



Joint submission¹

A. Information related to the UPR 2015 recommendations

1. Acceptance of international norms

Rec. 96.1.(Gabon)

- ⇒ *The UN recommends the State to accede to the (i)ILO Migration for Employment Convention (Revised), 1949 (No. 97), (ii)ILO Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143) and (iii)ILO Domestic Workers Convention, 2011 (No. 189)*

Rec. 96.4. (DRC); 96.5. (Ghana) and 96.6. (Morocco and Timor-Leste)

Guinea-Bissau ratified the ICMW on 22 October 2018, with a declaration not to consider itself bound by art. 92 (1).²

Rec. 96.7.(Brazil), 96.8.(Ghana)

Guinea-Bissau ratified the CRDP-OP³, with a declaration not to recognise the competence of the Committee under arts. 6 and 7 of CRDP-OP.

- ⇒ *The State should recognize the competence of the Committee under arts. 6 and 7 of CRDP-OP to conduct inquiries into serious and systematic violations of the Convention (art. 8).*

IOM/UNHCR

Guinea-Bissau acceded to the Convention on the Reduction of Statelessness and to the Convention relating to the Status of Stateless Persons.⁴

UNESCO

- ⇒ *Guinea-Bissau is encouraged to ratify the Convention against Discrimination in Education.*

2. Inter-State cooperation and development assistance

Rec.96.151.(Senegal)

UNIOGBIS-PAS⁵/UNDP:

The State continued to call for support by the international community, especially for the electoral process. For example, the Basket Fund to support the 10 March legislative elections was close to USD\$10 Million.

- ⇒ *National ownership of future electoral processes should be enhanced..*

In 2015, the Government elaborated its 2015-2020 Strategic and Operational Plan for 2015-2020 and the Round Table to present the plan to development partners to pledge for funds. Due to political instability the funds pledged at a 2015 Round Table remain largely unrealized.

- ⇒ *The State should continue to work collaboratively with the P5⁶ to adopt all necessary measures to address the root causes of conflict and instability with a view to achieve sustainable political stability and implement the constitutional and public sector reforms, judicial and security sector reforms.*

Guinea-Bissau adhered to the 2030 Agenda creating - as a complement to the Strategic and Operational Plan - a Matrix of Results and Indicators aligned with *the 2030 and 2063 Agendas*, the *SIDS SAMOA*

Pathway and the *Fragility Assessment* under the *New Deal for Fragile States*. Such Matrix, which adopted a Human Rights-based approach to data, is also key to measure the progress achieved on the Strategic and Operational Plan as it provides the latter with indicators, means of verification, baselines and targets to monitor and evaluate the plan's implementation.

- ⇒ *The Government is encouraged to use the Matrix of Development Results as a key tool to monitor and evaluate progress made. Additional efforts are required to develop (i) aid coordination mechanisms to ensure better coordination of development partners' interventions, and (ii) a Strategy to promote partnerships and mobilize resources.*

3. Cooperation with treaty bodies

Rec.96.36. (Portugal)

The Bissau-Guinean National Human Rights Commission (CNDH, Ministerial Decree 6/2009) has the nature and composition of a national level inter-ministerial committees or commissions on human rights, recognized as a key advisory bodies to the Government, including on its engagement with international and regional human rights organizations and mechanisms.¹ This, because the CNDH is structurally attached to the Government,² and 13 of its 30 members are civil servants of line ministries and State secretariats. The Commission's chair is a public servant of the Ministry of Justice and Human Rights appointed by the Council of Ministers, upon recommendation of the Minister of Justice and Human Rights. The other members are appointed by the institutions they represent, and are therefore, not selected by public processes based on pre-established criteria.

- ⇒ *It is recommended to the Government to strengthen the National Commission of Human Rights as its primary human rights advisor within the Ministry of Justice and Human Rights.*
- ⇒ *The National Commission of Human Rights of the Ministry of Justice and Human Rights should take steps to address the submission of pending reports to international and regional human rights mechanisms.*

4. Constitutional and Legislative Framework

Rec.96.20-21;96.23-25 (DRC; France; Indonesia; Portugal; Lybia)

- ⇒ *The State should establish by Law a Human Rights Institution, compliant with the Paris Principles, fully independent from the Government, adequately resourced, and whose statute includes the selection of its members through public and transparent processes, with pre-established criteria that include the skillset and experience required to undertake human rights promotion, protection, investigation and reporting functions.*

5. Political framework and good governance

Rec.96.28. (Sweden)

UNDP/UNIOGBIS-PAS

¹ See the Compendium on national mechanisms on human rights published in 2018 in Portuguese. Available at: https://uniogbis.unmissions.org/sites/default/files/coletanea_vol.2_mecanismos_nacionais_de_direitos_humanos.pdf

² Republic of Guinea-Bissau, Decree 6/2009 of 15 February 2010 (Statute of the National Commission of Human Rights), in Official Bulletin (*Boletim Oficial*), No.7, 15 February 2010, pp.46-51; arts.9; 30-31. See also art.10 (1,3).

There is an urgent need in the country to reform the public administration. Despite UNDP support, national ownership has been elusive due to political instability, and no significant progress has been made to improve human resources capacities, tools and mechanisms, and to reform and modernize public administration. Additional efforts are required to increase transparency, which is generally jeopardized by political instability.⁷ Support to the Office of High Inspection Against Corruption, as well as to CSOs depends on improvement of the political situation.

⇒ *The State should consolidate the public administration reform and enhance accountability and transparency mechanisms in the public administration.*

Rec.96.98. (Ghana)

The ad hoc commission of the National Assembly on the revision of the Constitution should continue to carry out the activities of its workplan that remain pending to finalize the revision of the current constitution and submit it for approval by the Parliament and the President of the Republic. The Ad Hoc Commission should also ensure that the future constitution is aligned with the treaty obligations of the State, including those contained in the International Covenant on Civil and Political Rights ratified by Guinea-Bissau on 1 November 2010.

