

** Note to Tahirih eLibrary Users: Country conditions documents can be prepared in a number of ways, depending on the volume and nature of the materials. In this sample, the documents would be attached together in a single exhibit. An alternate to this approach would be to list each country conditions report as a separate exhibit and to include bullet points from each article in the exhibit list. Either way, the important point is to highlight for the adjudicating officer the most relevant excerpts from the materials. Please speak to your Tahirih mentor attorney about which approach makes the most sense for your case. Last Updated 6/24/2015*

Country Conditions Documents
In Support of Asylum Application of XXXX
A# XXX--XXX-XXX

- I. Female Genital Mutilation and the Status of Women in Guinea**
 - II. Prevalence of female genital mutilation among the Fulani in Guinea.**
 - III. Legality of female genital mutilation and the Justice System in Guinea**
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“Country Reports on Human Rights Practices: Guinea 2010,” U.S. Department of State, March 15, 2011. Available at: <http://www.state.gov/g/drl/rls/hrrpt/2010/af/154350.htm>.

- “Three major ethnicities form the majority of the population: the Soussou in Lower Guinea, the Peuhl in Middle Guinea, and the Malinke in Upper Guinea.”
- Human rights problems included “sexual violence against women and girls; societal discrimination against women; and female genital mutilation.”
- “Domestic violence against women was common, although estimates of its prevalence were unavailable. Due to fear of stigmatization and reprisal, women rarely reported abuse. Wife beating is not addressed specifically within the law, although charges can be filed under general assault, which carries penalties ranging from two to five years in prison and fines ranging from 50,000 to 300,000 Guinea francs (\$11 to \$65). Assault constitutes grounds for divorce under civil law; however, police rarely intervened in domestic disputes, and there were no reports of perpetrators being punished. Local NGOs assisted victims of domestic violence.”
- “While girls had equal access to all levels of primary and secondary education, social norms and practices resulted in significantly lower attendance rates at the secondary level.”
- “FGM was practiced widely in all regions among all religious and ethnic groups, primarily on girls between the ages of four and 17; infibulation, the most dangerous form of FGM, was rarely performed. The Coordinating Committee on Traditional Practices Affecting Women's and Children's Health (CPTAFE), a local NGO dedicated to eradicating FGM and ritual scarring, reported high rates of infant mortality and maternal mortality due to FGM. According to a 2005 Demographic and Health Survey, 96 percent of women in the country had undergone the procedure. FGM is illegal, and practitioners faced a penalty of three months in prison and a fine of approximately 100,000 Guinea francs (\$21); however, there were no prosecutions during the year.”

- “The legal age for marriage is 21 years for men and 17 years for women. Although there were no official reports of underage marriage, it was a problem. Parents contracted marriages for girls as young as 11 years of age in Middle Guinea and the Forest Region.”

New York Times, “After School in Brooklyn, West African Girls Share Memories of a Painful Ritual,” April 25, 2011. Available at:

- 15-year-old Guinean girl discusses her experience of being forcibly “tied down, and restrained, and subjected to genital cutting. She was 8 at the time and had to be hospitalized for the bleeding. ‘I got sick,’ the girl said. ‘I was about to die.’”
- “In some families, parents oppose female genital cutting, but the decision about whether or not to have it done is not always theirs to make. Many elders in West African communities hold great social authority and do not seek parental permission to have it done to a girl. The 15-year-old from Guinea was cut without the consent of her mother...”
- “The practice can cause a variety of medical problems, including extensive bleeding, infection, painful menstruation and complications during childbirth.”

Failed States Index, <http://www.fundforpeace.org/global/?q=fsi-grid2010>.

- Guinea ranks as number 9 of all the countries in the world on the Fund for Peace’s Failed State Index.

The Fund for Peace Profile, Guinea (2009)

http://www.fundforpeace.org/web/index.php?option=com_content&task=view&id=384&Itemid=541.

- 40% of the population is of the Peuhl (also known as Fulbe or Fulani) ethnicity.
- “The Guinean police have a long record of extortion, using excessive force, and various human rights abuses. . . Corruption within the police force was also a problem.”

