimates place at up to 1,000 strong, with many reportedly armed with guns, knives or traditional weapons, such as bows and arrows.

Although the Decree of 15 July 1977 specifies that every chiefdom led by a First Class Chief should also contain at least two Second Class Chiefs, the Lamido has successfully resisted their appointment.²⁴ And in the Mayo-Rey, it appears to be the Lamido — not the Prefect or the Minister of Territorial Administration in consultation with local elders — who has determined the appointment of Third Class Chiefs.

Information from the Mayo-Rey indicates that peaceful protests against the Lamido's decisions to appoint or depose lesser chiefs have been met with violence and reprisals. In the Mayo-Rey, too, opposition activists contend that they are constantly harassed, including through illegal detention, beatings and the denial of permission to hold meetings. Elected opposition members of the National Assembly and the officially-registered non-governmental group, Le Comité pour le développement de la région de Mayo-Sala et Mayo-Zoro (CODERSAZO), also face harassment and interference with their activities in what appears to be a concerted attempt to stamp out all forms of dissent in the *lamidat*. The Lamido and his palace guards have never been held accountable for their repeated abuses of local people, even in cases known to high-level government officials.²⁵

²³ Ibid., Ch. IV, Art. 27.

²⁴ In 1984, the government attempted to appoint Second Class Chiefs in Gamba, Tcholliré and Touboro, but failed because the Lamido refused to allow anyone other than his sons to occupy these leadership positions. The inhabitants would not consent; the Lamido and his sons are ethnic Peuls and their appointment as traditional chiefs would have violated the customs of the local ethnic groups, such as the Mbum, who live in Touboro.

²⁵ In 1991, for example, the Lamido of Rey-Bouba detained 50 residents after several youths stoned his motorcade while he was travelling to Garoua to greet President Paul Biya. While the Lamido of Rey-Bouba was illegally holding the detainees, he received an award from President Biya for service to the nation. *Country Reports on Human Rights Practices for 1991* (United States Department of State, 1992).

4.1 Protests about the Removal of Traditional Leaders

The dismissal in 1991 of Third Class Chief Aliou Gandeï, a *belaka*²⁶ or Mbum traditional leader from the village of Touboro, reportedly was followed by a number of incidents during which the Lamido of Rey-Bouba's palace guards used violence against peaceful protesters. None of the cases appears to have been the subject of an official investigation by administrative authorities.

Aliou Gandeï was formally dismissed during an official ceremony in the neighbouring town of Mbang-Rey, attended by the Sub-Prefect, Police Commissioner, and US missionaries. Several people who publicly voiced their disapproval during the ceremony were beaten by palace guards, despite the presence of government officials. Three people suffered broken limbs as a result of the assault. The Lamido expelled Aliou Gandeï from the Department of Mayo-Rey.

In early July 1992, local people seeking the reinstatement of Aliou Gandeï were reportedly attacked by the Lamido's palace guards in the town of Djidang; in the violence, two civilians and three palace guards were killed. The Governor of North Province subsequently alleged in a radio broadcast that the local people, not the Lamido's palace guards, had been responsible for the attack. Shortly afterwards, several palace guards went to Touboro and intimidated inhabitants. They raided the house of Michel Houbaï, the *suppléant* of UNDP National Assembly member, Nana Koulagna.²⁷ Although Michel Houbaï managed to escape, the palace guards reportedly shot a member of his household and set fire to the house. Several hundred people reportedly have fled from the villages of Touboro and Mbang-Rey since these incidents.

In a separate case in Mbang-Rey in May 1993, palace guards opened fire on demonstrators who were protesting the Lamido's decision to oust Djidjiwa, another Third Class Chief and *belaka*. Djidjiwa reportedly had been reprimanded by the Lamido because he supported the UNDP and had challenged the dismissal of Aliou Gandeï. Several hundred palace guards surrounded the area and opened fire on the protesters. Twenty protesters and three members of the palace guard were reportedly killed in the incident. The closest gendarmerie post, situated in Belel, failed to intervene after being informed of the violence.²⁸ Despite the gravity of the incident and the loss of life, there does not appear to have been an official inquiry into this violent episode.

