

PUBLIC

AI Index: AFR 17/15/98

Distrib: PG/SC

To: Health professionals  
From: Medical Office / Africa Regional Program  
Date: 20 November 1998

### ***MEDICAL LETTER WRITING ACTION***

#### **Deaths in custody and ill-treatment in prison CAMEROON**

Theme: deaths in custody / torture / lack of medical care / detention without charge or trial

#### **Summary**

Amnesty International is seriously concerned about reports that at least nine prisoners who were among some three hundred people arrested in Cameroon in early 1997 have died either as a result of torture and ill-treatment or lack of medical care. Those detained had been arrested following attacks by armed groups on several towns in North-West Province in March 1997 in which 10 people were killed. Fifty-eight prisoners, including two women, remain in custody without charge or trial. The latest death in custody was that of Lawrence Fai who died around 5 September 1998.

Amnesty International is urging the Cameroonian authorities to guarantee appropriate treatment for the remaining detainees and, in particular, to ensure that they are protected from torture or other ill-treatment. They should promptly be charged and brought to trial and any against whom there is no evidence of a recognizably criminal offence should be released.

#### **Recommended Actions**

Appeals are requested, preferably in French, from health professionals to the addresses below:

- C introducing yourself as a member of Amnesty International's health professional network
- C expressing serious concern at the death of Lawrence Fai and noting that prison authorities were reportedly reluctant to allow him to be transferred to hospital
- C calling for a prompt and impartial investigation into the circumstances of the deaths of Lawrence Fai and at least eight other prisoners detained since March 1997 as well as persistent reports of torture
- C urging the government of Cameroon to bring to justice anyone found responsible for deaths or for ill-treatment of prisoners
- C calling on the authorities to provide all detainees in Cameroon with adequate medical care in accordance with international human rights standards such as the Standard Minimum Rules for the Treatment of Prisoners [Article 22 (2)]
- C urging the authorities to promptly charge and bring to trial the remaining 58 detainees and to release any against whom there is no evidence of a recognizably criminal offence

If you receive no reply from the government or other recipients within two months of dispatch of your letter, please send a follow-up letter seeking a response. Please check with the medical team if you are sending appeals after 30 December 1998, and copy any replies you do receive to the International Secretariat (att: medical team).

#### **ADDRESSES**

Son Excellence M. Paul Biya  
Président de la République  
Palais de l'Unité  
1000 Yaoundé  
Cameroon  
Salutation: Monsieur le Président de la République / Dear President Biya

M. Laurent Eso  
Ministre de la Justice  
Garde des Sceaux, Ministère de la Justice  
1000 Yaoundé  
Cameroon  
Salutation: Monsieur le Ministre / Dear Minister

M. Samson Ename Ename  
Ministre de l'Administration territoriale  
Ministère de l'Administration territoriale  
1000 Yaoundé  
Cameroon  
Salutation: Monsieur le Ministre / Dear Minister

#### **COPIES TO:**

Dr Solomon Nfor Gwei  
President  
National Commission on Human Rights and Freedoms  
PO Box 20317  
Yaoundé  
Cameroon

Ordre des médecins du Cameroun  
BP 219  
1000 Yaoundé  
Cameroon

and to diplomatic representatives of Cameroon accredited to your country.

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***'No one shall be subjected to torture or to cruel, inhuman and degrading treatment'***

**Universal Declaration of Human Rights  
Article 5**

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CAMEROON**

Amnesty International is seriously concerned about reports that at least nine prisoners who were among some three hundred people arrested in Cameroon in early 1997 have died either as a result of torture and ill-treatment or lack of medical care. 58 prisoners, including two women, remain in detention. Those detained had been arrested following attacks by armed groups on several towns in North-West Province in March 1997 in which ten people were killed. The latest death to be reported was that of Lawrence Fai who died around 5 September 1998. His death considerably heightens concerns regarding access to medical care for other prisoners who are said to be seriously ill, including Ebenezer Akwanga who is believed to have suffered paralysis of his lower limbs and impaired vision as a result of torture.

**Case background**

While no group claimed responsibility for the attacks in North-West Province in March 1997, the authorities attributed them to members of a group supporting independence for Cameroon's two English-speaking provinces, North-West and South-West Provinces. Amnesty International has not been able to establish the identity of those responsible for the attacks. In addition, since these detainees have not been brought to trial, any evidence against them has not yet been tested in court. The prisoners were initially held in Bamenda in North-West Province but were subsequently transferred to the Central Prison in Yaoundé, known as Nkondengui prison, or the Principal Prison in Mfou. Many of them were tortured and ill-treated by the security forces at the time of their arrest and subsequently in detention.

