

## Responses to Recommendations

### EQUATORIAL GUINEA

Review in the Working Group: 9 December 2009  
 Adoption in the Plenary: 19 March 2010

#### Equatorial Guinea's responses to recommendations (as of 01.04.2010):

In the Report of the Working Group:	In the Addendum:	During the plenary:	Summary:
86 REC accepted; 1 rejected; 28 pending	No addendum	The delegation declared "taking on board all the recommendations" but 3 (besides the one already rejected in the Report § 72): § 71 n°2, 20 and 23.	Accepted: 111 Rejected: 4 No clear position: 0 Pending: 0

#### List of recommendations contained in Section II of the Report of the Working Group A/HRC/13/16:

**"70. The recommendations formulated during the interactive dialogue and listed below enjoy the support of Equatorial Guinea:**

A - 1. Consider seriously ratifying the Convention on the Rights of Persons with Disabilities (CRPD); the Optional Protocol to the Convention on the Elimination of Discrimination Against Women (OP-CEDAW) and the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (OP-CRC-AC); (Turkey)

A - 2. Accede to and ratify OPCRC-AC (Slovenia);

A - 3. Sign and ratify CPRD; (Azerbaijan);

A - 4. Sign and ratify the newly adopted Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, allowing individual complaints of alleged violations of these rights to be heard by the Committee on Economic, Social and Cultural Rights (Portugal);

A - 5. Accede to the United Nations Convention against Corruption and ensure a proper audit of funds allocated for social services (Australia);

A - 6. Ratify the Rome Statute of the International Criminal Court (Chile);

A - 7. Strengthen mechanisms for ensuring awareness and implementation of international human rights obligations, including through establishment of human rights educational programmes for

police, prison and judicial staff with special attention to protection of human rights of women, children, persons of minority sexual orientation and gender identity, etc. (Czech Republic);

A - 8. Strengthen the work of the National Human Rights Commission , particularly in fighting against arbitrary detention (Brazil);

A - 9. Establish an effective and inclusive process to follow up on recommendations emerging from the universal periodic review (Norway);

A - 10. Undertake measures to strengthen synergy and coordination among the various national institutions responsible for the protection of human rights (Morocco);

A - 11. Improve governance and enjoyment of human rights through improved budgetary accountability and work to combat corruption, including by extending the transparency principles of the Extractive Industries Transparency Initiative to its budgetary process (United Kingdom);

A - 12. Set up, in consultation with civil society, a clear and transparent fiscal policy for managing oil revenues, which would call for publication of the national budget, identification of foreign bank accounts and verification of Government expenditures(Canada);

A - 13. Demand that Government representatives declare their assets as stipulated under the law and in a way that these could be verifiable (Canada);

A - 14. Seek international assistance in the area of systematic training of law enforcement officials on their responsibility to protect human rights (Nigeria);

A - 15. Strengthen efforts to fulfil obligations under the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and the Convention on the Rights of the Child (CRC) (Australia);

A - 16. Significantly improve its cooperation with the United Nations treaty bodies by agreeing on timelines for submitting overdue reports and, if need be, identify needs for assistance to that end (Norway);

A - 17. Consider the prompt implementation of the recommendations contained in the report of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment (A/HRC/10/44/Add.1) and the report of the Working Group on Arbitrary Detention (A/HRC/7/4/Add.3) (Argentina);

A - 18. Continue relevant campaigns to eliminate old customs undermining the status of girls and construct roads in rural areas connecting schools with residential centres (Turkey);

A - 19. Devise plans and strategies, especially for the promotion of gender equality and upholding children's rights (Egypt);

A - 20. Strengthen efforts aimed at promoting gender equality, including through educational campaigns, while paying specific attention to the needs of rural women; (South Africa);

A - 21. Promote gender equality, increase women's participation in all aspects of society and implement the National Policy for the Advancement of Women (Azerbaijan);

A - 22. Tirelessly pursue its policy of promoting the rights of women, in particular by eliminating illiteracy and, if possible, by extending projects like the Project for the Promotion of Self-Employment for Rural Women (PRAMUR) to women in urban areas (Democratic Republic of Congo);

A - 23. Address the situation of persisting gender-based discrimination in political, social and economic life, including by eliminating all laws that discriminate against women (Portugal);

A - 24. Guarantee the inapplicability of laws and customs which discriminate against women and increase awareness-raising activities in this area (Brazil);

