

Responses to Recommendations

GUINEA

Review in the Working Group: 04 May 2010
 Adoption in the Plenary: 21 September 2010

Guinea’s responses to recommendations (as of 13.01.2011):

In the Report of the Working Group:	In the Addendum:	During the plenary:	Summary:
105 REC accepted; 9 pending	No addendum	The delegation took note of the 9 pending REC but also commented them	Accepted: 105 Rejected: 0 No clear position: 0 Pending: 9

List of recommendations contained in Section II of the Report of the Working Group A/HRC/15/4:

71. The recommendations formulated during the interactive dialogue and listed below have been examined by Guinea and enjoy its support:

A - 1. Ratify the optional protocols to the Convention on the Elimination of All Forms of Discrimination against Women and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Brazil);

A - 2. Advance significantly in the submission of overdue reports to different Treaty Bodies, as well as sign and ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights; the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women; the two Optional Protocols to the Convention on the Rights of the Child; the International Convention for the Protection of All Persons from Enforced Disappearance; and the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Spain);

A - 3. Sign and ratify the Optional Protocol to the Convention Against Torture (United Kingdom);

A - 4. Ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment with a view to establishing a national preventive mechanism (Costa Rica);

A - 5. Make every effort to uphold its clear obligations under international and African human rights treaties to respect the right to life and freedoms of expression and assembly (Republic of Korea);

- A - 6. Take effective measures to ensure protecting children's rights in conformity with its international obligations (Ukraine);
- A - 7. Integrate the various treaties to which Guinea is party into its domestic law, and become a party to other international human rights instruments for the wellbeing of the Guinean people (Chad);
- A - 8. Consider establishing a national human rights institution in accordance with the Paris Principles (Pakistan);
- A - 9. Consider establishing an independent national human rights institution in conformity with the Paris Principles (Malaysia);
- A - 10. Establish a national human rights institution in accordance with Paris Principles (Niger);
- A - 11. Noting that there currently are two national human rights institutions, avoid duplication; assign clear and well- defined competencies in accordance with the Paris Principles; and elaborate a National Human Rights Plan that integrates all spheres of public administration (Spain);
- A - 12. Study the possibility of developing and adopting in the near future a national action plan on the rights of the child (Belarus);
- A - 13. Develop strategies to address human rights violations stemming from its political and social instability (United States);
- A - 14. Pursue with resolution the positive efforts aimed at restoring a normal constitutional life by emphasizing the democratic foundation and respect for human rights (Niger);
- A - 15. In cooperation with OHCHR, strengthen the education of public order forces and the army with regard to their obligation to respect human rights and international humanitarian law, as well as to fulfil the United Nations basic principles on the use of force and firearms by law enforcement officials (Mexico);
- A - 16. Ensure its security personnel undergo due human rights and humanitarian law training programmes to prevent extrajudicial killings, use of torture and other ill treatment (Slovakia);
- A - 17. Strengthen education and training in human rights, in particular in the judiciary and in the security forces and military (Costa Rica);
- A - 18. Continue human rights sensitization campaigns promoting human rights education and training (Senegal);
- A - 19. Commit itself to reinforcing civilian control of the military and civilian security forces, and develop training programmes focused on ensuring respect for the rule of law and human rights (United States);
- A - 20. Undertake a complete reform of the security sector, including the armed forces, as well as training aimed at preventing human rights violations (Canada);
- A - 21. Intensify efforts to improve the existing situation in prisons and detention centres (Slovakia);
- A - 22. Cooperate fully with the United Nations High Commissioner for Human Rights in accordance with resolution 13/14 of the Human Rights Council, and significantly improve its cooperation with the United Nations treaty bodies by agreeing on timelines for submitting overdue reports; and consider the need for external assistance to that end (Norway);
- A - 23. With the support of international institutions, submit the various pending initial and periodic reports (Niger);
- A - 24. Improve further its cooperation with all United Nations human rights mechanisms, submitting its overdue reports to treaty bodies, as well as its response to communications of the special procedures (Slovakia);

A - 25. Strengthen its cooperation with the Human Rights Council special procedures and treaty bodies in order to improve the performance by Guinea of its international obligations (Ukraine);

A - 26. Work in close cooperation with the OHCHR in order to establish an OHCHR office within Guinea as quickly as possible (United States);

A - 27. Implement measures to address stereotypes regarding the roles and responsibilities of men and women in society (Norway);

A - 28. Take measures to change laws that discriminate against women (Norway);

