# RESPONDENT’S country conditions

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| **U.S. GOVERNMENT REPORTS** | | |
| **A** | U.S. Dep’t of State, *Guinea 2023 Human Rights Report* (Apr. 22, 2024), *available at* https://www.state.gov/reports/2023-country-reports-on-human-rights-practices/guinea/.   * “**Significant human rights issues included: extensive gender-based violence including female genital mutilation/cutting.**” [1] * “The government did not take credible steps to identify and punish officials who may have committed human rights abuses either in the security forces or in other parts of government.” [2] * “According to a 2018 UNICEF survey, 94.5 percent of women and girls ages 15 to 49 had undergone the procedure [FGM], which was practiced throughout the country and among all religious and ethnic groups.” [25] * “The law provided for imprisonment of three months to two years and fines for perpetrators who did not inflict severe injury or death**. These laws were not effectively nor regularly enforced.**” [25] | 1-40 |
| **B** | U.S. Government Accountability Office, *Report to the Minority Leader, U.S. Senate: Female Genital Mutilation/Cutting* (Apr. 2016), *available at* https://www.gao.gov/products/gao-16-485.   * “In many communities where FGM/C is prevalent, FGM/C is an influential social norm that ensures social acceptance and is commonly perceived as a religious obligation. In addition, medicalization of the practice— when it is performed by health care providers rather than traditional practitioners—increases the perception of legitimacy in some countries.” [1] * “Although the United Nations Children’s Fund (UNICEF) reports that many countries where FGM/C is prevalent have passed laws banning the practice, enforcement is a challenge.” [1] * “In some countries, including Djibouti, Guinea, and Somalia, the percentage of girls and women, aged 15 to 49, who have undergone FGM/C is over 90 percent.” [9] * “The common belief that FGM/C is a religious obligation is a misconception, but one that contributes to its continued use, according to UNICEF. UNICEF notes that FGM/C is not mandated in any religious texts and predates the birth of Islam and Christianity. Scholars and activists have concentrated on demonstrating the lack of support within scriptures. However, the religious motivation for FGM/C is often intertwined with social norms and tradition, according to UNICEF. In addition, some communities believe the practice is a religious requirement that makes a girl spiritually “pure,” according to UNICEF. Thus, many who continue practicing FGM/C often cite religion as their motivation. **In 4 of 14 countries surveyed, more than 50 percent of girls and women aged 15 to 49 regard FGM/C as a religious obligation, according to UNICEF. These countries were Mali, Eritrea, Mauritania, and Guinea.**” [18] | 1-44 |
| **UNITED NATIONS REPORTS** | | |
| **C** | UN Office of the High Commissioner for Human Rights (OHCHR), *Summary of the OHCHR Report on human rights and the practice of female genital mutilation and excision in Guinea* (Apr. 2016).   * “Guinea has the second highest prevalence of FGM/E worldwide, after Somalia. Although FGM/E is forbidden by law, it is practised in every region, by all ethnic or religious group and social class, and 97% of Guinean women and girls aged 15-49 have suffered excision.” [1] * “Most Guinean women have suffered Type 2 FGM/E, in other words the total or partial ablation of the clitoris and labia minora, with or without ablation of the labia majora. According to the 2012 EDS study, **84% of women aged 15 to 49 have suffered ablation; 8%, infibulation; and 6%, cutting with no removal of flesh.** The most extreme form of FGM/E, Type 3 (infibulation), is practised among the Peuhle ethnic group and by the Tomas.8 Age appears to have no impact on the type of FGM/E practised. The EDS found a 96% prevalence of FGM/E among women aged 15-49 in 2005, and a 97% prevalence in 2012. FGM/E were practised by all ethnic groups without significant disparities, excepting the Guerzé, a mostly Christian and animist group of *Guinée forestière*.” [2] * “Although globally FGM/E is more prevalent in rural zones, in Guinea there is no significant difference in prevalence in urban areas (96.8% of women aged 15-49) and rural zones (97%).” [2] * “The study also indicates that the practice is being inflicted on girls at a younger age than previously: according to the 2012 EDS study, 69% of women aged 20 to 24 were excised before the age of 10, compared to 61% of women aged 45 to 49. Conversely, among the Guerzé, excision is practised later; 54% of women endure FGM/E after the age of 10.” [2-3] * “There is an increasing trend to fewer celebrations and an increase in individual excisions, because of limited financial resources **and a desire for greater discretion, due to the potential for legal sanctions. The excision of infants or very young girls is easier to hide from the authorities than the ceremonious excision of large groups.**” [3] * “Broadly speaking, **non-excision of girls is considered dishonourable in Guinean society.