

**Advance unedited version**

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**Human Rights Committee****Concluding observations on the initial report of Guinea-Bissau\***

1. The Committee considered the initial report of Guinea-Bissau<sup>1</sup> at its 4230<sup>th</sup> and 4231<sup>st</sup> meetings,<sup>2</sup> held on 26 and 27 June 2025. At its 4249<sup>th</sup> meeting, held on 10 July 2025, it adopted the present concluding observations.

**A. Introduction**

2. The Committee is grateful to the State party for having accepted the simplified reporting procedure and for submitting its initial report in response to the list of issues prior to reporting prepared under that procedure.<sup>3</sup> It expressed appreciation for the opportunity to initiate its constructive dialogue with the State Party's delegation on the measures taken during the reporting period to implement the provisions of the Covenant. The Committee thanks the State Party for the oral and written responses provided by the delegation and for the supplementary information provided to it in writing.

**B. Positive aspects**

3. The Committee welcomes the adoption of the following legislative, policy and administrative measures taken by the State Party:

- a) The Law No. 4/2018 (Parity Law), setting a statutory 36 per cent quota for women's participation in decision making positions in elected and appointed bodies;
- b) The Law No. 6/2014 on domestic violence, covering physical, psychological, sexual and economic violence;
- c) The Law No. 10/2013 on elections, establishing the legal framework for electoral processes and institutions;
- d) The Law No. 14/2011 criminalizing female genital mutilation;
- e) The Law No. 12/2011 on trafficking in persons;
- f) The Law No. 6/2010 on Access to Justice;
- g) The Law No. 6/2010 on Nationality, aligned with the Convention on the Rights of the Child and the African Charter on the Rights and Welfare of the Child;
- h) The National Strategy to Fight Corruption (2021-2030);

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\* Adopted by the Committee at its 144th session (23 June – 17 July 2025).

<sup>1</sup> CCPR/C/GNB/1.

<sup>2</sup> See CCPR/C/SR.4230 and CCPR/C/SR.4231.

<sup>3</sup> CCPR/C/GNB/QPR/1.

- i) The National Human Rights Strategy and Action Plan (2022–2026);
  - j) The National Plan to Prevent and Combat Trafficking in Human Beings (2024–2028).
4. The Committee also welcomes the ratification of the following international instruments by the State Party:
- a) The International Convention on the Protection of the Rights of All Migrants Workers and Members of Their Families on 22 October 2018;
  - b) The Convention on the Rights of Persons with Disabilities on 24 September 2014;
  - c) The Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict on 24 September 2014;
  - d) The Second Optional Protocol to the International Covenant on Civil and Political Rights aiming at the abolition of the death penalty on 24 September 2013;
  - e) The Convention against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment on 24 September 2013;
  - f) The International Convention on the Elimination of All Forms of Racial Discrimination on 01 November 2010;
  - g) The Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography on 1 November 2010.

## C. Principal matters of concern and recommendations

### **Constitutional and legal framework within which the Covenant is implemented**

5. While acknowledging that the State Party has initiated a constitutional reform process, the Committee regrets that it remains incomplete due to the dissolution of Parliament. It notes that article 29 of the 1984 Constitution (revised 1996) provides for the interpretation of constitutional rights in line with international law and the Universal Declaration of Human Rights. Nevertheless, the Committee is concerned that not all rights enshrined in the Covenant are adequately incorporated into domestic laws. It is further concerned that there have been no judicial decisions by domestic courts referring to or applying the provisions of the Covenant. The Committee also notes with concern the existence of statutory and customary legal provisions that are incompatible with the Covenant, discrepancies between various sources of law applied in the State Party, and the lack of information on measures taken to address such inconsistencies. In this context, it is particularly concerned about reports that, in practice, customary law takes precedence in cases of conflict with the Covenant (art. 2).

**6. The State Party should take all necessary measures to give full legal effect to all the provisions of the Covenant in its domestic legal order and ensure that domestic laws, including those based on customary law, are interpreted and applied in ways that are compatible with its obligations under the Covenant. It should also increase its efforts to raise awareness of the Covenant and the first Optional Protocol thereto among judges, lawyers, prosecutors and law enforcement officials, and the general public, in order to ensure that the provisions of these instruments are invoked, taken into account and applied by the national courts.**

### **National Human Rights Institution**

7. While noting the adoption of Decree-law No. 5/2025 as a step to strengthen the National Human Rights Commission, the Committee remains concerned that it does not yet function as an independent national human rights institution in full compliance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles). In particular, the Committee is concerned about the lack of legal safeguards to ensure its independence from the executive, including its supervision

by the Prime Minister, and the limited financial and human resources allocated to enable it to carry out its mandate effectively (art. 2).

