



REPUBLIC OF GUINEA

Labour - Justice - Solidarity



NATIONAL ASSEMBLY

DELEGATION OF GUINEA TO THE ECOWAS PARLIAMENT

COUNTRY REPORT ECOWAS PARLIAMENT FIRST ORDINARY SESSION OF 2021

Presented by:

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**Rt Honourable Speaker,
Dear colleagues,
Ladies and gentlemen,**

I have the pleasure to address this august assembly on behalf of the Guinean delegation. First of all, I bring you warm and cordial greetings from the Speaker of the National Assembly **Rt Honorable Amadou Damaro CAMARA**.

He has commissioned me to express, on behalf of the Parliament of Guinea, his appreciations to the Community for the support and constant solidarity that it continues to show to our country.

This first Ordinary Session of the year 2021 is being held at a time when our countries are confronted with an unprecedented health crisis due to Covid19, which has affected all socio-economic activities in our Community space.

The development of our sub-region requires, in the first place, peace, in other words peaceful resolution of conflicts and conciliation policies among our countries. It is our duty as representatives of the people, to play a key role in the achievement of the objectives of **ECOWAS** in terms of good governance, integration and the promotion of democracy.

We will never tire of repeating that, the Republic of Guinea, under the leadership of President Alpha Conde, will not relent in its efforts to strengthen its cooperation relationship with all ECOWAS Member States for the triumph of human values and rights, peace keeping, security and stability in our sub-region.

Rt Honourable Speaker,

This report has the following outline:

- ✓ **Political Situation**
- ✓ **Security Situation, Condition of Refugees in the Region**
- ✓ **Human Rights Situation**
- ✓ **Health Situation**
- ✓ **Status of Implementation of the Community Texts (Ratification of Protocols and Conventions, Implementation of the Community Levy and the Supplementary Act on Equality of Rights between Women and Men for Sustainable Development in the ECOWAS Region)**

I– Political Situation

The political situation in Guinea was marked by the conduct of three elections (referendum, legislative and presidential) that were the major political activities in our country in 2020 which, through violent demonstrations that resulted in significant property damage, injuries and unfortunately deaths (civilian and military), put to the test our ability to live together. As expected, many arrests were made.

The elections of 22 March 2020 led to the adoption by the people of Guinea of a new constitution that established the fourth Republic. The 9th legislature was also established with a national assembly made up of 24 other political groups in addition to the presidential majority.

The political and social situation has been relatively calm due to the political tension the country went through recently. However, there is currently an atmosphere of mistrust coupled with a break in communication between a large number of opposition parties and the ruling regime.

In this regard, the government has taken several measures to appease the social and political atmosphere in the country. That is why priority is given to the judiciary as an independent body to rule on the various cases before the courts of the country. Drastic measures have also been taken to build the operational capacity of our security forces to protect citizens and their properties. In the same vein, the President has recently put in place a framework for permanent dialogue to facilitate the alignment of the various positions with major issues pertaining to our national life. The Prime Minister, as the officer constitutionally mandated to promote political and social dialogue, has already begun thinking about and holding consultations on a framework for the operationalisation of this platform, which is intended to organise consultations among Guineans on all issues of national interest.

II SECURITY SITUATION

1. Specific Counter-Terrorism Measures:

The current security context has led the government of Guinea to adopt anticipatory strategies in the face of multifaceted and multidimensional threats (drug trafficking, organised crime and terrorism).

The defence and security forces have carried out several actions, including intensifying the fight against serious crime, continuing the implementation of community policing, and strengthening the operational capacity of the services and the workforce.

In spite of these numerous achievements, some challenges and constraints still lie ahead. That is why the government has initiated the following laws and had them adopted by the National Assembly:

- ✓ Military planning law (2021-2026) ;
- ✓ Law on the prevention and the fight against terrorism in Guinea;
- ✓ Law on cybercrime and the protection of personal data;
- ✓ Fight against Corruption and
- ✓ Military cooperation agreement between Guinea and the Kingdom of Saudi Arabia;
- ✓ Law on the fight against money laundering, terrorist financing and the proliferation of weapons of massive destruction;
- ✓ Law on combating fraud, acts that infringe public properties and the integrity of security forces.

