



**Human Rights Watch Submission to the United Nations Committee on Economic,
Social and Cultural Rights
Review of Guinea**

67th session - January 2020

This submission relates to the review of Guinea under the International Covenant on Economic, Social, and Cultural Rights. It focuses on the human rights implications of largescale mining and hydroelectric dams, forced relocation from land in Conakry, and the Safe Schools Declaration.

1. Natural Resources (Articles 11, 12, 25)

Guinea possesses the world's largest bauxite reserves, as well as large amounts of iron ore, gold, and diamonds.¹ Guinea's bauxite sector has grown rapidly since 2015, with Guinea being the largest supplier of bauxite to China, the world's largest aluminum producer.²

While Guinea's bauxite boom provides much-needed tax revenue for the government and has created thousands of jobs, the government has failed to adequately regulate the industry and ensure companies respect the environment and the rights of local communities. Mining companies have expropriated ancestral farmlands without

¹ Ministry of Mines and Geology, "Bauxite: Become a Leader in Global Production," (Undated) <http://mines.gov.gn/ressources/bauxite/> (accessed May 22, 2018).

² "China Aluminum Capacity Cuts Boost Market Leader, Prices," Reuters, August 3, 2017, <https://www.reuters.com/article/us-china-metals-aluminium/china-aluminum-capacity-cuts-boost-market-leaders-prices-idUSKBN1AJ0QO> (accessed March 20, 2018); "Chinese bauxite imports in February down by 13.4% MOM," Asian Metal, March 27, 2018.

adequate compensation, threatening tens of thousands of people's livelihoods.³ Damage to water sources, as well as increased demand due to population migration to mining sites, has reduced communities' access to water for drinking, washing, and cooking.⁴ Dust produced by bauxite mining and transport has left families and health workers worried that reduced air quality threatens their health and environment.⁵

Guinea has also, since 2015, begun to more rapidly develop its enormous potential for hydroelectric power. Guinea opened the Kaleta dam in 2015, and is currently constructing at least three other hydropower dams, the most advanced of which, Souapiti, will be operational in 2020.⁶ Hydropower projects have the potential to increase access to electricity in a country in desperate need of reliable power.⁷ The Guinean government has so far failed, however, to adequately protect the rights of the thousands of people displaced by dams.

The more than 16,000 people to be displaced by Souapiti, for example, have received inadequate compensation or replacement land, leaving them struggling to feed their families, re-establish their livelihoods, and live with dignity.

³ Human Rights Watch, "'What Do We Get Out of It?': The Human Rights Impact of Bauxite Mining in Guinea," October 2018, <https://www.hrw.org/report/2018/10/04/what-do-we-get-out-it/human-rights-impact-bauxite-mining-guinea> (accessed January 1, 2020).

⁴ Aristeidis Mertzanis, "The opencast bauxite mining in N.E. Ghiona: Ecoenvironmental impacts and geomorphological changes (Central Greece)," *Journal of Geography and Regional Planning*, vol. 5 (2011), pp. 21-35; Noor Hisham Abdullah et. al, "Potential Health Impacts of Bauxite Mining in Kuantan," *The Malaysian Journal of Medical Sciences*, vol. 23 (2016), pp. 1-8. <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4934713/> (accessed March 26, 2018); Metro Mining Ltd, "Bauxite Hills Project: Initial Advice Statement," October 2015, <https://www.ehp.qld.gov.au/management/impact-assessment/eisprocesses/documents/bauxite-hills-ias.pdf> (accessed March 26, 2018), pp. 3-58.

⁵ "Tackling the global clean air challenge," World Health Organization press release, accessed July 21, 2017, http://www.who.int/mediacentre/news/releases/2011/air_pollution_20110926/en/. World Health Organization, "Health Effects of Particulate Matter," 2013, http://www.euro.who.int/__data/assets/pdf_file/0006/189051/Health-effects-of-particulatematter-final-Eng.pdf (accessed July 21, 2017), p. 6.

⁶ At least two other dams are under construction – the 300 megawatt Amaria dam and the 300 MW Koukoutamba dam. "Présidence – Energie : La convention de concession du barrage Amaria signée," *Guinée News*, May 2, 2019, <https://www.guineenews.org/presidente-energie-la-convention-de-concession-du-barrage-amaria-signee/> (accessed January 5, 2020). "Sinohydro to build the 294 MW Koukoutamba dam in Guinea," *The International Journal on Hydropower & Dams*, March 13, 2019, <https://www.hydropower-dams.com/news/sinohydro-to-build-the-294-mw-koukoutamba-dam-in-guinea/> (accessed January 5, 2020).

⁷ In 2017, Guinea had a rate of electricity access of about 29 percent, below that year's average for sub-Saharan Africa of 43 percent. World Bank (International Development Association), *Guinea Electricity Access Scale Up Project Proposal*, January 25, 2019, <http://documents.worldbank.org/curated/en/869041550631657109/pdf/Guinea-Electricity-Access-Scale-Up-Project.pdf>, paras 7-8 (accessed November 18, 2019).

Human Rights Watch recommends that the Committee pose the following questions to the government of Guinea:

- What steps is the government of Guinea taking to protect communities from the potentially negative impacts of bauxite and other forms of industrial mining?
- What proportion of the electricity produced by new hydroelectric projects will be used for domestic consumption, including for essential services like schools and hospitals, and how much will be used by the mining industry or exported abroad?
- What steps is the government of Guinea taking to ensure that communities displaced by hydroelectric dams are able to return to the standard of living they enjoyed prior to their displacement?

