

Equatorial Guinea 2023 Human Rights Report

Executive Summary

There were no significant changes in the human rights situation in Equatorial Guinea during the year.

Significant human rights issues included credible reports of: arbitrary or unlawful killings, including extrajudicial killings; torture or cruel, inhuman, or degrading treatment or punishment by or on behalf of the government; harsh and life-threatening prison conditions; arbitrary arrest or detention; serious problems with the independence of the judiciary; political prisoners or detainees; arbitrary or unlawful interference with privacy; punishment of family members for alleged offenses by a relative; serious restrictions on freedom of expression and media freedom, including censorship and enforcement of criminal libel laws to limit expression; substantial interference with the freedom of peaceful assembly and freedom of association; restrictions on freedom of movement and residence within the territory of a state and on the right to leave the country; inability of citizens to change their government peacefully through free and fair elections; serious and unreasonable restrictions on political participation; serious government corruption; serious government restrictions on or harassment of domestic and international human rights organizations; extensive gender-based violence, including domestic or intimate partner violence; crimes

involving violence or threats of violence targeting lesbian, gay, bisexual, transgender, queer, or intersex persons; and prohibiting independent trade unions or significant or systematic restrictions on workers' freedom of association.

The government did not take steps to identify and punish officials who may have committed human rights abuses.

Section 1. Respect for the Integrity of the Person

a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings

There were reports the government or its agents committed arbitrary or unlawful killings, including extrajudicial killings, during the year.

Throughout the year, there were anecdotal accounts of deaths in prison due to injuries inflicted by prison staff; no remedial action was taken.

On January 17, local and international media reported Julio Obama Mefuman of the Movement for the Liberation of Equatorial Guinea Third Republic (MLGE3R), an Equatoguinean political organization based in Spain, died in prison in Equatorial Guinea. In 2017, authorities convicted Obama Mefuman of attempting to overthrow the government, and he received a 60-year sentence. MLGE3R claimed security officials at Oveng Asem Prison

tortured Obama Mefuman during his detention and he died as a result, but acknowledged he also had severe chronic illness exacerbated by his abuse in prison. Minister of Foreign Affairs, International Cooperation, and Diaspora Simeon Oyono Angue stated during a national press conference that Obama Mefuman “died in Mongomo hospital following [an] illness.”

In August and September, activists reported at least five youth arrested during the May 2022 street crime *Operacion Limpieza* (Operation Clean-Up) died in custody with marks of physical abuse evident on their bodies. When authorities asked families to identify the remains of their children, the families were allegedly often shown incorrect remains before the remains of their own children were presented to them.

No office investigated the legality of security force killings.

b. Disappearance

In October, members of the political movement Citizens for Innovation (CI) reported authorities forcibly disappeared CI members during the previous 12 months. CI members were unable to contact their relatives or establish their relatives’ whereabouts or well-being, and estimated they were unable to account for between 20 and 50 CI members.

c. Torture and Other Cruel, Inhuman, or Degrading

Treatment or Punishment, and Other Related Abuses

The constitution and law prohibited such practices, but there were credible reports government officials employed them. Police tortured activists, members of opposition parties, and former government officials accused of corruption, according to political opposition leaders and local nongovernmental organizations (NGOs). Lawyers and other observers who visited prisons and jails reported serious abuses, including beatings, sleep deprivation, use of car batteries to shock and inflict pain, and withholding of food, liquids, and medical treatment.

Police reportedly beat and threatened detainees to extract information or to force confessions. Local civil society organizations claimed security forces tortured detainees in every prison in the country, including Black Beach Prison in Malabo, the capital city, and in several Ministry of Interior locations, with increasing prisoner transfers between Malabo and prisons on the mainland to avoid domestic and international scrutiny.

According to activist and lawyer Anacleto Micha, in May, authorities placed him in solitary confinement without electricity, food, or water for 13 days during his lengthy pretrial detention in the Ministry of Interior and Local Corporations jail. After Micha's conviction at trial, authorities moved him to Black Beach Prison in Malabo, where a national gendarme officer, nicknamed the "Iron Fist Sergeant" for his brutal beatings, stripped and beat

Micha.

Opposition groups reported credible allegations of torture by security forces against Spanish citizens.

In January, the Spanish judicial system filed charges against three Equatoguinean officials, Nicholas Obama Nchama, Carmelo Ovono Obiang (also known as “Didi”), and Isaac Nguema Endo, for luring two Spanish citizens into South Sudan in 2018, where they were extraordinarily rendered to Malabo to face charges for allegedly participating in the 2017 coup plot against Obiang. According to the Spanish indictment, authorities allegedly tortured the two Spanish citizens in prison in Malabo.

Police raped and sexually abused transgender women and girls in detention facilities, as well as lesbian or queer-presenting youth to “prove” the youth were women.

Impunity was a significant problem within the security forces.

Prison and Detention Center Conditions

Prison conditions were harsh and life threatening due to gross overcrowding, physical abuse, and inadequate sanitary conditions.

