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Agenda item 10

Technical assistance and capacity-building

Gabon (on behalf of the Group of African States): draft resolution

23/...

Strengthening of technical cooperation and consultative services in Guinea

The Human Rights Council,

Guided by the Charter of the United Nations, the Universal Declaration of Human Rights and other applicable human rights instruments,

Recalling General Assembly resolution 60/251 of 15 March 2006 and Human Rights Council resolutions 13/21 of 26 March 2010, 16/36 of 25 March 2011 and 19/30 of 23 March 2012,

Reaffirming that all States have an obligation to promote and protect the human rights and fundamental freedoms set forth in the Charter of the United Nations, the Universal Declaration of Human Rights, the international covenants on human rights and the other relevant human rights instruments to which they are parties,

Noting with satisfaction the efforts made by Guineans and the international community, in particular the African Union and the Economic Community of West African States, to establish democratic institutions and to strengthen the rule of law,

Noting the delay in completion of the political transition process due to the postponement of parliamentary elections, a delay that could hamper the reforms that are indispensable in order to protect human rights and fundamental freedoms and to combat impunity,

Recalling that it is the primary responsibility of Guinea to protect its civilian population, to conduct inquiries into violations of human rights and international humanitarian law, and to bring perpetrators to justice,

1. *Recognizes the efforts made by the Government of Guinea to strengthen the rule of law and improve the human rights situation in Guinea, in line with the recommendations of the international commission of enquiry¹ established by the Secretary-*

¹ S/2009/693.

General of the United Nations and supported by the African Union and the Economic Community of West African States;

2. *Welcomes* the creation of the new Ministry of Human Rights and Civil Liberties and the mainstreaming of human rights in reform of the security sector;

3. *Takes note* of the change in the composition of the Independent National Electoral Commission, which is responsible for coordinating parliamentary elections on an impartial and consensual basis;

4. *Calls on* the Guinean authorities to guarantee freedom of opinion and expression and of peaceful assembly and association;

5. *Urges* all political actors:

(a) To take an active part in good faith in the political dialogue, and invites them to organize free, democratic and transparent legislative elections as soon as possible with a view to creating the conditions for the restoration of calm based on an inclusive dialogue among all sectors of the Guinean population;

(b) To prevent and prohibit acts of violence during the democratization process under way in Guinea;

6. *Takes note* of the establishment by the Government of Guinea of a national commission for the study and prevention of the problem of violence, and of the creation of the permanent framework for dialogue and consultation among stakeholders, which was established to lead the country to free, democratic, transparent and peaceful elections;

7. *Firmly reiterates* its attachment to accession to power by democratic means and condemns all incitement to ethnic or racial hatred;

8. *Urges* the Guinean authorities to pursue reforms in the security and defence sectors that take account of respect for human rights and guarantee the enjoyment of civil and political rights;

9. *Encourages* the Government of Guinea to draw up a comprehensive programme to strengthen the justice system in order to intensify efforts to combat impunity, in line with its aim of making 2013 the year of justice, and to consolidate the reforms relating to the strict observance of human rights;

10. *Notes* that measures have been taken by the panel of judges appointed by the Government of Guinea to investigate the events of 28 September 2009, including interviews with witnesses and charging of suspects, encourages the panel of judges to pursue its work and urges the Government to guarantee the panel of judges the necessary means and security conditions to enable them to effectively fulfil the mandate conferred upon them;

11. *Encourages* the Government of Guinea to adopt the following supplementary measures:

(a) Support the work of the panel of judges and expedite judicial proceedings against those responsible for the events of 28 September 2009, including the acts of sexual violence committed against women and girls, under conditions that will ensure the safety and protection of the judges and judicial personnel and of the witnesses and victims, and guarantee the transparency of the mandate and working methods of the panel of judges, and their ability to investigate and prosecute the persons at all levels who are implicated in those events;

(b) Guarantee the protection of the survivors of these acts of violence, including the victims of sexual violence, and provision of all suitable forms of reparation and

assistance, including medical assistance and psychological support, particularly for victims of sexual violence;

(c) Provide compensation for the families of victims who died following the events of 28 September 2009 and reparation for the physical and psychological suffering inflicted upon those who were wounded;

12. *Notes* that the Government of Guinea has agreed to accept the technical assistance provided by an expert from the Team of Experts on the Rule of Law and Sexual Violence in Conflict and urges the Government to continue its cooperation with the Office of the Special Representative of the Secretary-General on Sexual Violence in Conflict;

13. *Takes note* of the report of the United Nations High Commissioner for Human Rights on the situation of human rights in Guinea;²

14. *Firmly reiterates* its appeal to the international community to:

(a) Provide the Guinean authorities with appropriate assistance to promote respect for human rights through, inter alia, the achievement of the Millennium Development Goals, the fight against impunity and reform of the security and justice sectors, as well as the initiatives that are under way to promote truth, justice and national reconciliation;

(b) Support the Office of the United Nations High Commissioner for Human Rights in Guinea;

15. *Invites* the High Commissioner to report to the Council at its twenty-fifth regular session on the situation of human rights and the work of her office in Guinea;

16. *Decides* to remain seized of this matter.

² A/HRC/22/39.