

£EQUATORIAL GUINEA @A dismal record of broken promises

1. INTRODUCTION

The atmosphere of insecurity, fear and oppression is almost palpable." (Amnesty International delegate visiting Equatorial Guinea in July 1994)

The government of Equatorial Guinea has repeatedly promised to improve human rights: these promises have turned out to be cynical and empty gestures. When the country's human rights record is under international scrutiny and donors threaten to cut aid, the government loosens its hold over opposition activities and says it will respect human rights. Once further aid has been pledged, the repression of political opponents resumes unabated and the security forces continue to act as a law unto themselves.

In theory Equatorial Guinea has had a multi-party political system since 1992. The reality is very different. Every day pro-democracy activists are harassed, arbitrarily detained for days or weeks and ill-treated. Opposition leaders have been convicted after manifestly unfair show trials on false charges of attempting to overthrow the state. Many have been tortured.

The population as a whole is at the mercy of the security apparatus. The security forces are not held accountable for their actions and obey no laws but their own will. The intimidating presence of the security apparatus is everywhere and ordinary citizens have no protection against abuses of power. Brutality and corruption are rife.

The number of people arbitrarily detained for exercising their right to freedom of expression has increased each year since 1992, especially in remote areas of the continental territory, Río Muni, which contains some 80 per cent of the population. Hundreds of political activists have been arrested and detained in appalling conditions without charge or trial. Members of opposition parties have been imprisoned for years as prisoners of conscience¹. Political detainees have been routinely tortured and ill-treated. People have been extrajudicially executed by members of the security forces; no one has been brought to justice for their deaths.

¹ Prisoners of conscience are people who are detained for their beliefs or because of their ethnic origin, sex, colour or language, and who have not used or advocated violence. Amnesty International campaigns for their immediate and unconditional release.

Amnesty International members around the world have long campaigned to improve respect for human rights in Equatorial Guinea. In early 1994, after a dramatic deterioration the previous year, Amnesty International published *Equatorial Guinea: A missed opportunity to restore respect for human rights*. In July 1994 Amnesty International delegates visited Equatorial Guinea. They noted some advances towards greater freedom of expression. For example, an independent weekly newspaper had been allowed to publish. However, the delegates concluded that the security forces continued to abuse their powers with impunity. Amnesty International has consistently called on the authorities in Equatorial Guinea to introduce human rights safeguards into law and to put such safeguards into practice. The organization and its members have repeatedly called for all human rights violations to be investigated and for those responsible to be brought to justice.

The human rights situation in Equatorial Guinea has been under consideration at the UN Commission on Human Rights for many years. Until 1992, the Commission provided advisory services to the government of Equatorial Guinea through an independent expert appointed to assist in restoring human rights. Although an element of scrutiny was included in the expert's mandate, there was no public assessment of whether the assistance provided was making a discernible contribution to the protection of human rights. The 1992 report of the independent expert, Professor Volio Jiménez, was highly critical of the government, and despite representations by the international community the situation continued to deteriorate. The Commission therefore decided in 1993 to appoint a Special Rapporteur to investigate human rights in Equatorial Guinea and to consider the country under item 12 of its agenda – the item dealing with violations in specific countries. The Special Rapporteur, Alejandro Artucio, visited Equatorial Guinea in late May 1995. He reported that he had observed slight improvements and had been given commitments by the government that it would improve respect for human rights. However, within weeks, opposition party leaders were in prison facing patently false charges, opposition party activists were jailed for reading party newspapers, and beatings and arbitrary arrests by the security forces continued unabated.

It is time for the government to fulfil the promises it has made since 1992. Arbitrary arrests and detentions, torture and ill-treatment, extrajudicial executions, unfair political trials and the imprisonment of prisoners of conscience should be halted at once. The cynical manipulation of human rights commitments to gain economic advantage while continuing to deprive the population of its fundamental freedoms must come to an end.

2. CONTEXT

The current repression in Equatorial Guinea is one more chapter in a long history of human rights violations endured by the people of this small West African country. Nearly a third of the population of about 350,000 are refugees. Since independence from Spain in 1968, Equatorial Guinea has had just two rulers. The first, Francisco Macías Nguema, presided over one of Africa's bloodiest dictatorships and the devastation of the country's economy and infrastructure. His nephew Teodoro

Obiang Nguema took over in 1979 and has maintained a ruthless grip on power ever since. He not only rules the government, but he and a narrow political elite containing many of his close relatives also control the security forces.

The adoption of a multi-party political system in 1992 has not led to greater respect for human rights. Each year the government has promised to improve the human rights situation and to allow democratic freedoms. Each year the government has found an excuse to renege on its commitments and launch further attacks on pro-democracy activists.

