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**Contribution by Reporters Without Borders (RSF)
on freedom of the press and information in Cameroon**

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Reporters Without Borders is an international NGO that has been promoting media freedom worldwide since 1985. It has consultative status with the United Nations, bureaux in ten cities including Brussels, Washington, Berlin, Tunis, Rio de Janeiro and Washington, and a network of correspondents in 130 countries.

Cameroon has fallen 10 places in RSF's World Press Freedom Index since the last UPR cycle in 2013 and is ranked 130th out of 180 countries in the 2017 Index. The Constitution's preamble guarantees freedom of the press and expression, and the media are flourishing, but they have been subjected to repressive measures. The threats to security resulting from attacks by the Jihadi armed group Boko Haram in the north of the country and the crackdown on demonstrations in anglophone regions in the northwest and southwest led the authorities to step up their harassment of journalists and to tighten legislation regulating media freedom. To prevent information from flowing freely, the government has deployed a wide range of measures that have included Internet cuts, draconian laws, trials and imprisonment of journalists, and mass closures of media. This is a disturbing political context for media freedom, especially with presidential elections scheduled for 2018.

1. A repressive legal framework

During the 2009 UPR, Cameroon accepted the following two recommendations. It agreed to "adopt all necessary measures to ensure that the press could work freely" (Recommendation No. 26) and it agreed to "further advance access to the right to freedom of expression and freedom of the press by ensuring current national press legislation evolves in conformity with international human rights standards" (Recommendation No. 25). Cameroon has not only failed to implement these recommendations but has also, since then, adopted measures that have increasingly restricted media freedom.

President Paul Biya ratified a terrorism law in December 2014 with several aspects that are extremely worrying for media freedom, above all the lack of a clear and precise definition of terrorism. The law's vagueness allows it to be used widely against journalists, especially

those who provide detailed coverage of the army's efforts to combat Boko Haram or the protests in the anglophone regions.

The terrorism law provides for the possibility of death sentences. It also provides for disproportionate sanctions for journalists, which encourages them to censor themselves to avoid prosecution. Media editors and owners could, for example, be sentenced to up to 20 years in prison for "defending terrorism." The law also gives military courts exclusive responsibility for trying civilians, including journalists, who are charged with terrorism. This violates article 10 of the Universal Declaration of Human Rights, which says: "Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal, in the determination of his rights and obligations and of any criminal charge against him."

2. Mistreatment, arrests and arbitrary detention of journalists

Cameroon has a communication law (Code de la Communication) that is supposed to regulate media offences but, since the terrorism law's adoption in 2014, several journalists have been arrested in connection with the security situation, exposed to mistreatment during their often arbitrary detention and tried by military courts.

- **Ahmed Abba**, *Radio France Internationale's* Hausa-language correspondent in northern Cameroon, was sentenced to ten years in prison and a fine of nearly 85.000 euros on 24 April 2017 on a charge of "laundering the proceeds of an act of terrorism." His appeal is being heard but the hearings have already been adjourned twice. Abba has already spent more than two years in preventive detention. After being arrested on 30 July 2015 in connection with his coverage of Boko Haram attacks, he spent several months being held incommunicado, during which he was mistreated, until he was finally brought before a judge on 29 February 2016. During the trial, his lawyers often objected to procedural flaws, especially the prosecutor's procedural violations during the hearing on 6 April 2017 and the inadmissibility of the prosecution's expert reports.
- Two newspaper journalists, **Félix Cyriaque Ebolé Bola** of *Mutations* and **Rodrigue Tongue** of *Le Messager*, and university academic Baba Wame were charged in October 2014 (before the terrorism law's adoption) with failing to report a matter affecting state security. After the terrorism law was adopted, it was applied to their case, violating the principle that laws cannot be retroactive. They have not been detained pending the outcome of their trial, but they have the threat of a jail sentence hanging over them and it is preventing them from working freely.

