

CORRUPTION AND THE SUSTAINABLE DEVELOPMENT GOALS IN EQUATORIAL GUINEA: SHADOW REPORTING FOR SDG 16.4, 16.5, 16.6 AND 16.10

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This shadow report questionnaire has been developed by the AntiCorruption Helpdesk to provide Transparency International CSOs with a consistent methodology to assess their governments' progress towards SDG targets 16.4, 16.5, 16.6 and 16.10. The Observatory of Human Rights and Good Governance of APROFORT has used this methodology to assess these targets in Equatorial Guinea.

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SUMMARY

SDG 16 was set to "promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels". This goal is important as it impacts all others when it comes holding governments to account. The focus on this goal will allow civil society organisations of Equatorial Guinea to advocate for the fulfilment of this goal in a context where justice and rule of law is under constant threat.

This report is based on the questionnaire and methodology developed by Transparency International for its CSOs to conduct an independent appraisal of their country's progress in fighting corruption, tackling illicit financial flows, and improving transparency and access to information, as national governments begin implementing the agenda 2030 for Sustainable Development. The Human Rights and Good Governance Observatory of APROFORT has adapted the methodology to assess Equatorial Guinea's progress in this area. The report analysed available information until June 2022.

In Equatorial Guinea there is a National Committee in charge of coordinating the Sustainable Development Goals agenda, but no information could be found on the national targets, only general objectives. In addition, the government published a national development strategy. This strategy is meant to address the SDG goals.

The findings of this review reveal the following issues:

- The about the implementation plan, targets or monitoring of the SDG 16 at national level is scarce or incomplete. The structures created for this purpose recognise that data available is outdated and recommends an update.
- Equatorial Guinea has a legal framework to address corruption. Yet, some of the provisions in the existing legal framework could be substantially improved.
- The Central African Economic and Monetary Community (CEMAC) requires that the beneficial owners information should be registered, however this information is not requested in practice by the company registry of Equatorial Guinea.
- Equatorial Guinea does not have an asset recovery policy besides the legal provision on this matter.
- While there is an anticorruption law and other legal instrument, the lack of implementation of the legal framework is hindering the fight against corruption.
- The judiciary is not independent, therefore there is very little follow up on major corruption cases mostly when involving key actors.
- The supreme audit institution was created in 2012, but its members were only appointed in 2022. The head of the institution was accused of having a conflict of interest that endangered his impartiality but his appointment went ahead.
- Private sector corruption is regulated but enforcement is very weak.
- While there is a law on political party finance, the institutions in charge of oversight lack independence or are not active.
- Equatorial Guinea had a meaningful asset declaration system that has never been applied. In 2021 with the new anticorruption law the mechanism was reinforced to allow online access to these declarations, but this is not being implemented.
- There is no public procurement law in force, a law is being drafted with international assistance.
- Access to information is an undermining factor for stakeholders to hold the government accountable. There is no law guaranteeing access to information for citizens. The media is restricted by the existing legislation and by harassment.
- Civil society and citizens expressing dissent face numerous attacks that are not investigated by the authorities.

Given these elements, the key recommendations are as follows:

- The government should clearly set its specific targets regarding the SDGs and the national development plan as soon as possible.
- Legal provisions regarding the selection and appointment of key anticorruption bodies should be reviewed to ensure that these bodies can act independently.

- The independence of the judiciary should be anchored in the existing laws that are not being implemented. Major cases of corruption generally stay without investigation due to this.
- The head of the Accounts Court (Tribunal de Cuentas) should be replaced due to conflict of interest according to the law regulating this court. The eligibility of the remaining members should also be verified.
- Companies should develop self-regulating tools such as ethics codes and transparency measures that should lead to a reduction in corruption in the sector, in addition to enforcement measures.
- Institutions in charge of oversight of political party and election financing and transparency should be active and independent.
- Asset declarations and its public availability should be enforced without delays.
- The government should urgently publish a public procurement law, this law should include the disclosure of beneficial owners of the bidders.
- The government should protect anticorruption civil society to avoid any type of retaliation.
- The right to information should be granted by law and implemented in order to encompass other good governance measures.

INTRODUCTION

The SDGs set out a global development agenda until the year 2030. They consist of 17 goals and a total of 169 target¹. The goals broadly cover three aspects of development: economic prosperity, social development, and the protection of the environment. SDG 16 was set to "promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels".

Global progress towards the targets will be monitored through a set of indicators. At national level, countries are encouraged to integrate global targets into national planning and policy processes, developing national targets and indicators tailored to their specific circumstances. For Equatorial Guinea the process of creating the national targets is still ongoing² or it has not been published by the time of completing this analysis.

The purpose of this questionnaire is to support CSOs to monitor specific targets within the SDG 16 and, consequently, the national anti-corruption progress. To do so, it covers a broad range of issues related to a robust anti-corruption framework. It aims to assist local CSOs to identify areas where the national anticorruption system leaves room for improvement and to collect data and information that will serve as a basis for compiling the shadow report.

The Observatory of Human Rights and Good Governance did not consider all aspects and issues covered by the questionnaire. A customise version was used where areas such as lobbying were not covered, as they did not seem relevant to the Equatorial Guinea context.

ABOUT THE QUESTIONNAIRE

This questionnaire covers four SDG 16 global targets which specifically relate to the fight against corruption:

- 16.4 – By 2030, significantly reduce illicit financial and arms flows, strengthen the recovery and return of stolen assets and combat all forms of organised crime.
- 16.5 – Substantially reduce corruption and bribery in all their forms
- 16.6 – Develop effective, accountable, and transparent institutions at all levels
- 16.10 – Ensure public access to information and protect fundamental freedoms, in accordance with national legislation and international agreements

Questions are designed to collect relevant data and information to track progress made towards achieving these targets, using a mix of qualitative and quantitative indicators.

There are three types of questions addressed in this report.

- Several questions pertaining to the de jure legal framework contain "scoring" references.
- Alongside the score, there is a section for a brief narrative to answer the question and addressing de facto implementation and compliance.
- Information and data from relevant third-party assessments is also included.

¹ UN: Transforming our world: the 2030 Agenda for Sustainable development; <https://sustainabledevelopment.un.org/post2015/transformingourworld>. For more background and recent developments around the SDG, see <https://sustainabledevelopment.un.org>.

² Guinea Ecuatorial inicia su proceso de desarrollo de indicadores para monitorear los ODS custodiados por la FAO <https://www.fao.org/guinea-ecuatorial/noticias/detail-events/es/c/1310479/>

SCORES

Scored questions have a numerical value to the country's legal framework, based on guidance provided in the question. Each numerical value will correspond to one of the following five scores:

- Dark Green / 1**
- Light Green / 0.75**
- Yellow / 0.5**
- Light Red / 0.25**
- Dark Red / 0**
- Grey / Not applicable or no data available**

Note: not all five coloured scores will be available for each question.

See the scores summary section for detailed information on each question taken into consideration for this report.

QUESTIONNAIRE

1. NATIONAL SDG IMPLEMENTATION PLAN AND MONITORING PROCESS

DIMENSION	BACKGROUND
Indicator number	1.11.1 National SDG implementation plan and monitoring process
Indicator question(s)	Has the government taken steps to develop an SDG action plan on how to implement the Agenda 2030 at the national level?
Response	<p>The government adopted its development strategy in its 2035 National Development Plan which is meant to address the SDG.</p> <p>The government also created a National SDG Coordinating Committee to follow up the SDG in Equatorial Guinea. The latest voluntary report by Equatorial Guinea only mentions the approval of the anticorruption law and regarding SDG 16 mentions the fact that good governance was featured in the National Development plan and the creation of institutions to fight corruption: ombudsman, accounts court, EITI national committee, audits department, social and economic council, or the anticorruption prosecutor office.</p>
Source(s) of information	<p>DECRETO 69/2021, de fecha 29 de abril, por el que se adopta la Estrategia Nacional de Desarrollo Sostenible. "Agenda Guinea Ecuatorial 2035".</p> <p>https://guineaecuatorialpress.com/noticias/decreto_por_el_que_se_adopta_la_estrategia_nacional_de_desarrollo_sostenible_#:~:text=%2D%20La%20%22Agenda%20Guinea%20Ecuatorial%202035,Consolidaci%C3%B3n%20(2031%2D2035).</p> <p>El Comité Nacional de Coordinación de los ODS se reúne con los Ministerios de Educación, y Asuntos Sociales para armonizar sus presupuestos de emergencia frente al Covid-19</p> <p>https://minhacienda-gob.com/el-comite-nacional-de-coordinacion-de-los-ods-se-reune-con-los-ministerios-de-educacion-y-asuntos-sociales-para-armonizar-sus-presupuestos-de-emergencia-frente-al-covid-19/</p> <p>DECRETO 113/2019, de Fecha 9 de Septiembre, por el que se crea la Comisión Nacional de Coordinación de los Objetivos de Desarrollo Sostenible (ODS) en Guinea Ecuatorial</p> <p>https://minhacienda-gob.com/wp-content/uploads/2020/06/decreto-n%C2%BA-113.pdf</p> <p>Informe Nacional Voluntario Guinea Ecuatorial 2022</p> <p>https://datapopalliance.org/wp-content/uploads/2022/07/Jul-1-P079-Informe-Anual-ODS-Guinea-Ecuatorial4.pdf</p>

DIMENSION	BACKGROUND
Indicator number	1.2 National SDG implementation plan and monitoring process
Indicator question(s)	Which government body or bodies are in charge of the implementation of the national SDG implementation process, and in particular concerning the implementation of SDG 16?
Response	<p>The body in charge of coordinating the SDGs is the National SDG Coordinating Committee.</p> <p>In addition, the National Planification Council (CONAP), headed by the prime minister is in charge of the implementation of the national development strategy, which addresses the SDG.</p> <p>Since the approval of the National Development Strategy and the CONAP, there is no clarity on leadership on the SDG.</p> <p>The Ministry of Finance, Economy and Planning is in charge of implementing the National Anti-corruption Plan.</p>
Source(s) of information	<p>DECRETO 69/2021, de fecha 29 de abril, por el que se adopta la Estrategia Nacional de Desarrollo Sostenible. "Agenda Guinea Ecuatorial 2035".</p> <p>https://guineaecuatorialpress.com/noticias/decreto_por_el_que_se_adopta_la_estrategia_nacional_de_desarrollo_sostenible_#:~:text=%2D%20La%20%22Agenda%20Guinea%20Ecuatorial%202035,Consolidaci%C3%B3n%20(2031%2D2035).</p> <p>Ministry of Finance, Economy, and Planning</p> <p>https://minhacienda-gob.com/estrategia-de-gobernanza/</p> <p>DECRETO 113/2019, de Fecha 9 de Septiembre, por el que se crea la Comisión Nacional de Coordinación de los Objetivos de Desarrollo Sostenible (ODS) en Guinea Ecuatorial</p> <p>https://minhacienda-gob.com/wp-content/uploads/2020/06/decreto-n%C2%BA-113.pdf</p> <p>El Comité Nacional de Coordinación de los ODS se reúne con los Ministerios de Educación, y Asuntos Sociales para armonizar sus presupuestos de emergencia frente al Covid-19</p> <p>https://minhacienda-gob.com/el-comite-nacional-de-coordinacion-de-los-ods-se-reune-con-los-ministerios-de-educacion-y-asuntos-sociales-para-armonizar-sus-presupuestos-de-emergencia-frente-al-covid-19/</p>

DIMENSION	BACKGROUND
Indicator number	1.3 National SDG implementation plan and monitoring process
Indicator question(s)	Has civil society been able to contribute to the selection of national indicators concerning SDG 16 and have there been any formal discussions about how anticorruption targets will fit into the implementation of a national SDG plan?
Response	<p>There is no information about the civil society participating in developing the indicators nor has there been any information about discussions on anticorruption targets. The participation of civil society is an organ called Equatorial Guinea Observatory 2035 which is under the National Planification Council (CONAP), but this body is not functioning.</p> <p>The composition of the National SDG Coordinating Committee includes a member from the civil society, but this structure has not been active since the creation of the CONAP.</p> <p>Some CSOs have participated in the latest voluntary report on the SDG: ALDEAS INFANTILES; AMUSIDA; ANDEGE; ASOCIACIÓN DE EMPRENDEDORES (EMEG); BIRIAELAT; IEC ABOGACIA; JOSAFRICA; LA VOZ DEL MEDIO AMBIENTE DE GE; LUMAGE; POTENCIAL JUVENIL IDENTIC. However, the report also highlights the need of a greater participation of civil society organisations. This includes a number of recommendations by CSOs asking for more transparency and access to information and resources.</p>
Source(s) of information	<p>DECRETO 69/2021, de fecha 29 de abril, por el que se adopta la Estrategia Nacional de Desarrollo Sostenible. "Agenda Guinea Ecuatorial 2035".</p> <p>https://guineaecuatorialpress.com/noticias/decreto_por_el_que_se_adopta_la_estrategia_nacional_de_desarrollo_sostenible#:~:text=%2D%20La%20%22Agenda%20Guinea%20Ecuatorial%202035,Consolidaci%C3%B3n%20(2031%2D2035).</p> <p>DECRETO 113/2019, de Fecha 9 de Septiembre, por el que se crea la Comisión Nacional de Coordinación de los Objetivos de Desarrollo Sostenible (ODS) en Guinea Ecuatorial</p> <p>https://minhacienda-gob.com/wp-content/uploads/2020/06/decreto-n%C2%BA-113.pdf</p> <p>Informe Nacional Voluntario Guinea Ecuatorial 2022</p> <p>https://datapopalliance.org/wp-content/uploads/2022/07/Jul-1-P079-Informe-Anual-ODS-Guinea-Ecuatorial4.pdf</p>
DIMENSION	BACKGROUND
Indicator number	1.4 National SDG implementation plan and monitoring process
Indicator question(s)	Has the development of national SDG implementation reports relating to SDG 16 been open and inclusive?

<p>Response</p>	<p>Some CSOs have participated in the latest voluntary report on the SDG: ALDEAS INFANTILES; AMUSIDA; ANDEGE; ASOCIACIÓN DE EMPRENDEDORES (EMEG); BIRIAELAT; IEC ABOGACIA; JOSAFRICA; LA VOZ DEL MEDIO AMBIENTE DE GE; LUMAGE; POTENCIAL JUVENIL IDENTIC. However, the report also highlights the need of a greater participation of civil society organisations. This includes several recommendations by CSOs asking for more transparency, access to information and to resources. Government consultations of this nature are conducted generally through UN bodies or mechanisms such as the Voluntary Report mentioned.</p>
<p>Source(s) of information</p>	<p>Informe Nacional Voluntario Guinea Ecuatorial 2022 https://datapopalliance.org/wp-content/uploads/2022/07/Jul-1-P079-Informe-Anual-ODS-Guinea-Ecuatorial4.pdf Sustainable development Report https://dashboards.sdgindex.org/profiles/equatorial-guinea</p>

DIMENSION	BACKGROUND
Indicator number	1.5 National SDG implementation plan and monitoring process
Indicator question(s)	How do you assess the quality of the official assessment and the data provided in official implementation reports for targets 16.4, 16.5, 16.6 and 16.10?
Response	<p>In July 2022 the government published Voluntary National Review. This report does not address each indicator of SDG 16 separately. The quality of the report or the information on this area is very limited. The report only mentions 2 key elements regarding: the inclusion of good governance in the national development plan, it also mentions the existence of several good governance institutions.</p> <p>Overall, the report itself indicates challenges such as the lack of data to report about each indicator or the need of an increased participation of civil society.</p> <p>These elements question the quality of the report and the availability la key information.</p>
Source(s) of information	<p>Informe Nacional Voluntario Guinea Ecuatorial 2022</p> <p>https://datapopalliance.org/wp-content/uploads/2022/07/Jul-1-P079-Informe-Anual-ODS-Guinea-Ecuatorial4.pdf</p> <p>UNDP Equatorial Guinea</p> <p>https://guineaecuatorial.un.org/es/sdgs</p> <p>Voluntary National Review 2022</p> <p>https://sustainabledevelopment.un.org/index.php?page=view&type=30022&nr=3035&menu=3170</p> <p>CLAUSURA DE LOS TALLERES SOBRE EL INFORME NACIONAL VOLUNTARIO DE LOS ODS EN GUINEA ECUATORIAL</p> <p>https://minhacienda-gob.com/clusura-de-los-talleres-sobre-el-informe-nacional-voluntario-de-los-ods-en-guinea-ecuatorial/</p>
DIMENSION	BACKGROUND
Indicator number	1.6 National SDG implementation plan and monitoring process
Indicator question(s)	Are there any salient corruption or governance issues which are omitted or not adequately addressed in the official national report?
Response	The report mentions the publication of an anticorruption law, but not under the SDG 16 section. The report did not provide data on levels of corruption, illicit financial flows, levels of satisfaction with public services or measures to grant access to information.
Source(s) of information	<p>Informe Nacional Voluntario Guinea Ecuatorial 2022</p> <p>https://datapopalliance.org/wp-content/uploads/2022/07/Jul-1-P079-Informe-Anual-ODS-Guinea-Ecuatorial4.pdf</p>

