

PUBLIC

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Enforced disappearance/incommunicado detention/fear of torture or ill-treatment

EQUATORIAL GUINEA    Fabián Ovono Esono (m)  
                                 José Ndong (m)

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The two men named above, who fled from Equatorial Guinea to Nigeria in 2003 to escape a crackdown on people suspected of involvement in a coup against the president, were reportedly abducted in Nigeria and returned to Equatorial Guinea in December 2008.

The Equatorial Guinean authorities have not confirmed that they have been detained, or where they are. However, according to information received by Amnesty International, since their abduction and subsequent transfer to Equatorial Guinea, they have been held in prison in Bata, the main city on the country's mainland, handcuffed and kept in isolation from the other prisoners, which amounts to cruel, inhuman and degrading treatment.

Fabián Ovono Esono and José Ndong fled Equatorial Guinea after a wave of arrests of serving and former military officers, their families and friends, who were accused of plotting a coup against President Obiang Nguema Mbasogo. The man accused of leading the coup, a former army colonel, was illegally arrested in Cameroon in October 2008 and returned to Equatorial Guinea (see UA 288/08, AFR 24/013/2008, 21 October 2008). Fabián Ovono Esono was reportedly tried in his absence in February 2004 in connection with the alleged coup plot, and sentenced to two years' imprisonment.

In early February 2009 a delegation from the Ministry of Justice visited Bata prison and was able to visit the prisoners. However, they were not shown Fabián Ovono Esono or José Ndong.

#### **BACKGROUND INFORMATION**

A number of Equatorial Guinean refugees who have fled to neighbouring countries are known to have been abducted by Equatorial Guinean agents, often with the connivance of those countries' security forces. In 2004, five Equatorial Guineans were arrested in Libreville, the capital of Gabon, and handed over to the Equatorial Guinean authorities. They were held incommunicado for two years, and then charged with "undermining the security of the state," and treason. They were sentenced after an unfair trial to up to 20 years in prison. In 2005, four Equatorial Guinean refugees living in Benin and Nigeria were abducted by Equatorial Guinean agents, working in connivance with the Nigerian security forces. They were tried in their absence, despite the fact that they were in the country, in unfair proceedings in September 2005, and received long prison terms. One was released after a presidential pardon in June 2008, but the other three are still held incommunicado.

#### **RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in Spanish or your own language:**

- expressing concern that Fabián Ovono Esono and José Ndong have been subjected to enforced disappearance;
- calling on the authorities to make public the whereabouts of Fabián Ovono Esono and José Ndong;
- calling on them to ensure that Fabián Ovono Esono and José Ndong have immediate access to a lawyer, their families and any medical attention they may require;
- urging them to ensure that Fabián Ovono Esono and José Ndong are held in conditions that meet international law and standards for the treatment of prisoners, and not tortured or otherwise ill-treated;

- expressing concern at reports that they were abducted in Nigeria by Equatorial Guinean agents, and calling for an investigation into this, with the results made public and those responsible brought to justice;
- urging the authorities to put an end to the practice of abducting Equatorial Guinean citizens abroad.

**APPEALS TO:**

President

General Teodoro Obiang Nguema Mbasogo

Presidente de la República

Gabinete del Presidente de la República, Malabo, Equatorial Guinea

**Fax: +240 09 3313/ 3334**

**Salutation: Excelencia/Your Excellency**

Attorney General

Sr. Don José Oló Obono

Fiscal General de la República, Fiscalía General de la República, Malabo, Equatorial Guinea

**Fax: +240 09 1338**

**Salutation: Sr Fiscal/ Dear Attorney General**

Minister of National Security

Sr Don Nicolás Obama Nchama

Ministro de Seguridad Nacional, Dirección General de Seguridad Nacional, Malabo, Ecuatorial Guinea

**Fax: +240 09 8259**

**Salutation: Sr. Ministro/Dear Minister**

**COPIES TO:**

Minister of Foreign Affairs

Pastor Michá Ondó Bile

Ministro de Asuntos Exteriores y Cooperación Internacional

Ministerio de Asuntos Exteriores y Cooperación Internacional, Malabo, Guinea Ecuatorial

**Fax: +240 09 3132/2320**

and to diplomatic representatives of Equatorial Guinea and Cameroon accredited to your country.

**PLEASE SEND APPEALS IMMEDIATELY.** Check with the International Secretariat, or your section office, if sending appeals after 16 April 2009.