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Initial report submitted by Guinea pursuant to articles 16 and 17 of the Covenant, due in 1990*


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Part 1: General information about Guinea

I. Geography

1. The Republic of Guinea is a crescent-shaped country in West Africa with an area of 245,857 km². It faces the Atlantic Ocean and shares borders with Guinea-Bissau, Senegal, Mali, Côte d'Ivoire, Liberia and Sierra Leone. Its population was estimated at 4,660,582 in 1983, 7,156,406 in 1996, 10,599,848 in 2014, 10,917,710 in 2015 and 11,233,037 in 2016. The population's extreme youth will heavily influence its development moving forward.
2. The landscape, climate and vegetation together form four natural regions, which allow for a very wide range of agricultural products:
 - Guinée Maritime is a low-lying, coastal region; it has a humid, south-Guinean climate, with annual rainfall everywhere exceeding 2 metres and a dry season that lasts five months (from December to April). This is the region with mangrove, upland rice and fruit production; there is also much mining activity in the region (for bauxite).
 - Moyenne-Guinée corresponds with the Fouta Djallon massif, which varies in altitude from 600 metres to 1,500 metres (at Mount Loura); the dry season lasts five to six months (from November to April), and average annual rainfall is around 800 mm. Fouta Djallon is the source of the main rivers in the region. Although the massif was once covered in forest, its vegetation has been depleted and erosion has reached alarming levels. It is an agropastoral region. It is also obviously an area from which many people emigrate to cities and neighbouring countries, in particular to Senegal.
 - Haute-Guinée covers the north-eastern part of the country; it has a South Sudanese climate and an average annual rainfall of 1,500 mm, but the dry season can last eight months and is highly irregular, leading to major fluctuations in agricultural production. The region is known for its savannah, livestock rearing and subsistence crops, and activity is concentrated in the river valleys, and mainly in the Niger Valley; the population is unevenly distributed and is concentrated along the rivers.
 - Guinée forestière, in the south of the country, has an equatorial climate, with a longer rainy season and average annual rainfall of over 2 metres. It is essentially the region of heavy forestation and is densely populated; Guinée forestière also contains major iron ore deposits (in Mount Nimba and Mount Simandou).

II. Demographic, economic and social characteristics of Guinea

3. Given its vast mineral resources, opportunities for agricultural diversification and hydrological and hydroelectric resources, Guinea has the potential to become one of the richest and most economically developed countries in West Africa; its coastline, relatively low population density and still modest level of urbanization are further factors conducive to future economic development. Yet Guinea is in the group of poor countries.
4. The country's climate, water resources and soil fertility are conducive to agricultural development. Its four geographical areas each has a different agroecological profile: Guinée Forestière (coffee, rubber, palm oil, etc.); Haute Guinée (cotton, yams and rice); Guinée maritime (fish, fruit, palm oil and rice); and Moyenne Guinée (livestock, tomatoes, onions, eggplant and potatoes).
5. After gaining independence, Guinea chose to take a revolutionary, socialist path. Under socialism, almost all the means of production other than mining concessions were nationalized; the strategy adopted during this period was to root the country's development in its own resources so as to eliminate any form of external dependence. Major emphasis was placed on industrial investment and infrastructure.

6. However, this investment had much less of an impact on economic growth than it should have, owing to disorganization among technical administrations and in trade, insufficient design and management capacity, poorly planned investment projects (with several factories operating well below capacity) and neglect of the agricultural sector.

7. A notable aspect of the period 1973–1978 was the Five-Year Plan, which made the rural sector a top priority. The main objective was to increase crop production and achieve food self-sufficiency.

8. In 1985, the Military Committee of National Recovery (the military junta in power following the death of the first President) set the country on a path of liberalization; several State-owned companies were privatized.

9. In 2000, the country was repeatedly attacked by rebels and suffered the effects of the devastating wars in Liberia, Sierra Leone, Guinea-Bissau and Côte d'Ivoire. Hundreds of thousands of refugees were registered. Their presence in Guinea represented a heavy burden for the country's social, financial and environmental balance.

10. The size, diversity and quality of the mineral deposits in Guinea provide a competitive advantage, although these deposits currently remain underexploited owing to political instability, the health situation and a lack of infrastructure. Prospecting and mining companies plan to remedy the lack of infrastructure by building a railway and a deep-water port.

11. In 2013, aware of this potential, the Government published a new Mining Code aimed at increasing profitability for investors, broadening the country's tax base and promoting local added value, in five major areas.

12. Guinea endured a long and difficult period on the economic, political and security fronts, which prevented it from translating its enormous potential into prosperity for its people. Until 2012, the Guinean economy had been characterized by a low level of national resource mobilization, a lack or drastic fall in public development assistance and high inflation of 29.7 per cent year-on-year. These factors all contributed to significant depreciation of the Guinean franc (GF) and plummeting of the State's investment capacity.

13. The effects of this situation included regularly inadequate basic social service provision and wealth and employment-creation opportunities and a reduction in household purchasing power, which made living conditions even more precarious.

14. Under the Third Republic the country has made considerable progress in creating the right conditions for a better future for its people. Regrettably, this momentum was rocked by the Ebola crisis and a fall in the price of raw materials, two shocks that damaged the country's economy in 2014 and 2015.

15. The Ebola crisis resulted in significant loss of life and had a negative impact on every sector of the economy. For example, study and work projects negotiated with partners were postponed; container traffic through the port of Conakry fell by one third; two thirds of the flights at Conakry airport were cancelled; and fruit and vegetable exports from north-west Guinea to neighbouring countries fell by 90 per cent. The agricultural and mining sectors were also seriously affected.

16. Gross domestic product (GDP) growth reached 5.2 per cent in 2016 thanks to an increase in bauxite and gold output and the resilience of agriculture. Yet the services and manufacturing industries have remained stagnant in the wake of the Ebola crisis. The country's first ever Extended Credit Facility programme, which was recently agreed with the International Monetary Fund, could help to improve macroeconomic management and economic recovery.

17. The country currently faces major political, institutional, economic, social and environmental challenges.

Demographic indicators

<i>Indicators</i>	<i>2014</i>	<i>2015</i>	<i>2016</i>
Average life expectancy	58.9 years	59.3 years	59.6 years
Crude birth rate	41.5%	40.2%	38.7%
Crude mortality rate	11.3%	11%	10.6%
Infant mortality rate	70.2%	68.8%	67.5%
Infant and child mortality rate	109.9%	107.5%	105.1%
Rate of natural increase	3%	2.9%	2.8%
Sex ratio	93.27%	93.43%	93.58%
Household size	7.1%	7.1%	7.1%
Population density	43	44	46
Average age at childbirth	27.6%	27.5%	27.3%

Source: General population and housing census 2014/Demographic Outlook 2017/National Institute of Statistics/Ministry of Planning and International Cooperation.

Indicators relating to housing, the living environment, hygiene and sanitation in 2014

<i>Indicators</i>	<i>Percentage</i>
Proportion of households in housing with walls made of durable materials	41.1
Proportion of households in housing with roofs made of durable materials	71.4
Proportion of heads of household owning their homes	75.4
Proportion of households in traditional housing	23.8
Proportion of heads of household renting their homes	19.8
Proportion of households with an occupancy density greater than three persons per bedroom	33.6
Proportion of households that indiscriminately dispose of their household waste	73.9
Proportion of households with electrical service from Electricité de Guinée for lighting	20.0
Proportion of households using battery-powered torches or lamps for lighting	71.7
Proportion of households with access to safe water	61.2
Proportion of households accessing the Internet for information	23.4
Proportion of households with at least one mobile phone	69.1
Proportion of households with at least one television set	23.4

Source: General population and housing census 2014/National Institute of Statistics/Ministry of Planning and International Cooperation.

III. Constitutional, political and legal structure of Guinea

18. Article 1 of the Constitution of 7 May 2010 provides as follows: “Guinea is a unitary, indivisible, secular, democratic and social Republic. Its principle is: government of the people, by the people and for the people”. The principle of the separation of powers is enshrined in article 2 of the Constitution.

19. The country has a presidential system in which the President is elected by direct universal suffrage. The President is assisted by a prime minister, the head of Government, who is responsible for steering, overseeing, coordinating and galvanizing the Government’s activities. Legislative authority is exercised by the National Assembly. Judicial authority is independent of the executive and legislative branches. It is exercised by the courts and tribunals. The country has several independent bodies, as provided for in the Constitution.

20. Since 1990, Guinea has had a full multiparty system. There are currently around 100 political parties registered in the country.

21. Guinea is a State with a monistic tradition and with recognition of the primacy of international law. Thus, an international treaty that has been ratified becomes part of the national legal order from the date of its entry into force, without the need for the adoption of enabling legislation (see article 151 of the Constitution). Duly approved or ratified treaties or agreements have, upon their publication, an authority superior to that of laws, subject to reciprocity. A law authorizing ratification or approval of an international agreement cannot be promulgated or enter into force if it has been declared unconstitutional (see article 150 of the Constitution).

IV. General framework for the protection and promotion of human rights in Guinea

22. In a break with the path of socialism and revolution (1958–1984), the Basic Law of 23 December 1990 and the Constitution of 7 May 2010 established democratic rules setting out the Republic’s fundamental principles, namely democracy and respect for human rights.

23. These values are grounded in the “commitment of the people of Guinea to the ideals, principles, rights and duties established in the Charter of the United Nations, the Universal Declaration of Human Rights, international human rights treaties, the Constitutive Act of the African Union, the African Charter on Human and Peoples’ Rights and the additional protocols thereto relating to women’s rights, and the Revised Treaty of the Economic Community of West African States (ECOWAS) and the Supplementary Protocol on Democracy and Good Governance”.

24. Title II of the Constitution, entitled “Basic freedoms, rights and duties”, comprises 22 articles, guarantees civil, political, economic, social and cultural rights and devotes special attention to the protection of vulnerable groups. Title II also contains provisions on group rights and sets out the duties incumbent on individuals.

25. Human rights thus form an integral part of the Republic’s fundamental principles. One of the basic objectives of its work at the national, regional and international levels is to promote the highest standards of human rights protection.

26. For many years, the country had a rudimentary national human rights promotion and protection system: international and regional treaties had been ratified but largely not incorporated into national law; some key institutions and judicial and security institutions had been established; respect for human rights was mentioned sporadically in sectoral policies; and civil society was emerging.

27. In 2018, it can be said that the country has a real national human rights promotion and protection system, albeit one that is certainly incomplete and imperfect.

28. The Republic of Guinea is a party to the majority of international human rights instruments, including the eight core United Nations human rights treaties. It has ratified the Rome Statute of the International Criminal Court and 58 conventions of the International Labour Organization. It is also a party to the main regional and subregional instruments for the promotion and protection of human rights. The provisions of these treaties and conventions are gradually being incorporated into national laws and regulations.

29. Guinea has gradually developed a strong normative and institutional framework to promote and protect human rights. Its cornerstone is Title II of the Constitution, which deals exclusively with basic rights, freedoms and duties.

30. The promotion and protection of human rights have been taken into account in, and incorporated into, the vast majority of the national policies, strategies and action plans currently in force. In general, human rights principles, in particular the principle of non-discrimination, have been taken into account in these documents. Gender is mentioned in all of them. A human rights-based approach has been incorporated into the design and formulation of successive development policies. The various ministries are fully aware of their specific human rights obligations.

(a) **Legal framework for the promotion and protection of economic, social and cultural rights**

31. The procedures for realizing the economic, social and cultural rights dealt with in this report are set out in legislation and regulations.

