



**Convention on the Elimination
of All Forms of Discrimination
against Women**

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**Committee on the Elimination of Discrimination
against Women**

**List of issues and questions in relation to the combined
seventh and eighth periodic reports of Guinea**

Addendum

Replies of Guinea*

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* The present document is being issued without formal editing.



Acronyms and abbreviations

ADSEJEF/G	Association for the Socioeconomic Development of Girls and Women in Guinea
AGP	Guinean Press Agency
ALERGUI	Guinea Association of Religious Leaders
ASFEGUI	Guinea Midwives' Association
AVIPA	Association des Victimes, Parents et Amis du 28 septembre
CARITAS	Organisation Catholique pour la Promotion Humaine
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CNOSC	National Civil Society Council
CONAG/DC	Guinean National Coalition for Women's Rights and Citizenship
CRC	Convention on the Rights of the Child
CSN	National Strategic Framework
DHS	Demographic and Health Survey
FARDH	African Foundation for the Enhancement of Human Dignity
FGM	female genital mutilation
GBV	Gender-Based Violence
GIZ	German Agency for International Cooperation — Tostan (breakthrough in Wolof)
IFES	International Foundation for Electoral Support
MASPFE	Ministry of Social Affairs and the Advancement of Women and Children
MATAP	Ministry of Territorial Administration and Political Affairs
NDI	National Democratic Institute
NICT	new information and communication technologies
OGDH	Guinean Organization for Human Rights
OHCHR	Office of the United Nations High Commissioner for Human Rights
OPROGEM	Office for the Protection of Gender, Childhood and Morality
OSPADEC	Organization for Awareness, Peace and Community Development

PNMSR	National No-risk Maternity Programme
PNUD	United Nations Development Programme
PRG	Presidency of the Republic of Guinea
RENACOT	National Network of Traditional Communicators
RTG	Guinean Radio and Television
SGG	Secretariat-General of the Government
SOP	Standard Operating Procedure
STI/HIV-AIDS	sexually transmitted infection
UNAIDS	Joint United Nations Programme on HIV/AIDS
UNFPA	United Nations Population Fund
UNICEF	United Nations Children's Fund
UNIDO	United Nations Industrial Development Organization
UNS	United Nations system
UN-Women	United Nations Entity for Gender Equality and the Empowerment of Women
USAID	United States Aid Agency
WAFRICA	Women Africa
WANEP	West Africa Network for Peace Building
WFP	World Food Programme
WHO	World Health Organization

I. Constitutional, legislative and institutional framework:

Revised Civil Code:

NEW PROVISIONS

In order to close legal loopholes and bring civil law in line with the Constitution and the evolution of society, in a context of global governance and increasing involvement of new information technologies in our lives, this project has introduced a number of new provisions in the following areas:

1. Enjoyment of civil rights:

Article 13 obliges all citizens to support justice, to bring the truth to light;

Article 29 sets out the conditions required for the identification of a person by his or her DNA;

Articles 44 to 46 of the draft Code call for the protection of privacy and of the human being right from birth, as well as the principle of the presumption of innocence.

2. Change of given name or surname:

Articles 35 to 38 of the draft Code authorize whoever has a legitimate reason to change his or her given name or surname to do so under well-defined conditions. These provisions remedy the law's shortcomings, which had led some judges, in cases of change of given name or surname, to invoke Articles 242 and 243 of the Civil Code relating to the correction of possible clerical errors in vital statistics. The new provisions will thus help dispel a rather serious confusion.

3. Family register:

Article 261, toward the end of the draft Code, introduces the notion of the family register, which is to be issued to the husband and must indicate:

- the spouses' names;
- the husband's option;
- the matrimonial property regime chosen;
- the date and place of the wedding.

Subsequent pages are to be used to enter children's births and deaths, the recognition of natural children, and the spouses' divorce or legal separation.

The family register, when duly numbered and initialled by the civil registrar, shall be taken, barring any falsification, to correspond to the official register of vital statistics.

4. Civil status actions:

As regards civil status actions, Article 181 of the draft Code lists the persons invested with the functions of civil registrar, correcting and supplementing Article 171 of the Civil Code.

5. Engagement:

Article 240 of the draft Code introduces and defines the concept of engagement and states that the parties may become engaged only if they meet the substantive conditions required for marriage.

6. The husband's choice of monogamy or polygamy:

Articles 315 to 319 of the Civil Code, relating to the prohibition of polygamy, have been repealed and replaced by Articles 282 and 283 of the draft Code, which introduce the husband's option: either monogamy or limited polygamy, consisting of marriage with not more than 4 wives.

7. Matrimonial regimes:

Articles 613 to 658 of the draft Code fill in the missing provisions of the Civil Code in the area of matrimonial property regimes.

Article 613 defines the matrimonial regime. Article 653 provides that, where no marriage contract exists, the spouses are governed by separation of property. Article 621 determines the way in which marriage contracts are written.

Articles 624 to 637 regulate community property.

Article 625 states that each spouse retains ownership of his or her personal assets (clothing, linens, actions for compensation for physical or moral damage, work tools necessary to ply a trade, and assets acquired by inheritance, gift or bequest).

8. Divorce:

Articles 341 to 346 of the Civil Code, which related to grounds for divorce, have been repealed and replaced by Articles 305 to 320 of the draft Code, which envisage three divorce scenarios: divorce by mutual consent, divorce on account of relationship breakdown, and adversary divorce.

