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## “They Let People Kill Each Other”

Violence in Nzérékoré during Guinea’s Constitutional Referendum  
and Legislative Elections



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## Summary

Security forces only defended the polling stations, the voters, and took care of the delivery of the ballot boxes. But they did nothing to stop the mob violence by armed Guerzé, Konianké, and Malinké, who attacked people and their properties.

—40-year old community leader, Nzérékoré, May 15, 2020

On March 22, 2020, Guineans voted in legislative elections and a constitutional referendum that paved the way for incumbent President Alpha Condé to run for a third term. The election day was marred by violence in Guinea’s capital, Conakry, and towns in the country’s interior, as those who opposed the proposed constitution – who had boycotted the poll – clashed with pro-government supporters and members of the security forces.

The violence was at its worst in Nzérékoré, a city in Guinea’s southeastern Forest region, where the controversial polls ignited longstanding intercommunal and ethnic tensions. Clashes between pro-government and opposition supporters at polling stations on election day were followed by violence across the city between March 22 and 24, leaving at least 32 people dead, including 3 children, 90 injured, and dozens of homes, shops and churches destroyed or damaged. Human Rights Watch also documented one rape case, of a 17-year-old girl.

This report, based on interviews with 48 victims of and witnesses to the violence, as well as 31 relatives of victims, medical staff, journalists, lawyers, academics, opposition party members, civil society representatives, and other key informants, provides first-hand accounts of the violence in Nzérékoré, and examines how the Guinean authorities and security forces responded to it. It also documents human rights violations committed by Guinean security forces, including unlawful killings, inhuman detention conditions, illegal detention, and excessive use of force.

The March constitutional poll was the culmination of a months-long effort by President Condé and his supporters to replace the 2010 constitution, which limited presidents to two five-year terms. Despite fierce resistance from a coalition of civil society groups and opposition parties, known as the National Front for the Defense of the Constitution (Front

national pour la défense de la Constitution, FNDC), Condé announced in December 2019 that a draft new constitution would be subject to a national referendum.

The FNDC has organized frequent protests against the proposed new constitution, which they consider an attempt to hand Condé a third term. Security forces have frequently used excessive force to disperse protestors, including teargas and live ammunition, leaving dozens of people dead. Protesters have burned tires, barricaded streets, attacked polling stations and voters, and targeted security forces.

Observers warned of violence ahead of the referendum, which President Condé said in February would be held alongside legislative elections, postponed from December 2019. On March 21, Condé said he was sure the poll would be “calm and serene.”

The violence in Nzérékoré began on election day in the Bellevue neighborhood, where witnesses said clashes between pro-government and opposition supporters quickly degenerated, sparking violence across the city.

As the violence spread to other parts of Nzérékoré, victims said it often ran along ethnic lines, with groups consisting of armed Guerzé, an ethnic group seen as sympathetic to the opposition facing off with groups of equally well-armed ethnic Konianké and Malinké, largely considered to be supporters of the ruling party. Some victims were apparently targeted based on their ethnic identity. Many of the victims were shot, hacked, or beaten to death, and at least one was burned alive.

Despite the presence of police, gendarmes, and soldiers deployed to provide security during the elections, witnesses said in many instances security forces did not intervene or respond to calls to stop groups of armed citizens from attacking people or destroying properties. Authorities, however, said they took adequate measures to end the violence, including by implementing a curfew, arresting over a hundred people, and sending military reinforcements. Authorities have also blamed the opposition for being behind the violence in Nzérékoré.

Guinea’s government initially claimed that only 4 people died during the violence, but later admitted a heavier human toll of 30 deaths. Human Rights Watch also found credible evidence to support an allegation, made by Guinean human rights groups, that the bodies

of over two dozen people killed during the violence were removed from Nzérékoré's regional hospital and secretly buried in a mass grave in the "May 1" forest in the city. Victims' relatives said that the hospital refused to hand over their family members' remains and did not know where the bodies of their loved ones had been buried or disposed of.

The Guinean government, in response to questions from Human Rights Watch, shared a July 2020 report from a Guinean judge who, after a visit to the site, confirmed the existence of the mass grave. A March 2020 report signed by the director-general of Nzérékore hospital and a health ministry representative said that the number of people killed had exceeded the capacity of the hospital's morgue and that, for public health reasons, authorities had decided to perform a "burial by necessity." Relatives of victims told Human Rights Watch that the government should exhume the bodies to identify their remains and allow for a more dignified burial.

Human Rights Watch research indicates that although the majority of the killings in Nzérékoré were perpetrated by groups of armed citizens, security forces also killed at least two people, including a pregnant woman, raided homes, looted and damaged properties, and beat dozens of men. Most of those arrested were illegally detained at the Beyanzin military camp in Nzérékoré between March 22 and 25, where they were beaten, kept in inhuman conditions in a dirty cell without adequate ventilation, and deprived of food and water.

Three ex-detainees told Human Rights Watch that on March 24 soldiers at the camp forced them to carry weapons that did not belong to them and were then paraded before local journalists. State television later that day described the detainees as "mercenaries" implicated in the Nzérékoré violence. FNDC leaders have also accused the authorities of more aggressively prosecuting members of Guerzé and other ethnic groups considered to be affiliated with opposition parties, while releasing Malinké detainees. According to family members, defense lawyers and FNDC leaders, of the 43 people still detained, at time of writing, for their alleged role in the violence, 39 belong to the Guerzé and other ethnic groups, while 5 are leaders of the FNDC.

Human Rights Watch sent preliminary findings and a list of questions to Albert Damantang Camara, the security and civilian protection minister, on September 8. On September 21,

Camara shared with Human Rights Watch an April 30 Guinean police report on the March violence in Nzérékoré. The report stated that a government prosecutor in Nzérékoré had set up commission of inquiry to identify and prosecute those responsible for crimes committed in the city between March 22 and 24.

The report did not, however, address the role of the security forces in responding to violence in Nzérékoré, other than stating that the Bellevue neighborhood, where the election day violence began, had been “inaccessible” to the Guinean police due to the fighting there and that, “the army had been requested to work with the security forces to pacify the area.” On September 21, Human Rights Watch requested additional information from Camara on the role of the security forces in preventing violence, and allegations they committed human rights abuses, to which Camara has not responded at the time of writing.

As Guinea prepares for presidential elections in October 2020, its government needs to ensure that security forces posted to polling stations, as well as political demonstrations, rallies, and other key events preceding the elections, adequately protect people while respecting their right to demonstrate peacefully. The government and criminal justice authorities should also ramp up efforts to identify all those responsible for killings and other crimes in Nzérékoré, from Guerzé, Malinké, and Konianké communities, to demonstrate that perpetrators of political and election-related violence will be robustly investigated and prosecuted in fair trials, regardless of their political or ethnic affiliation. Security forces implicated in human rights abuses should also be investigated and prosecuted.

Guinea’s international partners, including the sub-regional Economic Community of West African States, the African Union, the United Nations, the European Union, and the United States, have all expressed concern over the country’s escalating political tensions. Ahead of the 2020 presidential poll, these partners should urge the government to end impunity for election-related violence and make clear that Guinean government officials or security forces implicated in human rights abuses could face targeted sanctions, including travel bans and asset freezes.

# Recommendations

## To the Guinean Authorities

### *Ensure Accountability and Deliver Justice to Victims and Their Families*

- Investigate and prosecute in fair trials all those responsible for killings, beatings, sexual offences, and other abuses regardless of political affiliation or ethnicity, including members of the security forces responsible for human rights abuses.
- Provide periodic public updates on the status of investigations and prosecutions.
- Investigate the alleged burial in a mass grave of the bodies of people killed during the violence in Nzérékoré, if necessary with the assistance of international forensic experts. Promptly and appropriately exhume the bodies from any potential mass grave site and hand over them to family members for proper burial.
- Ensure that victims and family members of security force abuses receive adequate compensation for their losses.
- Ensure that victims and family members of intercommunal violence receive adequate compensation, including for property damage, funeral costs, and medical care.

### *End Illegal Detention and Ensure Adequate Detention Conditions*

- Immediately stop the practice of detaining people in unofficial places of detention, including ungazetted military detention centres, and either transfer detainees to lawful places of detention or release them. Ensure all detainees are brought promptly before a judge to rule on the legality and necessity of their detention.
- Improve conditions in detention facilities and preserve detainees' rights to physical and psychological integrity by providing them with adequate food, water, lighting, cooling, and ventilation, and ensure their access to professional medical care, legal counsel, and family visits in accordance with international and regional standards.

### *Prevent Further Violence*

- During the 2020 presidential elections, and during periods of political instability, ensure enough security forces are deployed to areas that are prone to

intercommunal and election-related violence, including Nzérékoré, and that forces are trained on how to protect and respect people in a neutral and rights-respecting manner.

- Ensure that police and gendarmes exercise restraint and discipline when policing opposition protests, including by reiterating the need for police and gendarmes to abide by the UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials and the African Commission on Human and Peoples' Rights Guidelines on Policing Assemblies in Africa.
- Ensure security forces are trained in human rights principles and are held accountable if they violate these principles. Take meaningful steps to investigate and address root causes of intercommunal and ethnic tensions in Nzérékoré and the whole of the Forest region.

### **To the United Nations, the African Union, the European Union, France, the United States, and Guinea's Other Foreign Partners**

- Publicly and privately call on the Guinean authorities to ensure all those responsible for killings, beatings, destruction of property, sexual offences, and other abuses are investigated and prosecuted regardless of their political affiliation or ethnicity, including members of the security forces responsible for human rights abuses.
- Publicly call on Guinean authorities to respect freedom of assembly and the right to peaceful protests, and to ensure that government and opposition supporters can express their right to freedom of assembly prior to, during, and after the 2020 elections.
- Create a joint monitoring mechanism to observe human rights abuses prior to and during election period.
- Consider imposing targeted sanctions against senior Guinean officials responsible for human rights abuses, including travel bans and asset freezes.
- Offer technical assistance, including forensic expertise, to Guinean authorities in the excavation of any potential mass grave site.
- Provide financial and technical assistance to Guinean human rights organizations.

## Methodology

This report investigates election-related intercommunal violence in Nzérékoré, in Guinea's southeastern Forest region, between March 22 and 24, 2020. It examines both the causes and circumstances of the violence that led to the death of over 30 people and allegations that security forces were both directly implicated in human rights violations and failed to take adequate steps to prevent or curtail the violence.

