

# Human Rights Watch

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

<https://www.hrw.org/world-report/2011/country-chapters/equatorial-guinea>

### Annual reports

Events of 2010

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The Misuse of Dialogue and Cooperation with Rights Abusers

Protecting Students, Teachers, and Schools from Attack

The Changing Media Landscape and NGOs

Equatorial Guinea remains mired in corruption, poverty, and repression under the leadership of Teodoro Obiang Nguema Mbasogo, the country's president for over 30 years. Vast oil revenues fund lavish lifestyles for the small elite surrounding the president, while the majority of the population lives in dire poverty. The government regularly engages in torture and arbitrary detention. It also continues a practice of abducting perceived opponents abroad and holding them in secret detention. Journalists, civil society, and members of the political opposition face heavy government repression.

President Obiang, who overwhelmingly won re-election in November 2009 in a deeply flawed vote, unsuccessfully sought to enhance his international image by announcing purported human rights reforms. Several prominent Obiang initiatives, including a the United Nations Educational, Scientific and Cultural Organization (UNESCO) prize in his honor, were blocked due to widespread concern over well-documented corruption and abuse in his administration.

Significant oil revenues and the country's small population make Equatorial Guinea's per capita gross domestic product among the highest in the world, and the highest in sub-Saharan Africa. Nevertheless, socioeconomic conditions for the country's population of approximately 600,000 remain dismal. One study published in *The Lancet* found that the country had the world's highest child mortality rate, though a second study in the same publication found that the country did see progress in reducing maternal mortality.

The government has failed to utilize available resources to progressively realize the social and economic rights of the population. Given its high oil revenues, it has invested only paltry sums in health, education, and other social services. As reported by the International Monetary Fund in May, after a four-year delay, Equatorial Guinea in 2010 began to disburse "small" amounts for those purposes through its Social Development Fund. The government, instead, has prioritized investments in projects, such as an ultra-modern hospital, that have little benefit for the poor who lack access to basic health services. An anti-malaria campaign largely funded by Western oil companies has lowered the incidence of malaria.

In February a United States Senate investigation revealed that President Obiang's eldest son and presumed successor-known by the nickname Teodorn-who serves as minister of agriculture and forestry, bypassed money-laundering controls and used suspect funds to finance expensive purchases in the US. The son's spending on luxury goods from 2004-2007 was nearly double the Equatoguinean government's 2005 budget for education. The US Senate also reported that Teodorn is under criminal investigation in the US. In response to this negative publicity, he hired a Washington communications firm to polish his image, selecting the same firm used by his father. President Obiang also hired a new US lobbyist, replacing the firm he retained after a 2004 US Senate investigation exposed his improper personal spending from national oil accounts.

Equatorial Guinea remains notorious for its lack of press freedom; its ranking by Reporters Without Borders fell to 167<sup>th</sup> out of 178 countries in 2010. A few non-state-controlled media outlets publish erratically and are tightly restrained. Journalists from the state media are not permitted to criticize the government.

According to international press freedom groups, in January the government fired four reporters from the state radio and television broadcaster for "lack of enthusiasm." In February a journalist with state-run radio was arrested and held for three days after he reported on-air that seven bodies were found at a trash dump in Bata, the largest city on the country's mainland. In April the sole foreign correspondent in Equatorial Guinea, an Agence France-Presse reporter, was detained and held for several hours when he attempted to cover the arrival of foreign dignitaries at the airport in Malabo, the capital.

Freedom of association and assembly are also severely curtailed, infringing on the development of civil society. The government imposes restrictive conditions on the registration and operation of nongovernmental groups. As a result, there is not one legally registered independent human rights organization in the country. The few local activists who openly promote needed reforms are vulnerable to intimidation, harassment, and reprisals. The government is also intolerant of critical views from abroad, frequently characterizing those who expose President Obiang's autocratic and corrupt rule as racist and colonialist. It also regularly denies visas to foreign journalists.