** This is indicated by the use of the term "washing"; non-excised girls are considered "dirty", and in every Guinean community, to say that a woman is not excised is a grave insult. Social pressure is such that girls may request excision for fear of being excluded or forced to remain unmarried if they do not suffer the practice.” [4] * “**The persistence of FGM/E is in large part due to an absence of vigorous action by judicial authorities to ensure their prevention and eradication.** Thousands of young girls are excised across the country every year, during school vacations, with the full knowledge of judicial personnel, including prosecutors and instructing magistrates. Generally speaking, legal texts prohibiting FGM/E are not respected. **Excision practitioners are rarely subjected to legal proceedings. No administrative or legal sanction has to date been taken against any medical professional for participation in FGM/E**, although according to the EDS 2012 and a recent study by the Ministry for Social Action, the Advancement of Women and Children's Issues, a growing number of excisions take place in health centres, violating the 2000 law on reproductive health.   This is compounded by the fact that the Justice sector in Guinea is poorly funded, and several prefectures with more than 100,000 inhabitants can count on only two magistrates, one legal clerk and fewer than five police officers or gendarmes. **When these personnel do seek to address FGM/E issues they are frequently subjected to serious pressures, including threats.** On several occasions when alleged perpetrators have been arrested and charged, groups of women have burst into offices and threatened physical violence if they were not immediately released.” [6]   * “It should be noted that the punitive application of law will not in itself be sufficient to alter widespread practice. Indeed, it could lead to more clandestine practice targeting younger children, for greater discretion, or to cross-border practice, given the free circulation of people in the ECOWAS economic community.   In some countries, **State authorities do not actively dissuade the population from practising FGM/E, and may even support their practice, with financial or material contributions to excision ceremonies**, in order to cultivate their electoral base.” [6-7] | 1-10 |
| **D** | United Nations General Assembly, *Situation of human rights in Guinea* (Jan. 21, 2016), *available at* https://www.refworld.org/reference/countryrep/unhrc/2016/en/109044.   * “In his previous report, the High Commissioner recommended that the Government strengthen efforts to combat all forms of discrimination, particularly gender-based stereotypes, and safeguard the right of victims to prosecute perpetrators of discrimination through the courts.   “In cooperation with its national and international partners, the Government continued to combat gender-based violence. Meaningful legal reforms have been under way for over a decade with a view to bringing the Guinean legal system into line with the international human rights instruments to which Guinea is a party. In 2009, the Government set up the Office for the Protection of Gender, Children and Morals to fight violence against women and children. In partnership with the United Nations system and other national and foreign actors, the Ministry of Social Action, the Advancement of Women and Children 's Affairs intensified awareness-raising campaigns on all forms of violence against women.” [10]   * “Nevertheless, sexual violence, early marriage, domestic violence and female genital mutilation remain widespread across the country.” [10] * “**The most common form of violence against women and girls remains female genital mutilation**, including circumcision. According to the findings of the 2012 Demographic and Health Survey, **97 per cent of girls and women have been subjected to circumcision, placing Guinea second in the world, despite numerous awareness raising campaigns designed to discourage the practice.**”[10] | 1-15 |
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| **E** | United Nations Children’s Fund, *Female Genital Mutilation/Cutting: A global concern* (2024), *available at* https://data.unicef.org/resources/female-genital-mutilation-a-global-concern-2024/.   * Percentage of girls and women aged 15 to 49 years who have undergone female genital mutilation: Guinea – 96% [4] * “In total, 66 per cent of recently cut girls experienced FGM at the hands of health personnel. The countries in which medicalization of the practice is most common are also home to a large share of the burden of the practice.” [8] | 1-28 |
| **F** | United Nations Children’s Fund, *Guinea: Statistical Profile on Female Genital Mutilation/Cutting* (2014), *available at* https://data.unicef.org.   * “FGM/C is a violation of girls’ and women’s human rights and is condemned by many international treaties and conventions, as well as by national legislation in many countries. Yet, where it is practised FGM/C is performed in line with tradition and social norms to ensure that girls are socially accepted and marriageable, and to uphold their status and honour and that of the entire family.” [1] * Percentage of women [in Guinea] aged 15 to 49 years who have undergone FGM/C: Above 80% [2] * Percentage of girls aged 0 to 14 years who have undergone FGM/C (as reported by their mothers): Guinea – 46% [4] | 1-4 |