Rec.96.109. (Sweden) and 96.96.(Philippines)

UNODC⁸

Guinea-Bissau took steps, with UNODC support, to improve data and evidence collection; prosecution; solid and effective convictions and ensure dignified conditions for serving prison sentences. *UNODC recommends to the State to (i) enhance post-seizure investigation and capacity-building for prosecutors and judges on CDTOC⁹ and (ii) to promote ethics and integrity measures for law enforcement and judicial authorities and strengthen legal and institutional anti-corruption framework.*

6. Right to physical and moral integrity

Rec.96.71.(Sierra Leone)

UNICEF

There are no studies or reliable information on the status of people with albinism.¹⁰ Currently, there is one association dedicated to the rights of persons with albinism, created in 2004, which did not report cases of extreme violence against albino persons. The Ministry of Woman, Family and Social Cohesion has undertaken consultations with relevant stakeholders, aimed to adopt strategies to reduce stigma and discrimination, and to aid and care to children with albinism. So far, very limited action has been taken.

IOM

In Guinea-Bissau, several returned migrants reported instances of abuse and exploitation. From May 2017 to June 2019, IOM collected data on 482 migrants, including 7 women, 8 children (including 5 girls). 30 stranded migrants from West Africa were assisted to return voluntarily to their country of origin. Data indicated that 188 were victims of labor exploitation during their journey along the Central Mediterranean route, while 250 were victims of violence and torture and 363 were detained.

⇒ *The State should advocate and demand respect for the right of its citizens abroad, especially providing consular support in countries where its citizens are strained and victims of abuse and exploitation, such as in Libya. At the regional level (ECOWAS, MIDWA¹¹ and AU) the issue of*

stranded migrants and migrant's rights should be addressed to ensure respect for the principle of non-refoulement, to prevent torture, all forms of exploitation and contemporary forms of slavery.

7. Prohibition of slavery, trafficking

Rec.96.76.(Thailand), 96.77.(USA)

IOM/UNICEF

Although official data is limited, stakeholders reports indicate that Guinea-Bissau is heavily affected by TiP¹², including child trafficking for forced labour and sexual exploitation.¹³

The National Committee on Prevention of TiP developed in 2016, an emergency plan to respond to the Senegalese decision of repatriating Bissau-Guinean *talibé* children¹⁴ in vulnerable situations.¹⁵

Migrants from the Central Mediterranean route are often enslaved and victims of severe corporal punishment. In May 2019, IOM recorded two deaths of returned migrants that were part of the Assisted Voluntary Return and Reintegration Programme. The deceased suffered extreme bodily debilitation inflicted by physical violence, torture and other human rights violations, including illegal detention.

Despite the commitment of the government and of partners to address child trafficking,¹⁶ significant gaps remain to provide adequate assistance to child-victims and to ensure an effective prevention programme to combat the exploitation of *talibé* children.¹⁷

- ⇒ *IOM and UNICEF recommend that the State enforces legislation related to child trafficking, through investigation and prosecution of trafficking offenses; reconvenes the Inter-Ministerial Steering Committee on Trafficking; and allocates specific funds to the committee for implementation of a national action plan (last on 2015-2018).*
- ⇒ *The State is strongly encouraged to support the institutionalization of the National Referral mechanism for TiP as stated in the law 12/2011 and provide direct assistance to victims (art. 1; 25).*

8. Administration of justice and fair trial

Rec.96.111.(Ghana)

UNIOGBIS-PAS/UNDP/UNODC

- ⇒ *The UN in Guinea-Bissau recommends that the State continues to take firm steps to fight corruption, combat drug-related corruption and money-laundering.*

Recs.96.83.(Algeria); 96.84.(Angola); 96.85.(Singapore); 96.86.(Botswana); 96.87.(Spain); 96.89.(Sweden); 96.91.(New Zealand); 96.92.(Mexico); 96.93.(Sweden); 96.94.(Germany), A/HRC/29/12/Add.1(para. 7)

UNDP

Justice sector reform is key in Guinea-Bissau. The State has taken steps, with UNDP support to decongest the formal justice sector and facilitate legal representation of vulnerable population (especially women) and to ensure a better understanding of the role of traditional justice in the country, through trainings, alternative conflict resolution mechanisms and restorative justice. Positive steps have been taken to expand access to justice in the country.

Since 2015, approximately 2,000 vulnerable people benefited from free legal aid services and awareness on human rights. The State is being assisted in bringing justice institutions closer to the citizens by supporting the construction and equipment of a House of Justice, piloting a new strategy on service delivery that regroups services related to justice (court, civil registrar, identification as well as the Legal Aid Centers) in one place. UNDP welcomes the establishment of a national criminal records database in 2018.

- ⇒ *UNDP recommends that the State (i) introduces into national legal frameworks alternative dispute resolution mechanisms aligned with human rights standards; (ii) takes further to promote the full implementation of the justice reform programme and to ensure access to justice and fair trial to all, especially the most vulnerable and (iii) take additional steps to ensure the full operationalization of the national criminal records database to enhance transparency, accountability and the tracking of cases within the criminal justice system.*

Recs.96.110.(Egypt), 96.111.(Ghana)

UNODC

Guinea-Bissau has shown renewed commitment and leadership in successfully managing the counter drug-trafficking phenomenon.¹⁸ Although joint efforts are ongoing at all levels to support national authorities to face this criminal phenomenon, Guinea-Bissau lacks capacity to control its port, porous maritime borders and offshore territory, including 88 islands of the Bijagós Archipelago, which expose the coastal waters to trans-shipments, in many cases aimed at concealing and facilitating illicit trafficking. UNODC currently registers alarming trends on drug trafficking in Guinea-Bissau and in the sub-region. The continued use of routes, from South America to Africa, has instability effects on governance, security, economic growth and public health.

- ⇒ *UNODC recommends to the State to (i) counter maritime crime in coastal waters and drug trafficking by freight containers at the Port of Bissau; (ii) enhance the national response to counter illicit trafficking and organized crime through technical assistance in drafting the National Action Plan and in capacity building to the WACI TCU¹⁹, the Judicial Police and the AIRCOP JAIF²⁰ and (iii) strengthen the capacity of the FIU/CENTIF²¹ to counter money laundering and financial crimes.*

9. Right to an effective remedy, impunity

Rec.96.102.(Portugal),96.103 (France); 96.104 (UK); 96.106 (Argentina)

Political assassinations and other serious human rights violations from the past have not been addressed, particularly those committed between 2004 and 2012. No significant progress was made towards reconciliation as the country is yet to set up transitional justice and reconciliation mechanisms following the 2017 report of the Organizing Commission for the National Conference.

