

Responses to Recommendations

GUINEA-BISSAU

Review in the Working Group: 07 May 2010
 Adoption in the Plenary: 1st October 2010

Guinea-Bissau's responses to recommendations (as of 13.01.2011):

In the Report of the Working Group:	In the Addendum:	During the plenary:	Summary:
101 REC accepted (among which 2 are considered already implemented or in the process of implementation); 5 rejected	General information presented by issue	The delegation stated that two of the accepted REC were considered as implemented.	Accepted: 101 Rejected: 5 No clear position: 0 Pending: 0

List of recommendations contained in Section II of the Report of the Working Group A/HRC/15/10:

65. The recommendations formulated during the interactive dialogue and listed below have been examined by Guinea-Bissau and enjoy its support:

A - 65.1. Consider the ratification of other core international human rights instruments, in particular the International Covenant on Civil and Political Rights, the Convention on the Elimination of All Forms of Racial Discrimination, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Algeria);

A - 65.2. Consider signing and/or ratifying ICERD, ICCPR and the Optional Protocols thereto, CAT and the Optional Protocol thereto, the Rome Statute and the Convention for the Prevention and Punishment of the Crime of Genocide (Brazil);

A - 65.3. Consider the ratification of and accession to all outstanding human rights instruments (Nigeria);

A - 65.4. Ratify the International Covenant on Civil and Political Rights and the Optional Protocol thereto, the International Convention on the Elimination of All Forms of Racial Discrimination, the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the Optional Protocol thereto, and the two Optional Protocols to the Convention on the Rights of the

Child; sign and ratify the International Convention for the Protection of All Persons from Enforced Disappearance, the Convention on the Rights of Persons with Disabilities and the Optional Protocol thereto (Spain);

A - 65.5. Sign and ratify the second Optional Protocol to the International Covenant on Civil and Political Rights (Spain);

A - 65.6. As part of national reconstruction and the reinforcement of the rule of law, ratify and implement the International Covenant on Civil and Political Rights (ICCPR) (Mexico);

A - 65.7. Seriously consider ratifying the core human rights treaties it has previously signed. This includes, inter alia, the International Covenant on Civil and Political Rights, the International Convention on the Elimination of All Forms of Racial Discrimination and the Convention against Torture (Hungary);

A - 65.8. Become party to the International Covenant on Civil and Political Rights and the two Optional Protocols thereto; the International Convention on the Elimination of All Forms of Racial Discrimination; the Convention against Torture and the Optional Protocol thereto; the Optional Protocols to the Convention on the Rights of the Child; the Convention on the Rights of Persons with Disabilities and the Optional Protocol thereto; and the International Convention for the Protection of All Persons from Enforced Disappearance (Argentina);

A - 65.9. Ratify the International Covenant on Civil and Political Rights and the Convention against Torture, and ensure full implementation of their provisions (United Kingdom);

A - 65.10. Accede to the international human rights instruments to which the State is not yet a party, in particular the International Convention on the Elimination of All Forms of Racial Discrimination, which it has only signed (Libyan Arab Jamahiriya);

A - 65.11. Accelerate its accession to several international human rights instruments in order to make up for the backlog in this area (Democratic Republic of the Congo);

A - 65.12. Consider the ratification of other core international human rights treaties that it has not yet ratified, especially ICCPR, CAT and CPRD (Philippines);

A - 65.13. Uphold the constitutional order and proceed to a military reform (Brazil);

A - 65.14. Reaffirm its commitments to international human rights instruments through their transposition or integration into its national legislation, and intensify its efforts to submit its overdue reports to the treaty bodies (Spain);

A - 65.15. Amend and/or adopt and implement legislation providing for the full application of the juvenile justice infrastructure and system, in accordance with the provisions of CRC and other international standards (Germany);

A - 65.16. Ensure that the provisions of all international human rights treaties, once ratified, are incorporated into domestic law (Netherlands);

A - 65.17. Review all domestic legislation with a view to bringing it into full compliance with CEDAW and the general recommendations of the Committee on the Elimination of Discrimination against Women (Slovenia);

A - 65.18. Consider the possibility of establishing a national body for the promotion and protection of human rights in accordance with the Paris Principles (Algeria);

A - 65.19. Continue to seek technical assistance from the international community as well as the Office of the High Commissioner for Human Rights on the establishment of a national human rights institution in accordance with the Paris Principles (Nigeria);

A - 65.20. Reinforce its national human rights infrastructure (Egypt);

A - 65.21. Establish a national human rights institution accredited by the International Coordinating Committee of National Human Rights Institutions (Libyan Arab Jamahiriya);

