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Equatorial Guinea: Alleged mercenaries and opposition activists at grave risk of torture and death

Amnesty International is concerned about the safety of at least 14 foreign nationals who have been detained incommunicado for 10 days at Black Beach prison in the capital Malabo. Amnesty International is also concerned about the safety of a leading opposition activist, Weja Chicampo, who has been detained incommunicado at the same prison since 4 March. Torture of detainees is a routine practice in Equatorial Guinea.

Reports indicate that some, if not all of the foreign nationals, have been severely tortured allegedly leading to the death of one of them, Gerhard Eugen Nershz, on 17 March. Weja Chicampo has been reportedly severely tortured and denied access to the food brought by his family to the prison.

The detained foreign nationals are part of a group of 15 arrested on 9 March 2004 in Malabo and accused of being mercenaries and plotting a coup against the President of Equatorial Guinea, Teodoro Obiang Nguema Mbasogo. The majority of these detainees are South African nationals. Their alleged activities and arrests have been linked to the arrest of 64 other suspected mercenaries in Zimbabwe on 7th March 2003.

The day after the arrests in Equatorial Guinea, one of the detainees, Nick du Toit, who was presented as the leader of the group, reportedly said on national television that their mission was to abduct President Obiang and force him into exile in Spain and to replace him with Severo Moto, an opposition leader in exile in Spain.

Information gathered by Amnesty International indicates that the detainees are being held in extremely poor prison conditions and are being subjected to torture which may have led to the death of Gerhard Eugen Nershz, a German citizen. The authorities publicly admitted his death but attributed it to "cerebral malaria".

Mr. Gerhard Eugen Nershz was taken to the hospital from prison some hours before his death. People who saw him reported that he bore visible marks of torture on the hands and feet. Another detainee, N G "Bones" Boonzaaier who was already ill prior to his arrest, has been denied any medication, at least until an official South African delegation was permitted to see the detainees on 18 March.

The authorities of Equatorial Guinea said that they intend to try the alleged mercenaries on charges which could entail the death penalty. Amnesty International is concerned that these detainees could be

subjected to an unfair trial which is a pattern in Equatorial Guinea.

Amnesty International is also gravely concerned about the health and safety of Weja Chicampo, leader of the *Movimiento para la Auto-determinación de la Isla de Bioko* (MAIB), Movement for the Self-determination of Bioko Island, arrested on the 4 March for unknown reasons. The authorities have allowed no-one access to him in his cell at Black Beach Prison. Amnesty International fears that his life might be in danger.

"The authorities should immediately end any acts of torture and ill-treatment of the detainees and immediately allow unimpeded access to them by lawyers, independent medical practitioners, family members and consular officials," Amnesty International urged.

Furthermore, the organization is calling for an urgent, full, independent and impartial inquiry into the death of Gerhard Eugen Nershz and for the results to be made public.

In respect of the allegations of mercenary activity, Amnesty International reiterates its opposition to all military, security and police transfers which contribute to human rights violations. Mercenaries operate outside the normal military justice system and normal military command structures. Accordingly the organization has welcomed efforts, such as under South Africa's Foreign Military Assistance Act, to establish legislative controls over mercenary activities. However any person arrested on suspicion of such activities has the right not to be subjected to torture and the right to a fair trial.

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