



ANNOBÓN: THE FORGOTTEN TOXIC WASTE GROUND



**UNREPRESENTED
NATIONS & PEOPLES
ORGANIZATION**
unpo.org

TABLE OF CONTENTS

1	About Us	3
2	Executive Summary	4
3	Introduction	5
4	Environmental Degradation	6
5	Extractive and Infrastructure Operations	8
6	Systemic Isolation and Exclusion of Annobon	9
7	Systemic discrimination and violence	11
8	July, 2024 Arrests	11
	8.1 Arrest and Detention Procedures	13
	8.2 Prison Conditions in Equatorial Guinea	13
9	Conclusion	15
10	Recommendations	16
11	Annexures	17
	11.1 Details of Detained Annobonese Victims (July-August 2024)	17
	11.2 San Antonio de Pale Quarry and Resultant Damage	20
	11.3 Environmental Damage in Annobon	21
	11.4 Alien Species	22
	11.5 Infrastructure - Healthcare, Electricity, Water and Sanitation	23
	11.6 Transportation to and from Annobon	24
	11.7 Annobonese Protests Against the Use of Dynamite	25

1. ABOUT US

The Unrepresented Nations and Peoples Organization (UNPO) is an international organisation established to empower the voices of unrepresented and marginalised peoples worldwide and to protect their rights to self-determination. The peoples represented within the UNPO membership are all united by one shared condition: they are denied equal representation in the institutions of national or international governance. As a consequence, their opportunity to participate on the national or international stage is limited, and they struggle to fully realise their rights to civil and political participation and control their economic, social and cultural development. In many cases, they are subject to the worst forms of violence and repression. Annobón has been represented within the UNPO since 2024.

Website: www.unpo.org

Contact: un@unpo.org

Cover Photo: The Guardian

2. EXECUTIVE SUMMARY

In July 2024, a major crackdown on the people of Annobón commenced in response to their request for the government of Equatorial Guinea to address the environmental crisis and associated human rights issue on the island. The environmental degradation is believed to be linked to ongoing construction and mining projects on the island, negatively impacting the ecosystem and livelihood of the Annobonese.

Peaceful protestors on the Annobón island are seeking their independence to remedy the dire situation that the government of Equatorial Guinea has persistently ignored. While the Annobonese have remained non-violent in their outcries and demands for the protection of the environment and their human rights, the government has suppressed these protests with the arbitrary arrests and detention of approximately 42 Annobonese between July and August 2024. The government has further enforced a complete shutdown of telephone and internet communication services to Annobón. This is but just one example of the longstanding systemic marginalisation of Annobón and its political exclusion.

These peaceful protests were in response to the government's persistent non-attendances to the issues on Annobón. Since Teodoro Obiang Nguema's rise to presidency in 1979, Annobón has received little to no support from the government. Nonetheless, the government has entered into agreements with foreign construction companies, without consultation of the Annobonese causing increased pollution and degradation of the natural environment. The destruction resulting from explosives on the island has been so severe that the local community risks losing their only supply of water. In addition, residents are facing damage to their homes, as well as the loss of their livelihoods and sustenance with damage to crops in a community that depends solely on a subsistence economy.

The Annobonese people are not only geographically isolated from the rest of the world, but the government has also prevented them from fostering ancestral and cultural ties with their kin in parts of São Tomé and Príncipe. Annobón's cultural and linguistic significance played a central role in the inclusion of Equatorial Guinea in the Community of Portuguese Language Countries (CPLP) in 2010. However, Annobón has still yet to be included in a diplomatic position within one of the CPLP countries, or to be appointed as an ambassador to any nation. This is but one example of the systemic exclusion of the Annobonese people from Equatorial Guinea's political processes. Annobón has experienced severe and prolonged human rights violations and isolation, however, the situation has intensified with the flagrant persecution and aggression from central government authorities. This includes, inter alia, the arbitrary detention of peaceful protestors and so-called political dissidents;¹ increased environmental degradation; a lack of political participation; and systemic discrimination and violence.

¹ In light hereof, foresight must be given to the recent submission made to the Working Group on Arbitrary Detention on behalf of the Citizens of the Island of Annobón – see Annex K.

