

# **EQUATORIAL GUINEA 2016 HUMAN RIGHTS REPORT**

## **EXECUTIVE SUMMARY**

Equatorial Guinea is nominally a multiparty constitutional republic. Since a military coup in 1979, President Teodoro Obiang Nguema Mbasogo has dominated all branches of government in collaboration with his clan and political party, the Democratic Party of Equatorial Guinea (PDGE), which he founded in 1991. On April 24, President Obiang received a claimed 93.7 percent of the vote in an election that was considered neither free nor fair. In the most recent 2013 legislative/city council elections, the PDGE won a claimed 98.7 percent of seats in the bicameral legislature and 98.1 percent of city council seats. The lopsided results and weak independent monitoring of electoral processes in both elections raised suspicions of systematic vote fraud. Foreign diplomatic observers noted numerous irregularities and the presence of military personnel at all voting stations.

Civilian authorities did not maintain effective control over the security forces.

The most significant human rights problems in the country were disregard for rule of law, including police use of excessive force and torture, denial of freedom of speech, and widespread official corruption.

Other human rights problems included the inability of citizens to choose their government in free and fair periodic elections, abuse of detainees and prisoners, poor conditions in prisons and detention facilities, arbitrary arrest and detention, including incommunicado detention, lack of judicial independence, restrictions on rights to privacy and internal movement, and the use of internal exile against political opponents. The government denied freedom of press, assembly, and association. Security forces harassed and deported foreign residents without due process. The government used deadly force against political opponents and restricted political parties and the activities of domestic and international nongovernmental organizations (NGOs). Violence and discrimination against women and children were problems, and trafficking in persons occurred. Societal discrimination against ethnic minorities and immigrants; the lesbian, gay, bisexual, transgender, and intersex (LGBTI) community; and persons with HIV/AIDS was a problem. Labor rights were restricted, and forced labor, including by children, occurred.

The government took few steps to prosecute or punish officials who committed abuses, whether in the security forces or elsewhere in the government, and impunity was a serious problem.

## **Section 1. Respect for the Integrity of the Person, Including Freedom from:**

### **a. Arbitrary Deprivation of Life and other Unlawful or Politically Motivated Killings**

There were no reports that the government or its agents committed arbitrary or unlawful killings.

### **b. Disappearance**

There were no reports of politically motivated abductions.

### **c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment**

The law prohibits such practices, but torture and excessive force by police occurred “routinely,” according to Human Rights Watch and Amnesty International. Police officers and military personnel used excessive force during traffic stops, house-to-house searches, and interrogations, sometimes to facilitate their own robberies and extortion. Police tortured opposition members.

For example, in May security forces arrested and tortured Celestino Okenve, a prodemocracy activist and leader of the opposition Popular Union, for more than seven hours, at the direction of Minister of Security Nicolas Obama Nchama, who supervised the beating. The minister subsequently gave Okenve a plane ticket to Spain and instructed him not to return. Okenve sought immediate medical attention upon arrival in Madrid and narrowly avoided the loss of one eye.

Security forces beat and threatened detainees to extract information or force confessions.

For example, in July an officer with the traffic police stopped a prominent member of the expatriate business community to check his registration, removed the man from his car, and beat him until he collapsed for refusing to pay a bribe. No action was taken against the officer, who continued to operate checkpoints at year’s end.

Police also detained and threatened to torture foreign diplomats and local staff of foreign embassies. For example, in April security forces detained a local employee of a foreign embassy and threatened to apply an electrocution vest if he failed to provide information about contacts between opposition leaders and the embassy. In August police detained a foreign diplomat for taking a photograph of a presidential campaign poster, subsequently demanded that he pay a bribe, and threatened to “beat some manners” into him for “disrespecting the country.”

Authorities harassed, intimidated, arbitrarily arrested, detained, and often deported foreigners--primarily irregular African immigrants--without due process (see section 2.d.).

Security forces sexually assaulted and beat women, including at checkpoints. Senior government officials took no steps to address such violence and were sometimes implicated in the violence themselves. For example, in April a Mongomo district council chairman raped and beat his sister-in-law until she was unconscious. He was neither arrested nor charged.

### **Prison and Detention Center Conditions**

Conditions in the country’s three prisons and 12 police station jails were harsh and life threatening due to abuse, overcrowding, disease, inadequate food, and lack of medical care.

Physical Conditions: There were approximately 500 adult inmates, 5 percent of whom were women. Six inmates were incarcerated due to mental disabilities. There was no information available on the number of juvenile detainees.

Men, women, and minors had separate sleeping quarters and bathrooms but shared a common area for meals. Pretrial and convicted prisoners were housed separately, although they shared a common area. Two juvenile detention centers built in 2015 had not opened at year’s end.

Authorities generally permitted families of prisoners to visit on weekends, but political prisoners and others often were kept in solitary confinement for lengthy periods and not allowed to see their families.

Lawyers and others who visited prisons and jails reported serious abuses, including beatings.

Prison cells were overcrowded, dirty, and lacked mattresses. Inmates rarely had access to exercise. Diseases including malaria, typhoid, tuberculosis, hepatitis C, and HIV/AIDS were serious problems. Authorities provided sporadic medical care to a limited number of prisoners and detainees as well as basic meals, but the food was generally insufficient and of poor quality. It was unknown whether ventilation or lighting was adequate.

Statistics on prisoner deaths were unavailable; in 2015 two prisoners died from malaria and one from HIV/AIDS, according to the Ministry of Justice.

Civilian prisons were located on military installations and manned by the Ministries of Justice and National Security, with military personnel handling security around the prison and civilians working and providing security inside.

Conditions in jails and detention centers were harsh. Authorities beat foreigners and citizens on their hands and feet, and there was no medical care. Police station jails were frequently overcrowded, particularly when police conducted sweeps for irregular migrants. In the Guantanamo Detention Center, located inside the Ministry of Interior compound, authorities held men, women, and children together. Water from rain and overflowing toilets often soaked into the bedding of detainees. Up to 30 detainees shared one toilet facility that lacked toilet paper and a functioning door. Rodent infestations were common.

Jails did not provide food, but authorities generally allowed families and friends to bring meals twice daily, although police did not always deliver food to detainees. Visitors had to pay guards small bribes to see detainees and drop off food.

Administration: The Ministry of Justice registered cases and tracked prisoners. Authorities assigned a prosecutor to regularly visit prisons and track the status of the inmate cases. The Department of Human Rights is responsible for conducting annual visits to view conditions and direct the release of prisoners being held without charge; however, it was unclear whether such visits occurred during the year.

Authorities often granted provisional liberty to nonviolent juvenile offenders, who were subsequently monitored. Courts did not use alternatives to sentencing.