32. These instruments include:

- Act No. L/94/006/CTRN of 14 February 1994 on the Social Security Code
- Act No. L/94/005/CTRN of 15 February 1994 on the Water Code
- Order No. O/92/019/PRG/SGG of 30 March 1992 on the Land (Private and State-owned) Code
- Act No. L/97/022/AN of 19 June 1997 on the national education framework and its implementing decree No. 190 of 21 August 1997
- Act No. L/021/AN 97 of 19 June 1997 on the Public Health Code
- Act No. L/010/AN/2000 of 10 July 2000 on reproductive health
- Act No. L/2001/028/AN/ of 31 December 2001 on the general status of public servants
- Act No. L/005/013/AN of 4 July 2005 on the system of associations (repealing Order 072/PRG/SGG of 7 March 1986 on the status of non-governmental organizations)
- Organic Act No. L/2010/02/CNT of 22 June 2010 on the freedom of the press (revising Organic Act No. L/091/005/CTRN of 23 December 1991)
- Act No. L/2011/006/CNT of 9 September 2011 on the Mining Code, some provisions of which were amended by Act No. L/053/CNT of 8 April 2013
- Act No. L/2014/072/CNT of 10 January 2014 on the Labour Code
- Act No. L/2015/020/AN Act of 13 August 2015 on the Construction and Housing Code
- Act No. L/2015/019/AN of 13 August 2015 on the organization of the judiciary
- Act No. L/2018/021/AN of 15 May 2018 on the protection and promotion of the rights of persons with disabilities
- Decree No. D/98/No. 100/PRG/SGG of 16 June 1998 on the Code of Civil, Economic and Administrative Procedure
- Act No. L/2014/019/AN of 8 July 2014 on the organization and regulation of statistical activities

(b) **Policies and strategies for the realization of economic, social and cultural rights**

The “Guinea Vision 2040” national forecasting study

33. The “Guinea Vision 2040” national forecasting study sets out major long-term strategic development goals and traces the path to be taken to turn Guinea into an emerging country by 2040 by transforming its economic potential for the benefit of the people.

National Plan for Economic and Social Development 2016–2020

34. The National Plan for Economic and Social Development 2016–2020 is a tool for the implementation of “Guinea Vision 2040”. It is the second iteration of such a plan under the Third Republic, following from the Five-Year Plan for the period 2011–2015. It follows the three Poverty Reduction Strategy Papers, the third and most recent of which concluded in 2015.

35. The National Plan for Economic and Social Development provides an overarching framework for the thematic and sectoral strategies that are currently being applied. The latter, in turn, are integral components of the Plan. The Plan harmonizes all these strategies

with a view to improving the coordination of government activities over the period in question and achieving improved development outcomes.

36. Through the National Plan for Economic and Social Development 2016–2020, the authorities intend to address the various development challenges presented by the socioeconomic and environmental situation and to ensure post-Ebola health monitoring and alignment with international development agendas, including the Sustainable Development Goals; the Paris Agreement on climate change; Agenda 2063 of the Africa Union; the New Deal; and the ECOWAS Vision 2020.

37. The Plan's main beneficiaries are Guineans, particularly those who are poor and vulnerable (young people, women, older persons and persons with disabilities), the State itself, the private sector and the regions, including both rural and urban areas. It provides for measures to create jobs, particularly for young people and women, but also for vulnerable groups, including displaced persons, victims of disasters and migrant returnees, as well as measures to increase their employability and assist their socioeconomic reintegration into their different communities.

38. The Strategic Plan for Public Finance Reform, the Programme for State Reform and the Modernization of the Administration, the Investment Promotion Strategy, the Private Sector Development Strategy and the National Strategy for Biological Diversity for the Implementation of the Aichi Objectives in Guinea are simultaneously elements of the National Plan for Economic and Social Development and frameworks for guiding the measures for which the Plan provides in each of their fields. These various strategies and programmes are intended to support the achievement of outcomes at the various levels of the Plan.

The Accelerated Food and Nutrition Security and Sustainable Agriculture Programme 2016–2020

39. A diagnosis of various sectors has shown that, although the agricultural industries have considerable and diversified potential, they remain unproductive and uncompetitive, resulting in food and nutritional insecurity.

40. The Government has thus launched the Accelerated Food and Nutrition Security and Sustainable Agriculture Programme 2016–2020, which features a multisectoral and multidimensional approach. The programme encompasses all sectors involved in combating food insecurity, malnutrition and undernutrition, whether in the agricultural or non-agricultural sectors.

41. The estimated cost of the programme is 16.122 billion Guinean francs (GF) (or US\$ 1.8 billion).

National Health Policy

42. The health situation in Guinea has been a source of many problems, and a National Health Policy and a National Health Development Plan have been devised in response.

43. The vision of the National Health Policy is to ensure that Guinea is a country in which all groups are in good health, are economically and socially productive and enjoy universal access to health care and services, with their full participation. This vision is underpinned by universal principles and values.

44. The Government has undertaken to continue with a primary health-care approach through the strategies of the National Health Policy so as to provide all groups with high-quality preventive, curative and rehabilitative services that promote people's health.

45. The National Health Policy has been translated into strategic goals through the National Health Development Plan for the period 2015–2024, the sole framework for its implementation. The overall aim of the National Health Development Plan is to improve the health of the Guinean people. It is built around three strategic goals and six sub-strategies, divided into action strategies.

The National Social Protection Policy (adopted by the Government on 15 June 2017)

46. The National Social Protection Policy feeds into the National Post-Ebola Socioeconomic Recovery Programme and “Guinea Vision 2040”. It deals with matters relating to the protection of all groups in general, placing special emphasis on poor and vulnerable groups.

47. The policy will set in motion a specific set of activities to alleviate vulnerability, with a focus on social security and assistance, offering cash or in-kind benefits in order to support the most disadvantaged groups and provide them with a high degree of autonomy.

National Gender Policy

48. The aim of this policy is to forge a democratic, fair, equitable and inclusive society supported by a consensus-based, cross-cutting vision that takes into account the basic and strategic needs of men, women, boys and girls within the family and society.

National Housing Policy

49. Faced with many challenges, Guinea has developed a national housing policy (Housing Vision 2021) aimed at improving living conditions for the 75 per cent of the population living in precarious housing and significantly increasing the proportion of households with guaranteed access to housing.

50. This vision is based on several instruments for urban development, including the National Land Use Plan of 1991, the Town Planning Code adopted in 1998, the Land (Private and State-owned) Code adopted in 1992, the Local Government Code adopted in 2006, the four regional land management plans and the 14 development and town-planning frameworks for second-tier cities.

51. Along the same lines, many other projects have been launched with the support of development partners, including:

- The Third Urban Development Project supported by the World Bank, which is aimed at improving basic infrastructure and public services in Conakry and the cities of the interior and improving the administrative and financial management of municipalities in support of the decentralization process
- The Labour-Intensive Urban Development Programme, aimed at creating jobs, including through a street-paving project in Conakry
- A project to clean up 10 cities in the interior

National Policy and Strategy for Water Resource Management

52. In order to effectively address development challenges and issues in the international and subregional (West African) context, Guinea has begun to develop basic policies to ensure the sustainable and shared management of its water resources, to make use of its water potential and to ensure its participation in river basin organizations (such as the Niger Basin Authority, the Senegal River Basin Development Organization and the Gambia River Basin Development Organization). On the one hand, the national water authorities have taken this policy decision, and on the other hand, support has been provided by the Swedish International Development Cooperation Agency (Sida), ECOWAS and the International Union for Conservation of Nature, through its Partnership for Environmental Governance in West Africa.

53. The policy and strategy are set out in the sectoral policy letter on water and sanitation approved jointly by the Minister of Agriculture, Water and Forests, the Minister of Natural Resources and Energy and the Minister of Town Planning and Housing on 16 August 1996. The letter states, inter alia, that, as a source of life, water has always been a foremost concern of the Government of Guinea in its social and economic development policy for both urban and peri-urban communities and rural areas. The production of this basic resource and its provision to users has always been a priority.

54. The development of the sector is organized around:

- Water resource management and administration
- Urban water resources
- Rural water resources
- Sanitation in urban and rural areas

55. The specific strategy for the overall management and administration of water resources is focused on implementing and coordinating several initiatives, including the following:

- Poverty Reduction Strategy Paper III (2013–2015)
- The Priority Action Programme for the Poverty Reduction Strategy Paper (2013–2015)
- The Five-Year Development Plan (2013–2017)
- The National Agricultural Investment and Food Security Plan
- The National Food and Nutrition Policy (2005–2015)
- The “Productive Social Safety Nets” pilot project
- The National Socioeconomic Reintegration Programme
- The Multifunctional Platform Programme
- The Programme to Improve Homes and Promote Renewable Energy Alternatives (butane gas, biogas and solar)
- The School Feeding Programme (with an emphasis on girls’ school enrolment and retention)

56. The system for monitoring and evaluating these policies, programmes and projects includes: steering committees; coordination units; monitoring bodies; permanent technical secretariats; interministerial committees; bodies to support the implementation of particular projects or programmes; and consultation frameworks.

(c) Preparation of the report

57. This report was prepared, and the preparation process followed up, by the Interministerial Committee on Human Rights, under the supervision of the Ministry of National Unity and Citizenship, and with the assistance of its technical departments.

58. Before it was approved by the Government, the report was shared with all stakeholders, including civil society and the independent national human rights institution, at a workshop held in Kindia from 27 to 29 September 2018 with the technical and financial support of the country office of the Office of the United Nations High Commissioner for Human Rights in Guinea.

(d) Information on non-discrimination and equality and on effective remedies

Non-discrimination and equality

59. Act No. L/2016/059/AN of 26 October 2016 on the Criminal Code defines discrimination and establishes it as an offence. A list of the prohibited grounds of discrimination is set out in articles 313, 314, 315, 316 and subsequent articles.

60. Discrimination is punishable by 1 to 5 years’ imprisonment and a fine of GF 500,000 to 10 million (Criminal Code, arts. 315 and 316).

61. The principle of non-discrimination in the field of employment and work in Guinea is also enshrined in article 4 of Act No. L/2014/072/CNT of 10 January 2014 on the Labour Code. Under the Act, employers and their representatives are prohibited from taking into consideration sex, age, national origin, race, religion, colour, political or religious views, social origin, membership or non-membership of a trade union, trade union activity or

disability when making decisions relating to recruitment, the conduct or distribution of work, staff development, advancement, promotion, remuneration, allocation of social benefits, disciplinary measures or termination of employment contracts.

Effective remedies

Remedies before the courts

62. The Guinean judicial system offers the necessary guarantees for an effective remedy. Courts of ordinary and of special jurisdiction have been established to ensure the delivery of justice.

63. Justice is delivered free of charge, as established by the procedures laid down by law and regulations. Court decisions are rendered within a reasonable time period. Justice is a public service made available on a permanent and uninterrupted basis.

Remedies before the administration

64. These remedies are the following:

- Discretionary remedies
- Hierarchical remedies
- Remedies before the General Labour Inspectorate (for labour matters)

Remedies before the Constitutional Court.

65. The Constitutional Court adjudicates violations of fundamental rights and public freedoms committed by public authorities, State officials and citizens. Cases may be referred to it by the independent national human rights institution.

Office of the National Ombudsman

66. The provisions governing the Office's work are set out in articles 127 to 131 of the Constitution of May 2010. The Office serves as a non-contentious, independent mediator between the authorities and the public. It receives, in accordance with the conditions prescribed by law, complaints from members of the public concerning their dealings with central, district or local government authorities, public institutions and any other public service bodies or entities to which public service functions have been attributed by law.

Independent national human rights institution

67. This institution is provided for in articles 146 to 148 of the Constitution of May 2010. Its responsibilities include receiving and considering reports of human rights violations, identifying remedies and providing or facilitating legal aid for victims of such violations, in particular women, children and other vulnerable persons. The independent national human rights institution was set up in April 2015, pursuant to an organic act of September 2011 of the National Transition Council.

State Judicial Agency

68. This is an administrative body of an adjudicatory nature and is competent to settle contentious cases in which the State is a party to national or international judicial or arbitral proceedings.

Ministry responsible for human rights

69. This is the government department responsible for designing and implementing national policy on the promotion and protection of human rights in Guinea. It includes the National Directorate for Human Rights, which is empowered to receive complaints of human rights violations and ensure that they are thoroughly dealt with by the competent authorities. Several Guinean and foreign citizens who have filed reports of human rights violations have received counselling, guidance or assistance from the Minister or from departmental officials.