Abusive Physical Conditions: Prison cells were overcrowded, dirty, and lacked mattresses. Up to 30 detainees commonly shared one toilet that lacked toilet paper and a functioning door. Inmates rarely had access to

exercise. Diseases such as COVID-19, malaria, typhoid, tuberculosis, hepatitis C, and HIV and AIDS were serious problems. Prison authorities sporadically provided a limited number of prisoners and detainees with basic meals, but food was generally insufficient and of poor quality. Jails did not provide food to detainees, but authorities generally allowed families and friends to deliver meals twice daily, although police did not always pass on the food to the detainees. Ventilation and lighting were not always adequate, and rodent infestations were common.

Authorities kept prisoners confined in cells for long periods of time without access to movement or exercise, including keeping multiple prisoners in cells designed for solitary confinement. In some cases, prisoners were reportedly left in solitary confinement for extended periods.

NGO leaders previously described conditions in mainland prisons as worse than conditions in Black Beach Prison, but civil rights activists using first-hand accounts of conditions in prisons concluded conditions were far worse in Black Beach, while treatment of prisoners was equally problematic in all prisons.

Administration: Authorities did not regularly investigate credible allegations of mistreatment.

Independent Monitoring: The government did not allow independent monitoring of prisons or detention centers.

d. Arbitrary Arrest or Detention

The law prohibited arbitrary arrest and detention and provided for the right of any person to challenge the lawfulness of their arrest or detention in court. The government rarely observed these requirements.

Arrest Procedures and Treatment of Detainees

The law required arrest warrants unless a crime was in progress or in cases affecting national security. Members of the security forces frequently arrested persons in violation of the warrant requirement, and there were credible reports that in cases where no crime had been committed individuals were detained at the order of a senior executive branch official. A detainee had the right to a judicial determination of the legality of detention within 72 hours of arrest, excluding weekends and holidays, but this determination often took longer, sometimes several months. NGOs indicated most detainees were not charged and judges typically failed to issue a writ of habeas corpus within the 72-hour limit.

Courts rarely approved bail. The bar association supplied public defenders to those who could not afford private counsel but only at the time they were charged. Authorities occasionally denied access to lawyers, particularly in the case of political detainees. The law prohibited incommunicado detention, but local police chiefs did not always respect this prohibition and individuals detained in connection with civil society groups or political

opposition movements were frequently held incommunicado.

Arbitrary Arrest: There were numerous reported cases of arbitrary arrests. The government arbitrarily arrested immigrants, opposition members, activists, and others. Many detainees complained bribes had to be paid to obtain release.

Police detained foreign nationals and took them into custody even when they provided proper documentation. Police raided immigrant communities. Reliable sources reported police abused, extorted, or detained legal and irregular immigrants during raids. Diplomatic representatives in the country noted the government made foreign nationals vulnerable to abuse through harassment, abuse, extortion, detention, and not renewing residence and work permits in a timely manner.

On February 9, authorities arrested two South African employees of an oil and gas servicing company, and despite insufficient evidence, charged them with drug trafficking offenses. Many commentators considered the arrests a retaliation by the vice president against South Africa. In early February, South African courts seized a yacht and two residences in Cape Town to pay a judgement against the vice president for arbitrarily detaining a South African businessperson in 2013.

On August 16, authorities arrested writer, journalist, and activist Trifonia

Melibea Obono on unspecified charges and detained her for several days after she published an article critical of the vice president and reportedly joined a civil society coalition led by a high-profile Equatoguinean former government official in Spain. Activists and commentators also attributed her detention to her work exposing alleged torture and cruel, inhuman, and degrading treatment of lesbian, gay, bisexual, transgender, queer, or intersex (LGBTQI+) persons. Authorities later released her without charge.

On June 6, President Obiang released 109 youth arrested during the May 2022 Operacion Limpieza for breaking curfew. Authorities held these youth in jails, prisons, and detention facilities for more than a year with no charges filed.

Pretrial Detention: Lengthy pretrial detention remained a problem and was often politically motivated. Inefficient judicial procedures, corruption, lack of monitoring, and inadequate staffing contributed to the problem. While reliable statistics were lacking, pretrial detention reportedly equaled or exceeded the maximum sentence for the alleged crime for a number of detainees.

e. Denial of Fair Public Trial

The law did not provide for an independent judiciary, and the government did not respect judicial independence and impartiality. The president was designated the “first magistrate of the nation” and chair of the Judicial

Council responsible for appointing judges and magistrates.

Members of the government often influenced judges in sensitive cases.

Judges and magistrates sometimes decided cases on political grounds, and many were members of the ruling party; others sought bribes. Impunity for politically motivated abuses was a problem, and human rights activists and opposition members had little legal recourse to protest such abuses.

Authorities did not always respect court orders. There were reports of individuals kept in custody after completion of their sentences. Local lawyers asserted these cases represented interference from the highest level of the executive branch in judicial matters, and few if any judges would contradict an order from the executive branch.

