

ADVANCE QUESTIONS TO EQUATORIAL GUINEA

CZECH REPUBLIC

- The Government of Equatorial Guinea accepted most recommendations made at the 2009 UPR. It pledged, *inter alia*, to end torture, arbitrary and secret detentions. However, since the last UPR the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment and other UN special procedures repeatedly referred to the persisting problem of using torture practices and about alleged arbitrary detentions of human rights defenders in Equatorial Guinea. Has the Government the intention to intensify its efforts and adopt further legal and preventive measures to reduce the practice of torture or arbitrary detention at the national level as well as to reduce the use of drastic coercive measures?
- What measures has the Government adopted to ensure the independence of the judiciary, taking into account the fact that according to the Constitution the President, Head of State, is also the constitutional guarantor of the independence and functionality of the judiciary, which is not in full conformity with the principle of the separation of powers?
- Has the Government the intention to revisit the inadmissible competence of military courts over civil cases?
- What steps has the Government taken to ensure the full implementation of the legislation (the decree on temporary amnesty) introducing a moratorium on the death penalty?

NETHERLANDS

- The National Programme for education of women who are illiterate or failing in the basic education system is a good example of the steps the government of Equatorial Guinea takes to promote gender equality and equal opportunities. What further policies will the government of Equatorial Guinea put in place to combat gender-based discrimination and violence.
- The working paper of the Ministry of Health addresses sexual and reproductive rights, and stipulates that all persons are entitled to the enjoyment of such rights without discrimination based on sexual orientation. Furthermore, Art. 15.1 of the Constitution states that discrimination on the basis of sexual orientation is an offence, which is punishable by law. Could the government of Equatorial Guinea elaborate on the effect the working paper and the article in the constitution have in practice? Could the government inform us about examples of cases in which this law has been applied?
- Legislation concerning the abolishment of the death penalty is being developed by the Inter-ministerial Council and is stated to be promulgated shortly. The Kingdom of the Netherlands takes note of this positive development, and would like to inquire

whether international human rights obligations of Equatorial Guinea have been taken into account in the development of the legislation.

NORWAY

- Norway would be grateful if you would provide information as to how civil society was consulted in the preparation of your national report and which role civil society will play in the follow-up of the UPR.
- Norway is encouraged to see Equatorial Guinea implementing a moratorium on death penalty. What other commitments are you considering in order to abolish death penalty?
- Equatorial Guinea acceded to the Convention on the Rights of the Child in 1992. What steps have been taken to ensure that national legislation prohibits corporal punishment of children in all settings, including the home, as recommended by the Committee on the Rights of the Child?

UNITED KINGDOM

- How does Equatorial Guinea plan to improve the transparency of asset holdings by Ministers and senior civil servants?
- What measures is Equatorial Guinea taking to encourage fair access to funding to all political parties, and open debate and a right to assembly in the run up to the Presidential elections in 2016?
- Equatorial Guinea is ranked 163rd on Transparency International's Corruption List. What steps are being taken to address this?
- Equatorial Guinea is ranked 161st on Transparency International's Press Freedom List. What steps are being taken to address this?
- Could you please tell us what steps Equatorial Guinea is taking to eliminate torture of detainees by the police, and what measures are being put in place to ensure the judicial system is independent from the role of President?