Cases of deaths in custody among this group of prisoners include the following:

- c Emmanuel Konseh, who was reported to have been severely beaten and stabbed with a bayonet, died on 28 March 1997 while being transferred to Bamenda;
- c Samuel Tita, aged 38, died on 1 May 1997 apparently as a result of lack of food and medical care while held at the Gendarmerie Legion in Bamenda;
- c Pa Mathias Gwei who had become critically ill after having been tortured was reportedly denied adequate medical treatment and died on 25 May 1997, a few hours after he had finally been transferred to hospital;
- c Daniel Tata, from Bui Division, was reported to have died in custody at the Gendarmerie Legion in June 1997;
- c Ngwa Richard Formasoh, aged 25, reportedly died on 5 July 1997 as a result of dehydration caused by diarrhoea for which he did not receive treatment;
- c Lawrence Fai, who had become critically ill in the Central Prison in Yaoundé, died around 5 September 1998.

Fifty of the remaining 58 prisoners are now held at Central Prison in Yaoundé and the other eight, including Ebenezer Akwanga, at the Principal Prison in Mfou, some 20 kilometres from Yaoundé.

## **Prison Conditions in Cameroon**

Prison conditions are extremely harsh throughout Cameroon and fall far short of international standards for the treatment of prisoners. The severity of conditions in some prisons in Cameroon appears to be either deliberate or the result of serious negligence on the part of the authorities. Prisons are overcrowded and sanitary facilities, medical care and the food provided are generally inadequate. As a result, many prisoners suffer from health problems such as tuberculosis and skin diseases.

Ill-treatment of prisoners is endemic in Cameroon's prisons. Abuses against detainees are frequent, especially beatings on the soles of their feet, and beatings while suspended from a rod passed between the prisoners' hands tied behind his legs [*balançoire*].

## **Cameroon's obligations under international human rights law**

Cameroon ratified the International Covenant on Civil and Political Rights [ICCPR] in 1984 and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment [Convention against Torture] in 1986. By allowing torture and ill-treatment to take place in the country's prisons, the authorities are violating both these treaties [Article 7 of the ICCPR states 'No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment']. In 1994, the UN Human Rights Committee deplored the many cases of illegal detention, torture, death sentences and extrajudicial executions in Cameroon. Cameroon is expected to submit its third periodic report to the Committee in March 1999.

Cameroon is also a party to the African Charter on Human and Peoples' Rights [African Charter] which it ratified in 1989. Article 5 of the Charter prohibits 'all forms of exploitation and degradation of man particularly slavery, slave trade, torture, cruel, inhuman or degrading punishment and treatment'.

The UN Standard Minimum Rules for the Treatment of Prisoners call for at least one qualified medical officer to be available at every institution [Rule 22 (1)] and provide that "sick prisoners who require specialist treatment shall be transferred to specialized institutions or to civil hospitals" [Rule 22 (2)].

Significant new legislation at national level relating to the prohibition of torture was adopted by the National Assembly of Cameroon in November 1996 and promulgated by President Biya in January 1997. This amendment to the Penal Code specified that torture cannot be justified under any circumstances ["... *aucune circonstance exceptionnelle ... ne peut être invoquée pour justifier la torture*"] and that causing injury or death through torture is punishable by up to life imprisonment.

Amnesty International is calling on the Cameroonian government to respect and protect human rights - obligations which it has undertaken by ratifying the ICCPR, the Convention against Torture and the African Charter, and to treat detainees in the country's prisons humanely in accordance also with standards set out in the UN Standard Minimum Rules for the Treatment of Prisoners and the UN Body of Principles for the Protection of all Persons under Any Form of Detention or Imprisonment.

## **Related AI documents:**

- AI Index AFR 17/14/98: Further Information on Urgent Action [29 October 1998]
- AI Index AFR 17/11/98 Further Information on Urgent Action [14 August 1998]
- AI Index AFR 17/07/98 Urgent Action [15 April 1998]
- AI Index AFR 17/16/97: Cameroon: Blatant disregard for human rights [16 September 1997, country report, 39 pages]