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## **Mauritania: Prisoners of conscience sentenced to five years in prison**

*Amnesty International today called for the unconditional release of prisoners of conscience, Mohamed Lemine Chbih Ould Cheikh MelaVnine, leader of the opposition Front populaire mauritanien (FPM), Popular Mauritanian Front, and Mokhtar Ould HaVbetna and Bouba Ould Hassena, both members of the FPM.*

*The three men were convicted on 14 June by Aioun criminal court on charges of conspiracy to commit acts of sabotage and terrorism. Their lawyers have alleged numerous serious irregularities and initially withdrew from proceedings in protest. At the request of Mr Chbih, the lawyers later consented to represent the three men, while making clear their concern at government inference and other irregularities.*

*During the trial, both prosecution witnesses were dismissed as unreliable. Lawyers had already objected to their testimony as the two men were originally arrested with Mr Chbih, then presented as prosecution witnesses by the police, rather than the court. One of the two men acknowledged in court that he was a police informant. Their incriminating testimony formed the bulk of the evidence against Mr Chbih. Also used as evidence against the three men were their signed statements, all of which were contested. Mr Chbih alleged that his was obtained under duress during police interrogation when he was held incommunicado. He alleged furthermore that he had been drugged by the police. His two co-detainees reportedly signed statements written in French although they are not French speaking.*

Further irregularities raised by defence lawyers included the fact that Mr Chbih was held incommunicado after his arrest, the use of the *flagrant délit* procedure, and the transfer of the case from Nouakchott to Aioun which did not follow the procedure set down in law. Furthermore, under Mauritanian law, when the judges withdraw to decide on the verdict, they must not leave the court before coming to an agreement to prevent interference. However, two judges left the court for at least 30 minutes at this stage of the trial, calling into question for some observers their independence.

Two trial observers from the Moroccan Bar Association and the *Fédération internationale des ligues des droits de l'homme* (FIDH), International Federation of Human Rights Leagues, were prevented from attending the trial, although an observer sent by the Senegalese *Rencontre africaine des droits de l'Homme* (RADHO), African Assembly for the Defence of Human Rights, attended the trial.

"The charges against the men are without foundation, and their conviction is intended solely to stifle political opposition," Amnesty International said. The organization considers all three men to be prisoners of conscience.

There is only a limited appeals procedure open to the three men who have submitted a "cassation" plea to the Supreme Court on the grounds of gross errors of law.

### **Background**

Mohamed Lemine Chbih Ould Cheikh MelaVnine was arrested at his home in the capital, Nouakchott, on 8 April 2001. Six days after his arrest, Mr Chbih and two other FPM supporters, Mokhtar Ould HaVbetna and Bouba Ould Hassena, were charged with conspiracy to form an armed group with the intent of carrying out acts of terrorism.

*After his arrest, Mr Chbih was held incommunicado by the police until 12 April, when he was transferred to Nouakchott civilian prison. He was brought before Nouakchott criminal court on 10 May, but the case was adjourned to allow time for witnesses to be summoned. Following demonstrations in support of Mr Chbih by FPM supporters, the Supreme Court ruled on 13 May that the case should be transferred to a court in the provincial town of Aioun, some 800 km east of Nouakchott, near the border with Mali.*

*All three men are now detained in Aioun prison, where conditions are reported to be particularly harsh. Its distance from Nouakchott makes it difficult for family members to visit them.*

*The imprisonment of Mohamed Lemine Chbih Ould Cheikh Melainin and two other members of the FPM occurs in the context of widespread repression of political opponents of the government, political activities of the opposition, the press and human rights organizations.*

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