



Unrepresented Nations and Peoples Organization (UNPO) Individual
Stakeholder Submission to the Office of the High Commissioner for
Human Rights regarding the Universal Periodic Review of the Republic
of Cameroon during the 16th Session, April - May 2013

Introduction

The Republic of Cameroon, with approximately 20 million inhabitants, consists in two former United Nations (UN) Trust Territories – the French Cameroon and the British Southern Cameroons. After Francophone Cameroon gained independence in 1960, UN Resolution 1608 (in 1961) called for dialogue between the new Francophone Cameroon authorities, the British government, and Southern Cameroons authorities to negotiate a possible union between Southern Cameroons and Francophone Cameroon. The dialogue promised under Resolution 1608 was never realized, and a plebiscite was organized by the UN in 1961. It presented two alternatives to the vote: union with Nigeria or union with Cameroon, with no option for independence. Southern Cameroons voted in favor of union with Cameroon.

This union has been widely criticized as yet another annexation of the territory of Southern Cameroons. Even though they had achieved major progress in the fields of the rule of law, democracy and freedom, people from Southern Cameroons were denied any opportunity to use their right to self-determination. The territory lost the autonomous status it was granted under British rule. Ever since the government of Cameroon has ignored the demands of the population for greater autonomy, despite the statement by the African Commission on Human and Peoples' Rights that autonomy could be an acceptable option¹.

Main Issues of Concern

A. Right to Self-Determination

The Republic of Cameroon has continuously denied that the people of Southern Cameroons enjoy distinctive political, economic and cultural characteristics. The State usually ignores the historical context that led to the incorporation of the region into the country, which results in a lack of representation of Southern Cameroonians in the political and cultural life. The State dismisses any demand for more autonomy as a secessionist act. It ignored the ruling of the African Commission on Human and Peoples' Rights, which stated that *“the people of Southern Cameroon” qualify to be referred to as a “people” because they manifest numerous characteristics and affinities, which include a common history, linguistic tradition, territorial connection and political outlook. More importantly they identify themselves as a people with a separate and distinct identity*”. Instead of adopting a conciliatory attitude and negotiating the conditions for more autonomous power, the State rejects any request that would increase the political representation of Southern Cameroons.

The people from Southern Cameroons have been deprived of any control over their own affairs, both at the political level and in the use of their natural resources. Most government positions are occupied by people from Francophone Cameroon. Language discrimination in education and hiring processes leads to an underrepresentation of Southern Cameroonians in these jobs. Because Cameroon is organized as a centralized State, very often civil servants are recruited from Francophone Cameroon and sent to Southern Cameroons. The percentage of Francophone Cameroonians working as civil servants in Southern Cameroons

¹ 266/03 Kevin Mgwanga Gunme et al / Cameroon, May 2009, available at <http://caselaw.ihrrda.org/doc/266.03/view/>



might be as high as 90% of the total. The Southern Cameroonians also argue that their representation in the National Assembly is inadequate. Cameroon attributes a definite number of seats in the National Assembly based on the percentage of the population living in a province. However the Southern Cameroonians argue that the State has underestimated their population on purpose to allow them fewer seats, depriving them from equal representation in the Assembly. In addition, any group advocating for more political autonomy is immediately considered as illegal by the government, since even discussing the independence or autonomy of Southern Cameroons is forbidden. As a consequence several political groups from Southern Cameroons are automatically barred from participating into the political life of the country. This attitude from the State smothers any debate about the devolution of powers to the Southern Cameroonians.

The Southern Cameroonians are also not treated equally regarding the exploitation of their own resources and in national economic development schemes. Major illegal logging has been active in the Nguti Forest of Southern Cameroons since 1998, and was extended to the forests of Eyumojock in 2005. Illegal logging has been a serious issue from both an environmental and social point of view. Aside from its notable impact on biodiversity, widespread illegal logging has had devastating effects for those dependent on natural resources. 80% of the working population of Southern Cameroons is engaged in subsistence farming, pastoral farming, and plantation agriculture. Continued disturbance to local ecosystems have severe consequences in the local economy. Ill equipped law enforcement in forested areas has led to impunity for many illegal loggers. There have also been reports of foreign private sector involvement in illegal logging, and much of the illegal timber is reported to be for export to Europe. Thus not only have Southern Cameroonians been deprived from the benefits of their own resources, but it also has a detrimental effect on their subsistence activities.

The State of Cameroon also violates economic rights of the Southern Cameroonians in its development schemes. The State has reportedly denied basic infrastructure in some parts of Southern Cameroons, privileging the Francophone part. In addition, several State-run projects were located or relocated to Francophone Cameroon, without any consideration of their economic viability outside of Southern Cameroons or the necessity to create a balance in infrastructures and economic opportunities in the different parts of the country. Even projects that are implemented in Southern Cameroons do not necessarily benefit the people residing there, as most of the labor force employed comes from Francophone Cameroon. The economic gap between Southern Cameroons and the rest of the country is thus widening because of such discriminatory policies.

