



Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women

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Concluding comments of the Committee on the Elimination of Discrimination against Women: Guinea

1. The Committee considered the combined fourth, fifth and sixth periodic report of Guinea (CEDAW/C/GIN/4-6) at its 795th and 796th meetings, on 25 July 2007 (see CEDAW/C/SR.795 (A) and 796 (A)). The Committee's list of issues and questions is contained in CEDAW/C/GIN/Q/6, and the responses of Guinea are contained in CEDAW/C/GIN/Q/6/Add.1.

Introduction

2. The Committee expresses its appreciation to the State party for its combined fourth, fifth and sixth periodic report, which was candid, while regretting that the report was overdue, did not comply with the Committee's guidelines for preparation of reports, did not make reference to the Committee's general recommendations and the written submission in response to the list of issues and questions raised by the pre-session working group did not directly address many of the questions raised.

3. The Committee also expresses its appreciation for the frank and constructive dialogue held between the delegation and the members of the Committee, which provided further insights into the current situation of women in the country.

4. The Committee commends the State party for its high-level delegation headed by the Minister for Social Affairs and the Promotion of Women and Childhood and which included representatives of a number of different ministries and offices.

Positive aspects

5. The Committee commends the State party on the establishment of several institutions to promote gender equality, including the equality committees in the education system, the gender focal points in some ministerial departments, the Observatory on Respect for Women's Rights in the National Assembly, and the national and regional CEDAW monitoring committees.



6. The Committee welcomes the progress made to combat human trafficking, such as the creation of a national committee to combat trafficking in 2005; the elaboration of a national Plan of action; the accession to the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime; the amendment of the Penal Code and the conclusion, in 2005, of one bilateral cooperation agreement and one multilateral agreement with seven countries of West Africa on the repatriation of trafficked children.

7. The Committee commends the State party on various initiatives undertaken to improve women's health, including the launching of a multisectoral HIV/AIDS project, the placement of the Executive Secretariat of the National AIDS Committee under the aegis of the Office of the Prime Minister and the increase of the State budget allocated to the health sector in general, and to improve maternal health in particular, as orally stated by the delegation.

8. The Committee notes with satisfaction the State party's efforts aimed at empowering rural women, such as the establishment of the National Rural Development and Agricultural Extension Service, the establishment of the Triennial National Literacy Programme for 300,000 women at the grass-roots level and the adoption of the Land (Private and State-owned) Code.

Principal areas of concern and recommendations

9. While recalling the State party's obligation to implement systematically and continuously all the provisions of the Convention, the Committee views the concerns and recommendations identified in the present concluding comments as requiring the State party's priority attention between now and the submission of the next periodic report. Consequently, the Committee calls upon the State party to focus on those areas in its implementation activities and to report on action taken and results achieved in its next periodic report. It calls on the State party to submit the present concluding comments to all relevant ministries and to Parliament so as to ensure their full implementation.

10. While noting that the Convention is an integral part of Guinean law, the Committee also notes that the absence of a specific legal provision in its domestic legislation, with a definition of discrimination against women in accordance with article 1 of the Convention, which encompasses both direct and indirect discrimination, constitutes an impediment to the full application of the Convention in the State party, as already stated in its previous concluding comments (see A/56/38, part two, chap. IV, para. 118).

11. The Committee reiterates its recommendation that the State party develop capacity to understand the meaning of substantive equality and non-discrimination, as required by the Convention, and include without delay the prohibition of discrimination against women in its domestic law, encompassing both direct and indirect discrimination, in line with article 1 of the Convention.

12. The Committee is concerned that the provisions of the Convention and the general recommendations of the Committee are not known in the State party, including by judges, lawyers and prosecutors, and by women themselves. The Committee is also concerned that the Convention has yet to be invoked by women in

domestic litigation and applied by the judiciary. The Committee is further concerned that women's ability to bring cases of discrimination before the courts is limited by factors such as poverty, illiteracy, practical difficulties in reaching courts, lack of information about their rights and lack of assistance in pursuing their rights.

13. The Committee calls upon the State party to intensify its efforts to raise awareness about the Convention and the general recommendations of the Committee, and to implement training programmes for prosecutors, judges and lawyers on the Convention so as to firmly establish in the country a legal culture supportive of gender equality and non-discrimination. The Committee urges the State party to provide legal aid services and recommends that sustained awareness-raising and legal literacy campaigns targeting women, including rural women, and non-governmental organizations working on women's issues be undertaken to encourage and empower women to avail themselves of available procedures and remedies for violations of their rights under the Convention. The Committee requests the State party to remove the impediments women, including rural women, may face in gaining access to justice and encourages the State party to seek assistance from the international community in order to implement measures that in practice will strengthen women's access to justice.