- ⇒ *The United Nations in Guinea-Bissau recommends that the State adopts a comprehensive transitional justice and reconciliation plan that fully widely consultative and that respects the rights of victims and aligned with international human rights standards.*

10. Rights related to name, identity, nationality

Rec.96.31.(Turkey)

UNICEF/IOM/UNHCR

Guinea-Bissau faces a serious lack of birth registration and identification documents. According to IOM, 90% of the children assisted (244 children) did not have civil registration, and more than 75 per cent of the migrants supported by IOM in the country (490 migrants) did not have identification cards, arriving in the country with only the *laissez-passer*. The Government signed the Official Declaration of the Effective Local Integration of long-term refugees in December 2017, which was endorsed by the Council of Ministers in July 2018. The Government committed to grant the full exercise of citizenship to 10,000 naturalized refugees, such as political rights (electoral), access to civil rights (education, health, security) and socio-economic rights.²²

In Guinea-Bissau, birth registration (BR) is free for all children until seven years. However, only 11% of all children are registered within the first year of life. Currently, there are 55 civil registration offices, present in all regions.²³ The Government, with the support of UNICEF, has worked to integrate BR services in health facilities, increasing the system's registration capacity. As a result, between 2017-2018, a total of 15 BR centres operated in health structures covering more than 30,000 children under age seven. BR services within immunization campaigns are also being implemented. Efforts to increase community outreach for BR have increased.²⁴

Moreover, the RapidPro technology for birth registration and data collection is being implemented by the State Civil registration services. This is an open source platform that collects routine birth registration data and helps to monitor the number of children registered in Civil registration services. In December 2018, the Government adopted a National Strategy, a situation analysis on civil registration and a five-year Action Plan.²⁵

- ⇒ *The State should (i) effectively promote a partnership between the State institutions for the Civil Registry, the Curatorship of Minors and Local Administrations to create mobile registration offices. Such partnership should aim at providing and facilitating free access for all (especially the most vulnerable) to registry; and (ii) adopt a special provision for the civil registration and protection of victims of trafficking and of vulnerable migrant returnees. (IOM)*
- ⇒ *Guinea-Bissau should (i) continue making efforts in mobilizing resources to implement the Civil Registration Action Plan and reinforce the interoperable service delivery models for routine registration through Health, Immunization Plus, in collaboration with other related sectors such as Education, Social Protection and National ID systems and (ii) strengthen community mobilization for increased use of birth registration services, including through the analysis of the phenomenon of non-registration of children coupled with quality communication campaigns and the introduction of accountability mechanisms for the communities. (UNICEF)*

11. Rights related to marriage and family

Recs.96.67.(Sierra Leone);96.68.(Maldives);96.70.(Spain)96.69.(Canada)

UNFPA/UNICEF/UNIOGBIS-GU²⁶

In Guinea-Bissau, child marriage and subsequent teenage pregnancy is a major cause of school dropout.²⁷ Although legal and policy improvements were seen on FGM/C²⁸, domestic violence and sexual reproductive health, child marriage legislation is still not harmonized with CRC and CEDAW.²⁹

Currently, there is one shelter in Bissau for girls affected by child marriage, managed by an NGO and a faith-based organization, and other in the east of the country.³⁰ At a more decentralized and community level, local NGOs and religious organizations promote and implement human rights community dialogue, educational and life skills programmes to adolescent's girls affected by child marriage and provide shelter and psychosocial support.

- ⇒ *The UN in Guinea-Bissau recommends to the State to take effective measures including the adoption of legislation or national policies to prevent child, early and forced marriages and to provide effective psychosocial assistance to children victims of such phenomena.*

12. Right to an adequate standard of living – general

Recs.96.116.(Angola) and 96.121.(Philippines)

UNDP/UNICEF/IOM

Multidimensional studies on poverty such as the MPI³¹ and the MODA³² were undertaken in Guinea-Bissau, to look at poverty besides the economic perspective.³³ Despite lack of recent data, the general perception suggests that the livelihoods of the populations are decreasing, that growth is not inclusive, and it is driven by one single sector (cashew). Unemployment is prevailing at higher rates, especially among youth. A diagnostic of social protection was undertaken in the country. Social protection does not include any provisions on the rights of migrants.³⁴

- ⇒ *UNDP/UNICEF recommend to the Government (i) to elaborate and monitor the implementation of a social protection strategy as a response to the multidimensional poverty faced by the population, and to increase the resilience of those at a higher risk of being ‘left behind’, including migrants; (ii) to establish and monitor the implementation of planning and monitoring systems that promote sustainable and inclusive growth and (iii) elaborate and implement a plan to measure progress towards the achievement of the SDGs.*

Efforts to improve the national planning system and develop a local planning system have included strategic planning, budgeting and the monitoring of development policies at both central and local levels. The Government developed a framework that will enable directing Government *priorities* towards the sectors identified as key to accelerate a sustainable and inclusive economic growth, such as tourism, agriculture, mining and fisheries.

- ⇒ *The United Nations in Guinea-Bissau recommends the alignment of identified national development priorities and budget allocation.*

The Government is taking steps to elaborate a study on Economy’s Diversification to better integrate Guinea-Bissau into world trade. To promote the development of the private sector and jobs’ creation, a one-shop-stop to facilitate the creation of enterprises in the country and to set up an Investments Promotion Agency with a Business Incubator was put in place.

- ⇒ *UNDP recommends steps to be taken to create an enabling environment for employment-generation that can contribute to reduce poverty and achieve the SDGs.*

13. Right to food

Rec.96.122.(Turkey)

WFP

Since 2015, the Ministry of Agriculture is conducting the Food Security and Nutrition Monitoring System to provide regular information on food security and nutrition trends countrywide, through a regular gender-responsive monitoring, publication of reliable analyses on food security and nutrition and disaggregated data on gender and age, to strengthen evidence-based advocacy and policies. In 2017, the Ministry of Economy and Finance launched a COHA³⁵ in Guinea-Bissau, investing its own funds. In 2018, the Government elaborated the Zero Hunger Strategy in a highly consultative manner, involving public consultations in nine thematic areas³⁶ and three provinces, and a national consultation gathering all sectors, regions and partners. The Strategy highlighted areas where the Government needs support to implement its Government Plan -*Terra Ranka*- and its sectoral plans. It made recommendations on food security and

nutrition, national ownership and leadership of the development agenda, policies and programmes, and the stability and sustainability of governance and monitoring systems for food, nutrition, agriculture and related areas. The review identified opportunities to address gaps in legislation and evidence-generating research; to formulate and implement equitable public policies; and ensure sustainability, resource mobilization and accountability.³⁷

14. Right to work

Rec.96.113.(Philippines)

UNDP³

In Guinea-Bissau, youth and adolescents are a critical proportion of the demographic ‘youth bulge’ (45%).

