

EXTERNAL

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UA 371/97

Fear of refoulement / Legal Concern

27 November 1997

CAMEROON/EQUATORIAL GUINEA Alfonso Mbá Nsogo Ntongono

Pedro Esono Masié
José Abeso Nsúe Nchama
Fabian Asumu Ondó
Santiago Biyang Nsang
Santiago Esono Osa
Miguel Francisco Eyegue
Angel Abeso
Laban Obama Abeso
Celestino Ebendeng
Juan Ondo Abaga
Bartolomé Ntutumu

Twelve Equatorial Guinean nationals currently in detention without charge or trial in Cameroon are feared to be at risk of forcible return to Equatorial Guinea where they would could face torture and ill-treatment.

The 12 men, named above, were arrested on 25 September 1997 in villages in South Province in Cameroon, close to the border with Equatorial Guinea. They were taken first to the provincial capital, Ebolowa, and subsequently to the capital, Yaoundé. They have not been charged with any offence and the reasons for their continued detention are unclear. They are being held incommunicado at a military camp in Yaoundé, although their families have not been informed of their whereabouts. They are reported to be held in a cellar at the camp; they are not known to have been ill-treated since their arrest in Cameroon.

All 12 men are members of opposition political parties in Equatorial Guinea. Alfonso Mbá Nsogo Ntongono and Fabian Asumu Ondó are members of the *Unión Popular* (Popular Union); the specific party affiliation of the others is not yet known.

Eight of the detainees have already been granted refugee status by the United Nations High Commissioner for Refugees (UNHCR) in Cameroon and two others are awaiting a decision on their applications for political asylum.

Torture and ill-treatment, in particular of political detainees, is routine in Equatorial Guinea.

BACKGROUND INFORMATION

Two Equatorial Guinean nationals, believed to have been granted refugee status in Gabon, were recently forcibly returned to Equatorial Guinea. Felipe Ondó Obiang, a former member of parliament, and Guillermo Nguema Ela, a former Minister of Finance, were arrested in Gabon by Gabonese security forces on 5 November 1997 and transferred the same day to Equatorial Guinea in the Equatorial Guinean presidential plane. While on board the plane they were reported to have been ill-treated. They were held handcuffed for several days and were released without charge on 14 November 1997. They have since been prevented from leaving the country. [See UA 355/97 (AFR 02/28/97, 11 November)].

All countries should respect their commitments under international refugee law, including the United Nations Convention relating to the Status of Refugees and the Organization of African Unity (OAU) Convention governing the specific aspects of refugee problems in Africa, to allow all asylum-seekers to their territory, to provide adequate protection and to respect the principle of *non-refoulement*. The OAU Convention, to which Cameroon is a party, states

that "No person shall be subjected by a Member State to measures such as rejection at the frontier, return or expulsion, which would compel him to return to ... a territory where his life, physical integrity or liberty would be threatened...".

RECOMMENDED ACTION: Please send telegrams/telexes/faxes/express/airmail letters in French, English or your own language:

- expressing concern that these 12 Equatorial Guineans, if forcibly returned to Equatorial Guinea, would be at serious risk of torture and ill-treatment;
- urging the Cameroon authorities to respect the principle of *non-refoulement*, in accordance with their obligations under international refugee law, and not to forcibly return these 12 men to Equatorial Guinea;
- expressing concern that they have been held for more than two months without charge and requesting clarification of the reasons for their continued detention; if they are not to be charged with a recognizably criminal offence, they should be immediately and unconditionally released;
- urging that they be allowed immediate access to their families, a lawyer and a doctor.

APPEALS TO:

Deputy Prime Minister, responsible for the Interior

M. Gilbert Andzé Tsoungui

Vice-Premier Ministre chargé de l'Administration territoriale

Ministère de l'Administration territoriale

1000 Yaoundé 4, Cameroon

Telegrams: Vice-Premier Ministre Tsoungui, Yaoundé, Cameroon

Salutation: Monsieur le Vice-Premier Ministre / Dear Deputy Prime Minister

Minister of Foreign Affairs

M. Ferdinand Léopold Oyono

Ministre des Affaires étrangères

Ministère des Affaires étrangères

1000 Yaoundé, Cameroon

Faxes: +237 20 11 33 (if voice, say "je voudrais envoyer un fax, s'il vous plaît)

Telegrams: Ministre Affaires étrangères Oyono, Yaoundé, Cameroon

Salutation: Monsieur le Ministre/ Dear Minister

Minister of Justice

M. Laurent Esono

Ministre de la Justice, Garde des Sceaux

Ministère de la Justice

1000 Yaoundé, Cameroon

Telegrams: Ministre Justice, Yaounde, Cameroon

Salutation: Monsieur le Ministre / Dear Minister

Secretary of State for National Security

M. Luc Loé

Secrétaire d'Etat à la Sécurité intérieure

Sûreté nationale

1000 Yaoundé, Cameroon

Telegrams: Secrétaire d'Etat Loé, Yaounde, Cameroon

Salutation: Monsieur le Secrétaire d'Etat / Dear Minister of State

COPIES TO: diplomatic representatives of Cameroon accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 10 January 1998.