



Human Rights Council
Working Group on the Universal Periodic Review
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Compilation on Guinea-Bissau

Report of the Office of the United Nations High Commissioner for Human Rights

I. Background

1. The present report was prepared pursuant to Human Rights Council resolutions 5/1 and 16/21, taking into consideration the periodicity of the universal periodic review. It is a compilation of information contained in reports of treaty bodies and special procedures and other relevant United Nations documents, presented in a summarized manner owing to word-limit constraints.

II. Scope of international obligations and cooperation with international human rights mechanisms and bodies^{1, 2}

2. Guinea-Bissau acceded to the Convention on the Reduction of Statelessness and the Convention relating to the Status of Stateless Persons in 2016, and ratified the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and the Optional Protocol to the Convention on the Rights of Persons with Disabilities in 2018.³

3. The United Nations entities in Guinea-Bissau recommended that the State accede to the International Labour Organization (ILO) Domestic Workers Convention, 2011 (No. 189).⁴

4. The United Nations Educational, Scientific and Cultural Organization (UNESCO) recommended that Guinea-Bissau ratify the UNESCO Convention against Discrimination in Education.⁵

III. National human rights framework⁶

5. The Secretary-General noted in 2018 that no progress had been made in implementing the Conakry Agreement on the Implementation of the Economic Community of West African States Road Map for the Resolution of the Political Crisis in Guinea-Bissau as it related to the review of the Constitution.⁷ The United Nations Integrated Peacebuilding Office in Guinea-Bissau stated that the ad hoc commission of the National Assembly on the revision of the Constitution should finalize the revision of the current



Constitution and submit it for approval by the Parliament and the President of the Republic, and ensure that the future constitution was aligned with the treaty obligations of the State.⁸

6. The Special Rapporteur on extreme poverty and human rights recommended that Guinea-Bissau undertake a comprehensive legislative review to ensure the compliance of all legislation, in particular the Civil Code, with the principles and provisions of the international legal instruments to which the State is a party.⁹

7. The United Nations entities in Guinea-Bissau noted that the National Human Rights Commission had the nature and composition of a national level interministerial commission on human rights, and recommended that the Commission take steps to address the submission of pending reports to international and regional human rights mechanisms.¹⁰

8. The United Nations entities in Guinea-Bissau also indicated that Guinea-Bissau should establish by law a human rights institution, compliant with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles), fully independent from the Government, adequately resourced, and whose statute included the selection of its members through public and transparent processes, with pre-established criteria that included the experience required to undertake human rights promotion and protection.¹¹

9. The Secretary-General noted that a mediation process facilitated by Economic Community of West African States (ECOWAS) had led to the adoption of a six-point road map in September 2016 and the signature of the Conakry Agreement on 14 October of the same year. Despite renewed hope for reconciliation and stability, and the international support generated by the Agreement, its implementation had been undermined by the inability of the Guinea-Bissau signatories to agree on the implementation of key provisions.¹²

10. The Secretary-General indicated that the key drivers of instability in Guinea-Bissau had remained largely unchanged since 2016 and included the following structural factors: a profoundly divided political class, driven by narrowly defined and antagonistic group interests; the growing political influence of a parallel economy based on narcotics trafficking; the absence of the State, especially in rural areas, and the fact that, where present, it was largely ineffective; the generalized lack of respect for the rule of law; violations of human rights and widespread impunity therefor; a general atmosphere of resignation with regard to poverty; and lack of access to basic services.¹³

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

A. Cross-cutting issues

1. Equality and non-discrimination¹⁴

11. The Special Rapporteur on extreme poverty indicated that the widespread gender inequality in the country was a major obstacle to sustainable economic and social development. The low human development indicators in Guinea-Bissau impacted women in particular and the gender inequality gap continued to be very wide.¹⁵

2. Development, the environment, and business and human rights¹⁶

12. The Special Rapporteur noted that Guinea-Bissau remained heavily dependent on official development assistance. Given the grave situation of poverty in Guinea-Bissau, all States that were in a position to assist should endeavour to do so, through financial and technical assistance and capacity-building.¹⁷

13. The Special Rapporteur stated that corruption, impunity and lack of compliance with existing legislation was leading to the unsustainable depletion of natural resources, which

would have a major impact on the livelihoods of the majority of the population and negatively affect the potential to diversify sources of income.¹⁸

14. The Special Rapporteur noted that most of the population of Guinea-Bissau lived in rural areas and that their livelihoods depended on the sustainable use of natural resources.¹⁹ She recommended that Guinea-Bissau ensure that environmental audits were carried out and that all those involved in illegal activities regarding the exploitation of natural resources were brought to justice.²⁰

B. Civil and political rights

1. Right to life, liberty and security of person²¹

15. The United Nations entities in Guinea-Bissau stated that political assassinations and other serious human rights violations from the past had not been addressed, particularly those committed between 2004 and 2012.²² The Special Rapporteur on the independence of judges and lawyers highlighted that investigations into the 2009 assassinations of a former president, a former minister of defence and a former member of Parliament and the 2011 disappearance of a member of Parliament had been initiated but not finalized. Furthermore, serious human rights violations, including the abduction and beating of opposition politicians, the extrajudicial killing of 11 men accused of plotting a counter-coup, arbitrary detention and limitations on the freedoms of expression and peaceful assembly that had marred the 2012–2014 transitional period, had not been adequately investigated.²³