14. While welcoming the strengthening of the national machinery for the advancement of women with the establishment of the gender focal points in some ministerial departments, the Observatory on Respect for Women's Rights in the National Assembly, and the national and regional CEDAW monitoring committees, the Committee is concerned that the latter were unable to fulfil their functions owing to lack of support. The Committee is also concerned that the national machinery does not have enough authority, visibility and human and financial resources to carry out effectively its mandate to promote the advancement of women and gender equality. The Committee is further concerned about the insufficient coordination and cooperation among the Ministry and other institutional mechanisms in regard to the promotion of gender equality and the prevention and elimination of discrimination against women.

15. The Committee recommends that the State party strengthen its national machinery for the advancement of women by clearly defining the mandates and responsibilities of its various components and by allocating sufficient human and budgetary resources to ensure that they can fully and adequately perform all their functions. Those measures should, in particular, include the provision of the means necessary for better and more effective cooperation and coordination between the various mechanisms, and for enhanced cooperation with civil society.

16. While welcoming the revision of the National Policy for the Advancement of Women in 2006, the Committee notes with concern that no assessment or impact analysis has been conducted of past policies, programmes and action plans on gender equality and that necessary corrective measures have not been taken.

17. The Committee calls upon the State party to undertake an assessment of its past policies and programmes on gender equality with a view to identifying shortcomings, gaps and lack of progress, and use that assessment whenever policies, programmes and actions are being updated. It also calls upon the State party to monitor systematically the implementation of its gender equality

policies and programmes, assess their impact and the extent to which stated goals are achieved and undertake corrective measures whenever necessary. It requests the State party to include, in its next periodic report, information on the impact of policies and programmes in regard to the promotion of gender equality.

18. The Committee notes with concern the absence of any temporary special measures in accordance with article 4, paragraph 1, of the Convention, and the State party's apparent lack of understanding of the purpose of such measures.

19. The Committee recommends that the State party use temporary special measures, in accordance with article 4, paragraph 1, of the Convention and the Committee's general recommendation 25, as part of a necessary strategy to accelerate the achievement of de facto equality between women and men. It calls upon the State party to consider using a range of possible measures, such as quotas, benchmarks, targets and incentives, in particular with regard to accelerated implementation of articles 7, 8, 10, 11 and 14 of the Convention.

20. The Committee is concerned about the delays in the adoption of the draft civil code, thus allowing for the persistence of discriminatory provisions that deny women equal rights with men in various fields.

21. The Committee urges the State party to place high priority on completing the process needed for the adoption of the draft civil code and to adopt it without delay within a clear time frame, in order to promptly bring the relevant provisions into line with the Convention, specifically with articles 9, 13, 15 and 16.

22. The Committee is concerned about the prevalence of a patriarchal ideology with firmly entrenched stereotypes regarding the roles and responsibilities of women and men in the family and society. It is also concerned about the persistence of deep-rooted adverse cultural norms, customs and traditions, including forced and early marriage and female genital mutilation, that discriminate against women, perpetuate violence against women and constitute serious obstacles to women's enjoyment of their human rights.

23. The Committee urges the State party to view culture as a dynamic dimension of the country's life and social fabric, subject to many influences over time and therefore to change. It urges the State party to put in place without delay a comprehensive strategy, including clear goals and timetables, to modify or eliminate negative cultural practices and stereotypes that are harmful to and discriminate against women, and to promote women's full enjoyment of their human rights. It also urges the State party to put in place monitoring mechanisms to regularly assess progress made towards the achievement of established goals. It requests the State party to undertake such efforts in collaboration with civil society, women's organizations and community and religious leaders, and to report on measures taken and results achieved in its next periodic report.

24. While noting the entrenched cultural underpinning of female genital mutilation and welcoming the promulgation of Act L/2000/010/AN of 10 July 2000 on reproductive health which prohibits female genital mutilation, as well as other measures, such as the prohibition on carrying out female genital mutilation at health facilities, the Committee is deeply concerned about the persistence and very high

incidence of that harmful practice, which is a grave violation of girls' and women's human rights and of the State party's obligations under the Convention. It is also concerned about the impunity of perpetrators. The Committee notes the serious health complications for girls and women arising out of the practice of female genital mutilation and which, in some cases, may lead to death.

