

# AMNESTY INTERNATIONAL PRESS RELEASE

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## Equatorial Guinea: Torture and heavy sentences mark unfair trial

Amnesty International is calling on the authorities of Equatorial Guinea to retry fairly within a reasonable period of time or release the nearly 70 people who received unfair and heavy sentences on Sunday 9 June on the sole basis of statements extracted under torture during incommunicado detention.

These sentences, ranging from six to 20 years, were pronounced by a civil court in Malabo, capital of Equatorial Guinea where 144 defendants, arrested since March 2002, were tried under a summary procedure on charges of undermining the security of State.

Felipe Ondó Obiang and Guillermo Nguema Elá, two leaders of the *Fuerza Democrática Republicana* (FDR), Republican Democratic Force, a not-yet-legalized opposition party were respectively sentenced to 20 and 14 years' imprisonment while Plácido Miko, secretary general of the main legal opposition party, *Convergencia para la Democracia Social* (CPDS), Convergence for Social Democracy, was sentenced to 14 years.

"These sentences were passed after an unfair trial where no evidence was presented against any defendant, many of whom have been tortured to extract confessions from them", says today Amnesty International's observer to the trial.

This trial was marked by serious human rights violations and abuse of procedure, such as the use of confessions extracted under torture and which the defendants retracted in court, the court's disregard of allegations of torture by defendants despite visible marks of torture on their bodies, the absence of adequate defence as lawyers for the defence had only one day to examine specific charges made against their clients, and the lack of independence of the court as its members were appointed by the authorities.

The whole trial was built on the recourse to torture. Some defendants had broken wrists after being tortured during their two months incommunicado detention. Some of the torture included suspending detainees on an iron bar with hands and feet tied together. Amnesty International has evidence that torture continued during the trial. Some defendants who had retracted their confessions in court were subsequently tortured in prison apparently in reprisal. The prison conditions during the trial amounted to torture, as the defendants were held naked in overcrowded and small cells. None was allowed access to medical treatment and some were denied food brought by their families.

Amnesty International is demanding an investigation into allegations by the defendants that they were tortured and that anyone suspected of torture in this case be brought to justice in proceedings that meet international standards for fair trial.

Although sentenced under a summary procedure, the defendants have the right to lodge an appeal. Amnesty International is calling on the international community to press the authorities of Equatorial Guinea to organize a new trial in respect of international standards of fair trial and protecting the accused from torture and ill-treatment.

"By doing so, the international community could send a positive sign after the disappointing decision taken some weeks ago when the UN Commission on Human rights decided to put an end to the mandate of the Special Representative on Equatorial Guinea after nearly twenty years of international monitoring of the human rights situation in this country", Amnesty International added today.

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For more information please call Amnesty International's press office in London, UK, on +44 20 7413 5566

Amnesty International, 1 Easton St., London WC1X 0DW. web: <http://www.amnesty.org>

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