“Female Genital Cutting and Coming of Age in Guinea” Yoder, P. Stanley, et. Al, 1999

- 36% of the population in Guinea identified themselves as Fulani.
- “Sosso and Fulani women often said that FGC was part of an education process designed to teach girls how to behave toward others and how to take care of their husband and family. The idea that the FGC ceremony is a ritual initiation into adulthood plays an important role in the thinking of these women.”
- “The majority of the women interviewed regard FGC as an acceptable practice that purifies and socializes unmarried girls through the education and training they receive during ritual seclusion.”
- “FGC is generally an obligatory event for young girls coming of age among the Sosso and the Fulani and, to a lesser extent, among the Malinke of Guinea.”
- “In a setting where it is considered clean (and correct) to circumcise a daughter, there is little scope for alternative behavior. Many Sosso and Fulani women talked about the

importance of rendering their daughters clean and pure through circumcision (Yoder et al., 1999).”

“Country Reports on Human Rights Practices: Guinea 2009,” U.S. Department of State, March 11, 2010.

<http://www.state.gov/g/drl/rls/hrrpt/2009/af/135957.htm>

- “Sexual violence against women and girls, societal discrimination against women, and female genital mutilation (FGM) were problems.”
- “Domestic violence against women was common, although estimates of its prevalence were unavailable. Due to fear of stigmatization and reprisal, women rarely reported abuse except at the point of divorce.”
- “FGM was practiced widely in all regions among all religious and ethnic groups, and was performed on girls between the ages of four and 17. FGM is illegal and carries a penalty of three months in prison and a fine of approximately 100,000 Guinea francs (\$22), although there were no prosecutions during the year. According to a 2005 Demographic and Health Survey (DHS), FGM prevalence was 96 percent nationwide, a slight decline from the 99 percent prevalence rate reported in the 1999 DHS.”
- [A local NGO dedicated to eradicating FGM] reported “high rates of infant mortality and maternal mortality due to FGM.”
- “Police rarely intervened in domestic disputes, and there were no reports of perpetrators being punished.”
- “The legal age for marriage is 21 years for men and 17 years for women. Although there were no official reports of underage marriage, it was a problem.”

“Concluding Comments of the Committee on the Elimination of Discrimination against Women: Guinea,” CEDAW/C/GIN/CO/6, UN Committee on the Elimination of Discrimination against Women (CEDAW), August 10, 2007.

<http://www.un.org/womenwatch/daw/cedaw/39sess.htm>

- “The Committee is concerned about the prevalence of a patriarchal ideology with firmly entrenched stereotypes regarding the roles and responsibilities of women and men in the family and society. It is also concerned about the persistence of deep-rooted adverse cultural norms, customs and traditions, including forced and early marriage and female genital mutilation, that discriminate against women, perpetuate violence against women and constitute serious obstacles to women’s enjoyment of their human rights.”
- “While noting the entrenched cultural underpinning of [FGM] and welcoming the promulgation of the Act L/2000/010/AN of 10 July 2000 on reproductive health which prohibits [FGM], as well as other measures, such as the prohibition of carrying out [FGM] at health facilities, the Committee is deeply concerned about the persistence and very high incidence of that harmful practice, which is a grave violation of girls’ and women’s human rights and of the State party’s obligations under the Convention. It is also concerned about the impunity of perpetrators. The Committee notes the serious health complications for girls and women arising out of the practice of [FGM] and which, in some cases, may lead to death.”
- “The Committee remains concerned about the prevalence of violence against women

and girls. The Committee is particularly concerned about occurrences of domestic violence, rape, including marital rape, and all forms of sexual abuse of women, and about the persistence of patriarchal attitudes whereby the physical chastisement of family members, including women, is considered acceptable. It is further concerned about the lack of information and data in the report on the prevalence of different forms of violence against women, the lack of legislation to address domestic violence comprehensively, the apparent lack of public awareness of this violation of women's human rights and the insufficient support for victims of violence."

- "The Committee is concerned about various prevailing discriminatory provisions in the Civil Code, such as a lower age of marriage for women (17 years) than for men (18 years..."
- "[The committee is] concerned about the very low number of girls in higher education, the low level of schooling of girls, in particular in rural areas, and the high dropout rate of girls, including for such reasons as pregnancy and early and forced marriage."