In March 1993 - at a time when the human rights situation in Equatorial Guinea was being debated by the UN Commission on Human Rights - the government signed a National Pact with 11 opposition parties grouped in the *Plataforma de Oposición Conjunta* (POC), Joint Opposition Platform. It agreed to reform laws curtailing civil and political rights but refused to improve the highly restrictive electoral law.

President Obiang Nguema suddenly announced in July 1993 that elections would be held in September; opposition parties declared that they would boycott them. The scale of human rights violations then reached a level not seen in the country for many years². Hundreds of opposition party activists were arrested and held without charge or trial. Many were brutally tortured. Three political detainees - all members of the *Unión Popular* (UP), Popular Union - died in custody during the year, allegedly as a result of torture. The authorities justified the repression by claiming to have uncovered plots to overthrow the government and accused Spain and the USA of complicity.

In a climate of extreme intimidation, elections were held in November 1993. They were widely agreed to be fraudulent. The ruling *Partido Democrático de Guinea Ecuatorial* (PDGE), Equatorial Guinea Democratic Party, won 68 of the 80 seats. The new Cabinet was made up exclusively of PDGE members and was expanded from 34 to 42 posts. The elections were held on the basis of an electoral register that was compiled in May and June 1993. Not only were people who were dead or under age put on the electoral list, but the whole operation was used to forcibly recruit members to the PDGE. The opposition had no chance to monitor the compiling of the electoral register, and the question of how and when a new electoral register should be compiled became a central political issue.

Spain - by far the major aid donor to Equatorial Guinea - halved its aid in protest at the deterioration in human rights, the harassment of Spanish citizens and the expulsion in December 1993 of the Spanish Consul in Bata, the capital of Río Muni. He had repeatedly denounced the

²See *Equatorial Guinea: A missed opportunity to restore respect for human rights*, AI Index No: AFR 24/01/94

human rights abuses committed by the authorities in Río Muni. Other donors followed suit – the European Union suspended all assistance in January 1994 and the United Nations Development Programme (UNDP) discontinued some projects.

Two months ahead of a crucial meeting between the main aid donors and the government, in April 1994, President Obiang Nguema opened parliament – the *Cámara de Representantes del Pueblo*, Chamber of People's Representatives. At the opening, President Obiang Nguema announced once more that human rights were to be respected and that he would adhere to the recommendations of the UN Special Rapporteur for Equatorial Guinea. The President called on the international community to assist Equatorial Guinea in the protection of human rights. He also announced that municipal elections would be held before the end of 1994, and that laws passed in 1992 and 1993, including the electoral law, would be redrafted by parliament with the collaboration of opposition political parties. However, the electoral law governing municipal elections was amended in late 1994 without any participation on the part of the opposition. In early 1995 both the constitution and the law governing presidential elections were altered, again without any consultation with the opposition. The amended laws and constitution have not been published, but it is known that the amended changes did not increase fundamental freedoms: they increased the powers of the President and failed to loosen the restrictions on opposition parties.

For the next few months, the human rights situation appeared to improve, especially in Malabo, the capital, on Bioko island. The Special Rapporteur visited the country in late May. On the basis of the slight improvements he observed and the commitments he was given, he recommended to the donor community that they resume aid.

In June 1994 representatives of the main donor countries met to discuss aid with the government. Representatives of opposition parties were also there. The government reiterated the promises it had made at the opening of parliament in April and agreed to revise the laws governing elections and the functioning of political parties in consultation with the opposition. It also committed itself to compiling a new electoral register with full participation and supervision by opposition parties, before drawing up a population census.

The donors agreed to resume their aid. They made their assistance conditional on improved respect for human rights, on progress in the democratization process and on improved bilateral relations with Spain. The conditions included the compiling of a new electoral register; revision and redrafting of the electoral law and all associated laws, such as those regulating political parties, associations and demonstrations; and the presence of international observers at the elections. Donors agreed to fund the electoral register provided it were carried out fairly and with opposition participation; the population census would attract automatic funding from the UN Population Assistance Fund (UNFPA).

At around the same time - mid-1994 - the IMF drew up a structural adjustment program for Equatorial Guinea, which entailed a drastic reduction in the public administration sector. The government used this as an opportunity to dismiss known political opponents from public administration posts. About 420 people lost their jobs, of whom 120 were said to be members of an opposition party, the UP. Many were members of the Bubi ethnic group, the indigenous population of Bioko island. Many of those dismissed were highly qualified teachers and doctors whose skills are scarce in Equatorial Guinea.

