



Committee to Protect Journalists

UN HRC: Universal Periodic Review (Third Cycle): Stakeholder Submission: 2017

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Brief description of CPJ:

1. The Committee to Protect Journalists is an independent, nonprofit organization that promotes press freedom worldwide. We defend the right of journalists to report the news without fear of reprisal.
2. CPJ is made up of about 40 experts around the world, with headquarters in New York City. When press freedom violations occur, CPJ mobilizes a network of correspondents who report and take action on behalf of those targeted.
3. CPJ reports on violations in repressive countries, conflict zones, and established democracies alike. A board of prominent journalists from around the world helps guide CPJ's activities.
4. CPJ's work is based on its research, which provides a global snapshot of obstructions to a free press worldwide. CPJ's research staff document hundreds of attacks on the press each year.

Main submission:

5. The following submission is drawn from research conducted by the Committee to Protect Journalists. All CPJ publications on Cameroon can be found at [this link](#).ⁱ
6. CPJ would like to raise ongoing and grave concerns pertaining to 2nd Cycle (2013) - 16th Session - Recommendations from Theme: D43, Paragraph 131.65 (Germany) and Paragraph 131.141 (France), as well as from Theme: H1 Human rights defenders, Paragraph 131.112 (United Kingdom of Great Britain and Northern Ireland), Paragraph 131.114 (Hungary), Paragraph 131.111 (Spain), Paragraph 131.113 (Czech Republic), Paragraph 131.116 (Tunisia), and Paragraph 131.115 (Ireland) of the Matrice of recommendations. The concerns are as follows:
7. Criminal defamation legislation continues to exist in Cameroon and has been used against journalists.
8. Cameroonian authorities are using the December 2014 anti-terror law against journalists such as Ahmed Abba who report on the militants in the Far North region of Cameroon, and others who have reported on unrest in Cameroon's English-speaking regions or are critical of President Paul Biya's administration. Abba has remained in detention since July 30, 2015, and was in April 2017 sentenced to ten years in prison on terrorism related charges for his journalism.
9. Cameroon's [anti-terror law](#) is a powerful tool of fear, according to opposition parties, the media, trade unions, and civil society and human rights organizations.ⁱⁱ The law's provisions are criticized as overly broad with easy potential for abuse of political opponents and the right to freedom of expression. The law has a maximum penalty of the death sentence, and allows authorities to detain indefinitely those accused of terrorism. It also provides for prosecution in military court, contravening [Article 10 of the Universal Declaration of Human Rights](#), which guarantees individuals a fair, independent, and public hearing of any criminal charges against them, and the African Charter on Human and Peoples' Rights, which Cameroon [ratified](#) in 1989.ⁱⁱⁱ The African Charter states, "Military courts should not in any circumstances whatsoever have

jurisdiction over civilians." Civilians tried by a military tribunal are often denied their rights to a [fair trial and appeals process](#).^{iv}

10. In addition to Abba, CPJ was aware of at least four other journalists who faced charges under the [2014 anti-terror law](#) for their reporting: Atia Tilarious Azohnwi, political editor of *The Sun*; [Hans Achomba](#), a documentary filmmaker; [Mofor Ndong](#), the Bamenda-based publisher of the independent bi-monthly newspaper, *Voice of the Voiceless*; and [Tim Finnian](#), publisher and editor of the weekly newspaper, *Life Time*, were all detained in custody for several months until a presidential decree on [August 30, 2017](#) secured their release.^v The decree also ended criminal proceedings against Jean-Claude Agbortem of online magazine *Camer Veritas*, who was on bail on accusations of inciting terrorism. All of them faced trial before a military court and, if convicted, they could have faced the death penalty.
11. Cameroon's crackdown on the press deepened late last year amid the unrest in the English-speaking regions, CPJ research shows. The National Communication Council [handed down a series of penalties](#) on December 6, 2016, including suspensions ranging from one to six months and bans on 14 publishers and their newspapers, one radio station managing director, and 15 journalists from 10 print and online newspapers, radio, and television stations for reports that the council said included "[unfounded, offensive, and insinuating allegations](#)."^{vi}
12. The same month, the Ministry of Communication wrote to privately owned broadcasters instructing them to stop broadcasting political debates "concerning the current political atmosphere in the Southwest region," according to a [copy of the December 1 directive](#), shared on Twitter.^{vii}
13. Authorities briefly [suspended](#) broadcast permissions for the privately owned radio stations Radio Hot Cocoa in Bamenda, the capital of the Northwest region, on January 10, and Jakiri community radio station on January 12 for their coverage.^{viii} Jakiri was suspended after broadcasting a parliamentarian's call to protest the marginalization of Anglophones, according to [media reports](#).^{ix}
14. Gideon Taka, manager at Radio Hot Cocoa, told CPJ that the National Communication Council [blocked access](#) to its offices and studio on January 10 for [allegedly](#) fueling the crisis in the Northwest region through its program "Biggest Breakfast Show."^x Taka said that after he called the president of the council, the station was allowed to resume broadcasting within 48 hours "on the promise to continue to be objective in handling burning issues, especially during crisis situations."
15. On January 17, the government ordered an internet [shutdown](#) in the English-speaking regions, which lasted until [April 20](#).^{xi} The government said the move was intended to forestall a breakdown of law and order amid protests, strikes, and school closures, according to [media reports](#).^{xii} The shutdown was widely condemned, including by U.N. Special Rapporteur on Freedom of Expression David Kaye, who [described](#) it as "an appalling violation of