"Guinea: Forced and arranged marriages, and possible recourse (2003-2005),"

Immigration and Refugee Board of Canada, May 13, 2005.

http://www.irb-cisr.gc.ca:8080/RIR_RDI/RIR_RDI.aspx?id=450802&l=e

- "[F]orced and arranged marriages exist in Guinea among most ethnic and religious groups."
- "Although the Guinean civil code prohibits forced marriage... 'the girl bears the weight of tradition and of religion' as well as that of family pressure. Parents often use [translation] "moral and emotional threats," for example, telling their daughter that she [translation] "will disgrace the family" if she does not marry the man that her parents choose for her. Sometimes other family members, such as uncles and aunts, intervene to arrange the marriage."
- Noting that familial and cultural pressure are such that "[i]t is rare that a girl will file a complaint about a forced marriage or that Guinean society will intervene in family matters

"Concluding Observations: CEDAW - Guinea - Concluding observations adopted up to December 31, 2003," The United Nations Human Rights Treaties.

http://www.bayefsky.com/docs.php/area/conclobs/treaty/cedaw/opt/0/state/71/node/3/filename/guinea_t4_cedaw

- "Guinea consistently ranks at the bottom of global quality of life measurements."
- Describes the common place of violence against women (domestic violence, beating repudiation, early and forced marriages, and abuse of widows and menopausal women), prejudices, and stereotypical attitudes toward women – female subordination, male preference, illiteracy, etc.
- "The Committee expresses concern about the existing gap between the de jure and de facto equality of women and men and the persistence of customary practices that continue to discriminate against women."
- "The Committee notes with concern that, despite prohibitions in statutory law, there is wide social acceptance and lack of sanctions for such practices as female genital mutilation, polygamy and forced marriage, including levirate and sororate, and

discrimination in regard to child custody and inheritance.”

- “While the Government has made progress in addressing the basic health needs of the population, the Committee expresses concern at the prevalence of maternal and infant mortality, the persistent practice and high rate of female genital mutilation, women’s lack of access to health-care facilities and the lack of access to family-planning services.”

Child Rights Information Network, Guinea: Child Rights References in the Universal Periodic Review, April 5, 2010

<http://www.crin.org/resources/infodetail.asp?id=22296>

- Explaining that FGM and forced marriages are still widespread in Guinea.

“Guinea: Domestic child abuse; state protection available to victims (2005 - February 2007),” Research Directorate, Immigration and Refugee Board of Canada, Ottawa, March 7, 2007.

http://www.irb-cisr.gc.ca/en/research/rir/index_e.htm?action=record.viewrec&gotorec=450975

- Child marriage increases the likelihood that the girl will be “beaten, slapped, or threatened” by their husbands.
- Guinea has the fifth highest rate of child marriage in the world, and of the girls who are married before 18, half give birth before that age.

UNICEF, *A Childhood Lost to Violence in Guinea* (February 6, 2009) (hereinafter “Childhood Lost”), available at: http://www.unicef.org/wcaro/2009_2950.html

- Story of XXXX, who underwent FGM at age 8 and was forcibly married to a man 30 years older than her at age 14.

II. Prevalence of Female Genital Mutilation

“Female Genital Mutilation/Cutting: Data and Trends,” Population Reference Bureau, 2008

- 93.9% of the women and girls in the urban population had undergone FGM while 96.4% of women in rural areas had undergone FGM.
- 95/6% of women and girls between ages 15 and 49 had undergone FGM.
- Different parts of the country had prevalence rates for FGM that ranged from 86.4% to 99.8%.

“Consideration of reports submitted by States parties under Article 18 of the Convention on the Elimination of All Forms of Discrimination against Women Combined fourth, fifth and sixth periodic reports of States parties: Guinea,” CEDAW/C/GIN/4-6, UN Committee on the Elimination of Discrimination against Women (CEDAW), September 7, 2005.

<http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N05/511/37/PDF/N0551137.pdf?OpenElement>

- National surveys on female genital mutilation in Haute Guinée/Moyenne Guinée and in Guinée Forestière/Basse Guinée, which showed that 96.4 percent of women surveyed had undergone excision.

