



REPUBLIC OF GUINEA

Labour – Justice – Solidarity



NATIONAL ASSEMBLY

GUINEA'S DELEGATION TO THE ECOWAS PARLIAMENT

COUNTRY REPORT SECOND ORDINARY SESSION OF THE ECOWAS PARLIAMENT FOR 2019

Presented by Members of Parliament:

*Hon. Hadja Nantenin **KONATE**, Head of Delegation*

*Hon. Yaya **TRAORE***

*Hon. Hadja Aissata **DAFFE***

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*Hon. Marie Anne **FOFANA***

*Hon. Alpha Souleymane **BAH***

NOVEMBER 2019

Rt. Hon. Speaker,

Dear Colleagues,

Distinguished Ladies and Gentlemen,

I would like, on behalf of Rt. Hon. Mr Claude Kory KONDIANO, Speaker of the Guinean National Assembly, to convey the gratitude of the entire population of Guinea to ECOWAS for the role it continues to play for the stability and development of our sub region in general and for Guinea in particular.

This second session for 2019 is holding at a time when our sub region is confronted with destabilization by terrorist groups (Burkina Faso, Niger, Nigeria and Mali) and socio-political unrest (Benin, Guinea and Guinea-Bissau) that threaten the peace and stability of our community space.

The development of our sub region presupposes first and foremost peace, therefore the peaceful settlement of conflicts and a policy of conciliation among our States. It behoves us as representatives of the people to play an important role in achieving the objectives of ECOWAS in terms of Good Governance, integration and Democracy.

We can never overemphasise the fact that our country will always strive to strengthen its relations of cooperation with all countries, for the triumph of values and Human Rights, peacekeeping, security and stability in our sub region.

Rt. Hon. Speaker,

In line with the format we received, this report is presented as follows

- **State of implementation of Community Texts (Ratification of Protocols and Conventions, Implementation of Community Programmes and the Community Levy);**
- **Political Situation;**
- **Human Rights Situation;**
- **Security Situation, State of Refugees in the Region;**
- **Economic and Social Situation;**
- **State of Implementation of the ECOWAS Macro Economic Programme - Stages of Meeting the Convergence Criteria;**
- **State of Implementation of ECOWAS Projects and Programmes;**
- **Environment and Climate Change;**
- **Sensitisation Activities Conducted by MPs.**

I. STATE OF IMPLEMENTATION OF COMMUNITY TEXTS AND PAYMENT OF PROCEEDS FROM THE COMMUNITY LEVY

1. State of Ratification of Community Texts

The government recently took steps to fast-track the ratification process of the thirteen (13) texts that Guinea has signed. It is within this framework that the department in charge of African integration organized consultations to consider the implementation procedures by its competent departments. These consultations have identified texts that are likely to be ratified or included in the short term; it also envisages a domestication and implementation programme of ECOWAS texts in its action plan.

2. Free Movement of Persons and Goods

The Ministry of African Integration has firmly strengthened Guinea's commitment to issues relating to integration in general and free movement of persons and goods in particular.

In its action plan, consultations with the various actors are in progress, notably transporters, socio-professional groups, the youth, migrants, security forces, immigration officials and civil society organizations to discuss ways of overcoming difficulties on the various corridors.

3. State of Payments into the Community Levy Account

According to the Statement from the Public Treasury at the Central Bank of the Republic of Guinea dated September 30, 2019, Guinea has paid a sum of **GNF 35,371,841,440 or US Dollars 3,930,204.60** into the ECOWAS account.

II. POLITICAL SITUATION

The political situation in Guinea is still dominated by the debate on constitutional change. To this end, the President of the Republic instructed his Prime Minister to engage in broad consultation with a view to gaining the opinion of all the socio-political components. Unfortunately the Head of State's invitation was rejected by the Republican opposition despite the guarantees given by the Prime Minister, guarantor of the national dialogue in accordance with the Constitution.

On the other hand, other political parties of the Constructive Opposition Block (BOC), as well as all the social components of the country, comprising civil society, the trade unions, religious bodies, regional coordination bodies, NGOs and the Republican Institutions took part in the dialogue and expressed their various concerns.

With regard to the so-called change of constitution, to date, no national commission has been set up to draft any constitution, the National Assembly has received no text and no decree has convened a referendum.

The legislative elections initially scheduled for December 28, 2020 by the CENI, were postponed for technical reasons by mutual agreement with partners of the electoral process, including the OIF. The February 16, 2019 date has been proposed by the CENI and the Head of State has already issued a decree convening the electoral body.

