

2023 Country Report on Human Rights Practices: Guinea

EXECUTIVE SUMMARY

There were no significant changes in the human rights situation in Guinea during the year.

Significant human rights issues included credible reports of: arbitrary or unlawful killings, including extrajudicial killings; torture or cruel, inhuman, or degrading treatment or punishment by the government; harsh and life-threatening prison conditions; arbitrary arrest or detention; political prisoners or detainees; serious problems with the independence of the judiciary; arbitrary or unlawful interference with privacy; punishment of family members for alleged offenses by a relative; serious restrictions on freedom of expression and media, including violence or threats of violence against journalists, censorship, and threats to enforce criminal libel laws; substantial interference with the freedom of peaceful assembly; restrictions on freedom of movement and residence within the territory of a state and on the right to leave the country; inability of citizens to change their government peacefully through free and fair elections; serious and unreasonable restrictions on political participation; serious government corruption; extensive gender-based violence including female genital mutilation/cutting; trafficking in persons; laws criminalizing consensual same-sex sexual conduct between adults, and crimes involving violence or threats of violence targeting lesbian, gay, bisexual, transgender, queer, or intersex persons.

The government did not take credible steps to identify and punish officials who may have committed human rights abuses either in the security forces or in other parts of government.

Section 1.

Respect for the Integrity of the Person

A. ARBITRARY DEPRIVATION OF LIFE AND OTHER UNLAWFUL OR POLITICALLY MOTIVATED KILLINGS

There were numerous reports that the government or its agents committed arbitrary or unlawful killings, including extrajudicial killings, during the year. On September 6, the Forces Vives de Guinée (FVG), a coalition composed of political and civil society organizations, published a list of 30 persons they allege security forces shot and killed during protests since June 2022. On May 10 and 11, the FVG held two days of protests to demand the release of its leaders and a rapid return to constitutional order. The FVG alleged that government security forces shot and killed seven persons during the protests. The FVG also held protests on September 5, the second anniversary of the 2021 coup d'état, despite the government's ban on street protests. The FVG reported that four persons were shot and killed on September 5.

The government made some progress against impunity. The Court of First Instance of Dixinn on March 27 sentenced the principal commissioner of the central police station of Kaporo-Rails, Chief Warrant Officer Moriba Camara, to 10 years in prison, and a fine of 100 million Guinea francs (\$11,700) for the killing of a student, age 19, during a June 2022 demonstration to protest an increase in fuel prices.

The steering committee established in 2018 to organize a trial for the perpetrators of the 2009 stadium massacre resumed its work during the year. The body reconvened in May and July. The trial initially opened in September 2022, with charges of murder, attempted murder, rape, and torture against 11 defendants, including former President Moussa Dadis Camara. In November 2022, authorities charged and detained six additional persons in the case, including officials of the army and gendarmerie, but as of September they had not been tried in court.

B. DISAPPEARANCE

There were no reports of disappearances by or on behalf of government authorities.

C. TORTURE AND OTHER CRUEL, INHUMAN, OR DEGRADING TREATMENT OR PUNISHMENT, AND OTHER RELATED ABUSES

The constitution and law prohibited such practices, but there were credible reports that government officials employed them.

Human rights associations reported multiple incidents of abuse of detainees in government detention centers. Nongovernmental organizations (NGOs) alleged that security officials designated as “judicial police officers” abused detainees to coerce confessions. Human rights activists noted the most egregious abuses occurred during arrests or at detention centers. Human rights associations stated that complainants often presented evidence of abuse and wardens did not investigate these complaints. They also alleged that guards abused detainees, including children, and coerced some women into exchanging sex for better treatment.

Impunity was a significant problem in the security forces, particularly in the gendarmes, police, and military forces.

Prison and Detention Center Conditions

Conditions in civilian prisons remained harsh and life threatening, with gross overcrowding, poor sanitation, malnutrition, disease, lack of medical attention, and extensive prisoner-on-prisoner violence pervasive throughout the prison system. Conditions were allegedly worse in gendarme and police detention facilities designed for short-term detentions.

Abusive Physical Conditions: Overcrowding remained a problem across all prisons in the country. For example, according to an activist for prisoners’ rights, as of September 7, the Conakry Central Prison held 1,719 prisoners in a facility designed for 300. In January, the Ministry of Justice’s medical examiner announced that 49 percent of all deaths in the national prison population in 2022 occurred at N’zerekore, a prison located in the Forest Region. He noted that most of the deaths were due to malnutrition. Authorities provided food at the Conakry Central Prison, but most prison directors relied on charities and NGOs to provide food for inmates.

A lack of health care personnel, medicine, and medical supplies in prisons, combined with malnutrition and dehydration, sometimes made infections or illnesses life threatening. A local NGO reported that the government assigned a single doctor, based at the Conakry Central Prison, to cover all eight central prisons. Reports of overcrowding in medical wards at detention centers were common, including at the Conakry Central Prison. Prisoners relied on family members, charities, or NGOs to bring medication, but visitors often had to pay bribes to provide the medicine to prisoners. During his June visit to prisons, Minister of Justice Alfonse Charles Wright noted cases of malnutrition, a lack of hygiene, and poor quality of medications administered to prisoners (some of the medicines administered to the detainees were expired).