3. INTRODUCTION

Annobón is a small island province of Equatorial Guinea located 180 km south of São Tomé and Príncipe, and about 335 km off the coast of Gabon. The Annobonese (also known as Ambô or Êmbô people) are an ethnic minority in Equatorial Guinea and the indigenous inhabitants of the Island of Annobón. The common language of the Annobonese people is Fa D'Ambô, also known as Annobonese or Annoboné, a Portuguese creole that shares 60% to 80% of its lexicon with Forro Creole or Saotomense and is additionally influenced by Spanish, constituting about 10% of its vocabulary. Despite its ethnic diversity, composed of slaves brought from various Portuguese colonies such as Angola, Guinea-Bissau, Cape Verde, Mozambique, and primarily São Tomé and Príncipe, the Annobonese people have managed throughout their history to consolidate into a single people embodying one ethnicity and one culture.

The island of Annobón was discovered by the Portuguese in 1472 and later transferred to the Spanish. Historically, it had its own governance structure until the arrival of the Spanish in 1905, when the people of Annobón lost sovereignty and were subjected to Spanish colonial domination. By 1968, the island became a province of Equatorial Guinea when the country was granted independence – without the consultation or consideration of those living in Annobón.

Annobón is geographically removed from the rest of Equatorial Guinea and as a result thereof, the residents of Annobón are often isolated and politically excluded from the rest of the country. The Annobonese are nonetheless subject to the fierce dictatorial system of Equatorial Guinea, wherein persecution and aggression are common means of silencing citizens. Of particular concern is the way in which the Annobonese people are systematically marginalised, discriminated against, and kept away from any semblance of progress, with no influence or say in any decision-making processes.

Equatorial Guinea's current President, Teodoro Obiang Nguema, obtained his seat in 1979 under a coup and has remained in power ever since – making him Africa's longest serving dictator. Under Teodoro Obiang Nguema's rule, the Fang ethnic group dominate politics, the economy, the military and all social spheres of influence leaving other minorities (like the Annobonese) systematically excluded and marginalised.

The Annobonese people have been excluded from all forms of economic activity, and lack access to essential services, such as electricity, clean water, healthcare, education, food, sanitation, and other basic necessities. Under the Equatorial Guinean regime, Annobonese children are frequently compelled to leave their own territory at the age of 12 or 13 in order to complete elementary education elsewhere in Equatorial Guinea. Many are unable to return due to the absolute lack of job opportunities or economic activity on the island. Furthermore, the lack of sanitation infrastructure forces the practice of open defecation on beaches and in forests, leading to the outbreak and spread of numerous diseases.

In an attempt to address these dire conditions (to which the government gave no support), Annobón requested its autonomy from Equatorial Guinea on 31 March 2021. The government not only failed to acknowledge this request, but also escalated aggression against the Annobonese people. In spite of Annobón's requests for assistance from the Equatorial Guinean government, authorities have made no

attempt to foster dialogue with the community, but rather intensified its aggressions – prompting the arbitrary arrests and other human rights violations that are detailed below.

Equatorial Guinea has a longstanding history of poverty and repression under the regime of Teodoro Obiang Nguema. Although the region is rich in oil reserves, vast economic inequalities remain with the majority of citizens facing poverty, underscoring the persistent disparities in resource distribution. The impact of the government's regime is widespread, and the Annobonese are an ever growing target of marginalisation. As such, this report will outline the following human rights violations and abuses in Annobón: (i) environmental degradation and waste dumping; (ii) infrastructure issues; (iii) systemic isolation and exclusion; (iv) discrimination and violence; and (v) arbitrary arrests and political suppression, including restrictions on freedom of expression and media and interference with freedom of assembly and movement.

This report was prepared with information obtained directly from members of the Annobonese community. Additionally independent desk research was undertaken by the UNPO in order to supplement the information received in respect of the circumstances on Annobón.

4. ENVIRONMENTAL DEGRADATION

Annobón has taken on a significant environmental burden with the Island often constituting a dumping ground for toxic waste and resource extraction. The damage to the environment is further exacerbated by the use of explosive materials in the quarries located near residential areas on the island. In the 1980s, for example, it was found that the President permitted the UK to dump 10M drums of toxic waste in Annobón.² Similarly, an American company entered into an agreement with Equatorial Guinea, in the 1980s, for toxic waste to be transferred to Annobón in exchange for monetary compensation to the government. Some examples of the toxic waste dumped on the island (classified as highly hazardous) include asbestos, acrylonitrile, pyridine, methane dichloride, ethyl chloride, tetrachloroethylene and other “unknown laboratory chemicals”.³ With the increase of toxic waste and serious damage on the Island, the community has witnessed the increased degradation of the environment aggravating the vulnerability of the local population and their access to necessary resources.

