



**Submission by the United Nations High Commissioner for Refugees
for the Office of the High Commissioner for Human Rights' Compilation Report**

- Universal Periodic Review:

THE REPUBLIC OF GUINEA

I. Background and current conditions

In a region affected by civil wars and political instability, the Republic of Guinea has hosted the largest number of refugees in the African continent during the past years. The Republic of Guinea and its population had to cope with a very large refugee influx during the past decade due to successive outbreak of armed conflicts in its neighbouring countries, Liberia, Sierra Leone, Guinea-Bissau and Ivory Coast. At the height of the crisis in the 1990s, Guinea gave shelter to more than 750.000 refugees, straining already meager resources even more.

In addition, many persons originating from other countries have chosen Guinea as their country of asylum.

Today, Guinea hosts 15.330 refugees who live in two camps in the Forest region (Kouankan 1 and Laine Foromota) of the country and in urban areas, such as Conakry, the capital.

The Republic of Guinea succeeded to the 1951 Convention relating to the Status of Refugees (1951 Convention) in 1965 and acceded to the 1967 Protocol relating to the Status of Refugees (1967 Protocol) in 1968. Furthermore, Guinea is a signatory of the 1969 OAU Convention. The Republic of Guinea adopted law L/2000/012/AN of 10 August 2000 on the Status of Refugees. However, this law has gaps, especially has regards durable solutions (local integration) of refugees. UNHCR hopes that these shortcomings may be addressed with the adoption of a new Refugee Law. The governmental body in charge of the questions related to refugees is the "Commission Nationale pour l'Integration et le Suivi des Refugies" (CNISR). UNHCR has established good relations with the Guinean authorities at the central and local levels, which facilitates coordination of activities in support of persons in need of international protection. Guinea is a State party to the following other international instruments relevant to the protection of persons of concern to UNHCR: the Convention on the Rights of the Child of 20 December

1989 and the Convention on the Elimination of All Forms of Discrimination against Women of 18 December 1979.

The current sociopolitical situation inside Guinea is characterized by institutional instability and insecurity. On 23 December 2008, a group of army officers, led by Captain Moussa Dadis Camara, seized power from President Lansana Conte, shortly after his death on the same day. The National Council for Democracy and Development (CNDD), headed by Captain Dadis, effectively took control of all government activities and all State institutions were dissolved. Since then complaints about human rights violations, such as the abuse of civilians, by members of the army have multiplied. Armed elements walk through the streets and are no longer under any hierarchical control. The brutal repression of peaceful protests on 28 September 2008 in Conakry led to an atmosphere of increasing fear among the population.

Since the death of President Lansana Conte, the UNHCR operation has been affected by the institutional instability and insecurity. As a result of considerable changes in the staffing structures of UNHCRs counterparts, continuity could not be ensured, and initiatives such as the draft asylum law have been left pending.

II. Achievements

Self sufficiency of refugees

In Guinea, refugees have the same rights as Guineans, except the political and civic rights. In practice, all persons in need of international protection can enjoy the right to work, which allows them to become economically self-sufficient. The generating activities managed by refugees are small businesses, practicing their professions (tailoring, hair-dressing, carpentry, masonry, art designing, agricultural activities, fish breeding, cattle breeding etc.). Refugees also have access to basic medical and social services and they have the right to an identification document, right to education, right to shelter, right to justice, right to the freedom of movement, and the right to possess a property or goods.

III. Challenges and Constraints

UNHCR has proposed the elaboration of a comprehensive Refugee Law to be adopted by the Government of Guinea, but the submitted draft has been pending since last year without any progress. The sociopolitical instability of Guinea is a major obstacle for the success of this project and for the local integration of refugees. Arbitrary arrests are common in Guinea. Refugees have been affected in particular, as they have difficulties in obtaining official documents since the start of the military regime. Therefore, the main challenge for UNHCR is to protect refugees from arbitrary arrests by issuing attestations to refugees and by sensitizing the Police forces, the Gendarmerie and other local authorities.

IV. Capacity Building and Technical Assistance

UNHCR Guinea has already drafted and submitted a new piece of refugee legislation to the former and to the current Government counterparts. However, the current authorities have not yet shown any interest in the adoption of a new Refugee law.

UNHCR is also prepared to continue to contribute with technical advice, training and capacity-building to set up a comprehensive asylum system in Guinea.

V. Recommendations

It is recommended that the Government of Guinea adopts a new Refugee Law to provide a better legal framework for the protection of refugees. It is also recommended that the Government takes the necessary measures to ensure the physical safety of refugees.

UNHCR will continue to assist the Government in enhancing refugee protection by issuing individual attestations to refugees, which serve as provisional identity document until they can obtain official refugee identity cards issued by the Government.

It is recommended that the Government promotes awareness of the refugee documentation among security officials and issues the necessary instructions to prevent discrimination and arbitrary detention of refugees and to ensure the full respect of their rights.

**Protection Policy and Legal Advice Section
Division of International Protection Services
UNHCR
November 2009**