



General Assembly

Distr.: General
17 January 2012

Original: English

Human Rights Council

Nineteenth session

Agenda items 2 and 10

**Annual report of the United Nations High Commissioner
for Human Rights and reports of the Office of the
High Commissioner and the Secretary-General**

Technical assistance and capacity-building

Report of the United Nations High Commissioner for Human Rights on the situation of human rights in Guinea*

Summary

In her previous report on Guinea (A/HRC/16/26), the United Nations High Commissioner for Human Rights made several recommendations to the Government, including that it take the necessary steps to fight impunity, prosecute the perpetrators of the human rights violations of 28 September 2009, establish a national human rights institution in conformity with the Paris Principles, follow up on the universal periodic review recommendations and undertake reform of the security sector consistent with human rights.

During the period from January to December 2011, the Government took steps towards implementing some of the above-mentioned recommendations, including on security sector reform. Nonetheless, reports continue on human rights violations, some of which were investigated by the Office of the High Commissioner (OHCHR), including allegations of arbitrary arrest and detention, harassment and threats against human rights defenders, and breaches of the right to freedoms of assembly and association. Most of the allegations of human rights violations were attributed to the security forces.

OHCHR in Guinea collaborated with the Government of Guinea, civil society organizations and other national and international stakeholders to elaborate strategies to address human rights challenges in the country. The transitional Parliament, the Conseil national de transition, adopted a bill to set up an independent national human rights institution, which was presented to the President for final adoption and promulgation into law. The steering committee overseeing security sector reform presented its final report to the President. With regard to national reconciliation, the President appointed two religious personalities as co-chairpersons of the provisional national commission on reconciliation.

* Late submission.

These positive developments represent important steps towards the launching of a transitional justice process.

Despite these positive steps, major shortcomings remain in the follow-up to human rights violations. In particular, the commitment of the Government to prioritize the fight against impunity, reiterated by the High Commissioner during her visit to Guinea in March 2011, has not been followed up, as illustrated by the slow rate of prosecution of the presumed authors of crimes against humanity committed during the events of 28 September 2009.

The efforts of OHCHR in Guinea to assist the Government to address human rights issues have also been undermined by contextual and structural challenges, notably the slow pace of political transition and the delay in the holding of parliamentary elections, required for important institutional, judicial and legislative reforms to be undertaken. The report concludes with recommendations for the Government of Guinea and the international community on measures to be taken to address the human rights challenges.

Contents

	<i>Paragraphs</i>	<i>Page</i>
I. Introduction	1	4
II. Visit of the High Commissioner.....	2–5	4
III. Main political developments affecting human rights	6–11	5
IV. Situation of human rights	12–28	6
A. Right to peaceful assembly and freedom of association	13–18	6
B. Arbitrary arrests, detentions and prison conditions.....	19–21	7
C. Economic, social and cultural rights	22–23	8
D. Responses to human rights challenges, including impunity	24–28	8
V. Administration of justice	29–30	9
VI. Other initiatives and reforms	31–39	9
A. Transitional justice process.....	31–32	9
B. Establishment of a national human rights institution	33–35	10
C. Integration of human rights into security sector reform	36–39	10
VII. Role of civil society organizations	40–41	11
VIII. Engagement with international human rights mechanisms	42–43	12
IX. Other forms of cooperation with the United Nations	44–46	12
X. Activities of the Office of the High Commissioner in Guinea	47–52	13
A. Monitoring, advocacy and reporting.....	48	13
B. Promotion and capacity-building activities.....	49–52	13
XI. Conclusions and recommendations	53–56	14

I. Introduction

1. In the present report, submitted pursuant to Human Rights Council resolution 13/21, the United Nations High Commissioner for Human Rights assesses the human rights situation in Guinea during the period from January to December 2011 and the actions taken by the Government to implement the recommendations of international human rights mechanisms, including those made at the universal periodic review of the Human Rights Council and the recommendations made in the previous report of the High Commissioner (A/HRC/16/26). In the report, she also reviews the activities of the Office of the High Commissioner (OHCHR) in Guinea, and concludes with recommendations for the Government and the international community.

