

HUMAN RIGHTS IN EQUATORIAL GUINEA



Right to health in Equatorial Guinea

- **In the last UPR the government of Equatorial Guinea committed to ensure treatment of pregnant women and work towards to stop the spread of HIV/AIDS; Despite the measures that the government states to have established, the health indicators prove that these have been fruitless or marred by inefficiencies and poor governance that have led to the non-fulfillment of these commitments as shown below.**
- HIV/AIDS is a widespread epidemic that has not been effectively controlled in Equatorial Guinea due to weak institutional practice, poor governance, lack of investment in health, and disrespect for human rights. **Infection and prevalence rates are estimated between 15 and 24 % of the total population**, and these continue to be one of the leading causes of mortality in Equatorial Guinea.
- A number of cases of prisoners dying from lack of access to medical treatment were observed during this period. In January and July 2018 **Santiago Ebee Ela and Juan Obama Edu both member of an opposition political party, died in prison from torture without proper medical treatment.**

Recommendations – Health

- Implement a comprehensive and country-wide sexual health education in the school system that specially focuses on HIV/AIDS infection and risk behaviors, preventative methods.
- Extend full medical coverage and treatment, free of charge to people infected with HIV/AIDS, and ensure that medication and therapy are readily available.
- Implement a comprehensive medical care distribution model which integrates HIV/AIDS care into primary health care, and prioritizes vulnerable communities.
- Develop and implement a national legislation to ban processes, policies and statements that stigmatize, discriminate, or violate other rights of HIV/AIDS patients.
- Protect and provide adequate free health care for all, including full access to prison facilities for medical support.

Right to Education in Equatorial Guinea

- Equatorial Guinea adopted recommendations to improve access to and quality of education and health services addressing **low enrolments levels and take urgent steps to address the root causes of the high dropout rate for girls.** Efforts in this regard have proven to be unsuccessful as **the government did not achieve its indicators under the development programme.**
- More than 66% of the school do not have access to drinking water and 32% do not have latrines. Also 70% of primary schools lack electricity. **In preschool, there is a worrying 14% of the cases of dropout due to death or illness, 20% are due to lack of resources.** In primary education, another 16% leave school for lack of resources or because they have to work outside their homes. **This data sheds light on the conditions of children: high mortality; high morbidity rates and child labor.**
- **In 2017 the government required all female students to provide a pregnancy test for their enrollment in school .** The ministerial decree also indicated that any pregnant girl would be expelled from school, all these action undermine the right to education of girls

Recommendations – Education

- Increase enrollment in pre-school, primary and secondary education and design interventions to prevent dropping out and keep disadvantaged children in school.
- Provide School subsidies to improve the basic conditions of the school in addition to increasing the quality of education through continuous learning and increase of personnel.
- Support girls student and refrain from taking any measures violating their rights to health and education.

Judiciary in Equatorial Guinea

- Recommendation 134.25 calls on an independent judiciary and to ensure that all laws are in line with the principles of international law. **The courts are not independent or impartial, since the executive exercises total control over the judiciary.** Equatorial Guinea ratified the UNCAC in 2018, however it is too early to assess how this will improve the judiciary of the country.
- In 2015 the President published a decree removing all the judiciary members without due process. The president of the supreme and constitutional courts were also replaced without due process.
- In 2018 a judge, José Esono Ndong Bindang, died in custody for unclear causes. In 2017 the Minister of National Security allegedly ordered the arrest of another judge, Inoncencio Membila Mbula.
- The inability to guarantee the independence of the judiciary has caused the violation of the right to a fair trial. Members of one political party were tried without due process, their party was also banned.
- In October 2017 the vice-president of Equatorial Guinea was sentenced for corruption in a French court. **The judiciary in Equatorial Guinea was unable to initiate any meaningful formal and independent investigation.**

Recommendations – Judiciary

- Ensure that all laws and constitution is in line with the principles of international law.
- Initiate institutional reform process in order to safeguard the full independence and transparency of the judiciary
- Ensure that judges are free to perform their duties without fear of retaliation.
- Ensure that no judge accepts statement made under torture as evidence in any court and ratify the Optional Protocol of the Convention against torture.
- Seize the opportunity of the ratified UNCAC convention to set an independent body to prosecute corrupt practices.

Thank you!

From all the organisations who contributed:



Special thanks to:

