

PUBLIC

AI Index: AFR 24/19/98

Distrib: PG/SC

To: Health professionals
From: Medical Office / Africa Regional Program
Date: 21 July 1998

RAPID MEDICAL LETTER WRITING ACTION

**Death of a detainee and lack of adequate medical care
EQUATORIAL GUINEA**

Theme: death of a detainee/ ill-treatment/ lack of adequate medical care

Summary

Amnesty International is seriously concerned about the death of Martin Puye, aged 58, one of the leaders of the *Movimiento para la Auto-determinación de la Isla de Bioko* (MAIB), Movement for the Self-determination of Bioko Island. Martin Puye's death is reported to be the result of ill-treatment and lack of adequate medical care while in custody. Amnesty International is concerned that other prisoners, especially those sentenced to death and held in incommunicado detention, are being detained in grossly sub-standard conditions and they are not being provided with adequate medical care. Amnesty International is urging the immediate investigation of the death of Martin Puye and is calling on Equatorial Guinean authorities to ensure that prison conditions meet the UN Standard Minimum Rules for the Treatment of Prisoners, including provision of adequate medical care.

Recommended Actions

Please note that many prisoners appear to be at risk due to the seriously deficient provision of care in prisons in Equatorial Guinea.

Appeals are requested **urgently** from health professionals to the addresses below:

- expressing concern about the death of Martin Puye and noting that prison authorities were reluctant to allow Martin Puye to be transferred to hospital;
- calling for a prompt and impartial investigation into the circumstances surrounding Martin Puye's death; the findings should be made public and anyone found responsible should be brought to justice;
- expressing concern at reports that prisoners have been tortured and ill-treated and urging Equatorial Guinean authorities to open an enquiry into these allegations of torture, notify prison officials that torture and ill-treatment of prisoners will not be tolerated under any circumstances and those responsible will be brought to justice;
- expressing concern about the conditions in which prisoners are held; you could refer in particular to the lack of medical facilities in prison, the reluctance of prison authorities to provide detainees with necessary medical care, the delays and refusals for detainees' referral to hospital;

■ urging prison authorities to treat detainees in accordance with the UN Standard Minimum Rules for the Treatment of prisoners, including provision of adequate medical care and transfer to a suitable alternative institution if necessary;

■ expressing concern about detainees being held in incommunicado detention and urging Equatorial Guinean authorities to ensure that all prisoners are permitted visits from family, lawyers and doctors of their own choice;

If you receive no reply from the government or other recipients within two months of dispatch of your letter, please send a follow up letter seeking a response.

Addresses

President

General Teodoro Obiang Nguema Mbasogo
 Presidente de la República
 Gabinete del Presidente
 Malabo
 Guinea Ecuatorial

Telegrams: Presidente Obiang Nguema, Malabo, Guinea Ecuatorial

Telexes: 5405 GBNOM 5405 EG

Faxes: + 240 9 3313

Salutation: Señor Presidente/ Dear President

Minister of Justice
 Rubén Maye Nsue
 Ministro de Justicia
 Ministerio de Justicia
 Malabo
 Guinea Ecuatorial

Telegrams: Ministro de Justicia Maye Nsue, Malabo, Guinea Ecuatorial

Telexes: 5405 GBNOM 5405 EG

Faxes: + 240 9 2824

Salutation: Señor Ministro/ Dear Minister

COPIES TO:

Vice-Prime Minister and Minister of Foreign Affairs
 Miguel Oyono Ndong Mifumu
 Vice-Primer Ministro y
 Ministro de Asuntos Exteriores
 Ministerio de Asuntos Exteriores
 Guinea Ecuatorial

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

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Summary

Amnesty International is seriously concerned about the death of Martin Puye, aged 58, one of the leaders of the *Movimiento para la Auto-determinación de la Isla de Bioko* (MAIB), Movement for the Self-determination of Bioko Island. Martin Puye's death is reported to be the result of ill-treatment and lack of adequate medical care while in custody. Amnesty International is concerned that other prisoners, especially those sentenced to death and held in incommunicado detention, are being detained in grossly sub-standard conditions and they are not being provided with adequate medical care. Amnesty International is urging the immediate investigation of the death of Martin Puye and is calling on Equatorial Guinean authorities to ensure that prison conditions meet the Standard Minimum Rules for the Treatment of Prisoners, including provision of adequate medical care.

