

2024 Trafficking in Persons Report: Guinea

GUINEA (Tier 2)

The Government of Guinea does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government demonstrated overall increasing efforts compared with the previous reporting period; therefore Guinea remained on Tier 2. These efforts included increasing investigations and prosecutions of traffickers and identifying more trafficking victims. The government also created a new anti-trafficking NAP for 2023-2025. The government approved a new anti-trafficking law that remained pending final adoption at the end of the reporting period. However, the government did not meet the minimum standards in several key areas. The government referred significantly fewer victims to services. The government relied on NGOs for victim protection and services without adequate support.

PRIORITIZED RECOMMENDATIONS:

Increase efforts to investigate and prosecute suspected traffickers, including complicit officials, and seek adequate penalties for convicted traffickers, which should involve significant prison terms. * Increase efforts to identify trafficking victims, including among vulnerable populations such as children exploited in forced begging, workers in artisanal mining sites, women traveling to the Middle East via potential fraudulent recruitment schemes, and Cuban government-affiliated workers, and refer victims to services. * Increase funding and in-kind support for NGOs to ensure all identified trafficking victims receive services. * Implement and dedicate resources to the 2023-2025 anti-trafficking NAP. * Expand training on and usage of SOPs on victim identification for front-line officials to identify trafficking victims systematically and refer them to services. * Develop a formal witness assistance program for victims participating in judicial proceedings. * Increase resources and training for government officials to monitor recruitment agencies and investigate forced labor cases. * Establish a uniform and comprehensive data collection system on anti-trafficking efforts, distinguishing human trafficking from other crimes. * Increase efforts to raise public awareness of trafficking, including child forced labor. * Develop mechanisms for formalizing law enforcement collaboration with countries in Africa and the Middle East, including through bilateral agreements. * Screen any Democratic People's Republic of Korea (DPRK) workers for signs of trafficking and refer them to appropriate services, in a manner consistent with obligations under UN Security Council resolution 2397.

PROSECUTION

The government increased anti-trafficking law enforcement efforts. Article 323 and 324 of the penal code criminalized sex trafficking and labor trafficking and prescribed penalties of three to seven years' imprisonment, a fine, or both for trafficking offenses involving an adult victim, and five to 10 years' imprisonment, a fine, or both for those involving a child victim. These penalties were sufficiently stringent; however, 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. Under Article 893 and 894 of the children's code, child trafficking crimes were prescribed penalties of five to 10 years' imprisonment and a fine of 50 million to 100 million Guinean francs (\$5,870-\$11,750); these penalties were commensurate with those prescribed for other grave crimes, such as rape. Article 343 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 approved a new anti-trafficking law that would remove sentencing provisions that allow fines in lieu of imprisonment for trafficking crimes and increase penalties for forced begging; the law was awaiting signature by the president at the end of the reporting period.

Insecurity across the country hindered the government's collection of law enforcement statistics. The government reported initiating investigations of 160 suspects in an unknown number of cases, including six for sex trafficking, 59 for forced labor, and 95 for unspecified forms of trafficking, compared with 127 suspects in an unknown number of cases in 2022. The government reported prosecuting 56 suspects, including nine for sex trafficking, 19 for labor trafficking, and 28 for unspecified forms of trafficking, and continued prosecution of 14 suspects initiated in previous reporting periods. This compared with 42 prosecutions initiated in the previous reporting period. Courts convicted nine traffickers compared with 10 convictions during the previous reporting period. Of the nine convictions, five traffickers were convicted under the anti-trafficking law (two for sex trafficking and three for labor trafficking), and four traffickers were convicted under other laws. The Special Brigade for the Protection of Vulnerable Persons (BSPPV) and OPROGEM were the lead government entities responsible for investigating trafficking cases, and the General Secretary for Special Services, Counter-Narcotics, and Combating Organized Crime could investigate transnational trafficking cases. The government established a new OPROGEM office at a major airport to strengthen border surveillance and increase efforts to prevent trafficking. Designated magistrates in the Ministry of Justice prosecuted trafficking cases; however, judges that were trained to handle trafficking cases were reassigned, creating knowledge gaps and a need for training among newly appointed judges. Anti-trafficking units and courts reported that a lack of resources hindered their ability to effectively carry out their duties, also noting some agents have used their own money to assist trafficking victims. Despite observers' concerns of Guinean children exploited in forced labor in Quranic schools, the government has not prosecuted perpetrators of this form of forced child labor. The government cooperated with the Government of Sierra Leone to investigate a potential trafficking case involving 29 children recruited in Sierra Leone and exploited in forced begging in Guinea; investigations were ongoing at the end of the reporting period.

