

During the reporting period the socio-political panorama was mostly characterized by raising tensions, an increase in inflammatory rhetoric and demonstrations, exacerbated by the fragility of the State institutions. Power blackouts and electricity and water shortages in some parts of the capital were frequent, adding to their precarious access. Various strikes of civil servants claiming for salary readjustment, payment of previous salary arrears, enforcement of teacher's career status and pension fund arrangements for public servants, were constant.

GUINEA-BISSAU IS YET TO ESTABLISH A NATIONAL HUMAN RIGHTS INSTITUTIONS COMPLIANT WITH THE PARIS PRINCIPLES

THE RIGHT TO PARTICIPATE IN POLITICAL AND PUBLIC AFFAIRS IN GUINEA-BISSAU

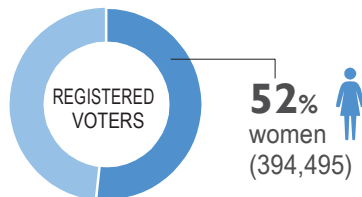
THE RIGHT TO VOTE

Persons lacking legal capacity, including those sentenced to prison for felony crimes, those suffering serious psychological or mental limitations do not enjoy the right to vote or to be elected in Guinea-Bissau. (Law 11/2013, art. 10) However, international human rights mechanisms stated that limiting political participation on the grounds of intellectual or psychosocial impairment and the imposition of linguistic requirements for candidates for public office or the automatic disenfranchisement of detainees, convicted felons or people under guardianship, constitute unreasonable discriminatory restrictions on the exercise of the right to participate in political and public affairs.

In February 2019, consolidated information released by the GTAPE indicated:

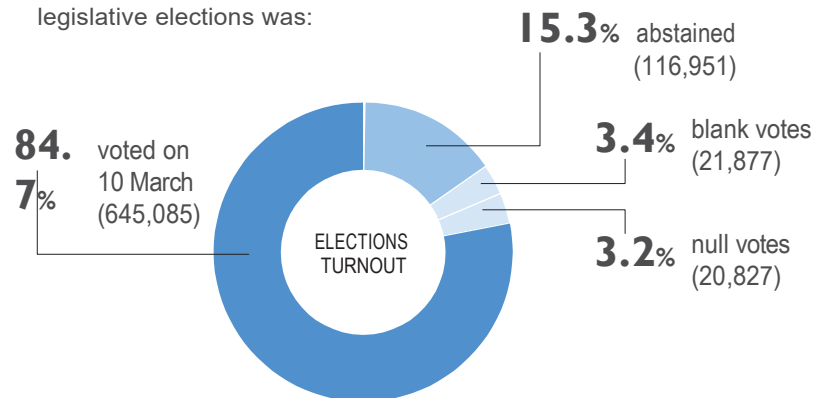
761,676

**TOTAL REGISTERED
VOTERS IN THE 2018
ELECTORAL CENSUS**



Comparing figures from 2014 (775,508 registered voters) and 2018 (761,676 registered voters), there are less registered voters despite the likely increase in population over a period of four years. Stakeholders highlighted challenges to ensure inclusion and non-discrimination in the electoral census, such as the short and not fully predictable time for voter's registration in certain neighborhoods and in remote areas.

The turnout for the 2019 legislative elections was:



Other challenges raised by stakeholders included the lack of electoral information and voting papers in a range of accessible formats and languages, particularly for persons with visual and hearing impairments. An overall concern was the lack of inclusion of persons with disabilities, including those with reduced mobility in the design and implementation of voting systems in the country. For most human rights constituencies, these challenges highlight the need to revise electoral laws to effectively incorporate human rights considerations.

A few days before the elections, the CNE adopted a decision whereby potential voters duly registered and in possession of a voter card but whose names were not included in the CNE's official list of registered voters would not be allowed to vote on 10 March. Such decision detrimentally impacted, two per cent of voters (approximately 14,000 registered voters), according to the CNE. On 17 July 2019, the Ministry of Territorial Administration and Electoral Management announced that corrections to the voter registry will be undertaken from 17 August to 25 September 2019, ahead of the Presidential Elections scheduled for 24 November 2019. No additional voters' registration is expected to be conducted for Presidential elections.

