

# Delineating International Cooperation in the Fight against Cybercrime in Cameroon

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## Abstract

The emergence of novel technologies and their increasing usage has significantly changed how things are done in modern society. While this is beneficial, it has also facilitated the global commission of modern crimes, such as cybercrimes, through electronic means. This new wave of criminal activity poses severe threats to the global community and has undermined the sovereignty of nations. At present, it is imperative for the global economy to acknowledge the impact of Cybercrime. It is evident that Cybercrime has increased security risks for critical infrastructures, resulting in massive privacy invasions and attacks on businesses and state security. As technology evolves and the world becomes more interconnected, preventing cybercrimes is becoming increasingly challenging. To address these challenges, there is a need for a well-coordinated and collective effort from governments worldwide. In line with this, the Cameroonian government has taken significant steps through the 2010 law on Cybersecurity and Cyber criminality (hereafter referred to as Cyber Law) to promote cooperation with other nations in combating the spread of Cybercrime in Cameroon. However, despite these efforts, the widespread nature of these offences continues to hinder government initiatives. This paper is aimed at assessing the efficiency of the measures taken by the Cameroonian Government to enhance international cooperation in combating cybercrime.

**Keywords:** Cybercrime; Cooperation; Extradition; Internet; Mutual judicial assistance.

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## **1. Introduction**

Cybercrime has a widespread impact across the globe [1]. Nowadays, nearly every imaginable application involves the use of computers and other information and communication technologies, which is why cybercrime is so prevalent [2]. The rapid advancement of technology has led to the emergence of new methods that enable the perpetration of modern crimes. [3] Criminal activities are evolving as a result of technology, allowing perpetrators to commit crimes remotely through the internet. [4]. This means that cybercriminals no longer need to be physically present at the scene of the crime to target their victims.

The internet is a vast and borderless network without territorial limits, which allows crimes to be committed with impunity. To address this issue, a global approach is necessary. Domestic efforts must align with international standards and modes of cooperation to combat cybercrime and its widespread consequences. The cross-border nature of cybercrime makes it challenging to preserve evidence of its commission [5]. As a matter of international law, the need to respect territorial boundaries makes it even more difficult for investigators to quickly travel to other countries to investigate and preserve evidence of an offence. As a result, investigators must follow legal procedures to request assistance from other countries when dealing with criminals over whom they do not have specific powers and jurisdiction [6]. These criminals might be living in very distant countries with different languages and legal systems, making it difficult for a country to enforce its criminal laws against the perpetrator [7].

To address the aforementioned challenges, governments have adopted common legal frameworks for cooperation to combat cybercrime. In 1981, an International Telecommunication Convention and additional protocols were adopted, granting member states the authority to halt any internet or cable transmission of private telegrams that may threaten state security [8]. Under this law, States have the prerogative to halt any transmission without necessarily notifying the State where it came from [9]. Also, The African Union implemented a Convention on Cyber Security and Personal Data Protection to enhance cooperation among African states in tackling cybercrime [10]. However, not all states have ratified this convention [11].

Additionally, regional groupings such as the Central Africa Economic and Monetary Community (CEMAC) have endorsed a General Convention on Judicial Cooperation, signed under the former African and Malagasy Common Organization, covering French-speaking countries in West and Central Africa. Furthermore, there are agreements such as the Extradition Agreement among the Member States of the Central African Economic and Monetary Union (CAEMU/CEMAC) of 2004 [12], the Extradition Agreement of the Economic and Monetary Community of Central Africa (CEMAC), and the London Scheme for Extradition within the Commonwealth. Another CEMAC Regulation was adopted in 2013 for the prevention and suppression of money laundering and financing terrorism in Central Africa. It is important to note that cyber terrorism involves unlawful attacks and threats against computers, networks, and stored information [13]. These cyber-attacks are sometimes perpetrated to intimidate or coerce a government or its people in pursuit of political or social objectives [14].

