The Protection of Civilians in the Anglophone Crisis in Cameroon: An Overview of the Responsibilities of State and Non-State Armed Groups

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Abstract:- This study examines the protection of civilians in the armed conflict hit Anglophone regions of Cameroon taking into cognizance the laws, principles and customs that protect civilians and/or civilian property during situations of armed conflicts. The study seeks to identify the extent to which the belligerents have violated international laws, principles and customs in the conduct of hostilities vis-à-vis the protection of civilians and civilian property. It equally involves a review of the historical processes that caused what could have possibly passed on as peaceful protests by lawyers and teachers in 2016 into protracted armed hostilities between government forces and an emerging loosely connected network of non-state armed groups popular called the Amba boys. Hostilities between the government forces and the Amba boys have seen thousands of lives lost, people injured, populations displaced, properties destroyed, and countless human right abuses. Information for the study was collected from primary and secondary sources and analyzed descriptively. It was found out that commitment to protect the civilian population or non-combatants in the North West and the South West regions of Cameroon fall short of what is stipulated under International Human Rights and International Humanitarian Law. However, while some of the harm caused to the civilian population from both sides appear deliberate, it is true that a lot more is being lost in terms of lives and property unintentionally because the Amba boys live and operate within communities with civilians. Therefore, it is mandated in humanitarian law among other things that, civilians should be distinguished from combatants and protection of civilians and/or civilian property should be primordial to belligerents in the conduct of hostilities.

Keywords: Protection of civilians, civilian casualty, Anglophone crisis, armed conflict, human rights, humanitarian law.

I. INTRODUCTION

Protection of civilians is the quintessence of international humanitarian law (IHL), also known as the law of armed conflicts, the law of war or simply, humanitarian law. It is a core component of public international law which comprises of rules that seek to restrict the means and method of warfare and as well protect people who are not or no longer taking part in hostilities such as prisoners of war (POW), camp workers, former combatants or wounded/sick combatants who are categorized to be *hors de combat*. The use of force generally has been banned according to article 2(4) of the UN charter: All members shall refrain in their international relations from the threat or the use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the purposes of the United Nations. The use of force can only be applied as the last resort when all other mechanisms to resolve crisis must have failed. Should force be applied, the principle of *Jus in Bello* stipulate conditions under which wars ought to be fought. *Jus in Bello* spells out checks on the conduct of armed conflict in accordance to the principles of; rationality, proportionality and the distinction. This is in an effort to limit wars only to the belligerents involved and to spare the civilian population as well as protect it from the dregs of war.

The principle of rationality states that when civilian injuries are not intended or the military effects outweigh the unintended impact on civilians, then the operation can be launched. Although the 'Just War Theory' has evolved, essential elements of the theory remain consistent in all armed conflict situations. War should be a last resort, and it should be undertaken only by competent authorities provided there is a possibility of success, and if the overall good of the war will outweigh the harm it does. Fighting a war must also be conducted justly; avoiding unnecessary violence targeting civilians or civilian property, and civilians should never be targeted deliberately or used to achieve military ends.

The principle of proportionality states that the damage caused should be proportionate to the intended aims of the war. Therefore gratuitous violence and unnecessary suffering should be avoided at all cost (UNHR, 2011). There should also be the avoidance of acts leading to or equated to assassination, poisoning, breach of surrender, and the instigation of treason in the opposing camp that would hurt the prospect of peace. Equally, there should be some level of trust in the enemy's way of thinking that must be preserved, otherwise, no conclusion of peace can be possible, and the hostilities would become a war of extermination (Boutrous-Ghali, 1992).

The principle of distinction is mainly intended to avoid injuring or causing harm of any nature to the civilian population (non-combatants), whose injuries or death is sometimes unintended. However, according to the doctrine of "double effect," such penalties may be permissible (albeit regrettable) if the military goal of the attack is just (Cameroon's Instructor's Manual, 2006)

International humanitarian law is often confused with international human rights law, this should not be because, the latter applies at all times whereas the former applies only in situations of armed conflicts. Both laws complement each other since it is aspects of human rights that when breached in situations of armed conflict, will amount to crimes against humanity, the crime of genocide or war crimes. Belligerents tend to ignore the protection of civilians, and at times civilians and/or civilian property are deliberately targeted in order to achieve their aims against the laws of war. State Armed groups (SAGs) may justify offensive on the civilian population as self-defence, pre-emptive action, enforcement of the role of law or defending the territorial integrity of the state; these being justifiable reasons for which a country can resort to armed conflict according to the principle of jus ad bellum. Underlying the afore mentioned justifications for intervention by the SAGs, the Cameroon Law Nº 2014/028 of 23rd December 2014 passed to check acts of terrorism within Cameroon has made the scope for military action more expansive and elastic. In particular, the loose definition of terrorism under this law may curtail the population's freedom of expression, freedom to participate in protest, freedom of opinion, and freedom of association (Agbor-Balla, personal communication, August 24, 2018). So far, many persons have been arrested and charged with terrorism based on the tenets of this law since the start of the Anglophone crisis.

War is the total breakdown of law and order synonymous to a climax of hostilities between two or more opposing groups. Usually, civilians are caught in the midst of hostilities but are entitled to protection from their state at all times unless in situations where a state fails or is unable to provide the required protection. The effects of war are more on the civilian population and their property when the conflict is asymmetric in nature (involving opposing camps of unequal strength such as a state's army and a non state armed group) where communities have members of the Non-State Armed Groups living within their fold. Civilians are vulnerable and usually suffer great loss during surprise confrontations or counter-reprisals by the SAGs who often see elements within the civilian population as saboteurs, sympathizer or enablers (Boutrous-Ghali, 1992).