Articles 344 to 353 of the draft Code provide that either spouse may be required to pay the other an allowance intended to offset any disparity in their living conditions occasioned by the breakdown of the marriage. They stipulate that the compensatory allowance shall be a lump sum, to be set by the judge according to specific criteria: age, state of health, time spent or yet to be spent on children's upbringing, qualifications, availability for new jobs, etc.

9. Legal separation:

Articles 364 to 373 of the draft Code deal with legal separation, absent from the Civil Code.

Legal separation may be requested under the same conditions as divorce. It does not dissolve the marriage but removes the duty of cohabitation.

10. Delegation of parental authority:

Articles 495 to 499 of the draft Code introduce the concept of delegation of parental authority, which must, on request, be ordered by judgment when:

- The father and mother, together or separately, or the guardian authorized by the family council, have entrusted a minor child to a trustworthy individual or

an establishment licensed for that purpose or the established child protection agency;

- The minor child has been taken up without the intervention of father, mother or guardian.

11. Deprivation or partial withdrawal of parental authority:

Articles 500 to 505 of the draft Code list the persons who may be deprived of parental authority (father or mother sentenced as perpetrators of or co-conspirators or accomplices in a crime or offence committed against their child, father or mother who, because of abuse or pernicious examples of habitual drunkenness or disorderly conduct or crime, endanger their child's life, safety, or health).

The new National Assembly that emerged from the 2013 election has established a forum of female parliamentarians, which has now taken up the revised draft Civil Code. Adoption of the code is expected to gain speed in the coming weeks.

At the moment, positive law, Muslim law and customary law all coexist in the country. Customary and Muslim law tends to be applied more often to matrimonial relations, especially in rural areas. Awareness efforts by the Ministry of Social Affairs and the Advancement of Women and Children, as well as well as civil society organizations, have helped educate people about women's fundamental rights.

Positive law takes precedence over other forms of law, as evidenced by the provisions of the Civil Code:

Article 201: All citizens of the Republic contracting marriage shall do so before a civil registrar, that is, as the case may be, the governor of the region, the district commandant, or the mayor of the commune. Any marriage not celebrated before one of the above-mentioned civil registrars shall therefore be declared irregular and void.

Article 202: Civil marriage must in every case precede religious marriage.

Any infringement of these provisions will result in the imposition of a custodial sentence of 3 months to 1 year.

The courts and tribunals shall comply with Guinea's international legal commitments. In 2012, two judgments were revised after the father was granted custody of his children. The pleas for revision were motivated by the relevant provisions of CEDAW and the children's code.

II. Women, peace and security

In 2009, a national strategic plan in line with Resolution 1325 and related enactments was drawn up and adopted by the Ministry of Social Affairs and the Advancement of Women and Children (MASPFE) in collaboration with all stakeholders in the field.

The document was revised and harmonized in March 2013.

Since then, a number of activities have been implemented:

a. Involvement of women and girls in the peace process and the prevention, management and settlement of conflicts

- Organization of a subregional conference in 2010 on the involvement of women in the prevention, management and resolution of conflicts, together with a declaration on a coordinated strategy among the countries of the Manu River Union and the need to protect women and girls in periods of conflict and post-conflict situations.
- Capacity building for 60 women in modern and traditional mechanisms for the prevention and management of conflict, female leadership, mediation, negotiation and advocacy;
- Establishment of a team of 60 female journalists and radio announcers/communicators trained in the contents of CEDAW and Resolutions 1325, 1820, 1888 and 1889;
- Training of 120 members of the defence and security forces in the four military regions and the Conakry special zone on Resolution 1325 and related enactments, CEDAW and Gender-Based Violence (GBV) following the events of 28 September 2009;
- Establishment of a core group of 50 trainers to familiarize military and paramilitary instructors with CEDAW and Security Council resolutions 1325, 1820, 1888 with a view to making them agents of positive change in times of conflict and social unrest, for the protection of vulnerable groups including women and children;
- Establishment of a core group of 175 legal professionals and officers of the court, to effectively implement the measures envisaged in those resolutions;
- Establishment in 2010 of a core group of 25 religious leaders and traditional communicators, to raise community awareness of the resolutions;
- Inclusion of a curriculum on the prevention and control of GBV in military and paramilitary training centres;
- Training of 200 officers of the defence and security forces, journalists and traditional communicators, magistrates and legal professionals, religious and opinion leaders, local elected officials, and women themselves, in the content of CEDAW and Security Council resolutions 1325, 1820, 1888 and 1889;
- Creation within the Ministry of Security of a national Office for the Protection of Gender, Childhood and Morality (OPROGEM) by Order No. 3476 of 1 December 2009 as confirmed by Decree No. 120/PRG/SGG/11 of 14/04/11. Between 2011 and 2012, OPROGEM arrested the perpetrators of 68 acts of violence of every kind.

