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**Summary prepared by the Office of the United Nations High Commissioner for Human Rights in accordance with paragraph 15 (c) of the annex to Human Rights Council resolution 5/1 and paragraph 5 of the annex to Council resolution 16/21**

**Guinea\***

The present report is a summary of 7 stakeholders' submissions<sup>1</sup> to the universal periodic review. It follows the general guidelines adopted by the Human Rights Council in its decision 17/119. It does not contain any opinions, views or suggestions on the part of the Office of the United Nations High Commissioner for Human Rights (OHCHR), nor any judgement or determination in relation to specific claims. The information included herein has been systematically referenced in endnotes and, to the extent possible, the original texts have not been altered. As provided for in Human Rights Council resolution 16/21, where appropriate, a separate section is provided for contributions by the national human rights institution of the State under review that is accredited in full compliance with the Paris Principles. The full texts of all submissions received are available on the OHCHR website. The report has been prepared taking into consideration the periodicity of the review and developments during that period.

\* The present document was not edited before being sent to United Nations translation services.



## Information provided by stakeholders

### A. Background and framework

#### 1. Scope of international obligations<sup>2</sup>

1. Human Rights Watch (HRW) stated that contrary to the recommendations accepted during its previous Universal Periodic Review (UPR) in 2010,<sup>3</sup> Guinea had still not ratified the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (OP-CAT) and the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women (OP-CEDAW).<sup>4</sup> HRW recommended that Guinea ratify OP-CAT.<sup>5</sup>

2. Joint submission 2 (JS2) also recommended that Guinea ratify OP-CAT, with a view to establishing a national preventive mechanism, and accede to the Second Optional Protocol to the International Covenant on Civil and Political Rights (ICCPR). Moreover, JS2 recommended that Guinea become a party to other international human rights instruments.<sup>6</sup>

3. Physicians for Human Rights (PHR) recommended that Guinea ratify OP-CEDAW.<sup>7</sup>

4. The Coalition of Non-Governmental Organizations (NGOs) for the Protection and Promotion of the Rights of the Child, Combating Trafficking in Persons (COLTE/CDE) recommended that Guinea ratify the Optional Protocol to the Convention on the Rights of the Child on a communications procedure (OP-CRC-IC).<sup>8</sup>

5. COLTE/CDE recommended that Guinea sign the implementing legislation of the Minimum Age Convention, 1973 (No. 138) and the Worst Forms of Child Labour Convention, 1999 (No. 182) of the International Labour Organization (ILO) and the list of hazardous work for children.<sup>9</sup>

#### 2. Constitutional and legislative framework

6. HRW recommended that Guinea press for the adoption of laws that implement the International Criminal Court's Rome Statute to make genocide, war crimes, and crimes against humanity consistent with international standards punishable crimes under Guinea's domestic law.<sup>10</sup>

7. HRW noted that with the help of the European Union, several key legal texts including the Penal Code, the Code of Criminal Procedure, and the Military Code of Justice were in the process of being revised.<sup>11</sup>

8. JS2 stated that the following issues had been taken into consideration as part of the reform of the justice system: the incorporation of certain international instruments, including the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; the Rome Statute of the International Criminal Court; and the establishment of the Superior Council of Judges. JS2 added that discussions were ongoing at the level of the Review Committee on the abolition of the death penalty and the criminalization of female genital mutilation.<sup>12</sup>

9. JS2 recommended that Guinea incorporate the provisions of the various treaties to which it was party into internal law.<sup>13</sup>

10. COLTE/CDE recalled that, at the time of the first Universal Periodic Review (UPR) of Guinea, it had been recommended that the State party take effective measures to ensure protecting children's rights in conformity with its international obligations.<sup>14</sup> COLTE/CDE

noted that there were shortcomings in terms of the practical implementation of the Children's Code, adopted in 2008, mainly owing to the lack of implementing legislation; draft legislation had been prepared but not yet signed or disseminated.<sup>15</sup> COLTE/CDE added that the Code should be updated to cover new issues and to take into account the situation of certain categories of children.<sup>16</sup>

11. COLTE/CDE recommended that Guinea revise the Children's Code and the Civil Code, in order to bring them into line with the provisions of the Convention on the Rights of the Child.<sup>17</sup>

12. HRW noted that the delay in holding the parliamentary elections had exacerbated ethnic tensions, slowed reform efforts, increased a concentration of power in the Executive and had led to violent protests which had left scores dead. HRW stated that while marred by irregularities, the 2013 completion of the polls had helped further consolidate Guinea's transition from authoritarian to democratic rule.<sup>18</sup>