Human Rights Watch interviewed by telephone 79 people, including 48 victims and witnesses of the events in Nzérékoré between March 22 and 24, and 31 others, including relatives of victims, healthcare workers, lawyers, journalists, members of opposition parties, and religious and civil society representatives. Interviews were conducted between March 22 and September 1 in French and English, and in Guerzé and Konianké with translation into French by an interpreter who was physically present with the interviewees. The interpreter took appropriate precautions to prevent the spread of Covid-19, including maintaining a safe distance from the interviewees and wearing a protective mask.

Human Rights Watch informed each interviewee of the purpose of the interview and the ways that the information would be used, and all interviewees verbally consented to be interviewed. Human Rights Watch did not provide financial incentives or any other benefits to interviewees. Human Rights Watch has withheld the names of many of the witnesses and victims to protect them from possible reprisals by perpetrators of the violence.

Human Rights Watch has sought to address the limitations of phone interviews by corroborating findings through other sources, including reports published by Guinean human rights groups, national and international media, and by collecting and examining photographs, video footage, and medical records. The report also makes clear where there are gaps or ambiguities in the findings.

Human Rights Watch sent preliminary findings and a list of questions to Albert Damantang Camara, the security and civilian protection minister, on September 8. On September 21 and 22, Camara shared with Human Rights Watch an April 30 Guinean police report on the

March violence in Nzérékoré, a March 27 report of the Nzérékoré regional hospital, and a July 2020 report into the violence conducted by a Guinean judge. Relevant information from those reports has been integrated into this report.

# I. Background

Guinea, which has a long history of election-related violence, is scheduled to hold presidential elections in October 2020.<sup>1</sup> President Alpha Condé, 82 years old and in power since 2010, has forced through a new constitution that, his supporters say, reset his eligibility for reelection in this year's polls.<sup>2</sup> On August 31, Condé accepted his party's nomination for the October election; he will run for a third term.<sup>3</sup>

A coalition of opposition parties and civil society groups – the National Front for the Defense of the Constitution (Front national pour la défense de la Constitution, FNDC) – has over the past year organized frequent protests against the new constitution and a new Condé term.<sup>4</sup>

Although the government in some instances permitted protests to go ahead, in most cases it banned them, and security forces resorted to excessive force to disperse protestors, including by using teargas and live ammunition.<sup>5</sup> Scores of people have been killed between since October 2019, when protests began.<sup>6</sup>

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<sup>1</sup> Human Rights Watch, Guinea: Ensure Fair Trials in Post-Election Violence, November 24, 2010, <https://www.hrw.org/news/2010/11/24/guinea-ensure-fair-trials-post-election-violence>; Human Rights Watch, World Report 2014, Events 2013, <https://www.hrw.org/world-report/2014/country-chapters/guinea>; Human Rights Watch, Guinea, Events of 2015, <https://www.hrw.org/world-report/2016/country-chapters/guinea>.

<sup>2</sup> “Guinean President Alpha Conde enacts new constitution,” Al Jazeera, April 7, 2020, <https://www.aljazeera.com/news/2020/04/guinean-president-alpha-conde-enacts-constitution-200407101000192.html> (accessed September 7, 2020). Guinea's 2010 constitution limited presidents to two terms and further prohibited any amendment to revise the number and duration of presidential terms. Constitution of Guinea, 2010, Articles 27 and 154, [https://www.constituteproject.org/constitution/Guinea\\_2010.pdf?lang=en](https://www.constituteproject.org/constitution/Guinea_2010.pdf?lang=en) (accessed September 7, 2020)

<sup>3</sup> “Guinean opposition vow street protests as President Condé goes for third term,” Radio France Internationale, September 1, 2020, <https://www.rfi.fr/en/africa/20200901-guinean-opposition-vow-street-protests-as-president-condé-goes-for-third-term> (accessed September 7, 2020).

<sup>4</sup> Human Rights Watch, Guinea: Fear of Further Crackdown as Constitutional Poll Nears, February 19, 2020, <https://www.hrw.org/news/2020/02/19/guinea-fear-further-crackdown-constitutional-poll-nears>.

<sup>5</sup> Human Rights Watch, Guinea: Fear of Further Crackdown as Constitutional Poll Nears, February 19, 2020, <https://www.hrw.org/news/2020/02/19/guinea-fear-further-crackdown-constitutional-poll-nears>.

<sup>6</sup> Human Rights Watch, Guinea: Violence During Referendum, April 10, 2020, <https://www.hrw.org/news/2020/04/10/guinea-violence-during-referendum>.



Security forces and protesters clashed in Conakry, Guinea’s capital, on March 22, 2020, during a constitutional referendum whose results paved the way for President Alpha Conde to run for a third term. © 2020 Cellou Binani/AFP via Getty Images

In December 2019, Condé released<sup>7</sup> the proposed text of the new constitution, and on February 4, 2020, he announced<sup>8</sup> that a constitutional referendum would be held on March 1, alongside legislative elections. On February 28, he rescheduled<sup>9</sup> the vote to March 22, citing flaws in the register of voters.<sup>10</sup>

Ahead of the March 22 polls, human rights groups,<sup>11</sup> and the international community,

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<sup>7</sup> “Guinea President Seeks Change to Constitution That May Extend Rule,” Bloomberg, December 20, 2019, <https://www.bloomberg.com/news/articles/2019-12-20/guinea-s-conde-seeks-change-to-constitution-that-may-extend-rule> (accessed September 7, 2020).

<sup>8</sup> “Guinée : les législatives et le référendum constitutionnel seront couplés,” Jeune Afrique, February 5, 2020, <https://www.jeuneafrique.com/891925/politique/guinee-les-legislatives-et-le-referendum-constitutionnel-seront-couples/> (accessed September 7, 2020).

<sup>9</sup> Twitter, Alpha Conde, February 29, 2020, <https://twitter.com/alphacondepresi/status/1233533089315479552>.

<sup>10</sup> “New tensions in Guinea after referendum postponement,” Deutsche Welle, March 2, 2020, <https://www.dw.com/en/new-tensions-in-guinea-after-referendum-postponement/a-52612817> (accessed September 7, 2020).

<sup>11</sup> Human Rights Watch, Guinea: Fear of Further Crackdown as Constitutional Poll Nears, February 19, 2020, <https://www.hrw.org/news/2020/02/19/guinea-fear-further-crackdown-constitutional-poll-nears>; Amnesty International, Guinea: Appalling human rights “red flags” ahead of presidential election, November 13, 2019, <https://www.amnesty.org/en/latest/news/2019/11/guinea-human-rights-red-flags-ahead-of-presidential-election/>.

including the United States,<sup>12</sup> and the European Parliament<sup>13</sup> warned of violence on the day of the vote. But on March 21, President Condé said he was sure the poll would be “calm and serene.”<sup>14</sup>

In the end, however, the vote was marred by violence in the capital Conakry and across Guinea, including in Nzérékoré, southeastern Guinea; Kindia, in the country’s center; and Kolaboui and Sangaredi, in the west.<sup>15</sup> Violent confrontations erupted between scores of people from pro- and anti-referendum groups, and between anti-referendum protesters and security forces. Protesters burned tires, barricaded streets, attacked polling stations, and threw stones at security forces, who responded with teargas and live ammunition. Human Rights Watch’s research found that security forces killed at least 8 people in Conakry on election day, including two children, and wounded more than 20 others.<sup>16</sup>

The government accused the opposition of orchestrating the election-day violence in Nzérékoré<sup>17</sup> and across Guinea. The opposition denied these accusations.<sup>18</sup> An FNDC leader said the coalition had clearly instructed all its members and supporters to boycott the elections but did not advocate for violence, and that it was the security forces and pro-government supporters who provoked the violence and committed human rights abuses.<sup>19</sup>

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<sup>12</sup> US Department of State, Press Statement, US Concerns Over Electoral Process in Guinea, February 7, 2020, <https://www.state.gov/u-s-concerns-over-electoral-process-in-guinea/>.

<sup>13</sup> European Parliament, Motion for a Resolution, February 2, 2020, [https://www.europarl.europa.eu/doceo/document/B-9-2020-0113\\_EN.html](https://www.europarl.europa.eu/doceo/document/B-9-2020-0113_EN.html).

<sup>14</sup> “Buildings torched in Guinea ahead of referendum,” France 24, March 21, 2020, <https://www.france24.com/en/20200321-buildings-torched-in-guinea-ahead-of-referendum> (accessed September 7, 2020).

<sup>15</sup> “Guinea’s controversial referendum marred by violence,” Radio France Internationale, March 23, 2020, <http://www.rfi.fr/en/africa/20200323-guinea-s-controversial-referendum-marred-by-violence> (accessed September 7, 2020).

<sup>16</sup> Human Rights Watch, Guinea: Violence During Referendum, April 10, 2020, <https://www.hrw.org/news/2020/04/10/guinea-violence-during-referendum>.

<sup>17</sup> “Guinea Admits 30 Died In Post-election Violence In March,” Barrons.com, AFP, May 27, 2020, <https://www.barrons.com/news/guinea-admits-30-died-in-post-election-violence-in-march-01590606607> (accessed September 7, 2020); “Moussa Tiégboro Camara: “Les gens du FNDC sont des satans” Ledjely.com, June 5, 2020, <https://ledjely.com/2020/06/05/moussa-tiegboro-camara-les-gens-du-fndc-sont-des-satans/> (accessed September 7, 2020).

<sup>18</sup> Human Rights Watch telephone interviews with FNDC leaders, April-August 2020. See also “Guinea Admits 30 Died In Post-election Violence In March,” Barrons.com, AFP, May 27, 2020, <https://www.barrons.com/news/guinea-admits-30-died-in-post-election-violence-in-march-01590606607> (accessed September 7, 2020).

<sup>19</sup> Human Rights Watch telephone interview with an FNDC coordinator, June 2020.

## II. Nzérékoré's Bloody Election

Guinea's Forest region, located at the crossroads between Côte d'Ivoire, Liberia and Sierra Leone, has a history of intercommunal violence among communities who see themselves as "native" to the region – including Guerzé – and those perceived as newer arrivals or who are associated with allegedly non-native groups, including the Malinké and Konianké.<sup>20</sup> Election cycles in Nzérékoré carry a particular risk of violence as political divisions exacerbate these existing ethnic tensions.

The violence in Nzérékoré that followed the constitutional referendum and legislative polls lasted from March 22 to 24 and was by far the worst of the March elections. Clashes between pro-government and opposition supporters on election day in the Bellevue neighborhood were followed by violence across the city, leading to the killing of at least 32 and injuring of more than 90 people<sup>21</sup> and significant destruction of property, including homes, shops, and churches. Many of the victims were shot, others hacked or beaten to death, and one was burned alive.

The violence often ran along ethnic lines with groups of armed Guerzé, seen as sympathetic to the opposition, facing off against groups consisting of equally well-armed ethnic Konianké and Malinké, considered to be supporters of the ruling party. Some victims said they were apparently targeted simply based on their ethnic identity.

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<sup>20</sup> Search for Common Ground, Conflict Analysis Report, Guinée Forestière, September 2013, <https://www.usaid.gov/sites/default/files/documents/1860/situation-analysis-guinee-forestiere.pdf>; Association Mains Solidaires (AMAS) with the support of UNDP, Diagnostic des causes profondes des conflits intercommunautaires récurrents en Guinée Forestiere, Conakry, April 2016, <https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=&cad=rja&uact=8&ved=2ahUKEwiLzcnSqdTTrAhXLFMAKHTNCDjIQFjAAegQIBRAB&url=http%3A%2F%2Fmptf.undp.org%2Fdocument%2Fdownload%2F17683&usg=AOvVaw3PU41KNMIR-GN-Cf5C14vD>; "In response to inter-communal conflicts, the government should bolster independent and fair judicial processes, as well as local peacebuilding initiatives," The Institute for Security Studies (ISS), Africa, September 11, 2013, <https://issafrica.org/iss-today/at-each-others-throats-konianke-and-guerze-clashes-in-guineas-forest-region>.

<sup>21</sup> "Guinée: retour sur les affrontements meurtriers de Nzérékoré," Radio France Internationale, March 30, 2020, <https://www.rfi.fr/fr/afrique/20200329-guinee-violences-double-scrutin-nzerekore> (accessed September 7, 2020).  
Guinean civil society organisations said 36 people were killed and 136 were injured as a result of the violence in Nzérékoré: see "Violences meurtrières à N'Zérékoré : un rapport accable les autorités civiles et militaires" Guineenews., May 15, 2020, <https://www.guineenews.org/violences-meurtrieres-a-nzerekore-un-rapport-accable-les-autorites-civiles-et-militaires/> (accessed September 7, 2020).

Through interviews with witnesses and family members, Human Rights Watch confirmed that at least 32 people were killed in Nzérékoré, including 2 killed by the security forces. Five witnesses, however, including a nurse in the regional hospital and a policeman, said that they saw between 40 and 50 dead bodies at the mortuary of Nzérékoré's regional hospital. The nurse said: "I entered the mortuary several times. I saw many bodies. I counted at least 50."<sup>22</sup> The policeman told Human Rights Watch:

One of my relatives, a 14-year-old child, was missing. We feared he had been killed during the violence, so I went to the mortuary to check. I found his body. I was shocked. But I was also appalled by the number of bodies at the mortuary. I counted 47. Some were inside the mortuary, others outside, on the hospital terrace, exposed.<sup>23</sup>

Authorities initially claimed that only four people<sup>24</sup> had died, but later admitted a higher toll of 30 deaths.<sup>25</sup> Guinean rights groups reported that up to 36 people died during the violence and that 83 properties, including polling stations, homes, shops, and churches, were either burned or destroyed.<sup>26</sup> A March 27 report signed by the head of the Nzérékoré regional hospital and a ministry of health representative states that the regional hospital recorded 165 people injured or killed between March 22 and 24.<sup>27</sup> The hospital treated 145 people for injuries related to the violence, 26 of whom had suffered serious injuries. At least 24 people were killed, 20 prior to arrival at the hospital.<sup>28</sup>

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<sup>22</sup> Human Rights Watch telephone interview a nurse of the Nzérékoré's regional hospital, May 2020

<sup>23</sup> Human Rights Watch telephone interview with a policeman working in Nzérékoré, May 2020,

<sup>24</sup> "Guinée: les autorités dressent leur bilan des violences lors du double scrutin," Radio France Internationale, March 24, 2020, <http://www.rfi.fr/afrique/20200323-guinee-autorites-bilan-gouvernement-six-morts-legislatives-referendum-vote> (accessed September 7, 2020).

<sup>25</sup> "Guinée: le gouvernement reconnaît 30 morts à Nzérékoré pendant les violences électorales," Radio France Internationale (RFI), May 28, 2020, <http://www.rfi.fr/afrique/20200528-guinee-le-gouvernement-reconnait-30-morts-a-nzerekore-pendant-les-violences-elector> (accessed September 7, 2020).

<sup>26</sup> Collectif des ONG de défense des droits de l'Homme en Guinée forestière, Rapport d'enquête sur les atteintes et violations des droits humains à la suite des violences inter communautaires nées des élections législatives et référendaires du 22 mars 2020, April 2020, <http://www.lejour.info/wp-content/uploads/2020/05/Rapport-du-Collectif-des-ONG-de-Défense-des-Droits-de-l-Homme-GF-sur-les-Violences-Intercommunautaires-du-22-au-24-mars-2020-à-NZérékoré.pdf> (accessed September 7, 2020).

<sup>27</sup> Direction régionale de la santé, hôpital régional de Nzérékoré, *Rapport médical des victimes du conflit postélectoral des 22, 23, 24 mars 2020*, March 27, 2020

<sup>28</sup> Direction régionale de la santé, hôpital régional de Nzérékoré, *Rapport médical des victimes du conflit postélectoral des 22, 23, 24 mars 2020*, March 27, 2020

Government and ruling party officials said that the violence started when opposition protestors threw stones at polling stations and voters, triggering a violent reaction from pro-government supporters. “It was local FNDC officials who planned the violence and fueled tensions between communities in Nzérékoré,” Yaya Kairaba Kaba, the attorney general of the northern town of Kankan, told journalists<sup>29</sup>.



A private home burned by violent mobs in ‘Bellevue’ neighborhood in Nzérékoré, during the violence on March 22, 2020. ©2020 Private

According to reports from Guinean rights groups,<sup>30</sup> which were confirmed by the Guinean police<sup>31</sup> and witnesses Human Rights Watch interviewed, armed men attacked at least three polling stations on election day, two in the Bellevue neighborhood and one within the University area, in the Nakoyakpala neighborhood. A 29-year-old electoral official said that his polling station in Nakoyakpala was attacked by a crowd of over 40 men, largely Guerzé, armed with guns, machetes, sticks, and stones. “I saw how they threatened the three security officers assigned to guard the entry, including a policewoman who they ordered to take off her clothes,” he

said.<sup>32</sup> “They broke into the courtyard, burned a car, a bus and two motorbikes. Then they came inside and burned election material. I ran away fearing for my life.”<sup>33</sup>

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<sup>29</sup> “Guinea Admits 30 Died In Post-election Violence In March,” Barrons.com, AFP, May 27, 2020, <https://www.barrons.com/news/guinea-admits-30-died-in-post-election-violence-in-march-01590606607> (accessed September 7, 2020).

<sup>30</sup> Collectif des ONG de défense des droits de l’Homme en Guinée forestière, Rapport d’enquête sur les atteintes et violations des droits humains à la suite des violences inter communautaires nées des élections législatives et référendaires du 22 mars 2020, April 2020, <http://www.lejour.info/wp-content/uploads/2020/05/Rapport-du-Collectif-des-ONG-de-Défense-des-Droits-de-l-Homme-GF-sur-les-Violences-Intercommunautaires-du-22-au-24-mars-2020-à-NZérékoré.pdf> (accessed September 7, 2020).

<sup>31</sup> Police, N°/CCP/N’Z/2020, *Rapport Final Sur les Votes et Événement survenu à N’Zérékoré*, April 30 2020

<sup>32</sup> Human Rights Watch telephone interview with an electoral official, May 2020.

<sup>33</sup> Human Rights Watch telephone interview with an electoral official, May 2020.



A car burned by violent mobs in 'Bellevue' neighborhood in Nzérékoré during the violence on March 22, 2020 © 2020 Private

Opposition leaders, however, told Human Rights Watch that the violence in Nzérékoré was part of a pattern of abuse and crackdown on political opposition: “FNDC protests have been severely repressed on several occasions ahead of the elections, leading to many deaths caused by the security forces’ excessive use of force,”<sup>34</sup> said the leader of an opposition party within the FNDC. “There is a pattern of repression against opposition supporters and the violence in Nzérékoré was no exception.”<sup>35</sup>

The opposition also said that violence escalated because authorities and security forces did not intervene appropriately and in a timely manner. An FNDC supporter residing in Nzérékoré said: “Accusing the opposition of being behind the violence and solely responsible for it is a way for the government to divert the attention from the fact that its security forces failed to respond effectively.”<sup>36</sup>

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<sup>34</sup> Human Rights Watch telephone interview with an FNDC leader, June 2020.

<sup>35</sup> Human Rights Watch telephone interview with an FNDC leader, June 2020.

<sup>36</sup> Human rights Watch telephone interview with an FNDC supporter in Nzérékoré, June 2020.

## Violence and Killings Across the City

The initial clashes between pro- and anti-government supporters in Bellevue quickly escalated and sparked violence across the city, with armed men from Guerzé, Konianké, and Malinké ethnic groups attacking each other and wreaking havoc on several neighborhoods.

Three eyewitnesses told Human Rights Watch how a group of over 100 armed ethnic Konianké and Malinké attacked the Nyen neighborhood on March 22 between 12 a.m. and 1 p.m. They targeted ethnic Guerzé and killed Lamadi Jean Paul, known as “Jeannot Vert,” a 45-year-old ethnic Guerzé man, as he attempted to run away. Human Rights Watch spoke to a member of his family and three people who witnessed the killing, including a 36-year-old man who said:

The Konianké were armed with iron bars, wooden sticks, axes, and hunting guns. They followed him. First, they hit him on the face with a stick. He fell but managed to stand up and run. But then a Konianké shot him from close range with a hunting gun. The bullet hit him on his left arm and went into his chest. I took him to the hospital, but he died on the way.<sup>37</sup>

In the afternoon of March 22, violent clashes erupted between armed members of the three ethnic groups at the Norberta roundabout. Armed Guerzé shot and killed Mamoudou Condé, a 21-year-old taxi driver. Human Rights Watch spoke to a family member of the victim and with two people who witnessed the killing, including a 36-year-old trader who said:

A serious confrontation ensued when I and some other ethnic Konianké and Malinké men tried to dismantle a roadblock set up by a group of about 30 armed ethnic Guerzé to hinder the transport of ballot boxes after the vote. I saw how a young Guerzé shot Mamoudou from close range. Mamoudou was hit on the abdomen and fell on the ground. He was taken to the hospital and later died of his injuries.<sup>38</sup>

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<sup>37</sup> Human Rights Watch telephone interview with a resident of Nzérékoré, May 2020.