25. The Committee urges the State party to raise awareness about the Law on Reproductive Health that prohibits all forms of female genital mutilation and to ensure its enforcement, including the prosecution and adequate punishment of offenders. It urges the State party to strengthen its awareness-raising and education efforts, targeted at both men and women, with the support of civil society and religious leaders, in order to eliminate the practice of female genital mutilation and its underlying cultural and religious justifications. It encourages the State party to devise programmes for alternative sources of income for those who perform female genital mutilation as a means of livelihood. It calls upon the State party to address the health consequences of female genital mutilation and provide medical support to those affected by it. In this context, it also encourages the State party to seek technical assistance from the United Nations Population Fund and the World Health Organization.

26. The Committee remains concerned about the prevalence of violence against women and girls. The Committee is particularly concerned about occurrences of domestic violence, rape, including marital rape, and all forms of sexual abuse of women, and about the persistence of patriarchal attitudes whereby the physical chastisement of family members, including women, is considered acceptable. It is further concerned about the lack of information and data in the report on the prevalence of different forms of violence against women, the lack of legislation to address domestic violence comprehensively, the apparent lack of public awareness of this violation of women's human rights and the insufficient support for victims of violence.

27. The Committee urges the State party to place the highest priority on implementing a comprehensive approach to address all forms of violence against women. It encourages the State party to make full use of the Committee's general recommendation 19 in such efforts and of the United Nations Secretary-General's in-depth study on all forms of violence against women (A/61/122/Add.1 and Corr.1). It urges the State party to raise public awareness through the media and education programmes that all forms of violence against women are unacceptable. The Committee calls upon the State party to train the judiciary, law enforcement officials, legal professionals, social workers and health providers so as to ensure that the perpetrators of violence against women are effectively prosecuted and punished with the required seriousness and speed and that effective and gender-sensitive support is provided to victims. It calls on the State party to enhance victims' access to legal redress and to establish support measures for victims of violence against women, including shelters and legal, medical and psychological support. The Committee urges the State party to enact without delay legislation on domestic violence, including marital rape, and all forms of sexual abuse, as requested in the Committee's previous concluding comments (see A/56/38, part two, chap. IV, para. 135). The Committee requests the State party to provide information in its next report on the laws, policies and programmes in place to deal with all forms of violence against women and on the impact of such

measures, as well as statistical data and trends over time concerning the prevalence of various forms of such violence.

28. While appreciating the State party's efforts to combat the trafficking of women and girls, the Committee remains concerned about the absence of adequate measures to combat this phenomenon, including its causes and extent, in particular from the State party's position as a country of origin, transit and destination. Moreover, the Committee is concerned about the lack of data and statistical information about the extent of trafficking in women and girls, in particular internal trafficking from rural to urban areas.

29. The Committee urges the State party to undertake efforts to determine the causes and extent of trafficking of women and girls from its perspective as a country of origin, transit and destination and to determine the incidence of internal trafficking. It recommends that the State party strengthen measures to combat and prevent trafficking in women and girls and to improve the economic situation of women so as to eliminate their vulnerability to exploitation and traffickers. The Committee requests the State party to provide, in its next report, comprehensive information and data on trafficking in women and girls.

30. The Committee reiterates its concern about the continuing underrepresentation of women in public and political life and in decision-making positions, including in the National Assembly, Government, diplomatic service and local bodies. It notes with concern the decline from 2002 to 2007 in the number of women at high and decision-making levels, in particular of women in Parliament, women ministers and women secretaries-general in ministries.

31. The Committee encourages the State party to take sustained measures, including temporary special measures in accordance with article 4, paragraph 1, of the Convention and the Committee's general recommendation 25 on temporary special measures, and the Committee's general recommendation 23 on women in public life and decision-making. It also encourages the State party to establish concrete goals and timetables so as to accelerate the increase in the representation of women in elected and appointed bodies in all areas of public life, including in the foreign service, at all levels, and to monitor their achievement. It also recommends further efforts to increase the number of women in decision-making positions in public administration and in the private sector. In the light of the legislative elections scheduled to be held in December 2007, the Committee urges the State party to implement awareness-raising campaigns, work with political parties to increase the number of women candidates and develop targeted training and mentoring programmes for women candidates. It further calls on the State party to highlight the importance to society as a whole of women's full and equal participation in leadership positions at all levels of decision-making for the development of the country.