| **NGO REPORTS** | | |
| **G** | Amnesty International  Amnesty International, *Shame Must Change Sides: Ensuring Rights and Justice for Victims of Sexual Violence in Guinea* (2022), *available at* https://www.amnesty.org/en/documents/afr29/5410/2022/en/.   * “In 2017, Guinea adopted a new National Gender Policy. In 2019, it adopted a national strategy to promote the abandonment of female genital mutilation and a law on parity. In the same year, the new civil code made some advances in women's rights, such as the recognition of parental authority to both parents and the possibility for women to choose their profession without their husband's permission. And in 2020, a new constitution established parity as a political and social goal.” [13] * **“However, despite efforts to strengthen the legal framework, the effective implementation of these measures and reforms remains weak due to the lack of institutional mechanisms, functional operational tools and the lack of awareness and involvement of the population. This is due in part to the challenges associated with the coexistence of the legal system with discriminatory traditional and religious customs and practices.**”[13] * “According to UNICEF statistics, despite existing legislation and awareness-raising efforts, the Republic of Guinea ranks second in the world after Somalia in the prevalence of FGM/C practices, with 97% of girls and women cut.” [14] | 1-75 |
| **H** | Amnesty International, *Guinea: New law could abolish death penalty but repressive provisions remain* (May 23, 2016), *available at* https://www.amnesty.org/en/latest/news/2016/05/guinea-new-law-could-abolish-death-penalty-but-repressive-provisions-remain-2/.   * “In a report published in April 2016, the United Nations raised concerns over the increase in female genital mutilation in Guinea, which affects 97% of women and girls aged 15 to 49. Genital mutilation generally is criminalized in the draft law on the Criminal Code but the sentence for female genital mutilation may be no more than a simple fine. This seems rather light in comparison with the sentence for male genital mutilation, which ranges from 10 to 20 years in prison, and even a life sentence if the person dies following such mutilation.” [5] | 1-7 |
| **I** | Freedom House  Freedom House, *Freedom in the World 2024 – Guinea* (2024), *available at* https://freedomhouse.org/country/guinea/freedom-world/2024.   * “Female genital mutilation (FGM) is common despite a legal ban; in 2021, the UN Children’s Fund (UNICEF) reported that 95 percent of girls and women aged 15 to 49 had undergone the practice.” [9] | 1-10 |
| **J** | Other NGOs  Centre for Civil and Political Rights, *Guinea: corruption, impunity and Female Genital Mutilation among main concerns of the Committee* (Oct. 18, 2018), *available at* https://ccprcentre.org/ccprpages/guinea-corruption-impunity-and-female-genital-mutilation-among-main-concerns-of-the-committee.   * “The main concerns of the Committee [UN Human Rights Committee] were widespread corruption, impunity and Female Genital Mutilation (FGM).” [2] * “Another main concern was the fact that FGM is pervasive: **96% of women aged 15 to 49, and 46% of girls under the age of 14, are circumcised in Guinea, even though there is a law prohibiting this practice.** Despite several measures that have been taken, the **number of cases of FGM has increased** lately. The State explained this increase by referring to the lack of firm judicial action to prosecute perpetrators.” [4] | 1-6 |
| **K** | M. White Kaba, Health Focus, *Female genital mutilation in Guinea: a never-ending story?* (March 2024), *available at* https://health.bmz.de/studies/female-genital-mutilation-in-guinea-a-never-ending-story/.   * “In the mineral-rich West African nation of Guinea, the traditional practice of modifying the female genitals has barely decreased over the past 30 years – from 99% to 95% of girls and women. Despite intensive efforts by NGOs, development partners and legislators, the practice continues almost unabated.” [4] * “The social pressures on families outweigh their concern over potential health risks. Vested interests, e.g. of traditional practitioners, and increasingly health personnel who perform the operation, as well as tacit approval from many religious leaders, contribute to maintaining the practice, which appears as a nearly impenetrable edifice.” [4] * “Even health personnel cling to the tradition – and profit from it by discreetly performing the operation under ‘sanitary’ conditions: a ‘modern’ response to the argument about the health hazards of this practice.” [6] * “Well aware of the effect of removing or permanently damaging the clitoris – the female organ of sexual pleasure – survey