- A - 25. Ensure the full implementation of the presidential decree forbidding the imprisonment of women for non-payment of dowries on separating from their husbands (Republic of Korea);
- A - 26. Consider developing a national action plan for children as recommended by CRC (South Africa);
- A - 27. Thoroughly investigate all reports of abductions and introduce a registry of prisoners available to the public (Italy);
- A - 28. Take the necessary measures to improve conditions of detention, prevent and bring an end to arbitrary arrests and detentions and the practice of secret detention and, in this connection, set up a control mechanism for prisons which is independent and has free access to prisons (France);
- A - 29. Intensify efforts aimed at putting an end to the practice of secret detention and at reducing the excessive use of power and authority by the security forces (Ghana);
- A - 30. Make every necessary effort to improve the conditions in detention facilities so that they meet the necessary minimum conditions of habitability (Germany);
- A - 31. Improve conditions in detention facilities and prisons so that they meet international standards (Czech Republic);
- A - 32. Increase its efforts to improve conditions in detention facilities (Azerbaijan);
- A - 33. Improve detention conditions by providing food, water and sanitary installations as well as by reducing prison overcrowding (Switzerland);
- A - 34. End the torture and other mistreatment of detainees; to this end, allow unimpeded access by independent human rights monitors to all detention facilities; guarantee lawyers free access to police stations and prisons; revise the current application procedures for habeas corpus in order to end arbitrary detention; provide comprehensive human rights training for its security forces; engage an independent monitor to measure the effectiveness of such training; effectively implement legislation that prohibits torture and cruel and degrading treatment; investigate and enforce strict penalties to those who violate the rights of prisoners; provide safe recourse and reparations for those who have suffered cruel or degrading treatment; disallow any confessions obtained through the use of torture; adopt a viable action plan to address the urgent need for comprehensive reform in the penal, law enforcement and judicial systems (United States);
- A - 35. Implement Law 6/2006 to ensure that all allegations of torture are properly investigated and those responsible are held accountable (United Kingdom);
- A - 36. Fully implement the Law 6/2006 on the prevention and punishment of torture, immediately investigate complaints of torture and ill-treatment, and initiate appropriate penal procedures against those responsible (Spain);
- A - 37. Ensure, in addition to the full implementation of the Law 6/2006, that no statements or confessions obtained under torture are admitted as evidence (Switzerland);
- A - 38. Investigate allegations of torture without delay and hold the perpetrators of such violations accountable (Canada);
- A - 39. Have competent bodies investigate all pending complaints about torture and enforced or involuntary disappearance and bring the perpetrators to trial (Chile);
- A - 40. Take measures to put an end to the culture of impunity of perpetrators of torture and ill-treatment and take among others concrete steps to reform the justice system to guarantee its independence and to promptly investigate allegations of torture and ill-treatment and bring criminal proceedings against those responsible (Netherlands);
- A - 41. Enact legislation on domestic violence and legislation concerning all forms of sexual abuse to ensure that violence against women and girls constitutes a criminal offence (Netherlands);

A - 42. Adopt further measures to ensure accountability of the police for their proper, sensitive and effective conduct in cases of violence against women and to ensure better accessibility to protected housing for victims of domestic violence (Czech Republic);

A - 43. In line with a previous recommendation of CRC, design and implement comprehensive strategies and policies to prevent and combat economic exploitation of children and to undertake awareness-raising campaigns in this respect (Germany);

A - 44. Continue its efforts aimed at fighting trafficking in persons and, in particular, the trafficking and exploitation of children (Egypt);

A - 45. Set up appropriate protection mechanisms to eradicate child exploitation and hold the perpetrators of trafficking and abuse accountable (Canada);

A - 46. Take further measures to prevent the trafficking of children (Netherlands);

A - 47. Intensify efforts to provide assistance for child victims of trafficking (Sudan);

A - 48. Guarantee the independence of the judiciary, including through legislative measures (France);

A - 49. Take effective measures to establish a functioning justice system with an independent judiciary and work to end the culture of impunity for perpetrators of torture and ill-treatment (Ghana);

A - 50. Establish through legislation an independent judiciary and bring the legal framework that governs the organization, functioning and competence of military tribunals into conformity with international principles (Switzerland);

A - 51. Strengthen existing measures to guarantee the adequate functioning of the penitentiary system, including training of personnel, effective separation of executive and judicial powers, establishment of mechanisms for accountability and separation of the civil and military systems of administration of justice (Mexico);

A - 52. Undertake a comprehensive reform of the institutions and judicial systems, including revision of the national criminal law and reform of the judiciary, with a view to complying with the international instruments to which it is a State party, including the International Covenant on Civil and Political Rights (ICCPR) (Sweden);

