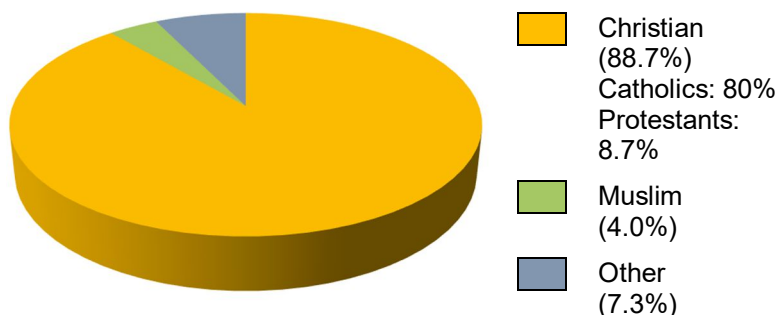


# EQUATORIAL GUINEA



**Area:**  
28, 052 km<sup>2</sup>

**Population:**  
757,000

**Political system:**  
Autocracy<sup>1</sup>

**Major Language(s):**  
Spanish, French,  
Portuguese

## Legal Framework of freedom of religion and actual application

Article 13 of the constitution, (adopted in 1995 and amended most recently in the new constitution which was approved by a referendum in 2011) guarantees freedom “of religion and worship,” while article 15 states that “all discriminatory acts committed on the basis of tribal affiliation, sex, or religion” are “punishable by law.” Article 23 adds that “the State guarantees every person, private organisation or religious community the right to establish schools,” provided that they respect the official syllabus. The same article also permits the free choice of religious instruction “on the basis of freedom of conscience.”<sup>2</sup> This provision is confirmed by the law, which states that every individual is free to study his or her religion and should not be forced to follow another religion without consent.

In state schools, the study of religion is optional and may be replaced by a course in civil or social education. As article 9 of the constitution makes clear, religion is not permitted as a defining policy of political parties.

A 1991 law, which, in the following year, was confirmed in a presidential decree, sets out the norms for the registration of religious groups and for officially sanctioned preferential treatment towards the Catholic Church and the Reformed Church of Equatorial Guinea – neither of which is required to obtain state registration. Also, in October 2013 the government of Equatorial Guinea and the Holy See signed a concordat. This preferential treatment is demonstrated, in practice, by the inclusion of the Catholic Mass in all official ceremonies, particularly during celebrations of the anniversary of the 1979 coup d’état, on Independence Day and on the President’s birthday.

Other religious groups are required to register through a written request to the ministry of justice, religious worship and prisons. The evaluation of this request is entrusted to the director-general of this ministry. Some religious groups, such as Muslims or Baha’i, need register only once. Some other, newer denominations may be required to renew their registration periodically. Unregistered groups can be fined or disbanded. In practice the registration process is extremely slow – in some cases it can take a number of years – but this appears to be because of the local bureaucracy rather than because of any explicit political decision to target any particular religious group.

A Ministry of Justice, Religious Affairs and Prisons decree, published on 4<sup>th</sup> April 2015, specifies that any religious activities taking place outside the hours of 6:00 a.m. to 9:00 p.m. or outside of registered places of worship require permission from the ministry. The decree prohibits religious acts or preaching within private residences and requires foreign religious representatives or authorities to obtain advance permission from the ministry in order to participate in religious activities.<sup>3</sup>

## Incidents

The Catholic Church is reported to be close to the government and to enjoy many privileges. For instance, a certificate of Baptism can be accepted as an official document and can even be requested for some official purposes.<sup>4</sup> Opposition and civil society groups often criticise the Catholic Church for allegedly being silent in front of governmental abuses of power. On 3<sup>rd</sup> August 2015, the archbishop of Malabo, Juan Nsue Edjang Maye, presided over a Mass attended by high-ranking officials at Oyala, the projected new capital, on the occasion of the anniversary of the 1979 coup d' état, in which he praised President Obiang.<sup>5</sup>

## Prospects for freedom of religion

During the reporting period, no facts of deliberate persecution against any significant part of the population for specific religious reasons were reported. In practice, however, this freedom has to be seen in the context of broader political oppression and of the government's lack of respect for basic human rights. In particular, there have been frequent complaints from Muslims living in the country of harassment and of accusations by the Police of being sympathisers of Boko Haram. The Muslim population has been increasing in recent years, due to the growing number of immigrants from West African countries as well as from the Middle East. In March and April 2015, hundreds of citizens from West African countries were arrested and deported. In many cases, the Police crackdown took place on Fridays, in places near mosques where it was easy to identify and trap the immigrants in question. In most cases, they were not even given time to alert their family members or to collect their belongings. Some human rights activists reported that there were cases in which the detainees, while in Police custody, were forced to work at the residences of Police officers.<sup>6</sup> The year before, several deportations of immigrants from West African countries, in very similar circumstances, were also reported.<sup>7</sup>

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<sup>1</sup> Obiang Nguema described as one Africa's most brutal dictators. He seized power in 1979. According to Human Rights Watch, the "dictatorship under President Obiang has used an oil boom to entrench and enrich itself further at the expense of the country's people"; <http://www.bbc.com/news/world-africa-13317174>

<sup>2</sup> [www.guineaecuatorialpress.com/imgdb/2012/leyfundamentalreformada.pdf](http://www.guineaecuatorialpress.com/imgdb/2012/leyfundamentalreformada.pdf)

<sup>3</sup> <http://www.state.gov/j/drl/rls/irf/2014/af/238210.htm>

<sup>4</sup> Conversation with a Catholic priest from Equatorial Guinea

<sup>5</sup> <http://www.diariorombe.es/juan-nsue-edjang-celebro-la-misa-en-la-conmemoracion-del-golpe-de-estado-mezclando-espanol-y-fang/>

<sup>6</sup> Conversation of the author of the report with two human rights activists from Equatorial Guinea

<sup>7</sup> <http://puentehumano.blogspot.com/2014/07/32-inmigrantes-africanos-expulsados-de.html>