32. The Committee notes with concern that certain provisions of the Civil Code continue to contradict article 9 of the Convention on nationality and discriminate against Guinean women.

33. The Committee requests the State party to speedily enact the amendments to the Civil Code so as to bring it in conformity with article 9 of the Convention.

34. While noting with satisfaction the inclusion of functional literacy modules in the curriculum of the women's self-help centres (CAAF) and, in 2003, the establishment of a United Nations Educational, Scientific and Cultural Organization (UNESCO) Chair of Women, Gender, Society and Development at the University of Conakry, the Committee remains concerned about the very high rate of illiteracy among women and girls, which clearly demonstrates patterns of direct and indirect discrimination under article 10. It is also concerned about the very low number of girls in higher education, the low level of schooling of girls, in particular in rural areas, and the high dropout rate of girls, including for such reasons as pregnancy and early and forced marriage. It is further concerned about the poor educational infrastructure and the insufficient number of schools and qualified teachers, as well as about the economic burden for parents to send girls to school.

35. The Committee urges the State party to raise awareness of the importance of education as a human right and as a basis for the empowerment of women, and to take steps to overcome traditional attitudes that perpetuate discrimination and lack of compliance with the provisions of article 10 of the Convention. It recommends that the State party implement measures to ensure equal access for girls and women to all levels of education and to ensure the retention of girls in school, including through temporary special measures in accordance with article 4, paragraph 1, of the Convention and the Committee's general recommendation 25, such as incentives for parents to send girls to school. The Committee calls on the State party to make every effort to improve the literacy level of girls and women through the adoption of comprehensive programmes of formal and non-formal education, and through adult education and training. It requests the State party to implement specific measures to enable girls to complete their schooling after childbirth, and to combat early and forced marriage as obstacles to their education. It encourages the State party to strengthen collaboration with civil society and to seek enhanced support from the international community and donor organizations to accelerate compliance with article 10 of the Convention.

36. The Committee is concerned about the high rate of female unemployment, in particular following the elimination of civil service positions. It is also concerned about occupational segregation and the concentration of women in the low-wage and unskilled labour sectors. It is further concerned about women's unequal access to employment opportunities, resulting in the overrepresentation of women in the informal sector, which does not provide social protection. The Committee regrets the lack of information and data in the report on article 11, including women's working conditions, salaries, social benefits, maternity leave, safety and health at work, as well as on training and retraining opportunities available for unemployed women.

37. The Committee urges the State party to implement fully article 11 of the Convention. It calls on the State party to address the impediments that women face with respect to employment. It recommends that the State party implement measures to encourage and support women's entrepreneurship, including by providing training and access to credit. It calls on the State party to provide in

its next report detailed information about the situation of women in the fields of employment and work, in both the formal and informal sectors, measures taken and their impact on realizing equal opportunities for women.

38. While welcoming recent initiatives undertaken to improve women's health, the Committee remains concerned about the limited access for women to adequate health-care services, including prenatal and post-natal care and family planning information, particularly in rural areas. The Committee is alarmed at the persistent high maternal mortality rate, which is the highest in Sub-Saharan Africa and an indication of lack of obstetric care, and at the high infant mortality rate. The Committee is also alarmed at the rising HIV/AIDS infection rates for women.

39. The Committee urges the State party to continue its efforts to improve the country's health infrastructure. It calls on the State party to integrate a gender perspective in all health sector reforms, while also ensuring that women's sexual and reproductive health needs are adequately addressed, and to utilize fully article 12 and the Committee's general recommendation 24 as the framework for such efforts. In particular, the Committee recommends that the State party undertake appropriate measures to improve women's access to health care and health-related services and information, including access for women who live in rural areas. It calls upon the State party to improve the availability of sexual and reproductive health services, including family planning information and services, as well as access to antenatal, post-natal and obstetric services to reduce maternal mortality and to achieve the Millennium Development Goal of reducing maternal mortality. The Committee also recommends the implementation of a comprehensive, time-bound infant mortality reduction programme. It encourages the State party to seek technical support from the United Nations Population Fund in these areas. It also recommends that programmes and policies be adopted to increase knowledge of and access to affordable contraceptive methods, so that women and men can make informed choices about the number and spacing of children. It further recommends that sex education be widely promoted and targeted at girls and boys, with special attention paid to the prevention of early pregnancy and the control of sexually transmitted diseases and HIV/AIDS. It also calls on the State party to ensure the effective implementation of its HIV/AIDS law and policies, and to seek technical support from the World Health Organization and the Joint United Nations Programme on HIV/AIDS in this regard.

