

**Flygtningenævnets baggrundsmateriale**

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| <b>Bilagsnr.:</b>               | <b>67</b>                                                         |
| Land:                           | Guinea                                                            |
| Kilde:                          | Refugee Documentation Centre of Ireland.                          |
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## **Guinea - Researched and compiled by the Refugee Documentation Centre of Ireland on 4 May 2010**

### **Domestic violence and police protection**

The *United States Department of State's* annual report on human rights in Guinea, in a section titled Women, states:

"Rape is a criminal offense but was rarely prosecuted. Spousal rape is neither punished nor regarded as a criminal offense. Social beliefs and fear of being ostracized prevented most victims from reporting incidents of rape. According to a 2003 study, victims of sexual assault constituted more than 20 percent of women treated in a local hospital. Experts reported that the situation had not changed significantly. Many of these assaults were perpetrated by a person the victim knew and often took place at school; more than half the victims were young girls. Several local NGOs worked to increase public awareness of the nature of these crimes and promote increased reporting. The authorities were reluctant to pursue criminal investigations of alleged sexual crimes. There were no reports of prosecutions against rapists.

Domestic violence against women was common, although estimates of its prevalence were unavailable. Due to fear of stigmatization and reprisal, women rarely reported abuse except at the point of divorce. Wife beating is not addressed specifically within the law, although charges can be filed under general assault, which carries penalties ranging from two to five years in prison and fines ranging from 50,000 to 300,000 Guinea francs (\$11 to \$65). Assault constitutes grounds for divorce under civil law; however, police rarely intervened in domestic disputes, and there were no reports of perpetrators being punished." (United States Department of State (11 March 2010) *Guinea: "Country Report on Human Rights Practices 2009"*)

A report on Guinea from the *UN Human Rights Council* states:

"CEDAW remained concerned about the prevalence of violence against women and girls, and particularly about occurrences of domestic violence, rape, including marital rape, and all forms of sexual abuse of women.<sup>49</sup> CEDAW urged the State to place the highest priority on implementing a comprehensive approach to address all forms of violence against women, and to raise public awareness through the media and education programmes. CEDAW also called upon the State to train the judiciary, law enforcement officials, social workers and health providers to enhance, as highlighted also by UNHCR,<sup>50</sup> victims' access to legal redress, and to establish support measures for victims of violence against women, including shelters and legal, medical and psychological support. CEDAW urged Guinea, as highlighted also by UNHCR,<sup>51</sup> to enact without delay legislation on domestic violence, including marital rape and all forms of sexual abuse, and requested the State to provide information on the laws, policies and programmes in place and on the impact of such measures, as well as statistical data and trends" (UN

Human Rights Council (formerly UN Commission on Human Rights) (19 February 2010) *Guinea: "Compilation prepared by the Office of the High Commissioner for Human Rights in accordance with paragraph 15 (b) of the annex to Human Rights Council resolution 5/1; Guinea [A/HRC/WG.6/8/GIN/2]"* )

A 2007 query response from the *Immigration and Refugee Board of Canada* states:

"A 2004 report on the situation of women's rights in Guinea by Women, Law and Development in Africa (WiLDAF), an African regional network of organizations committed to the promotion of women's rights (WiLDAF 8 June 2005), identifies a number of ongoing practices that are harmful to women including physical and psychological violence, rape, sexual harassment and sexual exploitation (ibid. 17 Mar. 2004). Reporting on the situation of women one year later, both the United States (US) Department of State and Freedom House were more specific, describing occurrences of domestic violence in Guinea as "prevalent" (Freedom House 2006) and "common" (US 8 Mar. 2006, Sec. 5)." (Immigration and Refugee Board of Canada (6 March 2007) *Guinea: Protection, services and legal recourse available to women who are victims of domestic violence (2004 - February 2007)* GIN102431.E)

Another 2007 query response from the *Immigration and Refugee Board of Canada* adds:

"The International Center for Research on Women (ICRW) maintains that child marriage increases the likelihood of young girls being "beaten, slapped or threatened" by their husbands (ICRW 2006). In Guinea, the legal age of marriage is 21 years for men (US 8 Mar. 2006, Sec. 5) and 17 years for women (ibid.; ICRW 2006). However, the ICRW reports that the percentage of girls who are younger than 18 when married in Guinea is 64.5 percent, which ranks Guinea as the country with the fifth highest rate of child marriage in the world (ibid.); half of all girls in Guinea, according to the study, give birth before they turn 18 (ibid.). The US State Department notes that parents have reportedly arranged marriages for children as young as 11 years old in the Forest Region (8 Mar. 2006, Sec. 5) of Southern Guinea (UN 10 Jan. 2005), where traditional religions are most common (US 8 Nov. 2005). The Coordinating Committee on Traditional Practices Affecting Women's and Children's Health (Cellule de Coordination sur les Pratiques Traditionnelles Affectant la Santé des Femmes et des Enfants, CPTAFE) continued its educational campaign to "discourage underage marriage" with the assistance of the government, the media and international NGOs (US 8 Mar. 2006, Sec. 5). According to the CPTAFE, the campaign had resulted in lower rates of child marriage than in previous years (ibid.)." (Immigration and Refugee Board of Canada (7 March 2007) *Guinea: Domestic child abuse; state protection available to victims (2005 - February 2007)*, , GIN102432.E)

## References

Immigration and Refugee Board of Canada (6 March 2007) *Guinea: Protection, services and legal recourse available to women who are victims of domestic violence (2004 - February 2007)* GIN102431.E

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United States Department of State (11 March 2010) *Guinea: "Country Report on Human Rights Practices 2009"*

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[http://www.ecoi.net/file\\_upload/470\\_1270465707\\_a-hrc-wg-6-8-gin-2-e.pdf](http://www.ecoi.net/file_upload/470_1270465707_a-hrc-wg-6-8-gin-2-e.pdf)

(Accessed 30 April 2010)

This response was prepared after researching publicly accessible information currently available to the Refugee Documentation Centre within time constraints. This response is not and does not purport to be, conclusive as to the merit of any particular claim to refugee status or asylum. Please read in full all documents referred to.

## Sources consulted

Amnesty International

European Country of Origin Information Network

Human Rights Watch

Immigration and Refugee Board of Canada

Online newspapers

Refugee Documentation Centre Library

Refugee Documentation Centre Query Database

UNHCR Refworld

United States Department of State