



**COLTE/CDE**  
COALITION OF NGOS FOR PROTECTION AND PROMOTION OF THE RIGHTS OF THE CHILD, COMBATING HUMAN

TRAFFICKING - COLTE / CRC

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ALTERNATIVE /COMPLEMENTARY REPORT OF NGOs ON THE CONVENTION ON  
THE RIGHTS OF THE CHILD (CRC) PREPARED BY GUINEA COLTE / CRC TO THE OF  
THE UNITED NATIONS COMMITTEE ON THE RIGHTS OF THE CHILD

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## ACRONYMS AND ABBREVIATIONS

ILO: International Labour Office  
ILO / WACAP: International Labour Office  
CBC: Communication for Behaviour Change  
CCPE: Community Unit of Child Protection  
CRC: Convention on the Rights of the Child  
CECOJE: Listening , Counselling and Guidance Center for the Youth  
CEG: Guinea Child Code  
CESF: Equity Committee for the Education of Girls  
CFPP: Post- Primary Vocational Training Centre  
CGS / PDE: Guinea Committee on Monitoring the Protection of the Rights of the Child  
CIACR: Regional Interagency Coordinating Committee in the countries of the Mano River Union  
ICRC: International Committee of the Red Cross  
KEY: Local Council for Children and Families  
CLP: Local Protection Committee  
CNE: National Committee of Equity  
CNLTP: National Committee for the Fight against Human Trafficking  
COGECS: Committee of Management of Health Centres / Health Committee  
COLTE / CRC: Coalition of NGOs for the Protection and Promotion of the Rights of the Child, Fighting Against Trafficking.  
CONAEN: National Committee of Support for Birth Registrations  
CONAG / DCF: National Coalition of Guinea for the Rights of Women and Citizenship  
CONEBAT: National Commission for Basic Education for All  
COPAEN: Prefectural Committees of Support for Birth Registrations  
CORAEN: Regional Committees of Support for Birth Registrations  
CPE: Child Protection Committee  
DCCE: Community Development Centre for Children  
DCPJ: Central Headquarters of the Judicial Police  
CDED: National Department of Civic Education  
DNEE: National Department of Elementary Education  
DNEPPE: National Department of Preschool Education and Child Welfare  
DNES: National Department of Secondary Education  
PRSP: Document on Poverty Reduction Strategy  
DHS: Demographic and Health Survey  
ENSA: National Survey on Food Security  
EN: Birth Registrations  
ETM: Exploitation, Trafficking and Abuse  
MDDL: Ministry of Decentralization and Local Development  
MEPU-EC: Department of Pre-University and Civic Education  
METFP Ministry: Ministry of Technical Education and Vocational Training  
FGM: Female Genital Mutilation  
MHSP: Department of Hygiene and Public Health  
MJGS: Ministry of Justice and Attorney General

MJS: Ministry of Youth and Sports  
OVC: Orphans and Vulnerable Children  
IOM: International Organization for Migration  
ILO: International Labour Organisation  
MDGs: Millennium Development Goals  
WHO: World Health Organization Health  
NGO: Non-Governmental Organization  
UN: United Nations  
CSO: Civil Society Organization  
PEG: Children's Parliament of Guinea  
UNDP: United Nations Development  
PTME: Prevention of Transmission of HIV / AIDS from Mother to Child  
RADHO: African Meeting on Human Rights  
SNAPE: National Department of Planning of Water Outlets  
PRS: Poverty Reduction Strategy  
Tdh: Terre des hommes  
TOR: Terms of Reference  
TMIM: Infant and Maternal Mortality Rate  
TNA: Net Rate of Completion  
TPE: Children's Court  
UNICEF: United Nations Children's Fund  
HIV / AIDS: Acquired Immune Deficiency Virus  
WEG: Word Education Guinea

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## INTRODUCTION

As part of monitoring the implementation of various international legal documents on the rights of the child including the Convention on the Rights of the Child, a process of drafting the 2nd alternative / complementary report of NGOs on the implementation of the CRC in the Republic of Guinea was initiated in November 2011.

The period covered corresponds to the first periodic report of the State that is (10<sup>th</sup> May 1990 to September 2007) submitted to the Monitoring Committee of the United Nations on the rights of the Child.

The National Coalition of NGOs for the Protection and Promotion of the Rights of the Child, Fighting against Trafficking (COLTE / CRC) is an organisation which brings together eighty-four (84) national and international NGOs involved in the domain of Children in Guinea. The COLTE / CRC aims at improving the efficiency and effectiveness of interventions for rights and protection of children in Guinea. The objectives of COLTE / CRC are:

1. To build capacity of NGOs interventions in the field;
2. To be a credible interlocutor for all other partners / stakeholders (state, donors, civil society) in the field of protection and promotion of the rights of the child in Guinea.
3. To develop synergic actions among members of NGOs.

The strategy of COLTE / CRC is essentially based on mobilization of national and international community and resources to carry out the process of training, informing, creating awareness, advocacy and lobbying for the protection and promotion of the rights of the child in Guinea. The COLTE / CRC carries out its actions through the implementation of international legal instruments on the rights of the child in Guinea. The Coalition has offices based and operational in eight administrative regions and covers the whole territory of Guinea. The Coalition has developed partnerships with departments, organisations and institutions interested in issues of children in Guinea.

This report is presented in accordance with the outline requested by the group of NGO for the Convention on the Rights of the Child published in 2006.

### ➤ METHODOLOGY AND DEVELOPMENT PROCESS REPORT

In preparing this report, the COLTE / CRC, in conformity with the directives of the Committee on the Rights of the Child, adopted a consistent methodology that emphasizes the consultative and participatory approach. The starting point for developing this report was the review of document which was to collect and analyze documents on the Rights of the child. These documents include international conventions, national statutory and legal texts on the rights of the child and the various studies and reports on fulfillment of these rights in Guinea.

This phase comprises the following steps: i) organisation of a workshop of sharing and approval of TDR and ii) organisation of regional exchange on the content of the periodic report of the State and the observations of the Committee with participation of 120 children (boys and girls) from different prefectures ii) development and validation of tools for collecting and analyzing

data; iv) collection of documents for the actualisation of the rights of the child; v) conducting structured interviews with NGOs, projects, programmes, institutions, agencies and public organizations involved in the actualisation of the rights of the child; vi) use of documents and writing draft of document review, vii) organizing a workshop of sharing, amendments and validation of the draft report and viii) drafting the final version of the Report of the situational study on the implementation of the rights of the child in Guinea.

## **II. OVERVIEW**

The Republic of Guinea is located in West Africa and covers an area of 245 857 Km<sup>2</sup>. It is bordered in the North by Mali and Senegal, the South by Sierra Leone and Liberia, the East by Mali and the Ivory Coast, and the West by the Atlantic Ocean and Guinea Bissau. There are seven (7) administrative regions, thirty-three (33) prefectures, thirty-eight (38) urban municipalities, three hundred and four (304) rural communities development and Conakry (the capital) has a special status.

