

# Mobilizing Against Kleptocracy

## Lessons from Equatorial Guinea

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**T**ransnational kleptocracy is a method of authoritarian control where political leaders direct state resources into the international financial system, usually ending up in democracies with strong legal protections. Repression and corruption frequently prevent citizens in kleptocratic countries from realizing their full spectrum of civil and political rights. To hold onto power, kleptocrats undermine civil society efforts to promote accountability in both the source countries of their illicit financial flows and the democracies that host the global institutions used to launder this funding. If civil society at home poses a threat to their ability to use ill-gotten funds to support themselves and their allies, then kleptocrats will go to great lengths to eliminate this threat.

#### **Africa and the new coronavirus: A case study of Equatorial Guinea**

In many countries in West and Central Africa, such as Equatorial Guinea, Congo-Brazzaville, Cameroon, and Gabon, the evidence of kleptocracy is not hidden. Even though a country like Equatorial Guinea may have a high gross domestic product (GDP) per capita rate from oil wealth, its low life expectancy and education levels, high poverty rates, and other lagging development indicators point to a pattern of resources being redirected from social or public services into the pockets of political elites.<sup>1</sup> Oil production may have enabled Equatorial Guinea to attain a level of financial sustainability despite the state capture of resources, but much of its revenue allegedly has been directed to President Teodoro Obiang Nguema Mbasogo's network, mainly through wasteful infrastructure projects. Very little of the country's budget is spent on social services to enhance the prosperity and welfare of the public.<sup>2</sup>

At the same time, independent media is illegal in Equatorial Guinea, and only state-run communications are permitted, meaning that sorely needed scrutiny of corruption is difficult, if not impossible. Most private and public companies in Equatorial Guinea are owned and operated by the political leadership and its associates. The ruling coalition also has been known to shut down the internet and social media platforms during elections or after violent attacks against the country's opposition parties, preventing civil society advocacy or criticism of the government. Freedom of assembly is restricted and critics may be charged with arbitrary crimes, arrested, or abused. In 2018, the most recent year for which data are available, 26 percent of people in Equatorial Guinea were reported to use the internet—an internet penetration rate far below that of most other countries in Africa.<sup>3</sup>

In March 2020, Equatorial Guinea registered its first diagnosed case of COVID-19. The pandemic has revealed a host of other issues in the country, including mismanagement and corruption, on top of existing rights violations and high levels of poverty. Earlier in 2020, falling oil prices hit the country's economy hard. This downturn worsened with the pandemic

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and ensuing rampant unemployment. In late May, the Equatoguinean government accused the World Health Organization (WHO) of falsifying COVID-19 data and inflating the number of cases; in response, it forced the WHO to replace its representative in the country.<sup>4</sup> As a result, from the end of May to July, the government suspended its daily report of cases, only to reinstate them in mid-August.<sup>5</sup>

The Equatoguinean elite's contentious attitude toward the threat of the pandemic highlighted the prevalence of corruption that became evident during the distribution of pandemic-related emergency funds. In one instance, all the hotels selected to quarantine people diagnosed with the virus were owned by President Obiang's extended family and trusted associates.<sup>6</sup> The amount of money raised from this activity was about double the 5 billion CFA fund created to fight the pandemic. However, it is unclear what this fund was being used for, and there is no evidence that it was being used to help the population.<sup>7</sup> The country's schools also continued to be overcrowded despite mandates that they operate at half capacity. Public education in Equatorial Guinea is so underfunded that there are few schools available for students, especially for families who cannot afford private education.<sup>8</sup>

Efforts to cover the country's burgeoning social unrest and the government's haphazard response were met with little but threats and reprisals. During the lockdown in the spring, videos spread on social media accusing the Equatoguinean police and military of violence, with numerous citizens reporting claims of assault. However, when a local television program aired some of these videos, the program in question was suspended.<sup>9</sup> An opposition party also reported that healthcare workers were not being informed of proper precautions against coronavirus and that the capacity of the country's health system was unknown. When one nurse spoke up on this subject, she was arrested and imprisoned.<sup>10</sup>

### **Potential opportunities, or possible pitfalls?**

One unexpected potential benefit of the pandemic is that technology has provided an outlet for citizens to express their frustration and discontent. Equatorial Guinea, Congo-Brazzaville, and Gabon have businesses run by kleptocrats who must remain competitive in the global economy and innovate using new technologies. This changing technological landscape can lead to surveillance, disinformation, and other undemocratic activities, yet it also has given civil society the tools to use social media as a form of activism if the pandemic leads to increased internet connection and democratized access to it. Thus, the pandemic has opened up an opportunity to tear down hindrances to civil society that governments deliberately built to curtail fundamental rights. Social networks such as Facebook, Twitter, or WhatsApp act as a bridge that allows citizens to exercise their rights of political expression and protest—and, when these rights are attacked, demand their reinstatement through those same means. Unsurprisingly, in response to the growing repression in Equatorial Guinea and neighboring African countries, citizens have taken to social media to protest.