**8. In light of the State Party's pledge in the context of the Human Rights 75 initiative, the State Party should take all necessary measures to ensure that the National Human Rights Commission fully complies with the Paris Principles. It should ensure that the Commission is able to carry out its mandate fully and independently. The State Party should also provide adequate financial and human resources to the Commission so that it can carry out its functions effectively.**

#### **Anti-corruption measures**

9. The Committee is concerned about reports that corruption remains widespread across many sectors of public life, particularly in the appointment and promotion of government officials and members of the judiciary. It regrets the lack of detailed information on the status of implementation of the National Anti-Corruption Strategy (2021–2030) and on the specific measures in place to ensure the independence, transparency, effectiveness and accountability of anti-corruption bodies, such as the Office for the Fight against Corruption and Economic Offences. The Committee also notes with concern that key oversight institutions, such as the Court of Auditors, the Asset Recovery and Asset Management Offices, are not fully operational due to limited independence, resources, and infrastructure. It further regrets the lack of protection of anti-corruption protesters and whistle-blowers, as well as the absence of data on investigations, prosecutions, convictions, and sanctions for corruption, (arts. 2 and 25).

**10. The State Party should intensify its efforts to prevent and eradicate corruption and impunity at all levels by:**

**a) Promptly, thoroughly, independently and impartially investigating and prosecuting all cases of corruption, particularly those involving high-level officials, and, ensuring that, if a person is convicted, penalties imposed are commensurate with the gravity of the offence and that victims are provided adequate reparation, and that data on investigations, prosecutions, convictions and sanctions are collected and published;**

**b) Ensuring the independence, transparency and accountability of all anti-corruption bodies, including the Office for the Fight against Corruption and Economic Offences, the Court of Auditors and the Asset Recovery and Asset Management Office, and ensuring their effectiveness by providing adequate human and financial resources;**

**c) Reviewing and supplementing the legal framework to better protect anti-corruption activists and whistle-blowers, preventing undue harassment of lawful anti-corruption activities and ensuring access to publicly held information;**

**d) Implementing training and awareness-raising campaigns to inform public officials, politicians, the business community and the general public about the economic and social costs of corruption and the mechanisms in place to report it.**

#### **Non-discrimination and equality between men and women**

11. While noting that the principle of equality and non-discrimination is enshrined in article 25 of the 1984 Constitution (revised 1996), the Committee is concerned that the State Party has not adopted comprehensive anti-discrimination legislation, and about numerous allegations of discrimination on the grounds of gender and disability, as well as the lack of investigations into such cases. The Committee is further concerned about reports of discrimination against women as regards their participation in public life, their access to justice, and the obstacles they face in accessing land and economic resources, despite existing legal guarantees (arts. 2, 3, 23, 25 and 26).

**12. The State Party:**

**a) Consider enacting comprehensive anti-discrimination legislation that provides full and effective protection against discrimination in all spheres and contains a comprehensive list of prohibited grounds for discrimination in accordance with the**

Covenant, including gender and disability, and provides for effective remedies in case of violations;

b) Strengthen measures to combat gender stereotypes and biases about the roles and responsibilities of women and men in the family and society;

c) Take effective measures to promote the full participation of women in political, economic and public life, including by tackling structural, for instance cultural, economic or social, barriers;

d) Ensure access to effective and accessible complaint mechanisms and remedies and collect disaggregated data on cases of discrimination and their outcomes, and guarantee that all acts of discrimination, stigmatization, harassment and violence are promptly and effectively investigated, that perpetrators are prosecuted and, if convicted, punished with penalties commensurate with the gravity of the offence and that victims receive full reparation.

#### **Violence against women, including domestic violence**

13. The Committee notes the adoption of the Domestic Violence Law (Law No. 6/2014) and other legal measures to address gender-based violence. It remains concerned, however, that gender-based violence continues to be prevalent and perpetuated by strong sociocultural traditions. The Committee regrets the limited availability of shelters and victim support services, particularly in rural and remote areas, as well as the insufficient presence of adequately trained law enforcement and judicial personnel. It further notes with concern that the prosecution of domestic violence cases remains dependent on the victim's consent, which can be withdrawn at any time, thereby hindering access to justice and accountability (arts. 2, 3, 6, 7, 24 and 26).

