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March 26, 2010

Dear Ms. Bokova,

We write to update you on our efforts to press for the abolishment of the UNESCO-Obiang Nguema Mbasogo International Prize for Research in the Life Sciences, a prize named after and financed by the president of Equatorial Guinea. As you know, Human Rights Watch was one of twenty-five organizations from around the world that wrote to you on January 21, 2010, to express our concerns about this prize. In our letter, we noted that President Obiang's record stands in direct contrast to UNESCO's mission to promote education, science, culture, and human rights. Copies of that joint letter were sent to the full UNESCO Executive Board. Human Rights Watch also has written separately to each Board member. Many other organizations and individuals have likewise communicated their concerns to UNESCO.

Given your leadership role as Director-General of UNESCO, we feel it is important to again contact you directly. Human rights and other core UNESCO principles are seriously undermined by the continued existence of the UNESCO-Obiang prize. We sincerely hope that you will take action at the upcoming UNESCO Board meeting beginning on March 30, 2010, to ensure that the prize is cancelled without delay.

In the past several weeks, Human Rights Watch has reached out to members of UNESCO's Executive Board, urging them to cancel the UNESCO-Obiang prize. We have been in contact with the delegations that serve on the Bureau of the Executive Board, as well as other members. We have noted that many of these same governments have themselves raised serious concerns about human rights conditions in Equatorial Guinea during the Universal Periodic Review of Equatorial Guinea that took place at the Human Rights Council in Geneva.

During the peer review of Equatorial Guinea's human rights performance in December 2009, governments from Africa, Asia, Europe, Latin America, and North America spoke out about ongoing abuses in the country and offered

strong recommendations for needed improvements to address problems. For example, Ghana highlighted the practice of secret detention, the lack of an independent judiciary, the excessive use of power and authority by the security forces, and the prevailing “culture of impunity for perpetrators of torture and ill treatment” in Equatorial Guinea. Ghana also drew attention to the need for Equatorial Guinea to engage in political dialogue with all sectors of society, including civil society, and to utilize the country’s vast oil wealth to address high levels of poverty. South Korea asked the government of Equatorial Guinea what it was doing to address torture by law enforcement officials, the practice of secret detention, and unlawful military jurisdiction over civilians. Argentina noted the problem of gender discrimination and violence against women in Equatorial Guinea, the lack of an independent judiciary, and the need for prompt action to end the government’s use of torture and enforced disappearances. Various problems described during the Universal Periodic Review of Equatorial Guinea relate to issues that you have prioritized as focal areas for UNESCO. In addition to persistent gender inequality, these include the absence of freedom of opinion and expression and extremely low levels of investment in primary education.

You of course are well aware of the requirement, stated in Article 1 of UNESCO’s constitution, that UNESCO “further universal respect for justice, for the rule of law and for the human rights and fundamental freedoms which are affirmed for the peoples of the world, without distinction of race, sex, language or religion, by the Charter of the United Nations.”

In this light, it is important to recognize that Equatorial Guinea’s abysmal human rights record has been documented by various UN bodies. (Please refer to the annex.) As we have noted in our correspondence with UNESCO delegations, these UN reports and other highly credible sources clearly show that Equatorial Guinea under President Obiang’s leadership has been characterized by the following serious problems, among others:

- Willful neglect of its international obligations with respect to the right to education and health under the International Covenant on Economic, Social and Cultural Rights (ICESCR). Although Equatorial Guinea has the highest GDP per-capita in all of sub-Saharan Africa due to its vast oil wealth and small population, it has failed to allocate available funds for essential social services. The result has been declining primary school enrolment and dismal health conditions. For example, socio-economic data collected by UNDP show that key development indicators related to health and education have actually *worsened* in recent years. UNESCO itself has noted in its 2010 “Education for All” report that, while most countries have seen a progressive improvement in access to education, Equatorial Guinea has experienced a very troubling decline in net primary school enrollment rates over time, from 89 percent in 1999 to 67 percent in 2007. In addition, the 2010 UNESCO report highlighted the fact that malnutrition is a barrier to education in Equatorial Guinea, given that stunted growth affected 39 percent of children in the period from 2000 to 2007. The government of President Obiang also has failed to meet its treaty obligations to report on its compliance with the ICESCR, failing to submit compliance reports under the ICESCR from 1990 through today.
- Longstanding violations of freedom of opinion and expression, as well as the right to information. A small number of non-state-controlled publications appear sporadically in Equatorial Guinea, none of which enjoys the freedom to report critically on government activity. Aside from the print media, there is only state radio, one state television station, and one private television station owned by the president’s son. In a particularly stark example of the lack of media freedom, a journalist for Agence France-Presse was imprisoned in Malabo’s Black Beach Prison for four months after being