B. Language Discrimination

The Anglophones in Cameroon represent 20% of the population and are subject to language-based discrimination. Even though the 1961 Federal Constitution calls for equal promotion of English and French, centralization has led to the increasingly dominant use of French in public media, official documents, education and judicial processes. The discrimination against English-speaking people is so critical that it made up a considerable part of the recommendations of the ruling of the African Commission on Human and Peoples' Rights².

Whilst Cameroon remains officially bilingual, French has been reportedly imposed as the language of instruction at nursery and primary school levels. On the whole, English is poorly represented in general public media. Standardized examinations are set in French and are rarely translated into English, leading to serious and obvious unfairness for Anglophone students in Southern Cameroons. Gross discrimination in

² 266/03 Kevin Mgwanga Gunme et al / Cameroon, May 2009, available at <http://caselaw.ihrrda.org/doc/266.03/view/>



university enrolment and employment in government administration has been widely reported, and increased general centralization has led to the gradual cultural erosion of the Anglophone community. As a result, Anglophone groups have reported widespread discontent with non-implementation of bilingual policies. Businesses based in Southern Cameroons have also been the target of unfair language policies, and were forced to translate their documents into French.

Language-based discrimination also occurs in judicial proceedings. People from Southern Cameroons are frequently tried in the French-speaking part of the country, which creates logistical and psychological hurdles for the preparation of their defense. The accused do not choose the language in which their trial will be conducted, which violates their right to a fair trial. Former accused reported cases when they were forced to sign transcripts or documents in French, even though they only spoke English. On a positive note, some magistrates have started to require an independent translator during judicial proceedings, whereas in the past the prosecution itself or the investigation team were sometimes translating the statements of the accused.

C. Repression of Political Groups

The Republic of Cameroon has repeatedly violated the freedom of assembly and freedom of association. The government security forces constantly harass and disrupt the meetings of any group advocating for a higher level of autonomy of the region. The Southern Cameroons National Council (SCNC) has been particularly targeted by the government because of its views on the status of the region. Even though the freedom of assembly and association are enshrined in the Constitution, the government claims that any SCNC meeting is illegal on the grounds that any activity related to autonomy or secession is prohibited.

In February 2011 national chairman of the SCNC Chief Ayamba Ette Otun along with other activist was arrested by Cameroonian security forces. He was reportedly returning from Buea in the Southwest province where he had handed a memorandum to a visiting delegation from the African Commission on Human and Peoples' Rights. In October 2011 the security forces disrupted protest rallies and meetings in Limbe, Tiko, Buea, Bamenda and Kumbo, leading to the arrest of 50 people³. They also sealed off the residence of a SCNC leader who was holding a meeting, claiming that they had not obtained the necessary permission to hold it⁴. Even though in both cases the activists were released without charges, this exemplifies the common persecution facing the SCNC activists. They are repeatedly denied demonstration or meeting permits, which infringes on their freedom of assembly.

In October 2012 again, several SCNC activists were reportedly arrested by security forces while attending mass. The political nature of these arrests is clear. Every year at the beginning of October – which marks the anniversary of the unification of Francophone and Anglophone parts of Cameroon – the SCNC activists are faced with a wave of arbitrary arrests and detention based on spurious charges. These illegal arrests only aim at quelling any peaceful protest that could erupt around the anniversary of the unification.

The conditions of arrest and detention reveal an even more gruesome picture. SCNC activists are frequently subject to torture and abuse while in detention. Almost none of the reported cases have led to an investigation by the State. These acts of torture constitute a violation of the international human rights

³ US State Department, Country Report on Human Rights Practices for 2011, 2011, available at <http://www.state.gov/documents/organization/186385.pdf>

⁴ Amnesty International - Annual Report 2012 - Cameroon - Freedom of association and assembly - <http://www.amnesty.org/en/region/cameroon/report-2012>



conventions ratified by Cameroon as well as of section 30(4) of the Cameroonian criminal procedure code which states that “No bodily or psychological harm shall be caused to the person arrested”⁵. The government fails to implement this legislation and instead uses torture to quell political opposition. The overall lack of freedom of assembly and association contributes to these acts of torture, as it creates a noxious climate where basic rights need not be respected.

C. Recommendations

The Unrepresented Nations and Peoples Organization (UNPO) strongly urges the authorities from the Republic of Cameroon to consider the following recommendations:

Enter into dialogue with Southern Cameroons political groups in order to improve relations,

Recognize that Southern Cameroonians represent a people with distinct political, economic, and cultural characteristics,

Increase political representation and participation of people from Southern Cameroons at all government levels,

Conduct anti-discrimination and cultural sensitivity trainings for officials and workers from institutions who regularly take part in human rights violations,

Investigate and prosecute the allegations of severe abuse and arbitrary arrests, and compensate the victims accordingly,

Ensure that every person be tried in a language he/she understands, and provide independent translators when necessary,

Respect the freedom of assembly and association of people in Southern Cameroons, and grant them permissions to hold meetings and rallies,

Meet the international obligation under Articles 1, 21, 22, 25 and 26 of the International Covenant on Civil and Political Rights.

⁵ Cameroon Criminal Procedure Code, 27 July 2005, available at <http://ebookbrowse.com/cameroon-criminal-procedure-code-pdf-d203470701>