16. The United Nations Office on Drugs and Crime (UNODC) indicated that alarming trends with regard to drug trafficking had been registered. The continued use of routes from South America to Africa had affected governance, security, economic growth and public health. UNODC recommended that the State enhance the national response to counter illicit trafficking and organized crime through technical assistance in drafting the national action plan and in capacity-building for the relevant national law enforcement and justice institutions,²⁴ and strengthen the legal and institutional anti-corruption framework.²⁵

2. Administration of justice, including impunity, and the rule of law²⁶

17. The Special Rapporteur on independence of judges and lawyers stated that access to justice in Guinea-Bissau was out of reach for most people. There were no functioning tribunals in many parts of the country and for the majority of the population, the distance to the closest tribunal proved insurmountable. The imposition of court fees that were too high for the majority of the population also discouraged people from resorting to the tribunals.²⁷

18. The Special Rapporteur also noted that the judicial police, while its competence extended over the whole territory, was currently only present in Bissau, that there was no forensic laboratory in the country, and that there was no institutionalized legal assistance programme for those lacking resources to hire a lawyer, and expressed concern at the absence of lawyers outside of Bissau.²⁸

19. The Special Rapporteur indicated that the many financial and material deficits of the judicial branch prevented a prompt and adequate delivery of justice. Most tribunals did not have acceptable premises and judges had to work with severely limited material resources.²⁹

20. The Special Rapporteur stated that urgent measures should be taken to establish and operationalize the tribunals and prosecution offices provided for in law. Judicial police outposts should be created and the presence of lawyers outside of Bissau should be promoted. The budget allocated to the courts and prosecution services should be substantially increased to ensure that they had the financial resources to function properly, and an effective programme of free legal assistance for those lacking economic resources should be institutionalized and sufficient funds allocated.³⁰ The United Nations Development Programme (UNDP) recommended that Guinea-Bissau take further action to promote the full implementation of the justice reform programme.³¹

21. The Special Rapporteur stated that recourse to community and religious leaders to settle disputes was deeply rooted in the culture and traditions of Guinea-Bissau.³² She

expressed concern about some characteristics of the enforcement of such “traditional justice”, in particular regarding the treatment of women, children and other vulnerable persons. Many traditions and customs were in contradiction not only with international human rights standards, but also with the State’s own Constitution and laws.³³

22. UNDP recommended that the State introduce into national legal frameworks alternative dispute resolution mechanisms aligned with human rights standards.³⁴

23. The Special Rapporteur on independence of judges and lawyers stated that Guinea-Bissau had been left at the margins of the fight against transnational organized crime, whether in the form of human trafficking, weapons and drug smuggling or money laundering, among others. Corruption was also widespread, including among actors in the justice system.³⁵ The Special Rapporteur on extreme poverty stated that in corruption cases, the Government must take all measures to ensure that no one was above the law. She noted the effectiveness of zero-tolerance policies in ensuring transparency and accountability at all levels, and indicated that such steps might be necessary to ensure that public funds and the benefits of natural resources were not diverted by illegal means.³⁶

24. The Special Rapporteur on independence of judges and lawyers indicated that the political and military instability in Guinea-Bissau, the subsequent numerous presidential pardons and the amnesty law of 2008 had largely contributed to the culture of impunity that prevailed in the country.³⁷

25. The United Nations entities in Guinea-Bissau indicated that no significant progress had been made towards reconciliation as the country had yet to set up transitional justice, and recommended that Guinea-Bissau adopt a comprehensive transitional justice and reconciliation plan that respected the rights of victims and was aligned with international human rights standards.³⁸

26. The Special Rapporteur on independence of judges and lawyers noted that impunity was not limited to politically motivated crimes and violations directly related to situations of political unrest. For instance, few cases of forced marriage, female genital mutilation, sexual violence, child exploitation, domestic violence or drug trafficking were brought to justice. The fact that there was still no protection mechanism for victims and witnesses, despite the provision of the Criminal Procedure Code that required the establishment of a support unit for victims and witnesses, did not encourage people to engage with the formal justice system.³⁹

27. The Special Rapporteur also stated that priority should be given to establishing an adequate victim and witness protection programme,⁴⁰ and that concrete measures should be taken to implement existing legislation, in particular the recent laws on domestic violence and female genital mutilation, as well as ratified international human rights instruments.⁴¹

3. Fundamental freedoms and the right to participate in public and political life⁴²

28. UNESCO noted that defamation and libel were criminal offences under the Penal Code, carrying a punishment of a jail term of up to 1 year or a fine.⁴³ It encouraged the Government to decriminalize defamation and insult, and place them within the Civil Code, in accordance with international standards.⁴⁴

