

SEMINAR ON THE DEATH PENALTY  
IN AFRICA

Ibadan (Nigeria) 3 - 8 October, 1977

Speech presented by Prof. C.M. Eya Nchama of ANRD (National Alliance of Democratic Restoration) of EQUATORIAL GUINEA

Your Excellencies,  
Delegates,

It is for me a great honour to speak on the subject of Human Rights at a meeting in which notable personalities of our continent are taking part.

At the present moment, I believe that this subject is one of the greatest concerns facing our continent, the death penalty and glagrant violation of Human Rights.

1. The Death Penalty, Human Rights and the OAU

In 1963 Africans had two conceptions: the unification of Africa into a single nation this was the idea that Nkrumah and Modibo Keita, among others, had in mind. The second conceptualisation which prevailed over the first and which has been accomplished today was that of the respect of colonial frontiers; the states which were thus constituted are presently washing towards progressive unification. This latter conceptualisation, since it was given priority in 1963, has given rise to a number of claims with respect to territories.

In the same time of thought, there are certain governments in our continent which are taking pride in signing multiple conventions for the protection of Human Rights without giving due consideration to the respect of these agreements when it comes to their application.

There is yet another inconsistency on our continent; from the 15th to the 19th centuries we underwent the trials of slavery which left Africa relatively weak in terms of population. Many Africans believe that this was in effect the aim of the colonialist powers. Meanwhile, we know that they benefitted from the collaboration of certain kings on the coasts.

And still today, it is the Africans who are often actively - and cruelly - contributing to the decrease in population and the human suffering which prevail on the continent.

Africa is the only continent where the reasoning of the state and the good relationships between states definitely stifle every protest and indignation manifested and thus there are frequent moments of terror, executions, imprisonments which arise in certain African countries for instance in my country Equatorial Guinea. Do we have to mention the fact that the "Greece of colonels" was expelled from the council of Europe after the failure of numerous diplomatic and economic pressures applied on the military junta so that it would restore the respect of Human Rights? We must none the less remember the reactions expressed in Mexico, Costa-Rica, Venezuela, Peru following the bloody coup d'etat in Chile in 1973.

On 27 September, 1975, five Spanish people were assassinated by the Franco dictatorship; the Spanish Government subsequently had to suspend its diplomatic relations with several Western states, there were also numerous official protests coming from the highest echelons in government and the break in negotiations with the European Economic Community.

In my country the situation is totally different. Since 1969, some few kilometres from here, in Equatorial Guinea, not a single day passes without people being killed, tortured, imprisoned, dispossessed, deprived of all their rights. Until today, not one single African state has raised its voice nor made the least protest, except Nigeria which was obliged to start the process of the repatriation its nationals following serious threats of maltreatment they may be subjected to in the hands of the bloodthirsty Macias. However, we cannot doubt the faculty, the political maturity and liberty which our states have in enabling the voice of justice and Humanity to be heard!

## 2. The Death Penalty in instances of emergency.

This was the subject proposed to me by the organisers of the conference and I would like to treat it in line with the following ideas:-

- a. The application of the death penalty in times of emergency is to escape and run away from problems and the results are always temporary.
- b. The death penalty in this context (state of emergency) is not to the advantage of the authorities who apply it.
- e. In eliminating a person (or persons) who strongly defends an idea or an ideology, the ideas themselves are in no way whatsoever eliminated.
- d. The authorities who apply the death penalty in cases of emergency manifest signs of weakness and fear.

### 3. The Death Penalty and the situation in Equatorial Guinea

To speak of the death penalty in Equatorial Guinea would be a euphemism. What we have is in effect summary executions, without trial and consequently, without any protection for the victims. It is not only that there are no tribunals, therefore no judges, advocates, or circumstantial judgement, but for the most part, there is simply no notice whatsoever which is called upon to do away with the barbaric manner of eliminating human lives. The will of the President and his soldiers-guards is the supreme law, the only necessary and sufficient ground.

Since the 15th century, the history of Equatorial Guinea has been a history of immense tragedy. Our country is in a strategic position and during the slave trade our islands of Fernando, Poo, Annobon, Corisco, the greater and lesser Elobey, Conga, Mbagne and Cocotiers served as the base for the supply of slaves.

During the time of colonial expansion, the great powers also used our islands in the conquest of the continent, this was the case for example with the Germans and Cameroon, the British and Nigeria, the French and Gabon, the Portuguese and Angola, the Spanish and the eastern part of our country. During the Spanish colonisation our people, as many others, were subjected to the will of a regime with forced labour used to feed the colonialists.

As you can see, what Francisco Macias Nguema - Life President of Equatorial Guinea is doing today is only a confirmation of an old story. We are proud to be among the peoples who fought and are still fighting against the infamy and inexpressible sufferings brought about by colonisation. Now that Africa nearing the completion of the task of liberating herself, we cannot remain insensitive and inactive forced with the misery and the treatment which afflict these victorious peoples, governments which are certainly independent but which have emerged directly from our "middle-age", our times of blood and tears, i.e. the colonial era.

What is going on in Equatorial Guinea for example, is difficult to describe. Horror reaches truly unimaginable heights and our continent as a whole bears the shame. Suffice it to say that faced with this organised and systematic terror, more than  $\frac{1}{4}$  of the population has had to flee to Gabon, Cameroon, and Nigeria.

#### 4. For the defense of Human Rights in Africa

In conclusion to what I have said I might make the following statement: our continent is in a state of movement, evolving from the great decolonisation movement, whose responsibility would be the respect of Human Rights and the diffusion of the great humanitarian principles. To this effect, it would be hoped that our continent would constitute a supreme and impartial procedure which would take absolute assistance of national and regional level to take absolute charge of this task.

#### 5. The Church in Africa.

During the colonial period, it was said that the African church was a support for the foreign powers. Today we can see that in many instances, even at the risk of death, members of various churches have raised their voice against injustice and terror. In this way they have fully accomplished the mission of authentic representatives of African churches which are preoccupied with the well-being of the peoples of our continent. They are also pioneers, among others, of the great movement for the respect of Human Rights which should be encouraged among our peoples.

For example, with regard to my country, Equatorial Guinea, we should congratulate the Presbyterian Church of Cameroon which has done a great deal for Equatorial Guinea refugees and which, for these refugees, constitutes their only support. We hope that soon the sister churches in Gabon and Nigeria will follow this marvellous example.

In conclusion, I would like to take this opportunity to thank the organisers of this conference, in particular, the Secretary General of the AACC, Canon Burgess Carr, as well as Simon Phiri, Rev. Adegbola and the Nigerian people for its kind hospitality. As for you, dear friends, I thank you for your kind attention.