The Cameroon government has also taken steps to cooperate with other nations by adopting unique legislation, law N° 2010/012 of 21 December 2010, on Cybersecurity and Cybercrime. This law provides substantive and

procedural rules relating to international cooperation [15]. ANTIC was also instituted to regulate Cameroon's cyberspace. This agency has the prerogative to establish cooperation ties with other foreign authorities under section 90 of the Cyber law.

Even though international cooperation is the panacea to better tackle and combat cybercrime, it sadly appears that the efforts made so far are insufficient, as cyber-attacks are still rampant today. Also, Cameroon and most African nations are not parties to relevant international cybercrime conventions (like the Budapest Convention and the AU Convention on Cybersecurity), and that puts the African continent in a fragile and vulnerable position to combat the phenomenon of cybercrime. The researchers posit that the apathy of Cameroon and other African nations in ratifying relevant international conventions relating to cybercrime contributes more to the reason why the crime wave over the internet is still evergreen [16]. Thus, the paper sets out to investigate the efficiency of international cooperation in the fight against cybercrime in Cameroon.

## **2. The Mechanisms of Cooperation in Fighting Cybercrime in Cameroon**

Cameroon and other nations can work together in many ways to combat cybercrime worldwide. The principal methods of combat include both judicial and non-judicial cooperation. The 2010 Cyber Law, along with the Criminal Procedure Code, are the main national laws relevant to establishing such cooperation. It is important to note that cooperation agreements also serve as a primary means for States to collaborate under international law.

### ***2.1 Judicial Cooperation***

To cooperate means to act jointly or concurrently towards a common end [17]. Judicial cooperation means any cooperation made by a court or other public office for carrying out in a foreign country's domestic formalities on service of documents or examination of evidence in a trial [18]. When states cooperate, they not only share information and address burning issues but they also share resources to help each other better combat common problems they face. The nature of a cooperation agreement can allow parties to share staff, volunteers, expertise, space, funds, and other resources. The 2010 Cyber Law provides mutual judicial assistance to cooperate in cyber matters. However, the law is handicapped in the domain of extradition [19].

#### ***2.1.1 Mutual Judicial Assistance***

Mutual judicial assistance (MJA) is an agreement between two or more countries to gather and exchange information in an attempt to enforce public or criminal laws [20]. Judicial assistance between states is necessary in light of the increasing international dimension of criminal phenomena [21]. A request for Mutual Judicial Assistance is commonly used to formally gather evidence to build a case against a suspect in a trial, mainly when he resides in a foreign jurisdiction. MJA is an aspect of international cooperation provided under Section 91 of the Cyber Law. However, the law also makes way for the application of cooperation agreements, and as such, the law does not intend to create a separate regime on mutual judicial assistance except in cases where there are no agreements between Cameroon and a requesting nation [22].

### ***2.1.1.1 The Content of Mutual Judicial Assistance***

It is essential to note that Cameroon still needs a comprehensive law on mutual judicial assistance [23]. The 2010 cyber law only provides a framework for mutual judicial assistance in Part IV but fails to detail its content. In this regard, pertinent issues regarding the type of information or, at the very least, documents to furnish the Cameroonian authority still need to be outlined.

However, the United Nations Office on Drugs and Crime developed a Model Law on Mutual Assistance in Criminal Matters in 2007, recently amended with provisions on electronic evidence and special investigative techniques in 2021[24]. The provisions of this model law could be used as a guide by states under the United Nations in articulating the content and standard form of mutual legal assistance.

With reference to Section 9(1) of the Model Law, a request for assistance shall include:

- a) The identity of the person conducting the investigation, prosecution or judicial proceeding to which the request relates, including contact details of the person capable of responding to enquiries concerning the request;
- b) A description of the criminal matter and identity of the person under investigation,

If applicable, make a summary of facts of the case and outline the offences and corresponding penalties.

- c) A description of the purpose and nature of request for assistance sought.

