

Human Rights Watch

Torture, Former Combatants, Political Prisoners, Terror Suspects, & Terrorists

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Mr. Ahmed Tidiane Souar
Prime Minister of the Republic of Guinea-Conakry

Dear Mr. Prime Minister,

As leader of Guinea's newly formed government, we are writing this open letter in order to express our deep concern about your government's continuing inaction in the face of severe and ongoing human rights abuses in Guinea.

Because human rights abuses have such a severe impact on the lives of ordinary Guineans, we believe that improving Guinea's human rights record should be among the top priorities of your government. We therefore write to urge you to exercise bold leadership by immediately taking measures to resolve four of Guinea's most acute human rights problems:

You will find enclosed three reports that have been written by Human Rights Watch with respect to these issues. The reports are the product of detailed in-country investigations, and are based on hundreds of interviews with members of the Guinean government and members of civil society, as well as victims of and eyewitnesses to human rights abuses. They contain specific recommendations tailored to dealing with the issues outlined below.

Independent Commission of Inquiry

In April 2007 Human Rights Watch published a report concerning human rights violations committed by security forces during the January-February 2007 strike entitled [*Dying for Change: Brutality and Repression by Guinean Security Forces in Response to a Nationwide Strike*](#). The report is based on an intensive investigation conducted by Human Rights Watch researchers during the months of January-March 2007, and provides detailed accounts of widespread human rights abuses committed by members of the army, the police, and the gendarmerie including murder, rape, assault, and theft.

The report also contains detailed recommendations to your government, including the immediate creation of an independent commission of inquiry. A copy of this report was sent to Prime Minister Kouyat in late April 2007, and is included here for reference.

In the months that followed the publication of *Dying for Change*, we noted with great satisfaction the National Assembly's adoption of a law mandating creation of an independent commission of inquiry, together with the swearing in of 19 commission members as well as 30 police and gendarmes who have been assigned to further the commission's important work.

We would like to express our utter disappointment, however, that well over one year after its formal creation by the National Assembly, the commission of inquiry is not yet operational. Human Rights Watch is concerned that continuing delays will only serve to create impediments to the ability of the commission to perform the task assigned to it, as evidence grows cold and memories lose their freshness with the passage of time.

Meanwhile, members of defense and security forces responsible for human rights abuses who have yet to be even so much as questioned can only be emboldened. We have received reports that even since the end of the strike some of the security force units most implicated in these abuses-the Presidential Guard or Red Berets-have continued to commit abuses, including murder, with total impunity. The risks that indiscipline and impunity on the part of security forces carry for both the safety of Guinea's citizens and the stability of the government itself were vividly illustrated during the pay mutiny of May of this year when army troops fired guns with reckless disregard to the safety of civilians, took a senior military official hostage, and looted shops.

The Guinean government has legal obligations under several international and African human rights treaties-including the International Covenant on Civil and Political Rights, and the African Charter on Human and Peoples' Rights-that require it to respect the right to life,

right to bodily integrity, right to liberty and security of the person, and freedoms of expression, association, and assembly. Based on the detailed investigations conducted by Human Rights Watch in January-March 2007, we must conclude that those obligations were widely violated by Guinean security forces in responding to the strike.

Guinea now has an obligation under international law to carry out a thorough and independent investigation into the human rights abuses perpetrated by security forces and others, followed by prosecution, in accordance with international standards. We therefore urge you to take all necessary measures to ensure Guinea's obligations under international law are respected, particularly by ensuring that the independent commission of inquiry has sufficient funding to begin its work immediately and that safeguards are put into place to protect both commission members and witnesses.

Regular Police Torture of Detainees

In August 2006, Human Rights Watch published a report entitled [*"The Perverse Side of Things": Torture, Inadequate Detention Conditions, and Excessive Use of Force by Guinean Security Forces*](#), concerning unacceptable conditions of detention inside Conakry's Maison Centrale, and the regular torture of individuals detained as criminal suspects by police.

In the course of the research that underlies this report, Human Rights Watch interviewed 35 individuals, many of them children, who provided detailed and consistent accounts of mistreatment and torture by police officers while in police custody. Many of these individuals report that, during police interrogation, they were bound with cords and beaten by police until they agreed to confess to the crime of which they were accused. All of those interviewed by Human Rights Watch bore nearly identical scars on their body, which they reported resulted from police torture during interrogation. You will find photographic examples of these scars inside the report.

Guinea is a party to the United Nations Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment and the International Covenant on Civil and Political Rights. The Guinean government is obliged to investigate these violations, try those responsible, and end such practices by police and state agents.

Despite this, we are aware of no instance, either before or after our report's publication, of a police officer being investigated for acts of torture, much less disciplined or brought to trial for abuse of detainees. At the same time, there are consistent and credible reports that mistreatment and torture of criminal suspects continues to this day, including torture of minors. Individual police officers consistently identified as torturers by detainees we interviewed continue to serve in the same posts they held two years ago.