Contrary to President Obiang's claims that "my country is democratic," free and fair elections are denied to its people. In the lead-up to the November 2009 presidential vote, which President Obiang won with 95.4 percent of the ballot, the government stifled and harassed the country's beleaguered political opposition, denied the opposition equal access to the media, and imposed serious constraints on international observers.

The ruling Democratic Party (PDGE) maintains a monopoly over political life. Only two of the four other political parties with candidates running in the election-the Convergence for Social Democracy (CPDS) and the People's Union (UP)-actively oppose the ruling party and Obiang. Opposition parties are silenced through the use of criminal prosecution, arbitrary arrest, and harassment. Freedom House named Equatorial Guinea as one of the "worst of the worst" countries for the harsh repression of political rights and civil liberties, as it has for several previous years.

In July Teodorn was elected to head the ruling party's youth wing. That role automatically confers on the younger Mr. Obiang the vice-presidency of the PDGE and presumably ensures that he is next in line to replace his father.

There is no independent judiciary in Equatorial Guinea. The government commonly employs arbitrary detention and arrests without due process. Detainees continued to be held indefinitely without knowing the charges against them. Basic fair trial standards are disregarded. Torture remains a serious problem despite a national law prohibiting it. Equatorial Guinea's security services have kidnapped more than a dozen perceived opponents abroad, including at least four in 2010.

Amnesty International reported that Equatorial Guinea abducted four nationals living in exile in Benin in January 2010, held them in secret detention where they were tortured and forced to confess to participating in a February 2009 attack on the presidential palace, and then executed them in August following a military trial that violated international human rights standards and the country's own laws.

The government had earlier arbitrarily detained and accused 10 opposition politicians and scores of Nigerian citizens, including fisherman and traders, of involvement in the same attack on the presidential palace. In March, after more than a year in detention, seven of the Nigerian citizens were prosecuted in an unfair civilian trial and each sentenced to 12 years in prison, while two Equatoguinean opposition members were first acquitted by the civilian court and then retried in August by a military court, receiving sentences of 20 years.

At its review under the Universal Periodic Review mechanism of the UN Human Rights Council in December 2009, and during a follow-up session in March 2010, Equatorial Guinea accepted over 100 recommendations to improve its human rights record, including commitments to end torture and arbitrary and secret detentions. In June President Obiang announced a reform plan at the Global Forum in Cape Town, South Africa, pledging that he would make his country's oil revenues fully transparent, increase social spending, institute legal reforms, protect human rights, and preserve the environment. Although President Obiang hired a "reform adviser" to help promote these purported improvements, the various pledges were consistently belied by his government's action.

In April the Extractive Industries Transparency Initiative, a global initiative promoting openness on petroleum and mining revenues, expelled Equatorial Guinea for failing to meet its most basic criteria. In July, the Community of Portuguese-Speaking Countries deferred Equatorial Guinea's application to join, also in the wake of controversy over President Obiang's record. (Although Portuguese is not spoken in the former Spanish colony, President Obiang declared it Equatorial Guinea's newest national language.) In August the US government, as well as a UN working group and others, sharply criticized the unfair trial and executions that took place that month in Equatorial Guinea. In October, after stalling a decision several times, UNESCO indefinitely suspended an award named after-and funded by-President Obiang. UNESCO's executive board acted after a global civil society campaign generated an international uproar over the planned "dictator prize" that threatened to seriously taint the organization.

The US is Equatorial Guinea's main trading partner and US companies dominate the country's oil sector. The US government took some steps to hold Equatorial Guinea to global standards, notably taking a strong stance at UNESCO against the Obiang prize.

Spain could play an important role as the former colonial power, but it generally has declined to apply pressure on Equatorial Guinea regarding human rights issues. The Spanish government, however, also opposed the UNESCO prize.

In addition to the reported criminal inquiry against Teodorn Obiang in the US, legal challenges are proceeding in France, Spain, and before the African Commission on Human and Peoples' Rights alleging misuse of Equatorial Guinea's oil funds.

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