

PUBLIC

AI Index: AFR 24/011/2006

UA 287/06

Fear of torture or ill-treatment

26 October 2006

EQUATORIAL GUINEA

Filemón Ondó (m)
José Antonio Nguema (m)
Florencio Ondó (m)
Basilio Mayé (m)

] Members of Progress Party of
] Equatorial Guinea (*Partido del*
] *Progreso de Guinea Ecuatorial*,
] PPGE)

The four men named above were arrested in Bata, the main city in mainland Equatorial Guinea, between 9pm on 8 October and 1 am on 9 October. They have been accused of being members of the Progress Party of Equatorial Guinea (*Partido del Progreso de Guinea Ecuatorial*, PPGE), a banned political party, and of having in their possession party leaflets and other documents. The four men are at risk of being tortured or ill-treated in detention.

Filemón Ondó was arrested at gunpoint at his home at about 9pm on 8 October, by three police officers who hit him and who did not have a warrant for his arrest. He was taken at gunpoint to the residence of the Governor of Litoral Province, to identify other members of the PPGE. He was then made to accompany the police officers to the houses of José Antonio Nguema, Florencio Ondó and Basilio Mayé, who were arrested. The four men were taken to Bata Central Police station where they have been held without charge. For the first four days of their detention they were held incommunicado. Since then they have received limited visits from their families lasting between five and 10 minutes, with a police officer present. They are not known to have been tortured or ill-treated since their arrest until now.

The police have interrogated the four men about their membership of the PPGE, which they did not deny. They have also admitted to downloading information from the party's website. According to reports, on the night of 25 October, the Provincial Governor went to the police station and interrogated the four men about the PPGE and told them to "tell the truth". Before he left, he told them that he would go back the following night. Amnesty International is concerned that the four men may be tortured in order to make them confess to some offence. A law passed in Equatorial Guinea in September 2006 banning the use of torture has yet to be brought into force.

José Antonio Nguema was previously arrested in June 2004, following allegations of a coup plot in which the President of the PPGE was allegedly involved. He was held at Black Beach Prison in Malabo, the capital, but was released in a Presidential pardon on 6 June 2006 on the occasion of President Teodoro Obiang Nguema's birthday. José Antonio Nguema had not been charged or tried at the time of his release.

BACKGROUND INFORMATION

The Equatorial Guinean authorities banned the PPGE in 1998 after its leader, Severo Moto, exiled in Spain since the early 1980s, was alleged to have plotted to overthrow the Government of Equatorial Guinea. Following the ban, the party split and some of its members left and joined other parties, including the ruling Democratic Party of Equatorial Guinea (*Partido Democrático de Guinea Ecuatorial*- PDGE)

Between March and July 2004, several former and current members of the PPDG were arrested after the authorities claimed to have foiled a coup, in which Severo Moto was allegedly involved. Most were released within days. However, about five remained detained without charged or trial until they were pardoned on President Teodoro Obiang Nguema's birthday in June 2006.

A trial held in Malabo between 23 August and 26 November 2004 convicted those allegedly involved in attempting to overthrow the government of Equatorial Guinea and sentenced them to long prison sentences.

Severo Moto and his self-proclaimed Equatorial Guinea Government in exile were tried in their absence. They too were convicted and sentenced to long prison terms.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in Spanish or your own language:

- expressing concern at the arbitrary arrest of Filemón Ondó, José Antonio Nguema, Florencio Ondó and Basilio Mayé, who were arrested without a warrant on the night of 8-9 October 2006, apparently on the orders of the Provincial Governor;
- expressing concern that Filemón Ondó was reportedly hit by the police officers who arrested him;
- urging the authorities to ensure that detainees are humanely treated and are not tortured or ill-treated in any way, and calling for them to have regular access to their families and lawyers;
- urging the authorities to release them immediately and unconditionally unless they are to be charged with a recognisably criminal offence and promptly brought to justice.

APPEALS TO:

President

General Teodoro Obiang Nguema Mbasogo
Presidente de la República
Gabinete del Presidente de la República, Malabo, Equatorial Guinea
Fax: +240 09 3313/ 3334
Salutation: Excelencia/Your Excellency

Minister of Justice

Sr. Don Mauricio Bokung Asumu
Ministro de Justicia y Culto
Ministerio de Justicia y Culto, Malabo, Equatorial Guinea
Fax: +240 09 2126
Salutation: Sr. Ministro/Dear Minister

Attorney General

Sr. Don José Oló Obono
Fiscal General de la República, Fiscalía General de la República, Malabo, Equatorial Guinea
Fax: +240 09 1338
Salutation: Sr Fiscal/ Dear Attorney General

Minister of National Security

Sr Don Manuel Nguema Mba
Ministro de Seguridad Nacional, Dirección General de Seguridad Nacional, Malabo, Ecuatorial Guinea
Fax: +240 09 8259
Salutation: Sr. Ministro/Dear Minister

COPIES TO:

Sr Don Pastor Micha Ondo Bile
Ministro de Asuntos Exteriores, Ministerio de Asuntos Exteriores, Malabo, Equatorial Guinea
Fax: +240 09 3132/ 2320

President of the Parliamentary Human Rights Commission

Sr Don Salomón Nguema Owono
Presidente de la Cámara de Representantes del Pueblo y de la
Comisión de Derechos Humanos de la Cámara de Representantes del Pueblo
Cámara de Representantes del Pueblo, Avenida de la Independencia s/n
Apartado 51, Malabo, Equatorial Guinea
Fax: + 240 09 3313

and to diplomatic representatives of Equatorial Guinea accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 7 December 2006.