70. Human rights non-governmental organizations (NGOs) may also provide advice, guidance and social or legal assistance to any victim of human rights violations.

(e) **Obstacles to the enjoyment of economic, social and cultural rights**

71. Despite the State's efforts, there are several barriers to the realization of economic, social and cultural rights, including insufficient State resources, corruption, illiteracy, a lack of awareness of the relevant instruments among the population, the low level of education and sociocultural hurdles.

Part 2: Information on articles 1 to 15 of the International Covenant on Economic, Social and Cultural Rights

Article 1: Right to self-determination

72. Article 21 of the Constitution provides as follows:

“The people of Guinea determine the country's institutions and socioeconomic organization in a free and sovereign manner.

They have an imprescriptible right to its wealth, which must benefit all Guineans equally.

They have the right to preserve their heritage, culture and environment.

They have the right to resist oppression.”

73. The freedom to perform economic, social and cultural activities is guaranteed by law.

74. Since Guinea gained independence on 2 October 1958, successive governments have all sought to ensure the enjoyment by its people of economic, social and cultural rights, through development planning and strategy and policy design.

75. The country's economic and social development prospects are described in several framework documents.

76. For example, the Mining Code sets out the Government's mining investment and promotion policy.

77. The Guinean Government and its partners have developed a local content policy for the mining sector so as to ensure that mining projects make a strong contribution to the national economy and strengthen local skills.

78. The vision of the local content promotion policy is to create a win-win partnership framework in which all stakeholders – including foreign investors, the Government, the local private sector and the country's communities – work together and join forces to make a success of all mining projects, including by maximizing their economic impact in Guinea, particularly for local communities.

79. In order to maximize the positive impact of mining projects and allow them to exert a multiplier effect on the economy as a whole, a percentage of expenditure must be used to finance training and employment for local communities, purchase goods and services from local small and medium-sized enterprises, implement social projects (in the health-care and education sectors) and provide infrastructure.

80. The local content promotion mechanism focuses on two areas:

- The development of local businesses
- Training and local job creation

81. With regard to social matters, the Ministry of Social Action, the Advancement of Women and Children's Affairs draws up and implements the national gender policy and implements the Children's Code.

Article 2: International cooperation

82. The relations that Guinea maintains with several States around the world date back to its independence in 1958. This bilateral and multilateral cooperation is a major asset for the country's socioeconomic development.

83. The focus of Guinean diplomacy has since shifted, under the Third Republic, towards seeking out the best economic opportunities to benefit from this cooperation.

84. Development diplomacy is now the focus. It is reflected in the Government's strongly expressed desire to harness the country's enormous economic, cultural and social potential.

85. Guinea cooperates bilaterally with countries in Africa, Europe, Asia, the Arabian and Persian regions and the Americas. The country cooperates multilaterally with the Bretton Woods institutions, the African Development Bank, the Islamic Development Bank, the Arab Bank for Economic Development in Africa, United Nations agencies, the European Union and international NGOs.

86. This cooperation enables Guinea to implement national initiatives aimed at ensuring the full realization of the rights enshrined in the Covenant and creating better living conditions for its people.

87. Over the period 2011–2015, the country's development partners contributed nearly US\$ 1.5 billion additional to foreign direct investment. Bilateral partners made the following contributions to development financing (in United States dollars):

- 2011: \$275 million
- 2012: \$300 million
- 2013: \$325 million
- 2014: \$450 million
- 2015: \$450 million

88. In addition to debt relief of US\$ 1.5 billion that was granted under the Heavily Indebted Poor Countries Initiative in 2012, Guinea received significant support from the international community in response to the Ebola crisis following conferences held in Brussels in March 2015, Washington in April 2015 and New York in July 2015. This support amounted to US\$ 705 million, of which US\$ 161 million has been and/or is in the process of being paid out. More recently, in September 2016, the Government decided to set up a National Post-Ebola Resilience Fund specifically to finance and implement the required priority actions that had not yet been covered or provided for, the objective being to strengthen effective resource mobilization. The Fund will be replenished with US\$ 500 million.

89. Development assistance in Guinea has traditionally taken four general forms: aid projects, balance of payment support or aid programmes, technical assistance, and food and humanitarian aid.

90. Roughly 49 per cent of aid is awarded as grants and 51 per cent as concessional loans.

91. A breakdown by sector shows that social sectors received 40 per cent of foreign aid between 2011 and 2015. Over the same period, 25 per cent of the overall aid was provided for agriculture, and about 30 per cent for industry and infrastructure.

92. Examples of multilateral cooperation initiatives that have had an impact on people's living standards include the World Bank-funded Village Support Programme, which has since been made into an agency, Education Sector Support Programmes I and II and the Expanded Programme on Immunization.

93. At the national level, the Poverty Reduction Strategy Paper and the National Plan for Economic and Social Development are tools with which the Government plans its development activities at the national level.

Article 3: Gender equality and non-discrimination

94. On 9 August 1982, Guinea ratified the Convention on the Elimination of All Forms of Discrimination against Women. It has also ratified the main international and regional instruments on women's rights and has a wide array of laws in place at the national level to guarantee the principle of equality between men and women.

95. Article 8 of the Constitution provides as follows:

“All human beings are equal before the law. Men and women have the same rights. No one shall be afforded privileges or suffer disadvantage on account of his or her sex, birth, race, ethnicity, language, beliefs or political, philosophical or religious views.”

96. Under article 20 of the Constitution, all persons have the right to work, without discrimination. The State undertakes to create the conditions necessary for the exercise of this right and to ensure that no one living in the country is discriminated against in the workplace on account of his or her sex, race, ethnic origin or opinions or on any other grounds.

97. Article 23 (4) of the Constitution guarantees equal access to employment in the public sector.

98. The principle of non-discrimination in the field of employment and work in Guinea is also enshrined in article 4 of Act No. L/2014/072/CNT of 10 January 2014 on the Labour Code.

99. Under the Act, employers and their representatives are prohibited from taking into consideration sex, age, national origin, race, religion, colour, political or religious views, social origin, membership or non-membership of a trade union, trade union activity or disability when making decisions relating to recruitment, the conduct or distribution of work, staff development, advancement, promotion, remuneration, allocation of social benefits, disciplinary measures or termination of employment contracts.

100. The draft civil code contains innovations with respect to women's right to property, right to inheritance and right to register a birth.

101. Articles 313 to 315 of Act No. L/2016/059/AN on the Criminal Code define and make an offence of any form of discrimination, whether committed by natural or legal persons, in various spheres of life. Discrimination is punishable by 1 to 3 years' imprisonment and a fine of GF 500,000 to 10 million.

102. The implementation of the measures set out in the 2011–2015 Five-Year Plan has resulted in improved performance as reflected in the gender parity index. These measures include the roll-out of the Support Programme for Gender Advancement, which is aimed principally at combating gender inequality and has led to the development and adoption of a national gender policy, along with an accompanying strategic action and implementation plan and the creation of gender units in ministerial departments.

103. Mention should also be made of other important initiatives, including the Support Programme for Gender Advancement, the Maternal and Child Health Programme, the objective of which is to combat maternal and child mortality and reinforce the free caesarean section policy launched by the President, and the National Policy for the School Enrolment of Girls. The work done by the Guinean Committee for Follow-up on the Protection of the Rights of the Child, which plays a role in the assistance, rehabilitation and reintegration of children with disabilities, should also not be overlooked.

104. Initiatives such as a good citizens programme are being rolled out as part of the implementation of the Act on the Protection of Persons with Disabilities.

105. With regard to women's empowerment, there is a Support Fund for Women's and Young People's Income-generating Activities, and women's mutual financing societies have been established with the support of private banks.

106. All the prefectures in the country have women's empowerment support centres, which operate under the Ministry of Social Action.

107. Women remain underrepresented in public and political life and in decision-making positions: in 2012, just over one in five women (21.5 per cent) was a salaried employee in the non-agricultural sector (Limited Poverty Assessment Survey, 2012). This proportion has barely increased since 1994 (18.6 per cent) owing to the low level of education of the female workforce and persistent social and cultural barriers.

108. Only 22 per cent of the members of the National Assembly are women (25 out of 114), and 20.6 per cent of the members of the National Transition Council, which served as the parliament between 2010 and early 2014, were women.

109. In 2014, only 14.7 per cent of government ministers were female. In the current Government, 4 of the 34 ministers, or 11.76 per cent, are women.

Articles 4 and 5: Derogations from and restrictions or limitations on economic, social and cultural rights

110. When the country became independent, the authorities of the First Republic established a socialist regime that limited quite severely the enjoyment of economic and social rights, namely freedom of enterprise, the right to own property and freedom of association.

111. Following the military takeover in April 1984, Guinea opted for a new legal regime based on economic liberalism, individual property ownership, freedom of association and political freedom. These rights are enshrined in the Constitution.

112. On 23 December 2008, the National Council for Democracy and Development, upon declaring that it had seized power, suspended the Constitution, thereby limiting individual and collective freedoms, which entailed the prohibition of all political and trade union activities. Constitutional order was restored after the presidential elections of 7 November 2010.

113. Article 131 (1) of the Labour Code (Title 3, Chapter 1) stipulates that:

“When employers intend to hire a foreign worker from outside the Economic Community of West African States, they must obtain prior authorization from the public employment service, under the conditions defined by order of the Minister responsible for employment. The hiring of foreign workers is governed by special regulations”.

114. Article 131 (2) of the Labour Code provides that:

“The duration of an employment contract concluded with a foreign worker may not exceed four years, including renewal”.

115. Article 131 (3) of the Labour Code provides that:

“An employment contract concluded with a foreign worker must be subject to written conditions. It is subject to the granting of a work permit by the public employment service. The employer is responsible for applying for the work permit. The work permit is deemed to be tacitly granted if the public employment service responsible for approving the contract has not made its decision known within 30 days of the date of submission of the application. If the necessary work permit has not been either tacitly or explicitly granted, the employment contract cannot begin. The issuance of a residence visa for a foreign worker is subject to the prior granting of a work permit by the public employment service”.

116. According to the Investment Code, foreign and Guinean nationals exercise their economic and social rights (establishment of enterprises, investment and marriage) under different conditions.

Article 6: Right to work

117. Article 20 of the May 2010 Constitution stipulates that: “The right to work is recognized for all persons. The State creates the conditions necessary to exercise this right. No one shall be denied this right on the grounds of his or her sex, race, ethnicity, opinions or any other grounds of discrimination”. Article 3 (2) of the Labour Code currently in force mentions that: “The State shall ensure equality of opportunity and treatment of citizens with regard to access to vocational training and employment, without distinction as to origin, race, sex, religion or system of beliefs”.

118. Thus, in accordance with article 136 (1) of the 2014 Labour Code, night work is prohibited for women in certain sectors (factories, mines and quarries, construction sites, workshops and any kind of activity associated with them).

119. In addition, article 137 (2) of the 2014 Labour Code and article 425 (1) of the 2008 Children’s Code both prohibit night work by young workers of either sex under 18 years of age.

Combating unemployment

120. According to the results of the 2007 Limited Poverty Assessment Survey, between 2002 and 2007, the unemployment rate rose from 10.2 per cent to 15 per cent in Conakry and fell from 6.7 per cent to 3.2 per cent in other cities. Overall, underemployment affected 9.1 per cent of the labour force in 2007, compared with 11.8 per cent in 2002. Women are much more affected by underemployment than men (7.5 per cent).

121. According to the Basic Integrated Poverty Assessment Survey, unemployment affected 16.6 per cent of those who had reached the second cycle of secondary education, 15.4 per cent of those who had completed technical vocational studies and nearly 12 per cent of those who had obtained a university or postgraduate degree.

122. Guinea has a predominantly young population, a significant proportion of which is unskilled and unemployed. A National Fund for Youth Job Placement has been set up to help young people join the labour market; it has a planned budget of GF 16 billion, GF 3 billion of which was mobilized in 2009.

123. A three-year Youth Employment Programme, with four components, has been developed as part of the national employment policy. However, its implementation has been hampered by difficulties in mobilizing resources. The programme document has been submitted to donors in an effort to attract funding.