Despite its promises to the donor community that it would keep the electoral register and the population census separate, and would compile the electoral register first to avoid fraud, in September 1994 the government suddenly began to compile a population census. This entailed no opposition participation or monitoring. The opposition called for a boycott and violence and repression intensified once more (see below).

Negotiations between the government and the opposition resumed in January 1995. The government agreed to hold municipal elections during the first half of 1995. It also agreed finally to compile the electoral register with the participation of opposition parties. This electoral census was held between March and mid-April. Foreign governments assisted financially and opposition parties observed the process. In some areas the local authorities - government and PDGE representatives - tried to prevent observers from opposition parties from carrying out their task. Dozens of them were briefly arrested and beaten (see below). Others were beaten but not arrested.

3. REPRESSION OF THE OPPOSITION

The government of Equatorial Guinea has not demonstrated any will to improve respect for human rights in the country. Political reform has been motivated by the need to appease criticism from abroad and ensure continued economic aid, not by any genuine intention to allow the population to exercise their civil and political rights. Opposition parties have faced legal obstacles, have seen their members arrested and tortured, and have been denied their rightful place in the political process through election rigging and census fraud.

Human rights activists who attempt to document the repression have also been targeted. For example, while Amnesty International's delegates were in Equatorial Guinea in July 1994, **Deogracias Nguema**, president of the *Liga de Derechos Humanos de Guinea Ecuatorial* (LDHGE), Equatorial Guinean League for Human Rights, was detained. He was arrested in Malabo on 6 July while he was collecting testimonies from people who had recently been arrested. He was held in a police station until he was released without charge on 28 July.

Repression around the population census, September to November 1994

Tension mounted sharply in September 1994 after opposition parties called for a boycott of a population census. The government started the census despite having agreed first to compile an electoral register with opposition party participation. Opposition parties feared that the population census would be used to compile a fraudulent electoral register ahead of municipal elections.

Scores of people were arrested in late September 1994 in several parts of Río Muni for refusing to participate in the census: most were beaten. In Niefang district alone dozens of people were then arrested and ill-treated. Many were members of the *Partido del Progreso de Guinea Ecuatorial* (PPGE), Equatorial Guinean Progress Party, accused of inciting people not to participate in the census. According to reports, 17 PPGE members, including several women, were held in Niefang police station and ordered to pay "fines" of between 10,000 and 20,000 CFA francs. Both men and women were reportedly subjected to 50 lashes a day. Among them were **Fortunato Bacale**, 60-year-old **Santiago Engonga** and **Bacale Eworo**.

On 27 September 1994 six members of the *Unión para el Desarrollo Social* (UDS), Union for Social Development, including **Francisco Abaga Ecuá**, were arrested at their hotel in Niefang town. They had travelled to Niefang to attend a party congress which had been officially authorized. At least one - **María del Carmen Ada Ecuá** - was severely ill-treated.

Two members of the *Convergencia para la Democracia Social* (CPDS), Convergence for Social Democracy, and a PPGE member were detained for a few hours on 29 September 1994. They were reportedly beaten and forced at gun-point to stand in the rain for several hours before being released.

On 29 September 1994 a group of security personnel was sent to the village of Mosok, in Niefang district, to arrest people who refused to give their personal details to census officers. One, **Aguado Ndong Nguema**, apparently resisted arrest and was shot dead by a soldier. The government has denied that the incident occurred.

Three human rights activists who decided to visit Niefang to investigate the chaotic human rights situation there were themselves arrested on 6 October 1994. **Indalecio Abuy**, **Indalecio Eko** and **Tomas Nzo** - all members of the CPDS - were arrested at a barrier outside Niefang town by the *delegado de gobierno* (government representative), the Niefang chief of police and several soldiers and police officers. They were released after widespread international protests on 11 October but not allowed to leave Niefang for several days.

There were numerous arrests of political activists - many of whom were tortured or ill-treated - in the period of heightened repression that followed the census in late 1994. Most of the detainees, who were generally released within days, appeared to be prisoners of conscience.

Amancio Gabriel Nze, then Secretary General of the CPDS, was arrested by four security officers in October 1994 in Malabo. About one month earlier he and one of the officers who arrested him had been involved in a minor car accident and, following a court case, Amancio Gabriel Nze had paid the security official a sum of money in compensation. On the night of 7 October, the four security officers followed Amancio Gabriel Nze as he left a bar, stopped him in the street and asked him for money. When he refused they ordered him to follow them to the police station, but he again refused as they had no arrest warrant. The four then beat him, tore his clothes and dragged him to the police station where he was accused of assaulting the four officers. He was released five days later.

