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**Promotion and protection of all human rights, civil,  
political, economic, social and cultural rights,  
including the right to development**

## **Written statement\* submitted by the Centre for Human Rights and Peace Advocacy, a non-governmental organization in special consultative status**

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[13 February 2017]

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\* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

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## **Human rights situation observed during the Cameroon common law lawyers and teachers strike in the Anglophone regions**

### **A) Introduction**

From October 2016 till now the Anglophone regions of Cameroon have experienced an unprecedented protest of lawyers and teachers that has led to systematic violations of human rights. To understand the situation it will be important to briefly look at why these professional groups are protesting in what has become known as the Anglophone problem.

### **B) Background**

The problem started in 1961 when two territories with different colonial legacies, one French and the other British agreed to form a federal state of equal status. What was expected to mark the start of a unique federal experiment in Africa did not happen, let alone, the preservation of the cultural heritage and identity of each, but turned out to be a mere transitory phase to the total annexation of the Anglophone region into a strongly centralized, unitary state. Gradually, Anglophones saw themselves ‘marginalized’, ‘exploited’, and ‘assimilated’ by the francophone-dominated state which led to a call for a return to the federal state.

On 20 May 1972, President Ahidjo transformed the Federal Republic into a unitary state, thereby abrogating clause 1 of article 47 of the Founban document which read: ‘any proposal for the revision of the present constitution, which impairs the unity and integrity of the Federation shall be inadmissible’.

During a Tripartite Conference convened by President Biya in 1991, anglophones requested that Cameroon returns to the Founban federal arrangements of 1961. In 1993, they adopted a common stand on constitutional reform in the Buea Declaration which listed multiple grievances and submitted a draft constitution containing major political and fiscal autonomy and separation of powers between the executive, legislative, and judiciary for the two federated states as well as a rotating presidency for the Federal Republic, whereby after at most two consecutive mandates of five years an anglophone would succeed a francophone or vice versa.

### **B) The Cameroon Common Law Lawyers**

Since October, 2016 Cameroon Common Law Lawyers have boycotted the courts calling among others for the translation into English of the OHADA Uniform Act. This protest comes as a result of government’s failure to respond to their complaint submitted over a year ago. Even though the protest was a peaceful march, security forces reacted with tear gas; brutalized and tortured many of them. The forces also went ahead to conduct massive arrest and committed extrajudicial killings of many unarmed civilians. In the South West Region, they were not only brutalized by tearing their coats, robe and wigs but this was extended to students who were given snake beatings, inhuman and degrading treatment and many girls are said to have been raped.

### **b) The Teachers**

Teachers in anglophone regions have been protesting against the presence of “Francophone teachers” in English-speaking schools who take up subject in English. The teachers’ trade unions called for boycott of schools by teachers and students on 22 November 2016 in the two regions. In Cameroon French and English regions, have separate education systems. The 1998 law on the orientation of education clearly says that the two sub-systems are independent and autonomous. The French system has been wiping out Anglo Saxon system of education, hence, erasing their cultural heritage.

### **b) Government action**

Cameroon government handled the issue lightly with government press outings stating that Anglophones have no problem as some of them are appointed to ministerial positions. It is claimed that what is today an Anglophone problem

is a problem that is generally experienced by many regions and tribal peoples of Cameroon. Conversely, Anglophones argue that Southern Cameroons joined La Republique Du Cameroon as an independent State of equal status not a region or tribe.

Seeing the situation getting out of hand, the Prime Minister met with the striking lawyers and teachers in Bamenda. The discussion simply met with a sharp disagreement and so failed to the chagrin of many. Despite this, government still formed two commissions. One met the teachers in Bamenda and the other, the lawyers in Yaounde. Both negotiations failed because they were some preconditions that all those arbitrarily arrested and detained be unconditionally released. And that those who were purported dead, the corpses be handed over to their various families, which is not done till now.

### **E) General Observations**

There has been generalized and systematic violation of human rights both by the state and the population. While the state has been arresting, arbitrary detaining the leaders and other peaceful demonstrators, extra-judicially killing and shutting down of internet services in the concerned regions, in reaction the population has been destroying some state infrastructures. The military sent there has been using war weapons on the unarmed population. Tear gas was used in the North West Regional Hospital where many people who had come for various health problems were hospitalized. The imagery centre, the tuberculosis unit, and the nursery where there are new born babies were particularly affected.

#### **a) Arbitrary Arrest and Detention**

About 1000 youths with ages ranging from 17 to 25 years have been arrested and the arrest continues. Many of them are taken to Yaounde and detained incommunicado in unknown places under life threatening conditions; overcrowding, inadequate food, limited medical care, and deplorable hygiene and sanitation condition as it is generally the case. In Yaounde there are no family members and friends to provide them basic necessities and government does not do. It is also alleged that many have already died and some are losing parts of their bodies due to constant beatings. By transferring them to Yaounde constitute violation of section 2 (1) of Chapter two of the Cameroon Criminal Procedure Code dealing with arrests. This in itself constitutes enforced disappearances which is an aspect of grave torture not only for the victims but also for their family members and friends.

#### **b) Extrajudicial killings:**

Security initially tried to disperse the protest using tear gas but suddenly began to shoot live ammunition into the crowd, killing many on spot. Many of those wounded later died in various health institutions. These unlawful killings constitute grave violation of the right to life and security of person. Extrajudicial execution is practised in Cameroon in a systematic manner. In 2008 and 2011 protests, hundreds were summarily executed and this recent one only goes a long way to show how the government of Cameroon is failing in its responsibility to protect its citizens.

#### **b) Right to freedom of expression**

Cameroon is a signatory to several human rights conventions including the International Covenant on Civil and Political Rights (ICCPR). ICCPR protects the rights of people to freedom of opinion (Art. 19(1), of expression (Art. 19(2), assembly (Art. 21), association (Art 22), and the freedom from arbitrary arrest (Art. 9). Cameroon Constitution in its Section 45 grants precedence to international conventions over national laws and so is an important tool to protect human rights in the country. Some lawyers reported that their robes and wigs were seized by security forces. The illegal arrest and detention of peaceful protesting lawyers and teachers is in violation of national laws and tantamount to a violation of their freedom of opinion and assembly.

### **Recommendation**

-Given the importance of formal education to the Cameroonian children, and the contribution that lawyers make to a society that is just, open and democratic, CHRAPA urges both the government of Cameroon on the one hand and the

leaders of the striking groups on the other, to immediately engage in a frank, open and genuine dialogue so as to find a long lasting solution to the problems expressed by these professional groups for the sake of sustainable peace and justice.

-Cameroon government should without delay set up an independent and impartial investigation commission which commission will ensure thorough, prompt, effective and impartial public investigations of all suspected cases of death. Persons identified as having participated in an unlawful killing of unarmed civilians be held accountable.

-The Cameroon Government to end this problem and related issues an independent commission be set up that should thoroughly look into not only the complaints of the Anglophones but also those of the other grouping which findings should impress on the eminent revision of the Constitution.

-CHRAPA calls on the United Nations and the International Community to impress on the Cameroon government to respect its national and international human rights commitments for peace to return to Anglophone regions in particular and Cameroon in general.

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