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Human rights violations were carried out in the context of controversial constitutional change and disputed presidential election results. Dozens of people were killed by members of defence and security forces during demonstrations, while alleged perpetrators enjoyed impunity. Members of opposition political parties and pro-democracy activists were arbitrarily arrested and detained. The rights to freedom of expression and peaceful assembly were restricted. Prisoners' rights to health were undermined by chronic overcrowding and poor detention conditions.

Background

From March, a state of emergency was imposed in response to the COVID-19 pandemic, and measures introduced restricting movement and the right to assembly, among other things.

In March, the National Front for the Defence of the Constitution (FNDC), a coalition of political parties and civil society organizations, organized mass protests against a

constitutional reform project that would allow the President to run for a third term, and called for a boycott of the legislative elections and constitutional referendum, both of which were held on 22 March. In April, the Constitutional Court announced that almost 90% had voted for the constitutional reform.

On 24 October, the Independent National Electoral Commission announced that Alpha Condé had won the presidential elections, despite one contender, Cellou Dalein Diallo, having already claimed victory.

Unlawful killings

The defence and security forces used excessive force against demonstrators. Dozens of people were shot dead and many others suffered bullet wounds or were injured when hit by tear gas canisters.

Between 21 and 22 March, at least 12 people were killed during protests organized by the FNDC.

On 12 May, seven people were killed during demonstrations, some of them violent, in the towns of Manéah, Coyah and Dubréka, in the Kindia region, and in the city of Kamsar in the Boké region. They were demonstrating against the security forces' management of COVID-19 movement restrictions.

In the days following the October presidential election at least 16 people were killed by security forces while protesting at the results. Defence and security forces also committed acts of violence against residents of neighbourhoods perceived as favouring the opposition in Conakry, the capital, killing at least one resident of Wanindara, on 1 December, without reason.

According to the authorities, two policemen were killed in Conakry on 21 October and 30 November respectively, while three gendarmes and a soldier were killed in an attack on a train belonging to the mining company Rusal on 23 October, also in Conakry.

Arbitrary arrests and detentions

Between January and September, dozens of representatives of civil society organizations and political activists were arbitrarily arrested for having opposed the referendum, called for demonstrations and/or denounced human rights violations in the country.

On 6 March, police arrested Ibrahima Diallo, an FNDC leader and co-ordinator of the Tournons la Page/Guinea (TLP/Guinea) pro-democracy movement and Sékou Koundouno,

co-ordinator of Le Balai Citoyen, a citizens' movement which promotes democracy, in Conakry. Earlier that day, they had held a press conference, notably to denounce the use, by members of the security forces, of arbitrary arrests. Charges against the two men included "contempt of officers, assault with violence and threat to public order and the safety, integrity and dignity of individuals, through the use of electronic communication." On 15 July, the Conakry Court of Appeal dismissed the case against them on grounds of legal and procedural flaws.

Another FNDC leader and TLP/Guinea member, Oumar Sylla, was arrested on 17 April in Conakry by Research and Intervention Brigade agents. The arrest followed his participation in a radio show in which FNDC members called for demonstrations against constitutional reform. He had also denounced the killings, torture, arbitrary detention and harassment of FNDC members in the city of Nzérékoré. He was charged with the "communication and dissemination of false information", "violence and making death threats". He was released on 27 August, after a judge dismissed all charges against him. However, on 29 September, he was arbitrarily detained again after plain-clothes police officers arrested him at a banned demonstration in Matoto, a municipality in Conakry. He remained in Conakry Central Prison on charges of "participation in a mob that may disturb public order".

On 7 May, Saïkou Yaya Diallo, an FNDC legal officer, was arrested in Conakry, after he participated in a press conference during which he and others isolated in an office someone they believed to be working for the intelligence services allegedly to protect her from other participants. He was charged with "assault, violence, threats and public insults" and detained in Conakry Central Prison despite two court rulings for his release under judicial supervision. He was convicted on November 16 and released on 11 December after he completed his sentence.

On 10 November, the Dixinn District Prosecutor announced that 78 people, including political opposition figures, were brought before a judge in the context of post-election demonstrations and violence and charged with, among other things, "possession and manufacturing of small arms, criminal conspiracy, and statements inciting violence".

Torture and other ill treatment

Ibrahima Sow, aged 62, was arrested on 24 October after the attack on a Rusal train (see above, Unlawful killings). According to the authorities, while under arrest, he tested positive for COVID-19 from which he recovered but after "complaining of diabetes" he was taken to hospital where he died. Photographs of his injuries sustained during his detention strongly suggested that he had suffered burns from a hot iron rod or similar object.

Freedoms of assembly and expression

National and local authorities undermined the right to freedom of assembly, banning – without giving legitimate reasons – at least seven demonstrations against the constitutional referendum and the President’s candidacy for a third term of office. Protests planned for January in the cities of Kissidougou and Nzérékoré were banned to “keep the peace”; in March, demonstrations in Matoto and Matam were prevented because of a forthcoming ECOWAS visit and preparations for International Women’s Day. Demonstrations in Matoto during the electoral campaign between September and October were also outlawed.

The right to freedom of expression was also restricted. According to the NGO Access Now, social media transmission was disrupted for a total of 36 hours between 21 and 23 March. On 18 October, the High Authority for Communication suspended the news site Guineematin.com for one month after it broadcast live from polling stations during ballot counts.

Impunity

Despite pledges from the authorities that the killing of any protester would be investigated, there was no official information by the end of the year about developments.

The Justice Minister’s 2019 pledge that, following the completion of a judicial investigation in 2017, the trial of alleged perpetrators in the September 2009 massacre in the Conakry Stadium would start by June 2020, remained unrealized. Defence and security forces had killed 157 peaceful demonstrators in the stadium and raped at least 100 women.

Right to health

Prison conditions

The health of prisoners was particularly at risk during the COVID-19 pandemic due to chronic overcrowding, and inadequate sanitation and medical care in detention facilities.

The authorities reported that in May, out of 713 prisoners tested at Conakry Central Prison, 68 had positive results for COVID-19. The Ministry of Justice said they were treated in health facilities deployed in the prison. In Kindia Prison there were 30 positive test results among the total population of 352 inmates and 25 prison guards, and the Ministry of Justice reported that the 28 inmates who tested positive were sent to Conakry Central Prison to receive treatment. Conakry Central Prison was the most overcrowded facility in the country, holding 1,500 detainees, but with a capacity for only 300.