

2021 Trafficking in Persons Report: Guinea

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IN THIS SECTION / GUINEA: TIER 2 WATCH LIST

GUINEA: Tier 2 Watch List

The Government of Guinea does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. These efforts included prosecuting and convicting more traffickers and identifying more victims. The government approved standard operating procedures (SOPs) for victim identification and allocated resources to the anti-trafficking committee (CNLTPPA) for the first time in five years. However, the government did not demonstrate overall increasing efforts compared to the previous reporting period, even considering the impact of the COVID-19 pandemic on its anti-trafficking capacity. Shelter services for victims remained insufficient, and the government did not support NGOs providing care to victims. The government did not provide sufficient funding to the Office for the Protection of Gender, Children, and Morals (OPROGEM), the police unit responsible for trafficking investigations. Despite the prevalence of forced child begging in Quranic schools, Guinean authorities have never prosecuted a Quranic teacher for forced begging. Therefore Guinea remained on Tier 2 Watch List for the second consecutive year.

PRIORITIZED RECOMMENDATIONS:

Increase efforts to investigate, prosecute, and convict suspected traffickers, including corrupt Quranic teachers and complicit officials, and sentence convicted traffickers to significant prison terms. • Amend the penal code to remove sentencing provisions that allow fines in lieu of imprisonment and ensure penalties prescribed for forced begging are commensurate with those prescribed for other serious crimes. • Significantly increase efforts to identify trafficking victims among vulnerable populations, including children in Quranic schools, workers in artisanal mining sites, women traveling to the Middle East in potential fraudulent recruitment schemes, Cuban medical professionals, and North Korean workers, and refer victims to appropriate services. • Allocate dedicated funding to OPROGEM to enable criminal investigations. • Increase funding and in-kind support for NGOs to ensure all identified victims receive services. • Train law enforcement and service providers on standard procedures to identify trafficking victims and refer them to services. • Provide OPROGEM and labor inspectors the resources and training necessary to monitor recruitment agencies and investigate forced labor cases. • Establish a uniform and comprehensive data collection system on anti-trafficking efforts, distinguishing human trafficking from other crimes. • Increase efforts to raise public awareness of trafficking, including internal trafficking, child forced labor, and forced begging in Quranic schools. • Strengthen the CNLTPPA's authority to implement anti-trafficking policy and coordinate activities and information sharing among agencies conducting anti-trafficking work. • Develop and implement extradition agreements for traffickers with countries in Africa and the Middle East.

PROSECUTION

The government maintained mixed anti-trafficking law enforcement efforts. Article 323 and 324 of the penal code criminalized sex trafficking and labor trafficking and prescribed penalties of three to seven years' imprisonment, a fine, or both for trafficking offenses involving an adult victim, and five to 10 years' imprisonment, a fine, or both for those involving a child victim. These penalties were sufficiently stringent; however, by allowing for a fine in lieu of imprisonment, the penalties for sex trafficking were not commensurate with those prescribed for other serious crimes, such as rape. Under Article 893 and 894 of the revised children's code, which came into effect in March 2020, child trafficking crimes were prescribed penalties of five to 10 years' imprisonment and a fine of 50 million to 100 million Guinean francs (\$5,010-\$10,010); these penalties were commensurate with those prescribed for other grave crimes, such as rape. Article 343 of the penal code separately criminalized forced begging and prescribed penalties of one to three years' imprisonment and a fine; these penalties were not sufficiently stringent.

The gendarmes and OPROGEM were the lead government entities responsible for investigating trafficking cases, and the General Secretary for Special Services, Counter-Narcotics, and Combating Organized Crime could investigate transnational trafficking cases. Designated magistrates in the Ministry of Justice prosecuted trafficking cases. The government did not report comprehensive law enforcement data, and due to poor record keeping and the conflation of trafficking with other crimes, law enforcement data on trafficking cases likely included smuggling or child labor cases. In 2020, with data from 33 prefectures and one special zone, the government reported at least one investigation, prosecutions of 45 defendants, and convictions of 20 defendants. Authorities also investigated seven pimping cases and 22 cases of soliciting a minor. This compared with three investigations, three prosecutions, and zero convictions reported in 2019 with data from five prefectures. Despite the prevalence of Guinean children exploited in forced begging in Quranic schools in Guinea and surrounding countries, the government has never prosecuted a corrupt Quranic teacher for child forced begging. An NGO reported magistrates, who did not understand the serious nature of trafficking, often refused to sentence convicted traffickers to prison terms.

The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking crimes; however, corruption and official complicity in trafficking crimes remained significant concerns, inhibiting law enforcement action during the year. Although not explicitly reported as human trafficking, the UN initiated an investigation of one Guinean police officer serving in the Democratic Republic of the Congo (DRC) for alleged sexual exploitation in an incident from 2019 with trafficking indicators; the government did not report initiating an investigation or taking any actions regarding the incident during the reporting period. The government did not report whether it continued an investigation initiated in 2017 of three airport officials who were reportedly complicit in the sex trafficking of Guinean women in transit to Kuwait. The lack of extradition agreements with countries in Africa and the Middle East impeded prosecutions of traffickers from those countries.

The government did not provide sufficient resources to OPROGEM, thereby continuing to inhibit its ability to investigate potential trafficking crimes; the government has not dedicated a budget to OPROGEM since 2016. Officials reported a lack of general knowledge about trafficking and trafficking provisions under the 2016 penal code persisted among government officials, especially judges and prosecutors in lower courts. The government rarely provided anti-trafficking training to law enforcement and judicial officials working outside of the capital and did not report training incoming prosecutors or judges on trafficking. The CNLTPPA, in

partnership with an international organization and a foreign donor, developed a training curriculum on victim identification for airport officers and trained 30 airport officials during the reporting period. The Ministry of Security included anti-trafficking training, developed in coordination with a foreign donor and an international organization, in the core curriculum of Guinea's two national police academies.

PROTECTION

The government maintained insufficient protection efforts, but increased efforts to identify victims. Lack of training and coordination between ministries, as well as inconsistent and sometimes unavailable government services, continued to inhibit victim identification and assistance efforts. The government reported identifying 212 trafficking victims and 62 potential trafficking victims. Of the 212 victims, the CNLTPPA and National Union for Domestic Workers identified 200 forced labor victims, including 80 children, exploited in domestic servitude; authorities identified 12 children exploited in sex trafficking. This was a significant increase after identifying eight trafficking victims and 29 potential child trafficking victims during the previous reporting period. The government did not report how many of the victims, if any, it referred to care. The CNLTPPA approved SOPs for victim identification and referral to services, developed in collaboration with an international organization; the government distributed written materials and trained 28 government officials and civil society stakeholders on the SOPs in September 2020.

The government continued to rely on NGOs and foreign donors to provide and finance the majority of victim care. However, NGOs lacked adequate resources for victim services, and observers reported there were not enough shelters to support victims. An NGO that provided care to child trafficking victims and closed its last two shelters during the previous reporting period due to lack of funding did not reopen any shelters during the reporting period. An international organization-funded transit center for returning migrants was the only available shelter to host trafficking victims at the end of the reporting period; the government did not report providing support for this shelter or referring victims to the shelter. Government health facilities and social workers could provide medical and psycho-social services. The government, with a foreign donor, operated one reception center for child trafficking victims; the center could provide emergency and short-term services before referring children for long-term care. NGOs reported law enforcement referred child trafficking victims to NGOs on an ad hoc basis. If NGO shelters were unavailable, the Ministry of Social Action could place victims with host families. The government and an NGO provided employment assistance to 40 trafficking victims during the reporting period.

The government did not have a formal policy to encourage victims to assist in investigations and prosecutions against their alleged traffickers. Reports indicated victims and their parents were reluctant to file claims against traffickers due to a lack of confidence in the judicial system. Judges could allow victims to provide testimony via video or written statements; however, no victims reportedly did so during the reporting period. The government partnered with a law firm to be able to offer legal assistance to women and child trafficking victims but did not report providing assistance to any victims during the reporting period. NGOs operated general legal clinics to advise women and child victims of crime, including trafficking. Officials reported victims underutilized the legal clinics due to lack of awareness; in response, the CNLTPPA and an NGO conducted an outreach campaign to increase awareness of the program. Neither the government nor NGOs offered legal assistance to male victims. The 2016 penal code allowed NGOs to become plaintiffs on behalf of victims; the government did not report if NGOs utilized this provision during the reporting period. Victims could legally obtain restitution from the government; in one case, the court awarded restitution to one child trafficking victim's parents during the reporting period. Victims could file civil suits against their traffickers; however, no victims pursued this option, largely due to lack of awareness. The government did not have formal policies to provide temporary or permanent residence to victims from countries where, if repatriated, they would face hardship or retribution, but could provide work and residency permits to victims on an ad hoc basis; ECOWAS nationals did not require special status to remain in Guinea. The government did not report any victims requested these services during the reporting period. There were no reports the government detained, fined, or jailed victims for unlawful acts traffickers compelled them to commit; however, due to weak victim identification, authorities may have detained some victims.

PREVENTION

The government increased efforts to prevent trafficking. The CNLTPPA adopted a new 2020-2022 anti-trafficking national action plan (NAP). The government allocated 2 billion Guinean francs (\$200,200) over two years to the CNLTPPA for implementation of the NAP, as well as an additional 500 million Guinean francs (\$50,050) for operational expenses, for the first time in five years. Despite this, a lack of personnel and coordination, social unrest, and the pandemic hindered the government's efforts to combat trafficking, conduct trainings, and hold public awareness raising events during the reporting period. Observers noted the CNLTPPA, the Ministry of Social Action and the Promotion of Women and Children's Judicial Court lacked authority to effectively implement anti-trafficking policy and coordinate government activities. The CNLTPPA held quarterly meetings and, in partnership with civil society and

foreign donors, organized several awareness campaigns on trafficking prevention. In addition, NGOs trained 25 journalists on reporting and sensitizing the public on trafficking issues. The government operated a toll-free hotline to report violence against women and children, which could include trafficking cases; the hotline received 2,196 calls during the reporting period, but the government did not report identifying any trafficking victims or initiating any investigations as a result. The government had policies to regulate foreign labor recruiters and hold them civilly and criminally liable for fraudulent recruitment; however, neither OPROGEM nor the Ministry of Labor had the resources or the trained personnel to monitor and enforce these policies consistently and did not report referring any potential cases for investigation. The government did not report making efforts to address forced begging of Guinean boys in Quranic schools in neighboring West African countries, nor did it report if the Ministry of Social Action continued coordinating interagency border control units to ensure children crossing international borders were traveling with their families. The government did not make efforts to reduce the demand for commercial sex acts. The government did not report providing anti-trafficking training to its diplomatic personnel. The government provided human rights training, including anti-trafficking training, to its troops prior to their deployment as peacekeepers; international and Guinean officials provided this training to 698 Guinean MINUSMA personnel to date. Although not explicitly reported as human trafficking, there was one open case of alleged sexual exploitation with trafficking indicators by a Guinean peacekeeper deployed to the UN peacekeeping mission in DRC in 2019; the UN investigation of the incident remained pending at the end of the reporting period.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Guinea, and traffickers exploit victims from Guinea abroad. Most identified victims were women and children. Traffickers exploit boys in forced labor in begging, street vending, shoe shining, mining for gold and diamonds, herding, fishing, and agriculture, including in farming and on coffee, cashew, and cocoa plantations. Some government entities and NGOs allege that within Guinea, forced labor is most prevalent in the mining sector. Traffickers exploit adults and children in forced labor in agriculture. Reports indicate children are sent to the coastal region of Boke for forced labor on farms. Children from villages in Middle and Upper Guinea may be more vulnerable to trafficking due to the region's lack of schools and economic opportunities. Due to pandemic-related economic disruptions in the informal sector and school closures, observers reported an increase in Guinean adults and children seeking employment in artisanal gold mines and, subsequently, being exploited in forced labor and sex trafficking. Government officials recognize the town of Koundara in

northwestern Guinea as a transit point for traffickers. Traffickers, often distant relatives, promise to care for or provide an education to poorer relatives' children and, instead, exploit them in domestic servitude or forced begging. Some corrupt Quranic teachers force boys attending Quranic schools to beg. Some traffickers take children with parents' consent or under the false pretenses of providing an education and exploit them in forced begging in Quranic schools in Senegal—via Koundara—Mauritania, and Guinea-Bissau, or forced labor in West African gold mines. During the reporting period, NGOs alleged organized networks exploited children in forced begging. Traffickers exploit Guinean children in forced labor in Cote d'Ivoire. Guinea is a transit country for West African children subjected to forced labor in gold mining throughout the region. A small number of girls from West African countries migrate to Guinea, where traffickers exploit them in domestic service, street vending, and—to a lesser extent—sex trafficking. Child sex trafficking is prevalent in Conakry and in mining cities such as Kamsar, Lero, and Siguiri. North Koreans working in the mining, construction, fishing, and health sectors and in commercial sex may have been forced to work by the North Korean government. Cuban medical professionals working in Guinea may have been forced to work by the Cuban government. Guinean authorities alleged traffickers coerce Chinese women into commercial sex in Chinese-owned bars and restaurants in Conakry.

Traffickers exploit Guinean women and girls in forced labor for domestic service and sex trafficking in West Africa, Europe, and the Middle East, as well as the United States. Guinean-Egyptian trafficking networks fraudulently recruit women for domestic work in Egypt and exploit them in commercial sex. Irregular migrants traveling to Europe are vulnerable to trafficking networks facilitating travel by land from Guinea to North Africa, and subsequently exploiting migrants in forced labor or sex trafficking. In a previous reporting period, an international organization estimated approximately 1,040 Guineas were victims of trafficking in North Africa. Reports indicate trafficking networks fraudulently recruit Guinean, Liberian, and Sierra Leonean women for work abroad, using the Conakry airport to transport victims to exploitative situations in Kuwait and Qatar; an international organization reported an increase in fraudulent recruitment for forced labor in domestic service in the Middle East, especially Egypt and Kuwait. There have been reports some Guinean men marry Guinean girls, take them to Angola, and sell the girls to local brothels, while the men work in diamond mines. In previous years, authorities identified Guinean forced labor victims in Finland. Sex traffickers have exploited Thai and Chinese women in Guinea.

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