

EXTERNAL

AI Index: AFR 02/28/97

UA 355/97 Fear of torture / Possible POCs / Refoulement 11 November 1997

**EQUATORIAL GUINEA/GABON Felipe Ondo Obiang, former parliamentarian
Guillermo Nguema Ela, former Finance Minister**

Felipe Ondo Obiang and Guillermo Nguema Ela have not been seen since they were forcibly returned from Gabon to custody in Equatorial Guinea, where they are feared to be at serious risk of torture. Torture and ill-treatment, particularly of political detainees, is routine in Equatorial Guinea.

The two men were arrested by the Gabonese security forces on 5 November 1997 in Libreville, Gabon, and transferred the same day to Malabo, the capital of Equatorial Guinea. The arrests were carried out shortly after the arrival in Libreville of the Equatorial Guinean President, Teodoro Obiang Nguema, for the ACP-EU (countries of the African, Caribbean and Pacific - European Union) summit. They were reportedly told that they had been arrested for their own security and that they would be released at the end of the summit. However, on 5 November they were taken to Malabo in the Equatorial Guinean presidential plane.

Both Felipe Ondo Obiang, former president of the parliament of Equatorial Guinea and leader of the not yet legalized opposition party, *Fuerza Democrata Republicana* (FDR), Republican Democratic Force, and Guillermo Nguema Ela, former minister of Finance and member of the FDR, are believed to have been granted refugee status in Gabon. There is a pattern of human rights violations and harassment of political opponents, including FDR members in Equatorial Guinea, many of whom have been arrested and tortured in recent months as President Obiang has clamped down on opposition politicians following an alleged coup attempt in May 1997.

BACKGROUND INFORMATION

Despite the fact that in February 1997 President Obiang Nguema publicly ordered the security forces not to obstruct peaceful political activities, arrests of political activists have continued and increased soon after the signing of a new National Pact between the government and most opposition parties in late April. Three opposition parties have been particularly targeted: the FDR, the *Convergencia para la Democracia Social* (CDPS), Convergence for Social democracy and the *Partido del Progreso* (PP), Progress Party, whose members have been targeted for some weeks following the government claim that the party's leader, Severo Moto, had organized a plot to overthrow the government.

Two FDR members, Sinecio Nguema Esono and Francisco Abeso Mba, have been detained since 26 August 1997. For the first three weeks they were reportedly held in a container in Bata harbour where they were severely tortured. On 15 September they were transferred to Bata prison, Bata, the capital of the mainland region of Río Muni (see UA 305/97, AFR 24/05/97, 19 September).

The principle of non-refoulement, as laid out in the 1951 Convention Relating to the Status of Refugees, forbids countries from sending a person to a country where they might be at risk of serious human rights violations. Amnesty International has previously expressed its concern to the Gabonese authorities about their violation of this convention. In August 1997, the Gabonese authorities forcibly repatriated 155 Rwandese asylum-seekers to Rwanda. The United Nations High Commissioner for Refugees (UNHCR) had begun a screening process to determine their status and the claims of around 40 of them had begun

to be processed, at least eight of whom reportedly qualified for UNHCR protection. Around 97 soldiers of the former Rwandese army who were among those forcibly repatriated are still in military custody in Rwanda.

RECOMMENDED ACTION: Please send telegrams/telexes/faxes/express/airmail letters in Spanish or your own language to the EG authorities:

- seeking urgent assurances that Felipe Ondo Obiang and Guillermo Nguema Ela will be safeguarded from any form of ill-treatment or torture;
- asking that the reason for their arrest and place of detention be made public immediately;
- calling for the two men to be released immediately and unconditionally, unless they are to be promptly charged with recognizably criminal offences;
- urging that they be allowed immediate and continued access to their family, medical care and legal counsel.

APPEALS TO:

1. President

Teodoro Obiang Nguema
 Presidente de la República
 Gabinete del Presidente de la República
 Malabo, República de Guinea Ecuatorial
Faxes: + 240 9 33 13
Teleles: 5405 GBNOM 5405 EG
Telegrams: Presidente Nguema, Malabo, Guinea Ecuatorial
Salutation: Su Excelencia / Your Excellency

2. Minister of Justice

Sr Ignacio Milan Tang, Ministro de Justicia y Culto
 Ministerio de Justicia y Culto
 Malabo, República de Guinea Ecuatorial
Telegrams : Ministro de Justicia, Malabo, Guinea Ecuatorial
Telexes : 5405 GBNOM 5405 EG
Salutacion : Señor Ministro / Dear Minister

3. Secretary of State for State Security

Coronel Manuel Nguema Mba
 Secretario de Estado para Seguridad Nacional
 Dirección Nacional de Seguridad
 Malabo, República de Guinea Ecuatorial
Telegrams: Secretario Estado, Seguridad Nacional, Malabo, Guinea Ecuatorial
Telexes : 5405 GBNOM 5405 EG
Salutación : Señor Ministro / Dear Minister

In addition please send express/airmail letters in French or your own language to the Gabon authorities:

- expressing concern at the arrest and subsequent deportation of Felipe Ondo Obiang and Guillermo Nguema Ela on 5 November 1997 to Equatorial Guinea where they are at serious risk of torture;
- reminding the Gabonese authorities to respect their international commitments not to forcibly return refugees to a country where they could face human rights violations;
- calling for an independent inquiry into their arrest and deportation.

President

Son Excellence Monsieur El-Hadji Omar BONGO

Président de la République
Présidence de la République, BP 546, Libreville, Gabon
Salutation: Monsieur le Président/Dear President

Minister of Defence

Monsieur le Général Idriss NGARI
Ministre de la Défense nationale, de la sécurité et de l'immigration
Ministère de la Défense nationale, de la sécurité et de l'immigration
BP 13493, Libreville, Gabon

Salutation: Monsieu le Ministre/Dear Minister

and to diplomatic representatives, as appropriate, of EQUATORIAL GUINEA and GABON accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 26 December 1997.