On the African continent, Guinea is strongly engaged in the fight against terrorism in northern Mali. After Gangan 5, Guinea deployed its 6th battalion (Gangan 6) made up of 850 men who benefited from adequate training by national instructors supported by their colleagues from different countries, such as USA and France. This shows that Ganga 6 is technically, tactically and morally equipped to fulfil its mission and to honour the participation of the Guinean army in

this peace and security mission, in solidarity with the people of the sister country Mali with whom we have a historical tie.

The deployment of those contingents confirm President Alpha Conde's commitment to fight against terrorism.

2. Operational Status of the National Commission on Small Arms;

The National Commission to Combat the Proliferation and Illicit Circulation of Small Arms and Light Weapons, aware of the insecurity, drug trafficking, money laundering and child trafficking that are rampant in the subregion, is supporting 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, effective control of small arms and light weapons has become a major concern for the government and its development partners. Thus, it has undertaken activities aimed at advocating with the authorities for the harmonisation of the law regulating arms in Guinea as well as the collection and destruction of obsolete Small Arms and Light Weapons (SALW) of Defence and Security Forces and those kept in court registries after being seized during cases with final outcomes.

3. Other Threats or Security Threatening Situations:

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

III. HUMAN RIGHTS SITUATION

Guinea has undertaken various reforms to lay the foundations for a just society that respects human dignity. Since 2010, Guinea has been reviewing its legal texts in order to align the national legislation with international conventions ratified by the country. The task is huge and much remains to be done. Human rights advocates welcome the adoption of a new criminal code and the abolition of death penalty. The law of Guinea is gradually being aligned with international standards.

The National Independent Human Rights Institution (INIDH), established since 2015, is involved in various trainings of defence and security forces, but also in issues of detention and law enforcement.

It presented its reports on the condition of prisons and the living conditions of inmates in Conakry and within the country. After the enquiry, 1,363 prisoners were counted in Conakry and more than 1,600 in the other region. The Commission bemoaned the conditions of prisons as well as the withdrawal of the ICRC.

With regard to the conditions of inmates in prisons, the National Independent Human Rights Institution (INIDH) recommends to government to make efforts to address overcrowding in prisons, especially as part of the Judicial Reform Support Project supported by the European Union.

The INIDH was also on the ground to observe legislative elections and the referendum held on 22 March 2020 in the Republic of Guinea. However, the capacity of this institution must be strengthened to ensure its operational independence so that it can produce reports on the human rights situation in accordance with Article 29 of the law on its organisation and operation. It is about to publish a new report on the human rights situation in the country.

2. Respect / Promotion of Fundamental Rights and Freedoms (press freedom and freedom of opinion, rights of assembly and demonstration...)

The freedom of assembly, association and demonstration is enshrined in the Constitution of Guinea. All the same, there are some restrictions on these freedoms in our country due to various reasons. The government has banned street demonstrations for more than a year, arguing that they constitute threats to public security or citing reasons associated with the health crisis. Trade unions, civil society, and politicians complain of administrative obstacles to holding rallies, marches, or demonstrations.

The government says it is pleased with the security in the country, which reconciles the imperatives of freedom and the duty of responsibility for the well-being of the people, although some have been expressing concern about restrictions on the rights of citizens and even a decline in democracy, for the most critical ones.

The freedom of the public and private press is respected and guaranteed in Guinea by the constitution and the organic law on press freedom. Radio broadcasting remains the main source of public information, and several private stations operate throughout the country.

The High Authority for Communication stated that it has issued 72 licenses for 40 commercial radio stations, more than twenty print and online media, eight (8) private television stations and 32 private community radio stations. According to the same source, the country has 34 public rural and community radio stations under the Ministry of Information and Communication.

3. Specific Situation / Measures relating to:

a) Protection of the Rights of Persons with Disabilities:

After the adoption of laws for the protection and promotion of persons with disabilities and albinism, implementing decrees are being drafted to end discrimination against people with disabilities and those with albinism in the society.

These acts reflect a political will to strengthen the social protection floor and reduce inequalities, which is reflected in the National Social and Economic Development Plan (PNDSE)

b) Promotion of Women's Rights

The new April 2020 constitution, in its Article 9, paragraph 3, states that "The Republic of Guinea affirms that parity between men and women is a political and social objective. The government and the assemblies of the deliberative organs cannot be composed of the same gender with more than two-thirds (2/3) of their members", which marks an important step for a better representation of women in decision-making positions.

The new Penal Code provides for penalties for attacks on the physical or psychological integrity of the person on the one hand, and on the other, assault and battery, abortion, rape and threats. Female genital mutilation, sexual and moral harassment and all other forms of discrimination against women are punishable by the laws in force.

