

URGENT ACTION

CONGO OPPOSITION MEMBER HELD WITHOUT CHARGE

Congolese political opposition member, Paulin Makaya has been detained since 23 November without being brought before a court. No charges have been brought against him. He has been questioned several times in the absence of his lawyer and was initially denied visits from family members.

Paulin Makaya, president of the political party "Unis pour le Congo" (UPC) received a written summon from the Public Prosecutor of the High Court of Brazzaville on Friday 20 November requesting him to report to his office for questioning as part of an investigation.

Paulin Makaya and his lawyer went to the office of the Public Prosecutor of the High Court of Brazzaville on Monday 23 November. During the meeting, he was questioned about his alleged participation in an unauthorized protest against a referendum to amend the country's constitution. The protest was organized by the opposition on 20 October in Brazzaville, the Republic of Congo.

While Paulin Makaya was still being questioned by the Public Prosecutor, police officers entered the room, arrested him and took him to the Central Police Station of Brazzaville and questioned him in the absence of his lawyer. Paulin Makaya's lawyer went to the Central Police station the next day but was denied access to his client. Paulin Makaya was interrogated again on 26, 27 and 30 November without his lawyer present. His wife was not allowed to visit him and bring him food during the first day of his detention.

He has been in detention at the police station since 23 November without being brought before a court. He has also not been charged. The statutory 72 hours limit allowed for one to be in custody without being brought before a court and charged has elapsed.

Please write immediately in French or your own language:

- Calling on the Congolese authorities to immediately release Paulin Makaya or to promptly bring him before a regular civilian court, which can charge him with an offence recognizable under international law and try him in accordance with international fair trial standards;
- Urging the authorities to ensure that pending his release, Paulin Makaya is not subjected to torture or other ill-treatment and has access to a lawyer of his choice, to family visits and to all basic necessities;
- Urging the authorities to end all forms of harassment, in particular judicial harassment, against political opposition members and all other human rights activists and defenders in Congo.

PLEASE SEND APPEALS BEFORE 12 JANUARY 2016 TO:

Minister of Justice

Aimé Emmanuel Yoka
PO Box: 2497 Brazzaville
Republic of Congo
Fax: +242 022 81 41 67
Email: lesimon.associates@gmail.com
Salutation: Dear Minister

Public Prosecutor of the High Court of

Brazzaville
André OKO Ngakala
Email: nzaouf2002@yahoo.fr
Salutation: Dear Public Prosecutor

Also send copies to diplomatic representatives accredited to your country. Please insert local diplomatic addresses below:

Name Address 1 Address 2 Address 3 Fax Fax number Email Email address Salutation Salutation

Please check with your section office if sending appeals after the above date.

**AMNESTY
INTERNATIONAL**



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ADDITIONAL INFORMATION

A referendum to amend the Congo's Constitution was held on 25 October to give way for, amongst other things, the current President to run for a third term in office in 2016.

Ahead of the referendum, media freedom was severely curtailed with mobile Internet services, text messaging and the transmission signal of some radio stations being cut in Brazzaville. Freedom of assembly was also restricted and many demonstrations were banned while other were met with force. The referendum was preceded by demonstrations organised in Brazzaville, Pointe Noire and across other towns in the Republic of Congo to express dissent over the proposed changes to the constitution. Congo's security used excessive and at times unnecessary force against protesters and fired live ammunition at protesters who had gathered in Brazzaville on 20 October. Clashes between security forces and protesters have led to the death of at least six people and left several injured.

Following the passing of the amendments to the constitution on 27 October and its confirmation by the Constitutional Court on 6 November, there has been a wave of arrests and widespread intimidation of those who openly opposed to the constitutional amendments. Paulin Makaya's residence was surrounded and ransacked by unknown individuals and security forces on 30 October. In relation to this event, on 20 November, he filed a complaint before the Public Prosecutor of the High Court of Brazzaville for trespassing and attempted murder.

It is common practice in Congo for family members of detained persons to bring them food as this is not sometimes adequately provided by authorities.

Name: Paulin Makaya
Gender m/f: Male

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