29. In 2017, the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, the Special Rapporteur on the rights to freedom of peaceful assembly and of association and the Special Rapporteur on the situation of human rights defenders sent a communication to the State regarding allegations that a number of peaceful demonstrations had been prohibited and the use of excessive force against demonstrators following the adoption of Ministerial Decree No. 2/GMAT/2016.⁴⁵ The Secretary-General noted in 2018 that national stakeholders had continued to express concern over challenges to freedom of the press, including censorship and bias in the application of the law on freedom of assembly and demonstrations.⁴⁶ The Secretary-General expressed deep regret that the positive steps taken by national authorities had been undermined by the actions that they had taken to prevent peaceful assembly and political participation, particularly during the period from 29 to 31 January 2018, and he called on

national authorities to respect human rights and fundamental freedoms and refrain from any further acts that undermined the rule of law.⁴⁷

30. The Secretary-General noted the valuable work carried out by the United Nations Integrated Peacebuilding Office in Guinea-Bissau, but observed that its presence might also have contributed to a reduced sense of ownership of the political process among the leaders of Guinea-Bissau.⁴⁸

31. The Security Council recalled the importance of a credible, free, fair and peaceful presidential election to be organized on 24 November 2019, and underscored the need for an inclusive dialogue with all stakeholders to consolidate peace and stability in Guinea-Bissau, in compliance with the Conakry Agreement and the ECOWAS road map.⁴⁹

4. Prohibition of all forms of slavery⁵⁰

32. The International Organization for Migration (IOM) and the United Nations Children's Fund (UNICEF) noted reports that Guinea-Bissau was heavily affected by trafficking in persons, including child trafficking for forced labour and sexual exploitation.⁵¹ The Special Rapporteur on extreme poverty noted that the number of reported cases of child trafficking seemed to have increased in 2013 compared with previous years owing to greater poverty and the inability of families to feed and take care of their children. Some child-trafficking victims were reportedly being forced to work on the streets during the day begging for their masters at Koranic schools, and study at night, while others were reported to be working in cotton fields in a neighbouring country.⁵²

33. UNESCO indicated that young boys (*talibés*) from Guinea-Bissau were sent to other large Muslim countries for Koranic education, and that reportedly those children usually ended up begging and being mistreated. The Government had worked with a neighbouring country to return the children and 200 had been repatriated. UNESCO also noted reports that that up to 500 children, mostly from a neighbouring country, lived on the streets of urban centres in Guinea-Bissau and that the Government provided no services to them.⁵³

34. IOM and UNICEF recommended that the State enforce legislation related to child trafficking through investigation and prosecution of trafficking offences, reconvene the interministerial steering committee on trafficking, and allocate specific funds to the committee for the implementation of a national action plan.⁵⁴

C. Economic, social and cultural rights

1. Right to work and to just and favourable conditions of work⁵⁵

35. IOM, UNDP and UNICEF noted the increase in unemployment rates, especially among youth, and UNDP stated that Guinea-Bissau should expedite efforts to formulate an inclusive national employment policy, focusing on youth and women.⁵⁶

36. In 2019, the Special Rapporteur on contemporary forms of slavery, including its causes and consequences, and the Special Rapporteur on violence against women, its causes and consequences sent a communication to the State regarding allegations that a 13-year-old domestic worker had been injured and severely burned by her employers. The Special Rapporteurs noted allegations that the situation of domestic workers in Guinea-Bissau was characterized by precarious working conditions as the activity was not regulated and these workers were not protected by labour law. They also noted reports of numerous allegations of violence and sexual abuse against domestic workers.⁵⁷

2. Right to social security

37. The Special Rapporteur on extreme poverty noted that the share of the budget for overall government expenditure allocated to basic social services was among the lowest in ECOWAS.⁵⁸ The proportion of the State budget that was allocated to social services, in particular health care and education, and to basic infrastructure must be increased considerably for the country to have any chance of meaningful development progress.⁵⁹

38. UNDP and UNICEF recommended that the Government formulate and monitor the implementation of a social protection strategy as a response to the multidimensional poverty faced by the population, and increase the resilience of those at a higher risk of being left behind; and formulate and implement a plan to measure progress towards the achievement of the Sustainable Development Goals.⁶⁰

3. Right to an adequate standard of living⁶¹

39. The United Nations Integrated Peacebuilding Office in Guinea-Bissau and the Office of the United Nations High Commissioner for Human Rights (OHCHR) stated that widespread poverty underscored the vulnerability of the entire population: 69.3 per cent of the population of Guinea-Bissau lived below the national income poverty line, and 80.4 per cent of the population lived in multidimensional poverty, suffering deprivation in terms of education, health and living standards in the same household.⁶²

40. The Special Rapporteur on extreme poverty noted that Guinea-Bissau had extremely low agricultural productivity and was dependent 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. Local food production was insufficient to meet national requirements for various reasons, including poor transport infrastructure, underdeveloped marketing systems, lack of access to credit and a lack of agricultural inputs and irrigation facilities.⁶³ The Special Rapporteur recommended that Guinea-Bissau address those challenges and overcome the reliance on cashew nut crops, and develop agricultural and rural infrastructure to increase productive capacity, boost livelihoods and increase food security.⁶⁴