A - 29. Improve the critical situation for women by taking measures including the elimination of forced and early marriage and female genital mutilation, as well as by increasing the representation of women in the political decision-making process (Japan);

A - 30. Follow up on the recommendations of the Committee on the Elimination of Discrimination against Women on redoubling national efforts in favour of gender equality, in particular through education and awareness-raising campaigns; the investigation and punishment of violations of the rights of women and girls, in particular sexual violence; and the rehabilitation and compensation of victims (Mexico);

A - 31. Continue to combat discrimination and violence against women, notably through the prevention of certain abusive socio-cultural practices, through the revision of discriminatory provisions in the Civil Code and the development of legislation against domestic violence (Brazil) ;

A - 32. Further improve the protection of women and girls against violence and discrimination (Germany);

A - 33. Take measures towards ensuring the equal and full enjoyment of human rights of women and to combat ethnic discrimination (Sweden);

A - 34. Take effective measures to uphold the right to life and the total prohibition of torture in Guinea (Sweden);

A - 35. Take all appropriate steps to abrogate excessive use of force and extrajudicial killings by armed forces, police and security forces, by combating the impunity of perpetrators having committed such acts, in accordance with international standards of fair trial (Israel);

A - 36. Provide the families concerned with all available and relevant information on the cases of persons who have disappeared (Hungary);

A - 37. Take necessary steps to intensify the judicial prosecution of all cases of alleged torture and violence committed by members of the armed forces (Germany);

A - 38. Ensure that the security forces comply with international human rights law to ensure no extrajudicial executions, torture, ill treatment, rape and other grave human rights violations (United Kingdom);

A - 39. Consider without delay enacting legislation to address domestic violence, including marital rape (Hungary);

A - 40. Enact without delay national legislation on domestic violence and marital rape and all forms of sexual abuse, and ensure equal rights for women, in law and in practice, in the areas of land ownership, inheritance, marriage and the protection of women and children, as recommended by the Committee on the Elimination of Discrimination against Women (Israel);

A - 41. Adopt measures to prevent, punish and eliminate all forms of violence against women, including intra- and extramarital rape, domestic violence and degrading treatment (Argentina);

A - 42. Enact without delay legislation on domestic violence, including marital rape and all forms of sexual abuse, and strengthen its awareness-raising and educational efforts to address the health

consequences of female genital mutilation and provide medical support to those affected by it (Slovenia);

A - 43. Raise awareness about the Law on Reproductive Health and strengthen education efforts in this area, ensure that perpetrators of female genital mutilation are prosecuted, address the health consequences of female genital mutilation and provide medical support to victims (Netherlands);

A - 44. Make sure that the rules which establish the scope of action of the law and order forces prevent acts of violence against women (Belgium);

A - 45. Undertake more effective measures to address the problems of impunity and violence against women and girls, including through the strengthening of law enforcement and the judicial system and intensive media and education programmes aimed at increasing public awareness and sensitivities on the rights of women (Malaysia);

A - 46. Pursue the fight against the impunity of the perpetrators of sexual violence against women and young girls (Senegal);

A - 47. Publicly denounce gender-based violence and ensure the effective prosecution of those responsible for such violence, including members of the armed forces and security forces (Netherlands);

A - 48. Strengthen its efforts to effectively enforce the criminalization of female genital mutilation, as well as the implementation of a national plan of action against female genital mutilation (Norway);

A - 49. Continue its efforts to combat the trafficking of women and children in law and in practice, and take adequate measures to combat the phenomenon by providing comprehensive information and data on trafficking in women and girls, as recommended by the Committee on the Elimination of Discrimination against Women (Israel);

A - 50. Take more adequate measures to prevent trafficking and strengthen the economic situation of women so as to reduce their vulnerability to exploitation and trafficking (Netherlands);

A - 51. Punish and prevent trafficking in children for the purpose of forced labour (Argentina);

A - 52. Pursue with determination the implementation of its reforms of the judicial and security sectors (Morocco);

A - 53. Undertake effective restructuring of the judicial system, armed forces, police and other security forces, with the aim of strengthening the protection of human rights in law enforcement (Ghana);

A - 54. Carry out a security sector reform and a reform of the judicial system guaranteeing the independence of the judiciary (France);

A - 55. Build up, in cooperation with relevant United Nations bodies, an efficient and independent judiciary (Germany);

A - 56. Put a special emphasis on respecting the principle of the separation of powers, and stop any interference by members of the executive or legislative branches with the operation of the judiciary (Hungary);

A - 57. Take immediate measures to ensure the autonomy of the judiciary vis-à-vis the executive (Canada);