Despite this consensual date for organizing the legislative elections, the opposition continues to demonstrate. It must be pointed out that all the demonstrations authorized by the State went well under the supervision of the Security Forces. On the other hand, the unauthorized marches resulted in the deaths of some Guineans and investigations are underway to identify the culprits. Following the deaths, which bereaved so many families, the government undertook to shed light on these heinous crimes so that the culprits be brought before the competent courts. Currently, several people including the police and civilians are being questioned and by the declaration of the MATD, the Government has presented condolences to all the bereaved families and promised reparations.

III. HUMAN RIGHTS SITUATION

1. State of Operations of the National Commission/Agency in charge of Human Rights

The Independent Human Rights Institution (INIDH) has presented the reports of the findings of the visit on the state of prisons and living conditions of detainees in Conakry and in the hinterland. After verification, there are 1,363 detainees in Conakry, while there are more than 1,600 in the rest of the regions.

With regard to the prison conditions of persons deprived of their liberty, the National Independent Institution of Human Rights (INIDH) recommends that the Government make efforts to combat congestion in the prisons, particularly as part of the project to support judicial reforms with the support of the European Union.

2. State of Respect / Promotion of Fundamental Rights and Freedoms (Freedom of the Press and Opinion, Rights of Assembly and Demonstration ...)

Freedom of assembly, association and demonstration is generally respected, but the government has banned street protests for more than a year, citing threats to public security. But the restrictions it imposes on the right to demonstrate worsened during demonstrations.

As far as Human Rights are concerned, the task is immense and a lot remains to be done. Human Rights advocates welcome the adoption of a new Penal Code; the death penalty has been abolished. Guinean law is gradually aligning itself with international standards.

There have also been great strides following the massacre of **September 28, 2009**, and Guinea is heading for a trial scheduled for June 2020, which will be a historic moment for Human Rights advocates.

The fight against impunity, however, remains worrying, as evidenced by **violence during the teachers' strike** and political protests that have resulted in several deaths.

None of the investigations into the violence during the demonstrations resulted in a trial. There is the urgent need to establish a truth and reconciliation commission to investigate crimes committed

since independence as the first condition for Guinea to put an end to impunity and political violence.

2. Specific Situation /Measures relating to:

a) Promotion of Women's Rights

At the legislative level, the adoption of the law establishing parity between men and women in partially and fully elective institutions marks an important step towards a better representation of women in decision-making positions. The new Penal Code provides for attacks on the physical or psychic integrity of the person on the one hand, intentional assault and battery, abortion, rape, and threats and on the other hand, on female genital mutilation and sexual and moral harassment to promote the development and protection of women in harmony with the Convention on the Elimination of All Forms of Discrimination against Women and the Labour Code in force.

Regarding the adopted new Civil Code, it must be emphasized that this Civil Code presents very important progress and innovations for the status of women. For example, it allows women to work without seeking permission from their husbands, which was previously not the case. Moreover, in the event of divorce, the sharing of parental authority will apply, in accordance with this new text. It is a step forward. Another important step - women were not allowed to declare the birth of their children in civil status, but with this new Code, they can henceforth enjoy this right.

Despite all these efforts, hazardous work in homes, abusive exploitation, maltreatment, punishment up to deprivation of food, beating, kidnapping and sometimes sexual slavery especially, the trafficking of young girls and rape are rife in our country. More than 110 cases reported in 2018, and nearly a hundred since the beginning of this year. Too many underage girls are victims of rape, especially among children, these are often people in the family or in the neighbourhood.

The Forum of Women Parliamentarians of Guinea, with a view to a better representation of women in political bodies, organized, with the support of (**UNDP**) and UN **WOMEN**, training workshops for political parties, women leaders of the civil society on the gender approach, the popularization of the new civil code and the law on parity between men and women

b) Promotion of the Rights of the Child

Tremendous efforts have been made by the government and its partners - the establishment of a division for the protection of the child within the national gendarmerie led to a considerable reduction in the cases of rape, disappearance, kidnapping of children and abandoned babies between 2015 and 2017, according to the Ministry in charge of Children and Women.