U.S. Dept. of State, Office of the Senior Coordinator for International Women’s Issues, Guinea: Report on Female Genital Mutilation (FGM) or Female Genital Cutting (FGC), June 1, 2001

http://www.asylumlaw.org/docs/guinea/usdos01_fgm_Guinea.pdf

- “These practices are firmly rooted in tradition. Girls generally live with their families until they marry. If a girl resists having the procedure, she would likely be mocked by others in her village and would have difficulty in finding a husband.”
- “This practice is illegal in Guinea under Article 265 of the Penal Code. The punishment is hard labor for life and if death results within 40 days after the crime, the perpetrator will be sentenced to death. No cases regarding this practice under the law have ever been brought to trial.”

World Health Organization, Female Genital Mutilation Factsheet, February 2010

<http://www.who.int/mediacentre/factsheets/fs241/en/>

- Explaining that the practice has no health benefits but only causes harm.
- “Procedures can cause severe bleeding and problems urinating, and later, potential childbirth complications and newborn deaths.”
- Female genital mutilation is defined by the World Health Organization as “all procedures that involve partial or total removal of the external female genitalia, or other injury to the female genital organs for non-medical reasons.”
- Long term consequences of FGM can include: “recurrent bladder and urinary tract infections; cysts; infertility; an increased risk of childbirth complications and newborn deaths; the need for later surgeries...”

World Health Organization, Eliminating Female Genital Mutilation – An Interagency Statement, 2008

http://whqlibdoc.who.int/publications/2008/9789241596442_eng.pdf

- “Where [FGM] is practiced is widely practiced, it is supported by both men and women, usually without question, and anyone departing from the norm may face condemnation, harassment, and ostracism. As such, [FGM] is a social convention governed by rewards and punishments which are a powerful force for continuing the practice. In view of this conventional nature of [FGM]. It is difficult for families to abandon the practice without support from the wider community. In fact, it is often practiced even when it is known to inflict harm upon girls because the perceived social benefits of the practice are deemed higher than its disadvantages.”
- “Members of the extended family are usually involved in decision-making about [FGM], although women are usually responsible for practical arrangements for the ceremony.”
- “In many societies, older women who have themselves become mutilated often become gatekeepers of the practice, seeing it as essential to the identity of women and girls.”

- “Decisions to perform [FGM] on girls involve a wide group of people who may have different opinions and varying degrees of influence.... In periods of change, [FGM] can give rise to discussions and disagreement, and there are cases in which some family members, against the will of others, have organized the procedure... Decision-making is complex and, to ensure that families who wish to abandon the practice can make and sustain their decision so that the rights of the girl are upheld, a wide group of people have to come to agreement about ending the practice.”
- Long-term health risks from Type I, II, and III FGM include: “Infections: Dermoid cysts, abscesses and genital ulcers can develop, with superficial loss of tissue. Chronic pelvic infections can cause chronic back and pelvic pain. Urinary tract infections can ascend to the kidneys, potentially resulting in renal failure, septicaemia and death. An increased risk for repeated urinary tract infections is well documented in both girls and adult women.”
- Finding that at least 95.6 percent of all women in Guinea have been subject to FGM.

World Health Organization, Effects of female genital mutilation on childbirth in Africa, 2008

http://www.who.int/reproductivehealth/publications/fgm/policy_brief/en/index.html

- Explaining the harmful and dangerous effects of FGM on maternal health and childbirth.
- “The deliveries of women who had undergone genital mutilation were significantly more likely to be complicated by caesarean section, postpartum haemorrhage and prolonged maternal hospitalization than those of women who had not.”
- “The rates of infant resuscitation and perinatal death were higher among infants born to women who had undergone genital mutilation than those born to mothers who had not, and the severity of the adverse outcomes increased with the severity of [FGM].”

“Current situation in Guinea-Conakry according to the Guinean Organization for the Defence of Human Rights”, Immigration and Refugee Board of Canada, July 20, 2001

<http://www.unhcr.org/refworld/docid/3df4be362c.html%20%5Baccessed%202023%20October%202009>.

