

# Human Rights Watch

## Torture, Former Combatants, Political Prisoners, Terror Suspects, & Terrorists

<https://www.hrw.org/world-report/2014/country-chapters/equatorial-guinea>

### Annual reports

Events of 2013

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Stopping Mass Atrocities, Majority Bullying, and Abusive Counterterrorism

Integrating Rights into a Post-2015 Agenda

Privacy in the Age of Surveillance

How Drug Criminalization Destroys Lives, Feeds Abuses, and Subverts the Rule of Law

Corruption, poverty, and repression continue to plague Equatorial Guinea under President Teodoro Obiang Nguema Mbasogo, who has been in power since 1979. Vast oil revenues fund lavish lifestyles for the small elite surrounding the president, while a large proportion of the population continues to live in poverty. Mismanagement of public funds and credible allegations of high-level corruption persist, as do other serious abuses, including arbitrary detention, secret detention, and unfair trials.

The period surrounding legislative elections in May 2013 was marked by the denial of fundamental freedoms. The government blocked planned protests by political opponents and arrested the organizers. The ruling party gained an overwhelming victory in the election, but the poll lacked credibility because of biased electoral processes and restrictive conditions for international observers.

The new government that formed in September maintained a system that lacks effective checks on the powers of President Obiang. Obiang appointed his eldest son and possible successor, Teodorin, to one of 15 senate seats he personally selects, under 2011 constitutional changes. Obiang retained Teodorin as second vice president, an appointed post not contemplated in the constitution.

Obiang and his government strongly defended Teodorin against allegations of corruption and money laundering, which are the focus of foreign law enforcement investigations in France and the United States. Although several legal decisions went in Teodorin's favor in August, notably a California judge's dismissal of part of a case against him, followed by Interpol's unexpected withdrawal of an international arrest warrant against him in a separate case filed in France, intensive investigations in both countries continue and a Europe-wide warrant issued at France's request remains in effect.

Equatorial Guinea is the third largest oil producer in sub-Saharan Africa and has a population of approximately 700,000 people. According to the United Nations 2013 Human Development Report, the country has a per-capita gross domestic product of US\$32,026, which is the highest wealth ranking of any African country and one of the highest in the world, yet it ranks 136 out of 187 countries in the Human Development Index. As a result, Equatorial Guinea has by far the largest gap of all countries between its per-capita wealth and its human development score.

Despite the country's abundant natural resource wealth and governments' obligations to advance the economic and social rights of its citizens, it has directed little of this wealth to meet their needs. Figures released by the International Monetary Fund in early 2013

showcase the governments spending priorities: while half of Equatorial Guineas capital spending in 2011 was used to build infrastructure and another 22 percent was spent on public administration, health and education together accounted for only 3 percent of capital spending.

About half of the population lacks clean water or basic sanitation facilities, according to official 2012 statistics. A large portion of the population also lacks access to quality health care, decent schools, or reliable electricity. The government does not publish basic information on budgets and spending, and citizens and journalists lack the freedom to monitor the use of the countrys natural resource wealth.

Equatorial Guinea is notorious for its poor record on press freedom. Local journalists are unable to criticize the government or address issues the authorities disapprove of without risk of censorship or reprisal. Only a few private media outlets exist in the country, and they are generally owned by persons close to President Obiang; self-censorship is common. Foreign news is available to the small minority with access to satellite broadcasts and the Internet; others have access only to limited foreign radio programming.

Freedom of association and assembly are severely curtailed in Equatorial Guinea, greatly limiting the effectiveness of civil society groups. The government imposes restrictive conditions on the registration and operation of nongovernmental groups. The country has no legally registered independent human rights groups. The few local activists who seek to address human rights related issues face intimidation, harassment, and reprisals.

Only two political parties offered candidates independently in the May legislative elections. The other 10 officially recognized political parties aligned with the ruling party, which benefited from a virtual monopoly on power, funding, and access to national media. The May vote, like prior elections in the country, were marked by serious human rights violations and a denial of fundamental freedoms, including arbitrary arrests and restrictions on freedom of assembly. The National Election Commission is controlled by the ruling party and is headed by the interior minister, a prominent member of the governing party.