Through such practices, the delicate balance of the marine ecosystem is disrupted, endangering marine life, coral reefs, and the biodiversity that sustains the island's ecological equilibrium. A key component of the crisis lies in the contamination of fish, a fundamental food source for the Annobonese population. As toxic substances infiltrate the waters, they accumulate in the tissues of fish, rendering them unsafe for human consumption. Chemical pollutants, heavy metals, and other hazardous substances released into the marine environment have far-reaching consequences. The following areas are highlighted as raising a particular concern for the ecosystem of the Island:

² Eromo Egbejule. *Dozens of islanders locked up as grim history continues for Annobón*. 2024. <https://www.theguardian.com/world/2024/oct/14/dozens-of-islanders-locked-up-as-grim-history-continues-for-annobon>

³ See Annex K at para 33-34.

- **Vegetation:** During the 1990s, Annobón began to experience severe changes in its environment. A proliferation of mealybugs was observed covering the cassava, banana, plantain and coconut plantations and the few cocoa and coffee plantations. This resulted in discoloration of the leaves from green to golden, and of the cassava stems from light to dark grey. Damage to the vegetation on the island, in turn, compromises the local community's food security as well as any agricultural development.
- **Animals:** In recent years, community members noticed the increased prevalence of suffocated fish and cetaceans surfacing in the sea and on the shores. A noteworthy case was observed in Ajaku where a large, decomposing cetacean surfaced on the shore. Annobón is one of the three major small-scale fishing areas in Equatorial Guinea. Damage to the marine environment and its consequent impact of marine life impacts the local community's sustenance and fish imports which are often transported and sold in Bioko.⁴
- **Orography:** The mountains, which play a crucial role in maintaining the Island's cool climate, are being turned into sinkholes by detonations. The vast destruction of the landscape is preventing the ecosystem from fulfilling its natural function, resulting in Annobón suffering from unbearable heat and a notable shortage of rainfall. The associated noise pollution from the explosions has driven away marine species and the shock waves have caused damage to nearby homes. Rainfall carries the quarry erosion and particles into cultivated areas, withering crops and preventing new plantings.
- **Human Health:** The Annobonese people have noticed the impact of the environmental problems on their health. A lack of basic infrastructure services such as electricity, schools, hospitals, food, drinkable water, proper health centres, and medical specialists has led to a significantly lower life expectancy and poor nutrition, especially among children. The lack of access to safe drinking water and proper sanitation, for example, increases the risk of the transmission of diseases such as cholera, diarrhoea, dysentery, hepatitis A, typhoid and polio.⁵

The act of toxic waste dumping in Annobón constitutes a clear violation of international environmental norms and conventions. The Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal explicitly controls the transboundary movements of hazardous wastes and their disposal. This convention requires parties to protect human health and ensure waste is managed in an environmentally sound way. While other international conventions – Universal Declaration of Human Rights (UDHR), International Covenant on Civil and Political Human Rights (ICCPR), and International Covenant on Economic, Social and Cultural Rights (ICESCR) – do not make direct mention of toxic waste dumping, they protect the right to life, health and an adequate standard of living.

⁴ Food and Agricultural Organisation. *Fisheries and Aquaculture (Equatorial Guinea)* . 2023. <https://www.fao.org/fishery/en/facp/gnq>

⁵ World Health Organisation. *Drinking Water* .2023. <https://www.who.int/news-room/fact-sheets/detail/drinking-water>

Recently, the government of Equatorial Guinea has begun to introduce new species alien to the Annobón ecosystems – with no explanation regarding their introduction being provided to the local community. The alien species, such as horses, are eating and destroying the crops (including cassava plantations) on the island, leaving the local community without food and sustenance. Since the alien species do not have any natural predators on the island, they also have an advantage over the existing species – this could drastically alter the food chain and the natural habitat of the bioregion in Annobón.⁶ Other alien species on the island include snakes and crocodiles which are reported to cause fear among the locals and turn previously safe areas into dangerous ones.

