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Secrétariat Permanent

Division de la Protection
et de la Promotion des Droits de l'homme

B.P./P.O. Box 20317, Yaoundé
Fax : (237) 222-22-60-82

Numéro Vert : 1523



CAMEROON HUMAN
RIGHTS COMMISSION

SUB-COMMISSION IN CHARGE
OF HUMAN RIGHTS PROMOTION

Permanent Secretariat

Human Rights Protection
and Promotion Division

Tel.: (237) 222-22-61-17 / 691 12 86 70
e-mail: chrc.cdhc2019@yahoo.com
Web: www.cdhc.cm

Toll-Free Number: 1523

STATEMENT BY THE CAMEROON HUMAN RIGHTS COMMISSION TO MARK
THE INTERNATIONAL DAY OF REFLECTION ON THE 1994 GENOCIDE
AGAINST THE *TUTSIS* IN RWANDA

7 April 2024

The Cameroon Human Rights Commission (hereinafter: “the Commission”), established by Law No. 2019/014 of 19 July 2019 and rendered operational on 29 April 2021, following the swearing in of its Commissioners before the Supreme Court sitting in Joint Benches,

Bearing in mind that the United Nations General Assembly (UN/GA) Resolution No. A/RES/58/234 of 23 December 2003, as amended by Resolution No. A/72/L.31 of 12 December 2017, officially proclaimed 7 April each year as the *International Day of Reflection on the 1994 Genocide in Rwanda*,

Noting that the United Nations (UN) is organising a series of events this year under the theme “*Remember. Unite. Renew.*”¹, and that through these commemorations, which mark the 30th anniversary of the beginning of the genocide against the *Tutsis* in 1994, the international community will:

- honour the memory of the victims, the overwhelming majority of whom were *Tutsis*, but also *Hutus* and others who opposed the genocide;
- counter hate speech and disinformation;
- pay “tribute to the resilience of the survivors [and encourage] the Rwandan people towards healing, restoration and reconciliation”²,

¹ See “United Nations Remembers 1994 Genocide against Tutsi in Rwanda with Emphasis on Youth, Countering Hate Speech”, <https://press.un.org/en/2024/pi2315.doc.htm>, accessed on 27 March 2024.

² See <https://press.un.org/en/2023/sgsm21756.doc.htm>, accessed on 27 March 2024.

Bearing in mind the message of António Guterres, the UN Secretary-General, in which he calls upon all those involved in preventing and punishing the crime of genocide to pay greater attention to the “*genocide’s rancid root: hate*”³

Further bearing in mind that the other decisive factors in the genocide were essentially social and ethnic inequalities and the failure of civil and political systems, which triggered group rivalries and massive violations of human rights, as well as the exposure of the masses to epidemics such as cholera in Goma in July 1994⁴,

Emphasising that the “*Protection of victims of manifestations of hate speech*”, as recommended by the United Nations Educational, Scientific and Cultural Organisation (UNESCO), requires States to commit themselves to *addressing residual trauma* by taking measures to ensure not only that the perpetrators of such acts and any offenders are punished, but also that the victims are compensated,

Considering Article 2 of the United Nations Convention on the Prevention and Punishment of the Crime of Genocide⁵, which states that genocide

means any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such:

- a) Killing members of the group;
- b) Causing serious bodily or mental harm to members of the group;
- c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;
- d) Imposing measures intended to prevent births within the group;
- e) Forcibly transferring children of the group to another group,

Considering further, United Nations Security Council Resolution 2150 (2014), adopted at its 7155th session on 16 April 2014, which recalls that States have “*the primary responsibility to respect and ensure the human rights of their citizens and of all persons on their territory, as required by applicable international law*”⁶,

Considering further that the primary obligation of States for the prevention and punishment of international crimes does not absolve individuals or other structures acting in a purely private capacity of their responsibility⁷, and even less that of persons acting on behalf of States, since each individual must answer for the acts constituting the crimes of which he is accused, as the International Court of Justice (ICJ) rightly recalled in its

³ See “2024 Commemorations —30th Anniversary International Day of Reflection on the 1994 Genocide Against the Tutsi in Rwanda, Secretary’s General for 2024”, <https://static.un.org/en/preventgenocide/rwanda/commemorations-2024-sg-message.shtml>, accessed on 27 March 2024.