On 9 March, **the day before the polling day**, in the sector of Gabú reports indicated clashes between security forces and members of a political party who reportedly reacted against attempts by State officials to bribe traditional leaders. The Office of the Prime Minister strongly disputed these allegations in a Press Release. Ten persons were reportedly injured by security forces and UNIOGBIS monitoring confirmed that seven were taken to hospital, including two with serious injuries.

The polling day was marked by a peaceful environment. Allegations of violations of the secrecy of the ballot in instances where the ballot box was positioned so that the completion of the ballot box was publicly visible were promptly addressed by national authorities. In several constituencies there were priority lines for pregnant women, people with disabilities and elderly people. No incidents were reported regarding freedom of movement, expression or peaceful assembly and no excessive use of force by security forces was observed. Nevertheless, it was reported that in Ganadu (sector of Contuboe in the Bafatá region), the Police Commissioner intervened promptly after law enforcement officials allegedly granted preferential access to the polling station to supporters of a certain political party, while all other voters had to wait in line for their turn. The Electoral Law stipulates that security forces are to keep at 500 meters' distance from the polling station.

PARTICIPATION IN THE CONDUCT OF PUBLIC AFFAIRS

During human rights assessment missions the youth referred to deficits in the ability of the State to guarantee equal access to quality education, to the scarcity of vocational trainings, and youth-centered policies, such as access to microcredits to encourage youth entrepreneurship, all of which contribute to disengagement by the youth resulting in the subsequent low levels of participation in the conduct of public affairs.

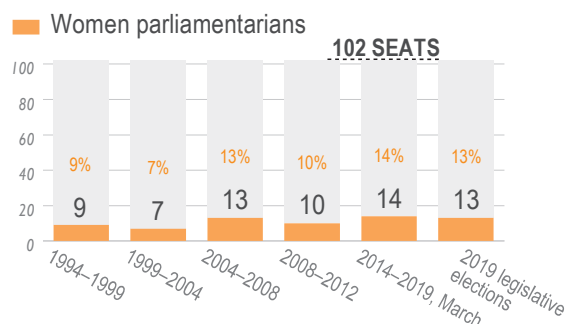
WOMEN'S RIGHTS TO PARTICIPATE IN PUBLIC AFFAIRS

Common structural and cultural barriers for women's enjoyment of political and public participation rights are related to:

- **wrongful gender stereotyping against women**
- **lack of access to education**
- **lack of participation in economic life**
- **women's lack of, or very limited, access to social**
- **services discriminatory laws and practices against women**

WOMEN'S REPRESENTATION IN PUBLIC OFFICE

Women's representation at the National Assembly has been continuously low:



13.5% women
(out of a total of 37)



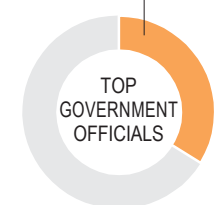
Nov. 2016–Apr. 2018
no woman was appointed at the ministerial level, and five women were appointed at the level of Secretary of State.

19.2% women
(out of a total of 26)



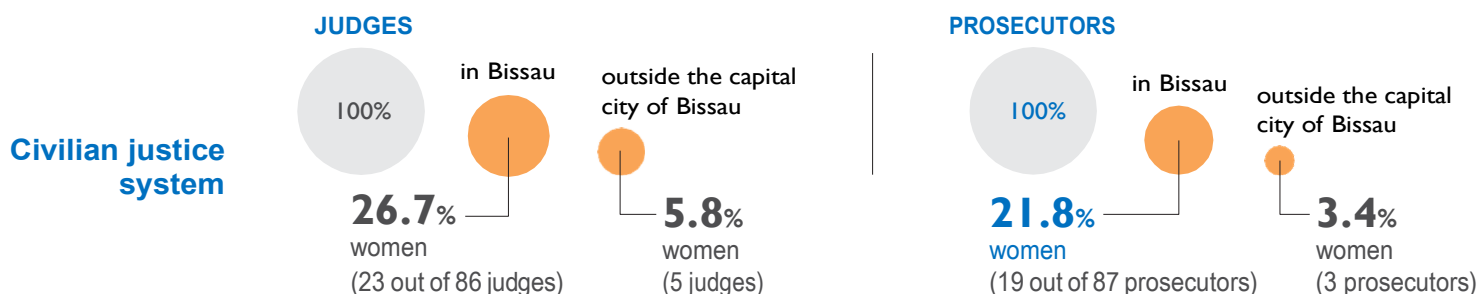
Apr. 2018–March 2019
three women were appointed at the ministerial level, and two at the level of Secretary of State.