Plácido Micó, currently Secretary General of the CPDS and a former prisoner of conscience, **Victorino Bolekia Bonay**, Vice-president of the *Alianza Democrática Popular* (ADP), People's Democratic Alliance, and **José Mecheba Ikaka**, President of the *Unión Democrática Nacional* (UDENA), National Democratic Union, were arrested in Acalayong on 9 October 1994 soon after they had crossed the border from Gabon, where they had been attending a conference in Libreville. The next day they were transferred to the police station in Bata. All three were tortured. They were released uncharged several days later.

A former army sergeant, **Jacinto Nculu**, was arrested on 16 October 1994 in the street in Malabo in front of one of his children. The officers arresting him said that he was being arrested because of an old Spanish army magazine in his possession: he was told that as he was no longer a soldier he should not read military publications. He was held without charge or trial until March 1995. Jacinto Nculu was a former prisoner of conscience who had only been out of jail since June 1994: he had served nine months of a 24-year prison term imposed in September 1993.

Five leading members of the PPGE were arrested in late November 1994 in Rebola, about 20 kilometres from Malabo, because they had held a discussion in a private house about the census. They included **Fernando Jones Castillo**, **Petra Masanbany**, and **Pedro Lenin Phao**. They were arrested by the local military chief on 20 November and moved to Malabo central police station the next day. However, when PPGE members telephoned the Minister of Interior and the Bioko government representative on 22 November asking about the detainees, the Minister said he knew nothing of their detention. That very day they were moved into the Ministry of Interior and then to the provincial government building. They were told that they had to pay a "fine" because they had held a meeting without permission. Fernando Jones Castillo reportedly refused, saying he would rather go to prison than pay the fine because he had not done anything illegal. The five were released after paying a reduced fine.

Arrest of CPDS members

In late November 1994 the first-ever opposition party congress was held in Equatorial Guinea when the CPDS held a congress in Bata. However, several CPDS members were arrested in the weeks before the congress.

Jorge Ondo Esono and **Antonio Abogo** were arrested on 19 November 1994 in Akonibe, southeast Río Muni, shortly before they left for the CPDS Congress in Bata. They were apparently subjected to severe beatings with one-metre long rubber batons: 50 strokes, morning and evening.

Marcos Manuel Ndongu, the CPDS delegate for Europe who normally lives in Spain was arrested on 23 November 1994 in Bata. He suffers from a heart complaint and was allowed a visit from a doctor the next day. On 25 November he was questioned for four hours about his political views and activities and about the speech he intended to give at the CPDS Congress. He was held without charge for several days and then expelled to Spain although he is an Equatorial Guinean citizen. This expulsion appeared to be illegal.

Juan Nzo, the CPDS Vice Secretary General, returned from a trip to Spain on 7 May 1995 and had his newspapers, books and computer disks confiscated. The following day he went to the police station to recover them and was arrested after he refused to sign a statement saying that he had introduced "subversive material" into the country. He was released after two days but a week later the police came to fetch him and told him he had been summoned to appear before a military judge for questioning. He refused to go. On 22 May, after hearing that a police patrol was looking for him and threatening to beat him, he went into hiding. When the police could not find him they went to his house and took his wife.

Elvira Lawson Otavenga, the wife of Juan Nzo, was arrested on 23 May apparently for no other reason than to put pressure on her husband to come out of hiding. She was forced to leave her 14-month baby daughter behind in her house unattended. She was held for two days before being released.

A number of people have been arrested recently for being in possession of the CPDS newspaper *La Verdad* (The Truth), despite laws supposedly guaranteeing freedom of expression. Rafael Obiang, a leader of the *Convergencia Social Demócrata y Popular* (CSDP), Social Democratic and Popular Convergence, was arrested on 24 May 1995 because he had "many" copies of *La Verdad* in his possession. About 15 people, several of them students, were arrested in Malabo the following day for reading the paper. Two days later Celestino Bacale and Andrés Esono, two CPDS members, were arrested in Malabo for distributing it. Rafael Obiang, Celestino Bacale and Andrés Esono were held for several days and released only after paying fines of 25,000 CFA francs each. The April/May issue of *La Verdad* contained criticisms of the amendments to the constitution and electoral law governing presidential elections. For example, *La Verdad* states that the revised law requires Presidential candidates and their parents to have been born in Equatorial Guinea, although

President Obiang Nguema was himself born in Gabon. The issue also criticized the trial of **Severo Moto** and others (see The trial of the PPGE leadership, below).

