

Amnesty International Report 2009: Equatorial Guinea

Head of state **Teodoro Obiang Nguema Mbasogo**

Head of government **Ignacio Milán Tang (replaced Ricardo**

Mangue Obama Nfube in July)

Death penalty **retentionist**

Population **520,000**

Life expectancy **50.4 years**

Under-5 mortality (m/f) **162/145 per 1,000**

Adult literacy **87 per cent**

Poverty remained widespread – 60 per cent of the population lived on US\$1 a day, despite high levels of economic growth and oil production, and one of the highest per capita incomes in the world. According to UNICEF, more than half of the population had no access to clean drinking water and 20 per cent of children died before the age of five. There were fewer arrests of political opponents than in previous years despite an upsurge in the run-up to elections. Some people were briefly detained and released uncharged; others were sentenced to prison terms after unfair trials. Most appeared to be prisoners of conscience. In June the President pardoned about 30 political prisoners, including prisoners of conscience. There were fewer reports of torture. Prisoners were held incommunicado; some were held in isolation in shackles and handcuffs. A former army officer was a victim of enforced disappearance. Scores of families were forcibly evicted from their homes and hundreds more remained at risk of eviction.

Background

In February parliament approved the National Development Plan aimed at eradicating poverty within the next 12 years.

In May the ruling Democratic Party of Equatorial Guinea won municipal and parliamentary elections, taking 99 of 100 parliamentary seats and all the municipalities. The opposition Convergence for Social Democracy (CPDS) won one parliamentary seat. Election rigging and harassment of voters and opposition candidates were reported. A new government was appointed in July.

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In September the government signed the Revised Cotonou Agreement, under which the European Union will finance good governance, human rights and social projects and provide support to civil society groups. A law to regulate land ownership was tabled in parliament.

The UN Special Rapporteur on torture visited Equatorial Guinea in November. The Special Rapporteur visited the country's prisons and other detention centres and was able to speak to most prisoners. However, access was

denied to three prisoners who were abducted from Nigeria in 2005 and whose imprisonment the authorities denied, despite credible evidence of their being held in Black Beach prison in the capital, Malabo.

Housing rights – forced evictions

Regeneration of the main cities continued and led to forced evictions. Scores of families were forcibly evicted from their homes to make room for roads and luxury housing developments, especially in the capital, Malabo, and Bata. Hundreds of other families remained at risk of eviction. Families forcibly evicted in previous years were not compensated or rehoused.

Arbitrary arrests and detentions

Although the number of politically motivated arrests decreased compared to previous years, there was an upsurge in the first quarter of the year. Some of those arrested were released without charge after being held for varying periods. Most of them appeared to be prisoners of conscience. Dozens of prisoners, including possible prisoners of conscience, remained in detention.

- Brigida Asongsua Elo, the wife of prisoner of conscience Guillermo Nguema Ela released in June, was held without charge or trial at the Central Police Station in Malabo for over four months. She had been arrested without a warrant in December 2007, the day after visiting her husband in Black Beach prison. The authorities accused her of receiving a map from her husband that was to be used to plan an attack on the prison. She was held in degrading and inhumane conditions in a cell with up to 100 other detainees, mainly men. The police ignored a court order to bring her to court.

Prisoner releases

On the occasion of his birthday in June, President Obiang Nguema pardoned about 30 prisoners. They included 13 prisoners of conscience convicted after an unfair trial in June 2002 of plotting to overthrow the government, and Reverend Bienvenido Samba Momesori, who had been held without charge or trial since October 2003. However, the released prisoners were ordered to return to their places of origin within a week and told they needed permission to leave these places.

Torture and other ill-treatment

There were fewer reports of torture and other ill-treatment of political detainees. However, suspected criminals continued to be tortured or otherwise ill-treated with impunity in police stations.

