

JUNE 27,2018
Washington DC
The United States of America

Sir/Madam

It is an honour that I get to testify before the U. S Congressional sub committee even though in writing. There is more I could have done but penal situation does not warrant that. My name is PENN TERENCE KHAN, born on January 02,1982 in the Former British Southern Cameroons town of Bamenda. I am married and father of four. I am not only a trained teacher but I am an unrepentant activist for justice, equality and freedom. I have been at the center stage of the crisis rocking Cameroun dubbed the “Anglophone Crisis”. I am thus not testifying as an outsider but as an insider who with others tried in vain to get the Government of the Republic of Cameroun accept to dialogue with the grieving population. It is true that the said conflict started with lots of gievances that were and had been tabled to the Yaoundé base Government for solutions but were all ignored or solved to the detriment of the Anglophone activists. To better understand where it all went wrong, permit me to dive a bit in the history of the conflict.

A SYNOPSIS OF THE ROOT CAUSES OF THE CRISIS

The foundation on which the present day Cameroun comprising Former British Southern Cameroons and Former French Cameroun is built has been faulty since the U. N imposed a plebiscite on the former, obliging her to join the latter on a Confederal basis in 1961. As a Mandate B territory of the UN, the British were charged with the responsibility of getting Southern Cameroons to Self-determination but that was not the case.

In 1954,British Southern Cameroons attained a quasi or semi independent status from the British who had ruled her as part of Eastern Nigeria following the 1919 partition and 1922 international boundaries recognition by the League of Nations which finally became the United Nations in 1945.

The Southern Cameroons Order in Council vested the new government of E.M.L Endeley (1954-1959) and J.N Foncha (1959-1961) with every administrative power other than defence and external relations which was reserved for the Her Majesty's Government. As earlier said, the British for varied reasons not fully understood today, decided to go by way of a plebiscite to decide the future of Southern Cameroons (Ambazonia) rather than their original task of leading the people to total independence. The UN resolutions and declarations as well as state practice, set the parameters for de-colonisation following World War II on the basis of self-determination. The United Nations resolutions in the 1950s presented the right to self-determination as a prerequisite for the enjoyment of human rights and an idea deserving respect from all member states. The 1960 Declaration on the Granting of Independence to Colonial Countries and Peoples (UN General Assembly Resolution 1514 of 14 December 1960) asserted that continued subjugation and denial of human rights is an impediment to world peace and cooperation. Thus, **"All peoples have the right to self-determination by virtue of that right they freely determine their political status and freely pursue their economic social and cultural development."** Yet in an ill-fated plebiscite of 11 February 1961, Southern Cameroons was forced not by choice but by design to join the already independent La République du Cameroun (which had independence on January 1, 1960 and joined the UN in September of the same as an independent nation) on a Confederacy to be decided following Article 5 of the April 21, 1961 Resolution 1608;

Invites the Administering Authority, the Government of Southern Cameroons and the Republic of CameroUn to initiate urgent discussions with a view to finalizing before 1 October 1961, the arrangements by which the agreed and declared policies of the parties concerned will be implemented

By virtue of the above, the future of the Trust Territory was to be decided between Britain (Administering Authority), the Government of J. N Foncha (Southern Cameroons) and President Ahidjo (of the already Independent Republic of Cameroun). A treaty thus had to be worked out and deposited at the U.N Secretariat in application to Article 102(1) and the Statute of the International Court of Justice (I.C.J) which states

Every treaty and every international Agreement entered into by any member of the United Nations after the present Charter comes into force shall as soon as possible be registered with the Secretariat and published by it

Clearly, this was never the case as Britain never showed up at Foumban. The inexperienced Southern Cameroons and J. N Foncha was left alone to deal with the already independent Republic of Cameroun which had by her side legal experts from France.

At the Foumban Conference (17-22 July 1961), the weak ill advice Government of J. N Foncha had the modify the already existing constitution of the independent Republic of Cameroun to accommodate the new state. Article 47(1) of the Federal Constitution said and I quote

No bill to amend the Constitution may be introduced if it tends to impair the unity and integrity of the Federation.