The electoral census, March/April 1995

Scores of peaceful political party activists delegated to observe the electoral census from March to mid-April 1995 were arbitrarily arrested. Many were beaten, and about 12 were briefly detained.

For example, **Norberto "Tito" Mba Nze**, the local CPDS representative in Akonibe, Río Muni, was arrested on 10 April 1995. He was beaten on the soles of his feet and other parts of his body. When CPDS members were allowed to see him three days later in Akonibe police station, they said he had difficulty walking and his left arm was injured. He told them, in the presence of police officers, that he had been arrested for trying to perform his duties as an electoral census observer. Norberto "Tito" Mba Nze, a car mechanic in his late thirties, has been detained before for his peaceful political activities, most recently in February 1994 when he was detained and tortured for criticizing the behaviour of the government representative in the area. Then he was held for a week and the government denied that he had been tortured or even arrested.

Arrested with him were election census observers **Baltasar Nsogo Ntumutu**, another CPDS member, and **Pascual Nsomo Mba**, a member of the PPGE. The previous day PPGE members and census monitors **Elías Nso Ondo** and **Avelino Mocache** were arrested in Evinayong, Centro-Sur province.

Indalecio Abuy, who had been arrested in September 1994 when trying to investigate human rights abuses in Niefang district, was arrested again on 15 April 1995 by four plainclothes security personnel. He was taken to a military camp formerly occupied by Moroccan troops³ some five kilometres from Bata on the airport road. He was held for two days. He was beaten on the buttocks and back with high tension cable. Two security personnel held him down, while two beat him. Before they beat him on the back, they made him wear a padded jacket, so that he would not be marked. Then cold water was thrown on him before he was put in a small cell.

³Up to 800 Moroccan troops were seconded to Equatorial Guinea under a bilateral agreement signed in 1979. Most of them were withdrawn in August 1993. About 30 remained as President Obiang Nguema's personal bodyguards.

The trial of the PPGE leadership, April 1995

The authorities in Equatorial Guinea have often accused opposition political parties of plotting, together with soldiers, to overthrow the government. These accusations have generally emerged at politically sensitive times, such as before elections. The authorities have rarely produced any evidence of such plots but have used the allegations to persecute their opponents.

In February 1995 several leading members of the PPGE and dozens of soldiers were arrested in Río Muni and Malabo and accused of plotting to overthrow the government. They were held in the grounds of the Presidential Palace in Bata before being transferred to Malabo for trial. The defendants included four leading members of the PPGE, among them its President, Severo Moto, and its Secretary General, **Agapito Ona**. Several other defendants were soldiers, including retired **Lieutenant Colonel Pedro Esono Masié** and **Leoncio Miká**, director general of the military academy in Bata and a relative of the Vice-President of the PPGE.

The trial was held with very little warning on 19 April 1995 in a cinema in Malabo. It lasted just seven hours. The court used summary procedures which severely restricted the rights of the defence. All the five judges were military: two were cousins of President Obiang Nguema. One was the army Chief of Staff and one the brother of the Minister of Interior.

All the defendants with the exception of Severo Moto had difficulty walking and some apparently also found it difficult to sit. Agapito Ona could not walk at all. **Pedro Massa Mba**, a soldier, had two broken arms; **Norberto Nculo**, a leading PPGE member, also had a broken arm. All those questioned except Severo Moto stated in court that they had been tortured.

They said they had been held naked, some for up to a month, inside a locked cupboard measuring just 70 centimetres by 50 centimetres. They were deprived of food; one piece of bread a day was all they had. At night they were taken into the forest where their arms and legs were tied, they were hung from poles and beaten. They were asked questions about the "plot" and told to sign a prepared statement. All refused except Pedro Massa Mba, who eventually gave in and signed a statement that there was a plot and that Severo Moto had asked him to recruit soldiers to help overthrow the government. At the trial he admitted signing the statement but said he had done so only because he was being tortured.

Most of the defendants were called to give evidence. Many could hardly stand. They were asked about statements they had made in custody, but when they said they had made them under torture the line of questioning changed and the statements were not referred to again.

The only evidence presented by the prosecutor was a letter written in 1992 by Severo Moto to **Pablo Ndongo Nsema**, a PPGE member who had gone into hiding and was tried *in absentia*. The letter discussed the possible military reaction to peaceful democratic change. Nowhere did it mention the use of violence.

Severo Moto, President of the Progress Party
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Sentence was passed on 24 April 1995. Severo Moto was sentenced to 28 years' imprisonment and Pedro Massa Mba to 30 years. Agapito Ona and Pablo Ndongo were sentenced to 20 years and five soldiers to between six months and 12 years' imprisonment. One soldier was acquitted.