A female police officer arrested in November 2007 in connection with the death in Nsuemang, Ebebiyin district, of Lázaro Ondo Obiang on 29 September 2007, was tried before a military court in Bata in February. Lázaro Ondo Obiang died as a result of beatings by four police officers, who apparently acted on her orders. She was convicted and sentenced to six months' imprisonment. A senior police officer who had been accused of torturing other detainees in Bata police station and had reportedly been arrested in November 2007 was one of the judges.

Two soldiers arrested in November 2007 in connection with the death of Salvador Ndong Nguema in Evinayong prison in 2007 were released untried in February and resumed their duties.

- Saturnino Ncogo, a former member of the banned Progress Party of Equatorial Guinea (PPGE), died in Black Beach prison on 12 March. He had been arrested a few hours earlier after three weapons were found hidden in his house. The authorities claimed he committed suicide by throwing himself from the top of a bunk bed. There was no investigation and an autopsy was not carried out. His relatives said that the body was in an advanced state of decomposition by the time they received it, three days later, and that he had a fractured skull.

Prison conditions

Although prison facilities improved, prisoners were held incommunicado throughout the year after the authorities suspended all prison visits in January. The provision of food and medicines remained inadequate, although a doctor reportedly visited on a regular basis. At least eight prisoners in Black Beach prison remained permanently handcuffed and shackled in isolation cells.

Enforced disappearances

On 8 October, two Cameroonian police officers, who reportedly had been paid by Equatorial Guinean security personnel, unlawfully arrested former Equatorial Guinean army colonel Cipriano Nguema Mba, a refugee in Cameroon, and handed him over to the Equatorial Guinea embassy in Yaoundé. He was transferred to Black Beach prison and held incommunicado. Although he was seen by the UN Special Rapporteur on torture, his whereabouts remained unacknowledged by the government at the end of the year.

The authorities still failed to acknowledge the detention of three people abducted by security personnel in Nigeria in July 2005, although they were known to be held in Black Beach prison. Information received in July indicated that former Lieutenant-Colonel Florencio Bibang Ela, Felipe Esono Ntutumu and Antimo Edu were held incommunicado in hand and leg cuffs. Juan Ondo Abaga, who was also abducted from Nigeria in February 2005, was among the prisoners released in June. Until his release, he was held in an isolation cell in leg chains and handcuffs.

Unfair trial

Six former members of the PPGE were convicted in June of possession of arms and ammunition and sentenced to between one and six years in prison, although no weapons or ammunition had been found in their possession. Cruz Obiang Ebele, Emiliano Esono Michá, Gerardo Angüe Mangué, Gumersindo Ramírez Faustino, Juan Ecomo Ndong and Bonifacio Nguema Ndong were arrested without a warrant in Malabo in March and April. Their arrests followed that of Saturnino Ncogo (see above), whom they knew. They were held at the Central Police Station for about two months. At least two claimed they had been ill-treated. Their trial was unfair; no evidence was presented in court to substantiate the charges other than the three weapons found in Saturnino Ncogo's house and the defendants' statements that they knew about the weapons. In court they claimed that their

statements had been altered and that they had been made to sign different statements under duress. However, the court dismissed this claim. They had no access to a defence lawyer until three days before the trial started. The six men were tried alongside Simon Mann, a UK national accused of an attempted coup in March 2004, even though the charges against the six were unrelated to the alleged coup attempt. Simon Mann was convicted as charged and sentenced to 34 years' imprisonment. He had been extradited from Zimbabwe in February. Mohamed Salaam, a Lebanese businessman and long-term resident in Equatorial Guinea, was convicted of the same offences and sentenced to 18 years in prison.

Freedom of expression

In September the authorities threatened CPDS leaders for attempting to set up a radio station. After weeks of negotiations with the authorities, the day after the CPDS formally requested a licence police raided the party's headquarters in Malabo and demanded the radio transmitter, which the CPDS refused to hand over. No licence had been granted by the end of the year.

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