charged with libel for a mistaken report that he wrote (and quickly corrected) about the head of the national airline. In this climate of repression, it comes as no surprise that academic freedom is not respected. The government has removed scholars from teaching positions for political affiliations or opinions. As a result, self-censorship is common among faculty. In the cultural sphere, as in Equatorial Guinea society in general, individuals are not free to publicly critique the government without fear of reprisal.

- Deeply entrenched repression. Freedom of assembly and association are severely curtailed in Equatorial Guinea. There are no legally registered independent human rights organizations in the country. Rather than permit open dialogue, the government of Equatorial Guinea harshly suppresses any domestic criticism. Opposition parties are silenced through the use of criminal prosecution, arbitrary arrest, and harassment. The country has never experienced free and fair elections. President Obiang, who came into power after overthrowing his uncle in a coup, celebrated his 30th year in power in August of 2009.

- Severe deficits in the rule of law, including rampant torture in detention and impunity for those responsible. Following his November 2008 country visit to Equatorial Guinea, the UN special rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, Manfred Nowak, found that “torture is systematically used by the police forces against...political prisoners as well as suspects of common crimes.” With only one exception, the perpetrators of torture have not been brought to justice. Nowak and other UN experts, such as the Working Group on Arbitrary Detention, also have documented the fact that Equatorial Guinea’s justice system utterly lacks independence, and that arbitrary detention and arrests without legal due process are common.

- Widespread discrimination. President Obiang, along with a circle of advisors drawn largely from his own family and ethnic group, controls all aspects of the government and dominates the economy. Those from other ethnic groups that are not part of the ruling political party face widespread discrimination based on both ethnicity and party affiliation. Violence against women is common, and gender discrimination also remains a problem. In its 2010 report, UNESCO noted that the persistent gender gap in education in Equatorial Guinea has narrowed somewhat, but clearly attributed this change to the overall decline in enrollment (which has affected proportionally more boys) rather than any progress benefitting girls.

- Needless poverty attributable to extensive corruption and mismanagement. Although the GDP of this once-poor country has shot up more than 5000 percent since the discovery of oil there in the mid-1990s, elevating its wealth per capita to over \$30,000 (similar to that in Spain or Italy), the overwhelming majority of the population lives below the poverty line, in conditions comparable to those in Chad or the Democratic Republic of Congo. The 2009 UN Human Development Report showed that, of all the countries listed, Equatorial Guinea had the largest gap between its per capita GDP ranking and its Human Development Index ranking, which stood at 118 out of 182 countries. The same report showed that Equatorial Guinea’s Human Poverty Index, which measures levels of severe poverty, was 98th of 135 countries based on 2007 data, on par with Haiti. Rather than benefiting the people, vast sums of the country’s oil revenues have gone to bankroll personal purchases for President Obiang, his family, and his close associates. The amount that Obiang’s eldest son, who serves as his Minister of Agriculture and Forestry, spent on luxury goods in 2004-2007 was nearly double the government’s 2005 budget for education. Indeed, there is a lack of clarity regarding the origin of the funds President Obiang provided to finance his \$3 million grant for the UNESCO prize that bears his name. The grant is variously described in UNESCO documents as coming from the

“Obiang Nguema Mbasogo Foundation for the Preservation of Life” or, alternatively, from the coffers of the government of Equatorial Guinea. The confusion between government financing and what appears to be a private foundation is quite telling, since the manner in which President Obiang uses Equatorial Guineas resources reflects the conviction of a man who believes that the wealth of his country is at his personal disposal.

