



## **Equatorial Guinea urged to retry Nigerian coup suspects**

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Amnesty International is calling for the fair retrial of seven Nigerian nationals, convicted by a court in Equatorial Guinea for their alleged involvement in an attempted coup.

On 5 April, a court in the capital, Malabo, sentenced the six men and one woman to 12 years' imprisonment each, on the charges of attempting to assassinate President Teodoro Obiang Nguema Mbasogo during an alleged attack on the presidential palace last year.

According to reports the accused Nigerians pleaded 'not guilty' and claimed to be fishermen and traders who had been lost at sea and had drifted into Equatorial Guinea waters where they were arrested by the navy. A Nigerian woman also detained at sea has since died in custody.

"The Equatorial Guinean authorities must take action to make sure these men receive a fair trial," said Tawanda Hondora, Deputy Africa Director at Amnesty International.

"They were denied access to proper legal representation and their complaints that they had been tortured in custody have not been investigated. Neither has the death in custody of one other Nigerian woman."

Amnesty International is also calling for the release of two members of the Equatorial Guinea opposition party People's Union (Unión Popular ó UP), who are still in prison six weeks after they were acquitted of all charges relating to the attack.

According to media reports, gunmen in speedboats launched the attack on the presidential palace in Malabo in the early hours of 17 February 2009.

The government blamed 'Mend', a rebel movement in Nigeria's oil-rich Delta region for the attack.

Later on the day of the attack, the Equatorial Guinean navy arrested the Nigerian men and women in a boat in Equatorial Guinea territorial waters.

They claimed to be fishermen and traders, who were lost at sea after their "cayuco" (canoe) had drifted in fog.

No weapons were found in the boat. Following their arrest the Nigerians and the two UP members were held incommunicado and without charge until mid-October 2009 in Black Beach prison in Malabo. All were reportedly tortured to extract "confessions" from them.

The seven Nigerians: Marck Etim Marck, Eyoh Okon Ikara, Eyon Kun Jhon, Effiong Matew, Okokon Iyanam (aka Mintay), Isangadighi and Ekaette Eyo Okon, a woman, were tried between 17 and 22 March 2010 by the Tribunal de Apelación de Malabo (Malabo Court of Appeal).

They were not allowed access to a lawyer until a few days before the trial started and were thus denied the right to present an effective defence.

No weapons or other evidence was presented in court to sustain the charges against the Nigerian nationals.

Nevertheless, the court dismissed their claims that they were fishermen and traders and convicted them on the basis of weather reports for 16 and 17 February 2009.

According to the reports, the weather was good and therefore, visibility was good so they could not have been lost in fog and strayed into Equatorial Guinean waters.

In court, the defendants and their lawyers complained about the acts of torture, including the death in custody of a Nigerian woman, but were stopped by the president of the court who, according to reports, dismissed the claims as irrelevant to the proceedings.

The authorities also failed to provide the Nigerian nationals with assistance to lodge an appeal against their conviction and sentence.

"The authorities must grant the Nigerian detainees access to lawyers, consular personnel and any medical treatment they may require," said Tawanda Hondora

The three UP members, Santiago Asumu, Marcelino Nguema Esono and the party's former president, Faustino Ondó Ebang were all charged with attempting to assassinate the president.

Faustino Ondó - a former prisoner of conscience - was tried in absentia. He currently lives in exile in Spain.

All three were acquitted of all charges on 5 April.

Eight other UP members had the charges against them dropped at the start of the trial.

Amnesty International is concerned that six weeks after their acquittal and despite a formal written request from their lawyer to the president of the Appeal Court demanding their release, Santiago Asumu and Marcelino Nguema Esono remain in prison.