respondents (including women) freely admit that the primary objective of FGM is to control women’s sexuality: to ensure chastity until marriage and fidelity thereafter.” [6] * Painful and potentially dangerous as it is, in most ethnic communities in Guinea, FGM is a prerequisite for marriage, and marriage followed by parenthood (if possible of numerous children, particularly boys) are required to become a full-fledged, highly considered member of society. Missing any of these steps, the individual and her family will suffer an unbearable punishment, stigmatised and even ostracised from their community. [8] * Legal repression measureshave been reinforced – on paper – with numerous new laws and regulations, but **in reality very few practitioners of FGM have been accused or punished with fines or imprisonment.** The health services officially prohibit performing the operation, but **the few cases that attract attention tend to be handled internally with no recourse to the police or the justice system.** In a situation where FGM is nearly universal, it is very difficult for prosecutors or superiors to sanction someone for doing what they themselves are ‘guilty’ of. [13] | 1-29 |
| **L** | 28 Too Many, *Guinea: The Law and FGM* (Sept. 2018), *available at* https://www.fgmcri.org/media/uploads/Law%20Reports/guinea\_law\_report\_  v2\_(july\_2021).pdf.   * “In Guinea, the prevalence of FGM in women aged 15–49 is 94.5%.” [1] * “The administrative regions with the highest and lowest prevalence are Kindia (98.4%) and N’Zérékoré (84.0%).” [1] * “65.1% of women aged 15–49 who have undergone FGM were cut between the ages of 5 and 14.” [1] * “About 78% of women were cut by traditional cutters, but medicalised FGM is rising rapidly.” [1] * “Support for FGM is reportedly rising.” [1] * “Guinea is seeing an increasing trend towards medicalised FGM: the most recent data available shows that health professionals (mainly nurses and midwives) cut about 15% of women overall (aged 15–49) and about 30% of girls (aged 0–14).” [5] * “Guinea shares borders with other countries where FGM prevalence also remains high and the existence and enforcement of laws varies widely. The movement across borders to perform or procure FGM and avoid prosecution can be a consequence of laws being implemented and can leave girls living in border communities particularly vulnerable. It is a problem throughout West Africa, but the extent of cross-border movement in and out of Guinea for FGM is not clear.” [5] * “Evidence suggests that, despite the law, prosecutions against FGM are rare in Guinea. A few cases have been reported since 2010, but it appears that the courts were lenient, giving only suspended sentences and/or small fines.” [6] * “There is little evidence that any medical professionals have been prosecuted to date; only one case against a medical professional, in 2016, has been identified.” [7] * “The most recent report published by the UNFPA-UNICEF Joint Programme to Eliminate Female Genital Mutilation (*UNJP*) listed just 11 cases brought to court in 2016, with only 2 convictions recorded.” [7] * “Despite various strategies being implemented to tackle FGM, including education and information campaigns and alternative-livelihood training for cutters, prevalence remains high in Guinea and support for the practice, according to some reports, has even been increasing.” [8-9] * “Civil society notes many challenges to the implementation and enforcement of the law, including weaknesses in the judicial system and huge pressure from communities to continue the practice. Knowledge of the content of the law is generally weak, and families often try to interfere in the judicial system at the local level. There has also reportedly been a move away from traditional community celebrations around FGM to more individual cases being performed as a way avoid the law.” [8-9] * “Civil society also points out that health professionals, particularly midwives, increasingly flout the law and will continue to do so until the legislation, and particularly the Reproductive Health law, are fully enforced.” [9] * “Women and girls in Guinea who have not had FGM face verbal abuse from their communities and do not receive the social respect and acceptance that those who have been cut traditionally receive. This perpetuates the practice, and current legislation does not protect uncut women and girls from abusive language or exclusion from society.” [9] | 1-14 |
| **NEWS REPORTS** | | |
| **M** | Human Rights Watch, *An Experience of Pain and Anguish* (Feb. 6, 2017), *available at* https://www.hrw.org/news/2017/02/06/experience-pain-and-anguish#:~: text=Bahati%20was%2010%20years%20old,month%20later%  2C%E2%80%9D%20Bahati%20recalled.   * “FGM is the partial or total removal of the external female genitalia for non-medical purposes. At least 200 million girls and women alive today have undergone it, most of them in Africa. **In Somalia and Guinea, almost all young girls and women are cut**, while over 80 percent in Djibouti, Sierra Leone, Mali, Egypt, Sudan, and Eritrea have been mutilated. **FGM is mostly carried out on young girls from infancy to around age 15.**” [1] * “FGM is a form of violence against women and girls. It is irreversible and carries immediate and long-term negative impacts on women’s physical and mental health. It can kill. And FGM is also a form of discrimination against women, reflecting deep-seated gender inequalities. FGM poses a particular challenge for governments because it is rooted in cultural practices, and is often carried out in secrecy.” [1-2] | 1-3 |
