

18 April 2019

Gabon: Dr Marie Claudette Ndagui's health deteriorates while in prison

Following her arrest on 23 January 2019, Dr **Marie Claudette Ndagui's** health has deteriorated in the Central Prison of Libreville. On 18 February 2019, she was sentenced to 12 months in prison with four months' suspended and a 10 million CFA fine for alleged damage and interest on three counts of contempt of court, defamation, and public slander that damaged the honour of the Public Prosecutor of Libreville, Olivier N'zahou.

Dr Marie Claudette Ndagui is the president of the **Association Gabonaise pour les Oeuvres Sociales** (AGOS) that promotes economic and social rights of shopkeepers and vulnerable youth in Libreville. In addition to other projects, AGOS works with shopkeepers to sensitize them to their rights and to denounce mistreatment and abuse that they face, including extortion and seizure of their goods and materials.

On 23 January 2019, Dr Marie Claudette Ndagui was arrested following a press conference where she relayed testimonies that she had collected alleging that the Public Prosecutor had received a payback after allowing a defendant to avoid prison time. Additionally, the human rights defender referred to alleged instances of misappropriation of funds at the Public Prosecutor's office. These allegations were based on interviews that Dr Marie Claudette Ndagui conducted with two individuals who had been approached with bribes in order to give testimony during a court process as well as victims of extortion and blackmail.

After her arrest, law enforcement officers searched through her home, vehicle and the AGOS office, and took documents and technical equipment, including sound recorders that contained information about the alleged misappropriation of funds. These items have not been recovered by AGOS staff nor Dr Marie Claudette Ndagui's family, despite repeated requests.

Directly following her sentencing, on 18 February 2019, the human rights defender's lawyer launched an appeal of her sentence. Since then, the date for an appeal hearing has not been set. In the last three months, Dr Marie Claudette Ndagui's health has deteriorated. She is 65 years old and requires regular care for high blood pressure. Stress related to the poor conditions in the Central Prison of Libreville has exacerbated other health problems associated with her high blood pressure, and according to her family, Dr Marie Claudette Ndagui has not received adequate care to meet her health needs.

Front Line Defenders is concerned by deterioration of the health conditions of Dr Marie Claudette Ndagui. Furthermore, it is concerned at the rapid conviction of the human rights defender in the absence of an effective investigation of the allegation she had reported on.

Front Line Defenders urges the authorities in Gabon to:

1. While in detention, provide the necessary medical treatment for the human rights defender, as she suffers from ongoing medical issues requiring treatment;
2. Carry out an immediate, thorough and impartial investigation into the allegation of corruption at the Public Prosecutor's office, with a view to publishing the results and bringing those responsible to justice, and review the conviction of the human rights defender accordingly;
3. Return the documents confiscated during the raid on her house, vehicle, and the AGOS

office, as they are manifestly not linked to any criminal activity;

4. Guarantee in all circumstances that all human rights defenders in Gabon are able to carry out their legitimate human rights activities without fear of reprisals and free of all restrictions, including judicial harassment.

Front Line Defenders respectfully reminds you that the United Nations Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms, adopted by consensus by the UN General Assembly on 9 December 1998, recognises the legitimacy of the activities of human rights defenders, their right to freedom of association and to carry out their activities without fear of reprisals. We would particularly draw attention to Article 6 (c): *“Everyone has the right, individually and in association with others: (c) To study, discuss, form and hold opinions on the observance, both in law and in practice, of all human rights and fundamental freedoms and, through these and other appropriate means, to draw public attention to those matters“*, and to Article 12 (2): *“The State shall take all necessary measures to ensure the protection by the competent authorities of everyone, individually and in association with others, against any violence, threats, retaliation, de facto or de jure adverse discrimination, pressure or any other arbitrary action as a consequence of his or her legitimate exercise of the rights referred to in the present declaration.”*

Please inform us of any actions that may be taken with regard to the above case.

Yours sincerely,



Andrew Anderson

Executive Director