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Freedom House

## Freedom in the World 2018 - Guinea

Year:

2018

Freedom Status:

Partly Free

Political Rights:

5

Civil Liberties:

5

Aggregate Score:

41

Freedom Rating:

5.0

Overview:

Since Guinea returned to civilian rule in 2010 following a 2008 military coup and decades of authoritarian governance, elections 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.

Political Rights and Civil Liberties:

POLITICAL RIGHTS: 17 / 40

A. ELECTORAL PROCESS: 6 / 12

**A1. Was the current head of government or other chief national authority elected through free and fair elections? 3 / 4**

Guinea's president is elected by popular vote for up to two five-year terms. In the 2015 election, incumbent 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), taking 57.8 percent of the vote to secure a second and final term. The months preceding the election were characterized by ethnic tensions, violence between RPG and UFDG members, and clashes between opposition supporters and security forces that left several people dead. Election day itself was peaceful, but opposition candidates filed unsuccessful legal challenges of the results, claiming fraud and vote rigging. Despite a number of logistical problems, international observers deemed the vote valid.

**A2. Were the current national legislative representatives elected through free and fair elections? 1 / 4**

Of the unicameral 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. Political and protest-related violence in the period before the 2013 parliamentary elections was severe, with dozens of people killed and hundreds injured. Ethnic tensions and disputes over the rules governing the polls contributed to the unrest. The RPG won 53 seats, the UFDG won 37 seats, and a dozen smaller parties divided the remainder.

**A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 2 / 4**

While the electoral framework has allowed credible elections to proceed in some cases, it has consistently been subject to political dispute, with rival factions claiming a lack of fair representation on electoral commissions. Partly as a result of such disagreements, elections at the local level have not been held since 2005. The next balloting was originally due in 2010, but was postponed during the transition to civilian rule after the 2008 military coup. The local elections were then scheduled for early 2014, between the parliamentary and presidential elections, only to be repeatedly delayed, with the government at times citing an outbreak of the Ebola virus, which lasted from 2013 to 2016. Negotiations between the major parties in 2016 resulted in a tentative plan to hold the elections in February 2017, but implementation stalled, and in December President Condé signed a decree changing the date to February 2018.

**B. POLITICAL PLURALISM AND PARTICIPATION: 8 / 16**

**B1. 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**

The main political parties are the ruling RPG and the opposition 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 Fulani ethnic group, have inflamed tensions.

**B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 2 / 4**

Although multiparty elections have been held since the 1990s, 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.

During 2017, political disputes over the overdue local elections led to further confrontations between the government and opposition. Several thousand government opponents participated in demonstrations in Conakry in August to protest election delays and lack of security. Weeks later, a man was shot and killed by police in the capital during a rally against government corruption; at least a dozen others were injured. The opposition stated that 700,000 people participated in the latter demonstration; security forces put the figure at 500,000.

**B3. Are the people's political choices free from domination by the military, foreign powers, religious hierarchies, economic oligarchies, or any other powerful group that is not democratically accountable? 2 / 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.

**B4. Do various segments of the population (including ethnic, 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. Parties do not always observe a legal obligation to grant women at least 30 percent of the places on their proportional representation lists for the National Assembly. Women hold nearly 22 percent of the seats in the assembly.

**C. FUNCTIONING OF GOVERNMENT: 3 / 12**

**C1. 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 factors including impunity among security forces and rampant corruption.

**C2. Are safeguards against official corruption strong and effective? 1 / 4**

The National Anti-Corruption Agency (ANLC) reports directly to the presidency, and is considered to be 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.

**C3. Does the government operate with openness and transparency? 1 / 4**

While Guinea was declared in full compliance with the Extractive Industries Transparency Initiative in 2014, allegations of high-level corruption in the mining sector have continued. An access to information law adopted in 2010 has never been effectively implemented.

CIVIL LIBERTIES: 24 / 60

**D. FREEDOM OF EXPRESSION AND BELIEF: 10 / 16**

**D1. Are there free and independent media? 1 / 4**

The 2010 constitution guarantees media freedom, but Guinea has struggled to uphold freedom of expression in practice. A new criminal code adopted in 2016 retained penalties of up to five years in prison for defamation or insult of public figures. A cybersecurity law passed the same 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 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.

Journalists who reported critically on the authorities or other sensitive topics during 2017 often faced beatings or short-term arrests by police, suspensions by media regulators, or intimidation by party activists.

**D2. 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 members of their community.

**D3. 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. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 3 / 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.

**E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 5 / 12**

**E1. 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, a requirement under Guinean law, are considered unauthorized and are often violently dispersed, leading to deaths, injuries, and arrests. Several such incidents occurred during 2017.

**E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 2 / 4**

Freedom of association is constitutionally protected, and regulatory restrictions on nongovernmental organizations are not severe. However, Guinean civil society remains weak, ethnically divided, and subject to periodic harassment and intimidation.

**E3. 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 February 2017, teachers' unions mounted a strike over wage cuts and other grievances, drawing the support of many students. Related protests led to clashes with police, and at least seven people were killed.

## F. RULE OF LAW: 4 / 16

### **F1. Is there an independent judiciary? 1 / 4**

The judicial system has demonstrated some degree of independence since 2010, though it remains subject to political influence and corruption. The courts are understaffed and underfunded, and have been slow to adjudicate past atrocities associated with military rule.

### **F2. Does due process prevail in civil and criminal matters? 1 / 4**

Security forces engage in arbitrary arrests, often disregarding legal safeguards. Most prison inmates are being held in prolonged pretrial detention, though justice reforms in recent years have reduced the number of such detainees. Due process rights pertaining to trials are frequently denied, and many disputes are settled informally through traditional justice systems.

### **F3. 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. The National Assembly passed a new military code of justice in June 2017, completing Guinea's abolition of the death penalty. However, human rights watchdogs 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 continued to engage in torture and other forms of physical violence with apparent impunity.

### **F4. 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 (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; although this law is rarely enforced, LGBT people have been arrested on lesser charges.

## G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 5 / 16

### **G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 1 / 4**

Freedom of movement has long been hindered by rampant crime and ubiquitous security checkpoints, though restrictions related to the Ebola epidemic have been removed. De facto ethnic segregation can impede individuals' ability to change their place of residence.

### **G2. 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. 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 is nearly ubiquitous despite a legal ban, affecting up to 97 percent of girls and women in the country, the second-highest rate in the world. The new criminal code adopted in 2016 set the legal age for marriage at 18, but early and forced marriages remained extremely common. Laws governing marriage and divorce generally favor men.

### **G4. 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. Guinean boys have been forced to work in mines in Guinea and in neighboring countries, while women and children have been trafficked for sexual exploitation 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** (<https://freedomhouse.org/report/methodology-freedom-world-2018>)

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**ecoi.net summary:**

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