Prisoner-on-prisoner violence was a frequent problem. According to lesbian, gay, bisexual, transgender, queer, and intersex (LGBTQI+) persons, abusers also targeted incarcerated gender and sexual minorities, with transgender inmates detained in crowded cells according to their sex assigned at birth and subjected to violence and rape by fellow inmates and guards. This was particularly severe for transgender women held in male-only facilities.

Mansour Bah died at the regional hospital of Boke on June 2 after being transferred from Boke Central Prison where he was in pretrial detention. Authorities arrested him following a land dispute and transferred him to the Boke Central Prison on May 23. According to the autopsy of the body, his death was due to head trauma. The Ministry of Justice initiated proceedings against Bah's fellow detainees "for willful assault and battery resulting in death without intention of causing it." The minister also suspended the prosecutor for professional misconduct.

Administration: Prison and justice sector authorities provided insufficient oversight of facilities and investigations into reported deficiencies. Prisoners and detainees had the right to submit complaints but seldom did due to possible reprisals from prison guards.

Independent Monitoring: Local NGOs such as Equal Rights for All and the Association for the Support of Refugees, Displaced Persons, and Detainees received regular and unimpeded access to the Conakry Central Prison; authorities rarely granted NGOs access to other facilities to monitor conditions.

Conditions in military prisons, managed by the Ministry of Defense, could not be monitored since the government denied access to prison advocacy groups and international organizations. Although military authorities claimed they did not hold civilians at military prisons, previously reported cases contradicted this assertion.

D. ARBITRARY ARREST OR DETENTION

The Transition Charter, the previous constitution, and law prohibited arbitrary arrest and detention, but the government did not always observe these prohibitions. The law provided for the right of any person to challenge the lawfulness of their arrest or detention, but few detainees chose this option due to legal costs, slow judicial proceedings, and fear of retribution.

Arrest Procedures and Treatment of Detainees

Although the law required arrest warrants, police did not always follow this protocol. The law also mandated detainees be charged within 48 hours, renewable once if authorized by a judge. The law allowed the original length of detention to be increased to 96 hours, renewable once with the authorization of the prosecutor. Many detainees were held for much longer periods before being charged.

The law precluded the arrest of persons in their homes between 9 p.m. and 6 a.m., but arrests between those times occurred. After being charged, the accused could be held until the conclusion of the case, including a period of appeal. Authorities routinely ignored the legal provision entitling defendants to an attorney and did not provide indigent defendants with an attorney at government expense.

Release on bail was at the discretion of the magistrate under whose jurisdiction the case fell. The law allowed detainees prompt access to family members, but access was sometimes denied or restricted until families paid bribes to the guards at detention facilities.

Arbitrary Arrest: On October 11, agents of the BAC 8 Anti-Crime Brigade arrested Lamine Waraba Sacko, a supporter of the former ruling party, the Rassemblement du Peuple Guinéen (RPG Arc-en-ciel). He was subsequently charged by the Central Directorate of Judicial Investigations with incitement to violence following an audio recording made without his knowledge. His lawyer,

Salifou Beavogui, denounced the arbitrary arrest of his client without any prior summons justifying the reason for the arrest, which violated article 358 of the code of criminal procedure.

Pretrial Detention: Lengthy pretrial detention was prevalent. The president of a local NGO defending human rights reported that one reason for long pretrial detentions included the lack of sufficient magistrates. He noted in the country there was a ratio of one magistrate per 40,000 inhabitants and the magistrates were concentrated in urban areas. Information was not available regarding whether detentions exceeded the maximum possible sentence. The law stated that when the prosecutor had issued an arrest warrant against an individual or an individual was questioned by an investigating judge, the individual could remain in detention for a maximum of 24 months under circumstances related to national security.

E. DENIAL OF FAIR PUBLIC TRIAL

Although the law provided for an independent judiciary and the Transition Charter also stated the National Council of Reconciliation and Development's (CNRD) commitment to an independent judiciary, according to Freedom House, the judicial system remained subject to political influence and corruption. Informed observers noted political and social status often influenced decisions. Outdated and restrictive laws, a shortage of qualified lawyers and magistrates, nepotism, and ethnic bias limited the judiciary's effectiveness. Domestic court orders were often not enforced. For example, some prisoners ordered to be freed by courts remained in detention because they failed to pay "exit fees" to guards.

Trial Procedures

The Transition Charter, previous constitution, and law provided for the right to a fair and public trial, and an independent judiciary, although burdened by corruption and limited effectiveness, generally enforced this right.

The government did not consistently observe the right to presumption of innocence, the right of the accused to counsel (but only for major crimes), or the right to appeal a judicial decision. Although the government was responsible for funding legal defense costs in serious criminal cases, it rarely disbursed funds for this purpose. The attorney for the defense frequently received no payment. Authorities allowed detainees' attorneys access to their clients, but often on condition that prison guards or gendarmes were present. The law did not permit forced or compelled testimony and confession of guilt but there were reports of abuse and harsh treatment and conditions in detention centers that undermined this protection.

