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Republic of Guinea

Head of state: **Alpha Condé**

Head of government: **Mamady Youla**

The security forces used excessive force against peaceful demonstrators and harassed people expressing dissent. Torture and other ill-treatment were reported. The security forces continued to enjoy impunity for human rights violations. The death penalty was abolished for ordinary crimes. Early and enforced marriage was criminalized.

BACKGROUND

Local elections were postponed to February 2017, maintaining a tense political and social environment. The last local elections were held in 2005.

EXCESSIVE USE OF FORCE

On 17 June, soldiers publicly ill-treated a lorry driver, sparking spontaneous protests in the northern town of Mali. The army used excessive force to disperse demonstrators, including using firearms and batons. Over two days, at least 14 people were wounded, including four shot with live ammunition. On 16 November, 11 soldiers were charged, including with assault and battery, pillage and arson.

On 16 August, police shot dead Thierno Hamidou Diallo as he was standing on his balcony in the capital Conakry during a mass, peaceful march of 500,000 to 700,000 opposition supporters. The Security Minister announced that a policeman had been arrested in relation to the killing.^[1]

FREEDOM OF EXPRESSION

Security forces harassed and arbitrarily arrested people expressing dissent.

On 24 March, Jean Dougou Guilavogui and four other trade unionists were sentenced to six months in prison and ordered to pay damages for defamation and "contempt of the President".

Jean Dougou Guilavogui was released for time served on 25 March and his colleagues on 8 April.^[2]

On 22 June, the Tribunal of Kankan fined journalist Malick Bouya Kébé 1 million Guinean francs (approximately €100) for complicity in "contempt of the President" because he did not interrupt a listener who was criticizing the President during a phone-in programme. His guest, also a journalist, was sentenced in his absence to one year in prison and a fine of 1.5 million Guinean francs (approximately €150) for "contempt of the President". They were tried without a lawyer.

On 25 June, journalist Malick Diallo was covering a meeting of the ruling party attended by President Condé in Conakry. A presidential guard asked him to hand over his camera. When he refused, he was pushed inside a car and taken to the office of the presidential guards where he was beaten and threatened. The guards took his camera and deleted some of the pictures before releasing him. The police refused to record his complaint.

The revised Criminal Code, adopted on 4 July, criminalized contempt, defamation and insult, including of public figures, with penalties of up to five years' imprisonment and a fine. Vaguely worded provisions could allow the prosecution of people who express dissent or expose human rights violations, including journalists and human rights defenders.

The law on cyber-security and personal data protection, passed on 2 June, criminalized cyber-insults, the dissemination and communication of "false information" as well as the production, distribution or transfer to third parties of data "likely to disturb law and order or public security or jeopardize human dignity". The law likened the disclosure of data "that should be kept confidential" for national security reasons to the crimes of treason or espionage, making it punishable by life imprisonment. This provision could be used against whistleblowers.^[3]

TORTURE AND OTHER ILL-TREATMENT

Torture and other ill-treatment were reported.

On 4 March, Ibrahima Diogo Sow was arrested and taken to the Anti-Crime Brigade in Kipé, a neighbourhood of Conakry. The security forces suspended him by his hands and feet from a wooden bar and hit him with rifle butts and wooden sticks over three days. Ibrahima Diogo Sow filed a complaint, but no action was taken and he remained in detention at the end of the year.

On 26 June, three gendarmes arrested Oumar Sylla in Conakry and took him to a building where they were posted. They tied his feet and hands behind his back. One of the gendarmes stabbed him in his left side and poured boiling water on his chest. They asked him to confess to stealing a motorbike, which he refused to do. He was taken to the gendarmerie base ECO III the next day and beaten with belts. Fearing for his life, Oumar Sylla confessed and signed a statement he said he did not understand.

The revised Criminal Code criminalized torture and made it punishable by up to 20 years' imprisonment. However, some acts defined as torture under international law, including rape, electric shocks, burns, holding in stress positions, sensory deprivation, mock executions and simulated drowning, were classified as "inhuman and cruel" treatment, for which no penalties were specified.

DEATH PENALTY

The revised Criminal Code abolished the death penalty for ordinary crimes. The Military Code of Justice still provided for capital punishment for exceptional crimes, including treason and revolt at

time of war or state of emergency. A bill seeking to remove these provisions was pending in the National Assembly.

IMPUNITY

There was little progress in the trial relating to the massacre in the Grand Stade de Conakry in 2009, when security forces killed more than 100 peaceful demonstrators and injured at least 1,500 others. Dozens of women were raped.

None of the members of the security forces suspected of using excessive force against peaceful opposition demonstrators, leading to death and injuries between 2011 and 2016, have been brought to justice.^[4]

There was still no investigation of members of the security forces involved in rape and other forms of torture, systematic pillage and contamination of water in Womey village, Nzérékoré region, in September 2014.

No progress was made in the trial of four members of the security forces charged with killing six people during a strike at a mine in Zogota in 2012.

The revised Criminal Code contained vague language relating to actions justifiable as "self-defence" as well as a new provision called "state of necessity" that could shield members of the security forces who caused death or injury by using excessive force.

WOMEN'S RIGHTS

The revised Criminal Code criminalizes early and enforced marriage, raising the legal age for marriage to 18. However, ambiguity remains as the Code refers to "marriage according to custom" for children aged 16. Guinea has one of the highest rates of child marriage in the world, with three in five girls married before the age of 18, according to the latest study by the UN Population Fund (UNFPA).

[1. Guinée: Consternation face à la mort d'un homme par balle \(News story, 17 August\)](#)

[2. Guinée: La condamnation de cinq syndicalistes est une violation du droit à la liberté d'expression \(News story, 25 March\)](#)

[3. Guinea: New criminal code drops death penalty but fails to tackle impunity and keeps repressive provisions \(News story, 5 July\)](#)

[4. Guinea: One year on, no justice for election violence \(News story, 10 October\)](#)

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