III. Reform of the justice sector and of access to justice:

(a) On 28 September 2009, a demonstration was held at the Stade du 28 Septembre by civil society's driving forces — political parties, the union movement and other organizations — to demand that the then authorities organize

free and transparent elections. Although prohibited, the demonstration degenerated and resulted in many cases of violence against women and many deaths. A national and an international commission of enquiry were formed to shed light on these unfortunate events. Steps were taken to give victims access to legal services:

- On 5 February 2010, the Minister of Justice appointed the examining magistrates by his letter No. 060/MJ/CAB;
- On 8 February 2010, an initial indictment was issued by the Attorney General, appointing the investigating judges.
- To enable the pool of investigating judges to begin work, an office located on the premises of the Court of Appeal was assigned to them;
- The financial resources allocated were used to purchase computers and office furniture;
- A joint police/gendarmerie brigade was formed to provide security for the examining magistrates;
- Two hundred (200) victims and witnesses were heard in complete safety;
- Six persons were charged but not remanded in custody;
- Letters rogatory were issued against persons absent from the country;
- Attorneys were appointed (Avocats sans frontière) to represent the victims' interests;
- AVIPA was created, an association of victims and relatives of victims of the Stade du 28 Septembre;
- Certain victims could not appear on account of the medical treatment they were undergoing outside Guinea.

(b) Reform measures:

- In November 2013, a National Defence and Security Policy (PNDS) was established for the country;
- A national steering committee for justice reform was established;
- An evaluation report was issued in May 2010 on the status of the security sector, denouncing the ills of Guinean justice;
- Articles 107 to 112 of Guinea's constitution enshrine the independence of the judiciary and the legislative and executive powers, state that the judicial power is exercised exclusively by the courts and tribunals, and provide that in performing their duties magistrates are subject only to the authority of the law;
- Organic laws exist on the judiciary's status and on the Judicial Service Commission whose effective application guarantees magistrates' independence;
- A code of military justice and a military tribunal were to be created to subject the Defence and Security Forces (FDS) to the authority of the law;
- Staff regulations and a legal framework were devised for penitentiaries, and the military tribunal was established;

- A sectoral and technical justice committee was formed as part of the security sector reform;
 - The judicial power was endowed with means of controlling the FDS;
 - A legal framework was established for penitentiaries and their staff;
 - A project was launched to recruit and train court officials, increase court budgets and ensure that laws and regulations were enforced.
- (c) Victim and witness protection measures:
- The judicial power is independent and is exercised exclusively by the courts and tribunals;
 - Criminal investigation officers are empowered to ensure respect for human rights through control and discipline;
 - The existence of the Ministry of Justice's National Directorate for Access to Law and Justice ensures that citizens know their rights and have easy access to public justice;
 - A litigant's guide is published and circulated to familiarize the citizenry with judicial procedures.

IV. National machinery for the advancement of women

(a) Measures taken to implement, coordinate, follow up and evaluate the policies and action plans cited in the report:

- **Roadmap for the African Women's Decade:**

- **National gender policy and strategic plan for its implementation :**

Operationalization of this policy will accelerate the achievement of MDG No. 3 by 2015.

- **Actions taken:**

- Creation of a National Office for Gender and the Advancement of Women (DNPPG);
- Creation of a gender division;
- Establishment of gender units at division level in some departments;

- **Coordination:**

Coordination is under the supervision of the Ministry of Social Affairs and the Advancement of Women and Children;

Follow-up and evaluation mechanism:

- Gender units;
- Implementation partners.
- **National Policy for the Advancement of Women:**

A review of the National Policy for the Advancement of Women version 1 gave rise to version 2, which takes into account gender and emerging issues

(NEPAD, NICTs, HIV/AIDS and the environment); a number of programmes and projects have been undertaken:

- Institutional capacity building at women's organizations leading to gender equality and reproductive rights;
- A joint UNFPA/UNICEF programme to hasten the abandonment of FGM/C;
- A joint project to prevent and respond to gender-based violence, financed by the Peacebuilding Fund;
- A national GBV strategy;
- A project to support gender promotion;
- A project to support women's movements.
- **National family policy:**
- **National strategy on gender-based violence:**

The purpose of this strategy is to implement the second strategic focus of the National Gender Policy (PNG), "Respect for Human Rights and Elimination of Violence". It has five strategic components (prevention, care, research, coordination, fight against specific types of violence).

• **Actions taken**

- Development of training modules on FGM/C for health schools;
- Integration of FGM/C modules in the training programmes of 8 health schools, to demedicalize the practice of FGM/C and train 30 health professionals to care for the consequences of FGM/C;
- Information and awareness for 310 professionals, officers of the Court and members of the defence and security forces (magistrates, policemen and gendarmes), local elected officials and teachers on laws forbidding the practice of FGM/C, to identify appropriate strategies to promote their enforcement;
- Development of a preaching guide for religious officiants (Muslims and Christian) on the evils of GBV;
- Development, signing and circulation of five decrees implementing Act No. L/010/2000 of 10 July on reproductive health and of the Children's Code, both of which penalize the practice of excision;
- Signing and tabling with the African Union of the instrument of ratification of the Protocol to the African Charter on Human and Peoples' Rights on women's rights, which addresses the issue of FGM/C;
- Implementation of a legal aid project for GBV victims in Conakry and Nzérékoré, for 42 women and girls;
- Development and adoption of Standard Operating Procedures (SOP) for the prevention of GBV, medical, psychosocial and legal attention for its victims, and for their reintegration;
- Provision of a minimum emergency care system by multisectoral frameworks for cases of GBV in crisis and post-crisis situations;

