



ISSUES OF DISCRIMINATION IN WIDOWHOOD IN GUINEA

THAT REQUIRE ADDRESSING IN THE CONTEXT OF THE CEDAW

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WPD hopes that this report will assist the Committee in its examination of the Government of Guinea's report on its implementation and compliance with the articles of the Convention.

As in many countries, especially those in conflict and post conflict situations, the status of their widows – and wives of those forcibly disappeared or missing – is often ignored. Yet it is widows and their children, particularly their daughters, who so often suffer the most discrimination, direct and indirect, and this discrimination, resulting in extreme poverty, marginalisation, and exposure to violence, requires visibility so that it can be addressed by governments.

The Government has inadequately addressed this situation in its current report to the CEDAW Committee. WPD hopes that this brief submission will assist the Committee in its consideration of Guinea's State Report during its 59th^h Session.

1. As recognized by the Government itself in its Report,¹ Guinean society is a patriarchal one. **Stereotypes** and negative preconceived notions about women's roles are deep-rooted, and they are the basis of many forms of **violence** against them, including assault, repudiation, levirate, sororate, early marriage, forced marriage. Widows may be considered responsible for their husbands' death and subjected to **widowhood rites** which are humiliating and go against their rights.

→ The Government should be asked to specify if and how it implements Articles 1, 2 and 5 of the CEDAW. It should report on the measures (legal and practical) undertaken so far to implement the principle of **equality of rights** between men and women; to modify the **social and cultural patterns** of conduct of men and women which perpetrate stereotyped roles; to face all kind of discrimination, including discrimination that finds its root in patriarchal cultural identity and takes the form of degrading customs and practices; to increase widows' knowledge of their rights and to empower and support widows who assert their rights. This should be done in synergy with traditional leaders and NGOs.

→ The Government should be held responsible to comply with Article 6 of the CEDAW and impede that widow's **coping strategies** lead them and their families towards illegality, exploitation, marginalization and extreme poverty; both material and psychological support strategies are to be taken into account.

→ In the State Report, it is stated that *"In an effort to combat negative stereotyping of women and bring the population as a whole to change its behaviour, the Government, in cooperation with civil society organizations and development partners, has launched awareness-raising campaigns to abolish several practices."*² The Government should be asked to explain if any campaign specifically aimed at abolishing widowhood rites has been launched within this framework, and if so how it is working, and what its results are so far. The Government should also be asked to describe the activities of the National Committee on Practices Harmful to the Health of Women and Children, established in 1999,³ and to clarify if its mandate includes widowhood rites.

2. Although no official statistics on the number of widows in Guinea seem to be available, their number is high, due to several reasons among which the practice of early marriages, and **AIDS** epidemics. Moreover Guinea, together with its bordering countries, is facing the threat of

¹ CEDAW/C/GIN/7-8, Section IV, parr. 50 – 52, par. 143.

² CEDAW/C/GIN/7-8, Section IV, par. 53.

³ CEDAW/C/GIN/7-8, Section IV, par. 207..

Ebola spreading. Not only the number of widows is increasing due to Ebola casualties. Widows often get blamed for 'allowing' their husbands to die, and might be treated as pariahs, witches or even the source of the illness, thus leaving them completely vulnerable and destitute. Furthermore, traditional customs around burial and mourning could also be helping the disease to spread, because they often require contact with corpses, fluids, clothes, sheets and contaminated surfaces. The situation is particularly worrying in villages and rural communities, which are often far away from hospitals and medical teams, and where widowhood rites are more deep-rooted.⁴

→ The Government should be asked to describe the measures it is taking to face Ebola emergency, to protect widows to be exposed to danger of infection through traditional rites and to help them access proper medical assistance.

→ According to the State Report, *“Two population and gender networks, a network for women living with HIV, an association for women suffering from fistulas and a national network of traditional communicators were established”* to enhance the safety of women and girls. The Government should clarify if and how these mechanisms, or similar ones, can be put in practice to face Ebola emergency and support its victims.⁵

3. The Guinean Civil Code states that *“married women have full legal capacity and may freely manage and dispose of the assets they purchase, open a bank account, deposit or withdraw money and obtain a bank loan”*. However, women in Guinea often experience **difficulties in acceding to credit, to family allowances and pensions, and to land**. Especially in rural areas, land is family-owned and women can't inherit it,⁶ causing widows to live in extreme poverty, without the means to sustain themselves and their children.

→ The Government should be asked to indicate what measures have been taken to ensure women and men's **equal access to land, property and inheritance**, according to Articles 15 and 16 of the CEDAW, and to face the denial of inheritance rights to women, especially in rural areas and in the context of polygamy.

→ The Government has already been asked to *“[...] provide information on the measures taken or envisaged to ensure that disadvantaged groups of women, including women refugees, women with disabilities, older women, indigenous women and girls living in*

⁴ Tim Bridger for WPD, *Ebola Risk to Widows*, <http://www.widowsforpeace.org/ebola-risk-to-widows/>.

⁵ CEDAW/C/GIN/7-8, Annex 1.

⁶ CEDAW/C/GIN/7-8, Section IV, parr. 145-150, par. 143; par 203: *“Guinean women also suffer discrimination in matters of inheritance, insofar as there is no inheritance code. Moreover, the coexistence of Islamic, customary and civil law heightens inequalities between men and women.”* Furthermore, Article 462 of the Civil Code provides that divestment of a person's property may result from a judgement recognizing his extreme old age. CEDAW/C/GIN/Q/7-8/Add.1

*the street have effective access to health care, education, water, food, housing and income-generating projects and that indigenous women have access, without discrimination, to land and self-sufficient livelihoods”.*⁷ Widows should specifically be included in the disadvantaged groups of women above mentioned, and the Government should be asked to clarify the measures it has foreseen and put in practice to improve their living conditions.

4. Despite the Guinean law recognizes *“equality of men and women in respect of the conditions under which they enter into marriage”*, **paternal authority**, by which the husband is the sole head of the family, is granted. The Civil Code states that *“Fathers have guardianship of minor children as long as both parents are living. In the event of the father’s death, a guardian is selected by a family council, which will also decide who has care of children aged over 7 in the event of divorce.”*⁸

→ In its Report, the Government underlines that *“These inequalities have been reviewed and will be corrected if the draft revised Civil Code is adopted. A family policy was formulated and a national directorate established to implement it. Twenty-one officials have already received training to devise action plans for the implementation of the policy.”* The Government should be asked to illustrate the progress realized so far in the adoption of the revised Civil Code and in the implementation of the family policy.⁹

WPD thanks the Committee for inviting it to submit this report. Please contact us if you require any further information.

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⁷ CEDAW/C/GIN/Q/7-8, par. 18.

⁸ CEDAW/C/GIN/7-8, Section IV, parr. 178-182.

⁹ CEDAW/C/GIN/7-8, Section IV, par. 183.