If the information under Section 9(1) is not sufficient, the requested state may ask for additional information [25]. However, a request not containing all the information mentioned above would not necessarily affect its validity or preclude its execution [26].

### ***2.1.1.2 The Procedure Pertaining to Mutual Judicial Assistance (MJA)***

In relation to cyber matters, the procedure to request judicial assistance in Cameroon is prescribed under the 2010 Cyber law. The Ministry of External Relations is the official channel through which to send and receive requests for mutual assistance [27]. All requests and enforcement documents must go through diplomatic channels [28].

The procedure when Cameroon is the requesting state demands that the State Counsel or Examining magistrate draft and send the request to the Procureur General, who forwards the same to the Minister of Justice. Through the Ministry's international cooperation services, the Minister of Justice will forward the request to the Ministry of External Relations for onward transmission to the requested state. On the other hand, when Cameroon is the requested state, the request is sent through the Ministry of External Relations to the Minister of Justice, who is the central authority [29]. He ensures that all conditions have been met and that such request complies with Cameroonian law before proceeding to execution [30]. However, a request for judicial assistance may be sent directly to the appropriate authority in cases of emergency [31].

When an emergency request is made, it is sent directly to a competent Examining Magistrate, who immediately transmits it to the State Counsel for an opinion [32]. This is mainly because the execution of the request rests in the hands of the State Counsel [33]. The request can also be executed by a judicial police officer or agents requested for this purpose by the State Counsel. In relation to cybercrimes, the formal procedures to execute a request from a foreign jurisdiction are those provided by the 2010 Cyber Law [34] and the Criminal Procedure Code. Suppose the request provides for a specific procedure to be observed, such procedure will be followed if it does not violate the parties' rights or the provisions of the Cameroon Criminal Procedure Code [35]. Assuming it is impossible to follow the prescribed procedure, the Cameroonian authority shall immediately inform authorities of the requesting State of such impossibilities and specify the conditions in which the request may be enforced [36].

If a State Counsel receives a direct request above his capacity to enforce, he shall forward it to the Procureur General. This is done in cases where the request can breach public order or policy or affect the essential interest of the nation. The Procureur General will then send the request to the Minister of Justice, who holds the power under Section 94 (1) of the Cyber Law, to inform the requesting authority of the impossibility to wholly or partly accede to the request, and enforcement shall be blocked.

### **2.1.2 Extradition**

Extradition is an act of international legal cooperation for suppressing criminal activities. It is defined as the process of handing over a person accused or convicted of a criminal offence by one state to another that seeks to prosecute or punish him by its laws [37]. Extradition law is based on the assumption that the requesting state is acting in good faith and that the fugitive will receive a fair trial in court [38]. While there is considerable risk that extradited fugitives will be treated unjustly, extradition is, however, justified by the common interest of States in fighting crimes and expunging safe havens for criminals [39].

Extradition is pivotal in enforcing international criminal law and assisting states in prosecuting violations of purely domestic legislation. The challenge faced with extradition is striking a balance between turning over a fugitive criminal to a state where they can face justice for their crimes while protecting them from any inhumane treatment or prosecution at the same time [40]. It is also important to note that a requested state can place conditions on how an extradited individual will be treated before handing him over. This approach is called "conditional extradition [41].

Unlike South Africa [42] and Nigeria [43], where a specific law regulates extradition, it is utterly different in Cameroon; no unique law exists. The 2010 Cyber Law makes no provision for extradition regarding cyber matters. However, Cameroon relies solely on the Criminal Procedure Code 2005 and some international extradition agreements she has signed with other nations. It should be remembered that Cameroon has established extradition treaties with Russia, France, Italy, Brazil, the USA [44], the Central African Republic, Congo, Gabon, Chad, and Equatorial Guinea [45].

