

## **TO THE NATION AND THE PEOPLE OF AMBAZONIA**

### **HCB/28/92**

An Originating summons with an **ORDER TO SHOW CAUSE**

#### **WHY THIS PROCEDURE WAS ADOPTED**

This procedure born of a very highly technical legal expertise was adopted so as to prevent Yaounde getting any judge to improperly intervene and throw out the case on some lame excuse.

**An order to show Cause does not permit the judge to intervene in the process until defendant has filed an affidavit Showing Cause why the judge should intervene and either vary the order or set it aside.**

The plaintiff's process papers containing the [Order to Show Cause](#) specifies the number of days within which the defendant must Show Cause. Once the defendant is served with the process, it becomes a [Court Judgment Nisi](#). That is to say, [unless](#) the defendant shows justification for the Court to intervene and set it aside or vary it.

So if the defendant fails to either enter an appearance or if after entering appearance he fails to [show cause](#) to justify the intervention of the judge then in that case what the plaintiff has filed automatically becomes a [Court judgment absolute](#); without any act by a judge.

#### **Here Is AN Excerpt of HCB/28/92**

##### **BETWEEN:**

1. The State of Southern Cameroon alias the Republic of Ambazonia
2. His Royal Excellency Fon Fongum Gorji-Dinka
3. Blaise S Berinyuy

##### **AGAINST:**

1. The State of La Republique du Cameroun
2. His Excellency Paul Biya

#### **ORDER TO SHOW CAUSE**

The Defendants to [show cause](#) why the following should not become judgment absolute of this Court if within 5 days of being served defendants fail to enter appearance, or if after entering appearance he fails to file an affidavit of facts which would enable the Court to either set the orders aside or vary them:

**DECLARATION THAT:** The restoration of the Statehood of the Republic of Ambazonia has been achieved by the Proclamation to this effect signed by Fongum Gorji-Dinka Head of State of the republic of Ambazonia as per annexure 3A

- i. The republic of Cameroon is guilty of aggression by illegally and forcibly occupying the territory of the Republic of Ambazonia
- ii. Paul Biya is guilty of (the capital offense) of high treason for furthering the coup d'état of 2 /6/72 by effecting the secession of the Republic of Cameroon on 2/1/84 from the United Republic of Cameroon.
- iii. It is treasonable felony for anyone to execute orders or perform any function which derives authority from the Republic of Cameroon or Paul Biya
- iv. Public Servants of Ambazonian Origin (civilian and military) are discharged of the duty allegiance, obedience or loyalty which they owed to the Republic of Cameroon and Paul Biya; so they are henceforth answerable to the republic of Ambazonia and its Head of State Fongum Gorji-Dinka

**AN ORDER:**

- i. Prohibiting persons elected in Parliamentary Elections from constituencies in the Republic of Ambazonia from attending personally or by proxy the National Assembly of the Republic of Cameroon.
- ii. Expelling from the territory of the Republic of Ambazonia all persons whose presence or duties in Ambazonia derive authority from the Republic of Cameroon, Paul Biya or any government based in Yaounde.

Since the defendants failed to even enter appearance within 5 days or at all, the process which the High Court registrar signed, stamped, and issued as HCB/28/92 automatically became the **judgment absolute of the High Court** without a judge having to copy it in the Courts own Book.

So the judgment HCB/28/92 is therefore only in the files of the parties and of those of the Bamenda High Court Registry.

**FRENCH OIL FIRMS**

It is known that after the case appeared in the English version of LE MESSAGER NEWSPAPER of 10<sup>th</sup> February 1993, French Oil firms warned Yaounde that a Court judgment cannot be ignored even by a French President and so Yaounde should find a way to get the case set aside.

Yaounde then got the Bamenda High Court registry to issue hearing notices for relisting the case for hearing. By then the High Court was already ***Functus Officio*** (meaning it cannot again be adjudicated again by any High Court). Meanwhile time for filing an appeal had long expired.

But since our judges are capable of doing anything on orders of Yaounde, Blaise Berinyuy, on a tip off, fled to the woods in Nsoh to evade process service. He hibernated in Nsoh for over a year where he met another Ambazonian firebrand Justice Muluh Mbuh.

Since the hearing notice could neither be served on him nor on His Royal Excellency in exile, that meant there was no case properly before the Court for relisting. So Yaounde ordered the case file to be burnt.

### **CAMEROON PRESS CENSOR**

At that time no Prefect would let any paper publish anything that could embarrass Cameroon government or even a minister. HCB/28/92 accused President Paul Biya of High Treason; and the Judgment discharged all Ambazonians civil and military servants of their **duty of allegiance, obedience, or loyalty to Cameroon**. The Prefect would have blocked that part of the News Paper from being published. But since it was a Court judgment he could not touch it and so it was allowed to appear in the press.

### **WHY NOW**

HCB/28/92 has now been published so as to provide legal cover for Ambazonian Patriots who seem to have now become so restive that they may resort to Extrajudicial Process to execute the UN Human Rights tribunal judgment [ICPR/1134/2002](#) and the High Court judgment HCB/28/92.

### **LAW ENFORCEMENT BY EXTRAJUDICIAL PROCESS**

The Napoleonic Civil Procedure Code which operates in Cameroon states that: **where law execution authority refuses to execute a judgment, it becomes the duty of the populations to take whatever means they deem fit to execute that judgment.**

Fon Fongum Gorji-Dinka  
Head of State & Head of the Ambazonian Government-in-exile