



MARCHING TO THEIR DEATHS:

URGENT NEED OF JUSTICE FOR THE VICTIMS OF GUINEA'S
CRACKDOWN ON DEMONSTRATIONS

AMNESTY
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This document was originally published in 2020 by

Amnesty International Ltd

Peter Benenson House, 1 Easton Street

London WC1X 0DW, United Kingdom

Index: AFR 29/2937/2020

Original language: French

amnesty.org

***Cover photo:** People carrying the coffin of one of the victims of the October 2019 demonstrations at a funeral in Conakry on 4 November 2019 © Cellou Binani/AFP*



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ABBREVIATIONS

ACHPR	AFRICAN COMMISSION ON HUMAN AND PEOPLES' RIGHTS
BIS	<i>BRIGADE DE RECHERCHE ET D'INTERVENTION</i> (SEARCH AND INTERVENTION BRIGADE)
BSCA	<i>BATAILLON SPÉCIAL DES COMMANDOS EN ATTENTE</i> (SPECIAL STANDBY COMMANDO BATTALION)
CENI	<i>COMMISSION ÉLECTORALE NATIONALE INDÉPENDANTE</i> (INDEPENDENT NATIONAL ELECTORAL COMMISSION)
CMIS	<i>COMPAGNIE MOBILE D'INTERVENTION ET DE SÉCURITÉ</i> (MOBILE RESPONSE AND SECURITY COMPANY)
DCPJ	<i>DIRECTION CENTRALE DE LA POLICE JUDICIAIRE</i> (CENTRAL JUDICIAL POLICE DEPARTMENT)
DIC	<i>DIRECTION DES INVESTIGATIONS CRIMINELLES</i> (CRIMINAL INVESTIGATIONS DEPARTMENT)
DPJ	<i>DIRECTION DE LA POLICE JUDICIAIRE</i> (JUDICIAL POLICE DEPARTMENT)
ECOWAS	ECONOMIC COMMUNITY OF WEST AFRICAN STATES
EU	EUROPEAN UNION
FNDC	<i>FRONT NATIONAL DE DÉFENSE DE LA CONSTITUTION</i> (NATIONAL FRONT FOR DEFENCE OF THE CONSTITUTION)
GUILAB	BROADBAND GUINEA
ICCPR	INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS
OHCHR	OFFICE OF THE UN HIGH COMMISSIONER FOR HUMAN RIGHTS
PMAK	<i>PISTOLET MITRAILLEUR AUTOMATIQUE KALASHNIKOV</i> (KALASHNIKOV AUTOMATIC RIFLE)
RPG	<i>RASSEMBLEMENT DU PEUPLE DE GUINÉE</i> (GUINEAN PEOPLE'S ASSEMBLY)
RTG	<i>RADIO TELEVISION GUINÉENNE</i> (GUINEAN RADIO AND TV)
UFDG	<i>UNION DES FORCES DÉMOCRATIQUES DE GUINÉE</i> (UNION OF DEMOCRATIC FORCES OF GUINEA)
USSEL	<i>UNITÉ SPÉCIALE DE SÉCURISATION DES ÉLECTIONS</i> (SPECIAL ELECTION SECURITY UNIT)

1. EXECUTIVE SUMMARY

“I'm asking the authorities to take care of me so I can walk again. I can't sleep for the pain.”

Alpha Omar Diallo, left paraplegic after being shot and wounded on 15 October 2019 in Conakry. He accuses a masked police officer of shooting him.

“Where do you think we're going to file a complaint in Guinea with this bloodthirsty regime?”

The father of a young man shot dead in Conakry in January 2020.

Between October 2019 and July 2020, at least 50 people were killed during marches against the proposed constitutional reform promoted and implemented by the present government, and protests against the lack of electricity or the way the cordon sanitaire was being managed to combat the COVID-19 pandemic. Nearly 200 other people were injured, some of whom are now suffering serious after-effects. Across the country, at least 70 dissident voices were targeted with arrests and arbitrary or incommunicado detentions for the crime of exercising their right to freedom of expression or peaceful assembly and denouncing authoritarian excesses of power. More than 15 prominent members of the National Front for Defence of the Constitution (FNDC) were targeted.

This report is the continuation of several years' work by Amnesty International into the excessive use of force during demonstrations in Guinea and its subsequent impunity. It is the result of interviews in Conakry and remotely with more than 100 people. Several hundred speeches and official statements, videos, photographs and articles from national and international media were also drawn upon in this work.

This report shows that, following Alpha Condé's election in 2010 and his re-election in 2015, there has been a continuation of the excessive use of force commonplace in previous regimes, and in its characteristic impunity.

The testimonies and documents collected by Amnesty International provide credible evidence that members of the Guinean defence and security forces were responsible for the deaths of, and injury to, demonstrators and bystanders, this violence largely being caused by firearms. These unlawful killings are the result of an excessive use of force, in violation of international, regional and national law.

Between October 2019 and February 2020, more than 30 people lost their lives during demonstrations protesting at the proposed constitutional reform. In this and subsequent periods, the military were involved in maintaining law and order during the protests, in violation of national legislation, and the defence and security forces were armed with lethal weapons, in contrast to the repeated commitments made by the country's highest authorities.

Over the same period, the authorities banned at least 10 demonstrations, in violation of the right to freedom of peaceful assembly. Some 40 people were held in incommunicado detention at the Soronkoni military camp in Kankan region.

A new constitution was adopted on 22 March, following legislative elections and a referendum during which at least 12 people were killed. The presence of counter-demonstrators linked to the defence and security forces was observed. Human rights defenders, elected officials and members of the opposition were arbitrarily arrested and detained at the beginning and end of that same month.

Between April and July, seven people were killed during demonstrations demanding a better electricity supply and during protests at the way in which measures taken to combat COVID-19 were being implemented. Despite the pandemic, and several cases of infection in prisons across the country, arbitrary arrests and detentions of opponents continued.

All these human rights violations went unpunished. Announcements that criminal investigations would be initiated into the killings that took place during the demonstrations have not been pursued and, by early September, not one of these announcements had culminated in a trial. The mortuaries to which those who died during the demonstrations were taken by families or passers-by refused to accept the bodies. This resulted in a minimizing of official reports of the situation, and autopsies that could have confirmed or determined the cause of death were unable to be performed. Victims or their families state that they have not filed complaints for fear of reprisals or due to a lack of confidence in the competent authorities.

The authorities, and in particular President Alpha Condé, himself a victim of arbitrary decisions under previous regimes, must grasp the importance of combating impunity for these crimes and take concrete action in this regard. Victims or their families have the right to justice and reparation. Impunity only encourages a repetition of these violations and a mistrust of the authorities. The authorities are committed to delivering justice; they are required by national and international law to investigate all human rights violations and bring the alleged perpetrators to justice through the appropriate courts.

Amnesty International is calling on the Guinean authorities to conduct independent and impartial investigations into all unlawful killings and other human rights violations committed during demonstrations that took place between October 2019 and July 2020, and to bring the perpetrators to justice. They should also establish a fund to cover the medical costs of those seriously injured during the protests. One way of demonstrating their determination to end this cycle of violence would be for the authorities to accept the presence of clearly identifiable observers at these protests, authorized to observe and film, including the operations of the defence and security forces.

International partners, led by the European Union and the United States, must continue to denounce these human rights violations and remind Guinea of its international obligations in this regard. Possible wide-ranging support for the defence and security forces must be reviewed in light of the involvement of some of their members in repeated human rights violations. Their support for justice must continue to prioritize combating impunity for crimes and other human rights violations.

2. METHODOLOGY

This report is the result of interviews and research conducted in Guinea by an Amnesty International delegation in November 2019, followed up by interviews and research conducted remotely during 2020. It covers a period from October 2019 to July 2020 and follows a chronological order that takes into account the context of the situations observed: October 2019 to February 2020; March 2020; April to July 2020.

It forms part of research that the organization has been conducting for several years into the excessive use of force during demonstrations in Guinea and its subsequent impunity. Among other things, a report was published in November 2019, prior to the UN Human Rights Council's Universal Periodic Review of Guinea: "Guinea. Red flags ahead of the 2020 presidential election"¹.

Amnesty International delegates visited Conakry from 4 to 16 November 2019. They interviewed more than 30 relatives of people killed or injured during demonstrations, as well as witnesses to the violence committed from among civil society and the medical profession. They also met with the Minister for Citizenship and National Unity, the Minister of Security and Civil Protection, the National Director of Police, the Director of the Prison Administration, the Director of Military Justice, and representatives from five diplomatic representations, two UN agencies, international NGOs, Guinean human rights organizations and journalists.

Since the start of 2020, and particularly in the wake of the COVID-19 pandemic, Amnesty International has been collecting information on human rights violations committed during the year remotely, using a method tried and tested by the organization. Existing means of communication (telephone, social networks) were used to conduct more than 50 interviews with relatives of people killed or injured during demonstrations, with eyewitnesses to violence, those arrested or their relatives, members of civil society and the FNDC, national and international NGOs, and diplomatic representations. In all, this report is therefore based on interviews in French with more than 100 people. The anonymity of some contacts has been preserved at their request, while other names have been withheld following the organization's consideration of the risks. Several hundred official speeches and statements verified and analysed videos and photos, and articles from international and national media were also drawn upon in this research work.

On 30 and 31 August, Amnesty International wrote to the President of the Republic of Guinea, the Minister of Justice, the Minister of Security and Emergency Preparedness, and the Minister for Citizenship and National Unity to present the main findings of the report and offer a right of reply. Amnesty International received a response from the Ministry of Security and Civil Protection on 26 September². Information provided by this ministry has been reflected in the report.

This research focuses on human rights violations committed during demonstrations and the arbitrary arrest and detention of opponents and therefore does not address the serious inter-community clashes that erupted on 22 March in Nzérékoré (South-East) in connection with the constitutional referendum, in which at least 36 people were killed and another 100 injured, according to a report by Guinean human rights organizations³.

¹ Amnesty International, *Guinea. Red flags ahead of the 2020 presidential election* (Index: AFR 29/1080/2019).

² Email sent by the Ministry of Security and Civil Protection following a request from Amnesty International offering a right of reply.

³ *Collectif des ONG de défense des droits de l'homme en Guinée forestière* (Human Rights Collective of Guinea), *Rapport d'enquête sur les atteintes et violations des droits humains à la suite des violences intercommunautaires nées des élections législatives et référendaires du 22 mars 2020* (Report into human rights violations following the inter-communal violence resulting from the legislative elections and referendum of 22 March 2020), April 2020.

3. BACKGROUND

“Take care not to succumb to the revisionist sirens, for while the Guinean people have given you - and renewed - their trust, they remain legitimately vigilant.”

Warning from former Supreme Court President Kéléfa Sall to Alpha Condé in 2015, during the investiture ceremony following his re-election.

3.1 THE LEGACY OF IMPUNITY

During the 26 years that President Ahmed Sékou Touré was in office, the 24 years under Lansana Conté, one year under Moussa Dadis Camara and the ten years under Alpha Condé, serious human rights violations have been committed with impunity.

Ahmed Sékou Touré's regime was punctuated by a succession of “plots”, real or supposed pretexts for waves of arrests and executions of opponents. There has been no justice for the victims detained in Camp Boiro prison, a place that symbolizes repression, nor for those executed by firing squad or hanged⁴.

Between January and February 2007, 135⁵ demonstrators were shot dead by the defence and security forces during a general strike in which trade unions and the political opposition demanded the resignation of President Lansana Conté. In May 2012, a complaint was lodged in this regard through the Guinean courts by the Guinean Human Rights Organization (OGDH) and the International Federation for Human Rights (FIDH), resulting in a judicial inquiry being opened that is still underway⁶.

On 28 September 2009, 157 people gathering in the 28 September stadium in Conakry were killed by different armed bodies. At least 109 women were the victims of rape and other sexual violence⁷. The rally had been organized to protest the attempt by Moussa Dadis Camara, then head of the ruling junta, to run for president.

Eleven years on from the massacre and justice has still not been done, despite the fact that the investigation ended in November 2017 and the Supreme Court finally closed the case in June 2019, rejecting an appeal by the civil party to reclassify the events as “crimes against humanity” rather than “ordinary crimes” and challenging the dismissal of the case in favour of military officers. A steering committee for the trial was established in April 2018. “All alleged perpetrators, regardless of their political affiliation, title, rank or grade,

⁴ Amnesty International, *Republic of Guinea. Amnesty International's concerns since April 1984* (Index: AFR 29/03/91).

⁵ Amnesty International, *The State of the World's Human Rights. Report 2008* (AI Index: POL 10/001/2008).

⁶ Fédération Internationale pour les Droits Humains (FIDH), *10 ans après les victimes des répressions de janvier et février 2007 demandent justice* [Ten years on the victims of January and February 2007's crackdown demand justice], 24 January 2017, www.fidh.org/fr/regions/afrique/guinee-conakry/10-ans-apres-les-victimes-des-repressions-de-janvier-et-fevrier-2007

⁷ United Nations, *Report of the International Commission of Inquiry mandated to establish the facts and circumstances of the events of 28 September 2009 in Guinea*, 18 December 2009, <https://www.securitycouncilreport.org/un-documents/document/guinea-s-2009-693.php>

will be brought to justice in our country,” said Prime Minister Kassory Fofana on 27 September 2019⁸. On 28 September 2019, the UN High Commissioner for Human Rights, Michelle Bachelet, regretted that “little tangible progress has been made so far”⁹. On 13 January 2020, the Prime Minister laid the foundation stone for the special court in Conakry where the trial of the 28 September 2009 crimes would be held. That same month, Justice Minister Mohamed Lamine Fofana announced that the trial would be held in June 2020¹⁰. However, the trial was still not in sight by the beginning of September. Furthermore, several of those accused remain in high-ranking positions of responsibility. This is particularly the case for Moussa Tiégboro Camara, Secretary General in charge of special services to combat organized and large-scale crime.

The 2010 election of Alpha Condé, a former opponent imprisoned under Lansana Conté, has marked no turning point in the fight against impunity for human rights violations committed since he gained power. More than 200 people have been killed in demonstrations since 2010, according to figures reported by the media and the opposition given the absence of a census by the authorities. For human rights violations committed prior to the reporting period, impunity remained the rule, with prosecutions the exception. In February 2019, the commander of a team from the Conakry Anticrime Squad (*Brigade anticriminalité* / BAC) was sentenced to six years in prison for torturing a detainee. The only trial¹¹ known to Amnesty International involving the death of a demonstrator was that of a police captain convicted and sentenced¹² in February 2019 - despite a controversial process¹³ - to 10 years' imprisonment for killing Thierno Hamidou Diallo during an opposition march in August 2016.

3.2 A NEW CONSTITUTION AT THE ORIGIN OF THE DISPUTE

Opposition demonstrations crystallized in 2019 and 2020 around a planned new constitution. Introduced by the president's parliamentary majority, it came to fruition on 22 March following a disputed referendum, coupled with legislative elections and marked by bloody repression.

The constitutional amendment was perceived from the start as a subterfuge to allow President Alpha Condé to remain in power beyond the two terms provided for by the Constitution. The President began to question the principle of term limits after his re-election in 2015¹⁴. Since its approval, its supporters have explicitly associated the constitutional reform with keeping the current president in power, whether they be leaders of the *Rassemblement du Peuple de Guinée* (RPG, the ruling party)¹⁵, ministers¹⁶, the secretary general of the presidency¹⁷ or the prime minister¹⁸. Senior officials have also publicly stated their support for Alpha Condé

⁸ VisionGuinée.info, *Massacre du 28 septembre; “tous les auteurs seront jugés”, rassure Kassory Fofana* [Massacre of 28 September; “All perpetrators will be prosecuted,” assures Kassory Fofana], 28 September 2019, www.visionguinee.info/2019/09/28/massacre-du-28-septembre-tous-les-auteurs-seront-juges-rassure-kassory-fofana/

⁹ UN Info, *Guinée; l'ONU dénonce l'impunité qui règne 10 ans après l'attaque au stade de Conakry* [Guinea: UN denounces impunity a decade on from the attack on Conakry stadium], 28 September 2019, <https://news.un.org/fr/story/2019/09/1052832>

¹⁰ UN Web TV, *Guinea review - 35th Session of Universal Periodic Review*, 21 January 2020, <http://webtv.un.org/en/ga/watch/guinea-review-35th-session-of-universal-periodic-review/6125215018001/?term=&page=6?lanfrench>

¹¹ Judgment No 8, Dixin Court of First Instance (4 February 2019).

¹² Judgment No 9, Dixin Court of First Instance (4 February 2019).

¹³ GuinéeMatin.com, *Assassinat de Hamidou Diallo; Kaly Diallo condamné à 10 ans de prison* [Murder of Hamidou Diallo; Kaly Diallo sentenced to 10 years in prison], 4 February 2019, <https://guineematin.com/2019/02/04/assassinat-de-hamidou-diallo-kaly-diallo-condamne-a-10-ans-de-prison/#:~:text=Le%20verdict%20est%20tomb%C3%A9%20ce,10%20ans%20de%20r%C3%A9clusion%20criminelle>

¹⁴ On 15 May 2016, in a press conference, Alpha Condé stated in response to a question about his intention to leave power at the end of his second term: “In a country, it's not you who decide, it's the people. No one can tell me what to do. Only the Guinean people can say... I don't want to get into these debates about term limits or not.”

¹⁵ GuinéeMatin.com, *Le RPG demande un troisième mandat pour Alpha Condé “tellement qu'il travaille”* [RPG calls for third term for “hard-working” Alpha Condé], 21 January 2017, <https://guineematin.com/2017/01/21/guinee-le-rpg-demande-un-troisieme-mandat-pour-alpha-conde-tellement-quil-travaille/>

¹⁶ France24.com, Rachid Ndiaye, Guinean Minister of Communication, on the socio-political crisis in the country, 29 March 2018, www.france24.com/fr/20180329-rachid-ndiaye-ministre-communication-guinee-cameroun-separatiste-dulcie-september-anc

¹⁷ France24.com, *Le Journal de l'Afrique*, 19 November 2018, www.france24.com/fr/le-journal-afrique/20181119-2018-11-19-2144-le-journal-lafrique

¹⁸ GuinéeMatin.com, *Kassory Fofana au siège du RPG, voici l'intégralité de son discours* [Kassory Fofana at RPG HQ, his speech in full], 6 April 2019, <https://guineematin.com/2019/04/06/kassory-fofana-au-siege-du-rpg-voici-lintegralite-de-son-discours/>

remaining in power, including the Director General of Police¹⁹ and the Prefect of Kankan²⁰. Support from Guinea's international partners has been publicized in this regard, as has that of Russia²¹.

From 2019 on, the campaign for constitutional reform was in full swing, fuelling protests. At public events such as International Women's Day in 2019 and 2020, speeches²² were made on the supposed benefits of a new constitution to women, and demonstrations²³ were organized in support of it. Two giant posters covered the National Assembly building: the first in favour of a new constitution, the second showing a photo of the President alongside the sentence: "Proud to have sacrificed 50 years of my life for you." Radio Télévision Guinéenne (RTG, public television) broadcast biased coverage of some of the president's trips around the country, interviewing or filming only supporters of the presidential project.²⁴ The FNDC denounced "the slide within the RTG towards the propaganda crusade it is currently leading in favour of a third term, in violation of the most fundamental obligation of neutrality attached to a public service."²⁵



Posters displayed on the National Assembly building ©Private

On 3 October 2018, a presidential decree endorsed the 12 September 2018 dismissal²⁶ of the President of the Constitutional Court, Kéléfa Sall by eight of the nine counsellors who make up that Court. The Guinean Bar Association and the opposition denounced an illegal decision²⁷. Criticism related to the institution's management began to target Kéléfa Sall after he took a public stand against a possible constitutional amendment during Alpha Condé's second investiture ceremony on 14 December 2015.

¹⁹ Guinée360.com, *Guinée: le directeur de la police fait des déclarations inquiétantes à N'Zérékoré* [Guinea: Police chief makes worrying statements in N'Zérékoré], 25 November 2016 <https://www.guinee360.com/25/11/2016/directeur-police-declarations-inquietantes/>

²⁰ VisionGuinée.info, *L'appel du préfet de Kankan aux Guinéens: "donner au moins 15 ans à Alpha Condé" au pouvoir* [Kankan Prefect appeals to Guineans: "Give Alpha Condé at least 15 years" in power] 30 January 2019 www.visionguinee.info/2019/01/30/lappel-du-prefet-de-kankan-aux-guineens-donnez-au-moins-15-ans-a-alpha-conde-au-pouvoir/

²¹ Presidential Press Office, *Les diplomates et les institutions présentent leurs vœux au Président Alpha Condé* [Diplomats and institutions send best wishes to President Alpha Condé] 9 January 2019, <http://guineaembassyusa.org/les-diplomates-et-les-institutions-presentent-leurs-voeux-au-president-alpha-conde/>

²² Presidency.gov.gn, *Journée internationale des femmes: le président Alpha Condé assiste à la cérémonie* [International Women's Day: President Alpha Condé attends ceremony], 9 March 2020, <http://www.presidence.gov.gn/index.php/dernieres-actualites/194-journee-internationale-des-femmes-le-president-alpha-conde-assiste-a-la-ceremonie>

²³ <https://twitter.com/pathus90/status/1103977618259537922>

²⁴ RTG Bulletin, 6 January 2020, <https://www.youtube.com/watch?v=T-mCOWC1AoY>

²⁵ fndcguinee.com, *Le FNDC prend acte de l'évolution du rôle de la RTG vers la croisade de propagande qu'elle mène actuellement au service du troisième mandat* [FNDC notes trend in RTG's role towards propaganda crusade in favour of a third term], Statement No. 012/FNDC/2019, 7 June 2019, <http://fndcguinee.com/index.php/2019/06/07/le-fndc-prend-acte-de-levolution-du-role-de-la-rtg-vers-la-croisade-de-propagande-quele-mene-actuellement-au-service-du-troisieme-mandat/>

²⁶ Ruling of Constitutional Court No. RI 001 of 12 September 2018.

²⁷ Guineematin.com, *Destitution de Kéléfa Sall: le Barreau de Guinée dénonce "une situation très grave"* [Dismissal of Kéléfa Sall: Guinean Bar Association denounces "a very serious situation"], 18 September 2018, www.guineematin.com/2018/09/18/destitution-de-kelefa-sall-le-barreau-de-guinee-denonce-une-situation-tres-grave/

“Always avoid the slippery slope of paths forbidden by democracy and good governance. Take care not to succumb to the tune of the revisionist sirens, for while the Guinean people have given you - and renewed - their trust, they remain legitimately vigilant.”²⁸

At the end of this process of promoting a new constitution, Alpha Condé informed the Guinean community in New York on 23 September 2019²⁹ that a referendum would be held, before announcing it in a speech³⁰ to the nation on 19 December 2019. According to Article 40³¹ of this text, which was circulated on the same day³², the President of the Republic shall be elected by direct universal suffrage for a six-year term, renewable once, thus giving the next President the opportunity to remain in power for 12 years.

Initially scheduled for 28 December 2019 and then 15 March 2020, the dual referendum and legislative elections were finally held on 22 March, despite the reservations of Guinea's partners and major African institutions. On 24 February, the International Organization of the Francophonie (OIF) announced that it was suspending its participation in the electoral process³³. The Economic Community of West African States (ECOWAS) did the same on 27 February³⁴, followed by the African Union on 28 February³⁵. Following an expert mission, on 2 March 2020, in a letter to the Guinean authorities, ECOWAS recommended that some two and a half million registered voters with no supporting documentation be removed from the electoral roll, i.e. more than a third of the total number of voters³⁶. An OIF report also noted a particular number of anomalies in Kankan region, a stronghold of those in power, including the registration of more than 30,000 minors, and the greater enrolment capacity deployed there by the National Independent Electoral Commission (CENI). Following the announcement of the first results on 27 March, and once the results had been validated by the Constitutional Court on 3 April, the European Union³⁷ and the US Embassy³⁸ in Guinea questioned the credibility of the referendum³⁹. A presidential decree enacted the constitution on 6 April⁴⁰, officially approved by 89.76% of the vote.

The willingness of the authorities to countenance a constitutional reform led to dissent within the government, as seen by the resignation of three ministers. On 14 November 2018, Khalifa Gassama Diaby stepped down as Minister of National Unity and Citizenship in the hope that “our country will renounce State, political and social violence and all forms of injustice, exclusion or contempt, which form the explosive ingredients of hatred, violence, division and our collective destruction”⁴¹. On 20 May 2019, the Minister of Justice, Cheick Sako, resigned “in view of his personal position against any amendment or change to the current constitution”⁴². On 27 February 2020, the Minister for Higher Education, Abdoulaye Yéro Baldé, also wrote to the President to announce that he was stepping down from the government, in particular because “the institutions and social fabric that form the basis of a strong nation are growing weaker by the day”⁴³.

²⁸ www.youtube.com/watch?v=MdDDz5ABh8g

²⁹ Guineématin.com, *Affaire 3^{ème} mandat: Alpha Condé annonce un référendum* [A 3rd term: Alpha Condé announces a referendum], 23 September 2019, www.guineematin.com/2019/09/23/affaire-3eme-mandat-alpha-conde-annonce-un-referendum/

³⁰ Presidency.gov.gn, *Draft New Constitution: Address to the Nation by the Head of State*, 20 March 2019, www.presidence.gov.gn/index.php/dernieres-actualites/181-projet-de-nouvelle-constitution-adresse-a-la-nation-du-chef-de-l-etat

³¹ “The President of the Republic shall be elected by direct universal suffrage for a six-year term, renewable once.”

³² <http://presidence.gov.gn/images/projetdenouvelleconstitution/NouvelleConstitution.pdf>

³³ Organisation Internationale de la Francophonie, *Mission d'assistance électorale de l'OIF en République de Guinée* [OIF Electoral Assistance Mission to the Republic of Guinea], www.francophonie.org/mission-d-assistance-electorale-de-loif-en-republique-de-guinee-1134

³⁴ Economic Community of West African States, *Communiqué de la CEDEAO sur la Guinée* [ECOWAS Guinea Statement], 27 February 2020, www.ecowas.int/communiqué-de-la-cedeao-sur-la-guinee-27-fevrier-2020/?lang=fr

³⁵ African Union, *Communiqué sur la Guinée*, [Statement on Guinea], 28 February 2020, www.au.int/fr/pressreleases/20200228/communiqué-sur-la-guinee

³⁶ Rfi.fr, *Guinée: les conclusions des experts de la Cédéao sur le fichier électoral* [Guinea: the conclusions of ECOWAS experts on the electoral roll], 11 March 2020, <http://www.rfi.fr/fr/afrique/20200311-guin%C3%A9-les-conclusions-experts-la-c%C3%A9d%C3%A9ao-le-fichier-%C3%A9lectoral>

³⁷ European External Action Service, *Guinea: Statement by the Spokesperson on the legislative elections and constitutional referendum held on 22 March*, 26 March 2020, https://eeas.europa.eu/delegations/peru/76803/guinea-statement-spokesperson-legislative-elections-and-constitutional-referendum-held-22_en

³⁸ Gn.usembassy.gov, *US Embassy Expresses Concerns over March 22 election*, 30 March 2020, <https://gn.usembassy.gov/u-s-embassy-expresses-concern-over-march-22-elections/>

³⁹ Judgment No. AE 007 of 3 April 2020.

⁴⁰ Decree D/2020.

⁴¹ Khalifa Gassama Diaby's letter of resignation, 14 November 2018.

⁴² Cheick Sako's letter of resignation, 20 May 2019.

⁴³ Abdoulaye Yéro Baldé's letter of resignation, 27 February 2020.

Alongside this, supporters of the constitutional reform have been promoted to strategic security positions. The Director General of Police, Bangaly Kourouma, who spoke out in 2016 in favour of a lifetime presidency, was appointed Minister-Counsellor to the Presidency in June 2017. On 3 December 2019, Aboubacar Fabou Camara, former national director of special services at the Presidency, was appointed head of the Central Judicial Police Directorate (DCPJ).

4. A NEW CONSTITUTION AT ALL COSTS (OCTOBER 2019- FEBRUARY 2020)

“He had two guns in his hand. He was firing warning shots with a PMAK⁴⁴ and shooting people with the other.”

Testimony of Mamadou Aliou Bah, shot and wounded on 4 November 2019 in Conakry.

“The driver wanted me dead.”

Testimony of Mamadou Cellou Diallo, who suffered head injuries after being hit by a defence and security forces vehicle on 15 October 2019 in Conakry.

⁴⁴ Term for a “Kalashnikov automatic rifle”.

4.1 BACKGROUND

4.1.1 THE BIRTH OF THE FNDC

Concerns began to emerge as the Guinean authorities gave shape to the draft constitutional reform. These concerns were formalized on 3 April 2019 with the creation of the FNDC. Composed of the main opposition political parties, trade unions and associations, it called on “all Guineans to mobilize for strong opposition to a third term”. On 7 October 2019, 14 days after Alpha Condé first announced that a constitutional referendum would be held, the FNDC called for demonstrations to commence on Monday 14 October 2019⁴⁵. These first demonstrations, violently repressed, were followed by further marches organized in the run-up to the constitutional referendum, also often bloodily suppressed.

4.1.2 VIOLATIONS OF THE RIGHT TO FREEDOM OF PEACEFUL ASSEMBLY

Between October 2019 and February 2020, Amnesty International documented at least 10 bans on demonstrations against the proposed constitutional reform: in Conakry, in October 2019, because “no letter of intent has been produced”⁴⁶; in Siguiri in October 2019 because of incorrect signatures⁴⁷; in Forécariah in November 2019 because “no demonstrations that might disturb the peace are allowed”⁴⁸; in Yomou in November 2019 “in order to maintain public order”⁴⁹; in Kindia in November 2019 because “Monday is the first day of the week, the day when the entire administration starts work, the day when pupils, students and the population have to go to school and go about their daily business”⁵⁰; again in Kindia in November 2019 because of a “handover ceremony in the presence of high-ranking officials and development partners” and “in order to give our guests a warm welcome in a climate of peace and tranquillity”⁵¹; in Kankan in November 2019 “to avoid a disturbance of the peace”⁵²; in Nzérékoré in December 2019 because of the “census”⁵³; in Kissidougou in January 2020⁵⁴ and in Nzérékoré in January 2020 to “keep the peace”⁵⁵.

These bans are based partly on articles of the 2016 Criminal Code and the Law of 4 June 2015 on maintaining law and order⁵⁶, some of the provisions of which, together with their interpretation and implementation, significantly violate the right to freedom of peaceful assembly. Article 621 of the Criminal Code stipulates that demonstrations must be subject to a “prior declaration”⁵⁷. Article 623 states that: “The administrative authority responsible for public order may temporarily prohibit a public meeting or demonstration if there is a real threat of disturbance to public order”. And, according to Article 625, organizers take civil responsibility for any offences that may be committed during the course of the event. Finally, Article 34 of the Law on maintaining order prohibits “any unarmed gathering that could disturb the public peace” on the public highway.

In practice, authorization is required rather than a simple “prior declaration”, and the vague notions of “public order” and “public peace” are used as a pretext for politically motivated bans. As a result of repeated and unfounded bans on demonstrations, several opposition demonstrations went ahead in spite of being prohibited. These texts and practices are contrary to human rights treaties to which Guinea is a party, including the International Covenant on Civil and Political Rights (ICCPR), the African Charter on Human and

⁴⁵ Statement No. 022/FNDC/2019, 7 October 2019.

⁴⁶ www.youtube.com/watch?v=MdDDz5ABh8g

⁴⁷ Guinée matin.com, *Affaire 3^{ème} mandat: le maire de Siguiri interdit la manifestation du FNDC* [A 3rd Term: Siguiri mayor bans FNDC demonstration], 23 October 2019, <https://guineematin.com/2019/10/23/affaire-3eme-mandat-le-maire-de-siguiri-interdit-la-manifestation-du-fndc/>

⁴⁸ Forécariah urban municipality, No.0082/CU/FOR/2019.

⁴⁹ Yomou urban municipality, No. 069/CU/Y/2019.

⁵⁰ Kindia urban municipality, No. 142/CUK/2019.

⁵¹ Kindia urban municipality, *Response No. 145/CUK/2019*, 12 November 2019.

⁵² Kankan urban municipality, No. 106/CUK/PKK/2019.

⁵³ Guinéeplus.net, *Manif du FNDC: Risque d'affrontement ce jeudi à Nzérékoré?* [FNDC demo: Risk of clashes this Thursday in Nzérékoré], 11 December 2019, www.guineeplus.net/guinee-forestiere/manif-du-fndc-risque-daffrontement-ce-jeudi-a-nzerekore/

⁵⁴ Guinée matin.com, *Kissidougou ; la mairie interdit la manifestation du FNDC*, [Kissidougou; city hall bans FNDC demonstration], 11 January 2020, <https://guineematin.com/2020/01/11/kissidougou-la-mairie-interdit-la-manifestation-du-fndc/>

⁵⁵ Nzérékoré urban municipality, No.002/CU/NZ/2020.

⁵⁶ Law No. 2015/009/AN of 4 June 2015 on maintaining public order in the Republic of Guinea.

⁵⁷ “Religious, sporting, cultural, artistic and traditional ceremonies are exempt from this declaration.”



RIGHT TO FREEDOM OF PEACEFUL ASSEMBLY

The right to freedom of peaceful assembly is protected at regional level by Article 11 of the African Charter on Human and Peoples' Rights and the ACHPR Guidelines on Freedom of Association and Assembly in Africa, and internationally by Article 21⁵⁹ of the ICCPR. General Comment No. 37, adopted on 23 July 2020 by the UN Human Rights Committee, provides a detailed interpretation of Article 21. Where the Guinean authorities have systematically required the FNDC to seek permission from them in advance of demonstrations, the Comment explains that “in practice, meetings should not be subject to an authorization regime that requires permission to be sought from the authorities”. Consequently, “A failure to notify the authorities of an upcoming assembly, where required, does not render the act of participation in the assembly unlawful”. The Guidelines also make it clear that “participating in and organizing assemblies is a right and not a privilege, and thus its exercise does not require the authorization of the state.” When Article 625 of the Guinean Criminal Code holds organizers responsible for offences that may be committed during the course of demonstrations, the Comment recalls that the organizers of a meeting and the participants “should only be held responsible for their own conduct”. According to the Guidelines, “Liability shall be personal. Neither the organizers nor fellow participants of a public assembly shall be subjected to sanctions of any kind on the basis of acts committed by others.” It follows from this that “isolated instances of such conduct will not suffice to taint an entire assembly as non-peaceful”.

⁵⁹ The Comment also focuses on the notion of “public order”, as mentioned in Article 21 of the ICCPR, and repeatedly invoked by the Guinean authorities to ban demonstrations. Thus, “States parties should not rely on a vague definition of ‘public order’ to justify overbroad restrictions on the right of peaceful assembly. Peaceful assemblies can in some cases be inherently or deliberately disruptive and require a significant degree of toleration.” The Guidelines also state that: “The law shall not allow assemblies to be limited based on overly broad or vague grounds.”

4.1.3 THE MILITARIZATION OF POLICING

Military personnel have regularly been deployed in operations supposedly related to law enforcement, despite the authorities’ denials and in violation of international and national law enforcement standards.

In November 2018, the Secretary General of the Presidency, Kiridi Bangoura, stated that: “The army is systematically confined to barracks.” Furthermore, in November 2018⁶⁰, following the installation of “Support Points” (*Points d’Appui / PA*)⁶¹ on some of Conakry's roads, the Department for Army Information and Public Relations (DIRPA) stated that: “The army does not and will not participate in operations to

⁵⁸ Adopted at the 60th ordinary session of the ACHPR, held in Niamey from 8 to 22 May 2017.

⁵⁹ According to Article 21, “The right of peaceful assembly shall be recognized. No restrictions may be placed on the exercise of this right other than those imposed in conformity with the law and which are necessary in a democratic society in the interests of national security or public safety, public order (ordre public), the protection of public health or morals or the protection of the rights and freedoms of others.”

⁶⁰ France24.com, *Le Journal de l’Afrique*, 19 November 2018, www.france24.com/fr/le-journal-afrique/20181119-2018-11-19-2144-le-journal-lafrique

⁶¹ Staffed by military personnel, the Support Points are fixed units deployed since November 2018 in several districts of the capital, in particular along the Le Prince road which crosses the main districts where there have been protests. Their establishment was protested by civil society at the time. *Le Balai Citoyen* in particular denounced “a flagrant violation of Article 142 of our Constitution, which states: ‘The defence forces are responsible for defending the national territory.’”

maintain public order”⁶². Despite requests from Amnesty International during official meetings with the authorities and in publications, the organization has thus far been unable to obtain information on the legal basis for these Support Points, how long they will be in operation, their location, objectives or rules of engagement. In October 2019, the Army Chief of Staff reminded soldiers that “it is strictly forbidden to mix with any crowds”, and announced that soldiers would be confined to barracks as of 14 October 2019⁶³.

However, armed military personnel were used on several occasions between October 2019 and February 2020 in operations that are normally law enforcement operations. This also occurred, more generally, throughout the reporting period. One witness told Amnesty International that he had been shot and injured by a member of the defence and security forces travelling in a Support Point vehicle in November 2019. The army was deployed in Labé on 23 January 2020, and in Conakry and Labé on 21 and 22 March 2020, according to testimonies and videos collected by Amnesty International. The government justified this deployment as a “preventive” measure and due to a lack of manpower⁶⁴. The army was also mobilized ahead of the dual referendum and legislative elections, initially announced for 1 March. On 24 February 2020, the Army Chief of Staff, Pepe Roger Sagnon, used a radio message to order all army units throughout the country to be put on alert as of 25 February, together with day and night patrols from 28 February to 3 March, and that polling stations be secured on 1 March⁶⁵ “as needed”.

These practices are contrary to international, regional and national provisions in this regard. General Comment No. 37⁶⁶ on Article 21 of the ICCPR states that, as a general rule, “the military should not be used to police assemblies”. The ACHPR Guidelines for the Policing of Assemblies by Law Enforcement Officials in Africa also stipulate that “as a general rule, the military should not be used to police assemblies and must only be

used in exceptional circumstances and only if absolutely necessary”⁶⁷. Article 3 of the Law of June 2015⁶⁸ on maintaining public order in Guinea states that “in times of crisis and public disorder, the security of persons and their property is the responsibility of the police and, where appropriate, the gendarmerie in the second instance”. According to this legislation, the armed forces can only intervene in “exceptional circumstances and at the request of the President of the Republic”.

4.1.4 LAWS AND COMMITMENTS ON THE USE OF FIREARMS

From October 2019 to February 2020 and beyond, the carrying and use of firearms by defence and security forces during demonstrations has been documented by testimonies, photographs and video footage collected by Amnesty International, in contradiction to commitments and statements made by the authorities, and in violation of international, regional and national standards.

In October 2019, the Minister for Territorial Administration declared that “The defence and security forces are not armed.”⁶⁹ The Directorate General of Police assured Amnesty International in November 2019 that the vehicles of those members of forces deployed were “searched”⁷⁰. In the report submitted by Guinea to the Universal Periodic Review (UPR) process in January 2020, the authorities stated that “only conventional weapons, such as tear gas and other riot control agents, water cannons and truncheons, may be used to

⁶² Guineenews.com, *Installation des PA à Conakry: la mise au point du ministère de la Défense*, [Support Points Established in Conakry: Ministry of Defence update], 21 November 2018, www.guineenews.org/installation-des-pa-a-conakry-la-mise-au-point-du-ministere-de-la-defense/

⁶³ Government.gov.gn, *Communiqué de l'état-major général des armées* [Statement from the General Staff of the Armed Forces], 11 October 2019, <http://www.gouvernement.gov.gn/index.php/communiqu%C3%A9/4776-communique-de-l-etat-major-general-des-armees>

⁶⁴ Lemonde.fr, “Des milliers de Guinéens sont allés voter. On ne les a pas forcés.” [“Thousands of Guineans went to vote. They weren't forced to.”]. 31 March 2020, www.lemonde.fr/afrique/article/2020/03/31/des-milliers-de-guineens-sont-alles-voter-on-ne-les-a-pas-forces_6035037_3212.html

⁶⁵ Date initially chosen for the dual legislative elections and referendum.

⁶⁶ United Nations Human Rights Committee, General Comment No. 37.

⁶⁷ African Commission on Human and Peoples' Rights, *Policing Assemblies in Africa: Guidelines for the Policing of Assemblies by Law Enforcement Officials in Africa*, <https://www.achpr.org/legalinstruments/detail?id=65>

⁶⁸ Law No. 2015/009/AN on maintaining public order in the Republic of Guinea, enacted by the President of the Republic on 4 June 2015.

⁶⁹ Rfi.fr, *Guinée: une journée de contestation particulièrement violente*, [Guinea: a particularly violent day of protest], 14 October 2019, www.rfi.fr/fr/afrique/20191014-guinee-conakry-journee-contestation-violence-constitution-mandat-alpha-conde

⁷⁰ Interview with Ansoumane Bafoué Camara, Director General of Police, Conakry, November 2020.

maintain public order. Firearms may be used only in self-defence or in cases of absolute necessity, and in a manner that is appropriate and proportionate.”⁷¹

Yet information presented by Amnesty International in this report shows that the defence and security forces regularly carried and used firearms, as also documented in previous years. During his trial in 2018, a police captain convicted in 2019 for the death of a young man acknowledged that officers were carrying firearms during a march on 16 August 2016, despite official prohibitions.⁷² According to testimonies and documents collected by Amnesty International and presented in the following sections, the use of firearms by the Guinean defence and security forces did not comply with any international and regional standards in this regard (see box below).



USE OF FORCE AND FIREARMS

Internationally, the use of firearms is governed by the United Nations Basic Principles on the Use of Force and Firearms by Law Enforcement Officials. At the regional level, it is through the ACHPR Guidelines for the Policing of Assemblies by Law Enforcement Officials in Africa. And nationally it is by means of the Law of 4 June 2015 on maintaining public order in Guinea. In general, the Principles state that law enforcement officials shall not use firearms against persons except in “self-defence or defence of others against the imminent threat of death or serious injury”. Whenever unavoidable, the lawful use of force or firearms must be subject to certain obligations, including a duty to act “in proportion to the seriousness of the offence and the legitimate objective to be achieved”, to provide “assistance and medical aid to any injured or affected persons at the earliest possible moment”, to report “the incident promptly to their superiors”, and to “punish arbitrary or abusive use of force and firearms by law enforcement officials as a criminal offence”. For all these reasons, Article 1(b) of the Guinean law of 25 June 2019 on the use of weapons by the gendarmerie is problematic. In fact, it stipulates that gendarmes may use their firearms “when they cannot otherwise defend the position they are occupying, the posts or persons entrusted to them or if the resistance is such that it can only be defeated by force of arms”, without making it clear that firearms may only be used in the event of an imminent threat of death or serious injury, and if other means have proved ineffective or unable to achieve the desired result.

4.2 CRACKDOWN ON DEMONSTRATIONS

Between October 2019 and February 2020, more than 30 people were killed during demonstrations, according to data cross-referenced between Amnesty International, the Guinean authorities, the FNDC and the media. One gendarme was killed at Mamou on 14 October⁷³. Many people were also injured, some of whom are now living with serious after-effects. The testimonies collected and documents analysed by the organization show that the defence and security forces were responsible for several cases of murder and injury. Impartial and independent investigations must be conducted to establish the facts and those suspected of human rights violations must be prosecuted. The defence and security forces have used excessive force by using lethal weapons in situations not covered by the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials⁷⁴ or the 2015 Law on maintaining public order in Guinea. These forces failed to provide assistance to those injured, in contravention of these same Principles. The testimonies and analyses below focus on the months of October and November 2019.

⁷¹ UN Human Rights Council, Working Group on the Universal Periodic Review, Thirty-fifth session, 20-31 January 2020, Guinea National Report, www.undocs.org/en/A/HRC/WG.6/35/GIN/1

⁷² Guinéeematin.com, *Meurtre de Hamidou Diallo à Bambéto: le capitaine Kaly Diallo dit être sacrifié par sa hiérarchie*, [Murder of Hamidou Diallo in Bambéto: Captain Kaly Diallo says his superiors scapegoated him], 5 December 2018, www.guineeematin.com/2018/12/05/meurtre-de-hamidou-diallo-a-bambeto-le-capitaine-kaly-diallo-dit-etre-sacrifie-par-sa-hierarchie/

⁷³ Amnesty International, *Guinée. La mort de quatre personnes dans des manifestations fait craindre de nouvelles arrestations* [Guinea: Four dead during protests arousing fear of new arrests] (Press Release, 14 October 2019).

⁷⁴ Office of the United Nations High Commissioner for Human Rights, *Basic Principles on the Use of Force and Firearms by Law Enforcement Officials*, <https://www.ohchr.org/EN/ProfessionalInterest/Pages/UseOfForceAndFirearms.aspx>

4.2.1 UNLAWFUL KILLINGS

The marches in October 2019 were the first major events organized by the FNDC. This latter made an initial call on 7 October for a first gathering on 14 October. At least 11 people were killed on 14, 15 and 16 October in Conakry and Mamou⁷⁵. Of these 11 victims, eight were shot in the head or chest and two in the abdomen, suggesting an intention to kill. In addition, up to nine people were killed on 4 and 14 November at the funerals of those killed in October, and during a demonstration that was dispersed by the defence and security forces.

OCTOBER 2019



Thierno Sadou Bah (left), and Mamadou Karfa Diallo (right), killed on 14 October 2019 ©Private

Thierno Sadou Bah, 18, and Mamadou Karfa Diallo, 20, cousins, were allegedly shot dead by defence and security forces on 14 October in Wanindara (Conakry). Thierno Sadou Bah was shot in the hip and Mamadou Karfa Diallo was shot in the back, the bullet exiting through his chest. A roadblock had been erected by local youths on a side road 50 metres from the courtyard leading to the two youths' home. Mamadou Karfa Diallo had been filming himself a few minutes before his death. In the video seen by Amnesty International⁷⁶, he is standing in front of the makeshift roadblock, comprising burnt tyres and various small objects and pieces of furniture. Three gunshots can be heard in the video. These cause some protesters to abandon the blockade, while Mamadou Karfa Diallo and another young man in the immediate vicinity remain where they are, with Mamadou Karfa Diallo still standing.

Both bodies were taken to the Wanindara Health Centre, and then to Ignace Deen Hospital. The funeral, scheduled for 30 October, was postponed twice after the authorities explained that the autopsies had not yet been carried out. The two young men were finally buried on 4 November in Bambeto cemetery, the families having been called during the night to come and separately collect the bodies. Death certificates have been issued to the families. Dixinn's Public Prosecutor has not provided them with the autopsy results.

⁷⁵ Number given on the basis of interviews in Conakry with family members of victims, medical staff, members of civil society and the FNDC, together with official statements from the authorities.

⁷⁶ Thirteen-second video sent to Amnesty International.

RÉPUBLIQUE DE GUINÉE
MINISTÈRE DE LA SANTÉ
C.H.U IGNACE DEEN
N° 4168/19 / ID
DECLARATION DE DECÈS
SERVICE DE : MEDECINE LEGALE
Mr ou Mme : MAMADOU KARFA DIALLO
Fils(le) de : MAMADOU ALIOU
Et de : HADJA HADJIMATOU DIALLO
Profession : ELEVE Age 18 ans
S/P de : RATOMA Préfecture : CONAKRY
Quartier : KANINDARA Préfecture : CONAKRY
Entré (e) à l'Hôpital le : 14/10/19 à heures
Y est mort le : 14/10/19 à heures
Par suite de : MORT VIOLENTE
Date de déclaration : 14/10/19
Conakry, le : 14/10/2019

RÉPUBLIQUE DE GUINÉE
MINISTÈRE DE LA SANTÉ
C.H.U IGNACE DEEN
N° 4168/19 / ID
DECLARATION DE DECÈS
SERVICE DE : MEDECINE LEGALE
Mr ou Mme : THIerno SADOU BAH
Fils(le) de : MAMADOU DJOUTE
Et de : KADATOU BAH
Profession : CHAUFFEUR Age 18 ans
S/P de : RATOMA Préfecture : CONAKRY
Quartier : KANINDARA Préfecture : CONAKRY
Entré (e) à l'Hôpital le : 14/10/19 à heures
Y est mort le : 14/10/19 à 13 heures
Par suite de : MORT VIOLENTE
Date de déclaration : 14/10/19
Conakry, le : 14/10/2019

Death certificates of Mamadou Karfa Diallo (left) and Thierno Sadou Bah (right) ©Private

On 15 October, the day after the deaths of these two young men, members of the defence and security forces appeared at the home of Thierno Sadou Bah, 60, uncle of the two youths killed and who has the same name as one of them, owner of the house where the bereaved family was receiving condolences from relatives. Mamadou Bobo Bah, a relative of the two young men who was present at the time of the raid, saw some 20 gendarmes in blue uniforms, wearing balaclavas, helmets and bulletproof vests.

“They said we couldn't gather, I said they couldn't stop people from coming with their sympathies.”⁷⁷

They destroyed the plastic chairs, the tent, insulted family members and sprayed tear gas. Thierno Sadou Bah's foot was injured by one of these canisters. A video broadcast on social media⁷⁸ shows the scene just after the gendarmes had left.



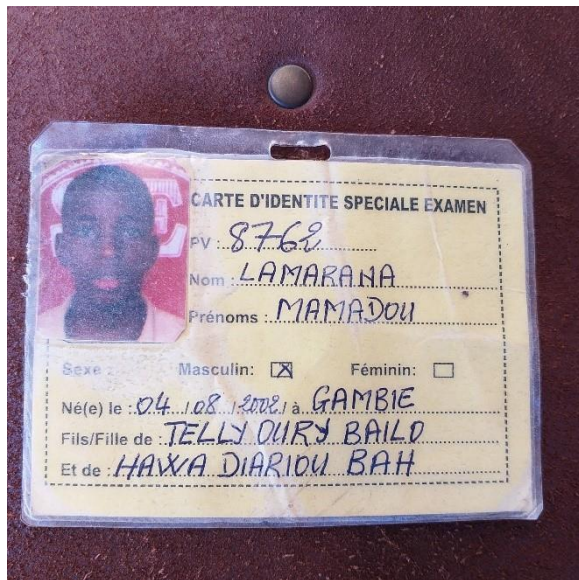
On the left, a photo of Thierno Sadou Bah, wounded in the foot by a tear gas canister fired on 15 October 2019. In the middle, an X-ray of his foot. On the right, the bloodied trousers he was wearing and part of the fired cartridge ©Private

Mamadou Lamarana Bah, a 17-year-old Grade 9 student, was killed in Sonfonia (Conakry) on 14 October during a raid by defence and security forces in the neighbourhood. According to the testimony of a family

⁷⁷ Interview with Mamadou Bobo Bah in Conakry, 10 November 2019, followed by telephone interviews, March to July 2020.

⁷⁸ Observers.france24.com, *Guinée: endeuillée, une famille se fait gazer par des gendarmes à Conakry* [Guinea: bereaved family gassed by gendarmes in Conakry], 17 October 2019, www.observers.france24.com/en/20191017-guinee-endeuilee-famille-repressions-gendarmes-wanidara-ratoma-manifestations

member interviewed by Amnesty International⁷⁹: “The police came through the neighbourhood at around 9 am. They came with a lot of pickups. There were police officers and gendarmes. The vehicles had no plates, they were green and black. More than five vehicles were circling the neighbourhood. They would chase the kids, and then come back round into the neighbourhood. It was between 9 and 10 am when Mamadou Lamarana left the house. I saw black pickup trucks with people in black uniforms pulling up to the main road. Moments later I heard shooting. Bursts of gunfire. He was already dead when we brought him to the clinic. He was shot in the heart. The Red Cross came to pick up the body and they dropped it off at Ignace Deen Hospital, after which it was taken to the Sino-Guinean clinic. We can forgive the death of our child but not the person who killed him.”



↑ Mamadou Lamarana Bah's school ID card ©Private

A presumed member of the defence and security forces killed Abdoulaye Sow, a 27-year-old motorcycle taxi driver, on 15 October in Wanindara, Conakry. According to a written complaint⁸⁰ sent by members of his family to the FNDC⁸¹ and which has been seen by Amnesty International, he was killed in front of the NOSAG school group by a man “in a white T-shirt” aboard a “gendarmerie pickup truck headed towards the T5 roundabout for the Wanindara Rail Gendarmerie No. 5”. Two other “uniformed” people⁸² were in the vehicle. Abdoulaye Sow was hit in the spine and “fell on the spot” before being taken to a private health facility. Ibrahim Diallo, Abdoulaye Sow's uncle, was at home when he received a call about the tragedy. He went to the clinic where the wounded man had been taken. “When I got there, I found him lying down. I tried to talk to him, I lifted him up to talk to him. He told me they had shot him; he couldn't identify where it hurt.”⁸³ The Red Cross then came and took the victim to Donka Hospital. He died two hours later. His body was subsequently taken to Ignace Deen Hospital.

⁷⁹ Interview with the father of Mamadou Lamarana Bah and a local civil society leader in Conakry, 12 November 2019.

⁸⁰ Complaint against Wanindara Rail gendarmerie No. 5, 15 October 2019.

⁸¹ The FNDC is being represented by a lawyers' collective who may take certain cases to court. It is also recording the deaths, injuries and incidents related to the demonstrations.

⁸² Meaning: wearing military uniform.

⁸³ Interview with Ibrahim Diallo, Abdoulaye Sow's uncle, in Conakry, August 2020.



↑ Abdoulaye Sow ©Private

Members of Abdoulaye Sow's family were assaulted and robbed by the gendarmes just after the Red Cross had picked up the victim, according to a complaint⁸⁴ they made to the FNDC. They report having been attacked by “the very same Wanindara Rail Gendarmerie No. 5, who made us take all our clothes off, took our phones, the money we needed for the child’s care, hit us and insulted us saying: ‘Today it’s only small, tomorrow we’ll burn down your houses,’ in an affront to our dignity and ethnicity.”

NOVEMBER 2019

On 4 November, at least four people were shot dead in Conakry during a funeral march in honour of 11 people killed during demonstrations the previous month. On 14 and 15 November, at least four people were killed during a demonstration dispersed by the defence and security forces. A fifth died on 21 November as a result of their injuries.

Bloody funerals

On 4 November, the procession began its route from the mortuary of the Sino-Guinean hospital before stopping at the Bambeto mosque and then travelling on to the Bambeto cemetery for the burial of the bodies. The stopover at the mosque was marked by a visibly uncoordinated, threatening and unprofessional approach on the part of the defence and security forces, according to testimonies collected by Amnesty International and after analysis of a video lasting more than an hour, filmed mainly near the Bambeto mosque.⁸⁵ A police vehicle, siren on, drives through a makeshift roadblock on the Le Prince road and comes to a halt by the mosque, where members of the procession throw stones at it. At least one tear gas canister is thrown from inside the vehicle. Shortly afterwards, other police and gendarmerie vehicles park a few dozen metres from the mosque. Some of the forces get out of the vehicles and throw tear gas canisters randomly into the crowd, including forcefully with the potential to hit people in the face. “Even inside the mosque it smelled of gas,” a participant told Amnesty International⁸⁶. The defence and security forces present did not take into account the potentially harmful influence their presence and deployment tactics could have on the peaceful assembly, contravening the ACHPR Guidelines for the Policing of Assemblies by Law Enforcement Officials in Africa.⁸⁷ After prayers at the mosque, the procession moved towards the Bambeto roundabout, carrying coffins draped with the red-yellow-green flag of Guinea. Six police and gendarmerie vehicles then blocked the procession's access to the roundabout, parking across both lanes. Tear gas was again fired in the direction of the procession, although the leaders had both hands raised in the air. The vehicles finally reverse in front of the crowd and leave the roundabout with stones being thrown at them. On arrival at Bambeto cemetery, the procession is again targeted by tear gas within the cemetery itself, as can be seen

⁸⁴ *Complaint against Wanindara Rail Gendarmerie No. 5*, 15 October 2019.

⁸⁵ Video sent to Amnesty International.

⁸⁶ Interview in Conakry with the relative of one of the victims killed in October.

⁸⁷ “When deploying their officers at an assembly, law enforcement agencies must consider the potentially adverse influence on the assembly that could be caused by their visible presence, their deployment tactics, and the material and equipment their officers are equipped with at the time” (14.2).

from a short video published by a media outlet⁸⁸, and as confirmed by several testimonies. After the burial, the 11 empty coffins were “confiscated” by the defence and security forces before being returned on 20 November to the CMIS in Camayenne, in the presence of FNDC officials⁸⁹.

At the end of that day, the police spokesperson announced the death of two young men “Abdoul Rahim Diallo, a driver, and Mohamed Sylla, a student”⁹⁰, without giving any further details as to the circumstances of their deaths⁹¹. On that same day, defence and security forces killed 18-year-old Mohamed Sylla in Wanindara III⁹², Conakry, according to a relative who told Amnesty International: “He was leaving the football pitch to go home when he was shot in the forehead; this was between 4 pm and 5pm. He was transferred to Ignace Deen Hospital around 6 pm - 7 pm. The bullet wasn't intended for him. There were black pickups with ‘Police’ written on them. They were dressed as ‘Robocop’. They had PMAKs and tear gas grenades. There was a lot of crossfire. Once they'd fired, they left. The children picked up some of the cartridges after they'd gone.” The defence and security forces killed two other young men that day, Alimou Bah⁹³ and Chérif Bah⁹⁴, according to testimonies and photographs collected by the media and FNDC.

The repression of 14 November

On 14 November, a new FNDC demonstration was dispersed “for failing to keep to the authorized route”⁹⁵. The government reported only one death by gunfire that day, Alpha Souleymane Diallo, “hit in the chest in Concasseur district by a projectile”⁹⁶. It also announced the wounding of three police officers, and the attack on the gendarmerie unit of Dabondi-rails, as well as on several Support Points⁹⁷. The FNDC accused the defence and security forces of “shooting five young men outside of any kind of demonstration”, including one person killed on 15 November⁹⁸ and another who died on 21 November from their injuries.

4.2.2 INJURIES

At least 15 people were injured during the October and November 2019 marches, and at least eight of those were by gunfire, according to Amnesty International's interviews with victims and medical staff, and according to Guinean media reports⁹⁹. The FNDC identified 195 people with serious injuries, including 59 wounded by gunfire, between November 2019 and August 2020¹⁰⁰.

⁸⁸ Mediaguinee.fr, *Scène surréaliste à Bambéto: le cimetière pulvérisé de gaz pendant l'inhumation* [Surreal scene in Bambéto: cemetery sprayed with gas during burial], www.africaguinee.com/articles/2019/11/04/scene-surrealiste-bambeto-le-cimetiere-pulverise-de-gaz-pendant-l-inhumation

⁸⁹ Guineematin.com, *CMIS Camayenne: la police rend au FNDC les 11 cercueils des jeunes enterrés à Bambéto* [Camayenne CMIS: Police return 11 coffins of young people buried in Bambéto to FNDC], 20 November 2019, www.guineematin.com/2019/11/20/cm-is-camayenne-la-police-rend-au-fndc-les-11-cercueils-des-jeunes-enterrés-a-bambeto/

⁹⁰ Born in 2002, he was 17 years old.

⁹¹ Guineenews.org, *Echauffourées entre militants du FNDC et policiers: deux morts, un PA saccagé (police)* [Scuffles between FNDC activists and police: two dead, a Support Point ransacked (police)] 4 November 2019, www.guineenews.org/echauffourees-entre-militants-du-fndc-et-policiers-deux-morts-un-pa-saccage-police/

⁹² Interview in Conakry with local civil society leader who was close to the victim, 10 November 2019.

⁹³ Guineematin.com, *Alimou Bah 4ème victime de l'attaque du cortège funèbre: témoignages de sa famille* [Alimou Bah 4th victim of the attack on the funeral procession: testimonies from his family], 12 November 2019, www.guineematin.com/2019/11/12/alimou-bah-4eme-victime-de-lattaque-du-cortège-funèbre-témoignages-de-sa-famille/

⁹⁴ Guineematin.com, *Attaque du cortège funèbre du FNDC: émouvants témoignages des proches de Chérif Bah, tué par balle* [Attack on the FNDC funeral procession: moving testimonies from relatives of Chérif Bah, shot dead], 5 November 2019, www.guineematin.com/2019/11/05/attaque-du-funèbre-du-fndc-émouvants-témoignages-des-proches-de-cherif-bah-tué-par-balle/

⁹⁵ Government.gov.gn, *Statement from the Ministry of Security and Civil Protection - FNDC demonstration on 14 November 2019 - sitrep at 6 pm*, 14 November 2019, www.gouvernement.gov.gn/index.php/communiqué/4833-communiqué-du-ministère-de-la-sécurité-et-de-la-protection-civile-du-jeudi-14-novembre-2019-manifestation-du-fndc-du-14-novembre-2019-situation-a-18-heures

⁹⁶ Government.gov.gn, *Statement from the Ministry of Security and Civil Protection - FNDC demonstration on 14 November 2019 - sitrep at 6 pm*, 14 November 2019, www.gouvernement.gov.gn/index.php/communiqué/4833-communiqué-du-ministère-de-la-sécurité-et-de-la-protection-civile-du-jeudi-14-novembre-2019-manifestation-du-fndc-du-14-novembre-2019-situation-a-18-heures

⁹⁷ Gouvernement.gouv.gn, *Statement from the Ministry of Security and Civil Protection - FNDC demonstration on 14 November 2019 - sitrep at 2 pm*, 14 November 2019, www.gouvernement.gov.gn/index.php/communiqué/4833-communiqué-du-ministère-de-la-sécurité-et-de-la-protection-civile-du-jeudi-14-novembre-2019-manifestation-du-fndc-du-14-novembre-2019-situation-a-18-heures

⁹⁸ Africaguinee.com, *Violences à Conakry: une quatrième victime enregistrée à Hamdallaye* [Violence in Conakry: a fourth victim recorded in Hamdallaye], www.africaguinee.com/articles/2019/11/15/violences-conakry-une-quatrième-victime-enregistrée-hamdallaye

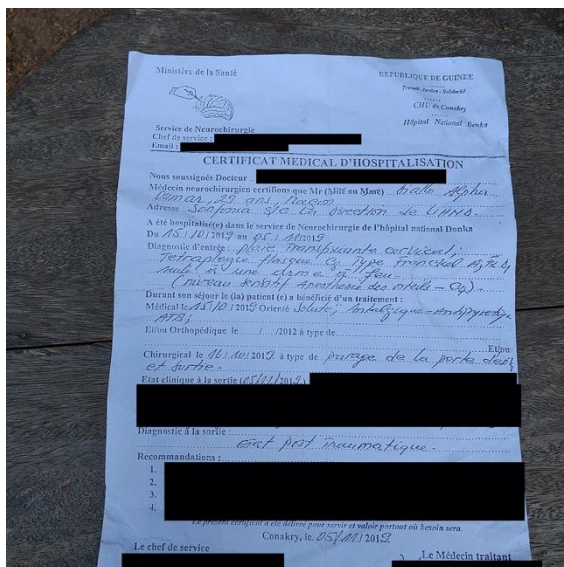
⁹⁹ Africaguinee.com, *Le garde du corps de Cellou parle : “C'est le président Dalein qui était visé...”* [Cellou's bodyguard speaks out: “It was President Dalein who was targeted.”] www.africaguinee.com/articles/2019/11/05/le-garde-du-corps-de-cellou-parle-c-est-le-president-dalein-qui-était-visé

¹⁰⁰ Mosaïqueguinee.com, *Bilan des manifs de Novembre 2019 à Août 2020: au moins 324 personnes blessées (FNDC)* [Outcome of the demonstrations from November 2019 to August 2020: at least 324 people injured (FNDC)], www.mosaïqueguinee.com/bilan-des-manifs-de-novembre-2019-a-aout-2020-au-moins-324-personnes-blessees-fndc/

BULLET WOUNDS

Alpha Omar Diallo, 29 years of age, a bricklayer, was left paraplegic on 14 October after being hit by a bullet that entered through his neck and exited through his back. He was diagnosed in hospital with a “transfixion cervical wound and flaccid tetraplegia as a result of a firearm”, according to the medical certificate¹⁰¹. The diagnosis at discharge on 5 November 2019 was paraplegia.

“I don’t generally go to demonstrations but seeing the people protesting motivated me. I went out around 8 am. We went out onto the main road; a lot of my friends were there from the neighbourhood. A gendarmerie pickup was nearby. We were shouting slogans, nobody had guns. We walked towards the gendarmes who were protected by helmets. A concealed gendarme shot at us. He shot my friend who died on the spot, and then he fired at me. The shooter was hidden, I couldn’t see him. He wasn’t shooting from the main road; he was shooting from one of the side roads. I’m asking the authorities to take care of me so I can recover my health and walk again. I can’t sleep for the pain.”¹⁰²



↑ Medical Hospitalization Certificate for Alpha Omar Diallo ©Private

On 4 November, the day of the funerals of 11 people killed during the October demonstrations, the first casualties began to arrive at various health facilities around 1 pm. Some had to be turned away and sent to other hospitals because there was no capacity. In addition to their alleged responsibility for gunshot wounds, the defence and security forces did not intervene to help the injured, despite being at the scene, according to information gathered by Amnesty International from medical sources present at the time¹⁰³.



MAMADOU ALIOU BAH, 31, WAS INJURED IN BAMBETO (CONAKRY) WHILE FILMING. ONE BULLET HIT HIM IN THE LEFT BICEP, AND TWO MORE GRAZED HIS BACK AND FOREARM.

“It was around midday to one o’clock. I was a few metres from the mosque, in front of the Total petrol station. That day they sent dozens of pickup trucks. People were throwing stones to get them to leave because they were not supposed to park there. Everyone was wound up. I was filming, I had been


¹⁰¹ Document dated 5 November 2019, accessed by Amnesty International.

¹⁰² Interview with Alpha Omar Diallo in Conakry, 12 November 2019.

¹⁰³ Telephone interviews.

broadcasting live for about 12 hours, I was holding my phone in my left hand. It was when my phone fell that I knew something had happened to me. The person who shot me was wearing a balaclava and a bulletproof vest. He had two guns in his hands. He was firing warning shots with one, a PMAK, and shooting people with the other, shorter than a PMAK. He was in a green pickup from the Support Point at the Total petrol station in Bambeto. He was in the car; he was the one driving. He'd get out, fire, get back in the car, drive around, and then get out and start shooting again. There was also a white pickup from the BAC 7. All the other pickups had backed up in front of the crowd. After my injury, people around me shouted that it was BAC 7 that had fired because they were already there but I know that it was the person in the other pickup. A doctor I met later told me the shots didn't come from a PMAK."



 ↑ Mamadou Aliou Bah's arm injury, and the X-ray on which bullet fragments are visible ©Private

INJURIES CAUSED BY VEHICLES AND GRENADE LAUNCHERS

During the October and November marches, at least one person was injured after being hit by a defence and security forces vehicle, and at least three more were injured by tear gas canisters, according to interviews with victims conducted by Amnesty International.

A gendarmerie vehicle hit Mamadou Cellou Diallo, a student, on 15 October while he was protesting. "When the pickups came, we were running, we said we weren't afraid, that we didn't want a third term," he told Amnesty International. "A pickup started up and everyone ran. I was the last one to move. The pickup hit me in the kidney and I fell on my head, I was bleeding. The driver wanted to kill me."¹⁰⁴

On 4 November, a young man was hit on the head by a tear gas canister. "He couldn't stand, so I had to go and get him," a medical source told Amnesty International.¹⁰⁵ On 13 November, a 22-year-old man was also wounded on his left forearm by a tear gas canister.

The misuse of vehicles and grenade launchers for the purposes of injuring or even killing people cannot be excluded given the repeated nature of such injuries at the events covered by this report. Of the 195 seriously injured people identified by the FNDC between November 2019 and August 2020, 30 suffered injuries due to tear gas canisters¹⁰⁶. The screenshot below, taken from a video filmed at the funeral on 4 November, shows a dangerous use of a grenade launcher on the part of a gendarme, using a "tight", horizontal shot.

¹⁰⁴ Telephone interview with Mamadou Cellou Diallo, August 2020.

¹⁰⁵ Interview with a medical source in Conakry, 14 November 2019. Her anonymity has been preserved to protect her from possible pressure or reprisals.

¹⁰⁶ Mosaïqueguinee.com, *Bilan des manifs de Novembre 2019 à Août 2020; au moins 324 personnes blessées (FNDC)* [Toll of the demonstrations from November 2019 to August 2020; at least 324 people injured (FNDC)], www.mosaïqueguinee.com/bilan-des-manifs-de-novembre-2019-a-aout-2020-au-moins-324-personnes-blessees-fndc/

MARCHING TO THEIR DEATHS

THE URGENT NEED OF JUSTICE FOR THE VICTIMS OF GUINEA'S CRACKDOWN ON DEMONSTRATIONS

Amnesty International

Such use of these weapons contravenes the UN's Basic Principles on the Use of Force and Firearms by Law Enforcement Officials¹⁰⁷. Its Article 5(b) states, *inter alia*, that these forces must endeavour to “minimize damage and injury, and respect and preserve human life”.



↑ Tear gas canisters fired at people gathered outside the Bambeto mosque in Conakry on 4 November 2019 © Amnesty International

4.3 ARBITRARY ARRESTS AND INCOMMUNICADO DETENTIONS

4.3.1 ARBITRARY ARRESTS AND DETENTIONS

A few days before the 14 October demonstration, and on that day itself, prominent FNDC representatives from civil society and the political opposition were targeted with arbitrary arrests. Seven were arrested on 12 October while gathering at one of their homes. The younger brother of the movement's leader, who went in search of his arrested older brother, was arrested that same day outside the offices of the intelligence services, bringing the total number of people arrested to eight. Three more were arrested on 13 and 14 October. Amnesty International met with them and reconstructed an account of the events based on their testimonies¹⁰⁸.

In the evening of 11 October, Abdourahamane Sano was informed by neighbours that several people on motorcycles had his home under surveillance. On 12 October, six FNDC leaders, including Abdourahamane

¹⁰⁷ Office of the United Nations High Commissioner for Human Rights, *Basic Principles on the Use of Force and Firearms by Law Enforcement Officials*, <https://www.ohchr.org/en/professionalinterest/pages/useofforceandfirearms.aspx>

¹⁰⁸ Interviews with Alpha Soumah, Abdourahmane Sano, Mamadou Bailo Barry, Ibrahima Keita, Ibrahima Diallo and Sékou Koundouno in Conakry, 14 November 2019. Telephone interviews with Alpha Soumah, Abdourahmane Sano, Mamadou Bailo Diallo Barry, Ibrahima Diallo and Sékou Koundouno, March to July 2020.

Sano plus a seventh person, gathered at his home to prepare a press conference on the march scheduled for 14 October. Around 11 am, men in black, some of them in balaclavas, burst into the house. Those not masked included members of the Search and Intervention Brigade (BRI), who were recognized by some of the FNDC officials as they knew them personally. Those present at the time were Abdourahmane Sano, coordinator of the FNDC; Sékou Koundouno, coordinator of Le Balai Citoyen; Ibrahima Diallo, coordinator of Tournons la Page and head of operations at the FNDC; Alpha Soumah, a member of the *Union des Forces Républicaines* (UFR, opposition party); Mamadou Baïlo Barry, Executive Director of the NGO Destin en Main; Abdoulaye Oumou Sow, FNDC communications officer; and Mamadou Bobo Bah, FNDC member. The accesses to and around the house were cordoned off by those in control of the operation. A dozen men with PMAK-type weapons entered the courtyard pointing their weapons at those present and shouting at them to “Stay where you are and stand up!”, before handcuffing them. They then entered the house pointing a gun at the head of one of the domestic staff. The seven people were loaded into different vehicles. A dozen pickup trucks were mobilized. During one initial detention at the Mobile Intervention and Security Company (CMIS) in Camayenne, six of them were lined up against a wall facing a septic tank, as if in a mock execution. They were then taken to “Villa 26”, the headquarters of the General Intelligence Service, a service that reports directly to the Presidency. The detainees were locked in different rooms. Some were able to inform journalists of their situation before their phones and computers were confiscated.

“They put me in a toilet and locked the door. It stank. One way to wear me down for sure. About ten minutes later, one of the those in charge opened the door. Sensing that the stench was unbearable, he moved me to a slightly larger room that was being used as an office. Shortly afterwards, they brought Sékou to me. There we sat, under surveillance. They tried to hear our case four times without our lawyers. I refused.”¹⁰⁹

Abdourahmane Sano, on his detention.

The detainees were then taken to the Directorate of the Judicial Police (DPJ), where interrogations began mid-afternoon in the presence of their lawyers. They were told that they had been arrested for “inciting insurrection, civil disobedience, promoting racial and ethnic hatred, and insulting the Head of State”. At around 8 pm they were loaded into vehicles, in the presence of their lawyers, without any information as to their next destination. They were taken to the CMIS in Camayenne where they spent the night on chairs at the reception desk. On the morning of Sunday 13 October, the detainees were again separated and sent to different CMIS around the capital in order to keep them in isolation. Sékou Koundouno was taken to the CMIS in Kagbelen¹¹⁰, where he was forced to undress and was placed in a cell, naked, with other inmates. Abdoulaye Oumou Sow, detained at La Cimenterie's CMIS, was held in a “black cell” from 5 pm until 1 pm the following day, according to his testimony to Amnesty International. “In the morning at around 8 am, I asked to go to the toilet and the officers on duty gave me a container to relieve myself. Afterwards, I asked them to take the bottle of urine out so that I could breathe more easily but, unfortunately, they refused and, worse, they told me to drink it if I got thirsty.”¹¹¹

Mamadou Bailo Barry, Executive Director of Destin en Main, a lawyer and member of the FNDC, was also placed in solitary confinement:

“They put me in a small room, alone, with just a bench. I stayed there until the next morning, Monday 14 October. I was able to buy bread and sardines. Psychologically, it was hard. I felt really lonely and isolated. There was a small hole in the wall and I could see out. I saw officers taking firearms on Monday morning before leaving for the protests.”¹¹²

On 14 October, at midday, they were all taken to the Public Prosecutor's office except for Sékou Koundouno and Abdoulaye Oumou Sow. In the presence of their lawyers, the Dixinn Public Prosecutor presented a statement attributed to the detainees, which these latter did not recognize. After four hours there, the charges were reclassified, and the detainees were charged with “activities and actions likely to endanger public security or cause serious disturbance to public order” (Article 561 of the Penal Code). They were placed under a detention warrant and taken directly to Conakry prison in the late afternoon. Ibrahima Diallo, suffering from malaria-related fever at the time of his arrest, was unable to take his medication as it had

¹⁰⁹ Interview with Abdourahmane Sano in Conakry, 14 November 2019, followed by telephone conversations, March to July 2020.

¹¹⁰ Urban municipality of Dubréka.

¹¹¹ Telephone interview with Abdoulaye Oumou Sow, July 2020.

¹¹² Interview with Mamadou Bailo Barry in Conakry, 14 November 2019, followed by telephone interviews, March to July 2020.

been confiscated at the DPJ. All eight were tried together on 16 October via *in flagrante delicto* proceedings. Abdoulaye Oumou Sow, Mamadou Bobo Bah and Mamadou Sano were discharged. Sékou Koundouno, Ibrahima Diallo, Alpha Soumah and Mamadou Baïlo Barry were sentenced to six months in prison for “direct provocation of an (unarmed) gathering through writings and statements”. Abdourahmane Sano was sentenced to one year in prison for the same reasons. On 28 November 2019, the Conakry Court of Appeal ordered that the five convicted members be given interim release.

These arbitrary arrests and detentions, in defiance of the right to freedom of assembly, and two days before a major demonstration against the constitutional reform, were very likely intended to weaken the protest’s leaders, intimidate FNDC members and deter people from demonstrating. Judicial harassment is an integral part of the repression used by the regime to try and stifle dissent.

Three other prominent members of the FNDC were arrested on 13 and 14 October. Eli Kamano, artist and political activist¹¹³ and Ibrahim Keita, former vice-president of the *Rassemblement des forces démocratiques* (RFD), were arrested together on 14 October in the Tannerie district of Conakry while participating in the FNDC demonstration. Ibrahim Keita had been informed that, the day previously, the security forces had visited his home in his absence. They were arrested by armed officers in balaclavas while being filmed by the media. They were first taken to the Matoto police station and then to the DCPJ where they were interviewed, photographed and fingerprinted in the absence of lawyers. They were then taken to the court in Mafanco where they were charged with “breach of the peace, incitement to hatred and illegal gathering”, and then placed under arrest in Conakry prison that same day. They were sentenced to one year in prison, with six months suspended, by the Mafanco Court of First Instance, before being provisionally released after 47 days in prison, following a decision by the Conakry Court of Appeal. Following his release, Ibrahim Keita continued to suffer violent break-ins at his home (vehicle destroyed, documents stolen), and uniformed men have regularly been posted outside his home during opposition demonstrations.

Deputy Mayor of Matam and former national youth secretary for the opposition UFR, Badra Koné, was arrested at his home on Sunday 13 October 2019. The day previously, he had recorded and posted a video statement on Facebook denouncing the arrests of senior FNDC members earlier that day. According to his account to Amnesty International¹¹⁴, seven gendarmerie pickups arrived at his home on 13 October at around 2.30 pm. Local residents’ opposition to the gendarmerie’s intervention forced the dispatch of reinforcements. Badra Koné, his brother Sidiki Koné and some friends and neighbours were arrested and taken to Gendarmerie No. 3 Unit. Badra Koné was placed in a cell and prevented from calling his parents. After three nights in detention, he was taken to court and sentenced to three years in prison, two of them suspended, for “unlawfully wearing military uniform and insulting the head of state”, both charges he refutes. He was released on bail after 44 days in prison. His other brother, Malick Koné, was dismissed from his role as Director of the Judicial Police, allegedly for refusing to arrest Badra Koné.

The authorities deny the term “arbitrary arrests” and consider that those involved have been arrested for offences punishable under the Code of Criminal Procedure.

4.3.2 INCOMMUNICADO DETENTIONS

In February 2020, dozens of young men were rounded up in several neighbourhoods of Conakry - including Kaloum and Koloma - on the eve of demonstrations being organized by the FNDC for 12 and 13 February. They were held at the capital’s CMIS before being transferred 600 km away to the Soronkoni military camp (Kankan region), so-called after the neighbouring village of the same name. No family member or lawyer was allowed access to the camp, the detainees were never charged or brought before a judge, and the authorities never took any decision on their fate, even after releasing most of them on 28 March in the middle of the night on the outskirts of Conakry.

According to several testimonies gathered by Amnesty International from former detainees and their relatives¹¹⁵, they were arrested in the street “as a preventive measure” or because they were accused of “spreading disorder on the public highway”¹¹⁶. During their detention in the capital’s CMIS - notably in Camayenne - they were accused of “organizing meetings to burn down service stations, the Kaloom town

¹¹³ Resigned from the FNDC in March 2020.

¹¹⁴ Interview with Badra Koné in Conakry, 14 November 2019, followed by telephone interviews, June to July 2020.

¹¹⁵ Telephone interviews with former Soronkoni detainees, April to July 2020.

¹¹⁶ Referring to Le Prince road.

hall and the fuel depot”¹¹⁷. “We’ve been accused of things you couldn’t even imagine. I was arrested at my workplace, others as they were sleeping. We weren’t caught breaking something or anything like that. Just fake conspiracies,” a former detainee told Amnesty International¹¹⁸.

They were then transferred overnight to the Soronkoni military camp, notably in vehicles of the Samoreya Special Standby Commando Battalion (BSCA), stationed in Kindia. The presence of BSCA vehicles in the Soronkoni camp was noted in May in a photo report published on a news website¹¹⁹. Soronkoni camp is a former base camp built to house the experts and executives of the companies who were laying the Kouroussa-Kankan road, the mechanical workshops, and to store various construction materials. When the work was completed in 2000, the base was handed over to the administration, which later used it as a military camp¹²⁰. According to former detainees’ accounts to Amnesty International¹²¹, there were between 40 and 50 of them locked night and day in a room resembling a large warehouse. The heat kept them awake and caused some of them to faint. They were given coffee and stale bread in the morning. A “colonel” interviewed them on the spot, simply asking where they had been arrested and which prefectures or neighbourhoods of Conakry they came from¹²².



A photo of Soronkoni camp published on the site with BSCA vehicles in the background ©<https://kalenews.org/>

In Nzérékoré, a local leader of the *Union des Forces Démocratiques de Guinée* (UFDG), Mamadou Aliou Barry, was arrested on 27 February and taken to Soronkoni before being transferred to Conakry central prison. He was arrested at the main Nzérékoré market along with Ibrahima Djouma Bah, a student. Both were taken to Nzérékoré central police station, then to the city’s military camp and then back to the police station. They were reportedly tortured “with electricity” during their time in the military camp, according to testimonies from their relatives and their lawyer made to Amnesty International and the national media¹²³. Their absence from the police station was noted by their relatives on 1 March. The police officers present did not provide any information on their whereabouts. They were transferred in secret from Nzérékoré to Kankan and then from Kankan to Soronkoni. On 28 March, they were finally transferred to Conakry Central Prison.

¹¹⁷ Telephone interviews with former Soronkoni detainees, April to July 2020.

¹¹⁸ Telephone interview with former Soronkoni detainee, April 2020.

¹¹⁹ Kalenews.org, *Kankan-COVID-19: Le camp de Soronkoni pulvérisé* [Kankan-COVID-10: Soronkoni camp sprayed], 5 May 2020, <https://kalenews.org/kankan-covid-19-le-camp-de-soronkoni-pulverise/>

¹²⁰ It was used to house the company’s experts and managers in charge of the works, and to store various products (cement, oil, spare parts...) in warehouses.

¹²¹ Telephone interviews with former Soronkoni detainees, April to July 2020.

¹²² Telephone interviews with former Soronkoni detainees, April to July 2020.

¹²³ Guineematin.com, *Arrestation d’opposants à N’Zérékoré: “ils sont soumis à toute sorte de torture” (Avocat)* [Arrest of opponents at N’Zérékoré: “They were subjected to all kinds of torture” (Lawyer)], 29 February 2020, www.guineematin.com/2020/02/29/arrestation-dopposants-a-nzerekore-ils-sont-soumis-a-toute-sort-de-torture-avocat/



↑ Aerial view of Soronkoni military camp in Kankan region © Amnesty International

5. ONE VOTE, 12 DEAD (MARCH 2020)

“The forces present did not allow anyone to come and help him. They stayed there ages, until he died.”

A relative of Hafiziou Diallo, shot in the chest in Conakry on 22 March 2020.

“They didn't treat me. I was told there was no infirmary at the police station.”

A young man detained for three days after being beaten up by counter-demonstrators on 22 March in Conakry.

5.1 BACKGROUND

5.1.1 VIOLATIONS OF THE RIGHT TO FREEDOM OF PEACEFUL ASSEMBLY AND THE RIGHT OF ACCESS TO INFORMATION

An FNDC demonstration planned on 5 March was banned by the mayors of Matoto and Matam communes, in Conakry, on the grounds that ECOWAS experts were coming to Guinea and preparations were being made for International Women's Day¹²⁴. These are not permissible reasons for restricting the right to freedom of peaceful assembly. In addition, the vote on 22 March was marked by an Internet blackout, in violation of the right to freedom of expression and access to information. On 19 March, the Guinean Broadband Corporation (GUILAB) announced “operations that will result in an interruption of international communications (telephone calls and Internet) for all connected countries” on the ACE submarine cable¹²⁵ between 17 and 22 March. On 20 March, GUILAB announced the postponement of this work but the blackout still took place. An analysis undertaken by specialist organizations¹²⁶ showed

¹²⁴ Guinéeematin.com, *Urgent; la marche du FNDC interdite par les autorités, [Urgent: FNDC march banned by the authorities]*, 4 March 2020, www.guineeematin.com/2020/03/04/urgent-la-marche-du-fndc-interdite-par-les-autorites/

¹²⁵ Africa Coast to Europe.

¹²⁶ Netblocks.org, *Guinea blocks social media on eve of elections*, 21 March 2020, www.netblocks.org/reports/guinea-blocks-social-media-on-eve-of-elections-ryb3rn87

that social media was severely disrupted from 8 pm on Saturday 21 March until the morning of Monday 23 March, a total incident duration of 36 hours. Twitter, Facebook and Instagram were inaccessible, and WhatsApp was limited. The leading telecoms infrastructure operator in Guinea, GUILAB is majority owned by the Guinean State (52.55%), with shares also held by Orange Guinée (26.25%). Saïd Oumar Koulibaly, Director General of GUILAB at the time of the events, was promoted to Minister of Post and Telecommunications during the government reshuffle on 19 June.

Internet blocking violates the right to information enshrined in Article 9 of the African Charter on Human and Peoples' Rights and contravenes the Guidelines on Access to Information and Elections in Africa, particularly Article 26, which states that: "The body responsible for regulating the broadcast media and any other relevant national security, public or private body involved in the provision of telecommunication services shall refrain from shutting down the internet, or any other form of media, during the electoral process." On 29 January 2019, the ACHPR Special Rapporteur on Freedom of Expression and Access to Information in Africa issued a statement declaring that: "Internet and social media blackouts violate the rights to freedom of expression and access to information guaranteed by Article 9 of the African Charter (...). Citizens should not be penalized by cuts when demonstrating for political and economic reforms or in contested electoral processes or polls (...)." ¹²⁷ In 2020, the ECOWAS Court of Justice established a precedent on the subject, ruling that restrictions to Internet access in Togo in 2017 were unfounded by law and constituted a violation of freedom of expression ¹²⁸.



18 March 2020 Tweet from Orange Guinée announcing that the Internet and international calls would be shut down.

5.1.2 VIOLENCE IN THE RUN-UP TO AND ON THE DAY OF THE REFERENDUM

Before the dual election had taken place, the protests took a violent turn. On 13 January in Pita (Mamou region), the police station was set on fire and the gendarmerie was looted ¹²⁹. On the same day in Labé (Mamou region), the building housing the Court of First Instance was partially damaged by youths chanting slogans hostile to the Guinean justice system and demanding justice for those killed ¹³⁰. The headquarters of the ruling party were also damaged. On 21 and 22 January in Dalaba (Mamou region), the gendarmerie, the

¹²⁷ "Statement by the Special Rapporteur on Freedom of Expression and Access to Information in Africa on the Continuing Trend in Internet and Social Media Shutdowns in Africa".

¹²⁸ Amnesty International, *Togo: La décision de la Cour de justice de la CEDEAO envoie un message clair que les coupures d'Internet violent la liberté d'expression* [Togo: ECOWAS Court of Justice decision sends clear message that Internet blackouts violate freedom of expression], (Press release 25 June 2020).

¹²⁹ *Guineematin.com, Pita: les locaux de la police et de la gendarmerie incendiés, des armes emportées* [Pita: police station and gendarmerie set on fire, weapons taken], 14 January 2020, www.guineematin.com/2020/01/14/pita-les-locaux-de-la-police-et-de-la-gendarmerie-incendie-des-armes-importees/

¹³⁰ *Guineematin.com, Manif du FNDC à Labé: une partie du tribunal vandalisée, le siège du RPG attaqué* [FNDC demo in Labé: part of Court House vandalized, RPG HQ attacked], 13 January 2020 www.guineematin.com/2020/01/13/manif-du-fndc-a-labe-une-partie-du-tribunal-vandalisee-le-siege-du-rpg-attaque/

police station, the prison and the prefecture were all looted. On 26 February in Timbi Madina (Mamou region), members of a polling station in training were attacked. A video¹³¹ shows a group of men burning documents and opposing the elections in Timbi Madina. Some notable FNDC members made abusive remarks about the authorities.

The dual election of 22 March 2020, boycotted by the opposition, was disrupted by occasionally violent protests, clashes between demonstrators and defence and security forces, sometimes accompanied by counter-demonstrators, together with obstructions to voting in Conakry and several cities across the country. On 21 March, election materials were set on fire in Kobela (Nzérékoré Region). On 22 March, the Télimélé police station (Kindia region) was set on fire following clashes between demonstrators and police. In Boulliwel (Mamou region), the premises of the sub-prefecture and the town hall were ransacked and looted. Many polling stations could not be set up in locations hostile to holding the referendum, such as Dinguiraye (Faranah region), and in Kolaboui (Boké region) where electoral material was destroyed. On 25 March, the Ministry of Justice denounced “serious acts of provocation, abuses and break-ins with the clear intention to disrupt or even prevent the normal course of the electoral process.”¹³²

According to the authorities¹³³ a car bomb booby-trapped with grenades was deactivated the evening prior to the elections, and one of the two people questioned explained that they had been paid by the FNDC to explode the vehicle. In addition, still according to the authorities, opposition supporters used firearms on 22 March to attack polling stations, voters, law enforcement officials and homes of ruling party supporters. Amnesty International has not been able to verify the accuracy of this information.

5.1.3 COUNTER-DEMONSTRATORS LINKED TO THE DEFENCE AND SECURITY FORCES

Groups of youths were involved in clashes with demonstrators and also attacked journalists, sometimes in association with the defence and security forces, according to testimonies, videos and photographs authenticated and analysed by Amnesty International. Several video sequences shot on 22 March 2020 in Conakry show young men taking shelter behind a gendarmerie vehicle, in the presence of gendarmes, and exchanging in stone throwing with another group not visible in the footage. A video shot in another neighbourhood on the same day shows a group of men exchanging stones with a group of alleged protesters, accompanied by a defence and security forces vehicle from which shots are being fired at the protesters. Testimonies confirm the involvement of counter-demonstrators in cases of injury, such as that of Moustapha¹³⁴, who was detained for three days from 22 to 25 March after being beaten up by counter-demonstrators in Simanbossia (Conakry). The security forces refused to provide him with treatment, in violation of the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.¹³⁵

“I found myself between the two groups. Those who were for the constitution and those who were against, so I didn't know what to do. A rock hit my right ear and I blacked out so I don't know exactly what happened. Only that I'd been hit. I came round on Sunday evening around 10 pm in a cell at the Enco 5 CMIS. That's where I started to come round. They didn't treat me, they told me there was no infirmary at the police station.”¹³⁶

Several journalists were also attacked by pro-government youth groups during the course of their work. On 22 March, Mohamed Doré, a journalist for the news website Guinée matin.com and his colleagues were attacked while reporting from Sonfonia (Conakry):

¹³¹ Ledjely.com, *Le matériel électoral saccagé à Timbi Madina (Pita)* [Election materials ransacked in Timbi Madina (Pita)], 26 February 2020, www.ledjely.com/2020/02/26/le-materiel-electoral-saccage-a-timbi-madina-pita/

¹³² Communication No.003/MJ/SG/CAB/2020.

¹³³ Communication No.003/MJ/SG/CAB/2020.


¹³⁴ The name has been changed to protect the person from possible pressure or reprisals.

¹³⁵ <https://www.ohchr.org/EN/ProfessionalInterest/Pages/CAT.aspx>

¹³⁶ Telephone interviews with the victim, March to July 2020.

“Together with several other journalists, we passed by a burning polling station in Sonfonia. We got nearer to take pictures. At just a few metres from the polling station, we saw young people speaking the Maninka language. Of the six journalists there, I was the only one who spoke this language, so I volunteered myself. I approached and the others followed me. We introduced ourselves to their ‘leader’ and asked them questions. They asked to see our press badges and we showed them. They began to get angry, saying that we were lying, hypocritical journalists who slander the authorities, film people and put the videos on social media. Suddenly one of the youths kicked a female journalist, who fled. Another journalist was injured in the shoulder. The leader of the youth group told me to stay with him so that I wouldn’t get hurt. He was able to recover my press card, which the youths had taken, and then I followed him in order to leave the premises. As I was leaving, the group attacked me and I was hit on the head with an iron bar. I then fled and went to a clinic because my head was bleeding.”¹³⁷



 ↑ *Gendarmes and counter-demonstrators take cover behind a gendarmerie vehicle and exchange stone throwing with a group of demonstrators in Conakry on 22 March 2020 ©Private*

5.1.4 USE OF LETHAL WEAPONS

The carrying and use of firearms by the defence and security forces was also noted by Amnesty International during the 22 March dual election, in contradiction to the commitments and declarations of the authorities and in violation of international, regional and national standards. Videos filmed on 22 March 2020 in Conakry show: members of the defence and security forces firing at fleeing people from a vehicle; armed soldiers in pickups in Conakry and Labé; a gendarme in a horizontal firing position in Conakry. The weapons have been identified by Amnesty International as AK/PMMAK, possibly the Chinese “Type 56” version.

However, at a press conference on 23 March, the National Police Director, Ansoumane Camara, denied that the defence and security forces were armed.

¹³⁷ Telephone interview with Mohamed Doré, 23 March 2020.

“By continuing to say you saw them armed you are only admitting your own liability. From the police to the gendarmerie and including the army, they are sent out helpless, naked like the rest of us. They patrol together but without weapons to maintain law and order (...) There may certainly be military personnel travelling from one area to another. For example you might meet a convoy like this. But it doesn’t form part of ensuring elections are safe. That I promise you. We’re unarmed and still using the same conventional means of law enforcement (...) You can’t tell me that in your video you saw a police officer pointing a gun at someone.”¹³⁸



↑ On the left, an armed gendarme in a horizontal firing position. In the middle, a group of young men fleeing from an approaching defence and security forces vehicle. On the right, a member of those forces fires at the fleeing group from a vehicle¹³⁹ ©Private

5.2 CRACKDOWN ON DEMONSTRATIONS

Against this tense backdrop, at least 12 people were killed, nine of them by gunfire, on 21 and 22 March, according to Amnesty International. The testimonies and documents collected by the organization demonstrate that the defence and security forces were responsible, together with the groups of counter-demonstrators associated with them. In addition, many demonstrators were seriously injured and arbitrary arrests and detentions continued.

Amnesty International is calling for those suspected of unlawful killings and other human rights violations during the March 2020 protests to be investigated and brought to justice.

¹³⁸ Mediaguinee.org, Fabou Camara, DCPJ, sur les violences électorales : “des personnes sont mortes... mais pas par balles” [Fabou Camara, DCPJ, on electoral violence: “People died... but not from gunfire”], 23 March 2020, www.mediaguinee.org/fabou-camara-dcpj-sur-les-violences-electorales-des-personnes-sont-mortes-mais-pas-par-balle/

¹³⁹ Screenshots from videos collected, authenticated and analysed by Amnesty International.

5.2.1 UNLAWFUL KILLINGS

The defence and security forces killed at least 12 people on 21 and 22 March in Conakry, Dubréka (Kindia region) and Kégnéko (Mamou region), nine of them by gunfire, according to credible evidence provided by the families of the victims, medical staff and witnesses, as well as documentation collected by Amnesty International. The victims were killed during demonstrations, sometimes even when they were not participating, or in clashes with the defence and security forces. Of these victims, seven were shot in the chest, back, head or neck, and two were hit by security forces vehicles. The use of vehicles as weapons and the intentional nature of such impacts cannot be ruled out. A video (unrelated to these two deaths) shows a security forces vehicle driving towards a group of people with the apparent intention of hitting them.

A young man also died after being shot and beaten up by counter-demonstrators. On 23 March, the Minister of Security, Albert Damantang Camara, acknowledged the deaths of six people on 22 March alone, without specifying the causes.

What follows are cases of people killed in the context of protests on the day of the dual legislative election and referendum.

On 22 March, a member of the defence and security forces killed Issa Yéro Diallo, a 27-year-old woman, in Ansoumania-Plateau, Dubréka commune, according to testimony received from her husband, testimonies reported in the national media¹⁴⁰, and the authorities¹⁴¹. Her husband told the organization that “her body was taken to the Ignace Deen Hospital but the next day we were called and asked to quickly come and pick it up. They said they didn't have permission to receive her. There was no autopsy. She was buried on 23 March.” On that same day¹⁴², the Ministry of Security announced the arrest of the alleged perpetrator - a “trainee gendarme” - and the opening of an investigation to determine why he was in possession of a weapon¹⁴³.

¹⁴⁰ Facebook page Guineenews Boubahcom, *Témoignage sur le meurtre de Mme Issa Yero Diallo à Ansoumania Plateau* [Testimony on the murder of Ms Issa Yero Diallo in Ansoumania Plateau], 23 March 2020, www.youtube.com/watch?v=ipRC_WbdYBw Guineematin.com, *Issa Yéro tuée par balle à Ansoumany: la famille annonce une plainte contre les gendarmes* [Issa Yéro shot dead in Ansoumany: family instigates a complaint against the gendarmes], 24 March, www.guineematin.com/2020/03/24/issa-yero-tuee-par-balle-a-ansoumany-la-famille-ann-une-plainte-contre-les-gendarmes/

¹⁴¹ Mosaïqueguinée.com, *Urgent : le présumé auteur de l'assassinat de Dame Issa Yero Diallo, arrêté (Ministre de la sécurité)* [Urgent: alleged murderer of Issa Yero Diallo arrested (Minister of Security)], www.mosaïqueguinée.com/urgent-le-presume-auteur-de-l-assassinat-de-dame-issa-yero-diallo-arrete-ministre-de-la-securite/

¹⁴² Telephone interviews, March to July 2020.

¹⁴³ Vision Guinée, *Un gendarme mis aux arrêts après la mort par balle d'une dame à la Cimenterie* [Gendarme arrested after woman shot dead at La Cimenterie], www.dailymotion.com/video/x7sz2qq



↑ On the left, a photo of Issa Yéro Diallo, killed on 22 March 2020. On the right, the death certificate of Issa Yéro Diallo ©Private

A 20-year-old man was killed in Kégnéko (Mamou prefecture) on 22 March during clashes between opponents of the referendum and the defence and security forces. One of his parents accuses the local police chief:

“Around 2 pm, there was a movement. The Kégnéko police chief was the only one who was armed and the only one who fired. The boy was hit. We didn't realize right away that he was dead because it happened behind the police cordon. He was lying over there. Later, he hadn't been found so we went and looked for him. But the police wouldn't agree to let us collect the body. The police picked him up and dropped him off at the mosque's mortuary. We left the body there from 2 pm to 11 pm. At 11 pm the gendarmes came from Mamou to take the body back to Mamou. They left the body out in the open in front of the gendarmerie. It was only the next morning that the Mamou doctors came to pick him up and take him to the hospital. The authorities refused to perform an autopsy on the body. They buried him in Mamou without our knowledge, calling only two family members to attend.”¹⁴⁴

Nassouralaye Diallo, aged 18, was killed on 22 March in the Petit Simbaya district of Conakry. A relative told Amnesty International:

“He was shot in the lower back and the bullet went up into his stomach. There were elite Red Beret troops¹⁴⁵, gendarmes and police officers at the scene. I'm told that whoever fired the shot was a police officer. Nassouralaye was taken by motorbike to a clinic but on arrival we were told that he could not be

¹⁴⁴ Telephone interviews with a relative of the victim, March to July 2020.

¹⁴⁵ Soldiers of the Presidential Guard.

treated. He was taken to another clinic. When I got there, the doctor told me he had died. He called the Red Cross, who told him they had instructions not to transport bodies. So, through people we know, we contacted someone in Ignace Deen but he too told us that they had orders not to touch people who had been wounded or killed by gunfire. So we took the body home and then to the mortuary of the nearby mosque. Eventually we decided to bury him in the neighbourhood because the body was starting to swell.”¹⁴⁶

Hafiziou Diallo was killed on 22 March in Hamdallaye. A relative told Amnesty International:

“It was around 10 or 11 am. He was killed by the security forces. I cannot say which ones because there were gendarmes, police and soldiers. He was outside his house. He was shot in the chest; it wasn't a stray bullet. The forces present wouldn't allow anyone to come and help him. They stayed there for ages, until he died. We then moved his body to a nearby courtyard while we waited for them to leave the area. After an hour we were able to send him to the mosque. The imams and members of the FNDC went to the Support Point to ask for a pass to take the body to the hospital. They gave it to us and we went to Ignace Deen Hospital. We still haven't been able to recover his body. We haven't been called since then to talk about a funeral or to ask us to pick up the body.”¹⁴⁷

Alpha Oumar Diallo, 18, a motorcycle taxi driver, was shot on 22 March and then beaten to death by counter-demonstrators. A member of his family told Amnesty International:

“The gendarmes shot at one of the youths. Alpha Oumar came to save him and he was shot in the leg. Then demonstrators came and beat him up. He died a few minutes later. We called the Red Cross but they didn't come to pick up the body. They told us they couldn't because the body had been moved from the place of death. On Monday morning we went to Ignace Deen Hospital. As soon as we arrived, we were told that the government had given instructions that all the bodies that had been taken there, even those on the Sunday, were to be removed. So we recovered the body and buried it.”¹⁴⁸

5.2.2 INJURIES

On 20, 21 and 22 March, members of the defence and security forces injured more than 30 people, at least 10 of them by gunfire¹⁴⁹. Others were hit by tear gas canisters or vehicles of the forces themselves, according to information gathered by Amnesty International. Videos and testimonies also attest to the presence of counter-demonstrators alongside the defence and security forces. These latter repeatedly arrested seriously injured people and refused to provide them with treatment.

BULLET WOUNDS

An 8-year-old child was shot in the calf on 20 March on his way to the mosque. A relative told Amnesty International that the tragedy occurred while he was on his way to the mosque for Friday prayers at around 1 pm. “He arrived at the crossroads 30 metres from our home at the same time as a chase between the gendarmes and the youths. He didn't know what was going on. A gendarmerie pickup arrived and he was shot in the right foot. When the gendarmes left, the local residents took him to a clinic for first aid but he had to be taken elsewhere because the clinic was unable to help. We were able to extract the bullet. Witnesses saw that it was the gendarmes who fired. They were in their vehicles and they fired directly at him.”¹⁵⁰ Sidy¹⁵¹ was arrested on 22 March after being shot in the thigh as he left the Ratoma community medical centre.

¹⁴⁶ Telephone interview with a relative of Nassouralaye Diallo, April 2020.

¹⁴⁷ Telephone interview with two relatives and friends of Hafiziou Diallo, March to May 2020. The remains of eight victims, including Hafiziou Diallo, were handed over to their families on 3 July and buried on the same day.

¹⁴⁸ Telephone interview with a relative of Alpha Oumar Diallo, 8 June 2020.

¹⁴⁹ This figure was obtained by cross-referencing Amnesty International's data with (named) data from the FNDC.

¹⁵⁰ Telephone interview with a relative of the victim, March to May 2020.

¹⁵¹ The name has been changed to protect the person from possible pressure or reprisals.

“There were clashes between gendarmes or police officers and demonstrators where I was. Uniformed service personnel were shooting. I felt something but I kept going. I was able to reach a friend's home. There a woman used the scarf from her head to make a bandage for me. I was then taken to a health facility in Ratoma but we were later questioned. I was with my father and a tenant. They took us to the DPI, they put me in a cell for three days without treating me. On the fourth day, my father and the tenant were transferred to the civil prison.”¹⁵²



 ↑ Sidy, shot in the leg on 22 March in Conakry, then arrested and detained¹⁵³ ©Private

Habib¹⁵⁴ was shot and wounded in Hamdallaye 2 (Conakry) on the morning of 22 March. For fear of reprisals, he did not go to the hospital for treatment and left Conakry.

“It was around 10.30 or 11 am. I went outside with some friends to see what was going on. A group of young Malinké were coming to attack our neighbourhood. We put up a roadblock so they couldn't get through. In the meantime, these groups of young people had been joined by heavily armed gendarmes, four or five of them. They had army rifles. Suddenly, the gendarmes started shooting. I got shot in the shoulder. I saw them shooting, they weren't far away. A friend of mine was killed at the same time. We called the Red Cross but they were nowhere near because there were so many wounded. They didn't have time to come and pick me up. My friends found a motorbike and we went to find a doctor we know. We didn't want to go to the hospital because the security forces come and find you there. I didn't go home to hide because the security forces were coming looking for people.”¹⁵⁵

¹⁵² Telephone interview with the victim, May 2020. Their anonymity has been preserved to protect them from possible pressure or reprisals.

¹⁵³ Photo sent to Amnesty International by the victim.

¹⁵⁴ The name has been changed to protect the person from possible pressure or reprisals.

¹⁵⁵ Telephone interviews with the victim, March to July 2020. Their anonymity has been preserved to protect them from possible pressure or reprisals.



↑ Habib, shot and wounded on 22 March 2020¹⁵⁶ © Private

INJURIES CAUSED BY VEHICLES AND GRENADE LAUNCHERS

As in October and November 2019, on 22 March the defence and security forces fatally injured a number of people by hitting them with a vehicle, or as a result of firing grenade launchers, according to information gathered by Amnesty International. A man living in the Koloma Soprino neighbourhood (Conakry) died of his injuries a few days after being run over by a gendarmerie vehicle. “He was running when he was hit. Both his feet and his head were crushed. We went to the Ignace Deen Hospital but were told that they were not taking the protesters. We went to another clinic on the Tuesday. He was operated on but died due to loss of blood.”¹⁵⁷

A video filmed on 22 March in Conakry, collected and checked by the organization, shows a police vehicle speeding along a narrow road in pursuit of several dozen people. One of the people running slips, falls to the ground, and only just manages to avoid being run over by the vehicle.



↑ Screenshot of a video filmed on the 22nd March in Conakry showing a police vehicle driving at high speed in pursuit of a group of people running ©Private

In addition, at least one young man was wounded by a tear gas canister launched in Kakimbo (Conakry). A member of his family told Amnesty International that he was walking along the road as the protesters were facing off with the security forces. “He was hit by a tear gas canister. He passed out. The young kids picked

¹⁵⁶ Photo sent by the victim.

¹⁵⁷ Telephone interview with the victim's father, March to July 2020.

him up on a motorbike. Now he can't see like he used to see, and his head hurts. He says when he picks up a book it's blurry. He doesn't see the doctor any more.”¹⁵⁸

5.2.3 ARBITRARY ARRESTS AND DETENTIONS

Several arbitrary arrests and detentions targeted FNDC officials and members of opposition parties in March, according to testimonies and documents collected by Amnesty International.

On 6 March, Ibrahima Diallo, coordinator of Tournons la Page Guinée and head of FNDC operations, and Sékou Koundouno, coordinator of Le Balai Citoyen, were arbitrarily arrested in Conakry. Earlier in the day, they had held a press conference to denounce the arbitrary arrests and violent and illegal practices of certain defence and security forces, including the DCPJ. According to information gathered by Amnesty International¹⁵⁹, late in the afternoon of 6 March, agents from the BRI, a unit of the DCPJ, broke down the gate to Ibrahima Diallo's home and climbed over the wall to access the courtyard. Wearing bulletproof vests and balaclavas, these officers were acting without instruction from an investigating judge, without a summons or a warrant, according to the lawyers of the two men. They were taken to the DCPJ and tried for “contempt of officers, violence by assault, assault and threat to public order and the safety, integrity and dignity of individuals using a computer system”. Their lawyers said that, on the instructions of Commissioner Aboubacar Fabou Camara (head of the DCPJ), they were not given access to their clients. The two men were then taken into custody. On 12 March, a court decision overturned the pre-trial detention orders and ordered the release of Sékou Koundouno and Ibrahima Diallo under court supervision. On 15 July, the Conakry Court of Appeal declared the proceedings against Sékou Koundouno and Ibrahima Diallo null and void in view of the numerous legal violations observed during the arrest along with procedural flaws¹⁶⁰. The judgment refers - among other violations - to “infringements of private life, home and the confidentiality of private telecommunications”.

¹⁵⁸ Telephone interview with a relative of the victim, 11 June 2020.

¹⁵⁹ Amnesty International, *Pro-democracy activists detained* (Index: AFR 29/1968/2020).

¹⁶⁰ Judgment No. 17 of 15/07/2020, Conakry Court of Appeal, Case of MPC/Sékou Koundouno, Ibrahima Diallo and five others.

EUROPEAN UNION SUPPORT FOR THE CENTRAL JUDICIAL POLICE DIRECTORATE (DCPJ)

Guinea's Security Sector Reform Support Programme (PARSS), funded by the European Union (EU), has supported, among other things, the creation and establishment of the Operational Support Division (DAO) within the DCPJ (the BRI being one of its three "sections"), according to a report published by the consultancy firms implementing the programme¹⁶¹. As part of tackling organized crime and preventing the threat of terrorism, "significant transportation, transmission, holding and intervention, and protection equipment, ground and air surveillance, office automation and information technology resources have been acquired for the benefit of the DAO". Training activities have also been organized, focusing in particular on "training in intervention techniques (surveillance, tailing, intelligence gathering, adaptation to all forms of crime)". The EU began supporting the Ministry of Security in 2013 with a community policing project, and then continued with PARSS2 and PARSS3. EU support is scheduled to end in 2022¹⁶².

In a reply¹⁶³ from the EU delegation in Guinea to a letter sent by Amnesty International, the delegation confirmed the EU's support for the DAO, stating that "it is clear that the BRI is being used in missions targeting political opponents" but that "there was nothing to suggest, when it was set up in autumn 2015, and more broadly when the DAO was set up, that this would be the case more than four years later". The delegation went on to say that: "The European Union's objective was to provide the Guinean police with a service capable of gathering judicial intelligence in order to neutralize criminal networks and capable of intervening against large-scale banditry and terrorist attacks". "In view of the reports in the written and digital press demonstrating its intervention in a wider context", the delegation has decided to "discontinue its support for activities already planned, such as support for the selection and recruitment of staff to compensate for the loss of personnel and to strengthen the structure; expert efforts to strengthen the skills of staff in the field of surveillance, shadowing and apprehension; and a training mission on the abduction management protocol."

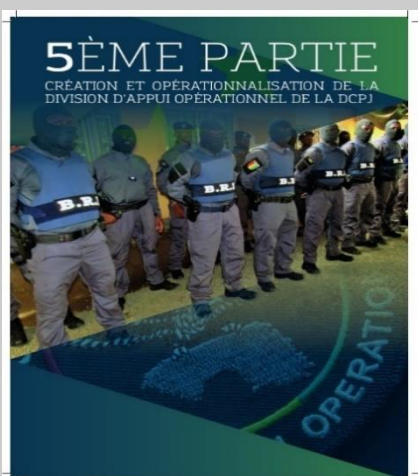


Photo taken from the report "Results of the security sector reform support programme"¹⁶⁴

FNDC members were arrested on 22 March in the rural commune of Kounsitel (Boké region) after attempting to dissuade voters from voting. According to their account, they were beaten up and threatened with death by some residents, then arrested by the gendarmes and taken into custody. During their

¹⁶¹ Technical assistance for the security sector reform support programme (PARSS) in the Republic of Guinea, *Les résultats du programme d'appui à la réforme du secteur de sécurité* [Results of the security sector reform support programme]. It clarifies that "this publication has been produced with the financial support of the European Union. Its content is the sole responsibility of the Consortium B&S Europe, Coginta, Cofely International and GOPA consultants and does not necessarily reflect the opinions of the European Union".

¹⁶² Delegation of the European Union to Guinea, *Speech on the occasion of the press lunch for the presentation of the results of the PARSS*, 17 January 2019, www.eeas.europa.eu/delegations/guinea/56682/node/56682_e

¹⁶³ Letter from the Head of Cooperation at the Delegation of the European Union in Guinea to Ms Samira Daoud, Director of Amnesty International's Regional Office for West and Central Africa, 29 July 2020, Ref. Ares(2020)4021368 - 30/07/2020.

detention, the two women from the delegation were threatened with rape if they did not sign false statements intended to lead to the arrest of the deputy mayor of Kounsitel. The justice of the peace and the detention manager refused to provide any care to one of the members of the delegation, Amadou Ciré Bah, despite having suffered a deep wound to his hand. Such behaviour is in violation of the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment¹⁶⁵.

“We established a delegation of eight people, including two women, to go and raise awareness among the people in Himaya as we’d done in other districts. We arrived around 1 pm (...) but the members of the polling station that had been set up in the school and who were present had different ideas. They appealed to the people who were there. (...) They used pieces of the school’s wooden fencing to beat us. (...) To smear us, they took our election documents to destroy them, so that they could say it was the FNDC who had come to attack the polling station. (...) That’s when my hand was hurt. It was one of their youths who injured me with a wooden stick. (...) After clashing with the FNDC members who were there, they took us to the village. They forced us into a straw hut and told us they were going to burn it down. After that they called the gendarmerie. A pickup came with the gendarmes. They came threatening us, saying they were going to kill us. The people themselves kept saying they were going to kill us. (...) The gendarmes tied us up and transferred us to Touba prison around 8 pm. They then woke us up around 2 am to transfer us to Gaoual prison. They showed no hesitation in locking us up with women protesters and mixing us with criminals. (...) The Gaoual detention manager and justice of the peace ordered that no health worker should come to the prison to treat me. I didn’t receive any medication while I was in prison. I even offered to pay out of my own pocket but they refused. (...) They also kept the money I had on me when I went into prison. Same for the others. (...) After two days in prison, they called us out one by one for a hearing. They started with the women. But their problem wasn’t with us. They only took us because they wanted the mayor. They threatened the women with rape and that they would send them to prison somewhere else if they didn’t say they were working on the mayor’s orders. They got scared and said it was the mayor that had told them to do this when it wasn’t at all. (...) It was after that they arrested the Mayor of Kounsitel.”¹⁶⁶

On 29 March 2020, in Gaoual, the deputy mayor of Kounsitel, Mamadou Chérif Diallo, was arrested on the outskirts of the town and taken to Gaoual prison where he spent the night in detention. He was taken to Boké the next day where he spent another night in detention before being released provisionally on 31 March. He is being prosecuted for inciting revolt, disturbing the peace and collusion¹⁶⁷.

“They didn’t send any documents, didn’t call or provide any information until Sunday 29th. I was going to Gaoual to see some friends; I didn’t realize what was going to happen. Around 8 pm they arrested me.(...) They sent me directly to the civil prison without seeing anyone.(...) I didn’t see anyone again until around 8 pm Monday. A pickup from the gendarmerie came to take me from the prison. I was told that it was the Governor of Boké calling for me.(...) I did everything I could to get the handcuffs off, at least on the way there, but that’s how they took me and a member of the UFDG arrested on election day to Boké. Arriving in Boké around 2 am, we were taken directly to the prison known as ‘Pont de fer’. Instructions were left that no one should lend us a phone, as in Gaoual.”¹⁶⁸

¹⁶⁴ Technical assistance for the security sector reform support programme (PARSS) in the Republic of Guinea, “Results of the security sector reform support programme”. It clarifies that “this publication has been produced with the financial support of the European Union. Its content is the sole responsibility of the Consortium B&S Europe, Coginta, Cofely International and GOPA consultants and does not necessarily reflect the opinions of the European Union”.

¹⁶⁵ <https://www.ohchr.org/EN/ProfessionalInterest/Pages/CAT.aspx>

¹⁶⁶ Telephone interviews with Amadou Ciré Bah, April to June 2020.

¹⁶⁷ Warrant No. 7 JP/G/2020, Boké Court of First Instance, Gaoual Justice of the Peace, 23 March 2020.

¹⁶⁸ Telephone interviews with Mamadou Chérif Diallo, April to July 2020.

6. REPRESSION CONTINUES UNABATED DURING PANDEMIC (APRIL-JULY 2020)

“He hid the gun in order to reload. Five minutes later, we learned that someone had been shot and wounded.”

A witness at the demonstration against the lack of electricity on 24 June 2020 in Matoto (Conakry).

“The pickup stopped, a gendarme got out, shot him, then they drove off.”

A relative of Mamadou Yaya Bah, killed on 12 May in Coyah (Kindia region).

6.1 BACKGROUND

6.1.1 A “FALSIFIED” CONSTITUTION

Amid general surprise, and resulting in yet further protests, the constitution enacted and published in the Official Gazette on 14 April 2020¹⁶⁹ turned out to be different from the draft¹⁷⁰ constitution submitted to the referendum on 22 March 2020. One article had been deleted and at least 20 others amended, with

¹⁶⁹ Official Journal, Special Issue, 14 April 2020.

¹⁷⁰ www.presidence.gov.gn/images/projetdenouvelleconstitution/NouvelleConstitution.pdf

potentially major consequences for the exercise of power. Among the amended articles, Article 42 now prevents people who do not belong to a political party¹⁷¹ from running for President, and Article 13 enshrines the right of everyone to have his or her case heard by a “competent court”¹⁷², rather than a “competent and impartial” court as in the previous version¹⁷³, and as required by international law. The Guinean Bar Association has denounced the “falsification” of the constitution¹⁷⁴ but, despite protests, the Ministry of Justice said at a press briefing that “the adoption of the final text by referendum renders all documents that contributed to its production irrelevant”¹⁷⁵. In its ruling of 11 June, the Constitutional Court dismissed various appeals, holding, *inter alia*, that “any other draft or related document, whatever its title and source, is considered a preparatory document to the establishment of a new Constitution”¹⁷⁶.

6.1.2 COVID-19 PANDEMIC RESTRICTIONS

The context of the pandemic and the restrictive measures put in place has also resulted in protests being suppressed by the authorities.

The spread of the COVID-19 pandemic in Guinea has been relatively significant on a regional level. As of 22 July 2020, Guinea was the fifth most affected country in West Africa, according to the African Union’s Centre for Disease Control and Prevention¹⁷⁷. High-ranking State authorities such as the President of the Independent National Electoral Commission (CENI)¹⁷⁸ and the Minister-Secretary General of the Government¹⁷⁹ have died as a result. Both the Minister for Safety and the Minister of Public Works tested positive. The imposition of the state of emergency on 27 March (extended for 30 days on 14 August, at the time of writing)¹⁸⁰ resulted in several restrictive measures, including limiting gatherings to a maximum of 20 persons, and limiting the number of passengers on public and freight transport¹⁸¹. On 4 May, the Ministry of Transport announced a tightening of traffic conditions under the state of emergency due to COVID-19¹⁸². The movement of vehicles transporting goods out of Conakry was dependent on the number of passengers being reduced and a negative COVID-19 test. Motorcycles and motorcycle taxi drivers in the capital were banned from leaving Conakry. Three roadblocks were set up on the Conakry-Boké, Conakry-Forécariah and Conakry-Kindia highways to ensure the implementation of these measures¹⁸³.

RESTRICTION OF THE RIGHT TO FREEDOM OF PEACEFUL ASSEMBLY

In reaction to the FNDC’s announcement of a resumption in demonstrations after Ramadan, the Ministry of Security referred on 22 May 2020 to the state of health emergency in order to ban these gatherings¹⁸⁴. The FNDC demonstration held on 20 July was also banned by the authorities. RTG had the day previously broadcast a statement by the Minister for Territorial Administration, Bouréma Condé, forbidding the protest on the grounds that the “authors have loudly proclaimed that they do not need any authorization”, and due to the health state of emergency. The opposition considered the argument of a health emergency to be a false pretext, given that arbitrary arrests and detentions had continued during this period - including in

¹⁷¹According to Article 42, “No candidacy shall be admissible unless it is submitted by a legally constituted political party or by a coalition of political parties.”

¹⁷²Official Journal, Special Issue, 14 April 2020.

¹⁷³Official Journal, Special Issue, January 2020.

¹⁷⁴Guinean Bar Association, *Communiqué de presse du Barreau de Guinée relatif à la falsification de “la constitution”* [Statement from the Guinean Bar Association on falsification of the “Constitution”], 1 June 2020.

¹⁷⁵Press briefing by the Minister of Justice (Statement No. 003/CC/2020), 4 June 2020, www.facebook.com/813409282052438/videos/711004366353318/

¹⁷⁶Judgment No. AC 014 of 11 June 2020.

¹⁷⁷Africa Centres for Disease Control and Prevention, www.africacdc.org/covid-19/

¹⁷⁸Ceni.org.gn, *Page noire: Le Président de la CENI n’est plus!* [A black day: The President of INEC is dead!] (Press Release), 17 April 2020, www.ceni.org.gn/wp-content/uploads/2020/04/COMMUNIQUE-DECES-DU-PRESIDENT-DE-LA-CENI.pdf

¹⁷⁹Facebook page of the Guinean Prime Minister’s Office, 19 April 2020, www.facebook.com/PrimatureGN/posts/599535173977198/

¹⁸⁰Facebook page of the Presidency of the Republic of Guinea, *Fight against the Covid-19 (Coronavirus) pandemic*

Address to the nation by the President of the Republic, His Excellency Professor Alpha Condé, 14 August 2020, <https://www.facebook.com/PresidenceRepubliqueGuinee/>

¹⁸¹[www.dw.com](https://www.dw.com/fr/L'état-d'urgence-entre-en-vigueur-en-Guinée) *L’état d’urgence entre en vigueur en Guinée* [State of emergency comes into force in Guinea], www.dw.com/fr/L'état-d'urgence-entre-en-vigueur-en-Guinée/a-52944804

¹⁸²Government.gov.gn, *Government Statement*, 4 May 2020, www.gouvernement.gov.gn/index.php/communiqué/5071-communiqué-du-gouvernement-14

¹⁸³Government.gov.gn, *Government Statement*, 4 May 2020, www.gouvernement.gov.gn/index.php/communiqué/5071-communiqué-du-gouvernement-14

¹⁸⁴Official Guinean Government Facebook page, Statement from the Ministry of Security and Civil Protection, 22 May 2020, https://m.facebook.com/GouvGn/photos/a.322832651257189/1434302193443557/?type=3&source=57&_tn=EH-R

prisons affected by the virus - and given that the inaugural session of the newly-elected National Assembly was convened on 21 April 2020 despite the ban on gatherings of more than 20 people¹⁸⁵.

6.1.3 COVID-19 IN PRISON

Contrary to several countries on the continent, despite calls from the Office of the High Commissioner for Human Rights (OHCHR) to release sick or elderly detainees or those detained without sufficient legal basis¹⁸⁶, and with the aim of avoiding placing persons in pre-trial detention during this period, Guinea made no effort to reduce the overcrowding in the country's prisons or to limit new detentions. On 25 March, the Ministry of Justice announced the suspension of all hearings until further notice, with the exception of *in flagrante delicto* hearings and summary proceedings, which could be held "in cases of extreme urgency as noted by those in charge of the courts"¹⁸⁷. According to the authorities¹⁸⁸, 68 out of 713 tests carried out at the central prison in Conakry came back positive between 2 and 31 May. This is the most overcrowded prison in the country with 1,500 detainees for a capacity of 300 people. Twenty-eight (28) positive cases were detected at Kindia prison after testing 352 inmates and 25 prison guards¹⁸⁹.

6.2 CRACKDOWN ON DEMONSTRATIONS

President Alpha Condé stated in June 2020 that "soldiers will no longer leave their camp armed, and the police have been banned from using live ammunition during demonstration"¹⁹⁰. The Minister for Territorial Administration stated on 19 July that "the forces of law and order across the national territory have now been requisitioned to block the roads to all troublemakers using only - and I mean only - conventional means. I emphasize the word conventional..."¹⁹¹. This undertaking was contradicted by the facts between April and July 2020. In the regions of Boké, Conakry and Kindia, at least nine people were killed and another 10 injured during sometimes violent marches called by the FNDC to protest against the new constitution, and during sometimes violent protests against the lack of electricity and the way in which measures taken under the health state of emergency were being implemented. Amnesty International has repeated its call for impartial and independent investigations and prosecutions of those suspected of unlawful killings and other human rights violations.

6.2.1 UNLAWFUL KILLINGS

KINDIA AND BOKÉ REGIONS

The defence and security forces killed seven people on 12 May during sometimes violent protests in Manéah, Coyah and Dubréka (Kindia region), and in Kamsar (Boké region). Protesters denounced the way in which the cordon sanitaire was being managed by the defence and security forces, according to testimonies¹⁹² collected by Amnesty International and according to media reports¹⁹³. The protests, during

¹⁸⁵ *Guinée: une nouvelle Assemblée nationale sur fond de tension* [Guinea: a new National Assembly against a backdrop of tension], www.dw.com/fr/guin%C3%A9e-une-nouvelle-assembl%C3%A9e-nationale-sur-fond-de-tension/a-53196544

¹⁸⁶ Office of the United Nations High Commissioner for Human Rights, *Urgent action needed to prevent COVID-19 "rampaging through places of detention"* – Bachelet, <https://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=25745&LangID=e>

¹⁸⁷ Statement No.011/MJ/SG/CAB/2020.

¹⁸⁸ Statement No. 005/MJ/CAB/2020.

¹⁸⁹ Statement No.006 /MEJGS/CAB/2020.

¹⁹⁰ Jeuneafrique.com, *Guinée - Alpha Condé : "Pourquoi la question d'un troisième mandat ne se pose-t-elle que lorsqu'il s'agit de moi?"* [Guinea - Alpha Condé: "Why does the question of a third term only arise in relation to me?"], 5 June 2020, www.jeuneafrique.com/mag/989347/politique/guinee-alpha-conde-pourquoi-la-question-dun-troisieme-mandat-ne-se-pose-t-elle-que-lorsquil-sagit-de-moi/

¹⁹¹ Guineesud.com, *Statement by the Minister for Territorial Administration GI Bouréma Condé*, 19 July 2020, www.youtube.com/watch?v=JeS3Uej8hrk

¹⁹² Telephone interviews with local civil society, May 2020, and complaints on private Facebook pages.

¹⁹³ Guineematin.com, *Isolement de Conakry: "un moyen pour les forces de l'ordre de se faire de l'argent"* [Conakry's lockdown: a way for the forces of law and order to make money], 18 April 2020, <https://guineematin.com/2020/04/18/isolement-de-conakry-un-moyen-pour-les-forces-de-lordre-de-se-faire-de-largent/>; Ledjely.com, *Coyah: aux origines des violences meurtrières du 12 mai 2020...*, [Coyah: at the root of the deadly violence of 12 May 2020...], 12 June 2020, www.ledjely.com/2020/06/12/coyah-aux-origines-des-violences-meurtrieres-du-12-mai-2020/

which the police station and the Manéah regional gendarmerie were ransacked, were suppressed with live ammunition, in particular by elite red beret troops¹⁹⁴.

In Coyah, Abdoulaye Bangoura, 27, was killed after being shot in the chest, stomach and arm. He was buried the next day without an autopsy, and his family said they did not receive any medical file. A family member accused a gendarme of being the perpetrator¹⁹⁵.

In the same city, 30-year-old Mamadou Yaya Bah was shot in the back of the head in Fily district on the fringes of the protests. Amnesty International watched a video filmed a few seconds after the shooting, during the young man's last moments. According to testimonies from relatives made to Amnesty International and the media¹⁹⁶, a gendarme killed Mamadou Yaya Bah.

“There were no demonstrations where he was. He was with a dozen or so people chatting near the shop. When they saw the gendarmerie pickup coming, they dispersed. Mamadou Yaya walked off down the road. The pickup stopped, a gendarme got out, shot him and then drove off. There were three gendarmes in the truck.”¹⁹⁷

Boubacar Diallo, 16, was also shot and killed in Coyah¹⁹⁸. On the same day, the defence and security forces reportedly turned up at the entrance to Coyah Hospital threatening the families of the victims¹⁹⁹.

In the mining town of Kamsar, 18-year-old Mamadou Oury Barry was killed²⁰⁰ on 12 May after several days of violent protests against the lack of electricity, during which the mayor's home was vandalized.

CONAKRY

Alhassane Barry and Marie-Jeanne Sidibé were killed in Conakry on 20 and 21 July, the days following an FNDC demonstration. Testimonies from Alhassane Barry's family collected by Amnesty International and the media²⁰¹ point to the gendarmerie. An amateur video²⁰² shot on 20 July in the Bambeto district and verified by Amnesty International shows an individual from the defence and security forces firing a shot at the person filming. The scene takes place as two pickup trucks belonging to these forces are leaving a street in which alleged protesters have taken refuge inside houses. On 20 July, the Judicial Police Director, Aboubacar Fabou Camara, reported the death of Marie-Jeanne Sidibé, who “was reportedly hit in the throat by a stray bullet in her living room”; and the death on 21 July of Alhassane Barry, “aged 17, a 10th grade student from the Dar es Salam district of Ratoma commune, who was shot in the head and taken to the Sino-Guinean national hospital”²⁰³. The Judicial Police Director accused the FNDC²⁰⁴ and stated that “there is verified information that individuals who not only possess weapons of war and ammunition but who are also wearing

¹⁹⁴Ledjely.com, *Coyah: aux origines des violences meurtrières du 12 mai 2020...*, [Coyah: at the root of the deadly violence of 12 May 2020...], 12 June 2020, www.edjely.com/2020/06/12/coyah-aux-origines-des-violences-meurtrieres-du-12-mai-2020/

¹⁹⁵Guineematin.com, *Coyah: un policier accuse un gendarme d'avoir tué Abdoulaye Bangoura de 3 balles* [Coyah: Police officer accuses gendarme of killing Abdoulaye Bangoura with 3 bullets], 14 May 2020, www.guineematin.com/2020/05/14/coyah-un-policier-accuse-un-gendarme-davoir-tue-abdoulaye-bangoura-de-3-balles/

¹⁹⁶Ledjely.com, *Violences meurtrières à Coyah: un mois après, des proches de victimes racontent* [Deadly violence in Coyah: a month later, relatives of victims tell all], 12 June 2020, www.ledjely.com/2020/06/12/violences-meurtrieres-a-coyah-des-parents-de-victimes-racontent/

¹⁹⁷ Telephone interviews with a relative of the victim, July to August 2020.

¹⁹⁸Guineematin.com, *Boubacar Diallo, tué dans les violences à Coyah: témoignage de son tuteur* [Boubacar Diallo, killed in the violence in Coyah: testimony of his guardian], 14 May 2020, www.guineematin.com/2020/05/14/boubacar-diallo-tue-dans-les-violences-a-coyah-temoignage-de-son-tuteur/

¹⁹⁹ Telephone interviews with relatives of victims, July to August 2020.

²⁰⁰Guineematin.com, *Assassinat d'un manifestant à Kamsar: le corps de la victime toujours pas remis à ses parents* [Murder of a demonstrator in Kamsar: victim's body still not handed over to his parents], 19 May 2020, www.guineematin.com/2020/05/19/assassinat-dun-manifestant-a-kamsar-le-corps-de-la-victime-toujours-pas-remis-a-ses-parents/

²⁰¹Guineenews.org, *Meurtre du jeune Alhassane Barry: les parents de la victime accusent un gendarme d'en être le tireur* [Murder of young Alhassane Barry: the victim's parents accuse a gendarme of being the killer], 22 July 2020, www.guineenews.org/meurtre-du-jeune-alhassane-barry-les-parents-de-la-victime-accusent-un-gendarme-den-etre-le-tireur/


²⁰² 1.02 min video sent to Amnesty International by its author on 3 August 2020.

²⁰³ Video of Aboubacar Fabou Camara's interview, viewed on the Facebook page of Mediaguinée.com.

²⁰⁴Mediaguinee.org, *Fabou sur les cas de morts dans des manif : “ce sont des événements prévus par le FNDC”* [Fabou on deaths during demonstrations: “these are events planned by the FNDC”], www.mediaguinee.org/fabou-sur-les-cas-de-morts-lors-des-manifestations-ce-sont-des-evenements-prevus-par-le-fndc/

uniforms²⁰⁵ are taking to their motorcycles and infiltrating the demonstrations”²⁰⁶. The Minister of Security described the behaviour of the defence and security forces in handling the 20 July demonstrations as “exemplary”²⁰⁷.



 ↑ An armed member of the defence and security forces wearing a balaclava in Conakry on 20 July 2020 ©Private

6.2.2 INJURIES

KINDIA REGION

According to testimonies collected by Amnesty International, several people were seriously injured during protests held on 12 May in the Kindia region against the way in which the cordon sanitaire was being managed by the defence and security forces. In Manéah, Mabinty Sylla, 18 years of age and pregnant, was wounded in the stomach and chest by four bullets while she was in her living room. Some of her family members, contacted by Amnesty International, identified a red beret soldier as the shooter. In Coyah, Oumar Camara was shot in the lower back, according to the testimony given to the organization by one of his relatives.

CONAKRY

On 24 June in Matoto Khabitayah (Conakry), defence and security forces injured three people during a protest at the lack of electricity in the neighbourhood. Thierno Mawiatou Diallo, 14 years old, was seriously wounded on the head by a tear gas canister. The examinations showed a “superficial bi-parietal fracture associated with a contusion”²⁰⁸. A man, Kerfala Camara, was shot in the right thigh. A woman fell to the ground while fleeing and was “trampled” by police officers, according to an account given to Amnesty

²⁰⁵ Meaning: the uniforms of armed corps.

²⁰⁶ Mediaguinee.com Facebook page, *Manifs du FNDC contre un 3è mandat d'Alpha Condé: “Marie-Jeanne Sidibé a été atteinte à la gorge dans son salon par une balle perdue et Alhassane Barry a été touché par un projectile à la...”* [FNDC demonstrations at a third term for Alpha Condé: Marie-Jeanne Sidibé shot in the throat in her living room by a stray bullet and Alhassane Barry hit on the head by a projectile], 23 July 2020, www.facebook.com/mediaguinee/videos/330485798114221/


²⁰⁷ Visionguinee.info, *Manif du 20 juillet: “le comportement des forces de sécurité a été exemplaire”, selon Damantang Camara* [July 20 protest: “The behaviour of the security forces has been exemplary”, according to Damantang Camara], 24 July 2020, www.visionguinee.info/2020/07/24/manif-du-20-juillet-le-comportement-des-forces-de-securite-a-ete-exemplaire-selon-damantang-camara/

²⁰⁸ Medical file consulted by Amnesty International.

International by one relative²⁰⁹. On that day, a few dozen men, women and children had gathered near the home of Claude Kory Kondiano, High Representative of President Alpha Condé and former president of the National Assembly. One of the videos²¹⁰ of the event collected by Amnesty International shows a peaceful gathering of women, men and children chanting demands and banging on jerry cans and pots. The version of events reported in the media by Claude Kory Kondiano, according to which his home was stoned prior to the crackdown on demonstrators²¹¹, could not be confirmed by the organization. Military personnel - believed to be guarding the High Representative's home, according to the video and testimony collected by Amnesty International²¹² - were already present at the scene. One of the videos shows one of the soldiers firing a warning shot into the air. The situation degenerated with the arrival on the scene of a police vehicle, visible in another sequence. According to a witness present at the scene and contacted by the organization, it was however a gendarme that was responsible for firing live ammunition.

“Among the forces present was a gendarme in military uniform and wearing a balaclava. He was the only one wearing a balaclava and the only one with a handgun, while the others had PMAKs. To reload, he had to hide behind the pickup, out of sight. The gun was loaded in front of us. He hid the gun. Five minutes later we heard that someone had been shot. His friends then told us that the shooter was masked. The kids took the wounded man to a neighbourhood clinic. We followed the victim and, not even 10 minutes later, we saw another child arrive. Unfortunately, they couldn't take him and his head was really bleeding so he was taken somewhere else.”



 ↑ On the left, armed soldiers facing demonstrators in Matoto, 24 June 2020. On the right, a soldier in a horizontal firing position facing the same demonstrators a few minutes later, after the arrival of a police vehicle ©Private

Contrary to statements by the authorities that “no cases of civilians injured in connection with the skirmishes have been found or reported by the security or hospital services”²¹³, Amnesty International has gathered testimonies and documents noting that several people were injured, including at least three by gunfire, in Conakry on 20 and 21 July during demonstrations, according to testimonies and documents gathered by Amnesty International.

Mamadou Dian Diallo was wounded after being shot by gendarmes on 20 July in Bambeto, as the group of young people he was part of fled when the gendarmerie vehicles arrived, according to the testimony of one of his parents to Amnesty International²¹⁴. Alhassane Bah, 16, was shot in the arm on 21 July in Hamdallaye Prince. A relative told Amnesty International that he was injured by “uniformed service personnel on the street” when he went out into the yard of his home to use the toilet”²¹⁵.

²⁰⁹ Telephone interview with a relative of the person, July 2020.

²¹⁰ Several videos of the events were sent to Amnesty International on 24 and 25 June 2020 by a person present at the scene

²¹¹ africaguinee.com, *Kory Kondiano après l'attaque de son domicile: “Ils ont tout cassé chez moi...”* [Kory Kondiano after the attack on his home: “They broke everything in my house...”] www.africaguinee.com/articles/2020/06/25/kory-kondiano-apres-l-attaque-de-son-domicile-ils-ont-tout-casse-chez-moi

²¹² Telephone interviews with eyewitness, July 2020.

²¹³ This statement is no longer available online.

²¹⁴ Interview with a relative of Mamadou Dian Diallo, July 2020.

²¹⁵ Telephone interview with a relative of the victim, July 2020.



↑ On the left, Mamadou Dian Diallo, wounded in Conakry on 20 July 2020. On the right, an X-ray of Alhassane Bah's arm, shot on 21 July 2020 ©Private

6.3 ARBITRARY ARRESTS AND DETENTIONS

Arbitrary arrests and detentions of opponents continued during the state of emergency due to the pandemic. The deputy coordinator of *Tournons la Page* in Guinea and head of FNDC mobilization, Oumar Sylla, was arbitrarily arrested on 17 April outside his home in Conakry by BRI agents. He had just participated in a radio programme during which FNDC members were calling for demonstrations to resume in opposition to the constitutional reform. He had also denounced the killings, torture, arbitrary detention and harassment of FNDC members in Nzérékoré, in the south-east of the country. Charged with “communication and dissemination of false information”, Oumar Sylla was first detained at “Villa 40” before being transferred to the DCPJ. On 28 April, new charges of “violence and death threats” were brought against him. On 11 May, the Conakry Court of Appeal rejected his request for provisional release. Oumar Sylla was finally released on 27 August.

A member of the FNDC, Mamadou Alimou Bah, was arrested in Téliélé (Kindia region) on 23 April and released on 29 April after a complaint was filed against him by the sub-prefect of Gougoudjé (sub-prefecture of Téliélé) for setting fire to his home. He was only informed of the reasons for his arrest after an initial night in Téliélé prison, and when pressure was put on him to force him to make a false statement.

“The fire was just a pretext. I was arrested because of my activities with the FNDC. They asked me to denounce local elected officials and other members of the FNDC in order to be released, otherwise I would be sent to Kindia. They sent a friend to pressure me, then an uncle. I refused. (...) They wouldn't let me receive visitors at the prison. When I saw what the water there looked like, I decided it was better to go two days without drinking. To get me to cooperate, I was told that my mother's health was deteriorating, knowing full well that she was already sick. I've continued to receive threats to this day. Every time I make a statement denouncing bad governance, people call me from unknown numbers threatening me. They tell me if I get caught this time, that's the end for me.”²¹⁶

On 7 May, FNDC legal officer Saïkou Yaya Diallo was arrested in Conakry and detained by the judicial police before being charged on 12 May with “assault, violence, threats and public insults” and imprisoned in Conakry's central prison. He remained in detention despite two court rulings ordering his release under court supervision. The first was handed down on 21 May by the Conakry Court of Appeal and the second on 6 July

²¹⁶ Telephone interviews with Mamadou Alimou Bah, May to July 2020.

by the interim relief judge of the Kaloum Court of First Instance. As Saïkou Yaya Diallo is diabetic and requires a strict diet and treatment, his detention poses a risk to his health, particularly in the context of COVID-19.

His arrest is linked to an incident that occurred on 25 March during an FNDC press conference at the headquarters of the *Parti des démocrates pour l'espoir* (PADES). On that day, a woman identified by participants as an intelligence officer was removed from an angry crowd by FNDC officials and locked in a room for her own safety, according to testimonies collected by Amnesty International. Eleven people were arrested following the event, including the president of PADES, Aïcha Barry, who was accused of abduction, violence and assault. She spent eight days in detention with the judicial police before being released under court supervision. She told Amnesty International:

“I was arrested along with 10 other people. I was dragged by my hair, assaulted and then put in a pickup. Three were taken somewhere else and we have no news of them to this day. The remaining eight of us were taken to a place behind the Presidential Palace. Then we were taken to the CMES where we spent the night. On Wednesday at around 8 am we were taken to the DPJ. We were tried there. On Friday they released the other seven but not me. They told me I was their target. They kept me in custody until Tuesday when they took me to the court in Dixinn. They questioned me; the Prosecutor threatened me. He told the woman identified as a police officer at the press conference not to worry, and that I would be tried and transferred to the Court of Appeal. He told me that the Public Prosecutor had called him specifically and told him that I should be convicted. They gave me provisional release telling me not to talk to the media or social networks. I have to go to court twice a week.”²¹⁷

Twice, on 17 and 22 July, the *Tournons la Page* coordinator and head of FNDC operations, Ibrahima Diallo, was summoned by the DPJ for “disturbance of the State”. The first summons was sent three days before the FNDC demonstration on 20 July. The police went to his home when he was not there.



Ibrahima Diallo summoned by the Central Judicial Police Directorate © Private

²¹⁷ Telephone interviews with Aïcha Barry, March to July 2020.

7. MANUFACTURING IMPUNITY

“They told us they’d come to apologize. They gave us a bag of rice and 10 million francs (around 900 euros). We didn’t forgive them, we demanded justice.”

The relative of a person killed in Coyah on 12 May by members of the defence and security forces.

“The outcome will not be favourable, so we rely on God.”

The relative of a person killed, in response to a question from Amnesty International on whether to lodge a complaint.

The authorities, particularly under pressure from the international community, have frequently announced the opening of investigations into cases of people killed during demonstrations. Virtually none of them had been investigated by the end of July, in violation of the right of victims of human rights violations or their families to justice. The authorities have sometimes justified this situation with the difficulty of conducting investigations, and the lack of skills and technical capacity of judicial police officers²¹⁸. However, the facts show a lack of will and obstruction of the justice system’s work. The authorities have imposed measures that have the effect of minimizing the official number of victims and preventing judicial autopsies. They have dismissed *a priori* the liability of the defence and security forces, despite insufficient field investigations and despite existing testimony and documents. They have sometimes submitted unverifiable ballistics and autopsy results based solely on the word of the Director General of the Judicial Police. Finally, victims’ families have stated that they did not file complaints, and members of the medical profession have self-censored, due to a lack of confidence in the justice system or for fear of reprisals. This equates to almost total impunity in the form of a blank cheque for the defence and security forces, even though at least 50 people were killed between October 2019 and July 2020 during demonstrations.

²¹⁸ “As regards the follow-up to cases of killings recorded during political demonstrations, they systematically form the object of judicial information, which is difficult for judicial police officers, who often do not have the appropriate technical means to conduct their investigations”, www.facebook.com/permalink.php?story_fbid=2812781102115236&id=813409282052438&_tn_ =K-R

7.1 INVESTIGATIONS WITH NO FOLLOW-UP

On 14 November 2019, following the death of Alpha Souleymane Diallo, the Ministry of Security announced that an “investigation into the death and other recorded incidents has been immediately entrusted to the DCPJ”²¹⁹. On 10 January, the Minister of Justice announced that proceedings were “underway” in relation to “crimes committed during political demonstrations”²²⁰. On 13 January, the Ministry of Security announced “the opening of an investigation into the circumstances of Thierno Mamadou Sow’s death” although this should, in principle, be the Ministry of Justice’s responsibility²²¹.

Following the referendum of 22 March, the Minister of Justice announced the creation of a “pool of investigating judges”²²² and the Minister of Security also suggested that investigations had been opened²²³. On 23 March, the Director of the Judicial Police accused private clinics of “manipulating” corpses²²⁴ by inserting “new” bullets into the bodies of people who had died during demonstrations to make it look like deaths from bullet wounds²²⁵. He also referred to cases of bullets found during autopsies “which are not known in the military or police arsenal of the Republic of Guinea, analysed by arms manufacturers and arms engineers.”²²⁶ These were unverifiable statements in the absence of an autopsy report. The Department of Justice announced on 25 March that it was opening an investigation only against the protesters²²⁷.

In May, following the deaths on 12 May in Kindia region, President Alpha Condé “urged the justice system to shed light on these serious events and to draw all legal consequences”²²⁸. However, he attributed these tragedies to “the violence during social and political movements in our country”²²⁹, without questioning the excessive use of force by the defence and security forces. On 17 June, a delegation composed of Mamadou Taran Diallo, Minister for Citizenship and National Unity, Kiridi Bangoura, Minister of State and Secretary General to the Presidency, the Governor of Kindia Region and the Prefect of Coyah, travelled to Kindia region to visit the families of the six people killed on 12 May. “Investigations are underway and will be conducted with a view to finding and bringing the guilty parties to justice,” the two ministers said on that occasion, according to a report on the website of the Department for Citizenship and National Unity²³⁰. The delegation gave each of the families the sum of 10 million Guinean francs²³¹ and also apologized to them, without explicitly acknowledging the defence and security forces’ responsibility.

A relative of one of the victims told Amnesty International with regard to this visit:

“They told us they’d come to apologize. They gave us a bag of rice and 10 million francs (around 900 euros). We didn’t forgive them, we demanded justice.”²³²

²¹⁹ gouvernement.gouv.gn, *Statement from the Ministry of Security and Civil Protection of Thursday, 14 November 2019 - FNDC demonstration of 14 November 2019: sitrep at 6 pm*, www.gov.gn/index.php/communiquel/4833-communique-du-ministere-de-la-securite-et-de-la-protection-civile-du-jeudi-14-novembre-2019-fndc-demonstration-du-14-novembre-2019-situation-a-18-heures Department of Justice Facebook²²⁰ page, 12 January 2020, www.facebook.com/813409282052438/posts/2793951733998173/

²²¹ gouvernement.gouv.gn, *Statement from the Ministry of Security and Civil Protection of Thursday, 14 November 2019 - FNDC demonstration of 14 November 2019: sitrep at 6 pm*, www.gov.gn/index.php/communiquel/4833-communique-du-ministere-de-la-securite-et-de-la-protection-civile-du-jeudi-14-novembre-2019-fndc-manifestation-du-14-novembre-2019-situation-a-18-heures

²²² Minister of Justice Statement No. 003 MJ/SG/CAB/2020, 25 March 2020, www.facebook.com/813409282052438/photos/pcb.2948502115209800/?type=3&theater

²²³ lemonde.fr, “Des milliers de Guinéens sont allés voter. On ne les a pas forcés” [Thousands of Guineans went to vote. They weren’t forced], 31 March 2020 www.lemonde.fr/afrique/article/2020/03/31/des-milliers-de-guineens-sont-alles-voter-on-ne-les-a-pas-forces_6035037_3212.html

²²⁴ mediaguinee.org, Fabou Camara, DCPJ sur les violences électorales : “des personnes sont mortes... mais pas par balles” [Fabou Camara, DCPJ on electoral violence: “People died... but not from gunfire”], 23 March 2020, www.mediaguinee.org/fabou-camara-dcpj-sur-les-violences-electorales-des-personnes-sont-mortes-mais-pas-par-balle/

²²⁵ “(...) People died violent deaths but not from bullets given the nature of the wounds. During the autopsy, bullets were extracted from these wounds and, on analysing these bullets, we found that they had not suffered the thermal effect of being fired as ammunition from a weapon of war (...) And when we checked the bullets we noticed that these were fresh bullets, not coloured, not burnt and extracted from human flesh... We realized they were fresh.”

²²⁶ “(...) People died violent deaths but not from bullets given the nature of the wounds. During the autopsy, bullets were extracted from these wounds and, on analysing these bullets, we found that they had not suffered the thermal effect of being fired as ammunition from a weapon of war (...) But when we checked the bullets we noticed that these were fresh bullets, not coloured, not burnt and extracted from human flesh... We understood that they were fresh.” Statement by the Central Judicial Police Director, 23 March 2020.

²²⁷ Statement from the Minister of Justice No. 003/MJ/SG/CAB/2020 of 25 March 2020.

²²⁸ www.youtube.com/watch?v=WE8gl3PFDrs

²²⁹ www.youtube.com/watch?v=WE8gl3PFDrs

²³⁰ [Cityennet.gouv.gn](http://cityennet.gouv.gn), *Violences à Coyah et Dubréka: le gouvernement au chevet des victimes*, [Violence in Coyah and Dubréka: Government at the victims’ bedside], www.cityennet.gouv.gn/violences-a-coyah-et-dubreka-le-gouvernement-au-chevet-des-victimes/

²³¹ Approximately 900 euros.

²³² Telephone interview with the relative of a victim, July 2020.

On 23 July, following the deaths of Alhassane Barry and Marie-Jeanne Sidibé on 20 and 21 July, the Director of Judicial Police announced that the Public Prosecutor of the Dixinn Court of First Instance had “instructed the bodies to be held in order to be taken to the mortuary at Ignace Deen National Hospital for autopsy to determine the nature of the injury and the cause of death but also to open a criminal investigation to determine those responsible, find and arrest them and bring them to justice”²³³.

Almost all the victims’ relatives contacted by Amnesty International said they had not been visited by any authority for the purposes of the investigation. According to the authorities²³⁴, 11 families were questioned in the context of inquiries related to the deaths on 14 October 2019. A judicial source told Amnesty International that: “There’s no will. In murder cases, judicial police officers are expected to travel to the scene to collect evidence and interview witnesses. But that’s not happening. In some cases, the perpetrators are even identified but no action is taken to arrest them.”²³⁵

To Amnesty International’s knowledge, the only legal proceedings that have made any real progress against members of the defence and security forces who committed abuses during the reporting period were those which led to the opening of the trial on 18 March against police officers who had used a young woman as a human shield on 29 January in Wanindara, Conakry, to protect themselves from stones being thrown at them by youths. After the event, which was filmed and widely disseminated on social media²³⁶, the Minister of Security issued a video statement²³⁷ condemning the act and announcing the opening of investigations. On 23 March, the Minister of Security also announced the arrest of the alleged perpetrator of the fatal shooting of Issa Yéro Diallo, a “trainee gendarme”²³⁸. However, as of 9 September, no trials had commenced against members of the defence and security forces suspected of unlawful killings during events that took place between October 2019 and July 2020. According to the authorities²³⁹, a “trainee gendarme” deployed outside a private property was “questioned” following Issa Yéro Diallo’s death on 22 March. A “member of the defence forces belonging to the Coyah infantry was also questioned by the Coyah Central Police Station” in the context of the crackdown on protests on 12 March in Kindia region, and proceedings are underway through a military court in the same region. Nonetheless, at the date of publication of this report, no information was available on the progress in these proceedings, nor on those announced by the authorities with regard to all other cases of murders allegedly at the hands of the defence and security forces during protests between October 2019 and July 2020.

7.2 INVISIBLE DEATHS

On 25 October 2019, the Department of Justice released a series of provisions regarding the “treatment of bodily injuries resulting from demonstrations”²⁴⁰. According to these provisions: “Suspicious deaths occurring during demonstrations must be recovered in the presence of a judicial police officer, who must be notified of the situation, and then taken to one of the hospitals indicated by the administrative and health authorities for safekeeping.” The hospitals presented by the authorities as “legally entitled to receive victims”²⁴¹ are “Donka, Ignace Deen, and Sino-Guinean hospitals, communal medical centres for Conakry region and prefectural hospitals and improved health centres for the rest of the country”²⁴². It was clarified that “these provisions are also applicable if a seriously injured person is discovered and the cause of their

²³³ Mediaguinee.com Facebook page, *Manifs du Fndc contre un 3è mandat d’Alpha Condé: ‘Marie-Jeanne Sidibé a été atteinte à la gorge dans son salon par une balle perdue et Alhassane Barry a été touché par un projectile à la tête’* (Fabou Camara) [FNDc demonstrations against a third term for Alpha Condé: Marie-Jeanne Sidibé hit in the throat in her living room by a stray bullet and Alhassane Barry hit on the head by a projectile] (Fabou Camara), www.facebook.com/mediaguinee/videos/330485798114221/

²³⁴ Email from the Minister of Security and Civil Protection. Ref. AFR 29/2020/003

²³⁵ Telephone interview with a Guinean lawyer, 16 July 2020. Their anonymity has been preserved to protect them from possible pressure or reprisals.

²³⁶ Observers.france24.com, *En Guinée, une femme utilisée comme bouclier humain par des policiers* [In Guinea, woman used as human shield by police officers], 30 January 2020, www.observers.france24.com/fr/20200130-guinee-femme-utilisee-comme-bouclier-humain-policiers-conakry

²³⁷ Ministry of Security and Emergency Preparedness Facebook page, *Réaction du Ministre Damantang suite à des exactions commises par des forces de l’ordre mercredi 29 janvier 2020. Suivez!* [Reaction of Minister Damantang following abuses committed by law enforcement agencies Wednesday 29 January 2020. Follow!]. 30 January 2020, www.facebook.com/MSPCGN/

²³⁸ Vision Guinée, *Un gendarme mis aux arrêts après la mort par balle d’une dame à la Cimenterie* [Gendarme arrested after woman shot dead at La Cimenterie], www.dailymotion.com/video/x7sz2qq

²³⁹ Email from the Minister of Security and Civil Protection. Ref. AFR 29/2020/003

²⁴⁰ Government.gov.gn, *Department of Justice Statement, 24 October 2019*, www.gouvernement.gov.gn/index.php/communiqu/4798-communiqu-du-ministere-de-la-justice-5 This statement is no longer available online,

²⁴¹ Press conference by the Minister of Security, 23 March 2020, www.dailymotion.com/video/x7sz2qq

²⁴² Government.gov.gn, *Department of Justice Statement, 24 October 2019*, www.gouvernement.gov.gn/index.php/communiqu/4798-communiqu-du-ministere-de-la-justice-5

injuries is unknown or suspect". Finally, the Ministry of Justice has "required any bodies discovered in the above condition to be compulsorily subjected to a judicial autopsy before being returned to the family for burial". The authorities justified these provisions with Article 117 of the Code of Criminal Procedure by which "in the event of the discovery of a corpse, whether or not it is a violent death, if the cause is unknown or suspicious, the judicial police officer who is notified must immediately inform the Public Prosecutor, attend the scene without delay and make initial findings".

According to testimonies received, these provisions may have served as a basis for the authorities to exert pressure on the Red Cross and the medical profession to prevent the transport and reception in hospitals of victims moved without the presence of a judicial police officer. "He passed away around 11 am. Neighbours dropped him off at the mortuary of the Great Mosque of Kobaya. The Red Cross refused to take the body."²⁴³ "The doctor called the Red Cross and they said they had been instructed not to move any bodies."²⁴⁴ In response to accusations by the FNDC²⁴⁵, the ICRC stated on 19 February that it had transported "dozens of people injured in the mid-October demonstrations"²⁴⁶. The organization added that: "Unfortunately, there have been insufficient security guarantees to carry out this work since then."

Medical staff in contact with the victims were also pressured not to treat or receive people with firearm injuries or shot dead during demonstrations.

"Very often there are phone calls or text messages from high-ranking government officials. There are threats coming not only from the highest level of the administration but also instructions to the defence and security forces to prevent bodies and/or casualties from having access to particular health facilities."²⁴⁷

Another doctor contacted by the organization said he had been the target of threats and intimidation from a gendarme, while a third was allegedly "summoned".

As a result, the bodies of at least five people shot dead on 22 March were either turned away from hospitals or their families were forced to come and collect the bodies shortly after they had been received, according to a count made by Amnesty International based on testimonies from the victims' families.

"We took the body home and then we took it to the mortuary of the nearby mosque. Eventually we decided to bury him in the neighbourhood because the body was starting to swell. A doctor from Ignace Deen told us they were under orders not to touch anyone who'd been killed or injured by firearms."²⁴⁸

"He was hit around 3 pm. We took him to the clinic in Kakimbo but he was already dead. We didn't take the body to Ignace Deen until 7 pm because all the roads were blocked. The doctor at the hospital said they could not receive bodies brought in by civilians. Because Ignace Deen refused to take the body, we didn't obtain a death certificate."²⁴⁹

"On Monday, we returned to Ignace Deen. We were told that they were unable to keep the body in the mortuary. They handed the body over at around 2 pm. We went to Koloma cemetery and he was buried after the 5 pm prayers. There was no autopsy."²⁵⁰

"The day after the body was sent there, Donka Hospital asked us to come as quickly as possible and remove it. They said they didn't have permission to receive the bodies. There was no autopsy."²⁵¹

²⁴³ Telephone interview with a relative of Hamidou Bah, killed on 22 March, 25 March 2020.

²⁴⁴ Telephone interview with a relative of Nassouraly Diallo, killed on 22 March, 24 March 2020.

²⁴⁵ Front national pour la défense de la constitution, *Lettre ouverte au directeur général du CICR* [Open letter to the Director General of the ICRC], 18 February 2020 (Ref 032/FNDC/2020).

²⁴⁶ Tweet published on 19 February by @CICR_fr.

²⁴⁷ Telephone interviews with a medical source, 29 June 2020 and 24 August 2020. Their anonymity has been preserved to protect them from possible pressure or reprisals.

²⁴⁸ Telephone interview with a relative of Nassouraly Diallo, killed on 22 March, 24 March 2020.

²⁴⁹ Telephone interview with a relative of Thierno Oumar Diallo, killed on 22 March, 24 March 2020.

²⁵⁰ Telephone interview with a relative of Hamidou Bah, killed on 22 March, 25 March 2020.

²⁵¹ Telephone interviews with Alassane Diallo, husband of Issa Yero Diallo, killed on 22 March, March to June 2020.

“On Monday morning we went to Ignace Deen Hospital. As soon as the body arrived, we were told that the government had given instructions that all bodies, even those taken there on Sunday, were to be removed. We recovered the body and he was buried on 23 March.”²⁵²

These victims were *de facto* excluded from any possible judicial investigation because, due to a lack of any way of preserving them, they had to be buried quickly, making autopsies that could indicate the causes of death and identify the weapons used impossible. A judicial source told Amnesty International:

“The government does not want the bodies to be held in the mortuary because the next logical step would be to perform an autopsy, and the autopsy reports would clearly indicate the causes of death, which in all cases were violent deaths by gunfire. Receiving the dead in mortuaries also means that the hospitals will count the number of victims, and this would be less open to challenge than any count done by civil society, whereas the government has always denied the real number of victims.”²⁵³

Indeed, the authorities' count of victims after the referendum was distorted. On 23 March, the Ministry of Security announced an assessment based solely on “the mortal remains in our hospitals (...) hospitals legally entitled to receive victims”²⁵⁴, i.e. five victims instead of the 12 recorded by Amnesty International.

By preventing non-governmental organizations and health facilities from transporting or receiving the bodies of people killed during demonstrations, the authorities made it impossible to identify some victims, and thus denied their families the right to justice and reparation. They are thus in contravention of the ACHPR Guidelines for the Policing of Meetings in Africa by Law Enforcement Officials, which state that: “State Parties must conduct a thorough investigation and account of circumstances surrounding every case of death or serious injury of persons in the context of assemblies”.

7.3 FEAR OF REPRISALS AND LACK OF CONFIDENCE IN THE LAW

Threats, fear of reprisals and a lack of confidence in the justice system have led victims or their relatives to go into hiding and not to file complaints.

Amnesty International has spoken to people fearing reprisals after they were shot and injured by the defence and security forces. Some fled their homes and are living in hiding, as evidenced by the testimony of a young man wounded on 22 March:

“There were both verbal and physical threats because the people who came to my house already had my photo. They approached a group of local youths just near our home. They asked them if they knew the person in the picture because they wanted to pay him a visit. But I had already warned my friends and relatives in the neighbourhood not to say anything if people came looking for me. I am not safe at the moment because I am a political actor in the FNDC and my party the UFDG. I knew what would happen after I was shot. That's what pushed me to move to another part of Conakry for the first time, and then to leave the city itself. These people come in plain clothes. It's really dangerous in Conakry: when they shoot you, if you're not dead they hunt you, the government hunts you, they have spies, intelligence and informants everywhere, especially in the FNDC and opposition strongholds in Ratoma.”²⁵⁵

Only one of the families of the 12 people killed on 21 and 22 March told Amnesty International that they had filed a complaint²⁵⁶, for fear of reprisals combined with a lack of confidence in the justice system and a lack of knowledge of the judicial process.

²⁵² Telephone interview with relative of Alpha Oumar Diallo, killed on 22 March, 25 March 2020.

²⁵³ Telephone interview, July 2020.

²⁵⁴ Press conference by the Minister of Security, 23 March 2020, www.dailymotion.com/video/x7sz2qq

²⁵⁵ Telephone interview, 19 June 2020.

²⁵⁶ However, lawyers contacted by Amnesty International state that they have filed a complaint on their behalf.

“His mother is too intimidated by the authorities”; “The family says it's pointless in getting tired, it will lead nowhere, and it will even cost money for nothing”; “There is little hope that it will succeed, and it's also a precautionary measure to limit the damage, not to expose ourselves too much. They'll do anything, there's intimidation. I wasn't intimidated directly, but it's too risky to get noticed. People in the government's pay are everywhere. They may send thugs or gendarmes. They arrest people and we don't even know what's happened”; “Dozens of people have been killed over the years and nothing ever happens”; “We can't press charges; we can't afford it.” If you can't afford it, how are you going to press charges?”; “The outcome will not be favourable, so we put ourselves in God's hands.”²⁵⁷

Mamadou Bobo Bah, a relative of Thierno Sadou Bah and Mamadou Karfa Diallo, both shot dead on 14 October 2019, told Amnesty International:

“We didn't file a complaint because we were unable to gather together a group of victims from the demonstrations; filing individual complaints against the authorities exposes us to threats and new violence; when we look back at the past, i.e. since Zakariaou's death²⁵⁸ to date, there have been more than 150 deaths and not a single police officer or gendarme has been arrested or brought to justice. Even if we take this regime to court, it won't help.”²⁵⁹

Even if complaints are not filed by the victims' families or their lawyers, the Guinean authorities have a duty to investigate and prosecute the perpetrators of human rights violations, and the victims and families of those killed or injured during demonstrations are entitled to truth, justice and reparation.

²⁵⁷ Telephone interview with victim's relative, July 2020.

²⁵⁸ Zakariaou Diallo, shot dead on 3 April 2011, is considered by the opposition to be the first victim of an excessive use of force by the defence and security forces during rallies since Alpha Condé's election in 2010.

²⁵⁹ Telephone conversation with Mamadou Bobo Bah, 1 July 2020.

8. CONCLUSION AND RECOMMENDATIONS

Between October 2019 and July 2020, a nationwide crackdown targeted those opposed to the constitutional reform and also other critical opposition voices. Excessive use of force by the defence and security forces were a constant, whether during demonstrations by pro-democracy and opposition activists or during marches for better electricity supplies and against the way in which measures to combat the COVID-19 pandemic were being implemented.

Amnesty International has noted the illegal use of firearms and the involvement of military personnel in maintaining law and order at numerous events, in breach of national legislation and the authorities' commitments.

Testimonies and videos prove that the defence and security forces do not hesitate to fire live ammunition when deployed away from the main highways, out of sight of media and cameras. The repeated testimonies describing gunmen in balaclavas raises questions as to the deliberate nature of these killings.

Amnesty International's investigation counted at least 50 people dead and many seriously injured. Amnesty International has also documented numerous cases of arbitrary arrests of pro-democracy activists and members of the political opposition.

There is an urgent need for justice for the victims' families, for those injured and for other victims of human rights violations. Law enforcement officials should respect the UN Basic Principles and the ACHPR Guidelines for the Policing of Assemblies by Law Enforcement Officials in Africa. The authorities must abide by their international commitments to freedom of expression and peaceful assembly, and must investigate and prosecute all crimes and human rights violations committed during the protests. A State based on the rule of law, that is respectful of human rights, must be able to take criticism and dissent without stifling it with repression.

8.1 TO THE GUINEAN AUTHORITIES

TO THE JUDICIARY

- Conduct effective, independent and impartial investigations into all killings and human rights violations committed during demonstrations that took place between October 2019 and July 2020;
- Following these investigations, prosecute those suspected of involvement by means of fair trials held in competent, independent and impartial courts;
- Ensure respect for the victims' right to participate in the trial, to obtain justice and reparation for the death of their relatives or other damages;

- Bring those involved in the massacre of 28 September 2009 to justice as soon as possible. At least 156 people were killed or disappeared during this massacre, and at least 109 women suffered rape and other sexual violence.

TO THE MINISTER OF SECURITY AND CIVIL PROTECTION

- Ensure strict adherence to the UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials, and the ACHPR Guidelines for the Policing of Assemblies by Law Enforcement Officials in Africa. In particular:
 - Use force or firearms only if other means have proven ineffective or have not achieved the desired result;
 - Ensure that detailed reports are sent to the competent authorities conducting the administrative or judicial inquiry in the event of death or serious injury or other serious consequence;
 - Ensure that superiors are held accountable if they know or ought to know that law enforcement officials under their command have or have had recourse to the unlawful use of force or firearms and they did not take all feasible measures to prevent, stop or report such abuse;
 - Specify the circumstances under which law enforcement officials are authorized to carry firearms and stipulate the types of firearms and ammunition permitted;
 - Regulate the control, storage and issuing of firearms, including procedures by which law enforcement officials account for all weapons and ammunition they receive;
 - Ensure that medical assistance and relief is provided as quickly as possible to any person injured or otherwise affected during demonstrations, including those arrested;
- Prohibit the use of defence and security forces who are wearing balaclavas and using unmarked vehicles during demonstrations, in line with the ACHPR Guidelines for the Policing of Assemblies by Law Enforcement Officials in Africa.

TO THE MINISTER FOR NATIONAL DEFENCE

- Ensure that military personnel are garrisoned during law enforcement operations in accordance with the ACHPR Guidelines for the Policing of Assemblies by Law Enforcement Officials in Africa, and the law of June 2015 on maintaining law and order in Guinea.

TO THE EXECUTIVE AND LEGISLATIVE POWERS

- Ensure that impunity for human rights violations is addressed, particularly in relation to the killings committed during the demonstrations between October 2019 and July 2020;
- Guarantee the rights to freedom of expression and peaceful assembly, in accordance with the ICCPR and the African Charter on Human and Peoples' Rights and, particularly:
 - Amend Article 623 of the Criminal Code so that the concept of “public disorder” cannot be interpreted overly broadly, and repeal the civil liability of “members of the organizing committee” contained in Article 625, pursuant to General Comment No. 37 of the United Nations Human Rights Committee;

- Amend the law of 4 June 2015 on maintaining public order, which prohibits “any unarmed gathering that could result in a breach of the peace”, pursuant to General Comment No. 37 of the United Nations Human Rights Committee;
 - Immediately end the arbitrary arrest and detention of people who are merely exercising their right to freedom of expression or peaceful assembly;
 - Refrain from implementing total or partial Internet blackouts, in compliance with international standards on freedom of expression;
 - Accept the deployment of observers at demonstrations, selected by national non-governmental human rights organizations. Authorize these people to observe and to film, including the operations of the defence and security forces. Protect this right by law, in line with the ACHPR Guidelines for the Policing of Assemblies by Law Enforcement Officials in Africa;
- Immediately and unconditionally release all persons arbitrarily detained;
 - Guarantee freedom as a principle and pre-trial detention as an exception, particularly in the context of the COVID-19 pandemic, which poses a significant health risk to detainees. Review pre-trial detention measures in the light of this specific context;
 - Amend the law of 25 June 2019 on the use of weapons by the gendarmerie to clearly indicate in each article that firearms may be used only when there is an imminent threat of death or serious injury, and when other means have proven ineffective or have been unable to achieve the desired result;
 - Establish a fund to cover the medical costs incurred in treating those seriously injured during the demonstrations;
 - Accept without further delay the request for a visit by the UN Special Rapporteur on the rights to freedom of peaceful assembly and of association. Extend an invitation to the following Special Procedures to visit the country: the UN Working Group on Arbitrary Detention and the UN Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression;
 - Ratify the Protocol to the African Charter on Human and Peoples' Rights regarding the African Court on Human and Peoples' Rights and issue the statement in its Article 34.6 that would permit individuals and NGOs to bring cases directly to the Court;
 - Submit the report on the human rights situation in Guinea to the African Commission on Human and Peoples' Rights without further delay, in accordance with Article 62 of the African Charter.

8.2 TO THE UNITED NATIONS

- To the Special Rapporteur on the rights to freedom of peaceful assembly and of association and to the Special Rapporteur on the promotion and protection of freedom of opinion and expression: request visits to Guinea and act according to their respective mandates.

8.3 TO THE AFRICAN COMMISSION ON HUMAN AND PEOPLES' RIGHTS

- To the Special Rapporteur on Freedom of Expression and Access to Information: publicly denounce the excessive use of force by law enforcement officials and arbitrary arrests in Guinea; call for prompt

and independent investigations and proceedings to bring the perpetrators of unlawful killings during demonstrations to justice.

8.4 TO THE EUROPEAN UNION, THE UNITED STATES AND GUINEA'S OTHER PARTNERS

- Reconsider possible future training, budgetary or operational support for the defence and security forces in the light of repeated accusations of unlawful killings and other human rights violations on the part of some of them. Suspend possible future provisions of arms and security equipment;
- Provide increased support for an independent and effective judicial system capable of ending impunity for human rights violations committed by the defence and security forces;
- Support the creation of a fund to meet the medical costs of those seriously injured during demonstrations, and to compensate the families of those killed for funeral expenses.

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MARCHING TO THEIR DEATHS

JUSTICE URGENTLY NEEDED FOR THE VICTIMS OF GUINEA'S CRACKDOWN ON DEMONSTRATIONS

Between October 2019 and July 2020, at least 50 people were killed in Guinea during demonstrations against the constitutional reform initiated and implemented by the ruling party, and during protests against both the lack of electricity and the cordon sanitaire set up to fight the COVID-19 pandemic.

Nearly 200 other people were injured, some of whom are now suffering serious after-effects. Dozens of opponents have been arbitrarily arrested and detained - including during the COVID-19 pandemic - simply for having exercised their right to freedom of expression or peaceful assembly in order to denounce authoritarian excesses of power.

These mass human rights violations have gone unpunished, in a country where Alpha Condé's election in 2010 had initially raised hopes of an end to the impunity and arbitrary action of previous regimes. The right to justice for victims or their families has been violated, despite credible evidence that the defence and security forces are responsible for the unlawful killings.

Based on testimonies and documents collected in Conakry and remotely, this report continues the work Amnesty International has been doing for several years on the excessive use of force during demonstrations and on impunity in Guinea.

It establishes the facts, puts a face to those who died and gives a voice to their families, out of a desire for justice and reparation.