2. RECENT DEVELOPMENTS

DIMENSION	LEGISLATIVE AND INSTITUTIONAL FRAMEWORK
Indicator number	2.1 Recent developments
Indicator question(s)	Has the country adopted a national anti-corruption action plan?
Scoring	1: A national anti-corruption action plan has been adopted
Response	<p>In December 2019 a national anti-corruption plan was approved in conjunction with the International Monetary Fund. This plan also includes other financial reform commitments.</p> <p>In practice the plan has been slowly implemented and no report has been made public on the progress by either the government or the IMF.</p> <p>According to the IMF latest article IV consultation “reform efforts need to be accelerated to address remaining severe governance and corruption vulnerabilities, via a comprehensive and credible implementation of the structural reform agenda”</p>
Source(s) of information	<p>Ministry of Finance, Economy, and Planning</p> <p>https://minhacienda-gob.com/estrategia-de-gobernanza/</p> <p>https://minhacienda-gob.com/download/plan-de-accion-de-buena-gobernanza-y-anticorrupcion/</p> <p>Equatorial Guinea: Staff Concluding Statement of the 2022 Article IV Mission</p> <p>https://www.imf.org/en/News/Articles/2022/05/20/mcs052022-equatorial-guinea-staff-concluding-statement-of-the-2022-article-iv-mission</p>
DIMENSION	THIRD PARTY ASSESSMENT
Indicator number	2.2 Recent developments
Indicator question(s)	___% of respondents state that their government performs “well” at fighting corruption in government, according to Transparency International’s Global Corruption Barometer.
Response	<p>Equatorial Guinea is not featured in the GCB. However, the country is featured in the Ibrahim Index of African Governance (IIAG).</p> <p>The overall governance Score is 28.7 out of 100 points, ranking 51 out of 54 countries in the continent. The trend since 2010 is negative: -0.3</p>
Source(s) of information	<p>Ibrahim Index of African Governance (IIAG)</p> <p>https://iiag.online/data.html?meas=GOVERNANCE&loc=GQ&view=overview</p>

DIMENSION	BACKGROUND
Indicator number	2.3 Recent developments
Indicator question(s)	<p>Has your country's current political leadership made public declarations about fighting corruption in the past two years? Have there been high-level commitments by the current administration to strengthen the legal framework, policies or institutions that are relevant to preventing, detecting and prosecuting corruption?</p>
Response	<p>In 2021 the President dissolved the government, the main reason stated in public statements being the level of corruption in the administration. However, the same prime minister was reappointed to the same position and very few ministers were replaced.</p> <p>The vice-president has spearheaded an anticorruption campaign; however, these initiatives are perceived to be targeted to individuals that are no longer in line with the elites. These campaigns did not address cases of corruption affecting the vice-president abroad.</p> <p>In July 2021 the president stated that "The fight against corruption is not only for members of the Government, but for everyone in public service. We shall not hesitate in punishing all those who commit the crime of corruption, in accordance with the law we have just adopted".</p> <p>Public statements from the leadership against corruption are rather common in Equatorial, but this does not translate into bold actions against corruption except minor cases.</p>
Source(s) of information	<p>Obiang destituye a todo el Gobierno de Guinea Ecuatorial por la crisis económica https://elpais.com/internacional/2020-08-16/obiang-destituye-a-todo-el-gobierno-de-guinea-ecuatorial-por-la-crisis-economica.html</p> <p>El presidente Obiang Nguema nombra el nuevo equipo de Gobierno de Guinea Ecuatorial https://www.guineainfomarket.com/featured/2020/08/20/el-presidente-obiang-nguema-nombra-el-nuevo-equipo-de-gobierno-de-guinea-ecuatorial/</p> <p>La próxima guerra de Nguema Obiang será contra los agentes de tráfico corruptos https://ahoraeg.com/sociedad/2022/06/05/la-proxima-guerra-de-nguema-obiang-sera-contra-los-agentes-de-trafico-corruptos/</p> <p>Swearing-in before Head of State for posts in Central Administration and Exterior Ministry https://www.guineaecuatorialpress.com/noticias/jura_de_cargos_de_la_administracion_central_y_exteriores_ante_el_jefe_de_estado</p>

DIMENSION	BACKGROUND
Indicator number	2.4 Recent developments
Indicator question(s)	Is there evidence that laws and policies are not equally applied to all officials, resulting in an increased risk for misuse of power and grand corruption?
Response	<p>Public officials were arrested and judged, although most of those sentenced were lower-level officials. For instance, major cases of corruption in Spain naming high level officials, including the president, does not result in investigations. Furthermore, no investigations were launched on cases of corruption that involved the vice-president or other officials abroad.</p> <p>Some major cases of corruption such as the one involving the Social Security Institute or the National Electricity Company or the National Treasury have resulted in sentences to lower-level officials.</p>
Source(s) of information	<p>Semana nefasta para la Justicia en Malabo https://www.juristasge.org/es/noticias/semana-nefasta-para-la-justicia-en-malabo</p> <p>La acusación particular en el caso Kokorev pide hasta nueve años de cárcel por blanqueo de capitales https://www.eldiario.es/canariasahora/tribunales/acusacion-particular-caso-kokorev-pide-nueve-anos-carcel-blanqueo-capitales-armas-guinea-ecuatorial_1_8041581.html</p> <p>Arranca en Malabo el juicio del Exdirector General de SEGESA por supuesta malversación de fondos públicos https://realequatorialguinea.com/sociedad/arranca-en-malabo-el-juicio-del-exdirector-general-de-segesa-por-supuesta-malversacion-de-fondos-publicos-2/</p> <p>SENTENCIAS FIRMES A LOS IMPLICADOS DEL CASO DE EFECTOS TIMBRADOS http://www.anif.gq/?p=2055</p>
DIMENSION	BACKGROUND
Indicator number	2.5 Recent developments
Indicator question(s)	Have there been significant anti-corruption reforms or advances in the fight against corruption in the past two years?
Response	<p>In 2019 the government approved a national anticorruption plan under an agreement with the International Monetary Fund (please refer to indicator 2.1.)</p> <p>As a result of this plan, in 2021 the government published the Anticorruption Law.</p> <p>Under these plans some anticorruption bodies were created but the appointment of its members seems to be not in accordance with the requirements of</p>

	<p>independence and integrity. This is the case of the Chair of the Accounts Court that is under a conflict of interest.</p>
<p>Source(s) of information</p>	<p>Dudas sobre el Tribunal de Cuentas</p> <p>https://www.juristasge.org/es/noticias/dudas-sobre-el-tribunal-de-cuentas</p> <p>Estrategia de gobernanza</p> <p>https://minhacienda-gob.com/estrategia-de-gobernanza/</p> <p>Ley sobre la prevención y lucha contra la corrupción en la República de Guinea Ecuatorial, aprobada por el Parlamento Nacional el 28 de abril 2021 y sancionada por el Jefe de Estado el 10 de mayo 2021.</p> <p>https://minhacienda-gob.com/lucha-contra-la-corrupcion/</p>
DIMENSION	BACKGROUND
Indicator number	2.6 Recent developments
Indicator question(s)	<p>How do you assess the space for civil society and the media to investigate and highlight corruption risks and cases, and to demand accountability from the country's political and economic elite?</p>
Response	<p>Civil Society space is very limited. Independent organisations are not allowed to register as their registration request are stalled at every stage within the administrative process. The only organisation advocating for good governance was CEIDGE but they were banned by the Ministry of Interior in 2019. This limits their ability to denounce corruption.</p> <p>Registered organisations face many constraints from authorities including not authorising demonstrations or firing activists from public sector positions.</p> <p>Activists that speak up against corruption face harassment by the police or by other public officials in position of power.</p>
Source(s) of information	<p>Legal Clinic of APROFORT.</p> <p>Condena de las arbitrariedades contra la abogada Gemma Jones</p> <p>https://www.juristasge.org/es/noticias/condena-por-las-arbitrariedades-contra-la-abogada-gemma-jones</p> <p>Preocupación por el deterioro de los Derechos Humanos en Guinea Ecuatorial</p> <p>https://aprofort.transparencia.pt/es/preocupacion-por-el-deterioro-de-los-derechos-humanos-en-guinea-ecuatorial/</p>

TARGET 16.4: “By 2030, significantly reduce illicit financial and arms flows, strengthen the recovery and return of stolen assets and combat all forms of organised crime”

Indicator 16.4.1: Total value of inward and outward illicit financial flows (in current United States dollars)

Indicator 16.4.2: Proportion of seized, found or surrendered arms whose illicit origin or context has been traced or established by a competent authority in line with international instruments.

3. ANTI-MONEY LAUNDERING

DIMENSION	LEGISLATIVE AND INSTITUTIONAL FRAMEWORK
Indicator number	3.1 Anti-money laundering
Indicator question(s)	Has the country adopted a law to criminalize money laundering, in line with recommendation 3 of the FATF?
Scoring	1: Compliant (C)
Response	Equatorial Guinea criminalizes money laundering through the application of Regulation No. 01/CEMAC/UMAC/CM of 11 April 2016 on the prevention and repression of money-laundering and terrorist financing in Central Africa.
Source(s) of information	<p>Detailed mutual evaluation report on anti-money laundering and terrorism financing</p> <p>https://gabac.org/wp-content/uploads/2022/03/8-REM_GUINEE_VERSION_FINALE_30012017.pdf</p> <p>Law Number 1/2021, of 10 May on Prevention and Fight against corruption in the Republic of Equatorial Guinea.</p> <p>Informe Etapa (ANIF)</p> <p>http://www.anif.gq/wp-content/uploads/2022/04/2Rapport-de-fin-d%C2%B4Etape-Suivi-Evaluation-Mutuelle.pdf</p> <p>Regulation No. 01/CEMAC/UMAC/CM of 11 April 2016 on the prevention and repression of money-laundering and terrorist financing in Central Africa.</p> <p>http://www.anif.gq/wp-content/uploads/2022/04/reglement_espagnol.pdf</p>

DIMENSION	LEGISLATIVE AND INSTITUTIONAL FRAMEWORK
Indicator number	3.3 Anti-money laundering
Indicator question(s)	Are financial institutions (banks) prohibited by law from keeping anonymous accounts and are they required to undertake due diligence on their customers, in line with FATF recommendation 10?
Scoring	1: Financial institutions are prohibited by law from keeping anonymous accounts; they are also required to undertake due diligence on their customers, in line with FATF recommendation 10.
Response	The applicable regulation is the Regulation No. 01/CEMAC/UMAC/CM of 11 April 2016 on the prevention and repression of money-laundering and terrorist financing in Central Africa, which includes this obligation. This regulation prohibits anonymous accounts and requires enhanced due diligence for PEP.
Source(s) of information	<p>Informe Etapa (ANIF)</p> <p>http://www.anif.gg/wp-content/uploads/2022/04/2Rapport-de-fin-d%C2%B4Etape-Suivi-Evaluation-Mutuelle.pdf</p> <p>Detailed mutual evaluation report on anti-money laundering and terrorism financing</p> <p>https://gabac.org/wp-content/uploads/2022/03/8-REM_GUINEE_VERSION_FINALE_30012017.pdf</p> <p>Regulation No. 01/CEMAC/UMAC/CM of 11 April 2016 on the prevention and repression of money-laundering and terrorist financing in Central Africa.</p> <p>http://www.anif.gg/wp-content/uploads/2022/04/reglement_espagnol.pdf</p>

DIMENSION	LEGISLATIVE AND INSTITUTIONAL FRAMEWORK
Indicator number	3.4 Anti-money laundering
Indicator question(s)	Are financial institutions required by law to inform relevant authorities when they suspect (or have reasonable grounds to suspect) that funds are the proceeds of criminal activity, in line with FATF recommendation 20?
Scoring	1: Financial institutions are required by law to inform relevant authorities when they suspect or have grounds to suspect that funds are the proceeds of criminal activity, in line with FATF recommendation 10
Response	The applicable regulation is the Regulation No. 01/CEMAC/UMAC/CM of 11 April 2016 on the prevention and repression of money-laundering and terrorist financing in Central Africa, which includes this obligation.
Source(s) of information	<p>Regulation No. 01/CEMAC/UMAC/CM of 11 April 2016 on the prevention and repression of money-laundering and terrorist financing in Central Africa.</p> <p>http://www.anif.gg/wp-content/uploads/2022/04/reglement_espagnol.pdf</p>

DIMENSION	LEGISLATIVE AND INSTITUTIONAL FRAMEWORK
Indicator number	3.5 Anti-money laundering
Indicator question(s)	Are designated non-financial businesses and professions (DNFBPs) – casinos, real estate agents, jewellers, lawyers, notaries, other legal professionals, accountants, and trust and company service providers – required to carry out customer due diligence, to keep records, and to report suspicious transactions to the financial intelligence unit, in line with FATF recommendations 22 and 23?
Scoring	1: Designated non-financial businesses and professions by law are required to carry out customer due diligence, to keep records and to report suspicious transactions, in line with FATF recommendations 22 and 23.
Response	The applicable regulation is the Regulation No. 01/CEMAC/UMAC/CM of 11 April 2016 on the prevention and repression of money-laundering and terrorist financing in Central Africa, which includes this obligation.
Source(s) of information	Regulation No. 01/CEMAC/UMAC/CM of 11 April 2016 on the prevention and repression of money-laundering and terrorist financing in Central Africa. http://www.anif.gq/wp-content/uploads/2022/04/reglement_espagnol.pdf

DIMENSION	LEGISLATIVE AND INSTITUTIONAL FRAMEWORK
Indicator number	3.8 Anti-money laundering
Indicator question(s)	Has the country signed the multilateral competent authority agreement on the exchange of country-by-country reports on key indicators of multinational enterprise groups?
Scoring	0: No
Response	Equatorial Guinea is not part of the Multilateral competent authority agreement.
Source(s) of information	SIGNATORIES OF THE MULTILATERAL COMPETENT AUTHORITY AGREEMENT ON AUTOMATIC EXCHANGE OF FINANCIAL ACCOUNT INFORMATION AND INTENDED FIRST INFORMATION EXCHANGE DATE https://www.oecd.org/tax/exchange-of-tax-information/crs-mcaa-signatories.pdf Country-by-Country Reporting – Compilation of 2021 Peer Review Reports https://www.oecd-ilibrary.org/docserver/73dc97a6-en.pdf?expires=1657552173&id=id&accname=quest&checksum=CBE97596ABB316D92724BAB072D0B2EC

DIMENSION	LEGISLATIVE AND INSTITUTIONAL FRAMEWORK
Indicator number	3.9 Anti-money laundering
Indicator question(s)	Has the country signed the competent authority multinational agreement on automatic exchange of financial account information?
Scoring	0: No
Response	
Source(s) of information	SIGNATORIES OF THE MULTILATERAL COMPETENT AUTHORITY AGREEMENT ON AUTOMATIC EXCHANGE OF FINANCIAL ACCOUNT INFORMATION AND INTENDED FIRST INFORMATION EXCHANGE DATE https://www.oecd.org/tax/exchange-of-tax-information/crs-mcaa-signatories.pdf

DIMENSION	IMPLEMENTATION AND COMPLIANCE
Indicator number	3.14 Anti-money laundering
Indicator question(s)	Is there evidence that money laundering is effectively prosecuted?
Response	<p>The National Finance Investigations Agency (ANIF) oversees processing cases.</p> <p>According to the 2016 mutual evaluation de GABAC, between 3013 and 2016, the FIU of Equatorial Guinea received 17 reports of suspicion and did not transmit any report to the judicial authorities. The evaluators indicate that this could be due to the lack of capacity of the ANIF. However, on the latest follow up report published by ANIF in 2022, 4 cases were admitted by judicial authorities under the request of the ANIF in 2021.</p> <p>The ANIF also reports the Judgement 115/2020 on embezzlement, illegal possession of weapons and money laundering, but is it unclear if this was a result of their initiative.</p> <p>These judgements are not publicly available.</p>
Source(s) of information	<p>Informe Etapa (ANIF) http://www.anif.gg/wp-content/uploads/2022/04/2Rapport-de-fin-d%C2%B4Etape-Suivi-Evaluation-Mutuelle.pdf</p> <p>Detailed mutual evaluation report on anti-money laundering and terrorism financing https://gabac.org/wp-content/uploads/2022/03/8-REM_GUINEE_VERSION_FINALE_30012017.pdf</p>

DIMENSION	IMPLEMENTATION AND COMPLIANCE
Indicator number	3.16 Anti-money laundering
Indicator question(s)	Have there been any noteworthy changes or developments in the past two years that indicate an improvement or deterioration in the framework or practice to prevent and fight money laundering?
Guidance	<ul style="list-style-type: none"> • FATF recommendations relevant to the above questions http://www.fatf-gafi.org/publications/fatfrecommendations/documents/fatf-recommendations.html • FATF mutual evaluation reports provide details on the AML framework in your country http://www.fatf-gafi.org/publications/mutualevaluations: reports on high-risk and noncooperative jurisdictions are also available http://www.fatf-gafi.org/publications/highriskandnon-cooperativejurisdictions • Find an overview of <i>FATF 4th round ratings</i> at the following link: http://www.fatf-gafi.org/publications/mutualevaluations/documents/assessment-ratings.html • OECD: Country-by-country reporting https://www.oecd.org/tax/automatic-exchange/about-automatic-exchange/country-by-country-reporting.htm • The Tax Justice Network's assessment of your country https://financialsecrecyindex.com/introduction/fsi-2018-results
Response	<p>In 2019 the government signed a programme with the IMF that included measures aimed at fighting money laundering; however, implementation has been very slow. For instance, the publication of anticorruption law in 2021 or the appointment thereof of the members of the National Anticorruption Commission were completed with long delays.</p> <p>Regarding the legal framework has overall improved, institutions in charge of enforcing these laws, namely the ANIF and the judiciary, are still very weak. Major corruption cases prosecuted in the country are seem unstructured, sparing key officials.</p> <p>The ANIF was created in 2007, the structure was amended in 2019. During these years only one Mutual Assessment Report was published in 2016. This report indicates that the ANIF started working only in 2013.</p>
Source(s) of information	<p>Informe Etapa (ANIF) http://www.anif.gq/wp-content/uploads/2022/04/2Rapport-de-fin-d%C2%B4Etape-Suivi-Evaluation-Mutuelle.pdf</p> <p>Detailed mutual evaluation report on anti-money laundering and terrorism financing https://gabac.org/wp-content/uploads/2022/03/8-REM_GUINEE_VERSION_FINALE_30012017.pdf</p> <p>Law creating the ANIF https://leydeguinea.files.wordpress.com/2014/08/013_boletin-oficial-del-estado-2.pdf</p>

