



May 23, 2013

The Honorable President  
Court of First Instance  
Bamenda  
Cameroon.

**Re: Criminal charges pending against Mr. Musa Usman Ndamba**  
**in Suit No. CFIBA/281 c/2013**

Your Honor,

Please accept respectful greetings from the Environmental Defender Law Center (EDLC, [www.edlc.org](http://www.edlc.org)), a U.S.-based non-profit organization that works to protect the human rights of people in developing countries who are fighting against harms to their communities, their way of life, and their environment. EDLC was founded in 2003 to enlist the biggest and best law firms in the world to work *pro bono* on behalf of people such as Mr. Musa Usman Ndamba, a defendant in a criminal case pending before you.

Human rights and environmental defenders are frequently the victims of retaliatory lawsuits, fabricated charges of serious criminal acts, and torture. We believe the charges brought against Mr. Musa Usman Ndamba are of this type because the perpetrator of the alleged offence is Musa Adamu and Musa Usman Ndamba who is presently standing trial before you is very different from Musa Adamu. Mr. Musa Usman Ndamba is the vice-president of the Mbororo Social and Cultural Development Association (MBOSCUDA), an organization which has championed the rights, including land rights, of Mbororo pastoralists in northwestern Cameroon since the 1990s. MBOSCUDA sent a Universal Periodic Review submission to the U.N. Human Rights Council in August 2012, detailing the threats faced by members of their community, and particularly those active within MBOSCUDA. We further believe the claims contained in this submission have contributed to the worsening persecution of Mr. Musa Usman Ndamba and other MBOSCUDA leaders, including violent acts.

EDLC has concluded that the criminal charges in this case against Mr. Musa Usman Ndamba are ill-founded in fact and in law, and instead are being brought in retaliation for his work as a human rights advocate. These charges constitute serious violations of his rights to freedom of expression, freedom of association, and freedom of petition, and are in clear violation of international human rights law and treaties to which Cameroon is a

signatory and to which it is bound. The overwhelming consensus reflected by international law and practice indicates that any criminal punishment of Mr. Musa Usman Ndamba for the actions complained of in these charges would be a clear violation of Cameroon's obligations under, *inter alia*, Articles 19 and 22 of the International Covenant on Civil and Political rights; Articles 9 and 10 of the African Charter on Peoples and Human Rights; and the United Nations Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms.

EDLC will be closely monitoring the upcoming hearings and outcomes in this case. Should the case proceed beyond the hearing scheduled for June 2013, EDLC will likely recruit a major international law firm to join the growing international effort to publicize the case and to assist in Mr. Musa Usman Ndamba's defense. The firms with which EDLC works typically have 500-3,000 lawyers, and primarily represent corporations doing business in countries around the world, including Cameroon. We remain hopeful and confident that your Government will recognize that the charges brought against Mr. Musa Usman Ndamba violate his human rights, and will take the necessary measures for the dismissal of all the charges brought against him.

Sincerely,



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Lewis Gordon

Executive Director

CC:

**High Commissioner for Human Rights, U.N. Human Rights Council,**  
Ms. Navanethem Pillay (*South Africa*) [npillay@ohchr.org](mailto:npillay@ohchr.org)

**U.N. Special Rapporteur on the Situation of Human Rights Defenders,**  
Ms. Margaret SEKAGGYA (*Uganda*) [defenders@ohchr.org](mailto:defenders@ohchr.org); [urgent-action@ohchr.org](mailto:urgent-action@ohchr.org)

**U. N. Special Rapporteur on the Promotion and Protection of the right to Freedom of Opinion and Expression,** Mr. Frank La Rue (*Guatemala*), [freedex@ohchr.org](mailto:freedex@ohchr.org).

**The Honourable Minister of Justice and Keeper of the Seals,** Mr. Laurent Easo,  
Ministry of Justice, PO Box 1000 Yaounde Cameroun.