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Summary record of the 4230th meeting*

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Chair: Mr. Soh

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The meeting was called to order at 3 p.m.

**Consideration of reports submitted by States Parties under article 40 of the Covenant
(continued)**

Initial report of Guinea-Bissau (CCPR/C/GNB/1; CCPR/C/GNB/QPR/1)

1. *At the invitation of the Chair, the delegation of Guinea-Bissau joined the meeting.*
2. **A representative of Guinea-Bissau**, introducing his country's initial report (CCPR/C/GNB/1), said that, since declaring independence in 1973, Guinea-Bissau had experienced uncertainty and setbacks, including coups d'état and periods of one-party rule. Nevertheless, progress had been made through the constitutional reforms of 1991 that had laid the foundations for democracy and economic liberalization and enshrined respect for fundamental rights and human dignity. The role of deciding the country's destiny had been entrusted to the people, who voted in fair, free and transparent elections. The State and society had made an unwavering commitment to building a social contract based on dignity and the rule of law.
3. By ratifying the Covenant, Guinea-Bissau had undertaken to guarantee the rights recognized therein to all individuals within its territory and subject to its jurisdiction, without discrimination on any grounds. The Constitution enshrined many of those rights, including the right not to be subjected to torture or cruel, inhuman or degrading treatment or punishment; the right to liberty and security of person; and the right to equality before the law.
4. The National Human Rights Commission had been established in 2009. Its activities included human rights outreach and education, the formulation of recommendations on national legislation and public policies, the drafting and submission of bills and the investigation of human rights violations. In 2021, the Government had established a budget line for the Commission, enabling it to carry out its mandate with greater autonomy. In 2022, the Government had adopted the National Strategy for Human Rights and Citizenship 2022–2026 and its accompanying action plan. In November 2024, the Government had amended the Commission's statutes with a view to aligning them with the Paris Principles. The Government was currently working towards the establishment of an ombudsman's office, which would strengthen the institutional framework for the protection of human rights.
5. In May 2025, as in previous years, the Government had organized the "Candonga di Justiça" mobile justice initiative, through which it provided birth registration and legal information services to communities, enhancing access to justice for vulnerable groups. The Government had also worked with the Office of the United Nations High Commissioner for Refugees to support the integration of long-term refugees and issue them with birth certificates and identity cards.
6. In the area of crime prevention, the Government had drawn up and adopted a national integrated plan to combat drugs and organized crime and a national strategy to combat corruption. The Public Prosecution Service also had a strategic plan for combating corruption. The institutional framework for preventing and combating corruption was composed of specialized institutions such as the Court of Auditors, the National Financial Information Processing Unit and the Public Procurement Regulatory Authority. Holders of political office were politically, civilly and criminally liable for actions and omissions committed in the exercise of their functions. Efforts to strengthen the judiciary included the construction of a "house of justice" at Buba and the establishment of a regional court in Cacheu.
7. Article 25 of the Constitution enshrined the equality of men and women before the law in all areas of political, economic, social and cultural life. Various laws and instruments had been adopted to give effect to that provision, including the Parity Law, the National Gender Equality and Equity Policy and the Domestic Violence Law. To strengthen the protection of persons vulnerable to trafficking, the Government had ordered a ban on international adoption and adopted a national plan to prevent and combat trafficking in persons.

8. The law provided for the independence of the judiciary in the exercise of its functions and decision-making. The Superior Council of the Judiciary was responsible for the management and discipline of judges. In May 2025, elections had been held for the positions of President and Vice-President of the Supreme Court, which performed a key role in adjudicating electoral disputes. Steps had been taken to build the capacities of justice officials and increase the material resources available to them. While the Constitution and ordinary laws recognized the freedom of the press, freedom of assembly and freedom of expression, as well as the right to protest, any exercise of those rights that involved insult or defamation would result in prosecution.

9. The Government was grateful to the United Nations Development Programme and the Office of the United Nations High Commissioner for Human Rights for their assistance in the preparation of several national reports to the human rights treaty bodies. It also appreciated the valuable contributions made by civil society to the reporting process. The Government reaffirmed its commitment to strengthening and consolidating the rule of law and human rights.