A - 58. Undertake an ambitious reform of the judicial system, which should be conducted in line with all applicable international standards, notably the principle of the separation of powers, and which should be endowed with the necessary resources for its implementation (Switzerland);

A - 59. In accordance with the compromise expressed by the Minister, carry out a process of revision of the justice system, in order to ensure, in legislation as well as in practice, its full independence, the

elimination of impunity and due diligence in the conduct of investigations, especially those regarding human rights violations (Mexico);

A - 60. Allow for the full independence and effective functioning of the judiciary to ensure fundamental rights and freedoms for all persons such as, inter alia, the freedom of expression or opinion, association, and peaceful assembly, particularly in the context of future electoral processes (Israel);

A - 61. Take all measures necessary to restore an independent judiciary, as well as to prosecute and sanction, in line with international standards, armed forces and security staff members who are guilty of grave crimes and human rights violations (Belgium);

A - 62. Allocate an appropriate amount of funds to the courts and provide adequate human and material resources to enable the judiciary to properly perform its functions (Hungary);

A - 63. Draft a national reconciliation and pardon strategy by setting up an efficient mechanism to fight against impunity (Niger);

A - 64. Enhance victims' access to legal redress, and establish special measures for the protection of victims, including the provision of shelters and legal, medical and psychological support (Hungary);

A - 65. Fight impunity (Germany);

A - 66. Take effective and concrete steps to ensure that those responsible for the events of 28 September 2009 are held accountable (Norway);

A - 67. Take all measures necessary to combat impunity and bring to justice those responsible for or involved in serious human rights violations, and in particular acts of sexual violence against women and girls (Republic of Korea);

A - 68. Bring to justice all alleged perpetrators of extrajudicial executions, acts of torture, ill treatment, rape and other grave human rights violations; ensure that victims of these violations benefit from full reparation and that families of those who died receive adequate compensation; and reinforce the protection of vulnerable groups, particularly women (Switzerland);

A - 69. Take effective action to end impunity and to investigate and bring to justice anyone suspected of having committed offences under international law or other human rights abuses (Ghana);

A - 70. Ensure that the victims of human rights violations and their families can obtain reparation (Ghana);

A - 71. Give clear instructions to the security forces to always act in compliance with international human rights law, to bring to justice anyone suspected of having committed extrajudicial killings, excessive use of force, torture, rape and other grave human rights violations, and to cooperate with the United Nations Commission of Inquiry (Sweden);

A - 72. Investigate all human rights violations committed by security forces in 2009, and establish reparation mechanisms for victims (France);

A - 73. Adopt a transparent, independent and impartial mechanism to ensure justice for the victims of the events of 28 September [2009], including the prosecution of those responsible for gross human rights violations, in line with international standards (Canada);

A - 74. Ensure due investigation of all allegations of human rights violations following the events [of September 2009] and prosecute the perpetrators in accordance with international standards (Slovakia);

A - 75. Noting the possible crimes against humanity, including sexual violence against women and girls, committed during the events starting on 28 September 2009, and recognizing that Guinea has ratified the Rome Statute of the International Criminal Court, bring to justice those responsible for those violations and combat impunity for those events (Costa Rica);

A - 76. Implement, as soon as possible, the recommendations of the international commission of inquiry concerning the events of 28 September 2009 (Brazil);

A - 77. Bring those State agents who have committed human rights violations, particularly those named in the United Nations Commission of Inquiry report, to justice (United Kingdom);

A - 78. Continue to cooperate with the International Criminal Court in order to shed light on the events of September 2009 and to prosecute those who are guilty (France);

A - 79. Collaborate in a constructive manner with the International Criminal Court and the Office of the United Nations High Commissioner for Human Rights, which will soon be established in the country (Belgium);

A - 80. Ensure the safety of journalists and a free, independent media, including in the run-up to the elections (United Kingdom);

A - 81. In preparing for the elections, take concrete measures to ensure that the rights of freedom of opinion, expression and assembly are respected by everybody, including the security forces (Norway);

A - 82. Ensure respect for the right to freedom of expression and assembly, notably during the electoral campaign (Switzerland);

A - 83. Take all measures to ensure that free and fair elections are held as scheduled on 27 June and 18 July this year, guaranteeing all persons' right to participate in the Government of their country (Sweden);

A - 84. Ensure the full enjoyment of civil and political rights with a view to the elections scheduled for June 2010, and adopt the measures necessary to prosecute and punish those responsible for the violent events of 28 September 2009 (Argentina);

