

URGENT ACTION

JAILED HUMAN RIGHTS DEFENDER AT RISK OF TORTURE

On 1 March, Anacleto Micha Ndong, an Equatoguinean human rights defender, was transferred to the Malabo prison of Black Beach on pre-trial detention. He has been accused of outrage and calumny by a gendarme who Anacleto had accused of torturing him the last time he was detained in Black Beach, in 2023. This gendarme still works at Black Beach so there are serious concerns for the human rights defender's safety. On 26 January, the human rights defender was violently arrested at his home, in Malabo and held for 33 days at the Malabo gendarmerie station, without knowing the charges against him. Anacleto Micha Ndong is detained solely for peacefully exercising his human rights. The authorities must immediately release him.

TAKE ACTION: WRITE AN APPEAL IN YOUR OWN WORDS OR USE THIS MODEL LETTER

Teodoro Obiang Nguema Mbasogo
Palacio Presidencial de Guinea Ecuatorial
Avenida de Libertad,
Malabo, Guinea Ecuatorial

His Excellency,

I am writing to you regarding Equatoguinean human rights defender **Anacleto Micha Ndong**, a member of the civic platform, 'Guinea Ecuatorial también es nuestra'.

On 1 March, Anacleto Micha Ndong was sent to the Malabo prison of Black Beach where he is currently detained on pre-trial detention. He has been accused of outrage and calumny by a gendarme who works at Black Beach prison, after Anacleto Micha Ndong started proceedings against him for allegedly torturing him the last time he was detained at Black Beach, in 2023. There are therefore serious concerns for the human rights defender's safety as he is now at risk of torture and other ill-treatment.

On 26 January, Anacleto Micha Ndong was arrested in his house in Malabo, Equatorial Guinea's capital, by four members of security forces in civilian clothes. When he refused to go to the police station, on account of them not having presented an arrest warrant, the men forcibly entered his house, jumping on Anacleto Micha Ndong and beating him. Facing the pleas of his oldest son, Anacleto Micha Ndong stopped resisting and was driven to the gendarmerie station.

Once at the station, Anacleto Micha Ndong was questioned about some fires that took place a little while before at Malabo's promenade. The security officers were insinuating that he was the originator of these fires despite not having any evidence against him. However, neither he nor his lawyer were informed of the charges against him for his detention. Anacleto Micha Ndong has been detained for more than a month without seeing a judge or knowing the charges against him, which renders his detention without legal basis and thus arbitrary. Moreover, the arrest and detention seem to be motivated by his activism, especially his critical posts against the government on social media.

Both the African Charter of Human and Peoples' Rights and the International Covenant on Civil and Political Rights to which Equatorial Guinea is a state party establish an obligation to respect and protect the rights to freedom of opinion and expression and liberty.

I therefore urge you to ensure that Anacleto Micha Ndong is immediately released from arbitrary detention and is not subjected to torture and other ill-treatment pending his release. I also urge you to ensure his allegations of torture are promptly, thoroughly, impartially, independently, transparently and effectively investigated and anyone suspected to be responsible is brought to justice in fair trial.

Yours sincerely,

ADDITIONAL INFORMATION

Anacleto Micha Ndong is an Equatoguinean human rights defender, active on social media, and member of the civic platform *Guinea Ecuatorial también es nuestra*, that opts for pacific contestation and political dialogue in the country.

This is not the first time Anacleto Micha Ndong has been arbitrarily detained. In September 2022, he was arrested after police laid siege to the Citizens for the Innovation (CI) political party office in Malabo. Dozens of CI supporters, arrested alongside him, were convicted receiving sentences of between nine and 29 years in prison. Anacleto Micha Ndong initially faced the same charges over the same CI event, even though he was arrested four days before the others (when he visited the office to see whether party supporters under siege needed assistance). His charges were subsequently changed to “contempt against authority” and his case sent to ordinary court. On 19 May 2023, he was sentenced to six months in prison and fined XAF 100,000 (around EUR 152). He was released on 23 June 2023, after nine months in detention.

In July 2023, a few weeks after he was released, he submitted a complaint against a member of the Gendarmerie working at Black Beach prison that he accused of torturing him during his detention. The gendarme responded in January 2024 with another complaint against Anacleto Micha Ndong for outrage and calumny. The case is still before the national court however, on 8 February 2024 the Court of Instruction nº 3 from Malabo responded to the gendarme’s complaint, issuing a Court order stating pre-trial communication detention in Black Beach for Anacleto Micha Ndong. To date, there has been no investigation into Anacleto Micha Ndong’s torture allegations.

Witnesses to Anacleto’s arrest on 26 January 2024 described it as a very violent event. The gendarmerie officers beat him, allegedly put his head in a bucket of water and teared his shirt in front of his children who were crying in panic.

PREFERRED LANGUAGE TO ADDRESS TARGET: Spanish, English
You can also write in your own language.

PLEASE TAKE ACTION AS SOON AS POSSIBLE UNTIL: 8 MAY 2024

Please check with the Amnesty office in your country if you wish to send appeals after the deadline.

NAME AND PRONOUN: Anacleto Micha Ndong (he/his/him)