Severo Moto was already serving a two-and-a-half-year prison sentence imposed after an unfair trial on 6 March 1995. He was convicted with **Tomás Elo**, treasurer of the PPGE, of defaming President Obiang Nguema and corruption. At the trial the defence were denied the right to call certain witnesses and the prosecution failed to present evidence to support their charges.

The persecution of Severo Moto has extended to his family. Five of Severo Moto's brothers and a sister-in-law were arrested in August 1994 in Akok, Niefang. They were accused of murdering their nephew, **Vicente Mba Moto**, whose death by hanging was reportedly certified as suicide by both a forensic doctor and the district judge in charge of investigating the death. The six members of the Moto family were tortured to make them confess to killing their nephew and to make statements

discrediting Severo Moto. Three brothers were released but two and the sister-in-law were charged and tried in Niefang in September 1994. Before their trial the defendants were shown on television, and statements they had made under torture were broadcast. The court apparently admitted these statements as evidence. **Santiago Moto** was convicted of homicide and sentenced to 10 years' imprisonment. The other two defendants were acquitted. Earlier, in July 1994, Severo Moto's father was reportedly offered a large sum of money by a government official to disown his son.

The "Kogo case" trial, July 1994

In another grossly unfair political trial in July 1994, 16 people were sentenced to long prison terms. In March 1994, 15 Equatorial Guineans who had been working in Gabon returned to Equatorial Guinea and were arrested in Acalayong, in southwest Río Muni. Five others evaded arrest but one, former police sergeant **Antonio Ndong Nve**, was found five days later by soldiers. According to reports, he surrendered but instead of arresting him, one soldier shot him in the forehead and the other shot him through the ear after he fell to the ground. They then buried his body.

The 15 people arrested were accused of attempting to attack the local military barracks as part of a plot to overthrow the government. They were taken to Bata prison where they were severely tortured. Two other people - **María Teresa Akumu** and **Eustaquio Bacale** - were arrested for allegedly sheltering those who had evaded arrest. They too were imprisoned in Bata, where conditions are extremely harsh and where food is not provided for prisoners.

Seventeen defendants were tried by a military court in July 1994 on charges of attempting to undermine the security of the state. Sixteen were convicted and one was acquitted. **Juan Mongomo Evolo** and **Rosendo Endong Nguema** each received 30-year prison sentences, 12 defendants were each sentenced to 25 years' imprisonment, and two, including María Teresa Akumu, received 12-year sentences.

Their trial was manifestly unfair. No evidence was produced during the trial to show that these prisoners had used, intended to use, or advocated the use of violence. None of the defendants had any chance to reply to the charges. They all protested, to no avail, that they had been tortured and starved of food by the prison authorities. All showed visible signs of torture. There was no right of appeal.

One, 18-year-old María Teresa Akumu, was apparently jailed only because of her relationship with the deceased former police sergeant Antonio Ndong.

It emerged at the trial that a group of about 20 Equatorial Guineans in Gabon had been offered jobs in Equatorial Guinea by Antonio Ndong, who had been living in Gabon since 1993. The group crossed the border late in the evening of 25 March 1994 and stopped for the night in the

forest in Acayalong. Some of the prisoners said at the trial that Antonio Ndong then told them that the real reason he had recruited them was to raid the local military barracks. They said that they had refused: some left immediately to return to Gabon, others decided to wait until morning. However, early in the morning of 26 March soldiers appeared, started shooting, and captured and arrested 12 of them. Others were arrested later in Kogo.

Juan Mongomo Evolo, who had been sentenced to 30 years' imprisonment, escaped from prison, but was recaptured in December 1994. On 14 December he was tried by a military court on charges of attempting to undermine the security of the state (an offence for which he had already been convicted) and escaping from prison. On 15 December he was sentenced to death and the next day he was executed.

Repression of Bubis

There are several ethnic groups in Equatorial Guinea. The main ones are the Bubi, the indigenous population of Bioko Island, and the Fang, the largest group on the mainland. Generally speaking, the ethnic groups co-exist peacefully. However, Bubi nationalism is on the increase, with Bubis complaining that they were excluded from wealth and power after independence.

Members of the Bubi ethnic group are especially at risk of arbitrary arrest and ill-treatment by members of the security forces. The daily instances of casual violence by the security forces go unreported and unrecorded: with no chance of redress there is no incentive to lodge complaints.