⇒ *The State should continue and expedite efforts to elaborate an inclusive national employment policy, focus on youth and women.*

15. Right to health

IOM

Equal access to healthcare by migrants is not granted by the law.³⁸

Rec.96.123.(Egypt); 96.124.(Ethiopia); 96.125.(South Africa); 96.128.(Indonesia); 96.129.(Slovenia) and 96.131.(Angola)

WHO/UNICEF

Guinea-Bissau has achieved considerable progress in the health sector such as immunization coverage of 82% (2018) and reduction of child mortality.³⁹ Nevertheless significant challenges remain. The maternal mortality rate is estimated at 549 maternal deaths per 100,000 live births,⁴⁰ and the under-five mortality rate remains among the highest in the world at 89 per 1,000 live births, infant mortality is 55 per 1,000 live births, and neonatal mortality is 36 per 1,000 live births.⁴¹

In the last 10 years, there is no substantial reduction on neonatal mortality rate.⁴² With UNICEF support, the Ministry of Health adopted its Action Plan for Every Newborn in 2016 over a period of 5 years, with a framework to avoid 1,000 preventable neonatal deaths per year based on the available evidence.

In 2018, the Government developed and costed the National Health Development Plan III (2018-2022), a referral document for the sector to guide all health strategies and interventions for the next five years. The Government allocations to the health sector oscillated from 3% to 7% in the past 5 years and the country does not have a health financing strategy, relying mostly on external funds.⁴³ In 2018 the Ministry of Public Health, Family and Social Cohesion released the National Health Accounts Report related to the year of 2011.⁴⁴ The report indicated that 90% of the health expenditure are from external sources, 47,6% by donors and 42,6% by out-of-pocket payment.⁴⁵

⇒ *The State should build health financing systems to move towards Universal Health Coverage, allowing the government to raise funds for the health sector, reduce the financial barrier to access health and promote efficient and equitable use of funds.*

Recs.96.126.(Portugal); 96.127.(Togo)

³ Since 2015, UNDP supported public authorities and public sector to develop “Local Economic Development Plans” to increase job opportunities in several sectors.

WFP

In 2015, Guinea-Bissau approved the National Nutrition Plan (2016–2020), which promotes the equitable assumption of nutrition-related responsibilities, broader awareness of good nutrition practices and measures for preventing malnutrition, better management of malnutrition cases and increased availability of and access to nutritious, safe and diverse food. In 2015, an important commitment was the appointment by the Government of a Scaling Up Nutrition national focal point and multisector committee. The Committee aims to improve nutrition for all and reduce child and maternal mortality caused by malnutrition. In 2017, the Council of Ministers designated the 18 November as the National Nutrition Day.⁴⁶

⇒ *WFP recommends efforts for a behavior change communication in nutrition, involving relevant stakeholders.*⁴⁷

Recs.96.123. (Egypt); 96.124. (Ethiopia); 96.125. (South Africa)

UNFPA

In Guinea-Bissau, lack of State response at decentralized level is still a challenge. The Ministry of Health, Family and Social Cohesion has no protection services in the regions, working only in the capital, where CSOs are key implementing partners to ensure provision of protective services. Strategic efforts must be given to the improvement of knowledge, capacity and accountability of service providers for the delivery of quality FGM/C health and legal and social services.

Regarding Sexual and Reproductive Health and Rights, there is midwives scarcity, with only 21% of midwives' needs met. Systematic efforts to provide contraceptive products and lifesaving medicines to deliver in safe conditions and avoid preventable maternal and neonatal deaths should continue. Unwanted pregnancies must be targeted by modern family planning methods, through sensitization campaigns countrywide. Cultural barriers continue blocking access of many people, especially women, to family planning methods of their choice. There is a limited enjoyment of women's reproductive health rights in Guinea-Bissau, particularly regarding family planning.⁴⁸

⇒ *UNFPA recommends the State to increase efforts to promote men's involvement to fight gender inequality and to promote free access of women to modern family planning methods.*

16. Right to education**IOM**

There are no specific legislative provisions or policies regarding migrants' access to education;⁴⁹ and the Civil Code grants equal rights to countries with reciprocity agreements.⁵⁰

Recs. 96.134-96.150.

(Cuba;China;Singaprove;Slovenia;Togo;Trinidad&Tobago;Egypt;Portugal,Libya;Gabon;Germany;M orocoo;Sudan;Turkey;Mauritania;Estonia;Namibia)

UNICEF⁵¹ /UNESCO

Improving access to quality education remains a major challenge. The country is not on track to meet the target of universal primary education set by Education for All for 2020.⁵² Teacher strikes⁵³ have added more challenges to the existing situation, which have resulted in further loss of school days. In the academic year of 2017-2018, 46% of school days were lost. The first three months in the new academic year of 2018-2019 were hampered due to teachers' strike and no teaching took place. Consequently, the start of the 2018 academic year was seriously affected and resulted in violent demonstrations, raising "concerns over the quality of, and overall access to, the educational system".⁵⁴

The 2017-2025 Education Sector Plan (ESP) requires the State to progressively allocate 20% of the total budget to education. The lowering of allocation for education in the 2018 formal state budget to less than 10% is a major cause of concern.