### ***2.1.2.1 Conditions for Extradition in Cameroon***

Certain modalities must be followed for a fugitive to be extradited from Cameroon. The Criminal Procedure Code provides the conditions for extradition. With regard to cyber matters, the same conditions apply since there is no other special law regulating the area, except in cases where there exists an extradition treaty.

The general rule is that no Cameroonian citizen shall be extradited except otherwise provided by law [46]. The law under consideration here refers to relevant national laws, international conventions, and extradition treaties Cameroon may have with other states.

#### ***2.1.2.1.1 Considerations to be observed by a Requesting State***

The first condition for granting an extradition request requires that the crime should constitute an offence in the requesting state and Cameroon [47]. The offence must be that which is punishable with a minimum sentence of two (2) years and prosecution is not barred by prescription, amnesty, or otherwise; or consists of a term of loss of liberty which is still legally enforceable within six (6) months at least notwithstanding imprisonment in default of payment [48].

The second condition requires that the offence constitute an ordinary law offence in Cameroon before the offender can be extradited. The third condition is based on the circumstances surrounding the extradition. That is, the extradition must not be instigated because of political, religious, or racial reasons or because of the nationality of the person concerned [49].

However, offences such as misdemeanours and felonies having no direct bearing on the government shall be considered common law offences that may justify extradition [50]. Offences of universal jurisdiction provided by international conventions duly ratified by Cameroon shall constitute an ordinary law offence and hence shall be extraditable [51].

Cameroon has outlined circumstances where an offence will not be considered extraditable under Sections 643 and 645 of the CPC.

#### ***2.1.2.2 The Extradition Procedure***

It is commonplace and a matter of international law that extradition requests are made only by States. An individual cannot file for extradition. It presupposes that before an application for extradition is filed, a foreign state must follow specific preliminary or preparatory steps.

The process for foreign nations to file for extradition in Cameroon is structured towards an efficient disposition of issues. Unlike Nigeria, an extradition request to surrender a fugitive criminal is made in writing to the Attorney-General of the Federation of Nigeria [52]. This is utterly different in Cameroon. The procedure in Cameroon begins with a request made in writing to the Minister of Justice through the Ministry in charge of External Relations. It is worth remembering that any foreign nation requesting extradition must strictly follow

the prescribed diplomatic channel. All requests must be supported with the following documents [53]:

- a) A copy of the verdict, even if the person was convicted in absentia;
- b) An order to bring the accused before a competent court for preliminary inquiry or trial. This document must be the original or a certified copy.
- c) An arrest warrant or any other document having the same effect issued by a competent foreign authority. The warrant must specify the offence on which it is founded and its date.
- d) A copy of the law(s) applicable to the offence charged, and account of the facts of the case must be attached by the requesting state.
- e) If judgment is rendered in default, the requesting state must prove that the defendant was aware of the proceedings and had access to adequate legal defences.

The Minister in charge of External Relations checks the aforementioned documents before forwarding them to the Minister of Justice, who verifies that all conditions are met before seizing the Legal Department of the foreigner's place of residence for enforcement [54].

Upon receiving the enforcement notice supported by evidence from the Minister of Justice, the examining magistrate will issue a provisional warrant of arrest if the fugitive is in Cameroon or on his way to Cameroon Reference [55]. However, before issuing such a warrant, the magistrate must ensure that the alleged offence is an extraditable one and that there is sufficient evidence or information to justify the issuance of the arrest warrant. The offence must also be one in which the court would have normally issued a warrant of arrest if committed in Cameroon [56].

After an arrest has been made, the magistrate of the Legal Department of the Court of First Instance shall proceed, if necessary with the aid of an interpreter, to examine the foreigner's identity, serve him the documents supporting his arrest, and record any statement he may make while informing him of his right to brief counsel Reference [57]. A report relating to the proceedings is drawn up thereafter and signed by the magistrate, the interpreter, if any, and the foreigner. Where necessary, the report shall bear a note that the foreigner refuses or cannot sign [58].