The pandemic has led to fundamental changes in how kleptocratic actors operate, at least temporarily. Increasingly stringent regulations in countries that have been the preferred destinations for kleptocrats' ill-gotten gains and the prosecution of legal cases in those settings have shrunk kleptocrats' operating space. The growing threat of prosecution that klep-

ocrats have faced overseas—as well as the restrictions on movement that many countries have enacted in response to the pandemic—has pushed many kleptocrats to stay closer to home, thereby impeding their full enjoyment of their ill-gotten gains in high-end destinations around the world.

That said, several factors may reduce the potential value of these opportunities:

- The new normal **may not be as permanent as anticipated**, and the digital divide might reopen sooner rather than later. This is a relatively low risk, because situations in many other countries have proven that the economic benefits of a low-cost internet are higher than the need to silence a few dissenting voices. At the end of the day, kleptocrats tend to be more business-driven than politically or ideologically motivated.
- The longer the pandemic lasts, the more **time** kleptocrats will have to find ways to deflect the impact of the situation and establish new safe havens for their assets. This is a greater risk, as there is always a port somewhere in the world waiting to serve as a harbor for easy money. Sources have shown how Dubai provided a channel through which the vice president of Equatorial Guinea was able to participate in an auction to buy back part of his car collection, which had been seized by the Swiss judicial authorities.<sup>11</sup> More recently, a former head of the national oil company and in-law of the president, Cándido Nsue Okomo, was arrested<sup>12</sup> in Dubai and he is apparently now awaiting extradition to Spain where he is under investigation.<sup>13</sup>
- An **economic rebound** could result in the increase of oil prices and therefore a rise in the source of income favored by most kleptocracies. This risk might be tempered by a more rapid movement toward a global green economy that is less reliant on oil and natural gas.
- **Safety** for activists and advocates is always a concern. Repressive countries have invested heavily in the capacity to digitally monitor their citizens. Paradoxically, the effectiveness of such practices relies on the increased ability of the citizens to access the internet. Another safety-related issue is linked to the direct retaliation against concerned, vocal citizens. In Equatorial Guinea during the first months of the pandemic, police and military forces attacked an increasing number of individuals, but fortunately those who challenged these actions were able to mobilize quickly against these practices, forcing the government to take a step back or at least to address some of the cases that went viral on social media. This was a groundbreaking event: on other occasions, these cases simply had been ignored.

If the fulfillment of fundamental rights is viewed as a linear process, one could argue that citizens in most kleptocracies are still struggling to obtain their first-generation rights (political and civil rights). Their second-generation rights (social, economic and cultural rights) are also undermined due to high levels of corruption. But in this potential window of opportunity, the third-generation rights may be what triggers change. This could be the case of the right to communication (under the right to development) that should enable first- and second-generation rights, as experts have suggested.<sup>14</sup>

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In considering the rise of social media usage and civic activism in Equatorial Guinea, one could counter-argue that the moribund situation in other countries with higher internet penetration does not indicate that a domino effect is likely to occur, particularly in some other African countries. That is a fair argument; however, those countries had a different starting point. At least they had a system or a field where the political game could be played—even if the leadership might have been inclined to cheat in ways that undercut democracy. Where the actual presence or absence of *any* kind of playing field is at stake, the potential bridging effect of third-generation rights could be more likely to impact citizens.

This task of motivating civil society in Equatorial Guinea online to press for change requires the support of the international community. Since the proceeds of the theft that occurs inside Equatorial Guinea typically ends up in rule-of-law settings, corroding norms, institutions, and democracy along the way, there is plenty of space for advocacy among a broad coalition of democratic forces. Even though the COVID-19 pandemic has forced people around the world to rethink how they connect, interact, and come together, the need for transnational approaches to combating kleptocracy has never been greater.

## Endnotes

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