



Permanent Mission
of the Federal Republic of Germany
to the Office of the United Nations and
to the other International Organizations
Geneva

**United Nations Human Rights Council
19th Session of the UPR Working Group**

Geneva, 5 May 2014

**German questions and recommendations to
Equatorial Guinea**

**Statement
by
Germany**

Mister President,

Germany welcomes the delegation of Equatorial Guinea and appreciates steps taken to advance the economic and social rights of the population.

Germany wishes to make the following recommendations:

1. Germany recommends that Equatorial Guinea introduces a moratorium on the death penalty with a view to ending its application.
2. Germany recommends that Equatorial Guinea ensures due process of law in all judicial proceedings, including by bringing detainees before an independent judge within 72 hours and by refraining from torture and other cruel, inhuman or degrading treatment in order to extract confessions.
3. Germany recommends that Equatorial Guinea establishes a National Human Rights Institution that is in line with the Paris Principles and fully independent of government control.
4. Germany recommends that Equatorial Guinea takes effective action to end violence against women and children, including by making it a criminal offence and by holding perpetrators accountable.

Thank you, Mr. President.

Questions in advance:

- 1) In 2009, Equatorial Guinea accepted the recommendation to undertake a comprehensive reform of its judicial system, including by bringing an end to the practice of arbitrary and secret detentions and by ending the culture of impunity for perpetrators of torture and ill-treatment. What progress has been made in this regard and which measures have been taken to fulfill this commitment? How does the state ensure legality of arrests if detainees are not brought before a judge within a reasonable period of time?
- 2) During the first UPR cycle, Equatorial Guinea also agreed to set up a political dialogue with civil society and to respect the right to freedom of expression and assembly. How has consultation with civil society evolved since then and in which ways has the constitutional reform contributed to greater civic engagement?
- 3) Even though Equatorial Guinea committed itself to respecting the independence and freedom of the press, legal requirements and censorship that curtail this right still exist. Is the state still planning to initiate steps that contribute to a free and pluralistic media environment?

