



Convention on the Rights of the Child

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Committee on the Rights of the Child

Concluding observations on the combined third to sixth periodic reports of Guinea*

I. Introduction

1. The Committee considered the combined third to sixth periodic reports of Guinea (CRC/C/GIN/3-6) at its 2342nd and 2343rd meetings (see CRC/C/SR.2342 and 2343), held on 14 and 15 January 2019, and adopted the present concluding observations at its 2370th meeting, held on 1 February 2019.

2. The Committee welcomes the submission of the combined third to sixth periodic reports of the State party and the written replies to the list of issues (CRC/C/GIN/Q/3-6/Add.1), which allowed for a better understanding of the situation of children's rights in the State party. The Committee expresses appreciation for the constructive dialogue held with the multisectoral delegation of the State party.

II. Follow-up measures taken and progress achieved by the State party

3. The Committee welcomes the accession of the State party to the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict on 8 April 2016. The Committee also notes with appreciation the adoption of legislative, institutional and policy measures to implement the Convention, in particular the revision of several laws, including the Criminal Code and the Code on Criminal Procedures in 2016, with a view to bringing them into line with the Convention, and the adoption of the National Policy for the Promotion and Protection of the Rights and Welfare of Children in Guinea.

III. Factors and difficulties impeding the implementation of the Convention

4. The Committee notes the continuing effects of the Ebola outbreak from 2013 to 2016 that constitute a serious obstacle to the implementation of the rights enshrined in the Convention.

* Adopted by the Committee at its eightieth session (14 January–1 February 2019).



IV. Main areas of concern and recommendations

5. The Committee reminds the State party of the indivisibility and interdependence of all the rights enshrined in the Convention and emphasizes the importance of all the recommendations contained in the present concluding observations. The Committee would like to draw the State party's attention to the recommendations concerning the following areas, in respect of which urgent measures must be taken: children's rights and the business sector (para. 14); birth registration (para. 21); harmful practices (para. 25); freedom of the child from all forms of violence (para. 27); education, including vocational training and guidance (para. 38); and the administration of juvenile justice (para. 45).

6. The Committee recommends that the State party ensure the realization of children's rights in accordance with the Convention and its Optional Protocol on the involvement of children in armed conflict and Optional Protocol on the sale of children, child prostitution and child pornography throughout the process of implementing the 2030 Agenda for Sustainable Development. It also urges the State party to ensure the meaningful participation of children in the design and implementation of policies and programmes aimed at achieving all 17 Sustainable Development Goals as far as they concern children.

A. General measures of implementation (arts. 4, 42 and 44 (6))

Legislation

7. **The Committee recommends that the State party expedite the adoption of the revised Children's Code.**

Comprehensive policy and strategy

8. **Welcoming the National Policy for the Promotion and Protection of the Rights and Welfare of Children in Guinea, of 2015, and its three-year action plan for 2017–2019, the Committee recommends that the State party define a clear mandate and allocate sufficient human, technical and financial resources to the National Directorate for Children for its effective operation.**

Coordination

9. **The Committee recommends that the State party establish a coordination body on child rights and provide it with a clear mandate, sufficient authority and the necessary human, technical and financial resources to effectively coordinate action for children's rights across different sectors at all levels.**

Allocation of resources

10. **With reference to its general comment No. 19 (2016) on public budgeting for the realization of children's rights, the Committee recalls its previous recommendations (CRC/C/GIN/CO/2, para. 18), and recommends that the State party:**

(a) **Increase substantially the budget allocations in the areas of health and education;**

(b) **Establish a budgeting process, which includes a child rights perspective and specifies clear allocations for children in the relevant sectors and agencies, including for the Ministry of Social Action and the Promotion of Women and Children and for decentralized child protection and juvenile justice structures, and develop specific indicators and a tracking system;**

(c) **Decrease dependence on external cooperation;**

(d) **Implement a national strategy on the implementation of the Anti-Corruption Law (2017).**

Data collection

11. **With reference to its general comment No. 5 (2003) on general measures of implementation of the Convention, the Committee recommends that the State party:**

(a) **Create an integrated and comprehensive data collection and management system, covering all areas of the Convention and its Optional Protocols, with data disaggregated by age, sex, type of disability, geographic location, socioeconomic background, and national and ethnic origin;**

(b) **Ensure that data and indicators are shared among relevant ministries and make full use of the harmonized data-collection tools that were developed by the State party and international development partners in 2017 for the area of protection.**