124. The Guinean Agency for Employment Promotion, the public administrative institution responsible for implementing the national policy for improving information on the labour market and for promoting employment, devised an action plan for the promotion of employment for the period 2009–2010.

125. In 2004, the Government of Guinea, with technical and financial support from the International Labour Office and the United Nations Development Programme, adopted a national employment policy framework document. As its adoption had preceded the development of the document known as Poverty Reduction Strategy Paper I, the employment dimension could not be sufficiently addressed in the latter, which served as a reference framework for Guinean economic and social policies. In order to remedy this shortcoming, the Government, aware of the major role played by employment in the socioeconomic development process, incorporated this dimension into Poverty Reduction Strategy Paper II.

126. In translating this political will into reality, the Government committed itself to creating the best conditions for the effective implementation of programmes and projects with a view to achieving full employment for all. The current Government has two ministries devoted to the promotion of employment: the Ministry of Youth and Youth Employment and the Ministry of Employment, Technical Education and Vocational Training.

127. The aims of the national youth employment policy are: to achieve full youth employment; to contribute to substantial poverty reduction by providing young people between 15 and 35 years of age living in rural and urban areas with opportunities for skills training in order to improve their employability and by providing them with productive jobs, whether salaried or self-employed; and to empower young people by granting them access to credit through microfinance institutions.

128. The policy is specifically designed to:

- Improve the employability of young jobseekers through skills training, information, career guidance and training on how to find job opportunities in all sectors
- Foster an entrepreneurial spirit and culture and encourage young people to enter self-employment, through training and support for the creation of youth-run businesses, including in rural areas
- Assist young entrepreneurs in gaining access to financing for their projects through resource mobilization and the dissemination of information on available lines of credit and bank security deposits
- Strengthen the relationship between training and employment and promote the establishment of a network of enterprises providing local services in rural areas
- Contribute to local development in the areas where mining companies are based through the creation of employment opportunities and income for young people
- Promote the use of labour-intensive work in the implementation of public investment programmes at the local and decentralized levels, with a view to creating more jobs for young people, especially unskilled young people living in rural and urban areas
- Help to improve the quality of information on youth unemployment and employment as a means of helping young people to join the labour market and as a decision-making tool
- Help to reduce irregular immigration and the brain drain, especially among young people
- Help to improve access to the labour market for girls and young women
- Help to introduce a coherent financing mechanism for projects to promote youth employment
- Help to improve communication and the coordination of youth employment initiatives

Technical and vocational guidance and training programmes

129. In Guinea, the issue of employability falls within the remit of the Ministry of Employment, Technical Education and Vocational Training. Guinea has 109 vocational schools, of which 58 are public and 51 are private, and 12 schools for training the teachers of these schools.

130. The curricula of these institutions are approved by the various departments in charge of education. University curricula are approved by the Ministry of Higher Education and Scientific Research, while those of vocational training institutions are approved by the Ministry of Employment, Technical Education and Vocational Training.

131. However, the mismatch between training and the needs of the labour market is still problematic. In order to remedy this situation, the Government launched a curriculum reform project focusing on vocational education.

Employment statistics

	1994	2002	2003	2007	2012	2014
Labour force	3 444 896	N/A	3 192 538	3 858 372	N/A	3 604 267
Labour force participation rate	71.0	64.4	45.5	78.7	69.1	62.3
People in employment	97.6	61.5	97.2	74.3	66.4	59.0
Underemployment rate	11.8	19.8	9.1	12.8	11.8	-
Unemployment rate	3.1	2.9	3.2	1.3	3.8	5.2

N/A: not available.

Poor working conditions for children

132. The law sets out the conditions for the employment of children and provides penalties ranging from 3 to 10 years for offenders, along with the return of any profits made from such work. The minimum age of employment is 16 years.

133. However, these provisions apply only to children in the formal sector. Exceptions to this rule allow children to work from 12 years of age as apprentices for light work, such as domestic work, and from 14 years of age for other work. Workers and apprentices under 18 years of age are not allowed to work for more than 10 hours in a row and may not work at night or on Sundays.

134. Article 137 of the 2014 Labour Code sets out the conditions under which children may be employed, according to their age. However, article 417 of the Children's Code states that young workers under 18 years of age may not carry, drag or push, either inside or outside their place of work, loads weighing more than the following:

- Carrying loads:
 - Boys of 14 or 15 years of age – 10 kg
 - Boys of 16 or 17 years of age – 15 kg
 - Girls of 16 or 17 years of age – 10 kg
- Transport by wheelbarrow (including the vehicle itself):
 - Boys of 14 or 15 years of age – 20 kg
 - Boys of 16 or 17 years of age – 25 kg
 - Girls of 16 or 17 years of age – 15 kg
- Transport by vehicles with two, three or four wheels (including the vehicle itself):
 - Boys of 14 or 15 years of age – 40 kg
 - Boys of 16 or 17 years of age – 50 kg
 - Girls of 16 or 17 years of age – 35 kg

Employment of children under the legal working age

135. In Guinea, the employment of children is regulated by the Labour Code and the Children's Code. While the age for undertaking an apprenticeship is set at 14 years in the Labour Code, article 412 of the Children's Code prohibits an employer from putting a child under 16 years of age to work without first obtaining prior written consent from the person with parental authority over the child or the child's guardian.

136. However, despite the legislation in force, in some areas of the country, children are nonetheless put to work before the legal working age. This is the case in mining areas, where many children are employed in mines, most often with the complicity of their parents. The work performed by these children is a source of income for their families. There are

also some Qur'anic teachers (*karamoko*) who put their child apprentices (*talibés*) to work in the fields or on plantations.

137. In addition, some children (girls and boys) are exposed to trafficking, prostitution and forced migration. For the most part, this is a result of poverty.

Article 7: Right to just and favourable conditions of work

138. Further to all the International Labour Organization conventions ratified by Guinea and the reports that it has submitted in recent years, the Government, in a concerted and tripartite manner (with representatives of the State, trade unions and employers), has set up four working committees and think tanks to address the following topics in the world of work: employment and subcontracting; the guaranteed minimum wage; retirement of public service employees; and social protection.

Information on the national minimum wage

139. Under article 241 (7) of the 2014 Labour Code, all employees are entitled to a guaranteed minimum wage.

140. In Guinea, the guaranteed minimum wage is set at GF 440,000 per month, for all workers.

Information on working conditions

Working hours and overtime

141. In accordance with the Labour Code, the usual number of working hours is 40 hours per week. By mutual agreement, working hours may be reduced, which may give rise to a part-time employment contract. Normal working hours may be increased under the principle of equivalent compensation for the time worked.

142. Persons performing the following jobs are authorized to receive equivalent compensation for hours of work, as follows:

- 42 hours for pharmacy and commercial workers
- 42 hours for workers in hospitals, bakeries, hotels, bars, restaurants and clubs
- 45 hours for workers in hairdressing salons and nail bars
- 45 hours for taxi drivers
- 48 hours for personnel transport drivers
- 55 hours for guards and building superintendents

143. Employees may be required to work overtime, provided that it does not exceed 10 hours per day or 48 hours per week. Employers may unilaterally request employees to work 100 hours of overtime per year. Once that limit has been reached, a certificate for overtime work must be obtained from the labour inspectorate.

144. Employers are required to pay overtime compensation at the following rates:

- 130 per cent of the normal hourly rate for the first four hours of overtime
- 160 per cent of the normal hourly rate for five or more hours of overtime per week

Leave

Compensatory leave/rest days

145. In extraordinary circumstances, workers in Guinea may work on weekly rest days and public holidays. Instead of receiving higher wages for working on their weekly rest day, workers receive one day of compensatory leave, by mutual agreement between the parties, in lieu of the rest day.

Weekend leave/compensation for working on public holidays

146. Workers may be required to work on weekly rest days and public holidays. When employees work on public holidays they are entitled to remuneration at the hourly rate plus 160 per cent of the normal hourly wage for work performed during the day and 200 per cent of the normal hourly wage for work performed at night.

Equality and non-discrimination in remuneration

Equality

147. In Guinea, in accordance with article 241 (2) and (3) of the Labour Code, the principle of equal pay for work of equal value between workers is applied without discrimination on the grounds of origin, sex or age. The Labour Code also provides that categories and criteria for job classification and promotion, and all the other factors used in calculating remuneration, as well as methods for performance evaluation, must be the same for employees of both sexes.

Non-discrimination

148. The Constitution of Guinea guarantees the equality of all citizens before the law, without distinction as to origin, race, ethnicity, sex, religion or opinion (art. 1). All human beings are equal before the law. Men and women have the same rights. No one may be afforded privileges or suffer disadvantage on account of their birth, race, ethnicity, language or beliefs or their political, philosophical or religious views (art. 8). No one may be denied the right to work on the grounds of the person's sex, race, ethnicity, opinion or any other grounds for discrimination (art. 20).

149. The Labour Code also prohibits discrimination on the grounds of sex, age, national origin, race, religion, skin colour, political or religious views, social origin, trade union membership and activity, disability or actual or perceived HIV status. Discrimination on such grounds is prohibited during decision-making, particularly in decisions concerning recruitment, performance and distribution of work, vocational training, promotion, remuneration, granting of social benefits, discipline and termination of employment contracts. Any distinction, exclusion or preference based on the qualifications required for a particular job cannot be deemed to be discriminatory.

150. Employees may report acts of discrimination to which they have been subjected, directly to the relevant labour tribunal. However, they may also refer the matter to the competent labour inspector, with a view to initiating conciliation proceedings.

Sexual harassment in the workplace

151. Articles 8 and 9 of the Labour Code define sexual harassment as any form of verbal, non-verbal or physical behaviour of a sexual nature that has the effect of violating a person's dignity, particularly when it creates an intimidating, hostile, humiliating, degrading or offensive work environment.

152. No employer, representative of an employer or any other authority may dismiss workers for the mere fact of refusing any form of sexual favour. Nor may they constrain or exert pressure of any kind on them in order to obtain favours of a sexual nature for their own benefit or for that of a third party.

153. Sexual harassment is considered to be a form of discrimination. Discrimination against a victim or witness of sexual harassment in hiring, remuneration, training, assignment, promotion, transfer or renewal of their employment contracts is prohibited.

154. Employees may not be punished, dismissed or penalized for being subjected to or for denouncing, reporting or testifying to such acts.

155. The Constitution of Guinea provides that no one may be discriminated against on the basis of his or her sex or gender, race, ethnicity, opinions or any other discriminatory grounds.

Safe and healthy working conditions

156. Under article 231 of the Labour Code, employers are required to take appropriate measures that are tailored to the company's operating conditions in order to protect employees from illness or accidents. Employers must have employees undergo a medical examination at least once a year so as to ensure that they are in good health and still fit to perform the job.

157. Establishments or enterprises with 25 or more employees must set up a safety and health committee to study, develop and oversee the implementation of prevention and protection measures in the field of occupational safety and health.

158. Employers must comply with the general requirements laid down by order of the Minister responsible for employment relating to lighting, ventilation, drinking water, sanitary facilities, dust and vapour extraction, fire precautions, radiation, noise and vibrations, temperature and cleanliness of the establishment. The ministerial order in question also sets out specific requirements relating to certain occupations, the aim of which is to help improve health and safety at work and the protection of workers' health in the workplace.

159. Employees must also make proper use of health and safety devices. They may modify them only with the prior authorization of the employer.

Free protective equipment

160. The Labour Code requires employers to provide free protective equipment to employees engaging in hazardous work. Employers are obliged to provide workers with personal protective equipment in cases where collective technical prevention measures are insufficient (art. 31 (14) of the 2014 Labour Code).

Article 8: Right to freedom of association

Legal framework

Substantive or formal requirements

161. Freedom of association is guaranteed by Guinean legislation, in particular by article 20 of the Constitution, the Labour Code and article 15 of Act No. 028 on the status of civil servants.

162. However, despite the fact that freedom of association is guaranteed by law, certain categories of workers do not enjoy this fundamental freedom, which is of constitutional rank. These include the defence and security forces (see military regulations, the code of conduct for the army and the code of ethics for the police).