4.2 Detention in Private Prisons

In 1992, about 70 opposition party members were illegally detained in Rey-Bouba. Since then, UNDP activists claim that scores of their members have been detained in Rey-Bouba by the Lamido in private prisons located either in his palace or in the houses of local dignitaries. Individuals reportedly have been illegally detained for periods ranging from a few weeks to more than two years. Conditions of detention appear to vary; according to information received by ARTICLE 19, some detainees are kept incommunicado while others are allowed access to their families and may leave their places of detention for a few hours at a time.

²⁶ A *belaka* is a high ranking traditional chief according to the Mbum customs and, in most areas of Cameroon, would be considered a First or Second Class Chief. In the Mayo-Rey, however, the *belaka* is relegated to the position of Third Class Chief because Peul traditional structures have been imposed on the local populations.

²⁷ A *suppléant* is a substitute member of the National Assembly who is chosen to replace another Assembly member in the event that the latter cannot attend the National Assembly.

²⁸ *Country Reports on Human Rights Practices for 1993*, "Cameroon", United States Department of State.

Despite many credible accounts of illegal detentions in private prisons in the region, ARTICLE 19 has heard of only one government-sponsored investigation into these reports. In mid-1992, Cameroon's National Commission on Human Rights and Freedoms visited the town of Rey-Bouba and discounted reports that the Lamido was operating private prisons there, but gave no details of its investigations.²⁹

As of early June 1995, at least eight people were reported to remain in illegal detention in Rey-Bouba because of their links with the opposition UNDP. Another, a palace guard, is believed to be detained because he refused to use force against protesters. Several apparently were detained following the May 1993 protest against the dismissal of Djidjiwa.

ARTICLE 19 has received the following reports about the nine political detainees, all of whom are believed to be held in the houses of local dignitaries:

Issa Dalil, the UNDP representative in Gor, reportedly was beaten by palace guards in April 1992 and sustained serious head injuries. Several weeks later, he was arrested by gendarmes, allegedly on the orders of the Lamido, and detained without charge or trial in a prison in Garoua, capital of North Province, until late October 1992. He returned to Gor in January 1993 and immediately was re-detained by palace guards, questioned about whether he had sought the Lamido's permission before returning, and imprisoned in the house of a dignitary in Rey-Bouba. He was held incommunicado until November 1993, since when he has been allowed to leave his place of detention for up to two hours at a time;

Mal Halidou, from Mbang-Rey, is believed to have been detained in May 1993 and held in incommunicado detention until December 1994, since when he has been allowed occasional visits from his family;

Yerima Sadou, from Tcholliré and an uncle of the Lamido of Rey-Bouba, reportedly was summoned by the Lamido in March 1993, a few days after he had received a visit from the President of the UNDP, and was beaten by palace guards until he vomited. Two months later, in May 1993, he was detained and held incommunicado until May 1994. He has since been allowed to receive visitors and to attend the mosque in Rey-Bouba. Yerima Sadou is reported to have been denied medical care after becoming ill in August 1994;

Hadji Yadji Madji, from Mbang-Rey, reportedly has been in detention since May 1993;

Mal Issa, from Rey-Bouba, was reportedly detained in May 1993 and since then has been denied visits from his family;

Alkali is reported to have been detained in Mbang-Rey in May 1993;

Oumar Mal Goni, from Touboro, reportedly has been detained incommunicado since 1992;

Djamhoura, UNDP Information Officer for the Department of the Mayo-Rey, reportedly was detained in late June 1995 in Tcholliré by palace guards, handcuffed, and taken to Rey-Bouba, where he is being held incommunicado. According to information received by ARTICLE 19,

²⁹ The National Commission on Human Rights and Freedoms was established by decree in November 1990 and inaugurated by President Biya in 1992. All of its members are appointed by the President, who oversees their work. In 1992, the Commission complained of government interference in its work and said that it had been denied access to political detainees.

Djamhoura was apprehended after stating that the Biya administration may lose French support under the new government of President Jacques Chirac.

Bagoun Moussa, a palace guard, is believed to have been detained because of his refusal to use force against supporters of Djidjiwa during the May 1993 protest.

Moreover, **Hamadou Balla**, a 58-year-old UNDP activist from Tcholliré, died in April 1995 after being held for two and a half years in illegal detention. He is reported to have been detained by palace guards in late 1992 and forced to stay in the house of his father, who works as a tailor for the Lamido and supports the ruling RDPC. He is believed to have been released in late 1993 but was re-detained shortly afterwards while attempting to travel to a neighbouring town to see his family. In 1995, he reportedly fell ill with malaria but was denied access to medical care for several months. In April 1995, he was allowed to be admitted to a local hospital but died a few days later.

