

SUPPLEMENTAL LIST OF SUPPORTING DOCUMENTS

1. UK Foreign Office. “Cameroon Country Profile”. July 17, 2006. <http://www.fco.gov.uk/servlet/Front?pagename=OpenMarket/Xcelerate/ShowPage&c=Page&cid=1007029394365&a=KCountryProfile&aid=1019501174254>

Cameroon has a poor human rights record. NGOs and the UN Special Rapporteur on Torture have reported instances of “[e]xtra-judicial executions, protracted detention without trial, torture of detainees and appalling prison conditions” Some of these people are political activists but many are simply “victims of racketeering by the security forces.”

2. US State Department. “Country Report on Human Rights Practices, Cameroon (2005)”. March 8, 2006. <http://www.state.gov/g/drl/rls/hrrpt/2005/61558.htm>

This document discusses the political structure in Cameroon and potential for abuse by the state. The president has the power to control legislation or to rule by decree and the power to institute a state of emergency. He has used his legislative power to amend the constitution and extend the term lengths of the presidency. *The administration can authorize the police to sweep neighborhoods without warrants and have done so. In one instance,*

While the government claims it no longer holds political prisoners, 15 members of the secessionist SCNC have been serving long sentences. At trial, evidence against them which was exacted under torture was admitted. In one instance, “on June 14, the Douala police, accompanied by gendarmes and soldiers, conducted a sweep in the Douala neighborhoods of Bonakuamouang, Bessengue Valley, and Bessengue.” The security forces arrested about 100 people and held them at the Douala police station until their indemnity could be confirmed. Prisons are reported to be “seriously overcrowded, unsanitary, and inadequate...serious deficiencies in food, health care, and sanitation were common in almost all prisons...There were deaths in prisons due to harsh conditions and neglect.” Prisoners have reportedly died from lack of food or medical care and were “regularly tortured, beat, and otherwise abused” by prison officials.

Cameroon has several enforcement bodies including police, national intelligence service, gendarmerie, and others. The national police and gendarmerie are primarily responsible for law enforcement. “In rural areas, where there is little or no police presence, the primary law enforcement body is the gendarmerie. Citizens viewed police as ineffective, which frequently resulted in mob violence ... Police officers and members of the gendarmerie were widely viewed as corrupt and frequently arbitrarily arrested and detained citizens. Police demanded bribes at checkpoints, and influential citizens reportedly paid police to make arrests or abuse individuals in personal disputes...”

3. Amnesty International, “Cameroon.” January – December 2002 report. Available at: <http://web.amnesty.org/web/web.nsf/print/C26B80E6C83E49F580256D3A0046B3BB>

Amnesty's annual report of Cameroon in 2002 concludes that the gendarmerie continue to torture suspects held in custody and subject them to "cruel, inhuman and degrading treatment" such as flogging, which has resulted in death. In July, two of the gendarmes involved in the disappearance and alleged execution of nine teenagers in the Bepanda Omnisports neighborhood of Douala were convicted. However, both were sentenced to short prison sentences while the other six gendarmes involved were acquitted. In the end, no one was held accountable for the disappearance of the teenagers.

4. US State Department. "Country Report on Human Rights: Cameroon (2001)". March 4, 2002. <http://www.state.gov/g/drl/rls/hrrpt/2001/af/8285.htm>

There have also been instances of persons disappearing after being arrested. "On January 24, the Douala Operational Command arrested Marc Etah, Frederic Nguffo, Chatry Kuete, Jean Roger Tchiwan, Eric Chia, Charles Kouatou, Effician Chia, Elysee Kouatou, and Fabrice Kouate, who were suspected of stealing a gas canister in the Bepanda District of Douala." The families have not seen the detainees since January 26 and 27th, "[a]ll observers believe that the Command summarily executed the nine youths". The authorities have not given information about their fate. The victims' families have staged weekly protests and "[p]olice dispersed forcibly and sometimes violently the weekly demonstrations."