Independent monitoring

12. **The Committee recalls its previous recommendations (CRC/C/GIN/CO/2, para. 24) and recommends that the State party ensure the full compliance of the National Independent Human Rights Institution set up under Organic Law No. L/008/CNT/2011 with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles) and that its mechanism for receiving complaints from children is known to the public, in particular children, through awareness-raising activities, and provide it with the necessary human, technical and financial resources.**

Dissemination, awareness-raising and training

13. **The Committee recommends that the State party continue strengthening its efforts to raise awareness and to systematically provide training to all relevant professionals working with and for children, including law enforcement authorities, on the provisions of the Convention and its Optional Protocols, including by translating them into local languages and taking into account the high level of illiteracy.**

Children's rights and the business sector

14. **The Committee notes the ongoing reform being undertaken by the State party to better adapt its legal, policy and institutional framework to continuing international investment in the mining sector. However, the Committee is deeply concerned about:**

(a) **The lack of clear regulations and of a specific mechanism for monitoring the activities of mining companies, including international companies and operators of illegal mines, that are likely to have a negative impact on children's rights;**

(b) **The negative impact of legal and illegal mining operations on the living conditions of children, such as the high prevalence of child labour including the worst forms of child labour, sexual abuse and prostitution, high dropout rates from school, the expropriation of land, exposure to harmful substances and other health hazards, environmental degradation and deforestation, and forcing children to walk long distances to find clean drinking water;**

(c) **The insufficient enforcement of article 130 of the Mining Code (2011) which regulates relations between private mining enterprises and local communities, and the lack of inclusion of a legal obligation to consult and share revenues with local communities in contracts between the State party and international mining companies that were concluded in the 1970s and 1980s;**

(d) **The general insecurity that children living in mining areas are exposed to on account of regular violent protests by local populations as well as excessive use of force by security forces which caused the death of one child in April 2017.**

15. **With reference to its general comment No. 16 (2013) on State obligations regarding the impact of the business sector on children's rights and to the Guiding Principles on Business and Human Rights (A/HRC/17/31, annex), the Committee recommends that the State party:**

(a) Establish, implement and monitor regulations to ensure that the mining sector complies with international and national human rights, labour, environmental, health and other standards, particularly with regard to children's rights, and apply appropriate sanctions and provide remedies for any violations found;

(b) Take all measures necessary to: expeditiously remove children of all ages from hazardous work situations, reintegrate such children into school and ensure that the mine operators responsible for such exploitation are promptly prosecuted with commensurate sanctions; require companies to undertake periodic child-rights impact assessments; establish regulations on the procedure for, and scope of, compensation for dispossessed families; and strengthen child protection measures, including against sexual exploitation;

(c) Ensure that private investment in the mining industries adequately benefits local communities, including children, by expediting the review by the Ministry of Mines and Geology of the proposed Local Development Agreements, in line with article 130 of the Mining Code (2011), and by working with mining companies to ensure that local communities are consulted;

(d) Investigate thoroughly and promptly all allegations and cases of violence against children to ensure that perpetrators, including members of security forces, are held accountable.

B. Definition of the child (art. 1)

Minimum age for marriage

16. While welcoming the prohibition of forced marriage and child marriage in articles 319 and 320 of the Penal Code (2016), the Committee urges the State party to expeditiously amend its legislation to remove all exceptions that allow marriage under the age of 18 years, in line with the Convention and with the African Charter on the Rights and Welfare of the Child.

C. General principles (arts. 2, 3, 6 and 12)

Non-discrimination

17. Taking note of targets 5.1 and 10.3 of the Sustainable Development Goals, the Committee recalls its previous recommendations (CRC/C/GIN/CO/2, para. 37) and urges the State party to:

(a) Develop and implement a comprehensive national strategy against all forms of discrimination;

(b) Continue and strengthen its activities to combat discrimination and to prioritize and target social services for children in the most marginalized and disadvantaged situations, in particular with regard to girls, including non-circumcised girls, children with disabilities, children with albinism, lesbian, gay, bisexual, transgender and intersex children, child survivors of Ebola, children infected or affected by HIV/AIDS, children living in rural areas and/or in poverty and children who have served sentences;

(c) Amend the Civil Code (1983) and ensure that all the discriminatory provisions against girls and children born to unmarried parents with regard to succession are abolished in the new Civil Code.

Best interests of the child

18. With reference to its general comment No. 14 (2013) on the right of the child to have his or her best interests taken as a primary consideration, the Committee recommends that the State party:

(a) Strengthen its efforts to ensure that the principle of the best interests of the child is appropriately integrated and consistently interpreted and applied in all legislative, administrative and judicial proceedings and decisions and in all policies and programmes that are relevant to and have an impact on children;

(b) Develop procedures and criteria to provide guidance to all relevant professionals for determining the best interests of the child in every area and for giving the best interests of the child due weight as a primary consideration.

Right to life, survival and development

19. The Committee urges the State party to take immediate measures to prevent infanticide, by raising community awareness, investigating all cases and bringing the perpetrators to justice. It also recommends that the State party study the root causes of the phenomenon and collect, analyse and disseminate data on cases of infanticide.

Respect for the views of the child

20. With reference to its general comment No. 12 (2009) on the right of the child to be heard, the Committee recommends that the State party:

(a) Strengthen existing bodies and mechanisms, such as the Children's Parliament, and ensure that all children in the State party have such opportunities to participate in public life, including in consultation forums established in mining areas;

(b) Conduct awareness-raising programmes aimed at adults in communities and families to eliminate traditions and beliefs that impede the proper valuation of children's opinions, and to promote the meaningful and empowered participation of all children within the family and the community, in schools and during legal proceedings, with particular attention to girls and to children in vulnerable situations.

D. Civil rights and freedoms (arts. 7, 8 and 13–17)

Birth registration

21. The Committee notes the ongoing reform undertaken by the State party to improve State functions in the area of civil status matters, including the draft revisions to articles 194 and 197 of the Civil Code (1983) and the establishment of the National Directorate for Civil Status Matters. However, the Committee is deeply concerned about:

(a) Low levels of birth registration reported by the State party, including levels as low as 14 per cent in at least one prefecture and 5 per cent in at least one municipality, and the limited awareness of the population of the importance of birth registration and related procedures, particularly among parents who are illiterate;

(b) The considerable disparity in birth registration levels between urban and rural areas, and difficulties and delays in registration owing to insufficient registration services being available in some locations in the State party;

(c) Fees and associated costs for birth certificates;

(d) The high number of children who are registered but do not possess a birth certificate, and the existence of counterfeit birth certificates;

(e) Challenges faced by the State party with regard to the transfer, reliability and security of data in the context of birth registration;

(f) The lack of regular budgetary allocations to the National Directorate for Civil Status Matters;

(g) The absence of information on any measures taken to remove barriers to the birth registration of children whose parents do not have personal documentation or are stateless.

22. Taking note of target 16.9 of the Sustainable Development Goals, the Committee urges the State party to:

(a) Strengthen measures to promote mandatory, universal and timely birth registration, free of charge, and intensify its efforts to raise awareness among the population, including parents, health professionals and teachers, about the importance of birth registration and about the birth registration procedures, taking into account the high level of illiteracy in the State party;

(b) Continue efforts to decentralize birth registration as far as possible to benefit rural and marginalized populations, including by establishing mobile birth registration teams and by integrating registration units into health facilities;

(c) Eliminate any fees and costs associated with registration;

(d) Ensure that all children receive a birth certificate without delay, and adopt effective measures to combat the prevalence of counterfeit birth certificates;

(e) Improve the data-collection systems, data transmission and archiving used for birth registration and seek technical assistance from the United Nations Children's Fund (UNICEF), among others;

(f) Allocate sufficient human, technical and financial resources to the civil registration system, in particular to bodies and mechanisms at the local level and to the National Directorate for Civil Status Matters.

Freedom of expression

23. The Committee reminds the State party that human rights defenders, particularly child human rights defenders, deserve protection as their work is crucial for the promotion of human rights for all, including for children, and thus urges the State party to adopt and implement the draft law on the promotion and protection of human rights defenders that was presented to the Minister of National Unity and Citizenship by civil society in December 2018, while ensuring that the needs of child human rights defenders are addressed.

E. Violence against children (arts. 19, 24 (3), 28 (2), 34, 37 (a) and 39)

Corporal punishment

24. Referring to its general comment No. 8 (2006) on the right of the child to protection from corporal punishment and other cruel or degrading forms of punishment, the Committee recommends that the State party:

(a) Ensure that corporal punishment, however light, against children, in all settings, is explicitly prohibited by law;

(b) Review and implement the three-year plan (2017–2019) with a view to providing the necessary human, technical and financial resources;

(c) Repeal article 398 of the Civil Code on parents' "right to correction";

(d) Promote positive, non-violent and participatory forms of child-rearing and discipline.