Indeed, recent experiences in many Sub-Saharan African countries prove that the use of force to crush revolts without necessarily addressing the grievances or attempting to treat the issues at stake usually aggravate the problem. In particular, continued denial of the 'Anglophone problem' by the government of Cameroon and its determination to defend the unitary state through denial, disregard, intimidation, and repression has escalated the problem further (CRISIS GROUP, 2017). The two Anglophone administrative regions present a lot of diversity in their physical features but they share a common linguistic heritage, the English language acquired from their former colonial master Britain. The cultural background inherited from Britain gave grounds to what is today known as the Anglophone cultural identity. The Anglophone cultural identity identifies with civility, broadmindedness, hard work, moral integrity, accountability, forthrightness, duty consciousness and above all, the assertive, fearless ability to stand up for one's rights, and convictions in the face of adversity. One can rightly say that the British colonial history has a lot to do with the evolution of what may be described as an Anglophone culture although the ethnicities of the North West Region and the South West Region are broadly diverse (Nfi, 2014).

The GOC has, however, not been adamant to the events surrounding the crisis from the onset in different occasions providing solutions which have been judged to be short of providing solutions to the Anglophone crisis. The GOC has applied several strategies from the start of the crisis in November 2016 amongst which are: the creation of a National Commission for Bilingualism and Multiculturalism; the implementation of a new bench for Common Law at the Supreme Court; the creation of a Common Law Department at the National School of Administration and Magistracy (ENAM). The recruitment of 1,000 Bilingual Technical Teachers to increase the staff strength of Anglophone technical colleges, the reconnection of internet services in the two Anglophone regions in Cameroon after a 92-day disconnection (CRISIS GROUP, 2017). These measures have not proven to solutions to the crisis as the steps are considered by Anglophones and leaders of the Anglophone movement to have come a little too late after the conflict dynamics have changed (Human Rights Watch, 2018). The progressive changing demands of the activists from a protest to demand for a return to the federal system, a demand for cessation and finally, from mere protests, they have resorted to the use of arms in a bid to restore the independence of Southern Cameroons (Bisong, 2019). Today, the two Anglophone regions are experiencing armed conflict situation which has led to the loss of lives and property with thousands of internally displaced and others in the bushes in search of safety.

Genesis and Evolution of the Anglophone Crises

As far back as the 1950s, Cameroon has been experiencing successive revolts that have been violently crushed by the military. Some of the significant revolutions include: the Union des Populations Camerounais (UPC) uprisings during and after the independence of La Republique du Cameroun (Bayart, 1973); the launch of the Social Democratic Front (SDF) during the one-party autocratic system on the 26th of May1990 in Bamenda which set the pace for multi-party politics in Cameroon (Ngwane, 2014); the post-electoral violence in 1992 (Ngwane, 2014); the University of Yaoundé strike of 1992, the Cameroon GCE Board crisis in 1993; the numerous University of Buea students' strike (Koenings, 2004) the February 2008 nationwide riots; and the recurrent

workers' syndicate strikes. The perception of using force to quell protests has provided temporary solutions to a handful of problems in the past while serving as a breeding ground for more complex, violent upheavals in the future.

The Anglophone problem is a term generally used to refer to the problems posed by Anglophones after the 1961UN supervised plebiscite to join and form the Federal Republic of Cameroon. Anglophones have been complaining of marginalisation, discrimination, assimilation amongst other unfair conditions in the union. The absence of a concrete structure to address the Anglophone problem has made every successive revolt to become more severe as time goes by. The GOC had denied the existence of any Anglophone problem until December 2016 when President Paul Biya publicly acknowledged that there is an Anglophone problem and promised to address it. The current crisis under study which started as a mere protest by lawyers, later on joined by teachers and the civil society in October 2016 started as a protest Common Law Lawyers demanding the restitution of the Common Law tenets, the translation of OHADA Laws into the English language and the removal of judges with Civil Law background from Common Law courts (personal conversation Agbor-Balla, August 24th 2018). With regards to the Anglophone problem according to Anglophones, dialogue has never been open, frank or sincere in handling the problem. Numerous Commissions of Enquiry have been set up, but to implement the findings or recommendations is always poor or utterly bereft of a durable solution.

The current spate of Anglophone crises has been the most protracted since the union of the two Cameroons in 1961 leading to a unified Federal Cameroon. It started in October 2016 and has progressively witnessed the emergence of a network of separatist fighters or Non-State Armed groups pitched against the State Armed Groups. The separatist fighters hold that they are fighting for the restoration of their statehood the Federal Republic of Ambazonia. What started merely as a peaceful protest by lawyers and teachers has snowballed to a protracted armed conflict in nearly all parts of the North West and the South West Regions. It is on this premise that the study seeks to evaluate the role played by the belligerents in protecting civilians and/or civilian property. The study also seeks to assess the extent of abuses meted on civilians and/or their property committed by combatants in the conduct of hostilities.

The Anglophone crises truly fit in the narrative of the current world geopolitical order of the "Fragmentation of States" whereby many states increasingly experience pressure for greater autonomy or the independence from some of the provinces or regions within the state. Indeed the Westphalia notion of states did not group states according to well-defined parameters of homogeneity. Hence the growing interest why most groups sharing some features of uniqueness have recently showed their desire to break out from existing states. Even in the formerly homogeneous countries, the tendency for circles of heterogeneity to emerge over time exists when as a people, they realise that they do not enjoy the basic fundamentals which they odd to in order to feel a sense of belonging. A unique group who share either one or some of the following; a common language, ethnic origin, cultural heritage, a geographic or historical background is what fits the definition of 'a people' in international law. The Anglophone community consider itself as a people primarily based not only on sharing a common linguistic heritage but by equally sharing a common geographical inheritance which happens to be the designated territory hitherto called the British Southern Cameroons (Nfi, 2014). The Southern Cameroons lost that appellation when the territory re-united with la Republique du Cameroon. Today, separatist fighters have renamed it *The Federal Republic of Ambazonia*.

The reunion of Southern Cameroons with La Republique du Cameroun has never proven to be a healthy one as Anglophones hold that they do not feel the warmth of belonging in the union (Achanken, 2014; Anjoh & Nfi, 2017; Konde, 2012; Konings & Nyamnjoh, 1997; Nfi, 2014). The reunion has been the cause of a series of petitions, protests and counter-reprisals from the GOC since the union came into existence. The Anglophone crisis under study now has its roots in the 1961 Plebiscite and has always been referred to as "The Anglophone Problem" as a reference to the problems highlighted by the Anglophones in Cameroon (Konings & Nyamnjoh, 1997). These problems have been tabled at different instances to the GOC first as proposals and later as petitions by the various leaders of the Anglophone movements.

