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Guinea-Bissau

The present report is a compilation of the information contained in reports of the treaty bodies and special procedures, including observations and comments by the State concerned, in reports of the United Nations High Commissioner for Human Rights, and in other relevant official United Nations documents. It is presented in a summarized manner owing to word-limit constraints. For the full texts, please refer to the documents referenced. The report does not contain any opinions, views or suggestions on the part of the Office of the United Nations High Commissioner for Human Rights other than those contained in public reports and statements issued by the Office. It follows the general guidelines adopted by the Human Rights Council in its decision 17/119. Information included herein has been systematically referenced in endnotes. The report has been prepared taking into consideration the periodicity of the review, and developments during that period.

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I. Background and framework

A. Scope of international obligations¹

International human rights treaties²

	<i>Status during previous cycle</i>	<i>Action after review</i>	<i>Not ratified/not accepted</i>
Ratification, accession or succession	ICESCR (1992) CEDAW (1985) CRC (1990)	ICERD (2010) ICCPR (2010) ICCPR-OP 2 (2013) CAT (2013) OP-CAT (signature, 2013) OP-CRC-SC (2010) OP-CRC-AC (2014) CRPD (2014) ICPPED (signature, 2013)	OP-CAT (signature, 2013) ICRMW (signature, 2000) ICPPED (signature, 2013)
Reservations and/or declarations		ICCPR-OP 2 (declarations: arts. 4 and 5, 2013)	
Complaints procedures, inquiries and urgent action ³	OP-ICESCR (signature, 2009) OP-CEDAW, art. 8 (2009) ICRMW (signature, 2000)	ICCPR, art. 41 (2013) ICCPR-OP 1 (2013) CAT, arts. 20, 21 and 22 (2013) OP-CRC-IC (signature, 2013) OP-CRPD (signature, 2013) ICPPED (signature, 2013)	ICERD, art. 14 OP-ICESCR (signature, 2009) OP-CRC-IC (signature, 2013) ICRMW OP-CRPD (signature, 2013) ICPPED

Other main relevant international instruments

	<i>Status during previous cycle</i>	<i>Action after review</i>	<i>Not ratified</i>
Ratification, accession or succession	Palermo Protocol ⁴ Refugees and stateless persons (except 1954 and 1961 Conventions ⁵ Geneva Conventions of 12 August 1949 and Additional Protocols thereto (except Additional Protocol III) ⁶ ILO fundamental conventions (except Convention No. 87) ⁷	Convention on the Prevention and Punishment of the Crime of Genocide (2013)	Rome Statute of the International Criminal Court ILO fundamental Convention No. 87 ⁸ ILO Conventions Nos. 169 and 189 ⁹ Additional Protocol III to the 1949 Geneva Conventions ¹⁰ 1954 Convention relating to the Status of Stateless Persons and 1961 Convention on the Reduction of Statelessness UNESCO Convention against Discrimination in Education

1. In 2014, the Integrated United Nations System in Guinea-Bissau, including the United Nations country team (UNCT) (Integrated UN System), noted that, since 2010, Guinea-Bissau had ratified: ICCPR, ICERD, OP-CRC-SC; OP-CRC-AC; CAT, ICCPR-OP 2; and the Convention on the Prevention and Punishment of the Crime of Genocide.¹¹

2. In 2013, the Committee on the Rights of the Child (CRC) recommended that Guinea-Bissau ratify OP-CRC-IC, ICRMW and ICPPED.¹²

3. It was recommended that Guinea-Bissau accede to the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness.¹³ The Office of the United Nations High Commissioner for Human Rights (OHCHR) stated that, as the transitional People's National Assembly had reached the end of its term without adopting the two Conventions, both texts should be sent to the new members who had taken oath in June 2014 for consideration.¹⁴

B. Constitutional and legislative framework

4. In 2014, UNESCO noted that, although freedom of expression and of the press were guaranteed under the Constitution, article 31 of the Constitution also stipulated that such freedoms may not be used against the nation's independence, territorial integrity, and national unity, institutions of the Republic, or principles and goals.¹⁵

5. OHCHR noted that progress had been made in implementing UPR recommendations, including by the criminalization of female genital mutilation/cutting (FGM/C) and the passage of the Domestic Violence Act.¹⁶ In 2014, the Special Rapporteur on extreme poverty and human rights and the Integrated UN System noted the adoption of legislation on human trafficking (July 2011), and domestic violence (February 2014).¹⁷

C. Institutional and human rights infrastructure and policy measures

6. OHCHR noted that the revision of the Statute of the National Human Rights Commission (Comissão Nacional dos Direitos Humanos (CNDH)) to bring it into line with the Paris Principles was ongoing and that critical issues included the membership of the Commission and its sources of funding.¹⁸ The Integrated UN System noted that in 2012 the Ministry of Justice had agreed to revise the statute of the Commission on the basis of the Paris Principles. The new statute should be adopted before the end of 2014. The Government further supported the functioning of the Commission by providing separate office premises and paying the salaries of the Commissioner and support staff.¹⁹

7. The Integrated UN System referred to CRC recommendations²⁰ which indicated that there was a need to adopt a comprehensive national child protection policy and code, and to develop a strategy for its implementation.²¹ It also noted that the Ministry of Justice had agreed on the drafting of a child protection code.²²

II. Cooperation with human rights mechanisms

8. The Integrated UN System indicated that, in 2011, eight ministries had agreed to establish an interministerial committee to implement the UPR recommendations. However, the Committee was yet to be officially established, owing to political instability.²³

A. Cooperation with treaty bodies²⁴

1. Reporting status

<i>Treaty body</i>	<i>Concluding observations included in previous review</i>	<i>Latest report submitted since previous review</i>	<i>Latest concluding observations</i>	<i>Reporting status</i>
CERD	–	–	–	Initial report overdue since 2011
CESCR	–	–	–	Initial to fifth reports overdue since 1994, 1999, 2004, 2009 and 2014
HR Committee	–	–	–	Initial report overdue since 2011
CEDAW	August 2009	–	–	Combined seventh and eighth report due in December 2014
CAT	–	–	–	Initial report due in October 2014
CRC	May 2002	2009	June 2013	Combined fifth and sixth reports due in 2019. Initial OP-CRC-SC report overdue since 2012. Initial OP-CRC-AC due in 2016.