Human Rights Watch recommends that the Committee call upon the government of Guinea to:

- Enact detailed legislation to require that mining and hydroelectric companies provide fair compensation for land, including through replacement land where possible, to individuals and communities that lose land to natural resource exploitations;
- Improve the access of affected communities and civil society organizations to environmental and social impact assessments, management plans, and other government and company data related to the human rights, social and environmental impacts of mining and other natural resource projects;
- Ensure that government regulators investigate and sanction companies that violate Guinean laws regarding social and environmental management;
- Adopt and fully implement the standards of the Voluntary Principles on Security and Human Rights, a multi-stakeholder initiative by governments, major multinational extractive companies, and NGOs that seek to address the risk of human rights abuses arising from security arrangements in the oil, gas and mining industries.

2. Forced Evictions (Article 11)

Between February and May 2019, the Guinean government forcibly evicted more than 20,000 people from neighborhoods in Conakry in order to provide land for government

ministries, foreign embassies, businesses, and other public works.⁸ The government provided inadequate notice to the majority of those evicted and no alternative housing for demolished homes.

Although the government maintains that the evicted areas were state land, many people said that they had documentary proof that their families had decades-old property rights over the land.⁹ The government did not investigate the property claims of those affected before demolishing homes and has provided virtually no compensation or humanitarian assistance to those evicted.¹⁰

Human Rights Watch recommends that the Committee call upon the government of Guinea to:

- Halt any further evictions until it can guarantee respect for the rights of residents, including adequate notice, compensation, and resettlement prior to evictions;
- Take immediate steps to provide assistance, including alternative accommodation and other remedies, to those affected by forced evictions;
- Provide adequate compensation to all individuals forcibly evicted who have not received such compensation.

The Safe Schools Declaration (Article 13)

The Safe Schools Declaration is an inter-governmental political commitment that provides countries the opportunity to express political support for the protection of students, teachers, and schools during times of armed conflict;¹¹ the importance of the continuation of education during armed conflict; and the implementation of the *Guidelines for Protecting Schools and Universities from Military Use during Armed*

⁸ Human Rights Watch, “Guinea: Draconian Forced Evictions: Thousands of Homes Razed in Capital; Residents Denied Aid, Compensation,” June 18, 2019, <https://www.hrw.org/news/2019/06/18/guinea-draconian-forced-evictions>

⁹ Ibid.

¹⁰ International and African human rights instruments protect individuals and communities, including those with customary land tenure, from arbitrary interference with their rights to property and land. The UN Basic Principles on Evictions state that, irrespective of whether people hold title to property, they are entitled to compensation for lost land as well as for material damage and loss of earnings. See UN Human Rights Committee, “Basic Principles and Guidelines on Development-Based Evictions and Displacement,” A/HRC/4/18, p. 13.

¹¹ Safe Schools Declaration, May 28, 2015, https://www.regjeringen.no/globalassets/departementene/ud/vedlegg/utvikling/safe_schools_declaration.pdf (accessed December 20, 2019).

*Conflict.*¹² As of January 2020, 101 countries have endorsed the Safe Schools Declaration, including 27 of Guinea's fellow African Union members.

In November 2019, the African Committee of Experts on the Rights and Welfare of the Child urged all African Union member states to endorse the Safe Schools Declaration, "realizing the dangers that the military use of schools poses."¹³ The African Union's Peace and Security Council has also repeatedly urged all African Union member states to endorse the declaration.¹⁴ Guinea, however, has yet to endorse this important declaration.¹⁵

Human Rights Watch recommends that the Committee pose the following questions to the government of Guinea:

- Are protections for schools from military use included in the pre-deployment training provided to Guinean troops participating in peacekeeping missions?
- Do any Guinean laws, policies, or trainings provide explicit protection for schools and universities from military use during armed conflict?

Human Rights Watch recommends that the Committee call upon the government of Guinea to:

- Endorse the Safe Schools Declaration and take concrete measures to deter the military use of schools, including those in peacekeeping operations, some of which Guinea is supporting, and including by bringing the *Guidelines for*

¹² Guidelines for Protecting Schools and Universities from Military Use during Armed Conflict, March 18, 2014, http://protectingeducation.org/sites/default/files/documents/guidelines_en.pdf (accessed December 20, 2019).

¹³ African Committee of Experts on the Rights and Welfare of the Child, "Outcome Statement for the Day of General Discussion on Children Affected by Armed Conflict," November 26, 2019, https://www.acerwc.africa/wp-content/uploads/2019/12/Outcome-Statement_-ACERWC-Day-of-General-Discussion_-final.pdf.

¹⁴ African Union, Press Statement on the Peace and Security Council of the African Union's 597th meeting on May 10, 2016: "Children in Armed Conflicts in Africa with particular focus on protecting schools from attacks during armed conflict;" Press Statement on the Peace and Security Council of the African Union's 615th meeting on August 9, 2016: "Education of Refugees and Displaced Children in Africa;" Press Statement on the Peace and Security Council of the 692nd meeting on June 13, 2017, of the PSC dedicated to an Open Session on the theme: "Ending Child Marriages;" and Press Statement on the Peace and Security Council of the 706th meeting on July 26, 2017, of the PSC on the theme: "Child Soldiers/Out of School Children in Armed Conflict in Africa."

¹⁵ "Safe Schools Declaration Endorsements," Global Coalition to Protect Education from Attack, <http://www.protectingeducation.org/guidelines/support> (accessed June 29, 2019).

Protecting Schools and Universities from Military Use during Armed Conflict into domestic military policy and operational frameworks.