2026 AGOA ELIGIBILITY REVIEW: COMMENT ON CAMEROON SUBMITTED TO

AGOA IMPLEMENTATION SUBCOMMITTEE
TRADE POLICY STAFF COMMITTEE
OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

Pursuant to

Request for Comments and Notice of Public Hearing Concerning the Annual Review of Country Eligibility for Benefits Under the African Growth and Opportunity Act for Calendar Year 2026
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I. INTRODUCTION

Section 104 (19 U.S.C. § 3703) of the African Growth and Opportunity Act (AGOA) sets forth eligibility criteria that sub-Saharan African countries must meet in order to receive trade preference benefits under AGOA. Several of these relate to human rights and democracy. For example, to be eligible, a country must, among other things, (1) establish or make continual progress toward establishing the rule of law and the right to due process, a fair trial, and equal protection under the law, (2) not engage in gross violations of internationally recognized human rights, and (3) cooperate in international efforts to eliminate human rights violations.

On October 31, 2019, President Donald Trump announced that he would terminate the eligibility of Cameroon for trade preference benefits under AGOA, effective January 1, 2020, because "Cameroon does engage in gross violations of internationally recognized human rights."[1] Specifically, Cameroon had "failed to address concerns regarding persistent human rights violations being committed by Cameroonian security forces," including "arbitrary and unlawful detention, and torture."[2] Since then, Cameroon has remained ineligible. The U.S. Trade Representative's 2024 Biennial Report on AGOA noted numerous ongoing human rights concerns in Cameroon, including "[c]redible reports of human rights abuses by government security forces," "serious restrictions on freedom of expression and media," and "interference with freedom of peaceful assembly."[3]

This comment argues that Cameroon should not be eligible for AGOA benefits for calendar year 2026 due to its persecution and detention of journalists. This is a particularly important issue given that Cameroon is scheduled to hold a presidential election later this year.

II. BACKGROUND ON CAMEROON'S TREATMENT OF JOURNALISTS

According to Reporters Without Borders, Cameroon "is one of the continent's most dangerous countries for journalists" due to the risk of, e.g., "verbal or physical attacks, arbitrary arrests and detentions."[4] Freedom House has similarly noted that, in Cameroon, "[i]ndependent and investigative journalists continue to face serious pressure including risk of attack or detention,"[5] and for the past seven years,[6] it has given Cameroon a 0/4 (zero out of four) for media freedom/independence. The U.S. State Department's most recent human rights report on Cameroon further explains that "[p]olice, gendarmes, and other government agents arrested, detained, physically attacked, and intimidated journalists" and that "[j]ournalists practiced self-censorship, refraining from subjects that could be perceived as critical of the government due to harassment and intimidation by the government or by those acting with impunity due to the

[1] Office of the United States Trade Representative, "President Trump Terminates Trade Preference Program Eligibility for Cameroon," October 31, 2019, https://ustr.gov/about-us/policy-offices/press-office/press-releases/2019/october/president-trump-terminates-trade.
[2] *Id.*
[3] United States Trade Representative, *2024 Biennial Report on the Implementation of the African Growth and Opportunity Act* (Washington, DC: June 2024), at 26, https://ustr.gov/sites/default/files/2024%20AGOA%20Biennial%20Report%206-27-2024%20PDF.pdf.
[4] Reporters Without Borders, "Cameroon," https://rsf.org/en/country/cameroon.
[5] Freedom House, "Cameroon," in *Freedom in the World 2024*, https://freedomhouse.org/country/cameroon/freedom-world/2024.
[6] That is, *Freedom in World 2019* through *Freedom in the World 2025*.

state's failure to investigate or prosecute attacks on journalists."[7] The State Department also highlighted that the "[a]uthorities often cited laws against terrorism or protecting national security to threaten critics of the government," including journalists.[8] Of particular concern, as the Committee to Protect Journalists has documented, "[a]ttacks on the press have escalated as Cameroon prepares for elections in 2025."[9]

There are currently five journalists in Cameroon serving long-term prison sentences for engaging in journalistic work. Notably, several of them were reporting on the Anglophone crisis, perhaps the most serious challenge facing the country, specifically:

- **Tsi Conrad**[10] is a filmmaker and photographer from Bamenda, the capital of the English-speaking Northwest Region and the epicenter of the country's Anglophone crisis. He frequently documented and reported on protests relating to the Anglophone crisis, and on December 8, 2016, he was arrested while filming one such demonstration. He was tortured and forced to sign a false confession. On May 25, 2018, he was convicted of terrorism, secession, hostility against the state, contempt for civil authority, rebellion, and spreading false news and sentenced to 15 years' imprisonment. In 2019, he was sentenced to an additional 18 months, after protesting poor prison conditions. A military appeals tribunal overturned his conviction for terrorism and rebellion on August 19, 2021, but upheld the other five charges. In May 2021, the U.N. Working Group on Arbitrary Detention adopted an opinion finding that his detention violates international law because (among other reasons) it "resulted from the exercise of his right to freedom of expression, his right of peaceful assembly and his right to take part in the conduct of public affairs."[11]

- **Amadou Vamoulké**[12] is a journalist and former Director of the public broadcaster Cameroon Radio and Television (CRTV). He has been detained since July 29, 2016. In 2022, he was sentenced to 12 years in prison for alleged embezzlement, and in August 2024, he was sentenced to an additional 20 years after a second embezzlement indictment was added to his case in 2018. According to the Committee to Protect Journalists, "his imprisonment is in reprisal for his journalistic independence in the face of government directives."[13] In April 2020, the U.N. Working Group on Arbitrary Detention adopted an opinion finding that his detention violates international law.[14]

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[7] U.S. Department of State, "Cameroon," in *2023 Country Reports on Human Rights Practices*, April 22, 2024, https://www.state.gov/reports/2023-country-reports-on-human-rights-practices/cameroon/.
[8] *Id.*
[9] Committee to Protect Journalists, "Cameroon Ratchets up Media Censorship Ahead of 2025 Election," October 2, 2024, https://cpj.org/2024/10/cameroon-ratchets-up-media-censorship-ahead-of-2025-election/.
[10] Committee to Protect Journalists, "Tsi Conrad," https://cpj.org/data/people/tsi-conrad/.
[11] *Tsi Conrad v. Cameroon*, Opinion No. 10/2021, U.N. Doc. A/HRC/WGAD/2021/10, U.N. Working Group on Arbitrary Detention, adopted May 5, 2021, at ¶ 67, https://digitallibrary.un.org/record/3959195/files/A_HRC_WGAD_2021_10-EN.pdf.
[12] Committee to Protect Journalists, "Amadou Vamoulké," https://cpj.org/data/people/amadou-vamoulke/.
[13] *Id.*
[14] *Amadou Vamoulké v. Cameroon*, Opinion No. 1/2020, U.N. Doc. A/HRC/WGAD/2020/1, U.N. Working Group on Arbitrary Detention, adopted April 29, 2020, https://docs.un.org/en/A/HRC/WGAD/2020/1.

- **Mancho Bibixy Tse**[15] is a local radio host from Bamenda who often used his platform to criticize the marginalization of the country's English speakers. He was arrested on January 17, 2017. In 2018, after being tried by a military court, he was sentenced to 15 years in prison on multiple charges, including secession, insurrection, and spreading false information. In 2019, he was sentenced to an additional two years after protesting poor prison conditions. In August 2019, the U.N. Working Group on Arbitrary Detention adopted an opinion finding that his detention violates international law.[16]

- **Thomas Awah Junior**[17] was a correspondent for the privately owned Afrik2 Radio and publisher of the monthly Aghem Messenger magazine. He was arrested in Bamenda on January 2, 2017, while interviewing people at a protest related to the Anglophone crisis. In 2018, he was sentenced to 11 years in prison on charges of group rebellion, destruction of property, and resistance to the administrative order. In 2019, he was sentenced to three additional years after protesting poor prison conditions. On March 27, 2023, the U.N. Working Group on Arbitrary Detention adopted an opinion finding that his detention violates international law; among other reasons, the Working Group noted that "the arrest and detention of Mr. Awah resulted from the peaceful exercise of his rights to freedom of expression, opinion and association."[18]

- **Kingsley Fomunyuy Njoka**[19] is a freelance journalist from Cameroon's English-speaking Northwest Region. He previously worked for several different media outlets, including as a correspondent for the show "Toughtalk," which reported on the Anglophone crisis before it was taken off air in 2017. He was arrested on May 15, 2020, and after significant delays, convicted and sentenced to 10 years' imprisonment on September 24, 2024. Reporters Without Borders condemned the "conviction and outrageous charges, which testify to the ongoing persecution of journalists in Cameroon's English-speaking regions."[20]

