



FREEDOM IN THE WORLD 2021

# Guinea

PARTLY FREE

**38**  
/100

|                         |               |
|-------------------------|---------------|
| <u>Political Rights</u> | <b>14</b> /40 |
| <u>Civil Liberties</u>  | <b>24</b> /60 |

## LAST YEAR'S SCORE & STATUS

**40 /100    Partly Free**

Global freedom statuses are calculated on a weighted scale. See the methodology.

## Overview

Guinea returned to civilian rule in 2010, following a 2008 military coup and decades of authoritarian governance. Since then, the country has held multiparty elections, which have been plagued by violence, delays, and other flaws. The government uses restrictive criminal laws to discourage dissent, and ethnic divisions and pervasive corruption often exacerbate political disputes. Regular abuse of civilians by military and police forces reflects a deep-seated culture of impunity. In March 2020, President Alpha Condé won approval of a new constitution that allowed him to seek a third term in office over the objections of opposition groups.

## Key Developments in 2020

- In March, Guinean voters approved a proposed constitution that, among other provisions, institutes six-year presidential terms, allows presidents to serve beyond the end of their terms in some circumstances, and effectively resets term limits for incumbent Alpha Condé. According to the official results, nearly 92 percent of voters approved the constitution on a turnout of 61 percent.
- Parliamentary elections were concurrently held with the constitutional referendum in March. The ruling Rally of the Guinean People (RPG) of President Condé won a parliamentary majority in a contest that was impacted by concerns over voter-roll integrity, communications disruptions, attacks on polling stations, and an opposition boycott. While the RPG won 79 seats, no other party won more than 10.
- President Condé won a third term in October, winning 59.5 percent of the vote in the first round. Other candidates, including main challenger Cellou Dalein Diallo, accused Condé of engaging in fraud, but the Constitutional Court rejected their claims in November. The presidential election was marred by a government crackdown on protests, with security forces using tear gas and live ammunition to disperse them.
- The Guinean government introduced restrictions on public gatherings and movement in response to the COVID-19 pandemic, restricting travel into Greater Conakry and establishing roadblocks. Restrictions on public gatherings remained in force through most of the year, though they were loosened in December. The World Health Organization (WHO) reported 13,700 cases and 81 deaths at year's end.

# Political Rights

## A. Electoral Process

**A1** 0-4 pts

**Was the current head of government or other chief national authority elected through free and fair elections?**

**2/4**

The president is elected by popular vote for up to two six-year terms according to the 2020 constitution. In the October presidential election, incumbent Alpha Condé won a third term, with the Constitutional Court declaring him the winner in early November. According to the official results, Condé won 59.5 percent of the vote in the first round. Condé's main challenger, Union of Democratic Forces of Guinea (UFDG) candidate Cellou Dalein Diallo—who officially won 33.5 percent of the vote—challenged the results along with three other candidates, but the court rejected their accusations of fraud in November.

African Union (AU) and Economic Community of West African States (ECOWAS) monitors called the election's conduct sound days after the vote, though the European Commission's high commissioner for foreign policy questioned the results later in October. Some Guineans who sought to register for the vote were effectively unable to do so, due to COVID-19-related restrictions.

The immediate postelection period was marred by violence, the sequestering of high-profile opposition figures, and disruptions to communications services. The home of UFDG candidate Diallo was surrounded for several days in late October, after he declared himself the victor, while several high-profile supporters were arrested. Security forces cracked down on opposition protests in Conakry; the UFDG claimed that as many as 46 people were killed by early November, while the government separately reported 21 deaths by late October. Internet communications were disrupted in the days following the election, though services were restored by late October.

*Score Change: The score declined from 3 to 2 because some Guineans were unable to register to vote for the presidential election to vote due to COVID-19-related*

*restrictions; the election itself was marred by opposition allegations of fraud, communications disruptions, and a violent crackdown.*

**A2** 0-4 pts

**Were the current national legislative representatives elected through free and fair elections?**

**1** / 4

The unicameral National Assembly includes 114 seats. Some 76 members are elected via proportional representation, while another 38 are directly elected. Members serve five-year terms.

Parliamentary elections were held in late March 2020, allowing voters to replace a body that had served beyond its electoral mandate. The ruling Rally of the Guinean People (RPG) won 79 seats, while the UFDG and the Union of Republican Forces (UFR) boycotted the contest and won none. No other party won more than 10 seats. The Independent National Electoral Commission (CENI) reported that turnout stood at 61 percent. The AU, ECOWAS, and the International Organization of La Francophonie (OIF) declined to send observers over concerns about the integrity of the voter rolls.