Political Prisoners and Detainees

There were reports of political prisoners and detainees. The CNRD arrested and detained multiple members of the political opposition on charges that civil society described was for the purpose of "political intimidation." Lawyers for detainees reported that authorities made many of the arrests during house-to-house searches at night in neighborhoods considered opposition strongholds. Authorities also reportedly used excessive force in the arrests.

On January 21, authorities arrested Mamadou Billo Bah, Mobilization Coordinator of the National Front for the Defense of the Constitution (FNDC), on multiple charges including criminal participation in a gathering and complicity in the destruction of public buildings and private, intentional assault and battery. He was released on May 10 along with three additional leaders of FNDC including the Coordinator Oumar Sylla (also known as Fonike Mengue) and FNDC's Deputy Coordinator Ibrahima Diallo, who both spent 10 months in prison. The government released them following mediation by religious leaders between the government and a coalition of political parties and civil society organizations, including the FNDC.

On June 13, the court acquitted Fonike Mengue, Ibrahima Diallo, and Executive Secretary of the Union of Republic Forces Saikou Yaya Barry of all charges against them. Saikou Yaya Barry was released in October 2022 and placed under judicial supervision to allow him to travel for medical treatment. As of October, a trial date was not set for Mamadou Billo Bah.

On May 10, the Dixinn Court of First Instance lifted judicial supervision against nine political leaders indicted in October 2022 on charges including “destruction of public and private property, criminal participation in a gathering”.

The government permitted access to political prisoners and detainees on a regular basis to the International Committee of the Red Cross and other human rights or humanitarian organizations.

F. TRANSNATIONAL REPRESSION

Not applicable.

G. PROPERTY SEIZURE AND RESTITUTION

The case of the government’s seizure of a politician’s property remained pending. In February 2022, the CNRD launched an operation to recover government-owned properties, including the residences of Cellou Dalein Diallo, president of the Union of Democratic Forces of Guinea, and Sidya Toure, president of the Union of Republic Forces. As of September, a lower court requested to refer the case to the Supreme Court.

H. ARBITRARY OR UNLAWFUL INTERFERENCE WITH PRIVACY, FAMILY, HOME, OR CORRESPONDENCE

The Transition Charter prohibited such actions, but there were reports that the government failed to respect these prohibitions. Authorities sometimes removed persons from their homes without legal authorization, stole their personal belongings, and demanded payment for the release of their belongings.

The government reportedly continued to arrest or punish family members for alleged offenses committed by relatives. On April 24, a self-proclaimed traditional shaman predicted the fall of CNRD’s regime within 28 days. Members of his family were arrested but were eventually released.

Section 2.

Respect for Civil Liberties

A. FREEDOM OF EXPRESSION, INCLUDING FOR THE MEMBERS OF THE PRESS AND OTHER MEDIA

The Transition Charter provided for freedom of expression, including for members of the press and other media, and stipulated those laws pertaining to freedom of expression, which were in place prior to the coup d’état in 2021, would remain in force. During the year the government limited freedom of expression and freedom of the press through journalist intimidation and alleged internet censorship.

Violence and Harassment: There were reports of arbitrary arrests, harassment, and intimidation of journalists by CNRD transition authorities. Media professionals were victims of attacks and violence perpetrated by security forces and demonstrators during political protests. There were several cases of journalists being arrested, including the October 16 arrest of 13 journalists during a demonstration protesting alleged government infringement on press freedom. Sekou Jamal Pendessa, Secretary General of the country's press union, was among those arrested; the press union claimed three journalists were injured during the arrests. On May 17, two journalists were reportedly assaulted by military personnel for reporting on opposition protests, and on May 9, a journalist was reportedly assaulted by security forces for reporting on a protest at the prime minister's office. The government continued to use a law criminalizing the publication of "false news" to silence journalists.

Censorship or Content Restrictions for Members of the Press and Other Media, Including Online Media: Some journalists accused government officials of attempting to influence the tone of their reporting. Journalists accused the government of targeted censorship of popular social media sites and some online news sites. In February, the government blocked access to an online newspaper that was critical of the government, although access was eventually restored. In May, two of the largest radio stations claimed that the government jammed their radio stations in Conakry. Authorities blocked access to the news websites *Inquisiteur* (September 1 to October 12) and *Guineematin* (August 15 until November 4).

In September, journalists claimed that the Presidency's Office of Communications and Information (DCI) was censoring coverage of official events by preventing journalists from directly capturing video or audio. They claimed the presidency's communications office required journalists to work with the footage that DCI captured and edited.

The government continued to pressure the High Authority for Communication to increase scrutiny of media and journalists. The authority released a statement on March 3 to alert media of possible sanctions in the event of a violation of the law related to the dissemination of false information undermining social cohesion, peace, and justice, or of a defamatory nature toward public or private figures.

Libel/Slander Laws: Libel against the head of state, slander, and false reporting were criminal offenses subject to up to five years' imprisonment and heavy fines. Journalists alleged defamation lawsuits or threats to file lawsuits targeted persons critical of the government to silence dissent. For example, the minister of justice directed the attorney general to take legal action against two journalists for making alleged defamatory and insulting remarks on a radio program on February 9.