2. Responses to specific follow-up requests by treaty bodies

Concluding observations

<i>Treaty body</i>	<i>Due in</i>	<i>Subject matter</i>	<i>Submitted in</i>
CEDAW	2011	Female genital mutilation; equal access for girls and women to education. ²⁵	–

9. CRC invited Guinea-Bissau to submit its report under OP-CRC-SC, which was due in 2012.²⁶

B. Cooperation with special procedures²⁷

	<i>Status during previous cycle</i>	<i>Current status</i>
Standing invitation	No	Yes (2010)
Visits undertaken	–	Extreme poverty (2014)
Visits agreed to in principle	–	Independence of judges and lawyers
Visits requested	Arbitrary Detention (2007, 2009)	–
Responses to letters of allegation and urgent appeals	In the period under review one communication was sent. The Government did not reply to this communication.	

10. CRC and the Integrated UN System noted the standing invitation extended to United Nations special procedures.²⁸

C. Cooperation with the Office of the United Nations High Commissioner for Human Rights

11. A Human Rights component of the Peacebuilding Mission, the United Nations Integrated Peacebuilding Office in Guinea-Bissau (UNIOGBIS) was established in 1999,

becoming an integrated mission in 2010, at which time it was given a more robust mandate, including promoting, protecting and monitoring human rights.²⁹

12. In 2013, the Human Rights Section of UNIOGBIS *inter alia* launched, in cooperation with national authorities, training on human rights in the administration of justice for lawyers, prosecutors, judges and others; provided technical support to the specialized Parliamentary Committee on Women and Children during the drafting process of legislation on domestic violence; supported, together with UNIOGBIS and UNCT, the National Plan to End Gender-Based Violence (2014–2017) and undertook extensive advocacy efforts for the ratification of CAT and the Optional Protocols to ICCPR.³⁰

13. In 2013, the United Nations Assistant Secretary-General for Human Rights conducted a high-level human rights mission to Guinea-Bissau at the invitation of the Transitional Government.³¹

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

A. Equality and non-discrimination

14. In 2014, the Special Rapporteur on extreme poverty and human rights indicated that gender inequality and discrimination were among the main drivers of poverty and vulnerability, particularly in rural areas. She noted that women and girls were solely responsible for unpaid domestic work and that they were also the main providers of food and income. The high poverty rate among widows was often related to discrimination in legal and customary law. She added that, after the elections, the new government must make it a priority to ensure equality of women in all spheres of life.³²

15. CRC was concerned that discrimination against certain groups of children persisted, particularly against girls, children with disabilities and children living with HIV/AIDS, and called upon Guinea-Bissau to adopt specific legislation to prohibit discrimination and increase measures to combat discrimination against all children.³³

16. CRC was particularly concerned that girls continued to be subjected to multiple forms of gender-based discrimination, with regard to practices such as FGM/C, forced and child marriages, and enrolment in, and completion of, education. It called upon Guinea-Bissau to formulate a comprehensive strategy to eliminate negative attitudes and practices that discriminated against girls.³⁴ The Special Rapporteur on extreme poverty and human rights expressed similar concerns.³⁵

B. Right to life, liberty and security of the person

17. In 2014, OHCHR recalled that a coup d'état had been staged in 2012. The international community had responded swiftly by suspending cooperation with the transitional authorities. In 2013, it was announced in a presidential decree that elections would be held in November 2013; however they were postponed to 2014.³⁶ The Assistant Secretary-General for Human Rights noted that Guinea-Bissau continued to be known for repeated coups d'état and associated human rights violations, including political assassinations, abduction, torture, arbitrary arrest and detention of political opponents and civil society representatives alike.³⁷

18. In 2014, the Security Council expressed serious concern about reports of continuing serious violations and abuses of human rights, as well as the atmosphere of residual political tension in Guinea-Bissau,³⁸ and reiterated its demand to the security and defence services to submit themselves fully to civilian control.³⁹

19. The Integrated UN System noted that, despite the physical rehabilitation of the prisons in Mansoa and Bafata in 2010, and new laws and disciplinary measures taken concerning the prison in Mansoa, there had been no significant improvement in the penitentiary system. None of the existing prisons and police detention facilities in Bissau, Bafata or Gabu met basic requirements. Some cells were extremely overcrowded, women and men shared the same compound and recreation areas despite being held in separate cells, minors were held with adults, and pretrial detainees with convicts.⁴⁰

20. CRC noted with deep concern cases of ritual murder of persons with albinism, children with disabilities, twins and children accused of practising witchcraft. It strongly urged Guinea-Bissau to prevent such killings; investigate and prosecute those suspected of committing those crimes; and raise awareness of the need to eradicate such practices.⁴¹