The immediate preelection period was marked by arrests and enforced disappearances of opposition members. On election day, security forces in Conakry used tear gas and live ammunition to disperse demonstrators, some of whom established roadblocks. Security Minister Albert Damatang Camara reported that six people died in Conakry on election day. Polling stations were also attacked throughout the country, as opponents of a concurrently held constitutional referendum clashed with supporters and security forces. Several dozen people were reportedly killed nationwide, with Human Rights Watch (HRW) counting at least 32 deaths over a three-day period in the city of Nzérékoré.

*Score Change: The score improved from 0 to 1 because a new legislature was elected despite concerns over voter-roll integrity and widespread violence, replacing a body whose democratic mandate expired.*

**A3** 0-4 pts

**Are the electoral laws and framework fair, and are they implemented**

While the Guinean electoral framework has allowed credible elections to proceed in the past, the composition of electoral bodies has been the subject of disagreement. In 2018, the parliament reduced the number of CENI commissioners from 25 to 17 and mandated that the governing and opposition parties each hold 7 commission seats. The 2018 law also mandated that parties must hold at least two parliamentary seats and must have contested the last presidential election to gain CENI representation. CENI chair Kabinet Cissé was selected in April 2020, after predecessor Amadou Salif Kébé died of COVID-19.

CENI was responsible for a voter registration drive ahead of the February 2020 parliamentary elections, which were delayed to March. In February, the OIF warned that 2.4 million names were unverifiable due to technical issues. ECOWAS recommended the removal of those names, and CENI acceded to that request in mid-March.

The 2020 constitution, which was concurrently approved during the March parliamentary elections, proved controversial. The new constitution instituted six-year terms for the chief executive compared to the previous document's five. New language on term limits was interpreted as a reset for President Condé, who was term-limited under the old constitution. The referendum itself was marred by attacks on polling stations in opposition areas. After the final text was published in April, the African Network for Constitutional Lawyers criticized the removal of a clause allowing independent candidates to run for president. The final text also allows incumbent presidents to maintain their posts beyond their mandates in certain circumstances.

*Score Change: The score declined from 2 to 1 because a March constitutional referendum allowing the incumbent to remain in power was marred by attacks on polling places in opposition areas.*

## **B. Political Pluralism and Participation**

**B1** 0-4 pts

**Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings?**

**2/4**

More than 130 parties are registered, with most having clear ethnic or regional bases. Relations between the ruling RPG and opposition parties are strained. Government and opposition supporters are known to engage in violent clashes during elections.

Members of the National Front for the Defense of the Constitution (FNDC), a coalition of civil society groups, political parties, and labor unions, face intimidation and arrests. Two leaders were arrested in March 2020 and were denied access to legal counsel for part of their detention. They were bailed in mid-March, and charges against them were dismissed in July. Another FNDC leader, Oumar Sylla, was arrested for disseminating false information in April, but was released in August. However, he was rearrested in late September after calling for demonstrations. Sylla, who launched a hunger strike in December, remained in custody at year's end.

**B2** 0-4 pts

**Is there a realistic opportunity for the opposition to increase its support or gain power through elections?**

**2/4**

Although multiparty elections take place, Guinea has not established a pattern of peaceful democratic power transfers between rival parties. Before becoming president in 2010, Condé was an opposition leader under longtime president Lansana Conté. However, rather than defeating an incumbent leader, Condé won the first election after a period of military rule that followed Conté's death in 2008. The 2020 constitution's language on term limits also allowed for Condé to continue as president, despite being term-limited under the old constitution.

Security forces frequently attack rallies and protests organized by the opposition, making it more difficult for opposition parties to mobilize their supporters. The government banned and forcefully dispersed demonstrations organized by opposition parties and the FNDC in 2020.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 1 / 4

While the military's role in politics has waned since the return to civilian rule, ethnic loyalty continues to play an outsized role in the political choices of voters and party leaders. Rather than organizing around policy platforms or political ideologies and trying to attract new supporters, each party tacitly pledges allegiance to its respective ethnic group, contributing to the threat of mutual hostility and violence.

While President Condé and his allies mounted their campaign to win the approval of the new constitution, the administration received rhetorical and other support from powerful external actors. For example, the Russian ambassador to Guinea called Condé “legendary” and endorsed his constitution project in a 2019 state television appearance, adding that it would be beneficial to the country if Condé remained in power. There is widespread speculation that lucrative, foreign-owned mining interests in Guinea, including Russian and Chinese operations, back Condé because they view him as best positioned to protect their interests.

**B4** 0-4 pts

**Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities?**

**2 / 4**

Women and minority groups have full political rights, but ethnic divisions and gender bias limit their participation in practice. Under a law passed in May 2019, women must constitute 50 percent of electoral lists. Parties did not previously adhere to older legal obligations mandating that women were to represent 30 percent of proportional representation lists for parliamentary elections. Despite these historical and current requirements, women remain underrepresented in the parliament, holding under 17 percent of its seats in May 2020.