34.4% women
(out of a total of 32)



July 2019–present
eight women were appointed at the ministerial level, and three at the level of Secretary of State.

THERE ARE NO FEMALE JUDGES AT THE SUPREME COURT OF JUSTICE OR AT THE SUPERIOR MILITARY TRIBUNAL.



Female officers in the Judiciary
Police constitute 11.87 per cent: of a total of 160 judiciary police officers, 19 are women and none of them is posted outside of Bissau.

In the military justice system, there is only **one woman employed as a military judge** and **one woman employed as a military prosecutor**. Thus, 14 per cent of military judges are women (one out of seven) and 10 per cent of military prosecutors are women (one out of ten).

In 2018, women represented 10.32 per cent of the Bissau Guinean Armed Forces (523 out of 5,049 military officers). There are no women in top-ranking military positions, including generals, lieutenants and colonels.

WOMEN'S REPRESENTATION IN THE TWO MAIN POLITICAL PARTIES

- Women's representation in the regional structures of the political parties was above the quota of 30 per cent in Bafatá and Quinara. At the national level, women's representation in the Governing Structures of the Political Parties in the third quarter of 2018 was generally low.

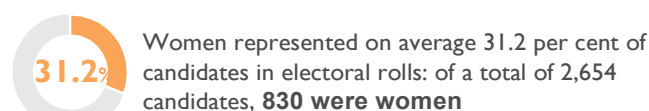
WOMEN'S REPRESENTATION IN OTHER BODIES AND ORGANISATIONS

- According to the Bar Association, of a total of 118 registered barristers in the country, 12 are women barristers (10.1 per cent of the total of registered barristers in the country).
- No registered women barristers are working outside Bissau.**
- Information provided by the Centres of Access to Justice (CAJ), indicates that **of a total of 31 CAJ officers seven are women officers providing legal advice** (22.6 per cent). Out of these, three women CAJ officers are working in the CAJ centers outside of Bissau.

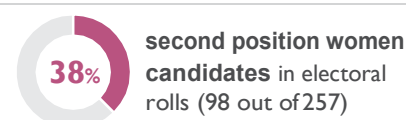
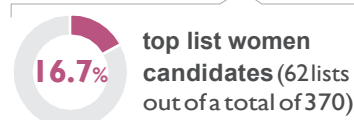
THE LEGISLATIVE ELECTIONS OF 10 MARCH 2019 AND THE IMPLEMENTATION OF THE 2018 LAW OF PARITY FOR THE PARTICIPATION OF WOMEN IN POLITICS

The Law of parity for the participation of women in politics and in the spheres of decision-making (Law 4/2018, sets a minimum of 36 per cent of women candidates in all lists for elective positions in the legislature and in municipality assemblies.

On 8 February 2019, the Supreme Court of Justice published the list of 21 political parties that were running for legislative elections.



CHANCES OF WOMEN TO BE ELECTED WHEN LISTED IN SECOND POSITION ARE MUCH LOWER.