Regarding the Legislature, the current Children's Code under consideration in the National Assembly was adopted in 2008. After the Penal Code, the Criminal Procedure Code, the Military Justice Code, the Children's Code will, in turn, be in line with the Convention on the Rights of the Child and the African Charter on the Rights and Welfare of Children, but also other innovations, including the time for birth registration, which has gone from 15 days to 6 months, the principle of

dual jurisdiction and its relationship with the Criminal Procedure Code. There are provisions in the Civil Code for the child, but they have been copied and transferred to the Children's Code. All issues concerning the child have been grouped together and placed in the Children's Code.

In short, the reforms that will apply to this new Children's Code, will include all the concerns raised pertaining to children's rights, and will be consistent with all international legislation on children, to which Guinea is attached. "Respecting the rights of children means giving our country a Children's Code that takes into account all the concerns of all the treaties and conventions of which the country is a stakeholder".

c) Situation of Refugees and Stateless Persons

Liberian, Sierra Leonean and Ivorian refugees live in the country; despite the end of the crises, some of them preferred to stay. The government, with the support of UNHCR, developed a strategy of local integration of Refugees, which aims at empowering more than 800 refugees in the Forest Region who will have opted for the durable solution of local integration in the two localities.

The strategy will also target 100 families of the host population, from all sites. It will take into account all the aspects related to the Rights and Responsibilities of the integrated refugees, but their obligations, particularly respect of the laws and regulations of the country of asylum, observation of the habits and customs of the host populations for a peaceful coexistence. A 2014-2024 global action plan to prevent and combat statelessness has been put in place.

IV. SECURITY SITUATION

1. Specific Anti-Terrorism Measures

The current security context made the Guinean government to adopt anticipatory strategies in the face of multiform and multidimensional threats (drug trafficking, organized crime and terrorism). Thus the defence and security forces have made several achievements, especially the intensification of the fight against serious crime; continued implementation of community policing, operational capacity building of departments, and staffing.

Despite these numerous achievements, there are still challenges and constraints to address, which is why the Guinean State got the National Assembly to adopt legal documents as part of the defence and security forces reform.

- Status of armies;
- General principles of the general organization of national defence;
- Conditions for the army's participation in the economic development of the nation and all other tasks of public interest;
- Use of weapons by the Gendarmerie; and
- Prevention and suppression of terrorism in the Republic of Guinea.

In Africa, like in other countries, our country has not shirked its role, by intervening promptly in the Malian crisis by duty of blood and history. Like many countries in the West African sub region,

Guinea is preparing to deploy its fifth armed battalion in northern Mali for a peacekeeping and social tranquillity mission.

Officers, non-commissioned officers and soldiers belonging to this battalion called the **Gangan Battalion 5**, have just completed several months of moral, technical and practical training to be effective in operations against extremist groups in the northern regions of Mali. The training was provided by Guinean and foreign instructors in charge of contingent preparations to support MINUSMA's efforts.

2. State of Operations of the National Commission on Small Arms

The National Commission to Combat the Proliferation and Illicit Movement of Small Arms and Light Weapons, mindful of the insecurity, drug trafficking, money laundering and child trafficking prevalent in the sub region, assists the government in the design and implementation of the national policy to combat the proliferation and illicit circulation of small arms and light weapons

To achieve a level of peace and security that promotes stability and development, the effective control of small arms and light weapons has become a major concern for the Government and its development partners. Thus, it undertook activities aimed at advocating to the authorities for the harmonization of the law regulating arms in Guinea as well as the collection and destruction of obsolete SALW of the Defence and Security Forces and those kept in court records seized in judgments

3. Other Threats or Security Threat Situation

Beyond the electoral issue, youth unemployment, socio-political crises, terrorism in the Sahel are also causes of proliferation and circulation of small arms in Guinea, but also recurrent conflicts between farmers and herdsman in rural areas as well as those between populations affected by mining and mining companies.

V. ECONOMIC AND SOCIAL SITUATION

1. Economic Growth

Guinea is an advanced middle-class country with 13 million inhabitants, ranked 175th (out of 189 countries) in terms of HDI (2018 ranking) and 40th in Africa (out of 53 countries). The primary sector accounts for 18% of GDP, the secondary sector 28% (of which 13% for extractive activities) and the tertiary sector 54%. In addition to the development of agricultural sectors, hopes for faster growth are based on expected developments in the mining sector.

In 2018, growth was 5.8%, driven mainly by the dynamism of mining production (+ 7.5%). For 2019, growth is 5.9%, which should stabilize at 6% over 2020-2021 then slow down to around 5% by 2024.

