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Summary record of the 4231st meeting

Held at the Palais Wilson, Geneva, on Friday, 27 June 2025, at 10 a.m.

Chair: Mr. Soh

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The meeting was called to order at 10 a.m.

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

Initial report of Guinea-Bissau (continued) (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. **The Chair** invited the delegation to resume replying to the questions raised by Committee members at the previous meeting.
3. **A representative of Guinea-Bissau** said that the exceptional circumstances in which firearms could be used, and the limitations on firearms use, were set forth in the relevant laws applicable to the police and the armed forces. Amnesty laws, such as the Amnesty Law of 2011, could cover various crimes, depending on the purpose and scope of the law in question. The People's National Assembly had been dissolved in 2023 and had not reconvened since. It was expected to resume its activities, including in respect of pending structural reforms, after the elections scheduled for November 2025.
4. The Ministry of Women's Affairs had not been abolished but had merged with another ministry to form the Ministry of Women, Family and Social Solidarity. The new Ministry retained all of the competences of the former Ministry of Women's Affairs.
5. The country's prisons were administered by the Ministry of Justice and Human Rights and its police stations by the Ministry of the Interior. Suspects could be held in custody for 48 hours while the police carried out their investigations; if charges were brought, the suspect would then be referred to the Public Prosecution Service for criminal proceedings.
6. The Government was working to establish a system of alternatives to detention, recognizing that such measures could provide a solution to the ongoing crisis caused by the growth of the prison population. Alternative measures such as community service might be appropriate for certain offences; for others, however, the only suitable punishment under the country's laws would be a term of imprisonment.
7. Guinea-Bissau had several institutions that monitored prisons. Non-governmental organizations (NGOs) such as the Guinea-Bissau Human Rights League conducted prison visits and interviews and provided training for prison authorities; the National Human Rights Commission also undertook visits. It was precisely through such visits that the authorities had received complaints of ill-treatment of prisoners, resulting in disciplinary measures being taken against the prison guards involved.
8. Mental health services were generally scarce in Guinea-Bissau and were not available in the country's prisons. The Government had put in place alternative solutions, such as the allocation of funding for prison authorities to deal with situations in which prisoners required medical care, and the provision of vehicles so that prisoners could be taken to hospital under guard. First aid posts had been set up in all prisons.
9. Guinea-Bissau prisons dated from the colonial period and, unlike modern prisons, did not have separate men's and women's wings; however, men and women did not share cells. The age of criminal responsibility would be raised from 16 to 18 years in accordance with the new code for the comprehensive protection of children, which had not yet entered into force owing to the dissolution of the People's National Assembly. Children aged 16 and 17 who had been sentenced to imprisonment were separated from adult prisoners to the extent possible. The Government was working with the United Nations to mobilize funds for the construction of a new prison that would meet international standards.
10. The Government considered that *talibé* children, who had been sent to the country under the pretext of going to learn the Qur'an and had ended up begging, were victims of trafficking in persons. Accordingly, the issue was addressed under the national plan to prevent and combat trafficking in persons. Guinea-Bissau had signed agreements with the Gambia and Senegal on cooperation and the exchange of information to prevent such trafficking.

11. **Mr. Saidov** said that he welcomed several positive developments in the State Party, including the adoption of Law No. 5/2018, the Statute on the Remuneration of Judges. However, he was concerned that justice remained inaccessible for much of the population, that some regions did not have functioning courts, and that the budget of the judiciary may have shrunk in recent years. He would be grateful if the delegation could explain what measures had been taken to stabilize and increase funding for the judiciary and ensure its financial autonomy. It would also be useful to receive information on procedures for the appointment, disciplinary punishment and removal from office of judges and prosecutors, including clarification as to whether such procedures complied with the Basic Principles on the Independence of the Judiciary and the Guidelines on the Role of Prosecutors.

12. Another concern related to the reported lack of access to free legal aid. He would appreciate clarification of whether the State Party had a legal aid system and, if so, which categories of citizens were entitled to receive legal aid. He would be interested to know whether the State Party had any programmes or institutional mechanisms to support women and children, especially those on low incomes, who had experienced violence.