The independence of trade unions

163. The independence of trade unions is guaranteed by the Constitution, the Labour Code and Act No. 028 on the status of civil servants. Trade unions hold regular meetings and have legal personality.

Bargaining mechanisms

164. In Guinea, collective bargaining is recognized and regulated by the national law and generally takes place in the formulation of collective agreements. There is also a forum for dialogue between the Government and trade unions, namely the National Council for Social Dialogue.

Right to strike

Safeguarding the right to strike

165. The right to strike is guaranteed by the Constitution. Several statutory provisions also guarantee this right, including Act No. 028, on the status of civil servants.

Restrictions on the right to strike

166. The right to strike is exercised within the framework defined by the laws in force. In accordance with these laws, any strike action must be preceded by a notification indicating the purpose, extent, date, duration and time of the strike. The notification must be transmitted with the specified advance notice.

Services in which strike action is prohibited

167. There are specific provisions prohibiting certain State bodies from striking, including the defence and security forces.

Article 9: Right to social security

168. Article 19 of the Constitution defines social security or social protection as all public actions, whether contributory or non-contributory, intended to prevent, reduce and eliminate the economic and social vulnerabilities associated with poverty and deprivation.

169. In Guinea, the social protection system includes both formal and informal mechanisms. The formal mechanisms are based on two schemes – one contributory and the other non-contributory.

170. The informal mechanisms are applicable to the vast majority of the Guinean population (94 per cent, according to International Labour Office estimates), including workers in the informal sector and the agricultural sector. These groups do not have access to any formal social protection. They generally rely on multiple alternative solutions, such as:

- Family solidarity.
- Village-level production or processing groups. These provide mutual assistance and promote income-generating activities for their members. They often receive support from local NGOs, technical and financial partners and microfinance institutions.
- Small occupational associations (associations of tradespeople, small-scale merchants, etc.). They provide help and mutual assistance to their members, in addition to defending their interests.
- The “*tontine*”, a sort of provident fund in Guinea, which members join to ensure savings in case of future personal or family difficulties.

171. Even if traditional systems and models are useful as instruments of inclusion and economic and social safety nets for large numbers of poor and vulnerable households, they have their limits. They become ineffective in cases of covariant shock, when the entire community is affected.

172. The contributory social protection or social security scheme covers public servants and salaried employees in the private and semi-public sectors, who amount to only 6 per cent of the population. It consists of two programmes, one designed for public sector workers and the other for private and semi-public sector workers. However, the coverage level remains low.

173. The informal sector, which accounts for approximately 70 per cent of total employment, is difficult to reach and not currently receptive to social insurance. Given the weakness of the compulsory social security system provided by the State, some private insurance companies offer life insurance products (for retirement, sickness, death and survivorship) and non-life insurance or insurance covering fire, accident or other risks.

Organizations responsible for the contributory social protection scheme in Guinea

174. The contributory social protection scheme is managed by three organizations: the National Social Security Fund covers private sector workers, while the National Social Insurance Fund for Government Employees and the National Institute for Compulsory Health Insurance provide social insurance coverage for State employees. The latter two bodies were established recently and operate using a contributory scheme.

175. The National Social Security Fund was established in 1955. In 1984, it was given the status of a public administrative institution with legal personality and administrative and financial autonomy. It provides salaried employees in the private sector and employees of the State and other public bodies without civil servant status with family, old-age, disability, survivorship, occupational accident and sickness benefits. The contribution rate is 23 per cent, with 18 per cent paid by the employer and 5 per cent by the employee. This applies to a contribution base with a floor and ceiling set at GF 440,000 and 1.5 million, respectively.

176. The National Institute for Compulsory Health Insurance was established pursuant to decree No. 64 of 31 March 2014 with the status of a public administrative institution with legal personality and administrative, financial and managerial autonomy. It insures current and retired civil servants and contractual employees of the civil service and local authorities against risks related to maternity and non-occupational illness and disability.

177. The National Social Insurance Fund for Government Employees was established pursuant to decree No. 65 of 31 March 2014, and its terms of reference, organization and functioning are regulated by decree No. 255 of 18 December 2014. It is a public administrative institution with legal personality and administrative, financial and managerial autonomy. It provides social insurance coverage for civilian State employees, i.e., civil servants, contractual employees of the civil service and contractual employees of local authorities. It pays family, old-age, disability, survivorship and occupational accident and illness benefits.

178. The non-contributory scheme consists of social welfare programmes using an idiosyncratic approach, or other targeting methods. The non-contributory social protection programmes include:

- The productive social safety nets project
- The Economic and Social Development Fund
- The Social Development and Solidarity Fund
- Social assistance programmes (Expanded Programme on Immunization, distribution of kits and vitamins, school canteens, free provision of obstetric care, etc.)
- Youth Employment Support Programmes and Labour-Intensive Work Programmes: Productive Social Safety Net Projects
- The National Community-Based Rehabilitation Programme
- A pilot project on inclusive education for children with disabilities

179. The entire social protection system currently consists only of its contributory branch, which is itself limited, not only in terms of persons covered but also in terms of the risks covered and the benefits.

180. The level of social assistance is very low. There is little or no coverage for the major risks faced by the poorest households. Older persons do not have any special protection to meet their specific needs.

181. Very little funding is allocated to social protection. It accounts for less than 1 per cent of the overall government budget and 0.4 per cent of the national development budget. There is also an acute shortage of qualified personnel in the area of social assistance.

182. The monitoring and evaluation system for all but a few programmes lacks the information to identify programme beneficiaries. Furthermore, information on actual expenditure is not always available and impact assessments are infrequent.

Brief presentation of three non-contributory social protection instruments

183. The projects are: (i) the Productive Social Safety Net Project; (ii) the Economic and Social Development Fund; and (iii) the Social Development and Solidarity Fund.

184. The Productive Social Safety Net Project: Since 2011, in response to poverty and vulnerability, and with support from technical and financial partners, the Government has been implementing several initiatives, including the Productive Social Safety Net Project. With a total budget of US\$ 26,865,000, the Productive Social Safety Net Project was restructured in November 2014 and has achieved the following:

- Completion of 150 labour-intensive microprojects out of 250 (to be completed over the duration of the project)
- Conditional cash transfers to 5,219 households in the prefectures of Téli-mélé, Mali, Kérouané and Siguiri, to benefit 16,863 children (cumulative)
- Institutional capacity-building to help the Ministry of Social Action, the Advancement of Women and Children's Affairs draft the National Social Protection Policy and a social safety net strategy
- Essential logistical support for the teams responding to the Ebola epidemic, including the vehicles required for social mobilization, tracing the contacts of confirmed patients and coordination efforts
- Funding for a communication campaign and community mobilization programmes
- Training for teachers and public officials on the implementation of an emergency response to the Ebola epidemic

185. The Economic and Social Development Fund: In the Fund, the Government has acquired an instrument for the financing of inclusive development actions. It is intended to respond to large-scale unemployment and social exclusion. Its primary goal is to assist poor households through access to microcredit, support for the funding of income-generating activities, non-financial services, community development activities and provision of economic and social infrastructure.

186. The Fund's institutional model is that of a second-tier financial institution that channels funding (grants, loans and guarantees) to multiple microfinance or other institutions in the country. The Fund is in the process of becoming operational. It will be financed by internal resources, i.e., through direct contributions from the State, in addition to any credit lines that may be established by international financial institutions.

187. The Social Development and Solidarity Fund: This Fund comprises the Social Development Window and the National Solidarity Window. Their respective aims are:

- Socioeconomic advancement
- Assistance to people categorized as destitute or as disaster victims and in real need of national solidarity support to improve their situation, in line with universally recognized social values

188. The following main shortcomings have been identified:

- There has been no change in the population receiving family allowances.
- Widowed husbands have no access to their wives' pensions.
- There are no reliable statistics in the field of social coverage.

189. The measures taken include:

- Work on a draft bill for a universal social coverage policy to be put forward by the Ministry of the Civil Service and Administrative Reform
- Implementation of a social protection policy by the ministry responsible for social action
- Revision of the salary scale for government personnel

Article 10: Right to marry

Marriage and family rights

190. In Guinea, marriage and the family are protected through a combination of legal instruments including ratified international conventions and national laws and regulations.

191. Article 18 of the Constitution provides that:

“Marriage and the family, which constitute the natural foundation of social life, shall be protected and promoted by the State. Parents shall have the right and duty to ensure the education and physical and mental health of their children. Children shall provide care and assistance to their parents.”

192. All persons have a guaranteed right to enter into marriage on the basis of the free and informed consent of both spouses. Accordingly, forced marriage and any impediments or objections to marriage on the basis of race, ethnicity or religion are prohibited.

193. Marriage is only permitted between two persons of opposite gender, a man and a woman.

194. Article 280 of the Civil Code sets a minimum age for marriage: 17 years of age for women and 18 for men. The Civil Code also prohibits child marriage, forced marriage, domestic violence, polygamy and marriage between close relatives. A prenuptial certificate is required to conclude a marriage. Marriage is subject to payment of a dowry in cash or in kind.

Availability, coverage level and funding of social support services for specific persons or groups

Child protection and social services

195. Child victims of abuse and violence receive care through mechanisms for cooperation and coordination between the key players in child protection. The community-based child protection system includes all actors from community to central level, including support services, who refer child victims for comprehensive care and report perpetrators. In the Labé region, a coordinating committee has been established, with representation from the public authorities and from NGOs working on child protection.

196. In the regions of Conakry and N’Zérékoré, SABOU Guinée, an NGO, is a stakeholder in several coordination, cooperation and referral mechanisms for children in difficult circumstances: 230 Guinean and foreign children have benefited from its referral and care mechanisms (see SABOU Guinée statistical report, 2017).

197. Internationally, in the subregion, SABOU Guinée works with the protection agencies of countries such as Senegal, Mali, Côte d’Ivoire, Guinea-Bissau, Benin, Burkina Faso and the Niger.

198. The reintegration and rehabilitation of child victims of violence is ensured by NGOs and government health, social, security and legal institutions (Office for the Protection of Gender, Childhood and Morality, juvenile court, the National Directorate for Children and the decentralized services of the Ministry of Social Action). This comprehensive support is provided through monitoring of the child’s health, nutrition, educational, safety, legal and psychosocial situation; there are 45 reception centres and 2 foster care organizations, hosting 4,822 children (of whom 55 per cent are girls), the vast majority of whom are over 6 years of age.

Social services for vulnerable persons

199. The organizations involved are the Ministry of Social Action, the Advancement of Women and Children’s Affairs (solidarity centre, orphanages), the Ministry of Justice, the Ministry of Security, the Ministry of National Unity and Citizenship, the National Directorate for Children, the Office for the Protection of Gender, Childhood and Morality, NGOs and private foundations.

Maternity protection

200. The Labour Code takes due account of women's vulnerability in physically demanding jobs and, in article 153.1, provides that female employees have the right to four months of leave.

Protection and assistance measures for children

201. In accordance with article 137 of the Labour Code, any person under the age of 18 is a child, children under the age of 16 cannot be employed in any enterprise, and the worst forms of child labour (slavery or practices akin to slavery, sale, bondage, serfdom and forced or compulsory labour, recruitment for armed conflict, prostitution or pornography, illicit activities, etc.) are prohibited.

202. These protective mechanisms and laws ensure that children can fully enjoy their rights under the various conventions ratified by Guinea.

Protection of older persons

203. Article 19 (2) of the Constitution calls for respect for older persons and for their right to assistance and protection from the State, communities and society. Article 19 (3) provides that the conditions for the assistance and protection to which older persons are entitled is to be prescribed by law.

204. Under the Criminal Code, the fact that a particular offence was committed against an older person constitutes an aggravating circumstance in terms of the penalties imposed.

205. In 2017, a young man was sentenced to 3 years' imprisonment by the Mamou court of first instance for the attempted rape of a 91-year-old woman. In April 2017, the same court sentenced a young man to 10 years' imprisonment for the rape of a 75-year-old woman.