Trial Procedures

The law provided for the right to a fair public trial, but the judiciary generally did not enforce this right. Courts generally did not respect the presumption of innocence, the right to be informed promptly and in detail of charges, the right to free interpretation, or the right to adequate time and facilities to prepare a defense. Unless defendants could afford private counsel, they were rarely able to consult promptly with attorneys. Courts seldom respected the right to confront and question witnesses and to present one's own witnesses and evidence. Authorities did not respect the right not to be compelled to testify, or confess guilt, or the right to appeal.

The military justice system provided defendants with fewer procedural safeguards than the criminal court system. The code of military justice stated a military tribunal should judge any civilian or member of the military who disobeyed a military authority or who was accused of committing a crime considered a “crime against the state.” A defendant in the military justice system could be tried in absentia, and the defense did not have the right to cross-examine an accuser. Such proceedings were not public, and defendants had no right of appeal to a higher court. The government prosecuted members of political movements and opposition groups in military courts.

Political Prisoners and Detainees

There were numerous reports of political prisoners or detainees, but no data was available on their number or length of detention; the government denied it held any political prisoners. Political prisoners were often held at Black Beach Prison, Oveng Asem Prison, or housing units converted into Ministry of Interior and Ministry of National Security detention facilities. These prisoners remained without charge or trial and without access to attorneys or human rights or humanitarian organizations for months at a time. They were also held in the Ministry of Interior and Local Corporations jail – known in the country as Guantanamo – where sensitive political detainees were often kept for the first several days of their detention. There was little to no information regarding conditions at Guantanamo.

Authorities also restricted religious observances for political prisoners.

Charges of terrorism, threatening the president or vice president, contributing to social instability, and inciting unrest were often used as pretexts to detain members of civil society or opposition groups.

Some activists and political opposition members arrested in September 2022 remained in prison, while authorities released others.

In June, authorities sentenced the CI leader Gabriel Nze Obiang to 29 years in prison for his participation in an alleged terrorist plot in 2022, one widely believed to be fabricated to implicate him and CI in the run-up to the November 2022 elections. Other party members received sentences of between nine and 29 years' for their alleged actions during the September 2022 police assault on CI's headquarters. Activists and human rights observers characterized these convictions as politically motivated and designed to permanently sideline CI from domestic politics.

f. Transnational Repression

Threats, Harassment, Surveillance, and Coercion: Local activists reported the government surveilled activists abroad to disrupt their travel and dissuade them from criticizing the government.

g. Property Seizure and Restitution

The government routinely seized valuable land for governmental development or the personal benefit of government officials, with a systemic failure to provide proportionate and timely restitution or compensation for governmental takings of private property. In some cases, the government demolished private residences and businesses to clear land for government or personal projects.

h. Arbitrary or Unlawful Interference with Privacy, Family, Home, or Correspondence

The constitution and law prohibited such actions, but the government often did not respect these prohibitions. Search warrants were required unless a crime was in progress or for reasons of national security, but security force members reportedly entered homes without required warrants and arrested alleged criminals, foreign nationals, and others. They also confiscated property and demanded bribes with impunity.

Authorities reportedly monitored opposition members, NGOs, journalists, and foreign diplomats, including through internet and telephone surveillance. Members of civil society and opposition parties reported both covert and overt surveillance by security services. Many individuals assumed the government monitored their social media activity and their

telephone calls. There were extensive reports of informer systems, including within families, neighborhood communities, and political opposition groups, and at demonstrations. The ruling party rewarded individuals with promotion within the party if they reported derogatory information to the Ministry of National Security. A local NGO reported authorities detained family members of LGBTQI+ individuals until the LGBTQI+ persons presented themselves to authorities to answer allegations of alleged offenses.

In July, police raided the headquarters of an LGBTQI+ advocacy organization, home to some of its members, allegedly searching for drugs. Organization members reported police presented no warrant; unidentified officials claimed a warrant was unnecessary because the organization was unregistered.

Section 2. Respect for Civil Liberties

a. Freedom of Expression, Including for Members of the Press and Other Media

Although the constitution and law provided for freedom of expression, including for members of the press and other media, the government retained and used extensive legal powers to restrict media activities.

Freedom of Expression: Individuals generally chose not to criticize the

president, his family, other high-ranking officials, and security forces due to the risk of reprisal. The government attempted to impede criticism by continuing to monitor the activities of opposition members and others. In some cases, authorities reprimanded individuals, removed them from their jobs, or both. Most individuals on social media assumed the government was monitoring their activity, and activists reported electronic surveillance of their personal email accounts. Many individuals avoided discussing certain sensitive topics on the telephone due to concerns of monitoring.

Violence and Harassment: During the year no incidents were reported of security forces detaining journalists or intimidating or harassing them beyond monitoring their activities.

Censorship or Content Restrictions for Members of the Press and Other Media, Including Online Media: The law gave the government considerable authority to restrict media content through official prepublication censorship, and established criminal, civil, and administrative penalties for violation of its provisions. Activists and commentators reported media self-censorship.