10. **The Chair** said he wished to stress, at the outset of the dialogue, that civil society should be able to work with the Committee in full freedom and without the risk of harassment or reprisals. He would appreciate an assurance of the State Party's commitment to safeguarding all individuals and organizations that cooperated with the Committee.

11. **Ms. Bassim** said that the Committee would welcome information on any new developments in the legal and institutional framework for the promotion and protection of human rights. The Committee hoped that the draft revised Constitution would soon be adopted through an inclusive and transparent process and that the adopted text would reflect the State Party's human rights commitments. In the light of article 29 of the current Constitution, she wished to know whether the Covenant provisions took precedence over national laws or were at least given full effect in the domestic legal order. She would be glad to receive information on the application of customary law and to hear about cases in which the Covenant had been invoked or applied by national courts. It would be interesting to know whether awareness-raising on the Covenant had been conducted among judges, prosecutors, lawyers and the general public.

12. The Committee was concerned that, while the child mortality rate had gradually declined between 2006 and 2014, the State Party had failed to make similar progress in respect of the maternal mortality rate, which was one of the highest in the world. Neonatal mortality also remained high, at an estimated 35 deaths per 1,000 live births. The Committee had been informed that progress in achieving good maternal health was limited by the constraints imposed on women, such as in the case of the women who reportedly had been forced to have contraceptive implants or intrauterine devices removed because they had been fitted without the husband's consent. She would be interested to know whether the Government recognized the need for the sensitization of men, women and healthcare workers regarding women's right to make their own choices concerning their reproductive health. She would be grateful if the delegation could provide up-to-date statistics on maternal and child mortality, together with information on the measures taken to improve access to health services and to sexual and reproductive health information, in particular for women belonging to ethnic minorities and women living in remote and rural areas.

13. It was her understanding that, in Guinea-Bissau, abortion was allowed during the first three months of pregnancy and was available on request with the consent of the woman's father, husband, guardian or legal representative. She would appreciate clarification as to whether, under certain circumstances, a pregnant woman might undergo the procedure without such consent; whether the State would cover the cost in such cases; and whether domestic legislation permitted abortion in cases where carrying the pregnancy to term would cause the woman intense suffering, including where the pregnancy was the result of rape or incest or was not viable.

14. **Mr. Carazo** said that, at a time when the State Party faced a critical human rights situation due to the weakening of its democratic institutions and the concentration of power, its failure to address the financial problems of the National Human Rights Commission raised doubts about its willingness to protect and uphold human rights. Consequently, he would

appreciate information on the financial and human resources assigned to the Commission during the previous three years, together with an indication of the funding it needed to effectively discharge its mandate. He would be grateful if the delegation could provide the Committee with a copy of the Commission's new statutes and describe the results of the National Strategy for Human Rights and Citizenship 2022–2026. Details of the Commission's composition and procedure for appointing members would be welcome. In particular, it would be useful to know whether civil society participated in the appointment of members and whether that process respected the principles of pluralism and transparency. He wondered how the State Party ensured the Commission's independence and whether any progress had been made towards obtaining accreditation from the Global Alliance of National Human Rights Institutions.

15. The Committee had received reports that, despite institutional commitments and the adoption of the National Strategy to Combat Corruption, corruption remained rife in many areas of society and crucial institutions were failing to perform their basic functions. Accordingly, he would be grateful if the delegation could indicate how many investigations had been conducted, how many prosecutions had been brought, how many convictions had been secured and what penalties had been handed down in cases of corruption. He would like to know what specific measures had been taken to ensure the effective functioning of the Asset Recovery Office and the Asset Administration Office. It would be useful to know whether the access to information bill had been enacted. He would also be interested to hear about measures to ensure that anti-corruption investigations and proceedings were free from political interference, and about any measures taken under the National Strategy to Combat Corruption, including institutional reforms, awareness-raising campaigns and improvements in public procurement processes.