It should be noted that the revised Civil Code presents very important advances and innovations for the status of women. For example, it allows women to work without asking their husbands for permission, which was not the case. Furthermore, in the event of divorce, the division of parental authority will apply. Another important step is that the woman was not allowed to register the birth of her child in the civil registry, she will now be able to enjoy this right.

The new Guinean Civil Code establishes monogamy as the general regime of marriage, but polygamy remains possible on condition that the first wife gives her consent during the celebration of the marriage at the town hall.

With the onset of the Covid-19 pandemic, gender-based violence resurfaced and gained a certain notoriety which led the authorities to set up a toll-free number for anonymous complaints

c) Promotion of the Rights of the Child:

Significant efforts have been made by the government and its partners for the establishment of a division responsible for child protection within the national gendarmerie, which has led to a considerable reduction in cases of rape, disappearances and kidnappings of children and abandoned babies.

Legislatively, the revised Children's Code is in line with the Convention on the Rights of the Child and the African Charter on the Rights and Welfare of Children. Other significant advances, include the passage of the deadline for declaring births from 15 days to 6 months.

d) Situation of Refugees and Stateless Persons:

Among the Liberian, Sierra Leonean and Ivorian citizens who had fled the war, despite the end of the crises, several families preferred to stay in Guinea. A strategy for the local integration of refugees has been drawn up by the government with the support of the UNHCR, which aims to promote the empowerment of more than 800 refugees in the Forest Region, who will have opted for the lasting solution of local integration mainly in the Macenta, Beyla and Yomou prefectures.

In Guinea, many people are considered stateless, mainly made up of individuals in refugee situations. A 2014-2024 global action plan aimed at preventing and combating statelessness is already in place.

IV. HEALTH SITUATION

The Republic of Guinea, in its Constitution, recognizes health as a fundamental right, prior to the enjoyment of other fundamental rights. It has subscribed to several international legal instruments in the field of health.

Since the political renewal of 2010, and with the onset of the Ebola virus epidemic health crisis in 2014, major reforms of the health system are planned at the end of the general health meetings. This state of affairs has led Guinea to re-examine the relevance and effectiveness of its current health programmes and policies and has produced a National Health Development Plan, a Health System Recovery Plan.

The national health policy drawn up in 2014, and which covers the period 2015-2024, has as a vision, "the creation of a Guinea, where all populations are in good health, economically and socially productive, benefiting from universal access to quality health care and services".

Following the Ebola epidemic in 2016, the Guinean government set up the National Health Security Agency (ANSS), the national institution in charge of managing epidemics, emergencies and health disasters. The agency has been provided with 38 epidemic treatment centres for the management of cases of diseases with epidemiological potential, in accordance with the administrative subdivision of the country.

The government had also carried out an analysis of the risks of epidemics and disasters that the populations could face. This analysis highlighted the significant risk of a resurgence of certain diseases, in particular that caused by the Ebola virus. In total, nine priority zoonotic diseases (rabies, anthrax, Ebola, dengue, brucellosis, avian influenza, yellow fever, Lassa fever, Rift Valley fever) have been identified and placed under surveillance as part of the integrated "one health" approach.

For the management of epidemic cases in the communities, 17 improved health centres were built. The national capacity in terms of laboratories and logistics has been improved. The country now has a network of five certified laboratories in Conakry, and two local laboratories in the prefectures of Guéckédou and Kindia, capable of detecting the main diseases with epidemic potential.

For emergency interventions in the response against epidemics, the management of the agency has been decentralized, alert and response teams to epidemics have been set up at the regional level (regional alert and response teams to epidemics (ERARE)) and prefectures (prefectural epidemic alert and response teams (EPARE)). The capacity of the vaccination teams has been enhanced for the implementation of screening activities.

The experiences of the 2014 epidemic response and the participation of Guinean teams in the Ebola response in the DRC have strengthened national capacities in epidemic management and are applied today in the management of Covid-19. A videoconferencing system has been set up to coordinate interventions in the various prefectures. Measures have also been implemented to mobilize and involve Community nationals in the management of the crisis alongside the ANSS. To date our country has recorded 22,830 confirmed cases, 152 deaths and 20,421 recoveries.