Internet Freedom

Journalists accused the government of restricting internet access. The CNRD denied these allegations.

In May, the Association of Guinean Bloggers alleged the government restricted the internet for 10 days following an announcement by the FVG that they were planning a series of demonstrations throughout the month of May. The association carried out tests and confirmed that popular social media platforms such as Facebook, Messenger, YouTube, WhatsApp, Instagram, and TikTok were inaccessible or heavily encumbered. Several press associations also denounced the interruption of access to various domestic online media outlets. The minister of posts, telecommunications, and digital economy and the government spokesperson denied any government involvement in the disruptions and explained these were due to technical problems. On May 23, private media and online outlets held a one-day boycott of news to protest press and internet restrictions. The boycott followed the shutdown of two radio stations, limited access to websites and social media, and government threats to close any media that undermined national unity. Journalists reported that access to two popular local online news sites remained encumbered through mid-October, only accessible to those using virtual private networks. On October 16, the country's press union

organized a street demonstration protesting the government's alleged involvement in the cutting access to online news sites.

B. FREEDOMS OF PEACEFUL ASSEMBLY AND ASSOCIATION

The government restricted freedom of peaceful assembly and occasionally hindered freedom of association.

Freedom of Peaceful Assembly

The Transition Charter and the previous constitution provided for freedom of peaceful assembly. The law banned any meeting that had an ethnic or racial character or any gathering “whose nature threatens national unity.” The law permitted prohibition of demonstrations or meetings if local authorities believed the event posed a threat to public order. Authorities could hold event organizers criminally liable if violence or destruction of property occurred. CNRD transition authorities routinely barred public protests and assemblies.

The CNRD enforced its May 2022 ban on political protests. The CNRD statement prohibited all public demonstrations in public spaces for the duration of the transitional period.

Freedom of Association

The Transition Charter and previous constitution provided for freedom of association, and authorities generally respected this provision. Requirements to obtain official recognition for public, social, cultural, religious, or political associations were not cumbersome, although bureaucratic delays sometimes impeded registration. (See section 3, Political Parties and Political Participation, for further information concerning political party registrations and the dissolution of the opposition FNDC coalition.) Groups openly representing the rights and well-being of the LGBTQI+ community reported that they were unable to obtain legal recognition, even though there was no explicit law preventing their recognition.

C. FREEDOM OF RELIGION

See the Department of State's *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/>.

D. FREEDOM OF MOVEMENT AND THE RIGHT TO LEAVE THE COUNTRY

The Transition Charter permitted freedom of internal movement, foreign travel, emigration, and repatriation, but the government sometimes restricted these rights.

In-country Movement: The government required all citizens older than 18 to carry national identification cards, which they were required to present on request at security checkpoints.

Police and gendarmes regularly established random checkpoints where they routinely demanded payoffs before allowing travelers to proceed. There were reports of occasional beatings and death threats for travelers who refused.

Foreign Travel: On June 1 and again on July 24, border police stopped civil society activist and operations head of the FNDC, Ibrahima Diallo, from traveling without providing with any official reason.

E. PROTECTION OF REFUGEES

The government cooperated with the United Nations High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing protection and assistance to refugees, returning refugees, or asylum seekers, as well as other persons of concern.

Access to Asylum: The Transition Charter and laws provided for the granting of asylum or refugee status, and the government established a system for providing protection to refugees. The law on the right of asylum and the protection of refugees contained provisions to protect individuals from deportation.

Durable Solutions: Repatriation procedures existed and allowed refugees to choose voluntary repatriation.

F. STATUS AND TREATMENT OF INTERNALLY DISPLACED PERSONS (IDPS)

Not applicable.

G. STATELESS PERSONS

There were a few hundred effectively stateless persons, most of whom came from Sierra Leone. These persons did not meet any of the criteria for citizenship. According to UNHCR, these persons requested neither repatriation nor local integration. The government could not provide information on stateless persons due to a lack of identification activities.

Section 3.

Freedom to Participate in the Political Process

The Transition Charter called for free and fair local and national elections.

ELECTIONS AND POLITICAL PARTICIPATION

Abuses or Irregularities in Recent Elections: The most recent national elections in 2020 were widely reported to not be fair and free of abuses and irregularities.

Political Parties and Political Participation: There were no official restrictions on political party formation beyond registration requirements. Parties could not represent a single region or ethnicity. On February 16, the minister of territorial administration and decentralization threatened that political parties or organizations found criminally responsible for violence during the FNDC demonstration could face suspension or withdrawal of their accreditation.

The CNRD authorities dissolved the FNDC, a prominent coalition of domestic civil society groups and opposition parties, in August 2022.

Participation of Women and Members of Marginalized or Vulnerable Groups: Observers noted there were cultural constraints on women's political participation, evidenced by the low rate of women occupying influential political or government positions. The 2020 presidential elections saw two women candidates run for office. Political participation by openly identified LGBTQI+ persons was nonexistent due to cultural stigma and taboos that led LGBTQI+ persons to hide their status.

Section 4.

Corruption in Government

The law provided criminal penalties for corruption by officials, but the government did not implement the law effectively. There were isolated reports of government corruption.