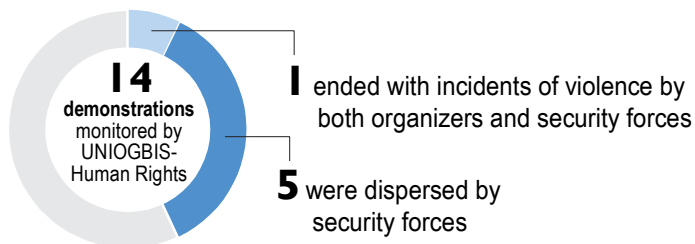


The initial new configuration of the National Assembly indicates that 12,7 per cent of elected parliamentarians are women: Out of 102 elected parliamentary seats, 13 are held by women (10 elected by PAIGC, two by MADEM-GI5 and one by PRS). Elected women candidates were placed at the top in 10 electoral rolls, and in second and third positions in two electoral rolls each. Out of the 13 women holding parliamentary seats, three women were appointed to serve in Government. They will be replaced by the next candidate in the respective list, being all male and thus further reduce the percentage of women in the National Assembly.

THE RIGHT TO PEACEFUL ASSEMBLY

Article 54 of the Constitution of Guinea-Bissau recognizes the right to peaceful assembly and to demonstrate, which is further regulated by the Law on the Right to Assemble and to Demonstrate (Law No. 3/92 of 6 April 1992).

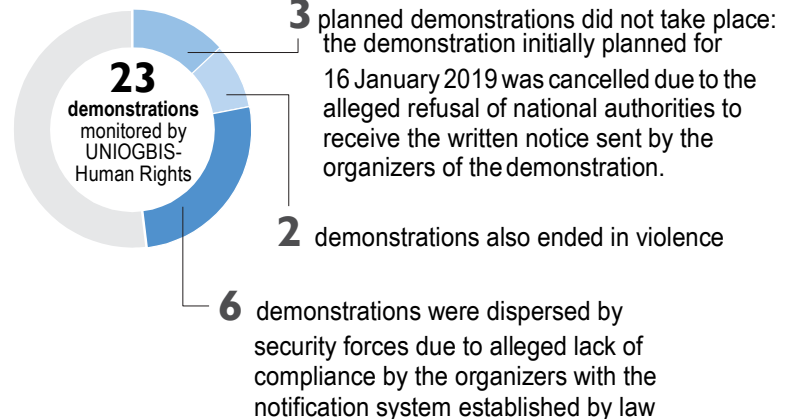
Jan. 2018–Dec. 2018



The lack of compliance by the organizers with the notice period set up by the law was the most common argument by national authorities to justify the dispersion of peaceful demonstrations.

Targeted restrictions to the right to peaceful assembly affected a youth and social movement, various associations and workers' unions and a political coalition.

Jan. 2019–July 2019



When restrictions have been imposed, no option has been provided to the demonstration organizers to seek judicial review and, where relevant, administrative review, that is prompt, competent, independent and impartial.

In this connection the Special Rapporteur on the right to peaceful assembly and of association recommends that organizers should be given the possibility of an expedited appeal procedure, with a view to obtaining a judicial decision by an independent and impartial court prior to the notified date of the assembly.

THE RIGHT TO FREEDOM OF OPINION AND EXPRESSION

Reporters without Borders ranked Guinea-Bissau 83 in a list of 180 countries included in the 2018 World Press Freedom index, noting that journalists often censor themselves when covering government activities and issues surrounding organized crime as well as the military, and that some journalists have fled abroad to escape threats and intimidation.

CIVIC SPACE AND HUMAN RIGHTS DEFENDERS

In 2018, the Women's Facilitation Group was transformed into the Bissau-Guinean Women's Council, an enlarged structure composed of 25 women, including members of political parties and regional representatives.

The National Network of Human Rights Defenders established in 2017 with the support of UNIOGBIS and OHCHR concluded in 2018 a country-wide mapping exercise. In order to lay the foundations of a human rights early warning mechanism, particularly in remote areas, the mapping exercise led to the designation of the Network focal points in the ground, and to the identification of 897 human rights defenders, including 343 women.

Human rights assessments conducted during the mapping exercise evidenced instances of discrimination, unequal treatment, harassment and restrictions of political and public participation rights directed sometimes against human rights defenders and civil society organizations advocating for the rights of marginalized groups. Although subject to the same risks faced by all human rights defenders, **women defenders were found to be targeted for, or exposed to, gender-specific threats and violence.** When engaging in activities to promote women's political participation, women human rights defenders indicated they were perceived as challenging traditional gender roles and, as a result, are stigmatized and subjected to discrimination and, in some instances, to violence.

