



**MINISTÈRE DE LA COMMUNICATION**  
**MINISTRY OF COMMUNICATION**

**GOVERNMENT’S RESPONSE TO *AMNESTY INTERNATIONAL*’S  
REPORT TITLED “HUMAN RIGHTS UNDER FIRE: ATTACKS AND  
VIOLATIONS IN CAMEROON’S STRUGGLE WITH BOKO HARAM”**

**PRESS CONFERENCE**

**INTRODUCTORY STATEMENT OF  
H.E.Mr ISSA TCHIROMA BAKARY  
MINISTER OF COMMUNICATION**

*Yaoundé, September 17, 2015*

## Distinguished Journalists,

As you have certainly become aware since yesterday, a mission of the NGO dubbed Amnesty International, has published, during a press conference granted here in Yaoundé, its report on the respect of international humanitarian law and human rights in our country's fight against the Boko Haram terrorist organisation within our borders.

Let me indicate from the onset that Amnesty International's mission to Cameroon had received the agreement of the Cameroonian Government. It should be underscored that all doors were open to them and they were received by all government actors involved in the issue on their agenda (the Minister of State, Minister of Justice, Keeper of the Seals, the Minister Delegate at the Presidency of the Republic in charge of Defence, the Minister of External Relations, the Minister of Communication), and that the exchanges between the members of this mission and Cameroonian officials were held in a spirit of dialogue, openness, mutual respect and perfect conviviality.

Nevertheless, due to the persistent accusations against our Defense and Security Forces contained in the report published at the end of their works, in relation with what its authors consider as serious violations of international humanitarian law and human rights allegedly committed by Cameroonian military and police, the Government has deemed it necessary to give an appropriate response to such accusations which appear to be exaggerated and, in some cases, ungrounded.

In substance, and though it condemns – I would say as a mere empty apology – the atrocities committed by Boko Haram on our Defence and Security Forces and on our populations, Amnesty International accuses in a peremptory tone, the Cameroonian Army of, and I quote, “crimes under international law and human rights violations”.

Cameroonian Defence and Security Forces are being accused of mass arrests, unlawful killings, excessive use of force, enforced disappearances, tortures and deaths of inmates or suspected Boko Haram members.

Moreover, Amnesty International denounces the conditions of detention of Boko Haram prisoners in our prisons, as well as the slowness of judicial procedures involving the said Boko Haram Members before Cameroonian courts.

With regard to the alleged willful violation of human rights by our soldiers, I would first like to indicate to Amnesty International that the obligation to respect human rights, whether in time of peace or in war, is part and parcel of the training of our Defence and Security Forces, and that each time they have been on the battlefield, they have always complied to this obligation. I would like to recall that the State of Cameroon has domestic laws and has freely ratified all international agreements, conventions and treaties related to international humanitarian law and human rights.

Within the framework of Cameroon's struggle against the Boko Haram criminal and barbarous group, the **President of the Republic, His Excellency Paul BIYA, Head of State, Commander-In-Chief of the Army**, has specially instructed our Defence and Security Forces to strictly comply with these instruments that protect and promote human rights.

Such special instructions of the **Head of the Nation** are embodied in a set of measures taken whenever need be. As soon as they are arrested, Boko Haram suspects are handed over to the National Gendarmerie for investigation. Once the investigation is closed, suspects are brought before the Government Commissioner – that is to say, the representative of the State Counsel's Office – to the military court that has territorial jurisdiction. When the charges against the suspect are grounded, the Government Commissioner orders that the concerned should be put under custody, in compliance with the conditions laid down by common law. He goes further to issue a direct

judgment order which he submits to the approval of the Minister Delegate at the Presidency of the Republic in charge of Defence. Once the draft judgment order is approved, the case is handed over to the military court having territorial jurisdiction for enrolment. During the trial, the defendants are entitled to the rights of being defended by lawyers of their choice and, when they cannot afford, they are assigned court-appointed-lawyers whose fees are paid by the State. The proceedings are carried out in strict compliance with the rights of the defendants and, as such, the defendants have the right to produce before the court any element that can help establish their innocence, when pleading not guilty. At the end of the pending trial, the accused have the possibility, if they so wish, to appeal against the decision within the framework of the regulation and timeframes laid down by law. In this case, competence is shifted to common law jurisdictions, with the Court of Appeal having territorial jurisdiction over appeal, and the Supreme Court having competence in higher court appeal.

### **Distinguished Journalists,**

As it can easily be noticed, the mechanisms put in place in general or specifically related to the fight against Boko Haram in Cameroon, leave no room for anyone – be it the Defence and Security Forces or the civilian or military judicial system – to violate human rights without being punished.