A local judge served as full-time ombudsman to monitor the status of inmates and hear complaints about sentencing, but authorities generally did not permit prisoners and detainees to submit complaints or request investigations. Apart from political

prisoners, most prisoners had reasonable access to visitors and were permitted religious observance.

Independent Monitoring: The International Committee of the Red Cross had only limited access to prisons, even with extensive advance notice. In June 2015 the UN Children's Fund (UNICEF) requested permission to visit youths in prison but did not receive an answer. The government allowed UNICEF to visit the new youth rehabilitation centers in Centro Sur and Riaba, but no juvenile detainees had been transferred to the centers by year's end.

#### **d. Arbitrary Arrest or Detention**

The law prohibits arbitrary arrest and detention, but security forces arrested and detained persons arbitrarily. Authorities held detainees incommunicado, denied them access to lawyers, and jailed them for long periods without charge. Some perpetrators of arbitrary arrests and other abuses were tried by military courts and received prison sentences or were dismissed from their posts.

#### **Role of the Police and Security Apparatus**

Police generally are responsible for maintaining law and order in the cities, while gendarmes are responsible for security outside cities and for special events. Both entities report to the minister of national security. Military personnel, who report to the minister of defense, also fulfill police functions in border areas, sensitive sites, and high-traffic areas. Additional police elements are in the Ministries of Interior (border and traffic police), Finance (customs police), and Justice (investigative/prosecuting police). Presidential security officials also exercise police functions at or near presidential facilities.

Police, gendarmes, and military personnel were ineffective and corrupt, and impunity was a problem. Security force members, who often were inebriated on the job, extorted money from citizens and foreigners at police checkpoints and during routine traffic stops. The government did not maintain effective internal or external mechanisms to investigate security force abuses.

No government body examines security force killings to evaluate whether they occurred in the line of duty or were otherwise justifiable.

In October 2015 the Department of Human Rights held awareness training for police on human trafficking. The training emphasized identifying victims of

trafficking and the humane treatment of immigrants and called for an end to their extortion.

During the year the United Nations sponsored a seminar on human trafficking, and the government authorized the participation of all local authorities, including governors, delegates of government, mayors and their deputies, border authorities, and police. Participants discussed government complacency and how to combat trafficking more effectively, although no action was taken following the seminar.

### **Arrest Procedures and Treatment of Detainees**

The constitution requires arrest warrants unless a suspect is caught in the act, but security force members frequently arrested persons in violation of the warrant requirement. A detainee has the right to a judicial determination of the legality of detention within 72 hours of arrest, excluding weekends and holidays, but determination of the legality of detention often took longer, sometimes several months. A prosecutor was assigned to each jail to work with police and the Justice Ministry to reduce such delays, but authorities generally held detainees without charge until investigations were completed. NGOs indicated the majority of detainees were not charged and that judges typically failed to issue a writ of habeas corpus within the legal time limit of 36 hours.

Some foreigners complained they were detained and subsequently deported without being informed of the charges against them. Although a bail system existed, it was rarely used. The bar association supplied public defenders to those who could not afford private counsel but only at the time they were charged. Detainees, particularly political detainees, occasionally were denied access to lawyers.

The law provides for family visits and prohibits incommunicado detention, but these provisions were not always respected and sometimes depended on the discretion of local police chiefs.

Arbitrary Arrest: The government arbitrarily arrested irregular immigrants, opposition members, businesspersons, and others. Many detainees complained about bribes required for their release from detention.

Police raids continued on immigrant communities, who make up 15 percent of the population. Reliable sources reported that police abused, extorted, or detained many legal as well as irregular immigrants during such raids. Police occasionally

used excessive force to detain and deport immigrants. Many embassies in the country criticized the government for its harassment, abuse, extortion, and detention of foreign nationals and for not renewing residence and work permits in a timely manner, making foreign nationals vulnerable to such abuse.

In the first week of May, the government deported 53 individuals to Cameroon, although other nationalities besides Cameroonians were caught up in the dragnet-style deportations. Many deportees were simply snatched from the streets and given no opportunity to provide identification documents before being deported. Security officials handled such individuals roughly, piling some into trucks without informing them of options for asylum, refugee, or landed immigrant status.

Pretrial Detention: Lengthy pretrial detention remained a problem. Inefficient judicial procedures, corruption, lack of monitoring, and inadequate staffing contributed to the problem.

Detainee's Ability to Challenge Lawfulness of Detention before a Court: The law stipulates that detainees have the right to challenge their detention and obtain release, although there is no provision for compensation if a detainee is found to have been unlawfully detained. Nevertheless, authorities did not respect this right, and detainees could not challenge the validity of the charges against them in practice.

#### **e. Denial of Fair Public Trial**

The constitution does not provide for an independent judiciary, in that the president is designated the "First Magistrate of the Nation" and chair of the Judicial Council responsible for appointing new judges and magistrates. In 2015 the president dissolved the entire judiciary by presidential decree, leaving the country with no judiciary for two weeks. Judges in sensitive cases often consulted with the Office of the President before issuing a ruling. Judges sometimes decided cases on political grounds; others sought bribes. Authorities did not always respect court orders, and many persons turned to the parliament for enforcement of civil judgments on matters such as employment, land, and personal injury disputes. These cases were regularly televised, and parliament had a full docket.

The military justice system, based entirely on the system in effect in Spain when Equatorial Guinea gained its independence in 1968, provided defendants with fewer procedural safeguards than in the criminal court system. The code of military justice states that persons who disobey a military authority or who are

alleged to have committed an offense considered a “crime against the state” should be judged by a military tribunal, regardless of whether the defendant is civilian or military. A defendant may be tried without being present, and the defense does 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.

In rural areas tribal elders adjudicated civil claims and minor criminal matters in traditional courts. These adjudications were conducted according to customary law and did not afford the same rights and privileges as the formal system. Persons dissatisfied with traditional judgments could appeal to the civil court system.

### **Trial Procedures**

The law provides for the right to a fair hearing in court, but an independent judiciary generally did not enforce this right. The law provides for the presumption of innocence, and defendants have the right to be informed promptly and in detail of charges against them and to have adequate time and facilities to prepare a defense. The courts did not respect these rights. Defendants have the right to a public trial without undue delay, and most trials for ordinary crimes were public. Defendants do not have the right to free interpretation. The law does not provide for trial by jury. Defendants have the right to be present at their trials but rarely were able to consult promptly with attorneys unless they could afford private counsel. A defendant who cannot afford a lawyer is entitled to ask the government to appoint one, but only after first appearing in court, which generally did not occur within the mandated 72 hours. The bar association assigned counsel to represent indigent defendants. The law provides for defendants to confront and question witnesses and present their own witnesses and evidence. Courts seldom enforced this right. Defendants do not have the right to access government-held evidence. Defendants have the right not to be compelled to testify or confess guilt and the right to appeal. The law extends these rights equally to all citizens, but authorities did not respect the law.