21. The Integrated UN System indicated that FGM/C remained prevalent, with an increase from 44.5 per cent in 2006 to a current rate of 49.8 per cent of circumcised women aged 14 to 49 years.⁴² CRC noted with appreciation the adoption of the Law to Prevent, Fight and Suppress Female Genital Mutilation (Law No. 14/2011)⁴³ and welcomed the adoption of the 2010–2015 National Action Plan to Combat Female Genital Mutilation/Cutting (FGM/C).⁴⁴ It remained extremely concerned at the increase in FGM/C and urged Guinea-Bissau to prevent the practice, including through enforcing its criminalization, allocating adequate resources for the implementation of the National Plan of Action, particularly in rural areas, and reinforcing public education and awareness-raising programmes.⁴⁵

22. CRC noted with concern the increasing prevalence of other harmful practices, including abandonment of children such as twins and children with disabilities. It urged Guinea-Bissau to raise awareness of the harmful effects of such practices and to pursue investigations and prosecutions of the persons responsible.⁴⁶

23. CRC was concerned that in some cases girls were forced to marry the perpetrators of abuse or were sent back to homes or communities where the abuse had occurred. It urged Guinea-Bissau to combat sexual exploitation and abuse of children, including through the establishment of shelters, improving the capacity of the judicial system, strengthening the capacities of relevant government institutions, and strengthening the availability of, and access to, social and educational treatment and restorative services.⁴⁷

24. CRC noted with appreciation the adoption of the Law on Prevention and Fight against Trafficking in Persons, Particularly Women and Children (Law No. 12/2011)⁴⁸ and welcomed a number of measures to combat trafficking, including the adoption of a national action plan.⁴⁹

25. The Integrated UN System indicated that implementation of the law against Human Trafficking of 2011 had been hindered by the fragility of the justice sector and the limited capacity of law enforcement officials.⁵⁰ In 2013, the ILO Committee of Experts on the Application of Conventions and Recommendations (ILO Committee of Experts) requested that the Government indicate whether any legal proceedings had already been brought under Act No. 12/2011, and any penalties imposed, and specify the difficulties encountered.⁵¹

26. CRC noted that corporal punishment remained lawful in the home and alternative care settings. It recommended that Guinea-Bissau enact legislation to explicitly prohibit corporal punishment of children in all settings.⁵²

27. The Special Rapporteur on extreme poverty and human rights indicated that child labour was prevalent in the country, noting that, in 2010, 57 per cent of children 5–14 years old were engaged in child labour. Noting also that that reflected the desperate economic need of many families, she recommended that studies be undertaken to assess the feasibility of progressively implementing some form of social protection.⁵³

28. CRC was also concerned at the increase in child labour and at the large number of children, particularly the *meninos de criação*, economically active, particularly in commerce, domestic service and agriculture. It recommended that Guinea-Bissau address child labour; monitor the living conditions of *meninos de criação* and address cases of economic exploitation of those children; and ensure that working children above the age of 14 benefited from full protection.⁵⁴

C. Administration of justice, including impunity, and the rule of law

29. The Integrated UN System stated that, in the administration of justice, weaknesses were evident in three major areas: very limited access to the justice system by the population; the limited capacity of those working with the judicial system and institutions to provide independent and effective services; and weak institutional structures and mechanisms for good governance in the justice sector. The absence of an allocated budget for the institutions and the generally difficult conditions of service for those working with the judicial system created a fertile environment for bad practices.⁵⁵

30. The Integrated UN System noted additionally that judicial authorities faced a lack of independence as a result of, inter alia, pressure from political and military authorities; personal security concerns; and inadequate working conditions, and human and financial resources.⁵⁶

31. The Integrated UN System also noted that preventive detention was the norm rather than a last resort, owing to a number of constraints including: regular use of detention facilities instead of other preventive measures; limited cooperation between the Office of the Prosecutor General and the criminal investigation service (Police Judiciaire); arbitrary decisions and disregard of the judicial hierarchy.⁵⁷

32. The United Nations Development Assistance Framework (UNDAF) saw the weakness of the armed and security forces and judiciary as a serious impediment to combating impunity, endemic corruption, the proliferation of small arms and drug trafficking. Moreover, the population did not have a positive image of those institutions, which explained why it often resorted to traditional rules or practices, which sometimes disregarded human rights, to settle conflicts or disputes.⁵⁸

33. In 2013, the United Nations Office on Drugs and Crime (UNODC) stated that cocaine-related corruption had clearly undermined governance in Guinea-Bissau.⁵⁹ In 2014, the Security Council called upon Guinea-Bissau to review, adopt and implement national legislation and mechanisms to more effectively combat transnational organized crime, in particular drug trafficking and money-laundering.⁶⁰

34. The Security Council also urged the authorities to take all necessary measures to protect human rights, put an end to impunity, initiate investigations to identify the perpetrators of violations and abuses of human rights and bring them to justice, and take action to protect witnesses.⁶¹

35. The Assistant Secretary-General for Human Rights noted that both governmental and non-governmental interlocutors agreed that impunity was the main challenge to the protection of human rights and stability of the country.⁶² He also noted that the number of

gross human rights violations had increased since the promulgation of the amnesty law in 2008 and following the coup in 2012.⁶³

36. The Integrated UN System indicated that, in 2013, a new debate had taken place over a second amnesty law to cover the events of 2012. In 2013, a draft amnesty law was rejected twice by Parliament. As of July 2014, there seemed to be no consensus around a new amnesty law.⁶⁴

37. The Integrated UN System also indicated that addressing impunity in a consistent and sustainable manner required the implementation of the reform of the security, defence and justice sectors. While the first steps had been taken towards a reform of the justice sector, the modalities of a security sector reform were still to be discussed.⁶⁵

38. The Special Rapporteur on extreme poverty and human rights indicated that it was essential to fight impunity and stated that, in order to ensure effective measures of justice, remedy and reconciliation, Guinea-Bissau should seriously consider the establishment of an international commission of inquiry supported by the United Nations.⁶⁶

