



# General Assembly

Distr.: General  
20 September 2021

English, French and Spanish only

---

## Human Rights Council

### Forty-eighth session

13 September–1 October 2021

Agenda item 3

**Promotion and protection of all human rights, civil,  
political, economic, social and cultural rights,  
including the right to development**

### **Written statement\* submitted by Modern Advocacy, Humanitarian, Social and Rehabilitation Association, a non- governmental organization in special consultative status**

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[20 August 2021]

---

\* Issued as received, in the language(s) of submission only.



## **A Critical Reflection on Torture, Other Cruel, Inhuman or Degrading Treatment or Punishment that Fuels the Conflict within the English Speaking Regions of Cameroon**

The ethical essence of Human Rights norms and their corresponding dispositions are born in the spirit and cause to valorize the dignity of the human person and a peaceful and constructive socio-interactive culture for human existence.<sup>1</sup> However, reports across the world continue to float both national and international legal channels over heinous and inhuman acts committed against human persons and communities, especially by those with more authority and/or power over others. Such inhumanity pulls world human socio-interactive values at critical levels through which hatred, enmity and bitterness is inculcated within human spirits, and transformed into time bombs of strife and belligerence, in the quest for survival and retaliation. In the case of the English speaking North West and South West Regions of Cameroon duly addressed as Anglophone Cameroon, the escalating armed conflict has been duly harnessed by mental torture<sup>2</sup> for over 48 years long grievances.

The Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment of 10 December 1984 spells out the meaning of torture in both physical and mental terms, and is clearly differentiated from other sorts of punishments incidental to lawful sanctions.<sup>3</sup> Pursuant to resolution 44/14, the Human Rights Council convened intersessional panel discussion on 11 May 2021 in commemoration of the fifteenth anniversary of the responsibility to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity,<sup>4</sup> the Special Adviser to the Secretary-General on the Responsibility to Protect, recalled the responsibility to protect by Heads of State and Government during the 2005 World Summit, and ensuring that past failures of collective action, such as in Rwanda and Bosnia and Herzegovina, would never be repeated. She also reflected persistence of heinous and atrocious crimes perpetrated across the world, instigated by long-standing human rights violations and hatred triggers, notably widespread impunity, hate speech, social exclusion and discrimination.<sup>5</sup>

### **Some Pertinent Instances on Mental Torture Aggravation within Anglophone Cameroon**

According to several reports emanating from horrible human rights atrocities<sup>6</sup> recorded within Anglophone Cameroon, the civilian populations are increasingly being radicalized by both warring factions, thereby inducing severe instances of both physical and mental torture:

- Treated with utmost scorn either as “traitors” to the separatists’ belligerent cause, or as enemies of the military for failing to report non-state armed groups’ activities, some civilians have created their own groups for survival, and they neither support both

---

<sup>1</sup> Preamble of the 10 December 1948 Universal Declaration on Human Rights, and other derivative rights global norms: International Covenant on Civil and Political Rights of 19 December 1966; the International Covenant on Economic, Social and Cultural Rights of 16 December 1966; the convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment of 10 December 1984, make mention of the need to protect the inherent dignity of the human person.

<sup>2</sup> Mental torture is presented as in believing that one is being cheated on, or forced to be in a position that he/she does not belong to. International Crisis group reports draws light to the long standing issues liable for mental torture: <https://www.crisisgroup.org/africa/central-africa/cameroon/250-cameroons-anglophone-crisis-crossroads>.

<sup>3</sup> Article 1 states that: the term “torture” means any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him or a third person information or a confession, punishing him for an act he, or a third person has committed, or is suspected of having committed, or intimidating or coercing him or a third person, or for any reason based on discrimination of any kind, when such pain or suffering is inflicted by, or at the instigation of, or with the consent or acquiescence of a public official, or other person acting in an official capacity. Does not like issues, inherent in or incidental to lawful sanctions.

<sup>4</sup> Enshrined in the 2005 World Summit Outcome.

<sup>5</sup> A/HRC/48/39.

