

The Anglophone-Cameroonian Armed Conflict in North and South West Regions of Cameroon: The Rulings of International Humanitarian Law and Human Rights

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Abstract

Between 1960 and 2015, Cameroon has projected herself at the level of the international scene as one of the best peace crusading Nations in Sub Saharan Africa. Unfortunately, the reverse became for the first time in the History of Cameroon, a historical fact from 2016. This was as a result of the long outstanding Anglophone-Cameroonian squabble in Cameroon termed “Non-Existential”, relegated and poorly managed by the government for the past five decades, which transformed by October 2017 into a “Deadly Armed Conflict” in the two English Speaking Regions of Cameroon, between the Armed Separatists and Republican Soldiers of the Central Administration. This article thus examined the verdicts of Human Rights and the unlawful acts orchestrated by the Armed Separatists, likewise the Republican Soldiers, during the course of the “Deathly Armed Conflict”, which were not in line with the norms of International Humanitarian Law. From critical analyses made, this work unveiled that; both the Armed Separatists and the Republican Soldiers, went against Jus Cogens norms governing Armed Conflicts. It also un-raveled that; the belligerents committed a lot of atrocities which were not in conformity with International Human Rights Norms during the course of the Armed Conflict. These defiant acts weren’t limited to extra-judicial killings, kidnappings, burning of villages, mass-arrest, illegal detentions, maiming, deprivation from education, violence against humanitarian workers and institutions.

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These atrocities committed by the parties in this “Asymmetric War” in the two English speaking Regions of Cameroon, resulted to the killing of over 4.000 persons and the displacement of over 100.000 civilians, both internally and internationally.

Keywords: Anglophone-Cameroonian, Armed Conflict, International Humanitarian Law and Human Rights,

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INTRODUCTION

The Anglophone-Cameroonian problem in Cameroon, is a vestige of colonial legacy. 2020 marks the fourth year of the deathly Armed Conflict in the North and South West regions of Cameroon. Within the course of the Armed Conflict, over 35.000 Cameroonian citizens were killed and over hundreds of thousands have become people of concern by the UNHCR and hundreds of villages have been razed by The “Scorch Earth Policy” to nothing within the two English speaking regions of Cameroon. Though the existence of the Anglophone-Cameroonian problem has been refuted over decades by the government, it gained universal acceptance by 2017 and became an existential threat to the Unity of the Republic of Cameroon with resultant effects, which undermined Cameroon's national stability as well as that of the Central and West Africa Sub-Regions. The causes of the crisis that turned into a Deathly Armed Conflict by 2017, were both historical and immediate triggers of late 2016. “War is a game, regulated by international norms”.¹ The bases of the worth of humanity were set by the 1948 Universal Declaration of Human Rights² which were followed by multiple Protocols in the 70s, 80s and 90s. The main aims of this article is to look at the unlawful acts which were committed during the course of Deathly Armed Conflict in the two English speaking regions of Cameroon, by the Armed Separatists and by the government Armed Forces, which were not in conformity with norms governing Armed Conflicts and also those ones committed by the same belligerents which were out of human rights norms. It is based on these aforementioned articulations, which this paper takes its course.

CONCEPTUAL FRAMEWORK

A lot of scholarly works have been published on the Anglophone problems, armed conflicts, international humanitarian law (IHL) and human rights in Europe, United States of America (USA) and in other countries in Africa. As regard the verdicts of IHL and human rights over the Anglophone-Cameroonians’ crisis that turned into an armed conflict by 2017, nothing has been done for now, probably because a ceasefire hasn’t been called yet by the President of the Republic of Cameroon, who declared the war in 2017. This scientific write up, articulates on aforementioned concepts. Firstly, “Anglophone Cameroonian” are citizens of Cameroon whose biological parents were/are from the former British Southern Cameroons, which became the state of West Cameroon from 1961, when they decided to reunite with their former brothers of La Republique du Cameroun through a plebiscite that was organized by the United Nations Organizations (UNO) in British portion of German Kamerun, on the 11th of February 1961.³ By 1972 with the referendum that as organized in the Federal Republic of Cameroon, the name of the nation, changed from Federal Republic into United Republic of Cameroon.⁴ The state of West Cameroon from 1972 ceased and was balkanized into the North and South West Provinces, which were later changed in 2006 into regions by a special Presidential decree, past by H. E. President Paul Biya.⁵

¹Author’s perception of armed conflicts, based on his rich historical knowledge on armed conflicts, conflict resolution and management.

²The 1948 Declaration of Human Rights, General Assembly of the UN, Resolution No. 217A (III) of 10th of December 1948.

³V. G. Fanso, *Cameroon History for Secondary Schools and Colleges*, Vol II, London MacMillan Publisher, 1989.

⁴C. Nkatow Mafany, “Autonomization (Self-Reliant) and Livelihood Assistance of (to) Anglophone-Cameroonian Refugees in Nigeria: Evaluation and Value Judgment”, p.2, still to be published.

⁵Author’s analyzes.



Tabiy Ghansiwiyi, defines an Armed Conflict as a fighting or exchange of gun firings between belligerents of a conflict.⁶ It may be with the usage of conventional or non-conventional weaponries. In addition, armed conflict, may be asymmetric or non-asymmetric in nature, which may take the form of civil, national or international in character. Ngwa and Neba from their operational frame work, define human rights as the entitlements or claims that human being possesses by virtue of the fact that they are human beings, irrespective of race, colour, sex, religion, political opinion, nationality, social status etc.⁷ the universal base of human rights dates back to the 1948 Universal Declaration of Human Right, adopted by the General Assembly of the UNO in Resolution No.217A (III) of 10th December 1948.⁸

Finally, IHL is the branch of international law that is oriented by the considerations of humanity and the mitigation of human suffering. IHL embodies a set of international rules established by treaty or customs, which were specifically intended to solve humanitarian problems directly arising from international or non-international armed conflicts.⁹ It protects persons and property that are or may be affected by an armed conflicts and limits the rights of the parties to a conflict to use means of warfare of theirs. IHL main treaty sources applicable in international armed conflict are the four Geneva Conventions of 1949¹⁰ and their Additional Protocol I of 1977. IHL in law jargons has been described as “those international rules established by treaty or custom, which are specifically intended to solve humanitarian problems directly arising from international or non-international armed conflict and which, for humanitarian reasons, limit the rights of the parties to a conflict, to use methods and means of warfare of their choice, protect persons and property that are, or maybe affected by the conflicts.”¹¹

THE BIRTH OF ANGLOPHONE-CAMEROONIANS IN CAMEROON 1916-1961

The Republic of Cameroon is located between West and Central Africa. It stretches from the Atlantic North Word to Lake Chad Basin and South word to the tributaries of the Congo River. Precisely, its location is at the North Eastern end at the Gulf of Guinea, where the West African Coast takes a right angle turning South word near the Equator.¹² It lies between longitude 8° and 16° east of the Green Wich Meridian. Its base is round latitude 2° north of the Equator, with its Northern limits around latitude 13° north.¹³ Its shape, is like an irregular triangle with a total surface of about 475.442sq.km. It is bounded to the West by Nigeria, to the East

⁶J. Tabiy Ghansiwiyi, *Citizenship Education for Ordinary Level*, Limbe, Cameroon, 2015, p.290.

⁷J. Neba Ngwa and E. Neba Chenui, *Citizenship Education for Secondary Schools*, Vol. 3, Press Book-Limbe, Cameroon, 2014, p 135.

⁸The 1948 Declaration of Human Rights, General Assembly of the UN.

⁹K. Jastram and M. Achiron, UNHCR, *Refugee Protection: A Guide to International Refugee Law*, 2001, p.21.

¹⁰The main source of the humanitarian law, stems from the four Geneva conference of 1949. The first Geneva Convention of 1949, was on the amelioration of the conditions of the wounded and the sick in Armed forces in the field. This was first adopted in 1864 but was not universally known and taken as a consensual international binding law. The second Geneva Convention of 1949, focused on the amelioration of the conditions of wounded, sick and shipwrecked members of armed forces at sea. This was first adopted in 1906. Third Geneva Convention of 1949 was related on the treatment of prisoners of war, adopted in 1929, following from the Hague Conventions of 1899 and 1907. Fourth Geneva Convention of 1949, focused on the protection of civilian persons in Time of War.

¹¹Evangel et al, “The Ugandan Armed Conflict and the Rules of International Humanitarian Law” in *SCSR Journal of Development*, p. 5.

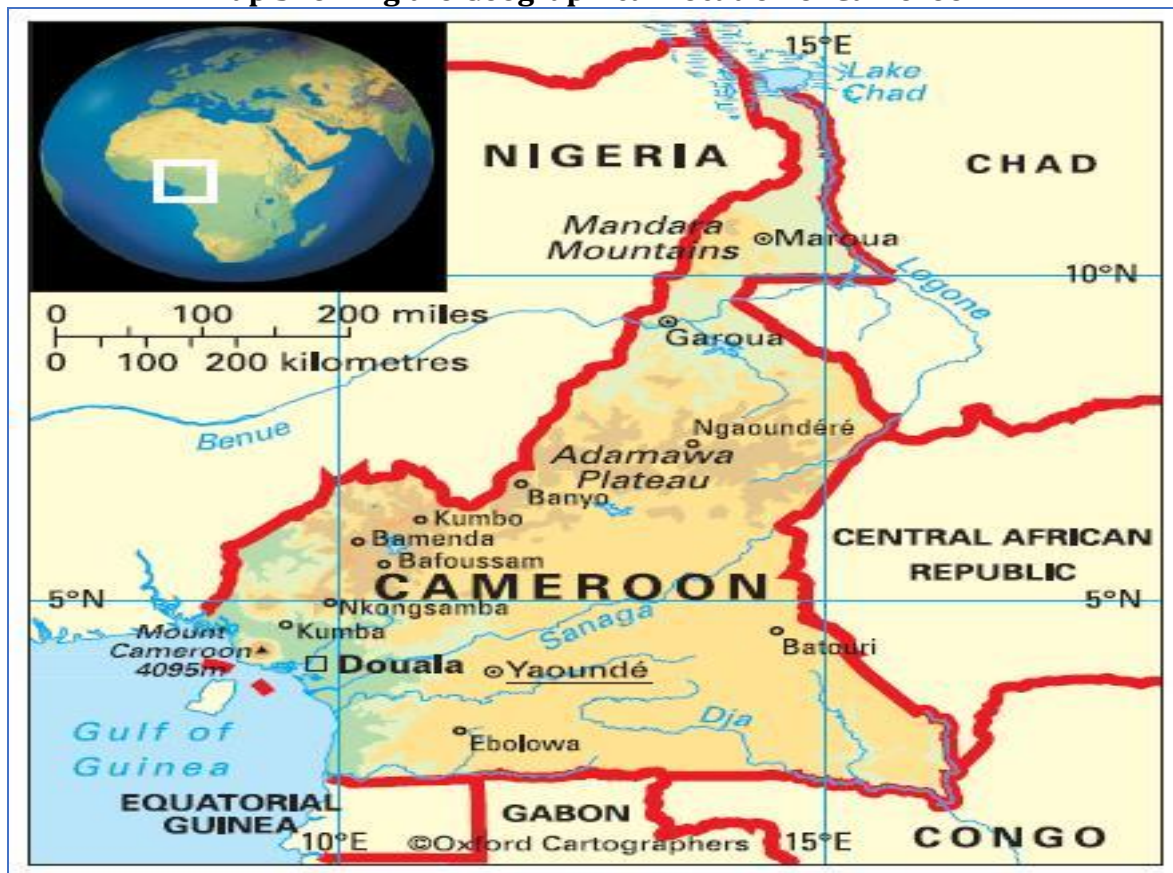
¹²V. G. Fanso, *Cameroon History for Secondary Schools and Colleges, from Pre-Historic Times to the Twenty-First Century (Revised and Updated Combined Edition)*, Team Work Press, Bamkika'ay-Kumbo, 2017, p.10.