A - 85. Take all measures necessary to ensure that the forthcoming elections are peaceful, free and fair, while fully guaranteeing the right to take part in the conduct of public affairs and the right to vote (Republic of Korea);

A - 86. Organize and hold free, democratic and transparent parliamentary and presidential elections (Bulgaria);

A - 87. Take the measures necessary to make sure that the upcoming presidential and legislative elections present all guarantees of freedom, regularity and transparency, and, to this end, notably accept the presence of international observers (France);

A - 88. Ensure that the upcoming elections are democratic, transparent and fair in order to allow for a definitive return by Guinea to the democratic international and regional arena, in line with the Ouagadougou Agreement of 15 January 2010 (Niger);

A - 89. Fully support the national electoral commission's efforts to ensure transparency and prevent irregularities in the electoral process (United States);

A - 90. Respect the elections timeline and take the measures necessary to ensure that the first ballot of the presidential elections takes place, as scheduled, on 27 June 2010 (Canada);

A - 91. Implement the Ouagadougou Agreement in full, and hold fair elections by end June 2010 (United Kingdom);

A - 92. Continue to adhere to the stipulations of the Ouagadougou Agreement and to its commitment to support and start elections on 27 June 2010 (United States);

A - 93. Continue to attach importance to promoting agricultural production and to strengthening international cooperation so as to reduce hunger and poverty and guarantee people's daily necessities (China);

A - 94. Improve access of women to reproductive health and related services, in particular in the case of women living in rural areas, as well as adopt measures to banish the practice of female genital mutilation (Argentina);

A - 95. Continue the efforts in providing free education and health care and combating female genital mutilation and HIV/AIDS (Indonesia);

A - 96. Take all measures necessary to increase State financing for education (Belarus);

A - 97. Ensure that girls and women have equal access to education at all levels, and ensure the retention of girls in school (Norway);

A - 98. Establish an effective and inclusive process to follow up on recommendations of the universal periodic review (Norway);

A - 99. Identify the needs in terms of assistance and capacity-building in areas deemed priority (Senegal);

A - 100. Guinea be provided all possible technical and financial assistance it needs by the international community as well as the OHCHR (Pakistan);

A - 101. To the international community: assist Guinea technically and financially in meeting the various challenges it faces in the field of human rights (Chad);

A - 102. Engage the international community and international organizations in capacity-building support and technical assistance, particularly in the areas of economic and human resources development and poverty reduction (Malaysia);

A - 103. Engage partners at the national, regional and international levels in efforts aimed at building capacity for Government personnel in the field of human rights, particularly judicial and law enforcement personnel (Malaysia);

A - 104. Seek technical and financial assistance from all friendly States and relevant international agencies to assist its efforts in fighting against drug trafficking (Morocco);

A - 105. Seek support from the international community, and particularly from United Nations institutions and programmes, in order to establish capacity-building and technical assistance programmes, notably in the areas pertaining to human rights training; child labour; women's rights, particularly female genital mutilation; security, in particular the reinforcement of the army and the judiciary; support for families and communities to help them in fighting against the effects of poverty and HIV/AIDS; education; and juvenile justice (Côte d'Ivoire).

72. The following recommendations will be examined by Guinea, which will provide responses to be included in the outcome report adopted by the Human Rights Council at its fifteenth session, in September 2010:

P - 1. Accede to and ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aimed at the abolition of the death penalty (Slovenia);

P - 2. Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights; the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights; the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women; the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography; the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict; and the International Convention for the Protection of All Persons from Enforced Disappearance (Argentina);

P - 3. Adhere to human rights conventions to which Guinea is not yet a party (Niger);

P - 4. Issue a standing invitation to special procedures of the United Nations human rights system (Brazil);

P - 5. Consider extending a standing invitation to all special procedures of the Human Rights Council (Latvia);

P - 6. Immediately establish a moratorium on executions with a view to definitely abolishing death penalty and to adhering to the second Optional Protocol to the International Covenant on Civil and Political Rights (France);

P - 7. Reconsider its position and abolish the death penalty, if necessary by initially establishing a moratorium on executions (Slovenia);

P - 8. Turn the de facto moratorium existing since 2002 into a de jure moratorium with a view to the definitive abolition of the death penalty for all cases, including serious crimes; commute the current death penalties to penalties of deprivation of liberty; sign and ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights; and that the draft constitution currently in progress include provisions on the abolition of the death penalty (Spain);

P - 9. Immediately establish a de jure moratorium on capital executions, and commute all death sentences pronounced to date into penalties of deprivation of liberty with a view to abolishing the death penalty (Belgium);

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