5. EXTRACTIVE AND INFRASTRUCTURE OPERATIONS

As of 2007, the Equatorial Guinea government in agreement with the Moroccan construction company, Somagec, have been extracting stones and precious metals from the Annobón Island as well as expanding commercial infrastructure projects.⁷ Some of these projects include the expansion of the Annobón airport; construction of a 50-bed hotel, presidential palace, a mini sports field, a small healthcare centre, and a school complex.⁸ Despite the continued Somagec operations on the Island, it appears that many of these projects remain unfinished and inoperable, failing to contribute to Annobón's economy in any event. It is further reported that many of the international infrastructural projects on Annobón are linked to corruption schemes, including money laundering and document fraud.⁹ These projects have largely been done without consultation of the local community and primarily through vast open quarries causing irreparable damages to the land.¹⁰ The mining operations by Somagec entail vast open quarries causing irreparable damage to the ecosystem, with the Annobonese experiencing first-hand the consequences of environmental degradation and the loss of their land and livelihood.

Since Somagec began its operations in Annobón, it has regularly used dynamite explosions in the San Antonio de Pale quarry. Recently, due to the ongoing use of dynamite explosions in the nearby quarry, locals have noticed consequent damage to their homes.¹¹ The dynamite shockwaves have further impacted the drinking water supply on the Island – a lagoon located in a crater. The locals are advised by Somagec workers that given the volcanic nature of Annobón, as well as its small size of approximately 17km², any seismic changes on the Island (such as the dynamite) could trigger unpredictable and unprecedented environmental disasters. In addition to the island's lagoon water supply being at risk, provisions of water

⁶ Annex D.

⁷ Pale Press. *Human Rights Foundation denounced the violation of human rights in Annobón.*

<https://www.ambolegadu.com/en/human-rights-foundation-denuncio-la-violacion-de-derechos-humanos-en-annobon/>

⁸ See Annex K at para 41.

⁹ *Ibid* at para 42-44.

¹⁰ José Eugenio Nsue. *Todos somos Annobón. Este es el camino*

<https://radiomacuto.org/todos-somos-annobon-este-es-el-camino/>

¹¹ Annex B.

services are either scarce or contaminated by insects and other pollutants. In spite of complaints to the government, access to water remains limited for the Annobonese population, with locals being forced to walk four kilometres to a river in search of water, which is not guaranteed to be drinkable.¹²

These persistent mining and infrastructure projects on the island have caused damage to homes, the loss of arable land, threatened drinking water supplies, and increased flooding during rainy seasons thereby affecting the livelihood of those living on the island who depend on agriculture for their subsistence. These actions impact the Annobonese rights to basic services, adequate living conditions and livelihoods, as protected in the ICCPR (article 6), the ICESCR (articles 6, 11 and 12), and the UDHR (article 3 and 25).

6. SYSTEMIC ISOLATION AND EXCLUSION OF ANNOBÓN

Aside from the construction projects highlighted above, Annobón has a severe lack of other infrastructure on the island. This has contributed to Annobón's extensive exclusion and isolation from the rest of Equatorial Guinea – ships and planes rarely ever travel to Annobón.

Due to the lack of infrastructure and isolation from other islands, those travelling to and from Annobón have to embark on a three-day journey on the Somagec barge. While the conditions of the barge are not built to accommodate travellers, the lack of other transportation means that many have no choice but to travel on the barge. It is reported that the barge lacks basic sanitary facilities, is often overcrowded and those on board do not have access to food and water.¹³ On 8 May 2024, the government announced an initiative to implement a ferry that will travel to and from Annobón twice a month – therefore providing safer conditions for travellers.¹⁴

The island lacks basic infrastructure such as schools, hospitals, and drinking water – resulting in limited economic activity. Despite the island's seaport estimated to be worth US\$112 million, there is limited economic activity on the Island and still no high school for students.¹⁵ This has the effect of limiting the children's access to education on the island, with there either being no nearby schools for them to attend or inadequate resources and facilities to ensure suitable learning. The result hereof is that children are forced to leave Annobón and go to the mainland in order to continue their education and later find employment opportunities. This has a negative impact on Annobón's population (which consequently decreases as a result of those leaving in search of opportunities) and limiting any possibility of economic growth and development on the island.

Moreover, the island's capital city, San Antonio de Palé largely does not receive a steady flow of electricity which is dependent on the government sending diesel fuel from Malabo to Annobón. The

¹² See Annex K at para 36.

¹³ Annex F.

¹⁴ <https://x.com/teonguema/status/1788219447297061183>

¹⁵ Human Rights Watch. *How Equatorial Guinea Turned Corruption into an Art Form*. 2017.

