



DECLARATION ON THE DISAPPEARANCE OF JOURNALIST ABUWE SAMUEL ADJIEKA CALLED "SAMUEL WAZIZI"

RECODH recommends the establishment of an independent Commission of Inquiry which will restore the truth about the circumstances of the death of Samuel Wazizi, the amendment of the Anti-Terrorism Law in order to guarantee the safety of journalists, human rights defenders and anyone accused of a terrorist act.

The Cameroon Network of Human Rights Organizations (RECODH), the national umbrella network of human rights organizations in Cameroon, learned with dismay of the death of the Cameroonian journalist ABUWE Samuel AJIEKAH, better known under the pseudonym "Samuel WAZIZI", who worked at Chillen Muzik and Television (CMTV) in Buea.

The story of his arrest on Friday, August 2, 2019 by elements of the Police Station of the 3rd District Police Station Muea, Buea until the double announcement of his death, first by Equinoxe TV during the 8 p.m. news on Tuesday June 2, 2020, then by the Head of the Communication Division of the Ministry of Defense through Communiqué No. 0355 / CRP / MINDEF / 019 of June 5, 2020, raises concerns for the rule of law.

Indeed, after cross-checking with his family, relatives and his lawyer, Me NKEA ALEAMBONG Emmanuel, it appears that Samuel Wazizi was last seen on August 7, 2019 at the Police Station of 3rd District of the city of Buea located in Muea; Police Commissioner M. Nzemssing David having promised the day before to refer him to the Judicial Police Division of South West Region.

Instead of this legal transfer to the Judicial Police, Samuel Wazizi was, according to the MINDEF press release, "placed at the disposal of the 21st Motorized Infantry Brigade (21st BRIM) for operational use (...) transferred to the Central Criminal Investigation Service of the National Gendarmerie on August 13, 2019 via the Military Security Division".

Samuel Wazizi has never been presented to any judge, the Public Prosecutor, or the Government Commissioner. All Habeas Corpus requests filed by its Lawyers have been dismissed; and his trial followed its course before the Military Court in Buea, without the person concerned being brought before the bar, until the hearing on May 28, 2020 which was postponed for June 9, 2020.

These facts corroborated by various witnesses and documents, reveal that there was **concealment** both in court and his counsel and the family, **of the death of journalist Samuel Wazizi**, which occurred according to the Ministry of Defense, on August 17, 2019 at 2 hours and 13 minutes in the morning following a "severe Sepsis" at the Hospital of Military Region N ° 1 (HMR1) of Yaoundé.

The dismissal by the police of a civilian defendant, to an infantry barracks whose role in legal proceedings is not clarified, constitutes an incomprehensible breach of procedure, as the defendant was assisted by two lawyers to whom the soldiers prevented access to the barracks of the 21st BIM. This impossibility for Samuel Wazizi to have access to his lawyers and his family, deprived him of assistance, prior to any fair trial.

The allegations of **"logistician for various terrorist groups"** included in the Communiqué of June 5, 2020, and relayed by some press organs, risk tainting the honor and the memory of the defendant who was not given the opportunity to present his defense before a court. RECODH recalls that this ultra defensive rhetoric which was deployed during the **tragic events of Ngarbur** and beyond, derogates from the republican demands for accountability to the sovereign people and to the memory of the victims of blunders and other irresponsible acts of bad apples from the Defense and Security Forces.

For RECODH, there is no doubt that the arrest, detention and death of journalist Samuel Wazizi were facilitated by the application of Law No. 2014/028 of 23 December 2014 on the suppression of acts of terrorism. RECODH is

concerned with the cases of other journalists convicted or threatened with conviction by this Law. These include the journalist Mancho Bibixy, sentenced to 15 years in prison for having walked in Bamenda with a coffin, the freelance journalist Kingsley Ndjoka, arrested on May 15, 2020 in Douala, the journalist Awah Thomas Junior, arrested in Bamenda in 2017.

RECODH recalls its eight positions on the Anti-Terrorism Law, and encourages the Executive and the two chambers of Parliament to adopt it to amend the said Law:

- i. **On the function of the Law and criminal law:** *The law, the criminal law have first of all a function of protection of the citizens against what harms the social life, and not a repressive function.*
- ii. **On the primary role of the Anti-Terrorism Law:** *The anti-terrorism law must aim to protect and security citizens against terrorism, while respecting their rights.*
- iii. **On the concept of security in a context of the fight against terrorism:** *The concept of security should be revisited and reformed by including the requirements of human security, centered on the human person, based on a holistic approach taking into account simultaneously development, national security and respect for human rights.*
- iv. **On the need to consolidate the achievements of the rule of law:** *Amend the 2014 Anti-terrorism Law, taking inspiration from the requirements of international texts for the promotion and protection of human rights, by clarifying so that the criminalization of terrorist acts is not a catch-all that undermines the achievements of the rule of law.*
- v. **On the vagueness in the definition of the terrorist offense:** *To define well the terrorist offense in the Law, by making a distinction with the other acts of the common law in the respect of the values and principles defined in the Constitution and the international instruments duly ratified by Cameroon.*
- vi. **On freedom of expression and the protection of journalists:** *Consolidate the achievements of freedom of expression and protection of journalists, for a free and independent press.*
- vii. **On the problematic role of the Military Tribunal as a trial court:** *Creating conditions for equitable access to justice in the context of the fight against terrorism, and taking into account the principles of modern criminal law, in particular that of the presumption of 'innocence.*
- viii. **On the conditions of detention and police custody provided for in the Anti - Terrorism Law:** *Attach the time limits for police custody and pre - trial detention to the provisions provided for in the Penal Code.*

RECODH recommends that the Cameroonian government **enlighten national and international opinion on the case of Samuel Wazizi by setting up an independent Commission of Inquiry**, like the one that brilliantly operated following the tragic events of Ngarbuh in the North West region. The said commission should have an autopsy carried out on the body of Samuel Wazizi who is said to be "at the Yaounde Military Hospital – Military Region No. 1 mortuary located at the Military Training Centre".

RECODH remains **in solidarity with all journalists whose imprisonment violates the principles of the rule of law** and condemns any action aimed at intimidating, discouraging or reprisals against freedom of expression.

Ultimately, RECODH **remains favorable to collaboration between CSOs, populations and public authorities to strengthen the culture of human rights in Cameroon.**

Done in Yaoundé on June 8, 2020

On behalf of RECODH,
The National Coordinator

Joseph Désiré ZEBAZE