Harmful practices

25. The Committee welcomes the efforts of the State party to prevent female genital mutilation and child marriage, including through official statements by government officials and religious leaders. Furthermore, it notes as positive the prevention of 15 cases of child marriage in the first half of 2018 and the work on a new strategy against child marriage. The Committee is, however, seriously concerned about:

(a) The still high prevalence and reported increase of female genital mutilation and the high number of child marriages;

(b) The impunity of perpetrators and practitioners of female genital mutilation and child marriage, despite such acts being punishable under articles 258, 260, 261, 319 and 320 of the Penal Code (2016) as well as under provisions of the Reproductive Health Act (2000);

(c) The lack of information on the current status and impact of the National Strategic Plan to Combat Female Genital Mutilation, and the limited geographic scope of the National Action Plan against Child Marriage;

(d) The insufficient protection schemes available to children, particularly girls, who are victims of or at risk of becoming victims of female genital mutilation and/or child marriage.

26. The Committee recalls its previous recommendations (CRC/C/GIN/CO/2, para. 56) and urges the State party to:

(a) Take active measures to put an end to female genital mutilation and child marriage, and to substantially strengthen comprehensive awareness-raising programmes on the various negative effects of such harmful practices;

(b) Strengthen measures to combat the medicalization of female genital mutilation;

(c) Enforce existing legislation on the prohibition of female genital mutilation, expressly prohibit child marriage, and bring those who carry out such harmful practices to justice, ensuring commensurate sanctions;

(d) Ensure the efficient implementation of relevant action plans nationwide;

(e) With reference to joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women/general comment No. 18 of the Committee on the Rights of the Child (2014) on harmful practices, establish protective mechanisms and services to safeguard children at risk of being subjected to female genital mutilation and child marriage, and ensure that all victims of such practices have access to social, medical, psychological and rehabilitative services free of charge, and to legal redress.

Freedom of the child from all forms of violence

27. The Committee is deeply concerned:

(a) That the prevalence of gender-based violence against girls, including rape, in both the public and the domestic spheres, remains high, including against girl domestic workers;

(b) That child victims of violence often lack access to justice, particularly in cases of sexual violence, due to social stigma, a lack of understanding of judicial processes, low rates of investigation and prosecution, and the mediation and influence of parents and of public or religious figures;

(c) At the limited protection and assistance available for child victims of violence, which is mainly provided by non-governmental organizations;

(d) At the death or injury of at least seven children in the realm of political protests from 2016 to 2018.

28. Taking note of targets 5.2 and 16.2 of the Sustainable Development Goals and with reference to its general comment No. 13 (2011) on the right of the child to freedom from all forms of violence, the Committee reiterates its previous concluding observations (CRC/C/GIN/CO/2, paras. 49, 53 and 58) and urges the State party to:

(a) Take all measures necessary to prevent and combat the sexual abuse of girls, and develop and implement the standardized protocols necessary for health workers and for law enforcement entities to ensure that cases of child rape are promptly recorded, investigated and prosecuted and that perpetrators are duly sanctioned, with no recourse to community mediation;

- (b) Establish accessible, confidential, child-friendly and effective reporting channels for child victims of violence;
- (c) Ensure the allocation of sufficient human, technical and financial resources for protection systems for child victims of violence;
- (d) Ensure that law enforcement officials and other professionals are trained adequately, particularly on situations of political protest.

Helplines

29. The Committee recommends that the State party establish a free 24/7 helpline at the national level that is available to all children and that it provide sufficient human, technical and financial resources for its effective operation.

F. Family environment and alternative care (arts. 5, 9–11, 18 (1) and (2), 20, 21, 25 and 27 (4))

Family environment

30. The Committee, recalling its previous recommendations (CRC/C/GIN/CO/2, para. 60), urges the State party to accelerate the reform of the Civil Code (1983) and amend all provisions that discriminate against women and have a negative impact on their children, particularly article 211 (3) which allows polygamy.

Children deprived of a family environment

31. Drawing the State party's attention to the Guidelines for the Alternative Care of Children (General Assembly resolution 64/142, annex) and recalling its previous recommendations (CRC/C/GIN/CO/2, para. 62), the Committee recommends that the State party:

- (a) Collect data on and carry out regular monitoring of the situation of children who are deprived of a family environment and ensure the efficient use of the existing monitoring framework and indicators through periodic review of the placement of children in foster care, including in the extended family (*confiage*), and monitor the quality of care therein;
- (b) Accelerate the adoption of a law on foster families, and disseminate and implement the decision on the establishment, monitoring and closure of shelters for at-risk children adopted by the Ministry of Social Affairs, the Advancement of Women and Children's Affairs;
- (c) Continue efforts to strengthen all national and international adoption procedures.

