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USDOS – US Department of State

## Trafficking in Persons Report 2018 - Country Narratives - Guinea

### GUINEA: Tier 2 Watch list

The Government of Guinea does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government made key achievements during the reporting period; therefore Guinea was upgraded to Tier 2 Watch List. These achievements included prosecuting, convicting, and sentencing to imprisonment significantly more sex and labor traffickers than in the previous reporting period; allocating modest funding to provide shelter and services to identified trafficking victims; and drafting a new national action plan. Despite these achievements, the government did not provide sufficient funding to the Office for the Protection of Gender, Children, and Morals (OProGen), the police unit responsible for trafficking investigations, and did not allocate a budget to the anti-trafficking committee (CNLTTPA) for the second consecutive year, hindering prevention efforts. It did not report referring all identified trafficking victims to care. In addition, despite the prevalence of child forced begging in Quranic schools, Guinean authorities have never prosecuted a *marabout*—a Quranic teacher—for child forced begging.

### RECOMMENDATIONS FOR GUINEA

Vigorously investigate, prosecute, and convict suspected traffickers, including complicit officials and some *marabouts*, and prescribe sufficiently stringent sentences; expand victim care by increasing financial or in-kind support to NGOs that provide victim services; increase funding for OProGen and the CNLTTPA to allow them to fulfill their mandates; train magistrates and prosecutors in the lower courts on the new trafficking articles in the 2016 penal codes; develop and train officials on systematic procedures to identify trafficking victims and refer them to services; regularly convene the CNLTTPA, and provide it sufficient resources; increase efforts to raise public awareness of trafficking, including of internal child forced labor, forced begging in Quranic schools, and adult trafficking; provide OProGen and labor inspectors the resources and training necessary to regulate recruitment agencies, and investigate cases of fraudulent recruitment; respect victims’ rights during trafficking investigations; amend the penal code to remove sentencing provisions that allow fines in lieu of imprisonment and increase penalties prescribed for forced begging; designate a single point of contact

within the Ministry of Justice to ensure all convicted traffickers serve their prescribed sentences; and enhance collaboration and information sharing among all government agencies involved in combating trafficking.

## PROSECUTION

The government increased anti-trafficking law enforcement efforts. Article 323 of the penal code, as amended in 2016, criminalized labor and sex trafficking. Article 324 prescribed penalties of three to seven years imprisonment, a fine, or both for adult trafficking, and five to 10 years imprisonment, a fine, or both for child trafficking. These penalties were sufficiently stringent. By allowing for a fine in lieu of imprisonment, the penalties for sex trafficking were not commensurate with those prescribed for other serious crimes, such as rape. Article 344 of the penal code separately criminalized forced begging and prescribed penalties of one to three years imprisonment and a fine; these penalties were not sufficiently stringent.

The government investigated 44 cases, prosecuted 18 suspects, and convicted 18 traffickers in four cases, a significant increase from five investigations, prosecuting four suspects, and convicting three traffickers the previous reporting period. OProGen had the lead for investigating trafficking cases, and the General Secretary for Special Services, Counter-Narcotics, and Combating Organized Crime could investigate transnational trafficking cases. Among the 44 investigations, the general secretary's office identified at least seven transnational trafficking networks, and law enforcement launched 18 investigations into pandering, including child sex trafficking. In one case, a judge convicted six individuals—including an imam—for fraudulently recruiting at least 18 women for forced prostitution in Kuwait. A second judge convicted eight bar owners for pandering of minors. Sentences among the 18 convicted traffickers ranged from four months suspended to five years imprisonment; 17 traffickers received non-suspended sentences, and eight traffickers received sentences of at least two years imprisonment. The government did not report if it continued investigations from the previous reporting period into an alleged recruiter who sent women to Egypt for domestic servitude or three *marabouts* for alleged child forced begging. Authorities reported police frequently intercepted convoys of children allegedly destined for forced begging, and while they removed the children, they did not investigate the alleged traffickers. Corruption among law enforcement and the judiciary—suspected to be especially prominent among labor inspectors, customs directors, and heads of police stations—allegedly impeded anti-trafficking efforts. The government reported one investigation into three airport officials who were allegedly complicit in sending Guinean women to Kuwait for forced prostitution; the investigation was ongoing at the close of the reporting period.

The government did not report allocating any funding to OProGen to investigate trafficking cases and transport victims to NGOs for care, a significant decrease from the previous reporting period, when it had allocated 256 million Guinean francs (\$28,430). Lack of general knowledge about trafficking and the trafficking provisions of the 2016

penal code persisted among government officials, especially judges and prosecutors in lower courts, but the government did not provide any training during the reporting period.

## PROTECTION

The government decreased efforts to identify, but modestly increased efforts to protect, trafficking victims. The government identified 10 trafficking victims and intercepted 16 children en route to exploitation, compared to identifying 107 children en route to exploitation in the previous reporting period. The government also reported identifying an unknown number of children in domestic servitude, although it did not report removing any of those children from their situations of exploitation. The government did not have formal procedures to identify trafficking victims or refer them to care, so victim identification and protection measures remained extremely weak. No government center or shelter could assist victims, so the government continued to rely on NGOs and foreign donors to finance and provide the majority of victim care. In a positive change from the previous reporting period, the government disbursed 50 million Guinean francs (\$5,550) to an NGO to provide shelter, food, medical assistance, and psychological support to at least 26 trafficking victims; this NGO operated three shelters that cared for vulnerable children, including trafficking victims. The shelters cared for both foreign and domestic victims, although they did not provide trafficking-specific services. Law enforcement referred child trafficking victims to NGOs on an ad hoc basis. Some OProGen officials brought victims to their private homes until space became available in NGO shelters. Government health facilities and social workers could at times provide medical and psycho-social services. Officials acknowledged the lack of training for authorities on victim identification and referral affected victim care. With donor funding, the government provided shelter, food, psycho-social support, toiletries, and some money to vulnerable migrants returned from Libya, some of whom had been exploited in trafficking.

The government did not encourage trafficking victims to participate in the investigations or prosecutions of their traffickers; in some cases, law enforcement interrogated victims during investigations. Reports indicated victims and their parents were reluctant to file claims against traffickers due to a lack of confidence in the judicial system. The 2016 penal code allowed NGOs to become plaintiffs on behalf of victims. Articles 392-396 of the child protection code provided child trafficking victims the right to legal representation and a ministry-appointed guardian, but due to the lack of financial and human resources, these services were not available during the reporting period. While victims could legally obtain restitution from the government and file civil suits against their traffickers, the government did not provide victims with sufficient knowledge of the process to enable them to do so. The government did not have formal policies to provide temporary or permanent residency to victims from countries where, if repatriated, they would face hardship or retribution, but it could provide work and residence permits to such victims on an ad hoc basis; the government did not report any victims requested these services during the reporting period. There were no reports the government detained, fined, or jailed victims for unlawful acts committed as a result

of being subjected to trafficking; due to a lack of formal victim identification procedures, however, some trafficking victims may have remained unidentified in the law enforcement system.

## PREVENTION

The government maintained efforts to prevent trafficking. CNLTTPA continued to meet sporadically, but not all members consistently attended meetings, and the committee lacked coordination and communication. For the second year, the government did not finalize a decree that would allocate an operational budget to CNLTTPA, so it lacked funding to perform many of its planned activities. Despite these shortcomings, CNLTTPA enacted an emergency action plan to provide shelter and services to 26 trafficking victims and conduct awareness-raising campaigns. In partnership with the Ministry of Social Action and NGOs, CNLTTPA organized three sensitization campaigns targeting local communities along Guinea's borders with Sierra Leone and Senegal, common routes for traffickers bringing children to Senegal for forced begging. The lack of local-level coordination on anti-trafficking efforts and the lack of training for officials outside the capital continued to hinder progress. The government had policies to regulate foreign labor recruiters and hold them civilly and criminally liable for fraudulent recruitment, but neither OProGen nor the Ministry of Labor had the resources or the trained personnel to implement such policies consistently. The government did not make discernible efforts to reduce the demand for forced labor or commercial sex acts. The government did not provide anti-trafficking training to its diplomatic personnel. The government, in partnership with foreign donors, provided anti-trafficking training to Guinean troops prior to their deployment abroad as part of international peacekeeping missions.

## TRAFFICKING PROFILE

As reported over the past five years, Guinea is a source, transit, and—to a lesser extent—destination country for men, women, and children subjected to forced labor and sex trafficking. Women and children are the most vulnerable to trafficking. Parents send girls to intermediaries who subject them to domestic servitude and sex trafficking, sometimes in motels and restaurants in Conakry. Traffickers exploit boys in begging, street vending and shoe shining, forced labor in gold and diamond mines, and in herding, fishing, and agriculture, including farming and on coffee, cashew, and cocoa plantations. Some government entities and NGOs allege that within Guinea, forced labor is most prevalent in the mining sector. Traffickers subject men, women, and children to forced labor in agriculture. Reports indicate children are sent to the coastal region of Boke for forced labor on farms. Children from villages in Middle and Upper Guinea may be more vulnerable to trafficking due to the region's lack of schools and economic opportunities. Some traffickers take children with parents' consent under the false pretenses of providing an education and exploit them in forced begging in Quranic schools in Senegal—via Koundara—Mauritania, and Guinea-Bissau, or forced labor in West African gold mines. Some corrupt *marabouts* force Bissau-Guinean boys to beg in Guinean Quranic schools. Guinean children are exploited in forced labor in Cote

d'Ivoire. Guinea is a transit country for West African children subjected to forced labor in gold mining throughout the region. A small number of girls from West African countries migrate to Guinea, where they are exploited in domestic service, street vending, and—to a lesser extent—sex trafficking.

Guinean women and girls are victims of domestic servitude and sex trafficking in West Africa, Europe, and the Middle East, as well as the United States. Guinean-Egyptian trafficking networks fraudulently recruit women for domestic work in Egypt and exploit them in prostitution. During the reporting period, several airline companies with service to North and East Africa and the Middle East began to serve Conakry; authorities identified an increased number of trafficking networks fraudulently recruiting Guinean, Liberian, and Sierra Leonean women for work abroad, using the Conakry airport to transport victims to exploitative situations in Kuwait and Qatar. There have been reports some Guinean men marry Guinean girls, take them to Angola, and sell the girls to local brothels while the men work in diamond mines. In previous years, authorities have identified Guinean forced labor victims in Finland, Guinean boys exploited in commercial sex in the Netherlands, and Thai and Chinese women in forced prostitution in Guinea. During the reporting period, an international organization repatriated more than 3,756 Guineans from Libya and northern Mali, and the organization estimated more than 560 were victims of trafficking. The lack of data on trafficking in Guinea renders it difficult to assess the size and scope of the problem.

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