<sup>38</sup> Human Rights Watch telephone interview with a resident of Nzérékoré, May 2020.

On March 23, at about 2 p.m., a group of over 100 armed ethnic Konianké and Malinké attacked a home in Sokoura neighborhood and killed Blaise Loua, a 22-year-old ethnic Guerzé student. Human Rights Watch interviewed two of the victim's family members who witnessed the murder, including his uncle, who said:

They entered the courtyard and started throwing stones at my home. I came out to see what was happening and I heard them saying: "We are going to kill all the Guerzé!" Then, one of them shot at me. As I dodged, the bullet hit my nephew who was behind me. He fell on the ground and screamed. The attackers left shortly after and then a police vehicle came. I stopped it, I begged the policemen to take my nephew to the hospital, but they refused, saying they were not there for that. My nephew was bleeding profusely, and he died before we could take him to the hospital.<sup>39</sup>

A 29-year-old ethnic Malinké trader said a group of armed Guerzé shot him in the head on March 23 in Gonia 2 neighborhood:

I was home between 10 a.m. and 11 a.m. when I heard gunshots. I came out to check what was going on and I found at least 10 men. They spoke Guerzé among each other, but did not say anything to me, they just shot me with a hunting gun. I was hit in the head. I do not remember anything else. I do not know who took me to the hospital. The doctor removed three pellets from my head. I feel better now, but I constantly have strong headaches.<sup>40</sup>

On March 23, a group of armed ethnic Malinké attacked two Guerzé men as they walked in Nyen neighborhood at about 6 p.m. They killed 29-year-old Patrice Dioulamou, and injured the other man, a 33-year-old mechanic, who described what happened:

We were stopped by four Malinké. I recognized one of them, he lives in my area. They said: "Here are the Guerzé; where are you going?" We said we were going to my grandmother's home. They said we should not move.

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<sup>39</sup> Human Rights Watch telephone interview with a resident of Nzérékoré, May 2020.

<sup>40</sup> Human Rights Watch telephone interview with a resident of Nzérékoré, May 2020.

Then, about 20 more of them came, all armed with sticks, machetes, stones, and hunting guns. They beat me several times on my head, neck, back and belly. They also attacked Patrice, hitting him with machetes. Then, they left. I was badly injured. I turned to Patrice who was in agony. His thigh had been cut off. He died in front of me.<sup>41</sup>

Human Rights Watch also reviewed photographs which corroborate the victim's account of his injuries.

Three witnesses described to Human Rights Watch a violent mob attack on Nyen neighborhood on March 22. A 56-year-old university professor said his home and everything inside, including his library, was burned:

I wasn't home when it was attacked. At least I have escaped death, but I am left with nothing. When I saw my home completely burned, I cried. It took me 15 years to build it and lots of sacrifices. Now, I am too old to start building a new home.<sup>42</sup>

Another victim, a 38-year-old neighbor of the professor, described his experience:

At around 10:30 a.m. a large group of armed Malinké and Konianké broke into the nearby villa belonging to a university professor. They threw stones against the building and then poured petrol on it to set it on fire. Then, they came to me. As I tried to escape, one of them shot me in the shoulder. I fell. They surrounded me and hit me in the head with a machete. They abandoned me there and a neighbor took me to the hospital. When I recovered, I found out that my five-room home had been burned. The walls still stand, but they have been badly damaged, and I cannot live there anymore.<sup>43</sup>

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<sup>41</sup> Human Rights Watch telephone interview with a resident of Nzérékoré, May 2020.

<sup>42</sup> Human Rights Watch telephone interview a university professor of Nzérékoré, May 2020.

<sup>43</sup> Human Rights Watch telephone interview with a resident of Nzérékoré, May 2020.

Human Rights Watch reviewed photographs showing the damages caused by the fire and corroborating victim accounts.<sup>44</sup>

## Alleged Mass Grave

Human Rights Watch also found credible evidence to support an allegation, made by Guinean human rights groups,<sup>45</sup> that the bodies of over two dozen people killed during the March 22-24 violence were removed from Nzérékoré's regional hospital and secretly buried in a mass grave. Victims' relatives said that the hospital refused to hand over their family members' remains and did not know where the bodies of their loved ones had been buried or disposed of. Guinean human rights groups,<sup>46</sup> which alleged that the mass grave was located in "May 1<sup>st</sup> forest" at the entry of the Horoya 1 neighborhood in Nzérékoré, said that the burial was an attempt by the Guinean authorities to cover up the scale of the violence.<sup>47</sup> Local<sup>48</sup> and international<sup>49</sup> media also reported that these bodies were buried in a mass grave in Nzérékoré.

Human Rights Watch analyzed satellite imagery of the alleged site of the mass grave, but the extensive tree cover in the area made it impossible to discover what happened between March 22 and 24. On September 22, however, Albert Damantang Camara, the security and civilian protection minister, shared with Human Rights Watch a July 2020 report from a Guinean judge who had visited the site, confirming the existence of the mass grave. The report stated:

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<sup>44</sup> Collectif des ONG de défense des droits de l'Homme en Guinée forestière, Rapport d'enquête sur les atteintes et violations des droits humains à la suite des violences inter communautaires nées des élections législatives et référendaires du 22 mars 2020, April 2020, <http://www.lejour.info/wp-content/uploads/2020/05/Rapport-du-Collectif-des-ONG-de-Défense-des-Droits-de-l'Homme-GF-sur-les-Violences-Intercommunautaires-du-22-au-24-mars-2020-à-NZérékoré.pdf> (accessed September 7, 2020).

<sup>45</sup> Ibid.

<sup>46</sup> Ibid.

<sup>47</sup> Ibid.

<sup>48</sup> "Nzérékoré: les corps des victimes inhumées en "catimini" dans une fosse commune," AfricaGuinee, March 25, 2020, <https://www.africaguinee.com/articles/2020/03/25/Nzérékoré-les-corps-des-victimes-inhumees-en-catimini-dans-une-fosse-commune> (accessed September 7, 2020).

<sup>49</sup> "Retour sur les affrontements meurtriers de Nzérékoré," Radio France Internationale, Guinée, March 30, 2020, <http://www.rfi.fr/fr/afrique/20200329-guinée-violences-double-scrutin-nzérékoré> (accessed September 7, 2020); "Élections en Guinée : bilan sanglant à Nzérékoré, capitale forestière," Le Point, March 26, 2020, [https://www.lepoint.fr/afrique/guinee-bilan-sanglant-a-Nzérékoré-capitale-forestiere-26-03-2020-2368885\\_3826.php](https://www.lepoint.fr/afrique/guinee-bilan-sanglant-a-Nzérékoré-capitale-forestiere-26-03-2020-2368885_3826.php) (accessed September 7, 2020); "Guinée : Retour au calme après les violences intercommunautaires à Nzérékoré," Deutsche Welle, April 4, 2020, <https://www.dw.com/fr/guinée-retour-au-calme-après-les-violences-intercommunautaires-à-nzérékoré/a-53000188> (accessed September 7, 2020).

The mass grave is found in the forest of May 1<sup>st</sup> in the Burkina neighborhood.... It's a mass grave that risks disappearing if protection measures are not put in place against the rapid growth of plants and trees.<sup>50</sup>

A March 27 report signed by the director-general of Nzérékore hospital and a health ministry representative said that the number of people killed during the March violence had exceeded the capacity of the hospital's morgue and that for public health reasons the authorities had decided to perform a "burial by necessity."<sup>51</sup>

Through interviews with relatives of victims Human Rights Watch found that two dozen bodies known to have arrived at the Nzérékoré regional hospital by March 24 were never received by their family members. When victims' relatives asked for more information, hospital staff would not tell them where the remains were. A 44-year-old man whose cousin, Moumou Loua, 16, died as a result of the March 23 violence said:

I went to the mortuary on March 23 to identify the body of my relative. Medical staff told me that I could collect the body the following day for burial. But to my great surprise when I came back, nurses said that the body was no longer there. We later learned from the hospital staff that bodies were taken out of the morgue and buried in a mass grave.<sup>52</sup>

Human Rights Watch also interviewed a nurse who said he had helped transfer bodies from the mortuary into two civilian trucks early on March 25, but who did not know where the bodies had been taken to be buried:

I was at the hospital assisting the injured who were being brought in large numbers. I saw bodies of people who had been killed and were brought to the hospital or who died there of their injuries. I also helped in extracting

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<sup>50</sup> Cour d'appel de Kankan, Tribunal de première instance de Nzérékoré, Cabinet du pool des juges d'instruction, *Procès-verbal de transport judiciaire*, July 2020

<sup>51</sup> Direction régionale de la santé, hôpital régional de Nzérékoré, March 27, 2020

<sup>52</sup> Human Rights Watch telephone interview with a resident of Nzérékoré, May 2020.

those bodies from the mortuary and loading them into two civilian trucks. I do not know where they have been buried.<sup>53</sup>

Human Rights Watch analyzed and authenticated<sup>54</sup> a video, filmed on March 24, showing relatives identifying the bodies of their loved ones at the mortuary of the Nzérékoré regional hospital.<sup>55</sup> The video shows up to 21 bodies.

Other relatives of the victims, human rights activists,<sup>56</sup> and journalists said they were denied access to the mortuary of Nzérékoré's regional hospital. "I am outside the mortuary since early morning, and I am yet to be allowed in. The medical staff are blocking the access," a local journalist told Human Rights Watch on March 24 at about 1 p.m. "I was also there yesterday, and I could not get in."<sup>57</sup>

A man whose cousin, Abou Soumaouro, a 20-year-old mechanic, was killed in the violence on March 23 said:

I brought Abou to the hospital. He had been shot in the forehead. He died minutes after we arrived at the hospital. Medical staff told me his body was taken to the mortuary. So I asked them if I could see it, but they refused. The day after I came back to collect the body for burial, but medical staff said that the body was no longer there. I am shocked and outraged. I do not know where his body has been taken and whether it has been buried. I am sad because I could not even ensure an appropriate burial for my cousin. The family has not been able to mourn properly.<sup>58</sup>

A family member of Joseph Milemou, a 23-year-old carpenter, who died in the violence on March 23 said she was denied access to the mortuary when she went there on March 24 to

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<sup>53</sup> Human Rights Watch telephone interview with a nurse of the Nzérékoré's regional hospital, May 2020.

<sup>54</sup> Human Rights Watch telephone interview with a resident of Nzérékoré, May 2020.