4.3 Harassment of UNDP Members of the National Assembly

Since the legislative elections in March 1992, UNDP members of the National Assembly elected to represent Rey-Bouba, Touboro, and Tcholliré are said to have been systematically intimidated by the Lamido and his palace guards. Amadou Bakary Gouroudja is the National Assembly member for Rey-Bouba, where the Lamido lives. Yet, he is reportedly not allowed to reside there and stays instead in Tcholliré. The National Assembly member who won the seat for Touboro, Nana Koulagna, has allegedly been banished by the Lamido from the entire Department of the Mayo-Rey since June 1992, when palace guards threatened to kill him.

In late November 1993, Nana Koulagna attempted to travel to the Mayo-Rey with a delegation of about 60 people, including six other UNDP National Assembly members, but was accosted by armed palace guards in Touboro. The police intervened and escorted the delegation to the Sub-Prefect's office, where they sought refuge until nightfall. Nana Koulagna reportedly was forced to flee the Department the same night disguised as a police officer. The 82-year-old father of one of the UNDP National Assembly members is reported to have been detained after this incident and held for 10 days at a dignitary's house in Rey-Bouba. He was released only after the Governor of North Province intervened on his behalf.

Although Nana Koulagna has not returned to the Mayo-Rey since the November incident, he has stated that he and his family have since been threatened by armed men believed to come from the Mayo-Rey. In April 1994, he reported that his sister was seriously injured in an attack in Ngaoundéré, capital of Adamoua Province, by five men who said they had come to kill her brother. She was hospitalized with stab wounds to the stomach and arm as a result of the assault.

The two members of the National Assembly who live in the Mayo-Rey, Adama Haman Daouda and Amadou Bakary Gouroudja, both based in Tcholliré, face frequent restrictions on their freedom of movement. On 12 September 1994, for example, Adama Haman Daouda and his *suppléant*, Aboubakar Nassourou, were reportedly detained by palace guards in Guidjiba. Aboubakar Nassourou was handcuffed and both men were questioned about a meeting they had attended earlier in Gamba, which was organized by the non-governmental group, CODERSAZO. They were reportedly held for several hours at the Lamido's palace in Rey-Bouba before being released.

The two National Assembly members appear to be particularly vulnerable to restrictions on their movement when travelling to or from the twice-yearly sessions of the National

Assembly in Yaoundé. In June 1994, for example, palace guards briefly detained Adama Haman Daouda and Amadou Bakary Gouroudja as they were leaving to attend a session of the Assembly. On 30 October 1994, Amadou Bakary Gouroudja was harassed by palace guards when attempting to travel out of the Department. On 3 November, Adama Haman Daouda was reportedly detained by palace guards as he tried to leave for the November session of the National Assembly. After several hours, however, he was provided with a police escort from Tcholliré so that he could leave the Department safely.

4.4 Other Abuses Against Political Activists

In the Mayo-Rey, the Lamido prohibited opposition political parties from campaigning in both the legislative and presidential elections.³⁰ Since then, opposition activists contend that they have been systematically prohibited both by the administrative authorities and the Lamido from holding meetings. ARTICLE 19 received reports that in January 1994, for example, both the Lamido and the Prefect refused to give permission for a series of planned UNDP meetings to take place in Madingring, Touboro, and Tcholliré from 29-31 January.

In another case, a UNDP parade in Tcholliré reportedly was dispersed by palace guards in May 1994. The organizers contend that when they requested permission for the parade from the Prefect, he referred them to the Lamido, who did not respond to their request. The opposition party members tried to go ahead with their plans but, just as the parade was about to begin, two truckloads of palace guards arrived and dispersed the participants. The palace guards reportedly remained in Tcholliré for a few days and harassed the *chefs de quartier*, local traditional leaders.

Opposition supporters also reportedly have been intimidated for displaying UNDP emblems. For example, in May 1993, four people in Madingring were assaulted by palace guards for wearing clothing with UNDP slogans. Cars displaying UNDP slogans have repeatedly been turned away by palace guards at Guidjiba, the entrance to the Department of the Mayo-Rey.

4.5 Restrictions on NGO Activities

Staff members of the Garoua-based non-governmental group, CODERSAZO, also face harassment and have been denied the right to pursue their activities in the Mayo-Rey by the Lamido. CODERSAZO, an officially registered local development group, began to experience difficulties in October and November 1994.

