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Guinea: COI Compilation

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Origin & Asylum Research and Documentation

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This report serves the specific purpose of collating legally relevant information on conditions in countries of origin pertinent to the assessment of claims for asylum. It is not intended to be a general report on human rights conditions. The report is prepared within a specified time frame on the basis of publicly available documents as well as information provided by experts. All sources are cited and fully referenced.

This report is not, and does not purport to be, either exhaustive with regard to conditions in the country surveyed, or conclusive as to the merits of any particular claim to refugee status or asylum. Every effort has been made to compile information from reliable sources; users are recommended to directly refer to original materials used in this product and assess the credibility, relevance and timeliness of source material with reference to the specific research concerns arising from individual applications.

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List of abbreviations

ANAD	National Alliance for Change and Democracy (Alliance nationale pour l'alternance et la démocratie)
BSPPV	Special Brigade for the Protection of Vulnerable Persons (Brigade Spéciale de Protection des Personnes Vulnérables)
CNRD	National Committee of Reconciliation and Development (Comité national du rassemblement pour le développement)
CNT	National Transitional Council (Conseil National de la Transition)
CRIEF	Court to Repress Economic and Financial Crimes (Cour de répression des infractions économiques et financières)
ECOWAS	Economic Community of West African States
FGM/C	Female genital mutilation/cutting
FNDC	National Front for the Defense of the Constitution (Front national pour la défense de la Constitution)
GBV	Gender-based violence
GNF	Guinean Francs
HAC	High Authority of Communication (Haute Autorité de la communication)
LGBTQI+	Lesbian, Gay, Bi, Trans, Queer, Inter, +
MFWA	Media Foundation for West Africa
OPRPGEM	Office for the Protection of Gender, Childhood and Morals (Office de Protection des Genres, de l'Enfance et des Mœurs)
RPG	Rally of the Guinean People (Rassemblement du Peuple Guinéen)
RTG	Radiodiffusion Télévision Guinéenne (Radio Television Guinea)
UFDG	Union of Democratic Forces of Guinea (Union des forces démocratiques de Guinée)
UFR	Union of Republican Forces (Union des Forces Républicaines)

2 Background

Guinea is situated in western Africa and shares international borders with Cote d'Ivoire (816 km), Guinea-Bissau (421 km), Liberia (590 km), Mali (1062 km), Senegal (363 km), and Sierra Leone (794 km) (CIA, updated 12 December 2023). Conakry is the national capital and the country's main port (Encyclopaedia Britannica, updated 13 December 2023, Introduction & Quick Facts). The country's territory extends over a total of 245,857 square kilometres, including land and water (CIA, updated 12 December 2023).

Guinea is divided into four natural regions (La Guinée maritime or Basse-Guinée or Lower Guinea, La Moyenne-Guinée or Fouta Djallon, La Haute-Guinée or Upper Guinea, and La Guinée forestière or Forest Region), which are made up of eight administrative regions (Conakry, Boké, Kindia, Mamou, Faranah, Kankan, Labé, and Nzérékoré) (Logistic Cluster, 15 October 2022; see also Encyclopaedia Britannica, updated 13 December 2023, Introduction & Quick Facts).

According to the World Bank the country's population was 13.53 million in 2021 (The World Bank, updated 29 September 2023), Encyclopaedia Britannica and CIA provide 2023 population estimates ranging between 13,622,000 and 13,607,249 (Encyclopaedia Britannica, updated 13 December 2023, Introduction & Quick Facts; CIA, updated 12 December 2023). Reportedly, 85 percent of the population is Muslim (USDOS, 15 May 2023, section I; SGAR, undated). According to the May 2023 report on religious freedom the US Department of State's (USDOS) "8 percent are Christian, and 7 percent adhere to Indigenous religious or other beliefs" (USDOS, 15 May 2023, section I), while the Guinean Secrétariat Général des Affaires Religieuses (Secretariat General of Religious Affairs, SGAR) notes that 4.3 percent of the population are Christians, and the remaining non-Muslim population adheres to traditional practices (SGAR, undated). Regarding the ethnic composition of the country's inhabitants, as of 2018, the CIA World Factbook estimates that Fulani (Peuhl) constitute 33.4 percent, Malinke 29.4 percent, Susu 21.2 percent, Guerze 7.8 percent, Kissi 6.2 percent, and Toma 1.6 percent of the population (CIA, updated 12 December 2023). Encyclopaedia Britannica provides the following overview on major geographic regions and its linguistic groups:

"The four major geographic regions largely correspond to the areas inhabited by the major linguistic groups. In Lower Guinea the major language of the Susu has gradually replaced many of the other indigenous languages and is a lingua franca for most of the coastal population. In the Fouta Djallon [Moyenne Guinée] the major language is Pulaar (a dialect of Fula, the language of the Fulani), while in Upper Guinea the Malinke (Maninkakan) language is the most widespread. The Forest Region contains the linguistic areas, from east to west, of Kpelle (Guerzé), Loma (Toma), and Kisi." (Encyclopaedia Britannica, updated 13 December 2023, People)

Economically, in 2022 Guinea was the world's second largest bauxite producing country behind Australia (Cisse & Salomon, 14 September 2023). Despite possessing a substantial share of the world's bauxite reserves and notable quantities of iron, gold, and diamonds, the economy primarily relies on subsistence agriculture (Encyclopaedia Britannica, updated 13 December 2023, Land). In 2021, the agriculture sector provided "income for 57% of rural households, and employment for 52% of the labour force" (The World Bank, updated 29 September 2023).

The CIA World Factbook provides the following overview on political developments since 1958 - the time when Guinea achieved independence from France:

“Sekou TOURE became Guinea’s first post-independence president; he established a dictatorial regime and ruled until his death in 1984, after which General Lansana CONTE staged a coup and seized the government. He too established an authoritarian regime and manipulated presidential elections until his death in December 2008, when Captain Moussa Dadis CAMARA led a military coup, seized power, and suspended the constitution. In September 2009, presidential guards opened fire on an opposition rally, killing more than 150 people in Conakry, the capital. In early December 2009, CAMARA was wounded in an assassination attempt and exiled to Burkina Faso. In 2010 and 2013 respectively, the country held its first free and fair presidential and legislative elections. Alpha CONDE won the 2010 and 2015 presidential elections. CONDE's first cabinet was the first all-civilian government in Guinean history. In March 2020, Guinea passed a new constitution in a national referendum that changed presidential term limit rules. CONDE argued that, given this change, he was allowed to run for a third term, which he then won in October 2020.” (CIA, updated 12 December 2023)

The 2020 constitution (suspended following the military coup in September 2021, see [section 2.2](#)) provided for a president as the head of state and a prime minister as head of government appointed by the president. The Encyclopaedia Britannica entry further notes:

"Legislators are elected to the unicameral National Assembly by universal suffrage for an unlimited number of five-year terms. The judiciary consists of the Supreme Court, the Court of Audit, and lower courts and tribunals. There is also a Constitutional Court, which presides over constitutional and electoral issues, and a High Court of Justice, which tries the president and other members of government for high treason and other crimes." (Encyclopaedia Britannica, updated 13 December 2023, Government and society)

2.1 October 2020 elections

A disputed presidential election took place in Guinea on 18 October 2020, with participation from twelve contenders, including the incumbent President, Alpha Condé, the head of the opposition party Union of Democratic Forces of Guinea (Union des forces démocratiques de Guinée, UFDG), Cellou Dalein Diallo, as well as two female candidates (UN Security Council, 24 December 2020, p. 3). The election followed a controversial referendum in March 2020 amending the constitution and allowing Condé to run for a third term (USDOS, 30 March 2021, Executive Summary). Despite an unsuccessful legal challenge by the main rival, UFDG candidate Cellou Dalein Diallo, the Constitutional Court officially confirmed in November 2020 that President Condé had been re-elected with 59.5 percent of the vote, even though the results were contested (USDOS, 30 March 2021, section 3). In its Transformation Index (BTI) 2022 country report covering the period February 2019 to January 2021 the German non-profit think tank Bertelsmann Stiftung notes that “the electoral commissioners denounced massive fraud and called for the (partial) repetition of the election.” (Bertelsmann Stiftung, 23 February 2022, p. 9)

The day following election day, Cellou Dalein Diallo had declared himself winner, relying on an unofficial vote count. Following this announcement, clashes broke out in Conakry and several Guinean towns, leading to the death of at least 27 civilians (UN Security Council, 24 December 2020, p. 3). In mid-November 2020, Human Rights Watch (HRW) notes the following regarding the post presidential-election period in Guinea:

“Following the October 18, 2020 election, security forces used excessive force to disperse opposition-led demonstrations in the capital, Conakry. The main opposition candidate, Cellou Dalein Diallo, was held under de facto house arrest, without charge, from October 20 to October 28. One of Guinea’s main online news outlets was suspended from October 18 to November 2, and internet and telephone networks were severely disrupted or shut down between October 23 and 27, making it difficult for people to communicate, get information, or report on unfolding events. [...] Some protesters assaulted the police and gendarmes, throwing rocks and other objects. According to the government, the assault resulted in the death of six members of the security forces. One person died during intercommunal violence, while scores of people were injured during violence across the capital, including at least 29 with gunshot wounds or injuries from teargas allegedly caused by security forces.” (HRW, 19 November 2020)

In April 2021 Amnesty International (AI) provides the following account on violence by and against security forces after the election:

“In the days following the October presidential election at least 16 people were killed by security forces while protesting at the results. Defence and security forces also committed acts of violence against residents of neighbourhoods perceived as favouring the opposition in Conakry, the capital, killing at least one resident of Wanindara, on 1 December, without reason. According to the authorities, two policemen were killed in Conakry on 21 October and 30 November respectively, while three gendarmes and a soldier were killed in an attack on a train belonging to the mining company Rusal on 23 October, also in Conakry.” (AI, 7 April 2021)

The USDOS reports the following regarding casualty numbers:

“According to the Union of Democratic Forces of Guinea (UFDG) opposition political party, security forces killed 99 individuals from the October 18 presidential election through December. The government rejected this figure but did not provide its own estimate of security force killings during this period.” (USDOS, 30 March 2021, section 1a)

According to HRW, security forces arrested and detained more than 350 leaders and members of the civil society and opposition coalition National Front for the Defense of the Constitution (Front national pour la défense de la Constitution, FNDC) in the period surrounding the presidential election (HRW, 13 January 2022).

In June 2021, the UN Secretary-General mentions that political tensions persisted in the wake of the contested presidential election and further notes:

“The headquarters of the main opposition party, Union des forces démocratiques de Guinée, remained closed on the orders of the Government, while political actors raised allegations of acts of intimidation, arbitrary arrests and travel restrictions. Despite

continuing calls by opposition and civil society groups for dialogue, the permanent framework for political and social dialogue, established by presidential decree on 27 January¹, has yet to become operational.” (UN Security Council, 28 June 2021, p. 3)

According to an article written by Jeffrey Smith, the founding director of the pro-democracy nonprofit organization Vanguard Africa, and Jonathan Moakes, a director at SABI Strategy Group, an international strategic communications firm, the October 2020 election “was plainly neither free nor fair”. The article published by Foreign Policy (FP) further describes:

“Yet, under the dubious guise of ensuring ‘stability’ - and despite the opposition presenting credible evidence of fraud and electoral malfeasance - the regional and international communities turned a collective blind eye, permitting Condé to run roughshod over Guinea’s nascent democracy and violently retain power. Both the African Union and Economic Community of West African States (ECOWAS) - a regional union that includes Guinea and 14 other West African countries - declared the election was free and fair, while the protests and valid grievances of the Guinean people registered barely a mention in the international press. The world casually went on with its business, secure in the apparent long-term stability, and continued access to the country’s vast mineral reserves, that a third Condé term would deliver.” (Smith & Moakes, 14 September 2021)

2.2 September 2021 coup and its aftermath

2.2.1 *Establishment of the National Council for Reunification and Development*

On 5 September 2021, a coup d'état resulted in the overthrow of President Alpha Condé and his government (UN Security Council, 15 December 2021, p. 3). Spontaneous street celebrations, occasionally drawing hundreds, erupted shortly after Condé's removal, primarily but not exclusively in main opposition party strongholds - the suburbs of Conakry and Labé. According to the International Crisis Group, the absence of reported protests against the coup suggested that few regretted Condé's ouster (International Crisis Group, 9 September 2021). The coup was led by Colonel Mamady (sometimes spelled Mamadi) Doumbouya, the Guinean special forces head. Formerly, Doumbouya was a member of the French Foreign Legion (NYT, updated 10 September 2021). Like Condé, he is from the ethnic Malinké community and originates from the eastern Kankan region. He was “among 25 Guinean officials the EU has been threatening to sanction for alleged human rights abuses committed in recent years under President Condé” (BBC News, 1 October 2021).

On 27 September 2021, the coup leaders introduced a transitional charter superseding the 2020 constitution “until a new constitution is promulgated” (ITA, updated 14 December 2022). An Encyclopaedia Britannica article provides the following details:

“[The transitional charter] outlined how the country would be administered until civilian rule was restored. It provided for a president as the head of state, a prime minister as the

¹ The decree established a platform for a dialogue between institutional, political and social actors in the tense political climate following the 2020 election. The platform reportedly was chaired by the Prime Minister and included representatives of the opposition, civil society and the government (RFI, 29 January 2021).

head of government, and an 81-member National Transitional Council (Conseil National de la Transition; CNT) that would serve as a legislative body.” (Encyclopaedia Britannica, updated 13 December 2023, Government and society)

The charter also established the National Committee of Reconciliation and Development (Comité national du rassemblement² pour le développement, CNRD) as a transitional governing body, which was headed by Doumbouya (Freedom House, 2023, section A1). Following the coup, the African Union and the Economic Community of West African States (ECOWAS) suspended Guinea's membership, however, the CNRD seemed to garner support from various national stakeholders. ECOWAS “set a six-month deadline for the transition and imposed sanctions on the members of CNRD and their families” (UN Security Council, 15 December 2021, p. 3). The International Crisis Group notes the following regarding measures announced by the newly established CNRD in September 2021:

“In his statement [...] Colonel Mamady Doumbouya ticked all the boxes by calling for national unity, an end to corruption, reconciliation, good governance and respect for the rule of law. He also announced a series of initial measures to strengthen his grip on power and to reassure the international community and the Guinean population. On the day after the coup, local military commanders replaced regional governors. Government ministries’ general secretaries substituted themselves for ministers, who also had to surrender their passports and official cars on CNRD orders. Political adversaries detained for protesting Condé’s third term in office are starting to be released. After temporary closure, air borders reopened on 5 September, and the new authorities have dismantled some of the notoriously intimidating checkpoints that had been set up in Conakry after the electoral crisis. Doumbouya has also stated that mining permits – Guinea is heavily dependent on revenues from mineral extraction – are not at risk.” (International Crisis Group, 9 September 2021)

Colonel Mamady Doumbouya was sworn in as the transitional President on 1 October 2021, and on 6 October, Mohamed Beavogui³ was designated as the Prime Minister (UN Security Council, 15 December 2021, p. 3). The CNRD “oversees the entire government, and civilian appointees lead most government ministries” (USDOS, 20 March 2023, Executive Summary).

2.2.2 Replacement of parliament with National Transitional Council

In September 2021, the military government dissolved the parliament and on 22 January 2022 replaced it with an unelected 81-member National Transitional Council (Conseil national de la transition, CNT) (USDOS, 20 March 2023, Executive Summary). Freedom House provides the following details regarding the interim legislative body:

“The junta’s transitional charter specifies the establishment of the 81-member National Transitional Council (CNT), which is responsible for drafting a new constitution. Members

² The NYT notes that “rassemblement” may be translated in a number of ways, including “gathering,” “rallying,” and “reconciliation” (NYT, updated 10 September 2021).

³ In August 2022, Bernard Goumou followed Beavogui as Prime Minister (Freedom House, 2023, section A1).

of the Condé administration were barred from participating in the CNT. President Doumbouya appointed CNT members from political parties, the security forces, the trade union movement, the business sector, and civil society. The CNT is led by Dansa Kourouma, a relative of Doumbouya, a long-term civil society functionary, and former supporter of President Condé. The major opposition parties have no representation in the CNT, as they boycotted the 2020 legislative elections. Numerous civil society organizations and political parties have refused to participate in the CNT.” (Freedom House, 2023, section A2)

A query response published in August 2022 by the COI unit of the Office of the Commissioner General for Refugees and Stateless Persons (CGRS-CEDOCA) of Belgium summarizes media articles on the establishment process of the CNT. Only 15 seats were allocated to political parties. The criteria for appointing representatives were unclear and gave rise to much discussion (CGRS-CEDOCA, 25 August 2022). A December 2021 article by the Africa Report notes the following:

“[...] the country’s 181 official parties failed to reach a consensus on the selection criteria. They, therefore, submitted two separate lists, forcing the minister to arbitrate himself. [...] Guinea’s former finance minister Ousmane Doré managed part of the discussions. He proposed dividing all the members into seven coalitions according to their representativeness and electoral weight. The country’s two main political coalitions – the RPG Arc-en-Ciel, the former presidential coalition, and the Alliance Nationale pour l’Alternance Démocratique (ANAD), which comprises some 20 parties, including Cellou Dalein Diallo’s Union des Forces Démocratiques de Guinée (UFDG) – will each get four seats. [...] The remaining seven seats were divided among five other coalitions, including two for the Front National pour la Défense de la Constitution (FNDC) and its allies, including former prime ministers Sidya Touré and Lansana Kouyaté [a former prime minister of Guinea]. Despite the allocation, some groups disagreed and decided to submit an alternative list with 15 new names.” (The Africa Report, 9 December 2021)

On 23 January 2022, Mamady Doumbouya announced the members list of the CNT, including 15 members⁴ from political parties. (Conakryinfos, 23 January 2022). The first meeting of the CNT was held on 5 February 2022 (AFP, 5 February 2022; RFI, 6 February 2022).

2.2.3 Transition timeline for return to civilian rule

According to the Institute for Security Studies (ISS), “just two weeks after the coup, on 16 September 2021, ECOWAS had proposed a six-month transition timetable – a deadline that most Guineans deemed unrealistic” (ISS, 16 March 2023). On 11 May 2022, the CNT adopted a proposal put forward by the CNRD and established the duration for the transition at 36 months. Initially, a transition period of 39 months had been proposed (see also Reuters, 12 May 2022). According to the UN Secretary-General, “key political parties and civil society coalitions rejected the decision and demanded the convening of a political dialogue process on the transition” (UN Security Council, 29 June 2022, p. 3).

⁴ Please see the following link for the names of all 81 members, including the 15 representatives of the political parties: <https://conakryinfos.com/transition-en-guinee-voici-la-liste-complete-des-81-membres-du-cnt/>

France24 provides the following details on the May 2022 plenary meeting:

“The timetable presented by the National Rallying Committee for Development (CNRD), set up by the junta and headed by Doumbouya, was ‘debated, approved and adopted’ by the National Transition Council (CNT) legislative body. [...] Out of the 81 CNT members, 73 voted for the text on Wednesday. One CNT member was absent, three abstained and four left the chamber in protest. The RPG party of Guinea's ousted leader Conde met Wednesday with opposition groups and said the CNT did not have the authority to set the transition timetable. The transition charter ‘provides that the duration of the transition is determined by mutual agreement between the CNRD and the country's active players. The CNT is in no way mentioned as the body to validate this agreement,’ the coalition of parties said in a statement issued before the announcement of the 36-month period.” (France 24, 12 May 2022)

On 21 October 2022, the de facto authorities and ECOWAS “agreed to a 24-month transition timeline to include local, legislative, and presidential elections, following stakeholder consultations” (USDOS, 20 March 2023, Executive Summary). The transition timeline started on 1 January 2023 (Guinee en marche, 10 February 2023).

According to a March 2023 article by ISS, “the transition process covers 10 elements⁵ that authorities consider necessary for in-depth sociopolitical state reform.” The article further describes:

“These include conducting two types of population census, preparing the electoral registrar, adopting a new constitution, establishing an election management body, and organising elections (referendum, local, legislative and presidential). However some political actors argue that the transition should focus only on actions necessary for a return to constitutional order. They fear some elements of the agenda could prolong the transitional period. To reassure sceptics, transitional President Colonel Mamady Doumbouya has pledged to respect the timetable. On 9 February [2023], he issued a presidential decree establishing a monitoring and evaluation committee under the authority of Prime Minister Bernard Gomou. But the committee seems to have been set up unilaterally without consulting ECOWAS – contrary to the spirit of the October 2022 agreement. ECOWAS’ representative on the committee is treated as a mere observer, like other international actors present in Conakry, rather than a member. Yet having ECOWAS represented as a fully-fledged committee member – if not a co-convenor – would not only respect the October 2022 agreement, but build trust with Guinea’s political actors.” (ISS, 16 March 2023)

According to an October 2023 article by ISS, “the draft constitution was scheduled for adoption by the National Transitional Council by the end of June [2023], but that deadline was missed. One reason for the delay may relate to funding” (ISS, 12 October 2023). Regarding further developments in the first half of 2023, the UN Secretary-General notes the following:

⁵ See also Présidence de la Guinée, 21 October 2022

“In Guinea, on 28 April, the Minister of Territorial Administration and Decentralization, Mory Condé, called for the support of the international community to mobilize approximately 6 trillion Guinean francs (\$600 million) for the implementation of the transition plan. Following persistent calls for an inclusive national dialogue, religious leaders attempted to facilitate dialogue between the transitional authorities and Forces vives de Guinée,⁶ a group of political parties and civil society organizations. The talks initially led to a suspension of demonstrations in March; these resumed on 10 May as Forces vives de Guinée expressed its dissatisfaction with the process. The transitional President, Mamadi Doumbouya, dissolved two battalions and carried out a minor reorganization of the Government.” (UN Security Council, 30 June 2023, p. 3)

On 5 September 2023, the second anniversary of the rule by the de facto authorities was marked by clashes between security forces and protesters from the Forces Vives de Guinée, who opposed the conduct of the transition (The World Bank, updated 29 September 2023).

⁶ The Living Forces of Guinea (Forces Vives de Guinée) are made up of National Alliance for Change and Democracy (Alliance nationale pour l'alternance et la démocratie, ANAD), the Rally for the Guinean People (Rassemblement du peuple de Guinée Arc-en-Ciel, RPG), the Forum of Social Forces of Guinea (Forum des forces sociales de Guinée, FFSG), the National Front for the Defence of the Constitution (Front National de défense de la Constitution, FNDC), the Union of Republican Forces (Union des Forces Républicaines, UFR) and the Union of Democratic Forces of Guinea (Union des forces démocratiques de Guinée, UFDG) (TV5 Monde, 16 May 2023).

3 Governance and judicial independence

3.1 Corruption

Guinea is ranked 147th out of 180 countries, according to the 2022 Corruption Perceptions Index published by Transparency International (Transparency International, undated).

According to the USDOS, Guinean law provides for punitive measures for misconduct committed by government representatives (USDOS, 20 March 2023, section 4). However, according to Freedom House, the National Anti-Corruption Agency is underfunded and understaffed and the instability that accompanied the 2021 coup further undermined the agency (Freedom House, 2023, section C2). In December 2021, the CNRD established the Court to Repress Economic and Financial Crimes (Cour de répression des infractions économiques et financières, CRIEF) to manage instances related to embezzlement, corruption, and misuse of public funds of more than one billion Guinean francs (about USD 115,000) (USDOS, 20 March 2023, section 4; see also RFI, 4 December 2021).

Regarding the first measures taken after establishing the CRIEF, a February 2022 article by Jeune Afrique notes that Alphonse Charles Wright⁷, the new public prosecutor at the Conakry Court of Appeal, officially took up his duties in January 2022 and immediately handed over several cases to CRIEF. The individuals targeted include politicians from both the former government and the opposition (Jeune Afrique, 13 March 2022).

In July 2022, Radio France Internationale (RFI) notes that the CRIEF is prosecuting several executives of the Guinean administrations of the last 20 years. According to the article, many observers described the measures as a settling of scores or an attempt to eliminate potential candidates for the country's supreme office (RFI, 20 July 2022).

In November 2022, the justice minister, “ordered legal proceedings against former President Alpha Conde and more than 180 officials from his deposed regime for alleged corruption and embezzlement of public funds, according to a public document.” Reuters further notes:

“In a letter to two attorney generals on Thursday, Justice Minister Charles Wright requested that legal proceedings be initiated against Conde and around 180 former officials for ‘corruption, embezzlement of public funds, illicit enrichment, money laundering, forgery and complicity.’ [...] Some officials on the list, including the former prime minister and former president of the national assembly, have already been detained by the junta for months on similar accusations. Several people on the list are dead, and some names are listed twice.” (Reuters, 4 November 2022)

Africanews also notes that the former Prime Minister and some forty former ministers were among the listed persons. A number of presidential advisors under the Condé administration were also named. Their accounts were reportedly frozen. According to the article, prosecutions were initiated regarding “alleged acts of corruption, illicit enrichment, money laundering, forgery and use of forgeries in public writing, embezzlement of public funds and complicity” (Africanews, 3 November 2022).

⁷ On 8 July 2022, Alphonse Charles Wright was appointed Minister of Justice by Mamady Doumbouya (Guineematin, 8 July 2022).

Also in November 2022, Mamady Doumbouya sacked Yaya Sow, the Minister of Infrastructure and Transport, who had been under investigation since 7 November 2022 over an alleged corruption attempt in his department. Seven other officials from the department were fired over alleged corruption attempts (The North Africa Post, 18 November 2022; Jeune Afrique, 17 November 2022).