- Validation of the health-care provider's training guide on medical attention in cases of GBV;
- Establishment of a capacity-building programme for 157 health-care providers in medical care, reception and counselling of victims of rape and sexual violence;
- Creation of and support for 6 pilot referral and counter-referral centres to provide medical, psychosocial and legal attention for victims of GBV and to supply them with medical kits;
- Establishment of 5 GBV care units within health facilities as well as 5 GBV units at police stations and gendarmerie brigades;
- Fitting out of thirteen (13) health facilities in areas at risk of conflict, with medical kits, equipment etc.;
- Development of a guide on legal support for victims and training of 50 magistrates to enable them to develop specific skills and provide adequate legal support to victims.
- Media coverage of the arrest of 4 persons, including 3 women, who had allegedly performed FGM/C and their incarceration and arraignment by the Office for the Protection of Gender, Childhood and Morality (OPROGEM) thanks to a partnership between the ministries of Security, Women and Children, and Information and Justice;
- Conduct of a baseline diagnostic study on the social determinants of the practice of FGM/C to achieve a better understanding of the causes of its persistence in communities despite the existence of the Act;
- Development of an integrated communications plan as part of the fight against GBV and FGM/C, in order to harmonize actions and propose new strategies for nationwide communications on GBV and FGM/C;
- Holding of information and awareness sessions for 15,000 young people on the harmful effects of FGM/C to achieve a change of mentality on the practice and promote the enforcement of laws against FGM/C.
- **Coordination**
 - Establishment of a Multisectoral Steering Committee to Hasten the Abandonment of FGM/C with a view to coordination and follow-up/evaluation of all actions and the development of synergy between the actors;
 - Development and adoption of a 2012–2016 Strategic Plan to Hasten the Abandonment of Female Genital Mutilation/Cutting;
 - Creation, under Decree No. 3388/PRG/SGG of 12 July 2011 on its mandate and organization, of the National Observatory for the Fight against GBV;
 - Establishment of seven (7) regional committees for the prevention and management of violence in all 7 administrative regions;

V. Stereotypes and harmful practices

Harmful traditional practices such as levirate and sororate marriage and repudiation constitute serious violations of women's rights. The existing Civil Code requires the informed consent of the betrothed. Awareness and information sessions were organized by MASPFE and civil society organizations for rural communities. Adoption of the revised Civil Code will help solve these various problems.

I. Violence against Women:

As part of the reform of the justice sector, a project to revise the Guinean Penal Code has been undertaken. The reform, which is supported by the European Union, will address the issues of marital rape, torture, sexual harassment and domestic violence.

- Development, signing and circulation of five decrees implementing Act No. L/010/2000 of 10 July on reproductive health and of the Children's Code, both of which penalize the practice of excision.
- Signing and tabling with the African Union of the instrument of ratification of the Protocol to the African Charter on Human and Peoples' Rights on women's rights, which addresses the issue of FGM/C;

II. Trafficking in women and exploitation of prostitution

In keeping with the recommendations of the Palermo Protocol on trafficking in persons, the Republic of Guinea on 18 May 2008 adopted the Children's Code, promulgated by Act No. L/2008/011/AN of 19 August 2008 and published in July 2009, which provides, in articles 385 to 396, the definition of trafficking in children and the penalties incurred.

In addition to the Children's Code, there is a specific bill on human trafficking. That bill was drawn up in 2012 with technical assistance from the United Nations Office on Drugs and Crime.

The project was integrated into the overall framework of the justice reform and is to be tabled in the National Assembly for adoption.

Guinea's Penal Code and Children's Code contain legal provisions whereby legal action may be taken against the perpetrators of trafficking in persons and the related and aggravating offences set out in Article 337 et seq. The provisions of those articles deal with and punish trafficking in persons and all related and aggravating offences.

There is a National Committee to Combat Trafficking in Persons.

It was created in 2004 and extended to civil society organizations and partners in 2006.

There is also a national plan of action to combat trafficking in persons for the period 2011–2013.

The national plan of action is known and all partners have made big contributions to its development, adoption and implementation.

1. The content of the national strategy for combating trafficking in persons is as follows:

- Prevention;
- Protection;
- Prosecution;
- Coordination; and
- Cooperation.

PREVENTION:

Prevention is based on information, education and communication; in particular:

- Circulation/diffusion of laws and regulations governing trafficking in persons;

ENFORCEMENT/PROSECUTION:

The Office for the Protection of Gender, Childhood and Morality has recorded and handled 13 cases of trafficking in persons.

Also, in addition the Nigerian network, it has identified two major criminal trafficking networks, namely

- the Chinese network and
- the Lebanese network;

Costa Rica, Gabon, Senegal and Mauritania are also identified as countries of origin of persons trafficked to Guinea.

- As regards prosecution:
- Apprehension of an alleged child trafficker and his surrender to the tribunal of Kaloum in Mali (Bamako); his case is pending.
- Interception by the Mamou gendarmerie of 5 children aged 3 to 11 from Kankalabe and their reunification with their families by the National Committee to Combat Trafficking in Persons, Sabou Guinea and IOM.
- Updating by IOM of the list of the main human trafficking routes: These include:
 - On the border with Mali: Siguiri, Mandiana and Koubia
 - On the border with Sierra Leone: Forécariah, Kindia, Mamou, Faranah, Kissidougou and Guéckédou

Child trafficking networks are made up of relatives, intermediates and professionals.