¹³Ibid



by Central African Republic, to the South by Equatorial Guinea, Gabon and Congo. Today, it has a total population of about 25,000,000 inhabitants.¹⁴

Map Showing the Geographical Location of Cameroon



THE FALL OF CAMEROON UNDER THE WHIMS OF GERMANY AS A PROTECTORATE

By the 19th century, the main European powers that were interested over Cameroon were Britain, France and Germany. Unfortunately, on the Saturday 12 of July 1884, the territory was finally annexed by Germany.¹⁵ This was to the detriment of the British and the French. German rule lasted in Cameroon, from 1884 to 1916 when she was expelled by the Anglo-French forces. During this era, there were six German Colonial Governors. The first as Julius Baron Von Sodden (1885-1891) and the last was Karl Ebermaier (1912-1916).¹⁶

The 1914-1916 war broke out in Europe in August 1914 between the allies and members of the Central Powers. Unfortunately since Cameroon was a German protectorate, it was extended to German Kamerun.¹⁷ During the war in Cameroon, the French, the British and the Belgians fought the Germans. The war started in German Kamerun in August 1914 and ended in February 1916 with the ousting of the Germans by the Anglo-French forces.¹⁸ This resulted to the temporal division of German Kamerun in 1916 between the French and the British,¹⁹ which became final in 1919 with the signing of the Milner and Simon declaration. Placed under category "B" Mandate, which started in 1922 under the auspices of the League

¹⁴Ibid, p. 11.

¹⁵B. Stephen Takang, *An Illustrated History of Cameroon since 1800: A Digest for Advanced Students*, the Book House-Yaounde, Cameroon, 2017, p.55.

¹⁶Ibid, p.97.

¹⁷V. J. Ngho, *History of Cameroon Since 1800*, Press Book Limbe, Cameroon, 2005, p.123.

¹⁸Ibid.

¹⁹Ibid, p.136.

of Nations formed in 1919, lasted up to 1945 when the 1939-1945 war came to an end with the replacement of the League of Nations by the United Nations Organization (UNO). The status of the British and French portions of Cameroon as a mandate, changed from 1945 into trust territories, under the newly created UNO, which lasted up to 1st January 1960 in French portion of Cameroon and 1st October 1961 in British portion of Cameroon.²⁰

THE QUEST FOR SELF-RULE IN FRENCH CAMEROON

The Quest for Self-ruler took a U-turn in Cameroon as from 1945. In French Cameroon, due to the summoning of the January-February 1944 Brazzaville conference, by General Charles De Gaulle, French Cameroonians were granted a lot of political, economic and socio-cultural concessions. In 1946 the first Representative Assembly was formed in French Cameroon called Assemblée Representative du Cameroun (ARCAM) whose elections into were not transparent.²¹ In the following year the radicals (Nationalists) led by Reuben Um Nyobe formed the Cameroons Rally, in other words called Rassemblement Camerounaise (RACAM), with pro-independent objectives but was in the same year 1947 banned by the French colonial government in French Cameroon.²² The banning of this group resulted to the radicalization of the nationalists who by the 10th of April, 1948 created the first indigenous political party in French Cameroon called L'Union des Population du Cameroun (UPC), with objectives "immediate independence of French Cameroon and reunification with British portion of German Kamerun, known as British Southern Cameroons."²³

Due to the imperialist policies of the French, and also taking into considerations of the recommended of the 1944 conference for the representation of French Cameroonians at the French National Assembly, and also the rigging of the 1951 elections in French Cameroon against the UPC in favour of the Gradualists or the Moderates. By 1952, the 1946 Assembly was transformed to a Territorial Assembly called Assemblée Territoriale du Cameroun (ATCAM) whose elections were rigged infavour of the Evolutionaries.²⁴ This made militants of the UPC political party to stage a rebellion against the French colonial administration in French Cameroon. The end result were many amongst which was the banning of the party on 13th of July 1955 by the French high commissioner to French Cameroon called Roland Pre.²⁵ The 1955 UPC revolt made the French colonial administration to past the Loi Cadre or the outlined-enabling law in 1956 which enabled Andre Marie Mbida to lead the first Local Government between February 1957 to May 1958 when he was replaced by Ahmadou Ahidjo as the second Prime minister of French Cameroon whose government shot death the charismatic leader of UPC called UM Nyobe in his natal village Mboum Nyebe in 1958.²⁶ Ahmadou Ahidjo remained in power as Prime Minister until 1st January 1960 when he declared the independence of French Cameroon in Yaounde in front of the presence of François Mitterrand and the UN Secretary General called Dag Hammarskjold. He assumed the post of the first President of the Republic of Cameroon.²⁷

²⁰B. G. Eno, *Effective Modern History for Colleges*, NAB VENTURE-Bamenda, Cameroon, 2015, p. 230.

²¹Fanso, *Cameroon History*, p. 323.

²²J. Tajoche Tazifor and J. Tabi Ndir, *Cameroon History in the 19th and 20th Centuries*, Education Book Centre-Bamenda, Cameroon, p.103.

²³Ibid p.104.

²⁴Ibid.

²⁵Ibid, p.106.

²⁶Eno, *Effective Modern History for Colleges*, p. 152.

²⁷Ibid, p. 156.



THE QUEST FOR IDENTITY IN BRITISH SOUTHERN CAMEROONS

The aborigines of British Southern Cameroons had an interesting political carrier after 1945. Before 1945, they were still attached to Nigeria under the Clifford constitution of 1922, where they were represented at Lagos from 1942 by Jesko William Manga Bell from Victoria.²⁸ Due to the short comings of Governor General Clifford, he was replaced in 1947 by Governor Richard. His constitutional amendments divided Nigeria into three regions, namely; the Yoruba western zone, the Igbo eastern zone and the Hausa Northern zone. Secondly, British Southern Cameroons became an integral part of the Eastern Region of Nigeria, represented by Native Authorities (Jesko William and Fon Galega of Bali) at the level of the Eastern Region of Nigeria, with capital Enugu.²⁹ Under this same constitution, British Northern Cameroons was ruled as an integral part of the Hausa Northern Region of Nigeria.³⁰

Due to the clamoring voices from British Southern Cameroons for an identity and pressure from the Nigerians for their dissatisfaction of the 1947 constitution, by 1951, Governor Richard was retired and as replaced by Governor Macpherson. What was his pay package for British southern Cameroonian?

- British Southern Cameroons was to remain under the Eastern Region of Nigeria.
- British Southern Cameroons was to be represented by thirteen elected members out of the eighty with a ministerial post at the Eastern Executive Council.
- British Southern Cameroons as to have six members out of the thirty four delegates from the Eastern Regional House to the Central Legislature at Lagos and one Ministerial seat at the Federal Council in Lagos.³¹

Following the aforementioned 1951 constitutional recommendations, the following were elected as Southern Cameroon's plenipotentiaries from the six divisions of Southern Cameroons: From Bamenda division, J. N Foncha, S. T Muna and V. T. Lainjo were chosen. From Nkambe, J. T. Ndze and A. J. Ngala were elected. From Wum division, J. C. Kangsen and S. C. Ndi were elected. From Mamfe Division, S. A. George and M. N. Forju were selected. In Kumba Division, N. N. Mbile and R. N. Charley were elected and finally in the Victoria Division, E. M. L Endeley and P. N. Metomby Woleta.³²

Consequently, S. T. Muna was made Minister of Works at the level of the Eastern Region of Nigeria and Dr. E. M. L. Endeley was appointed Minister of Labour at the Legislative Council in Lagos.³³ Unfortunately, the fruitful 1951 constitution did not last long as a result of a crisis that broke out in the Eastern Region of Nigeria within the National Council of Nigeria and Cameroon (NCNC) concerning the national chairman of NCNC (Dr. Nnamdie Azikiwe) and his Deputy (Prof. Eyo-Ita), which affected British Southern Cameroons.³⁴ The causes were insubordination and power struggle which under minded the interest of British Southern Cameroonians in the Eastern Region of Nigeria. This was manifested with the dismissal and refusal for the re-instatement of S. T. Muna as Minister of Works. Due to deliberate refusal for his reinstatement, Dr. E. M. L. Endeley abandoned his Federal Ministerial post and led a movement constituting of nine out of the thirteen Southern Cameroonian plenipotentiaries to Nigeria, called "the Benevolent Neutrality Bloc".³⁵ The mission of this bloc was to stay Clare

²⁸Tajoche Tazifor and Tabi Ndip, *Cameroon History in the 19th and 20th Centuries*, p.111.

²⁹Ibid.

³⁰Ibid.

³¹Ibid, p. 114.

³²Ngoh, *History of Cameroon since 1800*, p. 222.

³³Eno, *Effective Modern History*, p.173.

³⁴Ibid, p.176.