Corruption: The Court to Repress Economic and Financial Offenses (CRIEF), which handled cases involving large-scale embezzlement, corruption, and misuse of public funds, during the year kept some accused dignitaries of the former regime in pretrial detention and others under court-ordered travel restrictions while awaiting trial. The government detained former Prime Minister Ibrahima Kassory Fofana and several other former ministers at the main prison of Conakry in April 2022 on charges of corruption and embezzlement of public funds. In December 2022, the CRIEF investigation chamber ordered Fofana's release on payment of a bond of three billion Guinean francs (\$352,000), but the prosecutor appealed the decision. Fofana's trial opened on March 15 while he remained in custody. Reportedly, other civil servants suspected of corruption fled the country, some of whom had international arrest warrants issued against them.

Land sales and business contracts generally lacked transparency. Business leaders asserted regulatory procedures were opaque and facilitated government corruption. On June 15, the state general auditor released an annual report which presented an audit of public administration in the country, covering the period from January 2022 to December 2022 and extending to prior fiscal years. The report uncovered numerous deficiencies and irregularities in financial management across the administration, indicating a pervasive lack of proper oversight and noncompliance with regulations. According to the report, these issues pose a significant risk of misappropriation of public funds.

On June 20, the CRIEF retried and convicted Paul Moussa Diawara, former director of the Guinean Advertising Office, and Inza Bayo, the office's former administrative and financial director, for complicity and embezzlement of public funds of 39 billion Guinean francs (\$4.58 million). Both were sentenced to five years in prison and ordered to pay 50 million Guinea francs (\$5,870) each. Their original trial in the court of Kaloum in 2019 reached the same decision.

Section 5.

Governmental Posture Towards International and Nongovernmental Monitoring and Investigation of Alleged Abuses of Human Rights

Some domestic and international human rights groups monitored and attempted to disseminate information on human rights abuses. They generally operated without government restriction. Government officials rarely were cooperative and responsive to their views. Since the September 2021 coup, CNRD officials included human rights groups as part of the national dialogue process. The law governing associations in the country (including NGOs) did not specify a validity period for accreditations. Nonetheless, the ministry in charge of territorial administration often provided permits which were renewed periodically. In June, an international NGO received a one-year permit instead of the four-year permit previously granted.

Government Human Rights Bodies: There was a directorate of human rights and fundamental freedoms within the Ministry of Justice and Human Rights that was responsible for implementing government policy for the promotion and protection of human rights.

Section 6.

Discrimination and Societal Abuses

WOMEN

Rape and Domestic Violence: The law criminalized rape and domestic violence, but both occurred frequently, and authorities rarely prosecuted perpetrators. The law did not address spousal rape or the gender of survivors. Rape was punishable by five to 20 years in prison. Survivors often declined to report crimes to police due to custom, fear of stigmatization, reprisal, and a lack of cooperation from investigating police or gendarmes. Studies indicated citizens also were reluctant to report crimes because they feared police would ask the survivor to pay for the investigation.

In domestic violence cases, authorities could file charges under general assault, which carried sentences of two to five years in prison and fines. Violence against a woman that caused an injury was punishable by up to five years in prison and a fine. If the injury caused mutilation, amputation, or other loss of body parts, it was punishable by 20 years imprisonment; if the victim died, the crime was punishable by life imprisonment. Assault constituted grounds for divorce under civil law, but police rarely intervened in domestic disputes, and courts rarely punished perpetrators.

On June 15, Sonah Camara died at Siguiri Prefectural Hospital from severe injuries inflicted by her husband in a domestic violence incident in Sèkè Alahinè, a district in Doko subprefecture. The incident took place on June 10, leading to her hospitalization, during which a forensic doctor confirmed the severity of her injuries. Authorities arrested and detained the perpetrator but information regarding his trial was unavailable at year's end.

Female Genital Mutilation/Cutting (FGM/C): Although the Transition Charter did not explicitly prohibit FGM/C, it granted individuals the right to their physical integrity. Prior to 2021, the constitution and laws prohibited FGM/C. The country had an extremely high FGM/C prevalence rate. According to a 2018 UNICEF survey, 94.5 percent of women and girls ages 15 to 49 had undergone the procedure, which was practiced throughout the country and among all religious and ethnic groups.

The law specified imprisonment of five to 20 years and a fine if the victim was severely injured or died; if the victim died within 40 days of the procedure the penalty prescribed up to life in prison or death. The law provided for imprisonment of three months to two years and fines for perpetrators who did not inflict severe injury or death. These laws were not effectively nor regularly enforced.

During the year, the government implemented actions to combat FGM/C. In March, members of the National Transition Council, the transitional legislative body, sought training from UNICEF training to address the problem of FGM/C when drafting the new constitution. In January, 37 agents from integrated services (justice, police, gendarmerie, and health) received training focused on the prevention and the provision of medical, legal, judicial, and psychosocial care related to gender-based violence and FGM/C. Between January and July, 105 communities from the regions of N'Zérékoré, Mamou, Labé, and Faranah publicly committed to abandoning FGM/C and child marriages within their communities. These commitments were accompanied by post-declaration monitoring mechanisms. Additionally, on September 4, the government officially launched a platform to centralize national data on FGM/C.