Establishment of a system of management, repatriation, protection and reintegration

Existence of a more functional national system.

Government facilitation of the issuance of travel documents at the reunification stage.

Facilitation of referral and reception of child victims at transit centres and in families.

Protection:

1. Since 1998 there has been a national policy and a detailed national plan of action for the protection and support of trafficking victims.
2. A victim orientation mechanism is provided based on identification, referral, support, rehabilitation and reintegration.

The Republic of Guinea has special provisions for child victims of trafficking; in particular:

- medical attention at specialized centres;
- accommodation;
- and psychosocial support.

REPATRIATION:

1. Risk assessment is mandatory before repatriation.
2. The State is responsible for the assessment through anti-trafficking NGOs.
3. In 23 cases of trafficking, children aged 10 to 16, including 5 girls, were repatriated and reintegrated by Sabou Guinea and IOM, from the following countries:

Mauritania 1

Costa Rica 1

Cape Verde 3

Mali 7

III. Participation in decision-making and representation at the international level:

(a) Measures envisaged:

- Establishment of a project to revise the Civil Code;
- Establishment of a bill on parity (both projects are currently tabled in Parliament);
- Advocacy with CENI (the *Commission Electorale Nationale Indépendante*) and, formerly, the National Transition Council (by political parties, to ensure respect for the 30% quota and the inclusion of women on electoral lists (25 women MPs were elected out of 113);
- Implementation of the project to rejuvenate and feminize the government by 60%; two classes of 800 girls and boys were recruited, trained and certified according to the results obtained, as regards the first class; the second is awaiting certification, while a third class, with 400 more young people, is soon to begin training;
- Creation of a national coalition comprising 86 women's organizations;

- Creation of the Forum of Women Parliamentarians, comprising all female members of Parliament. The forum is a space for exchange and advocacy on leadership development for women and women's representation in decision-making;
- Appointment, in advance of the legislative elections, of 50 young women as executives within government and at civil society organizations.
- (28 September 2013) Awareness campaigns for political parties, to ensure respect for the electoral code and inclusion of women on electoral lists.

(b) Nationality

The Civil Code adopted under Act No. 004/APN/83 of 16 February 1983 had been out of date for decades, as it was totally at odds with the provisions of the Basic Law of 23 December 1990 and the Constitution of 7 May 2010, and so was hampering economic development.

For that reason, a new Civil Code has been under development since 2001 that will bring our civil legislation in line with the Constitution and international conventions in general and the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and the Convention on the Rights of the Child in particular.

The objectives of that work are:

- To correct all errors still found in the Code;
- To remove obsolescent, unnecessary or inapplicable provisions;
- To close legal loopholes; and
- To adapt the provisions of the Code to the governing principles of CEDAW, CRC, the Treaty on the Harmonization of Business Law in Africa (OHADA) and the Constitution.

DISCRIMINATORY OR OTHERWISE INAPPROPRIATE PROVISIONS:

It should be recalled that a workshop was held in Dalaba in 2001 where all Civil Code provisions discriminatory against women were identified.

The provisions concerned are mainly found in Books I and II, which deal with persons and estates respectively.

1. **Nationality:** Articles 50 to 53 of the Civil Code relating to the acquisition of nationality by marriage were repealed and replaced by articles 69 to 73 of the draft Code.

- Article 69 states that marriage shall ipso jure have no effect on nationality.
- Article 70 allows any (male or female) foreign national contracting marriage with a Guinean to acquire Guinean nationality after a period of 2 years. That waiting period is waived where a child is born whose parents are clearly the two spouses.

2. **Declaration of birth:** Article 194 of the Civil Code gave the father the sole right to declare the birth of a child, whereas Article 202 of the draft Code grants that right to the father and mother alike.

Similarly, Article 205 of the draft Code corrects a shortcoming of Article 197 of the Civil Code, which fails to specify how the civil registrar shall establish the birth certificate of a foundling.

IV. Education

In spite of the difficult sociopolitical situation, the Technical Secretariat of the Committee on Gender and Equity has completed its activities, which include:

1. Holding of the National Day for Girls' Education in Dinguiraye, Dabola and Conakry on 21 June 2013 with UNFPA support;
 2. Dissemination of the results of the study on violence against girls in the study areas;
 3. Organization in September 2013 of a campaign to raise awareness of female genital mutilation among male and female pupils at five (5) schools in the Capital with financial support from GIZ;
 4. Development of a trainer's guide and training module for teachers on violence against girls in school (in 2008);
 5. Training of 150 teachers, including 50 trainers, on violence against girls in schools (in 2009);
 6. Teacher training on gender in school in 2009;
 7. Study on gender disparities in school in (2011–2012);
 8. An orientation and production workshop for journalists from rural and community radio stations, religious leaders, traditional communicators, and members of equity subcommittees on girls' school access, retention and performance (January 2012);
 9. A workshop to follow up activities performed by rural and community radio stations, religious leaders, traditional communicators, and members of equity subcommittees on girls' school access, retention and performance (April 2012);
 10. Launch of an update to the national policy and strategy document on the expansion of girls' education in Guinea, with UNICEF support;
 11. Holding of regional workshops in Kindia, Mamou, Kankan and Nzérékoré, from 6 to 22 September 2013, on an update to the national policy and strategy document on the expansion of girls' education in Guinea, 6–22 September 2013, with UNICEF support;
 12. Organization of a National Forum, on 17 December 2013 at INRAP, the National Educational Research and Teaching Institute, to discuss the national policy and strategy document on the expansion of girls' education in Guinea, with UNICEF support;
 13. Training of 30 executives from MEPU-EC, the Ministry of Pre-University Instruction and Civic Education, in the acquisition of new skills (results-based management (RBM), the gender mainstreaming approach, computer use (Windows, Access, Excel, etc. and Internet connection) in Mouna, with AfDB support;
- Training of 70 MEPU-EC gender trainers in Kindia, with AfDB support;