14. The State Party should strengthen its efforts to prevent and combat all forms of violence against women, including by adopting a comprehensive legal and policy framework that explicitly ensures substantive protection for victims, in accordance with the Covenant. In particular, it should:

a) Ensure that its national legislation and policy framework explicitly addresses all forms of violence against women, including domestic violence;

b) Ensure that all reported cases of violence against women are promptly and thoroughly investigated, that such crimes are subject to *ex officio prosecution* irrespective of the victim's consent, that perpetrators are prosecuted, convicted where appropriate, and sanctioned with adequate penalties, and that victims are provided with adequate protection and effective remedies;

c) Establish confidential, accessible and safe reporting mechanisms for victims, including by strengthening the SOS 121 hotline and establishing specialized units for women and children at police stations and health centres across its territory, staffed with adequately trained professionals;

d) Allocate adequate financial and human resources for the effective implementation of existing legislation, including the expansion of shelters and other support services throughout its territory, with particular attention to rural and remote areas;

e) Conduct sustained awareness-raising campaigns in official and local languages through national and community media, with the involvement of opinion, traditional and religious leaders, to challenge social and cultural norms that perpetuate violence against women and promote awareness among women and girls about the legal remedies and services available to protect their rights.

#### **Harmful practices**

15. The Committee appreciates the measures adopted by the State Party to combat harmful practices, including the adoption of legislation prohibiting female genital mutilation (Law No. 14/2011) and the establishment of the National Committee for the Abandonment of Traditional Practices Harmful to the Health of Women and Children. It is, however,

concerned about the persistently high prevalence of female genital mutilation, particularly in regions such as Bafatá and Gabú. It is further concerned about the absence of reported or prosecuted cases and the resulting lack of accountability for perpetrators. The Committee is equally concerned about reports of an increase in early marriage amid the COVID-19 pandemic, due to school interruption and impoverishment, as well as delays in adopting legal reforms to raise the minimum age of marriage to 18 (arts. 2, 3, 6, 7 and 26).

**16. The State Party should:**

a) **Ensure the effective enforcement of its national legislation prohibiting all harmful traditional practices, including all forms of female genital mutilation and early and forced marriage, and complement such legislation with comprehensive policies, community-based programmes and behaviour change initiatives that address the root causes of these practices and involve community, religious and traditional leaders;**

b) **Raise the minimum age for marriage to 18 years old for both females and males;**

c) **Ensure that all cases involving the performance of harmful practices are investigated, that perpetrators are prosecuted and, if convicted, punished with commensurate sanctions, and that victims are provided with effective remedies and legal, medical and psychosocial assistance.**

**Termination of pregnancy, maternal mortality and sexual and reproductive rights**

17. While noting the information provided by the State Party regarding the legal framework on abortion, the Committee is concerned that legal and practical barriers continue to hinder effective access to safe and legal abortion, including the obligation to obtain an authorization from a third-party in many cases and the limited availability of safe abortion services. It is further concerned about persistently high rates of teenage pregnancy and maternal and infant mortality, compounded by inadequate access to essential sexual and reproductive health services, including contraceptive methods and information, particularly in rural areas, as well as broader limitations on women's autonomy in making decisions concerning their reproductive health (arts. 3, 6 and 7).

**18. Bearing in mind paragraph 8 of the Committee's general comment No. 36 (2018) on the right to life, the State Party should:**

a) **Take all necessary legislative and other measures to explicitly guarantee safe, legal and effective access to abortion where the health of a pregnant woman or girl is at risk, or where carrying a pregnancy to term would cause the pregnant woman or girl substantial pain or suffering, most notably where the pregnancy is the result of rape or incest or when it is not viable;**

b) **Adopt all measures necessary to prevent maternal mortality and morbidity, taking into consideration the Office of the United Nations High Commissioner for Human Rights technical guidance on the application of a human rights-based approach to the implementation of policies and programmes to reduce preventable maternal mortality and morbidity;**

c) **Ensure the availability, accessibility, affordability and quality of sexual and reproductive health services and information, including contraceptive methods, emergency contraception, and antenatal and postnatal care for all women and adolescent girls, particularly in rural and remote areas;**

d) **Ensure access to comprehensive scientifically based education and information on sexual and reproductive health and rights for women, men, girls and boys.**

