

PUBLIC

AI Index: AFR 24/011/2003

13 November 2003

Further Information on UA 310/03 (AFR 24/012/2003, 30 October 2003) – Possible "disappearance"/fear for safety New concern: Prison Conditions/detention without charge/possible prisoner of conscience/fear of torture or ill-treatment

EQUATORIAL GUINEA

Bienvenido Samba Momesori (m), pastor

Protestant pastor Bienvenido Samba Momesori is currently being held without charge in Black Beach civil prison in the capital Malabo. He is reportedly detained in poor conditions and is at risk of torture or ill-treatment. He may be a prisoner of conscience, detained solely for exercising his legitimate right to freedom of expression.

Bienvenido Samba Momesori was reportedly arrested by plainclothes police officers while celebrating mass at his church, *Asamblea de Dios* (Assembly of God) on 26 October. He and his daughter were taken to the main police station in Malabo. Shortly afterwards, police allegedly told his daughter to return home as her father had been released. However, the whereabouts of Bienvenido Samba Momesori were not known for almost two weeks until his daughter received word that he was being held at Black Beach prison. She was allowed to visit him briefly on 10 November. It is not known when he was transferred to the prison. The authorities denied for almost two weeks that he was being detained, and had clearly stated to his family that he was not held at Black Beach.

Pastor Bienvenido Samba Momesori was reportedly handcuffed for long periods of time at the beginning of his detention. He is being held in harsh conditions. Prisoners at Black Beach are held in overcrowded cells and may not be allowed out of their cells for long periods of time. Usually detainees receive no medical attention and food is scarce. Detainees' families often bring in food for them, but guards sometimes prevent them from receiving it. Amnesty International considers that these prison conditions may amount to torture. Beatings and other forms of physical torture are also routine.

The reasons for Pastor Bienvenido Samba Momesori's arrest remain unknown and he does not appear to have been charged. Unless he is charged with a clear and identifiable criminal offence, Amnesty International will consider him to be a prisoner of conscience.

BACKGROUND INFORMATION

There are currently more than 30 prisoners of conscience in the country, who were convicted in June 2002 on charges of rebellion and attempting to overthrow the government, on the basis of confessions allegedly extracted under torture after an unfair trial. Two prisoners of conscience died in July and August 2002 as a result of poor prison conditions and lack of medical treatment for the injuries they had sustained as a result of torture. In August 2003, prisoner of conscience Felipe Ondo Obiang, leader of *Fuerza Demócrata Republicana* (FDR), Democratic Republican Force, was secretly sent to Evinayong prison, where he is being held in harsh conditions. He has been kept in solitary confinement and his physical and mental health has reportedly deteriorated (see UA 164/03, AFR 24/006/2003, 11 June 2003 and follow-ups).

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in Spanish or your own language:

- expressing concern for the safety of Pastor Bienvenido Samba Momesori, who is being detained in the prison of Black Beach in Malabo in harsh conditions which may amount to torture;
- calling for assurances that he is humanely treated and not subjected to any form of torture or ill-treatment and that he is allowed immediate access to his family, his lawyer and any medical treatment he may require;

- urging the authorities to immediately and unconditionally release Pastor Bienvenido Samba Momesori unless he is to be charged with a clear and identifiable criminal offence.
- pointing out that Pastor Bienvenido Samba Momesori may be a prisoner of conscience, detained for exercising his legitimate right to freedom of expression, and calling for the release of all prisoners of conscience detained in the country.

APPEALS TO:

President of the Republic

General Teodoro Obiang Nguema Mbasogo

Gabinete del Presidente de la República

Malabo

República de Guinea Ecuatorial

Telegrams: Presidente de la República, Malabo, República de Guinea Ecuatorial

Fax: + 240 9 3313 / 3334

Salutation: Excelencia/ Your Excellency

Minister of Justice

Rubén Mayé Nsue Mangué

Ministerio de Justicia y Culto

Malabo

República de Guinea Ecuatorial

Telegrams: Ministro de Justicia y Culto, Malabo, República de Guinea Ecuatorial

Fax: + 240 9 2115

Salutation: Sr. Ministro/ Dear Minister

COPIES TO:

Minister of Foreign Affairs

Pastor Micha Ondo Bile

Ministerio de Asuntos Exteriores

Malabo

República de Guinea Ecuatorial

Fax: + 240 9 3132/2320

and to diplomatic representatives of Equatorial Guinea accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 25 December 2003.