Arrests under the terrorism law increased during the crackdown on protests in the anglophone regions from January to March 2017. RSF registered at least seven cases of journalists being arrested during this period, and can confirm that at least four of them were arrested in connection with their journalistic activity and coverage of the protests.

- *Radio Oxygène FM* journalist **Duval-Level Ebale** was abducted by masked men on 17 January, just two hours after the end of a broadcast in which he criticized the treatment of the anglophone delegation then in talks with government, Ebale's family reported.

- **Hans Achomba**, a documentary filmmaker, **Tim Finnian**, the editor of the *Life Time* weekly and **Atia Azohnwi**, the political editor of *The Sun* newspaper, all spent several months in detention before being freed under a presidential decree on 30 August 2017. Neither their arbitrary detention nor their release was officially explained.

3. State intimidation and censorship

3.1 Closure of media and public threats

In addition to the self-censorship fueled by the harassment of journalists who tackle taboo subjects (such as Boko Haram terrorism, government corruption and under-representation of anglophones in the government and state institutions), the government has adopted specific measures to block news coverage in recent years. Furthermore, politicians do not hesitate to openly criticize individual media outlets, thereby exposing them to additional potential abuses. Critical media have been increasingly subjected to broadcast bans, closures, subsidy cuts, censorship and related measures.

- In December 2016, the communication ministry banned all broadcast media from organizing phone-in programmes about the political crisis in the anglophone regions, in order to prevent criticism and silence protests.
- The National Communication Council (CNC), which regulates the media, announced on 6 December 2016 that 20 newspapers were being closed for extended periods and two others were being closed for good. The CNC also announced that the publishers of the two latter newspapers were banned from ever working as journalists again. Most of these newspapers supported the opposition.
- In a statement broadcast on national radio and TV on 20 January 2017, CNC president Peter Essoka (who was appointed by presidential decree) warned “all national state and privately-owned media against publishing or broadcasting any statement tending to condone secession or federalism on pain of (...) temporary suspension [or] a permanent operations ban.” He drew the public’s attention to seven media outlets, which he named and which he accused of encouraging anglophone regions to break away.
- On 11 January 2017, the governor of the northwestern region of Bamenda closed *Radio Cocoa FM* for hosting a debate about an anglophone teachers’ strike during a phone-in programme. Seals were placed on the radio station, which has not resumed broadcasting.

3.2 Internet cuts

Social networks, messaging services and news websites are not exempt from state censorship in Cameroon. Internet access was disconnected in the anglophone regions from 17 January to 21 April 2017 to prevent the local population from using social networks to exchange information about the protests and the crackdown. A United Nations resolution adopted in July 2016 (A/HRC/32/L.20) nonetheless says that cutting Internet access constitutes a human rights violation.

RSF's recommendations

Reporters Without Borders recommends that Cameroon's authorities should:

- Implement the recommendations on media freedom that Cameroon accepted during previous UPR sessions.
- Release *RFI* correspondent Ahmed Abba, who has been sentenced to ten years in prison by a military court under the terrorism law.
- Try media offences only under the communication law (Code de la Communication) and stop abusively prosecuting journalists under criminal laws.
- Amend the 2014 terrorism law, bringing it into line with international human rights law and, in particular, ensuring that it can no longer be used to try journalists before military courts.
- Stop arbitrarily arresting, detaining and mistreating journalists.
- Cease all acts of retaliation and harassment against journalists and other news providers.
- Put a stop to all public attacks and threats against media outlets by politicians.
- Ensure that all the media outlets closed by the CNC in December 2016 are able to reopen, allow them to operate in an independent manner and guarantee their editorial freedom.
- End Internet cuts and censorship of social networks and guarantee unrestricted use of the Internet throughout Cameroon, in accordance with international law.
- Establish a really independent media regulatory authority to replace the CNC, which is currently under the prime minister's authority and whose president and vice-president are appointed by presidential decree.

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