

UA 12/91

Torture/Legal Concern

15 January 1991

MAURITANIA: Lieutenant Diégui BATHILY, aged 27
Lieutenant Almami Chouaïbou DIAGANA, aged 31
Lieutenant Abdoulaye DIAGANA, aged 28
Capitaine Cheikh DIARRA, aged 38
Lieutenant Abdoulaye Bocar DIAKITE, aged 40
Lieutenant Cheikhna TANDIA, aged 31
Lieutenant Siguino TRAORE, aged 33

The seven men named above are among at least 15 officers of the armed forces belonging to the Soninké ethnic group who have been arrested in Mauritania since mid-December 1990. No reasons for their arrest have been given by the government. Lieutenant Diégui BATHILY worked at the Etat-major de l'Armée nationale, national army headquarters in Nouakchott; Lieutenant Almami Chouaïbou DIAGANA and Lieutenant Abdoulaye DIAGANA are both instructors at the Ecole militaire interarmes d'Atar, military training school in Atar; Capitaine Cheikh DIARRA is commander of the Brigade de Gendarmerie d'intervention mobile, Gendarmerie mobile unit; Lieutenant Abdoulaye Bocar DIAKITE is a Signals officer (officier des transmissions) at the Etat-major de l'Armée nationale; Lieutenant Cheikhna TANDIA is from Nouadhibou; Lieutenant Siguino TRAORE is from Nouadhibou military region.

These arrests continue the wave of arrests of black Mauritians which increased to alarming proportions in November and December 1990. However, those named above are among the first arrests reported amongst the Soninké ethnic group. Those arrested previously were mostly Hal-Pulaar (Fula or Peul).

Those detained are believed to have been denied access to their families who apparently do not know where they are held. They appear to be held outside the terms of Mauritania's law and to be at risk of torture and prolonged arbitrary imprisonment.

Since November, as many as 15 political detainees are believed to have died as a result of torture and no inquiry has been set up into the deaths. Detainees held at J'Reida army barracks, some 30 kilometres from Nouakchott, where 12 prisoners are reported to have died under torture, seem to be particularly at risk.

Under the terms of Mauritania's laws, particularly the Code of Penal Procedure, suspects arrested by the security forces have to be referred to the Procuracy (parquet) within 48 hours of their arrest, to be remanded in custody formally and to have their cases investigated. This period of detention (garde à vue) can be renewed once only by written authorization from the Procureur de la République or the President of a Regional court. It may be extended up to 30 days if suspected offences involve the security of the state.

BACKGROUND INFORMATION

Since November 1990, Amnesty International has learned that perhaps as many as 3,000 people, all members of the black Hal-pulaar ethnic group, have been arrested and many remain held without charge. Most of the arrests have taken place in Mauritania's two largest towns, Nouakchott and Nouadhibou. Some have been released uncharged but others are still held in military custody in Nouakchott, either at the headquarters of the 6ème région militaire (6th military region barracks), located 12 kilometres from Nouakchott on the Akjoujt road, at J'Reida army barracks at some 30kms from Nouakchott, or at Boulanouar and Mamkhar prisons. Those arrested in Nouadhibou were moved to Nouakchott by military planes without their relatives being informed of their whereabouts.

Reports indicate that many of the detainees have been subjected to torture, which seems now to be used routinely against political detainees held in military custody (see UA 496/90, AFR 38/15/90, 11 December). No formal charges have been announced against any of the detainees despite some releases. Hundreds are believed to be still held.

The government has responded to publicity about these mass arrests by claiming that all those detained were involved in a conspiracy to overthrow the government before 28 November, the 30th anniversary of the country's independence. However, unofficial sources have suggested that the current arrests are in fact connected to local elections in which members of various different black ethnic groups have backed the electoral list headed by a former government minister, Messaoud Ould Boulkheir, a leading member of the Haratine community.

RECOMMENDED ACTION: Telegrams/telexes/faxes/express and airmail letters, in French or Arabic if possible:

- expressing concern at reports that the seven people named above, all believed to be members of the Soninké ethnic group, have been arrested with others recently and are being held without charge;
- inquiring as to reasons for their detention and its legal basis, and urging that they should not be detained unlawfully outside the framework of the law;
- requesting assurances that they are not being subjected to torture, which is reported to have been used routinely on political detainees held in military custody in recent years and urging that orders be given that these and other prisoners should not be subjected to torture or any other form of cruel, inhuman or degrading treatment;
- urging the authorities to allow these detainees and others arrested in recent weeks immediate access to legal counsel, to relatives and medical facilities;
- expressing concern that those held may be imprisoned on account of their ethnic origin and urging that if this is the case they should be released unconditionally and immediately.

APPEALS TO:

President Maaouya Ould Sid'Ahmed Taya
 Président du Comité militaire de salut national (CMSN), Chef de l'Etat
 La Présidence
 B.P. 184
 Nouakchott, MAURITANIE
Faxes: + 222 2 52636
Telegrams: President Ould Taya, Nouakchott, Mauritanie
Telexes: 5580 PRIM MTN

Monsieur Adama Samba Sow
 Ministre de la Justice
 Ministère de la Justice
 Nouakchott, MAURITANIE
Faxes: + 222 2 52860 (via Ministry of Foreign Affairs)
Telegrams: Ministre Justice, Nouakchott, Mauritanie
Telexes: 585 MINAF MTN (via Ministry of Foreign Affairs)

Monsieur le Lieutenant-Colonel Mohamed Lemine Ould N'Diayane
 Secrétaire permanent du Comité militaire de salut national
 La Présidence
 BP 184
 Nouakchott, MAURITANIE
Telegrams: Sec. Comite militaire Ould N'Diayane, Nouakchott, Mauritania
Telexes: 566 MINDEF MTN (via Ministry of Defence)

Monsieur le Commandant Cheikh Sid'Ahmed Ould Baba
Ministre de l'Intérieur, des Postes et des Télécommunications
Ministère de l'Intérieur
BP 195
Nouakchott, MAURITANIE

Telegrams: Ministre Interieur, Nouakchott, Mauritanie

Telexes: 5844 MTN MTN

COPIES TO:

- Monsieur Hasni Ould Didi, Ministre des Affaires étrangères et de la Coopération,
Ministère des Affaires étrangères, BP 230, Nouakchott, MAURITANIE
- Mauritanie Demain, BP 4070, Nouakchott, MAURITANIE
- Ligue mauritanienne des droits de l'homme, BP 597, Nouakchott, MAURITANIE

and to diplomatic representatives of MAURITANIA in your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 26 February 1991.