## C. Functioning of Government

**C1** 0-4 pts

**Do the freely elected head of government and national legislative**

**representatives determine the policies of the government?**

**1 / 4**

The flawed electoral process undermines the legitimacy of executive and legislative officials. In addition, their ability to determine and implement laws and policies without undue interference is impeded by impunity and rampant corruption.

**C2** 0-4 pts

**Are safeguards against official corruption strong and effective?**

**1 / 4**

The National Anti-Corruption Agency (ANLC), which reports directly to the presidency, is underfunded and understaffed. A government audit whose findings were released in 2016 uncovered thousands of civil-service positions held by absent or deceased workers. Some lower-level officials have been prosecuted on corruption charges in recent years, but major cases involving senior politicians and the lucrative mining industry have mainly been pursued in foreign courts.

In 2017, the National Assembly adopted an anticorruption law that restructured the ANLC and established new procedures for receiving corruption complaints and protecting whistleblowers. The law has still not been applied.

**C3** 0-4 pts

**Does the government operate with openness and transparency?**

**1 / 4**

Government operations are generally opaque. An access-to-information law was previously adopted but not enacted. Parliamentarians adopted a new access-to-information law in November 2020.

In 2019, the Natural Resource Governance Institute reported some improvements related to government transparency. These were mostly related to reforms of rules and practices related to of the Ministry of Mines and Geology, as well as to revenue management.



# Civil Liberties

## D. Freedom of Expression and Belief

**D1** 0-4 pts

Are there free and independent media?

2/4

The 2020 constitution guarantees media freedom, but Guinea has struggled to uphold freedom of expression in practice. A criminal code adopted in 2016 retained penalties of up to five years in prison for defamation or insult of public figures, contributing to self-censorship among journalists. A cybersecurity law passed that year criminalized similar offenses online, as well as the dissemination of information that is false, protected on national security grounds, or “likely to disturb law and order or public security or jeopardize human dignity.” Several dozen newspapers publish regularly in Guinea, though most have small circulations. More than 30 private radio stations and some private television stations compete with the public broadcaster, Radio Télévision Guinéenne. Due to the high illiteracy rate, most of the population accesses information through radio.

The climate for journalists has improved somewhat in recent years, with fewer violent attacks and prosecutions for defamation. However, journalists at private outlets were reportedly harassed by the government in 2020. Journalists reporting on the March and October elections also faced communications disruptions and regulatory scrutiny; in late March, infrastructure firm GUILAB conducted maintenance work on undersea cables, which interrupted telephone and internet access as the polls were held. In October, the media regulator, the High Authority for Communication, suspended news site guinéematin.com, though that suspension was lifted in early November. Internet disruptions were also reported for several days in late October, after the presidential election was held.

**D2** 0-4 pts

**Are individuals free to practice and express their religious faith or nonbelief in public and private?**

**3/4**

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 their community.

**D3** 0-4 pts

**Is there academic freedom, and is the educational system free from extensive political indoctrination?**

**3/4**

Academic freedom has historically faced political restrictions under authoritarian regimes. The problem has eased in recent years, particularly since the return to civilian rule in 2010, though self-censorship still tends to reduce the vibrancy of academic discourse.

**D4** 0-4 pts

**Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution?**

**2/4**

There are few practical limits on private discussion, though ethnic tensions and laws restricting freedom of expression may deter open debate in some circumstances. Discussion on the new constitution, which was approved by voters in March 2020, was discouraged as the government moved to harass and detain activists who addressed the subject. Social media users also faced connection disruptions ahead of the March vote and in the days following the October presidential election.

*Score Change: The score declined from 3 to 2 because the government maintained a campaign of harassment and detention against those who opposed the constitutional referendum, and disrupted communications services during preelection and postelection periods.*

# E. Associational and Organizational Rights

**E1** 0-4 pts

**Is there freedom of assembly?**

**1/4**

Freedom of assembly is enshrined in the constitution, but this right is often restricted. Assemblies held without notification as required by Guinean law are considered unauthorized, and are often violently dispersed, leading to deaths, injuries, and arrests. Restrictions on public gatherings were introduced in April 2020 as part of the government's efforts to limit the spread of COVID-19. Modified restrictions remained in force through much of the year but were loosened in December.

Despite these restrictions, major demonstrations occurred during the year. Protests against President Conté's constitution project, which began in 2019, continued in 2020, though they were partially suspended due to pandemic-related measures. In October, Amnesty International counted at least 50 deaths and 200 injuries resulting from the crackdown against that campaign, along with other protests, between October 2019 and July 2020. Protests related to the March and October elections were also dispersed violently. Amnesty International reported that security forces used live ammunition and tear gas against demonstrators in October.