<sup>55</sup> The video, which was circulated on social media in the aftermath of the violence, is mentioned in this article from "Guinée: retour sur les affrontements meurtriers de Nzérékoré," Radio France Internationale, March 30, 2020, <http://www.rfi.fr/afrique/20200329-guinée-violences-double-scrutin-nzérékoré> (accessed September 7, 2020).

<sup>56</sup> "Guinée: retour sur les affrontements meurtriers de Nzérékoré," Radio France Internationale (RFI), March 30, 2020, <http://www.rfi.fr/afrique/20200329-guinée-violences-double-scrutin-nzérékoré> (accessed September 7, 2020).

<sup>57</sup> Human Rights Watch interview with a journalist from Nzérékoré, March 2020.

<sup>58</sup> Human Rights Watch telephone interview with a resident of Nzérékoré, May 2020.

look for her relative: “I asked the medical staff to let me in. I cried, I begged them. They said I could not be allowed in. Later, people told me the bodies which were brought to the mortuary were buried at night in a mass grave.”<sup>59</sup> The woman never saw the body of her deceased relative.

Relatives of victims told Human Rights Watch that they want further explanation from the authorities about the location of the bodies of their loved ones and that the government should exhume the bodies to identify their remains and allow for a more dignified burial.

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<sup>59</sup> Human Rights Watch telephone interview with a human rights activist, May 2020.

### III. The Role of the Security Forces

#### Alleged Failure to Prevent Violence

Gendarmes and policemen were deployed in Nzérékoré on election day to secure the vote. Residents and media<sup>60</sup> also reported seeing military deployed across the city and responding to the violence.

Almost all the 48 witnesses and victims Human Rights Watch interviewed, however, said that Guinean authorities and security forces failed to take adequate steps to effectively quell the violence in Nzérékoré. “They let the people fight and kill each other just for the sake of elections,” said a 54-year-old civil society activist.<sup>61</sup>

More than 20 witnesses, from Guerzé, Malinké, and Konianké communities, said that even when police, gendarmes, or military were present or called upon, they did not intervene to stop groups of armed men from attacking people or destroying properties. Opposition leaders, civil society groups, and witnesses from the Guerzé community also said they believed that the security forces’ response was aimed at securing the vote and election material, rather than protecting lives and livelihoods.<sup>62</sup>

“The security forces were concerned only with ensuring that the vote could take place,” said a community leader who was injured in the head by a group of armed men during the violence on March 23 in Sokoura 1 neighborhood. “They only intervened when there were clashes between those who attempted to boycott the vote and those who wanted the elections. The security forces only defended the polling stations, the voters, and took care of the delivery of the ballot boxes. But they did nothing to stop the mob violence by armed Guerzé, and armed Konianké and Malinké, who attacked people and their properties.”<sup>63</sup>

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<sup>60</sup> “N’Zérékoré : plusieurs bureaux de vote saccagés, l’armée appelée en renfort à Nakoyapkala,” Mosaiqueguinee.com, March 2020, <https://mosaiqueguinee.com/nzerekore-plusieurs-bureaux-de-vote-saccages-larmee-appelee-en-renfort-a-nakoyapkala/> (accessed September 7, 2020).

<sup>61</sup> Human Rights Watch telephone interview with a human rights activist from Nzérékoré, May 2020

<sup>62</sup> Human Rights Watch telephone interviews with opposition leaders, members of civil society groups and residents of Nzérékoré between March and August 2020.

<sup>63</sup> Human Rights Watch telephone interview with a community leader from Nzérékoré, May 2020

Authorities and security forces told the media that they took adequate measures to stop the violence, including by implementing a 3-day curfew on March 22, ordering the arrest of those suspected of involvement in the violence,<sup>64</sup> and sending military reinforcements from other cities on March 23.<sup>65</sup>

Under the right to life in African and international human rights law, state authorities, including members of the security forces, have a duty to take reasonable steps to protect life when they know or should know of a clear and specific threat to life.<sup>66</sup> The African Commission on Human and Peoples' Rights has said that, "the State is responsible for killings by private individuals which are not adequately prevented, investigated, or prosecuted by the authorities".<sup>67</sup> These responsibilities are amplified when "an observable pattern has been overlooked or ignored, as it is often the case with respect to mob-justice."<sup>68</sup>

Guinea's law enforcement agencies also have the primary responsibility for ensuring security of lives and properties during elections. The United Nations Code of Conduct for Law Enforcement Officials<sup>69</sup> imposes a duty of service to the community upon all officers of the law. This requires security forces to provide security during elections, while also ensuring that laws and regulations governing the conduct of elections are followed.

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<sup>64</sup> "Violences meurtrières à Nzérékoré : le gouverneur annonce l'arrestation d'individus en détention d'armes," Visionguinee.com, March 24, 2020, <http://www.visionguinee.info/2020/03/24/violences-meurtrieres-a-nzerekore-le-gouverneur-annonce-larrestation-dindividus-en-detention-darmes/> (accessed September 7, 2020).

<sup>65</sup> "Atrocités à Nzérékoré : Damaro répond à ses détracteurs...", AfricaGuinee.com, March 28, 2020, <https://www.africaguinee.com/articles/2020/03/28/atrocites-nzerekore-damaro-repond-ses-detractions>.

<sup>66</sup> African Charter on Human and Peoples' Rights, adopted June 1, 1981, entered in to force October 21, 1986, <https://au.int/en/treaties/african-charter-human-and-peoples-rights>

OHCHR, International Covenant on Civil and Political Rights, adopted and opened for signature, ratification and accession by General Assembly resolution 2200A (XXI) of 16 December 1966 entry into force 23 March 1976, in accordance with Article 49 <https://www.ohchr.org/en/professionalinterest/pages/ccpr.aspx>.

<sup>67</sup> General Comment no 3. on the African Charter on Human and Peoples' Rights: the right to life (Art 4), [https://www.achpr.org/public/Document/file/English/general\\_comment\\_no\\_3\\_english.pdf](https://www.achpr.org/public/Document/file/English/general_comment_no_3_english.pdf).

<sup>68</sup> General Comment no 3. on the African Charter on Human and Peoples' Rights: the right to life (Art 4), [https://www.achpr.org/public/Document/file/English/general\\_comment\\_no\\_3\\_english.pdf](https://www.achpr.org/public/Document/file/English/general_comment_no_3_english.pdf).

<sup>69</sup> Article 1 of The Code of Conduct for Law Enforcement Officials adopted by General Assembly resolution 34/169 of 17 December 1979, <https://www.ohchr.org/Documents/ProfessionalInterest/codeofconduct.pdf>.



Protesters confront the army in the streets in Conakry, Guinea's capital, on March 22, 2020, during a constitutional referendum in the country. © 2020 Cellou Binani/AFP via Getty Images

## Lack of Response to Initial Violence in Bellevue

Despite the presence of security forces in Nzérékoré, witnesses described in detail several incidents of security forces failing to respond to violence, beginning with the first clashes that erupted in the Bellevue neighborhood.

A 38-year-old civil society activist, who was observing the elections in a Bellevue polling station, said that the security forces failed to respond to his telephone call for help early on March 22, with fatal consequences.

I made the first call to a member of the Independent National Election Commission and then the police between 10 a.m. and 11 a.m. when the incidents started. Protestors were throwing stones at two polling stations and voters. Voters and bystanders ran away. By 11:30 a.m., up to seven unarmed policemen arrived on a vehicle. They just passed and did not do anything. Then three more vehicles with gendarmes came, fired in the air and left. Clashes did not stop and by 1 p.m. protestors had dropped their

stones and took up guns. There was shooting. I called the police again to alert about the situation, but none came. Between 1 p.m. and 2 p.m., the first person, Tidjane Koné, was killed. I saw his body, and that's when fighting escalated dramatically. Then the military came, attempted to talk to the protestors, and then left. By 3 p.m., the hotel 'Amazone' and many other properties had been burned, and the number of violent protestors had tripled.<sup>70</sup>



The hotel 'Amazone' in 'Bellevue' neighborhood, in Nzérékoré, was attacked and partially burned by violent mobs on March 22, 2020 © 2020 Private

Human Rights Watch spoke to the brother of the slain Kone, a well-known 47-year-old ethnic Konianké pharmacist and imam, who several other witnesses confirmed was the first person killed in the Bellevue neighborhood violence:

Tidjane called me when a group of about 20 ethnic Guerzé started throwing stones at his home. He said they were armed with guns, sticks, machetes, and stones, that the situation was tense, and that he was scared. He asked me to call the security forces so they could intervene and protect him and his family. I called the gendarmes and they said they would come. But Tidjane called me again and said the Guerzé had started shooting. I did not hear from him anymore. I found his body at the mortuary of the Nzérékoré regional hospital with a bullet wound in the left shoulder.<sup>71</sup>

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<sup>70</sup> Human Rights Watch telephone interview with a civil-society activist from Nzérékoré, May 2020.

<sup>71</sup> Human Rights Watch telephone interview with a resident of Nzérékoré, May 2020.

The Guinean police’s report on the violence in Nzérékoré confirmed that Koné had been shot dead on March 22 and that, “this was the spark for the conflict that opposed two groups – those who wanted to vote and those who wanted to prevent the vote.”<sup>72</sup> The report did not address what actions the security forces had taken to prevent or stop the violence, but suggested that the Bellevue neighborhood had been “inaccessible” to the Guinean police due to the violence and that, “the army had been requisitioned to work with the security forces to pacify the area.”<sup>73</sup>

In a separate incident in Bellevue, a 66-year-old man said that he called for help from the security forces on March 22 as armed ethnic Konianké and Malinké attacked his compound. The attackers ultimately burned down three of his homes, killed two people, including a child with an intellectual disability, raped a 17-year-old girl and beat a woman. He said:

I was home with my family at around 10 a.m. when the confrontations between violent mobs started in my neighborhood. I called a senior police officer who promised me he would come to check. But no police came. I later started hearing gunshots and saw smoke coming from the buildings near my home. I called a senior state government official and he told me he was himself in Bellevue. He said that I should defend my home by throwing stones back at the violent mob. I was shocked and appalled. I am not the type of person who responds to violence with violence. And it is not my job to stop civil unrest. The senior state official took no action whatsoever to make sure the situation did not degenerate. So I fled with my family to a nearby village. When I came back to Nzérékoré, two days later, my entire compound had been burned to the ground, my three houses and farm. All my chickens and pigs had been looted. I also found the body of a boy, Claude Koulemou, lying on the ground.<sup>74</sup>

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<sup>72</sup> Police, N°/CCP/N’Z/2020, *Rapport Final Sur les Votes et Événement survenu à N’Zérékoré*, April 30 2020, p. 2.

