

# AMNESTY INTERNATIONAL PUBLIC STATEMENT

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## **Central African Republic: Release 11 detained without trial since June 2010**

Amnesty International calls on the government of the Central African Republic (CAR) to release 11 people who have been detained without trial since June 2010 virtually all of them solely because they have links to a lawyer and a businessman sought for arrest by the authorities. The lawyer, Symphorien Balemby, and the businessman, Jean-Daniel Ndengou fled the CAR after they were publicly accused responsibility for the burning of a privately-owned supermarket in the capital, Bangui, on the night of 9 June 2010.

The 11 detainees include Albertine Kalayen Balemby, wife and secretary to Symphorien Balemby, President of the CAR Bar Association, and Gabin Ndengou, brother of businessman Jean-Daniel Ndengou and driver for World Health Organization.

Others detained for their link to lawyer Balemby are Bienvenu Ngaro and Prosper Gbanga. Those detained for their links to businessman Ndengou are Michelle Bengba, Lin Maximin Crozin Cazin, Austin Moudjikem, Michael Boda Makpevode and Mathurin Ngozoua Mamadou. The links, if any, that two of the detainees, Ngere Koundangba and Mathurin Francisco Willibona are not yet known to Amnesty International.

The detainees are reported to have been charged with arson, incitement to hatred and criminal association. There is no basis in national or international law that justifies the arrest of anyone solely for their family or work relationship to a person suspected of committing an offence. Amnesty International believes that the 11 detainees are prisoners of conscience and urges the CAR authorities to release them without undue delay.

After their arrest, on or around 10 June 2010, the 11 detainees were transferred in the middle of the night to a military prison in Bossembélé, some 140 kilometres north Bangui. Amnesty International has learned that they have since been transferred to a civilian prison in Bossembélé. Although their detention conditions are reported to have eased, the detainees' relatives are still expected to provide them with food, bedding and medical care for those who may be in bad health. At least one of the detainees, Prosper Gbanga, suffers from a chronic illness and requires constant medical care. Others have suffered from other illnesses, such as malaria.

Two Amnesty International representatives visited the CAR in July 2010 and interviewed lawyers and witnesses to the fire that burned the RAYAN supermarket. All those interviewed by Amnesty International were unanimous that the authorities had not carried out any investigation before they accused Symphorien Balemby and Jean-Daniel Ndengou of responsibility for the fire and threatened them with violence. The 11 people were arrested after members of the security forces failed to find the two men at their homes and offices.

### **Background**

Before the RAYAN supermarket burned down, Symphorien Balemby and Jean-Daniel Ndengou were tenants in an adjacent building known as Bangui 2000. Ownership of Bangui 2000 was under dispute and Symphorien Balemby was representing the interests of René Koffi Bodombossou, a party to the dispute. The owner of the RAYAN supermarket, El Akhras Ali, had taken over ownership of Bangui 2000 and ordered Balemby and Ndengou out of the building.

Barely two days after the two men left Bangui 2000, RAYAN supermarket caught fire. Members of the security forces and other security personnel guarding the supermarket are not known to have seen or reported being aware of anyone setting the supermarket on fire. Many sources in Bangui, including members of the CAR Bar Association, told Amnesty International that President François Bozize personally visited the procuracy in Bangui and ordered the immediate arrest of Symphorien Balemby and Jean-Daniel Ndengou. The same sources told the organization's representatives that phrases such as "tearing them (the alleged arsonists) to pieces" were used against the two men. Balemby and Ndengou fled the country and have not yet returned to the country.

Many sources in Bangui told Amnesty International representatives that experts had warned the management of RAYAN supermarket that it was at risk of a fire due to faulty electrical connections. The representatives saw the effects of the fire being cleaned out, apparently before the cause of the fire had been established.

When AI representatives asked a senior member of the CAR government the basis for the arrest of the detainees, he told them that if Balemby and Ndengou wanted their associates to be released they only had to surrender themselves to the authorities. This response and subsequent events have convinced AI that the only reason the 11 people are still held is because of their known or assumed association with the two men wanted by the authorities.