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Guinea

Country:

Guinea

Year:

2016

Freedom Status:

Partly Free

Political Rights:

5

Civil Liberties:

5

Aggregate Score:

40

Freedom Rating:

5.0

Overview:

By late 2015, the Ebola epidemic, which had its origins in southeast Guinea in late 2013 and soon spread to Liberia and Sierra Leone, appeared to be nearing its end. The outbreak killed over 11,000 people across the subregion and seriously damaged Guinea's fragile economy. It also worsened already-strained relations between Guinea's citizens and their government and stoked fear and suspicion among some Guineans, resulting in attacks on health workers and those accused of spreading the virus. Arrests and criminal trials for the perpetrators of those attacks began in early 2015; one trial resulted in life imprisonment for 11 accused of killing eight members of an Ebola education team of health workers, journalists, and others in a village near the city of Nzerekore.

Societal tensions were also apparent in the lead-up to Guinea's presidential election, held in October 2015. While calm prevailed on election day, violent clashes between supporters of rival political parties and between opposition party supporters and security forces occurred both before and after the vote. Although opposition candidates raised allegations of electoral fraud, incumbent Alpha Condé easily won a second term in the first round of voting that, while logistically disorganized, was judged to be valid by international observers.

Corruption remains pervasive, and Guinea's courts continue to be under-resourced and overburdened. Impunity for Guinea's security forces remains a problem, with little accountability for the hundreds of deaths and injuries of protesters and civilians over the last decade.

Political Rights and Civil Liberties:

Political Rights: 17 / 40 [Key]

A. Electoral Process: 6 / 12

Guinea's president is elected by popular vote for up to two five-year terms. The legislature was dissolved in 2008 amid a bloodless coup precipitated by the death of President Lansana Conté. The leader of the coup, Captain Moussa Dadis Camara, was shot and seriously injured in late 2009 by a member of his own guard following the violent repression of an opposition rally, in which security forces killed more than 150 people and raped and beat hundreds of others in and around Conakry's central stadium. A political accord facilitated a return to civilian rule in 2010. The new constitution that was adopted as part of the political transition established a number of independent entities to secure democratic rights, including the Independent National Electoral Commission (CENI), a national human rights body, and a constitutional court. In the 2010 presidential election, longtime opposition leader Alpha Condé of the Rally of the Guinean People (RPG) defeated former prime minister Cellou Dalein Diallo of the Union of Democratic Forces of Guinea (UFDG) in a runoff vote.

Condé stood for reelection in 2015, once again facing Diallo as well as six other candidates from various opposition parties. The months preceding the election were characterized by ethnic tensions, violence between RPG and UFDG supporters, and deadly clashes between opposition supporters and security forces. At issue were disputes over the electoral calendar, including the sequencing of presidential and local elections, and the composition of the CENI. In May, former coup leader Camara announced his intention to return to Guinea from Burkina Faso, where he lives in exile, to stand for election. In July, he was indicted in Guinea for his role in the 2009 stadium massacre, and in August, authorities prevented Camara from entering the country, rendering him unable to return and contest elections.

Although fears of violence were high, election day ultimately proved peaceful. Condé won in the first round, garnering 57.8 percent of the vote. Three opposition candidates alleged fraud and vote rigging and lodged unsuccessful challenges with the constitutional court. International observers deemed the vote valid despite a number of logistical problems, including a lack of voting materials and delayed openings at some polling places. The constitutional court affirmed Condé's victory in late October, and Diallo, finishing in second place with 31.4 percent, eventually retreated from calls for his supporters to take to the streets to protest the results.

Of the National Assembly's 114 seats, 38 are awarded through single-member constituency races and 76 are filled through nationwide proportional representation, all for five-year terms. Under the electoral law, at least 30 percent of the candidates on the proportional representation lists must be women. The first parliamentary elections since the 2008 coup were held in September 2013. The months preceding the elections were marred by violence, ethnic and religious tensions, and disputes over the rules governing the polls. Recurrent protests resulted in more than 50 deaths between January and September 2013. The RPG won 53 seats, the opposition UFDG won 37 seats, the Union of Republican Forces (UFR) won 10, and a dozen smaller parties divided the remainder. The newly elected legislators took office in January 2014. Women hold nearly 22 percent of the seats in the National Assembly.

B. Political Pluralism and Participation: 8 / 16

The main political parties are the RPG and the UFDG. More than 130 parties are registered, most of which have clear ethnic or regional bases. Relations between the RPG and opposition parties are strained, and violent election-related clashes between RPG supporters, who are predominantly drawn from the Malinké ethnic group, and UFDG supporters, who are largely from the Peul ethnic group, have inflamed tensions.

In March 2015, opposition parties withdrew from the National Assembly over the postponement of local elections until after the presidential vote. They claimed that this sequence would disadvantage their presidential candidates, because local officials, who are disproportionately RPG supporters, play key roles in the electoral process. The opposition then launched a series of street protests in April and May in Conakry and other cities. In response to the protests, Guinea's security forces employed excessive and lethal force, with some officers using ethnic slurs against opposition demonstrators and at times passively watching or actively participating in the looting of property, according to reports from human rights watchdog groups.

In August, the government reached an agreement with the opposition to replace a number of local officials with their supporters to help ensure the fairness of the vote. Under the agreement, the composition of the local councils would reflect the results of the 2013 legislative elections. In addition, the government agreed to set up a committee of the CENI to review the voter registration lists.

C. Functioning of Government: 3 / 12

Corruption remains rampant, with Guinea ranking 139 out of 168 countries and territories in Transparency International's 2015 Corruption Perceptions Index. The National Anti-Corruption Agency (ANLC), the state agency tasked with fighting corruption, reports directly to the presidency, and is reported to be underfunded and understaffed.

However, Guinea was declared in full compliance with the Extractive Industry Transparency Initiative in July 2014. It has won praise for its proactive response to a scandal that erupted in 2013, when it was revealed that former president Conté allegedly accepted bribes to award a mining license worth billions of dollars to BSG Resources, owned by Israeli diamond magnate Benny Steinmetz. A 2014 Guinean government inquiry condemned the deal, and BSG's rights to the vast, untapped Simandou iron-ore mine were rescinded. In 2015, Swiss and U.S. officials continued investigations into whether BSG Resources paid bribes to secure its now-cancelled mining concession. Separately, in November 2015 Guinea's government took steps to address the problem of "ghost workers" on the public sector payroll, hiring 700 individuals to verify the regular presence of government workers at their offices.

In 2010, the interim legislature passed an access to information law, but it has never been effectively implemented.

Civil Liberties: 23 / 40 (-1)

D. Freedom of Expression and Belief: 9 / 16

The 2010 constitution guarantees media freedom. In 2010, the interim legislature passed a law that decriminalized press offenses and more clearly defined defamation provisions. It also passed a law creating a new media regulatory body, the High Authority for Communications (HAC). However, the HAC has struggled to balance freedom of expression with sensible regulations. In September 2015, the HAC banned radio phone-in programs in the run-up to the presidential election, though many stations reportedly refused to comply. Attacks on the press persist, but the government has shown increasing political will to reprimand—if not punish—the perpetrators. In May 2015, three journalists covering the election-related protests were assaulted by security forces while attempting to document the use of excessive force against demonstrators. Two of the police officers involved received disciplinary sanctions, including suspensions, but no legal proceedings were brought.

Several dozen newspapers publish regularly in Guinea, though most have small circulations. More than 30 private radio stations and a few private television stations compete with the public broadcaster, Radio Télévision Guinéenne (RTG). Due to the high illiteracy rate, most of the population accesses information through radio; internet access remains limited to urban areas.

Religious rights are generally respected in practice. Some non-Muslim government workers have reported occasional discrimination. People who convert from Islam to Christianity sometimes encounter pressure from members of their community. Religious practice was curtailed somewhat by Ebola-related warnings against traditional Muslim burial rituals, which involve physical contact with the bodies of the dead and thus exacerbate the risk of contagion. In April 2015, the Archbishop of Conakry canceled an annual Christian pilgrimage in compliance with a government directive aimed at limiting the spread of Ebola.

Academic freedom is generally respected, and there are few limits to free and open private discussion.

E. Associational and Organizational Rights: 5 / 12 (–1)

Freedom of assembly is enshrined in the constitution, but this right is often restricted. Under Guinea's criminal code, organizers are required to notify authorities three days in advance of public assemblies and demonstrations. In practice, assemblies held without notification are considered unauthorized and are often violently dispersed, leading to deaths, injuries, and arrests.

Clashes between protesters and security forces were routine in the run-up to the 2015 presidential election, resulting in a handful of deaths and numerous serious injuries. Police and other security forces also engaged in theft and banditry, stealing from protesters and bystanders and destroying property. Some protesters also engaged in violence and criminal behavior during the protests. In June, the National Assembly passed the Law on Maintaining Public Order, which sets out guidelines for when force may be used by the authorities during protests, among other provisions. While this was seen as a step in the right direction, the law still contained restrictions on spontaneous protests, and allows the security forces to disperse a protest if they have reason to believe that someone in the crowd is carrying a weapon.

Freedom of association is generally respected. However, Guinean civil society remains weak, ethnically divided, and subject to periodic harassment and intimidation. Although workers are allowed to form trade unions, strike, and bargain collectively, they must provide 10 days' notice before striking, and strikes are banned in broadly defined essential services. Public and private sector unions launched a brief strike in January 2015 after the government delayed implementation of promised wage increases and salary requirements, but ended the action after reaching an agreement with the state days later.

F. Rule of Law: 4 / 16

The judicial system has demonstrated some degree of independence since 2010, though the courts remain understaffed and underfunded, and have been slow to prosecute high-profile criminal cases—most prominently, the massacre of opposition protesters at Conakry stadium in 2009. The courts have interviewed almost 400 victims of the massacre since proceedings began, but despite evidence of abuses committed by dozens of members of the security forces, only 14 people had been charged as of late 2015, including former coup leader Camara and his vice president, Mamadouba Toto Camara. A lack of political and financial support has stymied progress in the investigations, though the justice minister has promised that trials will begin in 2016.

In a sign of progress, in 2015 the government adopted a five-year judicial reform plan that would address issues including judicial corruption and understaffing, and revise certain legal texts in an effort to align them with international best practices.

Security forces continue to engage in arbitrary arrests, torture of detainees, and extrajudicial executions. Prison conditions remain harsh and are sometimes life threatening. Prolonged pretrial detention is a longstanding problem, with the majority of prisoners in Conakry languishing for extended periods without trial, and resulting in severe overcrowding. The judicial reform plan included provisions for improved water delivery and health care at the country's largest prison, and the construction of a new prison to help relieve overcrowding.

Antidiscrimination laws do not protect LGBT (lesbian, gay, bisexual, and transgender) people. Same-sex sexual activity is a criminal offense that can be punished with up to three years in prison, and although this law is rarely enforced, LGBT people have been arrested on lesser charges.

G. Personal Autonomy and Individual Rights: 5 / 16

Freedom of movement—long hindered by rampant crime and ubiquitous security checkpoints—was further restricted by a national public health emergency in response to the Ebola epidemic, including new restrictions imposed on five western provinces for a 45-day period beginning in March 2015.

Private business activity is hampered by corruption and political instability, among other factors. A centralized Agency for the Promotion of Private Investments aims to ease the registration process. Following recent reforms, property registration processes have become faster and less expensive. Meanwhile, the Ebola epidemic

brought some economic activity to a near-standstill, devastating the agricultural and mining sectors central to the economic health of the nation.

Societal discrimination against women is pervasive. Rape and sexual harassment are common but underreported due to fears of stigmatization. In November 2015, there were peaceful demonstrations against impunity for rampant sexual violence. While women have legal access to land, credit, and business, they are disadvantaged by inheritance laws and the traditional justice system. Guinean law allows husbands to forbid their wives from working. Female genital mutilation is nearly ubiquitous, affecting up to 96 percent of all girls and women in the country.

Guinean women and children are subject to sex trafficking and forced labor in various industries. Guinean boys have been forced to work in mines in Guinea and in neighboring countries, and women and children have been sex trafficked to other parts of West Africa as well as Europe and the Middle East.

Scoring Key: X / Y (Z)

X = Score Received

Y = Best Possible Score

Z = Change from Previous Year

Full Methodology

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