Anglophones have without success sought adjudication in international courts as evidenced in the landmark case pitting the Southern Cameroons National Conference (SCNC) Vs the GOC in the African Court of Human and People's Rights in Banjul, the Gambia. Anglophones have used protest march to express their plight to the GOC, they have even solicited support from some regional and international bodies, all of these moves have not bear forth any lasting solution, and today, the crisis has escalated into a full-scale armed conflict. The crisis has turned the Anglophone regions into war zones leaving civilians at the mercy of belligerents. With the advent of armed conflict in January 2017, the population of Internally Displaced Persons (IDPs) is increasing in thousands. Many with possibilities have relocated to other safer regions in Cameroon, while others have migrated to Nigeria to seek refuge. A large number of persons have sought refuge in bushes and forests (CHRDA, 2018). From the actions of the belligerents, the plight of civilians will get worse if serious action is not taken to substantially reduce the level of violence and possibly put a halt to hostilities. With the scale of devastation growing at a fast pace, a repeat of the Rwandan and Bosnian genocides of 1994 and 1995 respectively is eminent in Cameroon if nothing is done to solve the Anglophone crises.

Statement of the Problem

Protection of civilians guarantees stability efforts which build the capacity of a nation to achieve long-term sustainability and incorporates such essential considerations such as civilian casualty mitigation. These are the measures to avoid or mitigate civilian casualties and reduce the adverse effect of those that occur. Belligerents are required by international law to prevent or halt mass atrocities, and conflict-related sexual violence and abuses, including rape, sexual slavery, enforced prostitution, forced pregnancy, enforced sterilization, mutilation, indecent assault, trafficking, inappropriate medical examinations, and strip searches.

Undoubtedly protection of civilian is problematic in intra-state armed conflicts which are most often asymmetric. It is difficult to distinguish enemies from the surrounding population, especially when opponents use civilians as human shields or occupy their places of worship, homes, and other private locations. Civilians are bound to come under danger whenever there is crossfire since the NSAGs especially do not always use conventional means and methods of warfare when attacking the SAGs. Notwithstanding, humanitarian law requires belligerents to abide by the rules of armed conflict whether or not they are signatories to relevant agreements or protocols relating to the conduct of hostilities vis-à-vis their opponents or civilians. Belligerents are expected to conduct hostilities according to the criteria of Jus in Bello in accordance with the Principle of Necessity which states that actions must fulfil a legitimate military objective, the principle of distinction which stipulates that actions must target only combatants and not civilians, the principle of proportionality which holds that actions must not cause excessive incidental civilian harm in relation to the anticipated gain in military advantage, and lastly, the principle of humanity whereby, actors must not use means that cause unnecessary suffering (Engle, 2009).

Based on the above, this work seeks to evaluate the magnitude of abuses meted deliberately or through neglect civilians. Insecurity has taken sway as belligerents kill civilians, burn homes, neighbourhoods and sometimes even entire villages as well as public buildings such as schools, markets, bridges, administrative buildings and hospitals (Ngum, 2019). Abuses on civilians continue to put lives at risk and raise concerns over the non-compliance with the internationally accepted norms of war. There are evidences of the application of the banned 'scorched earth' tactics in warfare after the Second World War for its devastating effects on human beings and to biodiversity in several communities (Moma, 2019). From the onset of the crisis in 2016, schools have been closed with some school campuses and health facilities turned into camps by belligerents (Animbom, 2019). School children and teachers alike are perpetually being kidnapped for ransom demands or killed for violating the 'no school' policy instituted by the Amba boys. Civil servants, the clergy (Imams, priests, Nuns, Monks, Pastors, and Bishops), politicians, businesspeople and the elites are also not spared from the kidnappings, torture and sometimes even killed.

Faced with this deteriorating situation, the safety of civilians has become an issue of great concern to individuals, the community, and the international community resulting in widespread condemnations. It is in the light of the fast deteriorating human rights and humanitarian crisis that the study examines in detail the activities of the belligerents and its adverse effect on the civilians.

As of August 2018, a total of 122 villages have been raided with 82 severely devastated (CHRDA, 2018). Coupled with arbitrary arrests, rape, looting and indiscriminate extrajudicial killings, this situation has forced villagers to seek refuge in bushes. Wounded combatants have been pulled out of hospital beds and killed; human decapitation, attacks on civilians including girls, women and the elderly is now commonplace; nursing mothers are pulled out of healthcare facilities and raped; women and children have been shot at indiscriminately (CHRDA, 2018). Incidences of kidnapping, abduction, torture, arbitrary arrest and detentions, looting, students and teachers forced out of schools with schools, hospitals, homes, markets and entire villages burned down indiscriminately, kidnapping for ransom demand are on the increase (Ngum, 2019). According to the law of armed conflict, civilians must never be a target of attack and must not only be spared but equally protected from direct abuses or collateral damages. Collateral damages are incidental damage to persons or objects that are not lawful military targets in the circumstances ruling at the time. Such destruction is not unlawful if it is not excessive in the light of the overall military advantage anticipated. It is in the light of these preceding that this study evaluates the responsibility of belligerents towards protecting civilians and/or civilian property.

Research Questions

The empirical work revolved around five research questions, as follows:

- 1. is anything possible during armed conflict situations?
- 2. are there laws, principles and customs on the POC under International Humanitarian Law and International Human Rights Law which are supposed to be applied by belligerents?
- 3. To what extent have the belligerents ensured the protection of civilians and civilian property?
- 4. How best can the protection of civilians be ensured so that there can be a reduction of collateral damages to the barest minimum? And
- 5. Are there mechanisms for post conflict justice to hold perpetrators of heinous crimes?

Main objectives

The main objective of the study is to find out if belligerents protect civilians and/or civilian property.

