

For Immediate Release

Equatorial Guinea: Trial Set for Imprisoned Artist

Evidence Suggests Fabricated Charges

(Nairobi, February 26, 2018) – The trial of an artist on dubious counterfeiting charges, apparently brought in retaliation for drawing cartoons critical of the government, will be a test both of the independence of the judiciary and of free speech in [Equatorial Guinea](#), seven rights organizations said today. The presiding judge announced that the trial will begin on February 27, 2018, for Nsé Ramón Esono Ebalé, who has been held in prison in Malabo, Equatorial Guinea’s capital, since his arrest on September 16, 2017.

Esono Ebalé, who had been living abroad since 2010, is a cartoonist who frequently uses his art to lampoon senior government officials. He portrays the president and other officials as stealing public money to fund lavish lifestyles and sexual exploits, without any regard for the grinding poverty around them.

“Ramón has done nothing more than ask the questions that the rest of his countrymen fear to ask and his answer was a prison cell,” said Dr. Robert Russell, executive director of Cartoonists Rights Network International. “More should be done to challenge those institutions, interests, and individuals who enable the EG government to operate so far outside the boundaries of law.”

The human rights groups are Cartoonists Rights Network International, Committee to Protect Journalists, EG Justice, Human Rights Watch, International Federation for Human Rights, Index for Censorship, PEN America, and PEN International.

Esono Ebalé was arrested while he was in Equatorial Guinea to request a new passport, accompanied by two Spanish friends. All three were initially questioned together in Malabo’s Central Police Station, but the two Spaniards were released after a short period. The interrogation focused solely on Esono Ebalé’s work as an artist, one of the Spanish friends said. The friend also said that the police claimed that only members of approved political parties are permitted to criticize the government.

Three days after Esono Ebalé’s arrest, the state-owned TV channel ran a report alleging that he had been arrested for counterfeiting and attempting to launder approximately US\$1,800 of local currency found in the car he was driving. The report claimed that police had followed him during multiple trips to the country since 2014, although Esono Ebalé can be seen destroying his Equatoguinean passport in a video posted to YouTube in 2012, and he has been unable to travel since.

That same day, the police officer who conducted the initial interrogation summoned the Spanish friend to the station in order to explain that the questions he had asked about Esono Ebalé’s art on the night of the arrest were merely a strategy to get to this other crime and stressed that

Equatorial Guinea respects the right to freedom of expression.

Despite this quick turnabout, Esono Ebalé was not formally charged until 82 days after his arrest. This prolonged period – during which the investigating judge did not respond to three pleadings or motions submitted by his lawyers – calls into question the credibility of the evidence. It also appears to violate Equatorial Guinean law, which mandates that a judge must charge suspects within 72 hours of arrest, unless the judge recognizes an exception.

The charge sheet alleges that an undercover agent, working on a tip, approached Esono Ebalé to provide change for a large bill and was given counterfeit money in return. The charge sheet also states that the head of the National Police testified regarding receiving information about Esono Ebalé's alleged involvement in counterfeiting money and that the false notes were presented to the judge. It includes no information as to where the police found the money or other alleged members of the counterfeit ring. The judge refused bail and ordered Esono Ebalé to pay a 20 million CFA francs (US\$36,000) assurance to satisfy any fines the court may levy on him.

“Ramón has been sitting in prison for more than five months and yet the prosecution's feeble efforts at evidence cannot dislodge the appearance that this is a sham prosecution in retaliation for his biting cartoons,” said [Mausi Segun](#), Africa director at Human Rights Watch. “We hope the judge sees through it and acquits him.”

The case has garnered international attention, particularly from cartoonists, who have mobilized to support him. On February 2, the African Commission on Human and Peoples' Rights [sent a letter of appeal](#) to the Equatorial Guinean government raising concerns that the arrest violates Ebalé's right to free expression.

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