

# NEW YORK CITY BAR

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His Excellency Paul Biya  
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Dear President Biya:

I write on behalf of the Association of the Bar of the City of New York (the Association) to express our concern over the arrest, detention and reported torture of Enoh Meyomesse, the 58 year-old writer and former presidential candidate who is being detained without charge in a maximum-security prison that has been internationally criticized for its poor conditions.

The Association is an independent non-governmental organization of more than 23,000 members in over 50 countries. Founded in 1870, the Association has a long history of dedication to human rights in Africa through its Committee on African Affairs. The Association is committed to advocating for the recognition and respect of human rights globally, and of the international treaties that enumerate them.

The Association has been following the case of Mr. Meyomesse, a distinguished writer who was a founding member of the Cameroon Writers Association and is the author of 15 works of prose and poetry. Mr. Meyomesse has been active in Cameroonian politics for years, and competed in the October 9, 2011 elections for the presidency of Cameroon. His bid for presidency was impeded by an alleged failure to "properly register."<sup>1</sup>

On November 22, 2011, shortly after the election, Mr. Meyomesse was arrested upon landing at Nsimalen International Airport. The Cameroonian national police reportedly "detained him, searched his belongings, and accused him of stealing gold as part of a sophisticated coup d'état against President Paul Biya."<sup>2</sup> Mr. Meyomesse was later charged with attempting to organize a coup, possessing a firearm and aggravated

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<sup>1</sup> See Deji Olukotun, *Gold, Guns and Books: The Meyomesse Affair*, Huffington Post, (Jan. 23, 2012), available at [http://www.huffingtonpost.com/deji-olukotun/enoh-meyomesse-arrested\\_b\\_1219143.html](http://www.huffingtonpost.com/deji-olukotun/enoh-meyomesse-arrested_b_1219143.html).

<sup>2</sup> *Id.*

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theft.<sup>3</sup> Following his arrest, Mr. Meyomesse was reportedly denied access to a lawyer while detained in a prison in Bertoua, where he was held in solitary confinement in “complete darkness”<sup>4</sup> for thirty days and subjected to other forms of torture.<sup>5</sup>

On January 12, 2012, Mr. Meyomesse was transferred to the severely overcrowded Kondengui Central Prison in Yaounde. In its 2011 annual report, Amnesty International reported that Kondengui, though built for 700 inmates, held 3,852 persons, and, further, that food, water and medical supplies were all in short supply.<sup>6</sup> As documented in the report, “[i]n one wing, known as Kosovo, there was not enough room for prisoners to sleep lying down.”<sup>7</sup>

Mr. Meyomesse has persistently denied all charges filed against him, and has claimed that he was arrested on account of his political opinions and activities.<sup>8</sup> According to reports, all charges against Mr. Meyomesse have now been dropped.<sup>9</sup> Despite this, we understand that Mr. Meyomesse remains in confinement, that conditions of “total darkness” have aggravated a pre-existing eye condition, that his eye sight is rapidly deteriorating, and that the Cameroonian authorities will not grant Mr. Meyomesse access to medical care.<sup>10</sup>

The Association is deeply concerned about the circumstances surrounding Mr. Meyomesse’s arrest and detention. In this regard, we have taken into consideration the timing of Mr. Meyomesse’s arrest, which occurred less than a month after his

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<sup>3</sup> Press Release, PEN Int’l, *CAMEROON – Writer Detained; Faces up to 50 Years in Prison*, (Jan. 23, 2012), available at <http://www.pen-international.org/newsitems/cameroon-writer-detained-faces-up-to-50-years-in-prison/>.

<sup>4</sup> *Id.*

<sup>5</sup> See Jeffrey L. Metzner, M.D. & Jamie Fellner, Esq., *Solitary Confinement and Mental Illness in U.S. Prisons: A Challenge for Medical Ethics*, Human Rights Watch, (Mar. 1, 2010), available at [http://www.hrw.org/news/2010/03/22/solitary-confinement-and-mental-illness-us-prisons#\\_edn23](http://www.hrw.org/news/2010/03/22/solitary-confinement-and-mental-illness-us-prisons#_edn23) (“International treaty bodies and human rights experts, including the Human Rights Committee, the Committee against Torture, and the U.N. Special Rapporteur on Torture, have concluded that solitary confinement may amount to cruel, inhuman, or degrading treatment in violation of the International Covenant on Civil and Political Rights and the Convention against Torture and other Cruel, Inhuman and Degrading Treatment or Punishment.”).