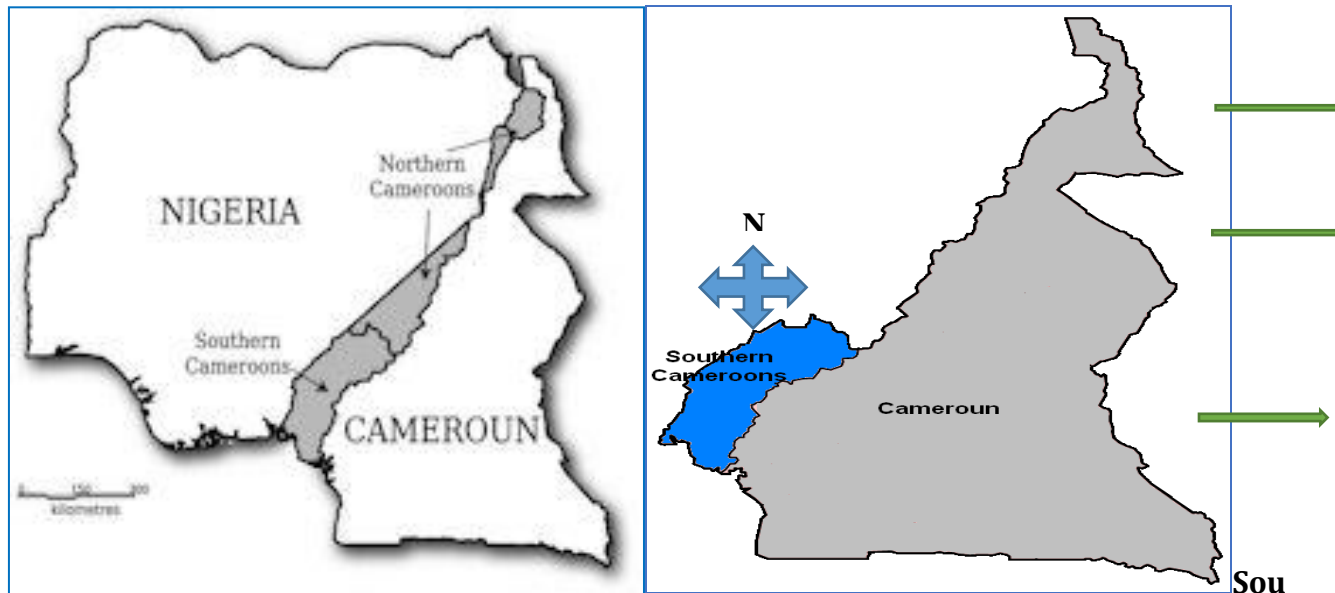
³⁵Ibid.



from any political entanglement with the Eastern Region of Nigeria. Their withdrawal resulted to the Memfe conference of 1953.³⁶ All Southern Cameroonian delegates agreed and a petition was sent to Lord Oliver Lyttleton, the Secretary of State for colonies. By 1954 under the governorship of Lyttleton, British Southern Cameroons was granted a Semi or Quasi Regional Status with Dr. E. M. L. Endeley as the Leader of Government Business. By 1958 British Southern Cameroons was granted a Full Region with Dr. E. M. L. Endeley as the first Prime Minister of British Southern Cameroons. By 1959, J. N. Foncha replaced Endeley as the second Prime Minister of British Southern Cameroons under Kamerun National Democratic Party (KNDP) formed in 1955 with reunification tendency.³⁷

By 1961 due to different political platforms concerning the fate of British Southern Cameroons³⁸ the UNO organized a plebiscite on the 11th of February 1961. The framed questions were integration with Nigeria verses reunification with the independent Republic of Cameroon. Endeley under Cameroon People National Congress (CPNC)³⁹ stood for integration while Foncha under KNDP stood for reunification. Consequently, reunification won in British Southern Cameroons while integration on in British Northern Cameroons.⁴⁰

The Resultant Plebiscite of 1961 in British Cameroons



Source: Adapted by the author from the Administrative map of Cameroon, NIC, 2009, p.2.

The modalities of the coming together of French Cameroon and British Southern Cameroons, was through series of constitutional conferences. The most important was the 17th to the 21st July Fouban constitutional conference where a federal system of government was chosen.⁴¹ The final reunification day was on 1st of October 1961 which wasn't materialized legally. With the birth of the Federal Republic of Cameroon in 1961, West of the territory to the Mungo, became West Cameroon who were termed Anglophone-Cameroonians (former inhabitants of the British Portion of German Kamerun) and the portion of the land East of the Mungo, was occupied by Francophone-Cameroonians (former inhabitants of French portion of German

³⁶Takang, *An Illustrated History of Cameroon*, p.191.

³⁷Ibid, p.192.

³⁸Fanso, *Cameroon History*, p. 324.

³⁹Ibid, p.325.

⁴⁰Ibid.

⁴¹Tajoche Tazifor and Tabi Ndip, *Cameroon History in the 19th and 20th Centuries*, p.127.

Kamerun). The Federation, lasted up to 20th of May 1972 when the name was changed into United Republic of Cameroon by President Ahmadou Ahidjo. By 1984 President Paul Biya re-named the territory “the Republic of Cameroon”. From October 1961 till date, the Anglophone-Cameroonians have expressed issues of being discriminated by the Francophone-Cameroonians majority. They also expressed issues of poor governance which were poorly handled and managed by the government majority Francophone-Cameroonians. By 2017, the Anglophone crisis that has been neglected, and termed “non-existentialist”, turned into a deadly Armed Conflict in the two English speaking regions of Cameroon.

STATE PARTIES TO THE ARMED CONFLICT

The Anglophone-Cameroonians armed conflict was a war of restoration of the statehood of the former British Southern Cameroons. It started as a crisis since 1961 and by 2017, it turned into an armed conflict within the two English speaking regions of Cameroon. There were three main stakeholders to the Anglophone-Cameroonians armed conflict in the two English speaking regions of Cameroon. They were the Separatists, the Federalists, the Cameroon government and the Unitarists. Concerning the point of view of the government, concerning the armed separatist conflict in the two English speaking regions, was a united. Concerning the interest of the state, she stood firm at maintaining a Unitary Republic (one and indivisible nation) through what so ever means and to ensure continuous international recognition and supports. Concerning the capacity of the state, vis-à-vis the conflict in the two English speaking regions, her capacity of containing the armed conflict in terms of regiment stood at 14.200 armed forces by 2014, 9.000 Gendarmerie by 2016 and finally the state media propaganda.⁴² Finally, concerning her relations, she stayed tune to military cooperation with France, military assistance from USA to fight Boko Haram as part of the multi-national task force.

The second actor was the separatist, led by the interim government of Ambazonian, known as the Ambazonian Governing Council (AGC). Concerning their position, concerning the armed conflict, they stood for the creation of an independent country of Ambazonian through the use of peaceful and diplomatic move and finally through the use of force. Concerning their interest, they stood for total independence from Cameroon, access to power and resources, the release of the incarcerated leaders. Concerning the capacity of the state, it constituted of the Ambazonian Defence Force (ADF), comprising of over 2.000 fighters, the Red Dragons (RDs), the Seven Carta etc and finally, the Southern Cameroon Broadcasting Cooperation (SCBC) for separatist propaganda.⁴³

The third party to the conflict was the Federalists, shadowed by the Social Democratic Front (SDF). They stood for the federalization of Cameroon. Concerning their interest, was to end political and economic marginalization of the Anglophone-Cameroonians by the majority Francophone-Cameroonians. Concerning its capacity, SDF had eighteen (18) out of 180 seats at the National Assembly. The last party to the conflict, were the Unitarists. They maintained that; the comprehensive development of the Anglophone-Cameroonians armed conflict in the two English regions of Cameroon will be possible in a unitary state. Concerning their interest,

⁴²J. Sambitla Tita Fangbung et al “The Protection of Civilians in Anglophone Crisis in Cameroon: An over Vie of the Responsibilities of the State and Non-States Armed Groups” in *Internal Journal of Research and Innovation (IJRI)*, Vol. 4, February 2020, p.12.

⁴³Ibid, p.13.



they stood for advanced decentralization, a special status for North and South West Regions of Cameroon. They shared same view with the government of the Republic of Cameroon.⁴⁴

THE ARMED CONFLICT IN THE NORTH AND SOUTH WEST REGIONS

The Anglophone-Cameroonian armed conflict in the North and South west Regions of Cameroon, was one of the first of its kind, in the annals of Cameroon History since 1st October 1961. This crisis that took the form of an armed conflict, started as far back as 1961, immediately after the so called “Foumban Jamboree”. The armed belligerents or protagonists were mainly the “Pro-Independent Fighters”, also called the “Ambasonian Boys” or the “Amba-Boys”, versus the government of La Republique du Cameroun (the Administration) through the Republican Soldiers. The neglect or the refute of Existentiality of an Anglophone problem in Cameroon by top government officials and majority of Francophone-Cameroonians in Cameroon, resulted to the poor management of the Lawyers'-Teachers' peaceful manifestation of 2016, which by early 2017, took the form of an armed conflict in the two English speaking regions of Cameroon, caused by the declaration of war against the claimed existential Ambasonian Republic⁴⁵, refuted by the President of the Republic of Cameroon, as “Non-Existential”, by President Paul Biya.⁴⁶ The causes of this crisis that turned into a deadly armed conflict, due to neglect and poor management, were both historical and certain immediate triggers by 2016, as would be systematically been examined below.

The current violence in the two Anglophone regions of Cameroon cannot be properly comprehended outside the historical context in which it has arisen. At first, the 1916 division of German Kamerun resulted to balkanization of Cameroon into two fractions, held (1/5) to the West by the British government and held (4/5) to the East by the French government, as Mandate and by 1945 as Trust Territories.⁴⁷ However, decades of French and British colonial policy transformed the physical border into deeper roots, which created complex cultural differences that have been manifested in the practices of communities and embedded in the socio-political structure. By 1961 independentists British Southern Cameroonian stakeholders' campaign was denied to the people. Notably, the plebiscite did not provide the option of total and separate independence for either the British Northern or the British Southern Cameroons. The plebiscite outcome in Northern Cameroons was integration with Nigeria. Conversely, the outcome in British Southern Cameroons was a total number of 233,571 persons that voted for reunification with La Republique du Cameroun, and 97,741 in favour of joining Nigeria.⁴⁸

Consequently, the reunification of British Southern Cameroons with La Republique du Cameroun has never been fully accepted by Anglophones' “Pro-Independentists” like Dr. E M. L Endeley, P. N. Kale etc.⁴⁹ Despite vociferous frustrations expressed by Anglophone stakeholders immediately after the 17th to 21 Foumban constitutional conference of 1961, these grievances have never been addressed by the Cameroon State and the international

⁴⁴P. Konings and F. Nyamjoh, “The Anglophone Problem In Cameroon” in *The Journal of Modern African Studies* (JMAS), Cambridge University press, 1997, p.10.

⁴⁵The former British Southern Cameroons was termed “the Federal Republic of Ambasonian” by the Pro-Independent fighters, called “the Ambasonian Boys or Amba Boys”

⁴⁶CRTV new.com, accessed on the 10th of March 2020.

⁴⁷Fanso, *Cameroon History for Cameroon Schools and Colleges*, p.123.

⁴⁸UN General Assembly Resolution 1608 (XV). Francis B. Nyamjoh and Nicodemus Fru Awasom, “Introduction”, in J. Percival, *the 1961 Cameroon Plebiscite. Choice or Betrayal: Choice or Betrayal*. African Books Collective, at 10, 2008, p.12.