According to the general census of population in 2007, the Guinean population is estimated to be 9,136,176 inhabitants of whom 51% are women. This population is spread across the national territory with an average density of 31 inhabitants per square kilometer and an annual increase of 3.1%. Guinea has thirty ethnic groups with a set of practices and customs different from one another.

Three major religions coexist harmoniously: Islam, Christianity and Animism. French is the official language. Guinea's economy is based primarily on agriculture, livestock and mining. GDP per capita was estimated at U.S. \$ 321.7 in 2006. The annual average growth rate of GDP per capita rose from -1.1% in 2006 to 1.4% in 2007. The poverty line was 49.2% in 2002, against 53.6% in 2007.

## **III. GENERAL MEASURES OF IMPLEMENTATION (Articles 4, 42, 44.6 OF THE CONVENTION)**

This part is in the Article 4 of the UN Convention on the Rights of the Child, which says that "States Parties shall take all legislative, administrative and other measures to implement the rights recognized by this Convention. In the context of economic right, these measures shall be taken within the means available and if applicable in the framework of international cooperation." The report of the State has detailed the unfavorable economic situation of the country which limited efforts by the state. It must be acknowledged that in the period of 2000-2007 the country suffered a bad economic management.

According to the content of the article 4 of the CRC, the Guinean government should ensure the harmonization of its legislation and practices with the principles and provisions of the International Convention on the Rights of the Child. Four main areas are selected to assess the application of these provisions:

- ✓ Harmonization and dissemination of the Convention;
- ✓ National Strategies for the achievement of the Rights of the Child;

- ✓ Application of the provisions of the Convention
- ✓ Monitoring mechanisms.

The Guinean government has made efforts to respect its commitments relative to international legal documents concerning the Rights of the Child vis-à-vis the international community

Harmonization and Application of the Provisions of the Convention: the government has taken the following decisions:

- Ratification of the two Optional Protocols on the CRC concerning respectively the involvement of children in armed conflict, by the Act L /2001 / 020/AN and sale of children, child prostitution and child pornography by the Act L/2001/024/AN 10<sup>th</sup> December 2001. But not until 2007 that the signed copies were submitted to the UN Committee of the Rights of the Child in Geneva.
- Ratification and enactment of the Hague Convention No. 5 on Cooperation and protection of children in international adoption by the Act / 2001/021/AN dated 10<sup>th</sup> December 2001.
- Ratification of Conventions No. 182 of the International Labour Organisation (ILO) on the prohibition of the worst forms of Child Labour and the Immediate action for their elimination by the Act L/2001/022/AN of December 10, 2001.
- The ratification of Conventions No. 138 of the International Labour Organisation (ILO) concerning Minimum Age for Admission to Employment by the Act L/2001/023/AN dated 10<sup>th</sup> December 2001.
- The ratification by the National Assembly of the Convention on the Rights of the Child by Ordinance No. 010/PRG/SGG of March 17, 1990 and its enactment on 10<sup>th</sup> April 1990.

Legislative and regulatory measures have been taken to promote harmonization of national legislation with the Convention on the Rights of the Child:

- The adoption and enactment by Act No. L/98/036 / of 31 December 1998 on Penal Code, the Penal Code was adopted by the National Assembly of the Republic of Guinea under the Act No. 98/036 of 31<sup>st</sup> December 1998 on penal code. Relative to the Rights of the Child, it focuses mainly on the protection:

- Reduced penalties for juveniles who are charged with a crime or an offense.

Articles 61 to 67, state:

- Minors under 13 years of age who are charged with a crime or offense are subjected to measures of supervision, monitoring, and reform support.
- No prosecution may be instituted with regard to crime or offense against minors without prior notice.
- If prevention is successful, the Judge shall take the following actions:
- Transferring the child to his or her family;

- Placing of the child, until he or she comes of age, either in the custody of a trustworthy person, a charitable institution or an appropriate rehabilitation center.
- Acts committed by a minor of 10 years are not liable to criminal prosecutions
- The minor of 13 years old has the rights, if found guilty, of the absolving excuse of minority.
- Minors between 10 and 13 years can only be subject of measures of protection, support, supervision and education under the Act.
- Attenuating or absolving excuse of minority shall be granted to the minors aged between 16 and to 18 years as provided by the Code of Criminal Procedure.

➤ Protection against begging

Article 276: Inducing a minor to directly begging shall be punished by a prison sentence of 16 days to 3 months.

➤ Protection against violence

- Article 300: Whoever willfully injures or strikes a child below the age of fifteen years, or who deliberately deprives him or her of food or care as to undermine his or her health, shall be punished by imprisonment of 1 to 3 years and a fine of 50,000 to 500,000 Guinean francs.

Article 302: Whoever, when it comes to consumption of a marriage celebrated as usual, has done or attempted to perform sexual act on the person of a child under thirteen years of age shall be punished by 2 to 5 years imprisonment.

➤ Indecent assault

Articles 321-324 and 331: Penal Code punishes rape and indecent assault on vulnerable people and children as well as the incitement of minors to debauchery.

➤ Crimes and offenses against children or minors

Articles 340, 343.349, 350 and 351 penalize anyone found guilty of:

- Kidnapping, concealing or suppressing a child;
- Substitution of one child to another;
- Giving a child real or imaginary to woman who did not give birth to him or her;
- Non-representation of a child to the persons entitled to claim him or her;
- Abandonment of a child incapable of protecting himself or herself.

➤ Providing minors with toxic chemical inhalants

Article 402: Providing knowingly to a minor with one of the toxic chemical inhalants on the list established by the competent authority shall be punished by imprisonment of 1 to 5 years and pay a fine of 50,000 to 250,000 Guinean francs, or one of these two penalties.



- the provisions of Ordinance No. 003/PRG/SGG/88 of January 28, 1988 establishment the Labour Law of the Republic of Guinea has set the minimum age of work at 16 years for both the formal and informal;
- criminalization of female circumcision, rape, pedophilia, domestic violence and sexual harassment;
- passing a law fixing the age of compulsory education from 6 to 16 years;
- The development of a draft Child Code of Guinea by all stakeholders working in the field of children in Guinea called "Child Code of Guinea. "This draft Code is submitted to the National Assembly for its adoption. The contents of this code will satisfy the concern of the Committee expressed through the final observation: No 8 where it recommends that the State of Guinea take all necessary steps to review its legislation on the Rights of the Child to ensure full compliance with principles and provisions of the Convention. It also suggested to Guinea to consider adopting a comprehensive piece of legislation, such as the child code.
- This draft Child Code of Guinea child was briefly presented in the first periodic report. It takes into consideration all the provisions of the Convention. The State, in collaboration with NGOs and partners must make efforts to facilitate its adoption, develop applicable legislations and conduct a wide dissemination of its contents with all stakeholders working for and with children.

Statutory instruments prohibit recruitment of children under 18 years in the army. Guinea joined the Paris Principles relating to non-recruitment of children in armed conflict. Finally, Guinea signed the agreement for regional cooperation and adopted the Regional Action Plan of fight against human trafficking, especially Women and Children on July 7, 2006 in Abuja, Nigeria.

In the field of protection and participation of Children and Women, the Guinean legal framework provides a solid foundation for the protection of children against abuse and all forms of exploitation.

Indeed, the Guinean Constitution, the Penal Code and the Code of Criminal Procedure contain very relevant statutory provisions in this area, but they are still not applied, the proportion of children engaged in work is high (73.4%) and 61.4% are employed as domestic workers. Guinea ratified the optional protocol on the sale of children, child prostitution and child pornography. As part of the fight against child trafficking, several measures and concrete actions are undertaken, among which we may mention the creation of a national committee to fight against human trafficking, especially trafficking in women and children. For the participation of youth in promoting the rights of children in Guinea, there was the election of 114 Junior Members of Parliament in the Children's Parliament of Guinea (PEG) and the establishment of counselling, consulting and guidance centres for young people (CECOJE) at youth centers across the country.

### **National strategy for actualisation of the Rights of the Child**

Referring to the concluding observation No. 11, the committee encourages Guinea to pay particular attention to the full implementation of Article 4 of the Convention and to ensure a

rational allocation of resources to local and central levels. It is noted that during the period 2000-2007, Guinea experienced a series of economic and sociopolitical crises.

This situation, described in detail in the periodic report of Guinea in Chapter IV (general measures of implementation) did not allow the implementation of the concluding observation No. 11 of the committee. The Guinean government should allocate additional budget for the implementation of economic, social and cultural rights of children to the maximum extent of available resources. For example, it appears in the Finance Act 2002 to 2006, the Government provided grants to programme of support for Children, through the Ministry of Social Welfare, Women and Children Affairs. See table below:

Year	Programme	Grant GNF (1)	Implementation level		Implementation %
			Planned (2)	Achieved (3)	
2003	Child Support fund	200,000,000	200,000,000	50,000,000	25%
2004	Child Support fund	37,717,000	37,717,000	19,870,000	53%
2005	Child Support fund	75,000,000	75,000,000	-	0%
2006	Child Support fund	64,250,000	64,250,000	64,250,000	100%
	Total	376,967,000	376,967,000	134,120,000	36%

Source : « Un monde digne des enfants » – 2007

For better assessment, and as a comparison the budget allocated to children is very low compared to countries in the sub region (case of Mali: 2, 7 million U.S. dollars for the children's sector in 2005, i.e. 126 times the forecast of Guinea the same year!) the budget allocated to children has evolved unevenly, indicating a lack of overall vision in the problems of children in Guinea; we notice (from 2003 to 2006) that the average implementation rate of the budget allocated to children is very low: 43% with 0% achievement in 2005, despite the 75 million mobilised for this purpose! Fortunately, the children's sector receives additional funding (most consistent and probably better managed) from outside through bilateral and multilateral partners of the countries and international NGOs working in the field of children.

Moreover, we notice that the Government has initiated the setting up structures to monitor and coordinate activities to support the protection and promotion of the Rights of the Child.

In 2007 a national policy for Preschool Education and Child Protection was adopted by the Ministry for Children, with support from its partners. However, its application encountered some difficulties especially in the establishment and operation of structures of support for children at the community level, despite several successive funding.

### **Monitoring mechanisms**

Several government departments are involved in the Protection and Promotion of Rights of the Child, in accordance with their missions and their programmes or projects. These are essentially the State Ministry of Social Welfare, Women and Children Affairs (which is in charge of the National Office of Preschool Education and Child Welfare), Pre-University education, Health and public Hygiene, Youth and Youth Employment, Justice and Attorney General (which houses the National Office of Human Rights and the Children's courts) Safety and Civil Protection.

However, there are difficulties in coordinating the actions at government level in terms of implementation of the Rights of the Child, such as:

- a leadership problem in relation to certain topics (e.g. when it comes to fund allocated to fight against the worst forms of Child Labour, the issue of leadership opposes the various ministries involved);
- a lack of vision and integrated approach to assistance from the government departments.

In addition to these ministries, there are governmental or non-governmental institutions monitoring human rights in general and giving an important place for the Rights of the Child. They include the Coalition of NGOs for the Protection and Promotion of Rights of the Child, fighting against Trafficking (COLTE / CRC), the Coordination of NGOs defending Human Rights, Guinean Organization of Human Rights (OGDH) and several international institutions working in the field of children (UNICEF, UN-OCHA, Terre des Hommes, Plan Guinea, ChildFund, Word Education, etc..).

In view of the concluding observation No. 9, the committee recommended to the Guinean government to take all appropriate measures to strengthen the Guinean Committee to enable it to exercise fully its role of coordinating and monitoring. It further recommended that the Guinean government takes into consideration the holistic approach of the Convention, to ensure the full implementation of all rights enshrined in the Convention.

It is noted that the State has taken into account the first recommendation from the concluding observation No. 9, through the creation of three (3) new bodies to enable the CGSPDE Committee to fully play its role of coordinating and monitoring, and mobilize more resources. In practice, the CGSPDE is nonfunctional. Despite the establishment of a statutory office of 20 members, composed of actors from various backgrounds, the holistic approach of the Rights of the Child could not be achieved.

## **Dissemination of the Convention and the Reports**

### Dissemination of the Convention

The Committee encouraged the Guinea government to intensify its efforts to publicize and understand the provisions and principles of the Convention for both adults and children

(concluding observation No. 12). To this end, Guinea has made great efforts to publicize the Convention in the country. From 2000 to 2007, period covered by this report, several achievements were made for the dissemination of the CRC:

- The compilation of small booklets format (pocket books) of the content of the Convention in multiple copies. These copies were distributed to various centralized and decentralized services of the Ministries concerned with the issues of children and NGOs.
- The organization of several television and radio shows on national radio and rural and community radios on the Rights of the Child by NGOs (Sabou-Guinée/Terre des hommes, Plan Guinea, World Education, etc.).
- The organization of conferences and debates in schools and decentralized structures (especially CECOSE) and distributed by state agencies and NGOs on various topics, such as school violence and the rights of the Child.

These achievements were made with the technical and financial partners in the field of Children. Despite these activities, efforts are still needed to complete the dissemination of the Convention, since 60% of the Guinean population is illiterate.

#### Dissemination of reports:

On this point, the state can and must do better in accordance with Articles 44 and 45 of the Convention. Indeed, weaknesses are observed in the timeliness of the preparation, filing and dissemination of reports:

- Delay in filing the first periodic report to the UN Committee on the Rights of the Child. Indeed, Guinea ratified the Convention on April 10, 1990 as the 14<sup>th</sup> State Party. The initial report was only submitted on 29<sup>th</sup> January, 1996 and the first periodic report was prepared in 2008 and sent only in December 2009. The process of preparing the report had a low involvement of civil society organizations advocating for the Rights of the Child. It was limited to a mere participation in the national workshop of validation.
- These documents are not known to the public and various stakeholders in the Promotion and Protection of the Rights of the Child. As proof, the first periodic report of the State submitted to the UN Committee on the Rights of the Child was not publicised, just like the concluding observations of the UN Committee on the Rights of the Child made after studying the initial report of Guinea, in 1999 and the guidelines were not disseminated by the Government.

The COLTE / CRC undertook dissemination of both documents in eight administrative regions of Guinea, through the process of preparation of this alternative report.

Through the Observation No. 10, the Committee recommends to the Guinean government to establish a comprehensive system of collecting disaggregated data, to gather all necessary information on the situation of all children under 18 years of age in the various areas covered by the Convention, including the situation of children belonging to vulnerable groups. The State party is encouraged to seek technical assistance in this area, in particular from UNICEF.

We notice the completion of this recommendation with the technical and financial support from UNICEF for the establishment of a unit evaluation monitoring and an information system at the level of DNEPPE.

Unfortunately we see that the capacity for collecting, processing and disseminating data is low. The unit does not have sufficient trained staff in this regard especially in the other parts of the country, and the results are not shared with other actors. Therefore, the State must make efforts to strengthen the response capabilities of all actors of the unit (centralized and decentralized levels) and ensure wide dissemination of statistical data periodically.

## **RECOMMENDATIONS**

- Submit instruments of ratification of all protocols and conventions on the Rights of the Child:
  - Optional Protocol to the Convention on the Rights of the Child, concerning the involvement of children in armed conflict (L/2001/020/AN December 10, 2001)
  - Hague Convention No. 5 on cooperation and protection of children in respect of International Adoption. (L/2001/021/AN dated 10<sup>th</sup> December 2001)
  - The Optional Protocol of the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (L/2001/024/AN dated 10<sup>th</sup> December, 2001)
- Meet the deadline for submitting the periodic reports to the UN Committee on Rights of the Child
- Submit the initial report on the implementation of the African Charter on Rights and Welfare and the Child
- Strengthen and implement the participatory approach in preparing the reports by involving all the stakeholders
- Widely disseminate the periodic reports and recommendations of the Committee on the Rights of the Child sent to Guinea
- Continue the process of harmonization of the Guinean legislation with the content of the CRC
- Continue the popularization of the CRC and other legislation on the protection of Rights of the Child

- Get local authorities to include issues of protecting the rights of the child in their local development plan and to allocate adequate funds
- Ensure the correct application of laws on the Rights of the Child.

#### **IV. GENERAL PRINCIPLES (2, 3, 6, 12 OF THE CONVENTION)**

In the concluding observation No. 16, the Committee was concerned that the Guinean government had not fully integrated the general principles of the Convention on the Rights of the Child in its legislation and administrative and judicial decisions, and in its policies and programs relating to the child. Further efforts should be made to ensure that the general principles of the Convention are taken into account in the legislation, guide policy discussions and are appropriately integrated into any judicial and administrative decision-making, as well as in development and implementation of all projects, programmes and services affecting children.

In relation to the Committee's concern, we find that the State has made efforts to integrate the general principles of the Convention into its legislation through draft code of the Child in the process of developing in Guinea since 2002.

However, there is a lack of policies, programs and projects that will ensure judicial and administrative decision making in favour of the correct application of the general principles of the Convention.

Moreover, major obstacles impede the proper application of these principles. These include:

- poor dissemination of the CRC among adults (especially professionals in charge of law enforcement) and children. Therefore, they are unaware of the contents and scope of these general principles;
- the fact that these principles are not clearly in any law in force, some professionals (magistrates, judicial police officers, etc..) are reluctant to enforce them.

The application of the principle of non-discrimination (Article 2 of the Convention) is fraught with social and cultural barriers (discrimination between groups of children in the Guinean Civil Code, and as regards the minimum age for marriage between a boy and a girl; situations already described in the initial report of Guinea).

The Guinean Government, through its draft child code, tries to redress this injustice. Indeed, Article 61 paragraph 2 of this draft code states that "the illegitimate child has, in general, the same rights and duties that the legitimate child has in his or her relationships with his or her fathers and mothers. " However, this draft code of the child is silent on the special case of "illegitimate child born of adultery" and "illegitimate child born of an incestuous relationship". The last category of children is particularly vulnerable and suffers all sorts of violence and abuse in communities across the country.

Other forms of discrimination are also noted in practice, in terms of access to education, health care, a fair trial, etc., because of weak mobilization of resources, bad economic management or ignorance of the laws by professionals.

Finally, the Guinean law does not recognize, formally, the possibility of person under 18 years to have the right to form an association or an NGO.

Application of the principle of participation of the Child (Article 12 of the CRC) should not be summed-up in the creation of a children's parliament in Guinea. This action is mentioned in the periodic report of the State, as a major progress in the implementation of this principle.

We notice that the worst abuses are committed against children within their families. This is justified by the strong influence of culture and the low dissemination of content of the CRC among adults and children, and other laws protecting children's rights in force. The fact is bitter, considering the significance of forced marriages, conflicts between parents and children, when orienting the children after school exams (BEPC and BAC), etc.. Finally, in the preliminary investigation, the widespread practice of torture and abuse by Judicial Police Officers does not favour free expression of minors. They are often forced to admit the facts alleged against them during the sessions of hearings.

Despite this, there is now a real momentum for a genuine child participation in civil society and mainly the COLTE / CRC NGO members, who aim at adapting the process to facilitate good Child participation in the defense of their rights.

This momentum is affected by certain shortcomings or barriers in the participation of children:

- The principle and the concept of child participation are not yet widely accepted and integrated by the authorities and communities;
- The stakeholders who share this principle do not master perfectly the strategies for its implementation in practice;
- The Children's Parliament, national framework for participation of children, does not play its full role due to lack of resources and sometimes skills;
- The few children's organizations (children clubs in schools and districts) which exist, do not receive any state support.

## **RECOMMENDATIONS**

- Adopt and promulgate the Child Code
- Harmonise and / or review all provisions and laws that discriminate against Children.
- Disseminate all provisions and laws aimed at eliminating the various forms of discrimination against children.
- Provide the children's parliament with necessary means for its normal operation.

## **V. CIVIL RIGHTS AND FREEDOMS (Articles 7, 8, 13, 14, 15, 16, 17, 19, 37 (A))**

In observation 19, the committee recommends that the State party take all measures to ensure the immediate registration of all births, and to ensure that birth registration procedures are widely known and understood by the population as a whole, in accordance with Articles 7 and 8 of the Convention.

Since independence, the Guinean government has made arrangements and laws to make birth registration effective throughout the country. The main laws governing the Civil Status in Guinea and which make birth registration effective are the following:

- The Fundamental Law (which became the country's constitution);
- Act No. 53/AN/62 of 4<sup>th</sup> April, 1962 on the establishment and functioning of the Civil Status in the Republic of Guinea;
- Decree 142/PRG/SGG of 14<sup>th</sup> April, 1965 creating the function of Civil Status;
- Ordinance No. 19/PRG/SGG of April 21 on training, organization and operation of rural development communities (CRD);
- The revised Civil Code that deals in the Title VII with Acts of civil status.

Through these laws, programs and projects were initiated and accomplished to accompany this policy. Advocacy and social mobilization led to the creation of a National Centre of Civil Status in the Ministry in charge of Decentralization and Local Development and decentralized services to oversee the proper recording of births at the prefecture and sub-prefecture level. In Guinea, it should be noted that UNICEF, UNHCR, Plan Guinea and ChildFund have invested a lot to strengthen the system of birth registration.

Registration records have been developed and local actors have been trained. But the results are not very encouraging; the rate of registration was 28%. It must also be noted that during the events of January-February 2007, some registration centres and archives were ransacked and burned. However, thanks to UNICEF support in equipment to the affected centres, the civil registration services are currently operational throughout the country.

After analyzing the efforts of the State and its partners in relation to the concluding observation No.19, it should be noted that significant supports were made to facilitate the normal operation of the service of civil status. These supports are based on material contribution, capacity building of stakeholders and awareness creation especially in the rural population.

As part of the promotion of Birth Registrations in Guinea, UNICEF organized a semester of free birth registration in 2006 to enhance the rate of registration. In addition, the organization also supported the training of registrars on the good maintenance of civil registers, encouraged rural and community radio stations to broadcast several programs on the registration of births, and provided birth registers and village books to the registrars (in 2007).

The Guinea government also developed and validated a full development policy of young children in 2005 with the aim that by 2015, 100 percent of children aged between 0 and 8 years



are registered at birth, protected against violence, exploitation, discrimination, and they are healthy and develop harmoniously on the physical, cognitive, socio-emotional and psychological level.

The following tables show selected key progress in registration of births in relation to the standard of living of the population:

Distribution (in %) of the population of children under 5 years having or not a birth certificate, sex, residence, region and quintile, 2007 ENENSE			
socio-demographic Characteristic	Possession of birth certificate		Percentage of births recorded in the civil status
	Percentage of children in possession of certificate birth	Percentage of children not having Certificate birth	
<b>Age</b>			
<2	18.1	52.4	27,6
2-4	19.6	46.1	29.5
<b>Sex</b>			
Male	29.5	49.3	28.2
Female	18.4	50	28.3
<b>Area of residence</b>			
Urban	29.7	23.7	42.5
Rural	14.8	59.4	22.9
<b>Administrative Region</b>			
Boke	17.4	50.0	24.8
Conakry	23.5	21.4	51.3
Faranah	17.3	54.2	26.7
Kankan	16.1	64.2	21.9
Kindia	13.7	51.6	30.8
Labe	19.1	47.4	27.0
Mamou	22.7	35.2	34.7
N'Nzérékoré	23.9	56.4	17.8
<b>Welfare quintiles</b>			
The poorest	12.3	65.6	18.7
Second average	15.2	57.4	23.9
Fourth	18.9	44.1	32.3
the richest	21.9	43.2	31.8
	26.1	36.9	35.2

Distribution (%) of the population of children under 5 years by reason of failure to register child's civil status, ENENSE 2007								
socio-demographic Characteristic	Reasons for not registering							% women knowing procedure of registration / births registered at the registry
	Cost	distance	Delay	Not informed	Not necessary	Other reasons	Total	
Age								
<2	15.2	21.8	28.7	19.7	5.2	5.3	3762	48.3
2-4	17.2	23.1	24.0	20.3	6.3	5.4	3322	49.6
Sex								
Male	16.5	23.2	26.5	19.1	5.7	4.7	3047	49.1
Female	16.0	21.6	26.8	20.4	5.6	5.8	2984	49.0
Area of residence								
Urban	14.4	8.3	32.7	20.2	5.7	12.1	737	59.4
Rural	16.5	24.4	25.8	19.7	5.6	4.3	5294	45.2
Administrative Regions								
Boke	8.9	13.1	18.1	37.6	1.3	16.0	237	44.1
Conakry	10.9	14.2	37.0	22.9	7.9	2.9	826	57.4
Faranah	21.9	26.3	11.5	23.9	6.2	6.8	1350	45.4
Kankan	4.4	31.6	36.6	14.9	5.4	2.4	883	41.1
Kindia	12.5	23.1	31.9	17.7	3.3	8.5	705	41.4
Labe	21.8	20.3	33.5	16.3	4.9	2.3	349	67.8
Mamou	18.3	16.6	29.8	22.8	6.6	2.5	995	53.7
N'Nzérékoré	15.2	21.8	28.7	19.7	5.2	5.3	3762	48.3
Welfare quintiles								
the poorest	18.3	31.0	19.2	19.3	5.5	3.7	1653	38.2
Second	16.9	19.4	28.4	20.8	5.5	4.6	1487	45.2
Average	12.7	23.1	25.5	23.2	4.7	7.0	952	45.2
Fourth	16.3	18.3	31.9	16.5	5.2	5.8	1102	55.5
the richest	14.7	15.9	32.9	19.2	7.8	6.7	835	61.0
In general 0-4	16.2	22.5	26.7	19.8	5.7	5.2	6030	49.1

In terms of freedom of expression, the state has made efforts for the establishment of Children's Parliament (June 16, 2001). However the junior members of parliaments are not sufficiently equipped to comment on policies and programs concerning the defence of their rights. In Guinean society in general, children have difficulty in expressing themselves within their family and community because of cultural barriers.

With regard to Article 15 of the Convention referring to freedom of association and peaceful assembly of children the Guinean law still does not allow the people under 18 years to form free associations or formalized NGOs. At any time the NGOs support the formation of child clubs in artistic and cultural nature in schools and districts to disseminate the CRC and monitoring of child rights.

## **RECOMMENDATIONS**

- Capacity building of National Center of Civil Status in terms of human resources through training of trainers, equipment in office supplies and computer with software management and archiving and operating server;
- Support for the opening of secondary centers of civil status: support training and equipment in computer hardware for data collection, and management software;
- Creating in the health service centres secured registers of birth and appropriate training of health workers in registration of births.
- Support the operation of the registry of births in local communities.

## **VI. FAMILY ENVIRONMENT AND ALTERNATIVE PROTECTION (Articles 5, 9, 10, 11, 18, 20, 21, 25, 27.4),**

The concluding observation No. 21 recommends that the Guinean government take all appropriate measures to create care centers for children without parental care and / or support to the private centres. The public and private care institutions should be independently monitored. In view of Article 25 of the Convention, the Committee further suggests that the Guinean government systematically examine the situation of children subject to informal type of custody.

The main finding concerns the consequences of various conflicts that have plagued the sub region, especially in Liberia, Sierra Leone, Guinea Bissau and Cote d'Ivoire and rebel attacks which Guinea suffered in 2000. Indeed, these tragic events have led to the separation of several thousands of children representing over 80% of all separated children. The majority of these children was accommodated and lives outside refugee camps. 82% of these children live in foster homes. NGOs such as IRC and CICR, in collaboration with the specialized institutions of the State (SENAH), have been very active for several years in research and family reunification of separated children.

In addition to these custody solutions on the initiative of a committee of sustainable solution composed of NGOs, institutions and ministries concerned, other alternatives such as developing

income-generating activities for the benefit of the child, or legal adoption are often used to address their situation of vulnerability. Despite the efforts made, some children who have not found their parents have benefited from one of the solutions mentioned above. With regard to other categories of separated children, two factors may explain their situation:

- Socio-cultural practices
- And the practice of institutionalization.

The first factor is essentially the practice of "foster care" (widespread in the country, and all regions) and of placing the child in the hand of teachers of Qur'anic schools in order to give them an Islamic education. Unfortunately, in many cases, these children are often victims of abuse and exploitation.

The second factor, very common, concerns children living in the streets, lost or on the move that end up in care or transit centers. For example, for 2007 alone, 5.6384 children were accommodated in various institutions of the host country. It must be noted that all these institutions are entirely of Child rights advocacy NGOs.

Finally, despite the ratification of Hague Convention No. 5 on Cooperation in terms of International Adoption by Guinea in December 2001, it is clear that efforts are still needed, especially in terms of approval of the rules and conditions of international adoption.

## **RECOMMENDATIONS**

- Establish care and transit centers across the country
- Support the NGOs in improving conditions in their childcare centers
- Expand the rules and conditions for domestic and international adoption in Guinea

## **VII. HEALTH AND WELFARE (ARTICLES 6.18, s.3, 23, 24, 26 AND 27)**

### **Article 6 of the Convention s.2: Survival and Child Development**

The concluding observation No. 24 mentions the prevalence of malnutrition, inadequate access to health services, provision of safe water and sanitation. It is noted that the situation of children remains a serious concern in Guinea in this area. The right to life is the first right of the child. According to DHS the successive deaths of children under 5 had relatively declined between 1992 and 1999 from 229 to 177 deaths per 1,000 live births, this rate has remained essentially flat since it was estimated at 163 deaths per 1,000 live births by the 2005 DHS. It is the same with infant and child mortality estimated respectively at 39 and 91 per 1,000 live births.

Guinea has made progress: the infant mortality rate was at 97 ‰ in 2005, against 136 ‰ in 1990; the mortality rate of children under 5 is 160 ‰ in 2005 against 229‰ in 1990.

At this level, significant efforts are still needed to achieve the objective of reducing the rate to 2/3 compared to its 1990 level. In maternal health, the maternal mortality rate fell from 666 per

hundred thousand in 1990 to 528 in 2000; the rate of births assisted by skilled personnel was 34% in 2000.

The results of the 2005 DHS showed a widespread HIV epidemic with a national HIV seroprevalence of 1.5% among the general population. If the prevalence is relatively low in the youth population aged 15-24 (0.9%), two factors contribute significantly to weaken it against HIV infection: early sexual intercourse before the age of 15 (25 % of youth aged 15-24, with 20% of boys and 30.6% of girls) and low level of knowledge about HIV (16.2% including 19.7% of males against 12.3% of girls). Several factors increase the vulnerability of Guinean girls: early marriage (32% of girls under 15 years), female genital mutilation (96%), significant economic dependence on men, especially high economic uncertainty.

The serious inequities and disparities existing in the provision of HIV services are at the same geographical, sociocultural and economic. Finally, in Guinea, 53.4% of the population lives below the poverty line. Free care for HIV was declared in 2007 but not enough to ensure financial accessibility due to the cost of certain tests not included in the free care.

In the area of harmful practices, it appeared in the DHS III that in rural area, the practice of excision is 96% and 94% in urban zone, and that also 69% of women and 52% of men endorse the practice of excision, although 2/5 of the mothers said that their daughters suffered at least one complication. In traditional societies in Guinea, FGM /C is used as a rite of passage, which plays a role of sex education and initiation of the young girl to family life. The results of this practice (FGM /C) are as follows, according to age groups: early childhood (34%); children aged 5 to 9 years (32%) children aged 10 to 14 years (27%) girls / women aged 15 years and over (3%).

Given this situation, the actors in the field of children give their proposition in the annual work plans of UNICEF activities aimed at reducing harmful practices.

They include the United Nations joint programme that has increased the level of knowledge of professionals and ancillary of justice and health for their involvement in the process of effective implementation of the law on violence against women and girls through the Act L/010/AN of July 2000, on the reproductive health. The joint programme has also strengthened the capacity of journalists and traditional communicators for their involvement in the process of abandonment of FGM / E. Some traditional communicators were equipped means of communication (megaphones), transport (bicycles); and protection kits to enable them carry out awareness campaigns for the people of villages, particularly through door to door.

As for early marriages, it was shown that for the period from 1998 to 2007, the rate was 63% nationally with 75% in rural areas and 45% in urban areas.

Still today, the major concern of the Guinean population remains just the access to potable water, healthy environment, health care, regular and quality food, and decent and secured housing. With regard to rights of access to water, hygiene and sanitation, only one in four households gets its supply of water from a tap (22.3%); protected wells or boreholes provide water to nearly 47% of

households; in total, less than 70% of households get their water from a potable source (22% from the taps and 47% from covered wells or boreholes); over a third of households use uncovered pit latrines (34.5%). The use of covered or protected latrines is only 15%

#### THE MAIN FINDINGS IDENTIFIED INCLUDE:

- limited access to potable water and sanitation;
- existence of many waterborne diseases (ordinary diarrhoea or with traces of blood, intestinal worms) due to insufficient drinking water outlets and latrines, but also to poor maintenance of infrastructure;
- weak maintenance of existing water sources (boreholes, improved wells, taps, etc..) due to the dysfunction of management committees, and the scarcity of spare parts for pumps;
- lack of drinking water outlets;
- The dirtiness of many children;
- Poor management of waste exposing children to all kinds of diseases.

At the level of concluding observation No. 15, the Committee is concerned about the difference between the minimum legal age of marriage for boys (18) and that of girls (16 years) and considers this practice to be contrary to the principles and provisions of the Convention, especially Articles 2 and 3. It recommends that the State of Guinea raise the minimum age for marriage and conduct public awareness campaigns on the adverse effects of early marriage. This concern was reflected in the draft Child Code of Guinea. After its adoption by the National Assembly, the State will begin the process of harmonization of the content of this code with certain provisions of the Penal Code, Criminal Procedure Code and Civil Code.

#### RECOMMENDATIONS

- Ensure effective free primary health care for children especially in rural areas
- Involve children in the bodies and programmes against female circumcision, early marriage, HIV / AIDS and fight against discrimination and stigmatization of OVC
- Strengthen public awareness campaigns with the involvement of children against FGM, targeting parents and local authorities (religious, customary, administrative);
- Strengthen infrastructure development and / or medical facilities in rural areas;
- Support the implementation of modern water outlets (PEM) and latrines in deprived communities, and more specifically in schools;
- Establish an operational maintenance of drinking water outlets and public places (source of water supply, latrines) and revitalize the management committees of drinking water outlets and sanitation
- Supply spare parts for pumps and boreholes through the establishment of a strong partnership with specialist NGOs and SNAPE
- Continue to educate people on the use of latrines and sanitation of communities by the implementation of activities aimed at improving environmental conditions in schools (separate latrines for girls / boys, water sources, games and sports grounds, fencing school perimeters) and community

- Negotiate with the schools / institutions for the implementation of regular sanitation measures and daily practices of hygiene rules for students and teachers
- Support and empower communities in the design, search for financing and implementation of waste management plans and sustainable sanitation.

## **VIII. EDUCATION, LEISURE AND RECREATIONAL AND CULTURAL ACTIVITIES** **(Articles 28, 29, 31)**

Education is a fundamental right enshrined in the provisions of Articles 28 and 29 of the Convention on the Rights of the Child. This right is one component of the category of Right to development of the Child, which focuses on:

- development of the physical, intellectual and moral potentiality of children
- implementation of policies and programmes on education was defined
- Preparing children to assume responsibilities and play social roles expected of them by the community.

Significant progress has been made in school enrollment. In primary education, gross enrollment rate (GER) increased by 16 points over the period 2001-2006 from 62% to 78%. As for net enrollment rate (NER), it rose from 57% in 2001/2006 (52% for girls) to 63% in 2005/2006 (57% for girls). The completion rate of primary school, which was 27% in 2000/2001, reached 60% in 2005/2006

It can be seen at the secondary level, the progress made during this period (2000-2007), although very clear, have not yielded rates comparable to those recorded at the primary level. Indeed, the GER in junior high secondary rose from 12% in 1989/1990 to 43% in 2005/2006. It is the opposite. This weakness is due to the fact that students who attend there are aged between 13 and 18 years and due to the fact that the partners' efforts are concentrated almost at the level of primary education as a result of lack of infrastructure and low level of teachers.

At the second cycle, the GER increased from 5% to 23% over the same period. In the technical vocational education, the number of students per 100,000 inhabitants doubled from 90 in 1990 to 180 in 2003.

These outcomes result from strong mobilization of national community and development partners on issues of education (UNICEF, INTERNATIONAL, World Education, ChildFund, UNESCO, and HELP SAVE THE CHILDREN and Action, etc..).

Despite these results, efforts are still needed at the junior high school for the whole country and at the level of rural areas, especially for girls. The quality of education is more mixed because of multiple factors, including: (i) the student / teacher ratio is very high (especially in urban areas, creating situations of large classes and making the administration of learning lessons ineffective, (ii) The ratio pupil / book is very low, (iii) the existence of incomplete cycle schools causing

dropouts and losses, (iv) the existence of classes with no teacher, (v) high rate of absenteeism of teachers in rural areas.

To these factors add up: (i) the weakness of the academic and pedagogical training of many teachers (especially elementary), (ii) weak monitoring and close supervision of teachers, (iii) school dropout, albeit weakly observed in primary (3.6%).

The situation on the ground is as follows:

- Lack of secured schools (no fences)
- Absence of school libraries
- lack of housing for teachers
- low enrollment rate
- high rate of academic failure
- little respect for gender equity in education for children;
- non-access of student to computer tools;
- non-functional CEC;
- Low attendance of NAFA centers due to lack of instructors;
- malfunctioning of APEAE, despite the training received and grants received on behalf of PACEEQ / GACOBO.

In general, we find that the available statistics listed above are experiencing a steady increase. The progress report provides detailed and accurate data. It is noted that the recommendation made on observation No. 7 on certain traditional practices and customs that exist especially in rural areas, hampering the effective implementation of the Convention, in favour of girls still remain.

In terms of leisure, the results are very low, there is no place designed for the purpose. Only the capital Conakry, has leisure centre, although it was not designed for special needs of children. The centre called "Jardin 2 Octobre " is located at the heart of the capital.

Concerning recreational and cultural activities, each school within the major cities organizes fairs once during the academic year. This is an opportunity for children to prepare competitions in various games: dance, poetry, etc..

It is observed that the state provides no effort to promote leisure, recreational and cultural activities.

## **RECOMMENDATIONS**

- Take a strong commitment to the development of preschool community, through construction and equipment of CEC, implementation of strategy of care of monitors
- Increasing access, retention and success of children in school, including girls by raising awareness among parents, construction and equipment of classrooms and housing for teachers, school map
- Develop and expand recreational facilities suitable for both children in schools as well as outside



- Involve young people in the management of premises and leisure centers
- Revitalize, strengthen and support CECOJE and CEC
- Construct playgrounds in educational institutions.

## **IX. SPECIAL PROTECTION MEASURES (ARTICLES 22, 30, TO 36, 37 B, C AND D, 38, 39 AND 40)**

In view of Article 19 of the Convention, observation No. 23 recommends that The State party take all appropriate measures, including review of national laws to prevent abuse, including violence in families and sexual abuse of children. The enforcement of the law should be strengthened with respect to such crimes; the State party should develop procedures and mechanisms to deal with complaints of abuse suffered by children, for example by applying special rules in terms of presentation of evidence and special investigators or speakers.

### **Child Labour**

In 2007, during the literature review for the development of new CPAP 2007-2011, over 4.6 million children, more than 600,000 working or begging to support themselves and their family, were 420 000 orphans including 35,000 due to AIDS epidemic.

Child Labour has always been a concern for the Guinean government. The State has ratified the Convention 182 and 138 of the International Labour Organisation on the worst forms of child labour and minimum age for admission to employment, in accordance with the observation No. 32 issued by the Committee.

The implementation of national programs or projects in partnership with UN agencies (UNICEF, ILO, UNESCO, UNFPA ...) and other actors of civil society, led to obtaining of results. Accurate data is provided in the initial report. Despite all these measures and considering the results of various projects and programmes developed by the state, much remains to be done and real constraints remain and continue to oppose the development of children, especially girls.

### **Children and women victims of rape and sexual abuse**

Pursuant to the recommendation made by the Committee through the final observation No. 34, The Guinean government in collaboration with its partners has initiated a series of measures to protect children against all forms of exploitation or sexual abuse, including those within the family.

In January-February 2007, during the social crisis which was repressed violently, several women were sexually abused, hence the development of national guidelines for the prevention and full care of rape and sexual violence by the Ministries of Health and public Hygiene and Social Welfare with the support of humanitarian partners.

Moreover, still in this crisis the country has pledged to uphold and popularize the Guidelines for interventions against gender-based violence in humanitarian emergencies (IASC, 2005), and ethical and safety recommendations outlined in the ethical and safety recommendations by WHO for research, documentation and monitoring of sexual violence in emergency situations (WHO 2007).

To date, UNICEF supports Today's Women International Network, International Network of Today's Women (TWIN) for the care of children and women victims of rape and sexual abuse.

In addition, UNICEF, as a member of the Protection Cluster, supported technically and financially the NGOs such as TWIN and AGUIAS to provide protection services for girls and women victims of rape and sexual abuse.

In terms of statistics for 2007:

No	Regions	Number of children sexually abused	Number of prosecutions for abuse, violence	Number of staff trained in the care of abused children and violence	Percentage of prosecution and number of children victim of sexual abuse and violence
1	Conakry	82	49	634	59.75
2	Boké	0	0	0	0
3	Faranah	0	0	0	0
4	Kankan	0	0	14	0
5	Kindia	427	225	51	52.69
6	Labé	8	1	9	12.50
7	Mamou	4	4	11	100.00
8	N'Zérékoré	294	36	26	12.24
	<b>Whole Guinea</b>	<b>815</b>	<b>315</b>	<b>745</b>	<b>39%</b>

Source: Statistical Yearbook 2007 – DNEPPE

### *Children in conflict with the law / deprived of freedom*

According to observation No. 36 of the Committee, the Guinean government has provided extensive efforts to integrate into its legislation the various international instruments such as the Beijing Rules, Riyadh Guidelines and the rules of the United Nations for protection of Juveniles Deprived of freedom, especially through the review of civil and criminal codes; and the development of Certain Instruments such as the Children's Code. However, the application of these provisions is very relative.

Indeed, the situation of prisoners in general, and juvenile prisoners in particular, is disturbing with a high prison population, prison conditions are difficult, limited application of the law by

certain judicial services and sanctions that go well beyond the deprivation of liberty. The table below shows the distribution of children in detention during the year 2007:

N°	Regions	Number of children in detention	Including number of girls detained
1	Conakry	765	84
2	Boke	NC	NC
3	Faranah	61	4
4	Kankan	NC	NC
5	Kindia	146	2
6	Labe	35	NC
7	Mamou	47	NC
8	N'Zérékoré	177	9
	<b>Whole Guinea</b>	<b>1231</b>	<b>103</b>

In the field, the findings are:

- Deadlines in custody not respected systematically
- Absence of specific area for the minors with the exception the prisons of Conakry, Kindia and N'zérékoré
- Overcrowded prisons
- Breach of the principle of separation of juveniles / adults, or even the one on remand / sentenced
- Delays in judgments
- Functionality of questionable Juvenile Court
- Judgments by jurisdictions of common law
- Large number of abusive / illegal / arbitrary detentions (detention periods expired without renewal of the committal order, detention of children under 13 years detention without committal order)
- Lack of access to counsel at all stages of the procedure
- Inadequate training of staff of prison administration
- Allegations of abuse, especially economic and psychological
- Lack of leisure and / or educational activities or vocational training
- Lack of food most often resulting in cases of malnutrition
- Lack of leisure and / or educational activities or vocational training
- Lack of food most often resulting in cases of malnutrition

## RECOMMENDATIONS

- Considering the low level of knowledge and application of Conventions and protocols on child rights, we recommend the state to ratify and disseminate these documents to help achieve fully the rights of the child in Guinea.
- Considering the low level of skills, lack of a reliable and complete database, and inadequate financial and material resources of NGOs to carry out activities aimed at

promoting the Rights of the Child, COLTE / CRC recommends that the State and partners provide the NGOs with technical and financial support.

- Considering the lack of structures of support for children in vulnerable situations, we recommend:
  1. creation and equipment of a care, listening and guidance center for children by prefecture.
  2. providing the institutions of care for children with adequate material, human and financial resources
- Considering the need to protect and promote the rights of the child we recommend the adoption of the Child Code, building capacity of intervention of the Guinea Committee of Monitoring and operation of the Standard device of protection.
- Considering the importance of respect for fairness, we recommend the State and partners to support the implementation of rights for all children (boys and girls) in urban areas and especially in rural areas.
- Considering the need for children to participate in programs and projects to defend their rights, we recommend:
  1. drafting a law allowing children to form themselves into NGOs and associations.
  2. supporting the establishment and operation of NGOs and Associations of children to promote their effective participation in the defense of their rights.
  3. Children's involvement in the process of developing, planning, implementing and monitoring of evaluation of programs and projects
- Considering the negative impact of socio-cultural practices, we recommend the State, NGOs and technical and financial partners to support the conduct of public information and awareness campaigns to eliminate the socio-cultural barriers that impede the achievement of children's rights especially in rural areas.

## **X. CONCLUSION**

The development of this NGOs alternative report on the CRC in Guinea has allowed COLTE / CRC to help monitor the implementation of the rights of the child in Guinea.

Its design was to a very interesting work for those involved. This work has made it possible to update data on the situation of children throughout the country. The finding shows that the Guinean government has made a lot of progress in the implementation of the Convention on the Rights of the Child:

- in the texts of laws and regulations
- in the implementation of specific programs for children
- at the level of health, education and protection

However, violations of the rights of the child continue and many challenges lie ahead, including:

- elimination of certain discriminatory laws;
- consideration and efficient implementation of quality component in education;
- reducing costs for education, health;

- Creating appropriate opportunities for training school dropouts;
- enhancement of child participation;
- Strengthening application of the provisions relating to juvenile justice
- The fight against socio-cultural barriers
- 

We want to draw the attention of the authorities and civil society on the proliferation of new phenomena which constitute serious violations of the rights of the child (exploitation, pedophilia, trafficking, traffic in human organs, etc..) that need to strengthen the intervention strategies of both the State and those involved in the defense of the rights of the child.

We hope this report will enable the United Nations Committee on the Rights of the Child, the State and all stakeholders of civil society concerned with the rights of the child to have relevant information that can be used to better plan the development policy for the benefit and with the children.