In its human rights report covering 2022, the USDOS mentions that “reportedly, other civil servants suspected of corruption have fled the country, some of whom have had international arrest warrants issued against them” and further notes:

“The new judicial officer of the state announced on July 25 the seizure of \$4.6 million and 26 billion Guinean francs (\$3 million) from persons prosecuted for embezzlement of public funds by the CRIEF in less than a year. The president of the transition dismissed some directors of state agencies, mayors, and 28 communal councils, and legal proceedings have been initiated against them for embezzlement and misappropriation of funds.” (USDOS, 20 March 2023, section 4)

Freedom House notes the following:

“At the close of 2022, it was still difficult to judge the court’s effectiveness or ascertain the true motives behind its formation. It has summoned the former prime minister and several former ministers of the Conde era, and placed them under arrest for embezzlement, but has refused to examine corrupt activities within the armed forces and the mining sector.” (Freedom House, 2023, section C2)

In its 2023 Investment Climate Statements the USDOS mentions that as of April 2023, CRIEF had “brought evidence before the court for corruption cases against businesses tied to and officials that served in former President Conde’s government as well as several officials in the current government” (USDOS, 26 July 2023, section 9). An October 2023 article by The North Africa Post notes the following:

“As many as 34 people dealing with funds in several State entities, including the office of the President, have been banned from leaving the country amid an ongoing investigation into alleged funds embezzlement. Aly Touré, the Prosecutor of the Court for the Repression of Economic and Financial Offenses (CRIEF) has targeted the people in question working across several entities, including the office of transitional President Colonel Mamady Doumbouya, the office of Prime Minister, and several ministries.” (The North Africa Post, 23 October 2023)

In its June 2023 trafficking in persons report, the USDOS notes that “corruption and official complicity in trafficking crimes remained significant concerns, inhibiting law enforcement action” (USDOS, 15 June 2023). In a report on justice for victims of sexual violence, published by Amnesty International (AI) in September 2022, the organisation mentions cases of corruption within the judicial police (AI, 27 September 2022, p. 52) and further notes that it “gathered testimonies reporting corrupt practices on the part of members of the police or gendarmerie, who demand money to register a complaint or conduct an investigation” (AI, 27 September 2022, p. 53). An article by Mohamed Cisse and Matthieu Salomon for the Natural

Resource Governance Institute (NRGI), a nonprofit organization dedicated to improving countries' governance over their natural resources, notes that the administration of the Guinean bauxite mining sector faces numerous challenges, one of the most important being permeates the entire value chain of the mining industry (Cisse & Salomon, 14 September 2023).

3.2 Independence of the judiciary

The USDOS notes that “the law provides for an independent judiciary and the Transition Charter also stated the CNRD’s commitment to an independent judiciary” (USDOS, 20 March 2023, section 1e), however, according to Freedom House, the judicial system remains “subject to political influence and corruption” (Freedom House, 2023, section F1). In its country report covering the year 2022 the USDOS mentions the following:

“Informed observers noted political and social status often influenced decisions. Outdated and restrictive laws, a shortage of qualified lawyers and magistrates, nepotism, and ethnic bias limited the judiciary’s effectiveness. Domestic court orders were often not enforced. [...]

The Transition Charter, previous constitution, and law provide for the right to a fair and public trial, and an independent judiciary, although burdened by corruption and limited effectiveness, generally strived to enforce this right. The government did not consistently observe the right to presumption of innocence, the right of the accused to counsel (but only for major crimes), and the right to appeal a judicial decision. Although the government was responsible for funding legal defense costs in serious criminal cases, it rarely disbursed funds for this purpose. The attorney for the defense frequently received no payment. Authorities allowed detainees’ attorneys access to their clients, but often on condition that prison guards or gendarmes be present. The law provides that defendants have the right not to be compelled to testify or confess guilt, but abuse or other harsh treatment and conditions in detention centers undermined this protection. [...]

The law provides for a judicial procedure in civil matters, including lawsuits seeking damages for human rights abuses. Individuals filed few lawsuits seeking damages for human rights abuses, in part due to fear of suing security force members and lack of confidence in the competence and impartiality of the judiciary. Some cases were appealed to the Economic Community of West African States (ECOWAS) Court of Justice.” (USDOS, 20 March 2023, Section 1e)

Freedom House notes that the judicial system is generally understaffed and lacks transparency and also mentions that “there has been no substantial reform of the judiciary since the 2021 coup” (Freedom House, 2023, section F1). The organisation further notes that due process is “upheld unevenly in the state justice system, and many disputes are settled informally through traditional justice systems” (Freedom House, 2023, section F2).

According to a June 2023 article by Ouestafnews, Guinean justice suffers from a profound lack of credibility and is suspected of taking orders from politicians. After the military coup of September 2021, Mamady Doumbouya met with a delegation of magistrates. They claimed that the executive was continuously interfering in judicial affairs and demanded a guarantee of the independence of the judiciary. The Ouestafnews article also cites a lawyer and researcher

at the University of Sonfonia in Conakry, according to whom Guinea is in the process of building its justice system. He argues that a lack of independence is the main problem of the judiciary, which is under the influence of the executive and financial powers. Moreover, judges are faced with societal and family pressures. Oustafnews further cites the president of the Guinean Organization for the Defense of Human and Citizen Rights (Organisation guinéenne de défense des droits de l'homme et du citoyen, OGDH). According to him, the military authority is violating its own charter by banning demonstrations, while citizens continue to be detained without trial (Oustafnews, 15 June 2023). The article further mentions that bribing magistrates in exchange for judicial favours is a reality known to many Guineans. In June 2020, an Afrobarometer survey (a periodic study on economic, political and social issues in Africa) revealed that 56 percent of Guineans considered magistrates to be corrupt (Oustafnews, 15 June 2023). In April 2023, Afrobarometer published a summary of the results of another survey⁸. 46.3 percent of the respondents thought that some of the judges and magistrates were corrupt, 24 percent thought that most of them were corrupt, and 19.3 percent said that they thought all of the judges and magistrates were corrupt (Afrobarometer, 12 April 2023, p. 47). Regarding rule of law, respondents also were asked the following question: "How often do you think people in this country are treated unequally before the law?". 15.7 percent said "never", 10.8 percent "rarely", 34.6 percent "often", and 37.7 percent answered with "always" (Afrobarometer, 12 April 2023, p. 38).

Please also see [section 3.1](#) for further relevant information on independence of the judiciary regarding the handling of corruption cases.

3.3 The 2009 stadium massacre trial

After the coup in September 2021, Pramila Patten, UN Special Representative on Sexual Violence in Conflict, "called for accountability for the 28 September 2009 incident to be at the heart of the country's political transition." On 28 September 2009, security forces had fired upon a large gathering of opposition rally attendees at a stadium in the capital, Conakry. The incident resulted in the deaths or disappearances of at least 156 individuals. At least 109 women and girls were subjected to sexual violence (UN News, 28 September 2021; see also UN News, 28 September 2022).

The pre-trial investigation phase opened on 8 February 2010 and lasted until 2017, with "very slow and uneven" progress. According to HRW, "once the investigation was completed, the Guinean judiciary failed to move to trial for five years." Victim associations expressed dissatisfaction with the apparent lack of political determination from President Alpha Condé's government to ensure the progression of the trial. Rights organizations voiced concerns "that questions over the setup of the trial had become a pretext to avoid starting it." 13 years after the "massacre", the trial finally began on 28 September 2022 (HRW, 25 September 2023). Eleven men (see also HRW, 25 September 2023) were accused, including former military ruler Moussa Dadis Camara. The charges include "murder, attempted murder, rape, torture and theft" (Reuters, 29 September 2022). The first phase of the trial was the hearing of the accused,

⁸ The Afrobarometer team in Guinea, led by Stat View International, interviewed a representative, random and stratified sample of 1,200 Guinean adults between 1 and 16 August 2022 (Afrobarometer, 12 April 2023, p. 2).

lasting until February 2023. During the second phase of the trial “the judges began hearing from victims who are civil parties in the case.” In May and June 2023, the trial was interrupted due to a boycott by defense counsel and by a prison guard strike. After “the Justice Ministry agreed to try to make some financial assistance available to the lawyers”, the trial resumed in July 2023 (HRW, 25 September 2023). On 4 November 2023, an attack was launched at the Conakry prison, freeing Moussa Dadis Camara, and three fellow prisoners. According to the general prosecutor's office, at least nine people were killed. Camara and two others were recaptured the same day. It was not clear whether they had escaped or had been taken against their will. The Attorney General indicated that he was launching proceedings against Moussa Dadis Camara and his three fellow detainees, including for assassination of members of the security forces (France 24, 6 November 2023). After the hearing of the victims, the hearing of the witnesses began on 13 November 2023 (Justice Info, 21 November 2023).

Justice Info notes the following regarding the duration of the trial:

“When the trial reopened [after judicial holidays in August and September 2023] on October 3, victims were again called to the stand, raising fears that the trial, which the Guinean authorities had initially planned to last only a few months, would be prolonged excessively. And on September 28, when the trial marked its first anniversary, it was very difficult to foresee the end of the proceedings.” (Justice Info, 30 October 2023)

According to a political scientist cited by Justice Info in October 2023, it is possible that the extension of the trial could conceal a political interest. According to him, “it may be a way of occupying the transitional period for a while”, however, “on the whole, the trial is proceeding according to plan”. The article also cites one of the civil parties' lawyers:

“‘I don't have any evidence of possible political interference,’ he says. Instead, he points to the consequences of this trial's exceptional nature. ‘In Guinea, this is the first time that mass crimes are being tried, crimes that fall within the jurisdiction of the International Criminal Court. The trial is proceeding normally, but not everything is perfect.’ It is true that the direction of the debates sometimes lacks coherence and that the hearings get lost in peripheral details, with the numerous lawyers often asking the same questions.” (Justice Info, 30 October 2023)

A spokesman of Guinea's Ministry of Justice said that “the Guinean justice system is sending out a very strong image on the international stage, because it has to be said that the independence of the judiciary is being affirmed in deeds and actions” (Justice Info, 30 October 2023). In September 2023, Agence France-Presse (AFP) reports that “representatives of the United Nations, West African bloc ECOWAS, the European Union, the United States and the United Kingdom welcomed ‘the progress made in the quest for justice for the victims’” (AFP, 28 September 2023).

4 Human rights violations committed by state actors

4.1 Unlawful or arbitrary killings

In its report covering the year 2022, the USDOS notes that “there were numerous reports that the government or its agents committed arbitrary or unlawful killings” (USDOS, 20 March 2023, section 1a).

In June 2022, a 19-year-old man was shot and killed at a demonstration in Conakry. A member of the Guinean security forces was charged with alleged murder and placed under arrest (TV5 Monde, 14 June 2022). In addition, four officers of the Anti-Crime Brigade Number 1 “were charged with criminal abstention and placed under judicial supervision” (USDOS, 20 March 2023, section 1a; see also *Guineematin.com*, 13 June 2022; AI, 27 March 2023). However, as of December 2022 the trial in the case had not started (USDOS, 20 March 2023, section 1a).

The USDOS reports the following on killings by security forces in July and August 2022 (see also *Jeune Afrique*, 18 August 2022) in connection with protests organised by the National Front for the Defense of the Constitution (Front national pour la défense de la Constitution, FNDC):

“Following three days of skirmishes between protesters and security forces in some neighborhoods in Conakry, the FNDC reported security force agents killed five persons and injured several persons. The Ministry of Security and Civil Protection reported 12 police officers were injured and 85 demonstrators were arrested on July 28. Security forces allegedly shot and killed Ibrahima Balde, age 19, and Oumar Barry, age 17, on August 17 during another FNDC-organized protest.” (USDOS, 20 March 2023, section 1a)

On 17 September 2022, a 28-year-old man was shot and killed during an anti-drug operation in the Conakry neighbourhood of Kipé (*Guineenews*, 18 September 2022; *Guineematin.com*, 19 September 2022; see also USDOS, 20 March 2023, section 1a; *Guinee360*, 17 September 2022). After the incident the Minister of Justice, Alphonse Charles Wright, visited the mother of the killed man and reportedly ordered legal proceedings against ten police officers who carried out the raid in Kipé (*Guineematin.com*, 19 September 2022; see also AI, 27 March 2023). According to the USDOS, legal proceedings were also initiated against the Deputy Head of Operations of the Central Anti-Drug Office (USDOS, 20 March 2023, section 1a).

AI notes that from July to October 2022, 13 people were reportedly “shot dead by alleged members of the defence and security forces during protests to call for the return to constitutional order”. AI further reports on an incident in Kondiaran, Kankan region, where “two people were shot dead during violent protests against a mining company accused of not doing enough to improve local living conditions.” As of December 2022, there was no new information available regarding the status of investigations into the incident, which had been announced by the Ministry of Justice (AI, 27 March 2023).

In February 2023, reportedly, at least two people died in clashes between supporters of the FNDC, a member of the *Forces Vives de Guinée*, and security forces outside Conakry (*Africanews*, 18 February 2023). A March 2023 article by the news agency *Agence France-Presse* (AFP) notes that the FNDC claimed that 17 persons were killed by the authorities’ “bloody repression” (“répression sanglante”) since July 2022 (AFP, 17 March 2023).

The FNDC claimed that a 15-year old boy was shot on 14 March 2023 in clashes on the outskirts of Conakry (AFP, 17 March 2023). Residents blamed soldiers from the Autonomous Battalion of Airborne Troops (*Bataillon autonome des troupes aéroportées*, BATA) for the killing

(Guineematin.com, 15 March 2023). On 19 March 2023, another person was shot in the Hamdallaye 2 neighbourhood, in Conakry, the FNDC said (Guinee360, 20 March 2023).

In May 2023, the opposition Forces Vives de Guinée said seven people were killed and 32 wounded by bullets at a demonstration in Conakry (Le Temps, 11 May 2023). The police rejected the figure as false (La Presse, 11 May 2023). Regarding the demonstration AI reports, the organisation received confirmation from various sources of the shooting deaths of at least two young men and the wounding of several others, some of whom were hit by vehicles. AI called on the authorities to immediately cease the use of firearms and excessive force during demonstrations (AI, 12 May 2023).

According to the Forces Vives de Guinée, on 5 September 2023 clashes between police and protesters resulted in the killing of four persons by security forces (Conakryinfos, 6 September 2023). Also in September 2023, the Forces Vives de Guinée released a list with the names of 30 persons, who were allegedly killed during various demonstrations since the CNRD came to power in Guinea on 5 September 2021. The list includes the names of the four persons killed in the incident on 5 September 2023 mentioned above (Guinee360, 6 September 2023).

4.2 Torture or cruel, inhuman, or degrading treatment or punishment

At an international meeting of justice ministers in Rome, Alphonse Charles Wright mentioned that the Transitional Charter provides for the state's obligation to combat all inhuman, cruel and degrading treatment (Mosaïque Guinée, 1 March 2023; see also Transitional Charter, 27 September 2021, Article 11). According to the USDOS, torture and other cruel, inhuman, or degrading punishment is prohibited by constitution and law, however, “human rights observers reported that government officials continued to employ such practices” (USDOS, 20 March 2023, section 1c). Freedom House also notes that “security forces have engaged in torture and other forms of physical violence with apparent impunity” (Freedom House, 2023, section F3). The USDOS further describes:

“Abuse of inmates in government detention centers continued. Security officials designated as ‘judicial police officers’ abused detainees to coerce confessions. Human rights activists noted the most egregious abuses occurred during arrests or at detention centers. Human rights associations stated that complainants often presented evidence of abuse and wardens did not investigate these complaints. These nongovernmental organizations (NGOs) also alleged that guards abused detainees, including children, and coerced some women into exchanging sex for better treatment. Impunity was a significant problem in the security forces, particularly in the gendarmes, police, and military forces. Factors contributing to impunity included corruption, lack of training and capacity, politicization of forces, and a lack of transparency in investigations. Offices tasked with investigating abuses included civil and military courts and government inspectors general within the Ministry of Security and Civilian Protection.” (USDOS, 20 March 2023, section 1c)

In August 2022 Mosaïque Guinée reports on statements made by Hamidou Barry of the Guinean Coalition for the International Criminal Court (Coalition Guinéenne pour la Cour Pénale

Internationale, CGCPI).⁹ Barry noted serious human rights violations by some law enforcement officers through the excessive use of force and also mentioned the use of torture and extortion by some members of the security forces in certain police stations and mobile units. He said that the CGCPI had been contacted by victims of abuses committed by the security forces against citizens arrested during demonstrations. The abuses included the use of whips, batons and electronic wires to beat people, as well as crude insults accompanied by ethnic slurs (Mosaïque Guinée, 24 August 2022). According to an article by lawyer Sadou Diallo, also published by Mosaïque Guinée, in recent years, arrests by law enforcement officers had been marked by brutality towards defendants, subjecting them to beatings, slaps, and confinement (Mosaïque Guinée, 26 January 2023).

4.3 Arbitrary arrest or detention

According to the USDOS, arbitrary arrest and detention is prohibited by the Transitional Charter (see also Transitional Charter, 27 September 2021, Article 12), the previous constitution, and law, however, “the government did not always observe these prohibitions” (USDOS, 20 March 2023, section 1d). Freedom House notes that security forces carried out arbitrary arrests and detentions in 2022 (Freedom House, 2023, section F2).

The law grants individuals the right to challenge the lawfulness of their arrest or detention. However, only a small number of detainees chose this option, due to concerns about the financial burden, lengthy legal processes, and fear of potential repercussions. Regarding arrest procedures and treatment of detainees the USDOS notes the following:

“Although the law requires arrest warrants, police did not always follow this protocol. The law also provides that detainees be charged within 48 hours, renewable once if authorized by a judge. In cases involving national security, the law allows the original length of detention to be increased to 96 hours, renewable once. Many detainees were held for much longer periods before being charged. The law precludes the arrest of persons in their homes between 9 p.m. and 6 a.m., but arrests between those times occurred. After being charged, the accused may be held until the conclusion of the case, including a period of appeal. Authorities routinely ignored the legal provision entitling defendants to an attorney and did not provide indigent defendants with an attorney at government expense. Release on bail is at the discretion of the magistrate under whose jurisdiction the case falls. The law allows detainees prompt access to family members, but access was sometimes denied or restricted until families paid bribes to the guards at detention facilities.” (USDOS, 20 March 2023, section 1d)

The USDOS mentions that “lengthy pretrial detention was prevalent”, with reasons reportedly including lack of sufficient magistrates (USDOS, 20 March 2023, section 1d; see also Ouestafnews, 15 June 2023). A June 2022 article by RFI cites Adrien Tossa, the Director of Programmes at the NGO Equal rights for all (Les mêmes droits pour tous, MDT) (see also MDT, undated). According to Tossa, in February 2022, more than 70 percent of detainees in Conakry's

⁹ The Coalition for the International Criminal Court (Coalition pour la Cour pénale internationale) is an international network of civil society organizations in 150 different countries worldwide advocating for a fair, effective and independent International Criminal Court (ICC). (CICC, undated; see also CGCPI, undated)

central prison were being held in pre-trial detention. Guinean judges systematically resorted to preventive detention, Tossa claimed (RFI, 12 June 2022). The USDOS report further notes on pretrial detention:

“Information was not available regarding the average length of detentions or whether detentions exceeded the maximum possible sentence. The law states that when the prosecutor has issued an arrest warrant against an individual or an individual was questioned by an investigating judge, the individual may remain in detention for a maximum of 24 months under circumstances related to national security.” (USDOS, 20 March 2023, section 1d)

Regarding the situation of political prisoners, the USDOS report also provides the following information:

“At year’s end [2022], the government had charged all known political prisoners and detainees, although pretrial detentions were long. The government permitted access to such persons on a regular basis by the International Committee of the Red Cross and other human rights or humanitarian organizations. Lawyers for detainees reported that authorities made many of the arrests during house-to-house searches at night in neighborhoods considered opposition strongholds. Authorities also reportedly used excessive force in the arrests.” (USDOS, 20 March 2023, section 1e)

Please see [section 6](#) for information on arbitrary arrests targeting members of the political opposition and civil society organisations.

4.4 Harsh and life-threatening prison conditions

Regarding the situation in prisons and other detention facilities the USDOS human rights report covering 2022 notes the following:

“Conditions in civilian prisons, which are under the supervision of the Ministry of Justice, remained harsh and life threatening, with poor sanitation, malnutrition, disease, and lack of medical attention pervasive throughout the prison system. Conditions were allegedly worse in gendarme and police detention facilities designed for short-term detentions.

Abusive Physical Conditions: Overcrowding remained a problem. According to an activist for prisoners’ rights, as of September [2022], the Conakry Central Prison in Conakry held 1,802 prisoners in a facility designed for 300 (600 percent of total capacity); Nzerekore held 460 prisoners in a facility designed for 80 (575 percent of total capacity); and Kankan held 306 in a facility designed for 80 (382 percent of total capacity). Government-funded rehabilitation programs were underfunded and ineffective, leading some NGOs to try to fill the void. Authorities did not always hold juveniles in separate sections at prisons and detention facilities, where they slept on iron bunk beds with no mattresses, or on the floor because it was too hot on the upper bunks below the building’s metal roof. Prison officials did not separate pretrial detainees from convicted prisoners. [...]

Although the Ministry of Justice administered civilian prisons, prisoners allegedly controlled cell assignments and provided better conditions at some detention centers to

prisoners who were able to pay. Rumors persisted that guards ignored court orders to free prisoners until bribes were paid.” (USDOS, 20 March 2023, section 1c)

Regarding the health care situation in prisons the USDOS mentions the following:

“A lack of health care personnel, medicine, and medical supplies in prisons, combined with malnutrition and dehydration, sometimes made infection or illness life threatening; cases of beriberi were recorded. A local NGO reported that the government assigned a single doctor, based at the Conakry Central Prison, to cover all eight of the central prisons. Reports of overcrowding in medical wards at detention centers were common, including at the Conakry Central Prison. Prisoners relied on family members, charities, or NGOs to bring medication, but visitors often had to pay bribes to provide the medicine to prisoners.” (USDOS, 20 March 2023, section 1c)

The USDOS’s human rights report covering 2022 provides further details on prison conditions, including the following:

“NGOs reported endemic malnutrition throughout the prison system. Authorities provided food at the Conakry Central Prison, but most prison directors relied on charities and NGOs to provide food for inmates. The Conakry Central Prison claimed it provided two meals a day; however, NGOs reported prisoners in Conakry and elsewhere received only one meal per day and that many relied on food from their families or other outside sources. Reports say guards often demanded bribes for delivering food to prisoners, which they then frequently confiscated. The UN Office of the High Commissioner for Human Rights and NGOs noted that conditions at gendarmerie detention centers, intended to hold detainees for not more than two days while they awaited court processing, were much worse than in prisons. Such ‘temporary’ detention could last from a few days to more than two years, and facilities had no established systems to provide meals or medical treatment. As in the case of prisons, gendarmerie facilities were dank and unsanitary. [...] Conditions in military prisons, managed by the Ministry of Defense, could not be monitored since the government denied access to prison advocacy groups and international organizations. Although military authorities claimed they did not hold civilians at military prisons, previously reported cases contradicted this assertion.” (USDOS, 20 March 2023, section 1c)

In May 2022, the president of the NGO Avocats Sans Frontières (ASF), Christophe Labilé Koné, reportedly said that many prisons in Guinea do not meet national and international standards and noted deplorable living conditions of detainees (Guinee360, 30 May 2022).

From May to June 2022, the former justice minister, Alain Moriba Koné, visited Guinea’s detention centers (USDOS, 20 March 2023, section 1c; see also Guineenews, 14 June 2022; Mediaguinee, 29 June 2022; Mediaguinee, 26 May 2022). In its annual report covering the human rights situation in 2022, AI notes:

“In a memo to the heads of courts and prosecution offices on 24 June, the minister of justice and human rights deplored ‘horrible realities, particularly within the courts and prisons’, constituting violations of the UN Nelson Mandela Rules on the treatment of prisoners. Among other things, he highlighted ‘29 cases of severe malnutrition and nine

mental illnesses’ in one prison, insufficient and poor-quality food and water, and ‘skeletal, paralysed or even dying’ prisoners.” (AI, 27 March 2023)

The USDOS provides further details on the former justice minister’s findings and on the situation in the country’s detention centers:

“From May to June [2022], the former Minister of Justice Alain Moriba Kone visited the country’s detention centers. He noted cases of malnutrition, including 28 cases in Labe (Middle Guinea), a lack of hygiene, and long periods of pretrial detention. He ordered the release of several detainees for minor offenses or improper detention. Following these multiple releases, the Association of Guinean Magistrates denounced the minister of justice for the release of the detainees, some of whom were indicted, and others sentenced, contrary to the country’s standard legal procedures. Mismanagement and neglect were prevalent. Toilets reportedly did not function, and prisoners often slept and ate in the same space used for sanitation purposes. Access to drinking and bathing water was inadequate. Many prisons were former warehouses with little ventilation and little access to electricity for air conditioning or other cooling techniques.” (USDOS, 20 March 2023, section 1c)

Minister of Justice and Human Rights, Alphonse Charles Wright, reportedly visited several prisons in 2022 and 2023, including the prisons of Coyah and Forécariah (Guineematin.com, 31 August 2022), Kissidougou (Guineenews, 20 January 2023; see also Mosaïque Guinée, 23 January 2023a) and Siguiriri (Mosaïque Guinée, 6 February 2023). Amongst others, the minister noted overcrowding (Guineematin.com, 31 August 2022; Mosaïque Guinée, 6 February 2023) and degrading treatment of detainees (Guineenews, 20 January 2023; see also Mosaïque Guinée, 23 January 2023a) in the prisons and announced that legal action would be taken against certain prison officials (Guineematin.com, 31 August 2022; Guineenews, 20 January 2023; Mosaïque Guinée, 27 January 2023). In January 2023, Alphonse Charles Wright further announced the setting up of hygiene and food committees in all the country's prisons, to improve the situation. He claimed that health workers including medicines supply would soon be deployed to all the prisons (Mosaïque Guinée, 27 January 2023). In February 2023, another media article notes that the minister had visited prisons in about ten different towns over the course of three weeks. Alphonse Charles Wright gave a “fairly positive” assessment, despite the alarming conditions in prisons. According to the minister much remained to be done, particularly in terms of prison infrastructure (Mosaïque Guinée, 4 February 2023).

4.5 Arbitrary or unlawful interference with privacy

According to Article 17 of the Transitional Charter, the home is inviolable, and the secrecy of correspondence is guaranteed to all citizens. These rights may only be infringed in the cases provided for by law (Transitional Charter, 27 September 2021, Article 17). According to the USDOS, however, “police reportedly ignored legal procedures in the pursuit of criminal suspects, including when it served authorities’ personal interests.” The report further notes:

“Authorities sometimes removed persons from their homes without legal authorization, stole their personal belongings, and demanded payment for the release of their belongings.” (USDOS, 20 March 2023, section 1f)

5 Freedom of expression and freedom of assembly

5.1 Freedom of expression (including internet freedom and academic freedom)

Please see [section 7](#) for further information regarding the situation of journalists and media workers and [section 8](#) for information on the situation of members of the political opposition and civil society organisations.

The USDOS notes the following regarding freedom of expression:

“The Transition Charter provides for freedom of expression, including for members of the press and other media, and stipulates those laws pertaining to freedom of expression, which were in place prior to the September 5 coup d’état, would remain in force. The government did not always respect these rights.” (USDOS, 20 March 2023, section 2a)

Freedom House notes that private discussions are not officially restricted by the de facto authorities. “However, state-led repression against dissenting voices and attempts to sideline critical media outlets have triggered widespread hesitation to express personal views for fears of surveillance or retribution.” In certain situations, open discourse might have been hindered by ethnic tensions and laws restricting freedom of expression (Freedom House, 2023, section D4).