Specific Objectives

a) To investigate laws, principles and customs which protect civilians during armed conflicts.

b) To evaluate the extent to which belligerents respect the protection of civilians.

c) To make recommendations in line with best practices on protection of civilians.

II. DATA COLLECTION AND METHODOLOGY OF THE STUDY

The methods adopted for the study are mainly descriptive and historical. The information was gotten from primary and secondary sources which served as the main sources of data. Secondary data was obtained from the review of relevant academic journals, laws, principles and conventions related to the protection of civilians. At the same time, primary data obtained from open-ended and close-ended questionnaires, interviews, focus group discussions and observations were used to ascertain the extent to which belligerents have failed to respect protection of civilians. Both sources of data lay bare the degree of violation of the Laws applicable to armed conflict situations.

III. LITERATURE REVIEW

As part of the punishment to Germany and her allies for causing the First World War, the Treaty of Versailles decreed all former German colonies and assets therein to be ceased and placed under the supervision of the League of Nations. The colonies were distributed amongst the Alliance powers as part compensation for the loss during the war as a result of the actions of Germany and its allies. Britain and France got Kamerun whereby the British Foreign Secretary James Milner and the French Minister of Foreign Affairs Henri Simon signed the Famous Milner-Simon Accord partitioning Kamerun between the French and the British. Britain was to administer the western part of Kamerun which comprised of 1/5 of the territory while France was to manage the eastern part of Kamerun made up of 4/5 of the territory. The administration of both regions was to be carried out as Mandated Territories under the supervision of the League of Nations. From Mandated territories under the supervision of the League of Nations which collapsed at the start of World War II in 1939, the territories later changed their status to Trust Territories under the United Nations. As Trust Territories, the administrators were to prepare both territories for self governance and eventual independence. To ease her administration of the territory, Britain further divided her share into two: the British Northern Cameroons and the British Southern Cameroons. British Northern Cameroons was administered as part of Northern Nigeria while the British Southern Cameroons was administered as part of Eastern Nigeria with headquarters in Enugu.

A plethora of literature, as well as popular discourse, exist on the Anglophone problem. It is however important that we situate who an Anglophone is in Cameroon before we ascertain whether or not Anglophones have a problem in Cameroon. According to Cambridge Advanced Learner's Dictionary, an Anglophone is a person who speaks English, especially in a country where there exist other languages. An Anglophone in Cameroon's context is someone who speaks the English language in Cameroon where there is another language (the French language) being used concurrently as the two official languages of the country. This happens to be a loose definition upheld by the Francophone majority and moderate Anglophones who are proponent of the unitary state but, this definition is substantially countered by extremist Anglophones who see it as including the so-called 'new Anglophones". New Anglophones are descendants of Francophones who sought refuge in Southern Cameroons after the ban on the Union des Populations Camerounaise (UPC) party in East Cameroun in 1955. UPC militants and sympathisers suffered massive crackdown from the French colonialist regime then, this forced thousands of Bassa and Bamileke families to migrate and settle in the then Southern Cameroons giving rise to a hybrid of Anglophones with a Francophone background.

In this study therefore, according to Nfi (2014), Anglophones are those Cameroonians whose ancestral origins and ethnic bases are in the former British territory of the Southern Cameroons whether or not they speak the English Language. The term is therefore exclusionary and limited to people of a defined region, culture and history. Just as Scholars have disagreed over the definition of the term Anglophone in Cameroon, they also hold varying opinions over the existence of an Anglophone Problem. A majority of Francophones and moderate Anglophones opine for a unitary state and to some lesser extent, federalism. These are opposed to the extremist who stand today for secession and total restoration of their statehood the "Republic of Ambazonia". While some Anglophone elites claim that there is no such thing as an Anglophone problem in Cameroon, others narrow it down to the question of ethnic minorities because Anglophones are only in two of the ten administrative regions of Cameroon constituting less than 20% of the total population of Cameroon. Those who claim to recognise the existence of the problem differ in their conceptualisation of the problem. For instance, the Anglophone problem according to Ngoh (2004, p.214) cited in Nfi (2014) is "broadly speaking, the nonparticipation of Anglophones, on an equal basis with Francophones, in the political, economic, social, and cultural life of the nation. The definition of the Anglophone problem is a struggle by the ethnic Anglophones (former Southern Cameroonians) to rescue their cultural identity threatened by the assimilationist policies of the majority Francophone (Nfi, 2014).

The root of this problem may be traced back to 1961 when the political elites of two territories with different colonial legacies – one French and the other British - agreed on the formation of a federal State (Konings & Nyamnjoh, 1997;

Constable, 1974; Anjoh & Nfi, 2017). From the standpoint of "false negotiations," the 1961 Foumban "Constitutional Talks" between former British Southern Cameroons and la République du Cameroun have been emblematic in the Cameroons as a significant source of conflict (Achanken, 2014; Ndifor, 2008) The concepts of "Realism" and "Idealism" crept in after the union had been formed. Ideally, the constitution states that both cultural heritages shall be maintained and their respective languages shall become the official languages of the nation. The promotion of bilingualism was to be primordial, and each state will preserve its legal as well as educational system. Realism set in when the federation turned out to be according to Konings & Nyamnjoh (1997) a "transitory" to the total integration of the Anglophones into the strongly centralised unitary state.

As soon as the Federal Constitution came into force on the 1st of October 1961, the federation began racing towards a unitary system. In 1962, the pound sterling was squeezed out of West Cameroon and the East Cameroon Communaute Financiere Africaine (CFA) franc adopted for the whole country (Chem-Langhee, 1995). The concept of 'False Negotiation'' (Achanken, 2014) came into play when it was realised by most Southern Cameroon politicians that they had been tricked at Foumban; they had gone into the negotiations open-mindedly not knowing that president Ahidjo had secrete undertone for the meeting. President Ahidjo took the Southern Cameroonians as a gift or an additional property given unto him whereas to the Southern Cameroonians; it was to live with their already independent brothers in a loose federation.

