

PUBLIC

AI Index: AFR 20/07/98

19 June 1998

**Further information on UA 166/98 (AFR 20/06/98, 29 May 1998) - Fear for safety
New concern: Medical concern**

CHAD Ngarléjy Yorongar Iq Moiban, leader and sole parliamentary representative of the opposition party, *Front d'action pour la République-Fédération (FAR)*, Action Front for the Republic-Federation

On 3 June 1998, Ngarléjy Yorongar was arrested and formally charged with defamation of the President of the Republic and the President of the National Assembly. He is currently being held in detention at the *maison d'arrêt*, detention centre, in N'Djaména, the capital, where he is being denied access to medical attention despite suffering from a gastrointestinal infection.

Ngarléjy Yorongar's case was heard on 5 June by the *tribunal de première instance de N'Djaména*, N'Djaména court of first instance. The defence raised questions of procedural irregularities, claiming that, at the time when the charges were brought, the judge was a member of the *parquet*, public prosecutor's department, which is not permitted under Chadian law. This was rejected by the *cour d'appel*, Court of Appeal, on 11 June.

At the second hearing on 12 June, the defence raised other questions prejudicial to the case, concerning the lifting of Ngarléjy Yorongar's parliamentary immunity on 26 May and the charges brought against him. The court referred the case to the *chambre constitutionnelle*, constitutional chamber, which has never existed in practice. It is therefore unclear when his case will be heard again.

Following the arrest of Ngarléjy Yorongar, Amnesty International sent a trial observer to Chad to follow the case and to interview him and others who are involved in the case.

On 18 June, the European Parliament appealed to the Chadian authorities for the release of Ngarléjy Yorongar and for "*respect du débat démocratique sur la situation du pays et sur le projet pétrolier*", respect for the democratic debate about the situation in the country and about the petrol project. It was Ngarléjy Yorongar's criticisms of the government on issues of corruption relating to the project, published in an interview with *l'Observateur* newspaper on 9 July 1997, which led to the accusations of defamation.

Madame Sy Koumbo Singa Gali, a journalist and director of the newspaper, and Polycarpe Togamissi, a journalist from *l'Observateur* who conducted the interview with Ngarléjy Yorongar, were also arrested and charged with complicity in the defamation. They were provisionally released on 12 June by the *tribunal de première instance*, court of first instance. While in detention, Amnesty International considered them to be prisoners of conscience.

FURTHER RECOMMENDED ACTION: Please send telegrams/faxes/express/ airmail letters in French or in your own language:

- expressing concern that Ngarléjy Yorongar is being denied medical attention in detention;
- urging the authorities to ensure that he is allowed access to medical care immediately and whenever it is required in future;
- calling on the authorities to convene the *chambre constitutionnelle* as a matter of urgency, in order to allow Ngarléjy Yorongar's case to proceed promptly;
- welcoming the release of prisoners of conscience Madame Sy Koumbo Singa Gali and Polycarpe Togamissi, but urging that their release be made unconditional with immediate effect.

APPEALS TO:

Président Idriss DEBY

Président de la République

Présidence de la République

BP 74 N'DJAMENA, République du Tchad

Telegrams: President Déby, N'Djaména, Tchad

Faxes: + 235 51 45 01

Salutation: Monsieur le Président / Dear President

Monsieur Limane MAHAMAT

Ministre de la Justice, Garde des Sceaux

Ministère de la Justice

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Salutation: Monsieur le Ministre / Dear Minister

Monsieur Wadal Addelkader KAMOUGUÉ

Président de l'Assemblée Nationale

s/c L'Assemblée Nationale

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République du Tchad

Telegrams: Président Assemblée Nationale, N'Djaména, Tchad

Salutation: Monsieur le Président de l'Assemblée Nationale

Directeur de l'Administration Pénitentiaire

Ministère de la Justice

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Telegrams: Directeur Administration Pénitentiaire, N'Djaména, Tchad

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Salutation: Monsieur le Ministre / Dear Minister

Régisseur de la maison d'arrêt de N'Djaména

Ministère de la Justice, N'DJAMENA, République du Tchad

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COPIES TO:

Procureur de la République

Palais de Justice, Moundou, Tchad

Le Rédacteur en chef

N'Djaména-Hebdo, BP 760, N'DJAMENA, Tchad

and to diplomatic representatives of Chad accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 1 August 1998.