Concerning internet freedom, the USDOS notes that “the government did not censor online content, and there were no credible reports it monitored private online communications without appropriate legal authority.” Nevertheless, the CNRD kept monitoring social media platforms and utilized legal measures to penalize journalists and civil society activists who posted or shared information that criticized the government (USDOS, 20 March 2023, section 2a). In May 2023, Access Now, a non-profit organization defending digital civil rights, notes the following (see also Le Monde, 19 May 2023; AFP, 8 June 2023):

“According to media reports, access to social media networks and messaging services has been extremely limited in the country since Wednesday, May 17, following a call for demonstrations by the Forces Vives [...] The Association of bloggers of Guinea has accused the government of imposing the internet shutdown to quell the planned protests, while the country’s professional press associations have decried the blocking of media websites and a crackdown on two radio stations in the country on the day of demonstrations.” (Access Now, updated 24 May 2023)

Regarding academic freedom, Freedom House mentions that it has “historically been subject to political restrictions under authoritarian regimes.” Under the civilian government between 2010 and 2021, the problem was less severe, but “self-censorship still reduced the vibrancy of academic discourse.” Following the September 2021 coup, the relationship between academic freedom and executive power had “neither worsened nor improved” (Freedom House, 2023, section D3). Scholars at risk, an international network to protect scholars and promote academic freedom, notes that “the use of force and arrests in response to nonviolent student expression undermines academic freedom and democratic society generally.” In this context,

the organisation details a January 2022 incident (see also Guineematin.com, 20 January 2022; Ledjely, 20 January 2022):

“On January 20, 2022, police fired tear gas and arrested students from the Gamal Abdel Nasser University of Conakry (UGANC) during a protest demanding improved conditions, including student transportation services. The students began their protest on campus and then moved onto a main road in Conakry. Sources indicate that the students were peaceful, though some suggest that they blocked traffic. Police deployed to the scene used tear gas in an effort to disperse the protesters and arrested several students, including the head of a student association. Authorities released the students later that day. Scholars at Risk is concerned by the use of force against student[s] and arrests of the same in response to nonviolent protest activity. While state security forces have a responsibility to maintain order and safety, they must ensure their actions are proportionate and do not seek to restrict or retaliate against nonviolent, responsible expressive activity.” (Scholars at Risk, 20 January 2022)

5.2 Freedom of assembly

HRW notes that “Guinea is a party to international instruments such as Article 21 of the International Covenant on Civil and Political Rights (ICCPR) and Article 11 of the African Charter on Human and Peoples’ Rights (ACHPR), which protect the right to peaceful assembly” (HRW, 9 June 2022). According to the USDOS, “the Transition Charter and the previous constitution provide for freedom of peaceful assembly and association” (USDOS, 20 March 2023, section 2b; see also Transitional Charter, 27 September 2021, Article 34). Regarding legal regulations the USDOS further mentions:

“The law bans any meeting that has an ethnic or racial character or any gathering ‘whose nature threatens national unity.’ The law permits prohibition of demonstrations or meetings if local authorities believe the event poses a threat to public order. Authorities may hold event organizers criminally liable if violence or destruction of property occurs. The law punishes anyone who hinders the right to demonstrate with a sentence of one to six months’ imprisonment and a substantial fine.” (USDOS, 20 March 2023, section 2b)

AI notes that “the authorities violated the rights to freedom of expression, association and peaceful assembly” (AI, 27 March 2023), and similarly, the USDOS states that “CNRD transition authorities routinely barred public protests and assemblies” in 2022 (USDOS, 20 March 2023, section 2b).

On 13 May 2022, the CNRD announced a ban on all public demonstrations “likely to compromise social peace and the proper execution of the activities contained in the transition timetable until the election campaign period”¹⁰ (AI, 18 May 2022; see also Civicus, 18 August 2022). Political parties and social actors were ordered “to hold all forms of political demonstrations only within their headquarters” (OHCHR, 30 May 2022). Any breach of these

¹⁰ “toutes manifestations sur la voie publique de nature à compromettre la quiétude sociale et l’exécution correcte des activités contenues dans le chronogramme, (...) pour l’instant jusqu’aux périodes de campagnes électorales” (AI, 18 May 2022).

guidelines would result in legal consequences, the CRND warned (USDOS, 20 March 2023, section 2b). Following the ban, AI released a statement claiming that with the decision, the transitional authorities were perpetuating the violation of the right to peaceful assembly which had frequently occurred under the presidency of Alpha Condé. According to AI, the authorities were even making the ban on demonstrations a habit likely to be sustained for several years and applied on vague grounds given that no official timetable for the forthcoming elections had yet been presented (AI, 18 May 2022). End of May 2022 the CNRD confirmed that “no march will be authorized as long as security guarantees are not met” (HRW, 9 June 2022). The UN Human Rights Office spokesperson Seif Magango said the following regarding the ban:

“The announced measures to restrict public gatherings and demonstrations do not comply with the requirements of necessity and proportionality. The measures therefore violate international human rights norms and standards and constitute a setback in the path to strengthening democracy and the rule of law.” (OHCHR, 30 May 2022)

In June 2022, HRW comments the ban on protests in the following way:

“The decision to ban all demonstrations for an indefinite period of time throughout Guinea, without any specific justification, is a violation of the right to protest, a right which is recognized and guaranteed to all persons in the Republic of Guinea in accordance with national law and international texts ratified by the State. The argument that proper safeguards for protests in Guinea are missing cannot be raised, since it is the responsibility of the Guinean authorities to guarantee security while respecting the freedoms and rights of protesters. Guinean law, which protects the right to protest, does not provide for a blanket ban on all demonstrations for an indefinite period of time. Instead, it requires that protests are dealt with on a case-by-case basis. It states that protest organizers must notify local authorities ahead of any gathering, and that local authorities can only ban a planned demonstration if there is ‘a proven threat to public order’. [...] Lastly, the decision to ban demonstrations contradicts the speech made by the President of the Transition on 5 September [2021], in which he called for the establishment of democracy and respect for fundamental freedoms in the country, as well as the Charter of the Transition, signed on 27 September 2021 by the President of the Transition, Article 34 of which stipulates that ‘the freedoms of association, assembly, the press and publication are guaranteed’, adding in Article 8, paragraph 2 that ‘no situation of exception or emergency shall justify violations of human rights’. The decision to ban protests is not in line with the Charter of the Transition.” (HRW, 9 June 2022)

Following protests in May 2023 (see [section 4.1](#)), which were called for by the Forces Vives de Guinée, Alfred Bulakali, the Regional Director of Article 19 Senegal West Africa, stated the following:

“We are deeply concerned about the reports of violence and loss of life during the recent protest in Conakry. The right to freedom of expression and peaceful assembly are fundamental human rights, and the Guinean government has a legal obligation to protect and respect these rights for all citizens. It is crucial that the authorities conduct an independent and impartial investigation into these tragic events, identify those responsible, and ensure that justice is served.” (Article 19, 12 May 2023)

5.3 Freedom of association

Regarding freedom of association the USDOS notes the following:

“The Transition Charter [see also Transitional Charter, 27 September 2021, Article 34] and previous constitution provide for freedom of association, and authorities both before and after September 2021 generally respected this provision. Requirements to obtain official recognition for public, social, cultural, religious, or political associations were not cumbersome, although bureaucratic delays sometimes impeded registration.” (USDOS, 20 March 2023, section 2b)

Regarding political parties and political participation the USDOS further notes:

“There were no official restrictions on political party formation beyond registration requirements. Parties may not represent a single region or ethnicity. The CNRD followed through with court decisions on party accreditation taken under Conde’s regime and approved two new political parties: Bloc for Change in Guinea in December 2021, and the Liberal Democratic Movement on January 5, adding to the more than 180 other parties that already existed.” (USDOS, 20 March 2023, section 3)

The legislation safeguards the rights of workers to organize and join independent unions, engage in strikes, and bargain collectively, however the law also imposes limitations on the free exercise of these rights. In July 2023, the USDOS reports the following:

“The Labor Code requires unions to obtain the support of 20 percent of the workers in a company, region, or trade that the union claims to represent. The code mandates that unions provide ten days’ notice to the labor ministry before striking, but the code does allow work slowdowns. Strikes are only permitted for professional claims. The Labor Code does not apply to government workers or members of the armed forces. While the Labor Code protects union officials from anti-union discrimination, it does not extend that same protection to other workers.” (USDOS, 26 July 2023, section 11)

Freedom House reports that “in practice, unions are relatively active and constitute the core of civil society” and adds that the previous and current administrations “have attempted to divide unions seen as posing a potential threat to the authority of the government” (Freedom House, 2023, section E3).

6 Situation of members of the political opposition and civil society organizations

In May 2023, TV5 Monde published an interview with Kabinet Fofana, a political analyst and Director of the Guinean Political Science Association (Association guinéenne de Sciences Politiques). Fofana provides an overview of the country's current opposition forces. The Forces Vives de Guinée were founded in March 2023 and include both social and political actors and are calling for greater inclusion. They are challenging the framework for dialogue that was set up previously by the CNRD (TV5 Monde, 16 May 2023; see also DW, 20 June 2023). The Forces Vives de Guinée are made up of political parties and civil society coalitions, including the National Alliance for Change and Democracy (Alliance nationale pour l'alternance et la démocratie, ANAD), the Rally for the Guinean People (Rassemblement du peuple de Guinée Arc-en-Ciel, RPG), the Forum of Social Forces of Guinea (Forum des forces sociales de Guinée, FFSG), and the National Front for the Defence of the Constitution (Front National de défense de la Constitution, FNDC). The FNDC also includes the Union of Republican Forces (Union des Forces Républicaines, UFR) and the Union of Democratic Forces of Guinea (Union des forces démocratiques de Guinée, UFDG) (TV5 Monde, 16 May 2023). In August 2022 AI provides the following background information on the FNDC:

“The FNDC Movement (National Front for the Defence of the Constitution) is a coalition of civil society organisations and political parties that initiated a series of demonstrations in October 2019 in Guinea to protest against the amendment or adoption of a new Constitution. Since then, the FNDC has been at the heart of most of the demonstrations to denounce several human rights violations, [...]” (AI, 10 August 2022)

ANAD is made up of 13 different political parties (Guinee360, 24 July 2023; Siam Infos, 24 July 2023).

Regarding the situation of civil society organisations Freedom House notes the following in its report covering 2022:

“Civil society is weak and subject to periodic interference and intimidation. Nongovernmental organization (NGO) workers and activists have faced threats, harassment, and imprisonment. Guinean NGOs also suffer from poor access to funding, leadership struggles, the restriction of civic space, and security concerns. Civil society representatives are represented in the CNT under the September 2021 transitional charter. Many such organizations in the CNT are said to be supportive of President Doumbouya.” (Freedom House, 2023, section E2)

On 8 August 2022, the government dissolved the FNDC, accusing it of organising armed demonstrations and “acting like a combat group or private militia”¹¹ (RFI, 10 August 2022). HRW provides the following details:

“The move by the country's territorial administration and decentralization minister seriously damages the country's return to genuine democratic rule. The coalition was given

¹¹ “[...] et lui reproche d’agir comme un groupe de combat ou une milice privée” (RFI, 10 August 2022).

no opportunity to effectively challenge the decision, which was based on vague and sweeping allegations, before an independent judicial body with the authority to quash the order. ‘The Guinean transitional government already tightly controls political space,’ said Ilaria Allegrozzi, senior Africa researcher at Human Rights Watch. ‘This move against the FNDC will only further undermine democracy by discouraging any meaningful opposition.’ The order accuses the coalition of organizing public armed demonstrations, using violence, inciting hate, and acting like ‘private militias.’ This decision came hours after the coalition had announced new demonstrations across Guinea and abroad calling for a credible dialogue between transitional military authorities and opposition parties and civil society.” (HRW, 11 August 2022)

Freedom House also notes that the FNDC was dissolved by the government in August 2022. The FNDC and other organizations such as ANAD and the formerly ruling Rally for the Guinean People (RPG) no longer participates in the dialogue with the de facto authorities. In October 2022, “security forces used live ammunition against protesters calling for the return of civilian rule, and detained numerous FNDC sympathizers” (Freedom House, 2023, section B1). Regarding the situation of the opposition in general, the organisation reports that “in 2022, security forces frequently attacked rallies and protests organized by the opposition, making it more difficult for opposition parties to mobilize their supporters” (Freedom House, 2023, section B2).

6.1 Examples of incidents

For information on the treatment of members of the Union of Democratic Forces of Guinea (Union des forces démocratiques de Guinée, UFDG) please see the following query response:

- EUAA – European Union Agency for Asylum: Guinea; Treatment by the state of members and supporters of the Union of Guinea's Democratic Forces (UGDF); activities of UGDF's youth/group in Conakry [Q16-2023], 7 June 2023
https://www.ecoi.net/en/file/local/2093048/2023_06_EUAA_COI_Query_Response_Q16_Guinea_Treatment_and_Activities_UGDF.pdf

On 5 July 2022 three members of the FNDC were arrested. The USDOS provides the following details:

“[...] FNDC Coordinator Oumar Sylla (a.k.a. Fonike Mengue) and two other leaders of FNDC, Alpha Midjaou Bah and Mamadou Billo Bah, were arrested at their headquarters while holding a press conference. Justice officials had ordered the arrest of the three leaders. They were charged and tried for contempt of court and public insults. The court ruled the charges insufficient and ordered their release after four days in detention. On July 30, authorities again arrested Sylla, along with FNDC's Deputy Coordinator Ibrahima Diallo and Executive Secretary of the Union of Republic Forces (UFR) Saïkou Yaya Barry. The government charged them with ‘disturbing public order, arson, looting and destruction of public and private buildings’ because they had called for protests on July 28 despite the CNRD's ban on demonstrations.” (USDOS, 20 March 2023, section 1e)

In October 2022, “Saïkou Yaya Barry was provisionally released under judicial control and evacuated to Tunis after his health deteriorated during his detention” (AI, 18 November 2022).

Mamadou Billo Bah, the head of the youth wing of Turning the Page (Tournons la Page, TLP)¹² Guinea and the mobilization coordinator of the FNDC, was arrested again on 21 January 2023 (FIDH, 30 January 2023) “by a group of heavily armed security force personnel during the night at his house” (Frontline Defenders, 24 January 2023). Frontline Defenders notes the following:

“The human rights defender took part, earlier on the same day, in a mobilization meeting organized by the FNDC in Conakry. The purpose of this meeting was to call for a return of the constitutional order and to raise citizens’ awareness of the principles of democracy. The human rights defender was held incommunicado for two days without access to a lawyer. He was then rushed to a hospital, suffering from the ill-treatment that he was subjected to at the Central Direction of Investigations of the Gendarmerie facilities in Conakry.” (Frontline Defenders, 24 January 2023; see also FIDH, 30 January 2023)

On 10 May 2023, Oumar Sylla, alias Foniké Mangué, Ibrahima Diallo and Mamadou Billo Bah were released from prison, the FNDC said in a statement (Le Temps, 11 May 2023). A lawyer defending the detainees claimed that throughout their “arbitrary detention”, all the requests regularly submitted by their defence were systematically rejected without examination of their relevance. On 8 May 2023, the three detainees reportedly had refused to be released in exchange for giving up their activism (Jeune Afrique, 11 May 2023).

Oumar Sylla (Foniké Menguè), Ibrahima Diallo and Saikou Yaya Barry were acquitted on 13 June 2023 (Guinee360, 13 June 2023; Africaguinee, 14 June 2023).

Civicus notes that although Oumar Sylla and Ibrahima Diallo had been acquitted, they are still subject to intimidation and harassment. For example, Diallo had been prevented from leaving Guinean territory on two occasions without any judicial decision to justify it (see also Mediaguinee, 27 October 2023). In addition, almost a thousand copies of “Débout pour la patrie”, an autobiography in which Sylla describes his career as an activist, were confiscated by Guinean customs on his arrival from Dakar, Senegal. The Directorate General of Customs justified the measure by claiming that the introduction of these copies violated Articles 56a and 56b of the Customs Code, which prohibit “goods whose importation is prohibited for reasons of public order and public security”¹³ (Civicus, 21 August 2023).

Alpha Midiaou Bah, who is also known as Guinean rapper Djanii Alfa, announced the suspension of his activities within the FNDC movement on 30 August 2023 (Guinée360, 31 August 2023). As of November 2023, Alpha Midiaou Bah was living in exile (Guinee360, 16 November 2023).

In March 2022, former Foreign Minister Ibrahima Khalil Kaba and former president Alpha Conde’s doctor, M’Bemba Kaba, were arrested in relation to a leaked audio recording of the former president that surfaced in the media. According to the USDOS the two men “were charged with invasion of privacy, and not permitted access to their lawyer for 72 hours, until finally released on March 24 and placed under judicial supervision” (USDOS, 20 March 2023, section 1d).

¹² TLP is a movement with activists from African civil society organisations from 14 countries whose objective is to promote democratic change in Africa (FIDH, 30 January 2023).

¹³ “les marchandises dont l’importation est interdite pour des raisons d’ordre public et de sécurité publique” (Civicus, 21 August 2023).

In April 2022 the former president of the Independent National Electoral Commission, Louncéy Camara, was imprisoned in Conakry (RFI, 28 April 2022). He had been a prominent member of the Rally of the People of Guinea (RPG), the party of Alpha Condé. Louncéy Camara was charged for alleged acts of embezzlement of public funds, illicit enrichment, money laundering, and corruption (TV5 Monde, 21 August 2022). In May 2022, he was admitted to Conakry's Ignace Deen hospital, after prison staff noted a severe deterioration in his state of health (Guineenews, 2 May 2022). In August 2022 the former minister died (TV5 Monde, 21 August 2022). The USDOS notes that “according to the Ministry of Justice, he died following a cardiorespiratory arrest at the Ignace Deen hospital”. Reportedly, Louncéy Camara’s lawyers had “submitted three requests for his release and medical evacuation while he was hospitalized but the government denied those requests” (USDOS, 20 March 2023, section 1c).

Regarding the situation of former president Condé, The Africa Report notes that he is living in exile in Istanbul since May 2022. The article further mentions:

“Condé makes almost daily video calls to his party’s leaders and activists, in Guinea and the diaspora. He doesn’t directly address the leadership of the ruling party, Rassemblement du Peuple de Guinée, which is being led on an interim basis by Secretary General Saloum Cissé. Instead, he prefers to contact local youth and women’s organisations affiliated with the party, organising small demonstrations and even neighbourhood meetings from a distance. At the beginning of September, supporters formed a political group called Front pour le Retour d’Alpha Condé au Pouvoir (FRAP). Clearly, Condé’s objective has not changed: to return to power in order to complete his mandate in 2026. The opposition to the military junta shares his desire to see them exit the scene as quickly as possible.” (The Africa Report, 7 September 2023)

On 11 October 2023, Lamine Waraba Sako, a close associate of Alpha Condé, was arrested in a café in the suburbs of Conakry (Mediaguinee, 12 October 2023) for insulting the head of state. He was later released (Guineelive, 12 October 2023).

In mid-November 2023, a pro-Conde demonstration took place in one of his strongholds in Conakry (see also, Guinee7, 14 November 2023). A source close to former president Condé reportedly claimed that this movement supporting the former president irritates the state at the highest level (Jeune Afrique, 22 November 2023).

On 20 November 2023, the Minister of Justice ordered the prosecution of Alpha Condé and Fodé Moussa Mara, alias “El Sissi”, for alleged acts of treason, criminal association and complicity in the illicit possession of weapons and ammunition. It was the third criminal investigation opened against Condé since his ouster in September 2021. Fodé Moussa Mara is the coordinator of the Front for the Return of Alpha Condé (Front pour le retour d’Alpha Condé, Frac), and an RPG activist (see also Guinee360, 20 November 2023). He was arrested on 18 November 2023, as he returned from the celebration of the anniversary of Cellou Dalein Diallo as the head of the UFDG party (see also Mediaguinee, 20 November 2023; Mosaïque Guinée, 19 November 2023). During the ceremony organized at the headquarters of the UFDG, representatives of the RPG and UFDG had called for a “sacred union” and expressed concern about “the desire of the military to remain in power” (Jeune Afrique, 22 November 2023).

Please see [section 4.1](#) for further information on unlawful and arbitrary killings by state actors targeting opposition and civil society activists.

7 Situation of journalist and media workers

The USDOS notes that the Transitional Charter guarantees freedom of expression, including for members of the media. Moreover, the Charter states that laws on freedom of expression, which were in force prior to the September 2021 coup d'état, will continue to apply (see Articles 23, 34, 81 of the Transitional Charter). However, these rights were not always respected by the government (USDOS, 20 March 2023, section 2a) and media freedom remained restricted (Freedom House, 2023, section D1).

The country's media regulator, the High Authority of Communication (Haute Autorité de la communication, HAC), was dissolved by Colonel Mamady Doumbouya immediately after the coup, however, the CNRD transition authorities allowed it to continue its work later in September 2021 (USDOS, 20 March 2023, section 2a).

In October 2021, the premises of the private media outlet Djoma Média, whose owner (Kabinet Sylla, known as "Bill Gates" (USDOS, 12 April 2022, section 2a)) has ties to former president Alpha Condé, were raided by military special forces. The special forces were reportedly looking for – but failed to find - missing state-owned vehicles (RSF, 13 October 2021). According to the USDOS, the special forces did not have a search warrant and when security guards refused to let them enter shots were fired, reportedly leaving two people injured. Moreover, the USDOS notes that according to media reports, Djoma Média's bank accounts were frozen because of "unjustified movements of money" (USDOS, 12 April 2022, section 2a). The freeze was lifted after three months in December 2021 (USDOS, 20 March 2023, section 2a).

Reporters Without Borders (Reporters Sans Frontières, RSF), an international non-governmental organisation defending press freedom and the right to information, notes that since the coup d'état, privately owned media was facing growing problems. For example, the day before the raid of the Djoma Média premises, several TV stations were banned from covering the inauguration of Prime Minister Mohamed Béavogui:

"Coverage of official activities by privately-owned media has experienced growing problems since the coup, which was carried out by the Special Forces Group under Col. Mamadi Doumbouya's leadership.

On 8 October, the day before the Djoma Média raid, several TV channels were prevented from covering Prime Minister Mohamed Béavogui's installation. Three journalists separately told RSF that privately-owned TV channels are routinely prevented from covering the 'national coordination' meetings between military and civilian representatives, leaving state-owned radio and TV broadcaster RTG [Radiodiffusion Télévision Guinéenne] with a monopoly on coverage of these meetings." (RSF, 13 October 2021)

Similarly, the USDOS points to the special status of the state-owned Radio Television Guinea (RTG):

"State-owned Radio Television Guinea was often the only media outlet invited to cover Conde government meetings; it remained the only platform for official CNRD announcements to the public." (USDOS, 12 April 2022, section 2a)

Freedom House notes that media freedom remained restricted in 2022 under the new government, with critical journalists reportedly facing intimidation and repression:

“In 2022, several critical journalists reportedly faced arbitrary arrests, intimidation, questioning, and censorship by the security forces. Conakry’s new rulers have frequently called on the national communication authority (HAC) to issue suspensions against outlets that provided critical coverage. In addition, individual units of the military have visited the offices of newspapers and radio stations that produced critical reports, and intimidated journalists. The junta has further managed to skew media coverage in favor of the transitional authorities by selectively offering financial support. Separately, there were reports in 2022 that journalists covering demonstrations against the junta were attacked by protesters armed with rocks and knives.” (Freedom House, 2023, section D1)

Between May and August 2022, at least 14 journalists were detained or attacked by security forces, public officials, and protestors, according to the International Press Institute (IPI). In mid-May, two journalists were attacked in the town of Dubreka by security forces and a public official while covering an operation to clear public space; two other journalists were involved in a similar incident a few days later in the Kankan region. In June, a former member of parliament physically attacked a journalist during a live programme (IPI, 14 September 2022). In another incident in June, the journalist Mamadou Sagnane was detained in Dinguiraye in the centre-north of Guinea and accused of having incited violence. He had read on the local radio station a communique by a local youth association calling for a meeting the following day over the death of a young man after a confrontation with the police. However, the planned meeting turned violent with some youth rioting in the streets and attacking a local gendarmerie office and the city’s central police station. Sagnane was accused of having incited the violence with his public reading of the (peaceful) communique, detained and questioned for several hours before being released again, according to the Media Foundation for West Africa (MFWA), a regional NGO with a focus on media development and freedom of expression (MFWA, 16 June 2022; see also CPJ, 28 June 2022).

On 5 July 2022, three human rights defenders and members of the National Front for the Defense of the Constitution (Front national pour la défense de la Constitution, FNDC) were arrested by the police without a warrant while they were holding a press conference. According to the International Federation for Human Rights (Fédération internationale pour les droits humains, FIDH), several journalists present at the scene were also attacked when the police tried to prevent them from filming the incident (FIDH, 6 July 2022; see also Africaguinee, 5 July 2022). In the context of these arrests, two journalists were reportedly assaulted by protesters in Conakry on 5 and 7 July 2022, respectively (IPI, 14 September 2022; MFWA, 5 August 2022; Guineematin.com, 29 July 2022). Further attacks by protesters on journalists covering protests occurred at the end of July: Four journalists working for different private media outlets were attacked on 28 July by “unknown individuals” while reporting from public protests in the capital city (IPI, 14 September 2022). According to the MFWA, at least five journalists were assaulted on 28 July (MFWA, 5 August 2022), while the Committee to Protect Journalists (CPJ) describes attacks on 27 and 28 July, with protesters sometimes also taking away the journalists’ equipment (CPJ, 19 August 2022).

In August 2022, Mohamed Bangoura, the editor of the news website Mosaïque (Mosaïque Guinée), was summoned to the military’s intelligence directorate after having published an

article about the army's alleged involvement in the disappearance of a truck with painkillers in a military camp (AI, 10 August 2022; RSF, 19 August 2022). Following protests by media associations and unions, the HAC got involved and later decided that Bangoura had failed to properly examine the information and would have to publish a retraction (USDOS, 20 March 2023, section 2a). Already in September 2021, another journalist, Ibrahima Sory Diallo of the news website Laguinée.info, had been summoned by the military, reportedly without giving any reasons (RSF, 19 August 2022).

RSF describes several attacks on journalists in August 2022, including on Mamoudou Boulléré Diallo of Espace TV (see also AI, 10 August 2022) and others:

“Seven journalists have been harassed or attacked by soldiers, police or protesters since 28 July. The most recent victim was a reporter for the Guineematin.com news website who was questioned twice by soldiers while covering a peaceful demonstration in the capital, Conakry, on 17 August. The soldiers also confiscated his phone.

Djoma Kakande reporter Mamadou Hady Diallo was attacked by police while covering a demonstration by mining company employees in the northwest of the country on 4 August. Espace TV's Mamoudou Boulléré Diallo was harassed by soldiers stationed on a major avenue in Conakry the same day.

Evasion Guinée journalists Abdallah Camara and Mohamed Sangaré and Djoma Médias journalist Algassimou Baldé were attacked by protesters while covering protests in Conakry on 28 July. Guineematin.com reporter Mamadou Bhoie Laafa Sow was badly beaten by a group of protesters the same day, and was threatened by soldiers while covering another protest the next day.” (RSF, 19 August 2022)

The USDOS notes that the “government allegedly put pressure on the HAC to increase scrutiny of media and journalists” (USDOS, 20 March 2023, section 2a). And the MFWA writes in October 2022 that it was “deeply concerned” about sanctions recently imposed by the HAC on several journalists for allegedly having violated journalistic ethics and deontology. Such decisions, according to the MFWA, will undermine freedom of expression, lead to self-censorship and silence critical and dissenting voices (MFWA, 5 October 2022).

In September 2022, the CPJ informs that Guinea's media regulator HAC suspended Africa 2015, a radio program of the privately-owned radio station Nostalgie Guinée, for one month. Moreover, three hosts of the radio program were suspended for the same period. According to the suspension order, the program reportedly included a phone call by a member of the opposition coalition FNDC, and allegedly contained “public insults” and “incitement of public revolt”. The CPJ notes that it had no possibility to review the program as it was available neither online nor as a copy. Moreover, the CPJ cites sources saying that the journalists had not been heard before the decision nor been informed about it but that they had learned about it from public media reports. According to the CPJ's sources, the local NGO Media Alliance for Human Rights (AMDH) and an anonymous source, the journalists were also banned from speaking to local media for a month (CPJ, 30 September 2022; see also MFWA, 5 October 2022). Previously, in August 2022, the HAC had decided to suspend a journalist for a period of seven days for

having violated the Code of Conduct for Guinean Journalists¹⁴ and journalistic ethics and deontology (Kumpital, 20 August 2022). He had “quoted the surnames of victims of political protests” on air, according to the USDOS (USDOS, 20 March 2023, section 2a), while the MFWA notes that he had mentioned on air the surnames of persons killed during protests, indicating that the victims belonged to a specific tribe. The HAC reportedly accused the journalist of failing “to show social responsibility” (MFWA, 16 September 2022). Another journalist, also accused of having violated journalistic ethics, was suspended for ten days from 13 September, after having read on air a statement by a Konia youth association, which the HAC reportedly considered “partisan” and “endanger[ing] the social stability” of the country (MFWA, 16 September 2022; Guineematin.com, 13 September 2022).

The USDOS notes in its Country Report on Human Rights Practices for 2022 that the CNRD “monitored social media platforms and exploited the law to punish journalists and civil society activists for posting or sharing information critical of the government” (USDOS, 20 March 2023, section 2a). In May 2023, RSF reports on protests by public and private media against social media cuts (see also Abidjan.net, 18 May 2023), internet restrictions, confiscation of transmitting equipment and intimidation of journalists. RSF also denounces acts of physical violence against journalists:

“Journalists have also been subjected to physical violence. Two website reporters – Guinée Info’s Aliou Maci Diallo and Guinée 114’s Mamadou Macka Diallo – were stopped by soldiers when out reporting on a motorcycle in the Conakry suburb of Bambéto on 17 May. The soldiers asked them what they were doing and told them was ‘no demonstration’ that day. Then one of the soldiers insulted them, threatened to slash their motorcycle’s rear tyre and dealt the Guinée Info reporter several hard blows to the head.

They have not been the only victims of violence. Ibrahima Foulamory Bah, a reporter for the *Courrier de Conakry*, an independent online newspaper, was covering a protest on 9 May when he was violently arrested by members of the presidential guard posted outside the prime minister’s office, who photographed him and examined the contents of his phone before releasing him an hour later.

The staff of the Fim FM programme ‘Mirador’ (Outlook) and the Djoma FM programme ‘On refait le monde’ (Remaking the world) were summoned by the Guinean media regulator, the High Authority for Communication (HAC), on 17 and 18 May and were reprimanded about the ‘tone adopted in your programmes.’ Both programmes had been commenting about the opposition protests.” (RSF, 24 May 2023)

In September 2023, the HAC reportedly suspended the news site *Dépêche Guinée* and its director Abdoul Latif Diallo for a month after publishing an article about alleged corruption at the Guinean bar association (CPJ, 12 September 2023).

¹⁴ The code of conduct, a document on the rights and duties of journalists in terms of collecting, processing, and disseminating information, was elaborated by the HAC in collaboration with UNDP and the NGO Search for Common Ground and presented to the public in May 2022 (HAC, 30 May 2022).

According to the CPJ, three journalists were injured by the police on 16 October 2023 while they were covering a protest organised by the Syndicate of Press Professionals of Guinea (Syndicat des Professionnels de la Presse de Guinée, SPPG) against the authorities' blocking of access to the news website Guineematin.com (CPJ, 26 October 2023). The police reportedly assaulted the journalists using teargas and beating them with truncheons. The three journalists and ten other journalists who had participated in the protests were arrested by the police, but later released after having been charged with "criminal participation in a prohibited gathering on the public highway" (CPJ, 26 October 2023; see also AI, 27 October 2023).

According to RSF, the news website Guineematin.com became inaccessible within Guinea in mid-August 2023 without explanation. RSF made the site accessible two weeks later by creating a mirror website. Already in May 2023, the Guineematin.com website had been temporarily closed in the context of protests and calls for protests against the military junta. In May, also access to social media channels had been closed for a week, while access to the internet had been restricted and some radio stations had been blocked in what RSF described as "the biggest clampdown on press freedom since the military seized power in a coup in September 2021" (RSF, 31 August 2023). RSF similarly created a mirror site for the news site Inquisiteur.net, which became inaccessible within Guinea at the beginning of September 2023 (RSF, 15 September 2023). According to the CPJ, the site became accessible again on 11 October 2023, reportedly after the resolution of an ownership dispute (CPJ, 26 October 2023) between the former owner, who had moved to a position in the president's office, and the current owner, his former associate. According to Jeune Afrique, the transfer of ownership was delayed (and access to the site blocked) after the publication of articles on the website that were critical of the government (Jeune Afrique, 18 October 2023).

8 Situation of women and girls

8.1 Sexual violence, including domestic violence

Amnesty International (AI) notes that in 2020, the Office for the Protection of Gender, Childhood and Morals (Office de Protection des Genres, de l'Enfance et des Moeurs, OPROGEM) and the Special Brigade for the Protection of Vulnerable Persons (Brigade Spéciale de Protection des Personnes Vulnérables, BSPPV) – the two services created within the police and the gendarmerie, respectively, for collecting information on rape cases (AI, 27 September 2022, p. 20) – had dealt with 374 cases of rape. AI further notes that this number “reflects only the tip of the iceberg according to NGOs working on sexual violence survivors, journalists, police and gendarmerie” (AI, 15 December 2021). In 2021, more than 400 cases of rape had reportedly been handled by the OPROGEM and BSPPV (AI, 27 September 2022, p. 8), while in the period 1 January to 30 September 2022, OPROGEM had recorded 249 cases of rape. Victims included 167 girls under the age of 18 and 82 girls and women over the age of 18. La Génération qui ose (GquiOse), a platform focused on providing information and increasing awareness about reproductive health of adolescents and young people, quotes in a December 2022 article Professor Hassan Bah, head of the department for forensic medicine of the Ignace Deen hospital, as saying that sexual assaults account for about 30 percent of forensic consultations, which – as he notes – is a very high figure compared to other forms of gender-based violence (GBV) such as physical, domestic, and intra-family violence. In terms of frequency and the severity of the injuries, sexual assaults are in first place, according to Professor Bah, and 70 percent of victims that are received for treatment are under the age of 12 (GquiOse, 7 December 2022). The USDOS notes in its country report on human rights practices for 2022 that girls between ages 11 and 15 represented more than half of all rape survivors (USDOS, 20 March 2023, section 6).

According to official data of 2017, “about 63 percent of women have experienced intimate partner violence (IPV) at least once in their lives” and 54.9 percent of women living or having lived in a union have experienced GBV at least once during their married life, with young women (including very young girls) and women without education being more vulnerable to physical violence/GBV:

“By age, young women aged 15–24 and women aged 25–34 face the highest risk of experiencing physical GBV [gender-based violence] (60.9 percent and 69.7 percent, respectively). Women with no education are also more vulnerable to GBV than those with at least some level of educational attainment. Furthermore, nationally, nearly 29.3 percent of women have experienced at least one form of sexual violence since the age of 15, with the share higher in urban (35.4 percent) than in rural (25.8 percent) areas. In recent years several disturbing cases of sexual violence against very young girls and even toddlers have been reported in the media, raising concerns over this type of event.” (The World Bank, 9 May 2023, p. 76)

The USDOS notes in its Country Report on Human Rights Practices for the year 2022, that rape and domestic violence were prohibited by law, but nevertheless occurred frequently.

Moreover, in both cases, authorities often failed to prosecute perpetrators. The USDOS also points to the stigma related to rape and domestic violence:

“The law criminalizes rape and domestic violence, but both occurred frequently, and authorities rarely prosecuted perpetrators. The law does not address spousal rape or the gender of survivors. Rape is punishable by five to 20 years in prison. Survivors often declined to report crimes to police due to custom, fear of stigmatization, reprisal, and a lack of cooperation from investigating police or gendarmes. Studies indicated citizens also were reluctant to report crimes because they feared police would ask the survivor to pay for the investigation.

In domestic violence cases, authorities may file charges under general assault, which carries sentences of two to five years in prison and fines. Violence against a woman that causes an injury is punishable by up to five years in prison and a fine. If the injury causes mutilation, amputation, or other loss of body parts, it is punishable by 20 years of imprisonment; if the victim dies, the crime is punishable by life imprisonment. Assault constitutes grounds for divorce under civil law, but police rarely intervened in domestic disputes, and courts rarely punished perpetrators. (USDOS, 20 March 2023, section 6)

Similarly, AI notes in December 2021 that due to the stigma associated with rape, it is often not reported nor are complaints filed. Rape cases are often “handled through mediation and out-of-court settlements between the victims or their families and the alleged perpetrators or their families” (AI, 15 December 2021). Sometimes, rape victims and their families are forced to move to another area to escape the stigmatisation and social isolation they are facing by their community (AI, 27 September 2022, p. 43). Girls, who have become rape victims sometimes also fear discrimination by their own families (Balde et al., 20 February 2022, pp. 4-5).

Perpetrators are often family members or neighbours (AI, 27 September 2022, p. 22) or other persons from the victim’s (close) social environment (GquiOse, 7 December 2022), but also figures of authority such as security forces or religious leaders (AI, 27 September 2022, p. 23). Moreover, children sent to live with relatives or strangers as domestic servants (in the context of a system called *confiage*, see below, [section 9.3](#)) in many cases become victims of sexual violence (USDOL, 26 September 2023).

Apart from “socio-cultural constraints” (AI, 27 September 2022, p. 33), other factors that restrict victims’ access to help include the need for a forensic certificate to file a complaint, the lack of specialised doctors, and costs related to medical examinations and legal fees:

“The existence of a forensic certificate is often required for a complaint to be referred to the justice system, thus invalidating any sexual violence report that comes in much later than when the assault occurred. Further, victims have difficulty accessing forensic medicine because of a lack of specialist doctors, most of whom are concentrated in the capital, Conakry. This is in addition to the cost of the examination to certify a rape. Moreover, court and legal fees may prevent victims from filing complaints if they are not supported by NGOs, given the absence of an effective legal aid system. Finally, at the end of legal proceedings, which can be lengthy due to court bottlenecks, the sentences handed down sometimes do not seem sufficiently commensurate to the severity of the crimes committed.” (AI, 27 September 2022, p. 9)

GquiOse quotes a women's activist from the Young Girls Leaders Club of Guinea (Le Club des jeunes filles leaders de Guinée (CJFLG)) appealing to victims of GBV to turn to NGOs or the police and try to file a complaint instead of trying to find an amicable solution. Moreover, according to the activist, cases where NGOs are involved usually proceed faster than others. The CJFLG has reportedly already supported almost 100 GBV cases across the country, providing moral, legal, medical and financial support (GquiOse, 7 December 2022). In the context of their work, however, CJFLG activists and other women activists sometimes experience physical threats or insults on social media, according to AI. AI also mentions a case where threats against an CJFLG activist's mother were intended to push the activist to withdraw from a case (AI, 27 September 2022, p. 37).

Physical, sexual and verbal violence and forced marriages were the main types of GBV experienced by women who participated in a series of focus group discussions in 2014, as Mamadou Dioulde Balde of the Center for Research in Reproductive Health in Guinea (Cellule de recherche en santé de la reproduction en Guinée, CERREGUI) and co-authors note in a secondary analysis of data from the 2014 study (Balde et al., 20 February 2022, p. 3). They also note the lack of knowledge of the existing legislation on GBV as well as the lack of training on how to deal with cases of GBV (Balde et al., 20 February 2022, p. 2). However, there is also a high level of acceptance of GBV in Guinea, according to the World Bank:

“Moreover, Guinea has a high prevalence of and wide social tolerance for GBV [gender-based violence]. Indeed, about 63 percent of women have experienced IPV [intimate partner violence] at least once in their lives, and between 40 percent and 58 percent of respondents (depending on the survey) justify wife-beating.” (The World Bank, 9 May 2023, p. 13)

Similarly, Balde and co-authors note that according to a nationwide study of 2018, “48% of women think it is justified for a man to beat his wife if she refuses to have sexual intercourse with him and 54% when the woman goes out without her spouse's permission.” (Balde et al., 20 February 2022, p. 6).

AI points to the role of key actors in campaigns to raise awareness about GBV, such as the judiciary and religious authorities (AI, 27 September 2022, pp. 30-31), but also notes that several state institutions that might contribute to preventing sexual violence, such as the National Observatory to Combat Gender-Based Violence or the Independent National Human Rights Institute (Institution Nationale Indépendante des Droits Humains, INIDH) are either ineffective or lack financial means. Following the military coup of September 2021, the INIDH was reportedly dissolved (AI, 27 September 2022, p. 32).

8.2 FGM

According to UNICEF, 95 percent of girls and women aged 15 to 49 and 92 percent of girls aged 15 to 19 have undergone female genital mutilation (FGM) in Guinea. Three out of four girls experienced FGM before the age of ten (UNICEF & UNFPA, 26 September 2022, p. 15).

The World Bank points to the fact that rates of female genital mutilation or cutting (FGM/C) have only slightly decreased since 1999, making Guinea the country with the highest rate of FGM/C in Sub-Saharan Africa (The World Bank, 9 May 2023, p. 35), while according to a joint report by UNICEF and UNFPA of 2020, it is estimated to have the second highest prevalence of FGM worldwide after Somalia (UNICEF & UNFPA, 28 September 2021, pp. 39, 82). The African

Women's Development and Communication Network (FEMNET), a pan-African feminist network, notes that FGM is practised by all ethnic, religious, and social groups across the country (FEMNET, 5 September 2022, p. 2) while according to the international NGO 28 Too Many, Muslim women aged 15 to 49 are more likely to have undergone FGM/C than Christian women or women of no religious affiliation (97.1 percent, 77.9 percent and 85.3 percent, respectively) (28 Too Many, September 2021, p. 2).

According to AI, a national strategy to promote an end of female genital mutilation was adopted in 2019 (AI, 27 September 2022, p. 13). In December 2021, the transitional government committed to an end to gender-based violence (GBV), including FGM and other forms of violence against women and children (UNICEF & UNFPA, 26 September 2022, p. 15). USDOS notes that the Transitional Charter does not explicitly ban female genital mutilation or cutting (FGM/C), but "grants individuals the right to their physical integrity" (see Article 10 of the Transitional Charter) while "[p]rior to September 2021, the constitution and laws prohibited FGM/C" (USDOS, 20 March 2023, section 6; Transitional Charter, 27 September 2021, Article 10).

According to 28 Too Many, there had been legislation prohibiting FGM since 1965 (28 Too Many, September 2021, p. 3). Currently, Article 258 of the Penal Code of 2016 (Law No. 2016/059/AN) prohibits all forms of FGM/C, and Article 259 stipulates that anyone who by traditional or modern methods practises, promotes or participates in FGM is guilty of deliberate violence against the person being excised and punishable with up to 2 years (under some circumstances up to 5 years) of imprisonment or a fine, or both. Parents or other persons who allow or promote FGM are subject to the same punishment as those who perform it. The maximum penalty is always applied when FGM is performed in a public or private health facility and promoted by a medical or paramedical professional (Law No. 2016/059/AN, 26 October 2016, Articles 258, 259). The Children's Code of December 2019 (Law No. 2019/0059/AN), promulgated by the President in March 2020, refers to FGM in Articles 774 to 781, the prohibition of FGM is stipulated in Article 775 (Law No. 2019/0059/AN, 30 December 2019, promulgated 11 March 2020). Nevertheless, the Guinean Ministry of Posts, Telecommunication and Digital Economy (Ministère des Postes, des Télécommunications et de l'économie numérique, MPTEN) notes that the practice continues and is rarely prosecuted (MPTEN, August 2023, p. 40)

About 80 percent of women who had undergone FGM/C were cut by a traditional cutter called "Zowo" (FEMNET, 5 September 2022, p. 2). However, some sources point to a shift away from traditional cutting to medicalised FGM/C, performed by medical professionals: according to 28 Too Many, the percentage of women and girls who underwent medical FGM/C increased from 9 percent in 1999 to 17 percent in 2018. Moreover, as of 2018, 35 percent of girls aged 0 to 14 experienced medical FGM/C (28 Too Many, September 2021, p. 5). The World Bank notes with reference to several sources that awareness campaigns and the penalization of FGM/C have likely contributed to the increasing medicalisation of FGM/C:

"Numerous awareness campaigns by the government and national and international partners on the health risks of the practice, as well as the introduction of legal sanctions against FGM/C, have likely encouraged the increasing medicalization of excision and may have contributed to the perception that, in a medical setting, FGM/C is authorized and presents no risk [...]. A 2012 study indicated a trend toward greater medicalization of

FGM/C in Guinea: although 79 percent of women aged 15–49 were excised by traditional practitioners, the proportion fell to 66 percent among girls aged 0–14 [...]. Health personnel, mainly midwives, were increasingly involved, despite the 2010 decree prohibiting the practice of FGM/C in public or private health institutions.” (The World Bank, 9 May 2023, p. 37)

Moreover, the World Bank and FEMNET note that to avoid legal sanctions, there is a shift away from practising FMG/C in traditional community settings to performing the practice in private settings on individual cases (The World Bank, 9 May 2023, p. 37; FEMNET, 5 September 2022, p. 7). For the same reason, FMG/C is reportedly performed at an increasingly young age (FEMNET, 5 September 2022, p. 4), since the procedure is more likely to remain secret when performed on an infant than on an elder child who can speak and attends school, and is less likely to adhere to cultural traditions, according to a strategy paper to combat FGM/C by the Ministry of Health and Public Hygiene (Ministère de la Santé et de l’Hygiène Publique) in collaboration with international organisations (Ministry of Health et al., 12 July 2023, pp. 3-4). FGM/C is widely accepted by society, thereby increasing the pressure to undergo the practice (The World Bank, 9 May 2023, p. 35). Continuing the practice of FGM/C is explained with respect for customs, social recognition, religion (see also 28 Too Many, September 2021, p. 2) and control over female sexuality (ASF France, 18 May 2022, p. 28). France 24 quotes the leader of the Young Girls Leaders Club of Guinea (Le Club des jeunes filles leaders de Guinée (CJFLG)) naming some of the reasons:

”There are several reasons why genital mutilation is carried out. That could be for cultural reasons or tradition – some people say that their grandparents did it, people think they should do it. There could be economic reasons because it is a source of revenue for the people who carry it out. It can be related to ideas of dignity and honour. It’s also related to the desire of a patriarchal society to control the sexuality of a growing girl.

Some people think that it will limit the risk of teen pregnancies. Some people think that husbands don’t like women who aren’t mutilated...People always find a way to justify their behaviour.” (France24, 27 July 2023)

According to FEMNET, the practice is strongly linked to a girl’s prospect of marriage:

”As often FGM is a prerequisite for marriage, there is a strong link between FGM and marriageability. FGM is believed to control female sexual behaviour and ensure women’s virginity by reducing their sexual desire, preserve virginity, marital faithfulness and prevent promiscuity. Girls and women will usually be under strong social pressure, including pressure from their peers. They risk victimisation and stigma if they refuse to undergo FGM. Non-excision of girls is considered dishonourable in Guinean society. Such social pressure leads girls to request excision for fear of being excluded or forced to remain unmarried if they do not undergo the practice. FGM is still a contributor to the high morbidity and mortality among females in Guinea. Families are sending their daughters to circumcisers to perform the practice at an increasingly young age to avoid being caught. Girls with no education are three times more likely to marry or enter a civil union before the age of 18 than those with a secondary or higher education.” (FEMNET, 5 September 2022, p. 4)

The news website Guineesignal writes in July 2023 about the official announcement of 47 communities in the southern prefectures of Guéckédou and Macenta to abandon FGM and child marriage after several years of awareness-raising (Guineesignal, 4 July 2023).

8.3 Sexual harassment and gender-based discrimination

The USDOS notes that while all forms of workplace harassment, including sexual harassment, are banned by law, the Transitional Charter makes no explicit mention of either or the other. The USDOS further describes that sexual harassment persisted, despite it being punishable by law:

“The Ministry of Labor did not document any case of sexual harassment, despite its frequency. The law penalizes sexual harassment. Sentences range from three months to two years in prison and the payment of a fine, depending on the gravity of the harassment. Authorities rarely enforced the law. According to the Union of Guinean Workers, women working in the public sector reported professional repercussions, marginalization, and threats by superiors when women did not accept their advances.” (USDOS, 20 March 2023, section 6)

Several Guinean media report on cases of sexual harassment, including at the workplace (Alerteur, 3 April 2023), in sport (Guinee360, 24 January 2023) and in the media (Guinee360, 9 March 2022, see also MFWA, November 2022, pp. 10-11). The Guinean news-site Alerteur describes several cases of women who had experienced sexual harassment at their workplace and notes that sex in exchange for a job is a reality in Guinea (Alerteur, 3 April 2023). The World Bank explains that women’s participation in the labour market is also linked to the availability of “[s]afe and convenient transportation connections and infrastructure”, which allows women to safely reach their workplace without the risk of being sexually harassed during the commute (The World Bank, 9 May 2023, p. 59).

Alerteur notes that socio-cultural constraints (in general, by the family), the notion that harassment is normal in society, and doubts that denouncing the harassment will indeed lead to the perpetrators being punished, are the main reasons why harassment at the workplace is not more often denounced (Alerteur, 3 April 2023). Similarly, the activist Kadiatou Konaté states in an interview with TV5 Monde that sexual harassment occurs at all levels; people stay silent on it, and it ends up becoming normal. According to Konaté, there are many young women who believe that they have to sleep with the boss to get a job, even if they do not want (TV5 Monde, 19 December 2022).

The US Department of Labor (USDOL) notes in its annual report for 2022 that girls sometimes leave school early due to sexual harassment (USDOL, 26 September 2023). Similarly, several Guinean media report on cases of sexual harassment of girls at school by their teachers or other persons of authority (Protection Fille Femme De Guinée, 8 January 2021; TV5 Monde, 19 December 2022; GQuiOse, 2 June 2023; Guineenews, 15 October 2023). In an interview with TV5 Monde, the activist Kadiatou Konaté mentions with reference to schools that the notion of girls having sex with teachers to get graded is considered normal, but in fact is an assault, and girls then refuse to study for fear of having to offer their bodies (TV5 Monde, 19 December 2022). The World Bank notes that “sexual harassment and abuse are very important concerns for parents when sending their children to school” (The World Bank, 9 May

2023, p. 26) and that “[t]he prevalence of sexual harassment in schools also prevents parents from enrolling their daughters” (The World Bank, 9 May 2023, p. 27).

According to a report by the Network of Women Leaders for Development (Le Réseau des Femmes Leaders pour le Développement, RFLD), the principle of gender equality is not enshrined in the Transitional Charter, and while discrimination is prohibited (see Article 15 of the Transitional Charter), the gender dimension is missing from the ban on discrimination (RFLD, 25 April 2023, p. 41). Freedom House notes in its Freedom of the World report covering 2022 that women “face pervasive societal discrimination and disadvantages in both the formal and traditional justice systems” (Freedom House, 2023, section F4). The USDOS mentions that “[l]egal testimony given by women carries less weight than testimony by men in a customary practice” (USDOS, 20 March 2023, section 6). The World Bank and the International Monetary Fund (IMF) point to disadvantages that women and girls are facing in terms of health and education compared to men and boys (The World Bank, 9 May 2023, p. 12; IMF, 24 January 2023, p. 23). With regard to family planning, access to contraception is limited for several reasons, including, among others, due the fact that women in many cases need approval from their husbands before using health services, as the USDOS notes in its Report on Human Rights Practices for 2022 (USDOS, 20 March 2023, section 6).

The USDOS further explains the following in terms of gender discrimination:

“The law does not provide for the same legal status and rights for women as for men, including in inheritance, property, employment, credit, and divorce. Although the law prohibits gender discrimination in hiring, the government did not effectively enforce this provision. There were no known limitations on women’s working hours, but there are legal restrictions to women’s employment in occupations and tasks deemed hazardous and in industries such as mining and construction.” (USDOS, 20 March 2023, section 6)

Moreover, women are paid less for similar work, despite legal provisions that stipulate equal pay for equal work (USDOS, 20 March 2023, section 7d), and are disadvantaged in their access to economic opportunities, according to the World Bank:

“Gaps in health and education translate into substantial disparities in access to economic opportunity. Women are not only less likely to participate in the labor market than men but also, when they do participate, disproportionately engaged in informal and low-quality and low-productivity work, which ultimately translates into lower lifetime incomes and heightened risks of falling into or remaining in poverty. Labor market participation, wage employment rates, entrepreneurship, and access to productive assets are much poorer among Guinean women than men. Women are also overrepresented in self-employment and unpaid family care activities.” (The World Bank, 9 May 2023, pp. 12-13)

According to a World Bank report of 2023, polygamy (polygyny) is widespread in the country (see also USDOS, 20 March 2023, section 6), and about 26 percent of individuals live in polygamous households. While it used to be banned by law, it continues to be accepted by customary law and religious practice (The World Bank, 9 May 2023, p. 80). In 2019, following an amendment to the Civil Code (Law No. 2019/035/AN), monogamy became the “standard for marriage” (USDOS, 20 March 2023, section 6; see also Law No. 2019/035/AN, 4 July 2019, Article 281), however, the Law grants men the right to marry up to four wives, in case the first

wife agrees to it (Law No. 2019/035/AN, 4 July 2019, Article 281). First wives are considered “the most powerful, and they can often exploit or even abuse the younger ones”, according to the World Bank, and polygyny is reportedly more common in Muslim households (The World Bank, 9 May 2023, p. 80).

UNICEF and UNHCR note that a 2019 reform of the Civil Code allowed women to register births (UNICEF & UNHCR, 6 July 2021, p. 13). According to the World Bank, the reform also eliminated restrictions that women faced in being household heads or in getting a divorce in the same way as men (The World Bank, 9 May 2023, p. 84). Similarly, ASF France notes that following the Civil Code reform of 2019, there are no longer discriminatory provisions in divorce law. However, according to ASF France, the new Civil Code gives the competent judge wide discretionary powers. Judges may, for example, refuse to grant a divorce, if they think that the interests of the children or of one of the marriage partners are not sufficiently taken into consideration by the proposed agreement. Moreover, ASF France points to the fact that a discriminatory provision persists in terms of remarriage: According to Article 336 of the 2019 Civil Code, except for exceptional circumstances, women have to observe a 130-day waiting period before they could marry again. This provision does not apply to men (ASF France, 18 May 2022, p. 15; see also The World Bank, 9 May 2023, p. 79). According to an imam asked by the news site *Guineematin.com* about the marriageability of single women and single mothers, it is widows who have to observe a waiting period of 4 months and 10 days [which equals 130 days, ACCORD] before they can remarry (*Guineematin.com*, 25 January 2023). In a joint report, the French Office for the Protection of Refugees and Stateless Persons (Office Français de Protection des Réfugiés et Apatrides, OFPRA) and the German Federal Office for Migration and Refugees (Bundesamt für Migration und Flüchtlinge, BAMF) point to the practice of levirate (marriage of a widow to her brother-in-law) and sororate (marriage of a widower to his sister-in-law), noting that according to the public sources they consulted, these are “forms of forced marriage which remain practiced in Guinea” (OFPRA & BAMF, 2 November 2023, p. 2). A French anthropologist interviewed by these two organisations in May 2023 is quoted saying that levirate marriage was an “extremely common practice” (OFPRA & BAMF, 2 November 2023, p. 11). Regarding divorced women or women with children born out of wedlock, these women are required to repent before men should consider marrying them, according to the imam quoted by *Guineematin.com* (*Guineematin.com*, 25 January 2023).

The news website *Billetdujour.com* notes that while until 2019, the Civil Code stipulated that in case of disagreement between a couple, the mother received custody for children younger than seven years, and the father after that age, this had changed with the 2019 reforms of the Civil Code. From then on, according to *billetdujour.com*, quoting the head of a Guinean NGO, custody is no longer a matter of age, but is a decision made by the judge based on the best interest of the child (*Billetdujour.com*, 23 June 2021; see also Law No. 2019/035/AN, 4 July 2019, Article 354). On the other hand, FEMNET writes in a report published in September 2022, that women still face difficulties when it comes to divorce and custody:

“While annulment and divorce are permitted under the Civil Code, religious and customary practices, it is much harder for women to dissolve a marriage. Women are generally not given custody of their children if they are over seven years of age.” (FEMNET, 5 September 2022, p. 7)

In this context, it is not clear whether FEMNET’s information refers to the situation before the Civil Code reform of 2019 or whether it implies that despite legal provisions to the contrary, the question of who was to receive custody was still determined by a child’s age.

USDOS explains that in terms of divorce, the law generally favours men when it comes to property division and custody (USDOS, 20 March 2023, section 6). The World Bank describes that Article 619 of the new Civil Code stipulates division of property as the “default regime for marital assets” and notes that this disadvantages women in case of divorce since non-monetary marital contributions, such as care work for children and/or elderly or household responsibilities – usually done by women – are not be taken into consideration (The World Bank, 9 May 2023, p. 66; see also Law No. 2019/035/AN, 4 July 2019, Article 619).

USDOS notes that “[t]he law does not provide for the same legal status and rights for women as for men, including in inheritance, property, employment, credit, and divorce” (USDOS, 20 March 2023, section 6). According to Freedom House, “laws and practices” disadvantages women in terms of inheritance and property rights (Freedom House, 2023, section G2). The World Bank explains the different treatment of women and men in terms of inheritance rights:

“Article 695 of the Guinean Civil Code creates a disparity in inheritance rights of surviving male and female spouses, granting surviving husbands more rights than wives. Article 695 gives widows a one-eighth share of the husband’s estate if there are no children or second wives but has no such limit on the husband’s inheritance share. Among 48 countries in Sub-Saharan Africa, Guinea is one of only 14 that treat surviving wives differently in inheritance rights than surviving husbands.” (The World Bank, 9 May 2023, p. 63)

Moreover, the World Bank notes that customary law often prevails over statutory law, including in terms of inheritance rights:

“The parallel existence of customary and religious laws with statutory law in Guinea creates confusion and often undermines women’s rights. Traditional laws often supersede the formal legal framework. For example, the customary forms of levirate and sororate continue to be practiced, preventing widows from receiving inheritance entitlements. Customary practices prohibit women from inheriting land, which they can hold only on a usufruct basis.” (The World Bank, 9 May 2023, p. 79; see also [section 18](#), Property and land rights)

In terms of political participation of women, ASF France notes that the Transitional Charter does not specifically guarantee the equality of men and women in electoral processes and with regard to the participation in public affairs (ASF France, 18 May 2022, p. 16).

9 Situation of children

9.1 Child marriage / forced marriage

Guinea is state party to the UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), the UN Convention on the Rights of the Child (CRC), the African Charter on the Rights and Welfare of the Child, and the Protocol to the African Charter on Human and Peoples' Rights on the Rights of women in Africa, the so-called Maputo Protocol (EASO, 10 December 2021, p. 3).

According to a report by Avocats Sans Frontières France (ASF France), the prohibition of practices like FGM, forced and/or early marriages is not mentioned in the Transitional Charter, although it had been enshrined in previous constitutions (ASF France, 18 May 2022, p. 7).

The legal age for marriage is 18 years (Freedom House, 2023, section G3; USDOS, 20 March 2023, section 6) and Article 319 of the 2016 Penal Code stipulates that early and forced marriage are strictly prohibited (Law No. 2016/059/AN, 26 October 2016). They remain, however, “common”, according to Freedom House (Freedom House, 2023, section G3). Although a civil marriage is required by the Civil Code prior to a traditional or religious ceremony, that requirement is reportedly rarely enforced (Freedom House, 2023, section G3; FEMNET, 5 September 2022, p. 7). The USDOS notes that a certain ambiguity persists:

“The law criminalizes early and forced marriage. The legal age for marriage is 18. Ambiguity remains, however, because the law refers to customary marriages for children who receive consent from both their parents or their legal guardian. The Guinean Young Girls Leaders Club (Le Club des Jeunes Filles Leaders de Guinée) recorded 50 child marriages during the year, a drop from previous years’ records. According to Girls Not Brides, an international network of civil society organizations committed to ending child marriage, prevalence rates in Guinea are 47 percent of child marriage by 18 years of age and 17 percent of child marriage by the age of 15.” (USDOS, 20 March 2023, section 6; see also ASF France, 18 May 2022, p. 14)

According to an article by France Télévisions of May 2023, the practice remains rooted in Guinean society, with 63 percent of married women from 20 to 24 years of age having been married before the age of 18 (France TV, 30 May 2023). The Guinean MPTEN notes in a report of August 2023 that 46.6 percent of women were married before the age of 18 (MPTEN, August 2023, p. 40). AI notes that in some regions, including Upper Guinea, Fouta Djallon (Middle Guinea) and the Forest Region, the prevalence rate of early marriages is more than 70 percent (AI, 27 September 2022, p. 13).

FEMNET notes that “[a]n individual that consummates a marriage with a child can only be penalized if the victim is under the age of 13”. Moreover, FEMNET notes that since according to cultural and traditional norms domestic conflicts should be resolved within the family, women who are forced into a marriage in general will not seek legal protection. The judicial system, on the other hand, does not deal with such cases adequately: According to FEMNET; there has been not one conviction with regard to forced marriage, mostly, because, as FEMNET states, many judges do not consider claims seriously (FEMNET, 5 September 2022, p. 7). Similarly, the Guinean MPTEN notes that harmful practices (“les pratiques néfastes”) such as early and forced marriage persist and are rarely prosecuted. Women face exploitation, as well as sexual abuse or harassment at work, in families and at school; forced and early marriages

may also be underlying causes of these forms of violence against women. According to the MPTEN, the country's high illiteracy rate of 75 percent has a negative impact on the adoption of behaviour that promote respect for women's and children's rights (MPTEN, August 2023, p. 40).

The researcher Mariama Djelo Ba names in her thesis of December 2020 on early marriage in the Republic of Guinea several factors that determine the continuation of the practice, including religious and cultural factors (such as concern for persevering family ties, social cohesion, respect and traditions), lack of education and weak implementation of existing laws, gender inequality, poverty, control of a young person's sexuality and certain traditional beliefs and practices, linking a girl's virginity to family honour, and other factors (Ba, December 2020, pp. 16-19). The European Asylum Support Office (EASO) notes in a query response on forced marriage in Guinea that sources point to poverty and the risk of pregnancy out of marriage (thereby dishonouring the family) as two of the factors that contribute to the continued practice of early marriage (EASO, 10 December 2021, p. 2). In interviews with the Guinean news website Laguinee.info in an article of April 2023, a student and a sociologist similarly point to the factors of poverty and education. According to the sociologist, many girls become mothers at a very young age, before they are able to lead a normal family life. This affects the girl's education and the precarious living conditions of her family, and the girl becomes a "kind of commodity" ("une sorte de marchandise") to be disposed of (Laguinee.info, 26 April 2023). Several French media report on girls of Guinean origin who fled to France to avoid being forced into a marriage by their families (for example, Ouest France, 19 March 2023; Ouest-France, 8 March 2022; France Bleu, 27 February 2023). The news site Avenir Guinée reports on a girl who fled to France after having been forced into a marriage with a 60-year old man by her uncle, who had become her stepfather¹⁵ after her father's death (Avenir Guinée, 1 March 2023).

9.2 Sexual abuse and sexual exploitation of children

According to the USDOS, sexual violence against children persisted, as existing laws were not properly implemented:

"The law prescribes penalties for all forms of child trafficking, including the commercial sexual exploitation of children. The law prohibits child pornography. The law does not explicitly address the sale, offering, or using of children for commercial sex. These laws were not regularly enforced, and sexual assault of children, including rape, was a serious problem." (USDOS, 20 March 2023, section 6)

The USDOL notes in its report on the Worst Forms of Child Labor for 2022 that Guinea is "a source, destination, and transit country for child trafficking". Girls are often trafficked as domestic workers or for commercial sexual exploitation in West African, Middle Eastern and European countries (USDOL, 26 September 2023) and the United States (Freedom House, 2023, section G4). Moreover, children are frequently victims of commercial sexual exploitation in

¹⁵ Avenir Guinée notes that after the girl's father's death, her mother was remarried by the girl's uncle, the late father's brother, as "is the case in most families in Guinea" ("c'est le case dans la plupart des familles en Guinée") (Avenir Guinée, 1 March 2023). For the practice of levirate marriage, see also above, [section 8.3](#).

Conakry, the capital city, and in the mining regions. In many cases, children living in the household of relatives or strangers in the framework of the system of confiage become victims of sexual violence and forced labour (USDOL, 26 September 2023).

According to the USDOS report on trafficking in persons (covering the period April 2022 to March 2023), the Guinean government reported 81 trafficking victims, including 10 sex trafficking victims, all of them children. USDOS notes that according to government information, NGOs identified an additional 945 trafficking victims, including 32 sex trafficking victims, 28 of whom were children (USDOS, 15 June 2023). UNICEF Guinea notes in its annual report for 2022 that according to official data, child protection services took care of 2 224 children victims of violence, including 859 victims of sexual abuse (UNICEF Guinea, 18 September 2023, p. 21).

In January 2023, the Center on Human Trafficking Research and Outreach (CenHTRO) at the University of Georgia published a study¹⁶ on child trafficking and child labour, based on household surveys, interviews, and focus group discussions with victims of child trafficking, parents/guardians of victims and other key informants in the regions of Boké and Mamou. CenHTRO notes that key informants and participants in focus group discussions pointed to the increased risks of sexual violence that girls and young women faced at work:

“Key informants and FGD [focus group discussion] respondents described increased risks of sexual assault and abuse that girls and young women faced while selling on the streets or working in a domestic situation. Respondents also described how child marriage was linked to trafficking because when a young girl would get married they would be forced to do domestic work and were not allowed to attend school.” (CenHTRO, 24 January 2023, p. 47)

According to one key informant quoted by CenHTRO, girls and young women working as domestic servants are also at risk of experiencing sexual assault or rape by members of the households where they work but are afraid to talk about it as they fear social exclusion (CenHTRO, 24 January 2023, p. 51).

In a press statement of May 2022, UNICEF Guinea announces that it signed a Memorandum of Understanding with the Guinean Football Federation to cooperate in the implementation of projects to prevent sexual abuse and exploitation of children living in the Federation’s football centres and academies (UNICEF Guinea, 23 May 2022; see also Avenir Guinée, 24 May 2022). No further information on this issue could be found.

9.3 Worst forms of child labour

The USDOL explains with reference to several sources that children in 2022 were working in the sectors of agriculture (including farming, herding, fishing, and forestry), industry (including mining, manufacturing, and construction) and services. In the latter sector, children were working in restaurants, in domestic work, or in the streets as vendors, beggars, shoe shiners,

¹⁶ Data were collected in the two regions of Boké and Mamou and included surveys of 3,047 randomly sampled households, interviews with young people who experienced child trafficking, parents or guardians of survivors of child trafficking, and other key informants, as well as focus group discussions with community members and members of the National Anti-Trafficking Committee (CenHTRO, 24 January 2023, p. 8).

or porters in the transportation sector. The worst forms of labour that children were subjected to, were, according to USDOL, commercial sexual exploitation (see above, [section 9.2](#)) – in some cases as result of human trafficking -, forced labour as street vendors, in domestic work, in mining and in the agricultural sector, as well as forced begging or involvement in illicit activities (USDOL, 26 September 2023).

The USDOS states in its report on trafficking in persons that children working in the informal sector, orphaned and homeless children and children with albinism are among the populations vulnerable to sex and labour trafficking:

“Traffickers exploit boys in forced labor in begging, street vending, shoe shining, mining for gold and diamonds, herding, fishing, and agriculture, including farming and on coffee, cashew, and cocoa plantations. Some government entities and NGOs allege that within Guinea, forced labor is most prevalent in the mining sector and in domestic work. Traffickers exploit adults and children in forced labor in agriculture. Reports indicate children are sent to the coastal region of Boke for forced labor on farms. [...]

Traffickers exploit Guinean children in forced labor in Cote d’Ivoire. Guinea is a transit country for West African children subjected to forced labor in artisanal gold mining throughout the region. A small number of girls from West African countries migrate to Guinea, where traffickers exploit them in domestic service, street vending, and – to a lesser extent – sex trafficking.” (USDOS, 15 June 2023)

The USDOL points to the increasing number of children subjected to forced labour in the mining sector:

“Within Guinea, children are subjected to forced labor and hazardous conditions in the artisanal gold and diamond mining sectors, including frequent collapses of open pit mines, and the use of dangerous chemicals. [...] Research indicated that during the COVID-19 pandemic, more children and families moved to the gold mining regions, and a rising number of children have been subjected to forced labor in artisanal gold mining.” (USDOL, 26 September 2023)

Similarly, Freedom House notes in its Freedom in the World report for 2022 that child labour is “a major problem” in some mining areas (Freedom House, 2023, section G4).

CenHTRO states that in the context of their study on child labour of January 2023, key informants described hazardous working conditions at mines, including “potential for landslides, diving using old tools, suffocation, and exposure to chemicals used in gold mining”. In the agricultural sectors, children reportedly faced the risk of snake bites since they lacked proper shoes for protection (CenHTRO, 24 January 2023, p. 48).

CenHTRO further notes that according to the household survey respondents, “portering” (the carrying of heavy loads) was the most common hazardous labour sector for trafficked children, followed by construction, fishing, manufacturing, mining/quarrying and commercial sex (CenHTRO, 24 January 2023, p. 10). It was, as CenHTRO notes, in fact the “technically less demanding jobs” of the hazardous labour sector that trafficked children were more likely to perform (CenHTRO, 24 January 2023, p. 45).

According to qualitative respondents of all groups (that is, respondents of interviews and focus group discussions), the most common forms of child trafficking were domestic work, street

vending, and agricultural work. Many victims and their parents reportedly pointed to situations where trafficked children worked in more than one sector, such as doing domestic work and restaurant work (CenHTRO, 24 January 2023, p. 10).

The USDOL notes that in many cases children who are placed into foreign households through the system of *confiage* and under the promise of receiving food, shelter, and an education in exchange for housework, are subjected to forced labour in the household. Sometimes children are also subjected to forced begging in Conakry (USDOL, 26 September 2023).

Between 30 percent and 35 percent of children in Guinea are living in other people's households through the system of *confiage*, according to an article by the Togolese bilingual website *AfreePress* of April 2023, however, without referring to the source of that number (*AfreePress*, 19 April 2023). According to the last available official census data of 2014, published in 2017 by the National Statistical Institute (*Institut National de la Statistique, INS*), the share of children between 0 and 14 years confined to other people's households was 2.4 percent (in total, 105 693 children) of the total population, including 61 754 children sent to households in urban settlements and 43 939 children sent to households in rural settlements (*INS et al.*, December 2017(a), p. 40). ASF France quotes a representative of a coalition of civil society associations saying that 90 percent of these children are ultimately victims of exploitation (ASF France, 8 September 2022, p. 30).

CenHTRO explains that among respondents there was uncertainty over when a child's work for its family becomes exploitative child labour. Children are "commonly expected" (CenHTRO, 24 January 2023, p. 42) to work in the household or in agriculture and focus group respondents believed that if a family was poor, a child could be exploited or asked to work to support the family (CenHTRO, 24 January 2023, pp. 42-43).

The national press agency (*L'Agence Guinéenne de Presse (AGP)*) points to an increasing number of children being sent from villages to families in the capital city, where they are working as domestic servants and/or street vendors. AGP quotes two girls saying that the money they earned was sent to their families in the village by their respective household heads, leaving them with nothing but the (little) food they received (AGP, 23 August 2023). *Guineematin.com* quotes the head of the NGO "Same rights for children" ("*Mêmes droits pour les enfants*") Mamadou Oury Bah saying that the majority of child victims of exploitation are "adopted" children (living in *confiage*) and that it is therefore necessary to convince parents to abandon the practice. In case of defending a child in court against its parents or family, a family member would come and withdraw the case and explain that the matter would be sorted out within the family, according to Mamadou Oury Bah (*Guineematin.com*, 14 September 2023).

In its report on trafficking in persons, the USDOS points to children subjected to forced labour in Quranic schools:

"A public report from December 2022 and prior media reporting have indicated some teachers in Quranic schools force or coerce children to beg or work in agriculture, sometimes with their parents' knowledge. Some traffickers fraudulently recruit children under the pretext of educational opportunities and instead exploit them in forced begging in Quranic schools in Senegal – via the town of Koundara, Guinea. Students are trafficked along routes through Mali and Guinea-Bissau." (USDOS, 15 June 2023)

Freedom House notes that while the Penal Code (Law No. 2016/059/AN, 26 October 2016) criminalised trafficking in persons and debt bondage, enforcement of the law “has been weak” (Freedom House, 2023, section G4).

The USDOL describes shortcomings with regard to the legal framework and policies in the context of combatting child labour:

“The government lacks a coordinating mechanism and national policy to address all relevant worst forms of child labor. Laws related to the minimum age for work also do not meet international standards because they do not include children working outside of a formal employment relationship and children who are self-employed. In addition, the government does not implement sufficient social programs to address the extent of the child labor problem.” (USDOL, 26 September 2023)

The USDOS notes that although child forced labour frequently occurred, no child labour violations were reported:

“Despite the prevalence of child forced labor, labor inspectors conducted 411 inspections and did not report finding any child labor violations. The government did not report providing training on child labor laws to labor inspectors.” (USDOS, 15 June 2023)

9.4 Former child soldiers

The Guinean authorities note in their national report for the universal period review (UPR) which was submitted to the UN Human Rights Council (HRC) in November 2019 that “thanks to a programme carried out jointly by the Government and its technical partners, children of Guinean origin who fought in the civil wars in Sierra Leone and/or Liberia have been identified and repatriated, with a view to their reintegration into society” (HRC, 11 November 2019, p. 11).

No further information on the repatriation and/or reintegration of former child soldiers into society could be found during this research.

10 Situation of particular ethnic / linguistic groups

The USDOS describes the country's population as "diverse, with three main linguistic groups and several smaller ones" (USDOS, 20 March 2023, section 6). According to an article by France TV of September 2021, the two main ethnic groups are the Fulani (Peuhl) and the Malinke, who together constitute more than half of the entire population (France TV, 6 September 2021). The CIA World Factbook estimates that as of 2018, Fulani (Peuhl) constitute 33.4 percent and Malinké 29.4 percent of the country's population. Other groups include Susu (21.2 percent), Guerze (Kpelle) (7.8 percent), Kissi (6.2 percent) and Toma (1.6 percent) (CIA, updated 12 December 2023).

CGRS-CEDOCA, the COI-unit of the Belgian office of the Commissioner General for Refugees and Stateless Persons, writes in a report of March 2023 that several sources consulted by CEDOCA stressed the existing interethnic harmony within communities as well as within families. Similarly, CGRS-CEDOCA notes that according to its own observations during two field missions in 2019 and 2022, inter-ethnic relations are generally good. According to a sociologist quoted by CGRS-CEDOCA, Guinea's ethnic groups share the same values and have a shared history and differences are mainly of a linguistic and organisational nature (CGRS-CEDOCA, 23 March 2023, p. 19). Moreover, CEDOCA quotes from a book of the Guinean historian Ismaël Barry published in 2022 where he describes the intermingling of cultures and languages in the transitional zones between the country's different regions as well as in the major urban and generally cosmopolitan centres, noticeable in the existing high rate of interethnic marriages and plurilingualism in these zones (Barry, 12 July 2022, p. 104).

Of 1,200 people interviewed for an Afrobarometer survey in August 2022, in response to the question of what people believed to be the country's most pressing problem, 2.6 percent gave as their first answer political instability, political divisions, or ethnic tensions (it was the second answer for 1.2 percent, and the third for 1.9 percent) (Afrobarometer, 12 April 2023, pp. 11-13). Asked about whether they would like to have members of other ethnic groups as their neighbours, 61.5 percent of respondents said they would like it very much, 22.3 percent would like it a bit, and 8.8 percent said it was of no importance. 4.7 percent said they would not like it at all (1.3 percent in urban and 6.6 in rural areas) (Afrobarometer, 12 April 2023, p. 69).

France TV notes in September 2021 that the [ethnic] community factor is important but not decisive from a political point of view, even if the last presidential campaign [in October 2020] had been marked by hate speech and ethnic divisions (France TV, 6 September 2021).

Nevertheless, CGRS-CEDOCA explains that several sources pointed to the instrumentalization of ethnicity by political actors, especially during election periods (CGRS-CEDOCA, 23 March 2023, p. 8). The researchers Guillaume Soto-Mayor and Mahamadou Sawadogo point in a report for the Middle East Institute (MEI) to the existing "divisive community rhetoric" (Soto-Mayor & Sawadogo, June 2023, p. 9), while Cristina Stefan, an expert in international relations and Founding and Co-Director of the European Centre for the Responsibility to Protect, notes the important role of the "politicization of ethnicity" in Guinean politics, especially after the presidential elections of 2010 (Stefan, 16 December 2021, p. 395).

Stefan points to the connection between ethnicity and elections:

"Ethnicity has played an important role in Guinean politics, with both parties and administrative regions being patterned along ethnic lines. As witnessed multiple times in Guinea and elsewhere, violence escalates around election times. As such, the obvious

trend in Guinea that ethnic tensions often turn deadly around election time should be one of the red flags informing all early atrocity prevention mechanisms. Elections have sparked incidents of ethnic violence and security forces abuses, but all post-2009 incidents so far have not escalated to the atrocity levels seen in the 2009 stadium massacre.” (Stefan, 16 December 2021, p. 397)

According to Stefan, historically, the Malinké ethnic group has been dominating Guinean politics, with Sekou Touré (the country’s first president (Soto-Mayor & Sawadogo, June 2023, p. 9)) excluding other ethnicities from his government (Stefan, 16 December 2021, p. 395). As a reaction to an alleged conspiracy against Touré’s government in 1976 by the Fulani (here referred to as “Fulbe”) ethnic group, Touré introduced “discriminatory and violent measures against this community”, according to Soto-Mayor and Sawadogo (Soto-Mayor & Sawadogo, June 2023, p. 9).

The second round of the 2010 presidential elections reportedly led to interethnic clashes between Fulani, who supported Cellou Dalin Diallo, the candidate of the Union of Democratic Forces of Guinea (Union des forces démocratiques de Guinée, UFDG) and Malinké, who supported the candidate of the Rally of the Guinean People (Rassemblement du Peuple Guinéen, RPG), Alpha Condé (Stefan, 16 December 2021, p. 394). Interethnic clashes erupted also in the context of the 2013 parliamentary elections - in both cases, “primarily affecting” the Fulani (here: “Fulbe”) community (Soto-Mayor & Sawadogo, June 2023, p. 16).

Freedom House in its report on Freedom in the World for 2022 also draws the link between ethnic and party affiliation:

“More than 150 political parties were officially recognized as of December 2021, with most having clear ethnic or regional bases of support. Article 6 of the transitional charter establishes the right for political parties to freely form. In practice, the operations of political parties are increasingly restricted under the junta, which in 2022 dismantled the country’s largest opposition group.” (Freedom House, 2023, section B1)

“Ethnic loyalty played an outsized role in the political choices of voters and party leaders under Condé. Rather than organizing around policy platforms or political ideologies and trying to attract new supporters, each party tacitly pledged allegiance to its respective ethnic group, contributing to the threat of mutual hostility and violence.” (Freedom House, 2023, section B3)

“Women and members of ethnic and religious minority groups have full political rights under the law, but ethnic divisions and gender bias limit their participation in practice.” (Freedom House, 2023, section B4)

In an article published on the online news site Afrique XXI in January 2022, political science student Tangi Bihan notes that since taking power, Colonel Mamady Doumbouya has made several symbolic gestures towards the country’s different ethnic groups, which were positively received and seemed capable of bringing the nation together (Bihan, 12 January 2022). Moreover, a few days after the military coup, Colonel Doumbouya, an ethnic Malinké like the ousted President Alpha Condé, released some 79 members of the opposition, the majority of them ethnic Peuhl (Le Point, 6 September 2022). In an article of October 2021, RFI quotes Aliou

Barry, director of the Guinean Centre for Analysis and Strategic Studies, saying with regard to the appointment of ministers to the transitional government, that so far the military leadership was careful in keeping the balance between the country's different ethnic groups (RFI, 27 October 2021). However, La Revue Internationale points in January 2022 to an "ethnic preference" by the CNRD that could be reinforced in favour of the Malinké to the detriment of the Peuhl or the Susu (La Revue Internationale, 6 January 2022). CGRS-CEDOCA notes that despite first positive steps by the de-facto government to reconcile ethnic groups, tensions between the ethnic groups have reappeared a few months after the military coup. According to interlocutors who met with CGRS-CEDOCA in November 2022, the situation has not really changed and the country's leadership as well as important positions are occupied by Malinké. CGRS-CEDOCA also notes that security forces outposts that had been established during protests against the former president Alpha Condé in the area along the Route La Prince, a street in the Ratoma area in Conakry, were reportedly removed soon after the military coup. However, they were re-established in the context of opposition protests in July 2022. According to CGRS-CEDOCA, sources speak of raids (by security forces) in the neighbourhoods, the arrest of young people and an increase in the use of firearms during protests. CGRS-CEDOCA states that representatives of a political party noted that there is a "communitisation of repression" ("une communautarisation de la repression") in this area that is predominantly inhabited by ethnic Peuhl (CGRS-CEDOCA, 23 March 2023, p. 19).

According to Freedom House, there is also ethnically motivated discrimination in the job market, with several ethnic groups discriminating against each other in terms of job allocation and other matters (Freedom House, 2023, section F4). The USDOS similarly points to problems related to ethnicity:

"While the law prohibits racial or ethnic discrimination, allegations of discrimination against members of all major ethnic groups occurred in private sector hiring. Ethnic segregation of urban neighborhoods and ethnically divisive rhetoric during political campaigns were common. The government made little effort to address these problems."
(USDOS, 20 March 2023, section 6)

The media platform Planete7 describes the spread of ethnic hatred through seemingly "humorous" social media posts and points to the case of the singer Jack Woumpack, who was found guilty in June 2023 of "insulting and making ethnic comments via a computer system"¹⁷, after he had posted a video with hateful remarks against the Fulani community on social media. After an apology he was sentenced to 12 months of suspended imprisonment and a fine of 10 million Guinean Francs (USD 1,163) (Planete7, 12 September 2023).

Justice Info notes that the issue of ethnicity has come up several times during the trial for the 28 September 2009 massacre (see above, [section 3.3](#)), eventually leading the judge to warn all participants in the trial that the court would "not accept certain remarks, especially ethnic or regionalist" and would "be obliged" to expel those who acted to the contrary. According to a social anthropologist quoted by Justice Info, most of the parties and the defence are "constituted along ethnic lines" and that it is no surprise that the issue is coming up during the

¹⁷ "des faits d'injures, de propos ethniques, proférés par le biais d'un système informatique" (Planete7, 12 September 2023).

trial. Another social anthropologist is quoted saying that it is “a reality of this country” that those in power rule through ethnicity. He reportedly similarly acknowledged that the issue of ethnicity cannot be ignored in the trial but commended the court’s president’s efforts “to steer away from ethnic discourse” (Justice Info, 1 December 2022).

In his article of January 2022, Tangi Bihan notes that every ethnic group has at one point suffered repression from others and that this “competition of memories” complicates the reconciliation process and has been exploited by successive governments, adding that in his opinion, new generations seem to want an end of this kind of rhetoric (Bihan, 12 January 2022).

11 Freedom of religion

The Transitional Charter of 2021 stipulates that Guinea is a secular state (see Transitional Charter, 27 September 2021, Article 3) and criminalizes any act that undermines the secular nature of the state (see Transitional Charter, 27 September 2021, Article 7) or an individual's religious freedom, punishable with imprisonment and a fine. The Penal Code grants freedom of worship within legally defined limits (USDOS, 15 May 2023, Executive Summary).

The USDOS notes that according to the country's Secretariat General of Religious Affairs (Secrétariat Général des Affaires Religieuses, SGAR), about 85 percent of the population is Muslim, 8 percent are Christian, and 7 percent adhere to indigenous religions and other beliefs (USDOS, 15 May 2023, section I). On the other hand, while the SGAR similarly notes the dominant position of Islam (85 percent), it indicates that 4.3 percent of the population are Christians and the remainder adheres to traditional beliefs (SGAR, undated).

The US-American evangelical Christian news site Christianity Today (CT) writes that Christians are generally from the Guerzé (here referred to as "Kpelle") and other smaller ethnic groups, but that there are people among all tribes who have converted (CT, 13 October 2021).

11.1 Conversion from Islam

According to Freedom House, religious rights are "generally respected in practice" but people who convert from Islam to Christianity sometimes come under pressure from their community (Freedom House, 2023, section D2).

The USDOS similarly notes that according to observers, in some parts of the country, in particular the middle and upper regions, conversion is discouraged due to "strong familial, communal, cultural, social, or economic pressure" (USDOS, 15 May 2023, section III; see also *Guinée Actuelle*, 31 October 2021).

Guinée Actuelle writes in October 2021 that the media regularly reported on incidents and reactions by society in relation to conversions from Islam to another religion.¹⁸ According to *Guinée Actuelle*, the General Secretariat for Religious Affairs also stated that sometimes Muslim families and communities rejected or persecuted Muslims, especially women, who converted to another religion (*Guinée Actuelle*, 31 October 2021). Christianity Today notes in October 2021 that while "[s]ome Muslim converts to Christianity fear family reaction", they are not harassed by the state (CT, 13 October 2021).

In an article of September 2021, the website Erasing 76 Crimes, a news site focusing on the situation of persons affected by anti-LGBTQI+ laws, quotes an anonymous LGBTQI+ activist in Guinea saying that he was not aware of "religious radicalism" in the country:

"As an activist, I do not see a resurgence of Islamic fundamentalism in Guinea. Although fundamentalists are visible in the public space, religious radicalism has not found fertile ground here. Guineans are generally quite cautious about political Islam. Those who

¹⁸ *Guinée Actuelle* mentions the case of an imam who reportedly tried to burn his son alive for having converted to Christianity (*Guinée Actuelle*, 31 October 2021). One such case was reported by *Vision Guinée* in June 2014 (*Vision Guinée*, 11 June 2014). In August 2018, *Radio Kankan* reported on a young Muslim man who was threatened with death by his father for having a family with a Christian girl and wanting to convert to Christianity (*Radio Kankan*, 31 August 2018).

choose to embrace the most rigorous Islam are generally supported from abroad.” (Erasing 76 Crimes, 28 September 2021).

11.2 Couples in interfaith marriages

In its report on religious freedom the USDOS states that according to media reports, the marriage of a Christian journalist to a Muslim woman provoked “widespread public debate” (USDOS, 15 May 2023, Executive Summary) and critical comments on social media, as well as social and religious tensions:

“In May [2022], the marriage of a well-known Christian radio journalist to a Muslim woman fueled public debate, generated critical postings on social media, and created social and religious tensions, according to local media reports. The woman’s family accused the husband of forcing their daughter to convert to Christianity and asked authorities to annul the marriage. Muslim and Christian religious leaders also expressed their views about the marriage. The Grand Imam of Conakry told local media that Islam does not allow a non-Muslim man to marry a Muslim woman. The head of the Seventh-day Adventist Church in the country argued against the marriage in the local press, noting that if a pastor celebrated a marriage without consent of one of the families, he violated an Old Testament passage which required a couple to have the same ideals for a marriage. An evangelist from a small community of Christian converts maintained that the woman was rejected by her family because of her choice and therefore she had the right to marry without involving her family. On May 17, a Muslim blogger created an online ‘Movement for the Defense of Our Values’ to support the woman’s family and organized a sit-in in front of the headquarters of the journalist’s radio station to protest the marriage. On instructions from a local prosecutor, the judicial police arrested the blogger and charged him with making public threats and insults and making available information on social media likely to disturb public order; both are civil offenses. On June 7, the blogger was released without trial and placed under judicial supervision, which involved regular court visits and limits on his freedom of movement.” (USDOS, 15 May 2023, section III)

Similarly, the DCR-based website Africa without Hatred (Africa sans Heine, ASH) points to the violent comments made in the context of this debate, tending to use this marriage to play the two religions off against each other (ASH, 13 May 2022).

11.3 Interfaith conflicts

According to IMPACT¹⁹, a project dedicated to countering disinformation, Guinea has never experienced widespread inter-religious conflicts in its history and the few conflicts that were recorded, were predominantly taking place in the country’s Forest Region (IMPACT, 6 July

¹⁹ IMPACT (Implication des Médias Numériques dans la Prévention Active des Conflits et Tensions, in its English translation: Involvement of Digital Media in the Active Prevention of Conflicts and Tensions) is an EU-financed project implemented in Guinea and Côte d’Ivoire by a consortium led by Avocats sans Frontières France (ASF France) with the partner organisations Danaïdes, AfricTivistes, Ablogui (Association of Bloggers of Guinea) and REPPRELICI (Réseau des Professionnels de la presse en ligne de Côte d’Ivoire), the network of online professionals in Côte d’Ivoire (IMPACT, undated).

2023). Of 1,200 people asked in the context of the Afrobarometer survey in August 2022 about how they would like to have neighbours of a different faith than their own, the majority of respondents said they would like it very much or a bit (45.4 percent and 21.8 percent, respectively). 16.4 percent would not like it at all, and 11.1 percent said they did not care (Afrobarometer, 12 April 2023, p. 69).

In its report on international religious freedom for 2022, the USDOS notes that according to media reports, an evangelical Christian church was attacked by animist residents of Kolakpata, a locality in the N'Zérékoré prefecture in the Forest Region, and the church, the pastor's home and two other houses were destroyed. The residents were reportedly angered that they were no longer permitted by the church to perform traditional end-of-year celebrations and had requested the closure of the church before the attack (USDOS, 15 May 2023, section III). According to Guineematin.com, the public prosecutor at the N'zérékoré court of first instance announced in February 2022 the launch of an investigation into the attack (Guineematin.com, 1 February 2022). According to the USDOS, the investigation was not completed by the end of 2022 (USDOS, 15 May 2023, section III).

A second conflict that was mentioned by the USODS in its report on international religious freedom was “a long-running land dispute” between Muslim Susu villagers and the Catholic Saint-Jean monastery in Kendoumaya in Lower Guinea. According to the USDOS, villagers claimed ownership of the land near the monastery and said the church had not kept earlier commitments related to improving the village's infrastructure – claims which the church authorities rejected as unfounded. The conflict reportedly led to demonstrations and “occasional violence”, including an attack on a monk by villagers in 2021 (see also *Le Courrier de Conakry*, 23 October 2021). The USDOS notes that according to the church's lawyer, the villagers had in the past publicly admitted ceding land to the church but had then switched to demanding the land back from the church following the violence. According to the church, the villagers had been manipulated by an outside social movement that focused on recuperating “ancestral lands from outside settlers, such as the church”. By the end of 2022, the conflict had reportedly not been resolved, despite an attempt to mediate between the sides by the Minister of Territorial Administration and Decentralisation and local authorities. Nevertheless, the USDOS notes, the “two sides continued to negotiate under instructions from the Minister to the Governor of the region to maintain dialogue until the conflict was resolved” (USDOS, 15 May 2023, section III).

12 Persons of diverse SOGI

12.1 Legal framework

The USDOS notes in its country report on the human rights situation for 2022 that same-sex sexual activity among adults is punishable by law and that the Transitional Charter and existing laws offer no protection to the rights of LGBTQI+ (Lesbian, Gay, Bi, Trans, Queer, Inter, +) persons (USDOS, 20 March 2023, section 6). Article 274 of the Guinean Penal Code of 2016 stipulates that any “indecent” acts or acts “against nature” with a person of the same sex are punishable with imprisonment of 6 months to 3 years and a fine of 500,000 to 1 million Guinean Francs (USD 58.15 to USD 116.30)²⁰. In case a minor of under the age of 18 years is involved, the maximum sentence is always imposed. In case the act was committed or attempted with violence, the sentence will be 5 to 10 years of imprisonment (Law No. 2016/059/AN, 26 October 2016, Article 274). According to Article 276 of the Penal Code, anyone committing an act of “public indecency” is punishable with imprisonment of 3 months to 2 years and a fine of GNF 500,000 to 1 million (USD 58.15 to USD 116.30), or one of these penalties only (Law No. 2016/059/AN, 26 October 2016, Article 276).

The Penal Code does not further define “indecent” acts or acts “against nature” (HRW, 13 January 2022). Acts of “public indecency” are defined in Article 275 of the Penal Code as any deliberate acts that are likely to offend the modesty and moral feelings of the persons who are involuntary witnessing such acts (Law No. 2016/059/AN, 26 October 2016, Article 275).

12.2 Attitudes

In a report of October 2023 on sexual and gender minorities, CGRS-CEDOCA, the COI-unit of the Belgian office of the Commissioner General for Refugees and Stateless Persons, notes that it met with representatives of an association for the defence of the rights of LGBTQI+ persons during a field mission in November/December 2022 in Conakry. The association wished not to be named for security reasons. According to the association, neither political decision-makers nor ministers would comment on the topic of sexual and gender minorities in Guinea. Moreover, CGRS-CEDOCA notes that it found only little information about the respective position of political actors from the Guinean online press. Regarding the position of religious leaders, the association reportedly informed CGRS-CEDOCA that religious leaders address the issue in their mosque sermons and that they are categorically against any sexual orientation that do not comply with the social norm (CGRS-CEDOCA, 30 October 2023, pp. 6-7).

In an article of September 2021, the website Erasing 76 Crimes quotes an anonymous LGBTQI+ activist in Guinea who similarly points to the attitude of political and religious authorities:

“During the time of recently deposed President Alpha Condé [2010 to 2021], there was already a great deal of stigmatization associating LGBTI people with a Western imperialist agenda, supposedly desired and imposed by France and the United States. In addition, the preaching of some imams makes conspiracy theories very viral here. The preaching in some

²⁰ All currency calculations in this report are based on the exchange rate from European Commission, Exchange rate (InforEuro), undated, https://commission.europa.eu/funding-tenders/procedures-guidelines-tenders/information-contractors-and-beneficiaries/exchange-rate-inforeuro_de, accessed 15 December 2023.

places of worship is uncontrolled, though one should not generalize.” (Erasing 76 Crimes, 28 September 2021)

The association for the defence of LGBTQI+ rights interviewed by CGRS-CEDOCA similarly notes that the prevailing opinion in society is that homosexuality is either a curse or a practice imported from the West but nothing Guinean and that this attitude has not changed over the past ten years, while an NGO in support of democratic processes that was also interviewed by CGRS-CEDOCA states that the debate on the issue is “completely closed” (CGRS-CEDOCA, 30 October 2023, p. 13). According to the association for the defence of LGBTQI+ rights and to another NGO – the Fraternité médicale Guinée – the situation has become more difficult for the LGBTQI+ community since the military coup of September 2021 (CGRS- CEDOCA, 30 October 2023, p. 12).

In the context of the Afrobarometer survey of August 2022 and in answering the question how much they would like or dislike to have certain groups of people as their neighbours, 82.5 percent of respondents said they would not like at all to have homosexual persons living next door. Differences between urban and rural populations were only marginal, with 80 percent and 83.9 percent, respectively (Afrobarometer, 12 April 2023, p. 70).

Both, the association for the defence of LGBTQI+ rights and the NGO in support of democratic processes note that LGBTQI+ persons are frequently rejected by their families and attacked in the streets (CGRS-CEDOCA, 30 October 2023, pp. 15-16). USDOS mentions the social stigmatisation that LGBTQI+ persons experience:

“LGBTQI+ persons reported being stigmatized by their families. They were also subject to sexual assault based on their sexual orientation [...]. LGBTQI+ persons indicated some degree of internal displacement to avoid regions where cultural and religious norms put their lives and livelihoods in particular danger.” (USDOS, 20 March 2023, section 6)

12.3 Enforcement of laws and treatment by security forces

Freedom House notes that same-sex sexual conduct was a criminal offense but that the law was “rarely enforced”. Nevertheless, LGBTQI+ persons “have been arrested on lesser charges in connection with their identity”, according to Freedom House (Freedom House, 2023, section F4). Similarly, the USDOS states:

“Although there were no known prosecutions under the law during the year, LGBTQI+ individuals reported harassment and persecution by law enforcement and often paid bribes in order to avoid arrest. [...] LGBTQI+ persons faced arbitrary arrest, violence, and harassment by security forces who accused them of disrupting the social order.” (USDOS, 20 March 2023, section 6)

The Guinean association for the defence of LGBTQI+ rights explains in an interview with CGRS-CEDOCA that the law banning same-sex relations was applied in the country and that in 2022, under the military authorities, many LGBTQI+ persons had been arrested, although there was no case monitoring due to a lack of financing. According to the association, the police organised raids at meeting places of the LGBTQI+ community. Arrests were conducted in situations of “in flagrante delicto”, but also because of the way a person was dressed. The association further notes that LGBTQI+ persons could be kept in police custody for up to four

or five days – longer than the 48 hours foreseen by law. When asked by CGRS-CEDOCA about the prosecution of cases, the association explains that in most cases, the arrested persons, fearing exposure and stigmatisation, would make arrangements with the police and pay the requested sum (reportedly two to three million Guinean Francs (USD 232.6 to USD 348.9)) to avoid being transferred to a competent court (CGRS-CEDOCA, 30 October 2023, p. 9). A lawyer and an NGO in support of democratic processes interviewed by CGRS-CEDOCA similarly note that such cases would mostly be resolved in silence (CGRS-CEDOCA, 30 October 2023, p. 10). The association in defence of LGBTQI+ rights states in its interview with CGRS-CEDOCA that members of the community experienced physical and sexual violence by police officers while being held in custody at police stations (CGRS-CEDOCA, 30 October 2023, p. 11). According to the anonymous LGBTQI+ activist interviewed by the website Erasing 76 Crimes, “the criminalization of homosexuality allows law enforcement officials and bandits to blackmail and extort citizens on the basis of their sexual orientation”, often through social networks. However, the activist further notes that the situation is more difficult for LGBTQI+ persons living in Kankan or other cities in the interior of the country than in the capital city Conakry, where the situation was calmer (Erasing 76 Crimes, 28 September 2021). Moreover, in the interview with CGRS-CEDOCA, the association for the defence of LGBTQI+ explains that since the law offers no protection, LGBTQI+ victims of violence would rather stay silent than turn to the police (CGRS-CEDOCA, 30 October 2023, p. 11).

12.4 Marriage

The Transitional Charter stipulates in Article 25 that marriage and family constitute the natural foundation of life in society and are protected and promoted by the State (Transitional Charter, 27 September 2021, Article 25). Africaguinee writes that on 30 May 2023, the Islamic High Council presented its proposals in the context of the ongoing constitutional debate. With regard to marriage, the Islamic High Council representative Elhadj Mansour Fadiga states that the marriage between man and woman constitutes the only natural foundation of life in the country (Africaguinee, 30 May 2023). In a TV show, he reportedly repeated that a marriage had to be between a man and a woman, not just between two people. Moreover, he demanded that homosexuality was formally banned in the country, stating that it was prohibited by all religions, not only by Islam (Vision Guinée, 9 June 2023).

According to the USDOS, a diplomatic mission in Guinea did ask in December 2021 for information with regard to same-sex marriages conducted by foreign consuls in the country. It was informed that in accordance with Guinean laws such a marriage will not be recognized (USDOS, 20 March 2023, section 6).

The association for the defence of LGBTQI+ rights in an interview with CGRS-CEDOCA and the USDOS describe LGBTQI+ persons being pressured by their families to marry someone of the opposite sex (USDOS, 20 March 2023, section 6; CGRS-CEDOCA, 30 October 2023, p. 13). There are cases in which LGBTQI+ persons are reportedly abandoned by their families because they refuse to marry or they leave their family or even the country to avoid family pressure (CGRS-CEDOCA, 30 October 2023, p. 13).

12.5 Discrimination

Freedom House notes that antidiscrimination laws do not protect LGBTQI+ persons (Freedom House, 2023, section F4). Similarly, the USDOS explains that “antidiscrimination laws do not

apply to LGBTQI+ persons” (USDOS, 20 March 2023, section 6). CGRS-CEDOCA states that this was confirmed by the Guinean association for the defence of the LGBTQI+ rights (CGRS-CEDOCA, 30 October 2023, p. 8).

The USDOS points to existing “[d]eep religious and cultural taboos” against consensual same-sex sexual conduct and notes that LGBTQI+ persons reportedly experienced stigmatisation by their own families and discrimination in other social settings:

“LGBTQI+ persons were subject to employment and housing discrimination. There were no official or formal NGO reports of discrimination based on sexual orientation or gender identity, although societal stigma likely prevented survivors from reporting abuse or harassment. LGBTQI+ community members advised that those who are unable to conceal their identity, particularly transgender persons and sexual minorities with nonnormative gender presentation, were subject to bullying by peers and teachers, and often were unable to complete their studies. LGBTQI+ persons reported fear of discrimination when seeking health and medical care, leading many not to seek out treatment.” (USDOS, 20 March 2023, section 6)

Similarly, the association in defence of LGBTQI+ rights in an interview with CGRS-CEDOCA states that LGBTQI+ persons experience discrimination in terms of housing, employment, health, and education and describes that some property dealers in Conakry evict tenants without notice when they discover their sexual orientation. The medical NGO *Fraternité médicale Guinée* (FMG) notes that LGBTQI+ persons face discrimination in terms of access to hospitals (CGRS-CEDOCA, 30 October 2023, p. 16).

According to the USDOS, LGBTQI+ organisations are restricted from legally registering. Some organisations are working in the fields of public health, AIDS prevention and awareness-raising, and advocacy for the rights of vulnerable populations, including the LGBTQI+ community (USDOS, 20 March 2023 section 6). CGRS-CEDOCA notes that according to its own statements, the NGO *Fraternité médicale Guinée* (FMG) is one of the few health organisations that work with vulnerable populations. Some criticise it for allegedly promoting prostitution and homosexuality and its members might face stigmatisation due to their work, according to CGRS-CEDOCA. Similarly, the association in defence of LGBTQI+ rights describes that its activists face threats every day (CGRS-CEDOCA, 30 October 2023, pp. 16-17; 20).

12.6 Transgender

According to the USDOS, there was no legal option available for individuals to change their gender identity marker on legal documents or identifying documents. Moreover, there was no option available to identify as “nonbinary/intersex/gender nonconforming” (USDOS, 20 March 2023, section 6).

A transgender person interviewed by CGRS-CEDOCA explains that transgender persons face violence, including by the police, have difficulties in finding legal aid when suffering violence, and face insults from society. The transgender person describes having experienced problems in the family and at school. According to her, many transgender persons leave school at primary level, which renders it difficult for them to become independent (CGRS-CEDOCA, 30 October 2023, pp. 12; 15; 17).

The USDOS notes that transgender persons “were subjected to ‘compassionate incarceration’ to ‘protect’ them from community violence but were segregated in prisons based on sex

assigned at birth; this led to high rates of sexual violence against those ‘protected’ individuals” (USDOS, 20 March 2023, section 1d).

13 Persons living with HIV/AIDS

As of 2022, there were 130,000 people in Guinea living with HIV, including 11,000 people aged 0 to 14 years, according to UNAIDS estimates. The number of new HIV infections in 2022 was estimated at 5,800, including 1,400 new infections among people aged 0 to 14 years, and the number of AIDS-related deaths in 2022 was estimated at 3,500 (including 990 deaths of persons 0 to 14 years old) (UNAIDS, 31 October 2023, p. 330). The HIV-transmission rate from mother to child – although still very high - fell from 22 percent in 2015 to 16 percent in 2020, according to the UNAIDS country director (UNAIDS, 27 October 2021).

Vision Guinée quotes the executive secretary of the country's national committee to combat AIDS (Le Comité national de lutte contre le SIDA, CNLS) stating at a press conference in November 2023, that according to Spectrum²¹ 2022 calculations, the number of people living with HIV/AIDS amounted to 126,134. Moreover, according to the executive secretary, the national prevalence rate dropped from 1.7 percent to 1.5 percent, with 1.6 percent among women compared to 1.3 percent among men. The capital city Conakry remains the city with the highest number of people living with HIV/AIDS, "due to the city's cosmopolitan nature"²², followed by the region of Boké, where the population is exposed to a rise in infections because of the intensifying mining activities in the region, according to the executive secretary (Vision Guinée, 22 November 2023).

According to Doctors without Borders (Médecins Sans Frontières, MSF), there are 86,000 patients on treatment for HIV/AIDS countrywide, with 20 percent of those patients (16,425 persons) being cared for by MSF. The organisation further notes that of 11,000 children aged 0 to 14 years living with HIV/AIDS, only 3,612 receive treatment (MSF, 24 November 2023).

The WHO Regional Office for Africa describes that the prevention of mother-to-child-transmission (PMTCT) is a government priority and notes that as of 2021, there were 487 PMTCT centres across the country, where HIV-positive mothers and their children were cared for and received free antiretroviral (ARV) medication (WHO Regional Office for Africa, 29 April 2022). Similarly, MSF, which started its first HIV/AIDS project in Guinea in 2003, has a focus on PMTCT. One outcome of the programme is, according to an MSF project coordinator, that less than 5 percent of children born to HIV-positive mothers have a positive status, in comparison with 20 percent at the national level (MSF, 24 November 2023). MSF also describes the development of a 6-month-appointment programme that includes providing stable HIV/AIDS patients with sufficient ARV medication for six months to limit time, costs and travel needed to get treatment. According to MSF, the programme was also rolled out on a national level by the national health programme (MSF, 24 November 2023). The WHO Regional Office describe similar models of three- and six-month-appointments being implemented by the authorities (WHO Regional Office for Africa, 29 April 2022).

The Ministry of Posts, Telecommunication and Digital Economy (MPTEN) notes in a report of August 2023 that the government pursues a policy of free access to antiretroviral drugs, which, however, remains limited due to a lack of resources (MPTEN, August 2023, p. 46). CNLS quotes

²¹ Spectrum is a software that uses a mathematical model which utilizes HIV surveillance, survey and program data, combined with demographic data, to generate historical trends and short-term projections of key indicators (UNAIDS, 10 December 2023, p. 3).

²² "à cause du caractère cosmopolite de la ville" (Vision Guinée, 22 November 2023).

the director of the National Program for the Fight against HIV/AIDS and Hepatitis (PNLSH), Dr. Mamdou Aliou Diallo, saying that products are missing in some areas while they are available in the Central Pharmacy of Guinea. He explains that the problem existed either due to failure to communicate needs or due to failures in the distribution chains (CNLS, 9 August 2023).

In a statement of November 2023, MSF notes progress in terms of HIV care, but points to ongoing challenges:

“Twenty years on, despite the innovations and the progress in HIV care in Guinea, challenges remain in terms of prevention, testing, treatment and funding.

Today, not all health facilities in Guinea offer free complete care for HIV patients. [...] There are recurrent stock-outs of ARVs and a sometimes faulty supply chain. In addition, many health professionals are not sufficiently trained in the management of HIV and comorbidities.

The majority of Guinea’s HIV response is covered by the Global Fund, but massive gaps remain. PMTCT services are not available everywhere; viral load and early infant diagnosis are not available to all patients; and the screening, prevention and treatment of opportunistic infections are not available within primary health services.

Children, in particular, face problems accessing testing and treatment for HIV. [...] ‘There are monthly shortages that can occur in paediatric HIV medications, which can lead to backlogs of up to three weeks. That’s where MSF gets involved: we cover the gaps,’ says Dr Souleymane. ‘Adults and even children can spend weeks without receiving treatment, which can lead to the emergence of strains that are resistant to ARVs. Some children born to HIV-positive mothers do not have access to paediatric prophylaxis at birth, partly because of paediatric ARV shortages, while some other children living with HIV are not on ARV treatment.’” (MSF, 24 November 2023)

The USDOS describes that laws exist to protect persons with HIV and AIDS from stigmatisation and discrimination, but that implementation was sometimes inadequate:

“Laws exist to protect persons with HIV and AIDS from stigmatization. The law on reproductive health provides that persons with HIV and AIDS receive special assistance in basic care and a guarantee of confidentiality. The government relied on donor efforts to combat discrimination against persons with HIV and AIDS, and government efforts were limited to paying health-care worker salaries. Most victims of stigmatization were widows abandoned by their families after their husbands died of AIDS.” (USDOS, 20 March 2023, section 6)

“The law prohibits sexual harassment and discrimination based on race, color, national origin, citizenship, social origin, age, language, or HIV-positive status or other communicable disease status. The government took no steps to prevent discrimination in employment and occupation. Penalties were not commensurate with similar crimes and penalties were never applied against violators.” (USDOS, 20 March 2023, section 7d)

The UNAIDS country director for Guinea states in an interview in October 2021 that the level of stigmatisation and discrimination of people living with HIV/AIDS is still high and that this constitutes a “systemic barrier” (“un frein systémique”) in terms of combatting the disease (UNAIDS, 27 October 2021). In December 2022, the Atlantic Federation of African Press Agencies (La Fédération Atlantique des Agences de Presse Africaines, FAAPA) quotes the Vice-President of the Guinean Network of Associations of People Infected and Affected by HIV (Réseau Guinéen des Associations des Personnes Infectées et Affectés par le VIH (REGAP+)), Kadiatou Bodié Baldé, pleading for a government campaign to combat the stigmatisation of people living with HIV/AIDS. According to Baldé, it is not HIV that was killing people, but the stigmatisation and ignorance of the disease. People lack information and hold the belief that if a person has the virus, s/he would die and “be condemned by God” (“subiras une condamnation divine”) (FAAPA, 1 December 2022). Similarly, GquiOse quotes a woman living with HIV/AIDS who remained silent about her status for fear of stigmatisation. Another, with her husband equally living with HIV/AIDS, disclosed it to her children, but moved with her family to the capital Conakry to get away from “comments and inappropriate looks” (“les commentaires et regards déplacés”) (GquiOse, 1 December 2022). MSF quotes a patient saying that he suspended treatment for fear of having his diagnosis disclosed, but then nevertheless experienced stigmatisation and discrimination when his condition got worse, to the point that he attempted suicide. MSF also notes that due to stigma and financial limitations many patients continue arriving at MSF’s HIV unit at the Donka hospital in the capital Conakry “in the advanced stages of the disease” (MSF, 24 November 2023). Moreover, MSF notes that although stigmatisation in general has decreased, it remains high for some groups of people:

“In Guinea, stigma against people with HIV has generally reduced but it remains a problem in some communities, particularly for sex workers and men who have sex with men. Both groups face difficulties accessing secure testing and care.” (MSF, 24 November 2023)

According to CGRS-CEDOCA, the one organisation that is actively defending the rights of LGBTQI+ persons in Guinea is doing so under the cover of promoting public health and preventing HIV/AIDS (CGRS-CEDOCA, 30 October 2023, p. 21; for more information on the situation of LGBTQI+ persons, see above [section 12](#)).

MSF reportedly works on community level with mediators and organisations as well as with patient volunteers to provide information, reduce stigmatisation and show that life with a HIV-positive status is possible (MSF, 24 November 2023).

14 Persons with albinism

ASF France notes in a report of November 2022 that more than 2,000 persons with albinism are estimated to be living in Guinea, although these are still very approximate numbers (ASF France, 24 November 2022, p. 4). According to the last available official census data of 2014, published in 2017 by the National Statistical Institute (Institut National de la Statistique, INS), there are 1,124 persons with albinism living in Guinea (INS et al., December 2017(b), p. 74). On the other hand, in an article of June 2023, Guineenews quotes the president of the National Transitional Council (Conseil National de la Transition, CNT) saying that no family is immune to albinism and that “each of us has at least one person with albinism in the family”²³ (Guineenews, 13 June 2023).

14.1 Legal framework

The USDOS points to the Law on the Protection and Promotion of the Rights of People with Albinism (Law No. 2021/0016/AN, 30 April 2021) that entered into force on 18 May 2021 (USDOS, 12 April 2022, section 6). The law grants persons with albinism equal rights in terms of access to education, health care, mobility, and employment, and increased penalties “for those who encourage persons with albinism to beg and who seek to use persons with albinism in ritual ceremonies” (USDOS, 20 March 2023, section 6; see also Law No. 2021/0016/AN, 30 April 2021).

ASF France stresses that this is the first law on the promotion and protection of the rights of persons with albinism and on equal opportunities for this group globally. ASF France points to the fact that the law penalizes all rituals and other “forms of human sacrifice” (“autre forme de sacrifice humain”) that persons with albinism might fall victims to, and that it obliges authorities to involve relevant rights organisations in the development of activities and consider their points of view in the implementation of action plans. Nevertheless, ASF France also points to several aspects of fundamental rights which are not adequately addressed by the law, including an incomplete definition of “albinism”, and the fact that some rights stipulated in other conventions are not mentioned in this law (ASF France, 24 November 2022, pp. 24-26).

14.2 Discrimination

The USDOS points to discrimination against persons with albinism:

“Discrimination against persons with albinism occurred, particularly in the Forested Guinea Region, where, historically, ritual sacrifices and other harmful practices related to witchcraft used persons with albinism or their body parts. NGOs focused on the rights of persons with albinism continued to raise awareness of discrimination and violence.” (USDOS, 20 March 2023, section 6)

ASF France explains that people with albinism, in particular women and children, face discrimination, violence, and abuse in public as well as in private space. ASF France expresses regret that no statistical data regarding incidents of violence against persons with albinism are available and notes that persons with albinism - especially children – are particularly vulnerable

²³ “Chacun de nous a au moins une personne atteinte d’albinisme dans sa famille” (Guineenews, 13 June 2023).

to violence linked to witchcraft (ASF France, 24 November 2022, p. 29). The United Nations Office in Guinea (UN Guinea) describes existing “erroneous assumptions” (“hypothèses erronées”) about persons with albinism, that encourage ritual violence against them, or lead to opportunistic and superficial friendships, with the only aim of profiting from the luck they are supposed to bring (UN Guinea, 14 March 2022; see also Mediaguinee, 12 June 2023). The Guinean news site Ledjely quotes Antoine Tolno, the president of the Kankan Association of Albinos saying that persons with albinism sometimes face rejection from their families or are even killed by them. Moreover, in connection with some beliefs, they are exposed to ritual practices, according to Tolno (Ledjely, 14 June 2023). Mediaguinee and the Guinean satirical weekly Le Lynx quote persons with albinism talking about incidents where people in the street insulted them or spat at them (Le Lynx, 10 October 2022; Mediaguinee, 12 June 2023). ASF France notes that due to the stigma associated with albinism, some children are abandoned by their families and, in the best of cases, taken in by an orphanage. Summarising the sociocultural perception of persons with albinism, ASF France concludes that while persons with albinism sometimes are perceived as sources of good luck or wealth, they –especially children – are exposed to harmful practices, including witchcraft, killings, mutilations, rapes, the pillaging of graves, and trafficking in human beings and body parts. Despite these severe forms of persecution and discrimination, the justice system often failed to protect persons with albinism who face difficulties in accessing effective remedies or forms of redress for human rights violations, according to ASF France (ASF France, 24 November 2022, pp. 38-39).

14.3 Forced labour/begging

The USDOS notes in its Trafficking in Persons report that children and adults with albinism are vulnerable to sex and labour trafficking (USDOS, 15 June 2023), while the US Department of Labour (USDOL) describes that “children in Guinea are sometimes subjected to forced begging, and research indicates that albino children are particularly vulnerable” (USDOL, 26 September 2023). Similarly, CenHTRO explains that according to key informants, among all the children who were trafficked for labour exploitation, especially children with albinism were trafficked for begging (CenHTRO, 24 January 2023, p. 46).

ASF France and UN Guinea point to the fact that a considerable part of persons with albinism lives in poverty (ASF France, 24 November 2022, p. 34; UN Guinea, 14 March 2022) or extreme poverty and many end up in begging networks (ASF France, 24 November 2022, p. 34). Especially children are forced to beg in the street to survive (UN Guinea, 14 March 2022).

Africaguinee quotes Dansa Kourouma, the president of the CNT saying that sending children with albinism to beg in the street, “in the hope that they will arouse the pity of passers-by”²⁴ was not just a form of violation of their rights, but a form of exploitation and punishable by law and that the CNT would do everything they could to support people with albinism (Africaguinee, 13 June 2023). In an article about a press conference to mark International Albinism Awareness Day, Mediaguinee quotes Morlaye Camara, a representative of one of the participating NGOs, pointing to a centre in Sangoyah (in the commune of Matoto, a sub-prefecture in the Conakry Region), where albino children receive shelter, food and support in getting off the street (Mediaguinee, 12 June 2023; see also Laguineenne, 30 December 2022).

²⁴ “en espérant qu’ils vont susciter la pitié chez les passants” (Africaguinée, 13 June 2023).

14.4 Education

Another person quoted by Mediaguinee in the same article explains that society's attitude towards people with albinism particularly affects children with albinism. He notes that due to the mockeries and the lack of equal opportunities they experience, some of them drop out of school as early as from the 10th year on (“[d]ès la 10e année”) (Mediaguinee, 12 June 2023). According to the USDOS Country Report on Human Rights Practices for 2022, some parents of children with albinism take their children out of school “to prioritize resources for family members with better economic prospects” (USDOS, 20 March 2023, section 6). ASF France states that the majority of persons with albinism are illiterate and that even when children with albinism manage to attend school, they have to find alternative ways to follow the lectures as teachers are not aware of the specific learning difficulties that children with albinism might have (ASF France, 24 November 2022, p. 38), such as, for example, problems in seeing what is written on the blackboard (Le Lynx, 10 October 2022; Laguineenne, 15 October 2022).²⁵ ASF France notes that some parents from the country's inner regions entrust their children with albinism to others to take them to Conakry to attend school, but many of those children would end up begging (ASF France, 24 November 2022, p. 38).

In an interview with Ledjely in June 2023, Antoine Tolno, the president of the Kankan Association of Albinos, explains that even those persons with albinism who manage to go to school and finish their studies face problems in finding employment, simply because they are perceived as different. Without a job, he notes, people also lack resources and become the object of mockery and all kinds of ridicule (Ledjely, 14 June 2023). Le Lynx quotes an unemployed man with albinism describing the difficulties in searching for a job and being rejected for allegedly not being fit to work. He is further quoted saying that two of his friends died of cancer as they did not have the means to pay for treatment, adding that without work it is impossible to have any such means (Le Lynx, 10 October 2022).

14.5 Health care

According to ASF France, people with albinism face three main challenges in terms of quality and availability of healthcare and healthcare personnel, including (1) a lack of medical professionals, like oncologists or dermatologists, who are specialised in issues related to albinism, (2) a lack of protective items such as special glasses and sun creams, which are not produced in the country and have to be imported, and (3) the lack of inclusion of persons with albinism in public health policies. The last point is even more problematic, as ASF France stresses, because people with albinism have a much lower life expectancy than the national average (ASF France, 24 November 2022, pp. 35-36).

In an article about a press conference to mark International Albinism Awareness Day, Mediaguinee quotes Morlaye Camara, a representative of one of the participating NGOs, saying that begging in the street is one factor that exposes persons with albinism to skin cancer, which is one of the main causes of death in the country (Mediaguinee, 12 June 2023). Similarly, a dermatologist quoted by Le Lynx notes that people with albinism have a high death rate from

²⁵ Albinism is defined by a lack of pigmentation (melanin) in skin, hair and eyes; persons with albinism often also have reduced eyesight and a greater risk of developing skin cancer (ASF France, 24 November 2022, p. 4).

(skin) cancer and that many who have cancer receive treatment too late or not at all, due to a lack of resources or inadequate technical facilities (Le Lynx, 10 October 2022).

In December 2022, the government reportedly granted – upon request of the CNT – a subsidy of one billion Guinean francs (USD 116,299.44) to the Ministry for the Promotion of Women, Children and Vulnerable Persons for the prevention and treatment of skin cancer in persons with albinism (AGP, 30 December 2022).

14.6 Political participation

In terms of political participation, ASF France notes that persons with albinism, similar to those with a handicap, lack equal access to electoral information, since neither electoral information nor information on political programmes is available in braille script for persons with visual impairments (ASF France, 24 November 2022, p. 32).

In the context of celebrations for International Albinism Awareness Day on 13 June and “to get out of the darkness” (“Pour sortir de l’obscurité”), the spokesperson of people with albinism reportedly called for the promotion of people with albinism within the government (Guineenews, 13 June 2023) as well as for the integration of young unemployed graduates with albinism into the civil service (Africaguinee, 13 June 2023).

15 Family members of people accused of having committed an offence

According to the USDOS, the government reportedly continued to arrest or punish family members for alleged offenses committed by relatives (USDOS, 20 March 2023, section 1f).

No information could be found on this subject among the sources consulted by ACCORD within the time available for drafting this report.

16 Trafficking: situation of victims of trafficking and people at risk of re-trafficking

According to the Penal Code, sex and labour trafficking are punishable with three to seven years of imprisonment, a fine in the amount of GNF 500,000 to GNF 10,000,000 (USD 58.14 to USD 1,163), or one of these penalties only (Law No. 2016/059/AN, 26 October 2016, Article 323). In case a child is involved, the prison sentence is increased to five to ten years and the fine amounts to 100 million Guinean Francs (USD 11,630) (Law No. 2016/059/AN, 26 October 2016, Article 324). Trafficking is also criminalised under the Children's Code (Law No. 2019/0059/AN, 30 December 2019, Article 912).

In April 2023, several Guinean media sources report on the adoption by the CNT of a draft law on combatting trafficking in human beings and similar practices (Guineenews, 6 April 2023) that had been submitted by the Ministry of Women's Promotion, Childhood and Vulnerable Persons (Vision Guinée, 7 April 2023; Guinee360, 7 April 2023; see also CNT, 6 April 2023).

According to the USDOS, the government increased its protection efforts and has - according to official data - identified 81 trafficking victims, including 71 labour trafficking victims (65 of them children) and 10 sex trafficking victims (all of them minors). Moreover, the government identified a further 237 potential victims. Both, victims and potential victims were reportedly referred to assistance. The USDOS notes that according to the government, NGOs identified an additional 945 trafficking victims (274 forced labour victims (93 of them children), 32 sex trafficking victims (including 28 children) and 639 victims of other forms of exploitation). According to the USDOS, a “[l]ack of training and coordination between ministries, as well as inconsistent and sometimes unavailable government services” reduced the authorities' ability to identify victims and provide assistance to victims (USDOS, 15 June 2023).

In terms of assistance, the USDOS notes that the government collaborated with international partners to update existing procedures for victim identification and referral to services but relied on “NGOs and foreign donors to provide and fund the majority of victim care”. Moreover, LGBTQI+ persons and sex workers reportedly faced difficulties in getting access to assistance (USDOS, 15 June 2023).

IOM Guinea describes a joint capacity building project with the National Committee for Combating Trafficking in Persons and Similar Practices (Comité national de lutte contre la traite des personnes et des pratiques assimilées, CNLTPPA)²⁶ in the administrative region of Guéckédou and notes that agents of state structures and NGOs collaborate in the identification and referral of trafficking victims:

“Today, identified victims of human trafficking in Guéckédou prefecture are registered and referred to the Prefectural Directorate for the Promotion of Women, Childhood and Vulnerable Persons for psychological and mental health care. The work is coordinated between the Prefectural Directorate for the Promotion of Women, Childhood and Vulnerable Persons, OPROGEM [Office de Protection des Genres, de l'Enfance et des Moeurs], BSPPV [Brigade Spécial des Protections des Personnes Vulnérables], and other

²⁶ The CNLTPPA is the state body responsible for coordinating all actions related to combat human trafficking. Members of the CNLTPPA are the Ministry of Justice, the Ministry of Labour, the Ministry of Social Action, the police, the NGO Sabou Guinea, OHCHR and UNICEF (Mazzilli et al., 18 November 2022, p. 10).

structures and NGOs involved in combating human trafficking.” (IOM Guinea, 15 May 2023)

The USDOS explains that there are several shelters available for victims of trafficking, including two state-run shelters in the capital city Conakry:

“The government opened two new shelters specifically for trafficking victims, the first of their kind in Guinea. The Ministry of Women’s Promotion, Childhood, and Vulnerable People (MoWP), the lead ministry on combatting trafficking in persons, established one shelter in Conakry with capacity for 66 people, including women and children. The second shelter, also located in Conakry, had capacity for 24 women, men, and children. During the first quarter of 2023 the shelters accommodated over 100 victims of trafficking, including 12 children. NGOs operated three shelters that could assist trafficking victims and a transit center funded by an international organization for returning migrants and child trafficking victims, which could provide emergency and short-term services and referrals for children to long-term care. Government health facilities and social workers could provide medical and psycho-social services. NGOs reported law enforcement referred child trafficking victims to NGOs on an ad hoc basis. If NGO shelters were unavailable, the MoWP could place child victims with host families.” (USDOS, 15 June 2023)

According to the USDOL, the government in 2022 opened shelters for trafficking victims in Conakry and N’Zérékoré (an administrative region in the southeast of the country). These shelters were reportedly also available to child victims of trafficking. Moreover, the Ministry of Defense's Central Service for the Protection of Vulnerable Persons (Service central de protection des personnes vulnérables, SCPPV) reportedly operated a centre for child victims of trafficking in Conakry (USDOL, 26 September 2023).

Guineenews quotes the EU Ambassador to Guinea commending the collaboration between international and national partners and noting that of 857 identified victims of trafficking, 739 victims had benefited from reintegration programs, while 241 victims had found temporary shelter in the newly established centres (Guineenews, 3 August 2023).

In its 2023 Trafficking in Persons report, the USDOS describes the situation of trafficking victims in terms of legal proceedings during the reporting period:

“Reports indicated victims and their parents were reluctant to file claims against traffickers due to a lack of confidence in the judicial system. Judges could allow victims to provide testimony via video or written statements; however, no victims reportedly did so during the reporting period. While the government did not have a formal victim-witness assistance program, it provided food and transportation to court hearings for 56 trafficking victims. NGO-operated legal clinics and the national human rights association provided advice and support to victims of crime, including trafficking. The 2016 penal code allowed NGOs to become plaintiffs on behalf of victims; the government did not report if NGOs utilized this provision during the reporting period. Victims could legally obtain restitution from the government; and courts did order restitution during the reporting period. Victims could file civil suits against their traffickers; however, no victims pursued this option, largely due to lack of awareness.” (USDOS, 15 June 2023)

Many of the victims of trafficking interviewed for a study by the Center on Human Trafficking Research and Outreach (CenHTRO) of the University of Georgia reportedly pointed to difficulties when it came to reintegrating into their community:

“Many survivors and parents reported that they experienced challenges with reintegration, especially in terms of accessing vocational or educational training, psychosocial support services and having their basic needs met. For example, survivors reported struggling to have food, clothing and a place to live post-trafficking. Parents, likewise, reported struggling to financially support their children’s physical and emotional well-being after their return, such as experiencing difficulty providing food, or not being able to enroll their children in school or in a vocational training program.” (CenHTRO, 24 January 2023, p. 60)

Moreover, victims of trafficking reportedly expressed difficulties in re-engaging with family and friends and described feelings of shame and of being left behind. Some of the persons interviewed, including parents of victims, key informants, and members of focus group discussions, reportedly mentioned that victims – and in particular victims who had experienced sexual violence might - “be encouraged” to stay silent about their experience, to avoid social discrimination. In some cases, victims were told by their family not to report to the police as the trafficker was a family member (CenHTRO, 24 January 2023, pp. 59, 61-62). Similarly, the IOM Regional Office for West and Central Africa describes the case of a young woman victim of trafficking who, when she returned home, was rejected by her community, and was also stigmatised by some members of her family for being perceived as a “failure” (IOM Regional Office for West and Central Africa, 24 July 2023; see also IOM Guinea, 25 July 2023). CenHTRO further notes that apart from the social pressure, some victims and their parents described financial pressure and a lack of the necessary equipment, such as a sewing machine or tools, to work in the vocation they were being trained in. Only few victims reportedly said that they received help from state institutions, NGOs or community-based organisations (CBOs), while most said they got help from family, friends, and neighbours (CenHTRO, 24 January 2023, pp. 62-63).

The Guinean non-governmental youth organisation “Ouvrir Les Horizons” states in an email correspondence with ACCORD in December 2023 that victims are frequently rejected, stigmatised, and ostracised by their families and society, and experience discrimination. As a result, many resort to self-isolation, victimise themselves or they move to other locations. “Ouvrir Les Horizons” explains that non-state structures that provide support to trafficking victims include their own organisation as well as other NGOs such as “Les Mêmes Droits pour Tous”, “Sabou Guinée”, “Protection Femmes et Filles de Guinée”, “COLTE”, “AFASCO” and “ANAS GUINÉE”, with the first three NGOs of this list being particularly active in assisting trafficking victims and combatting trafficking in persons (Ouvrir Les Horizons, 15 December 2023). Moreover, “Ouvrir Les Horizons” informs about the establishment of a national coalition of 22 organisations working in the field of combatting human trafficking and providing support to victims – the National Network of Organisations Combatting Trafficking in Human Beings and Related Practices in Guinea (Réseau National des Organisations de Lutte contre la Traite des Êtres Humains et Pratiques Assimilées en Guinée, RENOLTEHPA - GUINÉE) (Ouvrir Les Horizons, 15 December 2023; see also CNLTPPA, 24 November 2023).

Regarding the risk of being re-trafficked, “Ouvrir Les Horizons” states that this risk is high if no preventive measures are taken. To prevent re-trafficking, victims need comprehensive support

offered by a variety of actors. The NGO notes that according to their experience, the services they offer are successful in this regard. Services offered by “Ouvrir Les Horizons” include the provision of temporary shelter as well as medical, psychosocial, legal and material assistance and the victim’s socio-economic reintegration by creating a source of income or completing vocational training, family reunion and integration into the community. In case these measures are implemented, in most cases victims are able to become independent and re-integrate into their social environment and resume their former lives, according to the NGO (Ouvrir Les Horizons, 15 December 2023).

17 Human rights violations related to development projects and mining projects

Guinea is the second-largest producer of bauxite (needed to produce aluminium) (HRW, 11 October 2021) behind Australia (Cisse & Salomon, 14 September 2023), and has large reserves of iron ore, gold, and diamonds. In 2018, revenues from the mining sector amounted to USD 544 million, that is, more than 30 percent of the state budget, according to HRW (HRW, 11 October 2021).

Guinea has an estimated hydropower potential of more than 6,000 MW, according to the US government's International Trade Administration (ITA). The largest hydropower projects are the Souapiti Dam with a capacity of 450 MW, the Kaléta Dam (240 MW) and the Amaria Dam (300 MW) (ITA, updated 15 December 2022).

17.1 Construction of the Souapiti hydroelectric dam

The Souapiti, the Kaléta, the Amaria and the Garafiri Dams (with a capacity of 75 MW) are all located along the Konkouré River. Construction of Souapiti started in December 2015 by the China International Water & Electric Corporation (CWE). The commercial operation of the hydroelectric plant began on 24 June 2021 (Sentinel Vision, 5 January 2023, pp. 1-2). Souapiti is part of the Chinese Belt and Road Initiative. According to a report by HRW of April 2020, the project involved the resettlement of an estimated 16,000 people from 101 localities, as well as the flooding of agricultural land, thus threatening the livelihoods of the local population. HRW describes that the displaced population was facing difficulties, including the lack of legal titles to their new land, the lack of sufficient assistance to secure their livelihoods and a lack of transparency with regard to compensation payments (HRW, 16 April 2020, pp. 1-4). In a December 2022 joint report, the NGO International Rivers and the Guinean NGO CECIDE (Centre de Commerce International pour le Développement, in its English translation, International Trade Centre for Development) indicate that some problems related to the resettlement process remain unresolved:

“A years-long process to resettle communities displaced by the Souapiti Dam has been fraught with problems, and without urgent resolution will consign impacted communities to long-term impoverishment. Guinea’s resettlement requirements are well below international standards, and compensation packages for Souapiti communities were only half of those received by communities similarly impacted by a World Bank-financed dam on the Niger River.” (International Rivers & CECIDE, December 2022, p. 2)

“The consequences are manifesting in the Souapiti Dam in Guinea, which is displacing an estimated 16,000 people – the largest resettlement scheme ever undertaken in Guinea. Because the government has not provided communities with adequate compensation or replacement land, thousands of people already displaced are struggling to find adequate land, food and housing. If not adequately and urgently resolved, these impacts will result in long-term impoverishment, including of future generations.” (International Rivers & CECIDE, December 2022, p. 6)

Similarly, Africaguinee quotes the former head of the Union of Those Affected by the Souapiti Dam (Union des Impactés du barrage Souapiti) pointing to the loss of grazing areas and farmland, and to failures in resettlement and compensation payments. According to

Africaguinee, 36,00 people are reportedly affected by the dam projects on the Konkouré River (Africaguinee, 24 December 2022). In an article of December 2023, Africaguinee describes the situation in the administrative sub-division of Bangouyah, where due to the rising water level related to the construction of the Souapiti dam, the local population reportedly faces not only the loss of arable land but also an increased presence of snakes in their villages (Africaguinee, 5 December 2023). Some villages in the administrative divisions of Dubreka, Telimelé and Kindia are reportedly cut off from each other because existing roads have been inundated by the rising water level (Guinee114, 25 January 2023).

17.2 Simandou iron ore mine project

Reuters states in March 2023, that works related to the Simandou mine, one of the world's largest deposits of iron ore, were reportedly halted in June 2022, but were planned to resume in March 2023, following an agreement between the Guinean authorities and the project's shareholders, including Rio Tinto²⁷, Aluminium Corporation of China (Chinalco), China Baowu Steel (Baowu), and Winning Consortium Simandou (WCS) (Reuters, 14 March 2023).

According to BankTrack, an NGO tracking commercial banks and the activities they finance, the northern half of the mining area (Blocks 1 and 2) are owned by WCS, while the southern half of the area (Blocks 3 and 4) are owned by Simfer, a consortium led by Rio Tinto. The project also includes the construction of a 650 km railway, a deep-water port and other infrastructure (BankTrack, updated 22 September 2023). The Guinean government holds a 15 percent share²⁸ in the Simandou mining operations and the railway company (HRW, 7 December 2022).

HRW notes that an environmental and social impact assessment (ESIA) commissioned by WCS in 2021 estimates that the project would lead to the forced displacement of hundreds of households and have a negative impact on the livelihoods of those who remain:

“The two impact assessments commissioned by Winning for the railway and mine also suggest that construction will force people in hundreds of households to leave their homes. Even for villages that are not relocated, the assessments warn that deforestation and land loss risks jeopardizing communities' farming, hunting, and fishing, with negative impacts on families' food security. The assessments also state that the project could negatively affect the communities' already fragile water sources, with Simandou's mountains a vital source of water for local rivers.” (HRW, 7 December 2022)

Similarly, BankTrack notes that some local communities have already been evicted from the area of blocks 1 and 2 to make space for WCS's living quarters, reportedly without having been properly consulted. Moreover, some communities have already been affected by the railway construction work, and reportedly face challenges “in negotiating equitable compensation, with many reporting under-compensation or outright theft of their homes and agricultural

²⁷ Rio Tinto is an Australian mining company, WCS is owned by the Singapore-based Winning International Group (45 percent), the Chinese Hongqiao Group (35 percent) and the Guinean United Mining Suppliers (15 percent). Chinalco and Baowu are Chinese state-owned enterprises (BankTrack, updated 22 September 2023).

²⁸ According to the IMF, blocks 1 and 2 are owned by WCS (90 percent) and the government of Guinea (10 percent); Blocks 3 and 4 are owned by SIMFER, a joint venture between Rio Tinto (45.05 percent), Chinalco (39.95 percent) and the government of Guinea (15 percent) (IMF, 24 January 2023, p. 29, FN 13).

lands” (BankTrack, updated 22 September 2023). In a report of May 2023, the Guinean NGO Action Mines Guinée (AMINES) analyses the project’s impacts and corrective measures as laid out in the WCS’s ESIA and the actual situation on the ground, pointing to “significant discrepancies” (“des écarts importants”) between the two, including the lack of measures to mitigate noise emissions, the failure to apply an intervention procedure in agricultural areas polluted by project-related activities and a lack of measures to repair damaged agricultural areas as well as a lack of support for restoring livelihoods (AMINES, 5 May 2023, p. 4). Moreover, AMINES observes a “low level of consultation” (“[f]aible niveau de consultation”) with affected communities during the compensation and resettlement process and a failure to help communities in getting safe and sustainable water sources after the pollution of their localities’ waterways. AMINES also states that WCS failed to disseminate the complaints management mechanism to the affected local communities, that would enable them to exercise their right to complain (AMINES, 5 May 2023, p. 5). In a report published in early December 2023, AMINES notes that according to data collected in the period August to October 2023, 61 percent of the affected communities suffered a loss of their livelihood, 10 percent were affected by water pollution, 6 percent by damages to the environment such as air pollution and soil degradation, and 19 percent by “other impacts” (such as damages to the houses due to blasting operations in the Sekhousoria tunnel). 3 percent were affected by insufficient compensation (AMINES, 1 December 2023, pp. 2-3).

With regard to cultural rights, BankTrack notes that more than 100 cultural sites might be affected by the project, but that WCS’s ESIA lacks any assessment or plan for preservation of cultural sites at all (BankTrack, updated 22 September 2023).

In September 2022, the Collective of Civil Society Organisations for the Defence of Community Rights (Le Collectif des organisations de la société civile pour la défense des droits des communautés impactées par les projets de développement (CODEC)) published a statement where they expressed concerns over “elevated risks” (“risques élevés”) that international social, environmental and governmental norms might not be fully respected or implemented by all parties (CODEC, 23 September 2022, p. 1).

17.3 Other projects

17.3.1 Koukoutamba dam project

The Koukoutamba Dam project is located at the valley of the Bafing River, a tributary of the Senegal River, which crosses Mauritania, Mali, Senegal and Guinea before entering the Atlantic Ocean. The four countries decided to jointly build the dam, with financial participation from the Chinese Exim Bank (after the World Bank withdrew from the project) and Sinohydro as the construction company (Equal Times, 17 March 2021).

According to International Rivers and CECIDE, the planned Koukoutamba Dam would lead to the displacement of an estimated 8,700 people, which would amount to the second largest displacement of people in the country’s history. Moreover, most of the community’s land is customarily held, which might cause problems in getting properly compensated, similar to what the communities affected by the Souapiti resettlement experience (International Rivers & CECIDE, December 2022, pp. 2; 7).

17.3.2 Boké mining

In an article of April 2023, the Washington Post (WP) describes the situation of the population in the country's northwestern region Boké, one of the main sites for the extraction of bauxite, used to produce aluminium. According to residents interviewed by the WP, mining-related activities by the two companies operating in the region, Compagnie des Bauxites de Guinée (CGB)²⁹ and Société Minière de Boké (SMB)³⁰, destroyed their harvests, reduced the availability of fish in the river, rendered the water in many rivers and streams undrinkable and damaged their houses, as the walls were cracking due to the use of dynamite for mining and construction work. In 2021, in the framework of a years-long mediation process, the mining company CBG reportedly agreed to stop dynamite blasting within 1,000 metres of the villages and to change the type of blasting to reduce the impact (WP, 27 April 2023; see also CAO, 21 October 2021). Moreover, residents claimed that jobs promised by the SMB mining company did not materialise, and compensation payments were insufficient. According to the WP, residents in six villages near mining sites operated by SMB or CBG voiced similar concerns about insufficient one-time payments for the loss of agricultural land (WP, 27 April 2023).

17.3.3 Lefa gold mine

According to BankTrack, extraction works at the Lefa gold mine, operated by Société Minière de Dinguiraye (SMD), a subsidiary of the Russian company Nordgold, have caused damage to the farmlands and homes of the nearby village of Carrefour, including the contamination of land, water, and the air with harmful chemicals (for example, through cyanide spills) (BankTrack, 24 August 2023; see also Global Atlas of Environmental Justice, updated 1 June 2022). The community's requests for resettlement have so far remained unresolved, due to disagreements over the proposed relocation site and the exclusion of vulnerable groups from the consultation process, according to BankTrack (BankTrack, 24 August 2023).

²⁹ Compagnie des Bauxites de Guinée, owned by the State of Guinea (49 percent) and the Halco Mining Inc. (51 percent), which is owned by Alcoa, Rio Tinto-Alcan and Dadco Investments (Wilhelm, 6 June 202, p. 4).

³⁰ Société Minière de Boké, a consortium formed by Winning Shipping Ltd., United Mining Supply (UMS) and Shandong Weiqiao, a subsidiary of China Hongqiao Group (Wilhelm, 6 June 2023, p. 4).

18 Property and land rights

18.1 Overview

Regarding land legislation and regulations an article by Marie Gagné published by The Land Portal Foundation³¹ in October 2022 provides the following overview:

“More than thirty years after its adoption, the Land Tenure and Property Code [see also Order No. O/92/019, 30 March 1992] is still the main legislative instrument governing land management in Guinea. This law was essentially designed to address urban specificities: only Article 92 addresses the issue of rural land tenure, albeit in a very vague manner. The imprecise nature of the Code led the government to adopt the Declaration of Land Policy in Rural Areas in 2001 [see also Decree No. D/2001/037/PRG/SSG, 17 May 2001] to facilitate the recognition of local land rights. However, this policy was not accompanied by measures to implement it. The process of revising the land laws, which began in 2012, has still not been completed 10 years after its launch. The mining sector is governed by Law No. 2011-06 of 9 September 2011 on the Mining Code of the Republic of Guinea, amended by Law No. 2013-53 of 8 April 2013 [see also Law No. 2011-06, 9 September 2011, amended 8 April 2013]. The 2011 code introduces new measures, including increased revenues to the state, greater transparency in the processes of granting mining titles, and a more clearly articulated requirement to conduct environmental and social impact assessments. However, mining companies were able to convince the Guinean government to amend the Mining Code in 2013 to reduce the level of taxes they had to pay.” (Gagné, 24 October 2022)

Guinean land is divided into the state and community domain and private property. The domain of the state and communities consists of a public domain and a private domain. Land in the public domain is intended for use by the entire population, while the private domain of the state is registered in its name in the land register. Unoccupied land also belongs to the state and is administered by prefects and mayors. According to Gagné, the state’s domains are poorly mapped and “public land is often sold by prefects or neighbourhood chiefs.” To reclaim this land, the state often conducts initiatives to remove occupants from the public domain without providing compensation or reclassification. Apart from the state, individuals can become private owners by complying with the legal procedures for land acquisition outlined in the 1992 Land and Property Code. This code also acknowledges various administrative documents and acts that were in effect under previous legislation. Those who can provide evidence of “peaceful, personal, continuous, and bona fide occupation of an immovable” are also recognized as owners. The main means for land holders to formalize their land ownership is the registration of a building in the Land Plan and the registration in the Land Book. Gagné, however, notes that “this procedure remains little used, given its high costs and bureaucratic complexity. Only 2.5-3% of landowners have a land title. The majority of customary land rights in Guinea therefore do not enjoy legal protection” (Gagné, 24 October 2022).

³¹ “The Land Portal Foundation was established to create, curate and disseminate land governance information by fostering an inclusive and accessible data landscape” (The Land Portal Foundation, undated).

Regarding community land rights issues, Gagné provides the following information:

“Customary land rights in Guinea derive from the founder of a village who, on his arrival, made a pact with the local genies. As such, the founder has the right to administer the entire village land, a right that is passed on to his descendants through the intermediary of the eldest of the lineage. In order to expand the village, the founding lineage grants administration and usage rights to outsiders over cultivated areas, on a permanent or annual basis. [...] Although lineages continue to control a large portion of the land, various factors [such as processes of land individualization] contribute to the erosion of customary land rights. [...] However, the individualisation of land administration rights does not necessarily have only negative consequences, as it allows young men to access land more easily without depending on their elders.” (Gagné, 24 October 2022)

The Mining Code of 2011, amended in April 2013, generally recognizes the validity of ancestral land rights and provides for compensation of the lawful owners of the land (Law No. 2011-06, 9 September 2011, amended 8 April 2013, Article 124). Gagné however notes that “the populations are often expropriated from their land for mining activities without receiving adequate compensation. In addition, mining companies regularly leave mined sites without rehabilitating them as required by law, leaving gaping holes that make the land unsuitable for agriculture and livestock” (Gagné, 24 October 2022). According to a report by the civil society organisations Les mêmes droits pour tous (MDT) and Le Collectif des organisations de la société civile pour la défense des droits des communautés impactées par les projets de développement (CODEC) published in November 2022, various land reform initiatives were aimed at attracting large agricultural and mining investments to the country, in order to strengthen the food security of Guineans, increase state revenues and generate jobs for youth. However, these initiatives constitute a threat to family farming which constitutes the main activity carried out by 60 percent of the rural population who occupies 95 percent of the cultivated areas. Land grabbing in agricultural areas, among other things, dispossesses the population of their agricultural land, most of which falls under the regime of legitimate land rights (MDT & CODEC, November 2022, p. 7).

The French language report by MDT and CODEC provides detailed information on land reforms in Guinea:

- MDT & CODEC - Les mêmes droits pour tous & Le Collectif des organisations de la société civile pour la défense des droits des communautés impactées par les projets de développement: Les commissions foncières en république de Guinée: état des lieux et réforme, November 2022
https://www.codecguinee.org/wp-content/uploads/2022/12/221102_Rapport-CF-07-NOV-22-1.pdf

Please also see [section 17](#) for further information regarding the effects of development and mining projects on the population.

Regarding the status of the current reform process a November 2022 media article notes that the prime minister of the transitional government launched a conference on the Guinean land sector (“les états généraux sur le foncier guinéen”) to initiate effective reforms to guarantee land security, preserve of state domains, and to promote public and private investments

(Mosaïque Guinée, 14 November 2022, see also UN Guinea, 14 December 2022). In August 2023, a new decree on the procedure of the parcelling of land was published (Guineenews, 20 August 2023), and in September 2023 the Minister of Urban Planning, Housing and Regional Planning introduced digitized land titles. According to the minister, these secure land titles constitute “a decisive step” (“un pas décisif”) towards a future in which land ownership is more secure, transparent and accessible to all Guinean citizens (Africaguinee, 7 September 2023).

18.2 Campaign to reclaim state properties

In November 2021, the de facto authorities announced an “inventory of all property belonging to the state since 1958” (RFI, 10 November 2021). The recovery of state property is one of the key actions undertaken by the CNRD (Africaguinee, 23 January 2023). In June 2022, the UN Secretary-General notes that “in a campaign launched by the de facto authorities to ‘reclaim State properties’, houses belonging to prominent political figures, including opposition figures Cellou Dalein Diallo and Sidya Touré were either seized or demolished” (UN Security Council, 29 June 2022, p. 3). The USDOS notes the following regarding CNRD measures to recover government-owned properties (see also DW, 22 February 2022, RFI, 27 March 2022):

“In February the CNRD launched an operation to recover government-owned properties, seizing several properties deemed state-owned and, in several cases, demolishing the buildings. Cellou Dalein Diallo, president of the Union of Democratic Forces of Guinea and Sidya Toure, president of the UFR, were among those whose residences were seized. The two political leaders both argued that they had documents which confirmed they legally purchased their respective estates and initiated legal action against the seizures. While the seizure case was pending in court, the CNRD demolished the house of Cellou Dalein Diallo on March 26.” (USDOS, 20 March 2023, section 1e)

In May 2022, security forces identified and marked state-owned properties in the town of Siguiri. According to a media article, the prefect of Siguiri stated that “those who have a cross on their house have until [16 May 2022] to present the documents proving their ownership.”³² Persons with documents dating back to the administration of Ahmed Sékou Touré [1958 - 1984] would have no problem, according to the prefect, while documents issued by the Alpha Condé, Sékouba Konaté and Dadis Camara administrations, would be regarded as “false files” (“faux dossiers”) (Guineematin.com, 9 May 2022). The operation was part of a nationwide campaign to recover state-owned property and affected more than 500 buildings, including houses, shops and kiosks (Guineenews, 9 May 2022). On 18 January 2023, the Director General of Heritage built by the State Director (Directeur Général du Patrimoine Bâti Public) presented a mid-term report on the recovery of state property in Conakry. He claimed that 40 buildings had been recovered and renovated in Conakry, 165 buildings were demolished for reconstruction purposes while 40 others were allocated to public services (Africaguinee, 19 January 2023b). Mohamed Sampil, the Judicial agent of the State of Guinea (Agent judiciaire de l'État de

³² “Ceux qui ont une croix sur leurs maisons ont jusqu’à lundi prochain pour présenter leurs documents qui prouvent leur propriété” (Guineematin.com, 9 May 2022).

Guinée)³³ assured that operations to recover public property initiated by the CNRD were not directed against certain persons. He claimed, however, that certain individuals had taken advantage of their position to take control of heritage buildings originally constructed by the state³⁴ (Vision Guinée, 21 January 2023). Also in January 2023, interim president Mamady Doumbouya annulled an 18 February 1993 decree citing irregularities. The decree had allocated an estate to a person named Elhadj Sidiki Béréte (see also Mosaïque Guinée, 23 January 2023b, L'Express Guinée, 6 April 2023). The concerned land in the municipality of Ratoma, Conakry has been returned to the possession of the state (Africaguinee, 23 January 2023).

³³ In a December 2021 interview Mohamed Sampil noted that the State Judicial Agent is a senior executive of the Presidency of the Republic who manages legal disputes for both plaintiffs and defendants. The Judicial Agent of the State takes legal action against any person, whether natural or legal, and represents the State when it is attacked before the courts. The State Judicial Agent is responsible for recovering State debts. This institution acts as an intermediary between the State and its adversaries in court (Africaguinee, 16 December 2021).

³⁴ "Par des astuces, certains individus, profitant de leur position, ont fait main basse sur une partie importante du patrimoine bâti de l'Etat" (Vision Guinée, 21 January 2023).

19 Persons with disability

According to the last available official census data of 2014, published in 2017 by the National Statistical Institute (Institut National de la Statistique, INS), there are 155,885 persons with a disability (53 percent men and 45 percent women) living in Guinea. This number includes persons with albinism (INS et al., December 2017(b), p. 74). Regarding this number, ASF France notes that it does not appear to be representative of the total number of persons with a disability living in Guinea. The organisation points to the social stigma related to disabilities and to the fact that those in charge of the census lack training on disability issues – two factors, which, according to ASF France, hinder the realisation of an exhaustive census (ASF France, 24 November 2022, p. 3).

19.1 Legal framework

ASF France explains that the Transitional Charter makes no reference to the rights of persons with disabilities, in contrast to the previous constitutions of 2010 and 2020 (ASF France, 24 November 2022, p. 16). The USDOS mentions that in July 2022 the CNT held a workshop on the topic of incorporating the rights of persons with disabilities in the new constitution (USDOS, 20 March 2023, section 6; see also Guinee114, 28 July 2022).

Guinea has been state party to the Convention for the Rights of Persons with Disabilities since 2008³⁵, and the issue of disability is addressed in national law, including the 2019 Penal Code and the 2019 Children’s Code. In 2018, the Law on the protection and promotion of persons with disabilities (Law No. 2018/021/AN) was adopted (ASF France, 24 November 2022, pp. 16-17; see also Law No. 2018/021/AN, 15 May 2018).

The USDOS notes that national law addresses the rights of persons with disabilities and prohibits their discrimination, but points to shortcomings in its implementation:

“The law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities in education, employment, air travel and other transportation, access to health care, or the provision of other government services. Other elements of the law describe the rights of persons with disabilities, such as access to regular, dedicated, or subsidized private schools, government hiring quotas, priority access to government services, and access to public transportation. The government did not effectively implement the law and programs to provide access to buildings, information, and communications. [...]

The law prohibits discrimination in employment against persons with disabilities. [...] The Ministry of Social Action and the Promotion of Women and Children is responsible for protecting the rights of persons with disabilities, but it was ineffective.” (USDOS, 20 March 2023, section 6)

³⁵ Guinea ratified the Convention on 8 February 2008 (UN, status as at 29 November 2023).

19.2 Discrimination

According to ASF France, persons with disabilities (like those with albinism³⁶) are particularly vulnerable to violence and abuse, although relevant statistics on the issue are not available (ASF France, 24 November 2022, p. 29).

Guineematin.com quotes the president of the International Union of Disabled Persons in Guinea (l'Union internationale des handicapés en Guinée) describing an attack by security forces and noting that disabled persons are often assaulted by the police in Conakry (Guineematin.com, 10 September 2022).

According to the USDOS, persons with disabilities “could in some cases access education, health services, public buildings, and transportation on an equal basis with others” (USDOS, 20 March 2023, section 6).

ASF France notes that persons with disabilities (similar to persons with albinism) lack access to education, health care and health personnel, and to opportunities for economic self-empowerment. In the prevailing social perception, they remain being seen as beggars, as people who lack social and economic autonomy and who are confined to specialised centres or places such as the City of Solidarity in Taouyah³⁷ (ASF France, 24 November 2022, p. 45). Similarly, Guineenews states that people with disabilities receive neither solidarity nor attention and live from charity, which keeps them in poverty and in the position of eternal recipients of assistance. Moreover, Guineenews mentions other challenges that persons with disabilities face, such as difficulties in accessing public buildings, public transport, theatres, or sports stadiums as well as the lack of specially adapted toilets in public buildings, among other things. Guineenews describes a meeting between the new head of State and the director of an NGO on the issue of persons with physical disabilities, where the NGO leader pointed to the difficulties she experienced in accessing the meeting venue, which was situated on the fourth floor of the People’s Palace (Guineenews, 23 May 2022; see also Mediaguinee, 29 April 2022). ASF France notes that access to justice remains a challenge for persons with disabilities also because of the difficult-to-access judicial infrastructure, the lack of financial means to pay for a lawyer and the fact that interpretation into sign language is not systematically provided (ASF France, 24 November 2022, pp. 28-29).

The USDOS notes that the government made some efforts to address persons with disabilities:

“The government provided some information and communication in accessible formats. Colonel Doumbouya delivered the president’s 2021 end-of-year speech, which for the first time was accompanied by sign-language simultaneous interpretation.” (USDOS, 20 March 2023, section 6)

³⁶ For details on the situation of persons with albinism see above, [section 14](#).

³⁷ The City of Solidarity (Cité de la solidarité) in Taouyah, in the commune of Ratoma in Conakry, was created in 1974 by then President Ahmed Sékou Touré, originally for 74 families with the aim of reintegrating persons with disabilities and to get them away from begging. For this purpose, there were also workshops for sewing, carpentry and other crafts built in the “city” (originally, covering an area of 2.5 hectares). The city now suffers from overcrowding and poor living conditions, including lack of access to education for children (APG, 23 June 2023).

19.3 Employment

The USDOS explains that the government had some informal programmes for hiring persons with disabilities (USDOS, 20 March 2023, section 6). Moreover, according to the USDOS, “[f]ew persons with disabilities had access to work in the formal sector, although some worked in small family businesses; many survived by begging on the streets” (USDOS, 20 March 2023, section 7d; see also ASF France, 24 November 2022, p. 34), including persons who failed to get a job despite having a university diploma (Guineenews, 23 May 2022). The USDOS notes in its Trafficking in Persons Report of June 2023 that persons with mental disabilities are vulnerable to trafficking for the purpose of sexual and labour exploitation (USDOS, 15 June 2023).

19.4 Education

According to the USDOS, there was no state support for placing children with disabilities in schools (USDOS, 20 March 2023, section 6). In an article about the Organisation for the Relief of the Disabled of Guinea (L’Organisation de secours aux handicapés de Guinée, OSH-Guinée) and the presentation of their Action Plan 2024-2028, Le Lynx quotes the executive director describing the situation of disabled persons in terms of education: According to the director, there is a lack of special schools for children with disabilities, with only one school for deaf persons in Boulbinet and one for blind persons in Cité de la Solidarité (both in the capital city Conakry), while there is none in the inner regions, where 63 percent of the country’s people with disabilities live (Le Lynx, 19 September 2023). ASF France mentions a second school for blind and visually impaired persons, the institute for young blind persons in Kankan. Apart from the state-sponsored school in Boulbinet, the other schools are mostly financed by NGOs and foreign foundations, according to ASF France (ASF France, 24 November 2022, p. 37). Le Lynx quotes the director of OSH-Guinée saying that the education system in its present form does not allow children with disabilities to study together with able-bodied children (Le Lynx, 19 September 2023). In an article of November 2021, the Guinean news site Ledjely quotes the president of the NGO OSH-Guinée saying that 70 percent of the country’s disabled persons never attended school, 45 percent among them women (Ledjely, 2 November 2021). FITIMA, an NGO focused on children with disabilities, reportedly offers specific teacher training on inclusive education and care of children with disabilities (Ledjely, 27 June 2023).

According to the USDOS, some parents of children with disabilities “decided not to continue their education to prioritize resources for family members with better economic prospects” (USDOS, 20 March 2023, section 6).

19.5 Health care

ASF France describes the three main problems that disabled persons and persons with albinism face in terms of access to health care (see also above, [section 14](#)): the lack of specialised medical professionals, the lack of special equipment and orthopaedic centres – there exists only one such centre in the country, in the Donka hospital in Conakry -, and the neglect of persons with a disability or albinism in public health policies (ASF France, 24 November 2022, pp. 35-36). ASF France further notes that treatment is not free of charge for persons with a disability and that some health personnel does not like to see physically disabled people in the hospital as they think that they are begging (ASF France, 24 November 2022, p. 36).

19.6 Political participation

Two persons with disabilities have been included in the CNT (Vision Guinée, 12 November 2021).

ASF France mentions a focus group report on the rights of people with disabilities that was organised in July 2022 by the Citizen Coalition for Elections and Governance (Coalition citoyenne pour les élections et la gouvernance (COCEG)) with the support of the country office of the National Democratic Institute (NDI). According to this report, there are only few persons with disabilities included in the political party lists or active in the electoral management on central or decentralized prefecture level, despite the 2018 Law on the promotion and protection of persons with disabilities (ASF France, 24 November 2022, p. 32; see also Actualité Feminine, 5 January 2023).

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