4. BENEFICIAL OWNERSHIP TRANSPARENCY

DIMENSION	LEGISLATIVE AND INSTITUTIONAL FRAMEWORK
Indicator number	4.1 Beneficial ownership transparency
Indicator question(s)	To what extent does the law in your country clearly define beneficial ownership?
Scoring	1: Beneficial owner is defined as a natural person who directly or indirectly exercises ultimate control over a legal entity or arrangement, and the definition of ownership covers control through other means, in addition to legal ownership
Response	Different legal instruments mention the beneficial ownership. Regulation No. 01/CEMAC/UMAC/CM of 11 April 2016 on the prevention and repression of money-laundering and terrorism financing in Central Africa includes a definition that includes natural persons who ultimately own or control a customer or a natural or legal person on whose behalf a transaction is carried out. It also includes persons who ultimately exercise effective control over a legal person
Source(s) of information	Regulation No. 01/CEMAC/UMAC/CM of 11 April 2016 on the prevention and repression of money-laundering and terrorist financing in Central Africa. http://www.anif.gq/wp-content/uploads/2022/04/reglement_espagnol.pdf

DIMENSION	LEGISLATIVE AND INSTITUTIONAL FRAMEWORK
Indicator number	4.2 Beneficial ownership transparency
Indicator question(s)	Does the law require that financial institutions have procedures for identifying the beneficial owner(s) when establishing a business relationship with a client?
Scoring	1: Yes, financial institutions are always required to identify the beneficial owners of their clients when establishing a business relationship
Response	Regulation No. 01/CEMAC/UMAC/CM of 11 April 2016 on the prevention and repression of money-laundering and terrorist financing in Central Africa requires financial institutions to identify the beneficial owner (article 21).
Source(s) of information	Regulation No. 01/CEMAC/UMAC/CM of 11 April 2016 on the prevention and repression of money-laundering and terrorist financing in Central Africa. http://www.anif.gq/wp-content/uploads/2022/04/reglement_espagnol.pdf

DIMENSION	LEGISLATIVE AND INSTITUTIONAL FRAMEWORK
Indicator number	4.3 Beneficial ownership transparency
Indicator question(s)	Does the law specify which competent authorities (e.g., financial intelligence unit, tax authorities, public prosecutors, anti-corruption agencies, etc.) have access to beneficial ownership information?
Scoring	1: Yes, the law specifies that all law enforcement bodies, tax agencies, and the financial intelligence unit should have access to beneficial ownership information
Response	<p>The Regulation No. 01/CEMAC/UMAC/CM of 11 April 2016 on the prevention and repression of money-laundering and terrorist financing in Central Africa specifies that the Financial Intelligence Unit (ANIF Equatorial Guinea) will have access to Beneficial ownership information.</p> <p>In November 2021 a decree was passed which required companies receiving funding from COVID 19 and reconstruction of the city of Bata, to declare their Beneficial Owners and this information would be publicly shared under the ministry of Finance, Economy and Planning website.</p>
Source(s) of information	<p>Regulation No. 01/CEMAC/UMAC/CM of 11 April 2016 on the prevention and repression of money-laundering and terrorist financing in Central Africa.</p> <p>http://www.anif.gq/wp-content/uploads/2022/04/reglement_espagnol.pdf</p> <p>DECREE No. 141/2021, dated November 5, which establishes the obligation of legal persons and / or legal entities to report on the final beneficiaries in contracts concluded with the Public Administration.</p> <p>https://minhacienda-gob.com/download/decreto-141/?wpdmdl=4563&refresh=62c587d26ae7a1657112530</p>
DIMENSION	IMPLEMENTATION AND COMPLIANCE
Indicator number	4.5 Beneficial ownership transparency
Indicator question(s)	Which public authority supervises/holds the company registry?
Response	The national company registry is under the ministry of justice purview. The information is not available online.
Source(s) of information	<p>Decree No. 45/2020, dated April 24, which Decreases the Minimum Share Capital for the Constitution of Limited Liability Commercial Companies in the Republic of Equatorial Guinea.</p> <p>https://boe.gob.gq/files/Decreto%20por%20el%20que%20se%20disminuye%20el%20capital%20minimo.pdf</p>

DIMENSION	LEGISLATIVE AND INSTITUTIONAL FRAMEWORK
Indicator number	4.6 Beneficial ownership transparency
Indicator question(s)	What information on beneficial ownership is recorded in the company registry?
Scoring	0.5: Only the name of the beneficial owner is recorded.
Response	<p>To register a company the person presenting the form is required to provide his or her address, personal ID number, nationality, gender, and social security number. However, this individual may not be the beneficial owner.</p> <p>Regarding the beneficial owner the name, nationality, marital status (if applicable), and percentage of shares is requested. In practice if a shareholder is another company, information about the owner of this company will not be available. Furthermore, the information about the individual owners is not enough to fully identify them.</p>
Source(s) of information	<p>Solicitud de registro en la ventanilla única empresarial</p> <p>https://ventanillaunicaempresarialge.com/fichas-de-solicitud</p>

DIMENSION	LEGISLATIVE AND INSTITUTIONAL FRAMEWORK
Indicator number	4.7 Beneficial ownership transparency
Indicator question(s)	What information on beneficial ownership is made available to the public?
Scoring	0: No information is published, or accessible information is insufficient to identify direct or beneficial owners
Response	The information is not publicly accessible online. Access to the physical registry in the main cities can only be accessed upon request.
Source(s) of information	

DIMENSION	IMPLEMENTATION AND COMPLIANCE
Indicator number	4.11 Beneficial ownership transparency
Indicator question(s)	<p>How strong is the level of transparency of the company registry in practice?</p> <p>Please provide the following information:</p> <p>a. Is the registry easily accessible online? Is it searchable by various relevant parameters (such as addresses of registration, company name, company ID and by the names of directors and owners)?</p> <p>b. Is access free? If not, how much do you have to pay for search and receive the ownership information of one company?</p> <p>c. Are annual accounts and other filings of companies accessible to the public?</p> <p>d. Is registration required for the entity to be legally valid and/or allowed to operate in the country?</p>
Response	<p>The registry cannot be accessed online.</p> <p>The access to the physical registry is upon payment of 8 USD approximately.</p> <p>The research could not confirm whether companies need to file annual accounts.</p> <p>A registration is needed to operate as a legal entity in the country.</p>
Source(s) of information	<p>Ministerio de Hacienda, Economía y Planificación</p> <p>https://minhacienda-gob.com/ventanilla-unica/</p> <p>Ley de tasas Fiscales</p> <p>https://minhacienda-gob.com/download/ley-de-tasas-fiscales/</p>
DIMENSION	IMPLEMENTATION AND COMPLIANCE
Indicator number	4.12 Beneficial ownership transparency
Indicator question(s)	<p>Have there been any developments in the past two years that indicate an improvement or deterioration of the transparency of corporations and other legal entities?</p>

<p>Guidance</p>	<ul style="list-style-type: none"> • More information about the importance of beneficial ownership transparency is available at Open Ownership (http://openownership.org/) and in TI's 2015 report: Just for Show? Reviewing G20 promises on beneficial ownership (https://www.transparency.org/whatwedo/publication/just_for_show_g20_promises) • Mutual evaluation reports by the FATF, especially compliance with recommendations 24 and 25 (http://www.fatf-gafi.org/publications/mutualevaluations) • STAR: Beneficial Ownership Guides (https://star.worldbank.org/star/about-us/g20-anti-corruption-working-group) • Relevant information on corporate ownership transparency may be included in an assessment of your country in the Financial Secrecy Index (https://financialsecrecyindex.com/introduction/fsi-2018-results) • You may find information that helps you answer these questions on the website of Open Corporates' Open Company Data Index (http://registries.opencorporates.com) and by accessing and searching one (or in some cases, several) national company registries • OCCRP's investigative dashboard (https://investigativedashboard.org/databases) may help you to identify relevant business registries and databases • There may have been media coverage or other reports that describe the use of certain legal entities in corruption or money-laundering scheme • You may find information about weaknesses in the ownership transparency regime in the Tax Justice Network's assessment of your jurisdiction (https://financialsecrecyindex.com/introduction/fsi-2018-results)
<p>Response</p>	<p>There is no effective registry system on beneficial ownership as the information retrieved by this registry is not enough to trace the beneficial owner as required by the CEMAC regulation. Therefore, in November 2021 a decree was passed which required companies receiving funding from COVID 19 and reconstruction of the city of Bata, to declare their Beneficial Owners. This was a requirement from the IMF.</p>
<p>Source(s) of information</p>	<p>DECREE No. 141/2021, dated November 5, which establishes the obligation of legal persons and / or legal entities to report on the final beneficiaries in contracts concluded with the Public Administration.</p> <p>https://minhacienda-gob.com/download/decreto-141/?wpdmdl=4563&refresh=62c587d26ae7a1657112530</p> <p>Equatorial Guinea's Oil Minister Allegedly Siphoned Off Millions from Public Construction Project</p> <p>https://www.occrp.org/en/investigations/equatorial-guineas-oil-minister-allegedly-siphoned-off-millions-from-public-construction-project</p>

5. RECOVERY OF STOLEN ASSETS

DIMENSION	LEGISLATIVE AND INSTITUTIONAL FRAMEWORK
Indicator number	5.1 Recovery of stolen assets
Indicator question(s)	Does the country have a specific asset recovery policy?
Scoring	0: No asset recovery policy has been adopted.
Response	There is no policy on asset recovery.
Source(s) of information	<p>Good governance and anti-corruption action plan, Ministry of Finance, Economy and Planning.</p> <p>https://minhacienda-gob.com/download/good-governance-and-anti-corruption-action-plan/?wpdmdl=1936&refresh=62c5aab024d761657121456</p>

DIMENSION	LEGISLATIVE AND INSTITUTIONAL FRAMEWORK
Indicator number	5.2 Recovery of stolen assets
Indicator question(s)	<p>Has the country established a wide range of asset recovery mechanisms, including:</p> <ul style="list-style-type: none"> a) measures that allow for the seizure and confiscation of proceeds from money laundering without requiring a criminal conviction (non-conviction-based confiscation), b) a policy that requires an offender to demonstrate that the assets were acquired lawfully, and c) the recognition/enforceability of foreign non-conviction based confiscation/forfeiture orders? <p>See FATF mutual evaluation reports on recommendation 4 (http://www.fatf-gafi.org/publications/mutualevaluations).</p>
Scoring	1: The country has adopted measures that allow for non-conviction based confiscation and/or measures that shift the burden of proof that assets were acquired legally on the offender, as well as a mechanism that allows for the recognition and enforcement of foreign non-conviction based confiscation orders;
Response	<p>The criminal law allows for preventive measures that include seizure of proceeds suspected to be part of a crime such as money laundering. The confiscation of these funds, meaning the transfer of its property, can only be executed if there is a confirmed conviction.</p> <p>Public officials are supposed to prove the source of their properties that are not a reasonable product of their regular income.</p>

	The CEMAC regulation provides through mutual legal assistance the seizing of funds that are under investigation, this requires that state sign an agreement.
Source(s) of information	<p>Law Number 1/2021, of 10 May on Prevention and Fight against corruption in the Republic of Equatorial Guinea.</p> <p>Regulation No. 01/CEMAC/UMAC/CM of 11 April 2016 on the prevention and repression of money-laundering and terrorist financing in Central Africa.</p> <p>http://www.anif.gg/wp-content/uploads/2022/04/reglement_espagnol.pdf</p>

DIMENSION	LEGISLATIVE AND INSTITUTIONAL FRAMEWORK
Indicator number	5.3 Recovery of stolen assets
Indicator question(s)	Has the country created a specialized asset recovery team or unit?
Scoring	0: There is no specialized team or agency tasked with asset recovery.
Response	The National Anticorruption Commission has been granted some of the competencies on asset recovery under the existing anti-corruption law. This commission is not yet active.
Source(s) of information	Law Number 1/2021, of 10 May on Prevention and Fight against corruption in the Republic of Equatorial Guinea.

DIMENSION	IMPLEMENTATION AND COMPLIANCE
Indicator number	5.4 Recovery of stolen assets
Indicator question(s)	Is there evidence of a strong political commitment to promoting asset recovery?
Response	There is no evident political will to promote asset recovery. There is no specific policy, and the anti-corruption law does not address this issue. Some international convictions of public officials have not been pursued internally, to the contrary, efforts were made to support public officials such as the vice president in the different international cases against him.
Source(s) of information	<p>French court upholds guilty verdict on fraud charges for Equatorial Guinea's VP</p> <p>https://www.france24.com/en/france/20210728-french-court-upholds-guilty-verdict-on-fraud-charges-for-equatorial-guinea-s-vp</p> <p>Biens mal acquis : La Guinée Equatoriale échoue à contester la confiscation définitive des biens de Teodorin Obiang prononcée par la justice française</p> <p>https://transparency-france.org/actu/biens-mal-acquis-la-guinee-equatoriale-echoue-a-contester-la-confiscation-definitive-des-biens-de-teodorin-obiang-prononcee-par-la-justice-francaise/#.YsW1W3aZOYI</p>

DIMENSION	IMPLEMENTATION AND COMPLIANCE
Indicator number	5.5 Recovery of stolen assets
Indicator question(s)	Does the country actively participate in international cooperation networks focusing on asset recovery?
Response	There is no information on the active participation of Equatorial Guinea in asset recovery networks.
Source(s) of information	

TARGET 16.5: “Substantially reduce corruption and bribery in all their forms.”

Indicator 16.5.1: Proportion of persons who had at least one contact with a public official and who paid a bribe to a public official, or were asked for a bribe by those public officials, during the previous 12 months

Indicator 16.5.2: Proportion of businesses that had at least one contact with a public official and that paid a bribe to a public official, or were asked for a bribe by those public officials during the previous 12 months

8. EXPERIENCE AND PERCEPTIONS OF CORRUPTION

DIMENSION	THIRD PARTY ASSESSMENT
Indicator number	8.5 Experience and perceptions of corruption
Indicator question(s)	Has corruption experienced by people increased or decreased in recent years?
Guidance	<ul style="list-style-type: none"> Relevant survey data may be available in the Afrobarometer (http://www.afrobarometer.org/online-data-analysis), in editions of the Eurobarometer (http://ec.europa.eu/COMMFrontOffice/publicopinion/index.cfm/Survey/index#p=1&search=corruption) or other regional or national surveys. The World Bank's Enterprise Survey includes polling data on corruption (http://www.enterprisesurveys.org/data/exploretopics/corruption) The World Economic Forum's Global Competitiveness Report contains indicators on public trust in politicians and on irregular payments and bribes (http://www3.weforum.org/docs/GCR2016-2017/05FullReport/TheGlobalCompetitivenessReport2016-2017_FINAL.pdf)
Response	<p>Equatorial Guinea is not featured in the GCB, or the Afrobarometer. However, the country is featured in the Ibrahim Index of African Governance (IIAG).</p> <p>The overall governance Score is 28.7 out of 100 points, ranking 51 out of 54 countries in the continent. The trend since 2010 is negative -0.3</p>
Source(s) of information	<p>Ibrahim Index of African Governance (IIAG)</p> <p>https://iiag.online/data.html?meas=GOVERNANCE&loc=GQ&view=overview</p>

9. ANTI-CORRUPTION FRAMEWORK AND INSTITUTIONS

DIMENSION	LEGISLATIVE AND INSTITUTIONAL FRAMEWORK
Indicator number	9.1 Anti-Corruption framework and institutions
Indicator question(s)	Are the following offences clearly defined and banned by criminal law?
Scoring	<p>a. Active bribery of domestic public officials, in line with Art. 15(a) of UNCAC</p> <p style="padding-left: 40px;">1: The offence is clearly defined and banned</p> <p>b. Passive bribery of domestic public officials, in line with Art. 15(b) of UNCAC</p> <p style="padding-left: 40px;">1: The offence is clearly defined and banned</p> <p>c. Embezzlement, misappropriation or other diversion of property by a public official, in line with Art.17 of UNCAC</p> <p style="padding-left: 40px;">1: The offence is clearly defined and banned</p> <p>d. Abuse of functions, in line with Art. 19 of UNCAC</p> <p style="padding-left: 40px;">1: The offence is clearly defined and banned</p> <p>e. Illicit Enrichment, in line with Art. 20 of UNCAC</p> <p style="padding-left: 40px;">1: The offence is clearly defined and banned</p> <p>f. Bribery in the private sector, in line with Art. 21 of UNCAC</p> <p style="padding-left: 40px;">1: The offence is clearly defined and banned</p> <p>g. Embezzlement of property in the private sector, in line with Art. 22 of UNCAC</p> <p style="padding-left: 40px;">1: The offence is clearly defined and banned</p> <p>h. Laundering the proceeds of crime, in line with Art. 23 of UNCAC</p> <p style="padding-left: 40px;">1: The offence is clearly defined and banned</p> <p>i. Concealment, in line with Art. 24 of UNCAC</p> <p style="padding-left: 40px;">1: The offence is clearly defined and banned</p> <p>j. Obstruction of justice, in line with Art. 25 of UNCAC</p> <p style="padding-left: 40px;">1: The offence is clearly defined and banned</p>

