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Guinea: Deaths, Criminality in Post-Election Violence

Credible Evidence Security Forces Implicated in Excessive Use of Force

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Protesters clash with riot police during a February 6 demonstration against the results of Guinea's February 4 local elections.

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There is credible evidence that Guinea's security forces used excessive lethal force and engaged in other unprofessional conduct during violent street protests in February and March 2018, Human Rights Watch said today. No member of the police or gendarmes has been arrested or charged.

Disputed February 4 local elections and a February 12 teachers' strike led to violent clashes between the security forces and opposition demonstrators, and between government and opposition supporters. Seven people were shot dead in the capital, Conakry, and a rock thrown by a protester killed a gendarme. Medical records from five hospitals reviewed by Human Rights Watch suggest that at least 89 protesters or bystanders were injured during the clashes, at least 22 of whom were shot. Law enforcement officials said that more than 80 police and gendarmes had been injured, including a gendarme who lost an eye.

"Three months after Guinea's latest round of bloody election violence the authorities have taken no concrete steps to sanction the members of the security forces responsible for human rights violations," said [Corinne Dufka](#), West Africa director at Human Rights Watch. "The only way to break Guinea's cycle of political violence and to provide justice for the victims is to conduct credible investigations and hold those implicated accountable."

Human Rights Watch interviewed 67 people in Conakry in April and May, including victims and witnesses to the violence from a range of ethnic groups and political parties. Human Rights Watch also interviewed doctors, journalists, law enforcement officials, elected officials, political leaders and activists.

Witnesses and journalists covering the protests said they were often violent, with demonstrators manning improvised checkpoints, burning tires, throwing rocks and using slingshots to fire projectiles toward security forces. They also said that some protesters sought to extort money or steal goods from passers-by.

In responding to protests, witnesses said, police and gendarmes fired teargas and live rounds into the air and, in several instances, toward demonstrators. "I saw one of the gendarmes shoot at my friend, and he fell, right in front of his family's compound," said a man who was at a café with 20-year old Mamadou Diakouana Diallo when he was shot dead on February 6. A medical report showed that Diallo had been shot twice, once on the arm and once in the chest.

Witnesses also said that security force members pursued protesters into neighborhoods, damaged property and stole goods. Guinea has a history of using [excessive lethal force and of other abuses by](#)

security forces and a lack of political neutrality when responding to election-related opposition protests.

The leadership of the police and gendarmes told Human Rights Watch that the security forces are not permitted to carry weapons when responding to protests. They instead blamed demonstrators for the deaths, accusing them of carrying automatic weapons, although the officials did not allege that security force members had been injured by bullets of the type fired by automatic weapons. Numerous witnesses observed members of the police and gendarmerie carrying and firing automatic weapons.

After an April 2 meeting between President Alpha Condé and opposition leader Cellou Dalein Diallo, a [communiqué from the Guinean presidency](#) said that the two parties would, “do their utmost to identify those responsible for any violence that led to deaths and that caused significant material damages in order to bring them before the courts.” In response to a June 22 letter from Human Rights Watch, Guinea’s Ministry of Justice said that investigations had been opened into the February and March deaths. When asked whether any member of the security forces had been arrested, charged or even disciplined, the ministry did not provide further details.

The government should ensure a speedy, transparent and independent investigation into the circumstances of killings during protests, leading to the prosecution of anyone responsible for the unlawful use of force, Human Rights Watch said. In future demonstrations, the government should ensure that security force members abide by the United Nations Basic Principles on the Use of Force and Firearms by Law Enforcement Officials.

The UN Basic Principles state that firearms should only be used in strictly limited cases such as “self-defense or defense of others against the imminent threat of death or serious injury,” and “only when less extreme means are insufficient to achieve these objectives.” Intentional lethal use of firearms is only permissible “when strictly unavoidable in order to protect life.”

“Guinea’s politics risk being poisoned by the hostility and distrust between the security forces and opposition parties,” Dufka said. “Impartial investigations and sanctions for both security forces implicated in abuses and demonstrators breaking the law would show that the government is committed to protecting the rights of all Guineans, regardless of political affiliation.”

Political Context

Guinea has a long history of election-related violence. [Dozens of demonstrators](#) and two law enforcement officers were killed in 2012-2013 in advance of parliamentary elections, and at least 12 people were killed and scores injured prior to and following [presidential elections in 2015](#).

Political violence in Guinea is fueled by deep ethnic divisions, with the ruling party, the Rally of the Guinean People Party (*Rassemblement du Peuple de Guinée*, or RPG), dominated by the ethnic Malinké. Supporters of the largest opposition party, the Union of Democratic Forces of Guinea (*Union des Forces Démocratiques de Guinée*, or UFDG) are largely drawn from the Peulh ethnic group.

Guinea's February 4 local elections – the first since 2005 – had been postponed multiple times since 2010 as the government and opposition failed to reach an agreement on how to organize them. The [Electoral Commission announced](#) on February 21 that the RPG had won 3,284 council seats in local authorities to the UFDG's 2,156. The councilors, who also include representatives of smaller parties and independent candidates, elect mayors in Guinea's 342 communes.

Although election day was relatively peaceful, the next day the [UFDG accused](#) the ruling party of electoral fraud. For the next two months, opposition supporters organized weekly [street protests](#) or shutdowns, calling for people to stay home to protest alleged electoral fraud. Several coincided with strikes by Guinean teachers and protests by students, who were angry that schools remained closed due to a dispute over teachers' pay and conditions. The government eventually [reached a deal](#) to suspend the teacher strikes on March 13.

Diallo, the head of the UFDG and Guinea's principal opposition leader, told Human Rights Watch that his party had informed the local authorities in advance of planned marches or shutdowns. A senior official at the Security and Civilian Protection Ministry said, however, that many street protests in Conakry during February and March were not planned, with a set itinerary and route, but were rather informal protests by groups of young people. "It's true that not all the protesters are formally affiliated with our party," Diallo said. "But these are young people angry at years of repression by the security forces and at the lack of opportunity afforded to them."

Guinea's penal code states that there must be a prior declaration with intended route and itinerary for public meetings and demonstrations, presented in writing to the local authorities 3 to 15 days before the planned event. Local authorities can prohibit a peaceful demonstration if there is a "genuine threat to public order." International standards on freedom of assembly suggest that reasonable and proportionate prior notification requirements do not violate this right, but that requiring prior permission from the authorities to hold demonstrations is likely to violate it.

On April 2, Diallo temporarily halted opposition protests after a meeting with President Condé, in which they agreed to carry out political reforms and negotiate a solution to the disputed local election results. Opposition frustration with the lack of implementation of this agreement, however, led to a further attempt at a shutdown on May 14, but Diallo again suspended demonstrations on May 16 pending mediation efforts by the international community. At writing, the government and opposition had still not resolved disagreement over the election results and local councilors and mayors had not yet been sworn in.

Security Force Response to Protests

Responsibility for policing the aftermath of the local elections fell to gendarmes and police as required by Guinea's 2015 law on maintaining public order. In advance of the local elections, the government created an election security force (*Unité Spéciale de Sécurisation des Elections*, USSEL), made up of both gendarmes and police, to secure the election process and respond to election-related violence. The election force was headed by the commander of the gendarmerie, Gen. Ibrahima Baldé.

Witnesses also reported seeing two specialized security force units, which are not part of USSEL, policing protests, the Mobile Intervention and Security Force (*Compagnie mobile d'intervention et de sécurité*, CMIS), a rapid-response police unit, and the Anti-Criminality Brigade (*Brigade anti-criminalité*, BAC), a mixed force of police and gendarmes. The CMIS and BAC have special insignia and vehicles, which witnesses frequently saw as the two units and other police and gendarmes responded to election-related violence.

Use of Lethal Force by Security Forces

Human Rights Watch interviewed 10 people who said they had witnessed security force members shooting at protesters, including eight who said protesters were killed in the incident. Several medical professionals who treated wounded protesters said that the bullets were the type fired from automatic weapons. "The bullets were from combat weapons, there weren't hunting bullets or pellets," said a doctor who had treated six people shot on days of demonstrations or shutdowns.

Witnesses for the most part said that shootings occurred during the chaotic, fast-moving clashes between security forces and protesters, and described security forces shooting at protesters to try to disperse them or while pursuing them through local neighborhoods. "The gendarmes chased us from the main road, where the protests were, into our neighborhood," said a witness, who said that his friend was shot in the leg on February 26 in Hamdallaye. "We started throwing stones at them and they

fell back. But we stumbled upon them again, and one of them started firing with a Kalash, with one bullet hitting my friend's leg.”

Another woman said she saw a young man, Boubacar Sidy Diallo, shot dead, also on February 26, as gendarmes pursued protesters in Hamdallaye:

The gendarmes were pursuing people up the road. They fired a round into the air, and most of the young people ran away. But a gendarme came around the corner and [Diallo] was there. I saw the gendarme shoot toward him, saw him fall, and I shouted, “They’ve shot someone!” The gendarmes quickly left the area.

The chaotic nature of the clashes, as well as the violence used by demonstrators, suggests that some shots the security forces fired may have been motivated by fear or panic. However, in several cases witnesses described police or gendarmes firing toward unarmed protesters.

“There had been some trouble in the neighborhood, but not where we were, sitting in a café,” said a witness to the February 6 death of Mamadou Diakouana Diallo. “Some gendarmes came in our direction, and they fired into the air, seemingly to get people off the road. We started to run away, but Mamadou’s house was near the café, and he started walking away toward the house. I then saw the gendarme shoot him and it was only later, when I came back, that his mother told me he had been killed.” A medical report showed Diallo was shot twice, increasing the likelihood that he was shot at deliberately.

Another witness described seeing Abdoulaye Bah, a 16-year-old student, shot in the Hamdallaye neighborhood of Conakry on February 12, a day when election protests coincided with renewal of the teachers’ strike:

Abdoulaye and I were trying to get home across the main road. There was a major confrontation ...the population were throwing stones toward the police. Abdoulaye stood on top of a water trough to get a better view, to see where it was safe to cross. It was then that he was hit – I didn’t see the first shot, but I saw a BAC pick-up (vehicle) in the direction I thought the shot came from. I then saw an officer taking a second shot, hitting Abdoulaye again, before driving off.

A medical report shared by a doctor who treated Bah described two impacts by bullets used in a “Kalashnikov firearm,” one in his elbow and the other in his shoulder.

Human Rights Watch interviewed three witnesses to the death of Boubacar Barry, a 24-year-old moto-taxi driver who was one of two people killed in the Wanindara neighborhood on March 14. A 25-year old man, who still wore a bandage on his ankle from a bullet wound in the same incident, said:

I was standing with Boubacar on the main road – there were a lot of us gathered there. Suddenly, I saw the security forces coming toward us. Boubacar and I ran down a side road, and I heard a burst of gunfire, and Boubacar was hit. There was a big group of us who tried to carry him off, but at that moment I received a glancing blow from a bullet on my ankle.

A medical professional who treated Barry before he died said that the bullet entered his back and went up into his lungs, suggesting it was still ascending as it entered his body and was not a stray bullet fired as a warning shot into the air.

Human Rights Watch did document the death of one person and the wounding of several others from stray bullets fired into the air during protests that hit the victim on their descent. “We were some distance from the main road, where there had been protests earlier that day, and there was no violence where we were,” said a young woman who saw Mariama Bah, a young mother of six, killed by a stray bullet March 14. Another witness said that a stray bullet hit her friend in the shoulder the day after Bah’s March 19 funeral. “They were able to remove the bullet and she survived. But because this happened the day after the funeral, everyone was scared it would happen again.”

Criminal and Unprofessional Conduct by Security Forces

Witnesses from the Hamdallaye, Bambeto, Wanindara and Matam neighborhoods said that, having chased demonstrators on foot into surrounding neighborhoods, security force members engaged in unprofessional conduct, including theft and vandalism. “They kicked in the door of my store and took everything,” said a shopkeeper from Hamdallaye. “It was about 7 million GF (US\$770) worth of goods.”

A video recorded by a resident of Bambeto on February 12 [shows gendarmes smashing windows of parked cars](#). A woman interviewed by Human Rights Watch in Bambeto described how a group of gendarmes entered the courtyard where several families live:

One of the gendarmes shouted, ‘I’ve opened the gate’ and called for the others to come into the courtyard. Once inside, they kicked over every single bowl of rice or sauce that was being

prepared. There was an elderly man on the terrace of my neighbor's house, and they stole both of his phones. They also smashed in three windcreens of the cars parked in the courtyard.

Another woman from Matam said that on February 9, as security forces intervened to end intercommunal violence in the Matam-Carrière neighborhood, she saw members of the CMIS steal from her shop:

I was hiding inside the shop, but I peeked out and I saw the CMIS emptying out the shop into the back of their pick-up. They even took the TV that was there. They were wearing black, with the CMIS insignia. I'm on my own, as my husband has died, and my children have been helping me run the store. With all our stock gone, I'm not sure how I'm going to survive.

Several family members of people detained during the demonstrations said they bribed police and gendarmes to free them. "They picked up my brother when they entered our courtyard," said a man from Bambeto. "But I found him in a gendarme pick-up at the Bambeto roundabout. I negotiated with the commander to free him. He asked for 1 million GF, but in the end, I got him down to 700,000 GF (US\$77)." Another man from Bambeto said he paid 200,000 GF (US\$22) to free his younger brother from a gendarme pick-up, adding that his uncle paid 1,500,000 GF (US\$165) to free his cousin from Guinea's central prison.

Witnesses of demonstrations also said that some protesters used the political unrest to commit vandalism or extort passers-by. Several journalists said that men at improvised checkpoints stole their money and equipment. "They were taking advantage of the instability to profit from what's happening," said one radio journalist, who described being mugged at knifepoint at a checkpoint in Cosa on March 14. At least 50 people were arrested for alleged crimes committed during the protests.

Government Response

In an interview with Human Rights Watch, Baldé, the commander of the gendarmerie and head of the election security force, said that all security force members under his control are strictly forbidden from carrying or using firearms when responding to demonstrations and denied that any officers carry them. "If I saw a gendarme with a firearm, I would intervene immediately," he said.

Baldé showed Human Rights Watch an example of an operation order he sent to his subordinates prior to a planned city-wide shutdown organized by the opposition on March 12, telling the election force to, "prevent or sanction any behavior capable of disturbing social order." The order says: "The officers

from USSEL do not have lethal arms and have the obligation to observe the discipline and ethics proper for the security forces.”

A senior official at the Security and Civilian Protection Ministry, which oversees the police, said that police were only permitted to wear riot equipment when policing demonstrations or strikes and do not carry firearms. He said, however, that security forces did not have adequate anti-riot equipment and urged Guinea’s partners to provide funds to assist the police and gendarmes to obtain the necessary material. Guinea’s 2015 law on maintaining public order requires security forces to use non-violent means before resorting to force and requires any use of firearms to be necessary and proportionate.

Lack of Investigations into Deaths

Several family members of people shot or killed said that they had filed judicial complaints over the deaths. On February 14, Gassama Diaby, the national unity and citizenship minister, [promised justice](#) for victims of violence during demonstrations. “Everyone must know, including the security forces, that when there are deaths, injuries or thefts during their mission, the truth must be established,” he said.

Human Rights Watch wrote to Justice Minister Cheick Sako on June 22 and met with him in Conakry on July 9 to request details of the investigations conducted into the deaths during the February and March protests, including whether any members of the security forces had been arrested or charged. Sako said that criminal investigations into the deaths had been opened but did not provide further details. Condé, the head of Guinea’s judicial police, said that he was so far unaware of any disciplinary action taken against police officers with respect to the protests, although he underscored that the police inspector general does investigate police misconduct and impose sanctions where appropriate.

The lack of concrete progress in investigations reflects a broader failure by the Guinean authorities to investigate and prosecute killings during protests, Human Rights Watch said. Indeed, although dozens of people have been shot dead in protests in Guinea since 2010, the government said that only one gendarme or police officer has been arrested and tried for using excessive lethal force. The police officer, [arrested in August 2016 after a shooting death during a protest in Bambeto](#), began his [trial in December 2017](#), but the proceedings have been postponed several times and at writing had yet to resume.

Human Rights Watch and Amnesty International [wrote to the Guinean government in October 2016](#) to urge the government to investigate and prosecute other alleged killings by the security forces during past election cycles, particularly the 2015 presidential elections.

Baldé and Condé, the head of Guinea's judicial police, highlighted several factors that make it difficult to investigate deaths during demonstrations, including the chaotic, violent nature of the protests, immediate disturbance of the crime scene and the lack of trust between the local community and law enforcement, making it difficult to find witnesses. "We will investigate cases where we can," said Baldé. "But people simply say, 'a gendarme killed the person,' without giving any specifics. If you give me more specifics, we will investigate."

Local human rights activists, however, say that there are several steps that the police and gendarmerie inspector generals could take to investigate alleged police killings. This includes tracking in detail the location of the units deployed to police demonstrations; interviewing all members of the police and gendarmerie operating in the location where an alleged killing occurred; and immediately suspending officers whose unit is implicated in killings until the incident has been investigated.

Activists and opposition leaders say that, in reality, the government lacks the political will to investigate deaths during protests, which primarily affect people and neighborhoods loyal to the opposition. "The government doesn't want to investigate crimes committed during demonstrations, it's as simple as that," said Diallo, the opposition leader.