Guineans also protested against the imposition of COVID-19 restrictions and faced violent government responses. For example, in May 2020, protesters in the town of Coyah clashed with security forces over travel restrictions and accusations of corrupt enforcement. Five people were killed in that incident.

**E2** 0-4 pts

**Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work?**

**1/4**

Civil society remains weak, ethnically divided, and subject to periodic harassment and intimidation. Intimidation, harassment, and imprisonment of nongovernmental

organization (NGO) workers and activists increased in 2020, especially against those opposing the new constitution. Guinean NGOs also struggle due to poor access to funding, leadership struggles, the restriction of civic space, and safety issues.

**E3** 0-4 pts

**Is there freedom for trade unions and similar professional or labor organizations?**

**2/4**

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. In practice, unions are relatively active.

## F. Rule of Law

**F1** 0-4 pts

**Is there an independent judiciary?**

**1/4**

While the judicial system has demonstrated a limited degree of independence since 2010, it remains subject to political influence and corruption. The judiciary also suffers from a lack of resources and dearth of personnel.

**F2** 0-4 pts

**Does due process prevail in civil and criminal matters?**

**1/4**

Security forces engage in arbitrary arrests, often disregarding legal safeguards. Most detainees are people in prolonged pretrial detention, though justice reforms in recent years have reduced their numbers. Due-process rights pertaining to trials are frequently denied, and many disputes are settled informally through traditional justice systems.

Security personnel implicated in abuses ahead of the March and October 2020 elections did not face significant judicial scrutiny, due to limited judicial capacity and

the unwillingness of witnesses to participate in subsequent proceedings.

**F3** 0-4 pts

**Is there protection from the illegitimate use of physical force and freedom from war and insurgencies?**

**1/4**

The new criminal code adopted in 2016 eliminated the death penalty and explicitly outlawed torture for the first time. However, human rights advocates noted that the criminal code categorized a number of acts that fall within the international definition of torture as merely “inhuman and cruel,” a category that does not carry any explicit penalties in the code. In practice, security forces continue to engage in torture and other forms of physical violence with apparent impunity.

The justice system has largely failed to hold perpetrators accountable for past atrocities under military rule. In November 2019, then justice minister Mohammed Lamine Fofana said the trial of 13 suspects indicted for the 2009 Conakry stadium massacre, in which over 150 opposition protesters were killed by security forces, would be held by June 2020. However, the trial has not yet commenced. Several defendants have been in custody longer than the legal pretrial limit.

**F4** 0-4 pts

**Do laws, policies, and practices guarantee equal treatment of various segments of the population?**

**1/4**

Women face pervasive societal discrimination and disadvantages in both the formal and traditional justice systems. Various ethnic groups engage in mutual discrimination with respect to hiring and other matters. Antidiscrimination laws do not protect LGBT+ people. Same-sex sexual activity is a criminal offense that can be punished with up to three years in prison; although this law is rarely enforced, LGBT+ people have been arrested on lesser charges.

## **G. Personal Autonomy and Individual Rights**

**G1** 0-4 pts

**Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education?**

**2/4**

Guineans enjoyed some freedom of movement for both domestic and international travel in 2020. However, rampant crime in some neighborhoods can impede movement. Travel into Greater Conakry was also restricted in March 2020 as part of the government's response to the COVID-19 crisis, with the authorities establishing roadblocks as part of their enforcement efforts. A nationwide curfew was also instituted, though it expired outside of Greater Conakry by July. An overnight curfew in that region remained in force through year's end.

**G2** 0-4 pts

**Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors?**

**2/4**

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 business registration process. Following recent reforms, property registration processes have become faster and less expensive.

Women face gender-based disadvantages in laws and practices governing inheritance and property rights.

**G3** 0-4 pts

**Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance?**

**1/4**

Rape and domestic violence are common but underreported due to fears of stigmatization, and there is no specific legislation meant to address domestic abuse. Female genital mutilation (FGM) is nearly ubiquitous despite a legal ban, affecting up to 97 percent of girls and women in the country. The new criminal code adopted in

2016 set the legal age for marriage at 18, but early and forced marriages remained common.

In 2019, the parliament amended the civil code to make monogamy the general regime of marriage, except in case of “explicit agreement” of the first wife. This reflected a major change to a bill passed in late 2018 legalizing polygamy, which was rejected by President Condé.

**G4** 0-4 pts

**Do individuals enjoy equality of opportunity and freedom from economic exploitation?**

**1/4**

The 2016 criminal code specifically criminalized trafficking in persons and debt bondage, but reduced the minimum penalties for such crimes, and enforcement has been weak. In some mining areas, child labor is a major issue. There are also cases of women and children being trafficked for sexual exploitation to other parts of West Africa as well as Europe, the Middle East, and the United States.



#### On Guinea

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#### Country Facts

Global Freedom Score

**38/100** **Partly Free**

#### Other Years

2020

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