The foreigner is then transferred to prison at the seat of the Court of Appeal within the jurisdiction in which he was arrested [59]. While at the Appeal Court, the Procureur General may at any time examine or cause a magistrate to examine the foreigner afresh in accordance with Section 653 and in the presence of his counsel duly summoned, if any [60]. As the Procureur General receives the list of documents mentioned under Section 651, he ensures they conform with the formalities provided under Sections 653 and 654 before forwarding them together with his submission to the President of the Court of Appeal, who shall list the case for hearing and notify the foreigner, and where necessary his counsel [61].

The Court shall then examine the application for extradition in chambers, in the presence of the Legal department, the foreigner, and, if need be, his counsel and interpreter. The Court will ascertain whether the documents provided under section 650 have been duly produced before examining all the evidence [62]. During

the hearing, the Court may accept, as valid evidence, all the statements and other documents obtained under oath by the competent authorities of the foreign state, as well as all warrants, attestations, authenticated documents, or copies thereof mentioning the sentence [63].

After examining the application for extradition, the Court may grant bail to the foreigner if he fulfils one of the conditions provided in Section 246(g) of the CPC. However, if the foreigner renounces the right to benefit from the Cameroonian legislation on extradition and formally accepts to be handed over to the requesting state, the Court shall rule accordingly [64]. The Procureur General shall immediately forward the decision from the chamber to the Minister of Justice, who shall submit the same for signature to the President of the Republic as a draft decree ordering the extradition [65]. It is important to note that before the final decision of the chamber (at the level of Appeal Court) is sent to the Ministry of Justice, only the Procureur General has the prerogative to appeal such decision before the Supreme Court [66]. This area of the law appears unjust because there is a sense in which the Procureur General may not file an appeal even in situations where the law has not been duly respected. Therefore, excluding the possibility of a fugitive to appeal before the Supreme Court is a gross violation of his rights.

In situations where the Supreme Court dismisses the case on appeal because the evidence adduced is deemed insufficient, or the legal conditions are not fulfilled, or there is a mistake in the identity of the person whose extradition is requested, the court shall order the immediate release of the person if there are no other grounds for detaining him. The ruling arrived at the Supreme Court is immediately transmitted by the Procureur General to the Minister of Justice, who shall transmit the same in the form of a draft decree rejecting the extradition to the President of the Republic for signature; when it is signed, it becomes absolute. This holds the same in case the application is granted, and once it is signed by the President, the foreigner and the state requesting extradition shall be informed, and the decree is not subject to any appeal [67]. If the requesting state or its representative does not order the transfer of the fugitive within three months, it shall be barred by time, and the same state can make no further request for extradition for the same offence [68].

With regards to documentation, the files of the fugitive mentioned under Sections 661 and 662 of the CPC shall be transmitted by the Procureur General to the Minister of Justice to be returned to the requesting state [69]. It is worth noting that Cameroonian courts have the prerogative to authorise either all or part of any document, securities, or objects seized from the foreigner to be returned even if the application for extradition was dismissed or can no longer be reopened.

### ***2.1.3 The Special Role of INTERPOOL in Ensuring International Cooperation in Cybercrime Matters.***

INTERPOL is an international organisation that facilitates global police cooperation and crime control. Headquartered in Lyon, France, it has seven Regional Bureaus worldwide and a National Central Bureau in all 194 member states, making it the world's largest police organization [70]. This international organisation has a branch in Cameroon, in Yaounde, known as the National Central Bureau. Cameroon has been a member of INTERPOL since the 4th day of September 1961 [71]. This bureau serves as a focal point for all INTERPOL activities.



The institution facilitates cooperation between member states by providing investigative support, expertise, and training of law enforcement officers. It focuses on three significant areas of transnational crimes: terrorism, cybercrime, and organized crimes. Its broad mandate covers virtually every kind of crime. The agency also facilitates cooperation among national law enforcement institutions through a profound criminal database and communications system called the I-24/7 [72].