⁴⁹R. Willis et al, *Human Rights Abuses in the Cameroon Anglophone Crisis*, A Submission of Evidence to UK Parliament, University of Oxford, Faculty of Law, 30th November 2019, p.13.



community.⁵⁰ The results of the reunification of British Southern Cameroons with La Republique du Cameroun were many. The Federal Republic of Cameroon became constitutionally bilingual, with French and English as the two official languages that retained equal legal status.⁵¹ Moreover, the colonial imposition of European legal systems have remained in place, resulting to a bi-jural legal system operating in Cameroon, with Common Law operating in the two Anglophone Regions of North-South West and Civil Law systems operating in the other eight Francophone Regions of Cameroon. Bi-jural and educational challenges, such as conflicts of laws and controversies over which courts have jurisdiction (jurisprudence applicability), and the attempt of the assimilation of the English educational system by the Francophone-Cameroonians, remained central to the Anglophone Crisis.⁵²

Although British Southern Cameroons decided to reunify with La Republique du Cameroun, following the plebiscite of 11th of February 1961, Anglophone Cameroonian statehood, retained a form of institutional autonomy through a Federal system of governance, which involved multipartism, a degree of the rule of law, and the maintenance of educational and judicial systems established under British rule.⁵³ However, the institutional autonomy of the Anglophone-Cameroonian statehood, short-lived between 1961 and 1972, after which it was gradually eroded through series of political maneuvers, initiated by Ahmadou Ahidjo, the President of the Federal Republic of Cameroon. President Ahidjo's reforms included the introduction of one-party rule in 1966, and the dismantling of the federal system in favour of a unitary state, through a referendum held in 20th of May, 1972 in the Federal Republic of Cameroon.⁵⁴ The abolition of federalism was met with protest in West Cameroon. Albert Mukong, for example, was a journalist who spoke out against President Ahidjo's reforms,⁵⁵ as a result, was imprisoned for six years, first for communicating with the British Broadcasting Cooperation (BBC) and again for holding a meeting to discuss ways for the re-introduction of multi-party democracy in Cameroon.⁵⁶ The United Nations Human Rights Committee (UNHRC) ruled on the lawfulness of Mukong's arrest, and found that the Cameroonian State had violated several of Mukong's International Covenant on Civil and Political Rights (ICCPR), which included Mukong's Article 19 of the "Right to Freedom of Expression", and Article 7 on the "Right to be Free From Torture or Cruel, Inhumane and Degrading Treatment", among others.⁵⁷

Several Anglophone movements have developed since 1961, calling for the Anglophone Problem to be peacefully addressed through a genuine and an inclusive dialogue. These include the Southern Cameroons National Council and its former Southern Cameroons Youth League, the Free West Cameroon Movement, the Southern Cameroons

⁵⁰M. Emmanuelle Pommerolle and H. D. Marie Heungoup, *The Anglophone Crisis: The Cameroonian Postcolony*, 116/464 *African Affairs* 526, 2017, p.2.

⁵¹Article 1(2) of the 1972 Cameroon Constitution.

⁵²N. Ephraim Ngwafor, "Cameroon: The Law across the Bridge: Twenty Years (1972-1992) of Confusion", 26 *Revue Générale de Droit* 69, 1995, p.10, and in U. Schmid, "Legal pluralism as a source of conflict in multi-ethnic societies" in *Journal of Legal Pluralism & Unofficial Law*, 2001, p. 46.

⁵³E. Minang, "The Cameroon Anglophone Question in International Law" in *African Journal of International and Comparative Law*, Vol.35, 2014, p.22.

⁵⁴W. Albert Mukong, *Prisoner without a Crime. Disciplining Dissent in Ahidjo's Cameroon: Disciplining Dissent in Ahidjo's Cameroon*. African Books Collective, 2009, p.42.

⁵⁵*Ibid.*

⁵⁶Decision printed at Global Freedom of Expression, Columbia University, available at <https://globalfreedomofexpression.columbia.edu/cases/mukong-v-cameroon/> accessed 29 of October 2019.

⁵⁷Cameroon, United Nations Human Rights Committee, "Mukong's Affair", 458/1991, May 21, 1994.



Restoration Movement, the Cameroon Anglophone Movement, and the Ambasonian Movement.⁵⁸ There exists a well-documented history of actual and perceived marginalization of the Anglophone-Cameroonians from the North and South West Regions of Cameroon in Cameroon and their populations based on political representation and socio-economic under-development of the two English speaking regions since 1970s.⁵⁹ From the perspective of structuralism, Article 1 of the International Convention on Civil and Political Rights (ICCPR), guaranteeing the right to “self-determination” of all persons.⁶⁰ It includes the rights of all persons to determine their political status and freely pursue their economic, political and cultural development.”⁶¹ Mores so, the United Nations General Assembly (UNGA) Resolution 1352 was a total violation of the right to determine political status.⁶² In addition, the Anglophone-Cameroonian armed conflict in the two English speaking regions was further exacerbated by the total sidelining of the “Bamenda Resolution” of June 1961, during the Foumban Constitutional of 17th to 21st of July 1961 by the heavily led delegation of La Republique du Cameroun, backed by French constitutional experts. The summation of the afore-elaborated root points, sent a red signal to the Anglophone-Cameroonians both in Cameroon and abroad that they were not in total control of their political, economic and socio-cultural destiny.

Concerning the immediate causes or triggers of the Anglophone-Cameroonian armed conflict in the North and South West Regions of Cameroon, dates back to October 2016, when Cameroonian Common Law lawyers from the North and South West Regions of Cameroon decided to hold a peaceful protest to denounce the transfer of civil to adjudicate on common law matters in the two English-speaking regions of Cameroon, known as the North and the South West Regions of the country.⁶³ In respond, the Government responded by sending security forces and the Common Law Layers from the two to English speaking regions of Cameroon were brutalized by the forces of law and order in Bamenda and in Buea.⁶⁴ Consequently, it provoked anger amongst English-speaking Cameroonians. Shortly after that, the English speaking teachers joined the Lawyers on grounds that French teachers were sent to teach in English schools without having any idea of the English educational system.⁶⁵ Within a short span of time all other sectors in the English-speaking regions of Cameroon had joint the strike under the umbrella of The Cameroon Anglophone Civil Society Consortium (ACCSC) which now demanded for a return to the two-state federal system as agreed in

⁵⁸Marie-Emmanuelle Pommerolle and Hans De Marie Heungoup, “The “Anglophone Crisis”: The Cameroonian Postcolony”, 2017, 116/464 *African Affairs*, 529-30.

⁵⁹P. Konings, and F. B. Nyamnjoh, *Negotiating an Anglophone Identity: A Study of the Politics of Recognition and Representation in Cameroon*, Leiden: Brill, 2003, p.13.

⁶⁰See Article I of the International Convention on Civil and Political Rights (ICCPR).

⁶¹Konings, and Nyamnjoh, *Negotiating an Anglophone Identity*.

⁶²Ibid.

⁶³The Anglophone Problem and the Secessionist Option in Cameroon, Conference Them: African Engagements: On Who is who? Panel 56 on Secessionists Movement in Africa, Fourth European Conference on African Studies, Uppsala, Sweden. 2011 , Felix Nkongho, address to the Canadian Parliament on the Political Crisis in the English Speaking regions of Cameroon, October 2018.

⁶⁴U. Hedley Ungitoh, “The Legal Classification of the Current Political Upheavals in English Speaking Regions of Cameroon”, 2019, p.5.

⁶⁵Ibid.



1961.⁶⁶ In that same year in 2016, the consortium was banned. This was followed by the Arrest of Barrister Agbor Balla, Dr. Neba Fontem and others, of the Cameroon Anglophone Civil Society Consortium (CACSC).⁶⁷ The government responded by shutting down the internet in two English-speaking regions of Cameroon, arresting some key leaders like Agbor Mballa etc while others went in to exile.⁶⁸

This further led to radicalism amongst English-speaking Cameroonians in the North and South West Regions who became more defiant and decided to protest on the 22nd of September 2017. The government again responded with arbitrary arrests, detentions and extra judicial killings of the peaceful protesters. As usual the radicalism increased and on the 1st of October 2017⁶⁹, some Southern Cameroonians decided to symbolically declare independence of the “Ambasonian Republic”, which was termed by the President of the Republic of Cameroon H. E President Paul Biya; “Non-Existentental”.⁷⁰ The government further increased her clamp down on the political activists, with arbitrary arrests, detention and extrajudicial killings. As a result, different separatists’ groups in the English-speaking regions of Cameroon, decided to take up arms for self-defense as articulated in international.⁷¹ In response, the President of the Republic of Cameroon, H. E President Paul Biya, decided to declare war against the separatists, who picked arms against the state, termed by his government as “terrorists”, orchestrating terrorism by demanding for secession of the two English speaking Regions from the Republic. Recurrent attacks, maiming, kidnappings, arbitrary arrests, arbitrary detentions, rapping, killing of children, killing of pregnant women, attacks on non-combatants, burning of civilian houses, electricity cut, internet cut, declaration of Ghost Towns, imposition of curfew, decapitation of bodies etc have been the order of the Armed-conflict for over four years in both Not West and South Regions of Cameroon. The population was caught within the whims and caprices of the separatists and the military, which resulted to over 35.000 death, over 360 villages burnt over 437.000 being displaced internally and over 35.000 as refugees in Nigeria.⁷²

JUDICIAL AND LAGAL LANDSCAPE OF IHL

The Anglophone-Cameroonian Crisis has created a great deal of instability in Cameroon, and within the Central African Sub-Regions. It encompassed heavy crimes against humanity, which has been termed genocidal by the International Crisis Group (ICG).⁷³ The main treaty sources applicable in non-international armed conflicts are Article 3 common to the Geneva Conventions and Additional Protocol II of 1977. Origins of IHL can be traced to the nineteenth

⁶⁶V. J. Ngoh, *A Hundred Years of Cameroon History*, p.123.

⁶⁷The Anglophone Problem: An Analyses of the Anglophone Crisis in Cameroon, on ReserachGate, November 2019, p. 9.

⁶⁸Hedley Ungitoh, “The Legal Classification of the Current Political Upheavals in English Speaking Regions of Cameroon”, p.6.

⁶⁹E. Eboho Elong, *The Anglophone Problem and the Secessionist Option in Cameroon*, Conference Theme: African Engagements: On Who is who? Panel 56 on Secessionists, 2019, p.10.

⁷⁰Paul Biya, President of Cameroon Press Statement at the Yaounde Nsimalen International Airport, 2017.

⁷¹The right to self-defense is codified in international law. It was as a result of the clamped down on the political activists, with arbitrary arrests, detention and extrajudicial killings that pushed the different separatist groups in Both North and South West Regions of Cameroon, to pick up armed, as a right to “self-defense as articulated in most international law and armed conflicts guides.

⁷²UNHCR, *Cameroon Situation: Responding to the needs of the IDPs and Cameroonian Refugees in Nigeria, Supplementary Appeal*, January-December 2019, p.4.

⁷³International Crisis Group, *Cameroon's Anglophone Dialogue: A work in progress. International Crisis Group*, 26 September 2019, retrieved from <https://d2071andvip0wj.cloudfront.net/26-sept-19-cameroon-anglophone-dialogue.pdf>, on the 30th of March 2020.



century while the principles and practices on which it is based are traced to the eighteenth century.⁷⁴ IHL also referred to as “The Law of Armed Conflicts or the Law of Wars, designed to balance humanitarian concerns and military necessity”. IHL subjects warfare to the rule of law by limiting its destructive effect and mitigating human suffering.⁷⁵ IHL covers two key areas, namely: The protection and assistance to those affected by the hostilities like the refugees and the regulation of the means and methods of warfare.⁷⁶

The sources of IHL are traced to the International Conventions and the main treaties that set light on IHL were: The Hague Convention (1907) and the four Geneva Conventions (GCs) (1949). The two branches of law covered in The Hague and Geneva Conventions were further developed by the first two protocols, additional to the Geneva Conventions on the protection of civilians (1977). These are referred to as Additional Protocol I (AP I) governing international armed conflicts and Additional Protocol II (AP II) governing non-international armed conflict.⁷⁷ The four Geneva Conventions have achieved universal applicability as they have been universally been ratified. The Additional Protocols however, have yet to achieve near-universal acceptance. The United States of America and several other significant military powers like Iran, Israel, India and Pakistan are currently not parties to the protocols. IHL does not only apply to cases of armed conflicts but to all actors in armed conflicts. IHL distinguishes between international armed conflicts and non-international armed conflicts with much more limited range of written rules applying to the latter.