Information on the economic and social rights of asylum seekers and their families

206. Act No. L/2000/012/AN on migration and asylum seekers in the Republic of Guinea was adopted on 5 September 2018.

Prohibition of trafficking in persons

207. The Children's Code deals with this matter and, in articles 386 to 390, sets out the penalties for trafficking in children. Articles 392 to 396 provide for the protection of victims and witnesses.

Article 11: Right to an adequate standard of living

208. For a long time, most Guineans have had a standard of living characterized by a shortage of social housing and public latrines, insufficient access to drinking water and electricity and poor telecommunications coverage.

209. Article 15 of the Constitution of May 2010 provides that: "All persons have the right to health and physical well-being. The State has a duty to promote these and to combat epidemics and social ills." Article 16 sets out that "All persons have the right to a healthy and sustainable environment and the duty to defend it. The State ensures environmental protection."

210. Article 50 of the Water Code (Act No. L/94/005/CTRN, of 19 June 1994) provides that "A water fund shall be established under the joint responsibility of the water and finance ministers. This fund shall be an earmarked account with accounting and budgetary autonomy. Its budget shall be annexed to the State budget."

211. To implement this provision, a decree on the composition, organization and functioning of the water fund was promulgated on 21 June 2010.

212. Article 231.4 of the Labour Code (Act No. L/2014/072/CNT of 10 January 2014) provides that:

“Orders issued by the Minister responsible for labour shall establish:

1. The general protection and hygiene measures applicable to all covered establishments, particularly regarding lighting, ventilation, drinking water, sanitation facilities, dust and vapour extraction, fire safety precautions, radiation, noise and vibrations, temperature and cleanliness of premises;
2. As necessary, special provisions related to specific occupations or ways of working and to the organization and operation of institutions contributing to the organization and improvement of health and safety conditions in the workplace and of occupational health protection.”

213. Article 29 of the amended Local Government Code (Act No. L/2017/040/AN of 24 February 2017) sets out the areas of responsibility of the communes, including in relation to land-use planning, housing, urban planning, safety, environment and living conditions.

214. Guinea has a National Public Health Agency and the Government has established a sanitation day.

215. Article 22 of the Building and Housing Code (Act No. L/2015/020/AN of 13 August 2015) provides that: “Water wells shall not be dug less than 25 metres from any wastewater facility (latrine, septic tank, cesspool, leach field).”

216. The Poverty Reduction Strategy is a common intervention framework for all partners. The Poverty Reduction Strategy Paper is drawn up with input from the public and is adopted by the Government. The first poverty reduction paper was launched in 2002, at a time when Guinea was faced with a particularly difficult economic and social situation.

217. The social tensions which shook the country between March 2006 and February 2007 required a new impetus on the part of the Government to consolidate social harmony and to kick-start the national development process. With that in mind, the Government then in power brought a fresh dynamic to drafting the second Poverty Reduction Strategy Paper, intended to mobilize and channel all efforts towards the priority objectives in national development (higher incomes and improved access to education, health and drinking water, etc.).

218. In addition to the land-use and urban planning master plans, there have been three urban development projects: the third water supply and sanitation project, the electrification and urban roads projects and the port infrastructure projects have been completed.

219. This has helped improve major urban infrastructure in Conakry and the main secondary cities, support the development of small construction companies, strengthen local authorities and institutions, reinforce drinking water services in Conakry and expand the container terminal services in the port. Urban land development and infrastructure projects have made it possible to set aside sites and service plots for new housing.

220. The legal framework has also been substantially improved with the enactment of a new Building and Housing Code on 13 August 2015 to regulate building and housing activities. The Government is planning for the construction of social housing under a public-private partnership. A number of projects have been initiated to that end. However, the practical implementation of these projects is hindered by the low level of household income.

221. In the area of sanitation, the following has been achieved since 1997:

- The emergence of local sanitation service providers
- Connection of more than 700,000 Conakry residents to communal and semi-communal sewerage systems
- Provision of wastewater treatment services for more than 1,000,000 residents of the Conakry suburbs

- Construction of onsite sewage facilities for more than 18,000 persons from disadvantaged households and approximately 22,000 users of public spaces: bus stations, schools, markets, places of worship, etc.

222. In the energy sector, in recent years the Government has developed energy infrastructure to improve the electricity supply in urban and rural areas and to make the economy more competitive. In this regard, since 2011 efforts have focused on the Tombo power plants, with the aim of improving electricity provision in Conakry and increasing generation capacity by approximately 40 megawatts. In 2015, the 240-megawatt Kaléta dam was commissioned, implementation of the Decentralized Rural Electrification Project was accelerated and construction began on other dams (Souapiti – 540 megawatts, Amaria – 300 megawatts).

Right to adequate food

223. The Government is implementing a national programme for agricultural investment and food security. The aim of this programme is to diversify agriculture in the country and to make it modern, sustainable and productive in order to ensure food self-sufficiency.

224. At an institutional level, the National Agricultural Statistics Service has been transformed into the National Agricultural and Food Statistics Agency and has been fully equipped with logistical resources. This capacity-building made it possible to carry out the 2012–2013 campaign of the ongoing agricultural survey and the household survey for the comprehensive food security and vulnerability analysis.

225. Agricultural inputs (fertilizers, herbicides, insecticides, protective equipment kits, power sprayers, atomizers, improved seeds, packaging, tarpaulins, weighing scales and machinery for agricultural mechanization) are delivered so that production objectives can be met.

226. Specific fertilizers have been provided as part of the diversification of agricultural produce (cassava and maize), which includes the production of fruit, vegetables and cotton.

227. The Government also aims to improve the production capacity of farming families through agricultural extension and advisory services.

228. To improve coverage levels for phytosanitary measures, it was necessary to supply inputs. For this purpose, capacity-building was carried out in the area of beneficial organisms for crop protection, and the pests in each growing area were identified through a detection survey.

229. The capacity-building also involved technology transfers between public officials and producers. This activity consisted of: acquiring knowledge on the characteristics of different varieties of New Rice for Africa (NERICA) developed in Guinea, with Japanese cooperation; building on the achievements and impacts of the NERICA project; exchange of experience between different producers; and capacity-building for women, focused on the preparation of rice-based meals.

230. In the animal husbandry sector, actions were mainly centred on implementation of the Regional Project for Sustainable Management of Globally Significant Endemic Ruminant Livestock (PROGEBE).

Right to water

231. Guinea is home to almost all the upper basins of the rivers flowing through many West African countries (Niger, Senegal, etc.), which has earned it the nickname of the “water tower” of West Africa. However, drinking water production is insufficient to cover its water needs. Infrastructure development has lagged behind, particularly for facilities to ensure a safe and stable supply of drinking water.

232. The inland population is forced to use contaminated water such as rainwater and water from hand-dug wells, rivers and ponds as drinking water, and it faces difficult conditions when even these sources of water are depleted during the dry season. Waterborne infectious diseases such as dysentery, cholera and parasitic diseases spread and

lead to a high rate of infant mortality. In some regions, high levels of iron concentration and salinity are found in the water.

233. For these reasons, the Government has developed a legal framework and established programmes to ensure access to water for its people.

Programming tools

234. To improve access to drinking water for its people, the Government has developed the following programmes:

- The National Village Water Programme, in 1995, which enabled 15,000 boreholes to be drilled across the country.
- The Village Support Programme. This programme, launched in 2000, is aimed at building the capacity of local authorities (in the communes) to ensure local development and better access for the rural population to basic infrastructure.
- The National Water Supply and Sanitation Programme. This programme defines the broad development guidelines for the sector and sets out the principles governing implementation of the public water service.
- The National Strategy for Development of the Public Water Service in Rural and Semi-urban Areas (2012) supplements and operationalizes the National Water Supply and Sanitation Programme. (It provides for the installation of approximately 200 water supply systems and the sustainable maintenance of more than 25,000 hand pumps; it also contains recommendations for the installation of new water supply systems and the monitoring and funding of the public water service.)

235. In 2011, the Government of the Third Republic initiated the fourth Guinea water project, with the objective of covering all 33 urban centres and of increasing water consumption in Conakry from 40 to 63 litres per person per day by 2015, and to 55 litres per person per day in inland urban areas. Unfortunately, the project did not produce satisfactory results.

236. In 2017, the Government obtained US\$ 30 million of funding from the World Bank to increase water production in Conakry by almost 86,000 cubic metres per day and also to improve the operational efficiency of the national utility company, the Société des Eaux de Guinée (SEG). A total of 7,730,000 persons will benefit from this project.

237. To supply rural populations with drinking water, the Government has initiated the Rural Water Supply Project, intended to improve the living conditions of 150,000 persons by sinking 500 boreholes in 8 sub-prefectures of Upper Guinea, at a total cost of US\$ 7,143,643.

Article 12: Right to health

238. Article 15 of the Constitution provides that:

“All persons have the right to health and physical well-being. The State has a duty to promote these and to combat epidemics and social ills.”

239. In addition to the constitutional provision, article 1 of the Public Health Code (Act No. L/021/AN of 19 June 1997) ensures the protection and promotion of the health, rights and obligations of individuals, families and of the community throughout the country.

240. The key objectives in health improvement are to provide individuals, families and the community with adequate health conditions to lead a socially and economically productive life. The implementation of these objectives is subject to the development of a national health map defining the geographical breakdown of health system governance in Guinea.

241. The Government has developed policies and plans for better fulfilment of the right to health:

- A hospital policy has been defined, as has the status of the various hospitals, with a management system that is currently being refined. There is a sectoral framework based on decentralization, with responsibilities divided between the central, regional and prefectural levels.
- Policy regarding the pharmaceutical sector is set out through formal accreditation criteria for wholesalers and individual pharmacies, a national list of essential generic drugs and a formulary to promote and to rationalize prescribing in health-care establishments. The Guinea National Pharmacy Association monitors compliance with regulations, with the support of the general pharmacy inspectorate.

242. However, there is an uncontrolled proliferation of unauthorized sellers of pharmaceuticals throughout the country. According to consumers, this is because of the high cost of medicines at licensed pharmacies.

243. The health situation in the country has been a source of many problems, and a National Health Policy and a National Health Development Plan have been devised in response.

244. For decades, Guinea has seen a cholera epidemic each winter, which has claimed lives in many families. In 2014–2015, Guinea faced an Ebola epidemic that affected more people than cholera did.

245. To protect against any epidemics, the Government has established a National Health Monitoring Agency, to ensure national coverage. The Agency will have offices in the various regions of the country. Its role will be to contain infected persons to reduce contamination risks and, if necessary, safely perform sampling to confirm diagnoses and provide basic treatment of infections.

246. The National Policy for Accelerated Elimination of the Ebola Virus Disease and Strengthening of the Health System in Guinea, of November 2015, is a document setting out measures for recovering from the losses related to the Ebola pandemic and for strengthening the health-care system. It sets out the estimated costs of such measures and includes requests for intervention by development partners.

247. The National Health Development Plan 2015–2024, issued in 2015, is a 10-year plan produced by the Ministry of Health, focused on the aim of reinforcing the health service, which had proven to be deficient during the Ebola pandemic.

248. The Plan includes measures to strengthen the overall health-care system, with the following priorities:

- Implementation of measures to combat infectious diseases and to reduce morbidity and mortality
- Improvement of maternal and child health and community health services. The primary health-care programme has made it possible to set up municipal medical centres in Conakry and health centres in the country's interior
- Provision of funding for high-quality health care
- Improved governance

249. The Health System Recovery and Resilience Plan (2015–2017), issued in April 2015, provided detailed coverage of the first three-year period of the National Health Development Plan, which was aimed at eradication of Ebola and other infectious diseases and the strengthening of the district health-care system and governance strategies.

250. The Consolidated Action Plan 2016 of the Ministry of Health, issued in 2016, is based on the Health System Recovery and Resilience Plan and sets out the activities planned for 2016. The Plan addresses the post-Ebola situation and especially the epidemiological profile and provides up-to-date information on the health-care system, activities scheduled for 2016 and their estimated costs.