⁴ See. Mih Bibiane MBEI DIGHAMBONG, *Rwanda-Horrors of genocide: Prevention is possible in our world today*, 169 pp., spec. p. 4.

⁵ The Convention on the Prevention and Punishment of the Crime of Genocide, adopted on 9 December 1948 by the United Nations General Assembly, has not yet been ratified by Cameroon.

⁶ See Resolution 2150 (2014) adopted by the Security Council during its 7155th session, on 16 April 2014, <https://documents.un.org/doc/undoc/gen/n14/302/52/pdf/n1430252.pdf?token=s6xy92ncDWF9ovldlk&fe=true>, accessed on 27 March 2024.

⁷ See « La responsabilité pénale internationale des individus », <https://lexpedia.fr/droit-international-public/responsabilite-penale-inter/>, accessed on 1 April 2024 ; International crimes against individuals include acts of piracy, human trafficking (slavery), drug trafficking and acts of terrorism.

judgment of 11 July 1996 on the application of the Convention on the Prevention and Punishment of the Crime of Genocide⁸,

Noting in the same context that the above-mentioned United Nations Convention on the Prevention and Punishment of the Crime of Genocide provides in Articles 3, 4 and 6 that:

[t]he following acts shall be punishable

- (a) Genocide
- (b) Conspiracy to commit genocide
- (c) Direct and public incitement to commit genocide
- (d) Attempt to commit genocide
- (e) Complicity in genocide

[p]ersons committing genocide or any of the other acts enumerated in article III shall be punished, whether they are constitutionally responsible rulers, public officials or private individuals, [consequently]

[p]ersons charged with genocide or any of the other acts enumerated in [the above-mentioned] article shall be tried by a competent tribunal of the State in the territory of which the act was committed, or by such international penal tribunal as may have jurisdiction with respect to those Contracting Parties which shall have accepted its jurisdiction,

Considering further that Section 241 (1), (2) and (3) of the Cameroon Penal Code of 12 July 2016 provides that:

[w]hoever commits a contempt within the meaning of Section 152 of this Code, of the race or religion of a number of citizens or residents shall be punished with imprisonment for from 6 (six) days to 6 (six) months and with fine of from CFAF 5000 (five thousand) to CFAF 500 000 (five hundred). [In addition,] where the offence is committed by means of the press or wireless, the fine may extend to CFAF 20 000 000 (twenty million). [Furthermore,] where the offence is committed with intent to arouse hatred or contempt between citizens, the penalties provided by the foregoing subsections shall be doubled.

Noting that the term *Tutsi*, in pre-colonial Rwandan society, referred to anyone who owned a herd of more than ten oxen, while the *Hutus* were those who owned less, and the *Twes* were artisans who made their living from basketry, pottery, etc.,

Recalling that the traditional organisation of Rwandan society, in which the terms Tutsi, Hutu and Twa referred to a classification of society according to economic activity, was distorted by the colonial authority⁹ and triggered a policy of discrimination that fuelled *hate speech, intolerance, incitement to rebellion and rivalries* that culminated in the genocide occurring several decades after the country's independence,

Noting that from 7 April 1994 and for approximately 100 days thereafter, officially 1,074,017 people were murdered and 1,500,000 displaced, including men, women and children of all ages, mainly from the Tutsi minority, as well as moderate Hutus and other groups opposed to the massacres of Tutsis by Hutu extremists,

⁸ See International Court of Justice, case concerning the *Application of the Convention on the Prevention and Punishment of the Crime of Genocide (Bosnia and Herzegovina v. Serbia and Montenegro)*, <https://www.icj-cij.org/fr/affaire/91>, accessed on 1 April 2024.

⁹ According to the presentation on the history of the Tutsi genocide at the Kigali Genocide Memorial, during a visit to this place of remembrance by a team from the CHRC on the sidelines of the Commonwealth Biennale in June 2022.

