



RESPONSES TO INFORMATION REQUESTS (RIRs)

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30 August 2005

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Guinea: The Guinean act and/or certificate of birth, the issuing authority, when the act and/or certificate is issued, the information it contains, and the reasons for issuance; whether a seal is affixed on the act and/or certificate of birth; a copy of the Guinean act and/or certificate of birth (August 2005)
Research Directorate, Immigration and Refugee Board, Ottawa

The following information was obtained from a comparative study of civil legislation entitled *Législation comparée d'état civil*, published in December 2003 by the International Association of Francophone Mayors and City Officials (Association internationale des maires francophones, AIMF).

In Guinea, declarations of birth are made within 15 days of the birth or, if the child is born outside the municipality (*périmètre communal*) or abroad, within 30 days of the birth, in accordance with article 192 of the Guinean Civil Code (AIMF Dec. 2003, 18).

However, article 193 of the Guinean Civil Code states that

[translation]

when a birth is not declared within the legal time constraints, the civil registrar cannot record it in the registry unless so ordered by the competent authority in the place where the child was born. A notation to this effect is made in the margin of the birth registry. If the place of birth is unknown or cannot be determined, the competent authority is that of the applicant's residence (*ibid.*, 24).

Moreover, [translation] "declarations of birth are made before the civil registrar in the child's place of birth" (*ibid.*, 19), who can be a mayor, a head of the *arrondissement* (*commandant d'arrondissement*), or a regional governor (*ibid.*, 6).

Under the provisions of article 196 of the Civil Code, the Guinean birth certificate contains the following information:

- the date, time and place of birth;
- the child's sex;
- the child's given names;

- the given names, age, profession and address of the father and mother (ibid., 27).

However, the same study noted that [translation] "if the mother and/or father of a child born out of wedlock is/are not identified to the civil registrar, no such mention will be made on the child's birth record" (ibid.).

Information on the reasons for issuing an act and/or certificate of birth was limited among the sources consulted by the Research Directorate. However, to emphasize the importance of the birth certificate, organizers of the national birth registry campaign, launched in Guinea on 24 March 2005, called it [translation] "the key to all rights and a passport during one's lifetime" (*La Nouvelle Tribune* n.d.).

Moreover, Article 17 of law no. 91/06/CTRN establishing the creation of the National Communication Council (*Loi no 91/06/CTRN portant création du Conseil nationale de la communication*) in Guinea specifically notes that a birth certificate or, if the original is not available, a certified copy of a birth certificate (*jugement supplétif*), is among the documents required to apply for a professional journalist card (Guinea 23 Dec. 1991). Furthermore, a scholarship announcement for the Télékãrã Bible Institute (Institut biblique de Télékãrã, IBT), found on the Website of the Guinean newsletter *Le Scribe*, indicated that a birth certificate is one of the documents required of applicants (April-May-June 1999, 10). Similarly, an article appearing on the Website of the International Forum of the Francophone University Press (Carrefour international de la presse universitaire francophone, CIPUF) noted that the Embassy of France requires Guinean students to present a birth certificate, among other documents, in order to obtain a student visa for France (CIPUF 19 Aug. 2004). Article 31 of the Guinean notarial law stipulates that first-time internship applicants must produce a birth certificate (Guinea n.d.).

No copy of a Guinean birth certificate or information as to whether a seal is affixed to a Guinean birth certificate could be found among the sources consulted by the Research Directorate.

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of additional sources consulted in researching this Information Request.

References

Association internationale des maires francophones (AIMF). December 2003. Bruno Leuvre. *Législation comparée d'état civil*. <http://www.aimf.asso.fr/images/ville/110_1.pdf> [Accessed 24 Aug. 2005]

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Guinea. 23 December 1991. National Assembly. *Loi no 91/06/CTRN portant création du Conseil national de la communication*. <<http://www.assemblee->

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La Nouvelle Tribune. N.d. Tidiane Diallo. "UNICEF Guinée: Lancement de la campagne sur l'enregistrement des naissances." <<http://tribune.radio-kankan.com/584.0.html>> [Accessed 18 Aug. 2005]

Le Scribe. April-May-June 1999. "Bourses d'études." <<http://www.mirinet.net.gn/lescribe/numero%20011/page10.html>> [Accessed 24 Aug. 2005]

Additional Sources Consulted

The Embassy of the Republic of Guinea in Ottawa and the Canadian Embassy in Abidjan, Côte d'Ivoire, did not provide information within the time constraints of this Response.

Internet sites including: Government of Guinea, United Nations High Commissioner for Refugees (UNHCR), United States Department of State.

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