President Ahidjo, from 1 October 1961 started scheming for ways to scrap off the already fractured and illegal union. That opportunity came in 1966 when the Democratic Federation was transformed into a dictatorship with just a single party state. This laid the ground works for the Referendum of May 20,1972. Southern Cameroons was fully annexed and her people lived as second class citizens in a majority controlled country.

In February 3,1986,just four years after the current president, Paul Biya took over power from Amadou Ahidjo, the American Embassy sounded a note of warning about the marginalization of the minority of Anglophones (Southern Cameroons) who made up only 20% of the population.(See document 1 attached). In the words of the American Embassy, **“Although they (Anglophones) currently lack the leadership and unity to effectively challenge Biya’s rule we believe the anglophone minority is a potential time bomb, and should the central government fail to respect their cultural and linguistic traditions, the two-million strong community may view armed confrontation as their only alternative “**

DIRECTORATE OF INTELLIGENCE

3 February 1986

Cameroon: Challenges Ahead for Biya

Regionalism. The anglophones--who constitute some 20 percent of the population of nearly 10 million--fear their gradual assimilation into the dominant francophone community, according to US Embassy reporting. Although they currently lack the leadership and unity to effectively challenge Biya's rule, we believe the anglophone minority is a potential timebomb, and should the central government fail to respect their cultural and linguistic traditions, the two-million strong community may view armed confrontation as their only alternative. Cameroon is officially bilingual, but without a perfect mastery of French, it is difficult for anglophones to gain admittance to the best schools and to enter the civil service. According to the US Embassy, anglophone students--slightly over one-eighth of the 15,000 students attending the University of Yaounde--are a potentially volatile group. Student demands include the creation of an English-language university, greater government efforts to promote bilingualism, and a possible return to a federal state. Although the security services could probably handle an outbreak of violence at a series of schools, we believe it would be a significant setback blow to Biya's effort to develop national unity and reconciliation.

THE CRISIS TODAY

For over the years, the Cameroun government successfully did all to eclipse and assimilate the once semi independent people of Former British Southern Cameroons to oblivion. The educational and common law came under serious attack as these two pillars of the Anglo-Saxon culture was systematically replaced by French. It was common to find civil law trained magistrates heading Common Law courts in, using the colonial appellation, the North West and South West of the country. The same scenario existed in the educational sector of which I am a member. Students who studied under the French Sub System of education were enrolled into the lone Anglosaxon teachers training college; The Higher Teachers Training Collage in Bambili. These students graduated with very little or no mastery of the English Language which is the core medium of instruction used in the English Sub System of education. They neither taught the students in English nor French. This forced the teachers to call for an industrial strike action on

November 21, 2016 as to force the government to redress and reform the educational sector. As activists who upheld the Anglosaxon principles of democracy, justice, equality, development and liberties, we saw that the only sustainable solution to the ordeal that had befallen the 20% minority Anglophones was a two state solution where both cultures will be allowed to grow undiluted. The Government of Cameroun which is not used to dialogue or appearing weak unleashed what she knows best; violence. Mass arrests and targeted killings followed suite