On 22 October, the President, Secretary-General and Treasurer of CODERSAZO travelled to Guidjiba to hold meetings and distribute educational material. Upon entering the local school, however, they were detained by two palace guards and taken to the Lamido's palace in Rey-Bouba, where they were held until the following day. The Lamido released them, after reportedly inspecting their educational materials and deciding that these were not "political", as had been suspected.

The Lamido apparently did not ask CODERSAZO to discontinue their activities in the Mayo-Rey, but the organization decided not to hold any further meetings in the area in order to avoid further confrontation. Instead, on 27 October, they sent a young staff member, Maïssaba Souman, to the Mayo-Rey to distribute books in three schools. Upon arriving in Guidjiba,

³⁰ *An Assessment of the October 11, 1992 Election in Cameroon*, National Democratic Institute for International Affairs (1993), Appendix III, 79.

however, Maïssaba Souman was immediately detained by palace guards, held in a store, stripped and beaten. That evening, three members of CODERSAZO came from Gamba to negotiate with the palace guards, followed by a group of local youths from Gamba. A violent confrontation ensued between the Gamba youths and the palace guards in which three people from Gamba and one palace guard were injured. Maïssaba Souman was released during the incident.

On 3 November, representatives of CODERSAZO and others were called to give a statement about the incident to the police at Tcholliré. Instead, they reportedly were taken by the local police chief (*commandant de compagnie*), to see the Lamido of Rey-Bouba. At the meeting with the Lamido, it was agreed that all CODERSAZO's staff should meet the Lamido on 25 November in order to discuss the prospects of their working in the Mayo-Rey. At the subsequent meeting, however, the Lamido announced that he was not prepared to allow any further activities by CODERSAZO, reportedly because he considered that the organization was "a front for opposition parties" and that allowing CODERSAZO to work in the area would give the opposition an unfair advantage in the forthcoming municipal elections. Local authorities reportedly initiated an inquiry into the incident but its findings have not been made public.

5. SUPPRESSION OF OPPOSITION POLITICAL ACTIVITIES IN THE LAMIDAT OF TCHÉBOA

Information from the Lamidat of Tchéboa, which covers an area of approximately 4,000 square km, indicates that there, too, traditional authorities use harsh and unlawful methods to suppress opposition activities. The Lamido of Tchéboa, whose authority extends over about 50 villages and some 10 lesser chiefs, is said to employ about 30 armed palace guards. ARTICLE 19 has received reports that palace guards persistently harass and intimidate critics and opponents of the government and repeatedly have been responsible for illegal detentions and assaults on UNDP supporters. They also are reported to extort money or other goods from people whom they detain or ill-treat.

The detention of 17 UNDP supporters in Ngong in June 1994 provides an example of the kinds of abuses for which the Lamido and his palace guards are reported to be responsible. According to ARTICLE 19's information, the 17 were detained for several hours by palace guards, during which time they were flogged and told to give up their support for the UNDP in favour of the ruling RDPC. The detentions apparently took place after the Lamido blamed three local UNDP leaders for the low attendance by local people at an RDPC meeting the previous day. Upon learning of this and fearing that they were at risk from the Lamido, some UNDP activists sought protection from the local Sub-Prefect, but without result.

After their detention, during which their money was also taken by the Lamido's guards, the UNDP activists lodged a joint formal complaint about their detention and ill-treatment with the Public Prosecutor in Garoua. An inquiry is said to have been initiated, but no findings have been made public and no action is known to have been taken by the authorities against the Lamido or his guards. None of those detained has been compensated although at least three are alleged to have suffered permanent injuries as a result of the beatings. One detainee, Abdoulaye Teri, who was reportedly beaten so severely that he vomited blood, died some two months later, apparently as a result of the injuries he had sustained.

Women, in particular, appear to suffer severe punishment for sometimes less outspoken actions in support of the opposition or simply because they fail to demonstrate support for the RDPC. For example, ARTICLE 19 has been informed about an incident in late September 1994

in which Françoise Menoudji, from Ngong, was beaten by palace guards and detained for two days at the Lamido's private prison for wearing clothing with UNDP slogans in her home. Relatives who tried to bring her food were chased away. Before being released, Françoise Menoudji reportedly was required to pay money and warned that if she were caught a second time wearing UNDP clothing, she would be detained and never released.