II. Visit of the High Commissioner

2. The High Commissioner visited Guinea in March 2011, shortly after the inauguration of President Alpha Condé. During her visit, she met with the President and senior Government officials, the United Nations country team, civil society organizations and associations of victims of human rights violations, and the diplomatic corps. In her discussions with the President and senior Government officials, she raised critical human rights issues, including the need for the Government to expedite measures to end impunity and to ensure the implementation of the recommendations of the international commission of inquiry into the human rights violations committed on 28 September 2009. She also urged the Government to establish a truth, justice and reconciliation commission and an independent national human rights institution, and to cooperate with international human rights mechanisms, including the universal periodic review mechanism, the special procedures and the treaty bodies, and to implement their recommendations. She offered the continued support of OHCHR for Guinea.

3. President Alpha Condé affirmed the Government's commitment to respect human rights and stressed that it would not tolerate impunity. The Government requested assistance from OHCHR, in particular in establishing a truth and reconciliation process and in fulfilling its treaty reporting obligations. The Government also pledged to cooperate with the United Nations human rights mechanisms and with OHCHR. Civil society organizations highlighted the need for a strong "justice" element in the truth and reconciliation process to be established by the Government in order to deal with the legacy of impunity in Guinea.

4. The civil society organizations asked the Government to support the panel of judges appointed to investigate the human rights violations of 28 September 2009 in order for it to carry out a credible investigation, and noted that there was no definition of torture and other international crimes in Guinean law. They also called for the establishment of an independent national human rights institution, as well the reform and strengthening of the system of administration of justice and reform of the security sector. They pointed to a large backlog of criminal cases awaiting trial, resulting in exceedingly large numbers of people held in prolonged pretrial detention, and expressed concern about the significant number of clandestine detention facilities in the country. Some civil society representatives also stressed the importance of proper commemoration of the victims of decades of human rights violations, and requested the return of the bodies of those who had disappeared during the successive massacres in the country to their families for burial. They recalled that thousands of bodies had been buried in mass graves throughout the country and that the Government had cordoned off these sites for security reasons, presumably because they were located on military land.

5. The High Commissioner also visited the Centre mère et enfant, a facility that caters for female survivors of sexual violence and other acts of torture committed on 28 September 2009. She met privately with some 35 of the victims, who shared their stories and called for justice and reparations. She also met with about 40 male victims of torture and listened to their concerns, which mostly related to impunity and the lack of medical and social services available to them.

III. Main political developments affecting human rights

6. The human rights situation in Guinea during the period under review was influenced by a number of political developments. In particular, delays in completing the envisaged political transition, including the organization of parliamentary elections, impeded much needed institutional and legislative reforms. The stalemate over parliamentary elections also generated tensions, which occasionally degenerated into violence. There were also some issues of general insecurity.

7. As part of the political transition in Guinea, it was envisaged that the presidential elections at the end of 2010 would be followed by parliamentary elections, and that the parliament would then undertake the necessary institutional and legislative reforms. The parliamentary elections were not held because of a disagreement between the governing party, the Rassemblement du peuple de Guinée (RPG), and the main opposition party, the Union des forces démocratiques de Guinée (UFDG), over the timetable for legislative elections and related issues. The Government proposed to carry out several electoral reforms before the elections, including organizing an electoral census, developing a new voters' list and reconstituting the Commission nationale électorale indépendante (CENI). On the other hand, the opposition parties, represented by the Collectif des partis politiques pour la finalisation de la transition, maintained that a simple revision of the voters' list would be adequate. They requested that the Government stop all commitments in relation to the electoral process and to restructure CENI, which they regarded as polarized along the memberships of political parties.

8. In the midst of this disagreement, on 16 September 2011, the President of CENI announced that the legislative elections would be held on 29 December 2011, and went ahead with the recruitment and training of enumerators. In response, the opposition organized a protest march on 27 September to put pressure on the Government to respond to their demands. The march was banned by the authorities, and protesters' attempts to demonstrate turned violent; three people were allegedly killed and several injured, owing reportedly to the use of excessive force by law enforcers. Numerous arrests and detentions were subsequently made by the security forces, and those arrested were charged with participation in an unlawful demonstration and destruction of property, then tried and sentenced to prison terms.

