

# AMNESTY INTERNATIONAL

## PUBLIC STATEMENT

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### Equatorial Guinea: Opposition under threat

Amnesty International today called on the Government of Equatorial Guinea to respect freedom of expression following their threat against leading members of the opposition political party Convergence for Social Democracy (Convergencia para la Democracia Social – CPDS), for attempting to set up a radio station. The authorities accuse the party of introducing the radio transmitter into the country illegally; illegal possession of a transmitter and clandestine broadcasting, and refusing to hand over to the authorities the transmitting equipment.

Amnesty International is concerned that the action by the Government is aimed at silencing the only independent opposition political party left in country. Furthermore, CPDS is the only organization in the country involved in human rights education and the systematic monitoring, investigation and denunciation of human rights violations. In this regard, its leaders are human rights defenders.

Amnesty International considers that this action will further restrict and violate the rights of Equatorial Guineans to freedom of opinion, expression and sharing and publishing information. These rights are already severely limited in the country, contrary to international human rights standards and Equatorial Guinean law.

There is scarcely any privately owned media in the country. Television and radio stations are state-owned except for one privately owned radio station which is owned by President Obiang's eldest son. The situation of the written media is hardly better. There are no daily newspapers in the country, private or otherwise. The very few fortnightly or monthly "independent" magazines are owned by members or former members of the government or President Obiang's family.

The absence of an independent media in Equatorial Guinea hampers the development of a human rights culture in the country and contributes to the perpetration and perpetuation of human rights violations. Furthermore, it violates people's right to freedom of expression, to inform and to be informed.

Amnesty International calls on the Equatorial Guinea authorities to respect, promote and protect the right to freedom of expression and the press, as guaranteed by Equatorial Guinea's Constitution and the international treaties to which the country is a party to.

For years, peaceful political activists have been intimidated, arrested and briefly detained without charge or trial for exercising their right to freedom of expression, association and assembly. Independent journalists have been harassed and independent media outlets banned.

#### Background

The authorities allege that CPDS has violated the law on political parties as well as the law on the press, printing and audiovisuals, and have demanded the party hands over the transmitting equipment prior to being granted authorisation. Both laws provide for individuals and collective bodies to set up media outlets, in accordance with the law. However, the law does not state the conditions to obtain authorisation. Instead, it refers to regulations which do not yet exist.

On 26 August 2008 the Secretary-General of CPDS wrote to the Ministers of Interior and Information to inform them of the party's intention to set up a radio station, Onda Libre (Free Wave), in accordance with the law. The CPDS started testing the transmitting equipment, but suspended the trial transmissions at the request of the Minister of Interior, made during a meeting on 6 September, until the Council of Ministers had granted authorisation.

Between 26 August and 11 September, representatives of CPDS held several meetings with ministers including the Ministers of Interior, Information and National Security who, in the absence of legal requisites to obtain authorisation, repeatedly ordered CPDS to hand over the transmitting equipment before considering their request for authorisation. CPDS has refused to hand over the equipment on the basis that it is not a legal requirement.

On 12 September CPDS deposited a formal request for permission to operate the radio station with the Ministry of Information. In spite of this and the fact they were still negotiating with the authorities to resolve the deadlock, on Saturday 13 September at about 7am a contingent of at least 20 security officers raided the CPDS headquarters in Malabo intended to confiscate the transmitter, which they did not find. Instead, they confiscated party political propaganda and papers. Following the raid, the authorities issued a press statement saying that they had dismantled a clandestine radio belonging to a political party. It added that on 5 September members of the National Security had detected a broadcast by a clandestine radio and that after an investigation they discovered that the radio belonged to the CPDS.

Following the raid on their headquarters CPDS representatives held several meetings with the authorities and members of the follow-up commission of the National Pact Agreement, which consist of political parties allied to the ruling Democratic Party of Equatorial Guinea. They accused CPDS of endangering the peace of the country and called for "strong and appropriate" measures (which were not specified) to be taken against the party and its leader unless they handed over the transmitter within 48 hours, which expired at around 6pm on Friday 19 September.

Although no action has been taken against CPDS and its leaders, the threat to take action against them, which may include arrest and imprisonment, remains.

Amnesty International considers the harassment, intimidation and threats against CPDS and its leaders and the obstacles for them to set up a radio station infringe on the guarantees of freedom of expression contained in Equatorial Guinean law and international human rights treaties and standards ratified by Equatorial Guinean namely the African Charter on Human and Peoples' Rights and the International Covenant on Civil and Political Rights. International human rights law stipulates that no restrictions should be placed on the exercise of the right to freedom of expression, other than those prescribed by law and strictly necessary in the interest of national security, public safety, public order, public health and morals or the protection of the rights and freedom of others.

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