<https://www.hrw.org/news/2017/06/15/how-equatorial-guinea-turned-corruption-art-form>

remaining communities on the island do not have access to electricity, save for those who have their own generator sets.¹⁶

The majority Fang ethnic group in Equatorial Guinea are largely favoured by the government, leading to the marginalisation of other minorities (like the Annobonese). The Fang, who inhabit the interior of Rio Muni are able to freely travel, trade and communicate with their kin in other parts of the country as well as in Cameroon, Gabon and Nigeria. The Annobonese are not afforded similar liberties and are deprived of the ability to communicate with their kin in the Community of Portuguese-Speaking Countries (CPLP) in parts of São Tomé and Príncipe. Historically, it was common practice for ships travelling between Malabo and Annobón to make stops in São Tomé and Príncipe and engage in a cultural exchange between the two neighbouring islands. This practice further included smaller sailboats nearby Gabon and Annobón. However, following Equatorial Guinea's joining of CPLP, these interactions were prohibited and the cultural and historical ties with other Portuguese colonies were restricted.

The isolation of Annobón has persisted for decades. When the island suffered three major epidemics in 1973 (cholera), 1974 (measles) and 1995 (bloody mucus diarrhoea) they received no assistance from the government. In response to the lack of assistance during the epidemic, eight men set out in a small canoe, rowing for eight days and nights across the Atlantic to reach the coast of Gabon, seeking UN and international help.¹⁷ The government of Equatorial Guinea responded to this by sending a ship full of military personnel to Annobón, deporting all men aged 14 and older. The militia committed acts of rape against women and girls, and took all the men as prisoners, forcing them to work on cocoa plantations in Bioko and elsewhere in Equatorial Guinea. In the years that followed, no new babies were born on the island, as the population was decimated by these brutal actions. The cholera epidemic reportedly wiped out a third of Annobón's population.¹⁸ These epidemics were exacerbated by the lack of medical and sanitation infrastructure on the island. With the recent rise of contaminated drinking water in Annobón, the deportation of local representatives to Malabo and other undisclosed locations, and the lack of healthcare facilities, locals worry that history will repeat itself as an imminent health crisis lingers.¹⁹

The people of Annobón have sought to engage with the government on numerous occasions, all to no avail and with the conditions on the island only worsening. In 2021, the elders of the island, with the support of the Nanome Pale group, submitted a request for dialogue to the government in order to address the need for internal self-administration and to improve the living conditions on the island. This request was ignored by the government.

More recently, in July 2024, the island has been completely restricted from the rest of the world with the government having cut off all communications in and out of Annobón. This is accompanied by the arbitrary arrests and violations of the rights of the Annobonese.²⁰

¹⁶ See Annex K at para 35.

¹⁷ *Annobon Delegation Seeks UN Help*. 1976. https://search.wikileaks.org/plusd/cables/1976STATE217327_b.html.

¹⁸ Eromo Egbejule. *Dozens of islanders locked up as grim history continues for Annobón*. 2024. <https://www.theguardian.com/world/2024/oct/14/dozens-of-islanders-locked-up-as-grim-history-continues-for-annobon>

¹⁹ Pale Press. *Annobón, on the brink of a health crisis*. <https://ambolegadu.com/en/annobon-al-borde-de-una-crisis-sanitaria/>

²⁰ Eromo Egbejule. *Dozens of islanders locked up as grim history continues for Annobón*. 2024. <https://www.theguardian.com/world/2024/oct/14/dozens-of-islanders-locked-up-as-grim-history-continues-for-annobon>

7. SYSTEMIC DISCRIMINATION AND VIOLENCE

The Annobonese are not represented in the Equatorial Guinea government, with the Fang constituting the dominant ethnic group²¹ It is often the case that the political decisions made regarding the territory of Annobón are taken without consent, and to the detriment of the Annobonese. This lack of representation has fueled the marginalisation of the community and the denial of access to basic services. As a result of these severe living conditions, many are fleeing their homes in search of refuge and protection, increasing the number of internally displaced persons. All public and private state positions on the island tend to be allocated to non-Annobonese personnel, limiting the capacity of the Annobonese to secure positions even on the island. This includes the Governor of Annobon, as well as many teachers, priests, police and soldiers. In addition to the local population having the limited capability to secure positions on the island, the government has also encouraged families from the mainland to settle on Annobón, in an attempt to weaken the Annobonese claim to the island.