### **Political Prisoners and Detainees**

At year’s end there were two known political prisoners--Ernesto Mabale Eyang and Juan Antorio Mosuy Eseng--both of whom were members of the opposition Convergence for Social Democracy (CPDS) party. On February 12, authorities at the airport detained Eyang and Eseng on allegations they had tried to take ruling party papers, posters, and other political materials out of the country. Both men remained in detention in Malabo because neither could pay the large bail set by the



court. The government did not permit access to these individuals by the International Committee of the Red Cross (ICRC) or any other international organizations.

### **Civil Judicial Procedures and Remedies**

Courts ruled on civil cases submitted to them, some of which involved human rights complaints. Plaintiffs could not appeal decisions to an international regional court. Civil matters were often settled out of court, and in some cases tribal elders adjudicated local disputes.

The government sometimes failed, for political reasons, to comply with domestic court decisions pertaining to human rights, including political rights.

### **f. Arbitrary or Unlawful Interference with Privacy, Family, Home, or Correspondence**

The constitution and law prohibit such actions, but the government often did not respect these prohibitions. Search warrants are required unless a crime is in progress or for reasons of national security. Nevertheless, security force members entered homes and arrested alleged criminals, foreign nationals, and others, often without required warrants, confiscating property and demanding bribes with impunity. Break-ins were widely attributed to military and police personnel.

Government informers reportedly monitored opposition members, NGOs, journalists, and foreign diplomats, including through internet and telephone surveillance. The government blocked employment of known members of opposition parties.

In recent years families made large down payments to the government to obtain affordable social housing. When completed, such homes were not released to many of the families who had made down payments, nor were funds returned. The government instead provided the most desirable housing to families with strong political connections. Some families who made deposits were offered alternative housing and others still awaited housing, with no means to reclaim their deposits or information on when or whether they might be granted a home.

Individuals may hold title to land, but the state has full power of eminent domain, which it exercised, often with little or no compensation to the land titleholders.

## Section 2. Respect for Civil Liberties, Including:

### a. Freedom of Speech and Press

Although the constitution and law provide for freedom of speech and press, the law grants authorities extensive powers to restrict media activities, and the government limited these rights. The government restricted journalistic activity by exercising its right to official prepublication censorship. The media remained weak and under government influence or control. Persons close to the president owned the few private media outlets that existed. Most journalists practiced self-censorship. Those who did not were subject to government surveillance and threats.

Freedom of Speech and Expression: Individuals generally chose not to criticize the president, his family, other high-ranking officials, or security forces due to fear of reprisal. The government attempted to impede criticism by continuing to monitor the activities of opposition members, journalists, and others.

Press and Media Freedoms: The country had one marginally independent newspaper that published sporadically. Print media outlets were extremely limited. Starting a periodical or newspaper was a complicated process governed by an ambiguous law and impeded by government bureaucracy. Accreditation was cumbersome for both local and foreign journalists, who must register with the Ministry of Information, Press, and Radio. International newspapers or news magazines occasionally were available in grocery stores and hotels in major cities.

International news agencies did not have correspondents or regular stringers present in the country. Visiting journalists for foreign media outlets and some independent local journalists could not operate freely, and there were reports government agents followed and observed both groups. During the presidential election, for example, the government limited accreditation for journalists and restricted them from traveling throughout the country to visit polling stations.

The government owned the only national radio and television broadcast system, RTVGE. The president's eldest son, Vice President Teodoro Nguema Obiang Mangue, owned the only private broadcast media, Television Asonga and Asonga Radio. Journalists for these entities were not allowed to report freely.

For example, after the August flood in Luba, officials at RTVGE interrupted a live interview with a flood victim when he began to accuse the government of discrimination and lack of support.

Requests by political parties to establish private radio stations were denied or remained perpetually pending. Satellite broadcasts were widely available, including the French-language Africa24 television channel, which the government partially owned.

Violence and Harassment: Security forces detained, intimidated, and harassed journalists. The government took no steps to preserve the safety and independence of media or to prosecute individuals who harassed journalists.

In June authorities arrested Enrique Nsolo, a well-known local human rights activist, for photographing and recording the arrest of a fraudulent document seller in front of a foreign embassy. Nsolo was held incommunicado without charge in deplorable conditions before his release several days later.

Censorship or Content Restrictions: The law gives the government considerable authority to restrict publication through official prepublication censorship. The law also establishes criminal, civil, and administrative penalties for violation of its provisions, particularly of the 19 publishing principles in Article 2 of the Law on the Press, Publishing, and Audiovisual Media. The only marginally independent newspaper practiced self-censorship and did not openly criticize the government or the president.

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

Libel/Slander Laws: The government used laws against defamation and libel, both of which are criminalized, to restrict public discussion.

### **Internet Freedom**

The government restricted and disrupted access to the internet and censored online content. For example, in March 2015 the government blocked WhatsApp, Facebook, Diario Rombe, and Radio Macuto to prevent communication during student protests, and the websites remained blocked at year's end.

The government also blocked access to websites maintained by domestic political opposition and exile groups. Users attempting to access these sites were redirected to the government's official press website or received a message the website did not exist. The internet was the primary way opposition views were expressed and

disseminated, and the most overt criticism of the government came from the country's diaspora. According to the International Telecommunication Union, 16.4 percent of inhabitants used the internet in 2015.

### **Academic Freedom and Cultural Events**

The government restricted academic freedom and cultural events. Members of opposition political parties, faculty members, and students complained of government interference in the hiring of teachers, the employment of unqualified teachers, and official pressure on teachers to give passing grades to failing students with political connections. Teachers with political connections but no experience or accreditation were employed and reportedly seldom appeared at the classes they were assigned to teach. Most professors reportedly practiced self-censorship.

Cultural events required coordination with the Ministry of Information, Press, and Radio, the Department of Culture and Tourism, or both. The resulting bureaucratic delay was a disincentive for prospective organizers, who often did not know the criteria used for judging proposals or their chances for approval.

The Cultural Center of Rebola, which the government closed in August 2015 for promoting music and other productions critical of the ruling party, was reopened in October with a warning against holding anti-government events.

