



The Law Society of
Upper Canada | Barreau
du Haut-Canada

February 13, 2017

H.E. Paul Biya
President of the Republic of Cameroon
Presidency of the Republic
Civil Cabinet
Communication Unit
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Your Excellency:

Re: Arrest and detention of lawyer Felix Agbor Balla

I write on behalf of the Law Society of Upper Canada* to voice our grave concern over the arrest and detention of lawyer Felix Agbor Balla. When serious issues of apparent injustice to lawyers and the judiciary come to our attention, we speak out.

Felix Agbor Balla is a human rights lawyer with a long history of international and domestic human rights work, including service with both the United Nations and the Special Court for Sierra Leone. He is the president of the recently banned Cameroon Anglophone Civil Society Consortium (“CACSC”), an organization which works to promote anglophone rights in primarily French-speaking Cameroon.

Since Cameroon’s independence, many anglophone Cameroonians have felt marginalized in a country where the majority of the population reads, writes and speaks French. Late last year, protests erupted against the use of French in courts, schools and universities. In Bamenda, the country’s largest anglophone city, at least four people were killed this past December when security forces fired live ammunition into the air and launched tear gas into a market despite there being no evidence that a protest was taking place.

It has been brought to the Law Society’s attention that on January 17, 2017, Felix Agbor Balla and CACSC Secretary General Fontem Neba were arrested after organizing “ghost towns” — stay-at-home protests against “oppression, marginalization, and deprivation”. Earlier that day, the Minister of Territorial Administration banned the activities of the CACSC. On January 24, 2017, the two

men were officially charged with terrorism, rebellion against the state, incitement of civil unrest and breach of the constitution. Their trial was scheduled to begin on February 1, 2017, but has since been postponed to February 13, 2017. If convicted, they could face the death penalty. Felix Agbor Balla and his colleague have remained in detention since their arrests.

The Law Society of Upper Canada is deeply concerned about Felix Agbor Balla's situation and urges Your Excellency to comply with Cameroon's obligations under international human rights laws, including the United Nations' *Basic Principles on the Role of Lawyers*.

Article 16 of the *Basic Principles on the Role of Lawyers* states:

Governments shall ensure that lawyers (a) are able to perform all of their professional functions without intimidation, hindrance, harassment or improper interference; (b) are able to travel and to consult with their clients freely both within their own country and abroad; and (c) shall not suffer, or be threatened with, prosecution or administrative, economics or other sanctions for any action taken in accordance with recognized professional duties, standards and ethics.

Article 17 states:

Where the security of lawyers is threatened as a result of discharging their functions, they shall be adequately safeguarded by the authorities.

Article 18 states:

Lawyers shall not be identified with their clients or their clients' causes as a result of discharging their functions.

Moreover, Article 23 states:

Lawyers like other citizens are entitled to freedom of expression, belief, association and assembly. In particular, they 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.

The Law Society urges the government of Cameroon to:

- a. immediately and unconditionally release Felix Agbor Balla;
- b. guarantee in all circumstances the physical and psychological integrity of Felix Agbor Balla;
- c. ensure that any proceedings against Felix Agbor Balla are carried out in full compliance with his right to a fair trial, as protected under international law;
- d. put an end to all acts of harassment against Felix Agbor Balla and all other human rights lawyers and defenders in Cameroon; and
- e. ensure in all circumstances respect for human rights and fundamental freedoms in accordance with international human rights standards and international instruments.

Yours truly,

Paul B. Schabas
Treasurer

**The Law Society of Upper Canada is the governing body for more than 50,000 lawyers and 8,000 paralegals in the province of Ontario, Canada. The Treasurer is the head of the Law Society.*

The mandate of the Law Society is to govern the legal profession in the public interest by upholding the independence, integrity and honour of the legal profession for the purpose of advancing the cause of justice and the rule of law.

cc:

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Yves Berthelot, President, Observatory for the Protection of Human Rights Defenders

Michel Forst, Special Rapporteur on the situation of human rights defenders, Office of the United Nations High Commissioner for Human Rights

Mónica Pinto, Special Rapporteur of the Human Council on the independence of judges and lawyers, Office of the United Nations High Commissioner for Human Rights

Marina Brilman, International Human Rights Policy Adviser, The Law Society of England and Wales