

Cameroon: Ongoing judicial harassment and death threats targeting OFFGO members

Friday 20 April 2018

New information

CMR 001 / 0317 / OBS 033.2

Death threats /

Judicial harassment

Cameroon

April 20, 2018

The Observatory for the Protection of Human Rights Defenders, a partnership of FIDH and the World Organisation Against Torture (OMCT), has received new information and requests your urgent intervention in the following situation in **Cameroon**.

New information:

The Observatory has been informed by reliable sources about the ongoing judicial harassment and death threats targeting several members of the Organic Farming for Gorillas (OFFGO), a group of farmers founded in September 2015 to promote organic farming, environmental protection, opposing land grabbing and working for the protection of the cross-river gorilla in Mbengwi, in the North-West Region of Cameroon.

According to the information received, on April 13, 2018, a man who allegedly worked with billionaire businessman Mr. Baba Ahmadou Danpullo [[1](#)], called and threatened to kill OFFGO's lawyer Mr. **Elvis Brown** and his family if they did not "drop the file", referring to OFFGO's complaints before the National Commission on Human Rights and Freedoms (NCHRF). The caller told details of the presence of Mr. Brown and his family in Bamenda, including related to their home and the children's school. He also threatened to kill Mr. **Jan Cappelle**, founder of OFFGO.

A complaint was filed before the Police National Security Department in Mbengwi, who latter summoned the caller to present himself by April 18, 2018. The caller, who received the summons on April 16, 2018, did not present himself.

On April 18, 2018, the same person called Mr. Elvis Brown again and told him to "prepare very well". On April 19, 2018, Mr. Elvis Brown received another text message reading "*watch and see how I make your team suffer*", "*you should be sorry for your friends back here. I am merciless*", "*I am heartless I have no feelings*" and "*I will teach your team a bitter lesson. You will all suffer for destabilising Cameroon*".

These threats come at a time when the NCHRF is supposed to publish a report following investigations carried out into the abuses and judicial harassment targeting OFFGO members. The publication of the report was already delayed several times, despite the conduct of two field visits to Tudig and Mbengwi in April 2017, and to Mbengwi and Bamenda in February 2018 (see background information).

The Observatory urges the Cameroonian authorities to guarantee in all circumstances the physical and psychological integrity of OFFGO members, and to conduct an immediate, thorough, impartial and transparent investigation into the death threats directed at them, in order to identify all those responsible, bring them before an independent tribunal, and sanction them as provided by the law.

The Observatory further recalls that two other OFFGO members, Messrs. Matthias Awazi and Humfred Manjo, are still facing trumped-up charges and face up to three years in prison (see background information). Accordingly, the Observatory calls upon the authorities of Cameroon to put an end to all acts of harassment - including at judicial level - against the and all OFFGO members.

Finally, the Observatory is concerned by the delays in the publication of the report and recommendations by the NCHRF, entailing further harassment of OFFGO members and impunity for those responsible.

Background information:

The village of Tudig, in Mbengwi, where OFFGO has its headquarters, as well as its members, have been since 2016 the target of intimidation and harassment from the Divisional Officer of Mbengwi Sub-division and from Mr. Baba Danpullo, who has been involved in several cases of land grabbing in the country [2].

In September 2015, OFFGO submitted a report to the Governor of the North-West region on the conflict opposing farmers and cattle ranchers. In October 2015, the Senior Divisional Officer of the Momo Division opened an investigation into the irregularities revealed in the report with respect to land attribution.

On January 21, 2016, the Divisional Officer of Mbengwi Sub-Division declared that he had requested an investigation on Mr. Jan Cappelle and on allegations of “support to the communities in Tudig”, which would allegedly encourage communities to take their land back. On February 27, 2016, Mr. Cappelle was interrogated by the Mbengwi gendarmerie. As there was no evidence against him, he was not arrested.

In March 2016, the Divisional Officer of Mbengwi Sub-Division asked again for an investigation to be carried out into Mr. Cappelle’s activities, but this time to the Mbengwi police. This investigation led to a report, stating that no threat to security could be reported with respect to Mr. Cappelle’s activities.

On May 5, 2016, Mr. Jan Cappelle was interrogated by the gendarmerie and another interrogation was scheduled on May 11. A day before, on May 10, 2016, Mr. Cappelle was arrested in Bamenda by the police and transferred to Yaoundé where he was placed in detention and given no access to his lawyer until May 12, 2016. On May 13, 2016, Mr. Cappelle was expelled from Cameroon to Belgium without any legal justification [3]. An investigation into the expulsion was launched in July 2016 by the national gendarmerie of the North West Region, concluding that the accusations were not justified. No further action was taken following the issuance of the gendarmerie report, which was sent to the Presidency in August 2016.

Furthermore, in May 2016, the Divisional Officer of Mbengwi Sub-Division informed verbally the villagers that he issued an injunction for the destruction of the organic community farm developed by OFFGO in Tudig. This resulted in a peaceful protest by hundreds of OFFGO members and villagers, opposing the destruction order, which led to the arrest of Messrs. Matthias Awazi and Humfred Manjo on July 16, 2016 on charges of violating “Sub Prefectural Decision No 053/SPD/BALPA/2015 placing an injunction order on a grazer area under dispute in Tudig Village” and “illegal retention” of two goats under Section 322(3) of the Penal Code. They were transferred to the Mbengwi Tribunal of First Instance and provisionally released on the same day.