As adumbrated, the aim of international humanitarian law is to protect the human beings and to safeguard the dignity of man in the extreme situation of any armed conflict. Traditionally, IHL binds international conflicts and not civil. This position was in line with the principles of non-interference in the domestic affairs of a state as enshrined in Article 2(7) of the United Nations charter.⁷⁸ By 1949, its application was with the adoption of the Geneva Conventions. Common Article 3 of the 1949 Geneva Conventions states as follows:

In the case of armed conflicts not of an international character occurring in the territory of one of the high contracting parties, each Party to the conflict shall be bound to apply as a minimum the following provisions.⁷⁹

It further in subsequent Articles makes it clear that; Persons taking no active part in the hostilities, including members of armed forces who have laid down their arms and those placed hors de combat by sickness, wounds, detention or any other cause, it shall in all circumstances be treated humanely without any adverse distinction founded on race, colour, religion or faith, sex, birth or wealth, or any other similar criteria.⁸⁰ To this effect, the following acts are and shall remain prohibited at any time and in any place whatsoever with respect to the above-mentioned persons:

⁷⁴A. A. Bouvier, *International Humanitarian Law and The Law Of Armed Conflicts*, Peace Cooperation Training Institute, Willian burg, USA, 2012, p.23.

⁷⁵International Committee of Red Cross (ICRC), *International Humanitarian Law and the International Human Rights Law, Similarities and Differences*, Advisory Service on International Humanitarian Law, 2003, p. 1.

⁷⁶C. Nkatow Mafany, “Social Protection of Central African Refugees in the East Region of Cameroon”, a Thesis Submitted in Partial Fulfilment for the award of a Doctorate (Ph.D) in History of international relations, the University of Yaounde 1, p.250, still to be defended.

⁷⁷Antoine A. Bouvier, *International Humanitarian Law and the Law of Armed Conflicts*, Peace Operation Institute, James town, 2003, p.23.

⁷⁸See UN Charter.

⁷⁹Cite the 1949 Geneva Convention.

⁸⁰See the 1949 Geneva Convention.



- Violence to life and person, in particular murder of all kinds, mutilation, cruel treatment and torture
- Taking of hostages
- Outrages upon personal dignity, in particular, humiliating and degrading treatment
- The passing of sentences and the carrying out of executions without previous judgment pronounced by a regularly constituted court, affording all the judicial guarantees which are recognized as indispensable by civilized peoples.⁸¹
- Other basis of IHL are that the parties to a conflict must distinguish between the civilian population and combatants in order to spare the civilian population and civilian property. Neither the civilian population as a whole nor individual civilian may be attacked. Attacks may be made solely on military basis.⁸²
- More so, people who do not or cannot longer take part in hostilities are entitled to respect for their lives, for their physical and mental integrity. Such people in most circumstance be protected and treated with humanity without any unfavorable distinct whatever.
- It is also forbidden to kill or to wound an adversary who surrenders or who cannot longer take part in fighting.
- Neither parties to conflict nor members of the arm force have an unlimited right to choose method and means of warfare. It is forbidden to use weapons or method of warfare that are likely to cause unnecessary losses or excessive sufferings.⁸³
- Sixthly, the wounded and the sick must be collected and cared for by the parties to the conflict. Medical personnel and establishments, transport and equipments must be spared. The Red Cross or the red Crescent cross on a white background is the distinctive sign, indicating that such persons and objects must be respected.
- Lastly, captured combatants and civilians who find themselves under the authority of the adverse party are entitled to respect for their lives, their dignity, and their personal rights, political and religious conviction. They must be protected against all forms of violent or reprisal. They are entitled to exchanged news with their families and receive aid. They most enjoy basic judicial guarantees.⁸⁴

Following the second Geneva Convention, it was made clear and re-emphasized that the wounded, sick and shipwrecked shall be collected and cared for an impartial humanitarian body such as the International Committee of the Red Cross may offer its services to the parties to the conflicts.⁸⁵ The parties to the conflict should further endeavour to bring into force, by means of special agreements, all or part of the other provision of the present convention. The application of the preceding provisions shall not affect the legal status of the parties to the conflict.⁸⁶ The above provisions were further re-enforced with the adoption, in 1977, of Additional Protocol II. According to Article 1(1) of Additional Protocol II, the protocol is to apply to all armed conflicts not of international character and which takes place in “the territory of a High Contracting Party between its armed forces and dissident armed forces or other organized armed groups which”, under responsible command, exercise such control over a part of its territory as to enable them to carry out sustained and concerned military operations and to implement the protocol.⁸⁷

⁸¹Ibid.

⁸²A. A. Bouvier, *International Humanitarian Law and the Law of Armed Conflicts*, Peace Operation Training Institute, Williamburg, USA, 2012, p.13.

⁸³Ibid.

⁸⁴Ibid.

⁸⁵Nkatow Mafany, “Social Protection of Central African Refugees in the East Region of Cameroon, 1948-2017: A Historical Investigation”, p.89.

⁸⁶Ibid.

⁸⁷The 1977 Protocol (1 and 2) of the Geneva Convention of 1949.



It is clear from the above, that “armed conflicts must, take place between the armed forces of a high Contracting Party and dissidents’ armed forces or other organized armed groups, and shall not apply to situations of internal disturbances and tensions, such as riots, isolated and sporadic acts of violence, and other acts of a similar nature.”⁸⁸ By every standard, the Anglophone-Cameroonian crisis that took the form of an armed conflict by 2017, conformed in context with Common Article 1977 (3) and Additional Protocol (II), of the Geneva Convention of 1949, to be described as “Intra State Armed Conflict”, in that the so called Ambasonian (Amba) Boys were fighting to re-instate the statehood of British Southern Cameroonians, usurped in 1961 through the UN-organized plebiscite, which frustrated the aspirations of British Southern Cameroonians.

LEGAL LANDSCAPE OF HUMAN RIGHTS

The Cameroonian Constitution contains the traditional fundamental rights, freedoms and protections. These include the right to life, liberty and security of persons;⁸⁹ the prohibition of torture or to cruel, inhumane or degrading treatment or punishment;⁹⁰ fair trial protections; equal protection before the law and non-discrimination;⁹¹ and the prohibition of arbitrary arrest, detention or exile.⁹² Under the Cameroonian Constitution, international law retains primacy over national laws.⁹³ It is notable that Cameroon is a contracting state party to a number of international and regional human rights law instruments that are relevant for purposes of the human rights abuses namely:

- The African Charter on Human and Peoples’ Rights (Ratified by the Republic of Cameroon on 30th of June 1989)
- The Convention Against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment (Ratified by the Republic of Cameroon on 19th December 1986)
- The Convention on the Elimination of All Forms of Discrimination against Women (Ratified by the Republic of Cameroon on 23th August 1994)
- Convention on the Rights of the Child (ratified by the Republic of Cameroon on 11th January 1993)
- The International Convention on the Elimination of All Forms of Racial Discrimination (ratified by the Republic of Cameroon on 24th June 1971)
- The International Covenant on Civil and Political Rights (ratified by the Republic of Cameroon on 27th June 1984)
- The International Covenant on Economic, Social and Cultural Rights (ratified by the Republic of Cameroon on 27th June 1984).⁹⁴

Cameroon is also a state party to the four Geneva Conventions of 1949, as well as their two Additional Protocols adopted in 1977. It remains an open legal question whether the Anglophone-Cameroonian Crisis that turned into an armed conflict in 2017, could be classified as a non-international armed conflict, which is between state forces (the Cameroonian Armed Forces) and non-governmental armed groups (separatist groups

⁸⁸Ibid.

⁸⁹Article 3 of the 1972 unitary constitution of the United Republic of Cameroon.

⁹⁰See Article 5 of the 1972 unitary constitution.

⁹¹See Article 7.

⁹²See Article 9.

⁹³Article 45 of the 1972 Cameroon Constitution: Duly approved or ratified treaties and international agreements shall, following the publication, override national laws, provided the other party implements the said treaty or agreement.

⁹⁴Willis, *Human Rights Abuses in Cameroon Anglophone Crisis*, p. 14.



operating in the Anglophone regions), in line with Article 1 of Additional Protocol I. Therefore, given the unsettled classification of the Anglophone Crisis as non-international armed conflict, the legal instruments relied upon, in this scientific work, will be principally drawn from international human rights law that binds Cameroon at the exclusion of the corpus of IHL.

THE RULINGS OF IHL AND HUMAN RIGHTS OVER THE ARMED CONFLICT

Both Human Rights organization, the UNO, Transparency international and other international Medias have verified that both the military and armed separatist fighters unlawfully targeted and killed civilians. Many orchestrated acts of violent extremism against non-combatants, within the North and South West Regions of Cameroon from 2016. Both the separatist fighters and the military, went against the international peremptory code of conduct of IHL and committed a lot of Human Rights abuses during the armed. It is based on all these, which we stand to evaluate the rulings of IHL and human rights verdicts committed by belligerents in North and South West Region of Cameroon.

Unorthodox Acts Committed by the Separatists or Pro-Independent Fighters

There are credible sources that secessionist extremists attacked and murdered civilians during the conflict even though, still in its course, particularly targeting those whom they suspect of colluding with the central government, breaking secessionist-backed strikes or school shut-downs, or criticizing secessionist policies or actions. A notable tactic seemingly used by separatist extremists has been; attacking of teachers and schools. One alleged strategy of extremist groups in the secessionist movement has been to shut down local schools which was a violation of the rights to a child, which amongst the prominent, is the "right to education".⁹⁵ Amnesty International collected data which proved that between February 2017 and May 2018, 42 schools in the Anglophone regions had been attacked by extreme separatists.⁹⁶ The Centre for Human Rights and Democracy in Africa has reported that such attacks have become a common means in enforcing the educational boycott.

These attacks were not only confined to schools; secessionist extremists also targeted both government and locally owned businesses, demanding boycotts and strikes from all businesses operating in certain areas of the two regions. The Pro-Independent fighters, frequently targeted schools perceived to have disrespected the call for the lockdown of schools. This was the situation of Cameroon College of Science and Technology (CCAST)-Bambili, Government Bilingual High School (GBHS)-Kumbo, Saint Rita-Nkambe, Progressive Comprehensive High College (PCHS)-Mankon etc.⁹⁷ Amnesty International has gathered data that suggested that between February 2017 and May 2018, 36 schools were targeted by arson attacks, orchestrated by the freedom fighter in the two Anglophone regions.⁹⁸

⁹⁵See Article 28 of the of the Universal Declaration of Human Rights, Adopted by the General Assembly of the UN, in Resolution No.217 A(III), of 10th December 1948, p.6.

⁹⁶Amnesty International, "A turn for the worse: Violence and Human rights abuses in Cameroon", 2017, <https://www.amnesty.org/download/Documents/AFR1784812018ENGLISH.PDF>, Accessed October 16th 2019.

