

22 July 1998

**Further information on 166/98 (AFR 20/06/98, 29 May 1998) and follow-up (AFR 20/07/98, 19 June 1998) -
Fear for safety / Medical concern New concerns: Legal concern / Prisoner of conscience**

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

On 20 July 1998, Ngarlégy Yorongar was sentenced to three years' imprisonment and a fine of 500,000CFA (Central African Franc) for defamation of the President of the Republic, President Idriss Déby and of the President of the National Assembly, Wadal Abdelkader Kamougué.

Lawyers for the defence were denied access to the case files until immediately before the hearing. The hearing was already postponed once on 16 July to allow the lawyers to gain access to the files, but again they were prevented from doing so. In court, they were not allowed to speak and subsequently withdrew in protest.

Ngarlégy Yorongar's prison sentence is one year longer than the maximum sentence required by law and longer than the prosecution had requested. The case was tried before the *Tribunal de première instance*, High Court, in N'Djaména. Lawyers for the defence have now submitted an appeal which will be heard by N'Djaména Court of Appeal. The date of the hearing is not known.

Ngarlégy Yorongar has now received treatment for a gastro-intestinal infection he has suffered while in prison. However, concerns remain that he is being held in harsh and disease-ridden conditions.

Madame Sy Koumbo Singa Gali, a journalist and director of the newspaper *L'Observateur*, and Polycarpe Togamissi, a journalist from the paper who conducted the interview with Ngarlégy Yorongar, in which the latter accused Wadal Abdelkader Kamougué of accepting money from the oil company Elf to finance his election campaign to become president of the National Assembly, were released but ordered to pay a fine of 1,000,000 CFA each. The maximum fine allowed by law for this charge is 500,000 CFA. The prosecution had called for the charges against them to be dropped. Appeals have also been submitted on their behalf.

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

- calling for the immediate and unconditional release of Ngarlégy Yorongar le Moïban, who is a prisoner of conscience, imprisoned only for the non-violent criticisms of and opposition to the current Chadian government;
- seeking assurances that if his detention continues, Ngarlégy Yorongar le Moïban will be allowed access to proper and continuous medical care;
- asking that the irregularities in trial and pre-trial proceedings be taken into consideration when the cases of Ngarlégy Yorongar le Moïban, Madame Sy Koumbo Singa Gali and Polycarpe Togamissi are reviewed, and that all charges be dropped;
- reminding the Chadian government of its commitment to the Universal Declaration of Human Rights, in particular Article 19: "Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers."

APPEALS TO:

Président Idriss DEBY

Président de la République

Présidence de la République

BP 74 N'DJAMENA, Chad

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

N'DJAMENA

Chad

Telegrams: **Ministre Justice, N'Djaména, Tchad**

Fax : **+ 235 52 58 85**

Salutation: **Monsieur le Ministre / Dear Minister**

Monsieur Wadal Addelkader KAMOUGUÉ

Président de l'Assemblée Nationale

s/c L'Assemblée Nationale

N'DJAMENA

Chad

Telegrams: **Président Assemblée Nationale, N'Djaména, Tchad**

Salutation: **Monsieur le Président de l'Assemblée Nationale**

Directeur de l'Administration Pénitentiaire

Ministère de la Justice

N'DJAMENA

Chad

Telegrams: **Directeur Administration Pénitentiaire, N'Djaména, Tchad**

Fax : **+ 235 52 58 85**

Salutation: **Monsieur le Ministre / Dear Minister**

Procureur Général de la République

Palais de Justice

N'Djaména

Chad

Telegrams: **Procureur Général, N'Djaména, Tchad**

Salutation: **Monsieur le Procureur Général de la République**

COPIES TO:

Le Rédacteur en chef, N'Djaména-Hebdo, BP 760, N'DJAMENA, Chad

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 8 September 1998.

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