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Human Rights Council

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Agenda item 10

Technical assistance and capacity-building

Canada*, France*, Guinea*, Norway, Senegal (on behalf of the African Group): draft resolution

19/...

Strengthening of technical cooperation and consultative services in the Republic of 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 and 16/36 of 25 March 2011,

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, international covenants on human rights and other human rights instruments to which they are parties,

Noting with appreciation the measures adopted by the Government of Guinea with a view to restoring the rule of law and to promoting and protecting human rights and fundamental freedoms,

Noting with concern the persistence of challenges in the areas of security and respect for human rights and the need for greater efforts to speed up the pace of reforms,

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 Guinea and the international community, in particular the African Union, the Economic Community of West African States and the European Union, to act upon the recommendations set forth in Human Rights Council resolution 16/36 for strengthening the rule of law and improving the human rights situation in Guinea;

* States not members of the Human Rights Council.

2. *Takes note* of the efforts made by the Government of Guinea to address the human rights violations committed during the events of 28 September 2009 by appointing a panel of judges to investigate those events, and encourages the Government of Guinea to ensure that this panel of judges is provided with the necessary means and security conditions to enable them to effectively fulfil the mandate conferred upon them;

3. *Takes note also* of the creation of a provisional national reconciliation commission and of an independent human rights commission, and encourages the Government of Guinea to promote human rights and work to promote reconciliation;

4. *Takes further note* of the fact that the Government of Guinea worked with the United Nations High Commissioner for Human Rights to open the office in Conakry and that the Guinean authorities have agreed to the deployment of members of the Team of Experts on the Rule of Law and Sexual Violence in Conflict;

5. *Encourages* the Government of Guinea to accelerate its implementation of the recommendations made by the International Commission of Inquiry established by the Secretary-General of the United Nations and supported by the African Union and the Economic Community of West African States and to adopt supplementary measures to that end in the following areas:

(a) Prosecution of 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, judicial personnel and victims involved, 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) Protection of the survivors of these acts of violence, including the victims of sexual violence, and the provision of all suitable forms of reparation and assistance, including medical assistance and psychological support, particularly for victims of sexual violence;

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

(d) Reform of the justice system;

(e) Reform of the security sector;

(f) Adoption of a national plan for combating discrimination;

(g) Alignment of national legislation with the relevant resolutions on violence against women and girls;

6. *Calls upon* the Guinean authorities to continue to prosecute persons implicated in the events of 28 September 2009;

7. *Reiterates its appeal* to the Guinean authorities to align national legislation with the provisions of the Rome Statute of the International Criminal Court, which Guinea ratified on 14 July 2003;

8. *Takes note*, in that regard, of the report of the United Nations High Commissioner for Human Rights on the situation of human rights in Guinea;¹

¹ A/HRC/19/49.

9. *Calls upon* the Guinean authorities and the opposition to work together to establish a timetable for legislative elections and to ensure that the right to freedom of opinion and expression and the right to freedom of peaceful assembly and association are protected throughout the electoral process;

10. *Welcomes* the Guinean Government's undertaking to promote justice, truth and reconciliation, takes note in that regard of the progress report issued on 15 December 2011 by the provisional national reconciliation commission, and encourages the Guinean authorities to take advantage of the available international expertise and to pursue its dialogue with civil society on the subject;

11. *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;

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