### **3. Institutional and human rights infrastructure and policy measures**

13. JS2 recalled that the Guinean Constitution made provision for bodies such as the national human rights institution, the Ombudsman, the High Communications Authority and the Constitutional Court, in order to ensure respect for the fundamental rights and freedoms of citizens.<sup>19</sup>

14. International Service for Human Rights (ISHR) noted that the establishment of a Reconciliation Commission and an independent National Human Rights Institution (NHRI) was yet to be implemented.<sup>20</sup>

15. HRW recalled that in 2010, Guinea had accepted the recommendation to "establish a National Human Rights Institution in accordance with Paris Principles".<sup>21</sup> It stated that progress in setting up this institution was undermined by delays in holding legislative elections, as the Constitution stipulates that the NHRI can only be established through a law.<sup>22</sup>

16. HRW,<sup>23</sup> ISHR<sup>24</sup> and JS2<sup>25</sup> recommended that Guinea establish a strong and independent NHRI, in accordance with the Paris Principles.

17. HRW observed that in 2012, President Condé had created a Ministry for Human Rights and Civil Liberties, mandated to establish a human rights policy for the country. HRW added that while the Ministry lacked resources, the Minister had actively advocated for strengthening the Judiciary, for ending impunity for abuses, and for respecting the freedom of the press.<sup>26</sup>

18. COLTE/CDE stated that, pursuant to a UPR recommendation,<sup>27</sup> in 2012 a national action plan on the rights of the child had been prepared, which had been submitted to the Government and the various partners for funding.<sup>28</sup> COLTE/CDE recommended that Guinea update that plan and mobilize the financial resources required for its implementation.<sup>29</sup>

## **B. Cooperation with human rights mechanisms**

### **1. Cooperation with treaty bodies**

19. Recalling that, in 2010, a UPR recommendation had called on Guinea to submit its overdue reports to treaty bodies as quickly as possible,<sup>30</sup> COLTE/CDE recommended that Guinea take the necessary steps to meet the deadlines for the preparation and transmission of periodic reports by establishing a standing interministerial drafting group.<sup>31</sup> JS2 made a similar recommendation.<sup>32</sup>

**2. Cooperation with special procedures**

20. ISHR recommended that Guinea agree to the visit of the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence.<sup>33</sup>

**C. Implementation of international human rights obligations, taking into account applicable international humanitarian law**

**1. Equality and non-discrimination**

21. PHR noted that existing legal codes entrenched inequality between the sexes. It mentioned the Civil Code which contains several articles codifying female subordination, such as a husband is the head of a family and is therefore entitled to choose the family's place of residence; women, but not men, must observe a one hundred-day waiting period before being able to remarry after divorce, and a woman is only able to exercise the profession of her choice if her husband does not oppose it. PHR added that apart from legally subordinating women, these laws provided tacit government consent for the denigration, abuse, mistreatment and discrimination against women taking place on a daily basis.<sup>34</sup>

**2. Right to life, liberty and security of the person**

22. HRW recommended that Guinea abolish the death penalty.<sup>35</sup> JS2 also recommended that Guinea promptly introduce a de jure moratorium on executions, with a view to the definitive abolition of the death penalty.<sup>36</sup>

23. HRW recalled that Guinea had accepted recommendations to “give clear instructions to the security forces to always act in compliance with international human rights law”<sup>37</sup> and to “prosecute and sanction, in line with international standards, armed forces and security staff members who are guilty of grave crimes and human rights violations.”<sup>38</sup> It noticed that there had been some efforts to professionalize the security sector and to reduce its size.<sup>39</sup> According to HRW, since 2010, discipline within and civilian control over the security forces, the army, police and gendarmerie, appears to have improved. Progress was also made in ensuring that the forces mandated to respond did so proportionately.<sup>40</sup>

24. However, HRW stated that the security forces often acted in a partisan manner, and had been implicated in numerous acts of criminality and excessive use of lethal force when responding to demonstrations;<sup>41</sup> they also had arbitrarily detained demonstrators and beat others.<sup>42</sup> On many occasions, the security forces used ethnic slurs against, and looted and stole property from members of ethnic groups largely supporting the opposition.<sup>43</sup> HRW was also concerned at the near-total absence of accountability for serious abuses committed by members of the security forces.<sup>44</sup>

25. HRW highlighted that political and communal violence had left several hundred dead and hundreds wounded since 2010.<sup>45</sup> ISHR stated that from February and July 2013, at least 31 demonstrators died, and 750 were injured, during violent clashes between government authorities and sympathisers, and demonstrators and opposition supporters.<sup>46</sup>

