

# URGENT ACTION

**TWO YEAR SENTENCE FOR TAKING PART IN A PROTEST**  
**Congolese political opposition member Paulin Makaya was sentenced on 25 July to two years imprisonment and a fine of 3,800 Euros for taking part in an unauthorized protest. Paulin Makaya is a prisoner of conscience who should never have been arrested in the first place.**

The High Court of Brazzaville sentenced **Paulin Makaya** to two years in prison and a 3,800 Euros fine for taking part in an unauthorised protest. The sentence was handed down on 25 July. Paulin Makaya's lawyer has appealed this decision.

Paulin Makaya is the leader of the political party 'Unis Pour le Congo' (UPC). He was arrested and detained on 23 November 2015, following his participation in protests against the referendum to change the Constitution in October 2014. He was held at the Central Police Station of Brazzaville for seven days without being charged or brought before a court and was questioned several times in the absence of his lawyer. He was later charged with participating in an 'unauthorized protest', 'complicity in arson of public buildings' and 'unlawful possession of weapons of war'. The latter two charges were later dismissed. He was denied bail twice.

Amnesty International considers him to be a prisoner of conscience detained solely for the peaceful exercise of his rights to freedom of expression and peaceful assembly, who should never have been arrested in the first place.

**Please write immediately in French or your own language:**

- Calling on the Congolese authorities to quash the sentence against Paulin Makaya and immediately and unconditionally release him, as he is a prisoner of conscience who is detained simply for peacefully exercising his rights to freedom of expression and peaceful assembly;
- Urging them to ensure that, pending his release, Paulin Makaya is not subjected to torture and other ill-treatment and is allowed regular access to his lawyer, to family visits and to the medical care he may require;
- Urging the authorities to end all forms of intimidation and harassment against political opposition members and human rights defenders in Congo, including through the misuse of the criminal justice system.

**PLEASE SEND APPEALS BEFORE 14 SEPTEMBER 2016 TO:**

President of the Republic

Denis Sassou Nguesso

Presidency

Palais du Peuple, Quartier Plateau

Fax: +242 02 281 02 72

**Salutation: Your Excellency**

Minister of Justice

Pierre Mabiala

Ministry of Justice

PO Box: 2497 Brazzaville - Congo

Fax: +242 81 41 67

**Salutation: Dear Minister**

**Also send copies to diplomatic representatives accredited to your country. Please insert local diplomatic addresses below:**

Name Address 1 Address 2 Address 3 Fax Fax number Email Email address Salutation Salutation

Please check with your section office if sending appeals after the above date. This is the fifth update of UA 274/15. Further information:

<https://www.amnesty.org/en/documents/afr22/4348/2016/en/>

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### ADDITIONAL INFORMATION

A referendum to amend the Republic of Congo's Constitution was held on 25 October 2015 to allow for, amongst other things, the current President to run for a third term in office in 2016.

Ahead of the referendum, the rights to freedom of expression and peaceful assembly were unduly restricted. Mobile internet services, text messaging and the transmission signal of some radio stations were cut in Brazzaville, while many peaceful demonstrations were banned and others were met with unnecessary and excessive use of force. The referendum was preceded by demonstrations organized in Brazzaville, Pointe Noire and across other towns in the Republic of Congo to express dissent over the proposed changes to the constitution.

Congo's security forces used excessive force against protesters and fired live ammunition at those who had gathered in Brazzaville on 20 October 2015. Clashes between security forces and protesters led to the death of at least six protesters and left several others injured. Paulin Makaya took part in this demonstration as an opposition political leader and president of the opposition party UPC.

Following the approval of the amendments to the constitution on 27 October 2015 and its confirmation by the Constitutional Court on 6 November 2015, there was a wave of arrests and widespread intimidation of those who openly opposed the constitutional amendments. Paulin Makaya's house was surrounded and ransacked by unknown individuals and security forces on 30 October 2015, who alleged that weapons of war were found in his house. In relation to this event, on 20 November 2015, he filed a complaint before the Public Prosecutor of the High Court of Brazzaville for trespassing and attempted murder.

Following the results of the 20 March Presidential elections, the Congolese authorities have conducted a series of arrests against leading opposition figures, including senior campaign officials of [opposition?] candidates Jean-Marie Michel Mokoko and Okombi Salissa, accusing them of compromising national security.

For further information on the human rights situation in Congo, please refer to Amnesty International's press releases at <http://bit.ly/1RvMEFH> and <http://bit.ly/20Q2XS1>.

Name: Paulin Makaya

Gender m/f: M

Further information on UA: 274/15 Index: AFR 22/4607/2016 Issue Date: 3 August 2016