V. Employment

It should be noted that equal pay is legally mandated in the public service and in private employment by: general public service regulations (articles 70, 71, 72 and 73); and the Labour Code (241.1, 241.2, 241.3, 241.4, 241.5, 241.6, 241.7 and 241.8);

While women are paid less than men, that is due their lesser representation in positions of responsibility, their uneven distribution within the public service, their massive presence in support positions due to their lower level of education, and the fact that, within the government, family allowances are received by men, to the detriment of childbearing women in general and, in particular, those whose husbands are not civil servants, or those who are widowed, divorced or heads of households.

As a result, they do not receive the associated bonuses and allowances. Salary scales, however, are free of any bias.

As regards affirmative action taken with respect to the under-representation of women:

Finalize the project to rejuvenate and feminize the government and seek additional support to expand and sustain it;

The Government has included in paragraph 7 of the roadmap of the Ministry of Administrative Reform and Government Modernization: feminization of the Government.

The new Labour Code clearly explains the principle of non-discrimination in wages in its Title IV which relates to wages and wage supplements, **Articles 241.1, 241.2, 241.3, 241.4, 241.5, 241.6, 241.7 and 241.8**, whose application is mandatory. The Republic of Guinea **ratified ILO Conventions No. 100 concerning Equal Remuneration and No. 118 on Equality of Treatment (Social Security) on 11 August 1967.**

Articles 136.1 and 136.2 have this to say about the prohibition of night work for women:

Section 136.1: Night work is prohibited for women in mills, factories, mines and quarries, construction sites and workshops or their outbuildings of any kind whatsoever.

The prohibition referred to in the preceding paragraph does not apply to women who hold responsible managerial or technical positions.

- In a case of force majeure when any interruption of operations must be avoided;
- In a case where perishable materials must be saved from inevitable loss;
- Where shift work is done, if the applicable collective agreement provides therefore.

The purpose of these provisions, so far from restricting women's access to certain types of employment, is to preserve them from certain dangers.

The law does not discriminate against women as regards maternity, pregnancy and childbirth. In Articles 105, 106 and 107, the Labour Code fully sets out the

maternity benefits granted to salaried women workers as well as the care provided during pregnancy and childbirth. The general public service regulations stipulate that female civil servants are entitled to maternity leave of three consecutive months with full pay.

On 12/12/1996 the Republic of Guinea ratified ILO Convention No. 3 of 1919, the Maternity Protection Convention.

The Republic of Guinea is fully cognizant of the phenomena of child labour and trafficking in children and of the danger these pose in their worst forms. Child labour is most prevalent in the informal economy, where workers are neither recognized nor protected by national legislation; unfortunately, the nature of the informal sector is such that statistics on the issue are almost non-existent.

Thanks to the Government's political will, a process has been under way since 2001 to achieve the abolition and elimination of abuses and the worst forms of child labour, so that children may achieve their full potential and social reintegration.

A wide range of actions has therefore been undertaken in urban and rural communities, from top to bottom, by the Government and in particular by civil society stakeholders, viz. national and international NGOs.

At the level of international cooperation: we should mention the support and assistance provided through international cooperation to promote the organization of training activities to oppose child labour and the exploitation of children, to undertake to make all stakeholders aware of the conventions on the abolition of the worst forms of child labour, and to promote youth education and vocational training for children under 15 years of age.

At the legal and political levels: Guinea has ratified and promulgated many international legal instruments for the protection of children, in particular ILO Convention No. 182 on the Worst Forms of Child Labour; ILO Convention No. 138, the Minimum Age Convention; 1993 Hague Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption; and the Convention on the Rights of the Child (CRC). The Government has taken other actions:

At community level, committees for children have been set up in all urban communities and contribute to the decentralization of advocacy for children;

Village-level child labour follow-up and surveillance committees hold information and awareness meetings and perform outreach activities among other community members;

In terms of national capacity building, training of officials and agents of the State and NGOs in care techniques for children and young workers by technical and financial partners, the training of children and young workers through educational and vocational training programmes organized by IPEC and WACAP for 150 of the 1,500 children in Boké prefecture; provision to structures and institutions that care for children of basic materials and equipment to improve their treatment.

VI. Health

Seeking to improve the provision of family planning services and the associated health indicators, Guinea has actively undertaken a process of repositioning family planning, and has had high-level representation at the Ouagadougou conference on "Population, Development and Family Planning in

West Africa: An Urgency for Action”, held 8–10 February 2011, as well as the conference of Sally Mbour on “Civil Society’s Commitment to Family Planning”, held in Senegal in September 2011. Following these conferences, through a participatory and inclusive process, Guinea developed an action plan to reposition family planning. At the request of the Ouagadougou partners, and thanks to their support, the action plan has been refined through the combined efforts of all key actors in order to seize strategic opportunities. That exercise lasted seven (7) weeks and involved the active participation of government stakeholders and civil society organizations (CSOs), as well as technical and financial partners (TFPs), in a well-structured process.