[Cameroonians'] right to freedom of expression."^{xiii} Without the internet, reporting on people's daily realities became extremely difficult. The media environment in Cameroon was [choked](#).^{xiv} Fear of reprisal, coupled with the internet shutdown, restricted communication between online and offline regions. Coverage of ongoing abuses was stifled.

16. On September 30 and during the days that followed, dominant social media and communication platforms, including Facebook and WhatsApp were [blocked](#) in the Northwest and Southwest (Anglophone) regions of the Cameroon.^{xv} Without secure, internet based communication tools, journalists' ability to communicate privately with sources became limited and self-censorship flourished. Without internet access journalists cannot publish online, nor can they conduct thorough investigations or talk securely with their sources.
17. On January 20, Peter Essoka, president of the National Communication Council, [threatened](#) on the state-owned Cameroon Radio and Television (CRTV) to suspend or shut down any media organization disseminating "seditious" content regarding calls for secession or federalism in Anglophone regions, according to press [reports](#).^{xvi} Essoka named the newspapers Le Messenger, Cameroon Post, The Guardian Post, The Times Journal, broadcasters Equinoxe TV, Spectrum TV, Canal 2 International, and some community radio stations as allegedly supporting the protests, the reports said.
18. Mokun Njouny Nelson, director of Foundation FM in Bamenda, said that his station briefly suspended broadcasts itself after the Ministry of Communications' regional representative summoned him for questioning in April.
19. Authorities have also attempted to target social media - [described](#) by the government-run daily The Cameroon Tribune on November 1, 2016 as "fast becoming a threat to peace and a [secret instrument](#) of manipulation."^{xvii} In a November 10, 2016 [speech](#) to parliament, Cavaye Yeguié Djibril, speaker of the National Assembly, called social media "a new form of terrorism ... as dangerous as a missile," according to media reports.^{xviii}
20. And in January, Cameroon's Ministry of Posts and Telecommunications sent mobile phone users [text messages warning](#) that they could face between six months and two years in prison and fines of up to 10 million Central African francs (US\$17,900) for sharing information about unrest.^{xix}
21. A journalist from the privately owned English-language daily *The Guardian Post* said that the newspaper's editorial line was tempered after the paper's bureau chief Fofung was arrested in February. A warning the same month from the National Communication Council accused the outlet of fueling the Anglophone crisis and threatened to shut it down if it did not immediately stop running articles on secession and federalism. The warning was repeatedly broadcast on the state-run CRTV. *The Guardian Post* management decided to drop all reports on calls for secession and the country's return to a two-state federation, the journalist, who asked to remain anonymous for fear of reprisal, said.