Response	<p>The applicable instruments are the anticorruption law and the Law Number 1/2021, of 10 May on Prevention and Fight against corruption in the Republic of Equatorial Guinea and Regulation No. 01/CEMAC/UMAC/CM of 11 April 2016 on the prevention and repression of money-laundering and terrorist financing in Central Africa.</p> <p>The latter regulates the money laundering offence while the rest are included in the first, anti-corruption law.</p>
Source(s) of information	<p>Law Number 1/2021, of 10 May on Prevention and Fight against corruption in the Republic of Equatorial Guinea.</p> <p>Regulation No. 01/CEMAC/UMAC/CM of 11 April 2016 on the prevention and repression of money-laundering and terrorist financing in Central Africa.</p> <p>http://www.anif.gq/wp-content/uploads/2022/04/reglement_espagnol.pdf</p>

DIMENSION	IMPLEMENTATION AND COMPLIANCE
Indicator number	* 9.4 Anti-Corruption framework and institutions
Indicator question(s)	<p>Supreme Audit Institution</p> <p>a. To what extent is there formal operational independence of the audit institution, and what evidence is there that, in practice, it can perform its work without external interference?</p> <p>b. To what extent does it have adequate resources and capacity to achieve its goals in practice?</p> <p>c. To what extent are there mechanisms in place to ensure the integrity of the audit institution, and to what extent is its integrity ensured in practice?</p> <p>d. To what extent does the audit institution provide effective audits of public expenditure?</p> <p>Are its reports, findings, and recommendations available to the public?</p>
Response	<p>The supreme audit institution is the Accounts Court. This court was established in 2012, but its members were only appointed in April 2022, almost 10 years later. The Court is still inactive.</p> <p>Article 31.3 of the Organic Law that regulates the Court of Accounts establishes that "The Presidents, Directors and Members of the Boards of Directors of the Autonomous Bodies and Companies with the participation of the State" cannot be appointed as members of this court. However, the President of the Accounts Court is also the Chairman of the Board of Directors of the commercial bank BGFI Guinée Equatoriale, Mr. Melchor Esono Edjo, who is an 11% shareholder of the same Bank. The Equatoguinean State owns 15% of the shares of BGFI and therefore it is a Company with State participation. In addition to this incompatibility, article 33 states that members of this court should not have held these positions in the last 2 years.</p>
Source(s) of information	<p>Dudas sobre el Tribunal de Cuentas</p> <p>https://www.juristasge.org/es/noticias/dudas-sobre-el-tribunal-de-cuentas</p>

10. PRIVATE SECTOR CORRUPTION

DIMENSION	LEGISLATIVE AND INSTITUTIONAL FRAMEWORK
Indicator number	10.1 Private sector corruption
Indicator question(s)	Is it a criminal offence under the country's laws to bribe a foreign public official?
Scoring	1: The offence is clearly defined and banned
Response	The Law Number 1/2021, of 10 May on Prevention and Fight against corruption in the Republic of Equatorial Guinea defines offence bribing a foreign public official.
Source(s) of information	Law Number 1/2021, of 10 May on Prevention and Fight against corruption in the Republic of Equatorial Guinea. Regulation No. 01/CEMAC/UMAC/CM of 11 April 2016 on the prevention and repression of money-laundering and terrorist financing in Central Africa. http://www.anif.gq/wp-content/uploads/2022/04/reglement_espagnol.pdf

DIMENSION	LEGISLATIVE AND INSTITUTIONAL FRAMEWORK
Indicator number	10.2 Private sector corruption
Indicator question(s)	Does the country's legal framework prohibit collusion?
Scoring	1: The law prohibits hard core cartels and collusion
Response	The legislation contains provisions on organized crime that refer to situations of collusion with the intention of committing a corrupt offence. The criminal law also contains regulation about fraud.
Source(s) of information	Regulation No. 01/CEMAC/UMAC/CM of 11 April 2016 on the prevention and repression of money-laundering and terrorist financing in Central Africa. http://www.anif.gq/wp-content/uploads/2022/04/reglement_espagnol.pdf

DIMENSION	IMPLEMENTATION AND COMPLIANCE
Indicator number	10.3 Private sector corruption
Indicator question(s)	Is the ban on foreign bribery enforced?
Response	There is no evidence that the law on foreign bribery is enforced. No information could be found regarding any action taken by prosecutorial authorities in Equatorial Guinea in relation of foreign bribery even when news surfaced suspicious cases of corruption abroad.
Source(s) of information	Dos guineanos en busca por la Interpol y una petición a Malta: el juez alza el secreto de una pieza sobre Villarejo https://www.larazon.es/espana/20220411/y7inlhnuuna27mksh5qvniybqi.html Glencore UK Subsidiary Pleads Guilty to Bribery in Africa https://www.voanews.com/a/6626387.html

DIMENSION	IMPLEMENTATION AND COMPLIANCE
Indicator number	10.4 Private sector corruption
Indicator question(s)	Are anti-collusion provisions effectively enforced?
Response	No information could be found regarding the enforcement of anti-collusion provisions.
Source(s) of information	

DIMENSION	IMPLEMENTATION AND COMPLIANCE
Indicator number	10.5 Private sector corruption
Indicator question(s)	Are there specific rules or practices related to the transparency of corporations that result in high corruption risks?
Guidance	<ul style="list-style-type: none"> Transparency International: Business Integrity Country Agenda (BICA): Conceptual Framework for a BICA Assessment (https://www.transparency.org/whatwedo/publication/business_integrity_country_agenda_bica_conceptual_framework_for_a_bica_asse) OECD: Foreign Bribery Report (https://www.oecd.org/daf/anti-bribery/foreign-bribery-report.htm) Transparency International Policy Position #07/2009: Countering Cartels to End Corruption and Protect the Consumer (https://www.transparency.org/whatwedo/)

	<p>publication/policy_position_07_2009_countersing_cartels_to_end_corruption_and_protect_th)</p> <ul style="list-style-type: none"> • OECD (1998): Recommendation of the Council concerning Effective Action against Hard Core Cartels.
Response	<p>There are not specific rules of transparency particularly regarding state-owned companies. This results in very weak enforcement of anti-corruption legislation. Effort by the IMF to audit the main state-owned companies were not met.</p> <p>In general, private sector companies are not bound by strict policies or ethic codes that encourage them to increase their transparency.</p>
Source(s) of information	<p>El nuevo informe de APROFORT identifica retrasos persistentes en el plan anticorrupción de Guinea Ecuatorial</p> <p>https://aprofort.transparencia.pt/es/el-nuevo-informe-de-aprofort-identifica-retrasos-persistentes-en-el-plan-anticorrupcion-de-guinea-ecuatorial/</p>

12. PARTY AND ELECTION CAMPAIGN FINANCE TRANSPARENCY

DIMENSION	LEGISLATIVE AND INSTITUTIONAL FRAMEWORK
Indicator number	12.1 Party and election campaign finance transparency
Indicator question(s)	Is there a legal framework regulating the financing of political parties and the finances of candidates running for elected office?
Scoring	1: There is a legal framework regulating the financing of political parties and the finances of candidates running for elected office
Response	<p>There are four legal instrument regulating party and election campaign financing. For campaign financing in particular, the law establishes that financial contributions from foreign individuals are not allowed, donations can only be made during the campaign period established by the decree calling for that election in particular; time limits to donation, financial limits to contributions, amount limitations of donation from foreign individuals, donations from nationals (companies or individuals) are allowed up to 50 million FCFA (approx. 75.000,00 USD). There are no in kind contributions allowed, all contributions are monetary through a specific bank account opened for the candidates. It also includes reporting procedures to the national electoral commission.</p> <p>The law also regulates the sources of funding for political parties, which regulates donations of any kind which needs to be disclosed to the Accounts Court.</p>
Source(s) of information	<p>Law No. 7 /2.015, dated May 28, regulating the Presidential Elections in the Republic of Equatorial Guinea.</p> <p>Law No. 8/2.015, dated May 28, Regulating the Elections of the Chamber of Deputies, the Senate, Municipal and Referendum, in the Republic of Equatorial Guinea.</p> <p>Law No. 6/2.017, dated June 20, amending certain Articles of Law No. 8/2.015, dated May 28, regulating the Elections of the Chamber of Deputies, the Senate, Municipal and Referendum in the Republic of Equatorial Guinea</p> <p>Law No. 6/2015, dated 28 May, on the Financing of Political Parties https://boe.gob.gq/files/FINANCIACI%C3%93N%20DE%20LOS%20PARTIDOS%20POL%C3%8DTICOS.pdf</p> <p>Law No. 4/2015, dated May 28, on Political Parties of Equatorial Guinea. https://boe.gob.gq/files/LEY%20DE%20PARTIDOS%20POL%C3%8DCTICOS.pdf</p>

DIMENSION	LEGISLATIVE AND INSTITUTIONAL FRAMEWORK
Indicator number	12.2 Party and election campaign finance transparency
Indicator question(s)	Are political parties and individual candidates running for elected office required to disclose financial statements for their campaigns detailing itemized income and expenditure, as well as individual donors to their campaign finances?
Scoring	0: Parties and candidates are not required to release financial information, or the reporting does not require the disclosure of donors who contributed more than 20,001 Euro/USD to a campaign
Response	<p>The law does not require de release of financial statements prior to the elections. This is required once elected and upon occupying their seat.</p> <p>Political parties must disclose the individual donations to the electoral monitoring bodies but not to the public. There is no threshold for public disclosure regarding campaign financing.</p> <p>Political parties are required to disclose to the Accounts Court any donation in a regular period that is beyond 500.000 FCFA (775 USD) within 3 months. Affiliates are allowed to contribute with a maximum of 300.000 FCFA (465 USD) annually.</p> <p>Accounts are not standardized or published.</p>
Source(s) of information	<p>Law No. 7 /2.015, dated May 28, regulating the Presidential Elections in the Republic of Equatorial Guinea.</p> <p>Law No. 8/2.015, dated May 28, Regulating the Elections of the Chamber of Deputies, the Senate, Municipal and Referendum, in the Republic of Equatorial Guinea.</p> <p>Law No. 6/2.017, dated June 20, amending certain Articles of Law No. 8/2.015, dated May 28, regulating the Elections of the Chamber of Deputies, the Senate, Municipal and Referendum in the Republic of Equatorial Guinea</p> <p>Law No. 6/2015, dated 28 May, on the Financing of Political Parties</p> <p>https://boe.gob.gq/files/FINANCIACI%C3%93N%20DE%20LOS%20PARTIDOS%20POL%C3%8DTICOS.pdf</p> <p>Law No. 4/2015, dated May 28, on Political Parties of Equatorial Guinea.</p> <p>https://boe.gob.gq/files/LEY%20DE%20PARTIDOS%20POL%C3%8DCTICOS.pdf</p>
DIMENSION	LEGISLATIVE AND INSTITUTIONAL FRAMEWORK
Indicator number	12.3 Party and election campaign finance transparency
Indicator question(s)	Are political parties and, if applicable, individual candidates running for elected office required to disclose annual accounts with itemized income and expenditure and individual donors?
Scoring	0: Parties and candidates are not required to release annual financial information, or the reporting does not require the disclosure of donors who contributed more than 20,001 Euro/USD over one year;

Response	Political parties are required to identify every donor that contributes annually. They are required to communicate within 3 months any donations of more than 775 USD to the Accounts court. However, none of this information is made available to the public. All contributions during an electoral period must be disclosed to the National Electoral Commission.
Source(s) of information	<p>Law No. 8/2.015, dated May 28, Regulating the Elections of the Chamber of Deputies, the Senate, Municipal and Referendum, in the Republic of Equatorial Guinea.</p> <p>Law No. 6/2.017, dated June 20, amending certain Articles of Law No. 8/2.015, dated May 28, regulating the Elections of the Chamber of Deputies, the Senate, Municipal and Referendum in the Republic of Equatorial Guinea</p> <p>Law No. 6/2015, dated 28 May, on the Financing of Political Parties</p> <p>https://boe.gob.gq/files/FINANCIACI%C3%93N%20DE%20LOS%20PARTIDOS%20POL%C3%8DTICOS.pdf</p> <p>Law No. 4/2015, dated May 28, on Political Parties of Equatorial Guinea.</p> <p>https://boe.gob.gq/files/LEY%20DE%20PARTIDOS%20POL%C3%8DTICOS.pdf</p>

DIMENSION	LEGISLATIVE AND INSTITUTIONAL FRAMEWORK
Indicator number	12.4 Party and election campaign finance transparency
Indicator question(s)	Are parties' (and, if applicable, candidates') electoral campaign expenditures subject to independent scrutiny?
Scoring	0: Parties and/or candidates are not required to release financial information on their electoral campaigns, or the law does provide for a control mechanism
Response	Political parties must report to the National Electoral Commission which oversees monitoring expenses. This commission should report to the attorney general office any suspicious use of campaign funding. The National Electoral Commission is not considered an independent body. The information is not made public.
Source(s) of information	<p>Law No. 8/2.015, dated May 28, Regulating the Elections of the Chamber of Deputies, the Senate, Municipal and Referendum, in the Republic of Equatorial Guinea.</p> <p>Law No. 6/2.017, dated June 20, amending certain Articles of Law No. 8/2.015, dated May 28, regulating the Elections of the Chamber of Deputies, the Senate, Municipal and Referendum in the Republic of Equatorial Guinea</p> <p>Law No. 6/2015, dated 28 May, on the Financing of Political Parties</p> <p>https://boe.gob.gq/files/FINANCIACI%C3%93N%20DE%20LOS%20PARTIDOS%20POL%C3%8DTICOS.pdf</p> <p>Law No. 4/2015, dated May 28, on Political Parties of Equatorial Guinea.</p> <p>https://boe.gob.gq/files/LEY%20DE%20PARTIDOS%20POL%C3%8DTICOS.pdf</p>

DIMENSION	LEGISLATIVE AND INSTITUTIONAL FRAMEWORK
Indicator number	12.5 Party and election campaign finance transparency
Indicator question(s)	Are the annual accounts of political parties (and, if applicable, of candidates) subject to independent scrutiny?
Scoring	0.5: Annual financial statements of parties and/or candidates for elected office are subject to verification, but available the legal framework fails to guarantee the political independence of the oversight body and/or does not provide the oversight body with sufficient powers and resources to effectively scrutinise the statements and accounts in an effective manner
Response	Annual reports are subject to verification by the Accounts Court. However, this court was only created in 2022, hence no report was released about these obligations. The appointment process of the members of the Accounts Court does not guarantee its independence.
Source(s) of information	<p>ORGANIC LAW No. 5/ 2012 dated November 16, which regulates the Court of Accounts in the Republic of Equatorial Guinea.</p> <p>https://boe.gob.gq/files/LEY%20REGULADORA%20DEL%20TRIBUNAL%20DE%20CUENTAS.pdf</p> <p>Law No. 6/2015, dated 28 May, on the Financing of Political Parties</p> <p>https://boe.gob.gq/files/FINANCIACI%C3%93N%20DE%20LOS%20PARTIDOS%20POL%C3%8DTICOS.pdf</p> <p>Law No. 4/2015, dated May 28, on Political Parties of Equatorial Guinea.</p> <p>https://boe.gob.gq/files/LEY%20DE%20PARTIDOS%20POL%C3%8DTICOS.pdf</p> <p>Dudas sobre el Tribunal de Cuentas</p> <p>https://www.juristasge.org/es/noticias/dudas-sobre-el-tribunal-de-cuentas</p>

DIMENSION	IMPLEMENTATION AND COMPLIANCE
Indicator number	12.7 Party and election campaign finance transparency
Indicator question(s)	Have political parties and/or candidates been sanctioned for violating political finance rules or non-compliance with disclosure requirements in the past two years, according to publicly available evidence?
Response	No reports of sanctions to political parties have been recorded in Equatorial Guinea. Opposition parties and independent journalists have denounced how some public institutions have required their staff to contribute to the ruling party campaign finances, but no information could be found on sanctions to this party.
Source(s) of information	<p>Sobre la presunta financiación ilegal de la campaña electoral del PDGE para las presidenciales de 2016</p> <p>https://diariorombe.es/denuncias/la-presunta-financiacion-ilegal-la-campana-electoral-del-pdge-las-presidenciales-2016/</p> <p>https://diariorombe.es/magazine/el-pdge-solicita-a-los-empleados-de-inseso-una-aportacion-voluntaria-para-grabar-canciones/</p>

Target 16.6: “Develop effective, accountable and transparent institutions at all levels.”