In the course of their struggle to have their voices heard, the Annobonese have been subjected to the Equatorial Guinea government's increased militarisation, intensified repression and aggression against the elderly; the rape and abuse of minors; kidnapping of minors and taking them to the barracks for weeks; overall systematic violence; torture; and forced disappearances. In July 2020, soldiers stationed on the island were accused of raping two underage girls. Once these accusations became public, the Minister of Fisheries emphasised that the girls were not victims and although the vice president sent a commission to the island to investigate the allegations on 30 July, no arrests were made.²²

8. JULY, 2024 ARRESTS

Despite Annobón's repeated requests for dialogue and action from the government, the human rights situation has only further deteriorated. On 9 July 2024, community members prepared a letter to the government of Equatorial Guinea (at the request of the Governor) pleading that they address the ongoing human rights abuses and issues in Annobón – particularly the impact of the dynamite explosions.²³ After receiving no response or input from the government, another letter was sent on 17 July 2024.²⁴ In response to this second attempt to engage with the government, military authorities from Malabo arrived in Annobón on 18 July 2024 to arrest and deport the signatories of the letter – many of whom were elderly members of the community. The community prevented the plane of detainees and military personnel from leaving the Island and as a result thereof, a second plane was sent to the island the following day removing the detainees from Annobón.

After the detainee's removal, the Annobonese population gathered peacefully in the vicinity of the military barracks, praying for the release of their local representatives and peacefully protesting the transfer of the signatories to Malabo. In the wake of these protests, on the morning of 19 July 2024, the military presence intensified with the brutal arrests of signatories and protestors by government authorities.

²¹ US Department of State. *2023 Country Report (Equatorial Guinea)*
<https://www.state.gov/reports/2023-country-reports-on-human-rights-practices/equatorial-guinea/>

²² US Department of State. *2020 Country Report (Equatorial Guinea)*
<https://www.state.gov/reports/2020-country-reports-on-human-rights-practices/equatorial-guinea>

²³ Annex H.

²⁴ Annex I.

In the early hours of 20 July 2024, government officials forcibly transferred the signatories to Malabo. Vice President, Teodoro Obiang Nguema Mbasogo, further ordered the complete isolation of the Annobón island by restricting all external communication and eliminating telephone and internet services – leaving the Annobonese completely incommunicado and preventing the spread of any information. Residents of Annobón are still, at the time of writing, experiencing the restricted flow of information and communication.²⁵

Hearing of these events, the Annobonese community living in Malabo initiated a second petition directed to the Parliament of Equatorial Guinea and obtained approximately 244 signatures.²⁶ The letter was taken to parliament on 22 July 2024, however, it was rejected on account of the fact that it was on the wrong letterhead. While trying to amend the special letterhead and before the letter could be sent to the parliament, the police began arresting leaders. Copies of the letter were also sent to Spanish, United States, South African, French and Nigerian embassies as well as the United Nations Development Programme office, alerting them to the ongoing situation in Annobón. In addition to the arrests of those sending the letters, the government authorities also arrested and assaulted supporters in Malabo, Annobón and Bata – including family members and visitors of those that were arbitrarily detained.²⁷ These arrests have resulted in the children of victims being left behind on the island with parents not knowing the situation of their children and vice versa.

By 24 July 2024, the government publicly labelled the Annobonese as perpetrators of a rebellion and sedition movement (likely influenced by Annobón's declaration of independence in 2022) which needed to be stopped. By 8 August 2024, five elderly women that were initially detained on 19 July were released after publicly admitting (under coercion) their wrongfulness and thanking Teodoro Nguema Obiang for his benevolence before public television. Save for the release of these women, the remaining 42 victims are still being arbitrarily detained. At the time of writing, the whereabouts of many of the Annobonese victims remains unknown.

Aside from the complete cut off of communications to and from Annobón, the information made available in the media is also severely limited. There is no community or independent media in Equatorial Guinea. The state-owned media company, Radio and Television of Equatorial Guinea (RTVGE) is wholly controlled by the government. Similarly, the Asonga Radio and Television media company is owned by the Obiang family believed to be used to defend the dictatorial regime.

²⁵ Eromo Egbejule. *Dozens of islanders locked up as grim history continues for Annobón*. 2024.

<https://www.theguardian.com/world/2024/oct/14/dozens-of-islanders-locked-up-as-grim-history-continues-for-annobon>

²⁶ Annex J.

²⁷ See Annex A for a full list of the victims arrested in July and August, 2024.

8.1. ARREST AND DETENTION PROCEDURES

Many of the victims were arrested without a warrant and without being provided with the reasons for their arrests. The arrests were largely done in the early hours of the morning so as to avoid arousing a public response and were carried out by the Gendarmerie (Equatorial Guinea armed forces) during raids, after the militarisation of the island.