22. Anjianjei Constantine, who hosted “Talking Point” on the privately owned LTM satellite television station in Douala, told CPJ he was fired in January after refusing to sign a document saying that he would abide by a government directive to not discuss secession or federalism.
23. Constantine said his boss, Marthe Mouaha, told him that Communication Minister Issa Tchiroma Bakary had threatened in a phone call to ban the show and stop a government subsidy to the station.
24. On December 12, 2016, masked security officers detained Zigoto Tchaya, a local reporter for broadcaster France 24, for one day after he interviewed a barrister and activist based in Bamenda, according to media [reports](#).^{xx} And on February 1, BBC correspondent Randy Joe Sa'ah was [arrested](#) and his equipment seized for recording an impromptu briefing by the defense counsel of a group of activists when their trial before a military tribunal was postponed. The journalist told CPJ he was charged as an “accessory to propagate false information” and released on bail.^{xxi} On September 14, 2017, journalist Elie Smith, who had been openly critical of the Cameroonian government’s crackdown against the press and freedom of expression, was [fired](#) from the Cameroonian media outlet Canal 2 English, following a call to appear before Cameroonian Prime Minister Philemon Yang and “beg for forgiveness”.^{xxii} Smith did not oblige.
25. On October 1, the Cameroonian Minister of Information, Issa Tchiroma Bakary, [threatened](#) to shut down media outlets, notably Canal 2, which reported on secessionist perspectives in Cameroon.^{xxiii}
26. National Communication President Peter Essoka told journalists in Bamenda in July that cable distributors in the Northwest and Southwest regions airing the signal of the diaspora-based satellite broadcaster Southern Cameroons Broadcasting Corporation would be sanctioned, without specifying the penalties. The council’s actions led several journalists to tell CPJ that they believe the council is acting beyond its mandate.
27. As a result of the ongoing crackdown, multiple journalists, including [Mofor Ndong](#), have been forced into exile in Nigeria.^{xxiv}
28. None of those responsible for the crackdown against journalists and free press in Cameroon have been held accountable.
29. Cameroon’s blatant contravention of Recommendations made in the 2013 UPR is consistent with the government’s rejection of press related UPR Recommendations in 2009 and 2013. Notably, this includes the rejection of Recommendation 78 from paragraphs 16 (Germany), 17 (Netherlands) and 22 (Canada) 78 of the 2009 Cameroon UPR; and the the rejection of 116 (Tunisia), 65 (Germany), and 141 (France) of the 2013 Cameroon UPR.

Recommendations for the Cameroonian Government:

30. Release all jailed journalists and foster an environment conducive to press freedom by revising the country's 2014 anti-terrorism laws to ensure it cannot be abused to jail or harass journalists in relation to their work, decriminalizing defamation; and ensuring that security forces respect the confidentiality of journalists' sources.
31. Ensure Cameroon's anti-terrorism law is in line with international human rights standards and end the use of military courts and the death penalty during the trials of civilians.
32. Abolish detention without trial and ensure that arrests and detentions comply with international human rights law.
33. Launch an independent investigation into allegations that the intelligence service tortured RFI journalist Ahmed Abba in custody. Investigate claims that journalists detained in the headquarters of the National Gendarmerie in Yaoundé faced ill-treatment and inhumane conditions.
34. Order the government and National Communication Council to cease threatening the economic viability of critical outlets.
35. Abolish the National Communication Council and establish a new independent broadcast regulator with narrowly defined powers, along the lines of the Federal Communications Commission in the U.S.
36. Allow the media to establish independent self-regulatory bodies without interference from government.
37. Ensure that independent and self-regulatory associations, such as the Consortium of Journalism Associations, are able to operate freely and without interference.
38. Provide visas to international rights groups, including CPJ, and journalists so that they can investigate and report on conditions in Cameroon.
39. Maintain internet access and access to internet based communication platforms across the entire country, including the Northwest and Southwest regions.
40. These recommendations are consistent with those by the 2013 "JS2" Joint submission made by Pen International, Committee to Protect Journalists and Internet sans Frontières, UK, USA and France, and included in the 2013 Human Rights Council Working Group on the Universal Periodic Review Sixteenth session Summary. Notably, Recommendations 45, 73, and 75.

Annex 1: Relevant recommendations from 2nd Cycle (2013) - 16th session:

Theme: D43 Freedom of opinion and expression

1. 131.65 Decriminalize defamation, reform the legislation regulating the press in order to ensure more freedom for journalists and writers (Germany);
 - a. Source of position: A/HRC/24/2
2. 131.141 Ensure freedom of expression and the press by decriminalizing all press offenses and prosecuting all perpetrators of threats and attacks against human rights defenders and journalists (France);
 - a. Source of position: A/HRC/24/2

Theme: H1 Human rights defenders

1. 131.112 Provide active and immediate protection for all human rights defenders (United Kingdom of Great Britain and Northern Ireland);
 - a. Source of position: A/HRC/24/2
2. 131.114 Abide by its UPR engagements made in 2009 by fully respecting and protecting the rights and freedoms of Human Rights Defenders and journalists and that no fines or prison sentences are imposed on persons for expressing political views or opposition to the current government (Hungary);
 - a. Source of position: A/HRC/24/2
3. 131.111 Continue to investigate acts of threats and aggression against human rights defenders and journalists and bring to justice those perpetrators (Spain);
 - a. Source of position: A/HRC/24/2
4. 131.113 Make every effort to fully investigate all threats and attacks against human rights defenders and journalists and bring the perpetrators to justice (Czech Republic);
 - a. Source of position: A/HRC/24/2
5. 131.116 Ensure a favourable climate for the activities of journalists, human rights defenders and other actors of civil society (Tunisia);
 - a. Source of position: A/HRC/24/2
6. 131.115 Provide adequate protection to human rights defenders at risk, especially involving the right to freedom of expression, peaceful assembly and association (Ireland);
 - a. Source of position: A/HRC/24/2