Children in prison with their mothers

32. The Committee recommends that the State party encourage courts to give primary consideration to the best interests of children when sentencing their caregivers, by using community-based sentencing where possible, and that it provide appropriate and adequate services and facilities in prisons for the children of incarcerated mothers, including appropriate nutrition, health care, hygiene and accommodation.

G. Disability, basic health and welfare (arts. 6, 18 (3), 23, 24, 26, 27 (1)–(3) and 33)

Children with disabilities

33. Referring to its general comment No. 9 (2006) on the rights of children with disabilities and to its previous recommendations (CRC/C/GIN/CO/2, para. 64), the Committee recommends that the State party adopt a human rights-based approach to

disability, implement the 2018 law on the protection on persons with disabilities and set up a comprehensive strategy for the inclusion of children with disabilities. It urges the State party to ensure inclusive education, access to health services and reasonable accommodation in all spheres of life for all children with disabilities, including children with sensory disabilities, and to develop awareness-raising programmes to combat the stigmatization of children with disabilities.

Health and health services

34. The Committee welcomes the measures taken by the State party to promote children's health. Taking note of target 3.2 of the Sustainable Development Goals and with reference to its general comment No. 15 (2013) on the right of the child to the enjoyment of the highest attainable standard of health, it recommends that the State party:

(a) Ensure sufficient budgetary allocations to health services and establish clear budget lines for children's health;

(b) Continue to invest in measures to decrease maternal mortality and preventable deaths of newborns and of children under 5 years of age, particularly avoidable deaths related to malaria, acute respiratory illness, neonatal infections, diarrhoea, inadequate prenatal care, the lack of professional assistance during childbirth, low immunization coverage and the prevalence of malnutrition, and apply the OHCHR technical guidance on the application of a human rights-based approach to the implementation of policies and programmes to reduce and eliminate preventable mortality and morbidity of children under 5 years of age (A/HRC/27/31);

(c) Promote, protect and support breastfeeding and fully implement the International Code of Marketing of Breastmilk Substitutes, including by adopting legislation to regulate the marketing of breastmilk substitutes;

(d) Strengthen the measures taken to decrease the disparity in access to health services, to drinking water and to adequate sanitation between urban and rural areas – particularly access to antenatal and postnatal care, emergency obstetric care and skilled birth attendants in rural areas, and ensure access to health care for children who are survivors of Ebola;

(e) Step up the provision of malaria prevention and treatment, particularly in rural areas, including by allocating the necessary human, technical and financial resources, by strengthening awareness-raising programmes and campaigns to distribute mosquito nets, and by providing information in local languages, adapted to the high illiteracy rate in the State party;

(f) Strengthen measures to combat tuberculosis, by increasing the human, technical and financial resources allocated to the Ministry of Health and by collecting data on the prevalence of tuberculosis;

(g) Increase efforts to prevent and treat tropical diseases, such as Buruli ulcer, lymphatic filariasis and onchocerciasis, by undertaking studies on their prevalence, by ensuring that health care is free of charge and provided at reachable distances, particularly for populations in rural areas, and by increasing awareness-raising programmes.

Adolescent health

35. In view of the very high prevalence of early pregnancies and with reference to its general comments No. 4 (2003) on adolescent health and development in the context of the Convention and No. 20 (2016) on the implementation of the rights of the child during adolescence, the Committee recommends that the State party:

(a) Take urgent measures to address, prevent and reduce early pregnancies and sexually transmitted diseases, provide free-of-charge health care to pregnant girls and young mothers, and ensure access to sexual and reproductive health information

and services countrywide for girls and boys at schools, in particular access to modern contraception methods;

(b) Repeal article 263 of the Penal Code (2016), in order to decriminalize abortion in all circumstances and ensure access to safe abortion and post-abortion care services for adolescent girls, making sure that their views are always heard and given due consideration as a part of the decision-making process;

(c) Increase programmes aimed at supporting young mothers and children infected with HIV/AIDS to ensure that they receive the needed health care free of charge, including the provision of antiretroviral drugs, adopt a national strategy to combat HIV/AIDS, and develop awareness-raising programmes and programmes to combat stigmatization;

(d) Strengthen its measures to address drug abuse, including tobacco and alcohol abuse, and develop accessible and youth-friendly drug dependence treatment and harm-reduction services;

(e) Strengthen efforts to curb the sale of pharmaceutical “street drugs”, including by adopting and implementing a national policy and strategy;

(f) Ensure that all children have access to mental health services and counselling;

(g) Improve protection and support for orphaned children infected and/or affected by AIDS or Ebola.