Other Forms of Gender-based Violence or Harassment: According to the Union of Guinean Workers, women working in the public sector reported professional repercussions, marginalization, and threats by superiors when women did not accept their advances.

Discrimination: The law did not provide for the same legal status and rights for women as for men, including in inheritance, property, employment, credit, and divorce. Although the law prohibited gender discrimination in hiring, the government did not effectively enforce this provision. The labor code prohibited night work for women in factories, mines and quarries, construction sites, shops,

and their outbuildings of any kind. Traditional practices historically discriminated against women and sometimes took precedence over the law, particularly in rural areas.

Government officials acknowledged that polygamy was common. The law made monogamy the standard for marriage, except in the case of an “explicit agreement” with the first wife. Divorce laws generally favored men in awarding custody and dividing communal assets. Legal testimony given by women commonly carried less weight than testimony by men.

Reproductive Rights: There were no reports of coerced abortion or involuntary sterilization on the part of government authorities.

Low accessibility and poor quality of family planning services as well as a limited mix of methods hindered access to contraception. Cultural barriers included a lack of male partner engagement or support for a woman’s decision to use family planning services; lack of decision-making power for women, as women in many cases needed approval from their husbands before using health services, including family planning; and expectations for newlywed couples to have children. Religious beliefs also hindered access.

According to the 2018 *Demographic and Health Survey*, 55 percent of women gave birth with a skilled health-care professional present. Lack of quality health care, a limited health workforce, and sociocultural barriers also affected women’s access to skilled health attendants, particularly when no midwives were available.

According to the 2016 UNICEF *Multiple Indicator Cluster Survey*, the maternal mortality rate was 550 per 100,000 live births. Lack of accessible, quality health services, discrimination, gender inequalities, early marriage, and adolescent pregnancy all contributed to the maternal death rate. According to the UN Population Fund, the adolescent birth rate was 120 per 1,000 girls ages 15-19.

The government provided access to sexual and reproductive health services for survivors of sexual violence. Multisectoral committees at the national, regional, and local levels addressed gender-based violence, including sexual violence. Committee participants included health professionals, police, and administrative authorities. Health professionals provided health care, including sexual and reproductive health services, to survivors of sexual and domestic violence. The UN Population Fund contributed emergency contraception through family planning partner clinics. Emergency contraception was also included in rape kits.

Lack of access to adequate menstrual hygiene supplies or facilities hurt women and girls’ participation in educational, social, and economic opportunities. According to a Human Rights Watch report, although the government did not ban girls from staying in school during pregnancy and motherhood, religious, cultural, and societal stigma or pressures often led the families of pregnant girls or adolescent mothers to deprioritize their education.

SYSTEMIC RACIAL OR ETHNIC VIOLENCE AND DISCRIMINATION

The country’s population was diverse, with three main linguistic groups and several smaller ones. While the law prohibited racial or ethnic discrimination, allegations of discrimination against members of all major ethnic groups occurred in private sector hiring. Ethnic segregation of urban neighborhoods and ethnically divisive rhetoric during political campaigns were common. The government made little effort to address these problems.

In Koundara, Lower Guinea, the minority Bassari community denounced discrimination by government officials who asked them to provide their parents’ birth certificates to prove their citizenship. Some Bassari individuals alleged that government officials asked them to change their last names to more “Guinean”-sounding names to receive public documents.

CHILDREN

Birth Registration: Birth registration was carried out without discrimination, and authorities and partnering organizations collaborated to ensure that birth certificates were made available to all newborns. Authorities did not permit children without birth certificates to attend school or access health care.

According to UNICEF, 65 percent of newborns in Nzérékoré and Labé were registered in the civil registry within the legal deadlines in 2022.

Education: Due to fees or bribes demanded by poorly paid teachers, in households facing limited resources, priority was often given to boys' education over girls. Additionally, other expenses related to education, such as school uniforms, books, and supplies, contributed to the overall burden discouraging parents from sending girls who could instead help with housework. While girls and boys had equal access to all levels of primary and secondary education, approximately 39 percent of girls attended primary school, compared with 52 percent of boys. Government figures indicated 13 percent of girls completed secondary school, compared with 22 percent of boys.

Child Abuse: Child abuse was a problem and authorities and NGOs continued to document cases. Child abuse occurred openly, although families ignored most cases or addressed them at the community level. Authorities rarely prosecuted offenders.

The law provided penalties for offenses that exposed children to violence, sexuality, the display or dissemination of obscene images, and messages not intended for children.

Child, Early, and Forced Marriage: The law criminalized early and forced marriage. The legal age for marriage was 18. Ambiguity remained, however, because the law referred to customary marriages for children who received consent from both parents or a legal guardian. According to Girls Not Brides, an international network of civil society organizations committed to ending child marriage, prevalence rates were 47 percent of girls married by age 18 and 17 percent married by age 15.

Sexual Exploitation of Children: The law prescribed penalties for all forms of child trafficking, including the commercial sexual exploitation of children. The law prohibited child pornography. The law did not explicitly address the sale, offering, or using of children for commercial sex. Relevant laws were not regularly enforced, and sexual assault of children, including rape, was a serious problem. Girls between ages 11 and 15 were most vulnerable and represented more than half of all rape survivors.

