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ACAT–AMNESTY INTERNATIONAL PUBLIC STATEMENT

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Guinea: Concerns about impunity for excessive use of force

Between 23 May 2013 and 26 May 2013, at least 12 persons were killed, and 89 others wounded in Conakry according to a Guinean Government assessment. Some of them were shot and killed by security forces. ACAT and Amnesty International ask for the opening, without delay, of an independent and impartial investigation into allegations of abuses and excessive use of force by security forces.

On Monday 27 May 2013, the Minister of Security, Maramany Cissé, was removed from his post. On 28 May 2013, President Alpha Condé announced on the national radiotelevision “Guinea is a state that enforces the rule of law, where no one is above the law. I asked the Minister of Justice to immediately take steps for the establishment of a pool of judges exclusively mandated to shed light on the recent events and bring justice to all the victims“

It is important to recall that President Alpha Condé had already promised to shed light about the violence and abuses that took place in Conakry between 27 February 2013 and 2 March 2013 after an opposition’s demonstration led to many clashes between protesters and security forces, and then, between Fulani and Malinké communities. At least nine persons, including a policeman, were killed and more than 200 others wounded. Yet, no serious investigation has been conducted on these events so far and none of those who used live ammunition that caused death were sanctioned nor judged.

Since the end of February 2013, the opposition regularly demonstrates in the streets of the capital city Conakry to protest against the lack of consensus regarding the upcoming legislative elections, scheduled for 30 June 2013. These events have caused many clashes between supporters of the opposition and those of the ruling party, as well as violent clashes between protesters and security forces, killing more than 50 persons including a member of the security forces and making more than 350 injured so far. During these events, looting and pillaging were reported in the so-called Fulani neighbourhoods. Security forces present on-site did not prevent all these depredations to occur and even seem to have been involved in them.

Although protesters did use violence throwing stones on the security forces, in any event, the use of force by the latter shall respect human rights principles in order to protect the right to life. Firearms in particular should only be used as a last resort, to the condition that they are strictly necessary for self-defence or defence of others against the imminent threat of death or serious injury. However, Guinea

security forces have repeatedly resorted to disproportionate use of lethal force and shown a lack of impartiality in their mission of maintaining order. Moreover, the formation of political and communitarian so-called self-defence militias, responsible for targeted communitarian violence is also very concerning.

To bring an end to the spiral of violence which increases day by day divisions along sectarian lines, promises should be lived up to and judicial inquiries need to be established to bring truth and justice on the serious human rights violations committed during the recent months in Conakry. It is also necessary to resolve the current political crisis and to find an agreement between the different forces in the country to hold free, transparent and democratic legislative elections, acceptable and accepted by all. Otherwise, the pre-election deleterious climate in Conakry could turn into a real explosive situation that could affect the whole country.

Amnesty International and ACAT's Recommendations:

- ACAT and Amnesty International, taking into account the instructions given by the Guinean President to the Minister of Justice, call for the establishment, without delay, of an independent and impartial investigation into allegations of abuses and excessive use of force by the security forces during and after the protestations that took place in Conakry since 27 February 2013 ; the alleged authors of violations must be prosecuted and sanctioned according to the law.
- ACAT and Amnesty International call on the Guinean authorities to ensure that any police action, in accordance with international principles of necessity and proportionality, as required by the *Basic Principles on the Use of Force and Firearms by Law Enforcement Officials*. Under these principles the police should, as much as possible, use non-violent means.
- ACAT and Amnesty International ask that only law enforcement agents trained to the use of equipment involving the use of force, such as tear gas, are allowed to manipulate such equipments in order to minimize the risk of endangering other persons.
- ACAT and Amnesty International call on the Guinean authorities to respect the right to peaceful protest, guaranteed by the Constitution.