

PUBLIC

AI Index: AFR 19/005/2006

15 September 2006

UA 249/06

Arbitrary arrest/ incommunicado detention/ Fear of torture or ill-treatment

CENTRAL
AFRICAN REPUBLIC
(CAR)

Raymond Béhourou (m)
Marcel Bagaza (m)
Barthélemy Boguina (m)
Tom Mahamat (m)
Roger Yamokoa (m)
Joseph Kada (m)
Georges Djungon (m)
Elysée Doléance Tamkimadji (m)
Serge Radas Dilkake (m)
Honoré Mberna (m)
Clémenceau Dorkem (m)
Jacques Mobeang (m)
Aimé Natayo (m)
Raïkina Mamadou (m)
Clotilde Gamo (f)

The 14 men named above were all taken on 13 September by Presidential Security personnel from Ngaragba central prison in the CAR capital, Bangui, to an unknown destination. They are being held incommunicado and are at risk of torture and other ill-treatment. Clotilde Gamo, who had been tried alongside the 14 men, is in hiding, in fear for her safety.

On 12 September, all 14 of the men had been acquitted by the Criminal Court of charges related to endangering the internal security of the state, and should have been freed. However, at the end of the trial, the government sent members of the Presidential Security to prevent the prisoners' release. Their defence lawyers demanded that the Procuracy issue release papers for their clients. The Procuracy told the lawyers that the papers would be issued on 13 September but this did not occur. At 5pm local time on 13 September, members of the Presidential Security removed the prisoners from Ngaragba prison and took them to unknown destination. The lawyers and the prisoners' relatives are concerned for the safety of the prisoners because of reports that a military commander who has been suspected of extrajudicial executions and other serious human rights violations was reportedly in charge of the unit that took the prisoners away.

Clotilde Gamo had been released before Presidential Security personnel arrived at Bimbo women's prison in Bangui. The Prosecutor in the trial told the court that she had no case to answer. However, she has gone into hiding after she learned that she was being sought by the security forces.

The Presidential Security force is directly responsible to President François Bozizé, who is also the Minister of Defence. It is unlikely that they have acted without his orders or knowledge. The removal of acquitted prisoners from a gazetted prison without authorization by a judge amounts to arbitrary arrest, in violation of international standards of fair trial and CAR national laws.

BACKGROUND INFORMATION

Several dozen people in the CAR were arrested between February and April 2006 and accused of endangering the internal security of the state by supporting or involvement with several armed political groups which took up arms in mid-2005 to overthrow President François Bozizé's government. The arrests occurred after armed political groups, which are reportedly allied to former President Ange-Félix Patassé, launched attacks on government forces in the north of the CAR. Many of those arrested were members of the former President's ethnic group and/or his political party, the Movement for the Liberation of the Central

African People (*Mouvement pour la liberation du peuple centrafricain*, MLPC). The trial of the people named above by the Criminal Court started on 4 September 2006. The court acquitted them after concluding that some of defendants had no case to answer, and that the prosecution had failed to produce sufficient evidence against the others.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in French or your own language:

- condemning the removal of 14 acquitted prisoners from Ngaragba prison to an unknown destination by members of the Presidential Security force;
- urging the authorities to immediately disclose to the prisoners' defence lawyers and relatives of the whereabouts of the prisoners and allow them access to their lawyers, families and any medical treatment they may require;
- calling for guarantees that the 14 men will not be tortured or ill-treated;
- demanding that the authorities respect the decisions of the Criminal Court and order the immediate release of the prisoners, unless they are brought promptly before a competent, independent and impartial judge to authorise their detention in a gazetted detention centre, where they have access to their lawyers, families and doctors;
- calling on the authorities to issue public guarantees that Clotilde Gamo will not be arbitrarily arrested or unlawfully detained;
- urging President Bozizé to publicly condemn the acts of his Presidential Security and to make clear to all state security forces that violations of human rights, including arbitrary arrests, unlawful and incommunicado detentions, and ill-treatment of detainees, will not be tolerated and the suspected perpetrators will be brought to justice;
- appealing to the CAR Government to abide by its national laws and international human rights treaties to which it is party.

APPEALS TO:

(It may be difficult to get through to fax numbers in the CAR. Please keep trying, or send appeals by post or by email)

President

Son Excellence
Monsieur Francois BOZIZE
Président de la République
Palais de la Renaissance, BANGUI, République centrafricaine
Fax: +236 617508

Salutation: Monsieur le Président de la République / Dear President

Minister of Justice

Monsieur Paul OTTO
Ministre de la Justice,
Garde des sceaux, Ministère de la Justice
BP 732, BANGUI, République centrafricaine
Fax: + 236 61 1579 / 61 3198

Email : paul1otto@yahoo.fr

Salutation: Monsieur le Ministre / Dear Minister

Minister for Human Rights

M. Jean-Eudes TEYA
Ministre de la Communication, de la Réconciliation nationale, de la
Culture Démocratique et de la Promotion des Droits de l'homme
Ministère de la Communication
BP 1290, BANGUI, République centrafricaine
Fax: + 236 615985

Email: jean-eudes@teya.org

Salutation: Monsieur le Ministre / Dear Minister

COPIES TO:

Minister of Foreign Affairs

M. Jean-Paul NGOUPANDE

Ministre des Affaires étrangères, de l'Intégration Régionale et de la Francophonie

Ministère des Affaires étrangères, BP 930, BANGUI, République centrafricaine

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UN Secretary-General's Representative

Général Lamine Cissé

Représentant du Secrétaire général des Nations unies, Bureau de l'ONU en Centrafrique

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and to diplomatic representatives of Central African Republic accredited to your country

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 27 October 2006.