⁹⁷Moki Edwin Kindzeka, "Cameroon: Separatist Fighters Occupy 50 Schools", in *the Voice of America*, July 22nd 2019, available at <https://www.voanews.com/africa/cameroon-separatist-fighters-occupy-50-schools>, Accessed October 16th 2019.

⁹⁸Amnesty International, "A turn for the worse: Violence and Human rights abuses in Cameroon," 2017, <https://www.amnesty.org/download/Documents/AFR1784812018ENGLISH.PDF>, Accessed October 16th 2019.



The report also documents how teachers and students were targeted by separatists for not participating in a boycott of schools perceived by many as a symbol of how the English language and cultures in the Anglophone regions have been marginalized by the authorities.⁹⁹ At least 42 schools were attacked by armed separatists between February 2017 and May 2018.¹⁰⁰ Amnesty International has documented various attacks on students and teachers. On 30 January 2018, a masked gunman, suspected to be a member of an armed separatist group, stormed the Government Primary School in Ntungfe (North-West Region). Armed with a locally-made gun, he shot one teacher in the legs, and set fire on a motorbike before escaping.¹⁰¹ The wounded teacher told Amnesty International:

The assailant [...] told me that I was still coming to school in defiance of calls for a schools boycott. [...] He then asked me to raise my hands, but before I could do so, he shot me. I fell to the ground.¹⁰²

More so, between September 2017 and May 2018, approximately 44 members of the security forces were killed in attacks at checkpoints, in the streets, at duty stations in both the North-West and South-West regions by the separatists, who were not fighters.¹⁰³ In one attack, on 1 February 2018, in the locality of Mbingo, North-West region, two Gendarmes manning a checkpoint were stabbed to death by a group of young separatists armed with knives and machetes.¹⁰⁴ In addition, amnesty International has also documented five attacks on traditional chiefs, whom separatists accused of sympathizing with the government.¹⁰⁵ Deputy Director of Amnesty International in one of his utterances, disclosed that: “the armed separatists repeated targeting of the general population. This demonstrated a total disregard for human life, and was another example of the human rights threat, faced by people in the Anglophone regions”.¹⁰⁶

More so, since the poorly managed Anglophone-Cameroonian crisis turned into an armed conflict in 2017, kidnapping of top government officials and civilians has been one of the human right abuses orchestrated by separatist militias. After compiling media reports and HRW estimated that since October 2018, at least 350 people have been kidnapped and ransomed by separatists’ militias, many of which were school children, Divisional Officer (the case of Batibo in 2018) municipal councilors (the case with the seven kidnapped in Jakiri in 2019), mayors (the case with kidnapped Batibo Mayor) etc.¹⁰⁷ Kidnapping was one of the tactical means that was used as a tool of intimidating local communities to keep schools closed, in order to enforce the secessionist boycott on education. In November of 2018, at least 79 pupils and several other adults and staff members were kidnapped in Bamenda by secessionist militants.¹⁰⁸ This was followed in

⁹⁹Human Rights Watch “These Killings Can be stopped” Abuses of Government and Separatist Groups in The Anglophone Regions, 2018 Human Rights Watch, Printed in the United States of America 2018.

¹⁰⁰Ibid, 2020, p.3.

¹⁰¹Amnesty International, “A turn for the worse: Violence and Human rights abuses in Cameroon.”

¹⁰²Ibid.

¹⁰³J. Lunn and L. B. Holland, *the Cameroon Anglophone Crisis: June 2018 Update*, House of Commons Library, 6 June 2018

¹⁰⁴Amnesty International.

¹⁰⁵Ibid.

¹⁰⁶Samira Daoud, Amnesty International Deputy Director for West and Central Africa.

¹⁰⁷HRW, “Cameroon: New Attacks on Civilians by Troops, Separatists: At Least 170 Killed; Hundreds of Homes Burned”, March 28th 2019, available at <https://www.hrw.org/news/2019/03/28/cameroon-new-attacks-civilians-troops-separatists>, Accessed October 16th 2019.

¹⁰⁸BBC News, “Cameroon School Kidnap: More than 70 pupils seized in Bamenda”, November 6th 2018, <https://www.bbc.co.uk/news/world-africa-46096924>, Accessed October 16th 2019.



February 2019 by the kidnapping of 170 pupils in Kumbo, again by alleged secessionist militants.¹⁰⁹

From other reports presented by HRW, it is clearly posited that; attack on schools, was a tactic of escalation intended to pressurize both the Government to pull out of fighting and to encourage and intimidate local communities support extremist tactics.¹¹⁰ This campaign has impacted a significant number of children living in the conflict zone. UNICEF has estimated that the militia-backed ban on education has led to school closures that have directly impacted 600,000 children in the Anglophone regions of Cameroon.¹¹¹ In addition to this, the same report estimates that more than 80% of schools in the Anglophone regions of Cameroon closed down between 2017 and 2020.¹¹² Summarily, the acts committed by the separatist fighters which were against the norms of IHL and human rights norms, were; the killings or civilians and dismembering of security forces, tortured, or maimed Anglophone civilians who appeared unsupportive of secession, kidnapped civilians for ransom, kidnapped teachers and students to enforce a school ban, enforced lockdowns, trapping civilians in their homes for days, beaten and raped women and girls etc.

Unorthodox Acts Committed the Republican Soldiers of La Republique du Cameroun

Human rights organizations and the international presses have made credible reports concerning extra-judicial and unlawful killings particularly by the Rapid Intervention Battalion, in the two English speaking regions of Cameroon during the Anglophone-Cameroon armed conflict against the state of Cameroon. This also included summary executions and deaths that occurred as a result of torture. Multiple organizations have reported that security forces have killed non-combatants including fleeing unarmed civilians between 2016 and 2018 in urban and rural places in the two English speaking regions like; Batibo, Bafut, Bali, Santa, Nso, Ndu, Nwa, Jakiri, Buea, Kwakwa, Mamfe, Kumba, Mbonge, Nguti etc including individuals with physical or mental disabilities,¹¹³ the elderly, and even children.¹¹⁴ HRW in one of its documentary in 2020, alleged that security forces between 2016 and 2018, attacked people in and around health facilities of Bamenda and Kumba, and summarily executed over 350 suspected separatists fighters,¹¹⁵ and in two

¹⁰⁹BBC News, "Cameroon Kidnap: 170 Student Freed, February 18th 2019, available at <https://www.bbc.co.uk/news/world-africa-47281544>, Accessed October 16th 2019.

¹¹⁰HRW, "Cameroon: Video Shows Separatists Torturing Man Kidnapped, Beaten, Burned in Abandoned School, June 24th 2019, available at <https://www.hrw.org/news/2019/06/24/cameroon-video-shows-separatists-torturing-man>, Accessed October 16th 2019.

¹¹¹United Nations News, "Over 80 per cent of schools in Anglophone Cameroon shut down, as conflict worsens, 21st June 2019, available at <https://news.un.org/en/story/2019/06/1041071>, Accessed 16th October 2019.

¹¹²Ibid.

¹¹³HRW, "These Killings can be stopped Government and Separatists human rights abuses in Cameroon's Anglophone Regions", 2018, available at https://www.hrw.org/sites/default/files/report_pdf/cameroon0718_web2.pdf, Accessed October 16th 2019.

¹¹⁴R. Maclean, "Cameroonian soldiers accused of killing baby as family flees: Army denies involvement in death of four-month old in violence-plagued Anglophone region", in *The Guardian*, February 27th 2020, available at <https://www.theguardian.com/world/2019/may/27/cameroonian-soldiers-accused-of-killing-baby-as-family-flees>, Accessed October 16th 2020.

¹¹⁵HRW, "Cameroon: Government Forces Attack Village: Investigate Murders of Civilians, Violence in and around Health Centers", April 10th 2019, available at <https://www.hrw.org/news/2019/04/10/cameroon-government-forces-attack-village>, Accessed October 16th 2019.



separate incidents in Ngarboh in the Donga Mantung Division, PMI-Sub District Hospital of the North West Region of Cameroon, killing nurses.¹¹⁶

On the 18th of January 2018, the government forces killed over 100 non-combatants and adopted a scorch earth policy whereby over 100 house were set ablaze in search of separatist fighters which were against human rights norms and law governing courses of armed conflicts. A similar situation took place in May 2018, which has been referred to as “the Menka-Pinyin Massacre”, whereby over 17 civilians were executed by the military immediately refuted by the Den minister of communication by then called Issa Chiroma Bakari.¹¹⁷ In addition, in November 2018 the government was also accused of using chemical gas in killing separatists and civilians in a neighborhood in Bali Nyanga. It was alleged that the corpses of the deceased, were hurriedly burnt and buried and an estimated false figure of five was by given by the government.¹¹⁸ Still in line with extra-judicial killings, on October 2018, a US-missionary citizen in Mezam Division of the North West Region of Cameroon called Charles Wesco was shot dead but the government refuted claiming authority.¹¹⁹ More so, in May 2019 a four months old baby called Martha was alleged to have been executed by the military in Muyuka in the South West Region of Cameroon.¹²⁰

In addition, other episodes recorded on the side of the military concerning gross human rights violation and non-respect of rules governing armed was the situations of the Ngarbuh and Ntumbaw incidences of February 2020. The Ngarbuh and Ntumbaw gross human rights violation and non-respect of IHL by the members of the armed forces, took place between the 13th and 14 of February 2020. The members of Cameroonian military on a mission¹²¹ to Ngarbuh (Ndu), a locality found in the Donga Mantung of the north west Region of Cameroon, committed crimes which were against IHL and human rights norms, killing over twenty two civilian, constituting of teenagers (**see sample of the gross exaggerated acts by the military, decried by the Guardian Post, La Nouvelle Expression and by La Mutation on the posts below**) below ten (10), pregnant women, the burning of over 20 houses owned by the civilians or non-combatants. All these before the designated facts finding mission formed by the Minister Delegate at the Presidency of the Republic of Cameroon in charge of Defense, were refuted by the Minister of Communication¹²² and Territorial Administration¹²³, laying blames on the Armed Separatist Fighters for coming the acts.¹²⁴ Due to the immense pressure, laid on the government of the Republic of Cameroon by the UNO, and other numerous international human rights organizations, the President of the Republic of Cameroon set up an enquiry commission, constituted of international NGOs, the UNO, religious institutions, government officials, the National Commission of Human Rights and Freedom (NCHRF) of

¹¹⁶HRW, “Cameroon: New Attacks on Civilians By Troops, Separatists: At Least 170 Killed; Hundreds of Homes Burned, March 28th 2019 available at <https://www.hrw.org/news/2019/03/28/cameroon-new-attacks-civilians-troops-separatists>. Accessed October 16th 2019.

¹¹⁷Canal2English new.com, retrieved 2018.

¹¹⁸Cameroon News Agency (CNA), accessed 2020.

¹¹⁹Mimi Mefo Info new.com, 2018.

¹²⁰ Atia Tilarious, 39, Journalist, online, 2020.

¹²¹The mission was authorized on the 12 of February 2020 by the head of the battalion called NYANGONO ZE Charles Eric of the 52nd infantry motorized battalion of Nkambe Division. Sargent BABA GUIDA Head of the Mixed Unit-Ntumbaw. Accompanied by three soldiers, two Gendarmes and 17 local vigilantizing groups to Ngarbuh Village.