Impact of climate change on the rights of the child

36. The Committee recommends that the State party ensure that the special vulnerabilities and needs of children, as well as their views, are taken into account in disaster risk management and in developing policies or programmes addressing issues of climate change, particularly droughts, and that it strengthen reforestation measures.

Standard of living

37. While welcoming the recent National Policy on Social Protection, and in the light of the high rates of children living in poor households in the State party, and also taking note of target 1.3 of the Sustainable Development Goals, the Committee urges the State party to strengthen the application of its poverty reduction strategies, with a particular focus on children. It also recommends that the State party increase coordination among the ministries and national directorates responsible for the implementation of the National Policy on Social Protection and facilitate access to social protection programmes for vulnerable children, including children whose parents resort to informal, alternative social protection systems.

H. Education, leisure and cultural activities (arts. 28–31)

Education, including vocational training and guidance

38. While noting the measures taken by the State party to improve the school infrastructure, to increase the quality of education and to strengthen awareness-raising programmes about the importance of education and literacy, the Committee remains seriously concerned about:

(a) The insufficient funds allocated to education, particularly to preschool and non-formal education;

(b) The insufficient security for girls in schools, who are particularly at risk of sexual harassment and abuse by teachers;

(c) The important disparities still remaining between girls and boys and between children from different regions and children with different socioeconomic status, and the

proliferation of private schools which makes quality education prohibitively expensive for children living in disadvantaged or vulnerable situations or in rural areas;

(d) The insufficient number of teachers, the precarious school infrastructure, and the scarcity of water, of adequate sanitation and of educational resources in many schools;

(e) The low enrolment rates and the high number of dropouts and grade repetitions at all stages of the schooling process, particularly among girls, owing to stereotypes and cultural barriers, child marriage and early pregnancy;

(f) The low quality of education, demonstrated by the poor results in quality evaluations, the only marginally improving student-to-teacher ratio and the low level of qualifications of many primary school teachers;

(g) The absence of regulation of Qur'anic schools.

39. With reference to its general comment No. 1 (2001) on the aims of education and to targets 4.1 and 4.5 of the Sustainable Development Goals, the Committee urges the State party to:

(a) **Ensure the allocation of the necessary human, technical and financial resources to the education system, in particular in rural areas;**

(b) **Take all measures necessary to address the violence perpetrated against girls in school, with a focus on prevention policies, and bring perpetrators to justice;**

(c) **Improve the accessibility of education for all, especially for girls and for children living in rural areas and/or in poverty, and reduce the discriminatory effects of private education on children from financially disadvantaged families;**

(d) **Adopt, implement and enforce national standards and technical regulations on water and sanitation in schools, and increase funding for school materials;**

(e) **Increase enrolment in schools by overcoming obstacles for out-of-school children, and take urgent measures to support pregnant teenagers and adolescent mothers in continuing their education;**

(f) **Enhance efforts to increase the quality of education, including by providing continuous training to teachers and by further improving the student-to-teacher ratio;**

(g) **Regulate and monitor Qur'anic schools.**

Rest, leisure, recreation and cultural and artistic activities

40. The Committee recommends that the State party strengthen its efforts to guarantee the right of the child to play and recreation, by allocating sufficient and sustainable resources for the implementation of policies and programmes that provide for sufficient time and safe spaces for children to engage in play and recreational activities, as appropriate to their age.

I. Special protection measures (arts. 22, 30, 32, 33, 35, 36, 37 (b)–(d) and 38–40)

Asylum-seeking, refugee and migrant children

41. The Committee welcomes the adoption of Law No. L/2018/050/AN on Asylum and the Protection of Refugees in the Republic of Guinea, on 3 September 2018, and the accession of the State party to the Convention on the Reduction of Statelessness, of 1961, on 17 July 2014. With reference to its general comment No. 6 (2005) on treatment of unaccompanied and separated children outside their country of origin and to joint general comments No. 3 and No. 4 (2017) of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families / No. 22 and No. 23 (2017) of the Committee on the Rights of the Child on the human rights

of children in the context of international migration, the Committee recommends that the State party:

(a) Adopt all the decrees and administrative procedures necessary to facilitate the effective implementation of Law No. L/2018/050/AN and increase the human, technical and financial resources allocated to the National Service on Humanitarian Assistance;

(b) Repeal article 73 of Law No. L/94/019/CTRN in order to decriminalize irregular migration, and prohibit the detention of asylum-seeking, refugee and migrant children and provide alternatives that allow children to remain with their family members and/or guardians in non-custodial, community-based contexts;

(c) Ensure that cases involving unaccompanied asylum-seeking, refugee and migrant children are processed in a positive, humane and expeditious manner in order to find durable solutions.

