

ACHPR/Res.146 (EXT.VII) 09: RESOLUTION ON THE HUMAN RIGHTS SITUATION IN THE REPUBLIC OF GUINEA

The African Commission on Human and Peoples' Rights (African Commission), meeting in its 7th Extraordinary Session in Dakar, Senegal, from 5 to 11 October 2009;

CONSIDERING the relevant provisions of the African Charter on Human and Peoples' Rights (the African Charter), which guarantee the right to life, the dignity inherent in a human being; the security of the person; the right to free association; the right to freedom of Assembly; and the right to information and freedom of expression;

MINDFUL of the Declaration No. AHG/Decl.5(XXXVI) of 12 July 2000, on the Framework for an Organization of African Unity (OAU) Response to Unconstitutional Changes of Government;

RECALLING the relevant provisions of the African Charter on Democracy, Elections and Governance adopted in Addis Ababa on the 30th January 2007, which emphasize the significance of good governance, popular participation, the rule of law and human rights;

CONSIDERING the Constitutive Act of the African Union adopted in Lomé on the 11th July 2000 and in particular its Articles 3(h), 4(m)(p) and 30 on the promotion and the protection of human and peoples' rights, on the respect for democratic principles, on the condemnation and rejection of unconstitutional changes respectively;

CONSIDERING further the obligations of the States Parties to the *Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (the Protocol)*, guaranteeing the right to non discrimination against women, the right to dignity, life, integrity and security and, in particular, the right to special protection of elderly women;

CONCERNED about the allegations of repression, by some members of the security forces, of a peaceful and legitimate assembly of Guinean citizens in the stadium, on 28 September 2009, culminating in the alleged deaths of more than 150 people and more than 1000 wounded, including the principal leaders of the political opposition parties;

CONSIDERING that the allegations further state that some members of the security forces publicly gang raped women inside the stadium and in some police stations in the capital city;

CONVINCED that such alleged acts constitute serious violations of the African Charter, (the Protocol) and other regional and international legal instruments officially ratified by the Republic of Guinea;

1. **EXPRESSES** grave concern and regret regarding the loss of lives, the injuries sustained, and the raping of women, which, if confirmed, constitute serious and massive violations of human rights enshrined within the African Charter;
2. **URGES** the authorities of the Republic of Guinea to conduct an impartial investigation on the alleged violations and to prosecute the perpetrators;
3. **REQUESTS** the authorities of the Republic of Guinea **to guarantee the security, the physical and psychological integrity of the citizens,** in particular the women and children, and the free exercise of the rights and freedoms as guaranteed by the African Charter;
4. **COMMENDS** the African Union and ECOWAS for their political and diplomatic intervention in Guinea and urges them to continue their efforts aimed at restoring normal constitutional order;
5. **DECIDES** to undertake a fact-finding mission to the Republic of Guinea in the very near future, pursuant to Article 46 of the African Charter.