Recognising that according to the African Union Commission, this

commemoration [of the 1994 Tutsi genocide in Rwanda] is also to remind Africa and the rest of the world as well as new generations of this tragedy lived by a country and a people so that this tragedy never falls into the oblivion hole in history¹⁰,

Recalling that, in Cameroon, social exclusion and intolerance are sometimes at the root of incidents and justify the prohibition of certain words or terms with pejorative connotations¹¹, such as:

- “*Kaado*” to describe a person as godless according to their religion, or because he does not belong to any religious denomination;
- “*Francofou*” and “*Anglofou*”, pejorative and offensive terms used by French and English speakers to refer to each other,

Emphasizing that the normative and institutional framework in Cameroon regarding the prevention of genocide and its consequences, such as hate speech, intolerance and all forms of discrimination, have seen little change since the last celebrations of the Day, and equally emphasizing that the relevant provisions are set out in the Statement published by the CHRC to mark this Day in 2023¹²,

The Commission is proud to have participated in a wide range of activities dedicate to countering intolerance, hate speech and incitement to violent extremism and fostering a climate of harmonious coexistence, including:

- the participation of the North Branch, in the Regional Meeting on “*Security Dialogue CSO/DSF/Administration on responses to ethno-identitarian conflicts and intercommunity violence*”, at the invitation of the Network for Peace and Social Cohesion (REPCOS), organised by the Cameroonian Network of Human Rights Organisations (RECODH) under the auspices of the Governor of the North Region, on 20 March 2024;
- the organisation by the Far North Branch of the CHRC of an awareness-raising meeting for the local community and traditional authorities on *preventing and combating hate speech* at the Kourgui Lamidat Esplanade in the Mayo-Sava Division, Far North Region, on 24 February 2024;
- the organisation, by the CHRC Far North Branch, of an awareness-raising session on *preventing and combating hate speech*, at *Lycée de Mouda* in the Mayo-Kani Division, targeting both school authorities and students, on 23 February 2024;
- the holding of a training workshop on *preventing and combating hate speech in the Far North Region*, co-organised by the CHRC Far North Branch and a consortium of six civil society organisations (CSOs) attended by administrative and traditional authorities and CSO promoters, on 22 February 2024,

The Commission commends the six significant measures adopted and the three major activities carried out by the National Communication Council (NCC) as part of the fight against

¹⁰ See Statement H. E. Moussa Faki Mahamat Chairperson of the African Union Commission on the Occasion of the 28th Anniversary of the Genocide Against the Tutsis in Rwanda, on 7 April 2022, p. 2.

¹¹ See CHRC Far North Branch Study Report on Hate Speech and Ethnic Intolerance, March 2024, 8 pp. spec. p. 2.

¹² See CHRC Statement to mark the International Day of Reflection on the 1994 Tutsis Genocide in Rwanda, 7 April 2023, 10 pp. esp. pp. 2-4.

hate speech and incitement to intolerance, including those promoting violent extremism, disseminated through media and social media outlets since the last celebrations to mark this Day. These include:

