

PUBLIC

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07 March 2006

UA 51/06 **Fear of torture or ill-treatment/prisoners of conscience/harsh prison conditions**

CAMEROON **Nine male detainees, including one 17-year-old boy**

Eight men and one boy aged 17 are being tried on charges of practising homosexuality, which is a criminal offence under Section 347a of the Cameroonian Penal Code. They are detained in harsh conditions and are at risk of ill-treatment. Amnesty International considers them to be prisoners of conscience, detained solely because of their alleged sexual orientation.

The nine detainees were arrested at a nightclub in the capital, Yaoundé, by gendarmes on 22 May 2005, along with two other boys who were subsequently freed. They were initially detained at Nlongka detention centre in Yaoundé, and transferred on 13 June to Kondengui Central Prison. The nine are still held at the prison, where conditions are said to be overcrowded and unsanitary, and the prison diet is reportedly inadequate.

During pre-trial investigations in late 2005, a magistrate reportedly ordered that the detainees be subjected to medical examinations in order to determine whether they had engaged in anal sex. This order has apparently not yet been implemented, but these medical examinations could still be carried out at any time. Amnesty International believes that such examinations would constitute cruel, inhuman and degrading treatment.

The trial of the nine before the High Court began in late February 2006. The court's verdict is expected to be announced on 17 March. If found guilty, the nine could face five years' imprisonment and a fine of up to 200,000 CFA francs (US\$350).

BACKGROUND INFORMATION

Homophobia is endemic in Cameroonian society. In December 2005, the Cameroonian Roman Catholic Church issued a statement denouncing homosexuality. In January 2006, three Cameroonian newspapers published a list of several dozen people, including several government officials, musicians and businessmen whom they accused of homosexuality. On 13 February 2006, an anonymous person claiming to represent a youth organisation published a memorandum urging all Cameroonians not to tolerate homosexuality and to report gay men and lesbians to the authorities. On 3 March 2006 the High Court in Yaoundé found the editor of the newspaper *L'Anecdote* guilty of defaming a government minister when the newspaper published a list, including the Minister's name, of people accused of homosexuality. The editor was sentenced to four months' imprisonment and ordered to pay a fine of 300,000 CFA francs (US\$425).

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in French, English or your own language:

- expressing concern for the nine detainees on trial in the capital, Yaoundé, on charges of practising homosexuality;
- stating that Amnesty International believes that they are prisoners of conscience, detained solely because of their alleged sexual orientation;
- asking the authorities to order an immediate halt to the trial of these detainees on charges based on their suspected or known sexual orientation;
- urging the authorities to release the detainees immediately and unconditionally and to respect their right to freedom of association in accordance with international human rights treaties, such as the International Convention on Civil and Political Rights and under the African Convention for Human and People's Rights, to which Cameroon is a party;

- calling on the authorities to ensure that the detainees are not subjected to anal examinations or any other form of cruel, inhuman or degrading treatment;
- calling on the authorities to ensure that the detainees are allowed access to their families, lawyers and any medical attention they may require.

APPEALS TO:

Minister of Justice
Mr Amadou Ali
Deputy Prime Minister
Minister of Justice
Yaoundé
Cameroon

Salutation: Dear vice-Prime Minister/ Monsieur le Vice-Premier Ministre

COPIES TO :

Minister of Interior
Mr Marafa Hamidou Yaya
Minister in charge of Territorial Administration Decentralization
Ministry of Territorial Administration Decentralization
Yaoundé
Cameroon

Salutation: Dear Minister/Monsieur le Ministre

Director of Kondengi prison
Monsieur le Directeur
Prison Centrale de Kondengui,
BP 100, Yaoundé- Province Centrale.
Cameroon

and to diplomatic representatives of Cameroon accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 18 April 2006.