



FREEDOM OF EXPRESSION, INFORMATION AND COMMUNICATION IN EQUATORIAL GUINEA

ABOUT THE ORGANISATIONS

1. **EG Justice** supports the people of Equatorial Guinea to protect their rights and dignity as human beings. EG Justice works with people in the community to document and accurately report instances of human rights violations and corruption, and we use media and targeted advocacy to demand accountability (seek redress) for those harmed and to create an enabling environment for critical voices.
2. **Small Media Foundation** is a UK-based organisation that works to support the free flow of information in politically closed societies. The non-profit engages in research, advocacy, and training activities to support global advocates to uphold citizens' rights to freedom of expression and access to information. The Uproar programme is a Small Media initiative championing digital rights in over 34 countries across Africa, MENA region and Central Asia through the Universal Periodic Review.
3. **The International Press Institute** (IPI) is a global network of editors, media executives, and leading journalists who share a common dedication to quality, independent journalism. The IPI Africa Program supports and advances press freedom and independent journalism in Africa. Through this program, IPI monitors and collects data on press freedom threats and violations across the continent, including threats to journalists' safety and gendered attacks against journalists both online and offline. IPI uses this data to carry out evidence-based advocacy to hold states and other duty-bearers accountable for their responsibilities to protect press freedom and ensure that journalists can carry out their work freely, independently, and safely.

I. INTRODUCTION

4. The Universal Periodic Review (UPR) is an important UN mechanism aimed at addressing human rights issues across the globe. EG Justice, Small Media, and IPI welcome the opportunity to contribute to Equatorial Guinea's fourth review cycle, and make recommendations on improving its digital rights record.
5. This report focuses on digital rights, including freedom of expression, access to information, and safety of journalists in Equatorial Guinea, as the country enters its fourth Universal Periodic Review (UPR).



II. UPDATES FROM THE PREVIOUS REVIEW

6. The human rights situation in Equatorial Guinea has not improved since the previous review in 2019. Instead, the government has continued to imprison human rights defenders, journalists, "*audista*"¹ activists, and even ordinary citizens for exercising their fundamental rights of expression, communication and access to information.
7. During the 2019 UPR, the government of Equatorial Guinea recognised freedom of expression as a right under the Constitution and expressed openness at reviewing *Act No. 6/1997* on the press, publications and audiovisual media² - which does not align with Equatorial Guinea's obligation under international law³.
8. The government denied the existence of restrictions on the internet, newspapers, television networks and digital channels (WhatsApp), except for persisting "technical operational difficulties" in accessing social media. It invoked *Act No. 6/1997* to justify the censorship of the online newspaper *Diario Rombe* and the radio station *Radio Macuto*, on grounds of protecting the "right to honour and the good reputation."⁴
9. The government accepted Ghana⁵ and Haiti's recommendations to introduce a freedom of information law in line with international standards to ensure progress on target 16.10 of the Sustainable Development Goals, concerning public access to information.
10. Other recommendations that were accepted included, United States of America's recommendation to remove undue restrictions on civil society and the media by reforming *Act No. 1/1999* to be consistent with international obligations on the rights to freedom of expression, association, and peaceful assembly, and to streamline registration processes;⁶ Costa Rica's recommendation to take the necessary steps to respect citizens' rights to free speech and freedom of peaceful assembly

¹ The term "*audista*" is used in Equatorial Guinea to refer to people who produce and disseminate messages to the population through WhatsApp. Sometimes these are denunciations against the arbitrariness of the government regime, and other times they are messages to raise awareness and motivate the local citizens.

² [A/HRC/42/13](#) Report of the Working Group on the Universal Periodic Review - Equatorial Guinea, 2019.

Paragraph 10. <https://www.upr-info.org/en/review/equatorial-guinea>

³ [CCPR/C/GNQ/CO/1](#) Human Rights Committee Concluding observations on Equatorial Guinea in the absence of its initial report, 2019. Paragraphs 52-53.