Economic exploitation, including child labour

42. While welcoming the ratification of the International Labour Organization (ILO) Domestic Workers Convention, 2011 (No. 189), the Committee notes the consistently high number of children involved in child labour, including the worst forms of child labour. Taking note of target 8.7 of the Sustainable Development Goals, it urges the State party to:

(a) Strengthen its measures to combat the economic exploitation of children, in particular of child domestic workers and of children working in the informal sector, working in mines and begging on the streets, including *talibé* children;

(b) Enforce its laws and prosecute perpetrators of violations related to child labour;

(c) Allocate sufficient human, technical and financial resources to programmes to combat child labour and support victims;

(d) Seek technical assistance from the International Programme on the Elimination of Child Labour, of the International Labour Office, in this regard.

Children in street situations

43. The Committee refers to its general comment No. 21 (2017) on children in street situations and recalls its previous recommendations (CRC/C/GIN/CO/2, para. 82). In view of the reports of significant numbers of children in street situations and of limited programmes to protect their rights, it recommends that the State party:

(a) Undertake a census of children in street situations;

(b) Develop and implement, with the active involvement of the children in street situations themselves, a comprehensive policy to address the root causes, as well as to define preventive and protective measures to reduce the number of children in street situations;

(c) Allocate the necessary resources for the implementation of such a strategy by the State party and non-governmental organizations.

Sale, trafficking and abduction

44. Taking note of target 8.7 of the Sustainable Development Goals, the Committee recalls its previous concluding observations (CRC/C/GIN/CO/2, para. 84) and urges the State party to increase its efforts to combat trafficking in children and to:

(a) Strengthen effective policies and procedures to identify and support child victims of trafficking and sexual exploitation, and raise awareness about preventing trafficking and reporting cases to authorities;

(b) **Promptly investigate, prosecute and sanction trafficking offences, prevent interference from administrative or religious authorities in judicial proceedings and increase access to and confidence in the judiciary;**

(c) **Allocate the necessary human, technical and financial resources to efficiently implement multilateral and bilateral agreements to combat trafficking in persons, with a focus on combating trafficking of children.**

Administration of juvenile justice

45. The Committee notes the increase of the age of criminal responsibility from 10 to 13 years in the Criminal Code (2016), the adoption in 2014 of the National Policy for Judicial Reform, and other measures taken by the State party, such as the training provided to judges and magistrates on juvenile justice and non-custodial measures. However, the Committee is seriously concerned that:

(a) Juvenile courts are not available outside of Conakry, despite the provisions of article 310 of the Children's Code (2008);

(b) The State party has no general legal aid scheme;

(c) Deprivation of liberty is the most common sentence for children in conflict with the law, including for minor offences;

(d) The State party does not have specific detention and rehabilitation centres for convicted children, and detention conditions are characterized by overcrowding and poor nutrition, and by a lack of adequate health care, of adequate sanitation, and of education and training opportunities;

(e) Programmes for the protection of children in conflict with the law, including for their social reintegration, are rare.

46. **With reference to its general comment No. 10 (2007) on children's rights in juvenile justice, the Committee urges the State party to bring its juvenile justice system fully into line with the Convention and other relevant standards. In particular, the Committee recommends that the State party:**

(a) **Allocate the necessary financial resources to establish juvenile courts and ensure that all children appearing in court are dealt with in such courts, through specialized procedures and with appropriately trained magistrates;**

(b) **Provide free, qualified and independent legal aid to all children in conflict with the law at an early stage of the procedure and throughout the legal proceedings, including through the provision of a sufficient budget to the legal aid offices situated in each court of first instance, and ensuring that the legal aid is provided in a child-friendly manner by trained professionals;**

(c) **Ensure that every child arrested and deprived of his or her liberty is brought before a competent authority to examine the legality of the deprivation of liberty or its continuation, within 24 hours, and expedite trials involving children, with a view to reducing the period of pretrial detention;**

(d) **Apply articles 328 and 329 of the Children's Code (2008) and promote non-judicial measures, such as diversion, mediation and counselling, for children accused of criminal offences and, wherever possible, the use of non-custodial sentences for children, such as probation or community service, and ensure that detention is used as a last resort only, for the shortest possible period of time, and not for minor offences, nor in cases where children in conflict with the law have to be protected from potential violence against them;**

(e) **Ensure that, in cases where detention is unavoidable, children are not detained together with adults and detention conditions comply with international standards, and that all cases of torture by security forces are promptly recorded, investigated in a fast, effective and impartial manner, and sanctioned;**

(f) Provide services for reintegration of children released from prisons, that prevent revictimization.