41. The Special Rapporteur also noted that women's access to land and economic resources was very limited. Although they were the main users of the land as farmers and producers, and domestic law confirmed the equality of the sexes, in practice women did not have secure land tenure.⁶⁵

42. The United Nations Human Settlements Programme (UN-Habitat) noted that there was no entity in charge of housing sector development and that the country had no system for land or housing delivery. Data on housing conditions was very limited. UN-Habitat indicated that the State should effectively engage at the national and local levels in an inclusive, sustainable and resilient housing and urban development programme or policy.⁶⁶

43. The United Nations Integrated Peacebuilding Office in Guinea-Bissau and OHCHR stated that the availability of safe, potable water and adequate sanitation facilities in Guinea-Bissau had gradually improved, but challenges remained. Although three quarters of the population had had access to improved water sources in 2014, there had been a significant contrast between urban and rural areas, with 92 per cent of urban dwellers using sources of improved water compared to only 61 per cent of rural residents.⁶⁷ The Special Rapporteur on extreme poverty noted that the lack of capacity to provide accessible, affordable and safe water had severe consequences and that the country faced recurrent outbreaks of cholera.⁶⁸

4. Right to health⁶⁹

44. UNICEF and the World Health Organization (WHO) noted that government allocations to the health sector had oscillated from 3 per cent to 7 per cent in the previous five years and the country did not have a health financing strategy, relying mostly on external funds.⁷⁰ The United Nations Integrated Peacebuilding Office in Guinea-Bissau and OHCHR stated that the proportion of the government budget spent on health was 5.18 per cent, well below the commitment made by the Government in Abuja in April 2001, when African Union countries pledged to adopt a budgetary allocation of at least 15 per cent to improve the health sector. Moreover, less than 1 per cent of the general budget of the State was currently allocated to women's and children's health, despite the chronic vulnerability of those population groups.⁷¹

45. UNICEF and WHO stated that Guinea-Bissau 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.⁷²

46. The United Nations Population Fund (UNFPA) indicated that the lack of a State response at the decentralized level was still a challenge. The ministry of health had no protection services in the regions, working only in the capital, where civil society organizations were key implementing partners to ensure the provision of protective services.⁷³

47. The Special Rapporteur on extreme poverty recommended that the Government: proactively ensure that good-quality health facilities, goods and services were accessible and affordable for everyone, especially the most vulnerable or marginalized sections of the population, and strengthen programmes to ensure health-care provision in remote areas.⁷⁴

48. UNICEF and WHO indicated that Guinea-Bissau had achieved considerable progress in the health sector, including immunization coverage of 82 per cent (2018) and a reduction in child mortality. Nevertheless, significant challenges remained. The maternal mortality rate was estimated at 549 maternal deaths per 100,000 live births, and the under-5 mortality rate remained among the highest in the world at 89 per 1,000 live births. In the previous 10 years, there had been no substantial reduction in the neonatal mortality rate.⁷⁵

49. The Special Rapporteur noted that malnutrition, which had always been a major public health problem in Guinea-Bissau, continued to be one of the main underlying causes of infant mortality and morbidity.⁷⁶

50. UNFPA stated that there was a scarcity of midwives, with only 21 per cent of needs met. Systematic efforts to provide contraceptive products and life-saving medicines to deliver in safe conditions and avoid preventable maternal and neonatal deaths should continue.⁷⁷

51. The Special Rapporteur recommended that Guinea-Bissau take immediate steps to reduce newborn and under-5 mortality, including building the capacity of health workers to provide good-quality maternal and newborn health care, providing health facilities with the necessary medicines and equipment and improving community transportation to health facilities, particularly in rural and remote areas.⁷⁸

52. UNFPA noted that cultural barriers continued to block access for many people, especially women, to family planning methods of their choice. There was limited enjoyment of women's reproductive health rights in Guinea-Bissau, particularly regarding family planning.⁷⁹

53. The Special Rapporteur recommended that Guinea-Bissau ensure access to sexual and reproductive health services and antenatal and postnatal health care for all women.⁸⁰

5. Right to education⁸¹

54. UNESCO and UNICEF indicated that the 2017–2025 education sector plan required the State to progressively allocate 20 per cent of the total budget to education. The lowering of the allocation for education in the 2018 formal State budget to less than 10 per cent was therefore a major cause of concern.⁸²

55. UNESCO and UNICEF stated that improving access to quality education remained a major challenge. Guinea-Bissau was not on track to meet the target of universal primary education set by the Education for All initiative for 2020. Only a quarter of primary schools had provisions for six years (grades 1 to 6), the full complement of primary-level schooling.⁸³

56. UNESCO noted that while nine years of basic education were compulsory, only six years were free of charge. The rate of completion of the first two cycles of basic education had deteriorated from 64 per cent in 2010 to 59 per cent in 2013. At the secondary level, school dropout before finishing the cycle was high (38 per cent).⁸⁴