### **b. Freedom of Peaceful Assembly and Association**

#### **Freedom of Assembly**

The constitution and law provide for the right of assembly, but regulatory provisions effectively undermined this right, and the government routinely restricted freedom of assembly. Although the government formally abolished permit requirements for political party meetings within party buildings, it requires prior permission for public events, such as meetings in other venues or marches, and frequently denied these permit requests. The government frequently dispersed peaceful, preapproved public gatherings if a participant asked a question that could be construed as criticism of the government or ruling party. By contrast, authorities pressured citizens to attend progovernment rallies.

For example, during the presidential election campaign, PDGE authorities directed citizens to attend rallies and register as party members to avoid adverse consequences. Citizens also received gifts such as smart phones, tablets, and even

luxury cars. Women were given cloth imprinted with the president's face to sew clothes for their families to wear at PDGE rallies.

On April 22, authorities used live ammunition and tear gas to disperse an unauthorized, nonviolent political rally of approximately 200 demonstrators at the headquarters of the opposition Citizens for the Innovation of Equatorial Guinea (CI) party. Six demonstrators were shot, while others were hospitalized due to injuries from tear gas. Authorities laid siege to the headquarters for five days, trapping those inside and limiting their access to food, water, and electricity.

### **Freedom of Association**

The constitution and law provide for freedom of association, but the government severely restricted this right. All political parties, labor unions, and other associations must register with the government, but the registration process was costly, burdensome, opaque, and slow. During the year the government reduced funding for civil society organizations and distributed remaining funds among a few mostly progovernment organizations close to the president's inner circle. Grant funding decisions continued to be arbitrary and nontransparent.

The law prohibits the formation of political parties along ethnic lines, and several political parties remained banned due to their ethnic nature, including the Progress Party of Equatorial Guinea and the Movement for the Self-Determination of Bioko Island. At year's end only one labor organization was believed to be registered; the registry was inaccessible due to a change in leadership at the Ministry of Labor and Social Security.

Despite 2014 laws to facilitate the registration of political parties, the government interfered with the registration of four parties during the year. The government refused to register Gabriel Nse Obiang's Independent Candidacy Party until it changed its name to the CI Party, and the government excluded Nse Obiang from inclusion on the ballot. The government also prevented the registration of three other parties--the National Democratic Party (PND), the National Congress of Equatorial Guinea (CNGE), and the National Union for Democracy and Social Policies (UNDPSGE). The government allowed the leaders of the three parties--PND leader Benedicto Obiang Mangué, CNGE leader Agustin Masoko, and UNDPSGE leader Tomas Mba Muanabang--to run as independent presidential candidates.

### **c. Freedom of Religion**

See the Department of State's *International Religious Freedom Report* at [www.state.gov/religiousfreedomreport/](http://www.state.gov/religiousfreedomreport/).

#### **d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons**

Although the law provides for freedom of internal movement and repatriation, the government occasionally restricted these rights.

In-country Movement: Police at roadblocks routinely checked travelers and engaged in petty extortion. Frequent roundups of irregular immigrants and others also occurred at roadblocks, which the government claimed impeded illegal immigration, mercenary activities, and coup attempts.

Foreign Travel: In March the Ministry of National Security confiscated the travel documents of the foreign country director of a large multi-national corporation, preventing him from leaving the country for needed medical care abroad. Despite a court order for the director's release, the government continued to prevent him from traveling for eight months due to a labor dispute between the director's employer and his former employees.

Exile: The law prohibits forced internal or external exile. Some members of banned political parties returned from exile during the year, but many remained in self-imposed exile. Opposition party political leaders Guillermo Nguema Ela and Luis Nzo Ondo remained in internal exile at year's end on the mainland, unable to join their families in Malabo.

#### **Protection of Refugees**

Access to Asylum: The law provides for the granting of asylum or refugee status, but the government has not established a system for providing protection to refugees.

### **Section 3. Freedom to Participate in the Political Process**

The constitution and law provide citizens the right to choose their government through 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**

Recent Elections: On April 24, President Obiang won a claimed 93.7 percent of the vote in presidential elections that were marred by reports of capricious application of election laws, nontransparent political funding, polling station irregularities, voter fraud, intimidation, and violence. Military personnel and PDGE representatives were present at all voting stations, while opposition representatives were present only at some. Procedures to protect ballot secrecy were disregarded. Photographs of the president remained on public buildings being used as polling stations. Some polling stations closed early with less than 100 percent voter turnout. In violation of the constitution--which requires that presidential elections be held no more than 45 days before or 60 days after the end of the prior presidential term--the election was held 136 days before the end of the president's term.

In March the government denied the presidential candidacy of CI leader Gabriel Nse Obiang, claiming Nse Obiang had not met the five-year residency requirement mandated by law, although it approved the candidacy of Benedicto Obiang Mangué, leader of the PND, who had Spanish citizenship and resided in Spain. None of the three opposition candidates were from parties represented in the legislature, and critics claimed the three independent candidates (nonparty affiliated) were dummy candidates to provide legitimacy to the election. Some opposition political parties, including one represented in the legislature, chose to boycott the elections in protest.

In the months leading up to the presidential election, security forces violently dispersed opposition rallies and arrested demonstrators and opposition leaders.

In February, for example, police detained Wenceslao Mansogo, deputy head of the CPDS party, and authorities repeatedly detained presidential candidate Avelino Mocache, leader of the Union of Law Center. On April 22, military officials arrested, beat, and tortured CI activists and family members of CI party leader Gabriel Nse Obiang.

The government and the PDGE had an absolute monopoly of national media, leaving opposition political parties with no means to disseminate their message. The PDGE received hourly radio and television coverage before and during the campaign period while opposition parties received none. The PDGE was also able to cover the city in campaign posters and to give away smart phones, promotional

cloth, and even cars at campaign events. Opposition events, by contrast, were shut down, and only two opposition billboards were allowed.

The National Electoral Commission (NEC) was stacked in favor of the ruling party. By law the NEC is composed of six judges appointed by the head of the Supreme Court, six government representatives and a secretary appointed by the president; and one representative from each registered political party. Since the president had ultimate authority over the judiciary, all key government employees were required to swear allegiance to the PDGE, and 12 of the 15 political parties--the PDGE and 11 coalition parties--voted as a bloc; only three of the NEC's members represented the opposition.

The most recent legislative and municipal elections were held in 2013. The PDGE won 98.7 percent of seats in the House of Deputies and the newly created Senate. The opposition CPDS won a single seat in each chamber. The PDGE also won 98.1 percent of city council seats throughout the country. The lopsided results and weak independent monitoring of the electoral process raised suspicions of systematic fraud. The CPDS disputed the results publicly and filed a formal complaint with the NEC, but the government did not address its objections.