ANTISEMITISM

The Jewish community was very small and there were no reports of antisemitic incidents.

TRAFFICKING IN PERSONS

See the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

ACTS OF VIOLENCE, CRIMINALIZATION, AND OTHER ABUSES BASED ON SEXUAL ORIENTATION, GENDER IDENTITY OR EXPRESSION, OR SEX CHARACTERISTICS

Criminalization: The law criminalized consensual same-sex sexual conduct between adults, which was punishable by three years in prison. Although there were no known prosecutions under the law during the year, LGBTQI+ individuals reported harassment and abuse by authorities predicated on the law and paid bribes to avoid arrest. The Office for the Protection of Women, Children, and

Morals, a part of the Ministry of Security, included a unit to investigate “morals offenses,” including cases of same-sex sexual conduct.

Violence and Harassment: LGBTQI+ persons faced arbitrary arrest, violence, and harassment by security forces who accused them of disrupting the social order. LGBTQI+ persons reported being stigmatized by their families. They were also subjected to sexual assault based on their sexual orientation. LGBTQI+ persons reported internal displacement to avoid regions where cultural and religious norms put their lives and livelihoods in greater danger.

Transgender persons were subjected to “compassionate incarceration” to “protect” them from community violence but were segregated in prisons based on sex assigned at birth; this led to high rates of sexual violence against those “protected” individuals.

Discrimination: The law did not prohibit discrimination by state and nonstate actors based on sexual orientation, gender identity or expression, or sex characteristics. Religious and cultural stigma existed against consensual same-sex sexual conduct. The Transition Charter described marriage and the traditional family (to the exclusion of LGBTQI+ families) as the foundation of the country’s society. There were no official or formal NGO reports of discrimination based on sexual orientation, gender identity or expression, or sexual characteristics, though societal stigma likely prevented survivors from reporting abuse or harassment. LGBTQI+ individuals reported discrimination in education, employment, health care, and housing, with those least able to conceal their identity, such as transgender persons and sexual minorities with nonnormative gender presentation, particularly vulnerable. LGBTQI+ persons also reported that fear of discrimination at health-care facilities dissuaded some from seeking health care.

Availability of Legal Gender Recognition: No processes existed by which individuals could align gender identity markers on legal and identifying documents with their gender identity.

Involuntary or Coercive Medical or Psychological Practices: There were no reports of involuntary or coercive medical or psychological practices specifically targeting LGBTQI+ individuals. Religious, cultural, and family pressures, however, led to informal attempts to “convert” LGBTQI+ individuals, including by families that regularly forced LGBTQI+ members into marriages with persons of the opposite sex.

Restrictions of Freedom of Expression, Association, or Peaceful Assembly: There were no specifically registered LGBTQI+ organizations, as the government restricted such organizations from registering. Some public health organizations worked to raise sexual health and HIV and AIDS awareness, as well as to prevent human rights abuses among vulnerable communities, including the LGBTQI+ community.

PERSONS WITH DISABILITIES

Persons with disabilities could in some cases access education, health services, public buildings, and transportation on an equal basis with others. The law prohibited discrimination against persons with physical, sensory, intellectual, and mental disabilities in education, employment, air travel and other transportation, access to health care, or the provision of other government services. Other elements of the law described the rights of persons with disabilities, such as access to regular, dedicated, or subsidized private schools, government hiring quotas, priority access to government services, and access to public transportation. The government did not effectively implement the law nor programs to provide access to buildings, information, and communications. The government provided some information and communication in accessible formats. The law prohibited discrimination in employment against persons with disabilities. The Ministry of Social Action and the Promotion of Women and Children was responsible for protecting the rights of persons with disabilities, but it was ineffective. The government had informal hiring programs for hiring persons with disabilities. The government provided no support for placing children with disabilities in schools. Some parents of children with disabilities and children with albinism decided not to continue their education to prioritize resources for family members with better economic prospects.

OTHER SOCIETAL VIOLENCE OR DISCRIMINATION

Discrimination against persons with albinism occurred, particularly in the Forested Guinea Region, where, historically, ritual sacrifices and other harmful practices related to witchcraft used persons with albinism or their body parts. NGOs focused on the rights of persons with albinism continued to raise awareness of discrimination and violence. The law afforded persons with albinism equal rights to access education, health care, mobility, and employment. The law also provided penalties for those who encouraged persons with albinism to beg and who sought to use persons with albinism in ritual ceremonies.

Mob violence remained a widespread problem and was reported in the local press throughout the year. In Mamou, Middle Guinea Region, a mob lynched a suspected highway robber on June 8. The victim, with other bandits, reportedly strangled a man to steal his motorcycle.

Laws existed to protect persons with HIV and AIDS from stigmatization. The law on reproductive health mandated persons with HIV and AIDS receive basic care and a guarantee of confidentiality. The government relied on donor efforts to combat discrimination against persons with HIV and AIDS in health care, and government efforts were limited to paying state facilities health-care worker salaries but had not fulfilled its commitment to pay community health-care workers. Most victims of stigmatization were widows abandoned by their families after their husbands died of AIDS.