9. There was concern that the relationship between the RPG and the Collectif des partis politiques pour la finalisation de la transition could further deteriorate. Several international partners and some national stakeholders thus intervened to mediate and the Group of Friends¹ met with the president to facilitate dialogue between the Government and opposition parties.

¹ Initiated by the President to replace the Contact Group on Guinea. It comprises representatives of the United Nations, the African Union, the Economic Community of West African States, the International Organization of la Francophonie, the World Bank, the Mano River Union, Communauté des Etats Sahélo-Sahariens, the Organisation of Islamic Cooperation, Burkina Faso, China, France,

10. Following these interventions, the President set up a committee for dialogue between the Government and the opposition. The opposition parties insisted, however, on the release of detained demonstrators and a consensus on the date of elections as a condition for participation in any dialogue. In a bid to reduce tensions, the President pardoned 25 people convicted for participating in an unauthorized demonstration and other counts relating to the incidents of 28 September 2009. Meanwhile, the legislative and local elections, which were scheduled for December 2011, were postponed. There remains a fear that the current tensions could spill over into the electoral process and lead to more violence and human rights violations.

11. There were also signs of political instability that had an impact on human rights. On 19 July 2011, the President's residence was attacked by several armed people, apparently in an attempted coup d'état. A member of the presidential guard was killed during the attack and several bodyguards and attackers were injured. Following the attack, road blocks that had been established in Conakry and other parts of the country were used by parts of the security forces to intimidate and harass the public. In addition, several people suspected of involvement in the attack were arrested; 25 soldiers and 28 civilians are currently in pretrial detention at the central prison in Conakry. They have been charged with treason, homicide, attempted homicide of the President and illegal possession of weapons.

IV. Situation of human rights

12. The situation of human rights has improved since the post-electoral crisis at the end of 2010. The Government has also taken some steps towards reform of the security and judicial sectors, and institutional reform more generally. The security forces have also made some progress in improving crowd-control techniques by reducing the number of security forces carrying firearms and keeping the army in the barracks during the demonstrations. Nevertheless, some of the structural and institutional impediments remain, including the persistence of impunity and weaknesses in the judicial sector as well as in the national human rights protection framework more generally. Reports were received of serious human rights violations during this period, including the violation of the right to free assembly and association, cases of arbitrary arrest and detention, poor conditions of detention and increased poverty.

A. Right to peaceful assembly and freedom of association

13. Although the Penal Code of Guinea requires only prior notification of public demonstrations, authorities often insisted on formal authorizations to organize demonstrations. In the absence of *bourgmestres* (mayors) legally authorized to receive notifications, administrative authorities often abused their power by prohibiting demonstrations they deemed contrary to their interest. A clear example of such a situation was observed in April 2011, when police and gendarmerie agents used excessive force to quell a peaceful demonstration organized by UFDG supporters to mark the return of opposition leader Cellou Dalein Diallo after a long stay abroad. Even though the organizers notified the authorities, as required by law, the Governor of Conakry – who had no prerogative in such matters – banned the demonstration.

the Russian Federation, the United Kingdom of Great Britain and Northern Ireland, and the United States of America.

14. During the reporting period, at least five people were reportedly killed during political demonstrations banned by the authorities in April and September 2011. Security forces used tear gas and shot live ammunition in the air to disperse protesters.

15. On 3 April, a 35-year-old man was intentionally shot in the head by a police officer during a demonstration to welcome an opposition leader, and died two days later from his injuries. Medical sources confirmed having treated 27 demonstrators at Donka hospital, mostly for bullet wounds in the legs.

16. On 27 September, the security forces violently dispersed a demonstration organized by the Collectif des partis de l'opposition pour la finalisation de transition, even though the organizers had reportedly informed the authorities beforehand; once again, the Governor of Conakry banned the protest. The security forces allegedly cordoned off streets and crossroads to prevent demonstrators from taking to the streets. They reportedly used tear gas and shot in the air and at the crowd, which led to an outbreak of violence between demonstrators and the security forces. During the clashes, a 25-year-old man allegedly died of gunshot wounds, while two other people reportedly died of stab wounds. Hospital sources confirmed that 55 people were treated and that nine were hospitalized at Donka hospital, mostly for injuries caused by beatings, machetes and bullets.