13. **Mr. Teraya** said that the Committee welcomed the State Party's ratification of the Convention on the Rights of Persons with Disabilities and the adoption of the National Strategy for the Inclusion of Persons with Disabilities. He would be interested to know the strategy's time frame and goals, the issues it sought to address and whether it was sufficiently funded. As it appeared that Guinea-Bissau did not have a law that specifically prohibited discrimination against persons with disabilities, he wondered whether the State Party intended to remedy that shortcoming; whether it had conducted any analysis to identify the root causes of the persistent discrimination against persons with disabilities; and what measures it had taken to raise public awareness of the rights and dignity of persons with disabilities. It would also be interesting to know the extent to which persons with disabilities participated in leadership and decision-making roles in politics and other sectors, and whether the State Party had taken any steps to promote their inclusion in such roles.

14. The Committee was concerned about the scope and clarity of the permissible limitations on the right to freedom of expression. Article 56 of the Constitution did not clearly provide that freedom of expression might be limited, nor did it specify the conditions under which restrictions might be imposed. He therefore wished to know whether there was a legal framework that governed the restriction of freedom of expression in conformity with article 19 (3) of the Covenant, and what specific legal requirements the Government must meet in order to impose such restrictions.

15. In the light of reports that broadcasters were required to pay high licence fees, he would be grateful if the delegation could indicate the amount of such fees and explain whether they were necessary, in view of the State Party's obligation to ensure freedom of expression and media pluralism. He wished to reiterate the Committee's requests, in the list of issues prior to reporting ([CCPR/C/GNB/QPR/1](#), para. 22), for information on media coverage during the 2019 elections, on the decision by the national television workers' union to suspend the broadcasting of news relating to political parties, and on the union's demand for the dismissal of the editor-in-chief of the public television broadcaster. Lastly, he would like to know whether the State Party had conducted investigations into attacks on journalists and press organizations, including the vandalization of Rádio Capital, with a view to bringing the perpetrators to justice and ensuring the protection of journalists and media outlets.

16. **Mr. Carazo** said that the State Party had a long tradition of hosting refugees, notably from the Casamance region of Senegal, and had granted citizenship to more than 7,000 long-term refugees. Nevertheless, the Committee had detected shortcomings in the legal and institutional framework for the protection of refugees, asylum-seekers, stateless persons and internally displaced persons. In particular, it appeared that the State Party did not have a law regulating refugee status determination, asylum procedures and safeguards against statelessness, and that those functions had been delegated to the Office of the United Nations High Commissioner for Refugees (UNHCR). He therefore wished to know whether the Government intended to adopt a law on asylum and a transparent refugee status determination procedure that incorporated due process safeguards. He would be interested to hear about measures, such as the training of border officials, to uphold the principle of non-refoulement and prevent forced returns. He would also like to know how many asylum-seekers and

stateless persons were living in the country and what administrative and legal measures had been taken to facilitate their access to identity documents. The delegation might also describe measures to prevent and reduce statelessness, particularly for persons living in border areas and persons of unknown nationality; explain how the State Party coordinated with UNHCR and other agencies to respond to the needs of refugees and displaced persons; and indicate what measures were being taken to build institutional capacity so that the State could assume direct control over the protection of such persons.

17. Despite the ratification of various international treaties and the adoption of the Law on Preventing and Combating Trafficking in Persons, in particular Women and Children, the State Party continued to experience serious challenges in the fight against trafficking in persons. Therefore, he wished to know what mechanisms had been put in place to ensure the effective implementation of the Law and the prosecution of perpetrators. He would like to know how many trafficking victims had been identified and how many investigations conducted in recent years, and whether any systems or protocols had been introduced to identify victims and ensure their access to medical, psychological and legal support.

18. As the Committee had been informed that workers in Guinea-Bissau received extremely low wages and worked in conditions akin to servitude, he wished to know whether the State Party had a minimum wage and, if so, when it had last been raised. He would also like to know whether freedom of association was respected and whether there had been any political interference in collective bargaining processes. He would be grateful for information on any collective bargaining agreements that had been concluded in the previous three years and on the benefits that workers had secured as a result of such agreements.

