

ADVANCE QUESTIONS TO EQUATORIAL GUINEA (FIRST BATCH)

PORTUGAL on behalf of the Group of Friends on NMIRF's

- Could the State-under-review describe its national mechanism or process responsible for coordinating the implementation of accepted UPR recommendations and the monitoring of progress and impact?
- Has the State-under-review established a dedicated 'national mechanism for implementation, reporting and follow-up' (NMIRF) covering UPR recommendations, but also recommendations/observations generated by the UN human rights Treaty Bodies, the Special Procedures and relevant regional mechanisms, which, *inter alia*, clusters all the above, manages them in national databases, coordinates implementation actions across government, monitors progress and impact, and then streamline reporting procedures back to the UN? If so, could the State-under-review briefly share its experience on creating such mechanism, including challenges faced and lessons learnt, as well as any plans or needs to strengthen the NMIRF in the future?

UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

- What plans does the Government of Equatorial Guinea have to establish media freedom, encourage independent newspapers and other media and end all censorship of domestic and foreign media?
- What steps is the Government taking to establish an independent judicial system and ensure that reported crimes are duly investigated by police and prosecutors, including ensuring that due process is followed and that those reporting crimes can do so without fear of reprisal?
- What plans does the Government of Equatorial Guinea have to review Law 1/1999 to bring it in line with international human rights standards including removing the restrictions on the independence, functioning and development of Non-Governmental Organisations as well lifting the financial constraints placed on them?
- What is the Government doing to ensure that civil and political rights are recognised and protected, including guaranteeing its citizens the right to freedom of expression, association and peaceful assembly?
- What specific actions is the Government taking to address forced child labour, including providing support to the victims and holding those responsible to account?

UNITED STATES OF AMERICA

- The Government of Equatorial Guinea accepted recommendations in its 2014 Universal Periodic Review to establish an independent judiciary and observe fair trial

guarantees, such as ensuring that those detained are permitted access to lawyers; are not held without charge beyond the 72 hours legally permissible under domestic law; and are promptly notified of the charges against them. What progress has the Government of Equatorial Guinea made on these recommendations?

- What steps is the government taking to improve training for security forces and the judiciary? Is the government willing to bring in experts from the international community, such as through the auspices of the United Nations, for this purpose?
- We are gravely concerned by reports of harsh prison conditions, including credible reports of physical abuse and torture, and denial of adequate medical care to prisoners resulting in death in some cases. What steps is the Government of Equatorial Guinea taking to ensure that all those in government's custody have access to adequate medical care? Has the new prison facility on the mainland opened? How many inmates are there?
- Will the Government of Equatorial Guinea commit to publicly reporting deaths in government custody? Is the government willing to allow impartial observers, such as the International Committee of the Red Cross and Red Crescent Societies, access to visit jails and prisons and provide observations and guidance?
- What steps is the government taking to hold accountable security forces and corrections officials who are responsible for physical abuse, torture, rape or sexual harassment? What steps is the Government of Equatorial Guinea taking to prevent gender-based violence by security forces?
- Equatorial Guinea frequently dispersed peaceful, preapproved public gatherings and denied requests by political parties to hold public events. Will the Government of Equatorial Guinea commit to permitting peaceful public gatherings, including when there is criticism of the government, per its obligation under Article 21 of the International Covenant on Civil and Political Rights?
- Will the government decriminalize libel and slander?
- Various political parties remain suspended or illegal. This includes the Citizens for Innovation (CI) party, which was the only non-aligned opposition party to win seats in the previous elections. The party members, including the elected deputies, were pardoned by the President on October 10, 2018. Will the government hasten the process to legalize legitimate parties?
- We note that there is inconsistent access to WhatsApp and Facebook, and remain concerned about restrictions and disruptions to internet access and censorship of online content. Will the Government of Equatorial Guinea end restrictions on Facebook, WhatsApp, *Diario Rombe*, and *Radio Macuto* and censorship of the content of opposition political parties' websites?
- What steps is the government taking to protect LGBTI individuals from violence and serious forms of discrimination?

- We note with concern the barriers created by the government to discourage and co-opt labor-unionizing movements into the control of state apparatuses. Will the Government of Equatorial Guinea enforce its existing laws to ensure freedom of association consistent with international norms? What steps will be taken to reform labor laws to include mechanisms for grievances and strikes?
- We remain deeply concerned by the Government of Equatorial Guinea's failure to proactively identify victims of trafficking in persons and prosecute traffickers under Equatorial Guinea's 2004 anti-trafficking law. Despite some positive steps, such as the creation of a national action plan in early 2019, Equatorial Guinea has not demonstrated significant efforts to combat trafficking, and has remained on Tier 3 of the U.S. Department of State's 2018 Trafficking in Persons report. What concrete administrative steps will the government take in 2019 to fully fund and implement the government's 2019-2021 national action plan to combat trafficking in persons? What steps is the Government of Equatorial Guinea willing to make in 2019 to improve medical care and victims services for victims of gender-based violence and trafficking in persons?

BELGIUM

- Est-ce que la Guinée Equatoriale considère ratifier le Protocole facultatif se rapportant à la Convention contre la torture et autres peines ou traitements cruels, inhumains ou dégradants?
- Est-ce que la Guinée Equatoriale envisage de lancer une invitation permanente aux procédures spéciales thématiques du Conseil des droits de l'Homme? Est-ce que le gouvernement a l'intention de répondre favorablement aux demandes de visite de plusieurs procédures spéciales thématiques du Conseil des droits de l'Homme (notamment le Rapporteur spécial sur l'indépendance des juges et des avocats et le Rapporteur spécial sur le droit au développement) ?
- Est-ce que la Guinée Equatoriale mettra sa législation nationale en matière de protection des droits de la femme et d'égalité des sexes en conformité avec les dispositions de la CEDAW ?
- Lors du dernier EPU, la Guinée Equatoriale a accepté plusieurs recommandations l'appelant à mettre en place un système judiciaire indépendant et à respecter les procédures prévues par la loi : Quelles mesures les autorités ont-elles prises dans ce cadre?
- Comment la Guinée Equatoriale envisage-t-elle d'améliorer l'autonomie des journalistes et des professionnels des médias afin qu'ils puissent exercer leur métier en liberté et en sécurité ?

GERMANY

- What measures will Equatorial Guinea take in order to end domestic violence?
- Does the government of Equatorial Guinea intend to introduce legislation in order to make sexual harassment punishable?