In an earlier case in August 1993, Elise Inna, a restaurant owner in Ngong, was reported to have been detained, whipped and imprisoned for seven days by palace guards because, due to prior commitments, she was unable to provide catering services for a meeting of the ruling RDPC party. She was allegedly told by palace guards that she "has a hard head and does not respect what is said to her," and that "all single women support opposition parties." She was reportedly forced to pay money to palace guards some time after her release.

Even artistic performances which show support for the opposition are said to provoke a strong response from the Lamido. On 27 November 1994, for example, during a performance in Ngong by 16 visiting *griots*, traditional singers and story tellers, one of the *griots* responded to a request to sing the UNDP theme song. The following day, the visiting *griots* were expelled from the village and the head of the *griots* in Ngong reportedly was detained for several hours and accused by the Lamido of Tchéboa of bringing "pro-UNDP" *griots* to Ngong.

Opposition political activities in the Lamidat of Tchéboa were reportedly banned by the Lamido for several months from May 1994, and some opposition UNDP members are said to have been banished from the area. One, Mohamed Garé, was reportedly ordered to leave Ngong in late 1993 while another, Hamadoudi Sali, was warned by three local dignitaries after a UNDP meeting in February 1994 that the Lamido had ordered him to leave the area. In the event, however, he was allowed to stay in Ngong after paying over a large sum of money, in cash and goods.

6. ATTEMPTS TO SILENCE VICTIMS

In many *lamidats*, individuals who try to raise their concerns about abuses directly with *lamibe* have been targeted for retaliation. As the cases below demonstrate, even when victims submit a formal complaint to the administrative authorities or the courts, this often is not effective in providing either protection or redress for the complainant. Furthermore, high-level government officials have reportedly interfered in cases against traditional leaders.

6.1 The Bakari Madi Case in Mindif

Bakari Madi, a 61-year-old resident of Mindif, a village in Far North Province, has initiated a court case against the Lamido of Mindif and five dignitaries, who he alleges illegally detained and tortured him for having challenged the Lamido's authority. In his lawsuit, he contends, among other things, that he was kept chained to a wall in his home for about six months by local dignitaries after he accused the Lamido of stealing his land.³¹

Bakari Madi is reported to have suffered numerous incidents of harassment and detention because of his outspoken criticism of the Lamido. According to ARTICLE 19's information, he was detained illegally by the Lamido for two months in 1992, after attending an SDF meeting at which he criticized the ruling party. He escaped from his place of detention and

³¹ Bakari Madi accused the Lamido of overturning a decision by the previous Lamido, who had ruled that Bakari Madi was the rightful owner of a piece of land. The current Lamido gave the land to another party in the dispute and reportedly refused to implement a court ruling, which had ordered that the land should be returned to Bakari Madi.

sought refuge at the local police station, where he reportedly was detained for seven days without charge on the orders of the Lamido.

Bakari Madi continued to criticize the Lamido at village meetings and, in late October or early November 1993, was detained again by palace guards, brought to the Lamido's palace and severely beaten. He was then taken to a local ironsmith, who welded chains for his hands and feet, before being returned home and chained to a wall in his house. His hands and feet were shackled, and he was left unattended. He was kept chained in this manner until May 1994, during which time he depended on local people to bring him food and water.

On 12 May 1994, Bakari Madi succeeded in freeing himself and travelled to Maroua, where he sought assistance from a local human rights group, *le mouvement pour la défense des droits de l'homme et des libertés* (MDDHL, Movement for the Defence of Human Rights and Liberties). In June 1994, with the help of this group, he initiated a lawsuit against the Lamido and the five dignitaries allegedly responsible for his ill-treatment. The six appeared before the court at Kaélé on 7 June 1994; apparently they did not deny having detained Bakari Madi, but claimed that their actions were justified in order to protect the Lamido from a "mad and violent" man. Lawyers for Bakari Madi have submitted medical evidence to indicate that he is sane and to document several medical problems which he allegedly incurred as a result of his illegal imprisonment.

After several administrative delays, the case was scheduled to be heard in late February 1995. On 25 February, Bakari Madi was briefly detained by palace guards when he tried to leave Mindif for Kaélé, where the case was to be held. The Lamido and his co-accused, however, failed to appear in court and the case was postponed. Since then, the Public Prosecutor is reported to have announced, in a breach of normal procedure, that the case cannot go forward without the approval of Cameroon's Minister of Justice. ARTICLE 19 has also received reports that officials from the Ministry of Territorial Administration have put pressure on the Public Prosecutor not to bring the case to court.