In March, President Biya "ordered an investigation into the disappearance of the Bepanda 9". On April 6, President Biya transferred General Mpay, the Commander of the Douala Military District and de facto leader of the Operational Command, to the Bamenda military district. There also were reports that a prominent Member of Parliament bribed members of the protesting group(C9) to persuade them to stop their weekly protests. A military trial was later conducted in secret on the Bepanda 9 incident, "and the Government has refused to release the results of its inquiry or to consider a civilian court trial for the officers. Although government officials insist the case will be heard, no trial date was set by year's end."

There were also reports of torture in prisons. Reports including prisoners being flogged, beaten on the soles of their feet, hung from rods and beaten, often on the genitals. Security forces also subjected prisoners to degrading treatment including "stripping, confinement in severely overcrowded cells, and denial of access to toilets and other sanitation facilities"

5. BBC Monitoring Africa. "Cameroon arrests gendarmerie top officials in connection with Bepanda nine cases." May 10, 2001. Available at www.lexis.com.

The report notes that several top gendarme officers were brought before a military prosecutor and remanded in custody in Yaounde. The officers were "accused of masterminding the abduction of nine youths by security forces in January who are believed to have been subsequently murdered."

6. Africa News. "Cameroon; Anti-Torture Organization Denounces Arbitrary Arrests, Detentions." May 10, 2001. Available at www.lexis.com.

The article that the World Organization Against Torture is “gravely concerned for the physical and psychological integrity’ of 10 persons arrested while organizing protest against human rights abuses by the Operational Command.” The 10 were arrested while organizing a rally to mourn the Operational Command’s victims.

7. Panafrican News Agency. “Cameroon government denies fault in case of missing nationals.” April 26, 2001. Available at www.lexis.com.

The report notes that a Cameroonian government official has dismissed accusations of “crimes against humanity” President Biya has been accused of in the wake of atrocities committed by the Operational Command. The special security operation has been blamed for hundreds of deaths and disappearances in Douala since it was established in February 2000. The government official, the minister of Communication, said the Operational Command was launched “to meet a pressing and legitimate need for security” expressed by the citizens of Douala. The article notes that local newspapers were threatened against carrying any reports on the Operational Command, warning that the papers could be prosecuted for “biased comments.”

8. Panafrican News Agency. “NGO wants UN, OAU press Cameroon over missing persons.” April 24, 2001. Available at www.lexis.com.

The article reports that a Cameroonian NGO, Christian Action for the Abolition of Torture, “has called on the UN and OAU to bear on Cameroonian authorities concerning the disappearance of more than 1000 persons in Douala.” The NGO attributed the disappearances to the Operational Command, which was ostensibly fighting organized crime in Douala. The article also notes that General Philippe Mpay was posted to Bamenda.

9. BBC Monitoring Africa. “Cameroon radio commentator on Bepanda Nine rally.” April 16, 2001. Available at www.lexis.com.

The radio transcript reports that demonstrations were occurring in Douala in protest of what is now known as the “Bepanda Nine affair.” The demonstrations were ruthlessly suppressed by the police.

10. ANB-BIA supplement, “Operational Command in the news.” 14 April 2001. Available at: <http://users.peacelink.it/anb-bia/nr410/e04.html>

This article from the African News Bulletin reports on President Biya’s order setting up the Operational Command, whose purpose is to “cleanse the coastal city of Douala from serious crime.” In doing so, “the President probably knew he was letting loose a hornets’ nest.” The Cameroonian government placed General Mpay in charge and gave him “the necessary uniformed personnel, adequate ma-

terial and a budget of three billion CFA francs.” Though Operational Command removed gangsters, soon after, “soldiers went overboard with their ‘security’ activities, and summary ‘mistakes’ and executions became the order of the day.”

The article further describes the discovery of a mass grave behind Douala’s hospital, and notes the execution of over 500 men, women, and children. The Christian Action for the Abolition of Torture estimates that the Command is responsible for the deaths of over 1000 people in the past year, and that the executions are “arbitrary and extrajudicial.”