⁴ Law No 17/1995 Concerning the Civil Protection of the Right to Honor and Good Reputation: [Ley 17-1995 de 11 de Octubre sobre proteccion civil del derecho al honor y a la buena reputacion.pdf](#)

⁵ Matrix of recommendations - UPR of Equatorial Guinea (3rd Cycle – 33rd session), 2019. Recommendation 122.86

⁶ [Matrix of recommendations - UPR of Equatorial Guinea \(3rd Cycle – 33rd session\)](#), 2019. Recommendation 123.32



and association;⁷ and the United Kingdom of Great Britain's recommendation to promote freedom of expression for the press and media and cease the imprisonment of journalists by decriminalising defamation.⁸

11. However, Equatorial Guinea continues to fail to comply with the accepted recommendations received by these governments in the third UPR. Documented cases confirm that hostility stemming from security and law enforcement agents has increased, and the right to freedom of expression is being systematically violated by the government.

12. At the time of submission of this report, the Ministry of Information, Press and Radio of Equatorial Guinea is working on a draft law on computer and cybercrime aimed at regulating the use of social media and cyberspace. The new law will also lay down penalties and fines that can be imposed by the relevant jurisdictional bodies.⁹

III. SOCIO-POLITICAL CONTEXT

13. Since its independence in 1968, Equatorial Guinea has been ruled by a family clan,¹⁰ accused of perpetrating numerous violations of the human rights of its nationals. Over four decades of power of the same President and family have institutionalized a system of corruption¹¹, resulting in Equatorial Guinea ranking among the ten most corrupt countries in the world.¹² Impunity remains unchecked¹³ as the government continues to instrumentalize violence to sow fear and deprive citizens of their rights.¹⁴

⁷ [Matrix of recommendations - UPR of Equatorial Guinea \(3rd Cycle – 33rd session\)](#), 2019. Recommendation 122.95

⁸ [Matrix of recommendations - UPR of Equatorial Guinea \(3rd Cycle – 33rd session\)](#), 2019. Recommendation 123.25

⁹ See, <https://www.africa.com/equatorial-guinea-adoption-of-articles-defining-computer-crime-and-cybercrime/>

¹⁰ Francisco Macías Nguema, first President of Equatorial Guinea, was overthrown in a coup in 1979 by Teodoro Obiang Nguema Mbasogo, a nephew of Macías, after Macías executed members of his own family, including the father of Obiang.

Teodorin Nguema Obiang Mangué, the eldest son of the President, is also Vice President of Equatorial Guinea.

¹¹ Teodorin Nguema Obiang Mangué is under several judicial procedures for millions worth of stolen assets from corruption cases in the USA, Switzerland and France.

Sale of a Seized Beach House Funds Covid-19 Vaccine Drive in Equatorial Guinea, Human Rights Watch, 2 September 2021

¹² Equatorial Guinea ranked 172 out of 180 in Transparency International's 2023 Corruption Perceptions Index (CPI), <https://www.transparency.org/en/countries/equatorial-guinea>. Accessed on 5 April 2024

[CPI 2023 for Sub-Saharan Africa: impunity for corrupt officials, restricted civic space and limited access to justice](#), Transparency International, 30 January 2024

¹³ [CCPR/C/GNQ/CO/1](#) Human Rights Committee Concluding observations on Equatorial Guinea in the absence of its initial report, 2019. Paragraphs 36.

¹⁴ [Equatorial Guinea: 40 years of repression and rule of fear highlights human rights crisis](#), Amnesty International, 2 August 2019



14. Equatorial Guinea is among the worst countries rated as "not free" by Freedom House,¹⁵ and in terms of press freedom, Reporters Without Borders (RSF) ranks it among countries rated as "in a difficult situation" to "very serious."¹⁶ However, it registered an improvement from the 141st position in 2022, to 120th in 2023, out of the 180 countries assessed by RSF. In the current 2023 ranking, it is noted that Equatorial Guinea lacks media pluralism, and the media is characterized by prior censorship.¹⁷ The government controls radio and television through its sole broadcaster, *RTVGE*, and the only "privately owned" TV channel is owned by the president's son, Teodorin Obiang. However, there has been an emergence of online media in recent years.¹⁸

IV. LEGAL FRAMEWORK

15. Equatorial Guinea is a party to the International Covenant on Civil and Political Rights (ICCPR), the African Charter, and a signatory to the 1991 Windhoek Declaration.