17. On 8 November, a few days before a demonstration organized by the Bar Association in December to protest against interference by the Governor of Conakry with the work of the judiciary, the Minister for Territorial Administration published a communiqué on State media banning all political demonstrations without prior notification. Faced with accusations for attempting to deprive citizens of their rights and freedoms, the Minister stated during an interview that his communiqué was meant to remind citizens to respect human rights. The protest march organized by the Bar Association was held on 14 November without incident.

18. OHCHR noted that, during some political demonstrations, opposing groups of demonstrators threw stones and used machetes. Some protestors were harassed and their personal items stolen. Projectiles allegedly thrown by demonstrators reportedly injured 24 security officers, who were hospitalized at the Camp Almany Samory Touré in Conakry.

B. Arbitrary arrests, detentions and prison conditions

19. There were reported cases of arbitrary arrest and detention by security forces during peaceful demonstrations. Approximately 350 people, including minors and elderly persons, were indiscriminately arrested and detained after the demonstrations of 27 September. OHCHR Guinea confirmed that at least 60 people, including minors, were arrested and detained at several police stations in Conakry. Some detainees interviewed by OHCHR staff claimed that they had not even been taking part in the demonstration and were arrested arbitrarily on the streets. The detainees were referred to the Trial Court of Dixinn, which charged them with participation in an unauthorized demonstration and destruction of public and private property. A total of 154 people were sentenced to terms ranging from one month to a year. On 17 November, the President signed a decree granting pardon to 25 of them.

20. Prison facilities are characterized by overcrowding and conditions below minimum international standards in terms of health care, food and hygiene, and lack recreational and educational facilities. For example, the Central Prison in Conakry, which was originally designed to house 300 inmates, currently houses more than 1,000. In some circumstances, detainees and convicts are put in the same cell. OHCHR staff members in Guinea visited several detention centres and noted that, on many occasions, suspects had been detained for minor offences beyond the legally stipulated period of 48 hours.

21. The lack of qualified staff remains a major challenge for the correctional system in Guinea. Although 600 new prisons wardens were recruited in July 2010, they had not undergone adequate training and lack uniforms and other basic equipment. Prison wardens dress in military fatigues, which are not distinguishable from army uniforms. The registration of inmates is still done manually at the Central Prison in Conakry.

C. Economic, social and cultural rights

22. Guinea is one of the poorest countries in Africa; according to the Human Development Report for 2011 issued by the United Nations Development Programme (UNDP), the country currently ranks 178 on the Human Development Index. Women and children, particularly from the rural poor, constitute the most vulnerable segment of the population, with the highest rates of infant and maternal mortality, malnutrition, exposure to HIV/AIDs and other endemic diseases, as well as enduring the harshest living conditions. The degree of social and economic deprivation was aggravated by the escalation in food prices in 2011. The mismanagement of public funds further compounded the poverty situation and raised serious obstacles to the realization of economic, social and cultural rights.

23. In an effort to reduce poverty, in 2011, the Government subsidized the price of rice, which is the staple food, to make it more affordable. It also allocated 10 billion Guinean francs (approximately \$1.3 million) to create income-generating activities in order to fight youth unemployment, and ordered that State hospitals provide caesarean operations free of charge.

D. Responses to human rights challenges, including impunity

24. Impunity remains a serious problem in Guinea, especially among the security forces. The Government has committed to judicial reform as a priority area in order to address this problem. It is also committed to the establishment of an independent national human rights institution and transitional justice mechanisms. In all these priority areas, little was done. While the Government has already identified where it needs support (transitional justice process, judicial reform, training of security forces in human rights), it has to redouble efforts to expedite reforms. The International Commission of Inquiry on the events of 28 September 2009 recommended that the United Nations should engage with the Government to commit to the reform of the judicial sector, in compliance with international human rights norms and principles and benefiting from enough resources for its functioning.²

25. The International Commission of Inquiry highlighted impunity as a priority concern in Guinea. The Government has been cooperating with the Office of the Prosecutor of the International Criminal Court, which visited the country on several occasions in 2010 and 2011, to discuss the responses to crimes against humanity committed on 28 September 2009.