A - 53. Maintain its policy with regard to access to justice and envisage setting up a justice system for minors (Algeria);

A - 54. Take necessary measures to ensure that law enforcement officials receive the necessary training (Turkey);

A - 55. Respect the right of the opposition members to travel freely, to hold meetings, to express their views and to have access to the media without discrimination (Canada);

A - 56. Respect and promote the right to freedom of expression, association and assembly, create an enabling environment for the establishment and operation of non-governmental organizations and media and remove all legal administrative and procedural obstacles which prevent this (Netherlands);

A - 57. Promote political dialogue with all sectors of society, including civil society, with a view to enhancing the contribution of these sectors to the development process (Ghana);

A - 58. Promote the establishment of a legal framework in accordance with international human rights obligations that would allow the development of pluralistic, free and independent media, and free access to information, including to foreign media (Spain);

A - 59. Promote the establishment of pluralistic, free and independent media and ensure the protection of and respect for the independence of the press and freedom of opinion and expression of journalists; (Switzerland)

A - 60. Continue its efforts for the promotion of the role of women within the Government and elected bodies (Algeria);

A - 61. Devote an adequate share of the national budget to social policies, prioritizing measures that improve access to food, health, education, housing, water and sanitation, especially for the most vulnerable (Italy);

A - 62. Increase the level of social investment in accordance with the Extractive Industries Transparency Initiative with a view to guaranteeing the progressive realization of economic, social and cultural rights by establishing priorities to eradicate poverty and guaranteeing access to basic social necessities (Spain);

A - 63. Pave the way for implementation of the Extractive Industries Transparency Initiative involving all groups of society (Norway);

A - 64. Progressively implement economic, social and cultural rights, notably by ensuring the appropriate level of social expenditures (Angola);

A - 65. Progressively realize economic and social rights and fulfil its obligation to dedicate maximum available resources to addressing the basic economic and social needs of its population (Portugal);

A - 66. Establish a unified national policy to reduce poverty (Brazil);

A - 67. Implement the national plan with a number of guidelines on economic and social policy in order to reduce poverty and improve living conditions of the population in the country (Azerbaijan);

A - 68. Strengthen measures aimed at poverty eradication (South Africa);

A - 69. Continue implementing the national strategy for combating poverty and seek the necessary assistance in this regard (Sudan);

A - 70. Allocate necessary resources to the education and health sectors in order to achieve the Millennium Development Goals, reaching at a minimum the regional average level of investment in these sectors, while ensuring data collection that allows progress to be measured (Canada);

A - 71. Continue to strengthen its efforts aimed at economic development, with particular emphasis on improvement of social infrastructure for service provision (South Africa);

A - 72. Allocate necessary resources for the full realization of the rights under the International Covenant on Economic, Social and Cultural Rights (ICESCR), with a view to strengthening poverty reduction programmes and guaranteeing adequate access to health and education (Mexico);

A - 73. Adopt measures and programmes to reduce the rates of maternal and infant mortality and of chronic child malnutrition (Chile);

A - 74. Ensure that public hospitals and other health-care facilities and services are both affordable and accessible, in particular making provision for child maternal health services and for the prevention and treatment of preventable diseases; (Portugal)

A - 75. Take further efforts to raise awareness of and increase access to health service facilities and medical assistance and to make family planning information available to women and girls, including in rural areas, taking into account in this regard, among others, the recommendations of the Committee on the Elimination of Discrimination against Women (Netherlands);

A - 76. Increase access to health-care services and medical assistance for women and children and make information on family planning available to them, especially in rural areas (Uruguay);

A - 77. Ensure equal opportunities in the labour market, particularly by promoting access to work for the various social groups (Angola);

A - 78. Pursue its efforts in the in the field of education in order to fulfil the Millennium Development Goals and consolidate the national plan of education for all (Algeria);

A - 79. Prioritize efforts to comply with the commitment to guarantee free primary education, presently receives one of the lowest levels of State investment in the region (Spain);

A - 80. Continue its awareness-raising measures to improve the poor rate of schooling for girls and their access to higher and technical studies (Burkina Faso);

A - 81. Continue to face and challenge the obstacles facing the schooling of girls and make use of technical assistance provided by the United Nations, in particular UNICEF, in order to overcome such obstacles (Libyan Arab Jamahiriya);

A - 82. Strengthen strategies for access to primary education, particularly for young girls (Angola);

A - 83. Take concrete actions to guarantee the effective realization of free education and make sure that children finish their primary education, while addressing gender disparities in this regard (Uruguay);

A - 84. Reinforce its efforts to meet the commitment to ensure free basic education, particularly primary education, and to address gender disparities (Portugal);

A - 85. Prohibit or limit detention for reasons of migratory status and establish a specialized institution for migration (Brazil);

A - 86. Request technical support from institutions of the United Nations system to help it consolidate, even more than in the past, its policy for the promotion and respect of human rights (Gabon).