Strengthening of the training system for health professionals

251. To ensure the availability of qualified staff for health-care facilities, the Government, together with the faculties of medicine of the public universities, has established training institutes. The main institutes are:

- The Kindia National School of Health, which trains future nurses and midwives.
- Five public training colleges for health technicians.
- The Continuing Education Institute for Health-Care Professionals, which provides additional technical training for health technicians who wish to become nurses or midwives, for the nursing and midwifery departments (at one public institution), for seven public training colleges and for various private schools. However, these establishments do not train nurses and midwives in sufficient numbers or of sufficient quality. The Ministry of Health's funding allocated to recruitment is not sufficient to provide placement for new graduates. The legal framework for the health sector consists of legal instruments regulating the status of health-care establishments.

252. Having said that, it must be recognized that paramedical personnel (nurses, midwives, laboratory technicians) are in short supply and that their level of training is unsatisfactory.

Maternal health

253. In recent years, Guinea has given increased attention to improving reproductive, maternal, neonatal, child and adolescent health, concentrating on better access to high-impact interventions and a strengthening of the health system. This new focus can be seen in the strategic orientations of the National Health Development Plan 2015–2024, the National Strategic Plan for Reproductive, Maternal, Neonatal, Child and Adolescent Health 2016–2020, the Strategic Plan for Adolescent and Youth Health and the National Community Health Policy.

254. The target of 250 deaths per 100,000 live births in 2015 was not reached, although a slight improvement was seen in maternal mortality, with a decrease from 724 deaths per 100,000 live births in 2012 to 695 deaths per 100,000 live births in 2015. The 2015 target of 250 deaths per 100,000 births was not reached, although a slight improvement was seen, with 724 deaths per 100,000 births recorded in 2012. Guinea saw a clear increase in the figures, to 695 deaths per 100,000 live births in 2015.

255. Progress has been more modest on the target to “achieve universal access to reproductive health”. Contraceptive prevalence, already low, decreased further, from 6.8 per cent in 2005 to 4.6 per cent in 2012. This decrease was sharper in urban areas (from 11.4 per cent to 7.4 per cent in inland urban areas and 13.9 per cent to 7.6 per cent in Conakry).

256. In 2012, the adolescent fertility rate (an indirect indicator used to measure birth rates in the 15–19 age group) stood at 28 per cent for the country overall (35.3 per cent in rural areas and 17.9 per cent in urban areas; 39.8 per cent among the poorest adolescents and 13.8 per cent among the richest), compared with 32 per cent in 2005.

257. Antenatal care coverage increased from 82 per cent to 85.2 per cent (95.2 per cent in urban areas and 83.2 per cent in rural areas). The proportion of unmet needs for family planning increased from 21.2 per cent to 23.7 per cent, moving further from the 2015 target (8.2 per cent) with unfavourable variations in rural areas, among poor families and in some administrative regions.

Child mortality

258. Guinea has made considerable progress in combating child mortality. The child mortality rate fell from 163 deaths per 1,000 live births in 2005 to 150 deaths per 1,000 live births in 2015. The infant mortality rate decreased from 67 deaths per 1,000 live births in 2012 to 63 in 2014 and stood at 61 in 2015. Children born in very poor households are 2.5 times more likely to die before the age of 5.

Combating HIV/AIDS, malaria and other diseases

259. HIV/AIDS remains a public health problem, with a prevalence in 2012 of 1.7 per cent, falling short of the goal of less than 1.5 per cent. The rate is 2.1 per cent among women and 1.2 per cent among men. Among persons living with HIV, 30,040 had access to antiretroviral therapy, a coverage rate of 59.1 per cent. Urban areas, in particular Conakry, have the highest prevalence rates (2.7 per cent).

260. The prevalence of the virus among pregnant women is higher than among the general population. The proportion of pregnant women receiving antiretroviral therapy increased from 17 per cent in 2011 to 62 per cent in 2014. For children, the antiretroviral therapy coverage rate is 21 per cent.

261. The prevalence of tuberculosis, at 178 smear-positive tuberculosis cases per 100,000 population, remains high, with the double burden of possible coinfection with HIV/AIDS. Tuberculosis prevalence and mortality has decreased steadily but slowly. All cases detected (100 per cent) have been treated with a directly observed treatment short course, with a success rate in line with the 2015 target.

262. Malaria remains an endemic disease and a major cause of death. It accounts for 40.8 per cent of consultations, 45.3 per cent of hospital admissions at public health facilities and 36 per cent of hospital deaths. The malaria prevalence rate is 44 per cent in children under 5 years old. For many years, a national campaign has been carried out to distribute free long-lasting insecticidal nets to all households, with priority given to those with pregnant women.

Constraints

263. From a structural point of view, the main constraints blocking an improvement of the state of health of the Guinean population are generally related to:

- Low levels of human capital in the health system. According to the available data, there are 1.3 doctors per 10,000 inhabitants in Guinea, compared with the African average of 2.6 doctors per 10,000 inhabitants
- Insufficient capacity at health facilities (1 bed per 3,600 population, compared with the standard of 1 bed per 1,000 population), and the fact that 53 per cent of public facilities do not meet the standards of the national health map
- The poverty of the majority of the population, combined with a lack of health insurance, exacerbating difficulties in securing access to health services
- The insufficient budgetary resources allocated to the health and nutrition sector
- Failure on the part of the health authorities to play a coordinating role, including in terms of intersectoral coordination, public-private partnerships and dialogue with technical and financial partners

Articles 13 and 14: Right to education

264. The right to education is guaranteed in articles 23 (8) and 25 of the Constitution:

“The State ... shall provide compulsory education for young people” (art. 23 (8)).

“The State shall ensure the dissemination and teaching of the Constitution, the Universal Declaration of Human Rights of 1948, the African Charter on Human and Peoples’ Rights of 1981 and all duly ratified international human rights instruments.

“The State shall incorporate human rights into literacy and education programmes at all levels of school and university and in all training programmes for the armed forces and for the security forces and equivalent entities. The State shall also ensure the dissemination and teaching of these rights in the national languages, through all possible mass communication methods, particularly by radio and television” (art. 25).

265. The Government has drawn up policies and plans for better fulfilment of the right to education, including:

- An education policy statement (September 1989)
- The Education System Framework Act (1998)
- The Poverty Reduction Strategy Paper (2002)
- An education sector policy memo (2007)
- The Education Sector Programme
- The Education for All Programme

266. Primary education lasts six years and is compulsory. Children start school at the age of 7, sometimes later in the countryside. Qur'anic schools and French-Arabic schools teach Arabic, particularly in classes on the subjects of religion and literature.

267. Secondary education is divided into two stages, the first lasting four years and the second three years. Technical and vocational education and higher education are of variable duration and are also available.

268. In the 2012/13 academic year, the gross enrolment ratio at lower secondary school was 44 per cent (33 per cent for girls). It was 86 per cent in Conakry (74 per cent for girls) and 46 per cent (33 per cent for girls) in the Kindia region. In the other regions, it was less than the national average.

269. Schools in Guinea tend to be poor and are seriously short of textbooks. For example, the textbook per pupil ratio is usually 1:10 for science textbooks, 1:7 for mathematics textbooks and 1:4 for French textbooks.

270. Guinea also faces a major problem with school dropout rates. Every year, thousands of children leave school without acquiring basic skills in reading, writing and arithmetic. Others drop out before the end of primary school because the difficult learning conditions do not encourage them to continue their studies. One third of pupils do not complete primary school.

271. The education system is hampered by inequalities between rural and urban areas in access to education. There are communities with no school infrastructure, located dozens of kilometres from the nearest school. Some communities do have schools, but lack teaching staff and adequate equipment.

Measures

272. A little over a decade ago, Guinea embarked upon a wide-ranging Education for All Programme which was incorporated into the Poverty Reduction Strategy Paper and became the Education Sector Programme. This programme has enabled notable progress in the education sector, in three major areas:

- Access
- Quality
- Management

273. Access refers to everything related to accommodating children in schools (the construction of classrooms and latrines, etc.).

274. Quality, as the name indicates, relates to the quality of the education given to the children (initial teacher training, further training, improvement of curricula, etc.), while management relates to the supervision of schools.

275. However, inequalities persist between urban and rural areas and between boys and girls, in terms of both access and quality.

276. There are still disparities in levels of access between different areas. In some areas, especially in community schools, multigrade classes can still be found. The State has no choice but to accept this alternative because it has difficulty providing schools in all areas.

277. As is the case with access, many challenges remain in ensuring that students receive a quality education. Many studies have pointed to the low levels of training received by teaching staff, especially in rural areas. It is thus important to support further training for teachers.

278. The pre-primary enrolment rate is very low, with a gross ratio of 12.7 per cent in 2014. Classrooms are overcrowded and the rate of transition to primary school remains low. Community childcare centres are located in rural areas and cater for all children between 3 and 6 years of age from poor and vulnerable families. However, their limited coverage and various shortages (of basic infrastructure at some centres, of teaching and recreational equipment and of teaching staff) prevent them from offering preschool-aged children an adequate education in terms of both quantity of places and quality of service.

279. The basic education indicators have changed very little since 2011, with approximately one in five children not having access to primary school. Thus, despite the significant progress made in school enrolment, major efforts remain to be made to achieve universal education. Apart from the low net enrolment ratio, the quality of the primary school system leaves much to be desired.

280. In 2012, the primary completion rate at national level was 62.5 per cent. The gross secondary school enrolment ratio averaged 38 per cent for boys and 25 per cent for girls in the period 2009–2014. The number of students in technical and vocational education increased from 18,712 to 35,149. The number of tertiary education students per 100,000 inhabitants reached 826.

281. However, the higher education and vocational training sectors suffer from structural problems related to:

- Their method of governance
- The condition of their infrastructure and equipment
- The mismatch between the training on offer and labour market needs
- High student-teacher ratios
- The competency levels of the trainers/teaching staff
- The unavailability of reliable data as a basis to develop policies and adapt them to the local context

282. Moreover, the high unemployment rate among young graduates (61 per cent for graduates with higher education and 39 per cent for those with vocational education, according to a survey by the Guinean Agency for Employment Promotion (AGUIPE)) is partly due to the weak links between training institutions and the world of work. On completion, graduates who are lucky enough to find a job often end up in sectors for which they are not trained, or in positions below their level of qualification. For many of these young people, the informal sector remains their sector of entry to the labour market, where they take up precarious jobs to survive.

283. In 2012, 32,384 persons achieved literacy, including 22,497 in women's groups. In addition, 945 young people between 15 and 25 years of age were taught at Vocational Literacy Centres; 5,528 children at Girls' Functional Literacy Centres, 2,594 local officials and members of School Parents and Friends Associations, 2,375 members of grass-roots management committees and 2,214 people in other categories learned to read. Furthermore, 76 supervisors and 640 literacy tutors were trained, certified and deployed on the ground.

284. Pursuant to Ordinance 0300/PRG/SGG/84 of 27 October 1984 on the establishment of private schools, private pre-university education was re-established in Guinea to diversify and improve educational opportunities. Since then, significant progress has been made, in terms of both quality and quantity.

285. For example, between 1984 and 2012, the proportion of students in the private sector increased from 0 to 29 per cent at primary level, from 0 to 32 per cent at lower secondary level and 0 to 42 per cent at the university postgraduate level. The gender parity index at primary schools is 0.94 in the private sector, compared with 0.79 in the public sector.

286. The First National Forum on Private Education, held in March 2012, produced a diagnostic analysis of the subsector. In general, it found:

- Non-compliance with building standards and the school map by those who established some of the schools
- A low level of qualification of some teachers
- Existence of unapproved schools
- Limited capacity for educational and administrative management in the subsector

287. It must be recognized that there is poor coverage of special education, with only two centres currently operating. One serves blind students and the other deaf students, and both are based in Conakry.

288. The general population has a low level of education. Approximately 32 per cent of persons aged 15 and over are literate and 68 per cent are illiterate (General population and housing census, 2014).