**Right to life and excessive use of force**

19. The Committee notes the information provided by the State Party on the legal framework regulating the use of force. It remains gravely concerned about reports of excessive, and at times lethal, use of force by law enforcement and security forces, including during peaceful protests and political unrest, such as the violent dispersal of the Popular Front

March in May 2024. The Committee also regrets the lack of progress in investigating cases, such as the 2009 assassination of former President João Bernardo Vieira and the events of 1 February 2022, following the attack on the Government Palace. It is further concerned about the limited impact of previous initiatives, such as the 2011 Amnesty Law and the National Commission for National Reconciliation, in addressing impunity for serious human rights violations. Additionally, the Committee notes the absence of a clear legal framework governing states of emergency and is concerned about the unclear status of the protection of non-derogable rights in such contexts (arts. 3, 4, 6, 7, 9, 14 and 17).

**20. The State Party should:**

a) **Ensure that all legislative and regulatory provisions governing the use of force are in line with the United Nations Human Rights Guidance on Less-Lethal Weapons in Law Enforcement, the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials and the Committee's general comment No. 36 (2018), which establish a requirement that law enforcement officers use lethal force only when strictly necessary in order to protect life or prevent serious injury from an imminent threat;**

b) **Guarantee the availability of accessible complaint mechanisms and take all measures necessary to ensure that all allegations of excessive use of force by members of the armed forces and law enforcement are investigated promptly, effectively and impartially, including those during the May 2024 Popular Front March, that perpetrators are prosecuted and, if convicted, punished with appropriate sanctions, and that redress, compensation and guarantees of non-repetition are provided to victims of such violations;**

c) **Provide systematic training for all law enforcement officers on the above-mentioned international standards and uphold the principles of legality, necessity and proportionality in the use of force;**

d) **Endeavour to ensure accountability for serious past human rights violations, including the case of former President João Bernardo Vieira, by considering establishing a transitional justice process, conducting prompt and impartial investigations, guaranteeing victims' rights to effective remedies and redress, and ensuring that amnesty laws, including the 2011 Amnesty Law, do not apply to human rights violations that amount to crimes against humanity or war crimes;**

e) **Adopt a comprehensive legal framework governing states of emergency in compliance with article 4 of the Covenant and the Committee's general comment No. 29 (2001), including protection of non-derogable rights and formal notifications under article 4(3).**

**Prohibition of torture and of cruel, inhuman or degrading treatment**

21. While noting that torture is prohibited by the State Party's Penal Code and related legislation, the Committee is concerned that the existing legal framework does not fully comply with the requirements of article 7 of the Covenant. It further notes the numerous allegations of torture and ill-treatment, and regrets the lack of data concerning complaints, investigations, prosecutions, related convictions, and redress provided to victims. The Committee also notes that the Optional Protocol to the Convention against Torture, signed by the State Party in 2013, has yet to be ratified (arts. 6 and 7).

**22. The State Party should take immediate measures to end torture and other forms of cruel, inhuman or degrading treatment or punishment. In particular, the State Party should:**

a) **Ensure that all legal provisions prohibiting torture and ill-treatment are fully aligned with the Covenant and other international standards set out in international human rights law and provide for penalties commensurate with the gravity of such offences;**

b) **Conduct prompt, thorough, independent and impartial investigations into all allegations of torture, ill-treatment, and deaths in custody, in accordance with the**

**Manual on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Istanbul Protocol) and the Minnesota Protocol on the Investigation of Potentially Unlawful Death, prosecute perpetrators and, if they are convicted, punish them with sanctions commensurate with the gravity of the crime, provide victims with full remedy and redress, and collect relevant data on complaints, investigations, prosecutions, convictions and remedy to victims;**

**c) Strengthen measures to prevent torture and other cruel, inhuman or degrading treatment or punishment by ensuring regular and practical human rights training for judges, prosecutors and law enforcement officials, including on the Principles on Effective Interviewing for Investigations and Information-Gathering (the Méndez Principles);**

**d) Ensure that all persons deprived of their liberty have access to an independent and effective complaints mechanism for the investigation of allegations of torture and ill-treatment;**