57. The Special Rapporteur on extreme poverty indicated that the number of schools was inadequate and children were required to walk or travel long distances in order to continue attending school past the primary level.⁸⁵ Some factors hampering access to education were the prevalence of child labour, early pregnancy and early marriage. Child labour affected both boys and girls, while early pregnancy and marriage affected girls predominantly.⁸⁶

58. UNESCO indicated that teachers often went on strike and were not paid on a regular basis by the State. Consequently, the start of the 2018 academic year had been seriously affected and resulted in violent demonstrations.⁸⁷ UNESCO and UNICEF stated that teacher strikes had resulted in further loss of school days: in the academic year 2017/18, 46 per cent of school days had been lost.⁸⁸

59. UNESCO and UNICEF encouraged Guinea-Bissau to: take concrete steps to extend free quality education to 12 years, 9 of which compulsory; enhance measures to ensure that all children of compulsory school age were in school and ensure access to all education levels across the State; reduce school dropouts at the primary and secondary levels and harmonize school curricula; improve teachers' working conditions, ensuring that they were paid on time and that they had the necessary qualifications and training.⁸⁹

60. UNFPA and UNICEF stated that education opportunities for adolescent girls were almost non-existent in rural areas.⁹⁰ The Special Rapporteur on extreme poverty noted that the literacy rate of the male population was higher than that of the female population.⁹¹

61. The Special Rapporteur recommended that Guinea-Bissau prioritize the improvement of education by providing adequate school infrastructure, including gender-sensitive sanitation facilities.⁹² UNESCO and UNICEF encouraged Guinea-Bissau to take measures to ensure the right to education for girls and women.⁹³

D. Rights of specific persons or groups

1. Women⁹⁴

62. UNFPA and UNICEF stated that there was a strong need to reinforce positive social norms to prevent practices that discriminated against women. Poverty, traditions and culture were interlinked in a complex manner, which reinforced harmful social norms and limited communities' and households' capacities to access relevant services.⁹⁵

63. The Special Rapporteur on extreme poverty noted that compared with men, women had worse access to health services, a higher incidence of HIV/AIDS, lower levels of school enrolment and literacy, reduced incomes, higher rates of unemployment and greater difficulties in overcoming poverty.⁹⁶ Despite being the pillar of society in Guinea-Bissau, women continued to be underrepresented in decision-making positions, placing the country among the weakest-performing States in that respect in the ECOWAS region.⁹⁷

64. The Special Rapporteur stated that physical, psychological and sexual violence against women was widespread, but remained underreported. Domestic violence was rarely brought to the attention of the legal authorities.⁹⁸

65. UNFPA, UNICEF and the United Nations Integrated Peacebuilding Office in Guinea-Bissau noted that female genital mutilation and cutting was criminalized but still prevalent, as were forced and child marriage. National authorities and the top State officials had demonstrated support for the enforcement of the strategy to combat female genital mutilation and cutting, despite strong pressure from some religious groups not to enforce it.⁹⁹

66. The Special Rapporteur stated that the prevalence of early pregnancy and child marriage affected the right to health and education of women.¹⁰⁰ The United Nations Integrated Peacebuilding Office in Guinea-Bissau and OHCHR noted high rates of adolescent pregnancy and indicated that those high rates went hand in hand with sexual violence, insufficient access to health care, and child and forced marriage.¹⁰¹ The Special Rapporteur also noted that the practice of forced marriage was common in Guinea-Bissau, especially in the Gabú and Bafatá regions.¹⁰²

67. UNESCO and UNICEF recommended that Guinea-Bissau increase efforts to combat female genital mutilation.¹⁰³ UNFPA, UNICEF and the United Nations Integrated Peacebuilding Office in Guinea-Bissau stated that the Government should: develop a clear capacity-building plan for service providers, in order to ensure that they had the appropriate skills and capacity to respond appropriately to cases of female genital mutilation and cutting and other forms of gender-based violence.¹⁰⁴

68. The Special Rapporteur stated that Guinea-Bissau should ensure the effective implementation of gender equality laws and policies protecting women's rights, including the National Policy on Gender Equality and Equity, the Law to Prevent, Fight and Suppress Female Genital Mutilation, the Law on Prevention and Fight against Trafficking in Persons, Particularly Women and Children, and the Law against Domestic Violence; engage in sensitive outreach and education to change discriminatory and harmful traditional norms, stereotypes and practices, including those concerning child and forced marriage; and put in place training, investigation and prosecution mechanisms in order to prevent, investigate and punish all acts of gender-based violence.¹⁰⁵

2. Children¹⁰⁶

69. The Special Rapporteur noted that Guinea-Bissau had an extremely young population, with 47 per cent of the total population under 18 years of age. Nevertheless, the rights of children and youth had been consistently neglected. Progress in their enjoyment of rights had not only been slow, but in some cases, there had been retrogressions.¹⁰⁷

70. The Special Rapporteur noted that the percentage of children whose births were registered had declined between 2006 and 2010, limiting their access to basic services.¹⁰⁸ IOM, UNHCR and UNICEF indicated that in Guinea-Bissau, birth registration was free for all children until the age of 7 years. However, only 11 per cent of all children were registered within the first year of life.¹⁰⁹ Guinea-Bissau should effectively promote a partnership between the State institutions for the Civil Registry, the Curatorship of Minors and local administrations to create mobile registration offices with a view to providing and facilitating free access for all, especially the most vulnerable, to the registry; and adopt a special provision for the civil registration and protection of victims of trafficking and of vulnerable migrant returnees.¹¹⁰

