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| UN CRC 13 Jul 1990 | **CRC/C/GIN/CO/2** 30 January 2013  [http://www2.ohchr.org/english/bodies/crc/sessions.htm](http://www2.ohchr.org/english/bodies/crc/sessions.htm)  
**IV Main areas of concerns and recommendations**  
**A. General measures of implementations (arts. 4, 42 and 44, para. 6 of the Convention)**  
Training  
28. The Committee recommends that all professional groups working for and with children be adequately and systematically trained on children's rights, in particular law enforcement officials, teachers, health workers, social workers, religious leaders and personnel working in all forms of alternative care. The Committee also recommends that the State party take into account the principles of the World Programme for Human Rights Education (WPHRE) in the design of policies and strategies, with a particular focus on the integration of human rights education in the primary and secondary school systems. Efforts should also be made in line with the second phase of the WPHRE (2010-2014) focused on “human rights education for higher education and on human rights training programmes for teachers and educators, civil servants, law enforcement officials and military personnel at all levels”.  
**E. Violence against children (arts 19, 37 (a) and 39 of the Convention)**  
Corporal punishment | | | |
Corporal punishment of children remains widespread and socially accepted in the home, in schools, in penal institutions, and in alternative care settings;

49. With reference to the Committee’s General Comment Nº 8 on the right of the child to protection from corporal punishment and other cruel or degrading forms of punishment (CRC/GC/8/2006), the Committee urges the State party to:

(a) Ensure that different laws and regulations explicitly prohibit corporal punishment;

(b) Effectively implement these laws and regulations and systematically initiate legal proceedings against those responsible of mistreating children; including teachers using whips;

(c) Introduce sustainable public education, awareness-raising and social mobilization programmes, involving children, families, communities and religious leaders, on both the physical and psychological harmful effects of corporal punishment on the development of children with a view to change the general attitude towards this practice and promote positive, non-violent and participatory forms of child-rearing and discipline as an alternative; and

(d) Ensure the involvement and participation of the whole society, including children, in the design and implementation of preventive strategies against corporal punishment of children.

Abuse and neglect

50. The Committee is concerned at the alarmingly high number of children, especially girls, subjected to violence and abuse at home, at school, and in alternative care settings. The Committee regrets that these cases of abuse are seldom reported and that the perpetrators are rarely held accountable.

51. The Committee urges the State party to:

(a) Ban all forms of abuse and neglect against children in all
settings;

(b) Establish community protection mechanisms mandated to monitor and report cases of abuse and neglect in a stigma free environment; and

(c) Train all professionals working with and for children, including teachers, religious and community leaders, and health and social workers, to identify child victims and to effectively intervene in case of abuse and neglect against children.

F. Family environment and alternative care (arts. 5, 18 (paras. 1-2), 9-11, 19-21, 25, 27 (para. 4) and 39 of the Convention)

Family environment

59. The Committee expresses serious concern that the 1983 Civil Code contains provisions in family law that discriminate against women and girls and reinforce discriminatory social practices, in particular that:

(a) The husband is the head of the family” (art. 324). Thus, he chooses the place of residence for the family (art. 247 and 331) and may object to his wife exercising the profession of her choice (art. 328).

(b) In cases of divorce, a woman only has custody of her children until they are aged 7 years (art. 359).

(c) Adultery is considered a ground for divorce if committed by the wife. If it is committed by the husband, it will only be considered a ground for divorce if the act took place in the family home (art. 341 and 342).

60. The Committee urges the State party to take prompt measures to ensure that mothers and fathers equally share the legal responsibility for their children in accordance with article 18 1) of the Convention. In
particular, the Committee urges the State party to:

(a) Review the Civil Code and ensure that all provisions contained in articles 247, 324, 328, 331, 341, 342 and 359 that discriminate against women and girls and negatively impact on their children be repealed; and

(b) Review its legislation relating to the custody of the child with a view to ensuring that all decisions taken are based on the principle of the best interests of the child in line with articles 3 and 12 of the Convention and that children can no longer be withdrawn from their mother’s custody when they reach 7 years old.

Children deprived of a family environment

61. The Committee notes with concern that children are placed in centers created by non-governmental organizations for economic, political, religious and conflict-related reasons and as a result of stigmatization when they are affected by HIV/AIDS or victims of sexual abuse. The Committee expresses concern that these institutions do not always meet the minimum standards of practice, including decent living conditions and that insufficient attention is paid to the reunification of children with their parents.

62. The Committee recommends the State party to:

(a) Undertake a comprehensive survey on all children deprived of a family environment and allocate sufficient human, technical and financial resources to ensure adequate care and quality standards of protection to children deprived of their family environment, whether they are in street situations, orphans, abandoned or displaced children and refugees fleeing conflicts in neighbouring countries;

(b) Increase measures to facilitate the family reunification of children with
their parents;

(c) Develop and disseminate minimum standards of care and protection to be respected by all centers taking into account the Guidelines for the Alternative Care of Children annexed to the United Nations General Assembly resolution 64/142 of 20 December 2009; and

(d) To establish independent mechanisms for complaints for children placed in institutions and ensure the regular follow-up and evaluation of the situation of children.

I. Other special protection measures (arts. 22, 30, 38, 39, 40, 37 (b)-(d), 32-36 of the Convention)

Asylum-seeking and refugee children

75. The Committee is concerned at the lack of disaggregated statistical information on the situation of refugees, especially refugee children and the lack of capacity and resources to handle the flow of refugees.

76. The Committee urges the State party to adopt a comprehensive legal framework for refugees and asylum seekers in line with international standards and to develop an efficient and well founded cooperation mechanism with the United Nations High Commissioner for Refugees (UNHCR) to identify and provide assistance to children in need of protection, especially unaccompanied asylum seeking children. The Committee encourages the State party to seek technical assistance from the Office of the United Nations High Commissioner for Refugees (UNHCR). The Committee further that the State party consider ratifying the 1954 Convention relating to the Status of Stateless Persons, the 1961 Convention on the Reduction of Statelessness.
## Country Care Review: Guinea

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