

POLICY PAPER: GUINEA

Date: 16/06/2015

DISCLAIMER

A country-specific policy paper provides the main points regarding the policy rules that are applied by the Commissioner General when assessing requests for asylum from a specific country.

A country-specific policy paper begins with a brief, simplified summary of the complex situation in a country of origin. The situation outline only covers the asylum-related aspects of the situation in that country. A non-exhaustive overview is then provided of the at-risk groups in the country of origin. The focus lies on the at-risk profiles that the CGRS encounters during its day-to-day work. In addition, it only covers the policy themes that are relevant for the country of origin or any special policy rules that apply to that particular country. Subsequently, a country-specific policy paper does not contain a complete overview of all of the possible issues that may be faced by the citizens of the relevant country of origin.

The policy implemented by the Commissioner General is based on a thorough analysis of accurate and up-to-date information on the general situation in the country of origin. This information is collated in a professional manner from various, objective sources, including the EASO, the UNHCR, relevant international human rights organisations, non-governmental organisations, professional literature and coverage in the media. When determining policy, the Commissioner General does not simply examine the COI Focuses, drawn up by Cedoca and published on this website, as these deal with just one aspect of the general situation in the country of origin. The fact that a COI Focus could be out of date, does not necessarily mean that the policy that is being implemented by the Commissioner General is no longer up-to-date.

The policy paper does not reflect the complexity of the asylum application assessment process. When assessing an application for asylum, the Commissioner General not only considers the actual situation in the country of origin at the moment of decision-making, he also takes into account the individual situation and personal circumstances of the applicant for international protection concerned. Every asylum application is examined individually. An applicant must comprehensively demonstrate that he has a well-founded fear of persecution or that there is a clear personal risk of serious harm. He cannot, therefore, simply refer back to the general conditions in his country, but must also present concrete, credible and personal facts.

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For a better understanding of the policy themes that may be dealt with in a country-specific policy paper, see web page "About the CGRS/Policy".

1. SITUATION OUTLINE

The current situation in Guinea is marked by a period of political transition which may be a source of tension.

Previous electoral episodes have been marked by tension and violence. This is due, on the one hand, to disputes concerning the organisation of the electoral system and, on the other hand, to the high level of instrumentation of the ethnic aspect of Guinean society for political ends, all of this in a difficult economic and social climate. Over the coming months, Guinea should experience a

new electoral period, with the organisation of local and presidential elections, which is marked by demonstrations and heated discussions between the government and the opposition.

On a cultural basis, Guinea is a society in which tradition is extremely important, where the place of the individual is determined by his role in the family and the community. Marriage, children's education and sexuality are all subject to great social control.

2. PERSECUTION IN THE CONTEXT OF THE REFUGEE CONVENTION

The Commissioner General recognises that the situation in Guinea is problematic. The extremely complex situation, however, is not such that every Guinean per se, simply because of his origins, will obtain international protection.

A high number of at-risk groups can be distinguished in Guinea. According to the situation in which he finds himself, the applicant must be able to demonstrate that he belongs to a specific risk group or must present additional concrete and individual facts in relation to persecution.

2.1. Groups at risk

Activists and members of political parties

There is no official restriction to the formation of political parties in Guinea, or any legal obstacle to for practicing political activities. Parties do not operate clandestinely, their headquarters are known and they have websites. Nevertheless, dialogue between the government and the opposition passes off very slowly.

At certain events or demonstrations, militants and opposition leaders are the target of violent acts, illegal arrests and random imprisonment.

Finally, ethnic tension also arises from political antagonism but may have other reasons, such as conflictual situations between communities, unresolved problems which have degenerated and which have not been properly controlled. However, no person experiences persecution solely for his or her ethnic background.

The Office of the Commissioner General is aware of the unstable political-ethnic climate which prevails in Guinea. However, it believes that every asylum application should be assessed individually and that the need for international protection should be subject to a specific examination in view of concrete facts.

Women

Guinean society is marked by unequal social relationships between men and women. These are a result of persistent stereotypes and harmful practices with regard to women.

Forced marriage

The most common practice in Guinea is arranged marriage, which involves negotiations between families. Sometimes, a marriage is arranged against the wishes of one or both of the spouses and is imposed on them.

The Office of the Commissioner General is aware of the fact that forced marriage is a risk in Guinea. However, it conducts a personal and individual analysis of each situation presented for an application for international protection.

Genital mutilation

Female genital mutilation is forbidden by Guinean law, but its practice is still very much part of the social norm. It continues to be very prevalent.

The Office of the Commissioner General is aware of the fact that female genital mutilation is still very widespread in Guinea. It takes account of it, but examines all applications for protection in the light of the personal situation of the child and the sociocultural position of her mother/parents and, more widely, her family.

Homosexuals

Homosexuals in Guinea may encounter problems which are isolated acts of violence committed by people they may know or by the security forces.

The Office of the Commissioner General understands that the general situation of homosexuals is difficult in Guinea but underlines the fact that every asylum application is subject to an individual examination and requires specific attention.

3. SUBSIDIARY PROTECTION

The Office of the Commissioner General considers that the situation described in point 1 is not of a nature to indicate that, in Guinea, there is a serious threat to a civilian's life or person as a result of blind acts of violence during an armed internal or international conflict in the sense of article 48/4, § 2, c) of the Aliens Act of 15 December 1980. Therefore, the status of subsidiary protection may not be granted on this basis.

4. EXCLUSION

The CGRS will also investigate whether persons are linked to the security services or with political opponents and are covered under article 1F of the Refugee Convention.

If there are serious reasons for assuming that the applicant was directly involved in war crimes and crimes against humanity, or it is clear that they had a commanding role in this type of act, they will be excluded from the Refugee Convention and the status of subsidiary protection.