Indicator 16.6.1: *Primary government expenditures as a proportion of original approved budget, by sector (or by budget codes or similar)*

Indicator 16.6.2: *Proportion of the population satisfied with their last experience of public services*

13. TRANSPARENCY AND INTEGRITY IN PUBLIC ADMINISTRATION

DIMENSION	LEGISLATIVE AND INSTITUTIONAL FRAMEWORK
Indicator number	13.1 Transparency and integrity in public administration
Indicator question(s)	<p>Is there a law, regulation or Code of Conduct in place, covering public officials, employees and representatives of the national government, that adequately addresses the following issues:</p> <ul style="list-style-type: none">a. integrity, fairness, and impartiality;b. gifts, benefits, and hospitality; andc. conflicts of interest?
Scoring	<p>1: A law, regulation or Code of Conduct is in place and addresses the aspects mentioned above</p>
Response	<p>The anticorruption law contains indications for public officials, including gifts. The only allowed gifts are those based on diplomatic courtesy and these must be registered and owned by the State.</p>
Source(s) of information	<p>Law Number 1/2021, of 10 May on Prevention and Fight against corruption in the Republic of Equatorial Guinea.</p>

DIMENSION	LEGISLATIVE AND INSTITUTIONAL FRAMEWORK
Indicator number	13.2 Transparency and integrity in public administration
Indicator question(s)	Is there a law or clear policy in place to address the ‘revolving door’ – the movement of individuals between public office and private sector, while working on the same sector or issue, which may result in conflicts of interest and in former public officials misusing the information and power they hold to benefit private interests?
Scoring	1: There is a law or clear policy addressing the ‘revolving door’
Response	The anti-corruption law includes a limitation of 1 year for public officials to participate in any manner in a company that benefitted from contracts from the same office he or she was responsible for.
Source(s) of information	Law Number 1/2021, of 10 May on Prevention and Fight against corruption in the Republic of Equatorial Guinea.

DIMENSION	LEGISLATIVE AND INSTITUTIONAL FRAMEWORK
Indicator number	13.3 Transparency and integrity in public administration
Indicator question(s)	Does the law or policy that addresses the ‘revolving door’ cover all relevant public-sector decision-makers?
Scoring	1: The law or policy in principle provides comprehensive coverage of relevant public-sector decision-makers
Response	The anticorruption regulation applies to all types of public officials with a decision-making authority. Other specific regulation, such as the Accounts Court, may increase this limit to two years for their members.
Source(s) of information	Law Number 1/2021, of 10 May on Prevention and Fight against corruption in the Republic of Equatorial Guinea Dudas sobre el Tribunal de Cuentas https://www.juristasge.org/es/noticias/dudas-sobre-el-tribunal-de-cuentas

DIMENSION	LEGISLATIVE AND INSTITUTIONAL FRAMEWORK
Indicator number	13.4 Transparency and integrity in public administration
Indicator question(s)	Is there a mandatory cooling-off period – a minimum time interval restricting former officials from accepting employment in the private sector that relates to their former position – for members of the government and other relevant high-level decision-makers?
Scoring	0.5: The policy contains a minimum cooling-off period of at least 6 months for certain positions and cases where the new employment of former government members and other high-level decision-makers would result in a conflict of interest
Response	The anti-corruption law includes a limitation of 1 year for public officials to participate in any manner in a company that benefitted from contracts from the same office he or she was responsible for.
Source(s) of information	Law Number 1/2021, of 10 May on Prevention and Fight against corruption in the Republic of Equatorial Guinea

DIMENSION	LEGISLATIVE AND INSTITUTIONAL FRAMEWORK
Indicator number	13.5 Transparency and integrity in public administration
Indicator question(s)	Is there a single public body or are there designated authorities responsible for providing advice and overseeing 'revolving door' regulations?
Score	1: There is a single body, or there are various designated authorities charged with providing advice and overseeing the implementation of the policy
Response	The National Anti-Corruption Commission is in charge of overseeing the implementation of the Anti-corruption laws.
Source(s) of information	Law Number 1/2021, of 10 May on Prevention and Fight against corruption in the Republic of Equatorial Guinea

DIMENSION	LEGISLATIVE AND INSTITUTIONAL FRAMEWORK
Indicator number	13.6 Transparency and integrity in public administration
Indicator question(s)	Are there proportionate and dissuasive sanctions for both individuals and companies that do not comply with the law or policy controlling the 'revolving door'?
Score	1: Sanctions in the law (or policy) can be considered proportionate and dissuasive
Response	Sanctions under the anticorruption law include the nullity of any decision related to the conflict of interest and the civil liability for any damage caused by such action.
Source(s) of information	Law Number 1/2021, of 10 May on Prevention and Fight against corruption in the Republic of Equatorial Guinea

DIMENSION	IMPLEMENTATION AND COMPLIANCE
Indicator number	13.7 Transparency and integrity in public administration
Indicator question(s)	Are the 'revolving door' provisions implemented and enforced in practice? Have there been any developments in the past year that indicate an improvement (or deterioration) in how the 'revolving door' and related conflicts of interests are addressed?
Response	The anticorruption law was passed in May 2022. Since then no declaration of assets has been completed. In addition, the National Anticorruption Commission was only appointed in April 2022. Previous legislation that required declaration of assets was never implemented.
Source(s) of information	Nombramiento de presidente y vicepresidenta de la Comisión Nacional de Prevención y Lucha contra la Corrupción https://ahoraeg.com/politica/2022/06/02/nombramiento-de-presidente-y-vicepresidenta-de-la-comision-nacional-de-prevencion-y-lucha-contra-la-corrupcion/

DIMENSION	LEGISLATIVE AND INSTITUTIONAL FRAMEWORK
Indicator number	13.8 Transparency and integrity in public administration
Indicator question(s)	Does the legal framework require high-level public officials and senior civil servants to regularly (at least once per year) declare their interests, including any paid or unpaid positions and financial interests in companies and other entities?
Scoring	1: The legal framework requires high-level public officials and senior civil servants to declare their interests at least once per year.
Response	The anticorruption law requires public officials to declare their interests annually.
Source(s) of information	Law Number 1/2021, of 10 May on Prevention and Fight against corruption in the Republic of Equatorial Guinea

DIMENSION	LEGISLATIVE AND INSTITUTIONAL FRAMEWORK
Indicator number	13.9 Transparency and integrity in public administration
Indicator question(s)	Do the interest disclosure requirements cover officials of all branches of government – executive, the legislature, the judiciary, and civil service as well as other relevant public bodies?
Scoring	1: the interest disclosure applies to high-level officials from the executive, legislature, judiciary and civil service/other public bodies
Response	The disclosure requirements include all branches. Regarding the judiciary it only includes members of the higher level courts.
Source(s) of information	Law Number 1/2021, of 10 May on Prevention and Fight against corruption in the Republic of Equatorial Guinea FORMULARIO DE DECLARACIÓN DE PATRIMONIO E INTERESES https://minhacienda-gob.com/formulario-de-declaracion-de-patrimonio-e-intereses/

DIMENSION	LEGISLATIVE AND INSTITUTIONAL FRAMEWORK
Indicator number	13.10 Transparency and integrity in public administration
Indicator question(s)	Does the legal framework require high-level public officials and senior civil servants to regularly (at least once per year) declare their income and assets?
Scoring	1: The legal framework requires high-level public officials and senior civil servants to declare their income and assets at least once per year.
Response	The anti-corruption law includes high level public officials and senior civil servants within those required to declare their interest every year.
Source(s) of information	Law Number 1/2021, of 10 May on Prevention and Fight against corruption in the Republic of Equatorial Guinea

DIMENSION	LEGISLATIVE AND INSTITUTIONAL FRAMEWORK
Indicator number	13.11 Transparency and integrity in public administration
Indicator question(s)	Do the income and asset disclosure requirements cover officials of all branches of government – executive, the legislature, the judiciary, and civil service as well as other relevant public bodies?
Scoring	1: the asset and income disclosure applies to high-level officials from the executive, legislature, judiciary and civil service/other public bodies
Response	The disclosure requirements include all branches. Regarding the judiciary it only includes high level courts such as the Supreme Court of Justice. All of these have the same level of disclosure requirements according to the anticorruption law.
Source(s) of information	Law Number 1/2021, of 10 May on Prevention and Fight against corruption in the Republic of Equatorial Guinea

DIMENSION	LEGISLATIVE AND INSTITUTIONAL FRAMEWORK
Indicator number	13.12 Transparency and integrity in public administration
Indicator question(s)	Does the framework require that information contained in interest declarations and income and asset disclosures be made publicly accessible?
Scoring	1: All or most information contained in interest declarations and income and asset disclosure forms has to be made available to the public (some redaction may be necessary to protect legitimate privacy interests)
Response	The law requires the publication of the declaration in a public website. However, this website does not exist yet. The law also includes minor exceptions on some private data such as bank account numbers, otherwise all content should be publicly available.
Source(s) of information	Law Number 1/2021, of 10 May on Prevention and Fight against corruption in the Republic of Equatorial Guinea
DIMENSION	LEGISLATIVE AND INSTITUTIONAL FRAMEWORK
Indicator number	13.13 Transparency and integrity in public administration
Indicator question(s)	Does the legal framework establish an oversight body that is provided with sufficient political independence and legal powers to scrutinise income and asset disclosures?
Scoring	1: The legal framework provides for oversight of the income and asset declarations, but provides the body or bodies neither with sufficient independence nor with adequate powers to scrutinise the submissions;
Response	The National Anticorruption Commission has the capacity for scrutinise the income and asset disclosure. However, the selection process of this body is not independent and is mostly conducted or led by the government. In addition, the law does not provide for additional protection for the members of the commission which can therefore easily be charged for even minor offences by the attorney general office or by a judge which could result in their destitution.
Source(s) of information	Law Number 1/2021, of 10 May on Prevention and Fight against corruption in the Republic of Equatorial Guinea Analysis of the anti-corruption law in Equatorial Guinea https://www.juristasge.org/en/news/analysis-of-decree-law-no-1-2020-dated-july-13-on-the-prevention-and-fight-against-corruption-in-equatorial-guinea

DIMENSION	LEGISLATIVE AND INSTITUTIONAL FRAMEWORK
Indicator number	13.14 Transparency and integrity in public administration
Indicator question(s)	Does the law or policy contain dissuasive and proportionate sanctions for failure to comply with interest and income and asset disclosure requirements
Scoring	1: The law or policy contains dissuasive and proportionate sanctions for non-filing of disclosures, or for incomplete or false claims made in disclosures, covering both interests and income and assets
Response	<p>The anticorruption law contains dissuasive and proportionate sanctions for neither filling-in nor making false declarations.</p> <p>The sanctions include the removal of the officials from their public office. In case of incomplete declarations, the failure to submit an updated declaration could result in the deduction of 50% of the monthly salary. In case of incomplete declarations, the failure to comply could result in the sanction of a value equivalent to 50% of the value non declared.</p> <p>These sanctions may be applied in parallel to the possible criminal code provisions regarding false statements by a public official.</p>
Source(s) of information	Law Number 1/2021, of 10 May on Prevention and Fight against corruption in the Republic of Equatorial Guinea

DIMENSION	IMPLEMENTATION AND COMPLIANCE
Indicator number	13.16 Transparency and integrity in public administration
Indicator question(s)	How do you evaluate the effectiveness of the disclosure mechanism for interests, assets and income? Is there a disclosure requirement for gifts and hospitality received by public officials and civil servants (if applicable)? Have there been any developments in the past two years that indicate an improvement or a deterioration of the disclosure mechanism?
Response	The asset declaration mechanism is not in place. From previous experiences, legal requirements are generally ignored and therefore not implemented. While the existence of a renewed legal framework and institutions are positive developments, it is yet too early to assess the validity of these measures.
Source(s) of information	<p>Analysis of the anti-corruption law in Equatorial Guinea</p> <p>https://www.juristasge.org/en/news/analysis-of-decree-law-no-1-2020-dated-july-13-on-the-prevention-and-fight-against-corruption-in-equatorial-guinea</p>

14. FISCAL TRANSPARENCY

DIMENSION	LEGISLATIVE AND INSTITUTIONAL FRAMEWORK
Indicator number	14.1 Fiscal transparency
Indicator question(s)	<p>Is there legislation or policy in place requiring a high degree of fiscal transparency?</p> <p><i>Does the legal framework require that key budget documents (pre-budget statements, the executive budget proposal and supporting documents, the enacted budget, a citizen budget, in-year reports in budget success and execution, mid-year reviews, a year-end report and an audit report) be published? You may find relevant information in the Open Budget Survey (http://www.internationalbudget.org/opening-budgets/open-budget-initiative/open-budgetsurvey/update/).</i></p>
Scoring	0: The legal framework requires insufficient transparency and only the release of 4 or less of the key budget documents
Response	<p>The national budget is published. The Public Investment Programme is also available and the budget execution for previous years. Other relevant information, such as state-owned companies' financial results are only available partially when the annual budget is submitted to the parliament.</p> <p>While by law this information should be available to the public, the government has only been more forthcoming in publishing these documents since the national anticorruption programme was agreed with the IMF.</p>
Source(s) of information	<p>Ministry of Finance, Economy, and Planning</p> <p>https://minhacienda-gob.com/estrategia-de-gobernanza/</p> <p>https://minhacienda-gob.com/download/plan-de-accion-de-buena-gobernanza-y-anticorrupcion/</p> <p>Presupuesto General del Estado</p> <p>https://minhacienda-gob.com/presupuesto-general-del-estado/</p>
DIMENSION	THIRD PARTY ASSESSMENT
Indicator number	14.2 Fiscal transparency
Indicator question(s)	<p>What is the country's score and rank in the most recent Open Budget Survey, conducted by the International Budget Partnership (http://www.internationalbudget.org/open-budgetsurvey/)?</p>
Response	<p>According to the 2021 survey:</p> <p>Public Participation 0 / 100</p> <p>Budget Oversight 18 / 100</p> <p>Transparency 0 / 100</p>

Source(s) of information	Open Budget Survey 2021 https://internationalbudget.org/open-budget-survey/country-results/2021/equatorial-guinea
DIMENSION	IMPLEMENTATION AND COMPLIANCE
Indicator number	14.3 Fiscal transparency
Indicator question(s)	Are key budget-related documents published in practice? <i>Key budget documents are pre-budget statements, executive budget proposal and supporting documents, enacted budget, citizen budget, in-year reports in budget success and execution, mid-year reviews, year-end reports and audit reports. Is the information available in formats that facilitate use and analysis of the data? You find information on the availability of these documents in the Open Budget Survey (http://www.internationalbudget.org/opening-budgets/open-budget-initiative/open-budget-survey/update/).</i>
Guidance	<ul style="list-style-type: none"> • International Budget Partnership (http://www.internationalbudget.org/) • Global Open Data Index by the Open Knowledge Foundation (http://index.okfn.org/dataset/budget)
Response	Only 4 of the Key budget documents were “Published Late, or Not Published Online, or Produced for Internal Use Only”
Source(s) of information	Open Budget Survey 2021 https://internationalbudget.org/open-budget-survey/country-results/2021/equatorial-guinea

15. PUBLIC PROCUREMENT

DIMENSION	LEGISLATIVE AND INSTITUTIONAL FRAMEWORK
Indicator number	15.1 Public procurement
Indicator question(s)	<p>Does the law clearly define up to what threshold(s) single-sourced purchases of goods, services and public works are allowed?</p> <p><i>Please provide the reference and link to the relevant law(s) or decree(s) and the thresholds for the three categories (goods, services and public works) in the local currency and the Euro/ USD equivalent.</i></p>
Scoring	-: Not applicable or no data available.
Response	Equatorial Guinea does not have a public procurement law. Only the ministry of mines established a system for the bidding of oil fields that detailed a process.
Source(s) of information	<p>El Banco Mundial asistirá al Gobierno de Guinea Ecuatorial en la elaboración de una nueva ley de contratación pública</p> <p>https://realequatorialguinea.com/destacado/el-banco-mundial-asistira-al-gobierno-de-guinea-ecuatorial-en-la-elaboracion-de-una-nueva-ley-de-contratacion-publica/</p> <p>Seminario-Taller sobre la presentación del Borrador final de la ley de Compras y Contratación Pública</p> <p>https://minhacienda-gob.com/seminario-sobre-la-creacion-de-un-sistema-electronico-de-compras-publicas/</p> <p>Winners of the EGRonda 2019 are now officially announced.</p> <p>https://egronda.com/</p>

DIMENSION	LEGISLATIVE AND INSTITUTIONAL FRAMEWORK
Indicator number	15.2 Public procurement
Indicator question(s)	What are exceptions in the legal framework for public procurement that allow for single sourced contracting above these thresholds?
Scoring	-: Not applicable or no data available
Response	There is no law on public procurement in force.
Source(s) of information	<p>Seminario-Taller sobre la presentación del Borrador final de la ley de Compras y Contratación Pública</p> <p>https://minhacienda-gob.com/seminario-sobre-la-creacion-de-un-sistema-electronico-de-compras-publicas/</p>

DIMENSION	LEGISLATIVE AND INSTITUTIONAL FRAMEWORK
Indicator number	15.3 Public procurement
Indicator question(s)	Does the legal framework require that information on public procurement above certain thresholds be published?
Scoring	–: Not applicable or no data available
Response	There is no law on public procurement in force.
Source(s) of information	Seminario-Taller sobre la presentación del Borrador final de la ley de Compras y Contratación Pública https://minhacienda-gob.com/seminario-sobre-la-creacion-de-un-sistema-electronico-de-compras-publicas/

DIMENSION	LEGISLATIVE AND INSTITUTIONAL FRAMEWORK
Indicator number	15.4 Public procurement
Indicator question(s)	Are bidders required to disclose their beneficial owners?
Scoring	–: Not applicable or no data available
Response	There is no law on public procurement in force. Some information on the beneficial owners of companies can be found on the website of the Ministry of Finance, Economy and Planning, but only for contracts related to the COVID19 and Bata explosion reconstruction programmes that are funded by the IMF.
Source(s) of information	Ministry of Finance, Economy and Planning https://minhacienda-gob.com/beneficiarios-finales-covid-7m/ Seminario-Taller sobre la presentación del Borrador final de la ley de Compras y Contratación Pública https://minhacienda-gob.com/seminario-sobre-la-creacion-de-un-sistema-electronico-de-compras-publicas/

DIMENSION	IMPLEMENTATION AND COMPLIANCE
Indicator number	15.5 Public procurement
Indicator question(s)	Are there legal provisions, regulations or policies in place for bidders to file complaints in case they suspect irregularities at any stage of the procurement process?
Response	The only mechanism for public bidders to file a complaint is through the administrative appeals and then to the judiciary's administrative jurisdiction. None of these are either independent or reliable for companies to appeal a public award in the absence of a regulation.