In February, Guinean health authorities declared the country "in an epidemic situation" after the confirmation of seven cases of Ebola viral infection, including three deaths. The whole of West Africa finds itself in a delicate situation, with a real risk of a resurgence of the Ebola epidemic five years after a first deadly wave that killed more than 11,000 people, but the situation is under control.

Regarding other pathologies, the prevalence of malaria still remains high with 44% in children. This pathology represents 40.82% of consultations and 45.30% of hospitalizations in public health facilities and 36% of causes of hospital deaths are due to severe malaria. It is the leading cause of death for children under 5..

HIV / AIDS remains a public health problem with a stable prevalence of 1.7% in 2012 in the general population. In 2011, HIV / AIDS accounted for 9% of consultations with a "generalized" type of epidemic. Its prevalence among pregnant women is 2.5%.

As for Tuberculosis, its prevalence still remains high with its double burden of Tuberculosis / HIV co-infection. In addition, meningitis, cholera and measles are endemic and epidemic. Among other communicable diseases, 6% of children under 5 years of age had symptoms of acute respiratory infection and 16% had experienced diarrhoea.

These pathologies represent the second and third causes of mortality in children under 5 years, respectively. Neonatal infections are also important causes of death in this age group.

It should be noted that noncommunicable diseases linked to lifestyles are becoming increasingly important. They consist of diabetes with a prevalence of 5% in people aged 15 to 64, chronic respiratory diseases with 12.4% prevalence in schools, cardiovascular diseases with a prevalence of 28.1% of arterial hypertension, cervical cancer 0.5% in women and liver cancer with 31.5 per 100,000 and finally sickle cell disease with a prevalence of 11.57%.

The major challenge for the Guinean health system in the coming years is to extend health coverage to the entire population by strengthening health services delivery and developing community health.

To meet this challenge, the health system must face other challenges which are:

- ✓ improved governance of the sector, the availability of quality and motivated human resources;
- ✓ reducing direct health expenditure on households while ensuring adequate and equitable funding for the system;
- ✓ the availability of health products and medical technologies;
- ✓ improving the efficiency of the health information system and research.

With the outbreak of the Ebola Virus Disease in 2014, the health sector is virtually under reconstruction. The Guinean government has a strong political will to improve the health of the population. This desire is reflected in the inclusion of health among the priority sectors of the national development policy.

The needs in the health sector are numerous and range from the infrastructure construction, equipment, training, to research.

For the strengthening of the healthcare system in Guinea, the PNDS 2015-2024 recommends three strategies which are analyzed in the document, they are:

- ✓ improved care for major diseases,
- ✓ improving health at all stages of life, including maternal and child health,
- ✓ strengthening the healthcare system

It should also be noted that despite the global economic recession following the covid 19 pandemics, our country's economy remains among the most resilient in Africa, with economic activity recording a growth of 7% in 2020 according to the IMF review against a forecast of 5.2%. This performance can be explained by the dynamism of the mining sector and the leveraging role of the telecommunications and energy sector.

The challenge remains, controlling inflation and sharing economic prosperity by improving the purchasing power of populations and reducing poverty.

V. STATUS OF IMPLEMENTATION OF ECOWAS TEXTS

1. Status of ratification of community texts;

Out of a total of 54 ECOWAS Protocols and Conventions signed by the Republic of Guinea, only twelve (12) have not been ratified (attached in the annexe) thus placing Guinea in sixth (6th) place among the Member States with the most ratifications.

According to the ministry in charge of African cooperation and integration, this situation of delay in the ratification of these instruments by our country is due to the fact that we do not yet have the documents in French version for their transmission to the National Assembly.

2. Protocol on the Free Movement of People and Goods:

In 1975 in Dakar, ECOWAS member states embarked on this difficult but irreversible path through the adoption of a Protocol on the Free Movement of People and Goods. Despite this efforts by the highest national and community authorities, the free movement of people is struggling to be fully effective.

Even more serious, the right of entry, until then considered to be the most effective of the rights constituting the free movement of people, is constantly challenged by illegal practices (harassment and racketeering at borders and within States) . One of the factors hindering free movement is that most of the time, citizens of the Community area are ignorant of their rights and duties in the area of free movement. Added to this is the non-harmonization of administrative and travel documents.

To remedy this, the Guinean government has made a strong commitment to supporting the effective implementation of this protocol to which it has freely subscribed. Sensitization for all stakeholders is necessary in this context.

In its action plan, consultations with the various actors are underway, in particular transporters, socio-professional groups, young people, migrants, security forces, agents of immigration services, social organizations and civil society to discuss ways to overcome the difficulties on the various corridors.