The advent of multi-party politics saw the creation of a Bubi party, the *Movimiento para la Auto-determinación de la Isla de Bioko* (MAIB), Movement of the Self-determination of Bioko Island. It was formed in November 1993, just before the elections, but has not yet been recognized as a legal political party. In 1994 there were some negotiations with the government over registration but they all broke down. In September 1994 MAIB boycotted the population census and in March and April 1995 called for a boycott of the electoral census. The boycott call was very widely followed.

Several groups of people were arrested on Bioko Island between March and May 1994 for allegedly belonging to MAIB. They included **Weja Chicampo**, a leading member of MAIB, who was arrested on 5 May 1994 in Rebola during a family birthday party. Members of his family and friends were also briefly detained. A week after his arrest Weja Chicampo was interrogated by security officials for several hours on two consecutive days. The interrogation was filmed and an edited version was later shown on television. Two others accused of belonging to the MAIB were interrogated with Weja Chicampo but they were not detained. Weja Chicampo was one of nine detainees released uncharged in an amnesty in June 1994 to mark President Obiang Nguema's birthday.

In the second half of May 1995, about 20 members of the Bubi ethnic group were arrested in Riaba, about 75 kilometres southeast of Malabo. They were among hundreds of people who had marched to Riaba from Bahó Grande to demand the release of a man called **Plácido Rope Bomasa** who had been arrested the day before. Plácido Rope was arrested for denouncing the arbitrariness of the authorities. At around the same time, Weja Chicampo was arrested in Baney and taken to Basacato where he was detained.

4. SECURITY FORCES OUT OF CONTROL

The security forces are apparently governed by no law: they are a law unto themselves. They are accountable to no courts or any other judicial or legislative authority. Particularly outside the capital, the population is at the mercy of forces who commit abuses with impunity.

Widespread human rights violations are committed by members of the security apparatus, known as *Seguridad Nacional*, National Security Police. The security apparatus comprises the military, the police, and the Presidential Guard made up of Moroccan soldiers and *Antorchas* (Torches), a paramilitary force recruited from the PDGE youth wing. The *Antorchas*, also known as "ninjas" because of their black uniforms, were set up in 1992 ostensibly to protect Central African heads of state who were attending a meeting in Bata. They were trained and equipped by military personnel attached to the French Embassy. These forces overlap and members of the various security forces operate together at times.

Security forces member ("ninja")
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There are various branches of the police, all armed, including the National Police (also known as public order police) and gendarmes. Amnesty International delegates visiting Equatorial Guinea in 1994 were told that a judicial police force had been established, but there is no evidence that it is functioning yet. The army is between 3,000 and 10,000 strong, and although in theory it has no law enforcement role, soldiers are often found manning road blocks. The navy and airforce are tiny.

A large number of civilians - including PDGE members, government officials and members of the judiciary - are also members of the security apparatus. Arrests are carried out by all members of the security apparatus, whether soldier, National Police officer, gendarme or PDGE member. They

are generally carried out without warrant, on the orders of the political authorities without any reference to the courts.

All over the country, security personnel man road blocks, demanding payment from travellers and beating those who cannot or will not pay. Amnesty International delegates visiting Equatorial Guinea in July 1994 were stopped at a "clandestine" roadblock by police demanding 10,000 CFA francs to let them pass. It took patient discussion, as well as the letters of accreditation, before they were allowed to go. Elsewhere, local government officials tried to prevent the delegates travelling to a nearby town.

Every year a handful of unarmed Equatorial Guineans are extrajudicially executed by the security forces. Those responsible are never brought to justice. In April 1995 a 23-year-old law student, **Francisco Sulecopa Bapa**, was shot dead at close range by a policeman in Basapú on Bioko island. The bullet went through his body and injured a 14-year-old girl, **Africa Ebuera**, who was in the house at the time. He had apparently been accused by a neighbour of stealing a ventilator. The policeman was tried a week later in connection with the death; he was acquitted. In 1994, there were several reports of killings by the security forces, at least two of which appeared to have been extrajudicial executions. The deaths of Antonio Ndong in March 1994 and Aguado Ndong Nguema in September are described above. In both cases the men were shot dead at point blank range by soldiers. In neither case was there any investigation by the authorities into what had happened. The government denied that Aguado Ndong Nguema had been killed. In May 1995, according to unconfirmed reports, a member of the CSDP was killed in the forest in Evinayong by a member of the local authority.

Until the behaviour of the security forces is regulated and checked by the rule of law, any human rights improvements will be partial and temporary.

5. RECOMMENDATIONS

Amnesty International calls on the government of Equatorial Guinea to introduce into law and put into practice the human rights safeguards which it has repeatedly promised to respect. It urges the international community – other governments and the UN – to use their influence to ensure that the long years of repression in Equatorial Guinea are brought to an end.