<sup>73</sup> Police, N°/CCP/N’Z/2020, *Rapport Final Sur les Votes et Événement survenu à N’Zérékoré*, April 30 2020, p. 2.

<sup>74</sup> Human Rights Watch telephone interview with a resident of Nzérékoré, May 2020.

Claude Koulemou was a 17-year-old student with an intellectual disability. His brother told Human Rights Watch that he had to take the difficult decision to leave him behind when he and other family members fled from the attack:

An armed mob was approaching my home. I could hear them talking in Koninaké and screaming. I had no choice but to flee. I could not carry Claude with me because he could not walk well, and I had to carry him on my shoulders. If I had taken him with me, I would not have been able to run fast and there was no time. So, I left him at home and asked him not to move. Three days later, I came back home and found Claude's body in a nearby compound. He must have walked there and was killed. I saw a knife wound and other injuries, especially on his head.<sup>75</sup>

A 27-year-old ethnic Guerzé woman and tenant of one of the three houses which were burned down in the compound said that over 100 armed men attacked her home, beat her, killed her husband, and raped her domestic worker, a 17-year old girl:

The attackers were so many and had weapons like knives, machetes, stones, sticks, and iron bars. They broke into our home and said in Konianké: 'Get out! We are going to kill the Guerzé!' They dragged me outside and beat me with all the objects they had. My husband begged them to let me go, so they beat and dragged him away. That was the last time I saw him. No one came to help us. The attack went on without any military or gendarme coming to rescue us.<sup>76</sup>

The victim said she was taken to the hospital by a neighbor, as she was bleeding from her mouth because she had four broken teeth. When she recovered, she found out that her home had been burned, her domestic worker raped, and her husband killed.

Human Rights Watch was able to interview the 17-year-old survivor of sexual violence. She said that she was gang-raped by members of the armed group who attacked her boss' home and confirmed the violence reported by other household members.

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<sup>75</sup> Human Rights Watch telephone interview with a resident of Nzérékoré, May 2020.

<sup>76</sup> Human Rights Watch telephone interview with a resident of Nzérékoré, May 2020.

I was at home when a group of armed ethnic Konianké and Malinké attacked us. They broke into our home, dragged my boss outside and beat her savagely. Then, they took her husband and beat him up too. I remained inside and six of them raped me. One by one. They said: “If you scream or resist, we will kill you.” When they finished, they abandoned me there. I was bleeding.<sup>77</sup>

The victim went to the hospital the same day but said she did not report the sexual assault to the medical staff or the authorities out of fear and shame of stigma. She said she has experienced anxiety since the rape, as well as discrimination from neighbors and friends.

The same day, dozens of businesses were also burned in Bellevue neighborhood.<sup>78</sup> Human Rights Watch reviewed photographs showing the damages and spoke to 6 people whose shops were set on fire on the same road. One of them, a 48-year-old woman who sold construction material said:

My shop has been burned down. I do not know who the perpetrators were. I was not there. Election day was on a Sunday, so my shop was closed. Almost all shops along the same road were also burned. Why did no one come to protect them? I have lost everything, including 150 bags of cement, 250 iron bars, 40 wheelbarrows, 20 picks, and 20 screw boxes.<sup>79</sup>

Another victim, a 60-year-old woman said: “I still get goose bumps when I think about what I have lost. I used to sell drinks, I had a big stock, and now I am left with nothing. I estimated the losses at up to 70 million Guinean francs [US\$7,250].”<sup>80</sup>

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<sup>77</sup> Human Rights Watch telephone interview with a 17-year-old girl, May 2020.

<sup>78</sup> “Violences meurtrières de N’Zérékoré : un collectif d’ONGs des droits de l’homme présente un rapport accablant,” LeJour.info, May 15, 2020, <http://www.lejour.info/violences-meurtrieres-de-Nzerekore-un-collectif-dongs-des-droits-de-lhomme-presente-un-rapport-accablant/> (September 7, 2020).

<sup>79</sup> Human Rights Watch telephone interview with a shop owner from Nzérékoré, May 2020.

<sup>80</sup> Human Rights Watch telephone interview with a shop owner from Nzérékoré, May 2020.

## Inadequate Response as Violence Spreads to Other Areas

As the violence expanded beyond the Bellevue neighborhood on March 22 and 23, dozens of witnesses and victims told Human Rights Watch that they contacted the security forces to intervene but did not receive assistance.

A pastor whose church was burned in the Dorota 1 neighborhood between March 22 and 23 said:

On March 22, at around 4 p.m., as a group of armed ethnic Konianké and Malinké approached, I immediately called a local military officer and a political leader who told me to keep calm, promising to send security forces to protect the church. But nothing. My church was destroyed. The roof collapsed and the walls were badly damaged. It is not until the following day that security forces came just to assess the damages.<sup>81</sup>

Another pastor whose home, church, and primary school in the Gonia 2 neighborhood were attacked on March 23 by a mob said authorities failed to respond to his calls for help:

In the early morning, armed individuals, mainly Malinké and Konianké, invaded my area. I called a local political authority to ask him to send security forces to protect us. He promised to send the military. But none ever came. In the meantime, confrontations erupted between armed Konianké and Malinké, and armed Guerzé and there was shooting. I was home with my family. Then, the invaders attacked my home, church and school. They fired at the church, broke the door, and looted all the 217 chairs and other valuable items. Then, they attacked the school and destroyed the window of my car. Finally, they shot at my home. I managed to escape from the back with my family. The attack lasted from 1 p.m. to 4 p.m. There was no sign of any security forces around. I called them many times, and none responded.<sup>82</sup>

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<sup>81</sup> Human Rights Watch telephone interview with a pastor from Nzérékoré, April 2020.

<sup>82</sup> Human Rights Watch telephone interview with a pastor from Nzérékoré, May 2020.

Human Rights Watch viewed photographs taken by the pastor in the aftermath of the violence and showing the damage to his home, church, and school.

In at least one case, witnesses described security forces acting to stop or prevent violence. A 39-year-old man said that gendarmes saved him as he was attacked by a group of armed ethnic Konianké and Malinké on March 22 in Sokoura neighborhood:

I was ambushed by a group of over 150 armed ethnic Konianké and Malinké. As they saw me, they said: ‘Here’s a Guerzé!’. They surrounded me and savagely beat me many times with every object they had at hand. I thought they would kill me right there. I do not know how long the beatings lasted for, but at a certain point a gendarme, only armed with a truncheon, rescued me. He braved the crowd and fought to get me on his vehicle. He was even injured in the foot to save me.<sup>83</sup>

## Response from Local Authorities and Security Forces

Authorities told the media they took adequate steps to prevent and stop violence. On March 22, Mohamed Ismaël Traoré, the governor of the Forest region, imposed a three day curfew, and ordered the arrest of those suspected of being behind the violence.<sup>84</sup> He said<sup>85</sup> that he personally visited violence-affected areas in Nzérékoré on March 22, and met with community leaders and armed youth in an attempt to calm the tensions.

The president of the Guinean National Assembly, Amadou Damaro Camara,<sup>86</sup> said he travelled to Nzérékoré as violence escalated on March 23, and publicly called on all communities to exercise restraint. He said he asked community leaders “to raise awareness among their youth so they stop [violence],” as well as religious and traditional

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<sup>83</sup> Human Rights Watch telephone interview with a resident of Nzérékoré, June 2020.

<sup>84</sup> “Violences meurtrières à Nzérékoré : le gouverneur annonce l’arrestation d’individus en détention d’armes,” Visionguinee.com March 24, 2020, <http://www.visionguinee.info/2020/03/24/violences-meurtrieres-a-Nzérékoré-le-gouverneur-annonce-larrestation-dindividus-en-detention-darmes/> (accessed September 7, 2020).

<sup>85</sup> “Violences à N’Zérékoré, les explications du Gouverneur Traoré,” Radio Télévision Guinéenne (RTG), March 23, 2020, <https://www.youtube.com/watch?v=X2xjH77QxaI> (accessed September 7, 2020).

<sup>86</sup> “Atrocités à Nzérékoré : Damaro répond à ses détracteurs...,” AfricaGuinee.com, March 28, 2020, <https://www.africaguinee.com/articles/2020/03/28/atrocites-Nzérékoré-damaro-repond-ses-detrateurs> (accessed September 7, 2020).

authorities “to brief them on the history of the different ethnic groups in Nzérékoré since the 13<sup>th</sup> century.”

Authorities also said that security forces took adequate measures to stop the violence, including by authorizing military reinforcements from other cities,<sup>87</sup> and arresting those responsible for the violence.

## Unlawful Killings and Excessive Use of Force by Security Forces

Although the majority of people killed in Nzérékoré were victims of violence by groups of armed citizens, security forces killed at least two people, a man, Lancine Koné, and a woman, Widot Bamba, raided homes, looted and damaged properties, and beat and arrested dozens of men during security operations across the city of Nzérékoré between March 22 and 24.

Two witnesses to the death of Widot Bamba, a woman who was two-months pregnant, said security forces shot her at close range on March 23 in Gbaghana neighborhood. They said that as security forces attempted to dismantle a roadblock erected by armed Guerzé a few meters away from Bamba’s home, they fired randomly and when they saw Bamba closing the door of her home, one of them shot her in the hip. “I saw a man in uniform shooting her. As she was hit, she fell on the ground. I brought her to the hospital where Bamba died of her injuries.”<sup>88</sup>

Three witnesses to the death of Lancine Koné, a 38-year-old farmer, said that a soldier shot him as he ran in fear on sighting the military and attempted to hide in a food shop in Bellevue neighborhood on March 23. “When the soldiers saw him from their vehicle, one of them shot him in the lower abdomen. He fell inside my shop.”<sup>89</sup> Kone was transported to the Nzérékoré regional hospital where he died of his injuries.

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<sup>87</sup> “Atrocités à Nzérékoré : Damaro répond à ses détracteurs...,” *Africaguinee.com*, March 28, 2020 <https://www.africaguinee.com/articles/2020/03/28/atrocites-nzerekore-damaro-repond-ses-detracteurs> (accessed September 7, 2020).

<sup>88</sup> Human Rights Watch telephone interview with a resident of Nzérékoré, May 2020.

<sup>89</sup> Human Rights Watch telephone interview with a resident of Nzérékoré, May 2020.

On March 23, security forces, including the military, gendarmes, and policemen, conducted a search and arrest operation in Boma, a neighborhood mainly populated by Guerzé and Peuhl communities.

During the operation, however, numerous witnesses said security forces raided homes, destroyed and looted properties, beat and arrested dozens of men. Human Rights Watch interviewed four people arrested during the operation.