Media remained weak and under government influence or control. A limited number of independent media outlets were active and expressed a variety of views, but not without restriction. The country had one marginally independent newspaper that published sporadically, and an online news portal published articles including criticism of the government.

The only publishing facility available to newspapers was located at the Ministry of Information, Press, and Radio, where officials censored printed materials.

Print media outlets were extremely limited. Persons close to the president, including his son, the vice president, owned the few private media outlets; the vice president owned the only private broadcast media. Starting a newspaper was a complicated process governed by an ambiguous law and impeded by government bureaucracy; creating a digital presence was less onerous. Accreditation was cumbersome for both local and foreign journalists.

The government owned the only national radio and television broadcast system. Journalists who worked for these entities could not report freely.

The government denied or left pending requests by political parties to establish private radio stations.

As all nonofficial foreigners needed visas to visit the country, the time-consuming nature of the process effectively dissuaded some foreign journalists from visiting. In other cases, the government prevented reporters from obtaining visas.

Libel/Slander Laws: The government used criminal libel and slander laws to restrict public discussion.

Actions to Expand Freedom of Expression, Including for Members of the Press and Other Media: Unlike in previous years, media products on some sensitive political topics, such as the military takeover in neighboring Gabon, remained posted and available for public consumption and interaction.

Internet Freedom

The government restricted and disrupted access to the internet and censored online content. Independent media outlet *AhoraEG* was accessible only through a virtual private network.

b. Freedoms of Peaceful Assembly and Association

The government restricted freedoms of peaceful assembly and association.

Freedom of Peaceful Assembly

The constitution and law provided for the right of peaceful assembly, but regulatory provisions effectively undermined this right, and the government routinely restricted freedom of assembly, including for political parties. For example, the government routinely rejected applications for permits to assemble. Permits were regularly issued only for gatherings in support of the ruling party. Civil society and political opposition members met infrequently, claiming any gathering of activists or individuals perceived to be engaged in political activities would be seen as suspicious, and authorities would harass or detain participants.

If the government approved events or activities, it then used other tactics to delay or disrupt them. In July, for example, the government approved an event organized by the civil society platform Somos Mas (We Are More) to take place at a cultural center. When organizers arrived the day of the event, they found the cultural center closed for “repairs.”

Freedom of Association

The constitution and law provided for freedom of association, but the government severely restricted this right. All political parties, civil society organizations, and other associations had to register with the government, but the registration process was costly, burdensome, opaque, and slow.

Politically motivated crackdowns on civil society organizations remained a problem, including the temporary detention of civil society activists without charge. The government was slow to authorize NGOs, especially those working in areas it considered sensitive, including human rights, those with members associated with opposition parties, or international NGOs from countries with whom the government had strained political relationships. The government restricted international organizations from working with unregistered organizations. Unregistered organizations reported vulnerability to harassment and intimidation from government officials or police because they were unregistered.

Several prominent organizations remained unregistered despite years of

requesting government approval. Other organizations reported they were able to register when they invited ministry participation and attendance, although they had to pay salaries or per diem to the attending officials. By law, the government had to approve organizations or activities within two months, but this was rarely followed.

The law prohibited the formation of political parties along ethnic lines. Some parties were unable to register for years. Only one labor organization was believed to be registered.

The law limited the amount of funding civil society organizations could receive from any source to approximately 53,000 CFA francs (\$88) per year, but the restriction was not widely enforced.

c. Freedom of Religion

See the Department of State's *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/>.

d. Freedom of Movement and the Right to Leave the Country

The law provided for freedom of internal movement, foreign travel, emigration, and repatriation, but the government often restricted these rights. Multiple members of the opposition reported authorities delayed the renewal of their identity documents, effectively limiting their ability to

travel within the country and abroad.

In-country Movement: Police at roadblocks routinely checked travelers, and some engaged in petty extortion. The government also conducted frequent roundups of foreign nationals at roadblocks, claiming the need to counter irregular immigration, delinquent activities, and coup attempts. The government continued tight restrictions on interdistrict movement, nominally to prevent crime and detect illegal migration but used for extortion attempts and to threaten immigrants. Authorities sometimes exiled political opponents to their home villages.

Foreign Travel: The passport application process was difficult and convoluted, with limited transparency, and authorities closed the passport issuing agency sporadically. Some observers believed authorities made the process deliberately difficult and closed the passport issuance agency to reduce emigration. Sometimes the government denied personal travel by individuals, including government officials, seeking urgent medical care. The government declined to issue a passport to activist and musician Adjonguening since 2018, and for CI leader Gabriel Nze Obiang since 2017. On September 19, a court banned Joaquin Elo Ayeto, a former political opposition member and founder of Somos Mas, from leaving the country.

e. Protection of Refugees

The government did not generally cooperate with the Office of the UN High

Commissioner for Refugees (UNHCR) or other humanitarian organizations in providing protection and assistance to refugees, returning refugees, or asylum seekers, as well as other persons of concern. There were no organizations that provided protection and assistance. UNHCR did not maintain an office in the country.