16. The Committee noted the adoption of laws to promote gender equality and non-discrimination, including the Parity Law of 2018, which established a 36 per cent quota for female candidates on electoral lists. Nevertheless, it was concerned that those laws were not being adequately implemented: at the 2019 and 2023 elections, female candidates had secured fewer than 10 per cent of parliamentary seats and no penalties had been imposed on political parties for failing to meet the gender quota. Meanwhile, economic disparities remained stark, and women continued to face obstacles to land ownership. He would therefore like to know what steps had been taken to enforce the Parity Law; whether any initiatives had been launched to eliminate the practice of collective voting by families or groups, imposed by men or traditional leaders; and whether any special measures had been adopted to address the persistent underrepresentation of women in the civil service. Lastly, he wished to know what had been done to ensure women's access to land ownership and control over productive resources, especially in rural areas.

17. **Ms. Donders** said that she would like to know whether gender issues, including gender-based violence, had been incorporated into school curricula and whether women were systematically involved in decision-making on such issues. She would appreciate information on measures taken to address the underlying causes of gender-based violence and to ensure that such violence was viewed as a societal problem, not a private issue. She wondered whether the discriminatory aspect of gender-based violence was taken into consideration and whether efforts had been made to address violence against older women and children with disabilities.

18. In view of the low number of prosecutions for gender-based violence, she would be interested to know whether the State Party would consider providing for the *ex officio* prosecution of such cases, without the need for the victim's consent; what kind of legal and other support was available to victims; what steps were being taken to remove barriers to the reporting of cases and to promote trust in the judicial system among victims; and whether there were plans to adopt legal provisions on femicide.

19. She would welcome more information on the SOS 121 hotline for women victims of violence, including any steps taken to raise awareness of its existence. She wondered whether shelters were easily accessible to victims and whether the State Party had considered establishing police stations specifically for women and children. It would be helpful if the delegation could describe the training on human rights, domestic violence and victim support that was provided to law enforcement officers; indicate whether the State Party might

consider renewing the radio awareness campaigns in local languages that it had run in the past; and explain how the authorities worked together with communities and their leaders to eliminate harmful practices.

20. In view of the alarmingly high proportion of women and girls who had undergone female genital mutilation, she wished to know what measures were being taken to enforce national legislation on female genital mutilation and to increase the reporting and prosecution of cases. She would appreciate information on the legal, medical and other support available to victims and the provision of training to health workers on female genital mutilation. She wondered whether persons who performed female genital mutilation were assisted in finding alternative employment.

21. Lastly, it would be helpful if the delegation could describe any measures taken to prevent child marriage and provide an update on the Government's plans to raise the minimum age for marriage.

22. **Mr. Teraya** said that he would like to know whether the Criminal Code applied to the People's Revolutionary Armed Forces and, if not, what legal framework was in place to prevent the excessive use of force by members of that body. He would welcome clarification as to whether the conditions governing the use of force by law enforcement officers set out in the Criminal Code were as strict as those set out in the Statute of the Judicial Police; and whether domestic legislation in that area was in line with the relevant international standards, including the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials.

23. He would be interested to know what efforts were made to disseminate laws and standards on the use of force and firearms among law enforcement and security officers and to provide training to those officers on the provisions of the Covenant and other relevant international standards. If no such training was available, would the State Party be willing to accept support from relevant United Nations agencies in that area?

24. He would like to know whether the substantive and procedural requirements set out in article 4 of the Covenant, on states of emergency, were fully met in practice. More specifically, it would be helpful if the delegation could explain whether there was a legal framework governing states of emergency; whether, in such situations, the Criminal Code and other legislation continued to apply; and what measures were in place to ensure that all non-derogable rights listed in article 4 (2) of the Covenant were effectively protected in such situations.

25. He would appreciate clarification as to whether the Amnesty Law provided for the granting of amnesties for violations involving the excessive use of force and, if so, under what conditions. He would like to invite the delegation to respond to the allegations that members of the security forces continued to enjoy impunity. It would be helpful if the delegation could indicate the penalties handed down in the case involving the member of parliament Marciano Indi and provide statistics on the issue of unlawful and arbitrary executions.