**e) Ratify the Optional Protocol to the Convention against Torture, in line with the State Party's pledge in the context of the Human Rights 75 initiative.**

#### **Treatment of persons deprived of their liberty**

23. Despite efforts by the State Party, the Committee notes with concern that conditions in prisons and other places of deprivation of liberty fall below the requirements of the Covenant and other internationally recognized standards, due to factors such as overcrowding, poor sanitation, inadequate food and water, limited access to health care, and the use of improvised facilities, such as sheds near police stations, that do not meet minimum requirements. It further regrets the reported lack of separation between women, men and minors, as well as those held in pretrial detention from those convicted. The Committee also notes with concern the high proportion of persons held in pretrial detention, the excessive length of such detention in some cases, and the limited use of non-custodial alternatives despite their availability in law. Moreover, the Committee deplores the lack of awareness among persons deprived of their liberty of their rights, the absence of accessible complaint mechanisms, the limited capacity of independent oversight bodies, and the lack of mental health services in detention facilities (arts. 6, 7, 9, 10 and 11).

24. Bearing in mind the Committee's general comment No. 35 (2014) on liberty and security of the person, the State Party should intensify its efforts to ensure that conditions of detention fully comply with relevant international human rights standards, including the United Nations Standards Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules), the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules) and the United Nations Standard Minimum Rules for Non-custodial Measures (the Tokyo Rules). The Committee also emphasizes the importance of ensuring that all persons deprived of their liberty are afforded, in law and in practice, all fundamental legal safeguards from the outset of their detention. In particular, the State Party should:

**a) Adopt effective measures to reduce overcrowding, including by promoting alternatives to detention;**

**b) Improve detention conditions and ensure adequate access to food, clean, water, and health care, including mental health services, in all places of deprivation of liberty; and ensure the separation of prisoners by age, sex and grounds for deprivation of liberty;**

**c) Promote the use of non-custodial measures and ensure that pretrial detention is used only as an exceptional, necessary and proportionate measure, for the shortest time possible, and subject to regular judicial review;**

**d) Guarantee independent and regular monitoring of all places of deprivation of liberty; and ensure access to an independent and effective complaints mechanism for persons deprived of their liberty, guaranteeing prompt, confidential and**

**direct access to monitoring bodies and to effective remedies in accordance with article 2 (3) of the Covenant.**

#### **Administration of justice and independence of the judiciary**

25. The Committee is gravely concerned that, despite constitutional guarantees, the judiciary lacks independence and remains vulnerable to interference and intimidation, including from government officials as well as criminal networks. It also regrets the lack of transparency in the appointment, transfer, and dismissal of judges and prosecutors, and about the composition of the Superior Council of the Judiciary. While initiatives such as the *Candongas de Justiça* have aimed at to improve access to justice, the Committee notes with concern that the formal justice system continues to face serious challenges, including limited resources and the absence of courts in many regions. The Committee notes with regret the barriers to legal aid, including high court fees, and the absence of a comprehensive legal aid system(art. 14).

**26. The State Party should continue its efforts to reform the justice system and ensure that all court proceedings are conducted in full observance of the due process guarantees set forth in article 14 of the Covenant and bearing in mind the Committee's general comment No. 32 (2007) on the right to equality before the courts and tribunals and to a fair trial. In doing so, it should:**

a) **Expedite the finalization, adoption and effective implementation of the legislative reforms currently under development, including the Organic Law for the Supreme Court of Justice, the Judicial Organisation Law, the Organic Law for the Sector Courts, the Statute for the Magistrates, and the Regulations for the Superior Council of the Judiciary, with a view to strengthening the independence, structure, and functioning of the judiciary and ensure that these legislative reforms comply with the Covenant;**

b) **Increase the capacity of the judicial system, including by increasing the financial resources allocated to the judiciary as well as the availability of trained judges, prosecutors and public defenders;**

c) **Safeguard, in law and in practice, the full independence, impartiality and safety of judges and prosecutors, and prevent them from being influenced in their work by any form of undue political or other pressure, and ensure that disciplinary procedures against unethical conduct are duly applied;**

d) **Ensure that the rules and procedures for the selection, appointment, promotion, suspension, removal and disciplining of judges and prosecutors comply with the Covenant and relevant international standards, including the Basic Principles on the Independence of the Judiciary and the Guidelines on the Role of Prosecutors;**

e) **Take all measures necessary to ensure the full independence of the Superior council of the Judiciary from the executive;**

f) **Establish a well-resourced legal aid system and ensure that free legal assistance is provided in a timely manner in all cases where the interests of justice so require.**