26. JS2 stated that, in August 2014, the defence and security forces had opened fire on civilians in Zoghota an action which had claimed several victims and had been carried out in retaliation for a demonstration that had led to the premises of a mining company being ransacked. JS2 noted that dozens of villagers had been arrested and detained at the N'Zérékoré military camp, where they had been subjected to torture and ill-treatment.<sup>47</sup>

27. JS2 also noted the State's failure to act to protect its citizens during inter-ethnic clashes that had taken place in N'Zérékoré in July 2013, involving hundreds of deaths and extensive material damage.<sup>48</sup>

28. JS2 recommended that Guinea, in cooperation with the Office of the United Nations High Commissioner for Human Rights, strengthen the training provided to law enforcement and military personnel on their obligation to respect human rights and international humanitarian law and the United Nations Basic Principles on the Use of Force and Firearms by Law Enforcement Officials.<sup>49</sup>

29. ISHR recommended that Guinea ensure that the security forces comply with international human rights law and put an end to extrajudicial executions, torture, ill treatment, rape and other grave human rights violations. It also recommended pursuing justice for aggressions perpetrated on protestors, including by providing adequate government resources to support prompt and impartial investigations and prosecutions.<sup>50</sup>

30. ISHR stated that during the presidential elections of 2010, several human rights defenders had been subjected to harassment and threats. It noted that in 2010, the President of the National Observatory for Democracy and Human Rights had been attacked, beaten and detained by security forces. In 2011, the Government harassed and detained two human rights defenders from the non-governmental organisation "Mêmes Droits pour Tous" and in 2012, the Assistant General Secretary of the "Confédération nationale des Travailleurs de Guinée" and his family were attacked by assailants in military uniforms.<sup>51</sup>

31. JS2 stated that it was still common practice for persons arrested for serious offences to be subjected to torture and ill-treatment in order to obtain a confession and/or to punish them for the acts of which they were accused. JS2 added that torture was mainly used during the preliminary enquiry stage. According to JS2, the defence and security forces also used torture as part of law enforcement activities, including during political demonstrations.<sup>52</sup>

32. JS2 noted that, in the absence of material resources permitting quality technical and scientific assessments, the police confined their efforts to obtaining confessions from suspects, resorting to illegal means, such as arbitrary detention, threats and ill-treatment.<sup>53</sup>

33. HRW stated that prison and detention centres were severely overcrowded and that inmates and detainees lacked adequate nutrition, sanitation, and medical care. However, since 2010, there has been some improvement in malnutrition rates, healthcare, and in prison administration.<sup>54</sup> HRW recommended that Guinea improve prison conditions by ensuring adequate nutrition, sanitation, medical care, and educational opportunities.<sup>55</sup>

34. In addition to the generally poor conditions of detention, JS2 noted the lack of segregation between different categories of detainee, and between men and women.<sup>56</sup> JS2 recommended that Guinea improve detention conditions.<sup>57</sup>

35. COLTE/CDE noted that the provisions of the Criminal Code and the Children's Code prohibiting all forms of abuse and violence directed at children were not being implemented. It was common for criminal investigation officers to resort to ill-treatment during preliminary enquiries.<sup>58</sup>

36. JS2 pointed out that the legislation on harmful traditional practices was incomplete or inconsistent and established differing penalties for female genital mutilation. There was a need for a single law that brought together and aligned all existing relevant legislation, in order to effectively combat those practices.<sup>59</sup>

37. Recalling that several recommendations on the fight against violence directed at women and girls had been formulated in 2010,<sup>60</sup> COLTE/CDE stated that the Government and its partners had been active at the grass-roots level in organizing awareness-raising

campaigns on the negative effects of excision and creating income-generating activities for excision practitioners. COLTE/CDE noted, however, that the practice of excision was a deep-rooted social custom,<sup>61</sup> and was carried out on more than 9 out of 10 girls. Moreover, the prevalence of female genital mutilation/excision (FGM/E) had been on the increase since 2005.<sup>62</sup> PHR<sup>63</sup> and JS2<sup>64</sup> made similar comments.

