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OPEN LETTER – BY EMAIL ONLY

His Excellency Paul Biya
President of the Republic of Cameroon
Yaoundé, Cameroon

Cc: **António Guterres**, Secretary General of the United Nations;
Michelle Bachelet, United Nations High Commissioner for Human Rights;
David Kaye, United Nations Special Rapporteur on Freedom of Opinion and Expression;
Cyril Ramaphosa, Chair of the Assembly of the African Union;
Solomon Dersso, Chair, African Commission on Human and Peoples' Rights;
Josep Borrell, High Representative of the Union for Foreign Affairs and Security Policy;
Jean-Yves Le Drian, Minister for Europe and Foreign Affairs, Republic of France

25 September 2020

Mr. President, Your Excellency,

I am writing to express my growing alarm in response to the brutal repression of lawful demonstrations held across Cameroon on 22 September 2020, and to inform you that you and others in your administration will be held accountable under international law for any gross violations of human rights committed by forces under your authority earlier this week and going forward.

Just four days ago, in my letter of 21 September 2020, I informed you that I represent Professor Maurice Kamto, President of the Cameroon Renaissance Movement (CRM), and that I will advocate for and defend the rights of Professor Kamto and the CRM to the fullest extent guaranteed in the Constitution of Cameroon and in international human rights law. I and observers worldwide expected the peaceful gatherings planned for 22 September 2020, in exercise of domestically and internationally guaranteed rights of freedom of expression and assembly, to be allowed and protected.

However, evidently your regime could not tolerate peaceful expressions of political opposition, and chose to deploy firearms, water cannons, tear gas and truncheons against peaceful protesters. Numerous sources, including from on-the-ground observers, paint a picture of heavy-handed repression through the intimidation, arbitrary arrest, detention, torture and physical injury of protesters.

I have received reports, including from the Collective of Lawyers of the Late Barrister Sylvain Souop, of tallies totaling 593 individuals arrested this week (141 in Centre Region; 67 in West Region; 383 in Littoral Region and one in each of East Region and South Region). There is evidence that the majority of those arrested were peaceful protesters who had not violated the law in any way. Scenes of torture and degrading treatment, that place your regime in violation of the United Nations Torture Convention, have been observed and filmed. Numerous people have been seriously injured. The fundamental rights of those tortured, otherwise injured, arrested, and/or detained have been grossly violated.

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In addition, journalists and a cameraman have been arrested, harassed or intimidated by police. Polycarpe Essomba, journalist from *Radio France Internationale*, was violently assaulted; Reinnier Kaze, correspondent for *Agence France Presse*, was arrested and his equipment seized; and Rodrigue Ngassi, cameraman at *Equinoxe TV*, was also assaulted, with images from his camera bearing witness to this, as reported by Reporters Without Borders. Lindo Ndjio, journalist with the daily *La Nouvelle Expression*, was arrested and William Omer Tchuisseu, journalist with *La Voix du Centre*, fled the scene to protect himself and avoid arrest. These attacks on the media and the freedom of expression represent yet more breaches of international and human rights law.

Lawyers have also been affected by the repressive practices of the Cameroonian authorities. Maître Jean-Jacques Kengne was illegally and arbitrarily arrested by the Head of the Bureau of Criminal Investigations of the Bafoussam Gendarmerie Group. This arrest is unacceptable and it is imperative that an end be put to the perennial interference which seriously hinders the exercise of the profession.

In an attempt to suppress the political activism of the CRM, the regime has also moved against two associates of Professor Kamto who were not even actively participating in the protests. Professor Alain Fogue, the CRM's treasurer, and Olivier Bibou Nissack, Professor Kamto's spokesperson, have both been arbitrarily arrested and detained.

Professor Fogue was arrested on the night of 21 to 22 September 2020, in front of Professor Kamto's residence. Late in the night, hundreds of CRM supporters had gathered outside the residence when word went out that the residence was under siege by the authorities, who had deployed heavy military equipment. Professor Fogue was arrested after intervening to put an end to acts of violence by a security officer against a CRM supporter. He was then himself subjected to acts of violence and is currently detained at the *Secretariat d'état à la Défense* (SED), which is not, under Cameroonian law, a legal place of detention.

Meanwhile, Mr. Bibou Nissack has been in provisional detention at the regional office of the Investigating Police in Yaoundé since 22 September 2020. In the early hours of 22 September 2020, he was visited by a *commissaire de police* who informed him that he was not authorized to leave his residence, which had been surrounded by security forces. At around 14:00 he was driven by the same person ostensibly for a meeting organized by the General Delegate for National Security. He was instead taken to the regional office of the Investigating Police where he was questioned, in the absence of his lawyers, by a dozen investigators from the police from approximately 14:50 to 23:00. Questions were asked about his political opinions, his political activities, the political program of the CRM and the financing of the CRM.

In response to the developments described above, it is my intention, along with co-counsel, to bring legal claims before appropriate national, regional, and international courts. In addition, we are prepared to advocate for the imposition of economic and other sanctions against government officials who have violated the basic human rights of Professor Kamto, his associates and the peaceful protesters.

The harassment and interference with peaceful political opposition activities and the violation of the rights of Professor Kamto, Professor Fogue, Mr. Nissack, their associates, members of the CRM, and of the protesters, could result in sanctions against Cameroonian officials under the Global Magnitsky Act

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of the United States of America and the United Kingdom's Global Human Rights Sanctions Regulations. Individuals in the Republic of Cameroon designated under these sanctions programs could face a wide range of consequences, including the freezing of bank accounts, seizures of internationally held assets, and revocations of travel visas for the designated individuals and their families.

In light of the above I strongly urge you to change course immediately, by releasing all individuals who have been arbitrarily detained, remedying the injuries and harm inflicted, and guaranteeing that henceforth there will be tolerance for the freedom of expression and assembly and for peaceful political dissent to be exercised in Cameroon.

I further urge you to heed the lessons of the modern and increasingly globalized and technologically connected world, in which traditional forms of political repression have increasingly backfired against those who employ them. Repression and violence will come back to haunt you and those acting under your authority.

Yours sincerely,



Robert Amsterdam
Partner, Amsterdam and Partners