6.2 Silencing Protests Over an Alleged Forced Marriage

In August 1994 in Pouss, Far North Province, a woman who attempted to protest the alleged forced marriage of her daughter to the Lamido was attacked by his palace guards. Her subsequent attempts to obtain justice have been frustrated. Moreover, after the woman and her husband initiated a court case against the Lamido, the latter took legal action against them for allegedly kidnapping their own daughter.

According to information received by ARTICLE 19, problems first began when a local man tried to marry the 14-year-old girl, Aissatou Zigla, without obtaining the permission of her family. Her parents, Djanaba Alao and Adam Zigla, went to the Lamido's palace in Pouss to put an end to the matter. The Lamido told the parents to bring their daughter to the palace, ostensibly to question her about what had happened. Instead of arbitrating the dispute between the parents and the man who had tried to marry the girl, however, the Lamido announced that he would wed the girl himself, despite strong protests from her parents. The mother was flogged by several palace guards, allegedly on the orders of the Lamido, after she followed her daughter into a courtyard in an attempt to get her back.

The mother then fled the palace and went for treatment to a hospital in Maga, near Pouss, where a doctor is reported to have refused either to treat her or to provide a medical certificate detailing her injuries. When she sought to register a formal complaint at the local police station, she was not allowed to do so. Her daughter escaped from the Lamido in Pouss on 18 January 1995.

In Yagoua, a nearby town, the parents initiated a criminal case against the Lamido of Pouss for allegedly "kidnapping a minor, indecency, sexual relations with a minor and injuries" (*enlèvement de mineur, outrage à la pudeur suivi des rapports sexuels et blessures*). In March 1995, the Lamido took counter legal action against the parents, claiming that they had beaten their own daughter and tried to force her from the palace, where she had lived willingly as his wife. The Lamido's lawyers claim that "a traditional authority worthy of total respect in his region, has been injured, ridiculed and deceived" by the kidnapping of his bride. The case was scheduled to take place in early June, but Abdoulaye Math, the principal lawyer for the girl and her parents, asked that it be postponed because the certificate confirming the girl's age had disappeared from the Public Prosecutor's file.³² Meanwhile, lawyers for the girl's family continue to face difficulties because, thus far, all but one of their witnesses have failed to appear, reportedly because they have been threatened by the Lamido.

6.3 Protesting Forced Labour in the Lamidat of Tchéboa

People who attempt to protest against abuses by the Lamido of Tchéboa are also reported to have been illegally detained. One such incident occurred in the village of Koubadjé in October 1994 when people in one neighbourhood refused to comply with the Lamido's orders to perform a day of forced labour cultivating his land. Palace guards armed with knives came several times to intimidate the inhabitants into complying with the Lamido's orders. In response, local people complained to the Sub-Prefect, but he refused to intervene. Upon learning that an approach had been made to the administrative authorities, the Lamido apparently ordered the detention of the two people whom he believed had been the most vocal in protesting the forced labour. ARTICLE 19 was informed that the two individuals were illegally detained for one week. On 12 October, 80 inhabitants of Koubadjé performed compulsory labour on the Lamido's property.

In the rare cases where individuals have successfully taken legal action against *lamibe*, there is no guarantee that the court's judgment will be applied. The Lamido of Tchéboa, for example, was fined 250,000 CFA francs (approximately US\$500) in May 1993 for illegally detaining one person and requiring him to perform a month's forced labour. To date, however, the judgment has not been implemented. The Lamido of Tchéboa has since been found guilty of similar offences in another case but he is appealing against the conviction. In that case, he was sentenced to one year's imprisonment and fined 2 million CFA francs (US\$4,000) for beating and illegally detaining a couple and their two children for a total of 42 days, during which time they were also obliged to provide forced labour.

6.4 Harassment of Human Rights Activists

In April 1995, Abdoulaye Math, President of the Maroua-based human rights group, MDDHL, was summoned by the Public Prosecutor in Maroua and handed a letter from the Ministry of Justice stating that he was prohibited from practising law in Cameroon with immediate effect. Neither the letter nor the Public Prosecutor offered any explanation for his disbarment. Subsequently, Abdoulaye Math appealed against his disbarment to the Supreme Court in Yaoundé. According to law, while his appeal is pending, he can continue to work as a lawyer.

