

URGENT ACTION

CAMEROONIAN MAN JAILED FOR HOMOSEXUALITY

Jean-Claude Roger Mbede has been sentenced to 36 months in prison for homosexuality, a criminal offence under Section 347a of the Cameroonian Penal Code. He is currently serving his sentence at Kondengui central prison in Yaoundé, the capital of Cameroon. He is at risk of physical attack and other forms of cruel, inhuman or degrading treatment on account of his real or perceived sexual orientation. Amnesty International considers Jean-Claude Roger Mbede to be a prisoner of conscience, imprisoned solely because of his sexual orientation.

On 2 March Jean-Claude Roger Mbede was arrested by members of the Secretary of State for Defence (SED) security service while meeting a male acquaintance. Prior to the meeting, his acquaintance had showed to the police text messages he had received from Jean-Claude Roger Mbede, and informed them they were due to meet. Jean-Claude Roger Mbede was taken into custody on suspicion of homosexuality at the Gendarmerie du Lac detention centre in Yaoundé. He was held there for seven days before being charged with homosexuality and attempted homosexuality and transferred to Kondengui Central Prison on 9 March.

Jean-Claude Roger Mbede appeared before a court (Tribunal de première instance) in Yaoundé on 10 and 24 March. On 28 April the court found him guilty of homosexuality and attempted homosexuality and sentenced him to three years' imprisonment. He is currently serving his sentence at Kondengui central prison where he is at risk of homophobic attacks, as well as ill-treatment by fellow inmates or prison authorities because of his real or perceived sexual orientation. In addition, the prison conditions in Kondengui are harsh, with inmates suffering overcrowding, poor sanitation and inadequate food. An appeal against the sentence was made on 3 May by his lawyers.

Section 347a of the Cameroonian Penal Code states "Whoever has sexual relations with a person of the same sex shall be punished with imprisonment from six months to five years and with a fine ranging from 20,000 Francs CFA to 200,000 Francs CFA" (approximately 35 to 350 US dollars). This contravenes the international and regional human rights treaties (including the International Covenant on Civil and Political Rights and the African Charter on Human and Peoples' Rights) which Cameroon has signed and ratified.

PLEASE WRITE IMMEDIATELY in French, English or your own language:

- Call for the immediate and unconditional release of Jean-Claude Roger Mbede;
- Note that he is a prisoner of conscience imprisoned solely because of his sexual orientation;
- Urge the authorities to repeal Section 347a of the Penal Code in accordance with their obligations under the International Covenant on Civil and Political Rights and under the African Charter on Human and Peoples' Rights;
- Express concern about his physical safety while in prison because of his sexual orientation and call on the authorities to ensure that he is not subjected to any form of ill-treatment, harassment or violence while in prison;

PLEASE SEND APPEALS BEFORE 15 JULY 2011 TO:

His Excellency

Paul Biya
President of the Republic
Office of the President
P.O. Box 100
Yaounde
Fax: +237 2222 0870
Email: cellcom@prc.cm

Salutation: Your Excellency / Son Excellence

M Amadou Ali

Deputy Prime Minister, Minister of Justice, Keeper of the Seals
Ministry of Justice
Office of the Prime Minister
P.O Box 100
Yaounde
Fax: +237 2223 4090

Salutation: Dear Deputy Prime

**Minister / Mr le Vice Premier
Ministre**

And copies to:

M Marafa Hamidou Yaya

Minister of State for Territorial Administration and Decentralisation
Ministry of State for Territorial Administration and Decentralisation
Yaounde
Fax: + 237 2222 3735

Also send copies to diplomatic representatives accredited to your country. Check with your section office if sending appeals after the above date.

**AMNESTY
INTERNATIONAL**



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ADDITIONAL INFORMATION

Homophobia is endemic in Cameroonian society and even the National Human Rights Commission refuses to recognize and defend the rights of lesbian, gay, bisexual and transgender (LGBT) people. Arrests, prosecutions and trials of gay men occur on a regular basis.

Prisons and other detention centres in Cameroon are overcrowded and conditions are often life-threatening. Medical care and food is often not provided or is inadequate. Prison guards are poorly trained, ill-equipped and their numbers inadequate for a large prison population.

The International Covenant on Civil and Political Rights Articles 2.1 and 26 guarantee all citizens freedom from discrimination and equality before the law; Article 17 guarantees the right to privacy; and Article 21 guarantees the freedom of assembly and association)

The African Charter on Human and Peoples' Rights Article 2 guarantees all citizens freedom from discrimination; and Article 10 guarantees the freedom of assembly and association).

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