The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking crimes; however, corruption and official complicity in trafficking crimes remained significant concerns, inhibiting law enforcement action. The lack of extradition agreements with countries in Africa and the Middle East impeded prosecutions of alleged traffickers from those countries. The government partnered with the Government of Cote d'Ivoire to share best practices for repatriating trafficking victims. The government collaborated with the Government of Sierra Leone to draft an MOU to enhance coordination, including on trafficking crimes.

The government, in partnership with civil society organizations, provided anti-trafficking training to gendarme judicial police cadets, labor inspectors, and border agents. Topics included victim identification and referral and labor legislation.

PROTECTION

The government maintained protection efforts. The government reported identifying 155 trafficking victims – 70 forced labor victims, including 64 children and six adults, 53 sex trafficking victims, 26 children and 27 adults, and 32 victims of unspecified forms of trafficking, including 24 children and eight adults. The government reported identifying an additional 273 potential trafficking victims. This compared with the government reporting identification of 81 trafficking victims in the previous reporting period (71 forced labor victims and 10 sex trafficking victims). The government referred 34 identified victims and 27 potential victims to services, compared with referring 81 victims to care in the previous year. The government reported NGOs identified an additional 122 trafficking victims. Lack of training and coordination between ministries, as well as inconsistent and sometimes unavailable government services, continued to inhibit victim identification and assistance efforts.

The government had SOPs for victim identification and referral to services. The government also had a standardized victim referral manual for vulnerable populations, including trafficking victims, seeking legal and judicial assistance. The government reported offering trafficking victims psychosocial assistance, legal services, and economic support for income generating activities; however, the government continued to rely on NGOs and foreign donors to provide most victim

care without adequate funding or in-kind support. Observers reported limited availability of victim services in Upper Guinea.

The Ministry for the Advancement of Women, Children and Vulnerable Persons (MoWP), in collaboration with an international organization, managed a shelter with capacity for 100 victims of crime, including trafficking. BSPPV managed a short-term shelter for trafficking victims; the government did not report how many victims received shelter assistance. OPROGEM managed a transit center for trafficking victims. NGOs operated one shelter that could assist trafficking victims in N'Zérékoré as well as two transit centers – one in Dubreka and one in Sonfonia that could provide emergency and short-term services for returning migrants and child trafficking victims. Child trafficking victims were placed in a government transit center for 72 hours, after which the Ministry of Women's Promotion, Childhood, and Vulnerable People placed children with host families.

The government reported 75 trafficking victims participated in investigations and prosecutions. While the government did not have a formal victim-witness assistance program, it collaborated with an NGO to provide legal aid and assistance from social workers and psychologists during legal proceedings. The government organized training sessions for reception center managers and social workers on victim trauma. Victims could provide testimony via video or written statements; however, no victims reportedly did so. The 2016 penal code allowed NGOs to become plaintiffs on behalf of victims; the government did not report if NGOs utilized this provision. Victims could legally obtain restitution from traffickers; courts did not order restitution. Victims could file civil suits against their traffickers; however, no victims pursued this option, largely due to lack of awareness. The government did not have formal policies to provide temporary or permanent residency to victims from countries where they would face hardship or retribution if repatriated, but it could provide work and residence permits to victims on an ad hoc basis; due to long standing freedom of movement policy with the Regional Economic Community, ECOWAS nationals did not require special status to remain in Guinea. The government did not report any victims requesting these services. Due to inconsistent use of formal identification procedures, authorities may have detained or otherwise inappropriately penalized some unidentified trafficking victims.

PREVENTION

The government increased efforts to prevent trafficking. The National Committee to Combat Trafficking in Persons and Similar Practices (CNLTTPA), the government's anti-trafficking coordinating body, met regularly. The MoWP led the committee, which included the ministries of Justice, Security, Labor, Foreign Affairs, and Defense. The government drafted and adopted an anti-trafficking NAP for 2023-2025. The new NAP addresses gaps found in the previous NAP, including activities to enhance data collection. The government reported it budgeted funding in its 2024 national budget to support NAP implementation but did not provide an amount.

The CNLTTPA, in partnership with civil society and foreign donors, organized awareness-raising activities and finalized the establishment of the Network of Non-Governmental Organizations in Charge of the Fight Against Human Trafficking and Similar Practices, a national network of 22 NGOs working on human trafficking issues. The government did not operate a hotline for potential trafficking victims. An NGO-operated hotline for victims of GBV, including trafficking, fielded 600 calls in 2023. The government prohibited recruitment agencies from assessing recruitment fees and had policies to regulate foreign labor recruiters and hold them civilly and criminally liable for fraudulent recruitment; however, neither OPROGEM nor the Ministry of Labor had the resources or the trained personnel to monitor and enforce these policies consistently and did not report referring any potential cases for investigation. Labor inspectors received some training on identifying cases of human trafficking; inspectors conducted 646 inspections in Conakry and reported two child labor violations. The MoWP continued coordinating interagency border control units to ensure children crossing international borders were traveling with their families. The government did not make efforts to reduce the demand for commercial sex.

The government did not report providing anti-trafficking training to its diplomatic personnel. The government provided human rights training, including on topics related to human trafficking, to its troops prior to their deployment as peacekeepers. Although not explicitly reported as human trafficking, there was one open case of alleged sexual exploitation with trafficking indicators by a Guinean peacekeeper deployed to the UN peacekeeping mission in the Democratic Republic of the Congo in 2019. The government had not yet reported the accountability measures taken, if any, by the end of the reporting period.

TRAFFICKING PROFILE:

As reported over the past five years, human traffickers exploit domestic and foreign victims in Guinea, and traffickers exploit victims from Guinea abroad. Populations vulnerable to sex and labor trafficking in Guinea include individuals in commercial sex, including those from ECOWAS and other nations, adults and children working in the informal labor sector, children experiencing homelessness and orphaned children, artisanal miners, children and adults with albinism, and persons with mental disabilities. Traffickers exploit boys in forced labor in begging, street vending, shoe shining, mining for gold and diamonds, 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 and in domestic work. Traffickers exploit adults and children in 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. Government officials recognize the town of Koundara in northwestern Guinea as a transit point for traffickers.

Traffickers, often distant relatives, promise to care for or provide an education to low-income relatives' children and instead exploit them in domestic servitude or forced begging. A public report from December 2022 and prior media reporting have indicated some teachers in Quranic schools force or coerce children to beg or work in agriculture, sometimes with their parents' knowledge. Some traffickers fraudulently recruit children under the pretext of educational opportunities and instead exploit them in forced begging in Quranic schools in Senegal – via the town of Koundara, Guinea. Students are trafficked along routes through Mali and Guinea-Bissau. Traffickers exploit Guinean children in forced labor in Cote d'Ivoire. Guinea is a transit country for West African children subjected to forced labor in artisanal gold mining throughout the region. A small number of girls from West African countries migrate to Guinea, where traffickers exploit them in domestic service, street vending, and – to a lesser extent – sex trafficking. Child sex trafficking is prevalent in Conakry and in mining towns and camps in Lower and Upper Guinea. North Korean nationals working in Guinea may be operating under exploitative working conditions and display multiple indicators of forced labor. Cuban government-affiliated workers, including medical professionals working in Guinea may have been forced to work by the Cuban government. Guinean authorities alleged traffickers coerce People's Republic of China (PRC) women into commercial sex in PRC national-owned bars and restaurants in Conakry.

Traffickers exploit Guinean women and girls in forced labor for domestic service and sex trafficking in West Africa, Europe, and the Middle East, as well as the United States. During a previous reporting period, there were reports Guinean-Egyptian trafficking networks fraudulently recruit women for domestic work in Egypt and exploit them in commercial sex. Undocumented migrants traveling to Europe are vulnerable to trafficking networks facilitating travel by land from Guinea to North Africa, and subsequently exploiting migrants in forced labor or sex trafficking. In a previous reporting period, an international organization reported an increase in fraudulent recruitment for forced labor in domestic service in the Middle East, especially Egypt and Kuwait. 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.