16. Article 13 of the Constitution of Equatorial Guinea establishes that every citizen enjoys, among other rights and freedoms: "freedom of expression, thought, ideas, and opinions", but also "the inviolability of the home and the secrecy of communications".¹⁹

17. As earlier noted, the government has failed to comply with any of the recommendations it endorsed and accepted during the third cycle of the UPR, made by Ghana, Australia, Costa Rica, Maldives, Spain, the United Kingdom, and the United States of America, calling for repeal or amendment of laws that infringe on freedom of expression in Equatorial Guinea.

18. Act No. 6/1997 regulating the press, printing, and the media in Equatorial Guinea remains in force,²⁰ despite the recommendation of the UN Human Rights Committee to reform it in line with the ICCPR.²¹

¹⁵ Freedom in the World 2024 scores report, Freedom House <https://freedomhouse.org/report/freedom-world/2024/mounting-damage-flawed-elections-and-armed-conflict>

¹⁶ Reporters Without Borders (RSF), Equatorial Guinea, <https://rsf.org/en/country/equatorial-guinea> Accessed on 5 April 2024

¹⁷ Ibid.

¹⁸ Ibid

¹⁹ Constitution of Equatorial Guinea, <https://wipolex-res.wipo.int/edocs/lexdocs/laws/fr/gq/gq001fr.pdf> (English: <https://wipolex-res.wipo.int/edocs/lexdocs/laws/en/gq/gq001en.pdf>)

²⁰ Law No. 6/1997 on the Press and Printing and the Audiovisual Media. <https://www.droit-afrique.com/upload/doc/guinee-equatoriale/GE-Loi-1997-presse-edition-medias-ESP.pdf>

²¹ [CCPR/C/GNQ/CO/1](https://www.unhcr.org/refugees-and-asylum-seekers/2019/04/ccpr-c-gnq-co-1) Human Rights Committee Concluding observations on Equatorial Guinea in the absence of its initial report, 2019. Paragraphs 52-53.



19. The new Penal Code published in 2022²² contains a chapter that limits freedom of expression. Articles 221 to 224 create the offense of "abusive exercise of fundamental rights" and establish that this offense is committed by anyone "*who, in violation of the limitations imposed by law on the right to disseminate information by any means, publishes news which, by its falsity and nature, seriously undermines the dignity of the institutions or their representatives*". This offense, punishable by a fine ranging from 7,525,000 to 50,000,000 XAF (11,000 - 76,000 USD), is unconstitutional and contrary to Equatorial's international and regional human rights commitments, including under the International Covenant on Civil and Political Rights.

V. FREEDOM OF EXPRESSION

20. The government continues to violate the right to freedom of expression. Individuals are subjected to intimidation, arrest, detention, torture, and ill-treatment for speaking about the socio-political situation in the country. This has created a climate of fear which effectively prevents individuals from exercising their fundamental rights. Some people, especially activists, turn to art, music, theatre, or the visual arts.

21. However, these means of expression also run the risk of being classified as crimes of libel and slander and can lead to jail time, as happened to the artists Nze Ramon Esono Ebale, Leoncio Prisco Eko Mba, and Benjamín Ndong. For example, on September 13, 2022, security forces arrested hip-hop artist Leoncio Prisco Eco Mba, commonly known as "Adjoguening", and kept him in Black Beach prison, without access to his lawyer or family.²³

22. The state incarcerated *Anacleto Micha Ndong*, Lawyer and human rights activist. State security forces arrested him without a warrant in September 2022 and arbitrarily detained him for 271 days in Black Beach prison. Anacleto wrote reports on the human rights situation, held peaceful demonstrations, published critical posts against the government on social media, and provided assistance to imprisoned activists and politicians. For these activities and for publicly advocating for a national political dialogue, he was sentenced to 6 months in prison for contempt of authority. However, he was imprisoned for nine months.²⁴

23. He was released in June 2023 and he highlighted before a court in Equatorial Guinea, the torture he suffered in prison at the hands of a

²² Law No. 4/2022 of 17 August 2022 on the Penal Code in the Republic of Equatorial Guinea

