

PUBLIC

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UA 240/06 **Prisoners of conscience**

NIGER **Mamane Abou (m)**] **journalists**
 Oumarou Keita (m)]

Amnesty International is calling for the immediate release of two journalists in Niger, who were sentenced to 18 months' imprisonment on 1 September 2006 for spreading false news and defaming the state. Amnesty International considers journalist Oumarou Keita and publisher Mamane Abou from the weekly newspaper *Le Republicain* to be prisoners of conscience, detained solely for exercising their right to freedom of expression. They have lodged an appeal, which will be examined on 11 September.

Mamane Abou and Oumarou Keita were arrested on 4 August, after *Le Republicain* published an article accusing Prime Minister Hama Amadou of "wooing the Iranians" to the extent of being prepared to close down Western embassies. The newspaper had recently published a series of articles alleging government corruption involving donor funds. President Mamadou Tandja subsequently sacked two cabinet ministers over the allegations of corruption.

Mamane Abou is held at a detention centre at Tera, about 160km west of the capital, Niamey, while Oumarou Keita has been sent to Filingue, more than 180km north of Niamey. His family, lawyers and friends are based in the capital, making it difficult for them to visit him.

The Niger authorities have repeatedly targeted and arrested journalists who have denounced cases of government mismanagement or other political issues. Some of them have been sentenced to prison terms. Mamane Abou has been arrested several times in the past as a result of articles published in his newspaper. In November 2004, he was sentenced to six months for libelling Prime Minister Hama Amadou and the finance minister. He was released on probation by the court of appeal in January 2005. Amnesty International considered him a prisoner of conscience detained for publishing information critical of government officials.

President Mamadou Tandja made a public commitment during the 2004 presidential campaign to decriminalise press offences (*dépénaliser les délits de presse*). A bill was apparently drafted in 2005 but no action seems to have been taken since then.

BACKGROUND INFORMATION

Amnesty International is concerned at the number of journalists who have been arrested and convicted in recent years, in what appears to be an attempt to stamp on freedom of expression and silence journalists.

In 2000, the UN Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, Abid Hussain, appealed to states "to ensure that defamation laws are not used (or abused) to stifle open public debate of matters of general or specific interest" and that "criminal defamation laws should be repealed in favour of civil laws as the latter are able to provide sufficient protection for reputations". The Special Rapporteur stressed that "penal sanctions, in particular imprisonment, should never be applied and damage awards should be strictly proportionate to the actual harm caused" and that "Government bodies and public authorities should not be able to bring defamation suits; the only purpose of defamation, libel, slander and insult laws must be to protect reputations and not to prevent criticism of Government or even to maintain public order, for which specific incitement laws exist".

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in French or your own language:

- calling for the immediate release of journalists Mamane Abou and Oumarou Keita;
- stating that Amnesty International considers them to be prisoners of conscience, arrested and sentenced for exercising their right to freedom of expression;
- urging the authorities to adopt a law decriminalising press offences (*dépénaliser les délits de presse*) in accordance to the recommendations made by the UN Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression.

APPEALS TO:

(It may be difficult to get through to fax numbers in Niger. Please keep trying.)

Son Excellence, Monsieur Mamadou Tandja
Président de la République
Présidence de la République
Palais de la République
Niamey, NIGER
Fax : + 227 20 73 34 30
Salutation: Your Excellency/ Excellence

COPIES TO:

Monsieur Hama Amadou
Premier ministre
Primature
Niamey, NIGER
Fax : + 227 20 72 36 40

Monsieur Oumarou Hadary
Ministre de la communication
Niamey, NIGER
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and to diplomatic representatives of Niger accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 17 October 2006.