- ⇒ *The Government and partners should increase investment in the education sector to support the ESP, which would enable significant and sustainable changes in fulfilling children rights to quality education.*
- ⇒ *Guinea-Bissau to encouraged to (i) ratify the UNESCO Convention against Discrimination in Education; (ii) introduce one year of free and compulsory pre-primary education and extend access to pre-primary education across the State; (iii) take concrete steps to extend free quality education to 12 years of which nine are compulsory; (iv) introduce legal provisions guaranteeing the right to education on a non-discrimination basis by implementing the international conventions and instruments that the State ratified; (v) enhance measures to ensure that all compulsory school age children are in school and ensure access to all education levels across the State; (vi) reduce school dropouts at the primary and secondary level and harmonize school curricula; (vii) ensure that Technical and Vocational Education and Training respond to the economic and social development needs; (viii) improve literacy and access to non-formal education; (ix) improve teacher's working conditions, ensuring that they are paid on time, and that they have necessary qualifications and receive both pre-service and in-service training; (x) take measures to ensure the right to education for girls and women; (xi) increase the minimum age of marriage to 18 years with no exceptions and increase efforts to combat female genital mutilation and early and forced marriages; (xii) combat child labour and ensure that the minimum employment age is raised to 15 years old; (xiii) Submit regularly comprehensive national reports for the periodic consultations on UNESCO's education-related standard-setting instruments, and notably on the Recommendation against Discrimination in Education, and (xiv) share with UNESCO any relevant information to update its country profile on UNESCO's Observatory on the Right to Education.⁵⁵*

Rec.96.134.(Cuba), 96.135.(China), and 96.138(Slovenia)

WFP

The Government is making efforts to increase enrolment of children in schools, including by contributing financially to school meals.⁵⁶ The education sector plan for 2017–2025 recognizes school meals as an important and efficient vehicle for improving children's academic performance and promoting gender equality and equity.⁵⁷ On January 2019 the Government adopted the School Feeding Law, which was promulgated by the President of Republic in May.

- ⇒ *WFP recommends the State to implement the law on sustainable school meals; to revise the national school meals strategy; reactivate the inter-ministerial committee on school meals; enhance the National Directorate of Social Affairs and School Feeding and statistics capacities of Ministry of Education; and to strengthen the capacity of community-based organisations for implementation of school meals policy.*

17. Discrimination against women

Recs.96.65.(Argentina); 96.59.(Italy); 96.55.(Australia); 96.61.(Spain); 96.63.(UK); 96.64.(Portugal); 96.58.(Italy); 96.46.(Senegal); 96.52.(Italy); 96.42.(Netherlands)

UNFPA/UNICEF

There is a strong need to reinforce positive social norms to prevent practices which discriminate women.⁵⁸ Poverty, traditions and culture are interlinked in a complex manner, which reinforces harmful social norms and limits communities' and households' capacities to access relevant services. Education opportunities for adolescent girls are almost inexistent in rural areas.

Recs.96.40.(Canada); 96.41.(Slovenia); 96.42.(Netherlands); 96.43.(Rwanda); 96.44.(Trinidad and Tobago); 96.39.(Singapore)

UNDP/UNIOGBIS-GU

The Government developed a National Gender Equality and Equity Policy (PNIEG II) in 2017, aimed to systematically integrate women's rights and gender equality in all national policies, strategies, projects and programs, in public and private institutions. Necessary financial means have not been allocated yet to implement PNIEG II. In line with SC Res. 1325, Guinea-Bissau approved a National Action Plan to ensure the integration of a gender dimension in political, justice, military, security, and development cooperation activities.

18. Gender-based violence

Rec.96.53.-96.58

(Germany/Italy/Mexico/USA/Australia/Chile/Ireland/Spain/Djibouti/UK/Portugal/France/Canada/Italy)

UNFPA/UNICEF/UNIOGBIS-GU

Female genital mutilation and cutting (FGM/C) is criminalized⁵⁹, but still prevalent,⁶⁰ as so it is forced and early/child marriage. In 2017, the National Policy for Gender Equity and Equality and its Plan of Action was approved by the Council of Ministers. During 2018, with the technical and financial assistance of the UNFPA/UNICEF joint programme to end FGM, along with the World Bank and other partners, the FGM/C national coordination body (The Committee for the Abandonment of Harmful Practices) finalized the review and editing of the new strategy to combat FGM/C and budgeted Action Plan.

National authorities and the top State officials have demonstrated support to the enforcement of the strategy to combat FGM/C, despite strong pressure from some religious groups not to enforce it. There is an increased engagement of communities, families, Government institutions and religious authorities to the new social norms of keeping girls intact.⁶¹

- ⇒ *The Government should (i) develop a clear capacity building plan for service providers, in order to ensure that they have the appropriate skills and capacity to respond appropriately to cases of FGM/C and other forms of gender violence; (ii) improve FGM/C case management protocols and coordination among different actors (police, courts, hospitals, shelters, social workforce from justice, health and protection services); and (iii) introduce human rights protection themes in the academic curriculum of medical schools, including addressing FGM/C and child marriage.⁶²*
- ⇒ *Guinea-Bissau should ensure a national budget line to implement legislation and policies to eliminate FGM/C and to continue efforts to integrate FGM interventions with other key social sectors and systems (health, education, social protection).*

19. Children: definition, general principles, protection

Recs.96.29.(Cabo Verde); 96.30.(Turkey); 96.73.(Mexico)

UNICEF

Guinea-Bissau is currently working on the draft of a Child Protection Code, compiling all child protection legislation, including on children in conflict with the law. Review of related national legislation to ensure its harmonization with the CRC and other key relevant child rights' instruments is in progress.

Regarding children victims of violence, the government does not provide emergency shelter and limited assistance and care are provided by religious organizations and NGOs. The social workforce is also inadequate (around a total of 100 social assistants in the country). State child protection services are not decentralized– they are mainly functional in Bissau. Around 800 children are in residential care. Regulatory instruments for alternative care, particularly shelters, orphanages and host families are in place since 2017, but its implementation remains a challenge due to weak institutional capacity.

20. Children: protection against exploitation

Recs.96.78.(USA), 96.80.(Egypt)

UNICEF

During 2016, national consensus was built to develop a Code of Conduct against Sexual Exploitation of Children and Adolescents in Tourism and Travel Industry. Although the tourism sector in Guinea-Bissau is not very developed, there is evidence, mainly from CSO reports, that some tourists are involved in commercial sexual exploitation of children or sexual abuse (particularly in the Bijagós Archipelago). The Code of Conduct was validated and was approved by the Council of Ministers in August 2016. A joint implementation plan was developed by both Ministries of Tourism and Social Affairs. No progress in the implementation of the Code was observed, due to political instability.⁶³

Guinea-Bissau has no specific action plan to address child labor. A comprehensive Code on Child Protection is being drafted to strengthen children protection from child labor, sexual exploitation, forced begging and other worst forms of child labor.