Source(s) of information	<p>Seminario-Taller sobre la presentación del Borrador final de la ley de Compras y Contratación Pública</p> <p>https://minhacienda-gob.com/seminario-sobre-la-creacion-de-un-sistema-electronico-de-compras-publicas/</p> <p>Resumen del marco jurídico para los negocios</p> <p>https://www.icex.es/icex/es/Navegacion-zona-contacto/revista-el-exportador/invertir/EST4361849.html</p>
DIMENSION	IMPLEMENTATION AND COMPLIANCE
Indicator number	15.6 Public procurement
Indicator question(s)	<p>Which information and documents related to public procurement and other relevant government contracts (such as privatizations, licenses etc.) are published proactively and are available in full text? Are any of these documents published online through a central website or database?</p>
Response	<p>No information on public contracts is made public proactively. Some information on the companies can be found on the website of the Ministry of Finance, Economy and Planning, but only contracts related to the COVID19 and Bata explosion reconstruction programmes that are funded by the IMF.</p> <p>Some projects funded with the participation of multilateral financial institutions may be published.</p> <p>According to the Spanish Institute for Foreign Trade -companies must maintain a fluid and constant relationship with the ministries to find out about the projects considered. Once the project has been awarded, the Head of State signs the Service Order and the contract is drawn up in which the relevant sectoral Ministry, the Ministry of Public Finance and the National Office for Planning and Project Monitoring (GE Proyectos) participate”</p>
Source(s) of information	<p>Ministry of Finance, Economy and Planning</p> <p>https://minhacienda-gob.com/beneficiarios-finales-covid-7m/</p> <p>Resumen del marco jurídico para los negocios</p> <p>https://www.icex.es/icex/es/Navegacion-zona-contacto/revista-el-exportador/invertir/EST4361849.html</p>

16. WHISTLE-BLOWING AND REPORTING MECHANISMS

DIMENSION	LEGISLATIVE AND INSTITUTIONAL FRAMEWORK
Indicator number	16.1 Whistleblowing and reporting mechanisms
Indicator question(s)	Is there a legal framework to protect whistleblowers from the public and the private sector who report reasonable belief of wrongdoing?
Scoring	0.5: The law provides protection for whistleblowers from either the public or the private sector;
Response	The anticorruption law contains provisions to allow whistleblowing and the protection of whistle-blowers in the public sector, but it does not contain similar provisions for the private sector.
Source(s) of information	Law Number 1/2021, of 10 May on Prevention and Fight against corruption in the Republic of Equatorial Guinea.

DIMENSION	LEGISLATIVE AND INSTITUTIONAL FRAMEWORK
Indicator number	16.5 Whistleblowing and reporting mechanisms
Indicator question(s)	Does the law provide for adequate remedies for whistleblowers?
Scoring	0.75: The law provides several remedies, including two out of the following: compensation rights and the right to a new supervisor or department.
Response	The law provides for compensation rights which include legal assistance as well as protective measures in case of a situation where the whistleblowers may be danger. No provision includes the reversal of the burden of proof.
Source(s) of information	Law Number 1/2021, of 10 May on Prevention and Fight against corruption in the Republic of Equatorial Guinea.

DIMENSION	LEGISLATIVE AND INSTITUTIONAL FRAMEWORK
Indicator number	16.6 Whistleblowing and reporting mechanisms
Indicator question(s)	Is there an independent authority responsible for the oversight and enforcement of whistleblowing legislation?
Scoring	0.5: There is an independent authority, but its mandate to oversee and enforce whistleblowing legislation is limited;
Response	The National Anticorruption Commission is in charge of overseeing the whistleblowing legislation. The appointment process of this commissions is not independent, although the anticorruption legislation provides for tools and competencies for their duties. This commission is not functioning yet.
Source(s) of information	Law Number 1/2021, of 10 May on Prevention and Fight against corruption in the Republic of Equatorial Guinea.

DIMENSION	LEGISLATIVE AND INSTITUTIONAL FRAMEWORK
Indicator number	16.8 Whistleblowing and reporting mechanisms
Indicator question(s)	Is there a law/policy that establishes a dedicated reporting mechanism for witnesses and victims of corruption (such as a hotline or a secure and anonymous electronic post box)? Does the law provide the body charged with operating it with sufficient independence and powers to investigate the reports it receives?
Scoring	1: The law/policy creates a dedicated reporting mechanism for witnesses and victims of corruption. The body charged with operating it is provided with sufficient independence and powers to investigate the reports it receives
Response	The law provides for reporting mechanisms as well as the sufficient independence and powers to investigate the reports received, however the lack of independence of the appointment of the Anticorruption commission may undermine the process.
Source(s) of information	Law Number 1/2021, of 10 May on Prevention and Fight against corruption in the Republic of Equatorial Guinea.

DIMENSION	IMPLEMENTATION AND COMPLIANCE
Indicator number	16.9 Whistleblowing and reporting mechanisms
Indicator question(s)	Does such a dedicated reporting mechanism for witnesses and victims of corruption exist in practice?
Response	No, the reporting mechanisms established by law were not implemented. The anticorruption commission is not in place yet.
Source(s) of information	<p>Law Number 1/2021, of 10 May on Prevention and Fight against corruption in the Republic of Equatorial Guinea.</p> <p>Nombramiento de presidente y vicepresidenta de la Comisión Nacional de Prevención y Lucha contra la Corrupción</p> <p>https://ahoraeg.com/politica/2022/06/02/nombramiento-de-presidente-y-vicepresidenta-de-la-comision-nacional-de-prevencion-y-lucha-contra-la-corrupcion/</p>

DIMENSION	IMPLEMENTATION AND COMPLIANCE
Indicator number	16.10 Whistleblowing and reporting mechanisms
Indicator question(s)	<p>Is data and information regarding the operation and performance of such reporting mechanisms (in compliance with relevant privacy and data protection laws) published?</p> <p><i>Please provide, if available, data for the past two years: the number of cases received; the outcomes of cases (i.e. dismissed, accepted, investigated, validated; the prevalence of wrongdoing in the public and private sectors; awareness of and trust in reporting mechanisms; and time taken to process cases.</i></p>
Response	The reporting mechanisms established by law were not implemented. The anticorruption commission is not in place yet.
Source(s) of information	<p>Nombramiento de presidente y vicepresidenta de la Comisión Nacional de Prevención y Lucha contra la Corrupción</p> <p>https://ahoraeg.com/politica/2022/06/02/nombramiento-de-presidente-y-vicepresidenta-de-la-comision-nacional-de-prevencion-y-lucha-contra-la-corrupcion/</p>

DIMENSION	IMPLEMENTATION AND COMPLIANCE
Indicator number	16.11 Whistleblowing and reporting mechanisms
Indicator question(s)	Is there evidence that relevant state bodies have taken active steps to promote public awareness of this reporting mechanism?
Response	Since the enacting of the anticorruption law, no information could be found regarding the public awareness of reporting mechanisms. The National Anticorruption Commission is still inactive.
Source(s) of information	Nombramiento de presidente y vicepresidenta de la Comisión Nacional de Prevención y Lucha contra la Corrupción https://ahoraeg.com/politica/2022/06/02/nombramiento-de-presidente-y-vicepresidenta-de-la-comision-nacional-de-prevencion-y-lucha-contra-la-corrupcion/
DIMENSION	IMPLEMENTATION AND COMPLIANCE
Indicator number	16.12 Whistleblowing and reporting mechanisms
Indicator question(s)	Have there been prominent cases in the past two years where wrongdoing and corruption were unveiled by a whistleblower or through a reporting mechanism? <i>Please provide short descriptions and relevant links/sources.</i> a. Have whistleblowers, in practice, been prosecuted or faced retaliation for unveiling wrongdoings? Where their legally guaranteed rights violated? <i>Please provide a brief description of relevant cases from the past two years, including relevant sources and a few links to media coverage.</i> b. Were any steps taken to improve the system of whistleblower protection?
Response	No specific cases of corruption reported by whistleblowers surfaced in the last 2 years. The reporting mechanism established by law is not functioning yet. The appointment of the chair and vicechair of the commissions was concluded in June 2022.
Source(s) of information	Nombramiento de presidente y vicepresidenta de la Comisión Nacional de Prevención y Lucha contra la Corrupción https://ahoraeg.com/politica/2022/06/02/nombramiento-de-presidente-y-vicepresidenta-de-la-comision-nacional-de-prevencion-y-lucha-contra-la-corrupcion/

Target 16.10: “Ensure public access to information and protect fundamental freedoms, in accordance with national legislation and international agreements.”

Indicator 16.10.1: *Number of verified cases of killing, kidnapping, enforced disappearance, arbitrary detention and torture of journalists, associated media personnel, trade unionists and human rights advocates in the previous 12 months*

Indicator 16.10.2: *Number of countries that adopt and implement constitutional, statutory and/or policy guarantees for public access to information*

17. PROTECTION OF FUNDAMENTAL FREEDOMS

DIMENSION	THIRD PARTY ASSESSMENT
Indicator number	17.1 Protection of fundamental freedoms
Indicator question(s)	<p>What is the country’s score and rating in Freedom House’s Freedom in the World Rating (https://freedomhouse.org/report-types/freedom-world)?</p> <p><i>Please provide the score and the rating of your country (“free”, “partly free”, “not free”) and the year of the assessment you are referring to.</i></p>
Response	Equatorial Guinea is rated not free with 5 out of 100 points by Freedom House.
Source(s) of information	<p>Freedom in the World 2022</p> <p>https://freedomhouse.org/country/equatorial-guinea/freedom-world/2022</p>

DIMENSION	THIRD PARTY ASSESSMENT
Indicator number	17.2 Protection of fundamental freedoms
Indicator question(s)	<p>What is the country’s rank and score in the most recent World Press Freedom Index, issued by Reporters Without Borders (https://rsf.org/en/ranking)? .</p>
Response	Equatorial ranks 141 /180 and has a score of: 43.96/100 in the 2022 report.
Source(s) of information	<p>Reporters without borders INDEX 2022</p> <p>https://rsf.org/en/country/equatorial-guinea</p>

DIMENSION	IMPLEMENTATION AND COMPLIANCE
Indicator number	17.3 Protection of fundamental freedoms
Indicator question(s)	Does the legal framework contain any provisions that threaten or undermine the ability of journalists, bloggers researchers, human rights advocates and other civil society actors to exercise their fundamental rights, to uncover and report on all forms of corruption, and to hold leaders accountable?
Response	<p>The press law is very restrictive for independent actors. This leads to self-censorship in most cases.</p> <p>There is a process for reviewing and amending the media law that started in June 2022.</p> <p>Civil society activists are harassed if they publicly report cases of corruption or dissent.</p>
Source(s) of information	<p>Equatorial Guinea: appeal to stop the deterioration of Human Rights in the country https://aprofort.transparencia.pt/en/concerns-about-the-deterioration-of-human-rights-in-equatorial-guinea/</p> <p>New report reveals extent of media repression and human rights violations in Equatorial Guinea https://www.civicus.org/index.php/media-resources/media-releases/3884-new-report-reveals-extent-of-media-repression-and-human-rights-violations-in-equatorial-guinea</p> <p>Gobierno y medios de comunicación inician los trabajos de reforma de ley de prensa de Guinea Ecuatorial https://ahoraeg.com/politica/2022/06/10/gobierno-y-medios-de-comunicacion-inician-los-trabajos-de-reforma-de-ley-de-prensa-de-guinea-ecuatorial/</p> <p>2021 Country Reports on Human Rights Practices: Equatorial Guinea https://www.state.gov/reports/2021-country-reports-on-human-rights-practices/equatorial-guinea/</p> <p>Ley Núm. 6/1.997, de fecha 30 de Mayo, de Prensa, Imprenta y Medios Audiovisuales. https://boe.gob.gq/files/PRENSA%20E%20IMPRENTA.pdf</p>

DIMENSION	IMPLEMENTATION AND COMPLIANCE
Indicator number	17.4 Protection of fundamental freedoms
Indicator question(s)	<p>Are any policies or practices in place that undermine the ability of journalists, bloggers researchers, human rights advocates and other civil society actors to exercise their fundamental rights, to uncover and report on all forms of corruption, and to hold leaders accountable?</p> <p><i>Please provide relevant examples and links/sources. If there are many factors you deem relevant, please briefly describe the three you deem most severe.</i></p>
Response	<p>TI Portugal has received reports of armed threats against activist Joaquín Elo Ayeto, as well as news about the summoning by the Ministry of Interior of Ms. Noelia Asama for exercising her freedom of expression.</p> <p>Journalist in exile received threats over corruption investigation that involved close associates of the ruling family in Equatorial Guinea.</p> <p>Cases of detention or firing of journalists are common which leads journalists to self-censorship.</p>
Source(s) of information	<p>Última hora: dejan en libertad al periodista y director del periódico Mofueñ detenido este martes</p> <p>https://realequatorialguinea.com/sociedad/ultima-hora-el-periodista-ya-esta-en-liberta/</p> <p>Equatorial Guinea: appeal to stop the deterioration of Human Rights in the country</p> <p>https://aprofort.transparencia.pt/en/concerns-about-the-deterioration-of-human-rights-in-equatorial-guinea/</p> <p>Equatorial Guinea: Journalist Delfin Mocache Massoko facing threats over corruption investigation</p> <p>https://www.indexoncensorship.org/2021/03/equatorial-guinea-journalist-delfin-mocache-massoko-facing-threats-over-corruption-investigation/</p> <p>2021 Country Reports on Human Rights Practices: Equatorial Guinea</p> <p>https://www.state.gov/reports/2021-country-reports-on-human-rights-practices/equatorial-guinea/</p>

DIMENSION	IMPLEMENTATION AND COMPLIANCE
Indicator number	17.5 Protection of fundamental freedoms
Indicator question(s)	Have there been documented cases of killings, kidnappings, enforced disappearances, arbitrary detentions, torture or attacks against journalists, associated media personnel, trade unionists, human rights and civil society advocates or other people who investigated, uncovered and advocated against corruption in the previous two years?
Response	<p>TI Portugal has received reports of armed threats against activist Joaquín Elo Ayeto, as well as news about the summoning by the Ministry of Interior of Ms. Noelia Asama for exercising her freedom of expression.</p> <p>Lawyer and activist Gemma Jones was summoned to the police on allegations of sharing via social media of information deemed not public by the authorities.</p> <p>A nurse was arrested for denouncing the lack of oxygen in a hospital during the pandemic.</p>
Source(s) of information	<p>Última hora: dejan en libertad al periodista y director del periódico Mofueñ detenido este martes</p> <p>https://realequatorialguinea.com/sociedad/ultima-hora-el-periodista-ya-esta-en-liberta/</p> <p>Equatorial Guinea: appeal to stop the deterioration of Human Rights in the country</p> <p>https://aprofort.transparencia.pt/en/concerns-about-the-deterioration-of-human-rights-in-equatorial-guinea/</p> <p>Represión en período de alarma sanitaria en Guinea Ecuatorial: el caso de Nuria Obono Ndong Andeme</p> <p>https://www.fronterad.com/represion-en-periodo-de-alarma-sanitaria-en-guinea-ecuatorial-el-caso-de-nuria-obono-ndong-andeme/</p>

DIMENSION	IMPLEMENTATION AND COMPLIANCE
Indicator number	17.6 Protection of fundamental freedoms
Indicator question(s)	Have there been cases of attacks against NGOs, journalists, and others advocating or reporting on corruption adequately investigated and resolved in the past two years? Were perpetrators identified and held accountable?
Response	There is no information of investigations conducted on attacks against NGOs or journalists reporting corruption. In general reports by activists are not fully investigated by law enforcement authorities.
Source(s) of information	<p>Legal Clinic of APROFORT</p> <p>Última hora: dejan en libertad al periodista y director del periódico Mofueñ detenido este martes</p>

<https://realequatorialguinea.com/sociedad/ultima-hora-el-periodista-ya-esta-en-liberta/>

Equatorial Guinea: appeal to stop the deterioration of Human Rights in the country

<https://aprofort.transparencia.pt/en/concerns-about-the-deterioration-of-human-rights-in-equatorial-guinea/>

