

EXTERNAL (for general distribution)

AI Index: AFR 24/06/95
Distr: UA/SC

20 April 1995

EXTRA 44/95 Fear of Imminent Execution

EQUATORIAL GUINEA Pedro Masa Mba (soldier)
Lieutenant-Colonel Pedro Esono Masié (retired)

Pedro Masa Mba and Pedro Esono Masié were tried by a military court in Malabo, the capital of Equatorial Guinea, on 19 April 1995. The prosecutor at the end of the trial asked for the death penalty for the two men. The court is meeting today to pass sentence. In the past, executions have been carried out immediately following sentence. The two men have no right of appeal against their conviction or sentence and their execution could be carried out at any time.

The two men were among a group of about 18 soldiers and civilians who were arrested in mid-February 1995 in Bata, on the mainland region of Río Muni, and in Malabo. They were convicted of plotting to overthrow the government. The prosecution asked for prison terms varying from 5 to 30 years. The military court that tried them used "most summary" procedures (causa sumarísima) which severely restrict their right to an adequate defence and from which there is no right of appeal. Furthermore, military courts in Equatorial Guinea are neither impartial nor independent. Several judges and prosecutors involved in this trial are relatives of President Obiang Nguema.

Please refer to UA 51/95 of 28 February 1995 and update of 8 March 1995 for further background information on this case.

RECOMMENDED ACTION: Please send telegrams/telexes/faxes in Spanish or in your own language:

- expressing concern that Pedro Masa Mba and Pedro Esono Masié could be sentenced to death imminently;
- explaining that Amnesty International opposes the death penalty on the grounds that it violates the fundamental right to life;
- calling on the President and the relevant authorities to exercise their power to grant clemency to Pedro Masa Mba and Pedro Esono Masié;
- expressing concern that the trial was unfair and that the defendants had no right of appeal against their conviction.

APPEALS TO:

President
General de Brigada Teodoro Obiang Nguema
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: Excelencia/Your Excellency

Prime Minister
Silvestre Siale Bileka
Primer Ministro
Gabinete del Primer Ministro
Malabo
Guinea Ecuatorial

Telegrams: Primer Ministro Siale Bileka, Malabo, Guinea Ecuatorial
Telexes: 5405 GBNOM 5405 EG
Salutation: Excelentísimo Señor/Dear Prime Minister

Minister of Justice
Francisco Javier Ndongo Mbengono
Ministro de Justicia y Culto
Ministerio de Justicia y Culto
Malabo
Guinea Ecuatorial

Telegrams: Ministro de Justicia Ndongo Mbengono, Malabo, Guinea Ecuatorial
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Salutation: Excelentísimo Señor/Dear Minister

Minister of Foreign Affairs
Miguel Oyono Ndong Mifumu
Ministro de Asuntos Exteriores
Ministerio de Asuntos Exteriores
Malabo
Guinea Ecuatorial

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Faxes: + 240 9 2320
Salutation: Excelentísimo Señor/Dear Minister

COPIES OF YOUR APPEALS TO: diplomatic representatives of Equatorial Guinea accredited to your country

PLEASE SEND APPEALS IMMEDIATELY