71. UNESCO stated that the minimum age for marriage appeared to be 18 years, but that different sources stated different minimum ages. However, child marriage remained permissible if there was parental consent.¹¹¹ UNFPA, UNICEF and the United Nations Integrated Peacebuilding Office in Guinea-Bissau stated that child marriage legislation was still not harmonized with the Convention on the Rights of the Child and the Convention on the Elimination of All Forms of Discrimination against Women.¹¹²

72. UNESCO and UNICEF recommended that Guinea-Bissau increase the minimum age of marriage to 18 years with no exceptions.¹¹³ UNFPA, UNICEF and the United Nations Integrated Peacebuilding Office in Guinea-Bissau indicated that Guinea-Bissau should take effective measures, including the adoption of legislation or national policies, to prevent child and forced marriages and to provide effective psychosocial assistance to child victims of such phenomena.¹¹⁴

73. UNICEF reported that Guinea-Bissau had no specific action plan to address child labour.¹¹⁵ The Special Rapporteur indicated that the worst forms of child labour were prevalent in the country. Although the labour law set the minimum employment age at 14 and prohibited heavy or dangerous labour for children under 18, the law was not enforced.¹¹⁶

74. UNESCO and UNICEF recommended that Guinea-Bissau ensure that the minimum employment age was raised to 15 years old.¹¹⁷

75. Regarding child labour, UNESCO stated that children in rural communities worked without pay to help support their families. Children worked in agriculture and mining, shoe shining, selling of food on the streets and begging.¹¹⁸

76. UNICEF stated that the Government did not provide emergency shelter to child victims of violence and that limited assistance and care were provided by religious organizations and non-governmental organizations.¹¹⁹

77. UNICEF noted that a comprehensive code on child protection was being drafted, and the United Nations entities in Guinea-Bissau recommended that the State adopt such a code to protect children from human trafficking, child labour, sexual exploitation and abuse, forced begging and forced and child marriage.¹²⁰

78. UNICEF stated that progress to fully align legal and policy measures on juvenile justice with international standards was almost non-existent. There were no reliable data relating to children in detention. It was estimated that most of those children had committed petty crimes or minor offences, and many were held with adults in police stations, often in deplorable conditions.¹²¹

79. UNICEF noted that a national social protection strategy and a plan of action were being developed to address the availability of basic social services for vulnerable children and diversion programmes by which children in conflict with the law are channelled away from judicial proceedings.¹²²

80. The Special Rapporteur on independence of judges and lawyers stated that concrete steps should be taken towards the establishment of a juvenile justice system.¹²³ UNICEF indicated that the Government should include juvenile justice in the national agenda and in development partners' interventions, focusing on children in conflict with the law. It should support the justice system in using alternatives to pre- and post-trial detention and in using diversion away from the formal judicial system.¹²⁴

3. Persons with disabilities¹²⁵

81. UNESCO reported that the law did not specifically prohibit discrimination against persons with disabilities. Provisions existed to allow blind and illiterate voters to participate in elections, but voters with certain intellectual disabilities might not be able to benefit from such provisions.¹²⁶

4. Minorities

82. The United Nations Integrated Peacebuilding Office in Guinea-Bissau and OHCHR stated that Guinea-Bissau was ethnically diverse. While Portuguese was the country's official national language, many groups also used their own language, and language barriers had an impact on access to health care.¹²⁷

83. The Special Rapporteur on independence of judges and lawyers noted with great concern that laws were written and published exclusively in Portuguese, a language that was spoken and used by only slightly more than 10 per cent of the population.¹²⁸

5. Migrants, refugees and asylum seekers

84. IOM noted that several migrants who had returned from third countries had reported instances of abuse and exploitation. Guinea-Bissau should advocate and demand respect for the rights of its citizens abroad, especially by providing consular support in countries where its citizens were victims of abuse and exploitation.¹²⁹

Notes

¹ Tables containing information on the scope of international obligations and cooperation with international human rights mechanisms and bodies for Guinea-Bissau will be available at www.ohchr.org/EN/HRBodies/UPR/Pages/GWIndex.aspx.

² For relevant recommendations, see A/HRC/29/12, paras. 96.1–96.18, 96.33–96.38 and 96.47.

³ Joint submission of the International Organization for Migration (IOM), the Office of the United Nations High Commissioner for Refugees, the United Nations Children's Fund (UNICEF), the United Nations Development Programme (UNDP), the United Nations Educational, Scientific and Cultural Organization (UNESCO), the United Nations Human Settlements Programme (UN-Habitat), the United Nations Integrated Peacebuilding Office in Guinea-Bissau, the United Nations Office on Drugs and Crime (UNODC), the United Nations Population Fund (UNFPA), the World Food Programme and the World Health Organization (WHO) for the universal periodic review of Guinea-Bissau, p. 1.