11. BBC Monitoring Africa. “Cameroon: President sacks Douala operational military commander.” April 10, 2001. Available at www.lexis.com.

The article reports that General Philippe Mpay, who headed the Douala Military Operations Command, was fired by President Biya April 7. He, and other senior officers, was reportedly fired after an inquiry found that certain members of the police forces had “taken lightly the ‘disappearance’ of nine youths in Douala’s Bepanda district.” The youths were arrested February 23 by the Gendarmerie Operations Center, led by Captain Aba Ndzengue.

12. IPS-Inter Press Service. “Rights-Cameroon: Elite army unit suspected in death of 9 youths.” March 20, 2001. Available at www.lexis.com.

This article is on the response to the Operational Command in Cameroon. The Operational Command, led by General Philippe Mpay, was established by President Biya February 20, 2000 to fight the increase in organized crime in the Littoral province area. While originally applauded, soon the “bravado feats of heroism disintegrated into ‘unfortunate errors’ and summary executions.” Demonstrations in Douala, Cameroon’s economic capital, have been “sparked by public outrage over the arrests and possible extrajudicial executions of nine Cameroonian youths.” The adolescents were accused by a neighbor of stealing a canister of cooking gas. The Christian Action Against Torture reported that the nine were taken from the Operational Command with 41 others, “were undressed, tied up, and taken to a spot where they were executed.”

One demonstration was planned against the disappearance by the Committee for the Defence of the Nine Disappeared (C9), despite attempts by the government to intimidate the group. The anti demonstration was diffused by the police, who sprayed the crowd with water mixed with tear gas, and whipped the boldest of the demonstrators, seriously injured five demonstrators; three demonstrators were missing after the event.

The report also mentions Captain Aba Ndzengue of the Corps of Gendarmes of Littoral province as one of the only two soldiers in the Operational Command to speak on the disappearance of the nine adolescents. He and the chief of staff of his post told the local newspaper that “the nine young people were members of a

gang of thugs which had long been tailed by the security forces.” The two officers did not reveal the locations of the nine, or their bodies.

Further, the report estimates the number of Cameroonians that have been executed by the Operational Command at or above 500,000, depending on the source. The national media describes the actions of the military command as follows: “the missing individuals were taken out in groups and shot in the back in a military quarry [along the Douala-Yaounde road]. Their bodies were then covered in acid to mask their identities and shoved into a ditch dug expressly for this purpose with road-building equipment.”

13. Panafrican News Agency. “UN demands information on missing nine young men.” March 17, 2001. Available at www.lexis.com.

This article discusses the UN’s reaction to the disappearance of the nine adolescents who were abducted in February in Douala by the Gendarmerie Operational Centre (Cog). The chief of the permanent mission of Cameroon to the UN in Geneva reportedly received a request on March 8 for information on the “forced and involuntary disappearances” in Douala. The focus of the investigation is on the nine adolescents who were arrested as robbery suspects on February 23 by the security forces of the Bepanda Omnisports district in Douala. They were subsequently transferred to a detention center in Bonanjo-Douala, which is controlled by the Operational Command.

14. Amnesty International. “Cameroon – The government must throw more light on the disappearance of 9 children in Douala.” March 5, 2001. Available at www.lexis.com.

The article reports on the disappearance of nine adolescents from the Bepanda Omnisports neighborhood in Douala after their February 23 arrest by the Commandement operationnel [sic.], “an elite security corps created last year to combat armed robbery in Douala and Yaounde.” The report notes that since the creation of the Commandement operationnel [sic.], there have been reports that is “has carried out large scale extrajudicial executions while fighting street crime in Douala.” Many NGOs, including Amnesty International, have raised concerns about the group’s “impunity and disregard for the rule of law.”

