



Commonwealth Lawyers Association
Upholding the rule of law



STATEMENT ON THE ARREST AND DETENTION OF LAWYERS AND JUDGES IN THE CAMEROON

The Commonwealth Lawyers Association (CLA), Commonwealth Legal Education Association (CLEA) and Commonwealth Magistrates' and Judges' Association (CMJA) are concerned about the recent arrest and detention of judges and lawyers in the North West and South West Cameroon under the Anti-Terrorism Act of 2015.

Where members of the judiciary and the legal profession are accused of criminal conduct the State is entitled to charge them with the relevant crimes, but the manner in which they are charged and arrested must be consistent with the rule of law and the constitutional safeguards that are afforded to everyone in the country concerned. The judiciary and legal profession, like other members of society, may not be subjected to violations of their fundamental human rights no matter what the charges are against them.

By virtue of its membership of the Commonwealth, the Cameroon is committed to the fundamental values and principles of the Commonwealth, at the core of which is a shared belief in, and adherence to, human rights and democratic principles including an independent and impartial judiciary and the independence of the legal profession. Any measure on the part of the Executive which is capable of being seen as eroding the independence and impartiality of the judiciary, or the fundamental rights that they are entitled to as citizens or residents of the Cameroon is a matter of serious concern.

The existence of an independent and impartial judiciary and an independent legal profession is one of the cardinal features of any country governed by the rule of law and enhances economic development.

The CLA, CLEA and CMJA in particular note with concern, the arrest and detention of Justice Paul Ayah Abine who was arrested in violation of article 629 of the Code of Criminal Procedure which states that *"Where a judicial or legal officer is likely to be charged with committing an offence the competent Procureur General shall request the President of the Supreme Court to appoint an investigating magistrate as well as three other magistrates of a grade at least equal to that of the magistrate incriminated and they shall hear and determine the matter at first instance..."*. The CMJA calls upon the President to respect due process in relation to the judicial and legal officers that have been arrested.

The CLA, CLEA and CMJA call on the authorities to respect the independence of the legal profession and the judiciary and their right to exercise freedom of opinion and conscience.

The CLA, CLEA and CMJA express its support of members of the judiciary and the legal profession in the Cameroon in their efforts to maintain their independence and to promote democracy and the rule of law.

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**Commonwealth Lawyers Association (CLA)
Commonwealth Legal Education Association (CLEA)
Commonwealth Magistrates' and Judges' Association (CMJA)**

NOTE TO EDITORS:

The **Commonwealth Lawyers Association** is an international non-profit organisation which exists to promote and maintain the rule of law throughout the Commonwealth by ensuring that an independent and efficient legal profession, with the highest standards of ethics and integrity, serves the people of the Commonwealth. www.commonwealthlawyers.com

The **Commonwealth Legal Education Association** is an international non-profit organisation which fosters and promotes high standards of legal education in the Commonwealth. Founded in 1971, it is a Commonwealth-wide body with regional Chapters and Committees in South Asia, Southern Africa, West Africa, the Caribbean and the UK. www.clea-web.com

The **Commonwealth Magistrates' and Judges' Association** is a not for profit organisation, registered in the UK, whose aims are to promote judicial independence, advance education in the law, the administration of justice the treatment of offenders and the prevention of crime in the Commonwealth. It brings together judicial officers of all ranks from all parts of Commonwealth and provides a forum for the promotion of the highest judicial standards at all levels. www.cmja.org