A - 65.22. Intensify and focus efforts on the promotion of initiatives likely to promote national reconciliation as well as a return to and the consolidation of peace and security in the country (Algeria);

A - 65.23 Step up and intensify programmes to combat poverty, which would help to improve the enjoyment of economic, social and cultural rights (Algeria);

A - 65.24. Strengthen the implementation of poverty eradication strategies (South Africa);

A - 65.25. Adopt sectoral plans for the promotion of human rights in order to promote the human rights of vulnerable groups such as women, children and persons with disabilities (Algeria);

A - 65.26. Consider reviewing strategies aimed at the protection of children, with a view to developing a comprehensive plan for the care of children, and to aligning them with the provisions of CRC and all applicable international human rights instruments to which Guinea-Bissau is party (South Africa);

A - 65.27. Ensure that security sector reform remains a priority and that the civilian Government retains control of the military and ensures its respect for the rule of law (United Kingdom);

A - 65.28. Ensure that all parties resolve their differences peacefully and within the framework of the national constitution and laws (United States);

A - 65.29. Make all efforts to submit overdue reports to the treaty bodies and to ratify already signed treaties (Norway);

A - 65.30. Increase its cooperation with the treaty bodies, and consider adding to the number of international human rights instruments to which it is a party, for instance, by adhering to ICCPR, CAT and ICERD (Indonesia);

A - 65.31. Continue cooperation with the United Nations system, particularly through the Peacebuilding Commission (Brazil);

A - 65.32. Extend an open and standing invitation to all special procedures (Spain);

A - 65.33. Consider extending a standing invitation to all special procedures of the Human Rights Council (Brazil, Latvia);

A - 65.34. Continue efforts aimed at submitting overdue national human rights reports, and respond positively to requests made by special procedures mandate holders (Hungary);

A - 65.35. Allow for a requested visit by the Working Group on Arbitrary Detention (Slovakia);

A - 65.36. Seek the necessary assistance from the Office of the United Nations High Commissioner for Human Rights and other relevant United Nations bodies (Algeria);

A - 65.37. Seek the assistance of the international community, the United Nations and its specialized agencies in providing the country with the needed support in confronting these challenges towards ensuring the promotion and protection of human rights and the attainment of its Millennium Development Goals (Nigeria);

A - 65.38. Work more closely with the human rights mechanisms in seeking practical solutions to the various elements that have the power to seriously threaten peace and stability (Indonesia);

A - 65.39. Request technical assistance with regard to the human rights of persons with disabilities so as to ensure that it has the resources and capacity necessary to make their rights effective (Mexico);

A - 65.40. Seek assistance from the international community through technical assistance and capacity-building programmes (South Africa);

A - 65.41. Define its expectations of United Nations organizations and agencies regarding technical and financial assistance, and request the international support required in order to cope with material and infrastructural constraints, as highlighted in its national report (Morocco);

A - 65.42. Clearly identify the needs regarding technical assistance and capacity-building in the field of human rights (Senegal);

A - 65.43. Redouble efforts to seek assistance from its partners, including the United Nations, as the country is confronted with limited capacity in the implementation of many programmes in the field of human rights (Mozambique);

A - 65.44. In view of the shortcomings described in the national report, request international technical assistance (Democratic Republic of the Congo);

A - 65.45. Incorporate into its legislation a definition of discrimination against women and the principle of equality between women and men, in accordance with CEDAW (Brazil);

A - 65.46. Set up a strategy for eliminating discriminatory cultural practices and stereotypes and repealing all discriminatory laws against women, and adopt a law criminalizing female genital mutilation (France);

A - 65.47. (a) Adopt a national gender equality policy which would consolidate the variety of pending plans and policies on the subject; (b) consider the adoption of an explicit provision ensuring that human rights treaties that have been ratified have legal effect as part of the national law; (c) adopt legislation criminalizing female genital mutilation; (d) incorporate a comprehensive definition of discrimination into national legislation (Germany);

A - 65.48. Adopt measures designed to overcome gender discrimination stemming from national legislation and customary law in the area of marriage and family relations (Argentina);

A - 65.49. Ensure that the rights of children with disabilities are respected, and take into account, inter alia, the recommendations of the Committee on the Rights of the Child (Netherlands);

A - 65.50. Adopt a national policy to ensure equality between men and women (Libyan Arab Jamahiriya);

A - 65.51. Strengthen its national machinery for the protection and advancement of women and girls (Bangladesh);

A - 65.52. Enhance international cooperation programmes aimed at promoting gender equality and combating trafficking in women and children (Philippines);