Let me for instance cite one of the cases mentioned by Amnesty International in its report and which is presented by this NGO as one of the most gruesome violations of human rights committed by our Defence and Security Forces in fighting Boko Haram. Amnesty International pretends in this regard that, and allow me to quote an excerpt of its report: **“at least 200 men and boys were arrested on 27 December 2014 in the villages of MAGDEME and DOUBLÉ. In the same operation conducted jointly by the army, the police and the gendarmerie, at least 8 people, including a child, were killed, over 70 buildings were burnt and many possessions were stolen or destroyed.**

**The fate of most of those arrested in these two villages remains unknown. At least 25 of these men and boys – perhaps more - died in custody during the night of their arrest in a makeshift cell, while 45 others were taken and registered in Maroua’s prison the following day. At least 130 people, therefore, remain unaccounted for, presumed to be victims of enforced disappearance, with some evidence suggesting more may have died while in the custody of the security forces. Almost nine months after the incident, an internal investigation has yet to even identify those people who died, reveal the location of their bodies, or interview a number of key eyewitnesses,”** end of quote.

If we consider this case taken as example by Amnesty International, we will realise to what extent the investigations that these researchers pretend to have carried out overtly lack objectivity.

What actually happened during this operation?

Faced with the repeated attacks of the Boko Haram criminal group in some areas in the Far-North, the Administrative authorities and the High military command having territorial jurisdiction ordered a series of mass screening operations and cordon-search raids in roads across the localities affected by the said attacks, especially along the National road Number 1 between the towns of MORA and KOUSSERI, with special emphasis on MADEME and DOUBLÉ localities.

These search operations led to the arrest of seventy suspects, who were further transferred to the Maroua Gendarmerie Legion for thorough investigation.

Fourteen people among the arrested were then led to the cells of the Maroua Territorial Brigade, whereas the others, fifty-six in number, were kept in custody in a place designed especially for that purpose at the Gendarmerie Legion, because all the cells of the Gendarmerie, as well as the Maroua central prison, were already congested.

On early December 28, 2014, after opening the premises where the suspects were kept the day before at the Gendarmerie Legion, it was noticed that twenty-five suspects were dead.

A forensic doctor then carried out autopsies on the mortal remains before ordering their burial. According to the forensic reports subsequently issued, the deceased died following, and I quote: **“a collective chemical intoxication after ingesting unidentified chemical and traditional products, with quick organic cytolysis,”** end of quote. Let me indicate that in the medical field, cytolysis means the dissolution or destruction of cells, which can occur, among other reasons, after drug intoxication.

Contrarily to the overt suspicions contained in Amnesty International's report, the death of these persons could therefore not be attributable to our Defence and Security Forces.

As far as the 45 other Boko Haram suspects arrested at MAGDÉMÉ and DOUBLÉ are concerned, they are currently detained at the Maroua central prison and standing trial before the competent military court, pursuant to Order to inform No. 020/MINDEF/0252 of February 16, 2015. The judiciary information opened before this court is underway.

The military justice has taken over the case, and investigations which are underway, will help establish responsibilities including, if applicable, those involving members of Defence and Security Forces.

With regard to the slowness of judicial procedures also mentioned in this report by Amnesty International, this is not specific to cases involving Boko Haram suspects and as a general rule, the Government spares no effort to find solutions that could help speed up pending proceedings in Cameroonian courts.

However, since Amnesty International seems interested only by the Boko Haram case, let me inform them that Law No. 2014/028 of December 23, 2014 to suppress acts of terrorism has henceforth annulled the instruction phase and as such, Boko Haram suspects are due to face direct trial before the competent courts, thereby avoiding the usually lengthy instruction phase.

In this vein, nine months after the enforcement of this law, 30 rulings concerning 88 people have already been issued in this matter by the Maroua Military Court.

Amnesty International's report further deplores the conditions of detention of Boko Haram prisoners, especially at the Maroua central prison. Let them know that there are no specific conditions to govern the detention of Boko Haram prisoners in Cameroon. These prisoners are treated in the same way as all other prisoners in compliance with the regulation laid down under common law.

The Cameroonian government has never ignored the fact that the overcrowding of prisons is one of its major concerns. Though detained or sentenced to imprisonment, the persons kept in Cameroonian penitentiaries have the right to await their judgement or serve their sentences in all dignity.

To this effect, the Government has undertaken, despite its financial constraints, a large-scale programme to construct new prisons and improve on the existing ones. In the meantime, some prisoners kept in overcrowded prisons will be transferred to less crowded penitentiaries.

**Distinguished Journalists**, this is the substance of the response we can give to the accusations contained in Amnesty International's report against our country, in the struggle for the eradication of the Boko Haram terrorist group on our territory.

However, I would like to call the attention of our interlocutors who are more concerned about the protection of human rights to the benefit of lawless criminal groups like the Boko Haram terrorist organisation, to the fact that they would be wise if they avoid getting into a misperception of a legitimate State fighting against the acts of

violation and destruction committed by an organisation whose soul and conscience are essentially built on the ground of terrorism.