**71. The following recommendations will be examined by Equatorial Guinea, which will provide responses in due time. The response of Equatorial Guinea to these recommendations will be included in the outcome report adopted by the Human Rights Council at its thirteenth session:**

A - 1. Sign (United Kingdom) and ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OP-CAT) (United Kingdom, France, Chile, Czech Republic, Spain, Argentina);

R - 2. Accede to (Slovenia)/sign (Sweden) and ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights (Chile, Slovenia, Sweden, Argentina, Spain, and France), Aiming at the Abolition of the Death Penalty (Slovenia, Argentina, France, and Sweden) in all circumstances (France)

A - 3. Ratify all pending human rights treaties (Argentina);

A - 4. Sign and ratify the core human rights instruments (Azerbaijan);

A - 5. Sign and ratify the International Convention for the Protection of All Persons from Enforced Disappearance (CED) (France);

A - 6. Consider the possibility of ratifying CED and recognize the competence of the relevant Committee; (Argentina);

A - 7. Consider ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (Nigeria);

A - 8. Review the reservations to CAT with a view to eliminating them (Mexico);

A - 9. Consider the establishment of a national human rights institution in conformity with the Paris Principles (Egypt);

A - 10. Establish national human rights institution in accordance with the Paris Principles (Azerbaijan);

A - 11. Extend an open and permanent invitation to the United Nations human rights special procedures mandate-holders (Chile);

- A - 12. Issue and implement standing invitation to human rights special procedures (Czech Republic);
- A - 13. Cooperate fully with the United Nations human rights system and consider the issuing of a standing invitation to special procedures (Brazil);
- A - 14. Consider extending a standing invitation to all special procedures of the Human Rights Council (Latvia);
- A - 15. Consider issuing a standing invitation to all the special procedures in order to further its collaboration with the United Nations human rights mechanism (Republic of Korea);
- A - 16. Reconsider its position and abolish the death penalty, if necessary by initially establishing a moratorium on executions in line with General Assembly resolution 63/168 on the moratorium on the use of the death penalty (Slovenia);
- A - 17. As a transitional measure, implement a moratorium on the application of the death penalty (Argentina);
- A - 18. Formally establish a moratorium on the death penalty, with a view to abolishing it completely (Sweden);
- A - 19. Permanently abolish the death penalty (Spain);
- R - 20. Consider the abolition of the death penalty and accede to the Second Optional Protocol to ICCPR related to the abolition of the death penalty (Azerbaijan);
- A - 21. Adopt an immediate and effective moratorium on executions (France);
- A - 22. Consider the establishment of a legal moratorium on the death penalty with a view to abolishing capital punishment (Italy);
- R - 23. Enable access to military facilities to the Special Rapporteur on the question of torture as requested (Germany);
- A - 24. Amend its laws and set up a legal framework that respects and promotes freedom of expression in conformity with its international obligations (Canada);
- A - 25. Remove the 1992 provision authorizing government censorship of all publications, and promote pluralistic, free and independent media (United Kingdom);
- A - 26. Adopt measures to ensure freedom of the press (Chile);
- A - 27. Effectively disseminate and implement the United Nations declaration on human rights defenders, including through removing onerous registration and reporting requirements and procedures under which local non-governmental organizations must seek approval from and regularly report to the Interior Ministry, as well as provide that ministry with advance notification of any funding from abroad (Norway);
- A - 28. Cease all forms of forced displacement, in accordance with the Guiding Principles on Internal Displacement of 1998 (Australia).

**72. The following recommendations did not enjoy the support of Equatorial Guinea:**

- R - 1. Allow political parties and the media to operate freely; ensure an impartial review of regularities and formal electoral complaints stemming from the November 29 elections; and establish a representative independent body to review the country's election framework and ensure the legitimacy of the democratic process (United States).

*Disclaimer: This classification is not official and is based on United Nations documents and webcast. For questions, comments and/or corrections, please write to [info@upr-info.org](mailto:info@upr-info.org)*