26. A panel of three renowned judges was appointed by the Minister for Justice to investigate the human rights violations committed on 28 September 2009 and during its aftermath. The ability of the panel to carry out its mandate was limited by the lack of political will and resources. The Government made efforts to improve the working conditions of judges as well as their security. They were relocated to separate premises at

² S/2009/693, para. 267.

the Conakry Court of Appeal and were provided with a platoon of gendarmes for their security. However, concerns remain about the security of victims and witnesses.

27. In May 2011, the Minister for Justice informed OHCHR that the judges had interviewed numerous victims, including survivors of rape and other sexual violence, and had heard several witnesses. To date, 191 victims have filed civil claims before the panel and nearly 100 more are expected to join soon. Counsels for civil claimants have pointed to difficulties regarding access to investigation files. While the Code of Criminal Procedure states that investigation files are to be made available to counsel for the parties, and it is usual practice in Guinea to provide a copy of the preliminary investigation file, access to the files for civil party litigation teams in this case was restricted by the investigating team.

28. Five people are currently in custody and a sixth has been placed under judicial supervision;³ however, the people named in the final report of the International Commission of Inquiry as having criminal responsibility have yet to be prosecuted; indeed, some of them still hold office.

V. Administration of justice

29. In her previous report, the High Commissioner highlighted the challenges faced by the judicial system in Guinea, including understaffing, the shortage of trained personnel and resources and the lack of independence and corruption. The Government of Guinea made some efforts to address these challenges in 2011. In March, the Government organized a national consultative workshop to assess the judicial system. Participants in the workshop recommended, *inter alia*, an increase in the budget of the Ministry of Justice, the institution of a proper national school for the judiciary and the establishment of a high judicial council. In June 2011, the Minister for Justice issued several decrees appointing current and 38 new magistrates to courts in Conakry and in the interior of the country. This reorganization of magistrates coupled with an increase in staff is a positive step towards the strengthening of the administration of justice.

30. The European Union and other development partners have provided some funds to assist the Ministry of Justice to start implementing the recommendations made at the workshop by improving Ministry infrastructure and facilities.

VI. Other initiatives and reforms

A. Transitional justice process

31. The Government identified national reconciliation as a priority. In his inaugural speech, the President pledged to organize a conference on national reconciliation. Although there is general consensus that Guineans desire national reconciliation, there is no consensus on the form that it should take. Initial consultations carried out by the Conseil économique et social with the support of the Peacebuilding Fund indicate that Guineans are divided about the process along ethnic and political lines. While some would like a comprehensive process dealing with all human rights violations since the country's

³ See International Federation for Human Rights (FIDH), Commemoration of 28 September massacre overshadowed by political tension, note return mission to Guinea-Conakry, September 2011. Available from www.fidh.org/IMG/pdf/note_guinee_28092011_en.pdf.

independence and include a sanctions/justice dimension, others would prefer to forgive and forget. A draft programme for national reconciliation was submitted to the Prime Minister in February 2011. OHCHR participated in the technical committee in charge of reflecting on national reconciliation and facilitated a mission by the committee to Ghana and Togo to gather experience. The President has taken certain measures to advance the process. In June 2011, he created the Commission de réflexion sur la réconciliation nationale; in August, he appointed the Imam of the Conakry Fayçal Mosque and the Archbishop of Conakry as co-chairpersons of a provisional national reconciliation commission.

32. The structure of the provisional national reconciliation commission has not been clearly defined, although the commission has been mandated to reflect and make proposals on how to achieve reconciliation. OHCHR advised the co-chairpersons to start their work with consultations in order to collect peoples' opinions on how the process should be carried out. The Office also proposed that they take into consideration an approach that guaranteed the protection of victims and witnesses. The commission has started with consultations. The provision of funds by the Peacebuilding Fund, including for the operation of the commission, will enable it to accelerate consultations and the preparatory work for the transitional justice process. OHCHR had several meetings with the members of the commission and offered its technical assistance to them.