289. In addition to the Ebola outbreak, which reduced school enrolment, the education system faces structural problems that exacerbate its inability to improve its quality of service and attractiveness. These constraints include:

- A shortage of funding and insufficient quality and quantity of service.
- An ageing teaching population and lack of staff to replace it.
- A mismatch between training and labour market requirements.
- In higher education specifically, the difficulties result from a lack of teaching equipment and the dilapidated state of research infrastructure in a context where the three-level system (bachelor's–master's–doctorate) is being implemented.
- Sociocultural constraints and the precarious living conditions of most families are factors limiting school access and retention for children, especially girls. The role of girls within households, the time they devote to domestic chores and the phenomena of early marriage and unwanted pregnancy are among the factors explaining the low enrolment rates for girls.

290. The backcasting performed for the education system (primary to tertiary) as part of the national foresight study showed that Guinea faces triple constraints: limited access, poor teaching and learning quality and an inefficient system.

291. The inadequate provision of education is compounded by inequalities among regions and prefectures and disparities between rural and urban areas and between boys and girls. In some regions and some families, school is considered to be for boys, which leaves many girls deprived of an education.

292. In 2015, the level of access to preschool education was 8.4 per cent overall and 8.6 per cent for girls. Preschools are 98 per cent private and mainly located in urban areas. In 2014/15, the gross pre-primary enrolment ratio was 8.4 per cent overall, compared with 12.5 per cent in 2013–2015, including 4.8 per cent in rural areas. The net enrolment ratio stood at 64 per cent in 2015, with a clear disparity between urban areas (89 per cent) and rural areas (51 per cent). The gross enrolment ratio was 79 per cent in 2014/15.

293. At secondary level, all the indicators fell between 2011 and 2015. The gross enrolment ratio decreased from 38.5 per cent in 2013 to 36.1 per cent for the lower secondary level and from 29.9 per cent to 28 per cent for the upper secondary level. Transition rates between levels remain low: 44.9 per cent for the transition from primary to lower secondary and 32.8 per cent for the transition from lower secondary to upper secondary. These outcomes are related to the poor provision of textbooks (approximately 1.2 textbooks per pupil), the lack of qualified human resources (only 44 per cent of teachers have the required professional qualification) and the shortfall in capacity.

294. The progress made in literacy and non-formal education over the period from 2010 to 2015 was clearly insufficient. According to the United Nations Educational, Scientific and Cultural Organization (UNESCO), only 25.31 per cent of adults aged 15 and over were

literate in 2010. According to the same source, that figure had risen to 30 per cent by 2015. For women, the figure is 22.9 per cent.

295. The supply of technical education and vocational training increased between 2011 and 2015. The number of institutions offering such education increased from 80 in 2011 to 162 in 2014. That resulted in an increase in student numbers. It should be noted that 46.9 per cent of the technical education and vocational training institutions are in Conakry and 61.5 per cent of students are on courses related to tertiary sector professions, compared with 32.2 per cent and 6.3 per cent for the secondary and primary sectors, respectively. Students in technical education and vocational training account for only 1.7 per cent of students in the Guinean education system, 1.1 per cent of young people between the ages of 15 and 35 and 0.7 per cent of the working-age population (15–64).

296. For the higher education sector, the period from 2011 to 2015 was characterized by the development of private higher education, the creation of master's programmes and the establishment of three schools offering doctorates. The gender parity index in higher education was 0.4 in 2013.

Textbooks

297. Major acquisitions of primary school textbooks were made under the Education Sector Programme (PSE1). A total of 6,695,080 primary textbooks were distributed, covering first to fifth-year arithmetic, first to sixth-year French, first to sixth-year science, third to sixth-year civics and moral education, third to sixth-year history and geography, and French dictionaries. With these acquisitions, the initial quantitative objectives for the textbook per pupil ratio, of three to five textbooks per pupil for the first to fifth years, were met and even exceeded at some levels.

298. At lower secondary level, 809,017 textbooks were acquired with funding from the Debt Reduction and Development Contract (C2D) of the French Development Agency, under PSE1. Using the same funding, an additional acquisition of 67,313 tenth-year French textbooks was planned for the end of 2014.

Initial teacher training and certification

299. Initial training for primary school teachers has benefited from support that is worth pursuing. Under PSE1, institutional support was provided to teacher training colleges through a specialist organization (CEPEC International, based in Lyon, France). The first phase of this support, from January 2011 to May 2012, helped not only to produce an accurate diagnosis of the situation of teacher training colleges, but above all to define methodologies and tools to improve their ways of working, such as:

- A competency framework (entry and exit profiles)
- A new general outline for the two years of training in teacher training colleges and one year of practical internship placement in an affiliated school
- The use of evaluation throughout the training process (recruitment, validation, certification)
- Job descriptions for the various administrative positions in the teacher training colleges (director, director of studies and internship placements, internship supervisors)

300. For lower secondary teachers, a training system was defined and partially implemented under PSE1. This involved the following actions:

- Training of 80 secondary school education consultants at the Higher Institute of Educational Sciences to become secondary school teacher trainers
- Acquisition of teaching kits for the secondary school education consultants. This process could not be completed, owing to institutional problems related to the status of lower secondary school teacher training graduates

301. In terms of further training for teachers, competence building for 9,520 primary school teachers had been planned. The number was reduced (to 3,016 teachers, including 616 from the Mamou pilot region) when the programme was restructured.

Gender disparities

302. One of the priorities of PSEI was to combat the disparities affecting girls. An analysis of the obstacles to be overcome to increase gender equity reveals some recurrent factors, including:

- Worsening poverty, leading to a reduction in the ability of families to put their children through school and a resulting prioritization of boys, to the detriment of girls
- Cultural constraints
- High rates of school failure among girls
- High number of schools with missing classes
- Violence against girls
- Teenage pregnancy
- Lack of separate latrines and washing facilities at many schools

303. To meet these challenges, the Government has undertaken a number of actions, supported by technical and financial partners, NGOs and communities. These include:

- (a) Establishing gender equity committees in different subsectors of the education system;
- (b) Constructing separate latrines and washing facilities in schools;
- (c) Prohibiting violence against girls in schools;
- (d) Allowing pregnant girls to continue their education;
- (e) Revising textbooks to eliminate discriminatory stereotypes;
- (f) Lowering the age for enrolment of children in primary school to 6 years old;
- (g) Providing scholarships to girls from poor families and supporting the income-generating activities of their mothers;
- (h) Raising awareness among parents to encourage access and retention of girls in school;
- (i) Building the capacity of local NGOs and parents' associations to promote education for girls;
- (j) Gradually expanding the practice of tutoring to support girls with learning difficulties;
- (k) Establishing school canteens and providing dry take-home food rations for girls. In addition, the Educated Girls Succeed approach (FIERE 2011) produced significant results in terms of access, retention and success of girls with learning difficulties.

304. According to the FIERE 2011 assessment report, the gender gap closes more quickly in regions where the approach is implemented than in other regions. Through the implementation of strategies from the FIERE approach, girls' academic performance improved. For example, in 2012, 48 per cent of FIERE girls passed the seventh-year entrance examination, compared with 28 per cent for girls nationally, while in 2013, 75 per cent of girls in FIERE programmes went on to seventh year, compared with 68 per cent nationally, and 58 per cent at control schools. In fifth year, 86 per cent of FIERE girls were admitted to the next class, compared with 62 per cent at control schools.

305. General secondary education is divided into two levels:

- Lower secondary level lasts four years, covering the seventh, eighth, ninth and tenth years. This leads to the first-level certificate of secondary education.

- Upper secondary level lasts three years, covering the eleventh, twelfth and final years in three specializations: social sciences, experimental sciences and mathematical sciences. Since 2007, this has led to the single-stage baccalaureate.

306. In 2015/16, there were 673,633 students attending general secondary schools, of whom 258,871 were girls and 414,762 were boys, out of a total secondary-age population of 1,772,348, including 926,030 girls and 846,318 boys. The gross enrolment ratio was therefore 38.0 per cent overall, 28.0 per cent for girls and 49.0 per cent for boys.

307. At lower secondary level, the number of students was 471,089, of whom 186,602 were girls and 284,487 were boys, out of a total lower secondary-age population of 1,084,397, including 562,519 girls and 521,878 boys. The gross enrolment ratio was therefore 43.4 per cent overall, 33.2 per cent for girls and 54.5 per cent for boys.

308. At upper secondary level, the number of students was 202,544, of whom 72,269 were girls and 130,275 were boys, out of a total upper secondary-age population of 687,951, including 363,511 girls and 324,440 boys. The gross enrolment ratio was therefore 29.4 per cent overall, 19.9 per cent for girls and 40.2 per cent for boys.

309. In terms of infrastructure, there are 1,574 secondary education establishments, 632 in the public sector and 942 in the private sector, or 40 per cent and 60 per cent, respectively, with a total of 12,781 classrooms of all categories. These establishments comprise 924 lower secondary schools, 69 upper secondary schools and 581 combined upper and lower secondary schools.

310. There are 26,683 teachers, with 9,863 in the public sector and 16,820 in the private sector. Female teachers, of whom there are 1,121 (760 in the public sector and 361 in the private sector) account for just 4.2 per cent of the profession.

311. The average number of students per classroom is 52.7 overall, 74.2 in the public sector and 36.6 in the private sector. In the public sector, the textbook-to-pupil ratio is 3.5 at lower secondary school, compared with 0.6 at upper secondary school. (*Source: Statistical Yearbook of General Secondary Education 2015/16*)

312. In 2016, as part of the national youth development policy, the Government launched construction of the Regional School of Applied Arts and Crafts. This project fulfils a need to give the local labour force the skills that it needs.

Article 15: Cultural rights

313. Article 16 of the Constitution of 2010 stipulates that:

“Everyone is free to express, show and disseminate his or her ideas and opinions in speech, writing and images.”

314. Culture and art are the primary activity of a significant section of the population and a driver of economic growth. The affirmation of cultural identity contributes to the flourishing of our nation.

315. The national authority responsible for culture is the Ministry of Sport, Culture and Heritage.

Cultural policies

316. A national cultural charter was promulgated in 1990 and was followed by a cultural policy statement issued in 1993. In 1999, some new recommendations came out of the National Culture Days. An action plan was drawn up in 2000.

317. In September 2018, the Government adopted a cultural framework document called the New National Culture Policy. This policy is inspired by national cultural values and will now serve as a guide for those involved in the cultural sphere to promote the rich and varied cultural heritage of the country.

318. The main public cultural organizations are:

- The Guinean Copyright Office
 - The Higher Institute of the Arts
 - The Guinean Entertainment Agency
 - The National Office of Film and Photography
319. Professional associations include:
- The Guinean Association of Creative Artists
 - The Guinean Writers Association
 - The Guinean Association of Women Poets and Authors
 - The Guinean Association of Performing Musicians
 - The Guinean Coalition for Cultural Diversity
 - The Guinean Festivals Federation
 - The National Union of Comedians of Guinea
320. Cultural events include:
- The International Percussion Biennale
 - The Guinea African Folklore Festival
 - The “Kiini Afrika” Storytelling Festival
 - The M’Bady Kouyaté Kora and Strings Festival
 - The “Le Rap Aussi” International Festival
 - The “Musique d’Ici et d’Ailleurs” International Festival
 - The Guinea Jazz Festival
 - The Guinea Theatre Festival
 - The Conakry Poetry Festival
 - In 2017, Guinea organized a cultural event called “Conakry, world book capital”
321. Statistics:
- Number of cultural spaces in 2015: 5
 - Number of musicians and singers, by sex, in 2015:
 - Men: 293
 - Women: 222
 - List of museums in 2015, by category:
 - National Museum of Guinea (Conakry)
 - Boké Regional Museum (public)
 - Kissidougou Museum (public)
 - N’Zérékoré Regional Museum
 - Dalaba Museum (private)
 - Fouta Museum in Labé (private)
 - Koundara Museum (public)
 - Number of cultural activities at the Franco-Guinean cultural centre in 2015:
 - Music events: 15, including 2 with female musicians
 - Theatre events: 28
 - Exhibitions: 7

- Number of artistic groups in 2014:
 - Orchestras and music groups: 6
 - Traditional dance groups: 16
 - Theatre troupes: 36
 - The country has several public reading and cultural activity centres.
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