Access to Asylum: The law did not provide for the granting of asylum or refugee status, and the government had not established a system for providing protection to refugees. The United Nations reported several cases of Cameroonians attempting to claim refugee status in the country but being unable to do so because of the lack of a refugee or asylum framework.

Section 3. Freedom to Participate in the Political Process

The constitution and law provided citizens the ability to choose their government in free and fair elections held by secret ballot and based on universal and equal suffrage, but the government severely limited this right.

Elections and Political Participation

Abuses or Irregularities in Recent Elections: National elections were widely reported to not be fair and free of abuses or irregularities.

The November 2022 presidential and legislative elections were combined,

contrary to the constitution, which required these elections be held separately. Voters were required to vote for the same party for presidential and legislative elections; there was no option to split their vote.

In the months leading up to the presidential election, authorities closely monitored and tightly controlled public gatherings. Political parties required government authorization to hold rallies; the ruling Democratic Party of Equatorial Guinea (PDGE) received preferential treatment.

International observers noted significant irregularities and lack of transparency in the electoral process, particularly in rural mainland areas. Many voting booths were not secret; in some, poll workers could watch the voter cast their vote. In almost all polling places, heavily armed security forces sat within a few yards of registration tables. At some locations, voters cast votes on behalf of family members. In some precincts, poll workers instructed voters to only pick up PDGE ballots, handed voters ballot envelopes already containing PDGE ballots, altered the envelopes so they could see who voters had voted for, or wrote voters' identification numbers on the ballot envelopes, which could allow election officials to later connect the ballot to the voter. There was one report from an opposition party that two of its supporters were refused their right to vote because of their political affiliation.

Political Parties and Political Participation: The PDGE ruled through a complex network of family, clan, and ethnic relationships. Public-sector

employees were pressured to join the PDGE and agree to garnishment of their salaries to fund PDGE activities. Party affiliation remained a key factor in obtaining government employment. The ruling party's near monopoly on power, funding, and access to national media hampered opposition parties. The government subjected opposition members to arbitrary arrest and harassment before elections.

Opposition members reported discrimination in hiring, job retention, and obtaining scholarships and business licenses.

Registered opposition parties faced restrictions on freedom of speech, association, and assembly. For example, supporters who attended opposition political party campaign rallies were singled out for police interrogation and harassment. Some political parties that existed before the law establishing procedures to register political parties remained banned for allegedly "supporting terrorism." The government required prior permission for public events, such as meetings in other venues or marches, and frequently denied the permit requests.

Despite laws authorities stated were designed to facilitate the registration of political parties, the government prevented the registration of opposition parties. The government deregistered CI in 2018, and it remained suspended as a political party. Members of CI continued to face discrimination and harassment, including in the aftermath of the September 2022 police raid on their headquarters.

The government generally restricted leadership positions in government to select PDGE members or members of a coalition of loyal parties that campaigned and voted with the PDGE.

Participation of Women and Marginalized or Vulnerable Groups:

Patriarchal cultural influences, including deferring social, financial, and political decision-making to the heads of families and clans who were always men, limited women's political participation, especially in rural areas. Individuals reported instances of heads of families – all men – deciding how the family should vote and then casting votes for each individual family member for the party of his choosing.

The government did not overtly limit minority participation in politics, but members of the Fang ethnic group occupied most of the top ranks. Estimated to constitute 80 percent of the population, the Fang group exercised dominant political and economic power. The law prohibited parties that were not national, eliminating opportunities for minority or regionally focused parties, although minorities were represented in most major parties, including the PDGE.

Section 4. Corruption in Government

The law provided criminal penalties for corruption by officials, but the government did not implement the law effectively. There were numerous reports of government corruption.

Corruption: Officials engaged in corrupt practices with impunity. The president and members of his inner circle continued to amass personal fortunes from the revenues associated with monopolies on all domestic commercial ventures, as well as timber and oil exports. Corruption at all levels of government was a severe problem. Numerous foreign investigations continued into high-level official corruption.

Government efforts to combat corruption reportedly returned nearly \$1 million in seized assets to the treasury during the year. The vice president, however, directed many of the investigations, and according to many activists, conducted them for his individual political gain.

For additional information about corruption in the country, please see the Department of State's *Investment Climate Statement* and the Department of State's *International Narcotics Control Strategy Report*, which includes information on financial crimes.

Section 5. Governmental Posture Towards International and Nongovernmental Monitoring and Investigation of Alleged Abuses of Human Rights

A small number of unregistered organizations operated with significant government restriction and were largely unable to monitor human rights conditions. When NGOs published allegations of government abuses of

human rights, authorities harassed or intimidated them. The government was generally suspicious of human rights activities, claiming human rights concerns were largely prompted by antigovernment exile groups and hostile foreign NGOs who aimed to overthrow the government. Government officials were generally not cooperative or responsive to the views of human rights groups, although they cooperated in some areas. The government did not allow international NGOs access to the country to monitor human rights conditions.