38. COLTE/CDE recommended that Guinea strengthen awareness-raising and information activities designed to combat FGM/E by focusing on the health risks of that practice and penalize excision.<sup>65</sup>

39. PHR stated that the Government was accountable for the violence against women by failing to exercise due diligence to prevent violations of women's rights, protect women from violence, punish perpetrators and provide redress to female victims of violence.<sup>66</sup> PHR added that despite the Penal Code provides punishments for individuals who perform Female Genital Mutilation/Cutting (FGM/E), it was rarely, if ever, enforced, and no individual had ever been prosecuted for performing or authorizing FGM/E.<sup>67</sup>

40. PHR recommended that Guinea issue an unequivocal and widely disseminated statement about the illegality of FGM/C and launch a nationwide awareness campaign. It also recommended investigating reports of violence against women and creating a safe space for women to report FGM/C and other acts of violence as well as outreach programs that foster a social network among female victims of violence and end isolation and stigma associated with abuse.<sup>68</sup>

41. JS2 stated that, although domestic violence and rape were offences under the Criminal Code in practice, the reporting and punishment of such acts was severely limited by widespread impunity.<sup>69</sup>

42. Global Initiative to End All Corporal Punishment of Children (GIEACPC) recalled that in 2010 UPR, no recommendation had been made specifically concerning corporal punishment of children but the Government had accepted a recommendation to "take effective measures to ensure protecting children's rights in conformity with its international obligations".<sup>70</sup> It stated that corporal punishment of children was unlawful as a sentence for crime but it was not prohibited in the home, alternative care settings, day care, schools and penal institutions.<sup>71</sup> GIEACPC recommended that the legislation to prohibit corporal punishment in all settings, including the home is drafted and enacted.<sup>72</sup>

43. JS2 noted that, although women and children were victims of trafficking in persons for the purposes of forced labour and/or sexual exploitation to other countries in the subregion, as well as to Europe.<sup>73</sup>

44. COLTE/CDE pointed out that, in 2010, it had been recommended that Guinea punish and prevent trafficking in children for the purpose of forced labour.<sup>74</sup> However, the situation regarding child labour remained a matter of concern. The Government had not taken the necessary steps to implement the provisions of the relevant international conventions. According to a number of surveys, 48 per cent of the children in Guinea worked; around 23 per cent were engaged in work to the exclusion of any other activity; almost 22 per cent combined school with work; and most working children were employed in agriculture (72 per cent), or in service industries (23 per cent).<sup>75</sup>

45. COLTE/CDE recommended that Guinea strengthen protection measures in order to combat the worst forms of child labour by ensuring that all stakeholders complied with the relevant international instruments; promoting the enrolment and retention of children in schools and vocational training centres; and reviving the follow-up mechanisms under the bilateral and multilateral agreements on combating trafficking in children signed between Guinea and other West African countries.<sup>76</sup>

46. HRW noted that the Government had taken some steps to combat the problems of child labour and trafficking and a few prosecutions had resulted from the investigations of the special police unit in charge to investigate child prostitution, labour, trafficking and other abuses.<sup>77</sup> However, HRW recommended that Guinea enforce the 2008 Children's Code; strengthen child protection systems, including at the local level and investigate and prosecute cases of child labour and abuse.<sup>78</sup>

### 3. Administration of justice, including impunity, and rule of law

47. HRW noted that in spite of accepting in 2010, many recommendations to ensure that the Judiciary was independent and functioning,<sup>79</sup> there had been inadequate progress towards this end. Decades of neglect has led to striking deficiencies in the sector, allowing perpetrators of abuses to enjoy impunity. HRW added that the severe shortages of judicial personnel and insufficient infrastructure and resources, coupled with unprofessional and corrupt practices and poor record-keeping, had contributed to widespread detention-related abuses.<sup>80</sup>

48. HRW mentioned that in 2013, the Superior Council of Judges (Conseil supérieur de la magistrature, CSM), tasked with discipline, selection, and promotion of judges had been created, but it had yet to be made operational.<sup>81</sup>

49. HRW recommended that Guinea address the deficiencies in the working conditions of judges and ensure the prompt establishment and independence of the CSM.<sup>82</sup> It also recommended improving court and caseload management through the prompt establishment of recordkeeping, court reporting, and information control systems as well as bringing to trial or setting free all prisoners in prolonged pre-trial detention.<sup>83</sup>

50. JS2 noted that, owing to the delays affecting the justice system, the duration of detention of pretrial detainees usually exceeded the legal limit and that 75 to 80 per cent of the prison population was being held in pretrial detention. Furthermore, persons detained in connection with minor offences often remained in prison for years and files frequently went missing or were not forwarded to the judges by the police. JS2 added that the problems affecting the internal management of detention facilities were often linked to a lack of clear rules governing their functioning.<sup>84</sup>

51. HRW recalled that during its previous UPR, Guinea had accepted all recommendations related to ensuring accountability and bringing to justice alleged perpetrators of grave violations.<sup>85</sup> It noted that there had been slow but inadequate progress towards ensuring accountability for both past and ongoing violations by members of the security services. While several investigations have been opened, and a few high-level officers indicted, no single member of the security forces has yet to be prosecuted for abuses committed.<sup>86</sup>

