

DECLARATION N°150/NDH/2023**ATTACK ON THE PHYSICAL INTEGRITY OF A SHOPKEEPER IN
YAOUNDE BY A MUNICIPAL POLICE OFFICER**

On Friday, 31 March 2023, in the Melen district of Yaounde, an agent of the Municipal Police (APM) of the Yaounde 6 district, named Zogo Claude, severely injured a local trader, Mrs Mariamou Kwala. This act of excessive violence plunged the victim into a comatose state and she was interned for 10 days at the Etoug-Ebe Baptist Hospital located in the Melen district.

Indeed, the victim, Mariamou Kwala, aged 35 and mother of four children, is a fresh vegetable seller who has been working for several years at the vegetable market located at the place known as 'Biscuiterie' (Melen 8). On 24 April 2023, Mariamou had a first altercation with the municipal police officer Zogo Claude, who was directing traffic in this area. According to a witness, the latter had threatened to confiscate Mariamou's parasol if she did not pay him the sum of 1000f for her place at the market. This threat was carried out by the agent when Mariamou refused to comply. A week later, the Municipal Police officer returned to the charge, this time demanding the sum of 2000 francs for "his beer" from the victim to get her parasol back, while threatening to confiscate her table. Mariamou again resisted the harassment and extortion of the agent. The officer then became angry, carried the table and forced Mariamou to leave. Disturbed by this situation, the young woman decided to go immediately to complain to the town hall by borrowing a motorbike. It was at this point that the agent, who wanted to prevent her from doing so, intercepted the motorbike, then violently pulled the woman from the motorbike, and brutalised her by making her fall to the ground. She lost consciousness and all attempts to revive her were in vain until she was evacuated to hospital.

The Mayor of Yaounde 06, Mr. Yoki Onana was informed and went to the hospital the same day. He spoke to the doctors about the state of health of the victim who informed him of all the needs for treatment. The first aid was evaluated at about one hundred thousand francs (100,000f). The mayor handed over the sum of thirty thousand (40,000f) and left promising the victim that he would support her. However, this promise was never fulfilled, as the victim was finally forced to leave the hospital because he did not have sufficient means to continue his treatment.

It should be noted here that since this incident, the mayor has not taken any internal measures and has not made any official statement to clearly establish the responsibility of the Municipal Police officer in this matter. This raises questions about the effective implementation of the presidential decree of August 9, 2022, which lays down the modalities for the exercise of the Municipal Police in Cameroon, and which stipulates in its article 2 (1) that: **"the purpose of the Municipal Police is to ensure good order as well as public safety, tranquillity, security and healthiness on the territory of the municipality or the urban community"**.

Furthermore, the act of the APM is a serious violation of human rights. It has seriously affected the physical integrity of Mariamou. Because of the blows received, she ended up in hospital with more than 10 days of disability. It should be recalled here

that the right to physical integrity is a right by virtue of which everyone has the right to respect for their body. Article 5 of the Universal Declaration of Human Rights also stipulates that: "No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment". The International Covenant on Civil and Political Rights also contains important guarantees. It guarantees in its Article 7 the protection of life and physical integrity, and clearly prohibits torture and all forms of cruel, inhuman or degrading treatment. The Maputo Protocol can also be referred to here as it guarantees women the protection of fundamental rights such as the right to economic and social well-being, but above all places particular emphasis on the economic empowerment of women.

Cameroonian law is not to be outdone. Article 74 (2) of the Cameroonian Penal Code obliges any perpetrator of an offence to repair any damage caused by the offence. This article states that: *"Anyone who voluntarily commits acts that constitute the elements of an offence with the intention that these acts result in the commission of the offence is criminally responsible. criminal liability exists even if the act or omission is not intentional or the consequence was not intended."*

In view of the above, NDH-Cameroun :

1. Requests the Yaounde 6 City Council to pay all the medical expenses of Mrs. Mariamou, and all subsequent expenses in terms of compensation for the damage caused.
2. Requests the Mayor of Yaounde 6 Commune to remove Mr. Zogo from the ranks of the Municipal Police and to communicate on the internal measures taken to ensure that such acts do not occur again.
3. Demands that the full force of justice be applied.
4. Stands by the victim to bring the case to court.

NDH seizes this umpteenth opportunity to call on the Cameroonian authorities to put order in this body of work that the Municipal Police represents.

Done in Yaoundé on 10 April

2023



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ONG avec Statut Consultatif auprès de l'ONU

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