Requests by political activists and opposition political parties to hold peaceful demonstrations were denied. Protests planned for May and June were blocked and the organizers of the May event were arrested. At least 10 activists were arrested in May, following calls for a peaceful demonstration on May 15 to call for government reforms and to protest a government decision denying registration to a new political party, Partido Democrático de la Justicia Social (Democratic Party for Social Justice). Clara Lola Nsegue Ey and Natalia Angue Edjodjomo, the partys co-founders and coordinators of the demonstration, were arrested on May 13 in Malabo and transferred to the city of Mongomo. They were both released after three weeks, but Nsegue was subsequently rearrested in Malabo and flown to Mongomo, an inland city, more than 200 miles away, where she remained in custody without charge from late June until her release in October.

Jernimo Ndong, secretary general of the opposition party Unin Popular (Peoples Union), was arrested on May 13 and held for several days, also in connection with the planned protest. He went into hiding after his release, but turned himself in when the authorities arrested his wife and brother to force him to emerge from hiding. Ndong was then rearrested and held for another seven days.

A number of people were arrested on their way to the planned May 15 protest and later released, including Salvador Bibang Ela, a leader of the Convergencia Social Democrática Popular (CPDS, Peoples Social Democratic Convergence) opposition party. The protest was not held, due to these arrests and the heavy presence of security forces in the streets.

In June, security forces surrounded the CPDS headquarters in Malabo and several party leaders were briefly arrested in a successful effort to block a planned demonstration against alleged election fraud. The partys earlier request for a permit for the protest was denied.

On September 22, Weja Chicampo, coordinador of the Movimiento para la Autodeterminación de la Isla de Bioko (MAIB, Movement for the Self-Determination of Bioko Island), was deported to Spain from the Malabo airport as he returned from a visit to there. Chicampo had previously lived in exile in Spain, following repeated arrests and prison terms in Equatorial Guinea, but had moved back to Equatorial Guinea. He remained in Spain at time of writing.

Due process rights are routinely flouted in Equatorial Guinea and prisoner mistreatment remains common. Many detainees are held indefinitely without knowing the charges against them. Some are held in secret detention. Lawyers and others who have visited prisons and jails indicate that serious abuses continue, including beatings in detention that amount to torture.

President Obiang exercises inordinate control over the judiciary, which lacks independence. The president is designated as the countrys chief magistrate. Among other powers, he chairs the body that oversees judges and appoints the bodys remaining members.

Judicial processes are used to intimidate or punish those perceived as disloyal to those in power. In July, Roberto Berardi, a business associate of Teodorin, was convicted of theft of company property and given a two-and-a-half year sentence, following a brief trial at which Berardis family said no evidence was presented. Berardi had been in government custody in Bata since January. According to his family, Berardis arrest came after he asked Teodorin about a suspicious bank transfer to a US account. They also allege that he was held in secret detention for several weeks and subjected to torture.

Eleuterio Esono, an Equatoguinean citizen who returned to the country from exile in Sweden in early 2013, was held without charge in a Malabo jail from March 12 until the end of April. He was arrested without warrant in connection with an alleged conspiracy against the state.

Agustín Esono Nsogo, a teacher arrested in October 2012 for an alleged plot to destabilize the country, remained in custody without charge or trial.

The US is Equatorial Guinea's main trading partner and source of investment in the oil sector. The US government openly criticized the May legislative elections in Equatorial Guinea, citing serious concerns about arbitrary detentions, limits on free speech and assembly, and the opposition's severely restricted ability to access the media and the Internet-based social networks.

Spain, the former colonial power, also applied some pressure on Equatorial Guinea to improve its human rights record by publicly criticizing the May vote.

In a speech during the G20 summit and subsequently, United Kingdom Prime Minister David Cameron prominently used Equatorial Guinea as an example of the so-called resource curse: a corrupt, poorly governed country with great wealth that does not benefit the majority of its people.

President Obiang continued to seek international attention as a statesman, hosting a summit with African and Latin American leaders in March and accepting from North Korea in July the International Kim Jong-il Prize for his commitment to justice, development, peace and harmony.

Human Rights Watch defends the rights of people in 90 countries worldwide, spotlighting abuses and bringing perpetrators to justice

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