Retribution against Human Rights Defenders: Government officials used media outlets to try to discredit civil society actors, categorizing them as supporters of the opposition and critics of the government. The few local activists who sought to address human rights risked intimidation, harassment, unlawful detention, and other reprisals. Many examples of arbitrary arrests and detentions, lack of fair trials, and political prisoners involved human rights defenders.

The United Nations or Other International Bodies: The government rarely cooperated with UN offices to conduct monitoring activities and investigations. The government did not cooperate with other international human rights organizations.

Government Human Rights Bodies: The Commission on Human Rights, which was part of the House of Representatives' Committee for Complaints and Petitions, received citizen petitions. The commission was not fully

operational, independent, or effective. An ombudsperson and a coordinator for the government's efforts to combat trafficking in persons were also not fully operational or effective.

Government officials responsible for addressing human rights problems functioned more to defend the government from accusations than to investigate human rights complaints or compile statistics.

Section 6. Discrimination and Societal Abuses

Women

Rape and Domestic Violence: Rape was illegal and punishable by 12 to 20 years' imprisonment and fines. The law did not address spousal rape or the gender of rape survivors. The government did not enforce the law effectively, in part due to reluctance of survivors and their families to report rape. Even when survivors reported rape, police and judicial officials were reluctant to act, particularly if alleged perpetrators were politically connected or members of the military or police. LGBTQI+ women and transgender men were particularly vulnerable to sexual violence in the military, and these same groups reported abuse by their families or religious leaders, including rape as a form of so-called conversion therapy.

Transgender persons reported harassment, rape, and sexual abuse in police custody.

Domestic violence was illegal but commonly practiced. The penalty for assault ranged from one to 20 years' imprisonment. Survivors were reluctant to report cases, and the government did not enforce the law effectively, with police and the judiciary reluctant to prosecute cases. Authorities generally treated domestic violence as a private matter to be resolved in the home, did not protect the anonymity of survivors, and often disclosed survivors' whereabouts to their alleged abusers even when survivors sought refuge at government shelters. Prevalence of abuses was difficult to establish, as no statistics were available on prosecutions, convictions, or punishment.

The government-controlled media sporadically broadcast public service announcements regarding domestic violence and trafficking in persons.

Other Forms of Gender-based Violence or Harassment: In rural areas there were instances of levirate marriage, the practice by which a woman was required to marry her deceased husband's brother, often against her will. Under such practice, women were not allowed to inherit their late husbands' possessions. In some cases, large bride prices paid to a wife's family made it difficult for women to leave their marriages. Despite the law's requirement for an equitable division of assets, in the case of divorce traditional practices within the majority Fang ethnic group required reimbursement of the bride price and additional goods accrued during the marriage.

Discrimination: While the constitution provided for equality between men and women, the law discriminated against women in matters of nationality (for example, it was easier for a man to pass citizenship to a foreign spouse than it was for a woman), real and personal property, and inheritance. The prevalence of negative stereotypes and adverse cultural norms and customs contributed to discrimination against women.

Custom confined women in rural areas largely to traditional roles. Women in urban areas experienced less overt discrimination but did not enjoy pay or access to employment and credit on an equal basis with men. The country continued to have large gender gaps in education, equal pay, and employment opportunities. Deep-rooted stereotypes and ethnic traditions impeded women's employment opportunities, and pregnant women faced additional barriers. Because of difficulties in the formal sector, women mostly worked in the informal sector, where they did not have access to benefits or social security. The lack of enforcement left women vulnerable to discrimination, but they rarely complained due to the risk of reprisals. There were no protections against sexual harassment in the workplace.

LGBTQI+ women and women with disabilities faced significantly higher barriers to securing employment and addressing discrimination or harassment.

The government did not effectively enforce constitutional provisions of equality.

Reproductive Rights: There were no reports of coerced abortion or involuntary sterilization on the part of government authorities.

Legal, social, and cultural barriers and government policies impeded access to sexual and reproductive health services, including for LGBTQI+ individuals.

The government provided access to sexual and reproductive health services for sexual violence survivors, including interviews and medical examinations at hospitals and clinics, although service providers had no specific training on handling sexual violence. Emergency contraception was not available as part of family planning method mix or the clinical management of rape cases. There was access to emergency health care but with limited access to postabortion care.

According to the World Health Organization, in 2017, the most recent year for reliable statistics, the maternal mortality rate was 301 per 100,000 live births. Major factors affecting maternal mortality included poverty, poor medical training, and limited access to health care, especially in rural areas. Prenatal and obstetric care was free in government clinics but limited primarily to the cities of Malabo and Bata. The birth rate was 176 per 1,000 girls and women ages 15 to 19. Factors likely contributing to the high birth rate included cultural tolerance for childbirth out of wedlock, low access to sexual education and contraception in rural populations, and economic constraints increasing the risk of child, early, and forced marriages, unions,

and other relationships for girls with older men.