B. Establishment of a national human rights institution

33. Among the recommendations made at the eighth session of the universal periodic review was that Guinea should establish an independent national human rights institution in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles). Although Guinea initiated the process of creating a national human rights institution in 2008 when it established the National Democracy and Human Rights Monitoring Body (Observatoire national de la démocratie et des droits de l'homme) under the supervision of the Prime Minister's Office, the institution remained understaffed and underresourced, and was not empowered to investigate human rights violations.

34. On 17 March 2011, the President appointed, by decree, Mamadi Kaba as President of the proposed national human rights commission. Civil society organizations criticized the appointment for contravening the requirement of the Paris Principles for an inclusive process for the selection of the members of a national human rights institution. The appointment was subsequently revoked by a decree, which also effectively dissolved the National Democracy and Human Rights Monitoring Body.

35. In July, the Conseil national de transition adopted draft legislation setting up a national human rights commission. The bill was sent to the President for review, and is pending final adoption and promulgation. During this period, OHCHR organized a workshop to sensitize actors on the establishment of an independent national human rights institution. Participants reviewed the bill at the workshop and made recommendations to improve it; to clarify the procedure for mobilizing and managing resources; to clarify the selection, appointment and removal of members of the national human rights institution; and to redefine the powers of the President of the institution. At the time of writing, no further move had been made by the Government on this issue.

C. Integration of human rights into security sector reform

36. The security services, including the police, gendarmes and the military, have been implicated in the most serious human rights violations committed in Guinea between May

2008 and December 2010. It is also well known that violence and human rights violations in 1985, 2006 and 2007, and during the regime of Sekou Touré (1958-1984) were committed mainly by the security and defence forces. Successive Governments often manipulated the military for their own political objectives, at times using the security and defence forces to silence critics and put down protests. Irregular recruitment, including of ethnic militias, into the military services exacerbated the crisis in the security sector. Indiscipline grew, culminating in several mutinies over demands for higher wages and better working conditions.

37. In 2008, an assessment of the security sector conducted by an international team composed of representatives of the African Union, the Economic Community of West African States (ECOWAS) and the United Nations found structural deficiencies in the functioning of the army, police and judiciary that led to impunity for violations of human rights and increased mistrust between the security forces and the population. In its report, the team recommended the integration of human rights in the reform of the sector. At the universal periodic review of Guinea, in 2010, the promotion of human rights education for the security forces was also recommended. The Government has taken measures to move forward with the security sector reform. In March 2011, it organized a national seminar on security sector reform, which was followed by a planning workshop in May.

38. The Government also created a steering committee for security sector reform, supported by a number of technical committees. The steering committee submitted its findings to the President on 2 November 2011, including a plan of action, draft national security policy laws and draft decrees. These documents are not, however, rights-based. OHCHR, together with actors and partners, such as the International Committee of the Red Cross, are advocating for human rights and international humanitarian law to be taken into consideration in the final document to be adopted by the Conseil national de transition.

39. As immediate measures, the Government demilitarized the capital, relocated heavy weapons to barracks in the interior of the country and took measures to strengthen discipline in the armed forces. It also introduced biometric identification of military staff members and submitted to the United Nations Peacebuilding Fund a project aimed at retiring 4,300 soldiers. The project is designed to pay a separation allowance and to establish a military pension fund. Development partners, such as the European Union, expressed their wish to assist in the establishment of the military pension fund.

VII. Role of civil society organizations

40. Civil society in Guinea has limited capacity to conduct effective programmes to promote and protect human rights. Its interaction with United Nations human rights mechanisms is also minimal, primarily owing to a lack of knowledge of human rights principles and mechanisms. OHCHR has carried out several training workshops for civil society organizations to enhance their knowledge of human rights principles and understanding of United Nations mechanisms and how to actively use them, for instance in submitting shadow reports. The Office also organized workshops to train civil society organizations in investigating and reporting on human rights violations.

