URGENT ACTION

THREE ACTIVISTS STILL DETAINED

On 30 April, activists Moussa Tchangari and Habibou Soumaila were released on bail. Activists Maikoul Zodi, Halidou Mounkaila and Moundi Moussa were denied provisional release on 4 May and are still detained in prisons in Niger. They are charged with organising an unauthorized gathering and complicity in damaging public property, arson, and manslaughter. Amnesty International believes that some of the charges against the activists have been fabricated to undermine the peaceful exercise of their human rights and demand for accountability.

TAKE ACTION: WRITE AN APPEAL IN YOUR OWN WORDS OR USE THIS MODEL LETTER

M. Marou Amadou
Minister of Justice
Boulevard du Djermaganda BP 466
Niamey, Niger
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Your Excellency,

While I welcome the news that activists Moussa Tchangari and Habibou Soumaila were released on bail on 30 April, I am concerned to learn that activists Maikoul Zodi, Halidou Mounkaila and Moundi Moussa are still detained. Karim Tanko and Seyni Djibo were released on bail on 19 April. All seven activists still face charges of organising an unauthorized gathering, complicity in damaging public property, arson and manslaughter, following a protest that they organised in Niamey, Niger, on 15 March, demanding an investigation into the allegations of misuse of funds by the Ministry of Defence.

Amnesty International believes that the charges against the activists related to complicity in damaging public property, arson and manslaughter have been fabricated to undermine the peaceful exercise of their human rights and demands for accountability.

I am deeply concerned that Maikoul Zodi, Halidou Mounkaila and Moundi Moussa are detained in separate prisons, some of which are located more than 100 km from their relatives and lawyers.

Given the heightened risk of contagion of Covid-19 between those in custodial and other detention settings, the United Nations Subcommittee on Prevention of Torture urges all states to "review all cases of pre-trial detention in order to determine whether it is strictly necessary in the light of the prevailing public health emergency and to extend the use of bail for all but the most serious of cases".

In light of the above, I urge you to ensure that:

- *Maikoul Zodi, Halidou Mounkaila and Moundi Moussa are provisionally released;*
- *Pending their release, they have prompt, regular and unrestricted access to their family and a lawyer of their choice. If contact visits are restricted due to Covid-19 preventive measures, they must be replaced with other means of contact, for example, by phone, emails or video calls;*
- *An independent, impartial, thorough and effective investigation into the deaths during the demonstration on 15 March is carried out, to bring the suspected perpetrators to justice, with due regard for the right to a fair trial.*

Yours sincerely

ADDITIONAL INFORMATION

On 30 April, Sani Chekaraou president of the Niamey wholesalers' association was released on bail with Moussa Tchangari and Habibou Soumaila. He was also arrested on 16 March and charged with assault of market officials.

There is a pattern of harassment and intimidation of activists on the basis of Cybercrime Law. From March to end of April 2020, at least four activists were arrested and charged under this cyber law.

Mahaman Lawali Mahaman Nassourou (member of ROTAB) was arrested on 23 April for "sharing and dissemination information likely to disturb public order or to harm human dignity". He is detained at the prison of Maradi, second largest city in Niger

Ali Idrissa, coordinator of ROTAB and leader of civil society organisation was summoned to the police station on 9 April following a complaint by the former Army Chief of Staff. He was accused of defamation in connection with the corruption scandal involving the Ministry of Defense. Ali Idrissa was released on bail on 14 April. He was charged with "defamation against the general of the army and the wife of the former Chief of staff", as well as the "dissemination of information likely to disturb public order" based on the Cyber criminality Law.

On Friday 13 March, authorities in Niger published a statement from the Council of Ministers concerning measures being taken to combat the spread of COVID-19, including a ban on all gatherings likely to attract more than 1,000 people. A demonstration was already planned to take place on 15 March in Niamey and other cities by civil society organisation to demand an investigation into the allegations of misuse of funds revealed by an audit of the Ministry of Defence. Despite the ban, the organisers went ahead with the demonstrations.

Early in the morning of 15 March, security forces blocked all the roads leading to the planned venue for the protest, the 'Place de la Concertation' in Niamey. At least three individuals died when the demonstration was violently broken up by security forces using tear gas. Significant damage was recorded as several shops were set on fire near the Tagabati market. Civil society leaders were subsequently arrested.

Maikoul Zodi is detained in Ouallam Prison (100 km from Niamey), Halidou Mounkaila in Camp Penal of Dey Keyna (111 km from Niamey) and Moudi Moussa in Kollo Prison (35 km from Niamey).

On 19 March, Niger reported its first case of the COVID-19 infection in the country. On 20 March, the ministry of Justice declared in a press release that as a prevention measure, detainees are not allowed visits for three months.

PREFERRED LANGUAGE TO ADDRESS TARGET: FRENCH
You can also write in your own language.

PLEASE TAKE ACTION AS SOON AS POSSIBLE UNTIL: [18 JUNE 2020]
Please check with the Amnesty office in your country if you wish to send appeals after the deadline.

NAME AND PREFFERED PRONOUN: Moussa Tchangari, Halidou Mounkaila, Habibou Soumaila, Moundi Moussa, Maikoul Zodi, Karim Tanko, and Seyni Djibo (He/his)

LINK TO PREVIOUS UA: https://www.amnesty.org/en/documents/afr43/2033/2020/en/