

Guinea 2024 Human Rights Report

Executive Summary

There were no significant changes in the human rights situation in Guinea during the year.

Significant human rights issues included credible reports of: arbitrary or unlawful killings; disappearances; torture or cruel, inhuman, or degrading treatment or punishment; arbitrary arrest or detention; transnational repression against individuals in another country; and serious restrictions on freedom of expression and media freedom, including violence or threats of violence against journalists, and censorship.

The government took credible steps to identify and punish officials who committed human rights abuses, either in the security forces or in other parts of government. On July 31, the Guinean Tribunal Court found eight of 11 defendants, including former President Moussa Dadis Camara, guilty of crimes against humanity and other charges for their roles in the 2009 Stadium Massacre in Conakry, the capital.

Section 1. Life

a. Extrajudicial Killings

There were numerous reports the government or its agents committed arbitrary or unlawful killings during the year.

Amnesty International issued a report stating that between June 1, 2022, and March 15, at least 47 persons were killed by security and military forces during protests.

On August 18, N'fa Kemo Mara died in a hospital, where he was admitted for head trauma and fractures to his arms and legs, following three days of detention in a police station in connection with a rape case involving the niece of the deputy director of Conakry Regional Security. Authorities claimed Mara jumped from the third floor of the police station. His family stated that Mara explained he had been thrown from a vehicle, beaten, and tortured during his detention. Mara's family also stated that the deputy director of Conakry Regional Security, accompanied by masked men, arrested him.

On January 8, the Court of First Instance of Dixinn acquitted Gendarme Sergeant-Major Ibrahima Balde, who was charged with murder, endangering life, and causing death through voluntary assault and battery without intent to kill. In 2022, during a protest called by the National Front for Defense of

the Constitution (FNDC), a movement calling for the return of civilian rule, he was filmed firing a weapon. He pleaded not guilty during his trial, which began in June 2023, and the court acquitted him due to insufficient evidence supporting the charges.

b. Coercion in Population Control

There were no reports of coerced abortion or involuntary sterilization on the part of government authorities.

c. War Crimes, Crimes against Humanity, and Evidence of Acts that May Constitute Genocide, or Conflict-Related Abuses

The steering committee established in 2018 to organize a trial for the perpetrators of the 2009 Stadium Massacre in Conakry continued its work during the year. The trial initially opened in September 2022, with charges of murder, attempted murder, rape, and torture against 11 defendants, including former President Moussa Dadis Camara. On July 31, the Court of First Instance of Dixinn found eight of 11 defendants, including former President Camara, guilty of crimes against humanity, murder, rape, torture, and other charges related to the massacre. Sentences ranged from 10 years' to life imprisonment, with former President Camara sentenced to 20 years. The court also ordered the eight defendants to jointly pay

compensation to the victims, setting the amounts at one billion five hundred million Guinean francs (\$175,000) per victim in rape cases, one billion Guinean francs (\$117,000) for each death or disappearance, and five hundred million Guinean francs (\$58,600) for each case of looting. Six additional persons in the case, including officials of the army and gendarmerie, who were charged and detained in November 2022, had not faced trial by year's end.

Section 2. Liberty

a. Freedom of the Press

The Transition Charter provided for freedom of expression, including for members of the press and other media, and stipulated that laws pertaining to freedom of expression that were in place prior to the coup d'état in 2021 would remain in force. During the year the government limited freedom of expression and freedom of the press through journalist intimidation, revocation of private broadcast media licenses, use of libel and slander laws, and alleged internet censorship.

Physical Attacks, Imprisonment, and Pressure

There were reports of arbitrary arrests, harassment, and intimidation of journalists by the National Council of Reconciliation and Development transition authorities. Media professionals were victims of attacks and

violence perpetrated by security forces and demonstrators during political protests.

On January 19, authorities arrested Sekou Jamal Pendessa, secretary general of the country's press union, following the Union of Press Professionals of Guinea's call to protest internet censorship and social media restrictions. On February 23, the Court of First Instance of Dixinn sentenced him to six months in prison, with three months suspended, and a fine of 500,000 Guinean francs (\$59). The court found him guilty of "inciting an unarmed gathering" and "threatening public order and safety, and the dignity of individuals via an information system."

The government continued to use a law criminalizing the publication of "false news."

Censorship by Governments, Military, Intelligence, or Police Forces, Criminal Groups, or Armed Extremist or Rebel Groups

Some journalists accused government officials of attempting to influence the tone of their reporting. Journalists accused the government of targeted censorship of popular social media sites and some online news sites. On May 22, the government revoked the licenses of several major private broadcast media outlets, further narrowing the space for independent journalism and critical reporting.

The government continued to pressure the High Authority for

Communication (HAC) to increase scrutiny of media and journalists. The authority released a statement in March 2023 to alert media of possible sanctions in the event of a violation of the law related to the dissemination of false information undermining social cohesion, peace, and justice, or of a defamatory nature toward public or private figures. On January 17, the HAC suspended the online news site *depecheguinee.com* for a period of nine months and its administrator for six months, during which time the administrator was prohibited from creating or offering services to any news organization. The HAC's sanction followed complaints from the governor of the Central Bank of Guinea and the then minister of economy and finance. The complaints cited "defamation and disturbing public order" related to an article in which the journalist accused the two officials of embezzlement. Journalists indicated that government actions against journalists during the year resulted in increased self-censorship.

b. Worker Rights

Freedom of Association and Collective Bargaining

The labor code provided workers the right to organize, bargain collectively, join a union, and engage in strikes that could be complete or partial or in other forms that did not necessarily imply a pure and simple cessation of work, provided they were of a peaceful nature. The law required unions obtain the support of 20 percent of the workforce to represent them. The

law placed restrictions on the free exercise of these rights. The law mandated that the union organization or the collective filing of the strike notice provide a written notice to the competent authority with the reasons and claims made 10 working days before going on strike. Employees had the right to cease work completely upon expiration of the strike notice, subject to providing the necessary safety measures and minimum service. An employee who was required to provide a minimum service and who failed to report for duty could be found guilty of gross negligence. Strikes were permitted only for work-related matters.

The law protected workers from antiunion discrimination. The law prohibited employers from taking union membership into consideration when considering decisions concerning an employee's hiring, firing, and conduct. It also allowed workers 30 days to appeal any labor decisions and provided for reinstatement of any employee fired for union activity.

The Office of the Inspector General of Labor within the Ministry of Labor managed consensus arbitration, as required by law. An arbitration procedure could be implemented at any time, either at the request of one of the parties to the dispute, or at the request of the minister of labor, particularly if the dispute concerned "essential services."

Penalties for various labor violations ranged from fines to imprisonment, commensurate with penalties for similar crimes. The government did not effectively enforce applicable laws. Inspections were not adequate to

achieve compliance, and penalties were rarely applied against violators.

Worker organizations did not generally operate independently of government or political party interference. Differences existed among the trade unions, with members accusing one another of supporting employer organizations or the government. This resulted in some unions splitting between two leaders. Companies did not always respect freedom of association and the right to collective bargaining. Hotel workers reported the government failed to enforce labor laws or penalize employers who violated workers' rights.

Forced or Compulsory Labor

See the Department of State's annual *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

Acceptable Work Conditions

Wage and Hour Laws

Despite an increase to 550,000 Guinean francs (\$64) in 2022, the wage rate remained below the World Bank poverty level.

The law mandated that regular work should not exceed 10-hour days or a 48-hour week, and it mandated at least 24 consecutive hours of rest each week, usually on Sunday. Overtime and night wages were a fixed percentage of the regular wage. The law stipulated a maximum of 100

hours of compulsory overtime a year.

Occupational Safety and Health

The law contained occupational safety and health (OSH) provisions but did not establish workplace health and safety standards. Moreover, it did not stipulate the safety requirements for certain occupations or for certain methods of work identified in the law. The employer was required to develop facilities and regulate workflow to preserve the health and safety of workers. They were responsible for providing employees with personal protective equipment at no cost. The labor inspector carried out investigations into the causes, circumstances, and responsibilities of workplace health and safety standards. All workers, foreign and migrant, had the right to refuse to work in unsafe conditions without penalty.

Each industry was required to have an occupational safety and health plan, although this requirement was rarely enforced. Despite legal protection against working in unsafe conditions, many workers feared retaliation and did not exercise their right to refuse to work under unsafe conditions. The government banned wildcat gold prospecting and other mining activities during the rainy season to prevent deaths from mudslides.

Wage, Hour, and OSH Enforcement

The Ministry of Labor was responsible for enforcing labor standards. The reported number of labor inspectors met International Labor Organization

(ILO) standards, but the ILO noted inspectors received inadequate training. Labor inspector vacancies often went unfilled. Penalties for violation of the law were not commensurate with those for similar crimes such as fraud or negligence and were rarely applied against violators. Enforcement efforts were insufficient to deter violations.

Authorities rarely monitored work practices or enforced workweek standards or overtime rules. Violations of wage, overtime, and OSH standards were common across sectors, and inspectors found occupational health and environmental hazards among artisanal (small-scale) gold mining communities in the northern section of the country.

The informal sector included 60 to 70 percent of all workers. The law and regulations on minimum wages applied to the informal sector but were not enforced.

c. Disappearance and Abduction

Disappearance

There were reports of enforced disappearances by or on behalf of government authorities.

On November 28, journalist Habib Marouane Camara posted on Facebook he had been informed a commando wished to eliminate him. On December 3, several men in gendarmes' uniforms violently took him from a vehicle in

Conakry. Authorities stated he was not in government custody.

Prolonged Detention without Charges

The Transition Charter, the previous constitution, and law prohibited arbitrary arrest and detention, but the government did not always observe these prohibitions. The law provided for the right of any person to challenge the lawfulness of their arrest or detention in court, but few detainees chose this option due to legal costs, slow judicial proceedings, and fear of retribution.

Although the law required arrest warrants, police did not always follow this protocol. The law also mandated detainees be charged within 48 hours, renewable once if authorized by a judge. The law allowed the original length of detention to be increased to 96 hours, renewable once with the authorization of the prosecutor. Many detainees were held for much longer periods before being charged.

The law prohibited the arrest of persons in their homes between 9 p.m. and 6 a.m., but arrests between those times occurred. After being charged, the accused could be held until the conclusion of the case, including a period of appeal. Authorities routinely ignored the legal provision entitling defendants to an attorney, and did not provide indigent defendants with an attorney at government expense.

Release on bail was at the discretion of the magistrate under whose

jurisdiction the case fell. The law allowed detainees prompt access to family members, but access was sometimes denied or restricted until families paid bribes to the guards at detention facilities.

In June, a military officer whose name was not made public was arrested alongside General Sadiba Koulibaly, former chief of the general staff of the Armed Forces. General Koulibaly's arrest and subsequent death in custody raised significant human rights concerns. The unnamed officer was granted a dismissal of charges during the investigation phase in June. Despite this, he remained in detention until October, when he was finally released.

Between July 16 and 31, lawyers went on strike to protest the "arbitrary arrests" and "kidnappings followed by secret detentions" after the July 9 disappearance of FNDL leaders Oumar Sylla and Mamadou Billo Bah.

Lengthy pretrial detention was prevalent. On July 23, Minister of Justice Yaya Kairaba Kaba, accompanied by the prosecutor of the Conakry Court of Appeal, facilitated the release of 16 detainees from the Conakry Central Prison. Minister Kaba explained that these 16 individuals had been imprisoned for periods ranging from three to 16 years without trial, and the case files for some of them could not be located. As a result, following summary hearings, they were granted release.

The president of a local nongovernmental organization (NGO) defending human rights reported that one reason for long pretrial detentions was an

insufficient number of magistrates. He noted in the country there was a ratio of one magistrate per 40,000 inhabitants and the magistrates were concentrated in urban areas. The law stated that when the prosecutor issued an arrest warrant against an individual or an individual was questioned by an investigating judge, the individual could remain in detention for a maximum of 24 months under circumstances related to national security.

d. Violations in Religious Freedom

See the Department of State's annual *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/>.

e. Trafficking in Persons

See the Department of State's annual *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

Section 3. Security of the Person

a. Torture and Cruel, Inhuman, or Degrading Treatment or Punishment

The constitution and law prohibited such practices, but there were credible reports government officials employed them.

Human rights associations reported multiple incidents of abuse of detainees in government detention centers. NGOs alleged security officials designated as “judicial police officers” abused detainees to coerce confessions. Human rights activists reported an increase of abuses occurring during arrests or at detention centers. Human rights associations stated complainants often presented evidence of abuse but wardens did not investigate these complaints.

Following the arrest and subsequent release of Mohamed Cisse by the National Council of Reconciliation and Development, Cisse claimed security force agents tortured him alongside Fonike Mengue and Billo Bah.

Impunity was a significant problem in the security forces, particularly in the gendarmes, police, and military forces.

Although the Transition Charter did not explicitly prohibit female genital mutilation/cutting (FGM/C), it was illegal under the penal code. The country had an extremely high FGM/C prevalence rate. According to a 2018 UNICEF survey, 94.5 percent of women and girls ages 15 to 49 had undergone the procedure, which was practiced throughout the country and among all major religious and ethnic groups. The government and its partners continued efforts to combat FGM/C. Two hundred thirty-six new villages committed to abandon FGM/C during the year.

b. Protection of Children

Child Labor

See the Department of Labor's *Findings on the Worst Forms of Child Labor* at <https://www.dol.gov/agencies/ilab/resources/reports/child-labor/findings>.

Child Marriage

The law criminalized early and forced marriage. The legal minimum age for marriage was 18. Ambiguity remained, however, because the law referred to customary marriages for children who received consent from both parents or a legal guardian. According to Girls Not Brides, an international network of civil society organizations committed to ending child marriage, prevalence rates were 47 percent of girls married by age 18 and 17 percent married by age 15.

UNICEF – in collaboration with local authorities, religious and traditional leaders, civil society organizations, girls and women organizations, and communities – provided programs to end child marriage. During the year, 8,285 girls ages 10-19 received prevention and support services.

c. Protection to Refugees

The government cooperated with the Office of the UN High Commissioner for Refugees and other humanitarian organizations in providing protection

and assistance to refugees, returning refugees, or asylum seekers, as well as other persons of concern.

Provision of First Asylum

The Transition Charter and laws provided for the granting of asylum or refugee status, and the government had a system for providing protection to refugees. The law on the right of asylum and the protection of refugees contained provisions to protect individuals from deportation.

d. Acts of Antisemitism and Antisemitic Incitement

The Jewish community was very small and there were no reports of antisemitic incidents.

e. Instances of Transnational Repression

The government engaged in acts of transnational repression.

Misuse of International Law Enforcement Tools

There were reports the government misused or attempted to misuse international law enforcement tools for politically motivated purposes against specific individuals located outside the country. Guinean and Senegalese media reported that Daouda Bangoura, a member of the Guinean Special Forces, was arrested in July by Senegalese authorities on an Interpol notice in Dakar and was accused of armed robbery of \$400,000.

Bangoura denied the charges, claiming the money belonged to his superior, Baba Barry, deputy commander of the Guinean Special Forces. He also expressed fear of being tortured if extradited to Guinea. His lawyer, Ciré Clédor Ly, criticized the expedited extradition process attempted by Guinea, which bypassed judicial oversight. Despite the country's General Prosecutor's Office supporting the extradition, Senegalese authorities rejected it, citing suspicions regarding the procedure and concerns for Bangoura's safety.

Bilateral Pressure

The Guinean vlogger and activist Djibril Sylla (alias "Agi le King"), a vocal critic of President Mamadi Doumbouya's regime, was arrested in Senegal by Senegalese authorities for irregular residency. Sylla was initially summoned for defamation charges by Guinean businessman Kerfalla "KPC" Camara; Senegalese authorities later discovered Sylla lacked a residence permit. He was fined 50,000 CFA francs (\$83) and placed in detention on April 10, facing possible deportation. According to press reports, Camara was allegedly collaborating with Guinean authorities to extradite Agi to Guinea with the help of Interpol. Sylla's lawyer and human rights organizations, including Amnesty International, raised concerns, arguing that as a political refugee from an Economic Community of West African States member country, Sylla could not be legally expelled to Guinea, where he risked abuses.