



SUMMARY EXECUTIONS IN EQUATORIAL GUINEA

Political opponents of President Teodoro Obiang Nguema of Equatorial Guinea face abduction, detention, torture and execution. In August 2010, four men were executed within an hour of being sentenced to death by a military court in Malabo, Equatorial Guinea's capital. They had been abducted from Benin where they were living as refugees. In the same trial, two prisoners of conscience (who had earlier been acquitted) were jailed for 20 years.

EXECUTED WITH CHILLING SPEED

José Abeso Nsue and Manuel Ndong Anseme, former military officers, Jacinto Michá Obiang, a border guard, and Alipio Ndong Asumu, a civilian, were executed on 21 August 2010. They were convicted of attempting to assassinate the President, treason and terrorism.

The four were abducted from Benin by Equatorial Guinean security personnel in late January 2010 and taken to Black Beach prison in Malabo. They were put in a cell, shackled, and secretly held there until their trial. The Equatorial Guinean authorities refused to acknowledge their detention, despite repeated requests by their families, lawyers and diplomats in Malabo.

They were tortured and denied medical treatment for the injuries they sustained. Jacinto Michá Obiang also became very ill with high blood pressure, apparently aggravated by torture, and his mental health reportedly suffered. Contrary to national law, they were interrogated not by a magistrate but by members of the security forces. They were forced to "confess" to involvement in an alleged attack on the presidential palace in Malabo on 17 February 2009.

The four men were tried over the weekend of 14-16 August. Their trial was grossly unfair.

Although they were civilians charged under the Penal Code, they were tried by a military court. They were not allowed to choose their defence lawyers, but were represented by two military officers allocated to them, who had no legal training and insufficient time to prepare their defence.

In court, the four men repeated their "confessions" but were never asked if they had been tortured. They said they had taken part in the alleged attack on the palace but only in order to steal money, not to overthrow the government. They denied that they had been assisted by people in Equatorial Guinea. The only other evidence presented in court by the prosecution consisted of some old rifles.

MILITARY COURTS

Military courts using summary procedures (*Consejo de Guerra sumarísimo*) have been routinely used to try political opponents accused of crimes against the state. Proceedings in these courts are grossly unfair.

Trials are usually held behind closed doors; defendants are allocated military officers to defend them who rarely have legal training; the defence lawyer is usually allocated just before the start of the trial; the magistrates and prosecutors are military officers with no legal training; these courts accept statements made under duress; and there is no right of appeal.

Under a law passed in May 2009, appeals against sentences passed by military courts can be heard by the Supreme Court.

On Saturday 21 August, at about 3pm, the court convicted the four men and sentenced them to death. They were executed within an hour.

The speed of their execution deprived the four of their right to appeal to a higher court and to seek clemency. They had no opportunity to say goodbye to their families. José Abeso, whose family lives in Malabo, asked to see them before being executed, but by the time they arrived at the prison it was already too late.

The bodies of the four men were not returned to their families for burial, but were buried at around midnight in a common grave in Malabo cemetery.

EXECUTIONS BREACH INTERNATIONAL LAW

The rushed executions of the four men on 21 August 2010 were carried out in violation of international human rights standards. In particular:

- the death sentences were mandatory;
- the trial did not meet international standards of fair trial;
- execution was carried out immediately after sentencing, allowing no possibility of appeal;
- families were not informed of the executions and bodies were not returned.

DENIAL AND DISMISSAL

The authorities announced that the four men had been sentenced to death but refused to confirm their execution until 27 August, when President Obiang acknowledged the executions, accusing the four men of being terrorists who posed an imminent danger to him, his family and his government. On 1 September Equatorial Guinea's Permanent Representative to the UN publicly dismissed criticism of the executions by other governments, NGOs and UN experts.

PRISONERS OF CONSCIENCE

Marcelino Nguema and Santiago Asumu were tried as accomplices in the alleged coup attempt and were sentenced to 20 years' imprisonment. They had been acquitted of those charges by a civilian court three months earlier.

TAKE ACTION NOW

PLEASE WRITE:

- condemning the executions;
- denouncing the speed of the executions which ruled out any appeal or request for clemency;
- calling for an end to the abduction of political opponents living in exile;
- calling for the immediate and unconditional release of Marcelino Nguema and Santiago Asumu.

WRITE TO:

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