“They beat me one by one,” said a 36-year-old tiler who said he was lying in bed sick when the military stormed his house in Boma neighborhood on March 23, which he shares with his six children. “They destroyed the door and fired teargas inside. They beat me with their truncheon several times on my neck.”<sup>90</sup>

A 29-year-old man said that up to 15 soldiers broke into his home in Boma neighborhood on March 22, injuring his wife, stealing money, and beating him up:

As my wife attempted to close the door behind her, one of them pushed it strongly and she was hit in the face. She fell and was bleeding. The soldiers searched the entire home, found 1,7 million Guinean francs [US\$ 174], and stole it. Then, they dragged me outside and put me in a military vehicle. I jumped from the vehicle and ran for about 50 meters because I had committed no crime and I thought it was unfair to arrest me. The soldiers ran after me and shot at me. I was hit in the neck. I fell on the ground and the soldiers caught me. As they used a taser in my head I felt a strong electric shock all over my body. Then, they hit me with truncheons and put me back on their vehicle to take me to the military camp. I arrived at the camp almost unconscious.<sup>91</sup>

Guinean authorities should ensure security forces exercise restraint and abide by the African Commission on Human and Peoples’ Rights’ (ACHPR) Guidelines for the Policing of Assemblies by Law Enforcement Officials in Africa<sup>92</sup> and the United Nations Basic

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<sup>90</sup> Human Rights Watch telephone interview with a resident of Nzérékoré, June 2020.

<sup>91</sup> Human Rights Watch telephone interview with a resident of Nzérékoré, June 2020.

<sup>92</sup> African Commission on Human and Peoples’ Rights, Guidelines for the Policing of Assemblies by Law Enforcement Officials in Africa, <https://www.achpr.org/legalinstruments/detail?id=65>.

Principles on the Use of Force and Firearms by Law Enforcement Officials.<sup>93</sup> Under these principles, law enforcement officers may use force only when strictly necessary and to the extent required to achieve a legitimate policing objective.

## **Military Camp Detentions, Ill-treatment**

According to Human Rights Watch’s research and reports from Guinean rights groups,<sup>94</sup> security forces arrested over 100 people during and immediately after the violence in Nzérékoré. Authorities said security forces ordered the arrest of people suspected of involvement in the violence in an effort to calm the situation, but former detainees, witnesses, and opposition leaders told Human Rights Watch that many people who did not participate in the violence were arrested arbitrarily from homes and neighborhoods where fighting had taken place. Most of those arrested were illegally detained at the Beyanzin military camp in Nzérékoré in degrading conditions. Some were beaten.

Human Rights Watch interviewed seven people who were arrested during the violence in Nzérékoré and held at the Beyanzin military camp between March 22 and 25. A 29-year-old hairdresser who was arrested by soldiers on March 23 at his home in Boma neighborhood said:

I was taken to the military camp where I was beaten up by soldiers with truncheons several times before being brought into a ‘block’ [a cell in a building made of cement]. There were up to 100 people in the cell. It had just two windows, so it was very hot. I could not breathe. We were not given food and water for three days. It was horrible.<sup>95</sup>

Three of the seven ex-detainees said that on March 24, soldiers at the Beyanzin military camp forced them to carry weapons – which did not belong to them – and then paraded them before local journalists. Colonel Mohamed Lamine Keita, commander of the Fourth

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<sup>93</sup> OHCHR, Basic Principles on the Use of Force and Firearms by Law Enforcement Officials, Adopted by the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Havana, Cuba, 27 August to 7 September 1990, <https://www.ohchr.org/EN/ProfessionalInterest/Pages/UseOfForceAndFirearms.aspx>.

<sup>94</sup> “Violences meurtrières de Nzérékoré : un collectif d’ONGs des droits de l’homme présente un rapport accablant,” LeJour.info, May 15, 2020, <http://www.lejour.info/violences-meurtrieres-de-Nzérékoré-un-collectif-dongs-des-droits-de-lhomme-presente-un-rapport-accablant/> (accessed September 7, 2020).

<sup>95</sup> Human Rights Watch telephone interview with a resident of Nzérékoré, June 2020.

military region in Nzérékoré, Mohamed Ismael Traoré, the governor of Forest Guinea and Sékou Touraman Diobaté, the prefect of Nzérékoré, attended the parade. *Radio Télévision Guinéenne* (RTG) showed footage of the detainees with these weapons the same day, describing them as “mercenaries” who killed people and destroyed properties.<sup>96</sup>

The former detainees also said those who refused to hold the weapons were beaten up by soldiers. A 40-year-old man, who was arrested on March 24 in Boma neighborhood by the military, said:

I was given a gun by the military at the camp and asked to pose while journalists photographed and filmed us. I complied because those who refused to hold the weapons were beaten up in front of me. The senior government official, who was standing before us with soldiers, gendarmes, policemen and journalists, gave a brief speech and said: ‘Here are the people who burn, loot, and vandalize homes, here are the ‘mercenaries,’ they are with their weapons. Journalists asked the governor if they could talk to us, to ask us questions, but he refused.<sup>97</sup>

Following political violence in Conakry in November 2018, Human Rights Watch documented Guinean security forces forcing people arrested to appear at a press conference in front of a table of knives, scissors, and other weapons, which the prisoners said they had never seen before.<sup>98</sup> State television broadcasted the footage and implied that the detainees were implicated in a police officer’s death and the killing of two people.

After their detention at the military camp, scores of detainees were taken to the gendarmerie brigade in Nzérékoré where they were held in degrading conditions. Human Rights Watch spoke to three ex-detainees and with human rights activists who documented the arrests. A former detainee said:

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<sup>96</sup> Radio Télévision Guinéenne (RTG), Le journal de 20h30, March 24, 2020, <https://www.youtube.com/watch?v=L5Cb1E5KlgU>.

<sup>97</sup> Human Rights Watch telephone interview with a former detainee, May 2020.

<sup>98</sup> Human Rights Watch, Guinea: Create Special Unit to Probe Protest Deaths, April 17, 2019, <https://www.hrw.org/news/2019/04/17/guinea-create-special-unit-probe-protest-deaths>.

I was held with more than 50 people in a tiny cell. The cell looked like a dump. There was water on the floor and even excrement. I had been injured during the violence and was in pain. I had to lay on the floor, and I was disgusted because the floor was very dirty. We were served food on the floor and I could not eat it.<sup>99</sup>

Under the Guinean Criminal Procedural Code,<sup>100</sup> it is illegal to detain people at military camps, which are not authorized places of civilian detention. “The law provides that people must be taken directly to recognized police or gendarmerie stations and must have immediate access to their lawyer and family,” a Guinean human rights lawyer told Human Rights Watch.<sup>101</sup>

Human Rights Watch has previously documented unlawful military detention in Guinea, including the enforced disappearances of at least 40 men following their arbitrary arrest by security forces in Conakry on February 11 and 12, 2020. The men were held without any contact with the outside world in a military base in Soronkoni, 700 kilometers from Conakry.<sup>102</sup>

The UN Principles on the Effective Prevention and Investigation of Extra-legal, Arbitrary and Summary Executions provides that “Governments shall ensure that persons deprived of their liberty are held in officially recognized places of custody, and that accurate information on their custody and whereabouts, including transfers, is made promptly available to their relatives and lawyer or other persons of confidence.”<sup>103</sup>

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<sup>99</sup> “Opposants déportés à Kankan: de nouveaux éléments,” *Africaguinee.com* May 3, 2020, <https://www.africaguinee.com/articles/2020/05/03/opposants-deportes-kankan-de-nouveaux-elements> (accessed September 7, 2020).

<sup>100</sup> *Le Nouveau code de procédure pénale*, February 2016, <http://gouvernement.gov.gn/images/code-procedure-penale-guinee.pdf> (accessed September 8, 2020)

<sup>101</sup> Human Rights Watch telephone interview with a Guinean human rights lawyer, June 2020.

<sup>102</sup> Human Rights Watch, *Guinea: Violence During Referendum*, April 10, 2020, <https://www.hrw.org/news/2020/04/10/guinea-violence-during-referendum>.

<sup>103</sup> OHCHR, *Principles on the Effective Prevention and Investigation of Extra-legal, Arbitrary and Summary Executions*, Recommended by Economic and Social Council resolution 1989/65 of 24 May 1989 1, <https://www.ohchr.org/Documents/ProfessionalInterest/executions.pdf>. Similar provisions can be found in article 10 of the Declaration on the Protection of all Persons from Enforced Disappearance, adopted by General Assembly resolution 47/133 of 18 December 1992 <https://www.ohchr.org/EN/ProfessionalInterest/Pages/EnforcedDisappearance.aspx>. Also paragraph 11 of UN Human Rights Committee’s General Comment No. 20 on ICCPR article 7: <https://www.ohchr.org/documents/publications/training9chapter5en.pdf>

The International Covenant on Civil and Political Rights,<sup>104</sup> which Guinea ratified in 1993,<sup>105</sup> states that anyone arrested shall be brought promptly before a judge and shall be entitled to trial within a reasonable time or to release.

Dozens of those arrested and detained in Nzérékoré were released after a brief detention of one to three days at the military camp and at the gendarmerie brigade. Some said they or their families had to pay bribes to be released, or even to visit detained relatives – a practice that lawyers told Human Rights Watch is widespread across Guinea.<sup>106</sup>

A 30-year-old man whose nephew was arrested and held at the Nzérékoré prison told Human Rights Watch: “I went to visit him three times. Each time, I had to pay to get in. You pay two different people at different levels; at the entry, you give 5,000 francs (US\$ 0.50) to the guard; inside, you pay 5,000 francs [US\$ 0.50] more to a man in civilian attire who gives the order to let you in.”<sup>107</sup> A 39-year-old man who was detained at the gendarmerie brigade on March 22 and later at the Nzérékoré prison said his family had to pay 600,000 Guinean francs [US\$ 61] for his release.<sup>108</sup>

Of the over 100 people arrested during and immediately after the violence, 43 remain in detention at time of writing, as confirmed by the attorney general in the northern town of Kankan, Yaya Kairaba Kaba.<sup>109</sup> They are being held at the prison in Kankan, Upper Guinea region, where they were transferred at the end of April after having been charged with a range of offenses related to the violence including theft, destruction of property, and killing. Their trial has yet to start.

According to family members, defense lawyers and FNDC leaders, of the 43 people who remain in detention, 39 belong to the Guerzé and affiliated ethnic groups generally

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<sup>104</sup> OHCHR, International Covenant on Civil and Political Rights, adopted and opened for signature, ratification and accession by General Assembly resolution 2200A (XXI) of 16 December 1966 entry into force 23 March 1976, in accordance with Article 49 <https://www.ohchr.org/en/professionalinterest/pages/ccpr.aspx>.