#### **Persons with disabilities**

27. The Committee welcomes the development of the draft law on the protection and inclusion of persons with disabilities and the adoption of the National Strategy for the Inclusion of People with Disabilities. However, it regrets the delays in finalizing and adopting the draft law, and notes with concern the limited and underfunded implementation of the Strategy. The Committee is also concerned about reports of persistent discrimination, stigma and prejudice against persons with disabilities, including in education, employment and access to services. In particular, it notes with serious concern reports of violence against children with disabilities, such as infanticide and abandonment, as well as restrictions on the right to vote for some persons with disabilities (arts. 2, 7, 9, 10 and 26).



**28. The State Party should strengthen efforts to protect, promote and fulfill the rights of persons with disabilities and ensure their full inclusion in society. In particular, it should:**

**a) Expedite the adoption of the draft law on the protection and inclusion of persons with disabilities and ensure that national legislation explicitly prohibits direct, indirect and intersectional discrimination on the basis of disability and the denial of reasonable accommodation;**

**b) Ensure effective implementation of the National Strategy for the Inclusion of Persons with Disabilities by allocating sufficient resources, establishing monitoring mechanisms, and promoting the participation of persons with disabilities in its implementation;**

**c) Ensure that all acts of violence against children with disabilities are promptly and effectively investigated, that perpetrators are brought to justice and, if convicted, punished with appropriate sanctions and that victims are provided with adequate remedies and effective access to legal, medical, financial and psychological assistance;**

**d) Take measures necessary to remove all barriers in law and in practice that inhibit persons with disabilities from exercising their right to vote giving full effect to the right of every citizen to participate in public affairs without discrimination and guaranteeing their full participation in political life;**

**e) Address stigma and prejudice against persons with disabilities through public education and awareness raising campaigns targeting communities, public officials, and service providers;**

**f) Take all measures necessary to eliminate barriers to access in education, employment, health care, public infrastructure, and political participation, particularly for women, children, and persons with intellectual or psychosocial disabilities.**

#### **Refugees, asylum seekers, stateless persons and displaced persons**

**29.** The Committee appreciates Guinea-Bissau's accession to international instruments and efforts to naturalize long-term refugees. It remains concerned, however, about delays in finalizing and implementing the revised refugee law and the limited functioning of national institutions responsible for asylum and displacement. The Committee regrets the low rate of asylum registration, the lack of updated identity and naturalization documents for refugees, asylum seekers and stateless persons. It is further concerned about the absence of legal safeguards to prevent and reduce statelessness, particularly for children of undocumented parents and persons living in border regions. The Committee also notes with concern the absence of a national framework to address internal displacement, including risks linked to climate change and land conflicts (arts. 12, 13, 16 and 26).

**30. The State Party should:**

**a) Finalize and adopt the revised law on refugees and stateless persons and ensure its compliance with the provisions of the Covenant. It should also ensure its effective implementation, including through the proper functioning of the National Commission for Refugees and Internally Displaced Persons;**

**b) Strengthen the asylum system by increasing registration rates, ensuring fair and efficient refugee status determination procedures, and enhancing the capacity of border and immigration officials;**

**c) Expedite the issuance of identity documentation and naturalization certificates to refugees, asylum seekers, and stateless persons;**

**d) Take the necessary legal and administrative measures to prevent and reduce statelessness, particularly among children of undocumented parents and persons living in border regions; including by granting citizenship or issuing identity documents to stateless persons, where appropriate, and guarantee the right of every child to acquire a nationality;**

e) **Develop a national legal framework on internal displacement that is in full compliance with the provisions of the Covenant and relevant international standards, and establish a national body to coordinate the protection and resettlement of displaced persons.**

#### **Trafficking in persons, elimination of slavery and servitude, and domestic workers**

31. The Committee welcomes the adoption of the Anti-Trafficking Law and the 2018–2021 National Action Plan to Combat Trafficking in Persons, as well as the bilateral cooperation agreements on criminal matters with several countries. It remains concerned, however, about continued reports of child trafficking for forced begging, domestic work, and sexual exploitation, including in Quranic schools and tourism areas like the Bijagós Islands. The Committee also regrets the lack of updated data on the identification of victims, the investigations and prosecutions carried out, and the penalties imposed, as well as by reports of continued impunity for perpetrators. It further notes with concern the absence of national victim support services, the reliance on civil society for the provision of limited assistance to victims without State funding, the lack of a national referral mechanism and the weak law enforcement presence in some regions (arts. 6, 7, 8 and 24).

32. **The State Party should step up efforts to prevent, combat and punish trafficking in persons, especially of children, including for forced begging, domestic servitude, and sexual exploitation. To that end, it should:**

a) **Strengthen the legal and institutional framework by fully implementing the Anti-Trafficking Law while ensuring its compliance with the Covenant and relevant international standards and adopting an updated, coordinated national action plan against trafficking in persons;**

b) **Ensure that all cases of trafficking are promptly and thoroughly investigated, that perpetrators are prosecuted and, if convicted, receive penalties commensurate with the gravity of the offence;**

c) **Ensure that victims, especially children, have access to effective protection and assistance, including safe shelters, medical and psychosocial care, legal aid, and rehabilitation services, and that they receive full reparation, including compensation.**

#### **Freedom of expression and the protection of journalists**

33. The Committee takes note of the constitutional and legislative guarantees for freedom of expression and of the media. However, it is concerned that press and broadcasting laws allow vague and overly broad restrictions, such as those based on “*respect for human dignity*” or “*defence of democratic order*”, which are not clearly aligned with article 19(3) of the Covenant and may lead to arbitrary interference. The Committee is seriously concerned about reported attacks on journalists and media outlets, including assaults by men in military attire on Rádio Capital FM in July 2020 and February 2022, which injured several journalists and destroyed equipment, and the February 2024 military raid on state broadcasters TVGB and Radiodifusão Nacional. It is further concerned about high licensing fees for private and community radio stations, political interference in public broadcasting, and the lack of an independent public media system, all of which undermine media pluralism and foster self-censorship (arts. 6, 7, 18 and 19).

34. **Bearing in mind the Committee’s general comment No. 34 (2011) on the freedoms of opinion and expression, the State Party should:**

a) **Consider reviewing and amending all legal provisions governing freedom expression to ensure that any restrictions on the exercise of that right are clearly defined, necessary, and proportionate, in conformity with the strict requirements of article 19 (3) of the Covenant;**

b) **Conduct prompt, effective and impartial investigations into allegations of threats or violence against journalists, media workers and human rights defenders, including the assaults on Rádio Capital FM (2020, 2022) and the 2024 raid on TVGB and Radiodifusão Nacional, bring the perpetrators to justice and, if they are convicted, punish them with commensurate sanctions, and provide victims with effective remedies;**

**c) Ensure fair, transparent, and non-discriminatory media licensing, including by reviewing excessive fees that hinder media diversity;**

**d) Strengthen protection for journalists and create a safe and enabling environment for free and independent media.**

#### **Freedoms of assembly and association and the protection of human rights defenders**

35. The Committee takes note of the constitutional and legal guarantees for freedom of peaceful assembly, including article 54 of the 1984 Constitution (revised 1996) and Law No. 3/92. It is concerned, however, about the January 2024 press release by the National Police Commissioner, which unduly restricts the right of peaceful assembly and has reportedly been used to obstruct the organization of peaceful demonstrations. The Committee regrets the lack of information provided on the investigations into such incidents, the prosecutions carried out, the penalties imposed, and the redress afforded to victims. It is also concerned by reports of continued intimidation and threats against human rights defenders, including members of the Guinean Human Rights League. The Committee further notes with concern the lack of safeguards to protect civic space, particularly in the lead-up to the November 2025 elections. Moreover, the Committee is deeply concerned about reports of interference with trade union activities, including the police seizure of the National Union of Guinean Workers' headquarters in May 2023, undermining the autonomy of trade unions and the exercise of freedom of association. (arts. 6, 7, 19, 21 and 25).