State fragmentation is a controversial subject matter in national and international geopolitics, whatever the description used, such as secession, separation, liberation, restoration of statehood, independence, and sovereignty questions. There remains the struggle of a colonised and stateless people, who are witnessing the denial or the refusal of their right to live the life they want and are clamouring for their state. Such an issue regarding independence movements throughout the globe are quite controversial and often considered as taboo subjects by many because the present world order is dominated by sovereign nation-states, which have been recognised by the United Nations (Achanken, 2014). The right to self-determination is an essential right promulgated by the United Nations Charter as well as other international, regional and human rights organisations. This right stipulates that all peoples have the right to determine their political, economic and socio-cultural life. The bone of contention in this law is what constitutes a "people" in international law. When the question of who a "people" is, has been decided, it can now be debated in international law whether they have the right to self-determination. The next problem becomes the state from which the new state wants to secede. No country wishes to be fragmented, and historically, no country has ever ceded part of its territory or a portion under its helm peacefully. The territorial integrity of the state of Cameroon is what the military is fighting earnestly to

defend. For whatever platform a "people" may use, the element of geographic entity is an essential criterion in selfdetermination since no nation exists in the atmosphere. The land in question is the former British Southern Cameroons territory. The right to self-determination is in complete violation of the notion of state sovereignty in the international system. Compounding as the situation may be, is the fact that people have seldom achieved self-determination without violence, and this situation is rampant in third world countries. Anyangwe (2014b), cited in (Achanken, 2014) made the strong assertion that, "No talk of 'reunification' of territories is meaningful unless there is a transparent identification of the regions that were unified, separated and then re-unified" A majority of Francophone Cameroonians hold the opinion and also share it to the international community that Cameroon is and remains 'one and indivisible. This term was coined in 1985 when President Paul Biya changed the name of the country from the United Republic of Cameroon to simply, the Republic of Cameroon. The name La Republique du Cameroon is the appellation of the territory governed by the French before the 1961 Plebiscite and subsequent reunification. Anglophones strongly believe that the process of assimilation of the Southern Cameroonians was complete after this stage. Because both Cameroons have separate history programs, it is possible that one part of the country has not been taught the right version. Most Cameroonians especially of the Francophone background do not possess a sound knowledge of the history of Cameroon as evidenced from their firm grip on the notion of "one and indivisible" Cameroon. In the Anglophone history curriculum for instance, there are disparities amongst prominent historians on most historical facts. To further buttress the notion of false reunification and indivisibility, Ngala-Nfor (2013), equally cited in Achanken (2014) opines that, "The current struggle is to restore the one and indivisible British Southern Cameroons that has been annexed and colonially occupied by the one and indivisible la République du Cameroun, that is, le Cameroun Français which attained independence from France on January 1st 1960".

British Southern Cameroons people have refused to go from a Class B United Nations Trust Territory, a Self-Governing territory with known and recognised international boundaries, a long record in international relations dating back to the Anglo-French Partition of 1913, a governance record in democracy experienced between 1954 and 1961 to a tribe in la République du Cameroun. Restoring independence and sovereignty for the territory and its people is a matter of their security, identity and national pride (Achanken, 2014). Furthermore, Constable (1974) postulates that at independence, Eastern Cameroon (la Republique du Cameroun) and Southern Cameroons came together to form a federation. Based on this claim, the Southern Cameroon activists' today call for a revisit to the terms of the 1961United Nations supervised Plebiscite.

| Dist | tribution of Res | pondents by W | ays of identi | fying oppo | nents |
|-------|--|---------------|---------------|----------------------|---------------------------|
| | | Frequenc y | Percen t | Valid Perce nt | Cumulat ive Percent |
| | from looks | 9 | 17.0 | 17.0 | 17.0 |
| Valid | anyone in vicinity where enemy attacked | 1 | 1.9 | 1.9 | 1.9 |
| | anyone in military uniform | 43 | 81.1 | 81.1 | 81.1 |
| | Total | 53 | 100.0 | 100.0 | 100.0 |

Distribution of Respondents by Ways of identifying opponents

Source: Field Research, November 2018

From the general information provided by the respondents on the number of armed groups involved in the conflict, it was found that 9 of the respondents who reported claim that they identify their opponents from looks which represented 17.0% of the validly interviewed respondents. Then 1 of the respondent who said hold that he recognized his opponent as anyone in the vicinity where the opponent attacked which represented 1.9% of the validly interviewed respondents and 43 of the respondents acknowledge that they identified their opponent as anyone in a military uniform and this group represented 81.1% of the validly interviewed respondents. Thus the majority of the respondents who reported are those who hold that their opponent is anyone in military uniform making their opponents easily identifiable in effect helping to reduce collateral damage suffered by the civilian population.

| Distribution o | f Respondents | by acceptance | of the R2P |
|----------------|---------------|---------------|------------|
|----------------|---------------|---------------|------------|

| Distribution of Respondents by acceptance of the R2P | | | | | | |
|--|-----|-------------------|-------|-----------------------|-------|--|
| | | Frequency Percent | | Cumulative Percent | | |
| Valid | Yes | 53 | 100.0 | 100.0 | 100.0 | |

Source: Field Research, November 2018

From the general information provided by the respondents on their responsibility towards the POC, it was found that 53 respondents who reported about their responsibility towards the protection of civilian population which represented 100% of the validly interviewed respondents. Thus all the respondents admit that they have a responsibility towards the protection civilian population and their property.

IV. PRESENTATION OF OTHER FINDINGS AND INTERPRETATION

The study was guided by the following research question;

- To what extent do the activities of armed groups violate the protection of civilians?

- To analyse the extent to which the SAGs and the NSAGs have respected international policies for the protection of civilians in the course of the Anglophone crisis in Cameroon.
- To propose recommendations in line with best practices and channels through which protection of civilians can be achieved.

| Respondents view according to R2P | | | | | | | |
|---|-------|----|-------|-------|-------|--|--|
| Frequency Percent Valid Cumulative Percent Percent Percent | | | | | | | |
| Valid | No | 41 | 77.4 | 77.4 | 77.4 | | |
| | Yes | 12 | 22.6 | 22.6 | 22.6 | | |
| | Total | 53 | 100.0 | 100.0 | 100.0 | | |

Distribution of Respondents according to views on POC

Source: Field Research November 2018

Protection of the civilian population (POC) was measured using Yes/No questions. From the results, 41 of the validly interviewed respondents refuted the assertion that there is adequate protection of civilians and civilian property making 77.4% of the total number of interviewed combatants while 12 of the validly interviewed respondents acknowledged claims towards the protection of civilians and civilian property making 22.6% of the interviewed respondents. Thus, the majority of the armed group members agree that the protection of civilians and civilian property is not considered a priority in the crisis.

Distribution of Respondents according to activities towards civilians

| Views on positive acts towards civilian population | | | | | | | |
|--|--------------|----|-----------|-------|-------|--|--|
| Freque Perc Valid Cumulativ ncy ent Percent e Percent | | | | | | | |
| | Disagre e | 35 | 66.0 | 66.0 | 66.0 | | |
| Valid | Neutral | 18 | 34.0 | 34.0 | 34.0 | | |
| | Total | 53 | 100. 0 | 100.0 | 100.0 | | |

Source: Field Research November 2018

From the results seen below, it is evident that of the valid responses, approximate values reveals 35 (66%) of the respondents who responded Disagree to the claim that their actions are towards the POC, 18 (34%) of the valid respondents responded Neutral to the claim that their actions are towards the protection of civilian population.

Presentation and Analysis of Data from Civilians

Structured questionnaires with both open ended and closed ended questions were distributed to some civilians (non combatants) to ascertain the level of protection they get from the SAGs and the NSAGs during the period of armed conflict. The following responses were got from the data collected. Distribution of Respondents by Civilian Status Distribution of Respondents by crisis experience

| Duration of Respondents in Crisis | | | | | | |
|-----------------------------------|-------------------|---------------|---------|----------------------|---------------------------|--|
| | | Frequen cy | Percent | Valid Perce nt | Cumulat ive Percent | |
| | 0 - 5 Months | 7 | 7.0 | 7.0 | 7.0 | |
| | 6 - 9 Months | 17 | 17.0 | 17.0 | 17.0 | |
| | 9 - 11 Months | 33 | 33.0 | 33.0 | 33.0 | |
| Valid | 1 - 2 Years | 13 | 13.0 | 13.0 | 13.0 | |
| | 2 Years + | 18 | 18.0 | 18.0 | 18.0 | |
| | From the start | 12 | 12.0 | 12.0 | 12.0 | |
| | Total | 100 | 100.0 | 100.0 | 100.0 | |

Source: Field Research, November 2018

From the general information provided by the respondents on the duration they have experienced the crisis, it was found that 7 respondents who reported about their experience had 0-5 months which represented 7% of the validly interviewed respondents. Then 17 respondents who reported about their experience had 6-9 months, which represented 17% of the validly interviewed respondents. 33 respondents reported that their experience had 9-11 months, which represented 33% of the validly interviewed respondents. A total of 13 of the respondents had 1-2 years, which represented 13% of the validly interviewed respondents, 18 of the respondents had 2 years and above who represented 18% of the validly interviewed respondents. 12 of the respondents reported they had experienced the crisis from the start representing 12% of the validly interviewed respondents, and 0 did not say about their experience with the crisis which represented 0% of the validly interviewed respondents. Thus the majority of respondents who reported about their longevity had worked in the company for more than 9-11 months of experiencing the crisis which represented 33% of the validly interviewed respondents

Distribution of Respondents by Source of Knowledge on POC

| Civilians knowledge of POC | | | | | | |
|----------------------------|--------------------|---------------|---------|----------------------|---------------------------|--|
| | | Frequen cy | Percent | Valid Percen t | Cumulat ive Percent | |
| | Formal Learning | 19 | 19.0 | 19.0 | 19.0 | |
| | Ι | 1 | 1.0 | 1.0 | 1.0 | |
| Valid | Informal | 14 | 14.0 | 14.0 | 14.0 | |
| | The Law | 66 | 66.0 | 66.0 | 66.0 | |
| | Total | 100 | 100.0 | 100.0 | 100.0 | |

Source: Field Research, November 2018

From the general information provided by the respondents on their source of knowledge on the protection of civilians (POC) it was found that 19 of the respondents who reported acknowledged they on their expertise on POC acquired it through formal learning who represented 19% of the validly interviewed respondents. Then14 of the respondents got their knowledge on POC through informal learning (self-learning) who represented 14% of the validly interviewed respondents, 66 of the respondents got theirs through the law of the country who represented 66% of the validly interviewed respondent and 1 of the respondents did not report on their source of knowledge on POC who represented 1% of the validly interviewed respondents. Thus the majority of the respondents who reported their source of knowledge on POC acquired the knowledge from the law.

Distribution of Respondents by fighting group awareness

| Civilians' identification of opposing Armed Groups | | | | | | |
|--|-----|---------------|---------|------------------|---------------------------|--|
| | | Freque ncy | Percent | Valid Percent | Cumulat ive Percent | |
| Valid | Yes | 100 | 100.0 | 100.0 | 100.0 | |

Source: Field Research, November 2018

From the general information provided by the respondents on their awareness of the different fighting groups it was found that 100 of the respondents who reported their awareness of the different fighting groups who represent 100% of the validly interviewed respondents were aware of the different fighting groups. Thus all the respondents are aware of the different fighting groups.

Distribution of Respondents by civilians safety perception of fighting groups

| Civilians Assured safe group | | | | | | |
|------------------------------|-------|-----------|-------------|------------------|-----------------------|--|
| | | Frequency | Perce nt | Valid Percent | Cumulative Percent | |
| | SAGs | 8 | 8.0 | 8.0 | 8.0 | |
| Valid | NSAGs | 92 | 92.0 | 92.0 | 92.0 | |
| | Total | 100 | 100.0 | 100.0 | 100.0 | |

Source: Field Research, November 2018

From the general information provided by the respondents on how they feel about their security viz-a-viz the militant groups, it was found that 8 of the respondents felt more secured with the military fighters who represented 8% of the validly interviewed respondents. Then 92 of the respondents felt secured with the NSAGs fighters who represented 92% of the validly interviewed respondents and 0 of the respondents did not report on their perception represented 0% of the validly interviewed respondents. Thus the majority of the respondents feel more secured with the NSAGs fighters than with the SAGs fighters.

| Civilians Security and Safety Assurance | | | | | | | |
|---|-------|---------------|-------------|----------------------|---------------------------|--|--|
| | | Freque ncy | Percen t | Valid Percen t | Cumulat ive Percent | | |
| Valid | No | 68 | 68.0 | 68.0 | 68.0 | | |
| | Yes | 32 | 32.0 | 32.0 | 32.0 | | |
| | Total | 100 | 100.0 | 100.0 | 100.0 | | |

Distribution of Respondents by Security and Safety

Source: Field Research, November 2018

From the general information provided by the respondents on their security and safety assurance during the crisis, it was found that 68 of the respondents who reported about their safety and confidence which represented 68% of the validly interviewed respondents do not feel safe and assured of their security. While 32 of the respondents who represented 32% of the respondents agreed they feel safe and secured of their protection. Thus most respondents admit that they are not assured of their safety and security.

Distribution of Respondents by Combatants Respect for Human Rights

| Civilians' perception on Respect for Human Rights | | | | | | |
|---|-------|---------------|-------------|----------------------|------------------------|--|
| | | Freque ncy | Perce nt | Valid Percen t | Cumulativ e Percent | |
| | SAGs | 8 | 8.0 | 8.0 | 8.0 | |
| Valid | NSAGs | 92 | 92.0 | 92.0 | 100.0 | |
| | Total | 100 | 100.0 | 100.0 | | |

Source: Field Research, November 2018

From the general information provided by the respondents on their opinion towards protection of human rights, it was found that 8 respondents who reported respect of human rights agree that the SAGs respects human rights which represented 8% of the validly interviewed respondents while 92 of the respondents agree that NSAGs respect human rights which represented 92% of the validly interviewed respondents. Thus most respondents admit that NSAGs have respect for human rights than the SAG members.

V. SUMMARY OF MAJOR FINDINGS

The outcomes of this study are summarized below as follows:

1. There are adequate International Laws that guarantee civilians the rights to life, education, shelter, Medicare and protection, among others during armed conflicts. The evidence that the combatants (SAGs and NSAGs) fully understand these laws, especially the fact that they can be charged for war crimes is weak. Besides, several gross violations of citizens' rights and abuses have passed on undocumented, which leaves little or no evidence to support the possible prosecution of perpetrators and their accomplices in the future.

2. The significant forms of disregard for IHL and gross violation of the accepted norms of POC in the ongoing Anglophone conflicts include the following:

- Attacks of health facilities and personnel wounded soldiers forcefully taken out of hospitals and killed foodstuff and essential utilities destroyed.
- Women and children are specifically targeted for molestation and various abuses, and they are also often used as human shield.
- Cultural and religious sites desecrated and or destroyed.
- The rights to education for children violated as many schools are burnt, and pupils/students and the teachers kidnapped and or killed. Arsonist attacks on schools by the NSAGs for violating the 'no school policy' are all against the laws of war.
- The burning of homes grossly breaches the right to shelter of the civilian population and in some cases, entire villages. This burning is commonplace when either the SAGs or NSAGs suspect that the community in question harbours combatants on the opposite side.
- Freedom of movement is infringed upon seriously by the NSAGs with the imposition of obnoxious lockdowns and ghost towns.
- Summary executions without prior judgment by the NSAGs and the SAGs violate the right to a fair trial.
- Arbitrary arrest and detention without previous investigations by the SAGs.
- Strip search by members of the SAGs on civilians without warrants.

3. Generally, the armed conflict that has engulfed the NWR and SWR is asymmetric, characterized by the SAGs using conventional methods of warfare to fight the NSAGs (Amba boys) who mainly reside within civilian communities. Collateral damages are often due to mistaken identity, firing of stray bullets and other accidents. Other related findings pointing to what has to be done to end the crises include the following:

- a. The NSAGs are increasing infiltrated by several criminal elements who are responsible for indiscriminate kidnapping, armed robbery, amputation of fingers, hands, legs, limbs and other forms of abuses on the civilian population.
- b. There is the suspicion that some elements within the NSAGs are working closely with the SAG operatives. Therefore many civilians who would wish to report the NSAG elements in their midst fear being let out or exposed.
- c. The SAGs increasingly find it challenging to apply the principle of distinction, hence the indiscriminate firing of live bullets and burning of whole communities and markets while in pursuit of a few suspected NSAG elements.

d. Many persons arrested in connection to the Anglophone crises are being detained in overcrowded prison facilities and police cells. Arbitrary arrests perhaps may explain why some SAG members would find it desirable to execute newly captured suspected insurgents.

VI. CONCLUSION

The primary responsibility for the POC is entrusted upon state parties in all circumstances and at all periods. This prerogative does not undermine the fact that the NSAGs also have a responsibility to take steps to ensure that the civilian population under their sphere of influence is adequately protected in situations of armed conflict. In armed conflict situations where the NSAGs and the SAGs are not able or not willing to protect the civilian population under their respective areas of jurisdiction, the international community has a subsidiary responsibility to protect the civilian population for humanitarian reasons under the international humanitarian law. There is a need under the current circumstances for the national, regional and international community, such as the GOC, the Economic Community of Central African States (ECCAS popularly known by its French acronym CEMAC), the African Union (AU), France, Britain, the United States and the United Nations (UN), to take their mediation role more seriously. It is high time for persons, organizations and businesses identified to be fuelling the crises and/or responsible for the promotion of violations to be sanctioned according to international standards. In the same vein, Cameroonians seeking asylum in foreign territories as a result of the conflict should be considered.