ARTICLE 19 is concerned that Abdoulaye Math appears to have been targeted for harassment by government authorities because of the key role he has played in representing clients who seek to take legal action against local traditional chiefs. The disbarment of

³² As of late June, the case was scheduled to be held on 24 Aug.

Abdoulaye Math, along with the indefinite delay in the case of Bakari Madi, which cannot go forward until the Minister of Justice approves it, and the irregularities in the case of Aissatou Zigla, whose proof of age has disappeared from her file, indicate a pattern of interference by governmental authorities in cases where individuals seek to bring traditional chiefs to justice.

Meanwhile, on 10 June, Mahamat Djibril, a member of the MDDHL, is reported to have been arrested and beaten by a senior police officer when he went to the police station in Pouss to inquire about a case of alleged abuse by police. The police officer allegedly responsible for assaulting him had previously been accused by the human rights organization of conducting arbitrary arrests and mistreating detainees. Three days later, Mahamat Djibril was brought before the Public Prosecutor in Yagoua, who ordered that he be held in prison until 13 July, when he will stand trial for "causing disturbances" at the police station and assaulting an officer.

Four other members of the same human rights group were also detained by the police in June 1995. Two were apparently held at the police station in Pouss for three days before being released without charge after they were accused of encouraging local residents not to pay taxes. More recently, Boukra Math, brother of Abdoulaye Math, and Idrissa Alou were arrested on 20 June after protesting alleged abuses by the Lamido of Pouss. Although they were detained ostensibly for failing to produce tax receipts for 1989 and 1990, police reportedly warned them not to question the authority of the Lamido. Boukra Math and Idrissa Alou were released without charge the next day.

7. CAMEROON'S OBLIGATIONS UNDER INTERNATIONAL HUMAN RIGHTS LAW

Cameroon has ratified both the International Covenant on Civil and Political Rights (ICCPR) and its (first) Optional Protocol, which provides a mechanism through which Cameroonian nationals can bring complaints to the United Nations (UN) Human Rights Committee about violations of rights guaranteed by the ICCPR.³³ It is also party to the African Charter on Human and Peoples' Rights, the UN Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, and the International Covenant on Economic, Social and Cultural Rights. The repeated attacks on opposition supporters and other outspoken individuals in northern Cameroon by governmental and traditional authorities are in violation of the government's international human rights obligations.

The lengthy detention of the 28 UNDP local leaders and activists in Maroua without any substantial evidence that they were personally involved in a crime violates Article 9(1) of the ICCPR, which guarantees the right of individuals not to be subject to arbitrary arrest and detention. Their detention without charge or trial for more than six months, and the repeated delays in processing the case, are inconsistent with Articles 9(3) and 14(3)(c) of the ICCPR, which declare respectively the right to "trial within a reasonable time or to release" and the right "to be tried without due delay", and Article 7(1)(d) of the African Charter, which guarantees "the right to be tried within a reasonable time by an impartial court or tribunal".

The four-month ban on all forms of political activity in northern Cameroon and the repeated denial of permission to hold political meetings violate the rights to peaceful assembly

³³ ARTICLE 19 represented Cameroonian writer Albert Mukong, who brought the first complaint against Cameroon to the Human Rights Committee on 26 Feb. 1991. Albert Mukong was repeatedly targeted for detention by government authorities because of his political opinions. On 21 July 1994, the Human Rights Committee issued a decision upholding Albert Mukong's complaint and called on the Cameroonian government to grant him appropriate compensation.

and association, as guaranteed by Articles 21 and 22 of the ICCPR and Articles 10 and 11 of the African Charter. The harassment of human rights activists also violates these provisions.

The unlawful detentions and beatings of opposition supporters by traditional leaders in North and Far North Provinces are illegal under Cameroonian law. These abuses, however, appear to be condoned by those high level central government authorities responsible for the appointment of traditional leaders and for supervising their activities. Such practices are also in breach of both Article 9(1) of the ICCPR and Article 6 of the African Charter. In addition, they violate the prohibition on torture and cruel, inhuman or degrading treatment or punishment guaranteed by Article 7 of the ICCPR and Article 5 of the African Charter.

The banishment of individuals from particular districts and restrictions on freedom of movement, such as those imposed by traditional leaders on the three UNDP members of the National Assembly elected in the Department of the Mayo-Rey, are violations of Article 12 of the ICCPR and Article 12 of the African Charter, which guarantee the right to freedom of movement and residence within the borders of a state.

