

The Commission on Human Rights,

Recalling its resolution 1990/57 of 7 March 1990,

Bearing in mind that the Economic and Social Council, in its resolution 1982/36 of 7 May 1982, took note of the Plan of Action proposed by the United Nations and accepted by the Government of Equatorial Guinea, which was based on the recommendations submitted by Mr. Fernando Volio Jiménez, the Expert appointed by the Secretary-General pursuant to Commission on Human Rights resolution 33 (XXXVI) of 11 March 1980,

Noting with satisfaction 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 Protocol to the International Covenant on Civil and Political Rights,

Taking into account that the Government of Equatorial Guinea has an obligation to submit periodic reports to the Committee on Economic, Social and Cultural Rights and the Human Rights Committee, and that its initial reports are overdue,

Mindful of the fact that, for an appropriate and valid reform of the present political Constitution to be carried out, it is not only necessary to make technical changes but also essential to secure the active participation of all political tendencies, including the opposition parties in exile,

Mindful also that the Plan of Action proposed by the United Nations and accepted by the Government of Equatorial Guinea has not kept pace with developments and, accordingly, needs to be brought up to date and made more dynamic,

Also taking into account that the Equatorial Guinea nationals in exile who wish to return to, and be reintegrated into, the country include many qualified persons who could fill the existing gap with maximum promptness, and that the lack of trained personnel has been highlighted by the Expert, who has also recommended that the Government of Equatorial Guinea should grant a broad amnesty to all opponents of the régime who are in exile,

Considering that articles 20 and 21 of the Universal Declaration of Human Rights, article 8 of the International Covenant on Economic, Social and Cultural Rights, and article 22 of the International Covenant on Civil and Political Rights stipulate that everyone has the right to freedom of peaceful assembly and association,

Considering also that the mandate of the Expert needs to be broadened and strengthened so that he can contribute more positively to efforts for the promotion and protection of human rights and fundamental freedoms,

1. Commends the Expert for his report on the human rights situation in Equatorial Guinea (E/CN.4/1991/54 and Add.1 and 2);
2. Expresses its thanks to the Government of Spain which, in cooperation with the Centre for Human Rights, has extended assistance to the Government of Equatorial Guinea in the field of human rights;
3. Urges the Government of Equatorial Guinea, in accordance with the recommendation of the Expert, to establish as soon as possible the Commission to monitor implementation of the Plan of Action proposed by the United Nations and accepted by that Government, and to adopt other measures suggested for the purpose of promoting and protecting human rights, informing the Commission on Human Rights of such measures;

4. Recommends that the Government of Equatorial Guinea avail itself of the advisory services in the field of human rights to prepare the initial reports on the human rights situation in the country, in accordance with the recommendation of the Committee on Economic, Social and Cultural Rights at its third session (E/1989/22, para. 344 (b)), in order to fulfil its obligations as a party to the International Covenants on Human Rights;

5. Urges the Government of Equatorial Guinea to draw up a General Associations Act to facilitate implementation of the human rights recognized in the International Covenants on Human Rights ratified by that Government;

6. Encourages the Government of Equatorial Guinea to endeavour to facilitate the repatriation of all refugees and exiles, inter alia, by adopting measures permitting the full participation of all citizens in the country's political, economic, social and cultural affairs, thus helping to resolve the shortage of specialized personnel, as indicated in the report of the Expert;

7. Requests the Secretary-General to continue to provide such advisory services and other forms of appropriate assistance in the field of human rights as may be requested by the Government of Equatorial Guinea, especially for the purpose of codifying the basic civil and criminal laws and preparing the initial reports which Equatorial Guinea, as a party to the International Covenants on Human Rights, is required to submit to the committees established by those treaties;

8. Also requests the Secretary-General to extend the mandate of the Expert responsible for co-operating with the Government of Equatorial Guinea in the full implementation of the Plan of Action proposed by the United Nations and accepted by that Government, with a view to studying the existing situation of human rights and fundamental freedoms in Equatorial Guinea;

9. Requests the Expert to report to the Commission on Human Rights at its forty-eighth session.

54th meeting
6 March 1991

[Adopted without a vote. See chap. XXI.]