⇒ *The United Nations in Guinea-Bissau recommends that the State adopts the Comprehensive Code on Child Protection to protect children from human trafficking, child labour, sexual exploitation and abuse, forced begging, forced and early marriage.*

Rec. 96.79(France)

UNODC/UNICEF

There is a budgeted action plan to respond to human trafficking, especially of children and women, which is mainly supported by development partners. During the period report, cases of trafficking in persons did not decrease in Guinea-Bissau. In 2018, UNODC and IOM identified 161 cases of children victims of trafficking in persons. Most of these children were victims of slavery (most exploited as *talibés*) and forced marriage. The offences were committed between Guinea-Bissau, Senegal and Gambia. Steps have been taken in order to empower national institutions in the fight against this criminal phenomenon.⁶⁴

21. Juvenile justice

Rec.96.107.(Mali)

UNICEF⁶⁵

Progress to fully align legal and policy measures on juvenile justice with international standards are almost inexistent.⁶⁶ There are no reliable data of children in detention. It is estimated that most of them have committed petty crimes or minor offences, and many of them are held with adults in the several police stations of the country in often deplorable conditions.⁶⁷

- ⇒ *The Government should firmly include juvenile justice into the national agenda, and into development partners' interventions, focusing on children in conflict with the law. It should support the justice system to use alternatives to pre-and post-trial detention and to use diversion outside the formal judicial system.*

A National Social Protection Strategy and a Plan of Action are being developed to address basic social services to be available for vulnerable children and be used for diversion programmes⁶⁸. Such services are also required for the effective rehabilitation and social reintegration of children and young people confronted with the juvenile justice system in general, and deprivation of liberty.⁶⁹

B. Other considerations not related to specific UPR recommendations

Right to housing

UN-Habitat

There is no entity in charge of housing sector development.⁷⁰ The country has no system for land or housing delivery.⁷¹ Law 4/1975 establishes that all land is part of the public domain of the State and cannot be reduced to private property. Efforts to update the land Law in 2008 have stalled, and the law is still pending adoption.⁷² Data on housing conditions is very limited.⁷³ The State has taken some steps in the housing delivery sector.⁷⁴ Transferring property has been made easier by the lowering of the property registration tax, and other institutional reforms resulted in a jump of the country in the World Bank Doing Business Indicators from position 150 in 2016 to 126 in 2018. Housing and urban development are also highlighted in the National Development Plan (*Terra Ranka* 2015-2020).⁷⁵

- ⇒ *The State should effectively engage at the national and local levels in an inclusive, sustainable and resilient housing and urban development programme/policy.*

¹ The following UN entities contributed to this joint compilation: IOM, UNDP, UNESCO, UNFPA, UN-Habitat, UNIOGBIS, UNODC, WFP, WHO, UNHCR and UNICEF. All recommendations addressed in this report have the following source of position *A/HRC/29/12/Add.1(para. 7)*

² Paragraph 1 of article 92, according to CPRD, art.92 (1) any dispute between Parties concerning the interpretation or application of the Convention which is not settled by negotiation is subject to arbitration, at the request of one of them and if the parties fail to agree on the organization of the arbitration, any of them may submit the dispute to the International Court of Justice.

³ On 22 October 2018.

⁴ On 19 September 2016.

⁵ Political Affairs Section of UNIOGBIS.

⁶ African Union (AU), Community of Portuguese Language Countries (CPLP), Economic Community of West Africa States (ECOWAS), European Union (EU) and United Nations (UN).

⁷ UNIOGBIS/PAS organized one two-day anti-corruption workshop in September 2018 bringing relevant stakeholders together to assess the situation and make recommendations to fight corruption.

⁸ UNODC anti-corruption team carried out consultations with national authorities to enhance integrity and accountability of law enforcement agencies.

⁹ Combatting Drug Trafficking and Organized Crime.

¹⁰ However, reports from several discussions within relevant stakeholders in the area, informed that there are stigma and discrimination against people with albinism at different levels (school environment, community and work environment). There are cases that persons with albinism have suffered from verbal discrimination and behavioral attitudes (spit on to an albino person to avoid have an albino child and other type of behaviors).

¹¹ Migration Dialogue for West Africa.

¹² Trafficking in Persons.

¹³ The most reported and particularly evident form of TiP in Guinea-Bissau is trafficking of children. In most cases, children are victims of forced labour or forced begging and experience severe abuse and exploitation. Reports also identified trafficking for

sexual exploitation, targeting minors and adults, perpetrated by locals and foreign tourists in the capital Bissau and in the archipelago.

¹⁴ *Talibés* are children forced to beg on a daily basis. These children live in harsh conditions, spending most of the day on the streets, exposed to violence, abuse and exploitation. They miss out on basic rights such as primary education, as well as access to health services.

¹⁵ The emergency plan has covered 200 children and ended in April 2017. UNICEF has fully supported its implementation and IOM has continued its support until 2019. UNICEF recommended and supported the provision of birth registration services for those children (101 covered). Also, from 2016 to 2018, as a result of the work of the border forces, 632 children were intercepted, crossing the borders in irregular situation. Between 2017-2019, IOM supported 208 children, including 34 victims of forced marriage and one girl sent to Koranic schools in Senegal and subjected to extreme conditions of abuse and exploitation, forced labour and begging. UNICEF and IOM are advocating for bi-lateral discussions to take place between the Government of Guinea-Bissau and the Government of Senegal in order to enhance their collaboration for the implementation of joint initiatives.

¹⁶ Important work was made so far to offer concrete responses to child trafficking and the investments made in capacity development of the various organizations involved.

¹⁷ The lack of funding to support the full implementation of the National Plan of Action is a major constraint for current initiatives, including the question of the follow-up of children's reintegration in families and the need to ensure appropriate monitoring. In addition, offering accompanying measures together with the reintegration, such as providing adequate education opportunities, is key for a successful reintegration: in most cases, it is extremely difficult to enroll these children in the formal education system to which they cannot adapt anymore. Finally, more needs to be done to effectively coordinate the different actors.

¹⁸ From 2011 to 2018, 962 kg of cocaine were seized, and 108 couriers detained at the national level. During 2018, under the AIRCOP UNODC Project, 23 suspects were detained and over 34 kg of cocaine seized.

¹⁹ West Africa Coast Initiative, Transitional Crime Unit.

²⁰ Airport Communication Project and Joint Airport Interdiction Task Forces.

²¹ Financial Investigation Unit.