We hope you agree that a political leader with this record is not worthy of the positive endorsement of UNESCO, and that you will actively work for the abolishment of the prize named in his honor at the upcoming Executive Board meeting. We are aware that the UNESCO-Obiang prize is on hold while UNESCO undertakes a review of UNESCO prizes, and that a decision on the future of this prize may await the outcome of that wider review. We sincerely hope the review and recommendations will be completed in time for appropriate action to be taken during the upcoming meeting of the Executive Board.

In light of the serious issues at stake, we continue to urge that you work with UNESCO’s Board to cancel the prize at the forthcoming meeting. If UNESCO fails to take this step, it risks doing serious damage to its reputation and its ability to fulfill its mission. The funds President Obiang provided for the prize should be re-invested into the education system of Equatorial Guinea, where rudimentary educational materials and infrastructure are still badly needed. It is also essential UNESCO itself undertake forward-looking reforms to ensure that, in the future, it does not approve prizes that are inconsistent with its important mission.

Thank you very much for your consideration. We look forward to your reply.

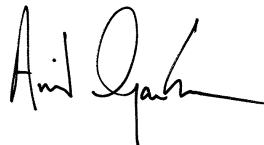
Sincerely,

Jean-Marie Fardeau



Director, Paris Office

Arvind Ganesan



Director, Business and Human Rights Program

For additional information, please refer to the following reports by UN bodies:

*All reports available at http://ap.ohchr.org/documents/dpage_e.aspx?c=60&su=68 unless otherwise listed.

- Joint study on secret detention of the UN Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism, the Working Group on Arbitrary Detention, and the Working Group on Enforced or Involuntary Disappearances, Advance unedited version (A/HRC/13/42, January, 26 2010)
<http://www2.ohchr.org/english/bodies/hrcouncil/docs/13session/A-HRC-13-42.doc>
- UNESCO Education for All-Global Monitoring Report, “Reaching the Marginalized” (January 19,2010) <http://unesdoc.unesco.org/images/0018/001866/186606E.pdf>
- Report of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, Mission to Equatorial Guinea (A/HRC/13/39/Add.4, January 7, 2010)
- Report of the Working Group on the Universal Periodic Review, Equatorial Guinea (A/HRC/13/16, January 4, 2010)
- Universal Periodic Review of Equatorial Guinea, Compilation of UN Information (A/HRC/WG.6/6/GNQ/2, September 18, 2009)
http://lib.ohchr.org/HRBodies/UPR/Documents/Session/GQ/A_HRC_WG6_6_GNQ_2_E.pdf
- Report of the Working Group on Arbitrary Detention, Mission to Equatorial Guinea (A/HRC/7/4/Add.3, February 18, 2008)
- Report of the Special Rapporteur on the right to adequate housing as a component of the right to an adequate standard of living, Miloon Kothari-Summary of communications sent and replies received from Governments and other actors (A/HRC/4/18/Add.1, May 18, 2007)
- Report submitted by the Special Representative of the Secretary-General on human rights defenders, Hina Jilani-Compilation of developments in the area of human rights defenders (E/CN.4/2006/95/Add.5, March 6, 2006)
- Committee on the Rights of the Child, Consideration of Reports Submitted by States Parties under Article 44 of the Convention, Concluding Observations: Equatorial Guinea (CRC/C/15/Add.245, November 3, 2004)
[http://www.unhchr.ch/tbs/doc.nsf/898586b1dc7b4043c1256a450044f331/d53df7529775b260c1256f2000565994/\\$FILE/Go444306.pdf](http://www.unhchr.ch/tbs/doc.nsf/898586b1dc7b4043c1256a450044f331/d53df7529775b260c1256f2000565994/$FILE/Go444306.pdf)
- Report of the Committee on the Elimination of Discrimination against Women, Official Records of the General Assembly , Fifty-ninth session, Supplement No. 38 (A/59/38, August 18, 2004); <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/No4/462/77/PDF/No446277.pdf?OpenElement>
- Report of the Special Rapporteur on the right to freedom of opinion and expression, Mission to Equatorial Guinea (E/CN.4/2003/67/Add.2, January 9, 2003)