**36. In accordance with article 21 of the Covenant and the Committee's general comment No. 37 (2020) on the right to peaceful assembly, the State Party should foster an enabling environment for the exercise of this right and ensure that any limitations, including the January 2024 ban on public demonstrations, are strictly in line with the principles of legality, necessity, and proportionality. The State Party should adopt all necessary measures to protect and promote civic space, including also strengthen legal and institutional safeguards to ensure that human rights defenders, political activists, journalists and trade unionist are free to carry out their work without fear of violence or reprisals. Moreover, the State Party should take all necessary measures to guarantee the effective exercise of freedom of association, including by refraining from any undue interference in the activities of civil society organisations, including trade unions, and that they are not subjected to stigmatization and judicial harassment, and instead foster an enabling environment for the exercise of the right to freedom of association.**

#### **Rights of the child**

37. The Committee is concerned about delays in adopting key child protection legislation, including the Code for the Integral Protection of Children and the revised legal codes. It is further concerned that, in the absence of a comprehensive legal framework, corporal punishment remains widely practiced in the home and in institutions, and that where prohibitions do exist, they are rarely enforced. The Committee also notes with concern the absence of a specialized juvenile justice system, including the lack of child-sensitive courts, detention facilities, and legal assistance. Moreover, the Committee regrets the gaps in the 2022 Labour Code, particularly the lack of adequate safeguards for children in hazardous or informal work (arts. 7, 9, 10, 14, 23, 24 and 26).

**38. The State Party should:**

**a) Expedite the adoption of the Code for the Integral Protection of Children and the revised legal codes in line with the Covenant and the Convention on the Rights of the Child;**

**b) Enact legislation that explicitly prohibits corporal punishment of children in all settings, encourage alternative non-violent forms of discipline and conduct awareness-raising campaigns on the harmful effects of corporal punishment;**

**c) Establish a specialized juvenile justice system, including dedicated courts, detention facilities and access to child-friendly legal assistance;**

**d) Strengthen protections under the Labour Code to explicitly prohibit hazardous and exploitative child labour, including in informal settings, and ensure effective monitoring and enforcement.**

#### **Participation in public affairs**

39. The Committee welcomes the peaceful conduct of the 2023 elections but remains concerned about delays in updating the electoral roll, about the political interference in electoral bodies, the limited civic education, and the dissolution of Parliament in December 2023. It notes the statutory 36 per cent quota for women's representation under the Parity Law (Law No. 4/2018), however, regrets that the quota is not observed in practice, penalties for non-compliance are not applied, and women's representation remains insufficient to achieve parity. The Committee is further concerned by the absence of safeguards to ensure merit-based access to public office, the persistence of political clientelism, and the lack of effective remedies for violations of participation rights, particularly affecting women, rural populations, and other marginalized groups (arts. 2, 19, 25 and 26).

**40. The State Party should take all necessary measures to ensure that its electoral legislation and practices are fully compliant with the Covenant, particularly article 25, and align with the Committee's General Comment 25 (1996) on the right to participate in public affairs, voting rights and the right of equal access to public service. The State Party should also guarantee the independence of electoral bodies, ensure timely and transparent voter registration, and uphold democratic continuity. The State Party should take all measures necessary to increase the participation of women in political life, including through effectively implementing the Parity Law, and enforcing compliance mechanisms. In addition, the State Party should take effective steps to promote political participation of rural populations and other marginalized groups. The State Party should also strengthen safeguards for merit-based access to public office and expand civic education, particularly among youth, to foster inclusive political engagement and democratic governance.**

#### **D. Dissemination and follow-up**

41. The State Party should widely disseminate the Covenant, the two Optional Protocols thereto, its initial report and the present concluding observations, with a view to raising awareness of the rights enshrined in the Covenant among the judicial, legislative and administrative authorities, civil society and non-governmental organizations operating in the country, and the general public. The State Party should ensure that the initial report and the present concluding observations are translated into the official language of the State Party.

42. In accordance with rule 75 (1) of the Committee's rules of procedure, the State Party is requested to provide, by 18 July 2028, information on the implementation of the recommendations made by the Committee in paragraphs 8 (National human rights institution), 32 (Trafficking in persons, elimination of slavery and servitude, and domestic violence) and 36 (Freedom of assembly and association, and the protection of human rights defenders) above.

43. In line with the Committee's predictable review cycle, the State Party will receive in 2031, the Committee's list of issues prior to the submission of the report and will be expected to submit within one year its replies, which will constitute its second periodic report. The Committee also requests the State Party, in preparing the report, to broadly consult civil society and non-governmental organizations operating in the country. In accordance with General Assembly resolution 68/268, the word limit for the report is 21,200 words. The next constructive dialogue with the State Party will take place in Geneva in 2033.