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 even to agree to have their salaries garnished to fund PDGE activities. The party's near monopoly on power, funding, and access to national media hampered the country's opposition parties--the CPDS, UP, Popular Action for Equatorial Guinea, and CI parties.

For example, during the year the PDGE conducted a national campaign with extensive media coverage in preparation for the 2016 elections. Opposition parties, however, had no access to media during this period, contravening the National Pact of 1993, the regulating framework for political parties that stipulates access to media and political financing and that provides for opposition political parties to have free weekly national radio and TV spots.

Political parties could receive both private and public funding but were not required to disclose the amount of private funding. In advance of the 2016 presidential elections, only the PDGE received public funding, and the amount was not publicly disclosed, as required by law.

The government subjected opposition members to arbitrary arrest and harassment.



Opposition members reported discrimination in hiring, job retention, and obtaining scholarships and business licenses. They also claimed the government pressured foreign companies not to hire opposition members. Businesses that employed citizens with ties to families, individuals, parties, or groups out of favor with the government reportedly were forced to dismiss those employees or face reprisals.

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 1992 law establishing procedures to register political parties remained banned, allegedly for “supporting terrorism.”

Civil servants were removed for political reasons and without due process. In June both the executive and judicial branches were restructured, with party affiliation a key factor in obtaining government employment. The ruling party conducted a nationwide campaign, and government employees were required to support it to keep their positions.

The president exercised strong powers as head of state, commander of the armed forces, head of the judiciary, and founder and head of the ruling party. 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.

In 2011 the government conducted and won a referendum to alter the constitution significantly. The amended constitution concentrates power in the hands of the president and allows President Obiang, who has ruled since 1979, to serve two more seven-year terms. (One of the amendments cancels the presidential age limit of 75 and institutes presidential term limits of two consecutive seven-year mandates, which became effective with the 2016 presidential election, when Obiang was almost 74.) Other amendments establish a senate, an Anticorruption Tribunal (all of whose members are appointed by the president), and a human rights ombudsman, nominated by parliament and ratified by the president. Neither the tribunal nor the human rights ombudsman was operational by year’s end, although the ombudsman had been sworn in. The amendments also create the post of vice president. In a move seen by many as an attempt to consolidate his power, the president appointed his son, Teodoro Obiang, as vice president after the April 24 election.

Participation of Women and Minorities: There are no laws limiting the participation of women in the political process, and women participated. Cultural factors, however, limited women's political participation, especially in rural areas. Women occupied 10 of 75 Senate seats (including that of the Senate president) and 18 of 100 seats in the Chamber of Deputies. Three of the 25 cabinet members were women, one of the 13 delegate ministers was a woman, three of eight vice-ministers were women, and six of 37 secretaries of state were women. In May 2015 the president dissolved the entire judicial branch. The newly appointed Supreme Court continued to be an all-male institution.

The government did not overtly limit minority participation in politics, but members of the Fang ethnic group occupied the top ranks. The group, estimated to constitute 80 percent of the population, continued to exercise dominant political and economic power.

#### **Section 4. Corruption and Lack of Transparency in Government**

While the law provides severe criminal penalties for official corruption, the government did not implement the law effectively, and officials engaged in corrupt practices with impunity. Following his reelection in April, the president publicly urged his ministers to reduce corruption, and the prime minister established anticorruption efforts to ensure oversight of government programs and proper payment for services and payroll. Nevertheless, the president and members of his inner circle continued to amass personal fortunes from the revenues associated with oil exports, and corruption at all levels of government was a severe problem. Numerous foreign investigations continued into high-level corruption tied to the country's natural resource wealth. While oil revenues played a role in the increasing wealth of the president and his inner circle, they did not explain the entirety of the fortunes obtained. The attorney general's Anticorruption Tribunal, however, did not report initiating any investigations during the year.

According to Freedom House, the budget process was "opaque." The Open Budget Survey for 2015 gave the country a score of four points out of 100; in 2012 the score was zero, the lowest possible result. In an effort to increase transparency, in July the Ministry of Economy, Planning and Public Investment released the National Account of Equatorial Guinea 2006-13, which did not account for large sums of government expenditures.

After the country was delisted from the Extractive Industries Transparency Initiative (EITI) in 2010, the government took required steps to renew its EITI

candidacy and continued progress in March at the EITI conference in Lima, Peru. The process stalled later the same month, however, when the Interior Ministry suspended the Center for Studies and Initiatives for the Development of Equatorial Guinea (CEID), the lead civil society organization involved in the EITI process. On March 16, the government ordered the indefinite suspension of all CEID activities. The government alleged that comments made in Bata during a January youth forum organized by CEID constituted an incitement to violence and civil disobedience. On September 22, CEID was allowed to resume operations. The EITI process was restarted on November 15, when Gabriel Mbega Obiang Lima--minister of mines and hydrocarbons and president of the EITI national commission--met with members of the commission.

Corruption: In August, PDGE head Jeronimo Osa Osa Ecoro reported the robbery of 60 million euros (\$67,400,000) in cash from his residence; a portion of the money was recovered days later. No explanation was given for the presence of the cash in Osa Osa Ecoro's residence, and the government subsequently denied the sum was as high as reported and threatened to prosecute media outlets that disseminated "false information." Government officials continued to flaunt publicly on social media their consumption of luxury items.

A foreign government continued to pursue seizure of real and personal property of Teodoro Nguema Obiang Mangue, the president's eldest son and vice president, as the result of a 2010 investigation into suspected concealment and laundering abroad of embezzled public funds. In May the foreign government indicted Obiang Mangue for embezzlement of public funds, and the trial was scheduled to begin in the International Court of Justice on January 2, 2017. In November a different foreign government seized 11 luxury vehicles alleged to belong to the vice president as part of a preliminary investigation into corruption. In December a third foreign government, acting on behalf of the second foreign government, seized a \$100 million yacht reported to belong to the vice president. In a 2014 settlement with a foreign government, Obiang Mangue was forced to sell personal assets worth an estimated \$30 million.

During the year police officers and military personnel increased neighborhood sweeps and checkpoint and traffic stops to demand bribes, primarily from foreigners. Authorities seldom investigated such incidents, and the government claimed to have no mechanism to denounce police misconduct. Individuals feared filing complaints, especially foreigners whose applications for residence and work permits remained pending. In June the president swore in an ombudsman to take

such complaints, but the Office of the Ombudsman--which was staffed and operational--had not accepted any complaints by year's end.

Financial Disclosure: The constitution and law require public officials to declare their assets to the National Commission on Public Ethics, although no declarations were made public. There are no formal procedures to control submission of asset disclosures and no penalties for noncompliance. To date no public officials have been required to comply with asset disclosure laws. The law precludes government officials from engaging in for-profit business, but most ministers conducted businesses they conflated with their government responsibilities.