<sup>105</sup> OHCHR, Indicators, <https://indicators.ohchr.org/> (accessed September 7, 2020).

<sup>106</sup> OHCHR, Rapport sur la situation des droits de l’homme dans les lieux de détention en République de Guinée, October 2014, [https://www.ohchr.org/Documents/Countries/GN/ReportofGuinea\\_October2014.pdf](https://www.ohchr.org/Documents/Countries/GN/ReportofGuinea_October2014.pdf) (accessed September 7, 2020).

<sup>107</sup> Human Rights Watch telephone interview with a resident of Nzérékoré, June 2, 2020.

<sup>108</sup> Human Rights Watch telephone interview with a former detainee, June 2, 2020.

<sup>109</sup> “Guinea admits 30 died in post-election violence in March,” Vanguard Nigeria, May 27, 2020, <https://www.vanguardngr.com/2020/05/guinea-admits-30-died-in-post-election-violence-in-march/> (accessed September 7, 2020).

referred to as *'forestiers,'* considered 'native' to the Forest region.<sup>110</sup> FNDC leaders accused the authorities of pursuing more serious charges against Guerzé detainees, who they said the government sees as sympathetic to the opposition, while Malinké and Konianké were released and not prosecuted.

A 29-year-old Guerzé man who was arrested on March 22 by the military and taken to the Beyanzin military camp said, though there were Malinké among those arrested, they were quickly released:

I was held in a cell with over 100 people. The majority of them belong to the Guerzé community. There were also few Fulani and about 10 Malinké. But on the night between March 22 and 23, the military took out and released all the Malinké.<sup>111</sup>

A FNDC leader told Human Rights Watch:

The figures are clear. People from both sides were killed. Properties belonging to both communities were targeted. So how come suspects only come from one side? Why did the charges only target the Guerzé who are considered to be our supporters and none from the other community is being tried?<sup>112</sup>

The government has not responded at the time of writing to the allegation made by FNDC leaders that authorities more aggressively prosecuted members of Guerzé and other ethnic groups considered to be affiliated with opposition parties.

Defense lawyers told Human Rights Watch that they do not know why the detainees were transferred to Kankan, but believe authorities decided on the transfer in a move to attempt to reduce tensions in Nzérékoré. Four family members of detainees complained to Human Rights Watch that their relatives are being held too far from home, making visits difficult and expensive. Kankan is 239 miles, and up to over 8 hours' drive, north of Nzérékoré.

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<sup>110</sup> Human Rights Watch telephone interviews with family members, defense lawyers and FNDC leaders, March-July 2020.

<sup>111</sup> Human Rights Watch telephone interview with a former detainee, June 2020.

<sup>112</sup> Human Rights Watch telephone interview with an FNDC leader, June 2020.

A 48-year-old woman whose son, a 27-year-old mechanic, is currently held in Kankan prison, said:

“I am frustrated because I cannot even pay a visit to my son. Kankan is far from Nzérékoré and I can’t go there because the cost of the transportation is too expensive for me. It’s about 500,000 francs [US\$ 51] to go and come-back. And you need to add the cost of accommodation. I just can’t afford it.”<sup>113</sup>

The UN Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules) provides that “prisoners shall be allocated, to the extent possible, to prisons close to their homes or their places of social rehabilitation.”<sup>114</sup>

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<sup>113</sup> Human Rights Watch telephone interview with a resident of Nzérékoré, June 2020.

<sup>114</sup> United Nations General Assembly “United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules) Resolution A/RES/70/175, Rule 59, [https://www.un.org/en/events/mandeladay/mandela\\_rules.shtml](https://www.un.org/en/events/mandeladay/mandela_rules.shtml).

## IV. The Need for Justice and Accountability

The scale of the violence in Nzérékoré and its devastating impact on people who were injured, lost family members, or livelihoods and properties, means it is vital for Guinean authorities to promptly and thoroughly review the status and outcome of the current investigations into the violence, including to expand the scope investigations and file criminal charges against all those implicated. It is also crucial that investigations target all those implicated in the violence, regardless of their ethnic or political affiliation or membership within the security forces.

The government said that a commission of inquiry has been established under the supervision of the prosecutor of Nzérékoré's court of first instance in order to identify, arrest and prosecute the perpetrators of violence. However, the government has not so far said whether the commission of inquiry has resulted in the arrest or prosecution of anyone for their role in the violence.

Of the 56 victims of the violence and relatives of victims interviewed by Human Rights Watch, only three said that they filed formal complaints, one with the police, one with the gendarmes, and the other with the court of first instance in Nzérékoré, but all reported no progress to date.

One of them, a 66-year-old man whose three homes in Bellevue neighborhood were burned on March 22 told Human Rights Watch: "I lodged a complaint with the public prosecutor at the Nzérékoré court of first instance on April 17. The examining magistrate promised me to follow-up on my case. But nothing so far."<sup>115</sup>

In all the other cases, victims said that they did not report the crimes to the police or any other authorities. Some said they fear retaliation by the perpetrators or by the Guinean security forces and authorities. "To file a complaint, you need to live in a country where there's rule of law," said an assistant pastor whose church was attacked and damaged on March 22 and 23. "That's not the case in Guinea. If you report a crime, there will not be any

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<sup>115</sup> Human Rights Watch telephone interview with a resident of Nzérékoré, May 2020.

follow-up. Worse, there might be consequences for you. We live in fear. Authorities can retaliate against you.”<sup>116</sup>

Others said they lacked the financial means to file a complaint. A 48-year-old man whose shop was burned during the violence on March 22 in the Bellevue neighborhood said:

If you want to file a formal complaint, you need money. You need to pay the judicial officers to come and assess the damages before you report to the police. This is very expensive and not everyone can afford it. I can't.<sup>117</sup>

Another reason cited for not reporting to the police or other relevant authorities was the perception that authorities ‘will not do anything’ or that the ‘system doesn’t work’. A 43-year-old man whose home was burned on March 22 in the Bellevue neighborhood said:

I didn’t report it to the gendarmes or police because nothing will happen. They will not follow-up on your complaint. In 2013, my home was also burned in similar circumstances and the authorities took no action.<sup>118</sup>

A Guinean human rights lawyer said that “there has been little to no justice for similar crimes in the past. Intercommunal violence is a recurrent phenomenon in Nzérékoré: we had that in 2009, in 2013, but authorities took limited action to ensure perpetrators were brought to justice. And that is why we keep witnessing these types of conflicts. Impunity fuels hate and contributes to more violence.”<sup>119</sup>

Human Rights Watch, also spoke to a 43-year-old man whose home and that of his father were burned on March 22 in Bellevue who said that he didn’t file a complaint because he trusted authorities would take action to find the perpetrators and compensate him for his losses. He said: “Authorities sent a commission to assess the damages to both homes. That is why I didn’t file a complaint. The authorities promised to compensate us. We wait. Back in 2013, my father’s home had also been burned in similar circumstances during

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<sup>116</sup> Human Rights Watch telephone interview with an assistant pastor from Nzérékoré, April 2020.

<sup>117</sup> Human Rights Watch telephone interview with a resident of Nzérékoré, May 2020.

<sup>118</sup> Human Rights Watch telephone interview with a resident of Nzérékoré, May 2020.

<sup>119</sup> Human Rights Watch telephone interview with a Guinean human rights lawyer, June 2020.

serious incidents of intercommunal violence and authorities did give us the means to rebuild it.”<sup>120</sup>

The UN Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power, adopted by the UN General Assembly, states that victims of crimes “are entitled to access to the mechanisms of justice and to prompt redress, as provided for by national legislation, for the harm that they have suffered.”<sup>121</sup> Victims of crimes should be informed of the “timing and progress of the proceedings and of the disposition of their cases.” Furthermore, the UN principles state that offenders should “make fair restitution to victims, their families or dependents.”<sup>122</sup> When compensation is not available from the offender, “States should endeavor to provide financial compensation” for “victims who have sustained significant bodily injury or impairment of physical or mental health as a result of serious crimes.”<sup>123</sup>

Given the widespread distrust of the justice system, authorities should publicly encourage victims to come forward to file legal complaints and reassure them that they will be dealt with fairly and impartially. Authorities should consider establishing a compensation program for victims of inter-communal and election-related violence and ensure that compensation is provided to victims in a transparent manner, regardless of their ethnic identity affiliation.

Authorities should also frequently give public updates to community leaders, victims and families of victims on the status of ongoing investigations and the steps taken to hold accountable individuals responsible for the violence, as well as members of the security forces responsible for human rights abuses.

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<sup>120</sup> Human Rights Watch telephone interview with a resident of Nzérékoré, May 2020.

<sup>121</sup> United Nations Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power, adopted November 29, 1985, G.A. res. 40/34, annex, 40 U.N. GAOR Supp. (No. 53) at 214, U.N. Doc. A/40/53 (1985), Annex (A)(4), <https://www.ohchr.org/en/professionalinterest/pages/victimsofcrimeandabuseofpower.aspx>.

<sup>122</sup> United Nations Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power, Annex (A)(4).

<sup>123</sup> United Nations Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power, Annex (A)(4).

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# “They Let People Kill Each Other”

## Violence in Nzérékoré during Guinea’s Constitutional Referendum and Legislative Elections

On March 22, 2020, Guineans voted in legislative elections and a constitutional referendum which paved the way for incumbent Alpha Condé to run for a third term in October’s presidential elections. The March election was marred by violence, which was at its worst in Nzérékoré, in southeastern Guinea, where the polls ignited longstanding intercommunal and ethnic tensions. Clashes between pro-government and opposition supporters on election day were followed by three days of violence across the city, leaving at least 32 people dead. This report, through first-hand accounts of the violence in Nzérékoré, the inadequate government response, and evidence of unlawful killings and illegal detention by the security forces, underscores the risk of further violence during the upcoming presidential election. The Guinean government should ensure that security forces adequately protect civilians while respecting people’s right to demonstrate peacefully and ramp up efforts to identify, investigate and prosecute in fair trials, all those responsible for killings and other crimes in Nzérékoré.



*(above) A church in ‘Dorota’ neighborhood, Nzérékoré, Guinea, on March 25, 2020, three days after it was attacked by violent mobs.*

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*(front cover) Guineans walk in front of posters advertising “Yes” to the referendum in Conakry on February 26, 2020. On March 22, 2020 Guineans voted in legislative elections and a constitutional referendum that paved the way for incumbent President Alpha Condé to run for a third term.*

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