CONCLUSIONS AND RECOMMENDATIONS

It is essential that the State ensures that the rights to participate in political and public affairs are duly promoted and protected and enjoyed by all Bissau-Guinean citizens. The State must conduct a Human Rights-sensitive review of the National Constitution and of its legal, policy and institutional human rights framework. **The State must adopt measures to ensure women's rights to participate in political and public affairs on an equal basis with men and to ensure the enjoyment of the right to peaceful assembly on an equal basis by all.**

All stakeholders should contribute to ensure:

that ongoing efforts to review the constitution duly address human rights concerns, including those highlighted in the present report. For example, ensuring the full compliance of the future constitution with the International Covenant on Civil and Political Rights (ICCPR), ratified by Guinea-Bissau in 2010.

The Government should:

elaborate, adopt and implement a transversal national action plan for human rights and a policy or action plan on human rights education; ensure that the National Commission of Human Rights of the Ministry of Justice and Human Rights is duly resourced to perform its duties, including the elaboration of pending reports to international and regional human rights mechanisms; establish a merit-based, fair, open and transparent system for the selection and appointment to civil service positions; seek ways and means to implement the recommendations issued by OHCHR to Member States in July 2018.

National Assembly should:

Ensure that the *Ad hoc* commission of the National Assembly on the revision of the Constitution resumes and finalizes its work ensuring that the draft of a new constitution is aligned with the human rights treaty obligations of the State, and submits the draft constitution for approval by the Parliament and the President of the Republic.

Establish by law a NHRI, compliant with the Paris Principles; amends electoral legislation to allow the enjoyment of active electoral capacity for certain categories of persons; ensure that electoral information and voting papers are available in a range of accessible formats and languages; include persons with disabilities and people with reduced mobility in the design and implementation of voting systems in the country; enact legislation to ensure a system of protection of victims, witnesses and of human rights defenders and to encourage independent, plural media services, develop legislation on access to information, enact legislation on the freedom and independence of the media and its professionals.

State institutions should adopt measures to ensure women's rights to participate in political and public affairs on an equal basis with men. For example: concrete measures to prohibit all forms of gender-based violence and direct and indirect discrimination against women; ensure that high-quality data disaggregated by sex is collected to elaborate evidence-based public policies to effectively address persistent challenges that impact detrimentally on women's right to participate in political and public affairs; adopt temporary special measures to achieve effective participation of women from all social circles in political life; promote the implementation of the Parity Law and consider a future review to the Law 4/2018.

Ministry of Education:

effectively integrate human rights and civic education in all public education curricula.

National Assembly:

consider reviewing existing legislation to eliminate discrimination against women that may impact on their public and political participation rights and adopt additional measures to eliminate such discrimination in practice.

Political parties:

devise and implement strategies and measures that allow women's participation in senior positions in the governing structures of political parties and strictly prevent token representation of women; actively seek to identify potential women candidates and to establish mechanisms that facilitate women running for office; establish mentoring programs.

Measures to ensure the enjoyment of the right to peaceful assembly on an equal basis by all should be adopted:

Government :

review the administrative requirements related to the conduct of peaceful assemblies and other related activities to ensure they are not discriminatory, and they do not unduly limit the enjoyment of these rights; formally repeal Ministerial Order 2/GMAT/2016 adopted on 14 November 2016 to prohibit, indefinitely, public demonstrations and rallies all over the country unless otherwise authorized (Ministry of Territorial Administration).

National Assembly

review the Law 3/92 of 6 April 1992 on the right to demonstrate.

State institutions:

adopt measures to ensure that international human rights standards are operationalized in domestic law and practice during demonstrations and assemblies.

OTHER RECOMMENDATIONS

CSOs, stakeholders and International community: continue monitoring the implementation of the Pact of Political and Social Stability and consider adopting a Code of Conduct and Ethics for the 2019 Presidential elections; support the State Institutions in capacity building initiatives to enhance leadership, negotiation and communication skills, strategic planning and public speaking, advocacy, policy-making and good governance targeting women, youth and other underrepresented groups.