19. In respect of the right to participate in public affairs, the Committee had received reports that inclusion in the country's political life was limited, participation in elections was low and civic education was lacking. He therefore wished to know what efforts had been made to organize regular, inclusive, transparent and fair elections with the participation of female candidates. He would like to know how electoral irregularities and interference were prevented, and how the State Party ensured the independence and impartiality of the National Electoral Commission. As there had also been reports of political clientelism and nepotism in recruitment processes, he wondered how the State Party promoted equal access to public office and to positions in the civil service. He would be interested to know what steps had been taken to promote the participation of marginalized groups, including women, persons with disabilities and rural communities, in public affairs; and what had been done to promote civic education and raise public awareness of the right to participate in public affairs. What legal remedies were available to persons who believed that their right to participate had been denied?

20. **Ms. Donders** said that the Committee had been informed that, in January 2024, the Ministry of the Interior had issued a statement indefinitely prohibiting demonstrations. She wondered how that ban was compatible with the right to freedom of assembly, as enshrined in Law No. 3/92 on Freedom of Assembly and Demonstration. In addition, she would be interested to know how the State Party ensured that notification procedures did not create practical obstacles to the organization of peaceful assemblies. In the light of reports of mass arrests and beatings at a Popular Front march in May 2024, she wondered whether the statement prohibiting demonstrations might lead to police repression and the excessive use of force. She wished to know whether there had been any investigations into allegations of excessive use of force, including in relation to the 2023 raid on the headquarters of the National Union of Workers of Guinea-Bissau, and, if so, whether anyone had been prosecuted.

21. As the Committee had received no information from the State Party on the issue of political participation, she would be grateful if the delegation could comment on allegations that some political groups and parties had been prevented from campaigning freely and from travelling to meet with supporters prior to the June 2023 elections; that, in December 2023, the armed forces had occupied the headquarters of the African Party for the Independence of Guinea and Cabo Verde; that, in October 2024, a meeting of that party had been violently repressed, resulting in the hospitalization of party members; and that the leaders of the Guinea-Bissau Human Rights League had been harassed by security forces after criticizing the Government. She wondered whether any independent investigations had been conducted into those allegations. She would like to know what measures the State Party had taken to

promote and facilitate the exercise of the right to political participation and, in particular, the freedoms of assembly, expression and movement ahead of the upcoming elections. It would be particularly useful to hear about any human rights training provided to law enforcement and security forces.

22. During the recent review of Guinea-Bissau under the universal periodic review procedure of the Human Rights Council, the Office of the United Nations High Commissioner for Human Rights (OHCHR) had expressed concern about the shrinking civic space, citing reports of intimidation, harassment and arbitrary arrests of human rights defenders, journalists, lawyers and environmentalists. The Committee had received reports of censorship, obstruction and intimidation of journalists and attacks on media outlets, including an incident in which the military had occupied television and radio stations in Bissau. She wished to know whether such events had been the subject of an independent investigation, whether anyone had been prosecuted and whether the victims had been provided with remedies. More broadly, she wished to know what steps the Government had taken to engage more constructively with civil society and to protect human rights defenders, and whether it collected data on violations of the rights of human rights defenders. Lastly, she invited the delegation to explain how the State Party prevented all forms of harassment, intimidation and reprisals against all persons and organizations who cooperated with the Committee or who worked to promote human rights in Guinea-Bissau.

23. **Ms. Bassim** said that she would be interested to know how the State Party was addressing challenges in ensuring children's right to education, including the low average number of years of schooling; the high proportion of children not in school; the gap between girls and boys in access to education; the lack of appropriate school facilities, materials and equipment; and poor teacher training. Further information might be provided on measures to address the plight of *talibé* children, who were subjected to various forms of exploitation, and to improve the situation of children living in poverty in remote and rural areas. She would appreciate information on the legal framework in place and the measures taken to protect children from corporal punishment in all settings.

24. It would be useful to have information on the legal framework for juvenile justice, including clarification of whether Guinea-Bissau had specialized courts that handled cases relating to children. The Committee would be interested to know whether children in conflict with the law had access to free legal assistance and whether there were separate detention facilities for young offenders.

