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Freedom of expression crushed in Equatorial Guinea

Possessing a photocopy of a Spanish newspaper article, an issue of an opposition newspaper or a two-year-old Amnesty International appeal are sufficient for people to be arrested in Equatorial Guinea, Amnesty International said today as it released its report *Equatorial Guinea: No free flow of information*.

Amnesty International has noted that at least five people have been detained in the last year for possessing such materials. None of these publications for which people were arrested called for violence and none were banned. Although they were all published by legal, established organizations the courts of Equatorial Guinea still described them as "material of dubious provenance" (*material de dudosa provenencia*).

"The rights to freedom of opinion, expression, sharing and publication of information are severely restricted in Equatorial Guinea, contrary to international standards," Amnesty International said. "The authorities are prepared to go to great lengths to intimidate non-violent opposition by targeting ordinary people."

Mariano Oyono Ndong was arrested in May 1999 and accused of possessing a 1998 Amnesty International document. He was tried, together with two other people, Army Sergeant Antonio Engonga Bibang and Carmelo Biko Ngua, who were respectively charged with "insults against the Government and the Armed Forces" (*Injurias contra el Gobierno y contra las Fuerzas Armadas*) and "illicit possession of ammunition" (*Tenencia ilícita de municiones*) respectively.

In fact these three people appear to have been arrested for being members of the *Fuerza Demócrata Republicana* (FDR), Democratic Republican Force, an opposition political party which has been refused official recognition.

In recent years, hundreds of peaceful political activists, including members of the FDR, have been arrested and held without charge or trial for varying periods for exercising their rights to freedom of expression and assembly. Some FDR members have been confined to their villages, without any legal procedure and without any opportunity to challenge their restriction in court.

Despite Mariano Oyono Ndong and Carmelo Biko Ngua being civilians and the charges against both men not being related to strictly military matters the three FDR members were tried by a military court. Mariano Oyono Ndong and Antonio Engonga Bibang were sentenced to three years' imprisonment and Carmelo Biko Ngua received a six-month sentence.

"Amnesty International considers Mariano Oyono Ndong and Antonio Engonga Bibang, who are still detained, to be prisoners of conscience: they must be immediately and unconditionally released," Amnesty International said.

Amnesty International has publicly protested on several previous occasions about the trial of civilians by military tribunals. The organization has noted very serious breaches of fair trial standards in these military courts, including:

Lack of adequate defence counsel (military officers are often used as legal representatives, but they often have no legal training or experience).

The courts are often composed only of military personnel, and are chaired by people with no legal training.

The military defence counsel often fail to give any adequate legal representation to their clients either because of incompetence, unwillingness or because they were afraid of their military superiors who were sitting as judges in the court.

The right of appeal to a higher court against conviction and sentence is often denied.

Two other people, Juan Obiang Latte and Teodoro Abeso Nguema, were detained in November 1999. They were accused of photocopying an article published by the Spanish daily newspaper *El Mundo* (The World) which is accessible on the Internet. This article repeated rumours about the alleged illness of the Head of State Of Equatorial Guinea, Teodoro Obiang Nguema Mbasogo. They were charged with "insults, calumny against the Head of State and reproduction of a newspaper of dubious provenance". They were provisionally released in January 2000 after two months in prison.

"The authorities of Equatorial Guinea should immediately implement safeguards to prevent arbitrary arrests, torture, ill-treatment and unfair trials," Amnesty International said. "Anyone detained for simply exercising their rights to freedom of expression and assembly should be immediately released and all charges against them withdrawn."

The authorities have ill-treated, including beaten, individuals exercising their right to expression in Equatorial Guinea. Victims have included a journalist, Pedro Nolasko, who was physically assaulted in March 2000 by the Secretary General of the Ministry of Interior, Tarcisio Nguema Ondó, after publishing an interview with the leader of an opposition party.

On 11 April 2000, a newspaper vendor who was trying to sell issues of *La Opinión* (The Opinion) -- the newspaper published by Pedro Nolasko -- inside the building of the General Secretariat of the government was physically assaulted by the Minister Delegate of the Interior, Clemente Engonga Nguema Andene.

"People are arrested and prosecuted in Equatorial Guinea for holding opinions, expressing them, and for seeking information, being in possession of it and imparting it," Amnesty International said.

"As long as such violations are perpetrated or condoned by the authorities, and nothing is done to prevent them taking place, there can be no serious hope of any improvement in the situation of freedom of expression and association in Equatorial Guinea."

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