26. He wondered whether the provisions of the Criminal Code on torture and cruel, inhuman or degrading treatment were fully in line with article 7 of the Covenant; what mechanisms were in place to ensure that the prohibition of torture and cruel, inhuman or degrading treatment was effectively enforced; and what the outcomes of the human rights training provided to judges, prosecutors and law enforcement officers had been. It would be helpful if the delegation could provide data on cases of torture and ill-treatment, as requested by the Committee in the list of issues prior to reporting ([CCPR/C/GNB/QPR/1](#), para. 12), or, failing that, an overview of the general trends in that area.

27. Lastly, he would like to know whether the State Party still intended to ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and what obstacles to ratification had been identified.

28. **Mr. Saidov** said that it would be helpful if the delegation could provide updated statistics on the number of prisons in the country, their capacity and the current prison population. He would like to know whether detention facilities were organized in such a way as to ensure that men were separated from women, minors from adults, and pretrial detainees

from convicted prisoners. He wondered whether the Government was making use of non-custodial alternatives, especially for first-time offenders and persons convicted of lesser offences, and whether it had adopted policies on suspended sentences, parole and community service. He would like to know how the State Party had addressed the specific needs of prisoners during the coronavirus disease (COVID-19) pandemic, whether there had been any COVID-19 outbreaks in detention facilities and, if so, what health and safety measures had been taken in response.

29. It would be helpful if the delegation could indicate which bodies were responsible for monitoring conditions of detention; provide disaggregated data on the complaints submitted by prisoners over the previous five years; and respond to reports that the conditions in detention facilities were degrading and inhuman. He would like to know what was being done to improve conditions of detention, including with regard to food and medical care, and to implement Decree No. 12/2011 on the establishment of minimum rules for the treatment of prisoners.

30. Lastly, he wished to know how many mental health institutions there were in Guinea-Bissau; how many people they currently housed; what budget was allocated to them; and what was being done to address concerns that they were understaffed and poorly equipped.

The meeting was suspended at 4.05 p.m. and resumed at 4.25 p.m.

31. **A representative of Guinea-Bissau** said that a review of several laws, including those on political parties and voter registration, had been carried out in 2018. The draft amendments that had been prepared would be submitted to the parliament for adoption once a new parliament had been elected. In addition, various bills had been drafted with a view to strengthening the legal framework and enhancing the protection of rights enshrined in the Covenant, including a bill that would simplify civil registration procedures and a bill on the protection of personal data.

32. Article 29 of the Constitution stated that provisions of domestic law concerning fundamental rights should be interpreted in accordance with the Universal Declaration of Human Rights. The Covenant, which stemmed from that instrument, was therefore an integral part of national law and its provisions were directly applicable. No further measures were needed to ensure that the Covenant was in force. Members of the judiciary received training on the application of international instruments, including the Covenant. The Covenant could be invoked in court by anyone who considered that their civil or political rights had been violated. Customary law could be applied, provided that it did not contradict positive law. It could not be invoked to deprive women of access to land, for example.

33. The Government recognized that the National Human Rights Commission lacked the necessary human and financial resources to carry out its work. The Commission's initial statutes had prevented the recruitment of additional staff. The revised version of the statutes, which had been provisionally adopted through a decree-law, should allow for an increase in staffing. The Commission had been financed through the general State budget since 2021; however, since the sums allocated to it were insufficient, it relied on additional support from international partners. The process of obtaining accreditation from the Global Alliance of National Human Rights Institutions had not yet been initiated.

34. The Government had adopted various policy documents on combating corruption and organized crime, including the National Strategy to Combat Corruption. Since imprisonment alone was not a sufficient deterrent against corruption, it had established the Asset Recovery Office and was drafting a bill on asset recovery. In addition, Guinea-Bissau had entered into multilateral agreements on combating crime within the framework of the Community of Portuguese-speaking Countries.

35. Guinea-Bissau had bilateral agreements on fighting crime with Senegal, Portugal and Cabo Verde. A national unit that dealt with the proceeds of crime exchanged information with equivalent entities in other States members of the Economic Community of West African States. Plans had been made to amend the Criminal Code with a view to allowing the authorities to seize not just the fruits of crime, including the crime of corruption, but also any assets that could not be shown to have been acquired legitimately. The Law on

Money-Laundering, in which provision was made for asset forfeiture, would facilitate the adoption of the relevant amendments. Training plans had been developed within the framework of the National Strategy to Combat Corruption. The aim was to make the fight against corruption more effective, in particular in the justice system.