39. CRC was concerned at the number of children in adult jails, the ill-treatment of children in custody by police and the absence of penal procedural rules during their trial. It recommended that Guinea-Bissau bring the system of juvenile justice fully into line with the Convention and other relevant standards.⁶⁷ The Integrated UN System stated that little progress had been achieved over recent years regarding justice for children. The legal framework still needed to be updated and harmonized with the Convention on the Rights of the Child and other international standards, and stronger national child protection systems were required.⁶⁸

D. Right to marriage and family life

40. CRC welcomed the Act of Reproductive Health of 2011, which raised the minimum age for marriage to 18 years, but was deeply concerned at the increased prevalence of forced and early marriage of girls, particularly in poor rural areas. It recommended that Guinea-Bissau combat such practices by enforcing existing legislation, promoting increased school enrolment of girls and developing an education grant scheme for girls.⁶⁹

41. While welcoming the adoption of the 2010–2013 National Action Plan on Birth Registration,⁷⁰ CRC was deeply concerned that birth registration had declined⁷¹ and strongly urged Guinea-Bissau to implement the above-mentioned plan; ensure that all children, including those living in rural and remote areas, were registered; and ensure that institutional structures were accessible in all regions free of charge, and were adapted to local realities.⁷²

42. UNHCR noted that the Government registered the births of all children born in the country without discrimination. However, due to the distance between the refugee area and the civil registration service, as well as the ignorance or negligence of parents, some 47 per cent of children in the 0 to 7 years age group had not been registered.⁷³

43. CRC noted reports that large numbers of children did not live with their parents and was concerned that children deprived of a family environment could be vulnerable to exploitation and abuse and be unable to attend school. It recommended that Guinea-Bissau protect the rights of such children.⁷⁴

E. Freedom of expression, association and peaceful assembly, and right to participate in public and political life

44. UNESCO reported that that it had recorded no killings of journalists in Guinea-Bissau between 2008 and 2012. However, journalists worked under political instability and threat from military forces. Foreign journalists had been ordered to leave the country on account of their critical reports of the government.⁷⁵ UNESCO recommended that Guinea-Bissau ensure that journalists and media workers, both local and foreign, were able to practise their profession in a free and safe environment.⁷⁶ It also encouraged Guinea-Bissau to introduce a freedom of information law that was in accordance with international standards and recommended the development of self-regulatory mechanisms of the media and the strengthening of the professional standards of journalism in the country.⁷⁷ The Security Council urged the authorities to take steps to mitigate the climate of fear resulting from restrictions on freedom of expression and freedom of assembly.⁷⁸

45. UNESCO noted that defamation and libel were criminal offences under the Penal Code⁷⁹ and encouraged Guinea-Bissau to decriminalize defamation and place the matter under the civil code.⁸⁰

46. In 2014, the Security Council welcomed the successful holding of presidential and legislative elections in Guinea-Bissau and congratulated the people of Guinea-Bissau, who had participated in the election in record numbers, demonstrating their strong commitment to democracy.⁸¹ The Integrated UN System noted that, after 20 years of democracy, no municipal elections had been held, and regional structures were an extension of line ministries without autonomy or regional planning authority.⁸²

47. The Special Rapporteur on extreme poverty and human rights stated that women in Guinea-Bissau continued to be underrepresented in decision-making positions.⁸³ The Integrated UN System indicated that under the current government there had been a significant increase in women appointed as ministers as compared with the last government. The new parliament had 14 women, compared with 11 during the transitional period.⁸⁴

F. Right to social security and to an adequate standard of living

48. The Special Rapporteur on extreme poverty and human rights noted that the proportion of the population living in monetary poverty had increased markedly between 2002 and 2010. The large disparity between the capital and the rest of the country had also widened between 2002 and 2010. She observed that widespread poverty underscored the vulnerability of the population and that an extreme lack of financial resources constrained the ability of communities to provide their children with health care, education and a protective environment.⁸⁵

49. The Integrated UN System indicated that, from 2011 to 2014, economic growth had decreased significantly. Absolute poverty increased from 65.2 per cent in 2011 to 90 per cent in 2013, while extreme poverty increased from 20.8 per cent to 33 per cent in 2013.⁸⁶

50. The Special Rapporteur on extreme poverty and human rights and the Integrated UN System expressed concerns about food security and nutrition.⁸⁷ The Special Rapporteur observed that there was still an extremely low level of productivity in agriculture and a dependency on one crop (the cashew nut), which created a major risk of food insecurity and even famine if the crop failed or market prices dropped.⁸⁸

51. The Integrated UN System indicated that food security had deteriorated, with only 7 per cent of households considered “food-secure”, and an increasing number of people spending 75 per cent of their income on food.⁸⁹ It noted that the cashew nut trade had faced

an unprecedented crisis since 2012, leading the population to resort to negative coping strategies such as reducing meals.⁹⁰

52. CRC remained deeply concerned that 4 in 10 children lived in absolute poverty. It was also concerned that about 44 per cent of the population of Guinea-Bissau had no access to safe drinking water and 82 per cent had no access to adequate sanitation facilities. It urged the country to ensure the right to an adequate standard of living for all children; and provide families, especially in rural areas, with support programmes.⁹¹

G. Right to health

53. UNDAF noted that life expectancy was still very low (48.6 years). Health and malnutrition were among the main causes.⁹²

54. The Integrated UN System noted that there was a prevalence of high maternal and under-five morbidity, and mortality rates.⁹³ The Special Rapporteur on extreme poverty and human rights indicated that maternal mortality rates ranked eighth highest in the world, with an estimated 790 maternal deaths per 100,000 live births.⁹⁴

