



January 21, 2009

His Excellency El Hadj Omar Bongo Ondimba  
President, the Gabonese Republic  
c/o Embassy of Gabon  
2034 20th Street, N.W., Suite 200  
Washington, D.C. 20009

By Mail and Fax  
(202)332-0668

Dear Mr. President:

As Members of the Tom Lantos Human Rights Commission in the United States House of Representatives, we write to bring an urgent matter to your attention which has caused significant concern in the United States Congress. As you may be aware, Mr. Marc Ona Essangui, National Coordinator of the *Publish What You Pay Coalition* (PWYP) in Gabon and four fellow advocates were arrested on December 31st, 2008, and subsequently charged on January 7th, 2009. While we understand that the advocates were released on January 12th, we remain seriously concerned about the flawed legal procedures that led to the arrest and detention of these activists and the charges that are currently still pending against them.

Mr. Ona and his colleagues were fighting to expose corruption and to strengthen the fiscal transparency in Gabon. According to our information, the individuals who were arrested and still face charges are: Georges Mpaga, President of the *Gabonese Civil Society Network for Good Governance*; Grégory Ngoua Mintsa, a public servant; Gaston Asseko, Technical Director of the Catholic radio *Sainte-Marie*, and Dieudonné Koungou, a journalist with *Tendance Gabon*.

We are extremely alarmed that independent Gabonese civil society members campaigning against the misuse of public funds face such harassment and intimidation by government authorities. In the case of Mr. Ona, his arrest follows a series of actions by Gabonese authorities resulting in the suspension of 22 Gabonese NGOs in January 2008. Prior to his recent arrest, Mr. Ona has been under a travel ban since June 2008.

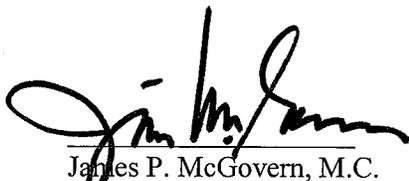
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Mr. Ona is a civil society member of a national committee, The EITI Interest Group, which also includes members of the Gabonese government and oversees the implementation in Gabon of the Extractive Industries Transparency Initiative (EITI). As a current member of the Board, the United States government strongly supports the EITI, a global initiative for more transparent management of revenues from oil, gas and mining. As the government of Gabon also holds a seat on the Board of this crucially important anti-corruption initiative, these arrests and charges are even more troubling. We take the EITI and its legitimacy seriously, and these arrests clearly violate the spirit and letter of the EITI agreement.

We further understand that all five activists were formally charged with "possession of a document for dissemination and propaganda," and "possession of a document for oral or written propaganda and incitement to rebellion against state authorities." We understand that the men were arrested without a warrant, were kept in preventive detention beyond the period permissible under Gabonese law, had no access to legal counsel, and had to endure unsanitary conditions while in detention. On January 8th, 2009, Mr. Thierry Levy, a French lawyer representing the five detainees, was not permitted to board a plane to Libreville as his visa had been revoked by Gabonese authorities.

We believe that the arrest and detention of these activists and the charges brought against them violate their basic human rights guaranteed under international treaties to which Gabon is a signatory. Given those facts, we call for the full protection of due process and the right to a meaningful legal defense in your country to be respected. Absent a prompt disclosure of all evidence against the charged, full access to legal representation and the full protection of due process rights, we believe the charges against them should be immediately dismissed.

Sincerely,



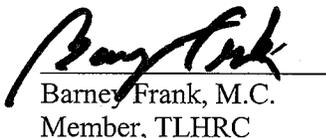
James P. McGovern, M.C.  
Co-Chair, TLHRC



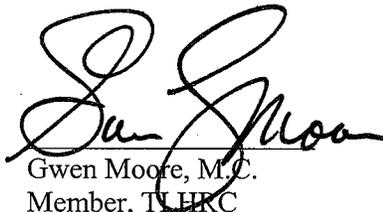
Edward R. Royce, M.C.  
Member, TLHRC



Donald M. Payne, M.C.  
Member, TLHRC



Barney Frank, M.C.  
Member, TLHRC



Gwen Moore, M.C.  
Member, TLHRC

cc: Dr. Marie-Madeleine Mborantsuo, Président de la Cour Constitutionnelle  
Président Prof. Guillaume Pambou, Commission nationale des droits de l'Homme