<sup>6</sup> Annual Report 2011, Amnesty International, available at <http://www.amnesty.org/en/region/cameroon/report-2011#section-23-4>.

<sup>7</sup> *Id.*

<sup>8</sup> Press Release, PEN Int’l, *CAMEROON – Coup Charges Against Writer Dropped; Still Faces Military Tribunal*, (Feb. 6, 2012), available at <http://pen-international.org/newsitems/cameroon-coup-charges-against-writer-dropped-still-faces-military-tribunal/>. On March 21, 2012, Mr. Meyomesse reasserted his innocence before a magistrate judge, who has been assigned to determine which evidence shall and shall not be admitted in his pending trial before a military tribunal. (See Letter of March 30, 2012 from Patrice Nganang, Associate Professor of Comparative Literature at SUNY Stony Brook (on file with the Association).

<sup>9</sup> Press Release, PEN Int’l, *CAMEROON – All Charges Against Writer Enoh Meyomesse Dropped; Still in Prison and Facing Blindness* (June 20, 2012), available at <http://www.pen-international.org/newsitems/cameroon-all-charges-against-writer-enoh-meyomesse-dropped-still-in-prison-and-facing-blindness/>.

<sup>10</sup> *Id.*

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presidential run was curtailed, and his continued detention, despite not being charged with a crime.<sup>11</sup> The Association notes that, as a State Party to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (“CAT”), the International Covenant on Civil Political Rights (“ICCPR”),<sup>12</sup> and the African Charter on Human and Peoples’ Rights, the government of Cameroon is legally obligated to respect Mr. Meyomesse’s human rights.<sup>13</sup> We call upon the government to comply with its legal obligations, as well as the internationally recognized standards for detention set forth in the Standard Minimum Rules for the Treatment of Prisoners, including Rule 22(2), which provides that “[s]ick prisoners who require specialist treatment . . . be transferred to specialized institutions or to civil hospitals.”<sup>14</sup>

The Association deplors any violation of Mr. Meyomesse’s human rights, including the suppression of his political opinion and activities through continued confinement. We respectfully urge you to promptly free Mr. Meyomesse if all charges against him have been dropped, and if they have not been dropped, to ensure that he is given a speedy hearing with full due process protections, including the right to counsel. Moreover, we urge you to ensure that Mr. Meyomesse immediately receives the medical care to which he is entitled.

Respectfully submitted,



Carey R. Dunne  
President

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<sup>11</sup> *Id.*

<sup>12</sup> The Association notes in particular the government of Cameroon’s obligations under ICCPR Article 7, which, consistent with the CAT, provides that no person shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment; Article 9, pursuant to which no person shall be subjected to arbitrary arrest or detention; Article 10, whereby all persons deprived of their liberty shall be treated with humanity and with respect for their inherent dignity; Article 18, pursuant to which everyone shall have the right to freedom of thought; and Article 19, which provides that everyone shall have the right to hold opinions without interference and to freedom of expression. See [www2.ohchr.org/English/law/ccpr.htm](http://www2.ohchr.org/English/law/ccpr.htm).

<sup>13</sup> Article 5 of the African Charter of Human and Peoples’ Rights prohibits all forms of exploitation and degradation of man, including torture. Article 6 provides that no one may be arbitrarily arrested or detained. Article 8 provides that no one may, subject to law and order, be submitted to measures restricting the exercise of freedom of conscience. Article 9 provides that every individual has the right to express and disseminate his or her opinions within the law. See [www.achpr.org/files/instruments/acjpr/banjul\\_charter.pdf](http://www.achpr.org/files/instruments/acjpr/banjul_charter.pdf).

<sup>14</sup> See <http://www2.ohchr.org/english/law/treatmentprisoners.htm>.

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