55. The Integrated UN System noted that a 2103 United Nations report had estimated that under-five mortality decreased from 161/1000 in 2011 to 129/1000, but still remained the sixth highest in the world. The main causes of child mortality were neonatal complications, malaria, acute respiratory infections and diarrhoea. Furthermore, malnutrition continued to be one of the main underlying mortality and morbidity contributors and remained a major public health problem.⁹⁵ The Special Rapporteur on extreme poverty and human rights made similar remarks, noting that in 2013 the situation had further deteriorated, in part because of food insecurity.⁹⁶

56. CRC was deeply concerned at the continued high rates of under-five mortality. It was in particular concerned that the annual budget allocation of Guinea-Bissau for health was below the Millennium Development Goal target of a 15 per cent allocation to health care; malnutrition was worryingly high; health-care services remained inaccessible for many; and there was a shortage of human resources in the health sector and inadequate infrastructure and equipment.⁹⁷ The Integrated UN System indicated that the average annual budget for the health sector for the five years to 2014 had been 7.12 per cent, 66 per cent of which originated from international partners.⁹⁸

57. CRC recommended the adequate allocation of human, financial and technical resources to the health sector so as to ensure access to quality health services for all children, particularly children living in the most disadvantaged and remote areas.⁹⁹

58. The Integrated UN System observed that Guinea-Bissau was confronted with a generalized HIV/AIDS epidemic with a prevalence estimated at 5.3 per cent in the general adult population. Women were disproportionately more affected than men. National efforts to address HIV/AIDS were marked by the lack of antiretroviral treatment drugs, due to the suspension of the Global Fund support following the 2012 coup d'état. There was a need to adopt a basic law on health, increase the health budget, and reform the health system.¹⁰⁰

59. CRC noted with concern the increase in underage pregnancies and sexually transmitted infections among adolescents, particularly HIV/AIDS. It recommended that Guinea-Bissau strengthen reproductive health education, including sex education for adolescents, and improve knowledge about, and availability of, reproductive health-care services with a view to preventing HIV/AIDS and other sexually transmitted infections and reducing teenage pregnancies.¹⁰¹

H. Right to education

60. CRC was concerned that only 67 per cent of children eligible for primary school were attending school; that gender parity in education had worsened; and that disparities persisted between urban and rural areas. It recommended that Guinea-Bissau enforce the law on the organization of the education system and increase funding for education by up to 20 per cent; ensure access to education for all children; overcome gender disparities in access to education; improve the educational infrastructure and the quality of education; ban all forms of violence in schools; and enforce compulsory education in rural areas.¹⁰²

61. The Integrated UN System indicated that the education sector had faced challenges over the years, especially due to recurrent teachers' strikes caused by salary arrears, resulting in a significant loss in the total number of school days. It added that the root cause of the problem could not be solved unless the Government allocated sufficient State budget to the education sector, which had remained at around 11 per cent in recent years, compared with the international benchmark of 20 per cent.¹⁰³

62. The Special Rapporteur on extreme poverty and human rights noted that Guinea-Bissau was an exceptionally young country, with 65 per cent of the population under 25 years of age. She indicated that, as a matter of priority, the State must ensure that all children in all regions of the country were able to enjoy their right to free and compulsory primary education, through high-quality schools that were safely accessible and without indirect costs. She added that proactive measures to progressively achieve that end should be taken as a matter of urgency.¹⁰⁴

63. In 2012, the ILO Committee of Experts recalled that compulsory education was one of the most effective means of combating child labour and requested that the Government ensure that compulsory education was effectively implemented in the country.¹⁰⁵

I. Persons with disabilities

64. CRC was concerned about discrimination against, and social exclusion of, children with disabilities and the lack of a protection system to provide them with special support. It recommended that Guinea-Bissau urgently address the high level of discrimination against children with disabilities, and that in particular it eradicate impunity for abuse of children with disabilities; strengthen awareness-raising programmes aimed at combating prejudice, superstitious beliefs and discrimination; improve access to education for all children with disabilities; and increase access to appropriate health care for children with disabilities.¹⁰⁶

J. Migrants, refugees and asylum seekers

65. UNHCR stated that Guinea-Bissau was a politically unstable country and that the situation had had an impact on the protection of persons under its jurisdiction. It made their prospects for socioeconomic integration slightly more difficult, despite the favourable legal framework and social environment.¹⁰⁷

66. UNHCR observed that the Nationality Act contained various safeguards against statelessness. There were still, however, situations in which children could be left stateless, and the Act had not provided solutions for such situations.¹⁰⁸ CRC made similar observations.¹⁰⁹

67. UNHCR recommended that Guinea-Bissau conduct a study on statelessness in order to identify stateless persons and the causes of statelessness and to establish a procedure to

determine the status of stateless persons that would enable stateless migrants to obtain formal status.¹¹⁰

68. UNHCR observed that the process for formalizing the transfer of lands already used by refugees was long and involved many steps, including the tedious task of surveying all the plots concerned. UNHCR recommended that Guinea-Bissau take the appropriate measures to secure refugees' access to land.¹¹¹

K. Right to development, and environmental issues

69. The Special Rapporteur on extreme poverty and human rights noted that since the time of its independence, not a single government of Guinea-Bissau had completed its mandated term of office and that that instability had resulted in corresponding declines in development levels, with the complex interlinking of poverty, tradition and culture reinforcing harmful social norms and limiting communities' and households' access to basic services.¹¹²

