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Reviewer

U.S. DEPARTMENT of STATE

GUINEA ASYLUM COUNTRY PROFILE 2008

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I. INTRODUCTION

Country profiles are produced by the Department of State's Bureau of Democracy, Human Rights, and Labor, Office of Multilateral and Global Affairs, for use by the Executive Office of Immigration Review and the Department of Homeland Security in assessing asylum claims. By regulation, the Department of State may provide asylum officers and immigration judges information on country conditions that may be pertinent to the adjudication of asylum claims. The purpose of this and other profiles is to provide factual information relating to such conditions. They do not relate to particular asylum claims, but provide general country condition information as of the date they are drafted. They are written by State Department officers with expertise in

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the relevant area and are circulated for comment within the Department, including to overseas missions.

This country profile focuses on the issues most frequently raised by Guinean asylum applicants and the regions from which most applicants come. It cannot cover every conceivable circumstance asylum applicants may raise, nor does it address conditions in every region in Guinea, where local enforcement of national policies is often uneven. Adjudicators may wish to consult the latest versions of the Department of State's annual *Country Reports on Human Rights Practices*, *International Religious Freedom Report*, and *Trafficking In Persons Report*, all of which are available on the Internet at www.state.gov, and other publicly available material on conditions in Guinea.

II. CONTEXT AND OVERVIEW

A. Recent Political History and Governance Overview

Since gaining its independence from France in 1958, Guinea has been a republic and has had only two presidents. Lansana Conte has been in office since seizing power through a military coup shortly after the death of Sekou Toure in 1984. He won election as a civilian president in 1993 and was reelected in 1998 and again in 2003 in elections which were widely regarded as flawed. President Conte's only opposition during the 2003 election was a relatively unknown candidate previously allied with the ruling Party of Unity and Progress (PUP). The election was peaceful with few reports of violence, but was considered neither free nor fair by the international community. President Conte's PUP and associated parties won 91 of the 114 seats during the 2002 Parliamentary elections; many of the opposition parties boycotted the election.

Since the beginning of 2005, Guinea has made concentrated efforts at political and economic reforms. Nationwide municipal and local council elections took place on December 18, 2005. Sixteen of 46 registered political parties participated, including all the major opposition parties. According to official results, President Conte's ruling PUP garnered approximately 80 percent of the vote with certified victories in 31 of 38 municipalities, and 241 of 303 local councils. The opposition, which did not field candidates in every local race, won in several areas, including Kankan, Guinea's second largest city.

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The last local electoral process demonstrated improvements over past practices but serious flaws remain. Positive developments included freer campaigning, equal access to state media for all parties, a single ballot listing all parties, transparent ballot boxes, representation of political parties at polling stations, media coverage of events, and free access for national observers. However, voter turnout was low, and there were significant irregularities and biases by some officials in favor of the ruling party. These included disqualification of up to 50 percent of the opposition candidate lists, unequal provision and distribution of voter registration cards and identity documents, and vulnerability to cheating in the district-level vote consolidations.

Legislative elections for the 114 seats in the General Assembly were supposed to be held in June of 2007. Due to both political and practical challenges, elections were moved to December of 2007 then postponed again. No date has yet been set. These highly anticipated elections are widely viewed as an opportunity to reinforce the population's demand for political change.

The law allows the president to run for an unlimited number of seven-year terms. There are 46 legally recognized political parties, although most are small. Five different parties have representatives in the National Assembly. Of those five, all but one is affiliated with the PUP government party alliance. With 20 seats, the Union for Progress and Renewal (UPR) is the only true opposition party participating in the 114-member National Assembly.

President Conte is elderly and in poor health. He has not publicly announced a succession plan; however, the constitution sets forth a mechanism for succession. Should the President of the Republic die or become incapacitated in office, the President of the National Assembly becomes interim President of the Republic and organizes a presidential election within 60 days, a period which the Supreme Court can extend.

Following initial strikes in 2006, trade unions launched another general strike in early 2007, demanding political change. The government responded with violence, killing at least 137 people and injuring over 1700 more. On January 27, unions, employers associations, and the government entered a tripartite agreement to suspend the strike and President Conte agreed to name a new

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prime minister who would serve as the head of government. However, President Conte's initial appointment was rejected by Guineans who took to the streets in February in another wave of violence, prompting President Conte to declare a "state of siege," which conferred broad powers on the military. On February 23, for the first time in Guinea's history, the National Assembly refused a presidential initiative when it voted not to extend the state of siege. After wide-ranging consultations with Guinea's civil society, political parties, and religious communities, President Conte appointed Lansana Kouyate as Prime Minister (this position is not constitutionally mandated).

The economic, social, and political situation in Guinea is grave. Since 1990 Guinea has ranked near the bottom of the list on the UN quality of life index. Living standards are miserable, and the government overspends on defense rather than investing in health and education. The IMF suspended its formal assistance program to Guinea in 2002 due to the Government's active and passive resistance to reforms. Under former Prime Minister Cellou Diallo, Guinea focused on fiscal and macroeconomic reforms in connection with an IMF staff-monitored program in 2005. In December 2007, the IMF reinstated Guinea's funded program citing improved economic policies and overall macroeconomic stabilization.

Corruption is rampant at all levels throughout the country. The Central Bank has limited reserves; unemployment and underemployment are endemic.

The government has closed universities or delayed classes to disguise insufficient space, material, and teachers or to quell protest or debate from students. In recent years, there have been few student arrests.

B. Human Rights Situation

While Guinea's human rights situation generally improved as the government implemented reforms, serious problems remain. The government's progress in recent years was marred by the violence in January and February of 2007. The government's influence over the electoral process, an ineffective electoral commission, and the absence until very recently of nongovernmental broadcast media effectively restricted citizens' right to change their government. The government loosened in 2006 restrictions on

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freedom of speech, the press, assembly, association and movement.

The law provides for freedom of expression, subject to certain limitations. Numerous private, anti-government newspapers exist in Guinea. They exercise their right to criticize the government, including the president, with increasing frankness. However, the government occasionally has temporarily suspended publications for articles critical of it. The reach of the print media is limited due to low literacy rates and high prices of newspapers. Journalists are subject to arrest, detention, and harassment, but there are fewer such reports than in the past. Foreign publications, some of which criticized the government regularly, are available both in print and electronic format.

A 2005 media liberalization decree cleared the way for private radio and television broadcasting. The decree limited ownership of commercial broadcast stations by political parties and religious institutions but did not restrict programming on political and religious subjects. In July 2006, the government issued licenses to four private radio stations, adding a fifth in August 2006. Two of these have obtained their frequencies and begun broadcasting. The government continues to own and operate the only local television station; no one has yet submitted an application for a private television station.

The government allegedly committed significant human rights abuses during the general strikes in 2006 and 2007. Despite promises, it has not investigated any of these alleged abuses. However, in September 2007 the Prime Minister appointed a 15-member commission to begin investigating the violence that occurred during the strikes. In December 2007, a consortium of several local and international NGOs released a report indicating that 186 people were arbitrarily killed during the January/February 2007 strike.

Outside the scope of the killings and injuries during the 2007 strikes reported above, civilian and military security forces reportedly beat and otherwise abuse civilians, often with impunity. Such incidents were generally not politically motivated. Prison conditions are inhumane and life threatening. Arbitrary arrest and prolonged pretrial detention are problems. The government has infringed on citizens' privacy rights. Violence and societal discrimination against women, prostitution of young girls, female genital mutilation (FGM),

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ethnic discrimination, child labor, and reports of trafficking of women and children have continued, although the government has made efforts to combat both FGM and trafficking.

III. PATTERNS IN ASYLUM CLAIMS AND RELEVANT COUNTRY CONDITIONS

Guinea is one of the world's most impoverished countries. The Guinean franc (GNF) depreciated severely in the past two years. At the same time, prices for fuel and basic goods have increased significantly. Rampant unemployment rates and meager salaries contribute to high non-immigrant visa (NIV) demand. Guinean university graduates cannot expect to find jobs in Guinea, and even senior civil servants earn less than \$100 USD per month. Consequently, these push factors motivate many Guineans to leave as economic migrants, seeking opportunities to gain status in other countries.

A. Claims Based on Political Party Membership

Since April 1992, political parties have been legal and therefore authorized to operate throughout Guinea. Members of opposition political parties are not generally subject to persecution on the basis of that membership.

In January 2005, the government instructed governors and prefects to allow peaceful meetings and demonstrations organized by opposition political parties, and generally observed this in practice. The government generally respected rights of assembly of members of opposition parties. Police did not interfere with groups traveling to rallies or assembling to support opposition leaders. However, in a small number of cases, security forces arrested and injured some opposition party supporters and briefly detained them.

Specific instances of confrontation by the security forces with opposition political party activists in Guinea during the last decade are found in the State Department's annual Country Report on Human Rights Practices (see www.state.gov). In general, tension between the government and opposition parties has decreased over the years.

1. Rally for the Guinean People (RPG)

In 1998 Alpha Conde, leader of the RPG, ran for president and was a credible threat to President Conte's reelection. The

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government accused Conde of assisting rebels in Liberia and jailed him for a year but later pardoned and released him. The government also harshly repressed his followers in 1999 to 2000 as well. Conde left the country and resided in self-imposed exile in France. He returned in July 2005, when more than 20,000 supporters assembled to greet him without incident. Conde led the RPG in participating in the local elections of December 2005. The party won control of Guinea's second largest city, Kankan, along with the municipalities of Faranah and Kouroussa.

The RPG is a recognized opposition party and is allowed to hold meetings and demonstrations. Since 2003 the United States Embassy in Guinea has not received reports that RPG members have been harassed. However, in January 2005, Antoine Soroumo, a veteran opposition member of the RPG and leader of the National Alliance of Development (AND) party, was arrested on suspicion of participation in the January 2005 coup attempt. Since his release, he has lived in self-imposed exile.

2. Union of Republican Forces (UFR)

Former Prime Minister Sidya Toure is the president of UFR. In April 2004 he was detained for plotting against the government, but the charges were dismissed a few months later and was released. In March 2004 authorities detained and jailed former mayor and prominent member of the UFR Rougui Barry for alleged involvement in efforts to subvert the government. The charges were later dropped. She was released, ran for election in December 2005 without incident, currently has freedom of movement, and is an active voice in civil society. Generally UFR party leaders and supporters have been able to exercise their rights to freedom of movement and assembly and were not reported to be under threat by the government. UFR participated in the December 2005 elections. However, in 2006 some followers were arrested without charge, then released and reportedly harassed by government officials.

3. Union for Progress of Guinea (UPG)

The UPG is a long-time centrist opposition party run by Jean Marie Dore. Authorities arrested Dore briefly in 2004, but members are not reported to be under threat. The UPG party participated in the December 2005 elections without incident.

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4. Union for Progress and Renewal (UPR)

The UPR president is Ousmane Bah. The UPR is the parliamentary opposition party and the major alternative voice in the National Assembly to the ruling PUP. The party participated in the December 2005 elections, and its representatives engage in regular dialogue with the government.

There are other opposition parties, but they have low membership and do not enjoy national support. Their members are not reported to be under threat. The State Department is not aware of any reports of political prisoners except members of the military suspected of plotting coups.

B. Claims Based on Female Genital Mutilation

Female Genital Mutilation (FGM) is practiced widely in all regions and among all religious and ethnic groups. The UN Children's Fund reported 96 percent of women and girls between age 15 and 49 in Guinea are victims. FGM is illegal and senior officials and both the official and private press have spoken against the practice, but there have been no prosecutions. FGM has been performed on girls and women between the ages of 4 and 17. Infibulation, the most dangerous form of FGM, is rarely performed. Despite diseases and deaths resulting from the unsanitary surgical methods used in this practice, the tradition has continued, seriously affecting many women's lives. The NGO TOSTAN successful programs in over 150 communities resulting in thousands of families formally declaring an end to FGM.

IV. Patterns in Fraudulent Guinean Asylum Claims

Because of desperate economic conditions and limited economic opportunity for most of the population, an asylum claim can be viewed as a way to remedy economic woes.

The State Department ranks Guinea as a high fraud consular post. The overall refusal rate for nonimmigrant visas for FY2007 was 65%. Post responded to 75 investigation requests from DHS officers in the U.S. Fraud perpetrated by personnel of the Ministry of Foreign Affairs and Guinean diplomatic missions is common; diplomatic notes and diplomatic passports are not reliable for determining visa eligibility of the bearers.

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Guinea remains the leading West African country with pending asylum petitions in the United States despite issuing very few nonimmigrant visas.

Civil documents are not issued based on verified information, as families simply report births, deaths, marriages and divorces to the appropriate government office, which then creates a document reflecting the reported information. Parents often report births years long after they occur, when the child needs documents in connection with a need, such as a foreign visa application. Many people do not know their exact date of birth and report it on official documents simply as January 1 of the appropriate year. Furthermore, the majority of Guinean family names come from a small pool of common ethnic names, making it difficult to track visa applicants and differentiate between them.

A. Travel Document Considerations

The State Department has detected numerous instances of photo substituted and altered passports. Detecting photo substituted and altered passports is difficult because older legitimate Guinean passports are low quality. Use of legitimate passports and visas by impostors -- individuals other than their proper holders -- is believed to be common.

In August 2005 the government began producing higher quality machine-readable, digital photo passports. However, the State Department has found that Guinean issuance procedures remain poor and has detected new version passports with bogus data.

The State Department has identified false relationships in approximately a third of Guinean applicants who claim to be relatives of qualified Guinean visa holders, such as A or G travelers. Frequently individuals purporting to be spouses of many years of visa holders do not speak the same languages as their purported spouses, or individuals purporting to be uncles and fathers know very little about their alleged nieces or daughters.

B. Nationality Fraud

Guinean asylum applicants often claim nationality of nearby countries whose violent recent history is well-known, such as Sierra Leone. Birth and marriage certificates, as well as

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Sierra Leonean passports can be purchased by mail from the U.S. or by friends and relatives to support these false national identities. In reality, many civil documents in Sierra Leone were destroyed during the country's years of strife. In many cases, the identify fraud becomes apparent when the Embassy interviews following-to-join relatives and finds they cannot speak Krio (an English-based Creole that is spoken throughout Sierra Leone), and do not have knowledge of places in Sierra Leone. Because three main ethnic groups (Malinke, Peuhl and Soussou) are present throughout Liberia, Sierra Leone, and Guinea, these language and knowledge issues are important.

C. Asylum and Other DHS Benefit Fraud

Conakry processes interviews for Visas 92/93 (Refugee/Asylum) cases for Guineans, Sierra Leoni, Liberians, and a few Cote d'Ivoirians. Fraud is rampant throughout the region. Applicants often are unable to produce evidence of relationship or nationality, claiming all their documents were destroyed during war or civil conflicts. Many applicants are determined to be siblings, rather than spouses or children. Post often requests DNA profiles. More than 60% of the profiles reveal fraudulent claims of familial relationships.

Other Consideration for Adjudicators

In general, Guinean government officials are poorly paid. Many of them who file for asylum are economic migrants. The Guinean Ministry of Foreign Affairs (MFA) and foreign missions have long been notorious for issuing fraudulent diplomatic notes, done either as a favor or for cash. Similarly, the majority of follow-to-join family members have been determined to be economic migrants by State Department officers during their interviews in Guinea.

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GUINEA CHRONOLOGY OF EVENTS

1896 - Guinea is officially colonized by the French following decades of French occupation.

October 2, 1958 - Guinea granted independence from the French; Sekour Toure establishes the First Republic, a Marxist system with ties to the Soviet bloc.

1959 to 1984 - Sekou Toure imprisoned tens of thousands of people in retaliation for over twenty alleged coup plots and other alleged conspiracies against the government. More than 50,000 people were reportedly killed in the prisons, with many disappearances as well. While not exhaustive, the below list provides some illustrative examples:

1965 - 96 arrested in connection with the "Plot Petit Toure," a movement to form a legal opposition to the government; opposition leaders were executed while in prison.

1968 - Several high-ranking military officers and civilian leaders arrested and executed on charges of conspiracy following the military overthrow of the Malian president, a close political ally of Toure.

1969 - More than 1,000 people arrested and a number of high ranking military officers and government officials executed another anti-government plot.

1971 - 70 people hanged throughout the country for alleged participation in a Portuguese invasion of the country, four in the capital and two in each of the 33 administrative prefectures.

1976 - 104 people arrested in connection with a plot led by Telli Diallo, who was left to starve to death in prison without trial.

1977 - 627 were arrested and unknown numbers were beaten and/or killed following demonstrations against the government by women in Conakry's central market.

1965 - Cut diplomatic relations with France following allegations of French complicity in a coup plot.

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1977 - Re-established diplomatic relations with France and other Western countries.

March 26, 1984 - Sekou Toure dies in Cleveland, Ohio.

April 2, 1984 - A Military Committee of National Recovery (CMRN) seized power, under the leadership of Colonel Lansana Conte; Conte is declared President of the Second Republic.

April, 1984 - Infamous political prisons in Conakry and Kindia are located and 300 prisoners released.

July 4, 1985 - Failed coup attempt by Colonel Diarra Traore.

1990 - Adopted Constitution.

April 1992 - Political parties legalized and 46 political parties formalized.

December 1993 - Lansana Conte reelected in presidential elections widely viewed as flawed.

December 1995 - