

Electoral Irregularities in Equatorial Guinea, 2022



Photo by TN, Bata, Equatorial Guinea

1. Introduction

In Equatorial Guinea, the presidential elections—held every seven years—have a great significance. For some, elections are the opportunity to confirm the continuity of a political system with extensive economic benefits. For others, it means joining a new government from which they can benefit. Because of these reasons, there exists diverse irregularities and violations of electoral laws by government officials— the same officials tasked with ensuring campaigns and elections are free, transparent, and fair.

This brief analysis aims to highlight the main irregularities in the elections held on November 20, 2022. These irregularities consisted of duplicated votes, voting coercion, a lack of opposition ballots, the existence of more polling stations than those legally prescribed, and above all and more worrying, the total

absence of mathematical logic in the final vote count published by the authorities. Additionally, the use of a single voting ballot per party proved to be an element that almost entirely limited the freedom of choice of citizens, who were only notified of this voting method on election day.

On the other hand, the electoral context has been quite turbulent– with arrests of civil society activists and politicians, the pre-electoral climate has been tarnished, ultimately generating an environment of restrictions that have greatly influenced the electoral process.

It can be deduced that, after the last elections in Equatorial Guinea, there has been a setback in the process of building democracy and a rule of law. Consequently, the report calls on the authorities to comply with current legislation on electoral matters, promote reforms that guarantee the independence of the National Electoral Board, and ensure the use of public media and services in an equitable manner, among other reforms.

2. Pre-election conditions: limits on fundamental rights



Photos by Somos +, Malabo Equatorial Guinea

The months leading up to the election have been characterized by a climate of general setbacks in freedoms.

In mid-August, the former justice minister Rubén Mayé was arbitrarily arrested. His whereabouts are still unknown, and no relatives or lawyers have been allowed access to him. The arrest appears to be connected to attempts by members of the opposition and civil society to organize demonstrations against the regime.

In August 2022, the lifeless body of an opposition member, who had been kidnapped and imprisoned by national security agents, was handed over to his family. Several activists and politicians gathered to pay tribute to him at a ceremony in Malabo. Several participants in that tribute—including the activists Luis Nzo and Anacleto Micha, among others—were subsequently arrested and remain in jail.

In addition, during the last year security forces have carried out mass arrests of over 400 young people in an operation called "*limpieza*" (clean-up). These arrests disregarded the due process and other basic rights of the detainees.

2.1 Freedom of expression and assembly:

In mid-September 2022, a renowned rap singer, Adjoguening, was detained by state security forces. As he stated in a video after his release, Adjoguening was arrested for demanding that his identity document be renewed. In that video, he also denounced having been a victim of torture and coercion. These claims have not been investigated by the government, and no one has been held accountable.



EL CANTANTE ADJOGUENING HABLA TRAS SALIR DE LA CÁRCEL

watch video: <https://youtu.be/qf3Upqms0vY>

On September 16th, a televised report showed the arrest of several people accused of plotting to riot in various cities within the country. Among the detainees were: Luis Nzo, Pablo Angüe and Claudio Nzé. The government also released a statement indicating that said actions could constitute a crime of terrorism. However, the formal charges against the detainees only refer to "insults to the government, unlawful association and assembly." On September 25th, a civil society activist, Anacleto Micha Ndong Nlang, was arrested while going to offer food to members of a political opposition party trapped by the military in their headquarters. He remains in detention, where his fundamental rights, including the right to access to his family and lawyer have been violated.

2.2 Attacks on members of outlawed opposition parties:



In an unwarranted process, not contemplated in the criminal procedure law, the State Attorney General's Office summoned former Prime Minister Ricardo Mangué Obama Nfubea, the leader of the banned Citizens for Innovation party, Gabriel Nze Obiang, and several individuals for interrogation on September 21. After taking their declarations, two of the individuals, Salvador Bibang and Emilio Ndong, were subsequently arrested. Eight days later, on September 29, despite having been dully represented by his lawyer at the hearing, armed security forces used tractors to break into the home of Mr. Nze Obiang and arrested him.

The attack [led to the death](#) of at least one police officer and four opposition members. Approximately 200 party members sheltered in the compound were arrested, including the groups lawyer. They were all subjected to humiliating and ill-treatment, as evidenced by various videos shared on social media. A few days later, several detainees were released based on a ["pardon"](#) that does not conform to current legislation. The government then sent several of the released individuals to their hometowns where they were exhibited in front of the communities, violating their right to privacy and the presumption of innocence. Around 50 individuals, however, are still detained, with their leader in the Black Beach public prison in Malabo. Their right to legal assistance, guaranteed by the [constitution](#) (Article 13) and international conventions ratified by Equatorial Guinea (e.g., [the International Covenant on Civil and Political Rights and the African Charter on Human and Peoples' Rights](#)), continue to be violated.



TESTIMONIOS DE LOS MILITANTES DE CI 2022
watch video: https://youtu.be/3_nkDhoQ98s

3. Call for Elections:

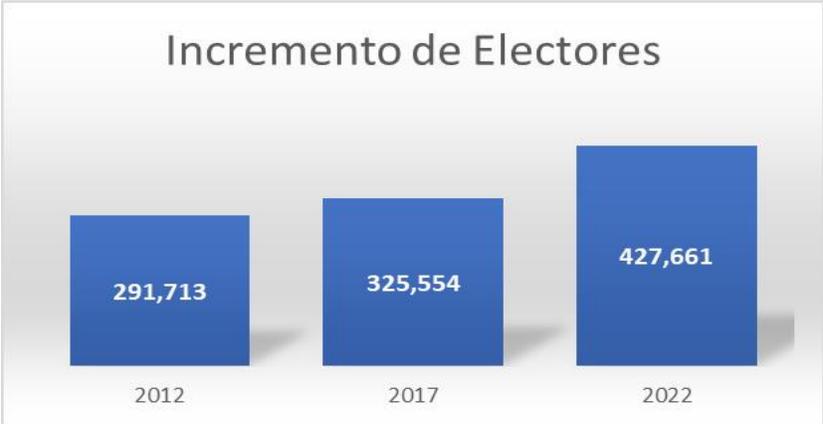
On September 20th, the Parliament [announced](#) its decision to move presidential elections one year earlier, to November 20, 2022, and hold them simultaneous with the parliamentary, senatorial, and municipal polls. This announcement did not include the modification of article 53 of Law No. 7 /2015, which regulates presidential elections. That law clearly states that presidential elections “cannot coincide with any other elections.” The [declaration](#) of the parliament, alleging economic motives as rationale for combining and moving the electoral processes forward do not constitute a valid or legal reason. A viable—constitutionally defensible—option could have been the resignation of the Head of State, followed by the call of early presidential elections.

4. The Electoral Census:

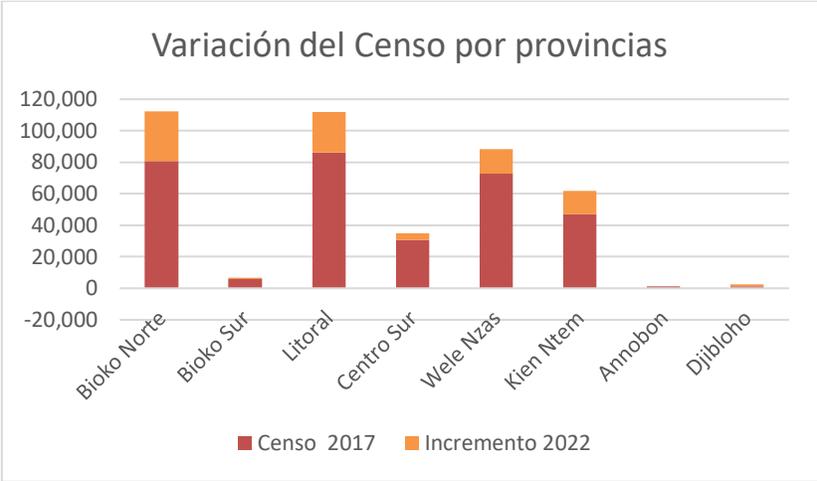
According to official government sources, the electoral census data records the [total number of voters registered](#) as: 427,661. The data by municipality have not been [published](#). There is no record of the display of the census figures in a publicly accessible point to allow for verification and therefore, to exercise the rights of rectification as established by the electoral law.

It should also be noted that Law No. 8/2015, which regulates elections in Equatorial Guinea, requires that the electoral census must be updated annually. However, in the case of the recent elections—as has been customary—the census was only commenced a few months prior to the announcement of elections.

According to data made public by official sources, there was a 29% increase in eligible voters compared to the previous elections. However, based on those figures, if in [2017 there were](#) 325,554 voters, the real increase amounts to an increase of 31.3%; a higher figure than officially indicated. On the other hand, between 2012 and 2017, the increase was 11.6%, going from 291,713 to 325,554 eligible voters. The drastically higher demographic increase announced this time comes as a surprise as it amounts to almost three times more voters in a similar period of five years (2017-2022).



By provinces, between 2017 and 2022, the data purports to shows that after the provinces of Bioko Norte and Litoral, that the most populated and fast-growing province is Wele Nzás. On the opposite side, the province of Annobón has lost voters, while the provinces of Bioko Sur and Djibloho have experienced mild growth.



5. Electoral Campaign

5.1 Media and institutional channels:

Article 65 of the electoral law establishes that the state mass media should be fair and neutral in the treatment of campaign news. However, the time devoted to opposition parties in the public media was grossly uneven, although the treatment of opposition campaign was mostly neutral. For example, [in the news](#) programs analyzed on November 9th, two minutes were dedicated to the main opposition group, Convergence for Social Democracy (CPDS) compared to the 83-minute coverage received by the ruling Democratic Party of Equatorial Guinea (PDGE).

The official [government website](#), the website of [the vice-presidency](#) of the government, and various sites of [embassies](#) and [ambassadors](#) abroad used institutional channels to campaign in favor of the ruling party. This unbalanced use of institutional media and state resources also occurred in periods prior to the electoral campaign.

5.2 Out of Tune Messages:

During the campaign, the vice president and campaign manager of the ruling party used social media, particularly Twitter and Facebook to issue [several messages](#) with openly insulting and demeaning references hurled at Mr. Andres Esono Ondo, the opposition candidate. The vice president also accused Mr. Esono Ondo of using stated-granted campaign funds in a fraudulent manner. Article 59 of the electoral law (Law No. 8/2015...) establishes that the National Electoral Board shall sanction said actions— however, as of the date of publication of this report, no sanctions have been issued.

5.3 Other noteworthy issues:

Members of the judiciary branch and representatives from independent agencies have taken part in electoral campaigns and activities, in ways that cast doubts about their independence or integrity. For example, the president of the Court of Accounts, in charge of ensuring transparency in the accounts of political parties, actively campaigned in favor of the ruling PDGE.

The opposition parties have informed that they carried out their campaign activities with a degree of normalcy, despite some attempts by supporters of the ruling party to boycott some rallies. Security forces helped maintain relative calm, despite some minor incidents, such as the removal of opposition posters or brawls that led to physical confrontations in the continental region.



Photo by Equatorial Guinea Press and Information Office

6. Election Day:

On election day, worrying acts that were contrary to legal provisions or basic democratic norms allegedly took place. Reported irregularities included:

- Duplication of voter cards; that is, the same voter with the possibility of voting in other constituencies
- Complaints of voting by absent relatives in rural areas, generally, or by people who were not in the country
- Fraudulent entry of votes at the polls (not registered) or supposed modification of the real results
- Existence of polling stations that were not registered in the electoral cartography according to published official information
- Opening or closing polling stations outside the scheduled hours, not allowing the accreditation of all the controllers in some polling stations
- [Complaints](#) of the lack of ballots or failure to replace ballots from an opposition party
- Complaints of public voting where voters were discouraged from collecting the three ballot papers before entering the booth to cast their vote. Instead, voters were compelled to publicly pick only one ballot paper to be submitted in the ballot box. This effectively revealed the voters' choice publicly.

7. Electoral Results: Implausibility of the Official Data

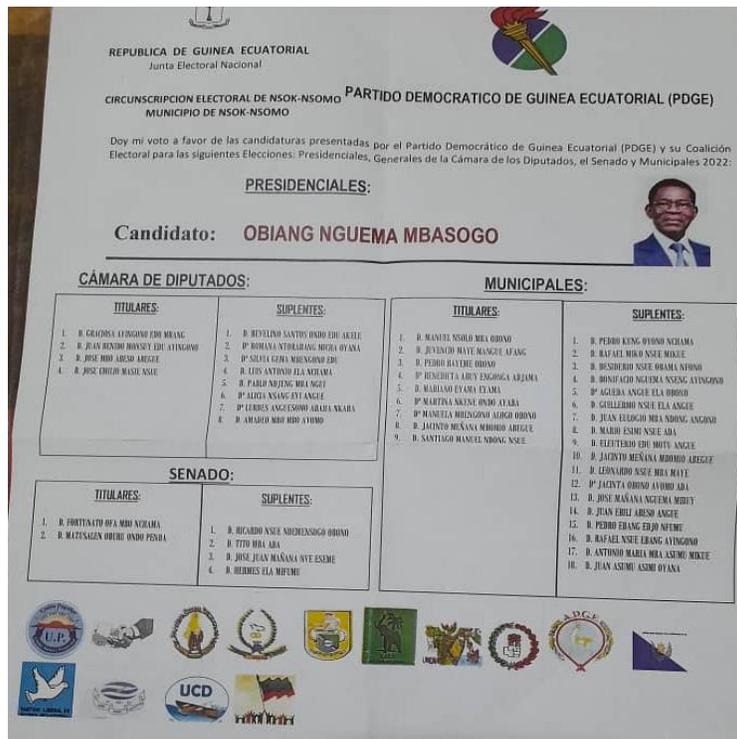


Photo by Somos +, Equatorial Guinea

In relation to the [official data](#) published by the government with the electoral results, the following inconsistencies have been identified:

1. **Discrepancy in the number of registered voters:** According to the electoral census, there were 427,661 registered voters; however, the National Electoral Board indicates that the total number of voters registered in the electoral census is: 419,817. Which supposes an **unexplained reduction of 7,844** voters with respect to the data [presented](#) on August 31, 2022. (To complete this analysis, we will use to the data presented by the National Electoral Commission in November.)
2. **Discrepancy in the number of valid votes:** according to official data, 413,148 people voted, of which 411,081 were considered valid. However, the sum of the votes for each candidate is 418,449, clearly **exceeding the number of valid votes indicated by 7,368**.



3. **Discrepancy in the number of valid votes abroad:** the figure of valid votes from abroad are 7,366, of which the ruling PDGE candidate and his coalition obtained 7,365 votes. They allegedly only missed one vote to reach the 100% mark. However, the official data provided by the government also claims that the opposition candidate from the CPDS party received sixteen votes, and that the PCSD candidate got five votes. These additional figures would mean a total of 7,381 valid votes (7,365+16+5); 15 votes more than the official numbers announced by the government.
4. **Incongruous number of polling stations:** in the [data](#) reported by the National Electoral Board, there are 1,486 polling stations, while in the final results, there are 1,533. Thus, there were at least 47 more polling stations.
5. **Discrepancies between the votes obtained in the presidential and municipal elections:** considering that the presidential, parliament, senate and local municipality voting was done on a single ballot per party, there is no explanation for why in some polling stations votes obtained for the presidential elections failed to match figures obtained for the other contests. The official data provided for the city of Akurenam is a perfect example of this irregularity.

Distrito de Akurenam:					
Censados	Votos Válidos	Elecciones	Votos		
			PDGE y Coal	CPDS	PCSD
6.264	6.662	Presidenciales	6.621	0	0
		Parlamento	6.621	0	0
		Senado	6.621	0	0
		Municipales*:	6.578	23	3
*Akurenam (PDGE 2475, CPDS 23); Akelayong- Mbam (PDGE 1237, PCSD 1); Ayem (PDGE 1295, PCSD 1); Mofub (PDGE 1571, PCSD 1).					

Here, there were more votes entered (6.662) than registered or eligible voters (6.264). Additionally, with the single ballot, it is difficult to explain how a voter would have casted municipality votes in favor of CPDS or PCSD, accounting for the 23 and 3 votes respectively, while those votes—presumably on the same ballot—were not casted for the presidential elections or parliamentary elections.

Finally, the sum of votes for the three parties in the municipal elections for this district is 6,604 (6,578+23+3), which is lower than the figures for the other elections.

This sort of unexplained tabulation occurred in practically all the provinces. So, the final calculations are overwhelmingly inconsistent and fraught with mathematical absurdity and, therefore, contrary to democratic norms and current legislation.

6. Discrepancy in the votes attributed to the PDGE candidate and his coalition. Specifically, official sources claimed that the ruling PDGE obtained 405,910 votes, which represents 94.9% of. However, for this percentage to be correct, the total valid votes would have to be higher than the 411,081

indicated. With the offered data of valid votes, the alleged 94.9 percentage in favor of the ruling party falls short. The figures provided by the government, calculated correctly, results in a 98.7% win for President Obiang and his ruling party.

Despite all these irregularities, however, the judicial authorities declined to even accept the complaint lodged by the main opposition group, CPDS, challenging the legality and validity of the results from the elections.