On February 22, 2017, the hearing in the case against OFFGO board members Matthias Awazi and Humfred Manjo, scheduled before the Mbengwi Court of First Instance, was postponed due to the ongoing lawyers’ strike in the Anglophone region of Cameroon. As of publication of this Appeal, no further hearing date had been scheduled. Moreover, since May 29, 2017, the Mbengwi Court of First Instance has repeatedly requested both the defendants and the plaintiff to respectively pay 150,000 FCFA (approx. 229 euros) and 100,000 FCFA (approx. 153 euros) in order to visit the community farm (locus fee) although this practice is illegal under Cameroonian law [4].

In addition, the village of Tudig, has been the target of several security incidents since mid-2016. Specifically, destructions and damages to the farmers’ huts, destruction of property, theft of crops as well as theft and killings of farm animals by armed civilians were reported respectively in September 2016, November 2016 and February 2017.

Besides, on February 2, 2017, the Mbengwi Prosecutor (State Counsel [5]) briefly detained the village Regent Mr. Vincent Awazi for unknown reasons to later free him on a 500,000 FCFA (approx. 762 Euros) bail. No charges were brought against him - nor have been to date - as the State Counsel failed to transfer Mr. Awazi's file to court. Yet, Mr. Awazi got informed that the State Counsel is still investigating potential charges against him. On May 17, 2017, he was summoned before the Mbengwi Court of First Instance, although to date he has not been notified of any charge pending against him and no further hearing date has been scheduled.

On March 23, 2017, Mr. Vincent Awazi filed a complaint denouncing the illegal arrest, detention and expulsion of Mr. Jan Cappelle, as well as the subsequent harassment of several OFFGO members. As a result, the NCHRF carried out an investigation into the abuses and judicial harassment targeting OFFGO members.

Actions requested:

Please write to the authorities of Cameroon and ask them to:

- i. Guarantee in all circumstances the physical and psychological integrity of OFFGO members, and all human rights defenders in Cameroon;
- ii. Put an end to all acts of harassment - including at judicial level - against OFFGO members and all human rights defenders in Cameroon;
- iii. Ensure in all circumstances that OFFGO and its members as well as all human rights defenders in Cameroon are able to carry out their legitimate activities without any hindrance and fear of reprisals;
- iv. Conform in any circumstances with the provisions of the United Nations Declaration on Human Rights Defenders, adopted on December 9, 1998 by the UN General Assembly, in particular its Articles 1 and 12.2;
- v. Ensure in all circumstances respect for human rights and fundamental freedoms in accordance with international human rights instruments ratified by Cameroon.

Addresses:

- His Excellency Mr. Paul Biya, President of the Republic of Cameroon, Fax +237 22 22 08 70
- H.E. Mr. Philémon Yang, Prime Minister and Chief Head of Government of Cameroon. Fax: +237 22 23 57 65. Email: spm@spm.gov.cm
- Mr. Laurent Ezzo, Minister of Justice of Cameroon, Fax: + 237 22 23 00 05
- Mr. Atanga Nji, Minister of Territorial Administration of Cameroon, Fax: + 237 22 22 37 35
- Dr. Chemuta Divine Banda, Chairman of the National Commission on Human Rights and Freedoms, Fax: +237 22 22 60 82, E-mail: cndhl@iccnet.cm / cdbanda26@yahoo.fr
- Ms. Enonchong Annet, Protection Officer of the National Commission on Human Rights and Freedoms, Email: annet_mbeng@yahoo.com
- H.E. Mr. Anatole Fabien Marie Nkou, Ambassador, Permanent Mission of the Republic of Cameroon to the United Nations Office in Geneva, Switzerland. Fax: + 41 22 736 21 65, Email: mission.cameroun@bluewin.ch
- H.E. Mr. Daniel Evina Abe'e, Ambassador, Embassy of the Republic of Cameroon in Brussels, Belgium, Fax: + 32 2 344 57 35; Email: ambassade.cameroun@skynet.be; embassy@cameroon.be

Please also write to diplomatic representations of Cameroon in your respective countries.

Paris-Geneva, April 20, 2018

Kindly inform us of any action undertaken quoting the code of this appeal in your reply.

The Observatory, an FIDH and OMCT venture, is dedicated to the protection of human rights defenders and aims to offer them concrete support in their time of need. FIDH and OMCT are both members of ProtectDefenders.eu, the European Union Human Rights Defenders Mechanism implemented by international civil society.

To contact the Observatory, call the emergency line:

- Email: Appeals@fidh-omct.org
- Tel and fax FIDH: +33 (0) 1 43 55 25 18 / 01 43 55 18 80
- Tel and fax OMCT: + 41 22 809 49 39 / 41 22 809 49 29

Footnotes

[1] Mr. Baba Ahmadou Danpullo is a cattle rancher, tea plantation owner and a member of the Central Committee of the ruling Cameroon People's Democratic Movement (CPDM) party.

[2] For more information see for instance Observatory Urgent Appeal CMR 001 / 0716 / OBS 056.2, published on January 13, 2017.

[3] However, Mr. Danpullo's direct involvement into Mr. Jan Cappelle's expulsion has been verbally reported to OFFGO members by the National Gendarmerie of Momo as well as by the National Gendarmerie of the North West region, and sources at the Presidency. In addition, a leaked report from the National Gendarmerie of the North West region accuses Mr. Jan Cappelle of defamation and attempted murder against Mr. Danpullo. Another document in the file alleged that Mr. Jan Cappelle was in possession of GPS, trackers and bombs as so-called "instruments" to kill Mr. Danpullo.

[4] Sub-Chapter II of the Cameroonian Code of Criminal Procedure which provides for visit to the locus in quo, searches and seizures does not include any locus fee that should be paid by the parties.

[5] Under Cameroonian law, the State Counsel is the office of the Prosecutors, constituting the legal department/prosecution department.