²² UNHCR has supported and advocated for this initiative. UNHCR is also contributing to community empowerment through the implementation of livelihood projects and the establishment of inclusive management and protection committees. Livelihood projects have resulted in refugees and their hosting communities becoming more economically independent. To promote peaceful coexistence communities are sensitized on the importance of establishment of management committee which involves refugees and women. Committee members are trained and given the responsibility to manage materials and profits made from livelihood projects for the benefit of the community.

²³ The Ministry of Justice is the government body responsible for civil registration.

²⁴ 11,000 vulnerable children (2017-2018), mainly from remote zones where State services do not exist received their birth certificate.

²⁵ According to UNICEF, the rate of birth registration in children under five has decreased from 39% in 2010 to 24% in 2014. UNICEF is working with the Government to increase the BR rate for U5, from 24% to 38%. UNICEF, jointly with partners, and with a strong support of the PBF, is promoting the access of children and families to BR services, targeting the most vulnerable groups, particularly in those regions with the lowest rates of BR.

²⁶ Gender Unit of UNIOGBIS.

²⁷ Once married, most husbands will not allow their newly wedded child spouse to continue her education. Opportunities for out-of-school children to attend catch-up courses are almost inexistent. Technical vocational education and training is very limited, and mainly available in Bissau. Available data is dated 2014 (MICS). Evidence shows that the national trend for child marriage among women 20-49 who married under age 18 has increased from 29% (2010) to 37% (2014) and has stagnated for marriage under 15. However, it is important to mention that child marriage among girls and young women 20-24 years old has decreased almost 5%, from 2010 to 2014 (29% to 24.4%) and that the same national data is showing that within young women 15-19 years old, currently married, there was an important decrease from 19% (2010) to 11.4% (2014). Only 8 per cent of women aged 20 to 45 years who were married before they turned 18 complete secondary education. Moreover, girls who enter school late, as many of them do, are more likely to drop out to get married.

²⁸ Female Genital Mutilation/Cutting.

²⁹ UNICEF is supporting the government in harmonizing national legislation on child marriage, under the new Child Protection Code, in phase of concluding during 2019. The Code will be addressed under the topic 15. Children, of this report.

³⁰ UNICEF continues providing support to Government and NGOs in preventive and responsive services to tackle child marriage and sexual violence against girls although main services are delivered in urban areas, where judicial and psychosocial support is provided to women and girls, by social assistants and NGOs workers.

³¹ Multidimensional Poverty Index.

³² Multiple Overlapping Deprivation Analysis.

³³ The studies were conducted by UNICEF and UNDP.

³⁴ Social Protection is formally supported by Law 4/2007.

³⁵ Cost of Hunger (COHA) Study

³⁶ Thematic areas: children, young people, women, the media, civil society, the private sector, governments, parliamentary committees and military.

³⁷ All the initiatives were supported by WFP.

³⁸ The Constitution of Guinea-Bissau grants foreign nationals and stateless individuals the same rights as citizens, based on reciprocity; however, equal access to healthcare for foreigners is not specified. The General Statute of the Emigrant (1986) provides for access to medicines and health services to migrants during their stay in Guinea-Bissau.

³⁹ In the last 4 years, there has been an improvement in the health situation in Guinea-Bissau as a result of several initiatives, namely, the community-based interventions through the community health workers who provide promotional, preventive and curative packages of the services related to the three diseases (Malaria, Diarrhea and Pneumonia) responsible for morbidity and mortality of under five children.

⁴⁰ WHO, World Health Statistics, 2018..

⁴¹ Multiple Indicator Cluster Surveys (MICS), 2014. Available at: <http://mics.unicef.org/surveys>.

⁴² The reduction in mortality has been particularly slow for neonatal mortality, mainly because of persistently low birth rates, poor access to emergency neonatal care, early pregnancy and socio-cultural problems.

⁴³ In 2001, the Member States of African Union set a target of allocation 15% of the annual budget to improve the health sector (Abuja Declaration).

⁴⁴ According to WHO, this is the only available data related to national accounts on health, since data on subsequent years were not available when the reviewing exercise started in 2016. Currently the Government is reviewing the accounts related to 2015-2017.

⁴⁵ According to WHO, tracking health expenditures over the years is crucial to improve, plan, better allocate resources and to increase the system accountability.

⁴⁶ Celebrations took place in 2017 and 2018 and were attended by governmental authorities, traditional and religious leaders, civil society representatives, children and UN organizations.

⁴⁷ WFP plans to support behavior change communication in nutrition, including through its partnership with the “Network Journalist Friends of Nutrition and WFP”.

⁴⁸ In a recent supervision in Farim by UNFPA, it was shown that most women prefer going to the health facilities during the night to get family planning counselling to escape from the refusal of their husbands.

⁴⁹ The Constitution of Guinea-Bissau grants access to all levels of education only to citizens.

⁵⁰ The basic law of the education system defines as a general principle the recognition of the right of all Guineans to education and culture, with no reference to foreigners’ access to education.

⁵¹ UNICEF supported the Government in the implementation of the ESP, including through coordination. UNICEF Guinea-Bissau has focused its efforts in addressing the key challenges through the Child Friendly Schools Plus (CFS+) approach which includes early childhood care and education and communities are key aspect of the strategy. This benefitted 16,168 (48% girls) primary school children. 122 early grades teachers enhanced their skills to teach numeracy and literacy using gender sensitive approaches and active child centered methodologies. As the Coordinating Agency for GPE, UNICEF contributed to following major achievements: (a) Successful advocacy for organization of the first ever Joint Sector Review in 2019, (b) Upgradation of the Human Resource unit in MoE to fully fledged Directorate; (c) Finalization of Annual School Statistics Report for 2014/2015; and (d) Completion of the study on Out-of-School Children.

⁵² Only a fourth of the primary schools have provisions for six years (grades 1 to 6), the full complement of primary level of schooling.

⁵³ The main demands of the Teacher Unions were the implementation of the Teacher Career Development Policy and payment of outstanding salary arrears. Private schools and community schools continued to work during the strikes.

⁵⁴ Security Council, Report of the Secretary-General on developments in Guinea-Bissau and the activities of the United Nations Integrated Peacebuilding Office in Guinea-Bissau, S/2018/110, February 2018, para. 41, https://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s_2018_110.pdf. These constant disruptions to the school year have a negative impact on children’s education and contribute to high proportion of children out-of-school and poor learning outcomes.