70. The Special Rapporteur on extreme poverty and human rights also observed that Guinea-Bissau remained heavily dependent on overseas development assistance, which represented up to 15 per cent of its gross domestic product (GDP). In 2010, overseas assistance amounted to approximately 57 per cent of total government revenue and funded over 50 per cent of Guinea-Bissau's total expenditures. Although the early part of the present decade had witnessed some improvements in social indicators, information gathered from 2013–2014 had shown a decrease across a range of measures following the coup and the resulting suspension of many overseas development aid programmes. Guinea-Bissau would be unable to meet any of the Millennium Development Goals by 2015.¹¹³

71. In 2014, the Secretary General indicated that, in the medium to long term, it would be critical for the authorities of Guinea-Bissau to manage efficiently the resources derived from tax revenues and international assistance to ensure the sustainable functioning of State institutions, the regular payment of salaries to civil servants and the timely delivery of basic services to the population.¹¹⁴

72. The Secretary General also indicated that during the previous two years, destruction of the country's forests and natural reserves had reached unprecedented levels, with negative consequences for the environment and the livelihood of the population. The maritime resources of Guinea-Bissau had been under threat for years as the State had been unable to protect its own waters and fight corruption. He added that the new authorities would have to work closely with relevant Member States, civil society organizations, private companies and investors to make transparency in natural resources management a key national priority and urged international partners to assist the country in establishing best transparency practices in that area.¹¹⁵

Notes

¹ Unless indicated otherwise, the status of ratification of instruments listed in the table may be found on the official website of the United Nations Treaty Collection database, Office of Legal Affairs of the United Nations Secretariat, <http://treaties.un.org/>. Please also refer to the United Nations compilation on Guinea-Bissau from the previous cycle (A/HRC/WG.6/8/GNB/2).

² The following abbreviations have been used in the present document:

ICERD	International Convention on the Elimination of All Forms of Racial Discrimination
ICESCR	International Covenant on Economic, Social and Cultural Rights
OP-ICESCR	Optional Protocol to ICESCR

ICCPR	International Covenant on Civil and Political Rights
ICCPR-OP 1	Optional Protocol to ICCPR
ICCPR-OP 2	Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty
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-AC	Optional Protocol to CRC on the involvement of children in armed conflict
OP-CRC-SC	Optional Protocol to CRC on the sale of children, child prostitution and child pornography
OP-CRC-IC	Optional Protocol to CRC on a communications procedure
ICRMW	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families
CRPD	Convention on the Rights of Persons with Disabilities
OP-CRPD	Optional Protocol to CRPD
ICPPED	International Convention for the Protection of All Persons from Enforced Disappearance

³ Individual complaints: ICCPR-OP 1, art. 1; OP-CEDAW, art. 1; OP-CRPD, art. 1; OP-ICESCR, art. 1; OP-CRC-IC, art. 5; ICERD, art. 14; CAT, art. 22; ICRMW, art. 77; and ICPPED, art. 31. Inquiry procedure: OP-CEDAW, art. 8; CAT, art. 20; ICPPED, art. 33; OP-CRPD, art. 6; OP-ICESCR, art. 11; and OP-CRC-IC, art. 13. Inter-State complaints: ICCPR, art. 41; ICRMW, art. 76; ICPPED, art. 32; CAT, art. 21; OP-ICESCR, art. 10; and OP-CRC-IC, art. 12. Urgent action: ICPPED, art. 30.

⁴ Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.

⁵ 1951 Convention relating to the Status of Refugees and its 1967 Protocol, 1954 Convention relating to the Status of Stateless Persons, and 1961 Convention on the Reduction of Statelessness.

⁶ Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field (First Convention); Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea (Second Convention); Geneva Convention relative to the Treatment of Prisoners of War (Third Convention); Geneva Convention relative to the Protection of Civilian Persons in Time of War (Fourth Convention); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Adoption of an Additional Distinctive Emblem (Protocol III). For the official status of ratifications, see International Committee of the Red Cross, at www.icrc.org/IHL.

⁷ International Labour Organization Convention No. 29 concerning Forced or Compulsory Labour; Convention No. 105 concerning the Abolition of Forced Labour; Convention No. 87 concerning Freedom of Association and Protection of the Right to Organise; Convention No. 98 concerning the Application of the Principles of the Right to Organise and to Bargain Collectively; Convention No. 100 concerning Equal Remuneration for Men and Women Workers for Work of Equal Value; Convention No. 111 concerning Discrimination in Respect of Employment and Occupation; Convention No. 138 concerning Minimum Age for Admission to Employment; Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour.

⁸ Convention No. 87 concerning Freedom of Association and Protection of the Right to Organise.

⁹ International Labour Organization Convention No. 169 concerning Indigenous and Tribal Peoples in Independent Countries and Convention No. 189 concerning Decent Work for Domestic Workers.

¹⁰ Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Adoption of an Additional Distinctive Emblem (Protocol III). For the official status of ratifications, see International