- One source noted that the decision to cut girls generally falls to female family members such as grandmothers and aunts.
- The figures showing women’s support for FGC are especially significant given the important role women play in the FGC: grandmothers, aunts, and sisters are often the decision-makers who determine whether a girl is cut.
- A girl who resists female genital mutilation would feel humiliated and rejected by those in her immediate circle.
- “Violence against women is tolerated culturally and is usually carried out with the greatest discretion. It is more widespread in the rural areas than the cities. The police do not generally intervene in cases of domestic violence unless serious blows or injuries have been inflicted. Neither are there any shelters for women who are victims of domestic violence. Cases of domestic violence are usually settled within the family (family in the extended sense of the word.”

IV. Legality of female genital mutilation and the judicial system in Guinea

“Country Reports on Human Rights Practices: Guinea 2009,” U.S. Department of State, March 11, 2010.

<http://www.state.gov/g/drl/rls/hrrpt/2009/af/135957.htm>

- “The police force was inadequately staffed and lacked training. In addition, some police officers were part of a ‘volunteer’ corps that did not receive salaries. Administrative controls over police were ineffective, and security forces rarely followed the penal code. Corruption was widespread, and security forces generally were not held accountable for abuses of power or criminal activities. Many citizens viewed all the security forces as corrupt, ineffective, and dangerous.”
- “The law provides criminal penalties for official corruption; however, the transition government did not implement the law effectively, and officials frequently engaged in corrupt practices with impunity. Corruption remained widespread throughout all branches of government. The World Bank's most recent Worldwide Governance Indicators reflected that corruption was a severe problem.”
- “Rape is a criminal offense but was rarely prosecuted. Authorities were reluctant to pursue criminal investigations of alleged sexual crimes, and there were no reports of prosecutions of rapists, although police records indicated 50 persons were arrested for rape during the year. Spousal rape is neither punished nor regarded as a criminal offense. Social beliefs and fear of being ostracized prevented most victims from reporting incidents of rape.”
- Legal evidence given by women carried less weight than testimony by men, in accordance with Islamic precepts and customary law.
- Female genital mutilation is illegal but there have not been any prosecutions.

“World Report 2008 – Guinea,” Human Rights Watch, January 31, 2008.

<http://hrw.org/englishwr2k8/docs/2008/01/31/guinea17932.htm>

- Guinea’s judicial system is not independent of the executive branch and struggles with corruption (such as bribing of judges and other government officials), insufficient about of attorneys, and a lack of training and resources.

Human Rights Watch, January 2011. Guinea – Country Summary, available at:

<http://www.hrw.org/en/world-report-2011/guinea>.

- Describes Guinea’s “longstanding culture of impunity,” “striking deficiencies within the judicial system, weak rule of law, and endemic corruption.”

“Freedom in the World - Guinea (2010),” Freedom House, 2010.

<http://freedomhouse.org/template.cfm?page=22&year=2010&country=7833>

- “Corruption has been cited as a serious problem by international donors, and many government activities are shrouded in secrecy. Guinea was ranked 168 out of 180 countries surveyed in Transparency International’s 2009 Corruption Perceptions Index.”
- “Under Conte, the nominally independent courts were marred by corruption, a lack of resources, nepotism, ethnic bias, and political interference. Informal customary justice

mechanisms operated in addition to official courts. The legal system was thrown into turmoil by the CNDD's initial suspension of judicial institutions, and in June 2009 court staff went on strike to protest political interference in judicial affairs."

- "Societal discrimination against women is common, and while women have legal access to land, credit, and business, the inheritance laws and the traditional justice system have favored men."
- "Advocacy groups are working to eradicate the illegal but nearly ubiquitous practice of female genital mutilation."

"Female Genital Cutting and Coming of Age in Guinea" Yoder, P. Stanley, et. Al, 1999

- "In the last ten years the government of Guinea has adopted a clear position in regard to FGC – the practice is condemned. Article 265 of the penal code adopted in 1969 forbids the mutilation of the genital organs of both men (*la castration*) and women (*excision*) and the crime is punishable by imprisonment for life. However, no one has ever been indicted for this crime."