

In July of 2018, LRWC wrote to authorities in Cameroon protesting the arrest, prosecution, sentencing, and detention of Mancho Bibixy Tse. Mancho Bibixy Tse is a radio journalist, who broadcasted on Bamunda FM radio in Cameroon. He used his broadcasts to draw attention to the economic and social marginalization of the Anglophone minority in Cameroon, and the violations by the government of Cameroon of the constitutionally protected rights of that Anglophone minority.

In January 2017, Mancho Bibixy Tse was arrested without warrant and detained in a maximum security prison in Yaounde. His arrest was the government's response to his participation in a November 2016 peaceful protest and strike during which he publicly denounced the government of Cameroon for its treatment of the Anglophone minority while standing in a casket, in a public square in what has come to be known as the "Coffin Revolution".

During his pre trial detention, he was allowed only minimal contact with family and supporters. His health deteriorated, and he resorted to a hunger strike to protest the conditions of his imprisonment. His trial was delayed until May 2018. At the end of his trial before a military tribunal, he was sentenced to 15 years in prison, and levied a fine of 265 million Cameroon francs (about 408 thousand Euros). The alleged offences for which he was found guilty included acts of terrorism, advocacy of session, spreading false information, revolution, insurrection, sedition, destruction of public property, and failure to produce an identity card.

The concerns set out in the letter written by LRWC included the circumstances of his arrest, the length and conditions of his pre-trial detention, trial before a military tribunal and sentencing for acts that were founded on his exercise of freedom of expression and peaceful assembly to protest.

Based on LRWC's letter, the UN High Commissioner for Human Rights Working Group on Arbitrary Detention (WGAD) took up Mancho Bibixy's case, and invited the Government of Cameroon to respond to the concerns expressed in that letter. The Government of Cameroon filed two voluminous responses, alleging among other things that :

- the investigation by the Working Group was premature because Mancho Bibixy Tse had not exhausted his domestic remedies (appeals),
- there was and is no Anglophone minority in Cameroon  
its actions in arresting and detaining Mancho Bibixy Tse were undertaken in a state of emergency necessary to protect civil society from insurrection and physical violence and therefore these actions did not have to comply with international human rights obligations
- the trial by a military tribunal was appropriate because the charges against Mancho Bibixy Tse arose from acts of terrorism.

LRWC spent considerable time responding to the Government position.

After a lengthy review, WGAD released an opinion letter on August 15 of this year. The opinion essentially accepts the legitimacy of the concerns set out in LRWC's letter. It sets out WGAD's determination *that the deprivation of liberty of Mancho Bibixy Tse contravenes articles 8, 9, 10 and 11 of the Universal Declaration of Human Rights, and Articles 2, 3, 9 and 14 of the International Covenant on Civil and Political Rights, and constitutes arbitrary detention.*

The opinion also directs the Government of Cameroon to take remedial action including:

- *the immediate release of Mancho Bibixy Tse from prison*
- *providing him with the right to obtain reparations in accordance with international law*
- *holding an independent inquiry into the circumstances of his arbitrary detention and taking appropriate measures to hold accountable those who are deemed to be responsible for it*
- *using all methods at its disposal to publicize and disseminate the WGAD opinion.*
- *Providing an update to WGAD on the steps taken toward release, reparations and inquiry within six months,*
- *Providing a report to WGAD on any legislative and systemic changes that the Government may have undertaken or be considering to avoid similar circumstances – which any assistance that it may*

The opinion also states that WGAD is remitting the case to the Special Rapporteur on the Independence of Judges and Lawyers to take whatever further steps that that office deems necessary or appropriate.

LRWC will continue to monitor Mancho Bibixy Tse's situation and in particular will be awaiting the report from the Government of Cameroon that the WGAD has requested within six months.

Robert Lapper, QC.