The Ministry of Education required teenage girls to take pregnancy tests, and those who tested positive were expelled from school.

Systemic Racial or Ethnic Violence and Discrimination

The law did not protect members of racial or ethnic minorities or groups from violence and discrimination.

The predominant ethnic group, the Fang, dominated politics and the economy. Discrimination continued against a distinct ethnic group, the inhabitants of remote Annóbon island.

Children

Education: LGBTQI+ youth reported discrimination or exclusion from school by teachers and school administrators. Chores and work at home limited girls' access to secondary education, especially in rural areas. Attention to school attendance generally focused more on citizen children than on their foreign resident peers.

Child Abuse: Abuse of children was illegal, but the government did not enforce the law effectively. Corporal punishment was a common method of discipline, including in schools.

Child, Early, and Forced Marriage: The minimum age for marriage was 14.

Forced marriage occurred, especially in rural areas. The Ministry of Social Affairs and Gender Equality operated programs to deter child marriage but did not address forced marriage.

Sexual Exploitation of Children: Commercial sexual exploitation of children, including child sex trafficking, was illegal, but authorities generally did not identify nor prosecute offenders. The law addressed the sale, offering, or use of children, but not the grooming of children for commercial exploitation. It addressed child pornography. Antitrafficking provisions included sexual exploitation and pornography as examples of cases of trafficking-related crimes. The government sometimes enforced laws governing child pornography. The minimum age of sexual consent was 18.

Antisemitism

The Jewish community was small, likely fewer than 100 persons. There were no known reports of antisemitic incidents.

Trafficking in Persons

See the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

Acts of Violence, Criminalization, and Other Abuses Based on Sexual Orientation, Gender Identity or Expression, or

Sex Characteristics

Criminalization: No laws criminalized consensual same-sex sexual conduct between civilian adults, but consensual same-sex sexual conduct was criminalized in the armed forces, as was LGBTQI+ identity. There were multiple reports of the military enforcing these prohibitions, and several women were convicted and serving sentences in military jails on conduct or gender identity charges. Laws on public delinquency, social disruption, or deviance were disproportionately and frequently applied against LGBTQI+ persons. There were no efforts to rescind discriminatory laws targeting LGBTQI+ persons.

Violence and Harassment: Security forces reportedly subjected LGBTQI+ individuals to violence, including rape and other sexual violence, within the military and in jails and prisons. LGBTQI+ women and transgender men were particularly vulnerable to sexual violence in the military. There were numerous reports of violence against lesbian women. LGBTQI+ advocacy organizations reported significant domestic violence. Because LGBTQI+ persons were often isolated from familial and social support, they were frequently homeless or hungry, leaving them vulnerable to acts of violence. Authorities did not investigate these abuses. There were no reliable statistics on the number of cases.

Discrimination: The law did not prohibit discrimination by state and

nonstate actors based on sexual orientation, gender identity or expression, or sex characteristics, except in the workplace. The workplace provision was not enforced. The law did not explicitly recognize LGBTQI+ couples or their families or grant them rights equal to the rights of other persons. The government made no effort to protect LGBTQI+ persons or to combat discrimination or stigma against them. There was significant discrimination against LGBTQI+ persons in the workplace, leaving many financially vulnerable and exposed to trafficking or coerced into commercial sex work. Transgender women continued to face significant discrimination in employment, in treatment by security forces, and in detention.

Stigmatization of and discrimination against the LGBTQI+ community was widespread, and nonstate support and recognition was extremely limited. Bisexual women's sexuality, especially if they had children, was not acknowledged, including by the LGBTQI+ community, and they were subject to significant levels of exclusion. There was little to no societal recognition of transgender individuals, and there was significant cultural ignorance regarding the gender identity, expression, and experience of transgender individuals.

Availability of Legal Gender Recognition: Legal gender recognition was not available.

Involuntary or Coercive Medical or Psychological Practices: There were reports of LGBTQI+ individuals being subjected to so-called conversion

therapies through religious rituals and detentions. Reports included “corrective rape,” forced pregnancy, and forced child-rearing to try to “change” the sexual identity of lesbian and bisexual women and the gender identity of transgender men. Reports emerged of religious leaders who raped congregants in an attempt to change the survivors’ sexual orientation, or gender expression or identity. Religious organizations played important roles in coercive practices that caused families to seek “treatment” for LGBTQI+ family members.

There was no information available concerning medically unnecessary surgery on children or nonconsenting adult intersex persons. The government and medical associations made no effort to address or limit so-called conversion therapies or other abuses.

Restrictions of Freedom of Expression, Association, or Peaceful Assembly:

There were no laws or other restrictions on individuals speaking or media reporting on LGBTQI+ matters, but media and individuals often self-censored. There were no laws but there were restrictions on the ability of LGBTQI+ individuals to assemble in public or private, form associations, or convene events. The government declined to register LGBTQI+ organizations, despite attempts by LGBTQI+ organizations to conform with the registration law.