Guinea’s 2014–2018 family planning (FP) action plan is strategic in nature. Our reading of the FP situation led us to adopt those strategies and activities that seemed likeliest to meet the known challenges, either because they were based on positive developments on the ground or because they were essential to the success of any FP programme. Regional directors relied on their own experience in determining which activities were apt to have the greatest impact in their respective regions, as well as which were essential in making further progress.

Their strategies and activities include:

- Strategies and activities to increase the demand for FP services,
- Strategies and activities to improve the availability of FP services, both in quantity and quality,
- Strategies and activities to make the environment more conducive to FP,
- Strategies and activities to improve follow-up and coordination of family planning services.

Pursuant to the fight against obstetric fistula in Guinea, a 2012–2016 strategic plan was drawn up, whose main points are as follows:

- Prevention of obstetric fistula and strengthening of the referral system as well as the use of fistula care services.
- Medical and surgical care for fistula patients across the country;
- Socioeconomic rehabilitation of fistula patients;
- Enhanced coordination, management, monitoring, evaluation and research.

In this context, the following actions have been taken:

(a) Control of maternal mortality

- Development of the national roadmap to hasten the reduction of maternal and infant mortality,
- Free emergency obstetric care
- Training/retraining of providers of both basic and complete emergency neonatal obstetric care,
- Institutionalization of monitoring, review of maternal, newborn and infant deaths and appropriate response.
- Training of stakeholders in the review of maternal deaths

(b) Control of obstetric fistula

- Development of a strategic obstetric fistula prevention and care plan
- Integration of obstetric fistula care at 3 of the 8 regional hospitals
- Organization of screening and care campaigns for obstetric fistula patients.

(c) Improved access to family planning services

- Preparation of the 2014–2018 National Action Plan to Reposition Family Planning
- Orientation workshops for care providers on procedures for plan implementation
- Organization of family planning campaigns coupled with cervical cancer screening in all 8 administrative regions.

The 2008–2017 National Strategic Framework to Combat AIDS is the third such framework, and has been drawn up in accordance with results-based planning. Its implementation during the reference period covers the 6 impact results, with greater emphasis on medical care for persons living with HIV, prevention of new infections in key population groups, respect for human rights, enhancement of governance, and effective means of addressing the concerns of women and girls and of the child and orphan victims of AIDS.

VII. Access to economic and social benefits:

Women's access to social benefits is a particularly pressing issue in the public sector, and one that may seem to reflect some discrimination given that women are often heads of households. The Ministry of Administrative Reform and Government Modernization has begun a process that should correct the discrimination contained in our legislation, enabling women to receive economic benefits.

XIX. Rural Women:

Rural women's efforts within the household economy are evident in both the agricultural area and in domestic activities (hoeing, tilling, weeding, harvesting, processing, preservation of agricultural products, habitat maintenance and hygiene, care for family health etc.). Women are nonetheless faced with enormous difficulties, including:

- Limited access to land and credit;
- Difficult access to production and processing equipment for agricultural products;
- Illiteracy.

To address these problems, measures have been considered to help women. Specifically:

- Capacity building activities for women in terms of their organization/ structuring into producer associations;
- Endeavours to lighten women's tasks through training in improved techniques for the processing and storage of agricultural products using improved

post-harvest equipment (example: rice threshers, steamers, hullers, strippers, presses and mills);

- Training in the use of improved, firewood-saving hearths to reduce work time and also protect the environment;
- Income-generating activities that add value through the processing of agricultural products (parboiled rice, fruit jam, syrup, juice, puree, dried slices or chips etc.);; marketing of handcrafts and gathered items;
- Activities to improve families' diets and so their health through the use of processed agricultural products and weaning foods for children and to maintain household hygiene;
- Management activities of women's groups and community ownership of machinery for processing and preservation of agricultural products (harvesters, steamers, hullers etc.);;
- Sharing of experience through inter-group and inter-region visits; study trips within the subregion;

XX. Groups of disadvantaged women

In 2008, Guinea ratified the Convention on the Rights of Persons with Disabilities. A campaign to disseminate the Convention was undertaken by the Guinean Federation of Associations of Persons with Disabilities. A temporary measure has been instituted giving persons with disabilities the opportunity to obtain public employment. A bill on the protection of persons with disabilities is in preparation. As for refugees, quantitative information on asylum seekers is insufficient. The code on private and State-owned land grants women the right to own land.

XXI. Marriage and family relations:

It should be recalled that a workshop was held in Dalaba in 2001 where all Civil Code provisions discriminatory against women were identified.

The provisions concerned are mainly found in Books I and II, which deal with persons and estates respectively.

According to Article I of the Convention on the Elimination of All Forms of Discrimination against Women, "the term 'discrimination against women' shall mean any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms...".

1. Nationality: Articles 50 to 53 of the Civil Code relating to the acquisition of nationality by marriage were repealed and replaced by articles 69 to 73 of the draft Code.