Human Rights Watch believes that ending impunity for human rights abuses is essential if the fundamental rights of Guineans are to be secured, and we urge you to create a special task force charged with conducting an immediate investigation into police torture with the power to refer individuals for discipline and prosecution. In addition, we also recommend that your government thoroughly review-and as necessary revise-the training curriculum for police and other security forces to ensure comprehensive training on human rights issues including legal and appropriate interrogation techniques and appropriate use of force consistent with international human rights standards.

Grossly Inadequate Prison Conditions

In addition to police torture, our August 2006 report *"The Perverse Side of Things"* documented conditions within Guinea's dilapidated and abuse-ridden prison system. Our research revealed gross deficiencies with respect to overcrowding and malnutrition, conditions that have scarcely changed since publication. Unpaid prison guards continue to extort prisoners and their families for money, exacerbating problems of hunger and malnutrition.

Conditions for the most vulnerable prisoners of all, children under 18, remain alarming. Overcrowding is a persistent problem, children are not separated from adults in many instances in violation of international norms, and cases of severe malnutrition continue to occur.

The great majority of those being detained in Guinea's prison system have yet to be convicted of any crime at all. Many are left to languish for years in cramped cells where they face hunger, disease, and sometimes death before being granted a trial or set free. Prolonged pre-trial detention and the problems of overcrowding that it creates are due in large part to the failure of Guinea's courts to meet with a frequency consistent with international law, which provides for the right to a trial within a reasonable time.

Mr. Prime Minister, we believe that it is in securing the basic human rights of Guinea's most vulnerable that the rights of all are secured. We therefore urge you to personally visit Guinea's prisons to observe conditions first hand, to meet with members of local civil society who are working to improve detention conditions, and to task members of your government with ensuring that conditions of detention are brought in line with international norms as soon as possible.

Child Labor, Child Trafficking, and Abuse

In June 2007, Human Rights Watch published [*Bottom of the Ladder: Exploitation and Abuse of Girl Domestic Workers in Guinea*](#). The report documents severe abuses suffered by tens of thousands of child domestic workers in Guinea, including working up to 18 hours a day without pay, frequent beatings and physical abuse at the hands of their employers, and sexual harassment and abuse. Despite these conditions, it is often difficult for child domestic workers to leave their employer families as they cannot reach their parents and have nowhere to go; these girls live in conditions akin to slavery.

While most domestic workers are Guinean, others come from Mali, Sierra Leone, and other countries within the region; some are trafficked from these neighboring countries or within Guinea. There is no child protection system in place to ensure regular monitoring of the well-being of children, and, if necessary, to facilitate their removal from abusive homes.

While the Guinean government has taken some steps to end trafficking and child abuse, conducting serious investigations in a few cases, there have been few prosecutions so far, and adults can still commit abuses against children with virtual impunity.

When it comes to solutions, access to education for girls is a particular priority. Guinea is party to the Convention on the Rights of the

Child and other major treaties on children's rights. Under Guinean law, children have a right to education and primary school attendance is compulsory. However, no strategy has been put in place to reach out to vulnerable groups of children, such as child domestic workers, other child laborers, or orphans. We note in this respect that in the context of the Guinea's Education Sector Program, the World Bank, Germany, and France have committed to about US\$165 million.

Human Rights Watch believes that your government should take immediate, urgent steps to end the exploitation, trafficking, and abuse of children. In particular, we urge you to take measures to create a functioning child protection system; ensure that abuses against children are prosecuted in accordance with international law; and design and implement a strategy to improve access to education for girls, in particular child domestic workers and other vulnerable groups.

Conclusion

Mr. Prime Minister, with preparations currently underway to celebrate Guinea's 50th anniversary since independence, we think you will agree that there is still much work to be done to secure a just and more equitable future for ordinary Guineans. Over the last 50 years, human rights violations have been a key impediment to building the rule of law and a stable, more prosperous Guinea. We can think of no better way to mark this historic occasion than by demonstrating a commitment to end the impunity that has allowed abuses to continue undeterred.

While the recent creation of a National Observatory for Human Rights is a step in the right direction, resolution of the problems discussed above will require the sustained commitment of the entire government. To this end, we once again urge you to take all necessary measures to ensure that the commission of inquiry into the widespread abuses of January-February 2007 has the resources to begin operations with all due haste; that an investigation into police torture of criminal suspects begin immediately; that measures be taken to bring Guinea's prison conditions in line with international norms; and that the government put in place measures to ensure access to education and to a proper child protection system in Guinea.

Human Rights Watch stands ready to support the efforts of your government to strengthen the rule of law and ensure accountability for human rights abuses. Should you or any member of your government desire further information about Human Rights Watch or our work in Guinea, our West Africa Project Director, Ms. Corinne Dufka, would be delighted to answer any questions.

Sincerely,

Georgette Gagnon
Executive Director, Africa Division
Human Rights Watch

Corinne Dufka
West Africa Project Director
Human Rights Watch

Unlawful Detention and Abuse in Unauthorized Places of Detention in Uganda

Armed Separatist Attacks on Students, Teachers, and Schools in Cameroons Anglophone Regions



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