Contrary to popular belief, INTERPOL is not a law enforcement agency but rather an institution created to help nations share resources, collaborate, and fight against crimes of international nature. In fact, the Agency ensures and promotes the widest possible mutual assistance between all national police authorities within the limits of the law in each country [73].

Interpol investigates through its alert system and issues international arrest warrants for apprehending fugitive criminals on behalf of a requesting state. Interpol "Notices" are international requests for cooperation or alerts allowing police in member countries to share critical crime-related information [74]. The "Red Notice" indicates that the persons concerned are wanted by national jurisdictions for prosecution or to serve a sentence based on an arrest warrant or court decision. It was through the "red notice" that a fugitive in the case of *the Federal Republic of Nigeria v. Mr. Olugbeniga Adebisi* [75] was investigated and arrested by Interpol on his way to Nigeria after escaping from the United States of America.

## **2.2 Non-judicial Cooperation**

Non-judicial cooperation is simply the process through which a state or an institution establishes a working relationship with another without the intervention of judicial authorities. This implies that the military, courts, and all justice departments have no intervention. It also means a formal judicial procedure is not observed. This form of cooperation is also known as administrative cooperation. Cameroon's cyberspace is guarded and protected against cybercrime by the National Agency for Information and Communication Technologies (ANTIC). The agency can cooperate with other foreign certification authorities without engaging the judiciary [76]. It also has the prerogative to solicit foreign institutions' administrative assistance and organize capacity-building workshops, seminars, and training with these institutions. However, it is essential to note that their activities must conform to Cameroonian law. The Ministers of Post and Telecommunication and Finance are the supervisory authorities of the agency to ensure conformity with state policy [77].

In November 2006, ANTIC established an administrative cooperation with the Commonwealth Telecommunication Organisation (CTO). This cooperation was concluded at Antic's head office in Yaounde, Cameroon, by the Director General, Dr. Ebot Ebot Enow, and the Secretary General of CTO, Dr. Shola Taylor Reference [78]. The cooperation focused on nine significant domains, namely, IT Management /Leadership, Risk Management and Business Continuity Planning, Information System Security Audit, IT Governance, Forensic Investigations, Introduction to Cyber Security, Critical Information Infrastructure Protection (CIIP)/Cyber Security, Introduction to Computer Emergency Response Team (CERT) and Managing Computer Emergency Response Team (CERT).

#### **4. Conclusion and Recommendation**

This paper has clearly demonstrated that cybercrime is a persisting international threat transcending national boundaries, making it a global concern. The fact that African states have cultivated the habit of not acceding to meaningful international cybercrime conventions makes it exceedingly difficult to apprehend those who commit cyber offences from other foreign jurisdictions [79]. This attitude is typical of many African nations, which speaks volumes of how unserious we are in this endeavour. Clearly, most of them, including Cameroon, are not members of the AU Convention on Cyber Security and Personal Data Protection, which happens to be a household instrument in the African continent. To be specific, according to the African Union's April 11th, 2023 list of countries that have signed and ratified the African Union Convention on Cyber Security and Personal Data Protection, out of the 55 countries enlisted, only 14 have signed, ratified and deposited the Convention while 18 others have signed but refused to ratify the Convention, not forgetting the remaining 23 states who chose not to engage in any of the steps [80].

However, international cooperation remains the panacea to curb cybercrime, but efforts made so far to foster this cooperation with other states are not very encouraging. For example, Cameroon's Cyber Law provides that mutual judicial assistance be practiced to the full extent possible under relevant laws concerning investigation and prosecution where a physical person may be held liable. Still, the law fails to consider cyber offences perpetrated by corporate bodies, which is today's reality [81]. The law also appears scanty and insufficient in international cooperation because the modality to establish a cooperation agreement by ANTIC is yet to be enacted [82]. More so, unlike Nigeria, the absence of a unique law on extradition in Cameroon makes it almost a hopeless situation.

