

In its last Universal Periodic Review in 2010, Guinea accepted three recommendations concerning respect for the rights to freedom of expression and assembly, including one in the context of the electoral campaign. Guinea also committed to establish an independent national human rights institution (NHRI) in conformity with the Paris Principles. Despite those promises, restrictions to freedom of assembly and expression are ongoing, and the security forces continue to commit acts of violence in various parts of the country. Impunity of law-enforcement officials who have committed human rights violations remains a major concern, undermining the credibility of the judicial system and hindering reparation for victims of violations.

1. Risks facing human rights defenders

- Government forces continue to resort to violence and excessive use of force in order to prevent anti-government protests. Some demonstrators have been injured or even shot dead by gunfire. The OHCHR has reported many cases of arbitrary arrests, often combined with torture and ill-treatments.¹
- In addition to arbitrary detention, protesters face theft, extortion, and beatings by the security forces.²
- During the presidential elections of 2010, several human rights defenders were subjected to harassment and threats in a context of ethnic tensions, particularly for supporting a policy of appeasement.³
- In October 2010, the President of the National Observatory for Democracy and Human Rights was attacked, beaten and detained by the security forces.⁴ In 2011, the government harassed and detained two human rights defenders from NGO Mêmes Droits pour Tous.⁵ The African Commission's Special Rapporteur on Human Rights Defenders sent a communication to the Guinean government in December 2011 on the matter but it remained unanswered.⁶
- In 2012, the Assistant General Secretary of the Confédération Nationale des Travailleurs de Guinée (CNTG) and his family were the victims of an armed attack by assailants in military uniforms at their home.⁷
- In 2012, security forces killed at least five people several days after protests over hiring practices at a Brazilian iron-mining company in the village of Zogota.⁸
- In August 2013, supporters of the government attacked Batè FM radio station following its coverage of the President's visit in Kankan. The director of the radio station is said to have fled the country, fearing for his safety.⁹ The Government also shut down the private radio station Liberté FM, allegedly to prevent it from reporting on opposition-led protests in Conakry.¹⁰ In late 2012, censorship measures were taken by state media regulators against three popular current affairs talk-shows.¹¹
- From February and July 2013, at least 31 demonstrators died, and 750 were injured, during violent clashes between government authorities and sympathisers, and demonstrators and opposition supporters.¹²

2. Official restrictions on the space for human rights defenders

- Despite a more favourable legal framework for freedom of the press established by two laws in 2010 -- which partially decriminalised press offences, and established a new media regulatory body¹³ -- the government continues to suppress press freedom and engage in physical harassment and assault of journalists, including while covering public demonstrations.¹⁴
- In 2012, the Conakry authorities prohibited demonstrations, in breach of the recommendations accepted by the government during its latest Universal Periodic Review.¹⁵
- The labour code sets up overly restrictive conditions on trade-unions, including on the objectives of strikes.¹⁶
- Guinea ranks 104 out of 109 States in the 2013 CIVICUS Enabling Environment Index, which assesses the environment for civil society participation.¹⁷

3. Intimidation and reprisals against defenders accessing international human rights mechanisms

- There were no reported cases of reprisals against Guinean HRDs cited in the reports of the UN Secretary General on cooperation with the UN, its representatives and mechanisms in the field of human rights in 2012 or 2013.

4. Human rights defenders facing particular risks

- Journalists face numerous threats and risks, including censorship, detention, and physical assault.

- Workers organising for their rights also face particular challenges, including intimidation, physical threats and killing.

5. The lack of response of the State regarding the protection of human rights defenders

- The establishment of a reconciliation commission and of an independent NHRI is yet to be implemented. In June 2011, the president issued a decree creating a 'Reflection Commission' aimed at promoting reconciliation, though not at addressing impunity. The 2010 Constitution mandated the establishment of an NHRI. However civil society was not adequately consulted on the mandate and composition of either of these institutions. The Ministry for Human Rights & Civil Liberties also lacks adequate resources for its work.¹⁸
- The government's lack of adequate action has led to impunity for many perpetrators of violence, including those involved in the September 28, 2009 massacre.¹⁹ Nor have independent investigations been conducted in relation to events of February and March 2013, when more than 50 persons were killed during demonstrations.²⁰ No perpetrators of anti-press attacks have been held accountable since 2008.²¹
- Corruption remains a serious challenge. Courts lack staff and financial resources, leading to impunity for perpetrators of human rights violations and difficulties for victims seeking redress.²²

6. Recommendations to the Government of Guinea

- Ensure that the security forces comply with international human rights law and ensure an end to extrajudicial executions, torture, ill treatment, rape and other grave human rights violations.
- Pursue justice for aggressions perpetrated on protestors, including by providing adequate government resources to support prompt and impartial investigations and prosecutions.
- Establish a strong, independent NHRI, which adheres to the Paris Principles and includes a HRD focal point.
- Investigate and bring charges against perpetrators in cases of intimidation and violence against journalists.
- Reform laws concerning trade-unions to make them less restrictive, effectively ensure freedom of association, and provide adequate protection against anti-union discrimination.
- Agree to the visit of the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence.

The upcoming 2015 presidential elections are an opportunity for Guinean authorities to publically commit and take steps to creating a safer environment for HRDs, journalists, and civil society, which is crucial to development, democracy, good governance and the rule of law in the country. As a new member of the UN ECOSOC Committee on NGOs, which regulates civil society access at the UN, Guinea should show support for HRDs seeking to gain consultative status to the UN. Guinea's term begins in January 2015.

¹ http://ap.ohchr.org/documents/dpage_e.aspx?si=A/HRC/22/39

² http://www.hrw.org/sites/default/files/wr2014_web_0.pdf

³ http://www.omct.org/files/2011/10/21443/obs_2011_uk_complet.pdf

⁴ <http://www.hrw.org/fr/news/2010/10/25/guinea-investigate-attack-human-rights-defender>

⁵ <http://www.state.gov/j/drl/rls/hrrpt/2011/af/186203.htm>

⁶ <http://www.achpr.org/sessions/51st/inter-session-activity-reports/human-rights-defenders/>

⁷ http://www.ituc-csi.org/IMG/pdf/survey_ra_2013_eng_final.pdf

⁸ <http://www.state.gov/e/eb/rls/othr/ics/2013/204652.htm>

⁹ <http://westafricadefenders.org/wp-content/uploads/2013/08/attaque-perp%C3%A9tr%C3%A9e-contre-la-radion-Bat%C3%A8-en-Guin%C3%A9e.pdf>

¹⁰ http://www.freedomhouse.org/report/freedom-world/2013/guinea#.U0_Z2FdNF6Y

¹¹ http://www.hrw.org/sites/default/files/wr2014_web_0.pdf

¹² http://ap.ohchr.org/documents/dpage_e.aspx?si=A/HRC/25/44

¹³ http://www.omct.org/files/2011/10/21443/obs_2011_uk_complet.pdf

¹⁴ http://www.freedomhouse.org/report/freedom-world/2013/guinea#.U0_Z2FdNF6Y

¹⁵ http://ap.ohchr.org/documents/dpage_e.aspx?si=A/HRC/22/39

¹⁶ <http://www.state.gov/j/drl/rls/hrrpt/2011/af/186203.htm> and http://www.freedomhouse.org/report/freedom-world/2013/guinea#.U3S3_1dNF6Y

¹⁷ <http://www.civicus.org/index.php/media-centre-129/press-releases/1887-govts-fail-to-create-favourable-conditions-for-civil-society-says-new-report>

¹⁸ http://www.hrw.org/sites/default/files/wr2014_web_0.pdf

¹⁹ http://www.omct.org/files/2011/10/21443/obs_2011_uk_complet.pdf

²⁰ <http://www.amnesty.org/fr/library/asset/AFR29/001/2013/fr/aa29cfc0-4d83-42fc-a881-a2c9f02c9361/af290012013fr.html>

²¹ <https://www.cpi.org/africa/guinea/>

²² <http://www.freedomhouse.org/report/freedom-world/2013/guinea>