- Committee of the Red Cross, at www.icrc.org/IHL.
- ¹¹ Integrated UN System submission for the UPR of Guinea Bissau, p. 2.
- ¹² CRC/C/GNB/CO/2-4, para. 70.
- ¹³ Ibid., para. 35; UNHCR submission for the UPR of Guinea-Bissau, p. 3.
- ¹⁴ UNHCR submission for the UPR of Guinea-Bissau, p. 2.
- ¹⁵ UNESCO submission for the UPR of Guinea-Bissau, para. 11.
- ¹⁶ OHCHR Management Plan 2014–2017 – Working for your Rights (Geneva, 2013), p. 170.
- ¹⁷ Integrated UN System submission for the UPR of Guinea Bissau, p. 3; Preliminary observations and recommendations by the United Nations Special Rapporteur on extreme poverty and human rights, Magdalena Sepulveda, visit to Guinea-Bissau from 23 February to 1 March 2014, available from www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=14290&LangID=E.
- ¹⁸ OHCHR Report 2013, p. 229. See also OHCHR Report 2012, p. 203.
- ¹⁹ Integrated UN System submission for the UPR of Guinea Bissau, p. 4.
- ²⁰ CRC/C/GNB/CO/2-4, paras. 11–13.
- ²¹ Integrated UN System submission for the UPR of Guinea Bissau, p. 7.
- ²² Ibid., p. 3.
- ²³ Ibid., pp. 10–11.
- ²⁴ The following abbreviations have been used in the present document:
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| CERD | Committee on the Elimination of Racial Discrimination |
| CESCR | Committee on Economic, Social and Cultural Rights |
| HR Committee | Human Rights Committee |
| CEDAW | Committee on the Elimination of Discrimination against Women |
| CAT | Committee against Torture |
| CRC | Committee on the Rights of the Child |
| CMW | Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families |
| CRPD | Committee on the Rights of Persons with Disabilities |
| CED | Committee on Enforced Disappearances |
| SPT | Subcommittee on Prevention of Torture |
- ²⁵ CEDAW/C/GNB/CO/6, para. 52.
- ²⁶ CRC/C/GNB/CO/2-4, para. 71.
- ²⁷ For the titles of special procedures, see www.ohchr.org/EN/HRBodies/SP/Pages/Themes.aspx and www.ohchr.org/EN/HRBodies/SP/Pages/Countries.aspx.
- ²⁸ CRC/C/GNB/CO/2-4, para. 6, and Integrated UN System submission for the UPR of Guinea Bissau, p. 1.
- ²⁹ OHCHR Management Plan 2014–2017 – Working for your Rights, Geneva 2013, p. 170.
- ³⁰ OHCHR Report 2013, p. 229.
- ³¹ Press release, “Leading UN human rights official to make first visit to Guinea Bissau from 7 to 11 July 2013”, available from www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=13500&LangID=E.
- ³² Preliminary observations and recommendations by the United Nations Special Rapporteur on extreme poverty and human rights, visit to Guinea-Bissau 23 February–1 March 2014 (see endnote 17).
- ³³ CRC/C/GNB/CO/2-4, paras. 24–25.
- ³⁴ Ibid.
- ³⁵ Preliminary observations and recommendations by the United Nations Special Rapporteur on extreme poverty and human rights, visit to Guinea-Bissau 23 February–1 March 2014 (see endnote 17).
- ³⁶ OHCHR Management Plan 2014–2017 – Working for your Rights, Geneva 2013, p. 170. See also S/PRST/2012/15, p. 1, and Security Council press statement SC/10607-AFR/2374, available from www.un.org/News/Press/docs/2012/sc10607.doc.htm.
- ³⁷ Press release, “Impunity still a major challenge in Guinea Bissau, says UN official”, available from www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=13540&LangID=E.
- ³⁸ Security Council resolution 2157 (2014), p. 2. See also S/PRST/2013/19.
- ³⁹ Security Council resolution 2157 (2014), para. 2.
- ⁴⁰ Integrated UN System submission for the UPR of Guinea Bissau, p. 8–9.
- ⁴¹ CRC/C/GNB/CO/2-4, paras. 28–29.
- ⁴² Integrated UN System submission for the UPR of Guinea Bissau, p. 11. See also *ibid.*, p. 3.