Once detained, individuals ordinarily have the right to receive a judgement on the legality of their detention within 72 hours of the arrest. However, this is often not the case in Equatorial Guinea where this process can take up to several months.²⁸ It is reported that following their initial arrests, the victims were held in inhumane cells, known as “*celdas de la muerte*”²⁹ in San Antonio de Palé, Malabo and Bata. While in custody, the arrested victims were not provided with the charges for their arrest within this 72-hour period, nor were they granted access to a lawyer and brought before a judge even after filing habeas corpus resources.³⁰ It is reported that the victims were only afforded access to a lawyer on 12 August 2024, approximately one month after their initial arrest and the habeas corpus resources were never resolved.³¹

The arrested Annobonese victims (save for the release of the five elderly women) remain in pre-trial detention, having been charged with rebellion and the abusive exercise of fundamental rights, among other grave crimes.³²

8.2 PRISON CONDITIONS IN EQUATORIAL GUINEA

The overall prison conditions in Equatorial Guinea are characterised by “serious abuses, including beatings, sleep deprivation, use of car batteries to shock and inflict pain, and withholding of food, liquids, and medical treatment” with all prisons in the country regularly engaging in acts of torture of detainees.³³ It is further reported that prisoners are often bound by their wrists and ankles with aluminium cables. In addition to the physical torture endured by detainees across the country, the prison facilities are also known to be grossly overcrowded and lack adequate sanitation increasing the risk of spreading diseases like COVID-19, malaria, typhoid, tuberculosis, hepatitis C, and HIV and AIDS.³⁴

²⁸ US Department of State. *2023 Country Report (Equatorial Guinea)*.

<https://www.state.gov/reports/2023-country-reports-on-human-rights-practices/equatorial-guinea/>

²⁹ “Death cells”.

³⁰ See Annex K at para 6.

³¹ Ibid at para 57.

³² Eromo Egbejule. *Dozens of islanders locked up as grim history continues for Annobón*. 2024.

<https://www.theguardian.com/world/2024/oct/14/dozens-of-islanders-locked-up-as-grim-history-continues-for-annobon>

³³ See Report of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, Manfred Nowak: Addendum: Mission to the Republic of Equatorial Guinea. 2010.

<https://uhri.ohchr.org/en/document/1f0836d5-7710-4f6a-b893-68cfc7a5dee>; Working Group on Arbitrary Detention Concludes Visit to Equatorial Guinea. 2007.

<https://web.dev.ohchr.un-icc.cloud/en/press-releases/2009/10/working-group-arbitrary-detention-concludes-visit-equatorial-guinea>; and UN Special Rapporteur on torture concludes mission to Equatorial Guinea. 2008.

<https://web.dev.ohchr.un-icc.cloud/en/press-releases/2009/10/un-special-rapporteur-torture-concludes-mission-equatorial-guinea>

³⁴ Eromo Egbejule. *Dozens of islanders locked up as grim history continues for Annobón*. 2024. .

On 13 August 2024, the detainees were transferred from Malabo to different prisons, after a pre-trial decision made by the court in a hearing that lacked judicial guarantees. Some of the detainees were sent to Black Beach, although others have been sent to the notorious maximum security prison of Oveng Azem (Mongomo).

It is not uncommon for prisoners in custody to die as the above is unfortunately not the only case of prisoners dying while in custody (often as a result of the assault and torture administered by prison officials).³⁵The torture that goes on in the prisons is believed to be a means of forcing victims to confess to false narratives and incriminate other members of the community.

In 2017, a Spanish-Equatorial Guinean activist, Julio Obama Mefuman, was kidnapped abroad, together with other members of the “Movimiento para la Liberación de Guinea Ecuatorial” and brought secretly from South Sudan to Equatorial Guinea. The activists were detained in the Oveng Azem prison and in January 2023, after the media reported that some Equatorial Guinean authorities had been indicted by the Spanish Court (Audiencia Nacional). Julio Obama died while in custody believed to be a result of torture inflicted in the prison as a result of the indictment. The European Parliament issued a Resolution condemning the use of violence against Julio, and his untimely death.³⁶

Approximately a month after the arrests, the judicial authorities decided that some of the detainees would be provisionally imprisoned (pre-trial detention) at the Black Beach Prison in Malabo. Others were transferred to other locations in Equatorial Guinea, such as Oveng Azem Prison.³⁷Like Oveng Azem, Black Beach is infamously known for its deplorable and inhumane conditions. Prisoners often report widespread torture and the threat for their lives due to the overcrowding.³⁸It is not uncommon for prisoners in the Black Beach Prison to be *forgotten* and left without charges indefinitely, with no access to lawyers.³⁹Following this provisional judicial sentence, it is unclear where the arrested victims are now being held.

