

EXTERNAL

AI Index: AFR 21/04/93

Distrib: PG/SC

To: Medical professionals

From: Medical Office / Research Department - Africa

Date: 10 August 1993

MEDICAL LETTER WRITING ACTION

Dr M'Tara Maecha (former Minister of Foreign Affairs under the government of President Djohar)
Omar Tamou (former Minister of Internal Affairs under the former government of President Mohamed Abdallah)
(both held at Maison d'Arrêt, Moroni)
Lieutenant Abdallah Ahmed Cheik and Lieutenant Abderahmane Ahmed Abdallah
(sons of former President Mohamed Abdallah)
Captain Combo Ayouba
(held at Moroni military camp)
and others

COMOROS

Amnesty International is concerned by reports of the harsh and insanitary conditions in which a number of people are held following their arrest after an abortive coup attempt in 1992. The above five people were sentenced to death by the State Security Court on 24 April 1993 for attempting to overthrow the government of President Saïd Mohamed Djohar on 26 September 1992. Four others, whose whereabouts currently remain unknown, were similarly sentenced *in absentia*. In May 1993, the government announced that the sentences against these five had been commuted to life imprisonment; it is unclear whether the death sentences against those sentenced *in absentia* were also commuted. Of the five named here, two are former government ministers and three are army officers, two of the latter being the twin sons of former President Mohamed Abdallah.

The three military officers are held at Kandani military camp, Moroni, in extremely harsh conditions and the two former government ministers are held at the *Maison d'arrêt* in Moroni. In addition to these five, there are also reported to be over 50 untried soldiers in detention; some are held in Kandani military camp and others at the *Maison d'arrêt*.

Background

On 26 September 1992 some 100 soldiers took control of the national radio and announced that they had deposed President Djohar. They were led by two sons of former President Mohamed Abdallah who was assassinated in November 1989 and succeeded by President Djohar. Forces loyal to the present government thwarted the coup attempt and about 10 soldiers involved in the revolt were captured, while others escaped. In the aftermath, further arrests of both army personnel and civilians took place. More than 30 civilians were among those detained, many apparently for having expressed support for the overthrow of President Djohar. The majority were released in subsequent months.

Kandani military camp

The cells at Kandani military camp in which the army officers and soldiers are held are punishment cells designed for holding soldiers under close arrest for periods of up to 15 days' maximum. The prisoners have now been held in these cells for over nine months. They are held two to a cell, each cell measuring only 4m². Ventilation is very poor with only a narrow ventilation shaft high in one of the cell walls, and the temperature inside the cells is reported to be in the region of 40°C. Each cell is equipped with two folding beds, but there are reported to be no sanitary facilities or running water. There is no room in the cells for the prisoners to exercise and they are forbidden any exercise periods outside the cells. The prisoners are reported to be allowed no family visits and the food provided to the prisoners is poor and nutritionally inadequate.

Former President Abdallah's two sons and Captain Combo are reported to be singled out for particularly harsh treatment and their health is said to have been affected by their conditions of detention, particularly over the last two months. They are, however, reported to have no access to a doctor despite calls for medical attention.

Amnesty International believes the conditions in which they are held amounts to cruel, inhuman and degrading treatment and is calling on the Comorian authorities to transfer Lieutenant Abdallah Ahmed Cheik, Lieutenant Abderahmane Ahmed Abdallah, Captain Combo Ayouba and the other untried soldiers to a recognized civilian prison without delay. The prisoners are likely to be at increased risk of infection and other health problems given the lack of proper sanitation and other basic facilities in the cells which have been used to house them.

Other Amnesty International concerns

Amnesty International is also seeking information on the conditions of detention in which the two former government ministers are held at the Maison d'Arrêt, Moroni. It is believed that they are permitted family visits, but it is not known how frequently these are allowed.

Amnesty International is concerned about aspects of the trial in which the five were convicted. Although they were represented by lawyers, the lawyers had limited access to the detainees or their files and there are also doubts about the impartiality of the Court and officials who carried out the investigations. Court officials were appointed by, and are responsible to political leaders, rather than to the Procurator General as required by the Code of Penal Procedure. The Court's judges and assessors are appointed by the government for a renewable one-year term. No right of appeal is granted to those tried by the State Security Court.

The country has gone through a period of political instability since independence from France in the mid-1970s. More recently - since the assassination of President Abdallah in 1989 - nine prime ministers have either been dismissed by the President or forced out of office by a vote of no-confidence by the national Assembly. Following a vote of no-confidence in Prime Minister Said Ali Mohamed, the President dissolved the National Assembly in June 1993 to prepare for fresh legislative elections in August 1993.

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Keywords

Theme: prison conditions/ medical care/ ill-health

Summary

Amnesty International is concerned about the conditions in which three military officers serving life sentences are held at Kandani military camp together with a number of untried soldiers. They have now been held for over nine months in small punishment cells without any proper sanitary facilities and some are reported to be in need of medical attention. The three officers were sentenced to death together with two former government ministers in April 1993 for attempting to overthrow the government of President Said Mohamed Djohar in September 1992. The sentences were later commuted to life imprisonment. Amnesty International is also inquiring about the conditions in which the two former government ministers are held. Please see the details attached.

Recommended Actions

Letters are requested from medical professionals to the addresses below:

- expressing concern that the three army officers serving sentences of life imprisonment following their trial in April 1993 are held with others at Kandani military camp in cells without any proper sanitary facilities and in conditions which will almost certainly pose threats to their health
- noting reports that some are now said to be in need of medical attention, but are without any access to a doctor, and are furthermore denied any family visits

- urging that they are promptly moved to a recognized civilian prison and that they are provided with medical attention without further delay
- seeking information on the conditions in which Dr M'Tara Maecha and Omar Tamou are held, asking whether they have access to doctors and to family visits
- expressing concern that the five prisoners were convicted without adequate guarantees of fair trial and without the possibility of appeal and asking for these guarantees to be provided to the prisoners

Addresses

Monsieur Saïd Mohamed DJOHAR
Président de la république
BP 521, MORONI
République fédérale islamique des Comores
(President)
Telegrams: President Djohar, Moroni, Comoros
Telexes: 233 presirep ko

Monsieur Kaambi ROUBANI
Ministre de la Justice, de la Fonction Publique et de l'Emploi
Ministère de la Justice, de la Fonction Publique et de l'Emploi
MORONI
République fédérale islamique des Comores
(Minister of Justice)
Telegrams: Minister Roubani, Moroni, Comoros
Telexes: 219 MAERFIC KO (via Minister of Foreign Affairs)

Copies to:

Monsieur Ibrahim Halidi Abderamane
Premier Ministre
Bureau du Chef du gouvernement
BP 421, MORONI
République fédérale islamique des Comores
(Prime Minister)

Monsieur Saïd Athoumane Saïd Ahmed
Ministre des Affaires Etrangères et de la Coopération
Ministère des Affaires Etrangères et de la Coopération
MORONI
République fédérale islamique des Comores
(Minister of Foreign Affairs)

and to diplomatic representatives of Comoros accredited to your country.