| **N** | S. Aminiyan Llopis & A. Enrech Calbet, El Pais, *The Guinean nurse who stopped performing genital mutilation on girls* (Dec. 27, 2023), *available at* https://english.elpais.com/international/2023-12-27/the-guinean-nurse-who-stopped-performing-genital-mutilation-on-girls-in-an-environment-where-everyone-does-one-thing-it-is-very-difficult-not-to-do-the-same.html.   * “There is a lot of social pressure. All past generations did it, absolutely all women were mutilated. In an environment where everyone does one thing, it’s very difficult not to do the same thing.” [2] * “UNICEF says that in general the practice has been declining over the past three decades. But that is not the case in Guinea-Conakry, which has the world’s second-largest population of girls and women who’ve suffered this form of gender violence, after only Somalia. According to the feminist organization Equality Now, 95% of females undergo genital mutilation in Guinea-Conakry.” [2] * “The most widespread type in Guinea, especially in rural areas, is type three, in which the clitoris, the greater nerves and the upper labia are cut. In private clinics, the procedure is performed with sanitary instruments. In other cases, it is done with scissors, cutters or knives; that is very common in rural areas.” Aissatou Diallo, a Guinean feminist activist based in Barcelona, Spain, adds that this practice is not directly related to religion. “Muslim, Catholic and animist girls are mutilated.” [3] | 1-5 |
| **O** | Euractiv, *Guinean expert: ‘We need to target different people in our fight against FGM’* (Feb. 1, 2017), *available at* https://www.euractiv.com/section/development-policy/interview/guinean-expert-we-need-to-target-different-people-in-our-fight-against-fgm/.   * **“Despite long efforts to clamp down on female genital mutilation (FGM) and a raft of international commitments, the rate of female circumcision in Guinea is still rising” [1]** * “Guinea is one of a small number of countries where the prevalence of female circumcision is extremely high, at 97%.” [2] * “Between 2010 and 2015, there were a few rare cases, but the courts were lenient and did not apply the full penalties to circumcisers or members of women’s families. In some areas, we have identified the risk of the population rising up and demonstrating against such a judicial decision.” [2] * “At least eight or nine strategies to fight female circumcision have been developed and implemented by the international community. But the end result, in spite of all this effort, is that the rate of FGM has continued to rise.” [2] | 1-5 |
| **P** | M. Hart, Pulitzer Center, *To Spare Their Daughters: Ending FGC in Guinea* (Feb. 2, 2023), *available at* https://pulitzercenter.org/stories/spare-their-daughters-ending-fgc-guinea.   * “FGC is practiced around the world. It holds great importance for many cultures, including in the West African nation of Guinea, where it has been practiced for over 2,000 years. Although the practice is outlawed, 97% of women age 15 to 49 have undergone some form of FGC, according to the United Nations Population Fund. Government officials and religious groups work to combat the practice, yet discussions with female victims in Guinea show that these efforts are failing.” [2] * “FGC can have fatal health complications, including hemorrhaging, death during childbirth, and the transmission of HIV. In many cases, FGC removes a woman's ability to experience any kind of sexual pleasure, making sexual intercourse painful for the remainder of her life.” [2] * “The practice is also rarely consensual. ‘All girls are afraid’ of the cutting, Kone said, because they know that they could become very sick or die, and so they will often try to escape. They are held down, tied up, and often blindfolded during the cutting.” [2] * “A primary reason for the prevalence of the practice is that it is commonly believed by both Muslims and Christians alike that cutting decreases sexual desire, thus increasing the chances of a daughter remaining a virgin until marriage. Women believe that if they do not cut their daughters, ‘their daughters will want sex all the time,’ said Emmanual Kornman, Guinean Director of Christian Affairs.” [2] * “A Guinean studv found that 68% of women and 57% of men believe that FGC is a religious obligation. Former Guinean Minister of Education, Dr. Bano Barry, states that religious beliefs are one of the primary reasons cited for performing FGC on one's child. (Other reasons mentioned included promoting abstinence, cultural respect, and the shame of being uncut.)” [3] | 1-7 |