³⁵ Amnesty International. Equatorial Guinea, 2023.

<https://www.amnesty.org/en/location/africa/west-and-central-africa/equatorial-guinea/report-equatorial-guinea/>

³⁶ European Parliament resolution on on the violence against opposition activists in Equatorial Guinea, notably the case of Julio Obama Mefuman. 2023. https://www.europarl.europa.eu/doceo/document/B-9-2023-0127_EN.html

³⁷ See Annex K.

³⁸ Amnesty International. *The living hell of Equatorial Guinea's missing prisoners and their families* (2021).

<https://www.amnesty.org/en/latest/campaigns/2021/06/the-living-hell-of-equatorial-guinea-missing-prisoners/>

³⁹ Amnesty International. *The living hell of Equatorial Guinea's missing prisoners and their families* (2021).

<https://www.amnesty.org/en/latest/campaigns/2021/06/the-living-hell-of-equatorial-guinea-missing-prisoners/>

In a recent submission to the WGAD prepared on behalf of the aforementioned victims of Annobón, the arbitrary nature of these arrests are discussed in detail (see Annex K), with respect to the five categories of arbitrary detention laid out by the Working Group.⁴⁰ In addition to highlighting the severe prison conditions and abuses which the Annobonese victims have been subjected to, the submission highlights how the deprivation of liberty was inconsistent with those protections afforded to individuals in international human rights mechanisms such as the Universal Declaration of Human Rights.⁴¹

9. CONCLUSION

Annobón is characterised by its unique and diverse cultural identity. It is also a community that has experienced the consequences of colonial and dictatorial regimes. Under the harsh and exclusionary system of Equatorial Guinea's government, Annobón has been systematically marginalised and discriminated against. These have manifested in limited economic activity, a lack of essential and basic services, environmental degradation and exploitation, as well as the brutal arbitrary arrests and suppression of the Annobonese citizens speaking out against the violations highlighted above. The government of Equatorial Guinea nonetheless continues to overlook and exclude Annobón, only further exacerbating the crisis.

Those living in Annobón are facing the threat of the increasing climate crisis (worsened by the effects of unfettering extractive and infrastructural operations), placing at risk the ecosystem, water resources, vegetation and farming, and consequently the health and well-being of the Annobonese. Annobón's attempts to engage the government have only been met with repressive crackdowns on the community. These discriminatory and exclusionary practices must be addressed so as to ensure that the human rights of the Annobonese are not violated – the situation of Annobón requires urgent attention in this regard.

⁴⁰ The categories of an arbitrary detention include: (1) the basis for the deprivation of liberty is not authorised by domestic law; (2) the person has been deprived of liberty as a result of the exercise of fundamental rights, such as the rights to opinion, speech, association and assembly; (3) the person's right to a fair trial have been violated in whole or in part; (4) the individual has been deprived of liberty for reasons of discrimination; or (5) in the case of an asylum seeker, migrant or refugee subject to prolonged administrative custody, the person has been denied administrative or judicial review or a remedy.

⁴¹ Annex K.

10. RECOMMENDATIONS

In light of the above, the UNPO requests that the Equatorial Guinea Government, in coordination with the United Nations and other international organisations, national governments and civil society, should:

1. Immediately release all detainees arrested between July and August 2024, and cease all activities that may result in the arbitrary detention of residents of Annobón;
2. Immediately restore all communications and internet services to and from the Island of Annobón to ensure the free and uninterrupted flow of information and media;
3. Take the necessary actions and implement measures to address the ongoing environmental degradation and exploitation of natural resources in Annobón, which have endangered the natural resources, fragile ecosystem and health and well-being of the local population; and to implement sustainable practices to prevent further impact to the environment and livelihood of those in Annobón;
4. Take the necessary actions and implement measures to provide access to basic services, including but not limited to, safe drinking water, electricity and healthcare; and to build infrastructure on the island, including, schools, healthcare clinics, and housing;
5. Take the necessary measures to allow for the free and unrestricted travel of persons to and from Annobón and further accommodate the cultural relationship between Annobón and other communities from the CLPC; and
6. Ensure that representatives of Annobón are included in policy and decision making processes at all levels of government to ensure their voices are heard and their needs are addressed.