Section 7.

Worker Rights

A. FREEDOM OF ASSOCIATION AND THE RIGHT TO COLLECTIVE BARGAINING

The labor code provided workers the right to organize, bargain collectively, join a union, and engage in strikes that could be complete or partial or in other forms which did not necessarily imply a pure and simple cessation of work, provided they were of a peaceful nature. The law required unions obtain the support of 20 percent of the workforce to represent them. The law placed restrictions on the free exercise of these rights. The law mandated that the union organization or the collective filing of the strike notice provide a written notice to the competent authority with the reasons and claims made 10 working days before going on strike. Employees had the right to cease work completely upon expiration of the strike notice, subject to providing the necessary safety measures and minimum service. An employee who was required to provide a minimum service and who failed to report for duty could be found guilty of gross negligence.

Strikes were permitted only for work-related topics. Members of the armed forces could not strike. The military requested work changes through its chain of command.

The law protected workers from antiunion discrimination. The law prohibited employers from taking union membership into consideration when considering decisions concerning an employee's hiring, firing, and conduct. It also allowed workers 30 days to appeal any labor decisions and provided for reinstatement of any employee fired for union activity.

The Office of the Inspector General of Labor within the Ministry of Labor managed consensus arbitration, as required by law. An arbitration procedure could be implemented at any time, either at the request of one of the parties to the dispute, or at the request of the minister of labor, particularly if the dispute concerns "essential services."

Penalties for various labor violations ranged from fines to imprisonment, commensurate with

penalties for similar crimes. The government did not effectively enforce applicable laws. Inspections were not adequate to achieve compliance, and penalties were rarely applied against violators.

Worker organizations did not generally operate independently of government or political party interference. Differences existed among the trade unions, with members accusing each other of supporting employer organizations or the government. This resulted in some unions split between two leaders. Companies did not always respect freedom of association and the right to collective bargaining. Hotel workers reported that the government failed to enforce labor laws or penalize employers who violated worker rights. The International Trade Union Confederation reported that Sheraton Grand Conakry management laid off all its workers and refused to cooperate even during government-mandated negotiations in a labor dispute concerning the firing of two elected trade union leaders in 2020. In June, workers at the Onomo Hotel Conakry reported that hotel management improperly restricted union elections and forced almost 50 percent of employees without permanent contracts to reapply as subcontracted employees. Both the Sheraton Grand Conakry and Onomo Hotels previously received development financing with terms outlining performance standards to promote internationally recognized worker rights.

B. PROHIBITION OF FORCED OR COMPULSORY LABOR

See also the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

C. PROHIBITION OF CHILD LABOR AND MINIMUM AGE FOR EMPLOYMENT

See the Department of Labor's *Findings on the Worst Forms of Child Labor* at <https://www.dol.gov/agencies/ilab/resources/reports/child-labor/findings>.

D. DISCRIMINATION (SEE SECTION 6)

E. ACCEPTABLE CONDITIONS OF WORK

Wage and Hour Laws: In June 2022, the government increased the Guaranteed Minimum Interprofessional Wage, although this wage rate remained below the World Bank poverty level.

The law mandated that the regular work should not exceed 10-hour days or a 48-hour week, and it mandated at least 24 consecutive hours of rest each week, usually on Sunday. Every salaried worker had the legal right to an annual paid vacation accumulated at the rate of at least two days per month. Overtime and night wages were a fixed percentage of the regular wage. The law stipulated a maximum of 100 hours of compulsory overtime a year.

Occupational Safety and Health: The law contained occupational safety and health (OSH) provisions but did not establish workplace health and safety standards. Moreover, it did not stipulate the safety requirements for certain occupations or for certain methods of work identified in the law. The employer was required to develop facilities and regulate workflow to preserve the health and safety of workers. They were responsible for providing employees with personal protective equipment at no cost. The labor inspector carried out investigations into the causes, circumstances, and responsibilities. All workers, foreign and migrant, had the right to refuse to work in unsafe conditions without penalty.

Each industry was required to have an occupational safety and health plan, though this requirement was rarely enforced. Despite legal protection against working in unsafe conditions, many workers

feared retaliation and did not exercise their right to refuse to work under unsafe conditions. The government banned wildcat gold prospecting and other mining activities during the rainy season to prevent deaths from mudslides.

Wage, Hour, and OSH Enforcement: The Ministry of Labor was responsible for enforcing labor standards. The reported number of labor inspectors met International Labor Organization (ILO) standards, but the ILO noted inspectors received inadequate training. Labor inspector vacancies often went unfilled. Penalties for violation of the law were not commensurate with similar crimes and were rarely applied against violators. Enforcement efforts were insufficient to deter violations.

Authorities rarely monitored work practices or enforced workweek standards or overtime rules. Violations of wage, overtime, and OSH standards were common across sectors, and inspectors found occupational health and environmental hazards among artisanal (small-scale) gold mining communities in the northern section of the country.

The informal sector included 60 to 70 percent of all workers. The law and regulations on minimum wages applied to the informal sector but were not enforced.