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QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS
IN ANY PART OF THE WORLD, WITH PARTICULAR REFERENCE TO COLONIAL
AND OTHER DEPENDENT COUNTRIES AND TERRITORIES

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

1996/... Situation of Human Rights in Equatorial Guinea

The Commission on Human Rights,

Recalling its resolution 1995/71 of 8 March 1995,

Guided by the principles embodied in the Charter of the United Nations,
in the Universal Declaration of Human Rights and in the International
Covenants on Human Rights,

Reaffirming that all States have the obligation to promote and protect
human rights and fundamental freedoms and to fulfil the obligations they have
undertaken under the various international instruments in this field,

Bearing in mind that, since the adoption by the Economic and Social
Council of its decision 1993/277 of 28 July 1993 and the appointment of
Mr. Alejandro Artucio as Special Rapporteur of the Commission on Human Rights,
the Government of Equatorial Guinea has received the advisory services of the
Special Rapporteur and the Centre for Human Rights, while some progress has
been observed in the human rights situation,

* Including States represented by observers, in accordance with rule 69,
paragraph 3, of the rules of procedure of the functional commissions of the
Economic and Social Council.

Taking note of the fact that the Government of Equatorial Guinea is a party to the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights and the Optional Protocols thereto, as well as the Convention on the Elimination of All Forms of Discrimination against Women,

Mindful that it is essential that all the political tendencies and political parties should play an active part in political and social life in order to ensure effective transition to a democratic and pluralist society,

Taking note of the holding of the first multi-party legislative elections in 1993, the first multi-party municipal elections in 1995 and the first multi-candidate presidential election in February 1996,

Further taking note with satisfaction of the fact that, in August 1995, the Government of Equatorial Guinea took steps to grant pardon and amnesty to a number of prisoners, as requested by the Special Rapporteur on his visit to Equatorial Guinea on 3 May 1995,

Taking note of the report of the Special Rapporteur (E/CN.4/1996/67 and Add.1),

Aware that it is essential to ensure full observance of human rights and fundamental freedoms in Equatorial Guinea,

1. Expresses its thanks to the Special Rapporteur for his report (E/CN.4/1996/67 and Add.1);
2. Calls upon the Government of Equatorial Guinea to take all necessary measures to promote the harmonious coexistence of all the ethnic groups making up the society of Equatorial Guinea;
3. Notes with interest that the democratic transition process in Equatorial Guinea has so far led to the holding of the first multi-party legislative elections in 1993, the first multi-party municipal elections in 1995 and the first multi-candidate presidential election in February 1996;
4. Expresses its deep concern at the fact that the presidential election of 25 February 1996 did not guarantee transparency and did not allow the proper participation of all the political forces;
5. Encourages the Government of Equatorial Guinea to continue the dialogue with all the political forces with a view to ensuring progress in the democratization of the country;

6. Invites the Government of Equatorial Guinea to continue the reform of the electoral legislation in conformity with the recommendations of the United Nations electoral adviser and those of the Special Rapporteur contained in his report;

7. Also encourages the Government of Equatorial Guinea to ensure the participation of all citizens in the country's political, social and cultural life;

8. Calls upon the Government of Equatorial Guinea to continue improving the conditions of prisoners and detainees;

9. Encourages the Government of Equatorial Guinea to accede to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the International Convention on the Elimination of All Forms of Racial Discrimination;

10. Calls upon the Government of Equatorial Guinea to continue to take the measures necessary to ensure that the police and security forces and other officials vested with authority put a stop to the violation of human rights;

11. Invites the Government of Equatorial Guinea to ensure that perpetrators of human rights violations are brought to justice, in order to put a stop to impunity and arbitrary arrest and detention, which are sometimes accompanied by torture and other cruel, inhuman or degrading treatment or punishment;

12. Also encourages the Government of Equatorial Guinea to continue taking the measures necessary to improve the situation of women in that country;

13. Further encourages the Government of Equatorial Guinea to continue its efforts to improve the functioning of the administration of justice and to guarantee the independence and impartiality of judges and magistrates;

14. Urges the Government of Equatorial Guinea to draw up and implement the National Plan for the United Nations Decade for Human Rights Education, 1995-2004;

15. Requests the Secretary-General to continue to provide the Government of Equatorial Guinea with the technical assistance and advisory services necessary to implement the recommendations contained in the Special Rapporteur's report;

16. Decides to renew the mandate of the Special Rapporteur for one year;

17. Requests the Secretary-General to provide the Special Rapporteur with all the assistance necessary for the discharge of his mandate;

18. Requests the Special Rapporteur to report to the Commission at its fifty-third session;

19. Decides to consider the question at its fifty-third session under the agenda item entitled "Question of the violation of human rights and fundamental freedoms in any part of the world, with particular reference to colonial and other dependent countries and territories".

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