Background information

Martin Puye died in hospital on 14 July 1998 two weeks after his transfer from Black Beach (the prison in Malabo, capital of Equatorial Guinea). Prison authorities had been reluctant to allow him to be transferred to hospital. He was reportedly suffering from hepatitis. The day before his death he was reported to be in a very desperate state: his abdomen was grossly swollen -- like the belly of a pregnant woman, according to one witness -- and his legs were also swollen. He could barely speak and his eyes stared lifelessly. Doctors at the hospital carried out blood transfusions and they had reportedly decided that Martin Puye should be sent abroad to be treated, but it was too late and the day after Martin Puye died.

Martin Puye had been convicted and sentenced, after a summary and unfair trial in May 1998, because of alleged involvement in the 21 January 1998 attack on military barracks on Bioko Island which led to the death of three soldiers and several civilians. In the same trial, 15 death sentences (including four in absentia) were imposed, and the military court sentenced a further 70 people to prison terms ranging from 6 to 26 years. Many of the defendants, predominantly members of the Bubi ethnic group in Bioko Island, seemed to have been detained solely because of their ethnic origin and can be considered as prisoners of conscience.

All sentences were passed on the basis of confessions extracted under torture during the pre-trial detention. During the trial, the Amnesty International delegation was able to see obvious signs of torture on the defendants. At least ten defendants had part of their ears severed, apparently with razor blades. One of the detainees, Fernando Riloha, had part of both ears cut. Some ten women detained after 21 January attack were also tortured and ill-treated. They were forced to swim naked in muddy water in front of all the detainees and some of them were victims of sexual abuse. Since January 1998 at least six people have died in detention as a result of torture.

Detention conditions in Black Beach are very harsh. The prison is by the sea, the climate is very hot and humid and prisoners are crowded into small and filthy cells. Detainees are reported to have slept on the floor for six months. The eleven political prisoners sentenced to death and held in incommunicado detention, are being kept in severe conditions. They are not allowed to speak with the other detainees and can only leave their cells one hour a day. They are in serious danger of dehydration and starvation as they are not allowed to receive food from their family and the prison gives them very little food. Despite the heat and humidity, they are given only a litre of water a day.

Since sentences were passed, several detainees are reported to have fallen ill and to have experienced difficulties in obtaining medical care. The prison has no medical facilities, detainees who are ill have to pay for their treatment and prison authorities are reportedly reluctant to allow prisoners to be transferred to hospital. A young woman, Milagrosa Cheba was finally sent to hospital, at the beginning of July, because she was suffering from malaria, but she was sent back to prison before she fully recovered. César Copoburu, sentenced to 26 years, was eventually transferred to hospital by mid-July after asking for hospital care and complaining of abdominal pain for a week. He will have an operation, but he fears he will be sent immediately after the operation back to prison, where the conditions for a sound recovery are nearly null. According to recent and reliable reports, there are many demands coming from sick detainees to be sent to hospital and prison authorities are reluctant to send prisoners to hospital.

Two other prisoners are reported to be in very worrying health conditions. Aurelio Losoha, aged 78, was severely tortured during the pre-trial detention and his health is deteriorating by reason of harsh prison conditions. He is the traditional leader of a town called Rebola, where many Bubi live and is considered by Amnesty International a prisoner of conscience, only detained because he is one of the leaders of the MAIB, the Movement for the Autodetermination of the island of Bioko. He should be sent to hospital, but prison authorities have not allowed him to be transferred to hospital. Norberto Biébeda, sentenced to death, was already having serious problems with his sight when he was sent to prison. He is suffering from being held 23 hours a day in the dark and his sight problems are worsening.

AI is urging the EG authorities to ensure that all prisoners have access to adequate medical care including specialist treatment in appropriate institutions if this is necessary.

The Bubi ethnic group continues to face discrimination from the Equatorial Guinean authorities. Since Equatorial Guinea's independence from Spain in 1968 many Bubi people have been killed and arrested for expressing their desire to be independent.

The MAIB, founded in November 1993 by the Bubi ethnic group to achieve independence for Bioko Island, is widely supported by the Bubi. To Amnesty International's knowledge, the MAIB, which has never been legalized, has not used violence before its alleged involvement in the attacks of 21 January. Since its creation hundreds of people belonging to the Bubi ethnic group have been arrested on suspicion of supporting or belonging to the MAIB. Seldom has the government presented any evidence to that effect.