52. HRW noticed that since 2010, the Judiciary had opened several investigations into serious violations by State actors including those into the 2012 killing of six men by members of the security forces in a village of south-eastern Guinea; the 2010 torture of members of the political opposition and the 2009 massacre and rapes of opposition supporters in a Conakry stadium. However, HRW stated that progress in the investigative stage of most of the aforementioned had been severely hampered by the failure on the part of members of the army, gendarmerie and police to respond to judicial summons.<sup>87</sup>

53. Regarding the 2009 massacre, HRW stated that the domestic investigation into the killing of 150 people and the rape of over 100 women had yet to conclude. It added that a report by the United Nations-led International Commission of Inquiry said that the abuses committed by security forces very likely constituted crimes against humanity. Although the panel of judges investigating the massacre had made important strides, HRW noted that progress continued to be stymied by Government's failure such as placing high-level

suspects on leave from their government posts pending investigation and ensuring that members of the security forces respond to judicial requests.<sup>88</sup>

54. HRW recommended that Guinea ensure that members of the security forces respond to judicial summons and that judges and other judicial personnel investigating sensitive cases have adequate security. It also recommended placing on administrative leave those in government positions who have been identified as implicated in serious crimes, pending investigation and establishing a mechanism for witness protection and support.<sup>89</sup>

55. ISHR stated that the Government's lack of adequate action had led to impunity of many perpetrators of violence including those involved in the 2009 massacre. It added that no independent investigations had been conducted in relation to events of February and March 2013, when more than 50 persons had been killed during demonstrations and that no perpetrators of anti-press attacks had been held accountable since 2008.<sup>90</sup> ISHR noted that impunity of law-enforcement officials who had committed human rights violations remained a major concern, undermining the credibility of the judicial system and hindering reparation for victims of violations.<sup>91</sup>

56. JS2 recommended that Guinea step up criminal proceedings in all cases involving acts of torture and violence allegedly committed by members of the defence and security forces, including those occurring during the events of September 2009. JS2 also recommended prosecuting the perpetrators of all recent human rights violations and ensuring that the victims of those violations and their families could obtain redress.<sup>92</sup>

57. ISHR noted that in 2011, the President had issued a decree creating a Provisional Commission of Reflection on National Reconciliation (PCRNR), but it added that civil society was not adequately consulted on the mandate and composition of this institution.<sup>93</sup>

58. According to HRW, the PCRNR made no visible progress in fulfilling its mandate and the interim co-presidents appeared to limit the Commission's mandate to promoting reconciliation largely through prayer, while local human rights groups pushed for a Commission that could meaningfully address impunity.<sup>94</sup>

59. As to juvenile justice, COLTE/CDE referred to a number of issues, including failure to respect time limits for police custody, the dysfunctional nature of most of the children's courts and the lack of a functioning official follow-up and support mechanism for children in conflict with the law.<sup>95</sup>

60. COLTE/CDE stated that the situation of child detainees remained a matter of concern in regard to the segregation of minor detainees from their adult counterparts, particularly at the N'zérékoré, Kissidougou and Faranah prisons, and to the lack of food, which had given rise to a large number of cases of malnutrition.<sup>96</sup>

61. COLTE/CDE recommended that Guinea strengthen the capacities and improve the equipment of security officials and judicial staff,<sup>97</sup> build children's courts in all prefectures and establish reception and transit centres for children in conflict with the law.<sup>98</sup>

62. HRW recommended that Guinea establish a fully independent, well-funded, anti-corruption body empowered to investigate, subpoena, and indict public officials implicated in corrupt practices.<sup>99</sup>

#### **4. Right to privacy, marriage and family life**

63. COLTE/CDE noted that the Civil Code contained discriminatory elements, particularly with regard to the marriage age, which was set at 18 for boys and 16 for girls.<sup>100</sup>

64. JS1 mentioned that Guinea did not have a law regulating the protection of personal data, and there was no independent data protection authority.<sup>101</sup> It added that the



Government had extensive access to personal data, but lacked the necessary frameworks to govern that access.<sup>102</sup>

65. JS1 noted that in 2013, with the support of the United Nations Development Programme, the Government had completed the biometric registration of the military. In April 2014, the Government announced the beginning of the biometric registration process of all public officials, starting with the police and custom officials.<sup>103</sup> JS1 stated that the biometric technology could be problematic as, among others, the data processed were at risk of being misused and subject to fraud.<sup>104</sup>

66. JS1 recommended that Guinea adopt a law on the protection of personal data which includes safeguards as well as address the question of biometric data.<sup>105</sup>

## 5. Freedoms of expression, association and peaceful assembly

67. ISHR stated that journalists face numerous threats and risks, including censorship, detention, and physical assault.<sup>106</sup> It recommended that Guinea investigate and bring charges against perpetrators in cases of intimidation and violence against journalists.<sup>107</sup>

68. ISHR noted that Guinea, despite its acceptance of three UPR recommendations concerning the respect of the rights to freedom of expression and assembly, including one in the context of the electoral campaign,<sup>108</sup> restrictions to freedom of assembly and expression were ongoing.<sup>109</sup>

69. ISHR mentioned that although the legal framework for freedom of the press established by two laws passed in 2010 was more favourable, the Government continued to suppress press freedom and engage in physical harassment and assault of journalists, including while covering public demonstrations.<sup>110</sup>

70. ISHR stated that in August 2013, supporters of the Government had attacked a FM radio station following its coverage of the President's visit in Kankan. The Government also shut down the private radio station Liberté FM, allegedly to prevent it from reporting on opposition-led protests in Conakry. ISHR added that in late 2012, censorship measures had been taken by state media regulators against three popular talk-shows.<sup>111</sup>

71. JS2 stated that it regularly received information on cases involving the flagrant and systematic violation of human rights during political or social demonstrations and referred to several cases of violations that had occurred in Guinea since 2011. JS2 also pointed out that, in the run-up to the 2013 legislative elections, there had been outbreaks of violence on an almost daily basis, involving deaths, injuries, material damage and arrests.<sup>112</sup>

72. JS2 stated that around 150 political parties and more than 1,300 NGOs operated freely in Guinea but that the right to assemble and demonstrate was still being hampered. JS2 noted that persons wishing to set up an NGO faced several difficulties, including the slowness of the competent administrative authorities in granting permission; the substantial amounts charged for approval; and problems arising when renewal of that approval was sought.<sup>113</sup>

73. JS2 stated that the decision by the National Communications Council, of 28 July 2011, to temporarily suspend all interactive broadcasts relating to the attack on the Head of State's residence had been held to be illegal by all the national media and had consequently been disregarded.<sup>114</sup>

74. JS2 recommended that Guinea take effective measures to safeguard the right to freedom of expression.<sup>115</sup>

75. JS1 recommended that Guinea ensure that the privacy and data protection rights of mobile telephony subscribers in relation to their personal data are guaranteed.<sup>116</sup>

## 6. Right to work and to just and favourable conditions of work

76. ISHR stated that that workers organising for their rights faced particular challenges, including intimidation, physical threats and killing. It recommended that Guinea reform laws concerning trade-unions to make them less restrictive, effectively ensure freedom of association, and provide adequate protection against anti-union discrimination.<sup>117</sup>

## 7. Right to health

77. Recalling that, during Guinea's first UPR, two recommendations had been formulated on the right to health,<sup>118</sup> COLTE/CDE noted that the Government had taken steps to implement those recommendations by creating a number of grass-roots programmes and projects.<sup>119</sup> It noted, however, that, notwithstanding those measures, the Guinean population had difficulties in accessing quality health care. According to COLTE/CDE, those difficulties were mainly linked to the absence of health infrastructure in certain rural areas and the lack of primary care dispensaries in schools, qualified health workers, drugs and clinical laboratories.<sup>120</sup>

78. COLTE/CDE recommended that Guinea provide rural and urban areas with appropriate health infrastructure, qualified health workers, drugs and clinical laboratories equipped to carry out HIV testing. It also recommended that steps be taken to prevent Ebola virus disease, cholera, yellow fever and meningitis epidemics.<sup>121</sup>

79. COLTE/CDE stated that the Government had announced that medical care related to caesarean sections and childbirth would be provided free of charge. However, problems remained regarding child health care; the paediatric and school health services did not have the resources to treat sick children.<sup>122</sup> Nevertheless, the rate of mortality among children under the age of 5 had fallen significantly since 2005 and currently stood at 123 per 1,000.<sup>123</sup>

80. COLTE/CDE recommended that Guinea ensure free primary health care for children up to the age of 5 and provide the paediatric and school health services with the required resources.<sup>124</sup>

81. COLTE/CDE noted that 31 per cent of children under the age of 5 suffered from chronic malnutrition, 10 per cent suffered from acute malnutrition and 20 per cent were underweight. Moreover, 1 woman in 10 suffered from chronic malnutrition.<sup>125</sup>

82. COLTE/CDE stated, with regard to efforts to combat AIDS, that more must be done in terms of prevention and care and that the rate of HIV among those aged 15 to 49 was 1.7 per cent. Furthermore, a very large proportion of those infected (81 per cent) had never been tested for HIV.<sup>126</sup> COLTE/CDE recommended that Guinea strengthen information activities on sexual and reproductive health.<sup>127</sup>

## 8. Right to education

83. COLTE/CDE recalled that, during the first UPR cycle, two recommendations had been formulated on the promotion of the right to education.<sup>128</sup> It noted that, notwithstanding the Government's efforts to build and equip classrooms, the Millennium Development Goal on education (100 per cent school enrolment and retention of children) had yet to be achieved. The level of enrolment at primary school level remained at 74.6 per cent for girls and 89.5 per cent for boys.<sup>129</sup> COLTE/CDE explained that the shortcomings in terms of school enrolment and retention were due, in particular, to the fact that parents were required to contribute towards the running costs of schools and to the distance that must be travelled to reach certain schools.<sup>130</sup>

84. COLTE/CDE recommended that Guinea build and equip new classrooms; recruit, train and assign qualified and competent teachers; grant funding to primary and secondary

schools to ensure education was provided free of charge; and take special measures adapted to the needs of children with disabilities.<sup>131</sup>

### Notes

- <sup>1</sup> The stakeholders listed below have contributed information for this summary; the full texts of all original submissions are available at: [www.ohchr.org](http://www.ohchr.org). Comment: Organizations should be listed in alphabetical order (by acronym) and all joint submissions should be numbered.

#### *Civil society*

##### Individual submissions:

COLTE/CDE Coalition des ONG de Protection et de Promotion des Droits de l'Enfant, Luttant contre la Traite, Conakry, Guinea;

GIEACPC Global Initiative to End All Corporal Punishment of Children, London, United Kingdom;

HRW Human Rights Watch, New York, USA;

ISHR International Service for Human Rights, Geneva, Switzerland;

PHR Physicians for Human Rights; New York, USA.

##### Joint submissions:

JS1 Joint submission 1 submitted by: Privacy International (PI), Jonction and Stat View International (SVI), London, United Kingdom;

JS2 Joint submission 2 submitted by: Association du Barreau américain/Initiative Etat de Droit (ABA/IED), Childfund, Alliance Femmes Médias (AFEM) Coalition nationale de Guinée pour les Droits et la Citoyenneté des Femmes (CONAG-DCF), SOS Mineurs, Association des Victimes, Parents et Amis du 28 Septembre 2008 (AVIPA), Médecins d'Afrique (MDA), Organisation guinéenne des Droits de l'Homme (OGDH), Association des Femmes journalistes de Guinée (AFJ-Guinée), Centre Femme, Citoyenneté et Paix (FECPA), Association Mains solidaires (AMAS), Réseau des Femmes du Fleuve Mano pour la Paix (REFMAP), Les mêmes Droits pour Tous (MDT) et Avocats sans Frontières (ASF), Conakry, Guinée.

- <sup>2</sup> The following abbreviations have been used in the present document:

CEDAW Convention on the Elimination of All Forms of Discrimination against Women;

OP-CEDAW Optional Protocol to CEDAW;

CAT Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;

OP-CAT Optional Protocol to CAT;

CRC Convention on the Rights of the Child;

OP-CRC-IC Optional Protocol to CRC on a communications procedure.

- <sup>3</sup> See also A/HRC/15/4, paras. 71, 71.1, 71.2, 71.3 and 71.4.

<sup>4</sup> HRW, p. 4.

<sup>5</sup> HRW, p. 5.

<sup>6</sup> JS2, part IV.

<sup>7</sup> PHR, p. 8.

<sup>8</sup> COLTE/CDE, para. 11.

<sup>9</sup> COLTE/CDECOLTE/CDE, para. 35.

<sup>10</sup> HRW, p. 4.

<sup>11</sup> HRW, p. 3.

<sup>12</sup> JS2, part I.

<sup>13</sup> JS2, part IV.

<sup>14</sup> See also A/HRC/15/4, paras. 71, 71.6.

<sup>15</sup> COLTE/CDE, para. 4.

<sup>16</sup> COLTE/CDE, para. 7.

<sup>17</sup> COLTE/CDE, para. 9.

<sup>18</sup> HRW, p. 1.

<sup>19</sup> JS2, part II.

<sup>20</sup> ISHR, part 5.

<sup>21</sup> See also A/HRC/15/4, paras. 71, 71.10.

- 22 HRW, p. 3.  
23 HRW, p. 5.  
24 ISHR, part 6.  
25 JS2, part IV.  
26 HRW, p. 3.  
27 See also A/HRC/15/4, paras. 71, 71.12.  
28 COLTE/CDE, para. 7.  
29 COLTE/CDE, para. 9.  
30 COLTE/CDE, para 15. See also A/HRC/15/4, paras. 71, 71.24.  
31 COLTE/CDE, para 17.  
32 JS2, part IV.  
33 ISHR, part 6.  
34 PHR, pp. 2–3.  
35 HRW, p. 5.  
36 JS2, part IV.  
37 See also A/HRC/15/4, paras. 71, 71.71.  
38 HRW, p. 2. See also A/HRC/15/4, paras. 71, 71.61.  
39 HRW, p. 1.  
40 HRW, p. 2.  
41 HRW, p. 1. See also ISHR, part 1.  
42 HRW, p. 2.  
43 HRW, p. 2.  
44 HRW, p. 3.  
45 HRW, p. 1.  
46 ISHR, part 1.  
47 JS2, part III. See also ISHR, part 1.  
48 JS2, part III.  
49 JS2, part IV.  
50 ISHR, part 6.  
51 ISHR, part 1.  
52 JS2, part III.  
53 JS2, part III.  
54 HRW, p. 3.  
55 HRW, p. 5.  
56 JS2, part III.  
57 JS2, part IV.  
58 COLTE/CDE, para. 38.  
59 JS2, part III.  
60 See also A/HRC/15/4, paras. 71, 71.39–71.51.  
61 COLTE/CDE, para. 36.  
62 COLTE/CDE, para. 37.  
63 PHR, p. 2.  
64 JS2, part III.  
65 COLTE/CDE, para. 41.  
66 PHR, p. 2.  
67 PHR, p. 3.  
68 PHR, p. 8.  
69 JS2, part III.  
70 GIEACPC, para. 1.1. See also A/HRC/15/4, paras. 71, 71.6.  
71 GIEACPC, para. 2.1.  
72 GIEACPC, para. 1.2.  
73 JS2, part III.  
74 COLTE/CDE, para. 32. See also A/HRC/15/4, paras. 71, 71.51.

- 75 COLTE/CDE, para. 33. See also HRW, p. 4.  
76 COLTE/CDE, para. 35.  
77 HRW, p. 4.  
78 HRW, p. 5.  
79 See also A/HRC/15/4, paras. 71, 71.52–71.61.  
80 HRW, p. 3.  
81 HRW, p. 3.  
82 HRW, p. 5.  
83 HRW, p. 5.  
84 JS2, part III.  
85 See also A/HRC/15/4, paras. 71, 71.65–71.69.  
86 HRW, p. 1.  
87 HRW, pp. 1–2.  
88 HRW, p. 2.  
89 HRW, p. 4.  
90 ISHR, p. 2.  
91 ISHR, p. 1.  
92 JS2, part IV.  
93 ISHR, p. 2.  
94 HRW, p. 4.  
95 COLTE/CDE, para. 40.  
96 COLTE/CDE, para. 40.  
97 COLTE/CDE, para. 41.  
98 COLTE/CDE, para. 9.  
99 HRW, p. 5.  
100 COLTE/CDE, para. 8.  
101 JS1, para. 9.  
102 JS1, para. 10.  
103 JS1, para. 14.  
104 JS1, para. 15.  
105 JS1, para. 20.  
106 ISHR, p. 1.  
107 ISHR, p. 2.  
108 See also A/HRC/15/4, paras. 71, 71.80, 71.81 and 71.82.  
109 ISHR, p. 1.  
110 ISHR, p. 1.  
111 ISHR, p. 1.  
112 JS2, part III.  
113 JS2, part III.  
114 JS2, part III.  
115 JS2, part IV.  
116 JS1, para. 22.  
117 ISHR, p. 2.  
118 See also A/HRC/15/4, paras. 71, 71.94 and 71.95.  
119 COLTE/CDE, para. 18.  
120 COLTE/CDE, para. 19.  
121 COLTE/CDE, para. 27.  
122 COLTE/CDE, para. 20.  
123 COLTE/CDE, para. 23.  
124 COLTE/CDE, para. 27.  
125 COLTE/CDE, para. 24.  
126 COLTE/CDE, para. 26.  
127 COLTE/CDE, para. 27.  
128 COLTE/CDE, para. 27. See also A/HRC/15/4, paras. 71, 71.96 and 71.97.

<sup>129</sup> COLTE/CDE, para. 29.

<sup>130</sup> COLTE/CDE, para. 30.

<sup>131</sup> COLTE/CDE, para. 31.

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