⁴ Ibid.

⁵ UNESCO submission for the universal periodic review of Guinea-Bissau, para. 9. See also joint submission, p. 1.

⁶ For relevant recommendations, see A/HRC/29/12, paras. 96.14–96.15, 96.18–96.28, 96.32 and 96.36.

⁷ S/2018/110, para. 51.

⁸ Joint submission, p. 3.

- ⁹ A/HRC/29/31/Add.1, para. 73 (d). See also A/HRC/32/34/Add.1, para. 105.
- ¹⁰ Joint submission, p. 2.
- ¹¹ Ibid. See also A/HRC/29/31/Add.1, para. 73 (b).
- ¹² S/2018/1086, para. 10.
- ¹³ Ibid., para. 13.
- ¹⁴ For relevant recommendations, see A/HRC/29/12, paras. 96.40–96.42, 96.46–96.49, 96.52, 96.66, 96.73 and 96.88.
- ¹⁵ A/HRC/29/31/Add.1, para. 27.
- ¹⁶ For relevant recommendations, see A/HRC/29/12, para. 96.151.
- ¹⁷ A/HRC/29/31/Add.1, para. 70.
- ¹⁸ Ibid., para. 26.
- ¹⁹ Ibid., para. 25.
- ²⁰ Ibid., para. 73 (l).
- ²¹ For relevant recommendations, see A/HRC/29/12, paras. 96.50–96.51 and 96.105.
- ²² Joint submission, p. 5.
- ²³ A/HRC/32/34/Add.1, para. 74.
- ²⁴ Joint submission, p. 5.
- ²⁵ Ibid., p. 3.
- ²⁶ For relevant recommendations, see A/HRC/29/12, paras. 96.50–96.51 and 96.83–96.111.
- ²⁷ A/HRC/32/34/Add.1, para. 78.
- ²⁸ Ibid., paras. 52–53, 62 and 66.
- ²⁹ Ibid., paras. 42 and 44.
- ³⁰ Ibid., paras. 102, 113 and 129.
- ³¹ Joint submission, p. 5.
- ³² A/HRC/32/34/Add.1, para. 83.
- ³³ Ibid., para. 85.
- ³⁴ Joint submission, p. 5.
- ³⁵ A/HRC/32/34/Add.1, para. 97.
- ³⁶ A/HRC/29/31/Add.1, para. 20.
- ³⁷ A/HRC/32/34/Add.1, para. 73.
- ³⁸ Joint submission, p. 5.
- ³⁹ A/HRC/32/34/Add.1, para. 77.
- ⁴⁰ Ibid., para. 128.
- ⁴¹ Ibid., para. 107.
- ⁴² For relevant recommendations, see A/HRC/29/12, paras. 96.105 and 96.112.
- ⁴³ UNESCO submission, para. 4.
- ⁴⁴ Ibid., para. 11.
- ⁴⁵ Letter dated 23 June 2017 from the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, the Special Rapporteur on the rights to freedom of peaceful assembly and of association and the Special Rapporteur on the situation of human rights defenders addressed to the Permanent Representative of Guinea-Bissau to the United Nations Office and other international organizations in Geneva. Available at <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=23175>.
- ⁴⁶ S/2018/110, para. 36.
- ⁴⁷ Ibid., para. 97.
- ⁴⁸ S/2018/1086, para. 30.
- ⁴⁹ See www.un.org/press/en/2019/sc13870.doc.htm.
- ⁵⁰ For relevant recommendations, see A/HRC/29/12, paras. 96.75–96.78.
- ⁵¹ Joint submission, p. 4.
- ⁵² A/HRC/29/31/Add.1, para. 48.
- ⁵³ UNESCO submission, para. 8.
- ⁵⁴ Joint submission, p. 4.
- ⁵⁵ For relevant recommendations, see A/HRC/29/12, paras. 96.113 and 96.121.
- ⁵⁶ Joint submission, pp. 7–8.
- ⁵⁷ Letter dated 13 March 2019 from the Special Rapporteur on contemporary forms of slavery, including its causes and consequences, and the Special Rapporteur on violence against women, its causes and consequences addressed to the Permanent Representative of Guinea-Bissau to the United Nations Office and other international organizations in Geneva. Available at: <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=24352>.
- ⁵⁸ A/HRC/29/31/Add.1, para. 22.
- ⁵⁹ Ibid., para. 73 (i).
- ⁶⁰ Joint submission, p. 7.
- ⁶¹ For relevant recommendations, see A/HRC/29/12, paras. 96.114–96.122.