²³ See, <https://egjustice.org/content/eg-must-release-human-rights-activists>

²⁴ Equatorial Guinea: Jailed human rights defender at risk of torture: Anacleto Micha Ndong, Amnesty International, see; <https://www.amnesty.org/fr/documents/afr24/7794/2024/en/> Accessed on 6 April 2024

gendarme officer nicknamed "iron hand", and made his complaints public on social networks. Consequently, the accused colonel detained him in December 2023 for 4 days in a penitentiary, accusing him of libel and defamation. On January 26, 2024, state security agents violently broke into his home in the presence of his wife and children, and subsequently took him under arrest. Thirty days later, he was charged with the crime of insult for his denunciation of torture. He has since been incarcerated again in Black Beach Prison.²⁵

24. The government further arrested and jailed five activists for disseminating audio messages on WhatsApp. On September 16, 2022, police arrested Luis Nzo Ondo, Pablo Angüe Angono, and Claudio Nzé Ntutumu. Subsequently, they were shown on national television, and accused of allegedly planning a terrorist act based on their audio messages disseminated through WhatsApp.²⁶
25. A few days later, on 21 September 2022, police arrested Salvador Bibang Esono and Emilio Ndong Biyogo on the same charges of planning a terrorist act. All of these individuals were held incommunicado for several months until formal charges were filed.²⁷ The five are still incarcerated in Black Beach prison, sentenced to jail terms of various lengths.
26. On January 12, 2024, members of the national gendarmerie broke into the home of Liberato Bielo Biacho, an activist of the Bubi minority ethnic group, and arrested him, after the dissemination of an audio in a private WhatsApp group. In this audio, he criticized the poor functioning of public institutions, the lack of electricity in some areas of the country, the need for a properly functioning public education and health system, and the lack of democracy, among other issues. The audio was used by the government to arrest and detain him.
27. In 2022, the government refused to process identification documents and passport of a hip-hop singer and activist, *Leoncio Prisco EKO MBA (Adjoguening)*, known for his social criticism. For that reason, in September of that same year he decided to demonstrate in the street, with a banner demanding that his passport be handed over.
28. Consequently, the Minister of National Security, Mr. Nicolás Obama Nchama, ordered the military to arrest him. After missing for 4 days, it was discovered that he was detained at the central police station in Malabo, before being arraigned in court. The judge ordered him to be

²⁵ Ibid.

²⁶ Equatorial Guinea should immediately release activist Anacleto Micha and others arrested without charges, EG Justice, 13 December 2022. Accessed on 6 April 2024. <https://egjustice.org/content/eg-must-release-human-rights-activists>

²⁷ Ibid.



taken to Black Beach Prison, where prison guards forced him to strip naked and brutally tortured him. That torture session was recorded on audio by the security agents themselves, who disseminated it, according to the singer's testimony. He was released a month after his arrest after he was forced under torture to declare that he had not been tortured²⁸.

29. On 25 May 2017, Benjamin Ndong (Jamin Dog), a rapper and activist whose music denounces human rights violations in Equatorial Guinea, was arbitrarily arrested and detained while walking through the streets of the city of Malabo. Two days later, he was released after being interrogated, threatened and tortured. Since then, he has been the victim of repeated arbitrary arrests, threats and ill treatment. In 2019, he was once again arrested, tortured, and sent to prison. He spent more than a year in Black Beach Prison and subsequently suffered a stroke. He is currently in exile in Spain.
30. Recently, Rubén Maye Nsue Mangué, the former Minister of Justice and former diplomatic ambassador became an evangelical pastor and began recording and distributing critical messages on the Obiang's government, demanding the country's president to initiate a process of national reconciliation and political dialogue that leads to the end of the dictatorship.
31. He was summoned to a meeting at the headquarters of the Democratic Party of Equatorial Guinea (PDGE party), to which he belonged, where the government ordered that he be imprisoned in the maximum-security prison of Oveng Asem, with no known judicial process. In addition, his authorization as a pastor was withdrawn on the grounds that he violated *Law No. 4/1991*, which regulates the exercise of religious freedom.²⁹
32. On 14 March 2020, Nuria Obono Ndong Andeme, a nurse at La Paz Hospital in Malabo was arrested by the police. This occurred during the COVID-19 period when the population was living through a period of uncertainty and the government withheld largely critical information about the pandemic. A private conversation between the nurse and a friend commenting on COVID-19 related risks was leaked, violating her right to privacy. In this audio, the nurse was seriously concerned about the critical situation of the health system, which was not prepared to face the health crisis. She revealed that there was no oxygen in the Sampaka hospital, and the Intensive Care Unit of that establishment was not working.

