

REPORTERS WITHOUT BORDERS INTERNATIONAL

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Contribution on the situation of media freedom in Equatorial Guinea by Reporters Without Borders An NGO with special consultative status

Summary of the situation of media freedom and the recommendations accepted by Equatorial Guinea under the Universal Periodic Review

Equatorial Guinea is ranked 166 out of 179 countries in the 2013 Press Freedom Index¹ published by Reporters Without Borders, a sadly unsurprising low position for the so-called “African Koweit”. The President of this small oil-state, Mr. Teodoro Obiang Nguema, has been a Predator of Press Freedom² for many years now, with no sign of relenting. The country's appalling violations of freedom of information prove that no efforts have been made since it last accepted the Human Rights Council's (HRC) recommendations during the 13th Universal Periodic Review (UPR) session³.

Despite Recommendation n°115⁴ the situation has not evolved. Almost all media are state-owned, and remain under the severe censorship of the Ministry of Information, whose main activity

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Press Freedom Index 2013 : <http://en.rsf.org/press-freedom-index-2013,1054.html>

2

Predator <http://en.rsf.org/predator-teodoro-obiang-nguema,44524.html>

3

Mid-term Implementation Assessment : http://www.upr-info.org/followup/assessments/session19/equatorial_guinea/MIA-Equatorial_guinea.pdf

4

See Appendix 1 for all Recommendations

seems to be spreading government propaganda. The government has imposed a media blackout on any information related to the Arab Spring or uprisings in the Middle East and North Africa (MENA) since 2011. Journalists who have mentioned any information related to these events have been dismissed. Media workers are not guaranteed legal protection, and there exists no trade unions or journalist defense associations.

The privately owned media are limited to a few newspapers – *La Opinión*, *El Tiempo* and *La Nación* – which are unable to publish regularly because they lack funding, infrastructure and printing presses. Furthermore, heavy bureaucracy hinders the development of private media, which in any case is owned by high-ranking state officials or businessmen close to the President.

Regardless of abysmal results in press freedom and human rights in general, Mr. Obiang continues to spend lavishly on international events such as the 2011 Africa Union Summit, or the Africa Cup of Nations in 2012 with Gabon, in order to redeem Equatorial Guinea's international image. This image would be best served if international media were allowed coverage.

Instead, and in violation of Recommendation n° 76, foreign journalists and media associations – including Reporters Without Borders⁵ – are often denied visas, and once inside the country their movement is extremely limited. In 2011, a German TV crew was arrested and expelled from the territory. Its footage, including images of children playing in slums and an interview with opposition leader Plácido Mico Abogo, was destroyed. The only foreign correspondent in the country, Samuel Obiang Mbana, is strictly monitored. He has been jailed twice, and has repeatedly been prevented from covering the news. The latest example of these violations occurred in 2013, when he was barred on May 26th from covering the opening ceremony of the senatorial, legislative and municipal electoral campaign.

Foreign publications are not available in Equatorial Guinea, and citizens can only rely on the Internet for alternative information. However, access to the Internet is very limited, and the government has recently been censoring any material that defies its authority. On May 12th, 2013, ahead of the parliamentary and municipal elections, opposition websites as well as Facebook were blocked, following the announcement of an anti-Obiang protest⁶. Thus Recommendation n°34 has not been respected, despite its acceptance by Equatorial Guinea.

The 2009 National Report⁷ presented to the HRC by Equatorial Guinea states that “access to information is an essential component of public freedoms and has been given priority in national policy. There is thus currently nothing to prevent access to newspapers or reviews, whether national or foreign, and the Internet is fully available for public access. There are no controls,

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RWB 06/29/2012 Press Release “We won't go to Malabo”

<http://en.rsf.org/equatorial-guinea-we-won-t-go-to-malabo-29-06-2011,40545.html>

6

RWB 05/14/2013 Press Release “Facebook and opposition websites blocked ahead of elections”

<http://en.rsf.org/guinee-equatoriale-facebook-and-opposition-websites-14-05-2013,44618.html>

7

National Report <http://www.ohchr.org/EN/HRBodies/UPR/Pages/GQsession6.aspx>

either preventive or retroactive, over the broadcasting media.” However, the government continues to limit freedom of expression in both law and practice. The 1992 Law on the Press, Publishing, and Audiovisual Media allows the government to censor all media publications, in direct opposition with the aforementioned statement and Recommendations n°31, n°104 and n°121.

The Obiang administration’s stance has not changed, which can only lead Reporters Without Borders to reiterate that Equatorial Guinea needs to cooperate in a true and honest manner with the Universal Periodic Review’s mechanisms of the Human Right Council. It is evident that none of the recommendations from the 13th UPR session have been implemented, and Reporters Without Borders strongly urges the Equatoguinean government to reconsider and improve its policy and attitude regarding Freedom of Information.

Recommendations

Reporters Without Borders recommends that the government of Equatorial Guinea:

- Establishes sincere and effective mechanisms of cooperation with the Universal Periodic Review.
- Implements the recommendations it has already accepted.
- Ends censorship, mass surveillance and all forms of reprisals and harassment against those who provide news and information.
- Provides a favorable environment for the development of a free and pluralistic media.
- Allows for the creation of trade unions and journalist protection associations to guarantee protection for media workers.
- Facilitates the presence of international media and their coverage of domestic news.

ANNEX 1

Recommendations from 13th UPR session mentioned in the text

Recommendation n°31: *Amend its laws and set up a legal framework that respects and promotes freedom of expression in conformity with its international obligations* (Recommended by Canada) – No response

Recommendation n°34: *Respect the right of the opposition members to travel freely, to hold meetings, to express their views and to have access to the media without discrimination* (Recommended by Canada) – Accepted

Recommendation n°76: *Respect and promote the right to freedom of expression, association and assembly, create an enabling environment for the establishment and operation of non-governmental organizations and media and remove all legal administrative and procedural obstacles which prevent this* (Recommended by Netherlands) – Accepted

Recommendation n°104: *Promote the establishment of a legal framework in accordance with international human rights obligations that would allow the development of pluralistic, free and independent media, and free access to information, including to foreign media* (Recommended by Spain) – Accepted

Recommendation n°115: *Promote the establishment of pluralistic, free and independent media and ensure the protection of and respect for the independence of the press and freedom of opinion and expression of journalists* (Recommended by Switzerland) – Accepted

Recommendation n°121: *Remove the 1992 provision authorizing government censorship of all publications, and promote pluralistic, free and independent media* (Recommended by United Kingdom) – No response