Child victims and witnesses of crimes

47. Welcoming the legal provisions enshrined in articles 305 (6), 399 (2), 857 and 872 of the Code of Criminal Procedure (2016), which provide some protection to child victims and witnesses of crimes, the Committee recommends that the State party strengthen its efforts to protect the identity of child victims and witnesses who participate in judicial processes, including through adequate legal provisions in the revised Children's Code that fully take into account the Guidelines on Justice in Matters involving Child Victims and Witnesses of Crime (Economic and Social Council resolution 2005/20, annex).

Follow-up to the Committee's previous concluding observations and recommendations on the Optional Protocol on the sale of children, child prostitution and child pornography

48. While welcoming the revision of the Criminal Code and the Code of Criminal Procedure in 2016, the Committee regrets the lack of information provided on the implementation of some of its recommendations on the State party's report under the Optional Protocol on the sale of children, child prostitution and child pornography (CRC/C/OPSC/GIN/CO/1), in particular with regard to ensuring that the sale of children, child prostitution and child pornography are explicitly defined and prohibited in the Criminal Code. The Committee requests the State party to include such information in its next reports under the Convention.

J. Ratification of the Optional Protocol to the Convention on a communications procedure

49. The Committee recommends that the State party, in order to further strengthen the fulfilment of children's rights, ratify the Optional Protocol to the Convention on a communications procedure.

K. Ratification of international human rights instruments

50. The Committee recommends that the State party, in order to further strengthen the fulfilment of children's rights, consider ratifying the following core human rights instruments to which it is not yet a party:

(a) The Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty;

(b) The Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women;

(c) The Optional Protocol to the International Covenant on Economic, Social and Cultural Rights;

(d) The International Convention for the Protection of All Persons from Enforced Disappearance.

L. Cooperation with regional bodies

51. The Committee recommends that the State party cooperate with the African Committee of Experts on the Rights and Welfare of the Child, of the African Union, on the implementation of the Convention on the Rights of the Child and other human rights instruments, both in the State party and in other African Union member States.

V. Implementation and reporting

A. Follow-up and dissemination

52. The Committee recommends that the State party take all appropriate measures to ensure that the recommendations contained in the present concluding observations are fully implemented. The Committee also recommends that the combined third to sixth periodic reports, the written replies to the list of issues and the present concluding observations be made widely available in the languages of the country.

B. National mechanism for reporting and follow-up

53. The Committee welcomes the establishment of the Interministerial Committee on Human Rights in July 2014. It recommends that the State party allocate the necessary human, technical and financial resources for the Interministerial Committee to function as a standing government structure mandated with coordinating and preparing reports to and engaging with international and regional human rights mechanisms, as well as with coordinating and tracking national follow-up to and implementation of treaty obligations and the recommendations and decisions emanating from such mechanisms. It emphasizes that the Interministerial Committee should have the capacity to consult systematically with the National Independent Human Rights Institution of Guinea and civil society.

C. Next report

54. The Committee invites the State party to submit its combined seventh and eighth periodic reports by 1 September 2025 and to include therein information on the follow-up to the present concluding observations. The report should be in compliance with the Committee's harmonized treaty-specific reporting guidelines adopted on 31 January 2014 (CRC/C/58/Rev.3) and should not exceed 21,200 words (see General Assembly resolution 68/268, para. 16). In the event that a report exceeding the established word limit is submitted, the State party will be asked to shorten the report in accordance with the above-mentioned resolution. If the State party is not in a position to review and resubmit the report, translation thereof for the purposes of consideration by the treaty body cannot be guaranteed.

55. The Committee also invites the State party to submit an updated core document, not exceeding 42,400 words, in accordance with the requirements for the common core document contained in the harmonized guidelines on reporting under the international human rights treaties, including guidelines on a common core document and treaty-specific documents (see HRI/GEN/2/Rev.6, chap. I) and paragraph 16 of General Assembly resolution 68/268.