⁵⁵ <http://www.unesco.org/education/edurights/index.php?action=home&lng=en>

⁵⁶ During the school year 2018-2019, 180,000 children received school meals to prevent dropouts, which are supplemented with a monthly take-home ration provided to 16,000 girls from grades 4 to 6 who attend at least 80 percent of classes. The first cash contribution of the Government to WFP was made in May 2017 to implement Home-Grown School Feeding (HGSE) in 40 rural schools, demonstrating its strong commitment to school meals.

⁵⁷ Guinea-Bissau reaffirmed its commitment to promoting home-grown school feeding (HGSE), in line with a declaration made by African Heads of State and Government during the African Union Summit in 2016.

⁵⁸ Available data is dated 2014 (MICS). In Guinea-Bissau the situation of girls affected by FGM/C has improved in recent years with the proportion of women between 15 and 49 years that have a daughter who is excised going down from 39 per cent in 2010 to 30 per cent in 2014 and with the 13 per cent of women 15-49 years old supporting the practice (2014) against 34 per cent in 2010. FGM/C is performed across all regions irrespective of levels of education and wealth, with Gabú and Bafatá having the highest rates, 96 and 87 per cent respectively, and Biombo and Cacheu regions with lowest FGM/C cases, 5 and 16 per cent respectively.

⁵⁹ As per the 2018 report from the FGM National Coordination Structure, since the adoption of the Law to Prevent, Fight and Suppress FGM, from 2014 to date 39 FGM/C cases were followed directly by the judicial system, resulting in 16 cases of convictions and sanctions (13 penalties and 3 cases of 3 years imprisonment). So far, 23 cases are still pending in the justice system.

⁶⁰ In Guinea-Bissau, the situation of girls affected by FGM/C has improved in recent years with the proportion of women between 15 and 49 years that have a daughter who is excised going down from 39 per cent in 2010 to 30 per cent in 2014 and with the 13 per cent of women 15-49 years old supporting the practice (2014) against 34 per cent in 2010. FGM/C is performed across all regions irrespective of levels of education and wealth, with Gabú and Bafatá having the highest rates, 96 and 87 per cent respectively, and Biombo and Cacheu regions with lowest FGM/C cases, 5 and 16 per cent, respectively (MICS 2014). There is still however, a strong need to reinforce positive social norms in rural and urban settings.

⁶¹ The UNFPA/UNICEF JP approach and support to national organizations has created a catalytic effect. During the report period, important awareness and communication campaigns took place to end FGM. According to UNICEF, one of the most important was developed in partnership with the Portuguese government and CSOs, including Bissau-Guinean diaspora in Portugal and has targeted emigration/border posts from both countries, particularly at airports. Border authorities were provided with information on FGM and legislation from both countries and communication tolls have been distributed in key spots at airports and land border posts.

⁶² The partnership between the Ministry of Women, Family and Social Cohesion and Ministry of Health has focused so far on the training of health providers and health students, particularly on FGM/C prevention and care.

⁶³ UNICEF has supported the national dissemination and capacity building of tourism inspectors, conducted nationwide.

⁶⁴ UNODC has supported Guinea-Bissau under the project Enhancing Criminal Justice Response to TiP and Strengthening the Protection of Victims in Guinea-Bissau. Under this initiative, 67 justice actors were trained in TiP, including 20 women.

⁶⁵ UNICEF, UNDP and partners are supporting the Government to ensure that the future Child Protection Code, embodies restorative justice mechanisms for children in conflict with the law, contributing to restorative and reintegration of children into their own communities and prevent re-offending.

⁶⁶ UN Guidelines for the Prevention of Juvenile Delinquency – Riyadh Guidelines (1990), the UN Minimum Standard Rules for the Administration of Juvenile Justice – Beijing Rules (1985) and the UN Rules for the Protection of Juveniles Deprived of their Liberty (1990). UNICEF supported the prevention of child trafficking in Guinea-Bissau, for which the State provides a very low financial allocation. From 2016 to 2018, around 298 talibés children, victims of forced begging in Senegal, were assisted, benefiting from psychosocial support and family reintegration and accessing to a birth certificate. From 2016 to 2017, as a result of border control, 632 children were intercepted crossing the borders in irregular situation.

⁶⁷ UNICEF, UNDP and partners are supporting the Government to ensure that the new Child Protection Code, embody restorative justice mechanisms for children in conflict with the law, contributing to restorative and reintegration of children into their own communities and prevent re-offending.

⁶⁸ Diversion means channeling children in conflict with the law away from judicial proceedings through the development and implementation of procedures or programmes that enable many - possibly most - to avoid the potential negative effects of formal judicial proceedings, provided that human rights and legal safeguards are fully respected. See: https://www.unicef.org/tdad/index_55653.html.

⁶⁹ Since 2017, the Government is implementing a UNICEF/UNDP joint PBF Restorative Justice project, to enhance vulnerable population, including children, access to justice through strengthened Alternative Dispute Resolution (ADR) systems within informal and formal justice systems, and a strengthened interface between both systems, in line with international standards of administration of justice and human rights.

⁷⁰ Delivery is self-construction or an incipient private real estate market. Housing and urban development, according the new national government structure, fall under the Ministry of Infrastructure, Housing and Urban Development (since July 2019).

⁷¹ Land is usually owned by city councils or inherited by individuals, and there have been few state-led urban expansions (namely in Bissau). Outside of the cities, land is majorly accessed via traditional practices.

⁷² Most norms date back to the colonial period.

⁷³ According to the last Census (2009), around 73% of Bissau-Guineans own their houses, whilst 19% are renters. Almost 90% live in precarious conditions, with almost 80% in housing made out of adobe, and almost 40% had ceilings made of straw. Less than 10% have access to hand-washing facilities and less than 15% have access to electricity.

⁷⁴ Recently, UN-HABITAT supported the development of a Strategic Plan Bissau 2030, which collaboratively defined specific actions and targets for a series of topics concerning living conditions in Bissau. Currently, efforts are geared towards fundraising for project implementation.

⁷⁵ Programme 28, on urbanism, defines targets for strategic plans for the main urban agglomerations in the country. Programme 29, on housing, focus on promoting housing delivery via the private sector, including special arrangements for social housing.