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Equatorial Guinea: Prisoners of conscience released

Amnesty International welcomes the release of prisoners of conscience following an amnesty decreed by President Teodoro Obiang Nguema Mbasogo on the occasion of his 64th birthday, on 5 June.

The amnesty, announced on 4 June, benefits 42 people, who include prisoners of conscience and political detainees -- most of whom had been imprisoned without charge or trial for over two years.

All those serving sentences of up to two years for crimes other than murder or embezzlement were pardoned, as were all women, minors and people aged 70 years and over, regardless of the offence committed and the length of their sentence. Under the terms of the amnesty, those "pardoned" cannot commit the same offence within the next 10 years.

Among those pardoned are between 10 to 15 prisoners of conscience, all members or sympathisers of the Republican Democratic Force party (Fuerza Demócrata Republicana, FDR) who, in an unfair trial in June 2002 were convicted of attempting to overthrow the government. They include: Luis Elá Akué, Macario Esimi Mañana, Melchor Ndong Modú, Jesús Nguema Obiang, Roque Nve Nso, Faustino Ondó Ebang, and José Primo Obama. Each was serving prison terms of 6 years and 8 months at Black Beach prison in Malabo, the capital. All of them had been tortured in pre-trial detention.

Amnesty International is concerned about reports indicating that some days before the promulgation of the amnesty decree they were made to sign statements undertaking not to participate in political activities for a period of 10 years.

Several other detainees who had been arrested for undertaking peaceful political activities and held for over two years without charge or trial were also "pardoned". Among them was Weja Chicampo, a leading member of the Movement for the Self-determination of Bioko Island (Movimiento para la autodeterminación de la isla de Bioko, MAIB), who was arbitrarily arrested at his home at 1 am on 4 March 2004 by about 10 army officers wearing balaclavas. He was severely beaten during his arrest. He was detained incommunicado at Black Beach prison for several months. In January 2006 he was brought before an investigation judge for the first time since his arrest. However, he had not been charged or tried by the time of his "pardon".

Amnesty International is concerned that following the "pardon", Weja Chicampo was expelled from the country. Apparently, on 5 June at midnight several police officers went to Black Beach prison and removed Weja Chicampo, who assumed that he was being taken home. Instead, he was put on a plane to Madrid, Spain, where he arrived at 7 am on 6 June. His family in Malabo were not informed about the expulsion or whereabouts of Weja Chicampo. His expulsion from Equatorial Guinea violates the country's Constitution, which guarantees freedom of movement and the right to choose residence, as well as the International

Covenant on Civil and Political Rights, which Equatorial Guinea ratified in 1987.

A South African national, Marius Gerhardus Bonzaair "Bone", was pardoned on humanitarian grounds. He was serving a 17-year prison term after being convicted of an attempted coup in November 2004. His trial did not conform to international standards of fairness. He was tortured during his pre-trial detention and since his arrest in March 2004 was subjected to inhuman and degrading treatment by being handcuffed and shackled 24 hours a day. He suffers from serious chronic ailments for which he rarely received medical treatment. However, according to reports, he was in hospital at the time of being pardoned and is yet to be set free.

Amnesty International urges the government of Equatorial Guinea to release all the prisoners of conscience still in prison, as well as all those detained without charge or trial on account of their peaceful political activities.

The organization is particularly concerned about the continuing detention of Reverend Bienvenido Samba Momesori, who has been held without charge or trial since his arrest in Malabo in October 2003. Following his arrest he was held incommunicado in Black Beach prison for several months before being transferred without due process to prison in Evinayong, on the mainland.

Amnesty International also calls on the government of Equatorial Guinea to investigate the reported torture of the released prisoners and detainees and for those found responsible to be brought to justice. In addition, the government of Equatorial Guinea must initiate a review of its laws, policies and procedures with a view to eliminating the prevalent practice of torture committed by government agencies.