- the warning and one-month suspension from the profession of journalist imposed on the author of an article published by *L'Élite* on 21 February 2002, in connection with the dispute between the President of the Ntem Valley III Section of the Cameroon People's Democratic Movement (CPDM) and the above-mentioned media outlet. The complainant accused the press publication of "making *alleged offensive remarks*" through insulting insinuations against militants of the CPDM, WCPDM¹³ and YCPDM¹⁴ sections of Ntem Valley III¹⁵;
- the two-month suspension, imposed on 21 February 2024, on the editor-in-chief of the print media *Le Point Bi-hebdo* and his collaborator, Mr Nicolas Atangana, prohibiting them from practicing the profession of journalism in Cameroon, in relation to the case initiated by the National Disarmament, Demobilisation and Reintegration Committee (NDDRC) against the above-mentioned press organ;
- the warning issued on 21 February 2024 to a journalist working for *My Media Prime Tv* who made a hateful remark about a 2nd grade police inspector;
- the organization of an International Forum on "*The issue of regulating social media: the modalities of cooperation between African media regulators and digital platforms*" at the Hilton Hotel in Yaoundé, Centre Region, on 8 and 9 November 2023, with the aim of reflecting on the modalities of permanent cooperation between digital platforms and African media regulators to set up a new mode of regulation of the 5th generation of media;
- the organisation of a national awareness-raising seminar for some 60 journalists and media professionals on "*Mechanisms for eradicating hate speech in the media in Cameroon*"¹⁶ at the Djeuga Palace Hotel in Yaoundé, Centre Region, on 26 June 2023;
- the organisation of the "NCC Coffee Talks" placed under the theme "*fighting hate speech in the Cameroonian media*", with the aim of setting up a didactic consultation framework for media professionals, in collaboration with some 20 journalists, in Bertoua on 15 June 2023¹⁷;
- the final prohibition of the activities of Mr Gilbert Baongla's *Voice radio station* at the end of the 38th ordinary session of the NCC on 2 June 2023, for repeated broadcasts on 9 and 22 May 2023 during the programme "*La République en marche*" of "*statements considered unfounded and offensive, likely to undermine the honour and dignity of persons*"¹⁸;
- the month-long suspension of the journalist Bruno François Bidjang Oba'a Bikoro, working for the Vision 4 television channel, imposed at the end of its 38th ordinary session on 2

¹³ Women Association of the Cameroon People's Democratic Movement.

¹⁴ Youth Association of the Cameroon People's Democratic Movement.

¹⁵ See « Médias : Le CNC avertit et suspend des journalistes », <https://teleasu.tv/medias-le-cnc-avertit-et-suspend-des-journalistes/>, accessed le 24 March 2024,

¹⁶ See « Cameroun – Discours de haine : le CNC invite les médias à être responsable », <https://k-news24.com/societe/cameroun-discours-de-haine-le-cnc-invite-les-medias-a-etre-responsable/>, accessed on 23 March 2024

¹⁷ See « La ville de Bertoua dit non au discours de haine dans les médias », <https://cnc.gov.cm/la-ville-de-bertoua-dit-non-au-discours-de-haine-dans-les-medias/>, accessed on 23 March 2024

¹⁸ See. « Lutte contre les discours de haine : le CNC sanctionne des médias », <https://www.cameroon-tribune.cm/article.html/57755/fr.html/lutte-contre-les-discours-de-haine-le-cnc-sanctionne-medias#>, accessed on 24 March 2024.

June 2023, for “*lack of supervision and professional conduct leading to the broadcasting of suggestive and conflictual comments [...] likely to undermine national unity and integrity*” during the “*Club d’Élites*” programme on 16 April 2023¹⁹;

- the warning issued at the end of its 38th ordinary session on 2 June 2023, to the editor-in-chief of the *Info TV channel* and the one-month suspension of the journalist working for the same channel, Mr. Parfait Ayissi Étoa, for “*lack of supervision and professional conduct leading to the broadcasting of [...] stigmatising remarks against an ethnic “community”*” during the “*Espace miné*” programme on 25 April 2023²⁰,

The Commission also commends the three emblematic actions carried out by the National Commission for the Promotion of Bilingualism and Multiculturalism (NCPBM), on its own or in partnership with other institutions and administrations since the last celebrations to mark this Day. These activities are:

- the NCPBM press release of 22 September 2023, announcing that its members would visit the 10 regions of the country for 10 days, starting on 25 September 2023, as part of the new communication campaign against hate speech and xenophobia in Cameroon, a campaign provided for in the institution's action plan for the 2023 financial year, approved by the President of the Republic. These visits enabled the members of the NCPBM to assess the implementation of the constitutional provisions on the use of official languages in state universities, training centres for the defence and security forces and public hospitals;²¹
- the participation of the President of the NCPBM, together with the Ministers of Territorial Administration and Communication, in the press conference as part of the *fight against the spread of hate speech and xenophobia in Cameroon*²²;
- the participation of the Vice-President of the NCPBM as co-president with the Rector of the University of Yaoundé I in the National Symposium on “*Hate speech and violence in Cameroon: social genesis, emerging forms and possible responses*”²³, from 10 to 12 May 2023,