In addition, it should be noted that this issue of free movement of people and their goods has been experiencing some difficulties for several months with certain states in the community. You will recall that our country was forced to close three (3) of its land borders with neighbours against its will; To date, two of them still remain closed, while the one with the Republic of Sierra Leone has been reopened following discussions which have led, among other things, to the establishment of a mixed patrol along the borders. The same procedures continue with the two other brother countries.

3. Status of payment into the Community levy account :

According to the last statement of the Public Treasury at the Central Bank of the Republic of Guinea dated March 21, 2021, Guinea paid the sum of 21,223,104,864 GNF or 2,165,623 US Dollars into the ECOWAS account

Sequel to the Freetown seminar and in accordance with the conclusions on the CL, our delegation had working sessions with the departments in charge of the community levy in our country (Finance Budget, Integration and International Cooperation), the ECOWAS Commission and the BCRG. At the end of these exchanges, a repayment schedule for the community levy was drawn up (see attached copy)

4. Challenges encountered in implementing the community levy

The application of this protocol as set out is encountering difficulties linked, on the one hand, to the single cash policy, and on the other hand to the deficit in foreign currency reserves at the Central Bank of the Republic of Guinea. This explains the delay in payments.

5. Supplementary Act on the equal rights between women and men for Sustainable Development in the ECOWAS region

The commitment of ECOWAS leaders to achieving this Vision of moving the Community from an ECOWAS of States to an ECOWAS of Peoples has over the years, resulted in the adoption of a range of instruments and mechanisms which have materialized in concrete programs and projects at different levels of implementation in the ECOWAS Member States.

By equipping itself with such a tool, ECOWAS thus expresses its conviction that gender equality is first and foremost a matter of principle dictated by a concern for justice and a development issue for its member countries. The fight for equality between women and men is thus part of a

broader framework for the promotion of human rights and sustainable development to which all ECOWAS member countries are committed to.

It is in this context that the Republic of Guinea, by signing and ratifying like all other nations, the many international conventions on human rights, has chosen to see every Guinean, without distinction of sex, ethnicity or religion, fully enjoy all his or her rights to contribute to the efforts of economic and social development of our country.

It is with a view to guaranteeing and strengthening these achievements, essential to building a society based on equal opportunities and social justice, that the government adopted in 2011 its National Gender Policy (PNG). This policy will focus on the reduction, in the medium and long terms, disparities between women and men in line with the international and regional legal instruments that the government has ratified in this area, through a systemic approach that will involve all sectors in order to contribute to the empowerment of women (access to credit especially in rural areas) as well as their effective participation in decision-making at all levels of the development and peacebuilding process.

Significant progress has been made on the situation of women in Guinea, particularly with regard to the legal framework and public policies, but also several sectoral strategies on the education of girls and the fight against violence against women. The government has set up funds such as the National Fund to Support Women's Economic Activities (FONAEF) and the National fund for Gender Promotion (FNPG).

The Government has harmonized certain national laws which promote women's rights with the commitments made at the sub-regional, regional and international level including:

- ✓ inclusion in the constitution as a political and social objective
- ✓ the adoption of the law on parity,
- ✓ adoption of the national policy for the prevention and fight against gender-based violence (GBV);
- ✓ adoption of the national strategy to promote the eradication of female genital mutilation
- ✓ the adoption of the new penal and civil codes
- ✓ the establishment of the national office for the protection of the child, gender, and morals (OPROGEM) in the regions and prefectures;
- ✓ change of nomenclature from the National Directorate for the Promotion of Women and Gender (DNPPFG) to National Directorate for Gender and Equity (DNGE)
- ✓ the establishment of gender units instead of gender directorate within all ministerial departments for more representation of women in the management of public affairs.

These acts thus reflect the commitment of the authorities to respond to concerns related to the empowerment and promotion of women's rights

In conclusion, I would like, on behalf of the delegation and myself, to express my sincere condolences to all those families bereaved by Covid-19 in West Africa and beyond, and to express to them my deep feelings of compassion and solidarity. I would also seize this opportunity to pay tribute to the health workers who are on the front line in the fight against this terrible virus.

We should recall that the conduct of each of us goes beyond our own person and can have an impact on the whole of society. Let us, therefore, respect the restriction measures set out by the health authorities.

Thank you

Thank you

Obrigado