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Mauritania: Authorities announce imminent trials but ignore defence rights

Three weeks after the start of a wave of arrests of opposition politicians in Mauritania, and as the authorities announce the imminent trial of individuals for plotting against and attacking the state, Amnesty International launches an urgent appeal for a fair trial in accordance with international standards.

"Since the start of the arrests, not a single rule of law has been respected. Some detainees have suffered ill-treatment and all of them were kept incommunicado until last Monday. Despite repeated requests, lawyers have still not had access to the case files and nor have they been able to meet their clients, even though the authorities have announced that the trial is imminent," said Amnesty International today.

These arrests took place in the context of the presidential election of 7 November 2003. Fifteen people have been detained, including Mohamed Khouna Ould Haidalla, candidate for president and a former Mauritanian head of state, two of his sons and others who were directly involved in the organization of his electoral campaign. The authorities told the media that these people had been arrested because they had incited a coup.

Detained incommunicado, some of them have allegedly been beaten and ill-treated, including Sidi Mohamed Ould Haidalla, one of Mohamed Khouna Ould Haidalla's sons. According to information obtained by Amnesty International, he was beaten up while being interrogated at the central police station in Nouakchott, the country's capital. On 11 November, another of his sons, Sid Ahmed Ould Haidalla, was transferred to a prison in Aleg, a town located about 350 kilometres to the southeast of the capital, and continues to be detained with his feet in chains.

The detainees need health care, but no doctor has been allowed to visit them. This is especially a problem for Habba Ould Mohamed Vall, Mohamed Yehdhi Ould Breideleil and Ismaël Ould Amar. Another detainee, Mohamed Khouna Ould Haidalla, was suffering from gastric problems and exhaustion when he was arrested. The ill-treatment and fears for the health of detainees are especially serious because the families have been refused all access to their relations for more than two weeks.

Other defence rights have been ignored. Lawyers were not allowed to see their clients until 25 November, and were then not allowed to talk to them. Moreover, the legal authorities allegedly refused to give them a copy of the case file even though they announced that the trial was imminent.

"Lawyers have not only been prevented from defending their clients, one of them, Me Yacoub

Diallo, former President of the Bar in Nouakchott, was insulted and beaten at Nouakchott central police station on 16 November 2003, when he inquired about the legal situation of the opposition figures who had just been arrested. Me Diallo was taken to one side by a young police officer and had his arm dislocated," said Amnesty International.

Since the beginning of the year, dozens of people have been detained incommunicado for weeks or months, for crimes against the security of the state. The Mauritanian Penal Code allows a person to be detained for thirty days without charge.

"The prolonged maintenance of detainees incommunicado violates international rules on detention and fair trials by facilitating the use of torture and ill-treatment and preventing the accused from contesting the legality of their detention," the organization said today.

These flagrant violations of defence rights lead us to believe that the imminent trials of the people arrested in the context of the presidential election of November 2003 risk being arbitrary in nature and lead us to expect that detainees will receive very heavy sentences. The maximum sentence for the detainees would be forced labour in perpetuity.

Background

President Maaouya Ould Sid'Ahmed Taya was re-elected on 7 November 2003. According to the main opposition parties and a coalition of members of Mauritanian civil society, there was massive electoral fraud throughout the country. There were no independent observers at the election. The main opposition candidate, Mohamed Khouna Ould Haidalla, took power in January 1980 in a coup, before being overthrown by the current head of state in 1984.

In June 2003, after an attempted coup, hundreds of army officers were arrested and kept incommunicado for three months. At least 128 detainees have been accused of crimes, including treason, a crime punishable by death. Some of them have been tortured. No date has yet been fixed for their trial.

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