A - 65.53. Formulate and implement a law on domestic violence as soon as possible (Indonesia); 1

A - 65.54. Carry out new awareness-raising programmes within the Ministry of Women on violence against women, with short-term objectives and tangible indicators, and providing information about the fact that such actions are to be punished (Spain);

A - 65.55. Develop a national strategy for ensuring the eradication, in law and in practice, of all violence against women, including domestic violence and the practice of female genital mutilation, as recommended by CEDAW (Israel);

A - 65.56. Enact legislation explicitly prohibiting female genital mutilation, and ensure that offenders are prosecuted and punished (Brazil);

A - 65.57. Adopt, as soon as possible, legislation clearly prohibiting female genital mutilation (Canada);

A - 65.58. Continue its efforts in the area of combating female genital mutilation, inter alia, through the implementation of programmes sensitizing the population about its harmful effects (Egypt);

A - 65.59. Follow up on and implement the recommendations made by the Committee on the Elimination of Discrimination against Women, in particular those referring to the adoption of legislation and policies to eliminate violence against women, female genital mutilation and child marriage (Mexico);

A - 65.60. Adopt legislative provisions for the prohibition, punishment and effective prevention of the practice of female genital mutilation (Argentina);

A - 65.61. Adopt the appropriate legislation to deal with genital mutilation (Angola);

A - 65.62. Enact the prohibition of female genital mutilation, and strengthen its awareness-raising and educational efforts to eliminate that practice and its underlying cultural justifications (Norway);

A - 65.63. Enact legislation explicitly prohibiting female genital mutilation; strengthen awareness-raising and educational efforts to eliminate that practice and its underlying cultural justification; and ensure that offenders are prosecuted and punished (Slovenia);

A - 65.64. Develop and adopt comprehensive strategies to address all forms of violence against women, and raise educational awareness to eliminate female genital mutilation (United States);

A - 65.65. Strengthen the fight against child trafficking, female genital mutilation, maternal mortality, drug trafficking and lack of security (Senegal);

A - 65.66. Combat all forms of trafficking of children, and formulate a policy of child protection to ensure a better system for safeguarding children's rights (France);

A - 65.67. Devise and implement plans for combating trafficking in women and children (Egypt);

A - 65.68. Increase efforts to combat trafficking against women, and try to eliminate women's vulnerability to exploitation and traffickers (Poland);

A - 65.69. Incorporate into internal legislation a definition of trafficking in line with the Palermo Protocol (Poland);

A - 65.70. Incorporate into anti-trafficking draft legislation a definition of trafficking in line with the Palermo Protocol, while ensuring that the scope of such legislation covers all persons, and identify and implement all appropriate measures to strike at the root cause of trafficking and sexual exploitation in Guinea-Bissau (Israel);

A - 65.71. Adopt legislative provisions for the punishment and prevention of the trafficking in persons and eradicate its causes, in conformity with international standards (Argentina);

A - 65.72. Develop comprehensive strategies and public awareness campaigns to address trafficking in persons, in particular children for the purpose of forced begging in neighbouring countries (United States);

A - 65.73. Redouble efforts to combat scourges leading to violations of children's rights as listed in paragraph 38 of the national report (Morocco);

A - 65.74. Take measures to ensure the safety of those who raise a critical voice towards the army or drug trafficking activities in the country. Officials investigating drug trafficking should be protected from pressure and threats from organized crime (Norway);

A - 65.75. Carry out credible and transparent investigations into the killings of politicians and members of the armed forces in June 2009, and bring to justice the perpetrators of these crimes (Canada);

A - 65.76. Allow for the full independence and effective functioning of the judiciary, the Attorney General's office and the Ministry of Justice, without any interference of the military in judicial or political affairs (Israel);

A - 65.77. Take all appropriate steps to prevent the arbitrary arrest, torture and other ill treatment of those exercising their fundamental rights to, inter alia, freedom of expression or opinion and assembly, and bring perpetrators of such acts to justice, in accordance with international standards of fair trial (Israel);

A - 65.78. Ensure the full enjoyment of civil and political rights with a view to consolidating the rule of law (Argentina);

A - 65.79. Ensure that crimes and violations against human rights defenders and journalists are effectively investigated and prosecuted, and that those responsible are punished (Norway);

A - 65.80. Ensure independent investigations into all cases of torture or unlawful killings and that all those suspected of being responsible are brought to justice in trials that observe international fair trial standards (United Kingdom);

A - 65.81. Adopt and duly implement all measures necessary to prevent torture and other inhuman or degrading treatment, and ensure due accountability for perpetrators of such human rights violations (Slovakia);