Public Access to Information: The law does not provide for general public access to government information, although it requires the government to turn over unclassified information about its activities to news agencies and other media outlets if requests are deemed legitimate. Citizens and noncitizens, including those employed by foreign media, generally were unable to access government information. A lack of organized recordkeeping, archiving, and public libraries also limited access to government information. Copies of the laws were obtainable only at the Public Records Office, but fees were high, and many laws were also unavailable there.

There is no mandatory disclosure of procurement information, and no bids were announced or awards made publicly available. There was no registry of companies banned from participating in the procurement process, and there was no public access to the financial records of state-owned companies, such as the GEPetrol oil company, SONAGAS gas company, or the SEGESA electricity company.

### **Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights**

The law restricts NGO activity, and the few domestic NGOs focused on development issues such as health, women's empowerment, and elder care. Although the law includes human rights among the areas in which NGOs may operate, no local NGO reported publicly on the abuse of civil, political, or other human rights by the government or on official corruption.

International NGOs, including Amnesty International, Freedom House, and Human Rights Watch, focused on human rights. The ICRC also operated in the country, although in 2015 it closed its office and moved its staff and equipment to neighboring Cameroon.

The government was suspicious of human rights activities, claiming human rights concerns were largely prompted by antigovernment exile groups and hostile foreign NGOs. Government officials used major media outlets to discredit civil society actors, categorizing them as critics of the government. The few local activists who sought to address human rights risked intimidation, harassment, and other reprisals.

For example, on March 16, the Ministry of Interior suspended all activities by CEID, including observation of the April presidential elections, in response to anti-government comments made during a youth forum organized by CEID in January. On September 22, the government allowed CEID to resume operations.

NGOs faced difficulties in registering.

The United Nations or Other International Bodies: Members of international human rights NGOs and the African Development Bank continued to report difficulties obtaining visas to visit the country.

Government Human Rights Bodies: Citizens have the right to file a petition with the Commission on Human Rights, which is part of the House of Deputies' Committee for Complaints and Petitions. A government-funded Center for Human Rights and Democracy held human rights awareness campaigns. A National Commission on Children's Rights was created in coordination with UNICEF. These human rights bodies were not fully operational, independent, adequately resourced, or effective. The inter-ministerial commission on trafficking in persons remained inactive.

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

## **Section 6. Discrimination, Societal Abuses, and Trafficking in Persons**

### **Women**

Rape and Domestic Violence: Rape is illegal and punishable by 12 to 20 years' imprisonment and additional fines. The law does not address spousal rape. The government did not enforce the law effectively, in part due to reluctance of victims and their families to report rape. Even when victims reported rape, police and

judicial officials were reluctant to act, particularly if alleged perpetrators were politically connected.

Domestic violence is illegal but culturally accepted in some societal groups. Depending on severity and circumstances, the penalty for assault ranges from one to 20 years' imprisonment. Local NGOs reported the problem was widespread. Victims were reluctant to report cases, and the government did not enforce the law effectively. Police and the judiciary were reluctant to prosecute domestic violence cases, and no statistics were publicly available on prosecutions, convictions, or punishments during the year. Authorities treated domestic violence as a private matter to be resolved in the home. The Ministry of Social Affairs and Gender Equality mediated some domestic disputes but had no enforcement powers.

On occasion police organized workshops on family violence. Government-controlled media refused to broadcast public service announcements produced by a local NGO about domestic violence.

Other Harmful Traditional Practices: Although not widespread, levirate marriage, the practice by which a man may be required to marry his brother's widow, resulted in discrimination against women and girls.

Sexual Harassment: No law prohibits sexual harassment, and NGOs reported it was a problem, although the extent of the problem was unknown. There were no government efforts to address sexual harassment.

Reproductive Rights: Couples and individuals have the right to decide freely and responsibly the number, spacing, and timing of their children; manage their reproductive health; and have access to the information and means to do so, free from discrimination, coercion, or violence. Contraceptives were distributed free of charge.

According to the UN Population Fund, in 2015 the maternal mortality rate was 342 per 100,000 live births; in 2013 the rate was 290. Some prenatal and obstetric care was free in government clinics, but the availability and quality of care varied greatly and was limited primarily to Malabo and Bata, the two main cities.

Discrimination: While the constitution provides for equality between men and women, the country applies the Spanish civil code as it was when Equatorial Guinea adopted it upon gaining independence in 1968. The code discriminates against women in matters of nationality, real and personal property, and

inheritance. According to the UN Committee on the Elimination of Discrimination against Women, the prevalence of negative stereotypes and adverse cultural norms and customs resulted in discrimination against women. Lack of legislation regulating traditional marriages and other aspects of family law also permitted discrimination against women, particularly with respect to polygyny, inheritance, and child custody.

Custom confined women in rural areas largely to traditional roles. There was less overt discrimination in urban areas, although women sometimes experienced discrimination in access to employment and credit and did not always receive equal pay for similar work (see section 7.d.).

The government provided courses, seminars, conferences, and media programs to sensitize the population and government agencies to the needs and rights of women. The Ministry of Social Affairs and Gender Equality held events around International Women's Day to raise public awareness of these rights. The ministry also provided technical assistance and financial support to rural women.

Both the civil code and traditional Fang law favor men over women in real and personal property rights and inheritance. Under Fang law women become members of the husband's family and do not have any rights to inheritance. Primogeniture is applied to traditional inheritance, with the oldest male child receiving the inheritance. Under Bubi traditional law, which favors women, children belong to the woman's family. Like Fang women, Bubi women become members of their husbands' families upon marriage, but Bubi women remained the main inheritors of property. Such differences between traditional Bubi and Fang law impeded the passage of a unified family law code.

## **Children**

Birth Registration: Citizenship is derived from one's parents. The Ministry of Health requires parents to register all births, and failure to register a child may result in denial of public services. Nevertheless, most citizens were unaware of the importance of birth registration. Birth registration was low, and the mechanisms for birth registration very limited. Civil registry officials were poorly trained and often took bribes to accelerate the issuance of certificates or to falsify information. In rural areas most of the registry offices did not have computers and relied on manual registration. Certificate issuance could take from one day to a few weeks depending on the amount paid for the process. On average the official cost per certificate, either for initial issuance or for reissuance, was 8,000 CFA francs

(\$14). Bribes ranged from 5,000 CFA francs (\$9) to 30,000 CFA francs (\$51). UNICEF, in cooperation with the Ministry of Justice, held a workshop in July 2015 to train civil registry officials on birth registration procedures.