Endnotes:

ⁱ <https://cpj.org/africa/cameroon/>

ⁱⁱ <http://www.cameroonconcordnews.com/do-anti-terrorism-laws-in-cameroon-shackle-the-hands-of-justice/>

ⁱⁱⁱ <http://www.un.org/en/universal-declaration-human-rights/> , <http://www.achpr.org/instruments/achpr/ratification/>

^{iv} <http://www.lrwc.org/right-to-trial-by-civilian-courts-international-law-on-the-use-of-military-tribunals-to-determine-the-rights-of-civilians-working-paper/>

^v <http://www.dibussi.com/2014/12/cameroon-terrorism-law.html> , <https://cpj.org/2017/08/cameroonian-police-detain-freelance-documentary-ma.php> , <https://cpj.org/2017/09/cameroon-publisher-detained-for->

more-than-eight-mo.php , <https://cpj.org/2017/08/life-time-editor-detained-without-trial-on-terror-.php> ,
<https://cpj.org/2017/09/cameroon-releases-three-journalists-jailed-under-a.php>
^{vi} <https://cpj.org/2016/12/press-freedom-under-attack-in-cameroon.php> ,
<http://cnc.gov.cm/images/DecisionAout2016/1.pdf>
^{vii} <https://twitter.com/ComfortMussa/status/809064498527162368>
^{viii} <https://cpj.org/2017/01/cameroon-suspends-radio-station-seals-office.php>
^{ix} <http://www.alafnet.com/cameroon-jakiri-community-radio-temporarily-suspended/>
^x <https://cpj.org/2017/01/cameroon-suspends-radio-station-seals-office.php> ,
<http://www.betatinz.com/2017/01/Anglophone-problem-southern-cameroon-news-update.html>
^{xi} <https://face2faceafrica.com/article/cameroon-internet-shutdown> , <http://www.bbc.com/news/world-africa-39665244>
^{xii} <https://qz.com/893401/cameroon-pressured-mtn-and-other-operators-to-shut-down-internet-in-bamenda-buea-regions/>
^{xiii} <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=21165&LangID=E>
^{xiv} <https://www.africaportal.org/features/journalists-under-duress-internet-shutdowns-africa-are-stifling-press-freedom/>
^{xv} http://www.africanews.com/2017/09/30/cameroon-blocks-social-media-access-in-restive-english-speaking-regions/?utm_content=bufferd6f78&utm_medium=social&utm_source=twitter.com&utm_campaign=buffer
^{xvi} <http://cameroon-concord.com/local/7628-cameroon-media-regulatory-chairman-peter-essoka-threatens-to-ban-private-media-covering-the-anglophone-crisis> ,
<http://apanews.net/index.php/fr/news/cameroun-severe-mise-en-garde-des-medias-contre-lapologie-de-la-secession-ou-du-federalisme>
^{xvii} <https://www.cameroon-tribune.cm/articles/2127/fr/> ,
<https://advox.globalvoices.org/2016/11/16/cameroonian-government-launches-campaign-against-social-media-calls-it-a-new-form-of-terrorism/>
^{xviii} http://www.assnat.cm/images/November_2016_Opening_Speech_Final.pdf
^{xix} <https://techcrunch.com/2017/04/30/1483467/>
^{xx} <https://www.theguardian.com/world/2016/dec/13/cameroon-urged-investigate-clashes-anglophone-regions>
^{xxi} <https://www.journalducameroun.com/en/arrested-bbc-correspondent-charged-accessory-propagate-false-information/>
^{xxii} <http://cameroon-concord.com/headlines/cameroon-canal-2-journalist-expulsed-under-philemon-yang-s-order>
^{xxiii} <https://twitter.com/237online/status/914358634234224641>
^{xxiv} http://www.lemonde.fr/afrique/article/2017/09/20/cameroun-j-ai-vecu-l-enfer-en-prison-mais-je-continuerai-a-me-battre-pour-mes-freres-anglophones_5188536_3212.html