25. Furthermore, she would be grateful for information on measures to prevent and eliminate child labour, including in the agriculture sector, and the sexual exploitation of children. In that regard, the delegation might describe measures taken to uphold the Labour Code and the Code of Conduct for the Protection of Children from Sexual Exploitation in Travel and Tourism. She would welcome clarification of the minimum age for employment and information on the types of hazardous work that were prohibited for children. It would be interesting to know how the State monitored cases of child labour, who was held accountable in such cases – for example, the child's guardian or the employer – and what penalties were imposed.

26. Lastly, she wished to reiterate the questions raised in paragraph 29 of the list of issues prior to reporting concerning the dissemination of information on the Covenant and the participation of civil society in the preparation of the State Party's report.

The meeting was suspended at 10.55 a.m. and resumed at 11.15 a.m.

27. **A representative of Guinea-Bissau** said that the Statute on the Remuneration of Judges was designed to increase the motivation and status of judges and create a culture in which they could perform their duties independently and impartially and not be tempted to engage in corruption. The Statute had been adopted by the People's National Assembly but was not yet being implemented owing to budgetary issues, as Guinea-Bissau was currently under a programme of the International Monetary Fund that required the Government to control the wage bill. Nevertheless, the Government had committed to including funds for the implementation of the Statute in the 2026 budget. The budget of the justice sector was stable and in fact had increased slightly in recent years.

28. The Government was working to expand and strengthen the coverage of the judiciary throughout the country. A public competition for the recruitment of 17 judges was currently under way, and another competition was planned for 2026. The judicial police were recruiting 90 officers. Several new buildings for the criminal justice system were under construction, including the judicial police headquarters in Bafatá and the premises of the National Judicial Training Centre.

29. The Legal Information and Consultation Office, which oversaw several access to justice centres, was the State body responsible for providing legal aid to vulnerable persons. Its purpose was to provide guidance, information and support for persons whose economic situation might prevent them from seeking justice. Persons who could not afford legal costs were provided with a certificate indicating that they did not have sufficient means, after which the court, in coordination with the Bar Association, appointed a lawyer free of charge.

30. The judiciary enjoyed a form of self-governance in which the Superior Council of the Judiciary – and not the Government or any other body – had competence over the appointment, transfer and discipline of judges. Should a judge commit an act that violated professional ethics, the Council would investigate the facts and impose a punishment. Judges' performance was evaluated by an internal body of the Council.

31. The Government recognized that an independent justice system was necessary to uphold rights and freedoms and address human rights violations. For that reason, it had embarked on a structural reform that included the preparation of draft legislation on the Supreme Court and the sector courts. Once the political situation had normalized and the People's National Assembly had reconvened, it would be possible to proceed with the adoption of the draft legislation.

32. The National Strategy for the Inclusion of Persons with Disabilities comprehensively covered issues such as respect for the rights of persons with disabilities and non-discrimination. A bill on the protection and inclusion of persons with disabilities had been drafted in 2018 and was awaiting adoption. In 2019, the Ministry of Women, Family and Social Solidarity had established a directorate general for social inclusion. In 2021, a technical committee had been set up to monitor and evaluate the implementation of public policies for the inclusion of persons with special needs. The Government had also adopted the National Strategic Plan for Inclusive Education with the aim of transforming the education of persons with special needs. In 2020, the Ministry of National Education and Higher Education had established a directorate general of inclusive education.

33. The National Strategy for the Inclusion of Persons with Disabilities had been submitted for the consideration of partners. As with other strategies, funding for its implementation would depend largely on the strategic priorities of those partners. Certain components of the strategy might not be implemented due to the scarcity of resources; others would be implemented when funding became available.

34. The right of asylum was regulated by Law No. 6/2008, the Refugee Statute, which recognized the principle of non-refoulement. The Ministry of Justice and Human Rights and the Ministry of the Interior had led the effort to integrate long-term refugees who had no documents from their country of origin. Considering that their integration was a human rights issue, the Government had adopted a law under which they had been provided with birth certificates and issued with identity cards recognizing them as citizens of Guinea-Bissau. To date, over 10,000 refugees had benefited from those measures. The Government was committed to ensuring that refugees were not left behind and were sufficiently protected by the country's laws. To that end, it had established the national commission for refugees, an interministerial body led by the Ministry of the Interior that was responsible for monitoring the situation of refugees and developing annual action plans.