Education: Education is tuition-free and compulsory until age 13, although all students are required to pay for textbooks and other materials. The overwhelming majority of children attended school through the primary grades. Boys generally completed an additional seven years of secondary school or attended a program of vocational study after primary education. Domestic work and childbearing limited secondary education attendance for many girls in rural areas. During the year the Ministry of Education ordered that all teenage girls who enroll in school must first take a pregnancy test and that those who tested positive would not be allowed to attend school.

Child Abuse: Abuse of minors is illegal, but the government did not enforce the law effectively, and child abuse occurred. Physical punishment was a culturally accepted method of discipline.

Early and Forced Marriage: There is no minimum age for marriage. Forced marriage occurred, especially in rural areas, although no statistics were available. The Ministry of Social Affairs and Gender Equality operated programs to deter child marriage but did not address forced marriage.

Sexual Exploitation of Children: Child prostitution is illegal, but underage girls engaged in prostitution, particularly in urban centers such as Malabo and Bata, where oil and construction industries created demand for cheap labor and commercial sexual exploitation. The commercial sexual exploitation of children is punishable by fines and imprisonment, but authorities generally did not enforce the law. The law does not address child pornography. The minimum age for sexual consent is 18.

International Child Abductions: The country is not a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. See the Department of State's *Annual Report on International Parental Child Abduction* at [travel.state.gov/content/childabduction/en/legal/compliance.html](http://travel.state.gov/content/childabduction/en/legal/compliance.html).

## **Anti-Semitism**

The Jewish community was small, and there were no known reports of anti-Semitic acts.



## Trafficking in Persons

See the Department of State's *Trafficking in Persons Report* at [www.state.gov/j/tip/rls/tiprpt/](http://www.state.gov/j/tip/rls/tiprpt/).

## Persons with Disabilities

The law does not prohibit discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, air travel and other transportation, access to health care, the judicial system, or the provision of other state services, nor does it mandate access to buildings or transportation for persons with disabilities (see section 7.d.). Inaccessible public buildings and schools were an obstacle for persons with disabilities, and some newly constructed government buildings lacked such access.

Children with disabilities attended primary, secondary, and higher education, although no accommodations were made for their disabilities. The local Red Cross, with financial support from the government, managed a school for deaf children in Malabo. A privately run school for deaf children affiliated with a foreign religious group operated in Bata.

Two privately funded mental health clinics offered limited services in Bata. A private mental health facility, funded primarily by the Ministry of Health, operated in Malabo.

In 2015 an Office of Disabilities and the Elderly was created within the Department of Human Rights. The national social security program assists workers with disabilities, and the national health-care system provided some wheelchairs and promoted government employment for persons with physical disabilities. The first lady, through her personal civil society organization, also provided wheelchairs and assistance to persons with disabilities. In May 2015 a seminar of the National Organization of the Blind of Equatorial Guinea focused on improving conditions of persons with vision disabilities, including increasing employment opportunities.

There were no legal restrictions on the right of persons to vote or participate in civic affairs based on their disability, but lack of access posed a barrier to full participation.

### **National/Racial/Ethnic Minorities**

Societal discrimination, harassment by security forces, and political marginalization of minorities were problems (see section 7.d.).

The predominant ethnic group, Fang, continued to dominate political and economic power. Foreigners were often victimized. Irregular immigrants from Nigeria, Ghana, Cameroon, Mali, Benin, Togo, Gabon, and other African countries represented a significant and growing portion of the labor force. Officials routinely stopped foreigners at checkpoints, asked them to provide documentation, and often abused and extorted them. The government delayed its renewal of residence and work permits, leaving immigrants vulnerable to such abuse.

In public speeches President Obiang frequently referred to foreigners as a security threat and warned of a new period of colonialism. Reports of drunken security forces harassing and extorting foreigners at gunpoint increased, including an incident directed at foreign medical professionals and their families, whom they accused of being colonialists.

### **Acts of Violence, Discrimination, and Other Abuses Based on Sexual Orientation and Gender Identity**

There are no laws criminalizing same-sex sexual conduct, but societal stigmatization and discrimination against the LGBTI community were problems, and the government made no effort to combat it. There are no specific legal impediments to LGBTI organizations, but none existed at year's end, due mainly to societal stigma. The official government position was that no LGBTI persons were present in the country and that such sexual orientation or gender identity was abnormal. Observers believed such stigma prevented the reporting of incidents of abuse.

There were, however, no publicized incidents of official discrimination against LGBTI persons. In what might indicate more government and public tolerance toward LGBTI individuals, in June a local organization held a weeklong series of events on LGBTI issues. Speakers flown in from abroad gave lectures, workshops, film screenings, and television and radio interviews on government-controlled stations. All activities during the week were well attended and covered by local media, with no reported violence or societal backlash.

### **HIV and AIDS Social Stigma**

Despite frequent public statements and radio campaigns advocating nondiscrimination, persons with HIV/AIDS were stigmatized, and many individuals kept their illness hidden. In the 2012 Demographic and Health Survey, the most recent available, 38 percent of women and 42 percent of men surveyed reported holding discriminatory attitudes toward persons with HIV.

During the year the president removed the minister of HIV/AIDS, a position created in 2015, and replaced him with the minister of health. The Ministry of Health provided free HIV/AIDS testing and treatment and supported public information campaigns to increase awareness of health risks, availability of testing, and the importance of practicing safe sex.

## **Section 7. Worker Rights**

### **a. Freedom of Association and the Right to Collective Bargaining**

The law provides workers the right to establish unions, affiliate with unions of their choice, and bargain collectively. The law also allows unions to conduct activities without interference. The law requires a union to have at least 50 members from a workplace to register, effectively blocking union formation.

Authorities did not respect freedom of association and the right to collective bargaining. The Union Organization of Small Farmers was the only legal operational labor union. Authorities continued to refuse to recognize other unions, including the Workers Union of Equatorial Guinea, Independent Service Union, Teachers' Trade Union Association, and the Rural Workers Organization.

The law broadly acknowledged the right to engage in strikes, but there is no implementing legislation defining legitimate grounds for striking. No law requires the reinstatement of workers fired for union activity, although such dismissal may fall under wrongful termination. Unions generally were not allowed to organize. There have been no legal strikes in the country since independence.

Employees of the Moroccan company Somagec held a work stoppage strike in July 2015 over several months of unpaid wages. Security forces were brought in, but there were no reports of violence. The strike resulted in workers being paid. Employees of the French Cultural Center also held a successful strike, resulting in salary increases.

Although labor law prohibits antiunion discrimination, the government placed practical obstacles before groups seeking to organize, such as not allowing groups to register legally. The government did not protect the right of unions to conduct their activities without interference. Most often those seeking to organize were co-opted into existing party structures by means of pressure and incentives.