41. Human rights defenders still face harassment and the threat of arbitrary arrest and detention. In November 2011, for example, five members of a non-governmental human rights organization accompanying two individuals who had just been released after a prolonged period of detention were detained and interrogated for several hours on the orders of the Governor of Conakry. They were subsequently released without charge.

VIII. Engagement with international human rights mechanisms

42. Although Guinea is party to the main international human rights treaties, it has not ratified the First and Second Optional Protocols to the International Covenant on Civil and Political Rights. As mentioned in the previous report, Guinea has not yet submitted its reports to five treaty bodies, and 13 reports to treaty bodies are overdue.

43. In September 2009, the Government established an inter-ministerial committee to prepare for the universal periodic review, which it did successfully with support from OHCHR. In October 2011, the Government, in collaboration with OHCHR Guinea, organized a workshop to prepare a plan of action for the implementation of the recommendations from the universal periodic review and to develop a national human rights plan of action. Participants included members of the inter-ministerial committee, civil society organizations, non-governmental human rights organizations and relevant stakeholders. A national plan of action was drawn up taking into consideration the recommendations of the universal periodic review, treaty body recommendations and the recommendations of the International Commission of Inquiry. Some of the activities in the plan expected to be accomplished by 2015 include:

- The establishment and functioning of all institutions provided for in the Constitution
- The implementation of all recommendations of the Etats Généraux de la Justice
- The identification and ratification of principal treaties and conventions pending
- The strengthening of the capacity of army and security forces
- The amelioration of prison conditions
- The fight against impunity, especially the prosecution of perpetrators of human rights violations of 28 September 2009
- The establishment of a support fund for victims of specific violence
- The creation of a committee in charge of preparing reports for treaty bodies
- The development of a programme on human rights education for the population, State agents and educational institutions

IX. Other forms of cooperation with the United Nations

44. On 24 January, the Government confirmed the request made by the interim Government to the Peacebuilding Commission for support in three peacebuilding priority areas: (a) youth and women employment policy; (b) the promotion of national reconciliation; and (c) reform of the security and defence sector. Guinea was officially placed on the Commission's agenda in February, and a Commission-led technical mission, including OHCHR, visited the country in May to develop a timetable to draft the priority plan. The statement of mutual commitments was signed by the President and the Chairperson of the Commission on 23 September.

45. The statement of mutual commitments elaborates priority actions in the promotion of national reconciliation and unity and security and defence sector reform, and stresses the need to establish a national reconciliation mechanism and an independent national human rights institution. With regard to the security sector, it seeks to establish a smaller, more professional army and to undertake a census of all security forces, and to establish and strengthen mechanisms and processes for civilian monitoring and oversight of the security sector as well as capacity-building for key Government departments concerned. The Government steering committee identified six quick-start projects for peacebuilding

funding, in particular projects to (a) support the promotion of dialogue; (b) support the economic integration of women and youth; (c) assist the biometric census of the defence forces; (d) assist victims of torture and gender-based violence; (e) strengthen the democratic and civilian control of defence forces; and (f) assist the retirement of 4,300 soldiers.

46. If successfully implemented, the above-mentioned projects will contribute to strengthening the national human rights protection framework. OHCHR will participate in the implementation of the projects to support the promotion of dialogue and to assist victims of torture and gender-based violence, and provide expertise to strengthen national capacity for the project on national reconciliation. With regard to the project to assist victims of torture and gender-based violence, OHCHR will continue to provide support to two non-governmental organizations – the Association des victimes, parents et amis du 28 septembre 2009 and the Centre mère et enfant – which are currently being supported through the Voluntary Fund for Torture victims. The Association supports revenue-generating activities to help the integration of torture victims in society, while the Centre provides victims of torture and gender-based violence with psychosocial and medical care.

X. Activities of the Office of the High Commissioner in Guinea

47. During the reporting period, OHCHR Guinea carried out monitoring, capacity-building, technical assistance and sensitization activities with various counterparts.