In addition to these long-term detentions, government forces subject journalists to harassment, intimidation, and short-term detentions:

- **Nsoyuka Guy-Bruno Maimo**, a student journalist, was arrested on October 24, 2024, while covering a demonstration by a local women's group. During his detention, he

[15] Committee to Protect Journalists, "Mancho Bibixy," https://cpj.org/data/people/mancho-bibixy/.
[16] *Mancho Bibixy Tse v. Cameroon*, Opinion No. 46/2019, U.N. Doc. A/HRC/WGAD/2019/46, U.N. Working Group on Arbitrary Detention, adopted August 15, 2019, https://docs.un.org/en/A/HRC/WGAD/2019/46.
[17] Committee to Protect Journalists, "Thomas Awah Junior," https://cpj.org/data/people/thomas-awah-junior/.
[18] *Thomas Awah Junior v. Cameroon*, Opinion No. 1/2023, U.N. Doc. A/HRC/WGAD/2023/1, U.N. Working Group on Arbitrary Detention, adopted March 27, 2023, at ¶ 78, https://digitallibrary.un.org/record/4033521/files/A_HRC_WGAD_2023_1-EN.pdf.
[19] Committee to Protect Journalists, "Kingsley Fomunyuy Njoka," https://cpj.org/data/people/kingsley-fomunyuy-njoka/.
[20] Reporters Without Borders, "Cameroon: RSF Condemns Absurd 10-Year Prison Sentence for Journalist Kingsley Fumunyuy Njoka," https://rsf.org/en/cameroon-rsf-condemns-absurd-10-year-prison-sentence-journalist-kingsley-fumunyuy-njoka.

was denied access to a lawyer and his family, beaten, and questioned about the Anglophone crisis. He was released without charge five days later.[21]

- **Thierry Patrick Ondoua**, the publishing director of the privately-owned Le Point Hebdo bimonthly newspaper, was arrested on October 22, 2024, on charges of false news, defamation, and insulting "constituted bodies," which includes certain state officials.[22] A complaint had been filed by the Minister of Housing and Urban Development relating to reports published by Le Point Hebdo that criticized the Minister's management of housing policies. Ondoua was released several days later. Notably, he was acquitted of the charges on November 18, 2024.

- **Stéphane Nguema Zambo**, a reporter for Le Zénith, was arrested on September 4, 2024, while attending an appointment related to his investigation of embezzlement at the Ministry of Secondary Education. He was coerced into publishing a Facebook post recanting his findings and then released two days later.[23]

III. ANALYSIS

Cameroon's repression and detention of journalists should render the country ineligible for AGOA trade benefits for calendar year 2026.

A. Cameroon has not established or made continual progress toward establishing the rule of law, the right to due process, a fair trial, and equal protection under the law

Journalists in Cameroon that are charged, arrested, and criminally prosecuted are routinely subjected to egregious violations of their due process and fair trial rights. In fact, the U.N. Working Group on Arbitrary Detention found the detention of Tsi Conrad, Amadou Vamoulké, Mancho Bibixy Tse, and Thomas Awah Junior each fell under Category III of the Working Group's Methods of Work,[24] which means that the violations of their fair trial rights were "of such gravity as to give the deprivation of liberty an arbitrary character."[25] More generally, Cameroon has made little, if any, progress in establishing due process and the rule of law. In fact, since it was terminated from AGOA in 2019, Cameroon's scores on both due process and the rule of law have declined in Freedom House's annual *Freedom in the World* report. In *Freedom in World 2019* and *Freedom in the World 2020*, Cameroon received 1/4 (one

[21] Committee to Protect Journalists, "Cameroonian Journalist Nsoyuka Guy-Bruno Maimo Detained, Beaten for Covering Protest," November 12, 2024, https://cpj.org/2024/11/cameroonian-journalist-nsoyuka-guy-bruno-maimo-detained-beaten-for-covering-protest/.
[22] Committee to Protect Journalists, "Cameroonian Journalist Thierry Patrick Ondoua Detained on Insult Charges," October 25, 2024, https://cpj.org/2024/10/cameroonian-journalist-thierry-patrick-ondoua-detained-on-insult-charges/.
[23] Committee to Protect Journalists, *supra* note 9.
[24] *Tsi Conrad v. Cameroon*, *supra* note 11, at ¶ 83; *Amadou Vamoulké v. Cameroon*, *supra* note 14, at ¶ 71; *Mancho Bibixy Tse v. Cameroon*, *supra* note 16, at ¶ 69; *Thomas Awah Junior v. Cameroon*, *supra* note 18, at ¶ 89.
[25] U.N. Working Group on Arbitrary Detention, *Methods of Work of the Working Group on Arbitrary Detention*, U.N. Doc. A/HRC/36/38, July 13, 2017, at ¶ 8(c), https://documents.un.org/doc/undoc/gen/g17/190/80/pdf/g1719080.pdf.

out of four) for due process and 1/12 (one out of twelve) for the rule of law. Each year since then, however, Cameroon received 0/4 for due process and 0/12 for the rule of law.[26]

B. Cameroon has engaged in gross violations of internationally recognized human rights

The phrase "gross violations of internationally recognized human rights" is not defined in AGOA itself, but it is defined in other parts of the U.S. Code. For example, 22 U.S.C. § 2304(d)(1) provides that "the term 'gross violations of internationally recognized human rights' includes torture or cruel, inhuman, or degrading treatment or punishment, prolonged detention without charges and trial, causing the disappearance of persons by the abduction and clandestine detention of those persons, and other flagrant denial of the right to life, liberty, or the security of person."[27] As Article 9(1) of the International Covenant on Civil and Political Rights makes clear, the right to liberty and security of person includes the right not to be subjected to arbitrary arrest or detention.[28] Therefore, by frequently subjecting journalists to prolonged arbitrary detention – which is often accompanied by torture, prolonged detention without charge or trial, and enforced disappearance – Cameroon is perpetrating gross violations of internationally recognized human rights.

C. Cameroon has not cooperated in international efforts to eliminate human rights violations

The U.N. Working Group on Arbitrary Detention has the mandate to "investigate cases of deprivation of liberty imposed arbitrarily."[29] It is specifically designed to address and eliminate one of the most serious human rights violations – arbitrary detention. Yet Cameroon has consistently failed to cooperate with it. As explained above, the U.N. Working Group on Arbitrary Detention has adopted opinions regarding the detention of Tsi Conrad, Amadou Vamoulké, Mancho Bibixy Tse, and Thomas Awah Junior. In each opinion, the Working Group found that the person's detention violates international law and further stated that (1) the detained person should be immediately released, (2) the detained person should be given compensation for their unlawful detention, (3) the Government should conduct "a full and independent investigation" of the person's arbitrary deprivation of liberty, (4) the Government should take appropriate measures against the officials responsible for the violation of the detained person's rights, and (5) the Government should disseminate the Working Group's opinion "through all available means and as widely as possible."[30] However, Cameroon has not done any of these things for Tsi Conrad, Amadou Vamoulké, Mancho Bibixy Tse, or Thomas

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[26] This includes *Freedom in the World 2021*, *Freedom in the World 2022*, *Freedom in the World 2023*, *Freedom in the World 2024*, and *Freedom in the World 2025*.

[27] 22 U.S.C. § 2304(d)(1), available at https://www.law.cornell.edu/uscode/text/22/2304#d_1.

[28] International Covenant on Civil and Political Rights, 999 U.N.T.S. 171, entered into force March 23, 1976, at Art. 9(1) ("Everyone has the right to liberty and security of person. No one shall be subjected to arbitrary arrest or detention. No one shall be deprived of his liberty except on such grounds and in accordance with such procedure as are established by law.").

[29] U.N. Working Group on Arbitrary Detention, *supra* note 25, at ¶ 7.

[30] *Tsi Conrad v. Cameroon*, *supra* note 11, at ¶¶ 89–94; *Amadou Vamoulké v. Cameroon*, *supra* note 14, at ¶¶ 76–81; *Mancho Bibixy Tse v. Cameroon*, *supra* note 16, at ¶¶ 72–77; *Thomas Awah Junior v. Cameroon*, *supra* note 18, at ¶¶ 94–98.

Awah Junior – they all remain detained, they have not been given any compensation, no investigation has been conducted, no punishment has been given to the responsible officials, and the Government has made no effort to share or disseminate the Working Group's opinions publicly.