HOW THE GOVERNMENT OF CAMEROUN HAS FUELED THE CONFLICT

The conflict we are witnessing today did not just begin in October 2016. From an appraisal of the remote causes, we can easily identify that the successive governments of Amadou Ahidjo and Paul Biya have done all in their individual capacities to fuel up the anger that finally exploded in October of 2016. The 'Ambazonian' nation was born since 1984 when Paul Biya single handedly, by **decree no 001/84 of 4 February 1984** changed the name of the country from the United Republic of Cameroun to the Republic of Cameroun, a name that existed before the illfated 1961 plebiscite, a country that had independence from France on January 1, 1960. Legal minds like Fon Gorgi Dinka saw that as an act of secession from a false union that did not exist and Ambazonia was born as a nation then. Even if it did not live physically, it has always lived in the hearts of the people. Quoting the American Embassy again, it remained a dream, an illusion because the people **"lack(ed) the leadership and unity to effectively challenge Biya's rule"**. There have always been waves of protests across the Former British Cameroons for constitutional reforms that will accommodate the 'Anglophones' who have never played any role in the policy or decision making of the country (Cameroun). The phrase dubbed "The Anglophone Problem" is not a new creation. The Anglophones have seen complete marginalization since 1961 as they were relegated to second class citizens in a nation that pretends to practice the ideal of "living together". In April 2 to 3 1993, the aggrieved marginalized Anglophones met in Buea in an ALL ANGLOPHONE CONFERENCE (AAC1) and drew up what became known as the Buea Declaration (see documents attached). The underlying aim of the conference was for The Republic of Cameroun to organize a constitutional conference so as to redefine the terms of existence. The government of Cameroun rejected these proposals and came up with the 1996

Constitution which focused on DECENTRALIZATION rather than the proposed FEDERALISM or the OUTRIGHT INDEPENDENCE. These were just measures aimed at appeasing the angry population of Southern Cameroons. Till today, even the cosmetic solution of Decentralization has not been put in practice as the grip on power remains within the close cycle of Yaounde

The Anglophone Civil Societies now grouped together in a platform known as The

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The Guardian Post

DAILY

Cherished by many, haunted by some, read by them all

Vox Pop:
Respondents crucify Minister Atanga Nji Paul on Anglophone marginalisation
Pages 6, 7 & 8

Anglophone marginalisation: Facts & figures that speak!

- **Only 76 Anglophones of Biya's 700 Ministers in 34 years**
- **Only six Anglophones in present 63-member Government**
- **Only one Anglophone Minister with portfolio out of 38**
- **Less than 15 Anglophones out of over 130 GMs of State Corporations**
- **Only 10 Anglophones out of over 130 Board Chairmen of State Corporations**
- **Only three Anglophone DAGs out of 38 Government Ministries**
- **No Anglophone SG at the Presidency, Ministers of Finance, Territorial Administration, Defence, GM of SONARA...since independence**
- **No operational airport, seaport in Anglophone Cameroon**
- **No Anglophone on the Douala Stock Exchange Board**
- **Only four Anglophone SGs out of 38 in Ministries**
- **No Referral Hospital in Anglophone Cameroon**
- **Only six Anglophones of over 36 Ambassadors**
- **No English word on FCFA currency**
- **Only six Anglophones out of 58 SDOs**
- **Only three Anglophone Army Generals out of 33...**

www.theguardianpost.info Pages 2 & 3

Consortium (of which I was a member) to have the government of Cameroun dialogue on the root causes of the Anglophone Problem/Crisis to no avail. Like in 1993, the government of Cameroun was only interested in providing cosmetic solutions. While events were still building up to have the government talk to the Anglophones, Government forces were deployed into the University of Buea on October 27, 2016. Many students were battered, maimed, arrested and some raped just for denouncing the "Francophonization" of the Anglo Saxon university and other forms of corruption. The Common Law lawyers fell prey to government brutality ten days later (November 7, 2016) still in the town of Buea as many were

tortured and their gowns, wigs and other legal accessories confiscated by the police in cahoots with the Governor Okalia Bernard Belai.

When the population came out peacefully to protest against police brutality and government's inaction to all the harassment of the Anglophones, the Yaoundé government responded again with impunity on Thursday December 8, 2016 killing 6 people in Bamenda with the use of live bullets and helicopter gunships. All further calls by The Consortium for the Government of Cameroun to have an inclusive and frank dialogue met a huge stone wall. Using its controversial 2014 Anti Terrorism law, the government started arresting everyone they considered as a threat despite the people's continuous call for an inclusive dialogue on the root causes of the Anglophone Crisis including me.

