

Concerning impunity, the report recalls the SR's statement in the report to the 1997 session of the Commission that any progress towards respect for human rights in Equatorial Guinea, except incidentally, will be difficult as long as the highest government and judicial authorities show no desire to put an end to the impunity enjoyed by state officials who have perpetrated or instigated human rights violations. The report notes that the problem of impunity has been included in the National Pact Evaluation and Legislative Agreements drafted by the government and the political parties, and a formal undertaking was given to impose criminal and administrative penalties on all perpetrators of human rights violations.

As in previous reports, the SR included commentary on the rights and situation of women and quoted a UNDP report from April 1997 that referred to the fact that: women are engaged in low-productivity activities, especially subsistence farming which is an important source of employment for women since the activity represents more than 90 per cent of agricultural production. The UNDP report also noted that: a Ministry was created to deal with matters of concern to women and the aggressive campaign it has conducted has raised greater awareness of the situation of women; women's share of the total number of executive positions has increased from 2.3 to 4.8 per cent but, despite this progress, in many sectors women are still failing to gain equality with men; in Parliament women occupy only 7.5 per cent of the 80 seats; women's share of administrative and senior management posts and jobs in the professional and technical categories amounts to only 1.6 per cent and 26.8 per cent respectively; in the public service, 23 per cent of officials are women but, because of their relative low level of education, they perform the least well paid and lowest grade jobs; only 28 per cent of the national income goes to women; and, in the health sector, women are again worse off and the maternal mortality rate is estimated at 500/100,000. The report notes the approval, through residential Decree No. 98 of 13 August 1997, of the National Action Programme for the Integration of Women into the Development Process, which had been proposed by the Ministry of Social Affairs and the Situation of Women to address some of the issues raised in the UNDP assessment.

Brief commentary addresses a number of other issues, including: continuing reports of actions against persons belonging to the Bubi ethnic group on the island of Bioko and the inhabitants of the island of Annobon; the fact that the proceedings for legal recognition of non-governmental organizations engaged in defending human rights — which applied to the Ministry of the Interior for recognition several years ago — are still at a virtual standstill; and, that the applications of other NGOs with social interests are also still pending.

The recommendations contained in the report included, *inter alia*, that the government:

- ♦ ensure periodic and regular publication of laws, decrees and governmental acts;
- ♦ accede to the Convention Against Torture and to the Convention on the Elimination of All Forms of Racial Discrimination;
- ♦ improve both the functioning of the judiciary and the training of judges, prosecutors and lawyers in order to ensure the proper, guaranteed and effective administration of justice;
- ♦ ensure that the jurisdiction of military courts be limited to trying strictly military offences committed by military personnel;
- ♦ reiterate the instructions transmitted in 1997 to the central authorities, government delegates, police and armed forces, and village chiefs not to order or make arbitrary arrests and to respect the right of the individual to security, integrity and freedom;
- ♦ dismantle the remaining police and military checkpoints both on the island of Bioko and in the mainland region of Rio Muni;
- ♦ put an immediate end to all acts of torture or ill treatment and investigate, try, and impose criminal and disciplinary penalties on those responsible for such offences;
- ♦ continue efforts to improve the conditions of convicted and unconvicted prisoners and take fundamental and urgent steps to provide them with sufficient food and medical attention, including medicines and appropriate treatment;
- ♦ avail itself of any opportunities offered to send members of the prison service, especially officials of the Malabo and Bata prisons, to training courses in other countries;
- ♦ continue efforts already undertaken to put an end to the relegation of women to an inferior position — and discrimination against them — until they have achieved equality of opportunity with men;
- ♦ foster the conditions necessary to ensure that all the people enjoy economic, social and cultural rights and enable broad sectors of the population to escape from the extreme poverty in which they are living; and
- ♦ firmly oppose any sign or symptom of discrimination against ethnic minorities.

Resolution of the Commission on Human Rights (1998/71)

At the 1998 session, the Commission adopted by consensus a resolution on the situation of human rights in Equatorial Guinea. The Commission, *inter alia*: expressed the view that the government has taken steps to promote and protect human rights and fundamental freedoms as a priority in its programme of good governance; noted with concern continuing violations and abuses of human rights, including prolonged incommunicado detention; noted the political dialogue to revise