The Commission is pleased to note that some administrations have taken on board the recommendations made to them in its previous statements to mark the International Day of Reflection on the 1994 *Tutsis* Genocide in Rwanda, in particular:

- the Ministry of Communication, which by letter No. 001090/MINCOM/SG/DAJ/CCR of 10 July 2023, emphasised that *it shares the CHRC vision* on the consequences of intolerance and all forms of antagonism between populations, and assures the CHRC that the recommendations brought to its attention are in line with the measures already taken by the Government to combat hate speech;
- the Ministry of Arts and Culture, which, by letter No. E-001054/L/MINAC/SG/DAJ/CC of 4 July 2023, recalled that in 2023, in response to an invitation from CRTV on the subject of hate speech, MINAC had established parameters for identifying instances of hate speech within the arts and culture subsector before proposing appropriate solutions to block the path to this scourge. MINAC also informed the CHRC of its intention to

¹⁹ *Ibid.*

²⁰ *Ibid.*

²¹ See Press Release 22 September 2023 by the National Commission for the Promotion of Bilingualism and Multiculturalism (NCPBM), <https://www.cnpbm.cm/en/communiqués/communiqué-de-presse-22-septembre-2023>, 1 p., accessed on 1 April 2024.

²² See NCPBM, *The (Le)Compatriot(e)*, “*Crusade against hate speech*”, Issue No. 017 April-May-June 2023, 44 pp., spec. p. 7.

²³ *Ibid.*, p. 9.

mobilise artists and the media more in cultural activities aimed at perpetuating the memory of the genocide against the *Tutsis* in Rwanda;

- the Ministry of Decentralisation and Local Development, which, by letter No. 002014/L/MINDDEVEL/SG/ DSCG/CD/CEA1 of 19 April 2022, informed the CHRC that its relevant services were preparing a project to raise awareness among Regional and Local Authorities (RLAs) on *measures to prevent and combat all forms of intolerance, hate speech, incitement to insurrection and harassment based on ethnic origin or religious beliefs*,

The Commission, determined to further contribute to the strengthening of the culture of peace in Cameroon and prevent hate speech and violent extremism, reiterates its support for the teaching of genocide and promotion of the values of tolerance, coexistence and patriotism at all levels of education, and for the acquisition by all of the values of civic education and citizenship,

The Commission is however, still concerned about:

- the failure of the State of Cameroon to ratify the Convention on the Prevention and Punishment of the Crime of Genocide, adopted by the United Nations General Assembly on 9 December 1948
- the persistence of hate speech and incitement to violent extremism, and discriminatory practices, which are major risk factors for genocide and other serious human rights violations such as:
 - o violations of the rights to safety, property and equal treatment, as well as freedom of movement, of certain members of the Bamoun community in the South Region, recorded during the conflict which pitted them against the indigenous community of Sangmélima, following a dispute between two individuals, including Mr Housseini Layou, originally from the Noun Division of in the West Region, and Mr Arsène Bernard Bouloum, originally from Dja et Lobo Division in the South Region. The dispute arose from accusations of witchcraft made against Mr Housseini Layou, witchcraft that caused Mr. Bouloum's death, on 23 May 2023; the day following his death, a group of young people, informed of the situation, stormed the town of Sangmelima to avenge their "*brother*", ransacking and pillaging around 20 shops belonging to members of the Bamoun community in the Sangmelima market; these acts stopped only after the intervention of the local decision-makers, in particular the Governor of the South Region, who reminded everyone that "*Cameroon is a state governed by the rule of law and that all Cameroonians are free to settle anywhere in the country*";
 - o the incitement of tribal hatred against certain administrative authorities, in particular the Governor of the Adamawa Region, Kildadi Taguieke Boukar, who, on 6 March 2024, published a radio communiqué in which he drew the attention of the people of Ngaoundéré to the public nature of the projects to be carried out by the Ngaoundéré City Council on the city's roads as part of the 2023 public investment budget; this communiqué was strongly criticised by Mr Aboubakar Babadjo, a musical artist, who posted audio messages in the *Fulfulde* language on the WhatsApp social media, insulting and threatening the governor and calling on his supporters to take "*mystical measures*" to harm him, demonstrate to demand his resignation and take political action against him, after using a term that was seriously offensive against the Governor. The Governor then ordered the administrative detention of the accused, who was referred to the Legal Department of the Ngaoundéré Court of First Instance on 13 March 2024 and

