



**The Chairman
Andrew Langdon QC**

24 March 2017

His Excellency Paul Biya
President of the Republic of Cameroon
Office of the President
P.O. Box 100
Yaoundé
Cameroon

EMAIL: ellcom@prc.cm

Your Excellency

The Bar Council of England and Wales expresses its deep concern at the arbitrary arrest and trial of lawyer Nkongho Felix Agbor-Balla in the Republic of Cameroon. We urge the Government of the Republic of Cameroon to comply with its obligations under international law and to ensure that any trial is conducted fairly and in accordance with due legal process.

Nkongho Felix Agbor-Balla is a human rights lawyer, President of the Fako Lawyers' Association and President of the Cameroon Anglophone Civil Society Consortium (CACSC), which advocates for the interests of English speaking lawyers and teachers. We understand that Felix Agbor-Balla, and the CACSC's Secretary General, Dr. Fontem Aforteka'a Neba, were arrested on 17 January 2017, after organising peaceful protests in West Cameroon. On the same day, the Minister of Territorial Administration banned all activities, meetings and demonstrations of the CACSC.

We understand that both Felix Agbor-Balla and Dr. Fontem Neba were arrested without a warrant and remain detained incommunicado. We understand that both face a number of serious charges such as terrorism, insurrection, rebellion, secession, contempt of public authorities and attempting to incite civil war, some of which carry the death penalty on conviction.

The Bar Council

www.barcouncil.org.uk

289-293 High Holborn, London WC1V 7HZ DX: 240 LDE Tel: 020 7242 0082 Fax: 020 7831 9217

Page 2

24 March 2017

His Excellency Paul Biya

The Bar Council is very concerned that the trial will be by military tribunal despite the fact that the defendants are civilians, which we understand has been postponed for a third time to the 7 April 2017 and we are alarmed by reports that the military tribunal may be held in closed session. The use of military courts to try civilians in the name of counter-terrorism poses a serious threat to the proper administration of justice and raises questions about the independence of the judiciary.

We respectfully refer the Government of the Republic of Cameroon to principle 5 of the United Nations Basic Principles on the Independence of the Judiciary which provides that *"everyone shall have the right to be tried by ordinary courts or tribunals using established legal procedures"*, and principle G of the Principles and Guidelines on the Right to a Fair Trial and Legal Assistance in Africa 2003 *"Military courts should not in any circumstances whatsoever have jurisdiction over civilians"*.

We also draw the Government's attention to the rights of lawyers enshrined in the United Nations Basic Principles on the Role of Lawyers. In particular, we refer to principle 23 which states that lawyers shall have *"the right to take part in public discussion of matters concerning the law, the administration of justice and the promotion and protection of human rights and to join or form local, national or international organizations and attend their meetings, without suffering professional restrictions by reason of their lawful action or their membership in a lawful organization"*.

We therefore urge the Government of the Republic of Cameroon to comply with its obligations under international law and to ensure that any trial is conducted fairly and in accordance with due legal process.



Andrew Langdon QC

Chairman of the Bar of England and Wales

Page 3

24 March 2017

His Excellency Paul Biya

Cc:

Mr Martin Belinga Eboutou
Director of Civil Cabinet
Presidency of the Republic of Cameroon
P.O. Box 100
Cameroon
Email: cellcom@prc.cm

Mr Ferdinand Ngoh Ngoh
Secretary General of the Presidency
PO Box 100
Yaoundé
Cameroon
Email: cellcom@prc.cm

Honourable Cavaye Yeguié Djibril Speaker of the National Assembly
PO Box 4808
Yaoundé
Cameroon Page 9 of 9
Email: ndumjt@yahoo.com

His Excellency Philemon Yang
Prime Minister of the Republic of Cameroon
Office of the Prime Minister
Yaoundé
Cameroon
Email: spm@spm.gov.cm

The African Commission on Human and People's Rights
31 Bijilo Annex layout
Kombo North District
Western Region
P.O. Box 673
Banjul
The Gambia
Email: au-Banjul@africa-union.org

Page 4

24 March 2017

His Excellency Paul Biya

High Commission of Cameroon
84 Holland Park, Kensington, London W11 3SB
United Kingdom
Email: info@cameroonhighcommission.co.uk

British High Commission in Yaounde
Avenue Winston Churchill
Yaounde
Centre Region
547
Cameroon
Email: bhc.yaounde@fco.gov.uk

Ms. Sofia Shariff
Foreign & Commonwealth Office
King Charles St
London SW1A 2AH
United Kingdom
Email: Sofia.Shariff@fco.gov.uk

Ms Katalaina Sapolu
Rule of Law Division
Commonwealth Secretariat
Marlborough House
Pall Mall, London SW1Y 5HX
United Kingdom
Email: k.sapolu@commonwealth.int