36. Men and women were equal before the law. Under the Land Law, for instance, men and women had equal access to land. The Parity Law, for its part, had been adopted with a view to ensuring that seats in the People's National Assembly were more evenly divided between women and men. Although in the most recent elections the courts should have rejected the lists of candidates submitted by certain parties and given them additional time to draw up lists that were in compliance with the Law, they had not done so. The situation was likely to be different in the next elections, however, in part because a number of organizations were working to raise awareness of the Law.

37. Collective voting sometimes occurred, but specific instances of the practice did not often become public knowledge, and as a result it was difficult to combat. More efforts to raise awareness, in particular among traditional leaders, would have to be made for the participation of women in public life to increase.

38. Considerable efforts were being made to eradicate violence against women and children, including domestic violence, which had been made a criminal offence by the Domestic Violence Law. Legislative measures alone, however, did not suffice. They had to be accompanied by outreach, as traditional practices involving violence could not be rooted out from one day to the next. In many rural areas, the State presence was weak and access to the formal justice system, which was short of resources, was limited. What was more, the people, many of whom had become accustomed to violence, often preferred customary conflict-resolution mechanisms. Local non-governmental organizations would have to organize outreach campaigns if the Law was to be enforced and victims of violence, many of whom did not consider themselves victims, were to begin reporting what had been done to them.

39. Most disputes involving domestic violence were resolved by customary authorities. In many instances, the victims lived at a considerable remove from a seat of justice and could not afford to travel. In rural areas in particular, people were also wary of the formal justice system, the decisions of which, in their view, could end up causing more conflict rather than less. The preference for customary systems of justice was not likely to change until the formal judicial network was made more robust.

40. The Legal Information and Consultation Office offered advice to people who might otherwise lack access to justice. The Office, which was represented in Bissau and in other parts of the country, helped people file claims with the courts. It worked with the Bar Association to provide lawyers for people who could not afford one.

41. Female genital mutilation remained a problem, even though it had been established as a criminal offence. It was rarely reported because it took place in private, and when it was, the reports rarely led to convictions, because many complainants failed to appear in court. Organizations were working to raise awareness not only of the legal consequences of the practice but also of its effects on the health of women and girls. A national committee also worked throughout the country to put an end to the practice.

42. Abortion, including in the event of a pregnancy resulting from incest, was legal on a number of conditions. It must be carried out in the appropriate medical setting, for example. Anyone who performed an illegal abortion would face prosecution.

43. The use of firearms by law enforcement agencies and security forces was permitted in extraordinary circumstances. The judicial police could use firearms in other specific circumstances as well.

44. An investigation into the killing of the former Head of State, João Bernardo Vieira, in 2009 had not been seen through to completion. The investigation into the killing of the Chief of Staff of the Armed Forces, Batista Tagme Na Waie, had, on the other hand, been brought to a close, but no trial had been held.

45. His country was a Party to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and had therefore consented to be bound by it. By law, a police officer could not avoid criminal liability for an act of torture by claiming that he or she had acted on orders from a commanding officer.

46. Steps were being taken to amend the law on sentence enforcement with a view to introducing alternatives to deprivation of liberty in addition to suspended sentences and community service, which had already been introduced. By law, prisoners were to be provided with training so that they would be able to enter the job market when they were released. During the COVID-19 pandemic, a number of prisoners, in particular prisoners nearing the end of their sentences, had been released early.

47. Conditions incompatible with the established minimum standards for the treatment of prisoners, including violations of human rights committed by prison officials, had been identified in 2013. One prisoner, for example, had got pregnant as a result of rape, and other prisoners had claimed that they had been subjected to torture. As a consequence, a commission had been established, and the perpetrators had been identified and punished. Some had been suspended without pay for more than a year. Prison officials no longer committed such acts; the punishments had clearly functioned as a deterrent.

