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Equatorial Guinea: Relatives of two escaped prisoners detained without charge or trial for a year

As Equatorial Guinea celebrates its 43rd anniversary of independence from Spain, human rights violations, including holding people hostage, arbitrary arrest and incommunicado detention without charge or trial continue. At least 30 people remain in prison without charge or trial following their arrest in October and November 2010. Most appear to have been arrested for their family and friendship links with two political prisoners who escaped from Evinayong prison, on the mainland, on 12 October 2010. To date, they remain in incommunicado detention, without access to lawyers, family members or to medical care.

The detainees, including several women and an infant, are relatives and friends of the escaped prisoners and of those suspected of aiding the prisoners' escape.

Some 100 people were reportedly arrested without a warrant in and around the city of Bata, on the mainland, in October and early November 2010, after two prisoners escaped from Evinayong prison on or around 12 October 2010. Those arrested include close relatives and acquaintances of the escaped prisoners; relatives of people suspected of aiding the prisoners' escape; as well as the families of four soldiers and the chief of Evinayong prison who reportedly fled with the prisoners. Soldiers, prison guards and the military commander for the Centro-Sur Region were also arrested in Evinayong. Most of the detainees are being held in Bata Prison, while some military officers are being held in the 3 de Agosto Military Barracks also in Bata.

Those held in Bata Prison include the wife and sister of one of the escaped prisoners, Felipe "Pancho" Esono Ntutum, who were arrested separately in Bata around 20 October 2010. Both were arrested because they had been in contact with Felipe Esono in prison. His brother, an army officer, was arrested in Luba, Bioko Island, where he was serving and taken initially to Bata prison and subsequently transferred to the 3 de Agosto military barracks. He is accused of providing the means for the escape, which were not specified.

Also detained in Bata Prison is the wife of the driver who is alleged to have driven the prisoners from Evinayong, with her infant son, aged six months at the time of the arrest. She was arrested on 15 October 2010 in the village of Ntobo, some five kilometers south of Bata, by police officers who went to arrest her husband. When they did not find her husband, the police officers arrested her and several other people from the village and took them to Bata prison, where they continue to be held without access to their families or lawyers.

Amnesty International has received numerous reports that the authorities regularly arrest and hold close relatives of people sought until they surrender or are arrested. This practice is tantamount to holding relatives hostage, and the organisation calls on the Equatorial Guinean authorities to end this practice immediately.

Amnesty International has been informed that one of the detainees at Bata Prison, an army Lieutenant who suffers from diabetes, was denied medical treatment until January 2011 when his condition worsened.

The arrest without a warrant and continued incommunicado detention without charge violates the prohibition against arbitrary arrest, and the right to be promptly informed of charges against them. These rights are enshrined in Equatorial Guinean law, the International Covenant on Civil and Political Rights and the African Charter on Human and People's rights to which Equatorial Guinea is a party.

Amnesty International is concerned that those detained have still not been granted access to a lawyer, family or a medical doctor and calls on the Equatorial Guinean authorities to meet their obligations under international human rights law and immediately grant these detainees access to family, lawyers and medical treatment.

Amnesty International calls for the immediate release of these detainees unless they are promptly charged with a recognizable criminal offence and promptly brought to justice in trials that conform to international human rights standards.