²⁸ Video testimony of Leoncio Prisco EKO MBA explaining what happened to him in detention:
<https://youtu.be/qf3Upgms0vY?si=o4HCawN5ZHVj5NIZ>

²⁹ Also see for the various arrests, <https://pdelalibertadnacionaldguineaequatorial.com/27/09/2022/politica/the-tyrant-teodoro-obiang-nguema-mbasogo-is-carrying-out-arbitrary-arrests-of-equatorial-guinean-citizens-to-prevent-a-peaceful-and-massive-demonstration-in-protest-of-the-farcical-and-fraudulent-unco/>



33. The Minister of Health ordered the immediate arrest of the nurse, who was transferred to a public prison after being charged. She was released several days later.³⁰
34. In November 2021, in a police raid against immigrants, law enforcement removed a banner and seized the material of activist Joaquín Elo Ayeto, who was detained for several hours at the police station³¹.

VI. FREEDOM OF PRESS AND ACCESS TO INFORMATION

35. Equatorial Guinea promulgated the Press and Printing Act in 1995, which was last amended in May 1997 (Act No. 6/1997).³² The law gives the national authorities the power to sanction the media and professionals on the grounds of insult, defamation or threats against state security and public order without any limitation. The government also promotes mechanisms of self-censorship before the publication of content in the media. In 2019, the UN Human Rights Committee recognized the issues contained in the law and recommended the authorities to reform all of its provisions in line with Article 19 of the ICCPR.³³
36. The media landscape of Equatorial Guinea is very repressive, controlled, and censored by the government, preventing the presence of private media not related to the regime in power in Equatorial Guinea unviable.
37. There are two official radio and television channels in Equatorial Guinea, the National Radio and Television (*TVGE*) channel administered by the government through the Ministry of Information, Press and Radio; and the *Asonga* Radio and Television channel owned by Teodorin Nguema Obiang Mangué, the country's Vice President (the President's eldest son) and managed by his cabinet. These two official channels are the only ones authorized to broadcast news about the country with prior censorship by members of the government. Other media are only authorized to reproduce the same news, but not to create alternative content.
38. Private national television channels are only allowed to broadcast entertainment content that does not involve social criticism. The owners of these businesses partner with a member of the government "who

³⁰ Enfermera del Centro Médico La Paz es detenida injustamente y humillada en la televisión pública nacional, Diario Rombe, 16 April 2020. Accessed on 6 April 2024. <https://diariorombe.es/politica/enfermera-del-centro-medico-la-paz-es-detenida-injustamente-y-humillada-en-la-television-publica-nacional/>

³¹ <https://www.facebook.com/somosmas.sociedadcivil.3/posts/423808229337425>

³² Law No. 6/1997 on the Press and Printing and the Audiovisual Media. <https://www.droit-afrique.com/upload/doc/guinee-equatoriale/GE-Loi-1997-presse-edition-medias-ESP.pdf>

³³ CCPR/C/GNQ/CO/1 Human Rights Committee Concluding observations on Equatorial Guinea in the absence of its initial report, 2019. Paragraphs 52-53.



knows the market”, some of these channels are *Canal Sol*, *Guinea Vista*, *Cachu*, and *Hermanos*.