¹²²The incumbent called Mr. Rene Emmanuel SADI.

¹²³The incumbent called Mr. ATANGA NJI Paul.

¹²⁴Le Minister D’etat Secretaire Generale de la Presidence de la Republique (Ferdinand Ngoh Ngoh), “Press Release”, on 21 April 2020, p.2.



2004, headed by Dr. Chemuta Divine, religious arm represented by the Arch-Bishop of the Kumbo Dioceses, called Georges Kwo, civil societies etc. The report that was forwarded to the Presidency of the Republic of Cameroon by this powerful team, after thorough research was that; the indiscriminate killings (over 22, constituting of innocent children, old fathers and pregnant women burnt alive in house), summary executions and the burning of over 20 residents in Ngarbuh between from 13th to 14th of February, 2020 were committed by members of the government security forces led by NYIANGONO ZE CHARLES ERIC, THE Commander of the 52nd motorized infantry battalion of Nkambe. He was driven by Sergeant BABA GUIDA, the commander of Ntumbaw mixed unit. From the press release by the Secretary General at the Presidency of the Republic of Cameroon;

The detachment left Ntumbaw on the 13 of February 2020 at 11 pm, with three members of the armed force and two Gendarmes. The head of the commission personally took seventeen members of the local vigilantizing groups. The group separated into two at gateway into Ngarbuh. At the place of the tragedy, one group was commanded by BABA GUIDA, accompanied by one Gendarme [SANDING SANDING Cyrille], a soldier of the first class [HARANGA] and ten members of the local vigilantizing group. Information procured from an ex-Amba Boy and directed by him and other peasants of the area...¹²⁵

This incident resulted to the commission of acts which were not conformity with rules and regulations governing armed conflicts. The results of the fact finding commission was made public to the public by the President of the Republic of Cameroon on 21st of April 2020 with the following decisions taken by the Head of state;

- A judicial file has to be opened for NYIANGONO together with all the members of the armed force who participated in the Ngarbuh summary execution,
- The immediate arrest sergeant BABA, SANDING and HARANGA Gilbert (first class soldier), the ten members of the local vigilantizing group. Opening of judicial file against them by the Yaounde military tribunal,
- The exhumation of the bodies of the victims. Security reinforcement of the area.¹²⁶

These evidences of human rights violation and the disrespect of law governing armed conflict by the military were reported by some prominent Cameroonian newspapers, like the Guardian Post, Nouvelle Expression, La Mutation etc after the disclosure of facts finding mission designated by the Presidential enquiry team, constituted by the Minister Delegate of Defense.

¹²⁵Le Minister D'etat Secretaire Generale de la Presidence de la Republique (Ferdinand Ngoh Ngoh), "Press Release", p.3

¹²⁶Ibid.



Prominent Cameroonien Newspapers Decrying Gross Violation of Human Rights and Law of Armed Conflicts by the Military in the two English Speaking Regions of Cameroon



Source: Facebook blog, CAN, accessed on 25th of April 2020.

Apart from Ngarbuh incident orchestrated by the military against norms of armed conflicts, other case was the Ntumbaw incident where several civilians were executed by the soldiers against the code of armed conflicts.¹²⁷

Concerning matters of arbitrary and illegal detention, state security forces frequently ignored their constitutional law and legal procedures in illegally detaining opposition activists.¹²⁸ Those suspected of providing information, food, medical aid and barracks to separatists fighters or those who were suspected of being criticize of the regime from the two English speaking regions of Cameroon were arbitrary arrested and detained. A vivid example was the incarceration of Abdou Karim, the famous Islamic scholar of the Bible at SED in Yaounde in 2019 by the government.¹²⁹ Another situation was the temporal detention of Justice Ayah Paul, for over three months at the Kondengui central prison in Yaounde in 2018. Since 2016, pre-trial detention appeared to have become the norm,

¹²⁷Ibid.

¹²⁸HRW, "Cameroon: Opposition Leaders Arrested: Violent Crackdown on Protests", January 30th 2019, available at <https://www.hrw.org/news/2019/01/30/cameroon-opposition-leaders-arrested>, Accessed October 16th 2019.

¹²⁹R. Maclean, "Hundreds of opposition members arrested in Cameroon: Security forces take 351 into custody after protesters call for release of their party leader", in *The Guardian*, June 4th 2019, available at <https://www.theguardian.com/world/2019/jun/04/hundreds-of-opposition-members-arrested-cameroon>, Accessed October 16th 2019.

sometimes for months and years in incarceration penitentiaries of New-Bell, Kondengui, Buea and Bamenda.¹³⁰ HRW further alleged on the practice of “forced disappearances of suspects”, where over 1.500 Anglophone-Cameroonians were arrested and held incommunicado without any formal charges being laid against them in Kondengui and other regional and Divisional incarceration penitentiary stations in Littoral, North, South and West Regions of Cameroon.¹³¹ It also reiterated that; situations existed where lawyers who were arbitrary incarcerated in the main incarceration government centers, were denied access to their clients during the pre-trial and then trial process, and sometimes faced threats and physical violence if they insisted on upholding their clients’ legal rights.¹³²

During the course of the armed conflict in the two English speaking regions of Cameroon, the conditions inside penitentiary facilities were reported to be purposely designed to be cruel and dehumanizing. The Ministry of Justice and human rights bodies have both reported that many prisons in Cameroon like the Regionals in the two English speaking regions, the ones in the West, Littoral and Kondengui were operating at several thousand prisoners, more than their designed capacity.¹³³ This has led to endemic overcrowding and unhygienic living conditions for detainees. In addition, prison guards were reported to have clung to excessive use of force in punish dissents.¹³⁴ A recent prison riot in late 2019 at the Kondengui penitentiary center, led to violent clashes with guards during which several incarcerated Anglophone-Cameroonians, illegally detained since 2017, were beaten by gangs of guards, and live ammunitions were reported being used in put down the protests.¹³⁵ In addition, HRW further documented that the Security forces have been utilizing a detention Centre operated by the State Defence Secretariat (SED) in Yaounde to routinely torture prisoners held there illegally incommunicado.¹³⁶ The organization further reports credible allegations of torture being used routinely against prisoners, including beatings, drowning, electrocutions, denial of medical provisions, overcrowding and restrictions of fresh air and access to clean water which were in contravention with human rights norms.¹³⁷

There are numerous reports from human rights organizations and the press that alleged that Cameroonian security forces, in particular, the Rapid Intervention Battalion (RIB), engaged in a systematic campaign of terror against Anglophone-Cameroonian communities in the north and south west regions of Cameroon. The most prominent example of this was the tactic of property destruction in which security forces have reportedly burned down hundreds of structures such as homes of non-combatants, businesses and local government buildings in Jakiri, Kumbo, Batibo, Santa, Ndop, Bambili,

¹³⁰U.S. Department of State, “Cameroon 2018 Human Rights Report”, March 18th 2019, available at <https://www.state.gov/wp-content/uploads/2019/03/Cameroon-2018.pdf>, Accessed October 16th 2019.

¹³¹HRW, “Cameroon: Routine Torture, Incommunicado Detention: UN Security Council Should Condemn Abuses, Demand Reforms”, May 6th 2019, available at <https://www.hrw.org/news/2019/05/06/cameroon-routine-torture-incommunicado-detention>, also see <https://www.hrw.org/news/2019/05/06/cameroon-routine-torture-incommunicado-detention>, Accessed January 16th 2019.

¹³²BBC News, “Newsday: Cameroon’s Lawyers on Strike”, September 17th 2019, available at <https://www.bbc.co.uk/programmes/p07njmsz>, Accessed October 16th 2019.

¹³³Amnesty International, “Amnesty International Report 2017/18: State of the World’s Human Rights”, 2018, available at <https://www.amnesty.org/download/Documents/POL1067002018ENGLISH.PDF>, Accessed October 16th 2019, p.114.

¹³⁴HRW, “Cameroon: Detainees Tortured Abuse, Incommunicado Detention at Yaoundé Prison; Enforced Disappearances”, August 20th 2019, available at <https://www.hrw.org/news/2019/08/20/cameroon-detainees-tortured>, accessed October 16th 2019.

¹³⁵Ibid.

¹³⁶Ibid.

¹³⁷Ibid.



Mbengwi, Bali, Mbonge, Konye, Kumba, Nguti, Mamfe, Kwakwa just to name a few.¹³⁸ More so, the Centre for Human Rights and Democracy in Africa, based in Cameroon, published a report on 22nd of October, alleging that since the armed conflict began in 2017, over 356 towns and villages in the Anglophone regions were targeted with arson attacks and have had their inhabitants either partially or fully flee the area. Other organizations, such as HRW,¹³⁹ Amnesty International¹⁴⁰ and BBC News Africa¹⁴¹ have all also independently reported that security forces engaged in mass arson and property damage in Nkwen, Buea and looted shops. These allegations have been verified by eyewitness testimonies, video evidences and/or satellite images showing destroyed structures orchestrated by the army.

During the course of the Anglophone Armed conflict in the two English speaking regions of Cameroon between the armed separatist and the government, Cameroon's military responded to protests with arbitrary arrests, torture and unlawful killings which were against the rules and regulations governing armed conflicts. In one striking incident, satellite images and other photographic evidence obtained by Amnesty International and HRW showed the complete destruction of the village of Kwakwa, which was burned to the ground by Cameroonian security forces following an operation conducted in December 2017 in connection with the killing of two Gendarmes by suspected armed separatists.¹⁴² In some cases between 2016 and February 2020, following these security operations, people were arbitrarily arrested and tortured while detained in illegal detention facilities and in secret. For instance, at least 23 people, including minors, were arrested by the security forces in the village of Dadi on 13 December 2017 and spent three days in incommunicado detention. They told Amnesty International that during this time security forces tortured them to extract "confessions", to force them to admit having supported the separatists.¹⁴³

Victims described being blindfolded and severely beaten with various objects including sticks, ropes, wires and guns, as well as being electrocuted and burnt with hot water. Some were beaten until they lost consciousness, and Amnesty International documented that at least one person died in custody.¹⁴⁴ All these aforementioned, were in total contravention of human rights and against IHL. One man who was arrested on 13 December 2017 in Dadi gave a harrowing account of the torture he suffered:

They tied our hands behind our backs, gagged us and tied our faces with our towels and shorts, which they tore. They, then made us lie in the water, face down for about 45 minutes [...]. During three days, they beat us with shovels, hammers, planks, and cables, kicked us with their boots and poured hot water on us [...] when I tried to move and shout, one of them used the cigarette he was smoking to burn me.¹⁴⁵

¹³⁸S. O. Grady, "Divided by Language: Cameroon's Crackdown on its English-Speaking Minority is fuelling a secessionist Movement", in the Washington Post, issued in February 5th 2019, available at <https://www.washingtonpost.com/graphics/2019/world/cameroon-anglophone-crisis/>, accessed October 16th 2019.

¹³⁹HRW, "Cameroon: New Attacks on Civilians by Troops, Separatists: At Least 170 Killed; Hundreds of Homes Burned", March 28th 2019, available at <https://www.hrw.org/news/2019/03/28/cameroon-new-attacks-civilians-troops-separatists>, accessed October 16th 2019.