A - 65.82. Start a reform of the armed forces, and take all measures necessary to combat impunity, in particular by establishing independent inquiry commissions that are transparent and credible, with a view to bringing to justice those responsible for human rights violations as soon as possible (France). **2**

A - 65.83. Address impunity by providing the required resources for the established Commission of Inquiry to conduct credible and transparent investigations of these crimes (United States);

A - 65.84. Guarantee that the situation in detention facilities is in accordance with international human rights standards (Netherlands);

A - 65.85. Ensure that arrests are carried out by law enforcement officials and that the detained are duly charged and brought to fair trials in accordance with international standards or are released (Slovakia);

A - 65.86. Intensify its efforts to humanize its penal system, with special focus placed on the separation of female and juvenile inmates (Slovakia);

A - 65.87. Protect journalists and human rights defenders, and carry out investigations into any threats against them (Canada);

A - 65.88. Give individuals, groups and organs of the society the legitimacy and the recognition to promote human rights as well as to express their opinions or dissent publicly (Norway);

A - 65.89. Ensure for every citizen the exercise of his or her right to freedom of expression (Slovenia);

A - 65.90. Establish concrete goals to increase female participation in political and public life (Norway);

A - 65.91. Demonstrate its full commitment to implementation of the national plan of action to increase the participation of women in decision-making, in national and regional peace consolidation mechanisms, in United Nations peace operations and in political affairs, by providing the necessary human and financial resources and clear and authoritative mandates to the relevant governmental institutions and mechanisms (United States);

A - 65.92. Continue the development of initiatives designed to assist people affected by poverty (Cuba);

A - 65.93. Continue to implement programmes and measures to guarantee quality health services and quality education free of charge (Cuba);

A - 65.94. Make all possible efforts to combat HIV/AIDS and to prevent the mother-to-child transmission of the virus, and request technical and financial assistance from international agencies, including WHO and UNICEF (Libyan Arab Jamahiriya);

A - 65.95. Noting that, owing to malaria, acute respiratory tract infections and malnutrition, child mortality is relatively high, call on the international community to provide assistance in reducing child mortality rates (China);

A - 65.96. Continue its efforts to overcome the challenges of extreme poverty with the support and assistance of the international community (Bangladesh);

A - 65.97. Continue its efforts in combating HIV/AIDS (Bangladesh);

A - 65.98. Intensify its efforts in the area of human rights education and capacity-building, and organize training seminars on human rights for those working in relevant institutions and bodies (Egypt);

A - 65.99. Take appropriate measures to fight illiteracy, ensure equal opportunities for women and men in the labour market, and provide for participation in political and public life and equal access to justice (Slovenia);

A - 65.100. Continue to promote school attendance for girls (Senegal); and

A - 65.101. Continue to promote human rights education and training at all levels of the education system (Philippines).

66. The following recommendations enjoy the support of Guinea-Bissau, which considers that they are already implemented or in the process of implementation:

A - 66.1. Include in its Constitution and legislation a clear definition of discrimination against women, and enshrine in law the principle of equality between women and men (France); and

A - 66.2. Ensure, in its Constitution and legislation, that discrimination is explicitly prohibited; provide for, inter alia, the principle of equality between women and men; and take into account, inter alia, the recommendations of the Committee on the Elimination of Discrimination against Women (Netherlands).

67. The recommendations set out below did not enjoy the support of Guinea-Bissau:

R - 67.1. Review its legislative and administrative measures with the aim of eliminating gender discrimination (South Africa);

R - 67.2. Have a programme of education and training in human rights as a prerequisite for anyone wishing to join the armed forces (Spain);

R - 67.3. Repeal or amend legislation that discriminates against disabled person and children, with a focus on eradicating the practice of killing newborn children with disabilities, preventing violence at the hands of family members and society in general, and ensuring equal access to all public transportation and buildings (Israel);

R - 67.4. Intensify efforts to improve the human rights of women, and take measures to combat harmful traditional practices under customary law, such as early and forced marriage, trafficking, polygamy and levirate marriage (Norway); and

R - 67.5. Send a clear signal that no human rights violations committed by members of the army will be tolerated, and take specific measures in order to bring to justice those responsible, without exceptions and regardless of their rank (Canada).

Notes

1 The recommendation as read during the interactive dialogue: “Immediately formulate and implement a Law on Domestic Violence” (Indonesia).

2 The recommendation as read during the interactive dialogue: “Immediately start a reform of the armed forces, and take all measures necessary to combat impunity, in particular by establishing independent inquiry commissions that are transparent and credible, with a view to bringing to justice those responsible for human rights violations” (France).

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