39. The alternative radio stations are Radio *Maria*, in this case a Catholic Christian station with exclusively ecclesiastical content. The *national Asonga radio*, a former station owned by Teodorin Nguema Obiang Mangue (Vice president, and the President's eldest son) that continues to operate along the official *Asonga* Radio and Television channel, and, finally, Radio *Sipopo*, exclusively for the broadcasting of music for entertainment.
40. With regards to the press, there are several digital magazines which have earned a high audience index and official press status, and partly escape the government control. The main ones are the digital magazine *Ahora EG*; the digital magazine *Real Equatorial Guinea*; the digital sports magazine *Mechap*; and the newspaper *Mofueñ*.³⁴
41. Trifonia Melibea Obono, activist and founder of the organisation *Somos Parte Del Mundo SPDM*, was arrested on August 19, 2023 and illegally detained for 2 days in the prison of the Ministry of National Security based in Malabo, the capital of Equatorial Guinea. The arrest took place after the collective *Somos Parte Del Mundo SPDM*, submitted the report on Torture, Cruel, Inhuman and Degrading Treatment against LGBTQI+ people in Equatorial Guinea,³⁵ at the European Union headquarters in Madrid, Spain. This report was frowned upon by the government as too "daring". Since its publication, arrests have increased dramatically, as well as restrictions on members of Equatorial Guinea's LGBTQ+ community³⁶.
42. Germán Esono Meñana, editor of the newspaper *Mofueñ*, was held for 24 hours in the premises of the Gendarmerie in the city of Bata, for allegedly having taken photos of a street vendor who was selling expired products belonging to a commercial chain called Comercial Santy. The journalist received a formal summons relating to defamation from the Delegate of the Ministry of Information, Press and Radio in Bata who ordered him to report to the gendarmerie. He was finally released on April 20, 2022 and forced to publish an article denying the information he had previously published³⁷.

³⁴ Supra, 15

³⁵ Report on Torture, Cruel, Inhuman and Degrading Treatment against LGBTQI+ people in Equatorial Guinea, *Somos Parte Del Mundo SPDM*, 2023

³⁶ <https://www.juristasge.org/#h.v5k9qn1ufrv3>
<https://www.juristasge.org/noticias/comunicado-de-spdm-acerca-de-la-detenci%C3%B3n-de-la-activista-trifonia-melibea>

³⁷ Última hora: dejan en libertad al periodista y director del periódico Mofueñ detenido este martes, *Real Equatorial Guinea*, 20 April 2022. Accessed on 6 April 2024. <https://realequatorialguinea.com/fr/sociedad/ultima-hora-el-periodista-ya-esta-en-liberta/>



43. In May 2020, the *Asonga* Radio and Television channel, owned by Teodorin Nguema Obiang Mangué (Vice president and eldest son of the President) suspended and dismissed seven journalists from the talk show *Buenos Días, Guinea*, for criticising the excessive use of force by the military and police to ensure compliance with restrictions during the COVID-19 lockdown.
44. Journalists Melanio Nkogo and Ruben Bacale, were arbitrarily detained for eight days without justification. Both journalists from the private television *Asonga* were arrested on Tuesday, August 27, 2019, accused of having interviewed a judge, during which he was criticizing his suspension from an important case by the president of the Supreme Court³⁸.

VII. DIGITAL RIGHTS AND FREEDOMS

45. Internet access continues to be a challenge in Equatorial Guinea, due to the high costs of internet connectivity, compared to the quality of the internet, and the government control of telecommunications companies, tampering with the telecommunication infrastructure, the flow or information, and the specific content (websites) that are available to the public.
46. There are three official telecommunications companies: the national telecommunications company GETESA, and the telecommunications companies MUNI and GECOMSA, both owned by some members of the Obiang family. It is well known in Equatorial Guinea that talking on the phone about issues that involve or can be interpreted as social criticism is a risk. There are several cases of citizens who have been summoned by national security agents who infiltrate communication companies to track the conversations of citizens.
47. Internet communication is the alternative to the official printed press. Individuals, activists and opposition political parties use the Internet to express their opinion or denounce the government's administrative mismanagement.
48. Teodorin Nguema Obiang Mangué (Vice President and the President's eldest son) threatened to restrict access to WhatsApp in Equatorial

³⁸ Dos periodistas detenidos arbitrariamente desde hace más de una semana, RSF, 5 September 2019. Accessed on 6 April 2024.
<https://www.rsf-es.org/guinea-ecuatorial-dos-periodistas-detenido-arbitrariamente-desde-hace-mas-de-una-semana/>



Guinea.³⁹ On January 17, 2023, the Vice President held a meeting with the Ministers of Transport, Postal and Telecommunications, Security, Defense, the State Attorney General's Office, Gitge, Ortel and telephone companies. The launch of a cybersecurity project was subsequently announced, which includes the creation of a Cybersecurity Directorate with the mandate of controlling information disseminated online that is considered a crime against the public image of the State, as well as the creation of laws to prosecute social networks users who spread false information with the objective of destabilising the country.