This paper opines that, for Cameroon to adequately foster cooperation with the rest of the world to fight cybercrime better, she should consider wholly ratifying the Budapest Convention [83] and establish a Memorandum of Understanding with the Federal Trade Commission in the USA [84], which will go a long way to redress the cybercrime situation in the country.

It is also crucial for the Cameroonian government to strengthen its institutions such as ANTIC by define a regulation that completes the conditions for establishing agreements with foreign institutions [85]. This will greatly strengthen ANTIC and enable it to extend the fight against cybercrime to other jurisdictions. Additionally, the government should consider passing a special extradition statute and encouraging judicial officials to share knowledge about best practices, get training, and enhance the protocols that promote open dialogue between judicial authorities. Judges and prosecutors should be encouraged to participate in comprehensive training programs and cases involving electronic evidence and cybercrime [86].

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- [32] *Ibid*, section 92(7).
- [33] *Ibid*, section 92(1).
- [34] *Ibid*, section 93(1).
- [35] *Ibid*, section 93(2).
- [36] *Ibid*, section 93(3).
- [37] A. Anthony, *Handbook of international law*. Cambridge University Press, 2005, p264. Also, see section 635 of the CPC.
- [38] See C. Robert, H. Friman, *et al. An Introduction to International law and Procedure* (n 13) p 92. See G. Griffith and C. Harris. “Recent Developments in the Law of Extradition”. *Melbourne Journal of International Law*, Vol. 6 N°1, pp33-54, May 2005. Also, see B. Matthew. “A Comparative Analysis of the United States’ Response to Extradition Requests from China”. *The Yale Journal of International Law*, Vol. 33, pp 177,186, 2008. However, if courts were to supervise the integrity of the judicial system of other sovereign nation to ensure human rights are observed, such acts would conflict with the “principle of comity” see *Jhirad v. Ferrandina US Court of Appeals 12.4.1976 para. 22; 536 F.2d 478*.
- [39] P. Michael. “‘Surrender’ in the context of the International Criminal Court and the European *Nouvelles études pénales*, Vol. 19, p 465, 2004.

- [40] G. Gilbert, *Transnational Fugitive offenders in international law*, Vol. 55, Kluwer Law International, 1998, p7.
- [41] R. Thomas. "A Delicate Balance: Extradition, Sovereignty, and Individual Rights in the United States and Canada". *Yale Journal of International law*, Vol. 27 , pp 193, 214, 2002.
- [42] Extradition Act 67 of 1962.
- [43] Extradition Act (Modification) Order, 2014 & the Federal High Court (Extradition Procedure) Rules, 2015.
- [44] UN Office of Drugs and Crimes. "*Country review report on Cameroon*" Review cycle 2010-2015, United Nations publication, Vienna, pp10-11. Also, see the case of *Ebong Aloysius Tilog v The United State*, cited at US Department of Justice website. Available at <<https://www.justice.gov/opa/pr/fugitive-extradited-cameroon-united-states-serve-80-year-prison-sentence>> Accessed January 18<sup>th</sup> 2023.
- [45] CEMAC extradition agreement available at <<http://www.droit-afrique.com/upload/doc/cemac/CEMAC-Accord-2004-extradition.pdf>> Accessed January 18<sup>th</sup> 2023.
- [46] Section 644 of the CPC. Also, see C Robert, H. Friman, *et al*, *An Introduction to International law and Procedure* (n 13), p 92. Relating to the denier of extradition request on grounds of human rights purposes.
- [47] This condition is in conformity with the principles of dual criminality under international law.
- [48] Section 642(1)(a) of the CPC.
- [49] *Ibid*, section 642(1)(b).
- [50] *Ibid*, section 642(2)(a).
- [51] *Ibid*, section 642(2)(b).
- [52] Section 6 of Extradition Act, 1966.
- [53] Section 650(1), (2), (3) and (4) of the CPC.
- [54] *Ibid*, section 651.
- [55] *Ibid*, section 18(2).
- [56] A. N. Patricia. "Mutual Legal Assistance in Cyber Matters: Issues and Challenges for Cameroonians

laws". (n 22), 405.

