
Guinea – Tier 2 Watch List

Guinea is a source, transit, and, to a lesser extent, a destination country for men, women, and children subjected to forced labor and sex trafficking. The majority of Guinea's identified trafficking victims are children, and incidents of trafficking are more prevalent among Guinean citizens than foreign migrants residing in Guinea. In Guinea, girls are sometimes sent to third parties where they are subjected to domestic servitude and commercial sexual exploitation, while boys are forced to beg on the streets, work as street vendors or shoe shiners, or labor in gold and diamond mines. Some Guinean women, men, and children are subjected to forced labor in agriculture. For example, reports indicate that children are sent to the coastal region of Boke for forced labor on farms or to Senegal for education in Koranic schools, some of which exploit students through forced begging. Some Guinean boys and girls are subjected to forced labor in gold mining in Senegal, Mali, and possibly other West African countries. Guinea was used as a transit point for West African children subjected to forced labor in gold mining throughout the region. Guinean women and girls have been subjected to domestic servitude and sex trafficking in Nigeria, Cote d'Ivoire, Benin, Senegal, Greece, Spain, Belgium, France, Denmark, the Netherlands, the United States, and countries in the Middle East. Guinean boys have also been subjected to forced prostitution in Holland. During the reporting period, there were increased reports of Guinean girls and women discovered in Europe for the purposes of forced prostitution. Thai, Chinese, and Vietnamese women are subjected to forced prostitution in Guinea. Children from Mauritania, Costa Rica, Cabo Verde, Mali, Gabon, Senegal, and Ghana have been identified as child trafficking victims within Guinea. A small number of girls from Mali, Sierra Leone, Nigeria, Ghana, Liberia, Senegal, Burkina Faso, and Guinea-Bissau migrate to Guinea, where they are subjected to domestic servitude and to possible commercial sexual exploitation.

The Government of Guinea does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Despite these efforts, the government did not demonstrate evidence of overall increasing anti-trafficking efforts compared to the previous reporting period; therefore Guinea is placed on Tier 2 Watch List for the second consecutive year. The government conducted six investigations of possible trafficking offenses, and prosecuted and convicted one trafficking offender during the reporting period. The government, however, did not provide adequate resources or training to law enforcement and judiciary personnel, failed to provide basic protections to trafficking victims, did not provide any funding to support activities of the

National Committee to Fight Against Trafficking in Persons, and did not take any tangible action to prevent trafficking during the reporting period.

Recommendations for Guinea:

Increase efforts to investigate and prosecute trafficking offenses, and convict and punish trafficking offenders; vigorously investigate, prosecute, and, where appropriate, convict government officials complicit in human trafficking; train law enforcement officials and magistrates on anti-trafficking statutes in the child code and the penal code; increase prescribed penalties for the sex trafficking of adults; provide specialized training to border officials to recognize both adult and child trafficking victims and to refer them to protective services; regularly convene the National Committee to Fight Against Trafficking in Persons and provide adequate resources and training to committee members to support their efforts; develop and implement a national action plan to combat trafficking in persons; develop stronger partnerships with NGOs and international organizations to care for victims and develop systemic referral practices for victim care; enhance partnership and information-sharing mechanisms among government agencies involved in combating trafficking; and increase efforts to raise public awareness about trafficking, including the trafficking of adults.

Prosecution

The Government of Guinea demonstrated slightly increased anti-trafficking law enforcement efforts. Guinean law does not prohibit all forms of trafficking; for example, debt bondage is not criminalized. Article 330 of the 2012 penal code prohibits forced prostitution and prescribe penalties of two to five years' imprisonment; these penalties are sufficiently stringent but not commensurate with penalties prescribed for other serious crimes, such as rape. Article 337 of the 2012 penal code prohibits individuals from entering into agreements that deprive third parties of their liberty, prescribing penalties of five to 10 years' imprisonment and confiscation of any proceeds from the crime. Articles 385-396 of the 2009 child code prohibit all forms of child trafficking and prescribe penalties of five to 10 years' imprisonment and the confiscation of any proceeds from the crime. These penalties are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape.

The government initiated six investigations of possible trafficking offenses, and prosecuted and convicted one trafficking offender during the reporting period; this represented a slight increase from the previous year, in which the government initiated five trafficking investigations, but failed to prosecute or convict any trafficking offenders. The case that achieved a conviction involved a woman

sentenced to three years' imprisonment for child abuse and child labor trafficking. The additional five investigations involved alleged child labor trafficking. In one investigation, the government collaborated with Senegalese authorities to intercept a truck transporting 20 Guinean boys to Senegal allegedly for forced labor in gold mines; four alleged traffickers were in police custody in Guinea and the investigation was ongoing at the end of the reporting period. The government did not provide any specific anti-trafficking law enforcement training during the reporting period.

The Office for the Protection of Gender, Children, and Morals within the Guinea police, which is responsible for investigating trafficking and child labor cases, remained severely underfunded. The Government of Guinea did not report any investigations or prosecutions of officials for alleged complicity in trafficking-related offenses during the reporting period; however, NGOs, international organizations, and government officials reported that corruption and direct complicity by law enforcement officials played a major role in preventing trafficking cases from being investigated and prosecuted.

Protection

The government's protection of trafficking victims remained limited and difficult to assess. The government failed to proactively identify victims of trafficking; it identified an unknown number of child victims and no adult victims. The government failed to provide trafficking victims with direct access to legal, medical, or psychological services, and did not provide direct or in-kind support to international or local NGOs that assisted victims. The government continued, however, to refer child victims to NGOs on an *ad hoc* basis and worked with NGOs to reunite victims with their families. The government referred at least 20 potential child victims to one NGO for assistance. The government opened a shelter for vulnerable street children in June 2013 in Conakry; although child trafficking victims could potentially seek shelter at the facility, it did not offer specialized services to victims of trafficking, and it is unclear whether any victims were provided services during the reporting period.

Although it is legally available, the government did not provide temporary or permanent residence status to any victims from countries where they would face retribution or hardship. The child code contains provisions allowing NGOs to bring cases to court on behalf of victims, and the government reported that a victim could file a civil suit against a trafficking offender provided the victim is older than 12 years of age; however, this did not happen during the reporting period. There was no evidence the government encouraged trafficking victims to participate in

the investigation or prosecution of their traffickers during the year; reports indicated victims were reluctant to testify or file claims against trafficking offenders due to limited access to justice, a lack of confidence in the justice system, corruption, and potential threats of reprisal. The government did not report that any victims of human trafficking were detained, fined, or jailed for unlawful acts committed as a result of being trafficked; however, due to a lack of formal victim identification procedures, some unidentified victims may have been penalized for such crimes.

Prevention

The Government of Guinea demonstrated minimal efforts to prevent trafficking. Although the National Committee to Fight Against Trafficking in Persons met twice during the reporting period, it had no budget to support its activities. The government did not launch any education or awareness campaigns relating to trafficking. It did not take any tangible steps to reduce the demand for forced labor or commercial sex acts. The government did not provide anti-trafficking training to peacekeeping troops deployed abroad during the reporting period.