49. Internet distribution companies in the country were requested to adhere to fibre optics within 15 days, and to create strict control of all SIM cards so that they know the identity and location of users.⁴⁰

50. In 2015, the telecommunications company (GECOMSA) threatened to block access to WhatsApp, Facebook, and Skype applications in Equatorial Guinea⁴¹.

51. In 2022, 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. For three days in September, the government telecommunications provider cut off a diplomatic mission's access to the internet. In September 2022, the government cut off all cell phone and internet reception, significantly restricting the ability of journalists, NGOs, and embassies to obtain and verify information.⁴²

52. In the latest Freedom House report, it is stated that the government often blocks access to the websites of opposition parties and exile groups, and online versions of some Spanish newspapers. Access to the

³⁹ <https://x.com/teonguema/status/1611979769008254980?s=20> Accessed on 6 April 2024.

"El martes 17 de Enero, me reuniré con Defensa y Seguridad, operadoras telefónicas y la Fiscalía General del Estado, para examinar la situación de las redes sociales en #GuineaEcuatorial y decidir si el país debe seguir usando #WhatsApp, tras el abusivo mal uso que se está haciendo"

El uso del WhatsApp podría ser restringido en Guinea Ecuatorial, Real Equatorial Guinea, 9 January 2023. Accessed on 6 April 2024.

<https://realequatorialguinea.com/sociedad/el-uso-del-whatsapp-podria-ser-restringido-en-guinea-ecuatorial/>

⁴⁰ S.E. Nguema Obiang Mangué propone la creación de una dirección de ciberseguridad y no cerrar WhatsApp, Partido Democrático de Guinea Ecuatorial (PDGE), 2023. Accessed on 6 April 2024.

El Gobierno creará una dirección de ciberseguridad, en lugar de prohibir el uso del WhatsApp en Guinea Ecuatorial, *Ahora EG*, 17 April 2023. Accessed on 6 April 2024.

⁴¹ Gecomsa bloquea WhatsApp y pretende cerrar Facebook y Skype, *Diario Rombe*, 8 April 2015. Accessed on 6 April 2024. <https://diariorombe.es/magazine/gecomsa-bloquea-whatsapp-y-pretende-cerrar-facebook-y-skype/>.

42

2022 Country Reports on Human Rights Practices: Equatorial Guinea, see <https://www.state.gov/reports/2022-country-reports-on-human-rights-practices/equatorial-guinea>

internet in times of political tension is also obstructed.⁴³

VIII. RECOMMENDATIONS

53. Allow for media pluralism, including the expansion of the scope of action of private media, allowing them to investigate and publish their own news without being censored or having to report information already published by government-controlled media. Also allow international media to operate in the country.
54. Ensure that the internet, including websites, social media and other digital communication platforms, remain open, accessible, and secure to all across the country.
55. Repeal Act No. 6/1997 on the press, printing, and audiovisual media, or reform all of its provisions to fully respect Article 19 of the ICCPR and ensure the right to freedom of expression and the right to seek, receive and impart information.
56. Guarantee that all governmental initiatives relating to cyberspace and digital communication, including with regards to the Cybersecurity Directorate, Internet distribution companies, and the draft law on cybersecurity and social media, are in conformity with Equatorial Guinea's obligations under the ICCPR.
57. Repeal articles 221 to 224 of the 2022 Penal Code that include the crime of "abusive exercise of fundamental rights" as they are contrary to international standards. Immediately and unconditionally release all prisoners detained on arbitrary grounds, including for having exercised their right to freedom of expression.
58. Comply with the UN Human Rights Committee's recommendation to protect journalists and the media from any form of undue interference, harassment or attack, promptly investigating all such acts and bringing those responsible to justice.
59. Ratify the African Union Convention on Cyber Security and Protection of Personal Data to strengthen data protection and privacy of the individual at national and cross-border levels.
60. Fully respect, protect and promote the individual's right to privacy, including the secrecy of communications, by adopting and immediately enforcing regulations to guide the implementation of the Privacy and Data Protection Act 2019, and by prosecuting and punishing related

⁴³ Freedom House, Freedom in the world, 2023 report; see, <https://freedomhouse.org/country/equatorial-guinea/freedom-world/2023>

violations.