[57] Section 653(1) of the CPC.

[58] *Ibid*, section 652(2).

[59] *Ibid*, section 654.

[60] *Ibid*, section 655.

[61] *Ibid*, section 656.

[62] *Ibid*, section 657(1).

[63] *Ibid*, section 657(2).

[64] Section 659(1) of the CPC.

[65] *Ibid*, section 659(2).

[66] *Ibid*, section 660(1).

[67] *Ibid*, section 659(3).

[68] *Ibid*, section 666.

[69] *Ibid*, section 664.

[70] "General Secretariat". <[www.interpol.int](http://www.interpol.int)> Accessed March 15<sup>th</sup> 2023.

[71] The 71st INTERPOL General Assembly, 21-24 October 2002, Yaoundé, Cameroon available at <<file:///C:/Users/User/Downloads/71%20GA%20-%20Espigares%20Mira.pdf>> Accessed March 15<sup>th</sup> 2023.

[72] INTERPOL Database available at <<https://www.interpol.int/en/How-we-work/Databases>> Accessed June 3<sup>rd</sup> 2023.

[73] Section 2 of Interpol Constitution 1956 as amended in 2022.

[74] INTERPOL Notice cited at <<https://www.interpol.int/en/How-we-work/Notices/About-Notices>> Accessed June 3<sup>rd</sup> 2023.

[75] Suit No. FHC/L/229C/2008.

[76] Section 90(1) of the cyber law.

[77] Presentation of ANTIC, available at <<https://www.antic.cm/index.php/en/the-agency/presentation.html>> Accessed March 11 2023.

[78] Antic's partnership agreements available at <<https://web.antic.cm/antic.cm/index.php/en/component/k2/item/67-antic-and-cto-sign-partnership-agreement>> Accessed March 11<sup>th</sup> 2023.

[79] E. Rogers. *The Legal Response by Cameroon and Regional Communities to Cybercrime*, LAP Lambert Academic Publishing; Illustrated edition, February 13, 2015, p1.

[80] See African Union Convention on Cyber Security and Personal Data Protection status list available at [https://au.int/sites/default/files/treaties/29560-sl-AFRICAN\\_UNION\\_CONVENTION\\_ON\\_CYBER\\_SECURITY\\_AND\\_PERSONAL\\_DATA\\_PROTECTION.pdf](https://au.int/sites/default/files/treaties/29560-sl-AFRICAN_UNION_CONVENTION_ON_CYBER_SECURITY_AND_PERSONAL_DATA_PROTECTION.pdf) Accessed September 15 2023

[81] A. N. Patricia "Mutual Legal Assistance in Cyber Matters: Issues and Challenges for Cameroonian laws". (n 22), p 399.

[82] Section 90(2) of the Cyber law.

[83] According to article 35 of the Convention, States shall benefit from network of practitioners which is simply a 24/7 network of contact point which provides immediate assistance for the purpose of cybercrime investigations, proceedings or the collection of electronic evidence in other jurisdictions. Also, the second Additional Protocol has, *inter alia*, lay down means through which authorities of member nations can directly cooperate with private entities of other states to receive domain registration information or subscriber data. It also allows a member state to obtain testimony of experts and witnesses who are located in other jurisdiction and initiate joint investigation teams via videoconferencing.

[84] The commission have the *locus standi* to enter into agreement with other states to help carry investigations, supply technical resources, help train, and equip experts of other nations to better fight cybercrime in their country.

[85] Section 90(1) of the cyber law.

[86] A. N. Patricia. "Mutual Legal Assistance in Cyber Matters: Issues and Challenges for Cameroonian laws", (n 22), at, 409.