The GOC should rethink the option of forceful suppression of the crises without necessarily addressing the issues at stake. Such may have worked in the past, but today with the advent of new information and technology, tides have changed. Conflicts are rarely fought on battlefields away from residential areas as was the case in the past. Modern day armed conflicts are mostly fought in public spaces, in the streets, in markets, in hospitals and even in schools campuses. Scores of people have died and many more on a daily basis, many get injured, and thousands are forced to leave their homes in search of protection in other countries. The once peaceful country that Cameroon had been for a very long time in a tumultuous region the Central Africa and continent Africa, is fast becoming a shadow of its former self. There is therefore, the possibility that the crises may engulf the entire country if necessary steps are not taken to contain the armed conflict. Civilians are vulnerable and cannot afford their security in the outburst of an armed conflict. Therefore, there is a great need to protect the civilian population at all times, be it at regular time or during situations of armed conflict.

VII. RECOMMENDATIONS

Based on the major findings of the study, as summarized above, the following are recommended:

1) Ignorance, misinformation and under-information have contributed to making the POC more difficult to attain. The SAGs need more training on IHL in order to better civilmilitary relations not necessarily in normal times but also in times of armed conflict. Information for the NSAGs can be disseminated through publication of leaflets and poster, and related programmes aired by television, radio or through the social media. Pro-peace building NGOs and representatives of the civil society need to be trained on IHL and how to gather shreds of evidence for possible prosecution of combatants who perpetrate armed conflict atrocities such as war crimes, the crime of genocide or crimes against humanity.

2) The GOC will earn more public trust and collaboration from the civil society towards ending the current Anglophone crises if it is perceived that the authorities investigate cases of abuses attributed to SAGs and get the culprits to account for their actions.

3) The disproportionate use of force by the SAGs to fight the NSAGs, who largely adopt guerilla warfare approaches, has been a major source of discomfort to the civil population. At the same time, the high causality rates suffered by the SAGs would be reduced if the focus shifts to intelligence gathering and pre-emptive actions that take the NSAG elements by surprise. In this regard, the following proposals may be considered useful:

a. Given that Cameroon already has a robust mobile telecommunication registration framework, all GSM operators can be solicited by the relevant communication authorizing ministry and agencies to ensure the full biometric registration of all telephone lines before use by the holders. With that, the location of phone holders and transfer of mobile money can be tracked easily. This can easily identify those who carryout kidnappings and demand ransom for their release and by so doing serve as deterrence those who intend to carry out such acts in future.

b. A whistle-blower program can be introduced for citizens to receive minimal material or cash reward in exchange for information (tip off) to help in the identification and arrest of criminal elements currently operating under the guise of Amba boys. Tip offs from the population can help the SAGs to easily foil activities of the NSAGs or criminal groups who have taken advantage of the present quagmire to their advantage thereby, further complicating the chances of a return to normalcy.

4) History has shown that the use of force to end civil insurgency has hardly yield sustainable peace-building outcomes. Extreme force when applied may insulate the crises for a while only to re-erupt stronger and complicated in the future. Therefore the GOC should take seriously the resounding global call for sincere dialogue without preconditions to resolve the ongoing impasse. In this regard, the following steps may be considered: a. Convening of a Constituent Assembly of elected representatives of citizens to discuss the future of Cameroon. This convention will provide a healthy atmosphere for citizens to discuss how the country can be restructured and run. The outcome of the Constituent Assembly will be drafted as Legislative Bills for amendment of the constitution and forwarded to the Legislature for consideration and voted into law.

b. Cameroonian legislators need to be trained on how to engage in debates on national issues as an arm of Government representing the interest of citizens. Situations, where discussions on the Anglophone crises and the plight of citizens living in the NWR and SWR are disallowed, tend to inflame the problem further. The democratic doctrine of freedom of expression and tolerance of differences in views should become the dominant culture in both legislative houses.

c. Journalists, Civil Society Organizations (CSOs) and Community Based Organizations (CBOs) need regular capacity building on advocacy and brinkmanship to cultivate a convivial atmosphere through which theycan tell the government and the administrators the truth, without sounding confrontational or abusive. Freedom of speech should not be considered an opportunity to demonize or unnecessarily insult those in government.

d. An amnesty cum disarmament program can be set up to grant amnesty to NSAG combatants willing to surrender their arms and ammunition in exchange for economic empowerment. Lessons of best practices can be drawn from the experiences of the Niger Delta disarmament program that is ongoing in Nigeria.

5) The forces of law and order need to be retrained and adequately schooled to become more adaptable and functional for today's information era warfare. Intelligence gathering, preemptive action and deployment of unmanned drones and other surveillance systems are at the heart of modern warfare. It is very costly to train and kit a single soldier. Therefore a situation where they are made to die in their hundreds in the hands of ill-trained insurgents should be avoided.

6) Excessive use of force in asymmetric warfare is illogical and culminates to a waste of time and resources. The GOC should better understand that there are salient issues to be discussed and settled for the betterment of the entire nation. Three years and counting into the crisis has led to grave economic and social consequences. Demilitarization of the regions and a call for dialogue can save the huge loss in terms of casualty often hidden in guise of collateral damage. If things continue in this pace, the GOC shall win the war at the end but it shall be Pyrrhic victory.

7) The GOC should effectively cooperate with local and international humanitarian organizations to evaluate and respond appropriately to emergency needs. So far, there is an urgent need for the GOC to domesticate (apply nationally) the relevant international conventions that will allow the enumeration of IDPs and setting up of IDP camps. It is indeed ironic that the GOC has domesticated conventions related to refugees (foreigners hosted in Cameroon), but yet, the GOC is still to domesticate conventions legitimizing IDPs.

8) Closely related to the above is the need to articulate and approve an Emergency Management Framework for Cameroon. Such a policy infrastructure will provide a guide on who should do what in situations of disaster, and where to seek for which type of help when crises occur. The popular resort to ad-hocism has to be avoided.

9) Lastly, national healing and peacemaking can be initiated with the creation of a Peace and Reconciliation Commission purely made up of clergymen and women with businessmen and some selected reputable legislators, where parties who have granted amnesty are allowed to express their grievances, propose solutions and be given the opportunity to reconcile. Lessons on best practices on this can be drawn from South Africa, Sierra Leone, Nigeria and the Gambia.

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