DIMENSION	IMPLEMENTATION AND COMPLIANCE
Indicator number	17.7 Protection of fundamental freedoms
Indicator question(s)	Have there been documented cases of government censorship, including of online communication, or of undue political interference that limits people's ability to inform and express themselves online in the past two years? <i>If "yes", please provide a brief description of relevant cases and sources/links. If there were numerous cases or if censorship is an ongoing practice, please briefly describe the three cases or practices you deem most severe.</i>
Response	Political parties have denounced that access to their websites is difficult or impossible from certain networks. Online access to dissenting media such as Diario Rombe and Radio Macuto continued to be difficult, although access to social media is less restrictive.
Source(s) of information	2021 Country Reports on Human Rights Practices: Equatorial Guinea https://www.state.gov/reports/2021-country-reports-on-human-rights-practices/equatorial-guinea/

18. ACCESS TO INFORMATION

DIMENSION	LEGISLATIVE AND INSTITUTIONAL FRAMEWORK
Indicator number	18.1 Access to information
Indicator question(s)	Does the legal framework (including jurisprudence) recognize a fundamental right of access to information?
Scoring	0: There is no constitutional right to information
Response	The constitution does not include the right to information. Only the media law contains the right to access to information for the registered media.
Source(s) of information	Ley fundamental de Guinea Ecuatorial https://www.guineaecuatorialpress.com/pdf/Ley_Fundamental_Guinea_Ecuatorial.pdf Ley Núm. 6/1.997, de fecha 30 de Mayo, de Prensa, Imprenta y Medios Audiovisuales. https://boe.gob.gq/files/PRENSA%20E%20IMPRESA.pdf

DIMENSION	LEGISLATIVE AND INSTITUTIONAL FRAMEWORK
Indicator number	18.2 Access to information
Indicator question(s)	Does the right of access to information apply to all materials held by or on behalf of public authorities in any format, regardless of who produced it?
Scoring	- : Not applicable or no data available
Response	There is no access to information law. The law on administrative procedure allows to request information only by an interested part to a procedure. The media law contains the right to access to information for the registered media.
Source(s) of information	Law on Administrative Procedure https://www.guineaecuatorialpress.com/pdf/BOLETIN_OFICIAL_DEL_ESTADO_1.pdf Ley Núm. 6/1.997, de fecha 30 de Mayo, de Prensa, Imprenta y Medios Audiovisuales. https://boe.gob.gq/files/PRENSA%20E%20IMPRESA.pdf

DIMENSION	LEGISLATIVE AND INSTITUTIONAL FRAMEWORK
Indicator number	18.3 Access to information
Indicator question(s)	To which branches and bodies does the right of access apply?
Scoring	– : Not applicable or no data available
Response	There is no access to information law. The law on administrative procedure allows to request information only by an interested part to a procedure. The media law contains the right to access to information for the registered media.
Source(s) of information	Law on Administrative Procedure https://www.guineaecuatorialpress.com/pdf/BOLETIN_OFICIAL_DEL_ESTADO_1.pdf Ley Núm. 6/1.997, de fecha 30 de Mayo, de Prensa, Imprenta y Medios Audiovisuales. https://boe.gob.gq/files/PRENSA%20E%20IMPRESA.pdf

DIMENSION	LEGISLATIVE AND INSTITUTIONAL FRAMEWORK
Indicator number	18.4 Access to information
Indicator question(s)	Are there clear and reasonable maximum timelines for responding to a request, regardless of the manner of satisfying the request?
Scoring	– : Not applicable or no data available
Response	There is no access to information law. The law on administrative procedure allows to request information only by an interested part to a procedure, general timelines for administrative procedures apply. The media law contains the right to access to information for the registered media, not timeline for the release of information is included in this law.
Source(s) of information	Law on Administrative Procedure https://www.guineaecuatorialpress.com/pdf/BOLETIN_OFICIAL_DEL_ESTADO_1.pdf Ley Núm. 6/1.997, de fecha 30 de Mayo, de Prensa, Imprenta y Medios Audiovisuales. https://boe.gob.gq/files/PRENSA%20E%20IMPRESA.pdf

DIMENSION	LEGISLATIVE AND INSTITUTIONAL FRAMEWORK
Indicator number	18.5 Access to information
Indicator question(s)	Are exceptions to the right of access consistent with international standards?
Scoring	– : Not applicable or no data available
Response	There is no access to information law. The law on administrative procedure allows to request information only by an interested part to a procedure. The media law contains the right to access to information for the media.
Source(s) of information	Law on Administrative Procedure https://www.guineaecuatorialpress.com/pdf/BOLETIN_OFICIAL_DEL_ESTADO_1.pdf Ley Núm. 6/1.997, de fecha 30 de Mayo, de Prensa, Imprenta y Medios Audiovisuales. https://boe.gob.gq/files/PRENSA%20E%20IMPRESA.pdf

DIMENSION	LEGISLATIVE AND INSTITUTIONAL FRAMEWORK
Indicator number	18.6 Access to information
Indicator question(s)	Is a harm test applied to all exceptions, so that disclosure may only be refused when it poses a risk of actual harm to a protected interest?
Scoring	– : Not applicable or no data available
Response	There is no access to information law. The media law includes situations of state secrecy to deny access to the media or in any other situation where the administration would consider this information as “reserved”.
Source(s) of information	Ley Núm. 6/1.997, de fecha 30 de Mayo, de Prensa, Imprenta y Medios Audiovisuales. https://boe.gob.gq/files/PRENSA%20E%20IMPRESA.pdf

DIMENSION	LEGISLATIVE AND INSTITUTIONAL FRAMEWORK
Indicator number	18.7 Access to information
Indicator question(s)	Is there a mandatory public interest override so that information must be disclosed where this is in the overall public interest, even if this may harm a protected interest? Are there 'hard' overrides (which apply absolutely), for example for information about human rights, corruption or crimes against humanity?
Scoring	– : Not applicable or no data available
Response	There is no access to information law and no other laws could be found containing a specific public interest override.
Source(s) of information	

DIMENSION	LEGISLATIVE AND INSTITUTIONAL FRAMEWORK
Indicator number	18.8 Access to information
Indicator question(s)	Is there an independent Information Commission, or a similar oversight body, with whom requestors have the right to lodge an external appeal?
Scoring	– : Not applicable or no data available
Response	There is no access to information law nor a commissions that has an oversight role.
Source(s) of information	

DIMENSION	THIRD PARTY ASSESSMENT
Indicator number	18.10 Access to information
Indicator question(s)	What is the country's score in the Right-To-Information Rating? (http://www.rti-rating.org/country-data/)
Response	Equatorial guinea is not rated.
Source(s) of information	

DIMENSION	IMPLEMENTATION AND COMPLIANCE
Indicator number	18.14 Access to information
Indicator question(s)	Have there been any developments in the past two years that suggest an improvement or deterioration in the framework for public access to information and/or its implementation?
Response	<p>Access to public information is very limited, even in cases where public information was shared via social networks individuals faced retaliation. This is the case of the nurse Nuria Obono, which audio message via WhatsApp went viral because she denounced the lack of oxygen in the hospital in the midst of the COVID -19 pandemic. She was arrested and released a few days later.</p> <p>A lawyer that shared a document via whatsapp was summoned at the police to explain her involvement in the publications of information deemed not public by the authorities.</p>
Source(s) of information	<p>Equatorial Guinea: Lawyer Gemma Jones was arbitrarily detained for more than three hours at the National Police station in the capital city of the Republic of Equatorial Guinea, Malabo.</p> <p>https://protect-lawyers.org/en/item/gemma-jones/</p> <p>Enfermera del Centro Médico La Paz es detenida injustamente y humillada en la televisión pública nacional</p> <p>https://www.guinea-ecuatorial.net/ms/main.asp?cd=ni10013</p>

SCORES SUMMARY

This table excluded the areas where the question was either not applicable or data was not available, please refer to the questionnaire above for details on those questions if any.

Nr.	Policy area	Question / indicator / scores	Score:
2.1	Recent developments	Has the country adopted a national anti-corruption action plan? 1: A national anti-corruption action plan has been adopted; 0.5: There is an ongoing process to draft and adopt a national anti-corruption action plan; 0: There is no national anti-corruption action plan and no apparent process to adopt one; -: Not applicable or no data available.	1
3.1	Anti-money laundering	Has the country adopted a law to criminalize money laundering, in line with recommendation 3 of the FATF? 1: Compliant (C); 0.75: Largely Compliant (LC); 0.5: Partially Compliant (PC); 0: Non-compliant (NC); -: Not applicable or no data available.	1
3.3	Anti-money laundering	Are financial institutions (banks) prohibited by law from keeping anonymous accounts and are they required to undertake due diligence on their customers, in line with FATF recommendation 10? 1: Financial institutions are prohibited by law from keeping anonymous accounts; they are also required to undertake due diligence on their customers, in line with FATF recommendation 10; 0.5: Only one of those provisions is in place: Financial institutions are prohibited by law from keeping anonymous accounts or they are required to undertake due diligence on their customers; 0: Financial institutions are allowed to offer anonymous accounts and they are not required to carry out due diligence on their customers; -: Not applicable or no data available.	1

3.4	Anti-money laundering	<p>Are financial institutions required by law to inform relevant authorities when they suspect (or have reasonable grounds to suspect) that funds are the proceeds of criminal activity, in line with FATF recommendation 20?</p> <p>1: Financial institutions are required by law to inform relevant authorities when they suspect or have grounds to suspect that funds are the proceeds of criminal activity, in line with FATF recommendation 10;</p> <p>0.5: Financial institutions are not required by law to report funds they suspect are the proceeds of criminal activity;</p> <p>0: Financial institutions are not required by law to report funds they suspect are the proceeds of criminal activity;</p> <p>-: Not applicable or no data available.</p>	1
3.5	Anti-money laundering	<p>Are designated non-financial businesses and professions (DNFBPs) – casinos, real estate agents, jewellers, lawyers, notaries, other legal professionals, accountants, and trust and company service providers – required to carry out customer due diligence, to keep records, and to report suspicious transactions to the financial intelligence unit, in line with FATF recommendations 22 and 23?</p> <p>1: Designated non-financial businesses and professions by law are required to carry out customer due diligence, to keep records and to report suspicious transactions, in line with FATF recommendations 22 and 23;</p> <p>0.5: There are some legal obligations for designated non-financial businesses and professions to carry out customer due diligence, or to keep records, or to report suspicious transactions. These requirements are only partially in line with FATF recommendations 22 and 23;</p> <p>0: There are no legal obligations for designated non-financial businesses and professions to carry out customer due diligence, or to keep records, or to report suspicious transactions;</p> <p>-: Not applicable or no data available.</p>	1
3.8	Anti-money laundering	<p>Has the country signed the multilateral competent authority agreement on the exchange of country-by-country reports on key indicators of multinational enterprise groups?</p> <p>1: Yes;</p> <p>0: No;</p> <p>-: Not applicable or no data available.</p>	0
3.9	Anti-money laundering	<p>Has the country signed the competent authority multinational agreement on automatic exchange of financial account information?</p> <p>1: Yes;</p> <p>0: No;</p> <p>-: Not applicable or no data available.</p>	0

4.1	Beneficial ownership transparency	<p>To what extent does the law in your country clearly define beneficial ownership?</p> <p>1: Beneficial owner is defined as a natural person who directly or indirectly exercises ultimate control over a legal entity or arrangement, and the definition of ownership covers control through other means, in addition to legal ownership;</p> <p>0.5: Beneficial owner is defined as a natural person [who owns a certain percentage of shares] but there is no mention of whether control is exercised directly or indirectly, or if control is limited to a percentage of share ownership;</p> <p>0: There is no definition of beneficial ownership or the control element is not included;</p> <p>-: Not applicable or no data available.</p>	1
4.2	Beneficial ownership transparency	<p>Does the law require that financial institutions have procedures for identifying the beneficial owner(s) when establishing a business relationship with a client?</p> <p>1: Yes, financial institutions are always required to identify the beneficial owners of their clients when establishing a business relationship;</p> <p>0.5: Financial institutions are required to identify the beneficial owners only in cases considered as high-risk or the requirement does not cover the identification of the beneficial owners of both natural and legal customers;</p> <p>0: No, there is no requirement to identify the beneficial owners;</p> <p>-: Not applicable or no data available.</p>	1
4.3	Beneficial ownership transparency	<p>Does the law specify which competent authorities (e.g. financial intelligence unit, tax authorities, public prosecutors, anti-corruption agencies, etc.) are allowed to have access to beneficial ownership information?</p> <p>1: Yes, the law specifies that all law enforcement bodies, tax agencies, and the financial intelligence unit should have access to beneficial ownership information;</p> <p>0.75: Yes, a decree or another authoritative standard or policy specifies that all law enforcement bodies, tax agencies, and the financial intelligence unit should have access to beneficial ownership information;</p> <p>0.5: Only some competent authorities are explicitly mentioned in the law, decree or policy ;</p> <p>0: The law or relevant decree or policies do not specify which authorities should have access to beneficial ownership information.</p> <p>-: Not applicable or no data available</p>	1

4.6	Beneficial ownership transparency	<p>What information on beneficial ownership is recorded in the central company registry?</p> <p>1: All relevant information is recorded: name of the beneficial owner(s), identification or tax number, personal or business address, nationality, country of residence and description of how control is exercised;</p> <p>0.75: Information is partially recorded;</p> <p>0.5: Only the name of the beneficial owner is recorded;</p> <p>0: No information is recorded;</p> <p>-: Not applicable or no data available.</p>	0.25
4.7	Beneficial ownership transparency	<p>What information on beneficial ownership is made available to the public?</p> <p>1: All relevant information is published online: name of the beneficial owner(s), identification or tax number, personal or business address, nationality, country of residence and description of how control is exercised;</p> <p>0.75: Information is partially published online, but some data is omitted (e.g. tax number); sufficient information is accessible to identify beneficial owners;</p> <p>0.5: Only the name of the beneficial owner is published/ or information is only made available on paper / physically;</p> <p>0.25: Information on direct owners (who may not be beneficial owners) is accessible and they can be identified;</p> <p>0: No information is published or accessible information is insufficient to identify direct or beneficial owners;</p> <p>-: Not applicable or no data available.</p>	0
5.1	Recovery of stolen assets	<p>Does the country have a specific asset recovery policy?</p> <p>1: A comprehensive asset recovery policy is in place;</p> <p>0.5: The country has adopted an asset recovery policy but it fails to address some important aspects;</p> <p>0: No asset recovery policy has been adopted;</p> <p>-: Not applicable or no data available.</p>	0

5.2	Recovery of stolen assets	<p>Has the country established a wide range of asset recovery mechanisms, including a. measures that allow for the seizure and confiscation of proceeds from money laundering without requiring a criminal conviction (non-conviction-based confiscation) and/or a policy that requires an offender to demonstrate that the assets were acquired lawfully. b. the recognition/enforceability of foreign non-conviction based confiscation/forfeiture orders?</p> <p>1: The country has adopted measures that allow for non-conviction based confiscation and/or measures that shift the burden of proof that assets were acquired legally on the offender, as well as a mechanism that allows for the recognition and enforcement of foreign non-conviction based confiscation orders; 0.5: The country has adopted two of the above mechanisms; 0.25: One of the above mechanisms has been adopted; 0: None of the approaches has been adopted; -: Not applicable or no data available.</p>	1
5.3	Recovery of stolen assets	<p>Has the country created a specialized asset recovery team or unit?</p> <p>1: There is a team, unit or agency that specializes in asset recovery and the legal framework provides sufficient political independence and resources to carry out its responsibilities; 0.5: There is a team, unit or agency that specializes in asset recovery and the legal framework provides either sufficient political independence or sufficient resources to carry out its responsibilities; 0.25: There is a team, unit or agency that specializes in asset recovery but the legal framework fails to ensure provide sufficient political independence and resources for this body; 0: There is no specialized team or agency tasked with asset recovery; -: Not applicable or no data available.</p>	0
9.1a	Anti-corruption framework and institutions	<p>Are the following offences clearly defined and banned by criminal law?...</p> <p>a. Active bribery of domestic public officials, in line with Art. 15(a) of UNCAC</p> <p>1: The offence is clearly defined and banned; 0.5: the offence is banned, but there are shortcomings in its definition; 0: The offence is not adequately defined or not banned; -: Not applicable or no data available.</p>	1
9.1b	Anti-corruption framework and institutions	<p>b. Passive bribery of domestic public officials, in line with Art. 15(b) of UNCAC?</p> <p>1: The offence is clearly defined and banned; 0.5: the offence is banned, but there are shortcomings in its definition; 0: the offence is not adequately defined or not banned"; -: Not applicable or no data available.</p>	1

9.1c	Anti-corruption framework and institutions	c. Embezzlement, misappropriation or other diversion of property by a public official, in line with Art. 17 of UNCAC 1: The offence is clearly defined and banned; 0.5: the offence is banned, but there are shortcomings in its definition; 0: the offence is not adequately defined or not banned"; -: Not applicable or no data available.	1
9.1d	Anti-corruption framework and institutions	d. Trading in influence, in line with Art. 18 of UNCAC 1: The offence is clearly defined and banned; 0.5: the offence is banned, but there are shortcomings in its definition; 0: the offence is not adequately defined or not banned"; -: Not applicable or no data available.	1
9.1e	Anti-corruption framework and institutions	e. Abuse of functions, in line with Art. 19 of UNCAC 1: The offence is clearly defined and banned; 0.5: the offence is banned, but there are shortcomings in its definition; 0: the offence is not adequately defined or not banned"; -: Not applicable or no data available.	1
9.1f	Anti-corruption framework and institutions	f. Illicit Enrichment, in line with Art. 20 of UNCAC 1: The offence is clearly defined and banned; 0.5: the offence is banned, but there are shortcomings in its definition; 0: the offence is not adequately defined or not banned"; -: Not applicable or no data available.	1
9.1g	Anti-corruption framework and institutions	g. Bribery in the private sector, in line with Art. 21 of UNCAC 1: The offence is clearly defined and banned; 0.5: the offence is banned, but there are shortcomings in its definition; 0: the offence is not adequately defined or not banned"; -: Not applicable or no data available.	1
9.1h	Anti-corruption framework and institutions	h. Embezzlement of property in the private sector, in line with Art. 22 of UNCAC 1: The offence is clearly defined and banned; 0.5: the offence is banned, but there are shortcomings in its definition; 0: the offence is not adequately defined or not banned"; -: Not applicable or no data available.	1

