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## **Open letter to the Head of State of Côte d'Ivoire**

London, 21 January 2000

Dear General Gueï,

On 24 December 1999, the government of Côte d'Ivoire was overthrown by a group of military personnel, who set up a *Comité national de salut public* (CNSP), National Committee of Public Salvation, presided over by you. This change of government does not, in any way, absolve Côte d'Ivoire from compliance with its international commitments with regard to human rights.

Amnesty International does not favour any type of government, but it does insist that authorities throughout the world respect human rights.

Last December, our organization sent an open letter to President Henri Konan Bédié urging him to release the leaders of the opposition party, the *Rassemblement des républicains* (RDR), the Republican Assembly. They were arrested following a demonstration which degenerated into violence and were convicted under a law based on the concept of collective responsibility, which is contrary to every principle of law. In that letter, Amnesty International denounced the law and called for the immediate and unconditional release of those held. All the RDR leaders were released several hours after the military coup.

We are writing to you today to express our concern at the completely unlawful detention of dozens of people, both civilians and members of the armed forces, since the December 1999 coup. No charges have been brought against them. Some have been released, but at least thirty remain in detention. These are people closely associated with the former president, Henri Konan Bédié, including Emile Constant Bombet, former Minister of the Interior, Albert Kacou Tiapani, former Minister of Construction and Housing and Faustin Kouamé, legal adviser to ex-President Henri Konan Bédié.

Other people who had no political responsibility have also been arrested, including the Public Prosecutor, Nouplezana Ouattara, who opened legal proceedings against Alassane Ouattara, leader of the RDR, and Ouattara Gnonzié, ex-Director General of Ivorian radio and television. Ouattara Gnonzié was released without charge on 19 January 2000.

None of the civilians is being held in an officially recognised detention centre. After their arrest, some were taken to the military camp at Akouédo to the east of Abidjan. The majority are currently being held in Emile Constant Bombet's former official residence, but others are being held at an unknown location. In this connection, the Human Rights Committee has clearly stated that States must make provision for; "...detainees to be held in places officially

recognized as places of detention and for their names and places of detention, as well as for the names of persons responsible for their detention, to be kept in registers readily available and accessible to those concerned, including relatives and friends."(General Comment 20, paragraph 11).

These people are being held incommunicado and neither their families nor their lawyers have access to them. Despite their repeated efforts the *Ligue ivoirienne des droits de l'homme* (LIDHO), Ivorian Human Rights League, has also been refused the right to visit the detainees.

Free access to prisoners, in particular for the family, doctors and lawyers is particularly necessary because reports reaching Amnesty International allege that several people closely associated with former President Henri Konan Bédié were ill-treated, especially at the time of their arrest. Some are said to have been subjected to considerable psychological pressure and have appeared on television, their faces apparently swollen.

About thirty members of the security forces, including high-ranking officers, have also been held, in particular three generals: the former Army Chief of Staff, Marius Thauthuis, former Director-General of the Police, Attoh Nanguy and Séverin Konan, former Police Chief of Staff. They are all being held at the *maison d'arrêt militaire d'Abidjan* (MAMA), Abidjan military detention centre. According to information received by Amnesty International, conditions at this detention centre are very precarious and some members of the armed forces who suffered bullet wounds at the time of their arrest, have reportedly been refused medical treatment.

In December 1999, you explained the arrest of high officials of M. Bédié's government by the need to guarantee their safety. One month after the coup, some are still being deprived of their liberty outside of any legal framework. They have not been brought before a magistrate, nor has any charge been brought against them; this is contrary to Article 9 of the International Covenant on Civil and Political Rights, to which Côte d'Ivoire acceded in 1992. This Covenant provides, in particular, that every detained person must be informed of the reasons for his arrest and must be brought promptly before a judge, or released. Article 4 of the Covenant also stipulates that, under no circumstances, may any derogation be made from certain fundamental rights such as the right to life or the right not to be tortured.

On taking power you affirmed your commitment to ensure a transition towards a democratically elected civilian government and promised to safeguard human rights. We note this commitment and call upon you to put an end to these illegal arrests. We urge you to stop holding them incommunicado and to guarantee them access to their families, to a doctor and to lawyers. We call upon you to release all those against whom no charge can be brought and immediately to place under the control and protection of the courts in official detention centres anyone who may be charged with specific offences. They must be able to enjoy the rights and guarantees laid down by Article 14 of the International Covenant on Civil and Political Rights, and be given a fair hearing without undue delay.

Yours sincerely

Pierre Sané  
Secretary-General