15. Amnesty International, “Cameroon: Impunity in face of large-scale extrajudicial executions in the Douala area.” 4 December 2000. Available at: <http://web.amnesty.org/library/print/ENGAFR17005200>

This Amnesty International article reports on the discovery of a mass grave near the Douala international airport. Over 36 bodies were found in the grave, and Amnesty voices its fears about the “fate of large numbers of people who have ‘disappeared during the last eight months after being detained by security forces.’” The article notes that since April, “an increasing number of deaths and

‘disappearances’ have been reported by individuals and the press in Cameroon.” The Catholic Bishop of Douala accuses the government of “condoning the killing of more than 500 people in and around Douala since April by its silence on the practices of its security forces.” The article concludes that “the latest discovery of bodies clearly show the persistent unwillingness of the Cameroonian government to bring an end to torture and extrajudicial executions.”

16. Africa News. “Update of events in West Africa: Mass grave discovered.” November 7, 2000. Available at www.lexis.com.

This article reports on the discovery of a mass grave, that reportedly contains at least 36 bodies, outside of Douala. Suspicion has fallen on the anti-crime unit called the Operational Command for dumping the bodies. The report includes that the Operational Command was set up shortly before the emergence of reports on the dumped bodies. It also cites the Bishop of Douala, Cardinal Christian Tumi, who said that “500 people had been killed around Douala alone.”

17. United Nations. “Civil and Political Rights, including the question of torture and detention.” 11 November 1999. Available at: www.unhchr.ch/Huridocda/Huridoca.nsf/0/1a4ce1c8a78d3ea880256732004bcf2f?Opendocument

Report of the Special Rapporteur, Sir Nigel Rodley, upon his return from a visit to Cameroon in May 1999. Extensive first-hand account of Rodley’s visit, as well as interviews with government officials, prisoners, and NGOs. The report finds that torture is widespread and carried out with immunity by law enforcement officers.

The reports notes that “torture is widespread and used indiscriminately against many people under arrest.” Such torture, according to non-governmental sources and witnesses, result in a number of deaths and are perpetrated by the gendarmerie and the police when they are involved in upholding law and order. During its visit to the Yaoundé criminal investigation service unit in Douala, the Special Rapporteur’s team noted that the “vast majority” of those detained had been tortured and struck with machetes; most of the detainees also had “recent serious bruises and marks from machete and lash blows.” The team also noted the cramped and suffocating conditions of the prisons and detention centers. Most of the prisoners interviewed by the Special Rapporteur did not know why they had been arrested.

At the New Bell prison in Douala, the Special Rapporteur interviewed prisoners who told him that ill-treatment were inflicted on the orders – or at the least consent – of the governor, who admitted of having ordered at least one beating.

While visiting a police station in Douala, the Special Rapporteur requested the register of those in custody at the station; he was given one that began on the day of his visit. When asked to present the previous register, “the deputy superinten-

dent, visibly very nervous, was unable to produce it.” From this, “the Special Rapporteur is firmly convinced that the refusal to show him the real custody register was an attempt to hide something.”

After his visit, the Special Rapporteur “has no doubt that torture is condoned if not encouraged at the level of heads of the places of detention where it takes place.” Despite one or two prosecutions of law enforcement officers, torture (frequently resulting in death) was “generally used for the standard purposes of obtaining information” by law enforcement, and that such situations “could only persist in a climate in which the law enforcement personnel involved considered that they enjoyed immunity for their actions.” The report also notes that prosecutors not only failed in their responsibilities of ensuring that detainees are lawfully detained, “most of their working lives are spent in collaborating with the law enforcement officials in their jurisdictions.” As such, the Special Rapporteur recommends that “the highest political authorities should proclaim in public statements and internal governmental instructions that torture and other ill-treatment committed by public officials will not be tolerated and that those found to have been involved in committing or tolerating such acts will be instantly removed from the public service and prosecuted with the full vigour of the law.”

RASP @ Duke Law
Refugee Asylum Support Project
SAMPLE - SAMPLE - SAMPLE