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ACTION ALERT: NIGER

PWYP calls on the Nigerien government to end all forms of harassment against civil society leader Marou Amadou

13 August 2009 - PWYP* strongly condemns the transfer into police custody of Marou Amadou, president of the United Front for the Safeguard of Democratic Assets (FUSAD), coordinator of the Advisory and Orientation Committee for the Defence of Democratic Rights (CROISADE), and member of the Réseau des Organisations pour la Transparence et l'Analyse Budgetaire (ROTAB) - Publish What You Pay (PWYP) Niger.

According to ROTAB/PWYP Niger, Marou Amadou was discharged on Tuesday, 12 August 2009 after appearing before the Court of First Instance in Niamey, where he had been summoned for "inciting disobedience of defense and security forces" and "regionalist propaganda", following his arrest on 10 August 2009 by the Nigerien Judicial Police.

Niger's National Forces for Intervention and Security (FNIS) ignored the discharge decision and transferred Amadou to Koutoukalé high security prison, 40 kilometres from Niamey. The FNIS returned him to Niamey the same evening and handed him over to the Judicial Police.

On 13 August, Amadou was still being held by the Judicial Police, where his health has reportedly been deteriorating rapidly. He is being detained in poor conditions and has not been granted access to a specialist doctor, despite his request. There are fears that he could suffer ill-treatment while in custody.

This incident is part of a series of wider restrictions on freedom of expression which have seen threats to Nigerien civil society activists, including those campaigning for good governance and accountability in the extractives sector. Niger is a resource-rich country which has committed to implement the Extractive Industries Transparency Initiative (EITI)**, a global initiative for transparency which champions dialogue between governments, industry, and civil society (see recent cases of harassment below).

PWYP condemns Marou Amadou's forced transfer into police custody just hours after a court had ordered his release.

PWYP therefore demands that the discharge decision be respected and calls for the immediate release of Marou Amadou.

PWYP urges the Nigerien authorities to guarantee Marou Amadou's physical and moral integrity.

PWYP calls on President Mamadou Tandja to ensure an end to all forms of harassment and intimidation against Marou Amadou and civil society activists in Niger, and to guarantee freedom of speech and of the press in accordance with the international human rights standards Niger has committed itself to.

Actions Required:

PWYP asks that you write to the Nigerien authorities, Nigerien diplomatic representatives and to the Ministry of Foreign Affairs in your respective countries to draw their attention to your concerns and forward them this statement (see next page for addresses).

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Addresses:

- H.E. Mamadou Tandja, President of the Republic of Niger, Fax: + 227 20 73 34 30.
- Permanent Mission of Niger to the European Union, Fax: + 32 2 648 27 84.
- Permanent Mission of Niger to the United Nations, Geneva, Fax: +41 22 979 24,
Email missionduniger@gmail.com.
- Permanent Mission of Niger to the United Nations, New York, Fax: +1 212 753-693,
Email: niger@nigerun.org.

Recent cases of harassment against civil society leaders in Niger:

On 1st April 2009, Abibou Garba, General Director of Dounia Radio and Television Group, president of ARTI (Association des Radios et Télévisions Indépendantes), which is a member of PWYP Niger (ROTAB), was arrested alongside Idi Abdou, a civil society activist, for “defamation” and “dissemination of false news”. Idi Abdou had described the French President’s visit as a “technical stopover” and the contract between AREVA and the government of Niger as a “looting of Niger’s resources” during a debate on Dounia Television.

On 29 June 2009, Marou Amadou was arrested by the Nigerien police in Niamey. He was charged with “inciting disobedience of defense and security forces”, of “plotting against state authority”, and of “trying to demoralize the army” as well as “making false press statements”. The charges followed Marou Amadou’s participation in a debate on Dounia television, during which he referred to a declaration by the Front de défense de la démocratie (FDD), calling on the army to respect Article 13 of Niger’s Constitution, which stipulates that “nobody shall be permitted to carry out any apparently illegal order”.

Also on 29 June, the president of the Conseil Supérieur de la Communication (CSC) unilaterally decided to suspend Dounia Press Group activities until “further notice”, following this TV debate.

On 2 July 2009, Amadou was released but the charges against him, which can carry the death penalty, were maintained.

On 9 August 2009, Amadou published a declaration on behalf of FUSAD, on the occasion of the second anniversary of Niger's Constitution, denouncing President Mamadou Tandja's regime. The declaration also condemned the recent referendum for being illegal and a setback to democratic achievements in the country. On 10 August 2009, Marou Amadou was arrested by the Judicial Police for “undermining state authority”. He was placed under a committal order on the same day and imprisoned at Niamey civil prison for “undermining state authority”.

* Publish What You Pay (PWYP) is a global civil society coalition with over 300 member groups who work together for greater transparency in the oil, gas and mining industries.

** The EITI is a global multi-stakeholder initiative for disclosure of company payments and government revenues from oil, gas and mining. Niger joined EITI in 2005 and has a deadline of March 2010 to become fully compliant with the initiative

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