

La' o Hamutuk

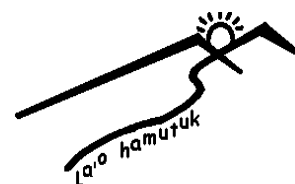
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Dili, 15 July 2014

His Excellency Taur Matan Ruak
President, Democratic Republic of Timor-Leste (RDTL)
Dili, Timor-Leste

Re: Open letter about Equatorial Guinea becoming a member of CPLP

CC :

- His Excellency Xanana Gusmão, RDTL Prime Minister
 - His Excellency Jose Luis Guterres, RDTL Minister of Foreign Affairs
 - His Excellency Vicente Guterres, President, RDTL National Parliament
 - His Excellency Francisco Guterres “Lu-Olo”, President, Preparatory Committee for CPLP Summit
 - Media
-

With respect,

Next week, Timor-Leste will host the Tenth Conference of Heads of State and Government of CPLP. In addition to discussing political, economic, social and security issues, this Summit will also make a decision to accept Equatorial Guinea as a member country of CPLP.

Many people, including 50 prominent personalities from CPLP countries, do not agree that Equatorial Guinea, a non-Portuguese-speaking nation, should join CPLP.¹ La' o Hamutuk, as an organization committed to promote human rights and social and economic justice, asks the upcoming Summit not to approve this accession or at least to make it conditional on significant improvement in human rights and reducing corruption.

A nation without democracy

Today, President Teodoro Obiang Nguema Mbasogo, who has ruled since 1979, continues to keep this nation as a dictatorship. Many people in Equatorial Guinea are hit with extralegal detention, jailed without trial, tortured, disappeared, and banned from exercising democratic and political rights and other human rights violations.

Although the Equatoguinean government announced a temporary moratorium on the death penalty when it applied to become a member of CPLP, this small West African nation continues to engage in extrajudicial killing of its citizens. Two weeks before announcing the moratorium—which has yet to be adopted by the Parliament, Equatorial Guinea executed several prisoners. According to Amnesty International, in January 2014 the government of Equatorial Guinea put four people, “and possibly nine” to death.

Timor-Leste lived for 24 years under the Suharto military regime. This invasion caused many people to become refugees, forcibly disappeared, tortured, deprived of liberty and encountered

¹ Open letter from human rights activists from CPLP Countries. See annex.

genocide every day. The human rights problems in Equatorial Guinea reflect the past history of Timor-Leste – but people should not have to live under this kind of repression any more. If Timor-Leste opposed the accession of Equatorial Guinea, this would contribute to build democracy and human rights for its people.

Article 5.1(b) of the CPLP Statutes, about Guiding Principles, includes non-interference in the internal affair of each member state, which means that Timor-Leste and other CPLP countries would not be able to defend the social, economic, political and democratic rights of the people of Equatorial Guinea.

Therefore, we ask the Government of Timor-Leste to obey Article 10 of the RDTL Constitution by giving solidarity to all people of Equatorial Guinea who struggle for social liberation, defense of human rights, democracy and peace, thereby carrying out the CPLP Principle that all members should cooperate to promote democratic practices, good governance and respect for human rights.

No freedom of press or expression

Timor-Leste is one of the nations which has ratified the International Convention on Civil and Political Rights which, along with our Constitution, guarantees freedom of the press and expression. For a decade and a half, Timor-Leste has had no problems with press or expression.

This situation is totally different from what exists in Equatorial Guinea. There, press freedom does not exist, local journalists cannot criticize political leaders, and the law does not contemplate pro-democracy or human rights work by non-governmental organizations. Although some local activists continue to monitor the human rights situation, they often confront intimidation, harassment, and imprisonment by state security forces.

CPLP Statutes Article 5.1(e) gives a guiding principle of prioritizing peace, democracy, rule of law, human rights and social justice. Unfortunately, this principles is far from what Equatorial Guinea follows.

Economic injustice

Equatorial Guinea is the third largest oil producer in sub-Saharan Africa, and its economy and state spending are extremely dependent on petroleum income. Sadly, half of its people live without clean water or sanitation, health, education, or reliable electricity. The submission by Human Rights Watch to this year's UN Human Rights Council Universal Periodic Review of Equatorial Guinea explains that the government spends much of the oil money on large prestige infrastructure projects, ignoring basic sustainable development needs of its people.

The government spends a lot on roads, recreational facilities for the elite and foreign guests; while local people still live in destitute poverty. There is widespread corruption, basic information on budgetary spending is secret, and citizens and journalists cannot monitor how their natural resources are used. Equatorial Guinea is the textbook example of the resource curse.

Transparency International calls Equatorial Guinea one of the most corrupt states in the world, ranking them 163rd worst out of 177 countries in the 2013 Corruption Perception Index. President Obiang and his relatives use the oil wealth to enrich themselves, and keep the details as state secrets. Vice President Teodorin Obiang, the President's oldest son, has been alleged in court documents to have stolen public money, using fraud and money-laundering to transfer through false companies to bank accounts he controlled. Until recently, there was an international arrest warrant pending against him.

Timor-Leste values democracy and transparency. It is a member of the Extractive Industries Transparency Initiative (EITI), and it is also very dependent on petroleum revenues. The situation in Equatorial Guinea will not help our people, and is a bad example for Timor-Leste. It will not help

the people of Equatorial Guinea for CPLP to legitimize their dictatorial regime, or to provide ways for their corruption-contaminated oil to pass through CPLP mechanisms to make the Obiang family even richer. We worry that the emerging cooperation among CPLP countries in the petroleum sector will be poisoned if it includes the Obiang kleptocracy.

In addition, if Timor-Leste supports the membership of Equatorial Guinea in CPLP, we will show that Timor-Leste cannot promote principles of international relations which defend everyone's human rights and the sovereignty of people over their own natural resources.

Finally, we in Timor-Leste can learn from Equatorial Guinea's disastrous mistakes, so that we do not fall as deep into the resource curse as they have.

Conclusion

The dictatorship in Equatorial Guinea wants to exploit CPLP to gain legitimacy in the international community. During our struggle against the Indonesian occupying regime, all CPLP nations supported Timor-Leste in isolating the Suharto dictatorship because it violated Timor-Leste people's human rights. We think that, in truth, Timor-Leste and other CPLP countries should continue this struggle against dictators who bring suffering to their people.

Also, Equatorial Guinea did not vote on four of the eight UN General Assembly resolutions which supported Timor-Leste during our struggle against the illegal Indonesian occupation. Although the chaotic situation in the country in 1978 could explain their first absence, those from 1980-1982 show a lack of commitment. All CPLP members voted for Timor-Leste at every opportunity. Therefore, we suggest that the Government of Timor-Leste should use its right to vote against Equatorial Guinea coming into CPLP.

Thank you very much for your attention to this open letter.


Sincerely,



Juvinal Dias
Researchers at La'o Hamutuk



Adilson da Costa Junior



Charles Scheiner

This letter is supported by Timorese human rights activists, including:

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