48. The Government was currently seeking funding to build a new prison. An amount had been included in the national budget for 2025, but the funds had had to be diverted to building a police station in Bafatá. The State budget provided for three meals a day per prisoner. In the past, it had been difficult to provide enough food for prisoners, but that situation had since been remedied. When the necessary funds could not be found directly from the State budget, other internal funds were used. There were no designated premises for women and young people in prisons; however, efforts were made to separate women from men and young people from adults to the extent possible.

49. **Ms. Donders** said that she wished to know how the judiciary was trained to address the interplay between positive and customary law and how community and religious leaders were engaged in the process. She also wondered whether human rights were part of the school curriculum and included in university education, including for doctors and nurses, and whether awareness-raising campaigns, possibly through social media, were being used to reach younger audiences.

50. It would be useful to know whether there were specific police stations for women, with adequately trained personnel. More information about protection shelters, including their number, location and accessibility, would be welcome. She also wished to know how frequently the SOS 121 hotline for women victims of violence was used and how women could be assured that calling the hotline was safe, that calls were not recorded and that no personal data were collected on users.

51. **Mr. Teraya** said that he would like to hear more about the State Party's initiatives to promote access to justice. He wondered what measures were in place to ensure that law enforcement personnel and military personnel involved in law enforcement operations were fully cognizant of the rules and standards governing the use of force and firearms.

52. **Mr. Carazo** said that the political context that was hindering progress largely stemmed from the actions of the executive branch. There was a rupture in the constitutional order caused by the Government's suspension of the parliament. The Committee could not accept that progress was simply impossible because of that context.

53. He wished to know whether any action was taken to punish political parties that failed to comply with the gender parity rules for electoral lists and whether the recent replacement of the Ministry of Women's Affairs with the Ministry of Women, Family and Social Solidarity had facilitated efforts to uphold women's rights.

54. **Ms. Tigrroudja** said that she would be grateful for further information on the "improvised sheds next to police stations" that were used to house prisoners in some places in the country, according to paragraph 248 of the State Party's report. It would also be useful if the delegation could explain why the State Party did not make use of the parole system and comment on reports that persons in pretrial detention were systematically held beyond the legal time limit for such detention. She wondered what measures were in place to ensure that

persons in detention knew their rights, ignorance of which could be the reason why so few complaints of rights violations were made. Information on any measures planned to improve mental and physical healthcare for persons in detention would also be welcome.

55. **Mr. Ndiaye** said that he wondered whether efforts were made not to detain women and children, given that they could not be held in appropriate conditions. Alternatives to detention should be prioritized, since the conditions in which they were held amounted to punishment even before they had been convicted. He also wished to know whether the Government had a plan to combat the issue of child begging, including through cooperation with neighbouring countries.

56. **A representative of Guinea-Bissau** said that judges had knowledge of both positive and customary law, allowing them to identify in which cases it was appropriate to apply one or the other. Traditional leaders did not work on behalf of the State, which was generally unaware of community issues resolved by traditional leaders, unless a complaint was made at an access to justice centre. Draft bills on traditional justice and mediation, aimed at helping the State to monitor traditional justice systems, were currently being prepared.

57. The National Strategy for Human Rights and Citizenship 2022–2026 provided for human rights education in schools. Thematic human rights awareness-raising campaigns, on topics such as female genital mutilation and human trafficking, were regularly organized for the public.

58. The judicial police had a brigade specializing in assisting women and child victims of violence, including sexual violence. The SOS 121 hotline was frequently used. It was staffed by public officials, including personnel from the police and the prosecution service, who were bound by a code of professional ethics. They were prohibited from recording telephone conversations. Mechanisms were in place to ensure accountability for any misconduct.

59. The mobile justice initiative was aimed at bringing judicial services closer to the people, since coverage in the country was not uniform and some areas lacked permanent judicial services. The initiative ensured the provision of birth registration assistance, legal advice and other services to persons in remote areas. The birth registration rate had increased significantly thanks to those efforts.

60. Torture was prohibited under national law. All allegations of torture were investigated and the perpetrators were prosecuted and punished. In accordance with a national police training plan, police ethics and prison management were taught at police and prison guard training centres and training for trainers within the police force was currently under way with the support of Brazil and Portugal.

The meeting rose at 6 p.m.