

16 November 2012

**Spokesperson for the UN High Commissioner for Human Rights:** Rupert Colville

**Location:** Geneva

**Subject:** 1) Gaza  
2) Cambodia  
3) Pakistan  
4) Cameroon

## 1) **Gaza**

The High Commissioner Navi Pillay is following the unfolding situation in Gaza and southern Israel with considerable alarm. She is appalled that once again civilians are losing their lives, including three Israeli citizens killed in their apartment by one of the hundreds of rockets fired over the past week as well as several Palestinian children, including a baby, and also a pregnant woman and some other civilians killed in Gaza.

The High Commissioner joins the Secretary-General, and many others in urging both sides to take serious steps to avoid further escalation and respect their obligations under international humanitarian law to ensure the protection of civilians.

The High Commissioner has repeatedly and unequivocally condemned the indiscriminate firing of rockets from the Gaza Strip into southern Israel, and is deeply concerned both by the recent major upsurge in the number of rocket attacks, and that they are now being aimed at a major city such as Tel Aviv. She is also extremely concerned by the sharp increase in aerial attacks by Israeli forces on the heavily populated Gaza Strip in the past two days and urges both sides to pull back from an increasingly dangerous confrontation.

The High Commissioner urges all sides involved to comply strictly with international human rights law and international humanitarian law.

## 2) **Cambodia / harassment of activists in lead up to ASEAN**

The High Commissioner is concerned about the actions of the Cambodian authorities in the run up to this weekend's ASEAN-related summits in Phnom Penh. Our office in Cambodia has monitored peaceful meetings of civil society groups from across the region discussing human rights issues. Many of these meetings have been closed down under pressure from the authorities. At least 60 people have been arbitrarily detained during an operation to 'sweep' Phnom Penh clean of street

people prior to the arrival of heads of government, and members of a community protesting their threatened eviction by writing messages on the roofs of their houses were arrested, although later released. The Summit should be an opportunity for all parts of ASEAN to come together and peacefully share their views. "The actions of the Cambodian Government are not concordant with Cambodia's human rights obligations nor with the values of ASEAN of peace and prosperity for all."

### **3) Pakistan / death penalty**

The High Commissioner expressed her disappointment and sadness at the news that Pakistan had carried out its first execution in four years on Thursday. The sentence was handed down in 2008 by a military court against a soldier who had killed his superior.

OHCHR opposes the death penalty in any circumstances and has been greatly encouraged by the lengthening moratorium on executions in Pakistan. When she visited Pakistan in May this year, the HC urged the government to translate the moratorium into a more permanent ban and commute the sentences of several thousand prisoners on death row. She hopes the moratorium will remain in place for the regular criminal system but stressed it should be honoured in all spheres.

### **4) Cameroon / LGBT**

The UN human rights office is deeply concerned by reports from Cameroon of the harassment, intimidation, arrest and imprisonment of individuals on suspicion of being lesbian or gay.

The current Cameroonian penal code criminalizes "sexual relations with a person of the same sex" and provides for a penalty of up to five years imprisonment and a fine. The law as it stands is in breach of Cameroon's international human rights commitments and violates rights to privacy and to freedom from discrimination, both of which are guaranteed by the International Covenant on Civil and Political Rights.

While the penal code relates specifically to sexual conduct, we are seriously concerned that it is being applied in a broad-brush way to prosecute many individuals on the basis of their appearance, their mannerisms, style of speech or general conduct. In 2011, for example, Roger Jean-Claude Mbédé was convicted of suspected homosexual conduct after the authorities discovered he had sent a text message to another man that read "I am very much in love with you". Last month, Jonas Singa Kumie and Franky Djome were convicted on the basis of evidence of their appearance, which was perceived as effeminate, and the fact that they had been seen drinking Bailey's Irish Cream. All three have appeal hearing next week.

It is especially worrying to receive reports of anonymous threats being made against human rights defenders working to protect the rights of lesbian, gay, bisexual and transgender (LGBT) persons. A prominent Cameroonian lawyer, Alice Nkom, who has defended in court many of those charged with homosexuality-related offences in recent years, has received a multiple threats to her life and well-being and the well-

being of her family. Civil society organizations that have spoken out on behalf of LGBT people have also been threatened and intimidated.

The Government of Cameroon has a duty to end these abuses. It should provide adequate protection to human rights defenders working to protect the rights of LGBT persons. It also should use the ongoing review of the penal code to put forward amendments to Article 347 bis, with a view to bringing the article into compliance with Cameroon's international treaty obligations. It is regrettable that the draft revised code under discussion would go in the opposite direction: strengthening penalties for same-sex relations and conflating homosexuality with non-consensual sexual practices and pedophilia.

In the meantime, we are calling for an end to the arbitrary arrest and detention of all persons suspected of homosexual behaviour under Art. 347 bis of the current penal code and access to justice for those already detained.

ENDS

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