9.1i	Anti-corruption framework and institutions	<p>i. Laundering of proceeds of crime, in line with Art. 23 of UNCAC</p> <p>1: The offence is clearly defined and banned; 0.5: the offence is banned, but there are shortcomings in its definition; 0: the offence is not adequately defined or not banned"; -: Not applicable or no data available.</p>	1
9.1j	Anti-corruption framework and institutions	<p>j. Concealment, in line with Art. 24 of UNCAC</p> <p>1: The offence is clearly defined and banned; 0.5: the offence is banned, but there are shortcomings in its definition; 0: the offence is not adequately defined or not banned"; -: Not applicable or no data available.</p>	1
9.1k	Anti-corruption framework and institutions	<p>k. Obstruction of justice, in line with Art. 25 of UNCAC</p> <p>1: The offence is clearly defined and banned; 0.5: the offence is banned, but there are shortcomings in its definition; 0: the offence is not adequately defined or not banned"; -: Not applicable or no data available.</p>	1
10.2	Private sector corruption	<p>Does the country's legal framework prohibit collusion?</p> <p>1: The law prohibits hard core cartels and collusion; 0.5: The law prohibits hard core cartels, but not all major forms of collusion are banned; 0: The law does not prohibit hard core cartels or most forms of collusion; -: Not applicable or no data available.</p>	1
12.1	Party & election campaign finance transparency	<p>Is there a legal framework regulating the financing of political parties and the finances of candidates running for elected office?</p> <p>1: There is a legal framework regulating the financing of political parties and the finances of candidates running for elected office; 0.5: There is a legal framework regulating the financing of political parties and the finances of candidates running for elected office but some actors or candidates are not subject to this regulation; 0: there is no such framework; - : Not applicable or no data available.</p>	1

12.2	Party & election campaign finance transparency	<p>Are political parties and individual candidates running for elected office required to disclose financial statements for their campaigns detailing itemized income and expenditure, as well as individual donors to their campaign finances?</p> <p>1: Political parties (and, if applicable, political candidates) are required to release itemized income and expenditure reports on their campaigns and to disclose donors who contributed to a party's or candidate's electoral campaign, with the threshold of disclosure at 1,000 Euro/USD or less;</p> <p>0.5: Political parties (and, if applicable, political candidates) are required to release income reports of political campaigns to the public and to disclose major donors who contributed to a campaign, with a threshold between 1,001 and 5,000 Euro/USD;</p> <p>0.25: Political parties (and, if applicable, political candidates) are required to release income reports of political campaigns to the public and to disclose big donors of an electoral campaign, with the threshold being between 5,001 and 20.000 Euro/USD;</p> <p>0: Parties and candidates are not required to release financial information, or the reporting does not require the disclosure of donors who contributed more than 20,001 Euro/USD to a campaign;</p> <p>– : Not applicable or no data available.</p>	0
12.3	Party & election campaign finance transparency	<p>Are political parties and, if applicable, individual candidates running for elected office required to disclose annual accounts with itemized income and expenditure and individual donors?</p> <p>1: Political parties (and, if applicable, political candidates) are required to release itemized income and expenditure reports on their annual accounts and disclose donors who contributed to a party's or candidate's annual finances, with the threshold of disclosure at 1,000 Euro/USD or less;</p> <p>0.5: Political parties (and, if applicable, political candidates) are required to release annual income reports to the public and to disclose major donors, with a threshold between 1,001 and 5,000 Euro/USD in contributions over one year;</p> <p>0.25: Political parties (and, if applicable, political candidates) are required to release annual income reports to the public and to disclose big donors, with the threshold being between 5,001 and 20,000 Euro/USD in contributions over one year;</p> <p>0: Parties and candidates are not required to release annual financial information, or the reporting does not require the disclosure of donors who contributed more than 20,001 Euro/USD over one year;</p> <p>– : Not applicable or no data available.</p>	0

12.4	Party & election campaign finance transparency	<p>Are parties' (and, if applicable, candidates') electoral campaign expenditures subject to independent scrutiny?</p> <p>1: The campaign finances of parties and/or candidates for elected office are subject to independent verification, and the legal framework provides the oversight body with sufficient independence, powers and resources to scrutinize the statements and accounts in an effective manner;</p> <p>0.5: The campaign finances of parties and/or candidates for elected office are subject to verification, but available the legal framework fails to guarantee the political independence of the oversight body and/or does not provide the oversight body with sufficient powers and resources to effectively scrutinize the statements and accounts in an effective manner;</p> <p>0: Parties and/or candidates are not required to release financial information on their electoral campaigns, or the law does provide for a control mechanism;</p> <p>– : Not applicable or no data available.</p>	0
12.5	Party & election campaign finance transparency	<p>Are the annual accounts of political parties (and, if applicable, of candidates) subject to independent scrutiny?</p> <p>1: Annual financial statements of parties and/or candidates are subject to independent verification, the legal framework provides the oversight body with sufficient independence, powers and resources to scrutinize the statements and accounts in an effective manner;</p> <p>0.5: Annual financial statements of parties and/or candidates for elected office are subject to verification, but available the legal framework fails to guarantee the political independence of the oversight body and/or does not provide the oversight body with sufficient powers and resources to effectively scrutinize the statements and accounts in an effective manner;</p> <p>0: Parties and/or candidates are not required to release annual financial statements, or the law does provide for a control mechanism;</p> <p>– : Not applicable or no data available.</p>	0.5
13.1	Transparency and integrity in public administration	<p>Is there a law, regulation or Code of Conduct in place, covering public officials, employees and representatives of the national government, that adequately addresses the following issues: a. integrity, fairness, and impartiality; b. gifts, benefits, and hospitality; and c. conflicts of interest?</p> <p>1: A law, regulation or Code of Conduct is in place and addresses the aspects mentioned above;</p> <p>0.5: A law, regulation or Code of Conduct is in place but only addresses two of the aspects mentioned above;</p> <p>0.25: A law, regulation or Code of Conduct is in place but only addresses one of the aspects mentioned above;</p> <p>0: No law, regulation or Code of Conduct is in place or an existing law, regulation or Code fails to address any of those aspects;</p> <p>-: Not applicable or no data available.</p>	1

13.2	Transparency and integrity in public administration	<p>Is there a law or clear policy in place to address the ‘revolving door’ – the movement of individuals between public office and private sector, while working on the same sector or issue, which may result in conflicts of interest and in former public officials misusing the information and power they hold to benefit private interests?</p> <p>1: There is a law or clear policy addressing the ‘revolving door’; 0: There is no law or policy addressing the ‘revolving door’; – : Not applicable or no data available.</p>	1
13.3	Transparency and integrity in public administration	<p>Does the law or policy that addresses the ‘revolving door’ cover all relevant public-sector decision-makers?</p> <p>1: The law or policy in principle provides comprehensive coverage of relevant public-sector decision-makers; 0.5: The law or policy addressing the ‘revolving door’ covers most relevant public sector decision-makers but fails to include some relevant positions; 0.25: The law or policy addressing the ‘revolving door’ only applies to some relevant decision-makers and fails to include many relevant decision-making posts; 0: No law or policy exists or an existing law or policy does not specify which positions are covered; – : Not applicable or no data available.</p>	1
13.4	Transparency and integrity in public administration	<p>Is there a mandatory cooling-off period – a minimum time interval restricting former officials from accepting employment in the private sector that relates to their former position – for members of the government and other relevant high-level decision-makers?</p> <p>1: The policy contains a minimum cooling-off period of at least 2 years for certain positions and cases where the new employment of former government members and other high-level decision-makers would result in a conflict of interest 0.5: The policy contains a minimum cooling-off period of at least 6 months for certain positions and cases where the new employment of former government members and other high-level decision-makers would result in a conflict of interest 0: There are no or shorter minimum post-employment restrictions – : Not applicable or no data available</p>	0.5
13.5	Transparency and integrity in public administration	<p>Is there a single public body or are there designated authorities responsible for providing advice and overseeing ‘revolving door’ regulations?</p> <p>1: There is a single body, or there are various designated authorities charged with providing advice and overseeing the implementation of the policy; 0: No authority or public body is charged with overseeing the implementation of the policy; – : Not applicable or no data available.</p>	1

13.6	Transparency and integrity in public administration	<p>Are there proportionate and dissuasive sanctions for both individuals and companies that do not comply with the law or policy controlling the ‘revolving door’?</p> <p>1: Sanctions in the law (or policy) can be considered proportionate and dissuasive; 0.5: There are sanctions in the law (or policy) but they are not considered to be proportionate and dissuasive; 0: The law (or policy) includes no sanctions; – : Not applicable or no data available.</p>	1
13.8	Transparency and integrity in public administration	<p>Does the legal framework require high-level public officials and senior civil servants to regularly (at least once per year) declare their interests, including any paid or unpaid positions and financial interests in companies and other entities?</p> <p>1: The legal framework requires high-level public officials and senior civil servants to declare their interests at least once per year; 0.25: The legal framework requires high-level public officials and senior civil servants to declare their interests but either does not require this on at least an annual basis or does not specify how regularly declarations are required; 0: High-level public officials and senior civil servants are not required to declare their interests; – : Not applicable or no data available.</p>	1
13.9	Transparency and integrity in public administration	<p>Do the interest disclosure requirements cover officials of all branches of government - executive, the legislature, the judiciary, and civil service as well as other relevant public bodies?</p> <p>1: the interest disclosure applies to high-level officials from the executive, legislature, judiciary and civil service/other public bodies; 0.75: the interest disclosure applies to three of these sectors; 0.5: the interest disclosure applies to two branches of government; 0.25: the interest disclosure applies to one branch of government; 0: there is no interest disclosure requirement; - : Not applicable or no data available.</p>	1
13.10	Transparency and integrity in public administration	<p>Does the legal framework require high-level public officials and senior civil servants to regularly (at least once per year) declare their income and assets?</p> <p>1: The legal framework requires high-level public officials and senior civil servants to declare their income and assets at least once per year; 0.25: The legal framework requires high-level public officials and senior civil servants to declare their income and assets but either does not require this on at least an annual basis or does not specify how regularly declarations are required; 0: High-level public officials and senior civil servants are not required to declare their income and assets; - : Not applicable or no data available.</p>	1

13.11	Transparency and integrity in public administration	<p>Do the income and asset disclosure requirements cover officials of all branches of government -executive, the legislature, the judiciary, and civil service as well as other relevant public bodies?</p> <p>1: the asset and income disclosure applies to high-level officials from the executive, legislature, judiciary and civil service/other public bodies; 0.75: the asset and income disclosure applies to three of these sectors; 0.5: the asset and income disclosure applies to two branches of government; 0.25: the asset and income disclosure applies to one branch of government; 0: there is no asset and income disclosure requirement; - : Not applicable or no data available.</p>	1
13.12	Transparency and integrity in public administration	<p>Does the framework require that information contained in interest declarations and income and asset disclosures disclosures be made publicly accessible?</p> <p>1: All or most information contained in interest declarations and income and asset disclosure forms has to be made available to the public (some redaction may be necessary to protect legitimate privacy interests); 0.75: Information contained in both interest declarations and income and asset disclosure forms has to be made available to the public, but there are significant omissions for either interest declarations or income and asset disclosure forms; 0.5: Information from interest declarations and income and asset disclosure forms has to be publicly accessible, but there are significant omissions for both interest declarations and income and asset disclosure forms; 0.25: Only limited information from either interest declarations or income and asset disclosure forms has to be made publicly accessible; 0: No information contained in interest declarations and income and asset disclosure forms has to be made publicly accessible; - : Not applicable or no data available.</p>	1
13.13	Transparency and integrity in public administration	<p>Does the legal framework establish an oversight body that is provided with sufficient political independence and legal powers to scrutinise income and asset disclosures?</p> <p>1: The legal framework provides for an independent oversight mechanism with sufficient independence and powers to scrutinise income and asset declarations; 0.75: The legal framework provides for oversight of the income and asset declarations, but only provides the body or bodies with either sufficient independence or with adequate powers to scrutinise the submissions; 0.25: The legal framework provides for oversight of the income and asset declarations, but provides the body or bodies neither with sufficient independence nor with adequate powers to scrutinise the submissions; 0: The legal framework does not provide for any oversight of the income and asset declarations; - : Not applicable or no data available.</p>	0.25

13.14	Transparency and integrity in public administration	<p>Does the law or policy contain dissuasive and proportionate sanctions for failure to comply with interest and income and asset disclosure requirements?</p> <p>1: The law or policy contains dissuasive and proportionate sanctions for non-filing of disclosures, or for incomplete or false claims made in disclosures, covering both interests and income and assets;</p> <p>0.75: The law or policy contains sanctions for non-filing of disclosures, or for incomplete or false claims made in both interests and income and assets disclosures, but these sanctions are only dissuasive and proportionate in either the area of interest declarations or income and asset disclosures;</p> <p>0.5: The law or policy contains sanctions covering interest and/or income and asset disclosures, but in neither area are such sanctions dissuasive and proportionate;</p> <p>0.25: The law or policy contains sanctions covering interest and/or income and asset disclosures but they only cover some types of non-compliance (such as false or incomplete claims) while failing to address other forms of non-compliance (such as the non-submission of declarations);</p> <p>0: The law or policy contains no sanctions for non-submission of interest and income and asset declarations, or for incomplete or false claims made in disclosures;</p> <p>- : Not applicable or no data available.</p>	1
14.1	Fiscal transparency	<p>Is there legislation or policy in place requiring a high degree of fiscal transparency?</p> <p>1: The legal framework requires a high degree of fiscal transparency and the publication of all the key budget documents listed above;</p> <p>0.75: The legal framework requires a fairly high degree of fiscal transparency and the publication of 7 of the key budget documents;</p> <p>0.5: The legal framework requires some degree of fiscal transparency and the release of 6 of the key budget documents;</p> <p>0.25: The legal framework requires little fiscal transparency and only the release of 5 of the key budget documents;</p> <p>0: The legal framework requires insufficient transparency and only the release of 4 or less of the key budget documents;</p> <p>– : Not applicable or no data available.</p>	0
16.1	Whistleblowing and reporting mechanisms	<p>Is there a legal framework to protect whistle-blowers from the public and the private sector who report reasonable belief of wrongdoing?</p> <p>1: The law provides protection for whistle-blowers from both, public and private sector;</p> <p>0.5: The law provides protection for whistle-blowers from either the public or the private sector;</p> <p>0: There is no protection of whistle-blowers guaranteed by law;</p> <p>- : Not applicable or no data available.</p>	0.5

16.5	Whistleblowing and reporting mechanisms	<p>Does the law provide for adequate remedies for whistle-blowers?</p> <p>1: The law provides for adequate remedies, including compensation rights, the reversal of the burden of proof in favour of the whistle-blower, and the right to a new supervisor or department;</p> <p>0.75: The law provides several remedies, including two out of the following: compensation rights, the reversal of the burden of proof, and the right to a new supervisor or department;</p> <p>0.5: The law fails to address several important aspects, and only provides for one of the following: compensation rights, the reversal of the burden of proof, and the right to a new supervisor or department;</p> <p>0: The law provides no or inadequate remedies;</p> <p>- : Not applicable or no data available.</p>	0.75
16.6	Whistleblowing and reporting mechanisms	<p>Is there an independent authority responsible for the oversight and enforcement of whistleblowing legislation?</p> <p>1: There is an independent authority with a strong and comprehensive mandate to oversee and enforce whistleblowing legislation exist;</p> <p>0.5: There is an independent authority, but its mandate to oversee and enforce whistleblowing legislation is limited;</p> <p>0: There is no independent authority to oversee and enforce whistleblowing legislation;</p> <p>- : Not applicable or no data available.</p>	0.5
16.8	Whistleblowing and reporting mechanisms	<p>Is there a law/policy that establishes a dedicated reporting mechanism for witnesses and victims of corruption (such as a hotline or a secure and anonymous electronic post box)? Does the law provide the body charged with operating it with sufficient independence and powers to investigate the reports it receives?</p> <p>1: The law/policy creates a dedicated reporting mechanism for witnesses and victims of corruption. The body charged with operating it is provided with sufficient independence and powers to investigate the reports it receives;</p> <p>0.5: The law/policy creates a dedicated reporting mechanism for witnesses and victims of corruption, but it does not provide the body charged with operating it with sufficient independence and powers to investigate the reports it receives;</p> <p>0: There is no law or policy mandating that a dedicated reporting mechanism for witnesses and victims of corruption be established;</p> <p>- : Not applicable or no data available.</p>	1
18.1	Access to information	<p>Does the legal framework (including jurisprudence) recognize a fundamental right of access to information?</p> <p>1: There is a full constitutional recognition of a public right of access to information</p> <p>0.5: There is a limited constitutional right</p> <p>0: There is no constitutional right to information</p> <p>- : Not applicable or no data available</p>	0

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