The failure of the administrative authorities to provide effective remedies against violations by *lamibe* is inconsistent with Article 2(3) of the ICCPR, which states that governments are required "to ensure that any person whose rights or freedoms ... are violated shall have an effective remedy, *notwithstanding that the violation has been committed by persons acting in an official capacity*" (emphasis added).

Finally, all of these violations constitute attacks on the right to freedom of expression and opinion, guaranteed by Article 19 of the ICCPR and Article 9 of the African Charter.

8. CONCLUSION AND RECOMMENDATIONS

Three years ago, there was considerable international focus on human rights abuses in the main cities of Cameroon. Since then, violations of freedom of expression have continued at an alarming rate in the rural areas of the north. There, largely out of sight of the international community, government and traditional authorities suppress opposition activity and government critics, regularly employing arbitrary or unlawful methods to enforce their will.

It is not enough for the government of Cameroon to address human rights issues only in those areas where abuses are conspicuous and likely to lead to expressions of international concern. Nor should the international community condone this approach by the Cameroonian authorities. On the contrary, the international community should press the government of Cameroon to guarantee freedom of expression to all people within its borders, in practice as well as in law, and to urgently address the continuing abuses in the north, as a mark of its commitment to human rights and good government. Such international action is particularly important at a time when the government of President Paul Biya is seeking greater international acceptance and has applied for membership to the Commonwealth. The decision on its application is due to be taken at the next Commonwealth Heads of Government Meeting in November 1995: it will be a timely moment at which to assess the extent to which President Biya's government has taken action to remedy the abuses in the north and to safeguard the right to freedom of expression throughout Cameroon, in accordance with its obligations under the ICCPR and other international human rights treaties.

ARTICLE 19 is calling on the Cameroonian government to take the following steps as a matter of urgency:

- Release immediately and unconditionally all those detained or imprisoned for the peaceful expression of their views or beliefs, including those held unlawfully in private or unofficial

prisons by traditional *lamibe* in northern Cameroon.

- Review immediately the cases of the 28 UNDP activists arrested in August 1994 in Maroua, Far North Province, and release unconditionally those held on account of their peaceful political activities. If there is substantial evidence of criminal activity against any of the 28, they should either be charged and brought to trial fairly and without further delay, or released.
- Disarm all palace guards immediately and ensure that all law enforcement personnel are made fully accountable and trained in human rights awareness.
- Establish a judicial commission of inquiry to investigate allegations of human rights violations in northern Cameroon, including abuses by *lamibe* and their armed guards, with a view to:
 - identifying and bringing to justice those responsible for human rights abuses;
 - ensuring that the victims of abuse are adequately compensated;
 - defining clearly in law the precise role and powers of traditional leaders and investigating the alleged dismissal of certain traditional leaders on politically motivated grounds;
- ensuring that all such authorities are informed that failure to uphold the law will result in disciplinary action or, if appropriate, their criminal prosecution.

Such a commission of inquiry should be composed of individuals whose competence, integrity, independence and impartiality is widely acknowledged and who are representative of Cameroonian society as a whole. They should be equipped with both the powers and resources necessary to enable them to successfully undertake their inquiry as a matter of national priority. The government should commit itself to making their report and findings public at its earliest opportunity.

- Take immediate steps to ensure that Cameroon's constitutional guarantees of freedom of expression, association and assembly are fully respected in practice, including by:
 - ending restrictions on peaceful political meetings and demonstrations, such as the August 1994 ban on political activity in northern Cameroon;
 - amending Article 27 of Decree No. 77-245 of 15 July 1977 in order to ensure that it does not act as a deterrent to free speech;
 - lifting immediately the threat of disbarment on human rights lawyer, Abdoulaye Math.
- Stop government interference in cases where individuals attempt to bring traditional chiefs to court and issue clear instructions to all government officials, members of law enforcement agencies, traditional leaders and their guards that human rights violations will not be tolerated and that those responsible for violations, whatever their rank or position, will be brought to justice, in accordance with Cameroon's obligations under the ICCPR and other human rights treaties.

ARTICLE 19 urges the international community to endorse these recommendations and to make it clear to the Cameroonian government that without such action to remedy continuing human rights violations, Cameroon cannot expect to be accepted as a full and respected member of the international community.