I would therefore like to remind Amnesty International about these words of the **President of the Republic, His Excellency Paul BIYA**, to which, this NGO paradoxically does not fail to also make reference to, in its report on Cameroon, and I quote: **“The reality is simple. On one side, there are our forces, defenders of a modern and tolerant society which guarantees the exercise of human rights, including that of religion, as well as representative democracy. On the other side, namely Boko Haram and similar movements, there are partisans of an obscurantist and tyrannical society which has no consideration for human dignity,”** end of quote.

It should therefore be underscored that Boko Haram is not a State with which Cameroon could be at war. Boko Haram is a terrorist organisation, when we go by the intellectual and international definitions of this global threat, defined as **“each action [...] which intends to cause death or serious personal injuries to civilians or non-fighters, when the aim of such act is, in its nature or its context, to intimidate a population, or to force a government or international organisation to take any measure or to abstain from doing so”**.

We should well recall this universal definition of terrorism, because we have the impression that, in this matter, Amnesty International may be looking for legal arguments giving it ground to raise the implementation of international law and human rights to the situation currently prevailing in the fight led against Boko Haram by Nigeria, Cameroon, Chad and Niger. Amnesty International may be trying to turn acts of terrorism into acts of conventional war, as set up by international instruments in matters of preservation of the rights of enemy armies and the protection of civilian populations.

This was evident in the summary of the report that Amnesty International’s representatives published yesterday during their press conference, I quote: **“Based on the evidence gathered, Amnesty International believes that an internal armed conflict is taking place in the region – which appears to be a spillover of the conflict in Northern Nigeria – and that international humanitarian law, the laws of war, now apply,”** end of quote.

Yet, it is established in keeping with international law, that acts of terrorism cannot be assimilated to acts of war. Terrorism – and the international community has agreed on this – is the use of terror to serve political, religious, ideological or other motives – and it is indeed the case with Boko Haram, for purely criminal purposes, such criminals being individuals without morality and capable, without legitimate motive, of committing the worst barbaric acts and the most unspeakable atrocities.

Boko Haram’s aggression on Cameroon is not a conventional war, for which there is a specific legal framework at international level.

This legal framework to which some refer as the law of war, as embodied in the Geneva Conventions and their Additional Protocols, considered as the main international instruments of international humanitarian law, that is to say, the branch of international law that governs the conduct of armed conflicts with the aim to limit their consequences.

These Conventions, as well as their Additional Protocols, specially protect the persons who are not involved in the fights (civilians, health and religious staff or humanitarian organisations), as well as those who do not participate in the fights any longer, such as the injured, the sick, the shipwreck and war prisoners). In this spirit, acts violating the said law of war are qualified as war crimes.

We should all keep in mind that the notions of terrorism and terrorist acts such as those committed by Boko Haram do not fall within the legal framework of conventional war governed by the law of war as laid down by the community of nations, especially through the Geneva Conventions and their Additional Protocols.

Having said that, the **Head of State, His Excellency Paul BIYA**, has decided to fight Boko Haram in strict compliance with the national laws and international conventions ratified by Cameroon. And in the strict respect of the said conventions, Boko Haram is today on the verge of being defeated and wiped out.

At a time when the Multinational Joint Task Force of the front line countries is getting set for the final assault against Boko Haram, I would like to once again and on behalf of the Government, urge our populations to continue to give their unfailing support to our Defence and Security Forces, who are fighting to preserve the integrity of our territory, to guarantee the security of people and goods, and to uphold the ideals of peace and stability worldwide.

Still on behalf of the Government, I hereby call on our populations to be more than ever vigilant and to closely collaborate with administrative authorities and our Defence and Security Forces, in order to report and denounce any suspicious behavior or attitude noticed in their surroundings, in this ultimate phase of the fight against the Boko Haram criminal group.

To the families affected by the civilian and military tolls involving their relatives, following the assaults and atrocities committed by Boko Haram on our territory, I hereby reiterate the sincere condolences of **His Excellency the Presidency of the Republic**, on whose behalf I extend to them the assurance that the sacrifice of the lives claimed as a result of the ignominy and gruesome acts of these barbarous criminals will not be left unpunished.

I would also like, on behalf of the **President of the Republic, His Excellency Paul BIYA, Head of State, Commander-in-Chief of the Army**, to reiterate to our Defence and Security Forces, the commitment of the entire nation by their side, to once again hail the values of discipline, valiancy, self-denial, competence, honor and loyalty to the institutions of the Republic, that have earned them to defeat Boko Haram on the battle field, leaving them with no other possibility than to embark on coward suicide bombings against innocent and unarmed populations, which is obviously an indication that their days are henceforth numbered.

Now to conclude, talking to Amnesty International and other civil society organisations acting in the field of human rights promotion and protection, I would like to give the assurance that the Government of Cameroon remains, as it has always been the case, open to a constructive dialogue, for the sake of this noble ideal that we all share.

Thank you for your kind attention.