Recommendations to the government of Equatorial Guinea

1. Amnesty International is aware of no laws or regulations governing the establishment, powers or procedures of the security apparatus. The government should therefore make public any laws or regulations which do exist. The government should also incorporate into national law the provisions

of the International Covenant on Civil and Political Rights (ICCPR) and the African Charter on Human and People's Rights which it ratified in 1986 and 1987, respectively.

2. Changes to law and practice should have the objective of halting long-terms patterns of human rights violations by:

- ending the torture and ill-treatment of detainees;
- ending arbitrary arrest;
- ensuring that all trials are conducted in accordance with Article 14 of the ICCPR and that military jurisdiction is restricted to purely military matters; - abolishing the death penalty;
- allowing full rights to freedom of expression and association.

As a first step, the government should immediately stop harassing, detaining or torturing people for the non-violent exercise of their rights to freedom of expression or assembly.

3. The government should accede to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the Optional Protocol to the ICCPR.

4. The government should establish mechanisms for the prompt, thorough and independent investigations of all reported human rights violations and bring to justice all officials suspected of involvement in human rights violations. The government should respond in detail to the cases described in this report – as well as to any others raised by other human rights organization or by the UN or Organization of African Unity's institutions focusing on human rights. It should investigate the cases, identify those responsible for human rights violations and bring them to justice.

5. The government should make clear its commitment to real and measurable reform by publicly stating that it will undertake the steps listed above.

Recommendations to the United Nations:

6. The UN Special Rapporteur and the Centre for Human Rights should confirm that the government has the political will to make real and measurable progress towards the protection of human rights before initiating any program of technical assistance.

7. The UN Centre for Human Rights should carry out a full needs assessment before initiating any program, taking into account the reports of the UN Special Rapporteur for Equatorial Guinea and information from national, regional and international non-governmental organizations as well as from the government. This needs assessment should inform the design of the program to ensure that it has maximum effect in halting human rights violations.

8. The training courses and seminar proposed by the UN Special Rapporteur for Equatorial Guinea should aim to bring law and practice in Equatorial Guinea into conformity with international and regional human rights standards. They should include the participation of national non-governmental organizations and information on their role in preventing human rights violations.

9. The technical assistance program should have as an objective assisting the government to compile and submit its initial report on its implementation of the ICCPR to the Human Rights Committee as this report was due in 1988.

10. A full evaluation of the program should be carried out and made available to the UN Special Rapporteur for Equatorial Guinea for inclusion in his next report to the Commission on Human Rights.

Recommendations to other governments:

11. Governments providing aid or other assistance to Equatorial Guinea should bear the above recommendations in mind and endeavour to provide aid or assistance that will contribute to their prompt implementation.

12. Governments should give careful attention to the report of the UN Special Rapporteur for Equatorial Guinea to the 52nd session of the UN Commission on Human Rights, including the evaluation of the technical assistance program, and take all necessary steps to ensure that law and practice in Equatorial Guinea are being brought into conformity with international and regional human rights standards

APPENDIX

COUNTRY INFORMATION

Population:

Total population - estimated in 1989 census to be 341,000

Population density - just over 12 inhabitants per sq km.

About 80% of the population live in Río Muni.

Ethnic groups:

The main ethnic group in Río Muni is the Fang who account for 80% to 90%. There are subdivisions within the Fang: the Ntumu Fang, found in the northern half of Río Muni and the Okak Fang in the southern half. Other smaller ethnic groups, namely the Kombe, Balengue and Bujeda, were pushed towards the sea by the expanding Fang and now live along the coastal area of Río Muni. The Bubi, the indigenous population of Bioko, predominate there although an increasing number of Fang also live on the island. Minority communities include a few thousand "Fernandinos" of Bioko island (descendants of former slaves who formed a local bourgeoisie in colonial times), and Europeans.

Languages:

The official language is Spanish. Fang is widely spoken in Río Muni and Bubi in Bioko. Pidgin (a mixture of English and other languages) and Ibo are also widely understood. French is taught in secondary schools and is widely understood.

Religion:

The majority of Equatorial Guineans are Christians, predominantly Roman Catholic (94%). A small number belong to the protestant Reformed Church of Equatorial Guinea. Traditional forms of worship are also practised.

Aid donors (countries/agencies):

Spain

France

World Bank

IMF (International Monetary Fund)

EU (European Union)

ADB (African Development Bank)

OCCGE (*Oficina para la Cooperación con Guinea Ecuatorial* - Administers bilateral aid from Spain)