Persons with Disabilities

Persons with disabilities could not access education, employment, health services, public buildings, and transportation on an equal basis with others. There was no law requiring such access, except for new buildings.

Authorities did not effectively enforce existing access requirements. The government did not provide information on disability concerns in accessible formats.

Authorities did not investigate incidents of violence or other abuses against persons with disabilities.

The law did not prohibit discrimination against persons with disabilities.

While the law required companies employing more than 50 employees hire a certain percentage of persons with disabilities, few if any did so, and the government did not enforce the law. Children with disabilities attended primary, secondary, and higher education, although generally no accommodations were made for their disabilities. A small number of private schools for children with disabilities operated with a combination of public and private funding.

Persons with disabilities could vote and otherwise participate in civic affairs, but lack of physical access to buildings posed a barrier to full participation.

Other Societal Violence or Discrimination

Foreigners were often victimized, including documented and irregular immigrants from Benin, Cameroon, Ethiopia, Gabon, Ghana, Mali, Nigeria, Togo, and other African countries, who represented a significant portion of the labor force. The government required immigrants to have relevant documents, partly to address concerns regarding trafficking in persons, although police and gendarmes used documentation status to extort bribes from foreigners at routine traffic stops. The registration process was laborious and excessive, often resulting in foreigners failing to maintain legal status despite timely applications for appropriate documentation. In April, the government stopped processing residency permit applications, leaving immigrants and expatriate workers vulnerable to extortion, human trafficking, and harassment.

In public speeches, President Obiang frequently referred to foreigners as security and terrorist threats and warned of a renewal of colonialism by foreign interests.

There was stigma regarding persons with HIV and AIDS, and many individuals kept their illness hidden. The Ministry of Health and Social Welfare estimated fewer than half of persons with HIV and AIDS sought treatment, and some persons likely avoided no-cost treatments because of associated social stigma.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The law provided workers the right to establish unions, affiliate with unions of their choice, collectively bargain, and strike. The law also allowed unions to conduct activities without interference, but the government did not enforce this right. The law required a union to have at least 50 members from a workplace to register, however, effectively blocking most union formation. The government generally did not allow unions to organize. In view of the general absence of union recognition, there were no reports of government enforcement of laws respecting their establishment or operation.

Authorities refused to recognize unions such as the Workers Union of Equatorial Guinea, Independent Service Union, Teachers' Trade Union Association, and the Rural Workers Organization. Most often those seeking to organize were co-opted into existing political party structures by means of pressure and incentives.

No law required the reinstatement of workers fired for union activity, although such dismissal could fall under wrongful termination. The government never authorized a strike.

Penalties for violations of the freedom of association, collective bargaining, and the right to strike were commensurate with those for analogous crimes such as civil rights violations but were never enforced.

Labor NGOs faced restrictions and were unable to operate.

b. Prohibition of Forced or Compulsory Labor

See the Department of State's *Trafficking in Persons Report* at

<https://www.state.gov/trafficking-in-persons-report/>.

c. Prohibition of Child Labor and Minimum Age for Employment

The law prohibited all the worst forms of child labor. The law prohibited employment of children younger than age 18 in all sectors. With the authorization of the Ministry of Labor and Social Security and their parents or guardians, however, children between ages 16 and 18 could perform light work that did not interfere with their schooling. The minimum age for apprenticeships was 16.

Children were permitted to work only during the day, and their workday was limited to six hours, for which they were paid the equivalent of an eight-hour daytime work rate.

The government did not effectively enforce the law. Penalties were not

commensurate with those for other analogous crimes, such as kidnapping, and penalties were never enforced.

d. Discrimination (see section 6)

e. Acceptable Conditions of Work

Wage and Hour Laws: The law required a minimum wage for all sectors. The minimum wage was above the official estimate for the poverty income level.

The standard work week was eight hours a day and 48 hours a week for daytime work, six hours a day and 36 hours a week for night work, and seven hours a day and 42 hours a week for mixed day and night work. Offshore work in the oil and gas sector was 44 hours a week.

Occupational Safety and Health: Occupational safety and health (OSH) standards were not appropriate for the main industries in the country; they did not provide for protection of workers from occupational hazards. The government did not proactively identify unsafe conditions.

The law permitted workers to remove themselves from situations that endangered health or safety without jeopardy to their employment.

Wage, Hour, and OSH Enforcement: The Ministry of Labor and Social Security oversaw wage, hour, and OSH laws but did not effectively enforce

those laws. Penalties were not commensurate with those for similar violations such as fraud or negligence. Penalties were sometimes applied against violators. The ministry conducted some workplace inspections, but the small number of labor inspectors was insufficient to enforce compliance, although inspectors had the authority to make unannounced inspections and initiate sanctions. When inspectors found violations, the government required some employers to correct the problem, pay fines, or pay reparations to the employees, but most employers were able to renegotiate the findings or pay bribes to eliminate the penalty.

The informal sector employed most workers and was estimated at 32 percent of GDP in 2017. Labor laws did not apply in the informal sector.