subsequently placed in pre-trial detention at the Ngaoundéré Central Prison, charged with *offence against corporate bodies and others, cybercrime and lack of identity card*. This case was adjourned to 19 April 2024 for the victim, the Governor, to be summoned to appear before the Legal Department,

In its press release of 21 April 2023, following the inflammatory remarks made by several social actors, ***the Commission*** once again ***strongly condemned*** incitement to hatred on social media and all forms of ethnic, religious, political or tribal discrimination and intolerance, and attacks against minority communities, especially during inter-community conflicts in certain Regions,

The Commission reiterates its recommendations made to mark the International Day of Reflection on the 1994 Tutsi Genocide in Rwanda, celebrated on 7 April 2023, in which it urged:

- *all political actors, all administrative authorities, the educational community, religious leaders, civil society organisations and non-governmental organisations, as well as parents, young people, artists and members of the media, to **continue to practice zero tolerance towards tribalism***, which is the source of hate speech, intolerance and all other forms of discrimination, including ethnic supremacies, which, like the genocide against the Tutsis and the Holocaust against the Jews, is based on the theory of superiority of ethnicity;
- *public and private actors responsible for primary, secondary and higher education to support the revision of textbooks and teaching materials to improve the teaching of civic education and citizenship by integrating lessons on genocide;*
- *public institutions responsible for culture to restore the dignity of the emblematic victims of the violence that has marked Cameroon's history by organising commemorative events, developing touristic sites and promoting existing sites,*

The Commission recommends:

to Government as follows:

- strengthen its material and procedural system for combating genocide and other international crimes, in particular by ratifying the Convention on the Prevention and Punishment of the Crime of Genocide of 9 December 1948 and by taking national measures to implement that Convention;
- establish an early warning system to prevent all situations that may lead to genocide or other international crimes, such as crimes against humanity, war crimes or ethnic cleansing,

to education stakeholders in schools, communities and the media as follows:

- continue to emphasise the importance of life and respect for human dignity
- continue to raise awareness in schools about human rights, the fight against hate speech and the promotion of harmonious coexistence
- continue to build the capacity of human rights clubs to promote *tolerance, peace and social cohesion*,

to civil society actors as follows:

- continue to raise awareness among religious and traditional leaders and communities on issues such as respect for human dignity, combating hate speech and harmonious co-existence;
- intensify human rights education using all means of mass communication;
- strengthen advocacy with the judicial authorities for the prosecution and effective punishment of perpetrators,

The Commission encourages victims of hate speech, intolerance or discrimination to report the perpetrators of such acts so that they can be prosecuted and brought to justice,

The Commission, concerned about the preservation of peace and social cohesion in the country, *reaffirms* its commitment to human rights and the fight against all forms of discrimination and intolerance, tribalism, the theory of ethnic supremacy that leads some individuals to view their ethno-cultural heritage as superior to others, and hate speech, which are at the root of physical and moral violence, femicide, intercommunity conflicts, killings and the risk of genocide

The Commission also reaffirms that it will spare no effort to continue to promote and protect peace and human rights through training workshops, awareness and information campaigns, advocacy, fact-finding missions, and the handling of complaints and self-initiated investigations,

The Commission therefore calls upon anyone who is a victim or witness of human rights violations, in particular acts of tribalism, ethnic supremacism, hate speech, discrimination, violence or threats of violence, to report such cases, including via its **toll-free number 1523** (free call, even without telephone airtime).

Useful CHRC addresses

Website: www.cdhc.cm

Facebook and X (former Twitter): *Cameroon Human Rights Commission*

WhatsApp: 691 99 56 90

Yaounde, 7 April 2024

James Mouangué Kobila

