



To Permanent Representatives of Member and Observer States of the United Nations Human Rights Council

Geneva, 25 February 2016

***Re: Call for the adoption of a resolution on the assessment of the impact of technical cooperation and consultative services provided to the Republic of Guinea by the Human Rights Council***

Your Excellency,

In March 2010, in response in particular to the massacre of 28 September 2009, during which more than 150 people were killed and a hundred women raped in Conakry the Stadium for calling for the holding of free and transparent elections, the Human Rights Council adopted its first resolution on the strengthening of technical cooperation and consultative services in the Republic of Guinea in order to support the work done by the Office of the UN High Commissioner for Human Rights (OHCHR) in Guinea, prior to the opening of an OHCHR country office. This resolution, which has been annualized, called on the international community to provide the Government of Guinea with appropriate assistance to promote respect for human rights, combat impunity, and reform the security and justice sectors as a contribution to a sustainable restoration of peace and the constitutional order.

The reports by the UN High Commissioner for Human Rights on the situation of human rights and the activities of the OHCHR office in Guinea have highlighted the progress made in the country with a view to restoring the rule of law and promoting and protecting human rights and fundamental freedoms. In this regard, our organizations welcome the efforts undertaken by Guinea towards the reform of the justice sector through the revision of its Criminal Code, Criminal Procedure Code and Code of Military Justice in light of Guinea's international obligations, including the Rome Statute of the International Criminal Court (ICC) or the Convention against Torture, as well as through the establishment of a Superior Council of Judges (*Conseil supérieur de la magistrature*) and a significant increase in judges' remuneration.

Successive resolutions adopted by the Council also highlighted the remaining challenges. More than six years after the 28 September massacre, our organizations call on the Guinean authorities to make the continuation of the fight against impunity and reform of the justice sector priorities. It is crucial that the Government provide the judiciary with all the necessary means to hold, in 2016, a trial for the 28 September massacre under the best conditions, guaranteeing the conditions for a rapid conclusion of the investigations and a satisfactory trial.<sup>1</sup> Our organizations also reiterate that truth and justice are essential aspects of the national reconciliation process and call for the establishment without delay of a Reconciliation Commission with a mandate to listen to victims and restore them in their rights, providing it with sufficient resources to create the necessary conditions for a full and lasting reconciliation in order to prevent the recurrence of human rights violations and conflicts, eliminating their structural causes. The climate of tension and violence witnessed during the 2015 election period strongly emphasized the need to truly commit to the national reconciliation process and to provide guarantees in order to restore citizens' confidence in the State by pursuing a comprehensive institutional reform. These are essential

---

<sup>1</sup> FIDH and its member organization, the Organisation guinéenne de défense des droits de l'Homme et du citoyen (OGDH), have taken civil action and accompany more than 400 victims in ongoing judicial proceedings before the Guinean courts.

conditions for the consolidation of democracy and the rule of law in Guinea.

The commitment and cooperation of the Guinean Government brought about important advancements in the promotion and protection of human rights, and the Human Rights Council should have the opportunity to discuss and assess the progress made as well as remaining challenges. The holding of an interactive dialogue with the participation of all stakeholders is necessary to take stock of the impact of technical cooperation and advisory services provided to the authorities of the country by the Human Rights Council. In this regard, at its 31<sup>st</sup> session the Council should adopt a resolution that:

- ***Recognizes* the work done by OHCHR in assisting the Government of Guinea to fulfill its human rights obligations;**
- ***Encourages* the Guinean Government to continue to work to improve the promotion and protection of human rights, especially in the areas highlighted by the successive reports of the High Commissioner;**
- ***Calls* on the Guinean Government to organize a trial for the 28 September massacre in accordance with its commitments and in cooperation with the International Criminal Court;**
- ***Calls* on the ICC Member States to work with Guinea to arrest and put the persons indicted and/or on the run in these judicial proceedings at the disposal of the Guinean judiciary;**
- ***Requests* OHCHR, through its presence in Guinea, to continue its activities and technical assistance and capacity-building programmes, in consultation with the Guinean authorities;**
- ***Requests* OHCHR to continue to provide the necessary assistance to the national reconciliation process underway, including the holding of national consultations and the establishment of a Truth, Justice and Reconciliation Commission;**
- ***Invites* the High Commissioner to report to the Council at its 33<sup>rd</sup> session (September 2016) on progress in the human rights situation and the activities of his Office in Guinea, as well as on the assessment of the impact of technical cooperation and consultative services provided to the authorities of the country by the Human Rights Council, followed by an interactive dialogue with the participation of all stakeholders.**

We thank you for your attention to these pressing issues and are available to provide your delegation with further information as required.

Sincerely,

**International Federation for Human Rights (FIDH)  
Human Rights Watch**