35. The National Committee for Preventing and Combating Trafficking in Human Beings included representatives of governmental bodies and NGOs, some of which were faith-based organizations. It monitored the situation with regard to trafficking in persons and efforts to prevent it, assisted in the coordination of such efforts, including by developing relevant policies and strategies, and provided support to victims. Guinea-Bissau cooperated on combating that crime both multilaterally, with other States members of the Community of Portuguese-speaking Countries, and bilaterally with Senegal and the Gambia, including by

sharing information to prevent cross-border trafficking. In addition to adopting the Law on Preventing and Combating Trafficking in Persons, in particular Women and Children, the Government had sought to prevent trafficking in children by suspending international adoption and guardianship arrangements that involved the removal of children abroad, both of which could be abused for trafficking purposes. Children could now only be removed abroad if authorized by the Ministry of Justice and Human Rights. The adoption of the draft code for the comprehensive protection of children would make it possible to properly certify adoptions and monitor the well-being of children from Guinea-Bissau abroad, including through improved international cooperation. A draft transitional law that would be submitted to the cabinet for approval in the coming days provided for the establishment of mechanisms for coordinating child protection policy pending the code's adoption. The Government had developed manuals on the implementation of the code and relevant training for judges, protection services and civil society organizations.

36. The minimum wage had been increased to the equivalent of approximately €90. Freedom of association and assembly, including the right to form and join trade unions and faith-based organizations, was enshrined in law, as was the right to strike. The Constitution and related laws set out for how long the president and members of the legislature were to serve and when elections to those positions were to be held. Such elections were next scheduled to be held in November 2025. The law provided for campaigns to improve civic education, which were normally carried out both by the State and by civil society organizations and included visits to local communities to raise awareness about elections and encourage participation. The importance of participating in elections was also communicated to the public through national and local radio broadcasts. The Public Prosecution Service had begun proceedings against members of the armed forces who had made threats against political parties and civil society organizations and raided the offices of Rádio Capital.

37. Although, even in rural areas, there were enough public and private schools, in some cases children had to travel long distances to reach them. In some areas, fewer children, particularly girls, attended school because their families considered it more important for them to work at home or in the fields. The Ministry of National Education and Higher Education broadcast radio programmes aimed at encouraging parents to send their children to school, while NGOs worked locally to communicate the importance of education to children. In addition, the Government ran various programmes under which families were exempted from paying school registration and other fees and received assistance with the cost of school meals.

38. Corporal punishment in schools was illegal. The Government was committed to strengthening the ability of the general education inspectorate to proactively monitor compliance with that ban at State schools and ensure that perpetrators were brought to justice. The minimum age for employment was 16 years. The Labour Code contained a list of occupations that were prohibited for children.

39. Representatives of OHCHR and other United Nations entities disseminated information on the Covenant to stakeholders, and the Government carried out various activities to raise awareness of the Covenant among different groups in society. At various stages in the development of the country's periodic report, workshops had been held at which State institutions and civil society organizations, including human rights bodies, had reviewed and commented on draft versions of it.

40. Responses to the Committee's questions on freedom of expression, freedom of the press and the right to demonstrate would be provided in writing after the meeting.

41. **Mr. Carazo** said that the "Candonga di Justiça" mobile justice initiative was an excellent system that should be replicated in other countries. He wondered how United Nations entities and civil society organizations had helped to raise awareness of human rights in the State Party thus far and how the Government anticipated that United Nations entities might support the implementation of the Committee's concluding observations.

42. **Ms. Bassim** said that she wished to know what obstacles the State Party had encountered in its efforts to provide persons with disabilities with access to education, what measures it had taken to overcome those obstacles and how it attempted to integrate persons

with disabilities into schools and society in a manner that prevented them from experiencing bullying or harassment.

43. **Ms. Donders** said that she would appreciate information on any other targeted measures the State Party had taken to address corruption in the justice system with a view to promoting public trust in its institutions. It was regrettable that some of the Committee's questions would be addressed only in writing after the meeting, as that limited the potential for a constructive dialogue to take place.