A. Monitoring, advocacy and reporting

48. The Office monitored and reported to national and local authorities on incidents of human rights violation, visited prisons, police and gendarmerie cells and monitored trials. The findings from these activities were regularly shared with the Government at different levels to allow the problems to be redressed. Government officials were generally cooperative and responded positively to remedy some situations; for example, the Office expressed its concern to the Government about the conditions of detention, especially access to medical care, for some of the suspects arrested in relation to the attack on the President's residence. Some detainees were subsequently allowed to visit a dentist or have a specialist check them in prison.

B. Promotion and capacity-building activities

49. The Office conducted a series of training sessions for more than 250 army, police, and customs officers in Conakry, Kindia, Kankan, Labé and Nzérékoré, with funding by the International Organization of la Francophonie (OIF). OHCHR also carried out training for 25 wardens in Conakry. More than 100 civil society and non-governmental organizations were trained in human rights in Nzérékoré, Mamou, Kankan and Labé. OHCHR conducted human rights courses for 60 students at the Université Kofi Annan. Following several requests made by national universities on human rights issues, OHCHR launched the course in 2011 as a pilot project with a view to generalize it. It also provided the Directorate of Human Rights and Fundamental Freedoms at the Ministry of Justice as well as the Conseil national de transition with technical advice.

50. To assist the Government in the establishment of an independent national human rights commission, the Office organized a workshop to sensitize actors on the relevant process and provided comments on the draft bill to establish the commission. OHCHR provided the Provisional National Reconciliation Commission with support. It supplied

human rights documentation and fact sheets to the Commission and reviewed the draft decree organizing its work. In the framework of the Peacebuilding Fund, OHCHR and UNDP are closely working on a project aiming to recruit an expert to technical assist the commission.

51. The Office assisted the Government, through funds provided by OIF, to organize a workshop to draft a national plan of action to implement the universal periodic review recommendations. It followed up with a campaign to disseminate the plan of action throughout the country.

52. OHCHR Guinea successfully assisted three local non-governmental organizations (Association des victimes, parents et amis du 28 septembre 2009, Mêmes droits pour tous and the Centre mère et enfant) to apply for a grant from the United Nations Voluntary Fund for Victims of Torture.

XI. Conclusions and recommendations

53. **In her previous report, the High Commissioner recommended that the Government of Guinea should take steps to address the pervasive problem of impunity, reform the security sector, revitalize the judiciary and launch a transitional justice process to address past human rights abuses, including those perpetrated during the events of 28 September 2009 and highlighted in the report of the Commission of Inquiry. She also recommended that the international community should provide Guinea with the necessary support to address these issues.**

54. **The Government has committed to the above objectives and taken some steps to that end. In the field of security sector reform, more discipline seems to have returned to the ranks of the army and security forces; the army is reportedly no longer involved in crowd-control operations, which has led to a minor reduction in violence during demonstrations. The justice sector has started to implement the recommendations made by the Etats Généraux de la Justice with the appointment of new judges to revitalize the judiciary. Attempts have been made to establish an independent national human rights institution and a national commission on reconciliation. However, the challenges remain considerable and significant efforts are required to accelerate the pace of implementation.**

55. **On the basis of the above findings, the High Commissioner recommends that the Government of Guinea:**

(a) **Take the necessary measures to combat impunity and investigate and hold accountable the perpetrators of human rights violations, in particular the crimes against humanity committed on 28 September 2009 and, in this context, ensure adequate support for the judges investigating those violations and appropriate support for the victims of them;**

(b) **Accelerate the process for the establishment of transitional justice mechanisms, including the proposed truth and reconciliation commission, and ensure that the process leading to the establishment of such a mechanism is participatory, inclusive and in compliance with international human rights norms;**

(c) **Establish a national human rights institution in conformity with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles);**

(d) **Develop close cooperation with civil society organizations, including women's organizations and victims' associations;**

- (e) Accelerate the reform of the judiciary;
 - (f) Ensure the integration of human rights into the reform of the security sector;
 - (g) Increase its cooperation with international human rights mechanisms.
56. The High Commissioner recommends that the international community:
- (a) Provide adequate financial support to the Government to enable it to create and operationalize the proposed national human rights commission;
 - (b) Provide the necessary assistance to the Government to reduce poverty and improve the realization of economic, social and cultural rights.
-