The Cameroun government did not only launch a man hunt to arrest every potential voice that demanded justice and freedom, they embarked on shooting down protesters who came out with peace plants. The Biya Regime wanted to shut up every voice by creating the reign of terror. Eye witness and social media reports show gruesome images of people shot down between September 22 and October 10 in Southern Cameroons. Worse, the people were unarmed. Their only weapon was the peace plant (a symbol of the white flag)



On the orders of the Colonial style Governor of the South West who on a Sunday morning show called **Cameroon Calling** on September 25, 2017 called on the soldiers to shoot the “dogs” if they are not “chained”, the army was unleashed on a killing mission

After several international community, the UN, the AU, some Congress Men and Women of this great American Congress, Crisis Group international and several others called on the Cameroun government to engage in an inclusive dialogue, President Paul Biya upon returning from the Francophonie summit in Abidjan, opted to declare war on Southern Cameroons around late November. The very next day, tanks were dispatched into Southern Cameroons and there began an expedition of targeted killing, rape and the burning down of houses with their occupants. The Centre for Human Rights and Democracy Africa (CHRNA) did a survey of 60 villages burned to the ground but it's more by now.



"Extrajudicial killings, burning down entire villages, shooting unarmed civilians and forced disappearances in the South West and North West Regions must be investigated. We urge for a commission of inquiry to fully investigate these crimes."

Barrister Agbor Nkongho



ARRESTS, TRIALS AND DETENTION

Instead of the government of Cameroun seeking for ways to resolve the conflict, they rather launched a man hunt arresting all those they considered as dissidents.

In January 16,2017, I was kidnapped by about 13 well armed men while returning from the office. Same day, I was taken to the Gendarmerie headquarters and tortured with my hands tied to my feet. All through the torture, I tried to find the reasons behind my abduction and subsequent torture. All I could get was that they were following orders and that we wanted to destabilize Cameroun. I was later blindfolded and transported to Yaoundé in the cover of the night. While at Yaoundé, I was dumped in an underground,dark and poorly ventilated cell at the Secretariat D'État de la Défense (SED). After spending twelve days in the dark underground cell, I was presented in front of the Magistrate at the Yaoundé Military Tribunal and to my greatest surprise, I was, under the 2014 Anti Terrorism Law, charged with amongst others **terrorism, sponsoring acts of terrorism, secession, hostility to the fatherland and rebellion**. I was sent to jail on January 27,2017 to meet many other young men and women arrested arbitrarily with no arrest warrants by the Yaoundé regime because they dare stood up for liberty, justice and equality. The arrested civilian protesters have since been subjected to show trials by the Cameroun military tribunal, which is in violation of the

- **Preamble of the Cameroun's Constitution (the right to a free and impartial trial),**
- **The Universal Declaration of Human Rights (The Right to freedom of expression -Article 19),**
- **The African Charter on Human and Peoples';the right to peaceful assembly and demonstration is guaranteed under Article 11 of the African Charter, and that all Cameroonians citizens have to be treated equally without any discrimination (Article 2 of the African Charter),**
- **Communication 266/03 in Kevin Mwanga Gunne at all Cameroun to “stop the transfer of accused persons from the Anglophone Provinces for trial in the Francophone Provinces”;**

- **Principles and Guidelines on the right to a fair trial and legal assistance in Africa Article G(c) “Military courts should not in any circumstances whatsoever have jurisdiction over civilians”**

While most of these acts have been condemned by the UN, the AU, the European Union, International and local human rights organizations or advocacy groups about the fair trial of the accused (lack of independence, impartiality, competence and equality of arms) has so far remain silent. As of date, more than 1000 people have been arrested in Southern Cameroons arbitrarily (see attached lists). So many Prisoners of Conscience can not be accounted for today and so many are held in undisclosed locations. A perfect example is the case of **SISIKU AYUK TABE and the 48** abducted in Nigeria on January 5, 2018 at the Nera Hotel in Abuja and repatriated to Cameroun against the International Law on Refoulement.