44. **Mr. Teraya** said that he had not yet received a response to his questions concerning restrictions on freedom of expression. He wished to know whether the State Party would investigate the reported attacks on journalists and press organizations and ensure that those responsible were held accountable. He wondered what obstacles prevented it from protecting journalists and prosecuting the perpetrators of such attacks.

45. **Mr. Ndiaye** said that, in the light of reports indicating that other branches of the Government had interfered with the judiciary, he would like to know what measures were being taken to ensure its independence as provided for by law. He wondered whether it was still the case that only 5 of the 15 members of the Superior Council of the Judiciary were judges and most of the remaining members had been appointed by the President and the People's National Assembly, and whether the State Party might consider ensuring that the majority of members of that body were judges, with a view to preventing political nominations in the judicial system. It would be useful to hear about any measures being taken to prevent judges from being coerced and corrupted by drug cartels. He wished to know why the murder of former President João Bernardo Vieira remained unpunished. Was the State Party not interested in initiating a process to ensure truth, justice, reparations and reform so that its past did not impede its future?

46. **A representative of Guinea-Bissau** said that the mobile justice initiative had been developed with a view to providing services to people who lived in remote areas. In the Gabú sector in May 2025, more than 600 adults had benefited from the initiative and more than 330 children had received birth certificates. Similar numbers of men, women and children had benefited from the initiative in the Mansôa, Buba and Bafatá sectors. In total, more than 2,280 adults had received services, which had included providing people with identification documents and legal advice to help them gain access to justice.

47. The United Nations had provided Guinea-Bissau with significant support in its efforts to uphold human rights. Bodies such as the United Nations Development Programme and the United Nations Office on Drugs and Crime had helped the Government to develop the National Strategy for Human Rights and Citizenship 2022–2026 and the national integrated plan to combat drugs and organized crime, among other policy documents, and to prepare amendments to the Criminal Code, the Criminal Procedure Code and other legislation. The United Nations had also provided the Government with technical advice, training in human rights and restorative and alternative justice, assistance with funding for additional training and support in implementing the recommendations issued by treaty bodies and during the universal periodic review process.

48. The obstacles encountered by the Ministry of National Education and Higher Education in its efforts to provide children with disabilities with access to education, which included a shortage of functioning vehicles, were the result of financial limitations. While specific training programmes for teachers who worked with children with disabilities had been put in place, such teachers remained difficult to recruit. A national strategy to increase the capacity of special schools had been developed and the Government was working to overcome other obstacles through cooperative partnerships.

49. As salaries paid to public officials were generally low, there was a need to improve the salaries paid to judges to help them administer justice impartially. Implementation of the Statute on the Remuneration of Judges, which had been adopted with a view to addressing that issue, had proved challenging from a budgetary perspective. Reforms of public administration were under way with a view to reducing the number of public officials and reforming the salary table. However, following a strike held by judicial officials over their salaries, the Government had committed to implementing the Statute in the 2026 budget.

50. Freedom of expression was fully recognized as a fundamental right in the Constitution and other domestic laws and was not subject to any restrictions. The principles relating to that right were in compliance with the Covenant.

51. The independence of the judiciary was ensured by the Organic Law of the Courts, which provided that judges were accountable only to the law and their own conscience. The Superior Council of the Judiciary was the body responsible for disciplining judges. Its make-up and that of the Supreme Court would be changed under new legislation. Under a draft amendment to the organic law governing the Supreme Court, that body would be chaired by a senior judge and elections to the Court, which could be unduly influenced by political factors, would be eliminated. Such a system, which was used in Brazil, had ensured a degree of impartiality and independence in the process for determining the leadership of that country's Supreme Court. The Government would undertake to continue to adopt international best practices in its efforts to improve the judiciary. While it acknowledged the possibility that judges were subjected to pressure from external groups, including criminal groups, the delegation had no information indicating that judges had been coerced by drug cartels. It was the responsibility of judges to maintain their integrity in the face of external pressure to the extent possible.

52. **The Chair**, thanking the delegation, said that the State Party's first review under the Covenant marked an important step in advancing the protection of civil and political rights. The Committee wished to formally reiterate that no individual or organization should face any form of intimidation or reprisals for cooperating with the Committee, whether in Geneva or Guinea-Bissau.

The meeting rose at 12.45 p.m.