<sup>6</sup> <https://www.hrw.org/news/2021/08/02/cameroon-new-abuses-both-sides>.

warring ideologies but do engage in criminal activities such as kidnappings for ransom. The feeling of not belonging or not supported by either side instills in them the culture of societal hatred and nihilism. It is also common knowledge of constant fighting and killing between different non-state armed groups.

- In the event of a confrontation between the military and non-state armed groups, civilian populations within the vicinity pay the heavy price of both material and psychological damages. For example, where ever military personnel are killed, the surrounding inhabitants are severely tortured by one or either belligerent sides,<sup>7</sup> as a result of vengeful reactions by the affected belligerents.
- Political witch-hunting is also used to conduct arbitrary arrests, detentions and inflicting worse forms of physical and mental torture on some stronghold political opponents, resident within the conflict zones.<sup>8</sup>
- The persistent arena of insecurity that reigns within localities wherein non-state armed groups force local populations to contribute money to them or be kidnapped,<sup>9</sup> and State security control agents forcefully collect bribes from citizens without ID cards, local transporters, and other businessmen, otherwise, they face the risks of being brutalized or detained, further builds instances of mental torture and disgust for everything.

### **Engaging the Responsibility to Protect Populations against Systemic Antagonism, Antipathy Strive and Genocidal Tendencies**

Significant mental torture resulting from both material and psychological wounds is assessed among local populations within the war-affected zones in Anglophone Cameroon. Assessed extreme hatred upon non-State armed groups against each other, non-State armed groups against the military, non-State armed groups against State security forces and public officials, Anglophone separatist extremists against French speaking citizens, and local victimized populations against all other crime perpetrating parties and their relations, is galvanizing towards genocidal tendencies that need mechanisms for effective control, and the responsibility to protect well established. The Special Adviser to the Secretary-General on the Responsibility to Protect has indicated the importance of building resilience and addressing human rights violations before they escalate into atrocity crimes. This requires the need for allocating dedicated capacities and resources to human rights protection and the prevention of atrocities.<sup>10</sup> For Anglophone Cameroon, the following considerations are necessary:

- Conducting expert periodic assessment of risks and resilience in the conflict hit zones under a strategic national plan for atrocity prevention, and developing ameliorative or dynamic intervention mechanisms towards avoidance.
- Conducting periodic investigations on the manner in which torture and other human rights abuse reported cases are treated at the State security forces investigation levels,

<sup>7</sup> A recent case at Bali Nyonga Sub-Division with investigation order no: LDB.42/Vol.28/S.1078/2/ of 20 July 2021 at the State Counsel of the legal department Mezam Division, North West Region, whereof over 5 persons were arbitrarily arrested by elements of the gendarmerie Brigade in Bali Nyonga, and inhumanely tortured leading to the death of one of the victims. There have also been several reported instances in the past wherein non-state armed groups have brutally killed and truncated parts of human bodies and individuals they address as “enablers” or “black legs”.

<sup>8</sup> MAHSRA’s documented 8 August 2018 case file no. MA21/A14 forwarded to the Ministry of Justice, of an opposition political leader and teacher Mr. Nyamsekwen Christopher Kunbuma, arbitrarily arrested, disgraced and forced to undergo very degrading and inhuman arbitrary detention conditions in the gendarmerie groupement, Bamenda – North West Region of Cameroon and later remanded to the Bamenda central prisons without any obvious criminal charges (according to his complain).

<sup>9</sup> <https://www.aa.com.tr/en/africa/hrw-cameroon-anglophone-separatists-abusing-civilians/2174462>.

<sup>10</sup> A/HRC/48/39.

and also assessing the level of judiciary follow-up on reported cases or complains on human rights concerns, in order to combat falsehood, reluctance and negligence.

- Follow-up the outcome of all field confrontations between non-State armed groups and the military or State security forces for ascertaining that individually engaged inhuman vengeance actions suffered by the vulnerable and victimized populations, generally referred to as collective punishment, are mitigated and/or annihilated.

Standup For Human Rights! No to Torture! No to Illegal Arrests and Detentions! No to Collective Punishments! No to Atrocity Crimes!

---