The numerous prisoners of conscience were charged with **terrorism, secession, rebellion, incitement of civil war, false propaganda, insurgency** etc using Cameroun's most disputed 2014 Anti Terrorism Law and thrown into jail to await trial. Most of the trials which have suffered adjournments upon adjournments until very recently, after 16 months, the executive controlled military tribunal in Yaoundé handed heavy prison sentences to some of the prisoners of conscience (see list)

My abduction and incarceration has equally added an extra burden on my family as my wife and children have become wanderers constantly running away from police brutality and harassments. Their constant movement has also deprived the children from education in an area where bullets fly every minute.

PRISON CONDITIONS

- Congested jails (4856 inmates occupying a space meant for 800 people)
- All Southern Cameroons Prisoners of Conscience are not fed by the Cameroun government
- Language barrier in and out of courts
- Alienated from families who could have taken up the extra burden of feeding the detainees of conscience
- Poor health facilities (**Wolen Vitalist died of Pneumonia in jail because of lack of follow up and Wirsey Frederick who died from psychological**

torture). There are so many others with serious health situations that may end up being terminal.

- Poor sanitation as the 4856 inmates share less than 20 squatting holes
- The Southern Cameroons Prisoners of Conscience sleep on the floor in tight air rooms because of the over crowded nature of the prison. This has led to other health complications on them.

WHAT CAN THE U. S CONGRESS DO?

The United States of America is widely known as the free world. Liberties, equality, justice and above all freedom (political, religious, expression) are the foundation on which she is built. The Anglo Saxon foundation too of the USA makes it possible for the above beliefs to take precedence over slavery. The U. S Ambassador to Cameroun, H. E Peter Henry Barlerin has already expressed the mind of the American Nation even though he came under serious criticism from the Biya Regime. Congress can help the people of Southern Cameroons in many ways;

- Write to the Trump Administration to get Paul Biya of Cameroun to call for a ceasefire, stop the targeted killings and prepare the grounds on a dialogue of the root causes of the “Anglophone Crisis “
- The U.S.A, as earlier outlined by H. E Peter Henry Barlerin, should act as a mediator in the above dialogue or negotiations
- Get the Government of Cameroun to grant access to Sisiku AyukTabe and all other victims of Refoulement or extradition from Nigeria who have been held incommunicado since their abduction in Abuja in January 5, 2018.
- The U. S should through H. E Nikki Haley get the United Nations to put into force all adopted Resolutions concerning Southern Cameroons (Resolutions 1514, 1608 and 2417)
- The deployment of a U. N peace keeping mission to manage the dialogue/negotiations period
- Call for the release of ALL arrested and jailed in the course of the said conflict.

- Like in previous areas of conflicts, the U. S can get the U. N to organize a Referendum in Southern Cameroons which will redefine her existence as a part of Cameroun or as a Separate Nation from Cameroun.

Thank you Sir/Madam for making out valuable time to read such a lengthy exposé from a prisoner whose only crime is justice, liberty and freedom.

NAMES OF PRISONERS OF CONSCIENCE SLAMMED HEAVY JAIL TERMS SO FAR

S/N	NAME OF DETAINEE	NUMBER OF CONDEMNED YEARS
1	FUNG CALEMBA	10
2	NJINOH TITUS B.	12
3	PENN TERENCE KHAN**	12
4	NCHE BENJAMIN A.	11
5	AMBEIZEI ANDREW	12
6	NGWA JOSEPH NGALING	11
7	ALOBWEDE VAN KINGSLEY SAME	13
8	BEZENG MALVIN	11
9	LOPTE JACOB	11
10	WIRBA BRUNO	13
11	NYUYFORAM EUGENE	13
12	NUMFOR GODLOVE	12
13	BAYONG EUGENE	13
14	TAYO LIVITE	13
15	KISOB BERTIN	12
16	KINGAH VALENTINE	10
17	AWAH THOMAS D. JUNIOR	11
18	ASELACHA MARTIN	13
19	TAH EMILE AGWE	13
20	TSI CONRAD	15
21	MANCHO BIBIXY TSE	15
22	AGU NEVILLE	10
23	FONSOH IVO	10
24	AGWA LEVIS	10

See attached lists of other prisoners held for standing up for justice



PENN TERENCE KHAN
Yaoundé Central Prison
The Republic of Cameroun