The authorities continue to affirm their commitment to accelerate the implementation of the National Economic and Social Development Plan (PNDES 2016-2020) by engaging in a process

of budgetary consolidation, but efforts must be strengthened, particularly with regard to tax collection.

The authorities have adopted a budget of 2.3 billion euros for an overall budget deficit of 2.6% of GDP. With regard to public debt, Guinea remains in the category of moderate debt distress risk. In 2018, the country recorded an outstanding debt of 37.8% of GDP which is expected to increase to around 45% of GDP in 2019, before falling gradually to around 40% in the medium term.

This increase is due to accessing new non-concessional loans for the financing of road and energy infrastructure. The stability of the exchange rate helps to control inflationary pressures, although they still remain high on average at 9.8% in 2018.

2. Fight against Poverty and Youth Unemployment

Despite enormous efforts by the government and its technical and financial partners, unemployment is becoming more and more worrying in Guinea. Faced with this thrilling and threatening reality for the country's administrative political authorities, the government initiated the PNDES (2016-2020), whose objective is to increase the quantum of the added value derived from the processing of abundant raw materials in Guinea.

To combat unemployment, the State intends to improve the business climate and promote the private sector through the national local content policy. Several projects and programmes have been carried out or are underway as part of improving the process of professional integration of the youth and women.

VI. STATE OF IMPLEMENTATION OF MACRO ECONOMIC CONVERGENCE CRITERIA

According to the economic and financial report, the state of implementation of the ECOWAS convergence criteria is as follows as at June 2019:

Convergence criteria	Standards	2018	2019
Budget deficit including loans (based on pledges/GDP)	≤ 3%	-1.2 %	2.6
Average annual inflation rate	≤ 10%	9.5 %	8.0 %
Financing of budget deficit by central bank/previous year's tax revenue in %	≤ 10%	-12.3 %	-12.4%
Gross reserves in months of imports	≥ 3%	2.6 %	2.8%
Ratio of public debt/nominal GDP in %	≤ 70%	30.5 %	43.5%
Nominal exchange rate variation	+ -10%	-3.4 %	-3.5 %
Number of criteria met		5	5

In terms of convergence criterion, Guinea has improved. In all, five (5) criteria out of six (6) have been met, but the criterion of gross foreign exchange reserves, in number of months of imports, has not been observed by Guinea.

Failure to meet this criterion despite a good external sector orientation which results in a substantial increase in the volume of reserves is due to the particularly high level of imports of capital goods financed by direct and foreign investment, in the context of entry into the exploitation phase of several mining projects.

VII. STATE OF IMPLEMENTATION OF COMMUNITY PROJECTS AND PROGRAMMES

The ECOWAS' representation in Guinea plays its role, continues to be the interface and coordinator of projects and activities between the Guinean State and ECOWAS, or in partnership with other international and national institutions, among others:

- electrical interconnection project between Guinea, Ivory Coast, Liberia and Sierra Leone,
- ECOWAS-EU Regional Project on Small Arms and Light Weapons,
- ECOWAS-UNDP Support Project for Security Sector Reform (SSR),
- (WAHO) Regional Project for Strengthening Disease Surveillance Systems in West Africa (REDISSE), etc.

VIII. ENVIRONMENT AND CLIMATE CHANGE

Status of Implementation of COP21 and 22 Decisions

The Guinean authorities are stepping up initiatives aimed at restoring and preserving forests, after the Paris agreement on climate change; the Guinean government appears resolutely committed to reducing greenhouse gas emissions by 2030 and countering the advance of desertification. It is in this dynamic that the government decided to launch a national reforestation campaign on the banks of the Niger River in Faranah.

This campaign plans to reforest two thousand hectares of forests for a total cost of two million euros. During this reforestation campaign, the Ministry of the Environment intends to reactivate a Guinean law, called Fria law, adopted under the first Republic (1958-1984).

This law obliges every newly married couple to plant two trees and urges each family that organizes a naming ceremony of their children to plant three trees: two for the biological parents and one for the child.

IX. SENSITIZATION ACTIVITIES CONDUCTED BY PARLIAMENTARIANS

Restitution of the proceedings of the sessions of the ECOWAS Parliament to the National Assembly:

As part of the parliamentary activities, a day is dedicated for the restitution in plenary, for this purpose. We forward a report on the various delocalized meetings and the sessions of the ECOWAS Parliament to the Bureau of the National Assembly before the end of each Ordinary Session of the year.

THANK YOU

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OBRIGADO