- ⁴³ CRC/C/GNB/CO/2-4, para. 3. See also *ibid.*, para. 43.
- ⁴⁴ CRC/C/GNB/CO/2-4, para. 5. See also *ibid.* para. 43.
- ⁴⁵ CRC/C/GNB/CO/2-4, paras. 43–44.
- ⁴⁶ *Ibid.*, paras. 45–46.
- ⁴⁷ *Ibid.*, paras. 38–39. See also *ibid.*, para. 5.
- ⁴⁸ CRC/C/GNB/CO/2-4, para. 3. See also *ibid.*, para. 66.
- ⁴⁹ *Ibid.*, para. 5. See also *ibid.*, para. 66.
- ⁵⁰ Integrated UN System submission for the UPR of Guinea Bissau, p. 11.
- ⁵¹ ILO Committee of Experts on the Application of Conventions and Recommendations, direct request concerning Forced Labour Convention, 1930 (29), Guinea-Bissau, adopted 2013, published 103rd ILC session (2014), available from www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:13100:0::NO:13100:P13100_COMMENT_ID:3142022:NO.
- ⁵² CRC/C/GNB/CO/2-4, paras. 36–37. See also *ibid.*, paras. 62–63.
- ⁵³ Preliminary observations and recommendations by the United Nations Special Rapporteur on extreme poverty and human rights, visit to Guinea-Bissau 23 February–1 March 2014 (see endnote 17).
- ⁵⁴ CRC/C/GNB/CO/2-4, paras. 64–65.
- ⁵⁵ Integrated UN System submission for the UPR of Guinea Bissau, p. 6.
- ⁵⁶ *Ibid.*, p. 7.
- ⁵⁷ *Ibid.*, p. 8.
- ⁵⁸ Plan-cadre des Nations Unies pour l'aide au développement 2013–2017, République de Guinée-Bissau, p. 10.
- ⁵⁹ UNODC, “Transnational Organized Crime in West Africa: A Threat Assessment” (Vienna, 2013), p. 4.
- ⁶⁰ Security Council Resolution 2157 (2014), para. 6.
- ⁶¹ *Ibid.*, para. 3.
- ⁶² Press release, “Impunity still a major challenge in Guinea Bissau, says UN official”, available from www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=13540&LangID=E. See also S/PRST/2013/19.
- ⁶³ Press release, “Impunity still a major challenge in Guinea Bissau, says UN official”, see endnote 62.
- ⁶⁴ Integrated UN System submission for the UPR of Guinea Bissau, p. 10.
- ⁶⁵ *Ibid.*
- ⁶⁶ Preliminary observations and recommendations by the United Nations Special Rapporteur on extreme poverty and human rights, Visit to Guinea-Bissau 23 February–March 2014 (see endnote 17).
- ⁶⁷ CRC/C/GNB/CO/2-4, paras. 68–69.
- ⁶⁸ Integrated UN System submission for the UPR of Guinea Bissau, p. 8.
- ⁶⁹ CRC/C/GNB/CO/2-4, paras. 41–42. See also *ibid.*, para. 3.
- ⁷⁰ CRC/C/GNB/CO/2-4, para. 5.
- ⁷¹ *Ibid.*, para. 32.
- ⁷² *Ibid.*, para. 33.
- ⁷³ UNHCR submission for the UPR of Guinea-Bissau, p. 2.
- ⁷⁴ CRC/C/GNB/CO/2-4, paras. 48–49.
- ⁷⁵ UNESCO submission for the UPR of Guinea Bissau, para. 15.
- ⁷⁶ *Ibid.*, para. 23.
- ⁷⁷ *Ibid.*, para. 22.
- ⁷⁸ Security Council Resolution 2157 (2014), para. 3.
- ⁷⁹ UNESCO submission for the UPR of Guinea Bissau, para. 13.
- ⁸⁰ *Ibid.*, para. 21.
- ⁸¹ Security Council resolution 2157 (2014).
- ⁸² Integrated UN System submission for the UPR of Guinea Bissau, p. 15.
- ⁸³ Preliminary observations and recommendations by the United Nations Special Rapporteur on extreme poverty and human rights, visit to Guinea-Bissau 23 February–1 March 2014 (see endnote 17).
- ⁸⁴ Integrated UN System submission for the UPR of Guinea Bissau, p. 5.
- ⁸⁵ Preliminary observations and recommendations by the United Nations Special Rapporteur on extreme poverty and human rights, visit to Guinea-Bissau 23 February–1 March 2014 (see endnote 17).
- ⁸⁶ Integrated UN System for the UPR of Guinea Bissau, p. 12.
- ⁸⁷ *Ibid.*, p. 14.

- ⁸⁸ Preliminary observations and recommendations by the United Nations Special Rapporteur on extreme poverty and human rights, visit to Guinea-Bissau 23 February–1 March 2014 (see endnote 17).
- ⁸⁹ Integrated UN System submission for the UPR of Guinea Bissau, pp. 12–13.
- ⁹⁰ *Ibid.*, p. 12.
- ⁹¹ CRC/C/GNB/CO/2-4, paras. 60–61.
- ⁹² Plan-cadre des Nations Unies pour l'aide au développement 2013–2017, République de Guinée-Bissau, p. 12.
- ⁹³ Integrated UN System submission for the UPR of Guinea Bissau, p. 12.
- ⁹⁴ Preliminary observations and recommendations by the United Nations Special Rapporteur on extreme poverty and human rights, visit to Guinea-Bissau 23 February–1 March 2014 (see endnote 17).
- ⁹⁵ Integrated UN System submission for the UPR of Guinea Bissau, p. 12.
- ⁹⁶ Preliminary observations and recommendations by the United Nations Special Rapporteur on extreme poverty and human rights, visit to Guinea-Bissau 23 February–1 March 2014 (see endnote 17).
- ⁹⁷ CRC/C/GNB/CO/2-4, paras. 52–53.
- ⁹⁸ Integrated UN System submission for the UPR of Guinea Bissau, p. 13.
- ⁹⁹ CRC/C/GNB/CO/2-4, paras. 52–53.
- ¹⁰⁰ Integrated UN System submission for the UPR of Guinea Bissau, p. 13. See also CRC/C/GNB/CO/2-4, paras. 56–57.
- ¹⁰¹ CRC/C/GNB/CO/2-4, paras. 54–55.
- ¹⁰² *Ibid.*, paras. 62–63.
- ¹⁰³ Integrated UN System submission for the UPR of Guinea Bissau, p. 14.
- ¹⁰⁴ Preliminary observations and recommendations by the United Nations Special Rapporteur on extreme poverty and human rights, visit to Guinea-Bissau 23 February–1 March 2014 (see endnote 17).
- ¹⁰⁵ ILO Committee of Experts on the Application of Conventions and Recommendations, direct request concerning Minimum Age Convention, 1973 (No. 138), Guinea-Bissau, adopted 2012, published 102nd ILC session (2013) available from www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:13100:0::NO:13100:P13100_COMMENT_ID:3084649:NO.
- ¹⁰⁶ CRC/C/GNB/CO/2-4, paras. 50–51.
- ¹⁰⁷ UNHCR submission for the UPR of Guinea-Bissau, p. 1.
- ¹⁰⁸ *Ibid.*, p. 3.
- ¹⁰⁹ CRC/C/GNB/CO/2-4, paras. 3 and 34–35.
- ¹¹⁰ UNHCR submission for the UPR of Guinea-Bissau, p. 3.
- ¹¹¹ *Ibid.*, p. 4.
- ¹¹² Preliminary observations and recommendations by the United Nations Special Rapporteur on extreme poverty and human rights, Magdalena Sepulveda, visit to Guinea-Bissau from 23 February to 1 March 2014 (see endnote 17).
- ¹¹³ *Ibid.*
- ¹¹⁴ S/2014/332, para. 49.
- ¹¹⁵ *Ibid.*, para. 52.