

7 September 1999

Further information on UA 63/99 (AFR 22/06/99, 1 April 1999) - Medical concern / Unlawful detention / Possible prisoner of conscience

REPUBLIC OF CONGO **Hervé-Ambroise Malonga, lawyer**

Amnesty International is seriously concerned for the health of Hervé-Ambroise Malonga, who, although his condition has reportedly deteriorated, is being denied access to proper medical care. He is still detained in a police station in the capital, Brazzaville, where conditions of detention are harsh.

On 12 June 1999, he suffered a hypertensive crisis (acute rise in blood pressure) but was reportedly denied medical attention by police guards. When his condition suddenly worsened on 28 August, he was taken to hospital but then returned to the police station later that day. The next day he was taken to hospital again after losing his balance and falling over, injuring his face. A doctor at the cardiology unit recommended that he stay in hospital as his condition needed to be monitored. However, Hervé-Ambroise Malonga was taken back to the police station after a police official reportedly objected to his staying in hospital on the grounds that he had not received any such orders from his superiors. On 3 September, he was reportedly refused permission to return to hospital for further treatment.

Hervé-Ambroise Malonga, President of the Brazzaville Bar Association and a member of the Constitutional Council under the former government of President Lissouba, was arrested in November 1998 and charged with *forfaiture pour avoir prorogé indéfiniment le mandat présidentiel de Pascal Lissouba* (abuse of authority by prolonging for an indefinite period the presidential mandate of Pascal Lissouba). In June 1997 he and his colleagues on the Constitutional Council had been asked by the government of the time to prolong the President's mandate on the grounds that elections due to take place in July and August 1997 could not be held because of the civil war between government supporters and those of Denis Sassou Nguesso, who is now President.

Amnesty International is concerned that Hervé-Ambroise Malonga may be held solely for fulfilling his legitimate role as a member of the former Constitutional Council and therefore appears to be a prisoner of conscience.

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

- expressing serious concern for Hervé-Ambroise Malonga, whose health has reportedly deteriorated since August 1999 and who is being denied access to the medical treatment and observation he requires;
- appealing for him to be given immediate and unrestricted access to the medical treatment recommended by doctors, including specialized treatment and observation in hospital as necessary;
- expressing concern that poor conditions of detention are likely to aggravate his ill-health;
- asking why he is detained and calling for his immediate release if he is being held as a prisoner of conscience or if he has not been charged with a recognizable criminal offence.

APPEALS TO:

Son Excellence M. Denis Sassou NGUESSO

Président de la République

BP 2006, Brazzaville

République du Congo

Telegrams: Président, Brazzaville, Congo

Faxes: + 242 81 32 55

Salutation: Monsieur le Président de la République / Dear President

Maître Jean-Martin MBEMBA

Ministre de la Justice, Garde des Sceaux

Ministère de la Justice

Brazzaville

République du Congo

Telegrams: Ministre Justice, Brazzaville, Congo

Faxes: + 242 61 41 67 (this number may be difficult to obtain, including playing an "out of service" message, at certain times)

Salutation: Monsieur le Ministre / Dear Minister

Général de Brigade Pierre OBA

Ministre de l'Intérieur de la Sécurité et de l'Administration du Territoire

Ministère de l'Intérieur

Brazzaville

République du Congo

Telegrams: Ministre Intérieur, Brazzaville, Congo

Faxes: + 242 81 32 55

Salutation: Monsieur le Ministre / Dear Minister

Colonel Jean-François NDENGUÉ

Directeur général de la Police nationale

Ministère de l'Intérieur

Brazzaville

République du Congo

Telegrams: Directeur Police nationale, Brazzaville, Congo

Salutation: Monsieur le Directeur général / Dear Director

Docteur Léon-Alfred OPIMBA

Ministre de la Santé, de la Solidarité et de l'Action humanitaire

Ministère de la Santé

BP 201, Brazzaville

République du Congo

Telegrams: Ministre Santé, Brazzaville, Congo

Salutation: Monsieur le Ministre / Dear Minister

COPIES TO:

Lawyers' Association

Ordre des Avocats, BP 195, Brazzaville, République du Congo

Media

La Semaine africaine, BP 2080, Brazzaville, République du Congo

and to diplomatic representatives of the Republic of Congo accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 19 October 1999.