¹⁴⁰Amnesty International, "A turn for the worse: Violence and Human rights abuses in Cameroon", 2017, available at <https://www.amnesty.org/download/Documents/AFR1784812018ENGLISH.PDF>, Accessed October 16th 2019, pp.23-27.

¹⁴¹BBC News Africa, "Cameroon Burning: The Unseen War-Full Documentary-BBC Africa Eye", (YouTube, 25th June 2018), available at https://www.youtube.com/watch?v=ct_SLnAGDuM, accessed on the October 16th, 2019.

¹⁴²Amnesty International.

¹⁴³Ibid.

¹⁴⁴Amnesty International, (A turn For the Worse: Violence and Human Right Violation in Anglophone Cameroon), Amnesty International Report 2017.

¹⁴⁵Emmanuel Tobbye, Okada-Rider, Dadi, March 2020.



Amnesty International also received information about numerous instances of deaths in custody. In one case, on 3rd of February 2018, the bodies of four men, who had been arrested in the town of Belo in the North West Region of Cameroon by the security forces the day before, were found at the Bamenda Regional Hospital mortuary, bloodied and with signs of torture against IHL. Amnesty International has also documented unlawful killings, including during three security operations conducted by the army in the villages of Dadi, Kajifu and Bodam (South-West) in December 2017.¹⁴⁶

Concerning issues of sexual assaults and rapes, the Centre for Human Rights and Democracy in Africa cited a survey conducted in 2018, where they interviewed women inside in the two Anglophone or English speaking regions of Cameroon. They found that 75% of their respondents reported that they had experienced sexual or physical violence since the armed conflict began in these regions.¹⁴⁷ Freedom of expression and assembly violations were other fundamental human rights aspects violated by the military. The crisis deepened a pre-existing culture of censorship, with several Non-Governmental Organizations (NGOs) that represented the interests of journalists arguing that authorities instigated a climate of fear that led to reporters self-censoring to avoid persecution.¹⁴⁸ Moreover, the U.S. State Department's report on the situation in Cameroon, noting that; several journalists were arrested by police and many on the run like Mimi Mefo and Nfor Hanson of Equinox Television, for investigating human rights abuses in the course of the armed conflict within the two English speaking regions of Cameroon.¹⁴⁹ According to International Crisis Group in September 2019, approximately 3500 people died, at least 500,000 became Internally Displaced Persons (IDPs), 45,000 became refugees in Nigeria, and 700,000 children were deprived from going to school since schools were shot down in the two English speaking regions of Cameroon since 2016.¹⁵⁰ Furthermore, UNOCHA reported that, as of July 2019, 1.3000.000 people in the English speaking Regions of Cameroon, were in urgent need of humanitarian aid by 2019.¹⁵¹ From the analyses made, based on violation of IHL and Human rights by the military in the two English speaking regions of Cameroon since 2016, we can summarize the acts in contravention of IHL and human rights principles under; the commission of extrajudicial killings, random looting, shooting, beating, and torturing, using disproportionate and indiscriminate force, abusing and indiscriminate arrest of protesters, burning more than 350 villages to the ground, displacement of hundreds of thousands of civilians, attack on hospitals, beating and raping of women and girls etc. due to the dimension of the crisis, USA, European Union, African Union etc have called on the Cameroon government to call for a ceasefire and to carry out an opened dialogue without pre-conditions with the different parties (the Separatists, Federalists and the Unitarists) to the conflict, in order to resolve the root causes of the crisis that has turned into a deadly armed conflict.

¹⁴⁶Amnesty International.

¹⁴⁷Centre for Human Rights and Democracy in Africa, "Cameroon's Unfolding Catastrophe: Evidence of Human Rights Violations and Crimes against Humanity" June 3rd 2019, available at <https://chrda.org/wp-content/uploads/2019/06/Camerouns-Unfolding-Catastrophe-CHRDA-RWCHR-2019.pdf>, Accessed October 16th 2019, p.33.

¹⁴⁸See for example Freedom House, "Freedom of the Press 2017: Cameroon Profile" 2017, available at <https://freedomhouse.org/report/freedom-press/2017/cameroon>, Accessed October 16th 2019.

¹⁴⁹U.S. Department of State, "Cameroon 2018 Human Rights Report", March 18th 2019, available at <https://www.state.gov/wp-content/uploads/2019/03/Cameroon-2018.pdf>, Accessed October 16th 2019, p.17-19.

¹⁵⁰The University of Toronto, *Data of atrocities on Cameroon's Anglophones' Crisis*, 2019, p.4.

¹⁵¹C. Nkatow Mafany, "Self-Reliant (Autonomization) and Livelihood Assistance of (to) Anglophone-Cameroonian Refugees in Nigeria: Evaluation and Value Judgment", 2020, p.13, still to be published.



ATTEMPTED MEASURES AT SOLVING THE PROBLEMS

In an attempt to solve the problems of Anglophone-Cameroonians in Cameroon, due to the effects of the war and as a result of pressure from other countries and international organization, the government of the Republic of Cameroon headed by H. E. President Paul Biya with his head of the government; Dr. Dion Joseph Ngute, adopted both forceful and peaceful measures in a bid to end the conflict. Concerning the unorthodox measures, the following were taken; firstly, the allocation of 12 billion to schools in two restive English speaking regions of Cameroon, which failed, secondly, the initial use of force to dispel October 2016 protesters, banning of Cameroon Civil Society Commission (CACSC) and SCNC and arrest of leaders of the consortium. Also there was the securitization of separatists, sustained use of disproportionate force against persons with inferior weapons and the burning of over 350 villages.

In relation to human rights legal base of approach, the following were taken; participation of the government of the Republic of Cameroon in Switzerland-held mediation in July 2019, the creation of DDR, the attempt of shutting down Southern Cameroon's Broadcasting Cooperation (SCBC) with base in South Africa by the government of the Republic of Cameroon, rehabilitation and grant of immunity to "Separatist Fighters" who surrendered to the defense forces and to local decentralized administrative authorities which has totally failed, the Setting up an English division of the Supreme Court and creation of a Common Law bench at the national School of Administration and Magistracy (NSAM) in Yaounde by the government of the republic, the creation of Common Law at the Supreme Court, the translation of the OHADA Act into English which existed prior to 2016 only in French Language, recruitment of over 1.000 bilingual teachers to teach in Secondary School which did not address the root causes, the arrest of consortium leaders at Nera-10 hotel in the Federal Republic of Nigeria by the Cameroon government in compliance with the Nigerian government which was not welcomed by consortium of African legal minded officers because the act went against jurisprudence with the extradition of the leaders to Yaounde central prison in Cameroon, the setting up of a National Commission for Bilingualism and Multiculturalism in 2018 led by Mr. Peter Mafany Musonge, the organization of the Major National Dialogue (MND) from 25 of September to 1st of October 2019 by the President of the Republic of Cameroon, H. E President Paul Biya chaired by the Head of the Government (Dr. Joseph Dion Ngute). The major proposals arrived at during the MND that took place in Yaounde, the capital of Cameroon had the following recommendations;

- the adoption of a special status for the two Anglophone regions of Cameroon,
- the restoration of the House of Chiefs that existed in West Cameroon before 1972,
- the election of Regional Governors which had failed because they are not democratically chosen. They remain nominated by the Head of State,
- the immediate re-launch of certain airport and seaport projects in the two English speaking regions of Cameroon, which was not later endorsed by the Lower House of Assembly,
- the rapid integration of ex-combatants into society, which remain a mirage,
- the name of the country to returned to the United Republic of Cameroon which has endorsed not been endorsed by the Assembly as a law,
- The declaration of assets by top government officials, in order to curb corruption which has remain a dream to be realized etc.

Apart from the measures featuring on the arrived resolution of the five days MND, other initiatives were; the release of 333 Anglophone-Cameroonians, who were illegally incarcerated in major penitentiary centers in the North West, South West, Center, West and in the Littoral regions, the adoption of the decentralization bill by the Lower of Representatives, the announcement of major projects like the construction of Limbe Deep Sea Port which has



not gone operational and the creation of Dr. Dion Ngute Commission. The plan for the reconstruction of the devastated North and South West Regions of Cameroon in 2020 in the midst of the war without the call for a ceasefire by the President of the Republic of Cameroon. Apart from the aforementioned governmental measures, there were also some series of external measures in reaction to the Anglophone-Cameroonian armed conflict.

Concerning external means of containment, on 18 January 2017, African Union issued press statement, expressing concern on the situation in Cameroon and indicated its willingness to assist in its resolution. ACHPR/Res. 395 (LXII) in its 62 Ordinary Session of April-May 2018 condemned the human rights abuses by belligerents in the two English speaking regions of Cameroon and called for an inclusive national dialogue without preconditions with the primordial aim of addressing the root causes of the problem. In addition, the European Parliament adopted a resolution in April 2019 for crisis to be considered by UN Security Council (UNSC). France, Russia and China as permanent members blocked the motion for UNSC to meet on crisis on grounds that AU was best suited to handle the crisis (Article 52(2) UN Charter). UNSC supported Switzerland mediation attempt. The US House of Representatives resolved for a return to federal rule in Cameroon. Together with Great Britain in condemning government for abuses and in support for UNSC to discuss crisis. Nigeria expressed and supported the government of Cameroon for Extradition of 12 Ambasonian leaders caught in Nera 10-Hotel, which was unconstitutional by the Nigerian Legal Department. The Vatican City offered itself as a mediator since Cameroon has a huge Catholic base. Canada offered USD 6.65 million as humanitarian aid in April 2019. All these attempted measures have just been like “pouring of water on a duck’s back”. This is because all the measures were cosmetic which did not aimed at addressing the root causes of the Anglophone-Cameroonian problems in Cameroon.

Conclusion

The notion that; “Cameroon is an oasis of peace and security within the Central African Sub Region”, does not longer hold. This article was geared at examine the course of the Armed conflict in the two English speaking regions of Cameroon, between the government armed forces and the pro-independent fighters. It was also aimed at looking at the unlawful acts committed by the parties, which were against the norms governing armed conflict and finally the vices committed, by the belligerents which were against human rights norms. From the facts examined, there were a lot of human rights abuses and non-respect of norms governing armed conflicts by the parties to the armed conflict in the two English speaking regions of Cameroon. Some of these unlawful acts were: the burning of schools, hospitals, cut of internet, extra-judicial killings, indiscriminate arrests and detentions, burning of villages, the use of minors as soldiers, kidnappings etc. This armed conflict resulted to over 4.000 death and over 100.000 displaced Anglophone-Cameroonian, both nationally and internationally. We conclude by saying that; the International Community has to be more proactive in their approach towards conflict resolution the atrocities committed by the belligerents to the conflict, particularly those committed by the Army. Also due to the immense violations of IHL, the United Nation must go beyond mere Resolutions by setting up an international tribunal to try those who were involved human abuses, as it would be morally unjustifiable for the United Nation to continue to watch as thousands of innocent human lives were lost and kept on being loose. Finally, since the crisis has an international status, we implore the UN-Security Council to wake from its slumber and give its rulings over the historical problem aim at addressing the root cause of the problem.



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