- Article 69 states that marriage shall ipso jure have no effect on nationality.
- Article 70 allows any (male or female) foreign national contracting marriage with a Guinean to acquire Guinean nationality after a period of 2 years. That waiting period is waived where a child is born whose parents are clearly the two spouses.

2. Declaration of birth: Article 194 of the Civil Code gave the father the sole right to declare the birth of a child, whereas Article 202 of the draft Code grants that right to the father and mother alike.

Similarly, Article 205 of the draft Code corrects a shortcoming of Article 197 of the Civil Code, which fails to specify how the civil registrar shall establish the birth certificate of a foundling.

Domicile: Article 247(2) of the Civil Code does not recognize a woman's right to a home separate from her husband's. Article 295 of the draft Code provides that the family residence shall be a place chosen by mutual agreement of the spouses.

Paternal authority: Articles 395–398 of the Civil Code refer to paternal authority, while Articles 472–511 of the draft Code recognize the concept of parental authority and so restore equality between father and mother.

The term “parental authority” is consistent with practice, as the father and mother together are concerned with the child's maintenance, upbringing and establishment.

Authorization required for marriage and emancipation of minors: A perusal of Articles 284, 285, 297(1) and 433 of the Civil Code shows that only the father had the right to consent to the marriage or emancipation of a minor child.

Articles 244 and 573 of the draft Code confer the same right on the father and the mother alike.

Guardianship of minors and protected adults: Articles 595, 596 and 600 of the draft Code restore equality, on the one hand, between father and mother for the choice of a guardian, and on the other hand, between husband and wife for the guardianship of a legally incompetent spouse.

Articles 512–578 of the draft Code establish the office of guardianship judge.

Article 579 of the draft Code sets the age of majority at 18 years instead of 21, as previously, to maintain conformity with the Constitution.

Spouses' rights and duties: Articles 324–331 of the Civil Code (read by the civil registrar during the wedding ceremony) are also affected by this reform.

Thus, paragraph 1 of article 324 has been repealed and paragraph 2 upheld and incorporated into Article 288 of the draft Code.

Articles 288 and 291 to 295 of the draft Code correct the discrimination found in Articles 328, 329 and 331 of the Civil Code.

Article 289 stipulates that the matrimonial property regime may limit the spouses' rights and duties.

Article 295 of the draft Code provides that each spouse may freely exercise a profession, receive earnings and salaries and dispose of them, after settling household expenses.

Under Article 295 of the draft Code, the family residence is chosen jointly by the husband and wife: should they disagree, the tribunal must decide in the interest of the family.

Divorce: Articles 341 and 342 of the Civil Code, relating to divorce by reason of adultery, have been repealed. Under those articles, the husband could seek divorce on account his wife's adultery, without any condition, while the woman could not do so unless the husband was maintaining his concubine in the conjugal home.

Article 305 of the draft Code restores equality by enabling both spouses to sue for divorce for cause, because of relationship breakdown, or by mutual consent.

Adultery constitutes misconduct, whether committed by the husband or the wife.

Article 359 of the Civil Code, relating to custody of children in case of divorce, is repealed and replaced by Articles 354–363 of the draft Code, which address the effects of divorce on the child.

The criterion of the child's age is replaced by the best interests of the child.

Inheritance: Article 474(3) of the Civil Code, on compensation for women, minors and absentees through the allocation of equalization payments has been reformed. Articles 681–683 of the draft Code make no distinction between the heirs based on sex or primogeniture.

On the other hand, the judicial and human heresy contained in Article 462 of the Civil Code, providing that divestment of a person's property may result from a judgement recognizing his extreme old age — a provision that is all the more surprising given the saying in Africa that “when an old man dies, a library burns”.

The husband's choice of monogamy or polygamy:

Articles 315 to 319 of the Civil Code, relating to the prohibition of polygamy, have been repealed and replaced by Articles 282 and 283 of the draft Code, which introduce the husband's option: either monogamy or limited polygamy, consisting of marriage with not more than 4 wives.

- The national family policy is based on improving intrafamily relationships and the upbringing of future generations as well as ensuring that family well-being is shared by all members.

Its adoption was made necessary by the international family protection provisions to which the Republic of Guinea has subscribed and to comply with the 2010 constitution.

The basic principle of this policy statement is that the links of solidarity between family members should be strengthened and the social foundations of the nation consolidated.

Its principles are as follows:

- Family education should be integrated into the overall nation-building effort;
- Families should observe national cultural traditions but be resolutely forward-looking;
- Families should remain united within the context of integrating ethnicities and geographic cultural areas.

Its strategic foci are as follows:

- Education;

- Health;
- Social protection;
- Economy;
- Gender and development;
- Environment.

Given the complexity of the family's problems and its multisectoral nature, management of the national family policy requires a dynamic structure that can take into account all relevant issues.

- Policy implementation;
- Decision-making body;
- Coordinating body;
- Regional decision-making and coordinating body;
- Implementing body;
- Monitoring and evaluating body.

To this must be added the development of the national policy on the health of the elderly.

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- To the Steering Committee for Justice Sector Reform;
- To the Executive Secretariat of the National Anti-AIDS Committee;
- To the civil society organizations involved in the promotion and protection of human rights;

Ms Sanaba Kaba (Minister of Social Affairs and the Advancement of Women and Children)

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