Dismissed workers could appeal to the Ministry of Labor and Social Security through their regional delegate, but there was little trust in the fairness of the system. Citizens and foreigners with valid work permits have the right to appeal Ministry of Labor and Social Security decisions to a special standing committee of the House of Deputies established to hear citizen complaints regarding decisions by any government agency.

### **b. Prohibition of Forced or Compulsory Labor**

The law prohibits forced or compulsory labor, but the government did not effectively enforce the law. The Ministry of Labor and Social Security conducted numerous workplace inspections to verify adherence to labor laws regarding pay, benefits, and working conditions. When inspectors found violations, the government required some employers to correct the problem, pay fines, or pay reparations to the employees. Neither the penalties nor the government's efforts were adequate.

Forced labor occurred. Men and women from Cameroon, Benin, and other neighboring countries, as well as from the Dominican Republic and Cuba, were recruited for work, and some were subsequently subjected to forced labor. Often they were not compensated as agreed, and their passports were confiscated.

In one publicized case, a high-level member of the president's cabinet severely beat an employee of one of his private businesses when she demanded payment. He then returned her passport and forced her to leave the country. Another employer attracted foreign workers by falsely promising to provide them with employment contracts necessary for obtaining work permits. When workers resigned to take other, more secure jobs, the employer contacted the police to have their former employees deported, which would have occurred if the new employers had not intervened.

Companies in the construction sector, among others, held the passports of their foreign workers, a possible indication of forced labor.

Also see the Department of State's *Trafficking in Persons Report* at [www.state.gov/j/tip/rls/tiprpt/](http://www.state.gov/j/tip/rls/tiprpt/).

### **c. Prohibition of Child Labor and Minimum Age for Employment**

The law prohibits employment of children under age 18, except that minors between ages 16 and 18 may perform light work that does not interfere with their school attendance with the authorization of the Ministry of Labor and Social Security. Minors are permitted to work only during the day, and their workday is limited to six hours, for which they are paid the equivalent of an eight-hour daytime work rate. The penalty for employing children under age 16 is a fine equal to 15 months of minimum wages per minor, which is doubled for repeat infractions. Penalties are higher for minors under age 18 who perform night work or work in hazardous environments. The Ministry of Labor and Social Security is responsible for enforcing child labor laws, but inspectors focused mainly on the construction industry and not on child labor.

Government officials frequently showed a lack of understanding regarding child labor. For example, the deputy prosecutor stated in a UN-sponsored seminar on trafficking that “children working during summer vacation are helping their parents with their own school fees, and their cases cannot be counted” as a “trafficking problem.”

Additionally, in August security force members identified three unaccompanied children from the Central Africa Republic (CAR) as likely victims of trafficking. The children had been living in the country for two years. Authorities considered the three to be trafficking victims brought to Malabo for forced labor. Security force members, however, dropped the children off at the CAR embassy in Malabo. No trafficking suspects were identified or prosecuted.

### **d. Discrimination with Respect to Employment and Occupation**

Labor laws and regulations prohibit discrimination based on race, color, sex, political opinion, national origin, social status, or union affiliation. Labor laws do not prohibit discrimination based on age, language, or HIV-positive status. The government did not effectively enforce these laws and regulations. Discrimination in employment and occupation occurred with respect to ethnicity, gender, sexual orientation, disability, and HIV-positive status. Discrimination also occurred based on political affiliation. Discrimination against foreign migrant workers occurred.

There is no agency responsible for the protection for those unable to work due to permanent or temporary illness or other health condition. The Ministry of Labor and Social Security did not effectively enforce the legal mandate to employ a specific percentage of persons with disabilities in companies with 50 employees or more.

The country continued to have a large gender gap in terms of access to education and employment opportunities. Rooted stereotypes and ethnic traditions continued to impede women's rights. There were greater employment opportunities for men than women. Women mostly worked in the informal sector and did not have access to benefits or social security.

Women were paid less than men for the same work, and the terms of their contracts often were not honored. Women rarely complained for fear of reprisals. The labor law was not effectively enforced, making women vulnerable in terms of benefits and salaries.

In 2015 the secretary of state of the Ministry of Social Affairs and Gender Equality participated in a parade in Malabo marking International Women's Day and held discussions with women from various ministries on women's issues and the role of women in society. The events were covered by national radio and television.

The Ministry of Social Affairs and Gender Equality continued a program to promote self-employment among rural women. The first lady, on an ad hoc basis, donated funds to promote women-owned businesses.

#### **e. Acceptable Conditions of Work**

The monthly minimum wage for the private sector was last set in 2011. It varied by occupation from 129,035 CFA francs (\$220) to 1,290,345 CFA francs (\$2,200) monthly. Pay rates in the hydrocarbon industry were set many times higher than comparable positions in other sectors. The law requires that citizens be paid at the same rate as foreigners and that domestic workers be paid not less than 60 percent of the national minimum wage. The government did not set a poverty line or publish estimates of poverty.

The standard work week is 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, with night work and mixed

work paid the same as for an eight-hour day shift. Offshore workdays are a minimum of 12 hours, of which eight hours are considered regular work and four are counted as overtime. The workday includes one hour for meals and breaks. The law also requires paid leave for government holidays, annual leave, and bonuses of 15 days' pay, twice a year. Overtime is not mandatory except as provided by law or special agreement and is prohibited for pregnant workers. Overtime is allowed for night work. Premium pay is required for overtime and holidays. Women had six weeks pre- and post-maternity leave, which could be extended for medical reasons, and they were allowed two paid daily breaks of one hour each to breast feed.

Occupational safety and health (OSH) standards provide for protection of workers from occupational hazards, but the government did not always effectively enforce these provisions. The law permits workers to remove themselves from situations that endanger health or safety without jeopardy to their employment.

The Ministry of Labor and Social Security is responsible for enforcing minimum wage, workweek rules, and OSH standards. The ministry employed approximately 50 labor inspectors, which was insufficient to enforce the law effectively. The ministry does not publish the results of its OSH inspections.

Legal protections exist for employees who are injured or killed on the job and for those who were exposed to dangerous chemicals, but these protections were generally extended only to those in the formal sector. Protections in petroleum companies exceeded minimum international safety standards. The government seldom monitored workers in the informal sector.

Foreigners in the oil services and construction sectors, including migrants from other parts of Africa, Asia, and the Americas, were sometimes subjected to poor working conditions, and the passports of some workers were confiscated. Some workers were exposed to hazardous chemicals, supplied with insufficient safety gear, and subjected to excessively long hours.