- ⁶² Human Rights Section of the United Nations Integrated Peacebuilding Office in Guinea-Bissau and OHCHR, “Report on the right to health in Guinea-Bissau”, April 2017, para. 14.
- ⁶³ A/HRC/29/31/Add.1, para. 63.
- ⁶⁴ Ibid., para. 73 (ss) and (uu).
- ⁶⁵ Ibid., para. 38.
- ⁶⁶ Joint submission, p. 13.
- ⁶⁷ Human Rights Section of the United Nations Integrated Peacebuilding Office in Guinea-Bissau and OHCHR, “Report on the right to health in Guinea-Bissau”, para. 17.
- ⁶⁸ A/HRC/29/31/Add.1, para. 69.
- ⁶⁹ For relevant recommendations, see A/HRC/29/12, paras. 96.45, 96.47 and 96.123–96.133.
- ⁷⁰ Joint submission, p. 8.
- ⁷¹ Human Rights Section of the United Nations Integrated Peacebuilding Office in Guinea-Bissau and OHCHR, “Report on the right to health in Guinea-Bissau”, para. 37.
- ⁷² Joint submission, p. 8.
- ⁷³ Ibid., p. 9.
- ⁷⁴ A/HRC/29/31/Add.1, para. 73 (cc) and (gg).
- ⁷⁵ Joint submission, p. 8.
- ⁷⁶ A/HRC/29/31/Add.1, para. 46.
- ⁷⁷ Joint submission, p. 9.
- ⁷⁸ A/HRC/29/31/Add.1, para. 73 (bb).
- ⁷⁹ Joint submission, p. 9.
- ⁸⁰ A/HRC/29/31/Add.1, para. 73 (x).
- ⁸¹ For relevant recommendations, see A/HRC/29/12, paras. 96.45, 96.49, 96.69–96.70 and 96.131–96.150.
- ⁸² Joint submission, p. 10. See also A/HRC/29/31/Add.1, para. 22.
- ⁸³ Joint submission, p. 9. See also UNESCO submission, para. 8.
- ⁸⁴ UNESCO submission, para. 8.
- ⁸⁵ A/HRC/29/31/Add.1, para. 49.
- ⁸⁶ Ibid., para. 60.
- ⁸⁷ UNESCO submission, para. 8.
- ⁸⁸ Joint submission, p. 9. See also UNESCO submission, para. 8.
- ⁸⁹ Joint submission, p. 10, and UNESCO submission, para. 9.
- ⁹⁰ Joint submission, p. 11.
- ⁹¹ A/HRC/29/31/Add.1, para. 30.
- ⁹² Ibid., para. 73 (oo).
- ⁹³ Joint submission, p. 10, and UNESCO submission, para. 9.
- ⁹⁴ For relevant recommendations, see A/HRC/29/12, paras. 96.32, 96.39–96.46, 96.52–96.66, 96.69 and 96.75.
- ⁹⁵ Joint submission, p. 11.
- ⁹⁶ A/HRC/29/31/Add.1, para. 30.
- ⁹⁷ Ibid., para. 37.
- ⁹⁸ Ibid., para. 31.
- ⁹⁹ Joint submission, p. 11. See also A/HRC/29/31/Add.1, para. 32.
- ¹⁰⁰ A/HRC/29/31/Add.1, para. 35.
- ¹⁰¹ Human Rights Section of the United Nations Integrated Peacebuilding Office in Guinea-Bissau and OHCHR, “Report on the right to health in Guinea-Bissau”, para. 126.
- ¹⁰² A/HRC/29/31/Add.1, para. 33.
- ¹⁰³ Joint submission, p. 10, and UNESCO submission, para. 9.
- ¹⁰⁴ Joint submission, p. 11.
- ¹⁰⁵ A/HRC/29/31/Add.1, para. 73 (o), (q) and (s).
- ¹⁰⁶ For relevant recommendations, see A/HRC/29/12, paras. 96.29–96.32, 96.46–96.49, 96.62–96.70, 96.72–96.82 and 96.107.
- ¹⁰⁷ A/HRC/29/31/Add.1, para. 43.
- ¹⁰⁸ Ibid., para. 44.
- ¹⁰⁹ Joint submission, p. 6.
- ¹¹⁰ Ibid. See also A/HRC/29/31/Add.1, para. 44.
- ¹¹¹ UNESCO submission, para. 8.
- ¹¹² Joint submission, p. 6.
- ¹¹³ Ibid., p. 10, and UNESCO submission, para. 9.
- ¹¹⁴ Joint submission, p. 7.
- ¹¹⁵ Ibid., p. 12.
- ¹¹⁶ A/HRC/29/31/Add.1, para. 47. See also UNESCO submission, para. 8.
- ¹¹⁷ Joint submission, p. 10, and UNESCO submission, para. 9.

- ¹¹⁸ UNESCO submission, para. 8.
¹¹⁹ Joint submission, p. 12.
¹²⁰ Ibid., p. 12.
¹²¹ Ibid., p. 12.
¹²² Ibid., p. 13.
¹²³ A/HRC/32/34/Add.1, para. 131.
¹²⁴ Joint submission, p. 12.
¹²⁵ For relevant recommendations, see A/HRC/29/12, paras. 96.47 and 96.71–96.73.
¹²⁶ UNESCO submission, para. 8.
¹²⁷ Human Rights Section of the United Nations Integrated Peacebuilding Office in Guinea-Bissau and OHCHR, “Report on the right to health in Guinea-Bissau”, para. 12.
¹²⁸ A/HRC/32/34/Add.1, para. 33.
¹²⁹ Joint submission, p. 3.
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