40. The Committee expresses concern that discriminatory provisions exist in relation to family benefits, whereby payments are being made to the husband only as head of the household.

41. The Committee urges the State party to repeal discriminatory provisions in relation to family benefits, in accordance with article 13 of the Convention.

42. The Committee is concerned that widespread poverty among women and poor socio-economic conditions are among the causes of the violation of women's human rights and discrimination against women. The Committee is especially concerned about the situation of rural women, particularly in view of their precarious living conditions and lack of access to justice, health care, ownership of land, inheritance, education, credit facilities and community services. It is further concerned at practical impediments women face in accessing credit, such as lack of collateral or conventional credit institutions' disinterest in farming activities.

43. **The Committee urges the State party to make the promotion of gender equality an explicit component of its national development plans and policies, in particular those aimed at poverty alleviation and sustainable development. It urges the State party to pay special attention to the needs of rural women, ensuring that they participate in decision-making processes and have full access to justice, education, health services and credit facilities. The Committee also urges the State party to take appropriate measures to eliminate all forms of discrimination against women with respect to ownership and inheritance of land. The Committee calls on the State party to ensure that a gender perspective is included in all poverty reduction plans and strategies. The Committee recommends that the State party collect data on the situation of rural women and include such data and analysis in its next periodic report.**

44. The Committee is concerned about various prevailing discriminatory provisions in the Civil Code, such as a lower age of marriage for women (17 years) than for men (18 years), the notion that the man is the head of the household and as such determines the location of the family domicile, and the provisions relating to custody of minor children and the unequal sharing of marital responsibilities.

45. **The Committee urges the State party to place high priority on the speedy adoption of the draft civil code in order to bring the relevant provisions promptly into line with articles 1, 2, 15 and 16 of the Convention. The Committee calls upon the State party to increase its efforts to sensitize public opinion regarding the importance of this reform, in order to achieve full compliance with its provisions.**

46. The Committee regrets that the report provided insufficient statistical data, disaggregated by sex and ethnicity, on the practical realization of the principle of equality between women and men in all areas covered by the Convention. It also regrets that the report provided insufficient information on the impact of and results achieved in respect of legal and policy measures taken.

47. **The Committee urges the State party to enhance its data collection system, seek technical assistance from the international community and include such data, disaggregated by sex, in its next report. It also recommends that the State party regularly conduct impact assessments of its legislative reforms, policies and programmes to ensure that measures taken achieve the desired goals and that it inform the Committee about the results of these assessments in its next report.**

48. **The Committee encourages the State party to ratify the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women and to accept, as soon as possible, the amendment to article 20, paragraph 1, of the Convention concerning the meeting time of the Committee.**

49. **The Committee urges the State party to utilize fully, in its implementation of its obligations under the Convention, the Beijing Declaration and Platform for Action, which reinforce the provisions of the Convention, and requests the State party to include information thereon in its next periodic report.**

50. **The Committee also emphasizes that full and effective implementation of the Convention is indispensable for achieving the Millennium Development Goals. It calls for the integration of a gender perspective and explicit reflection of the provisions of the Convention in all efforts aimed at the achievement of**

the Millennium Development Goals, and requests the State party to include information thereon in its next periodic report.

51. The Committee commends the State party for having ratified the seven major international human rights instruments.¹ The Committee notes that the State party's adherence to those instruments enhances the enjoyment by women of their human rights and fundamental freedoms in all aspects of life.

52. The Committee requests the wide dissemination in Guinea of the present concluding comments in order to make the people, including government officials, politicians, parliamentarians and women's and human rights organizations, aware of the steps that have been taken to ensure de jure and de facto equality for women, as well as the further steps that are required in that regard. In particular, the Committee encourages the State party to convene a public forum involving all State actors as well as the civil society to discuss the presentation of the report and the content of the concluding comments. The Committee requests the State party to continue to disseminate widely, in particular to women's and human rights organizations, the Convention, its Optional Protocol, the Committee's general recommendations, the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session of the General Assembly, entitled "Women 2000: gender equality, development and peace for the twenty-first century".

53. The Committee requests the State party to respond to the concerns expressed in the present concluding comments in its next periodic report under article 18 of the Convention. The Committee invites the State party to submit its seventh periodic report, which is due in September 2007, and its eighth periodic report, which is due in September 2011, in a combined report in 2011.

¹ The International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Convention on the Rights of the Child and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.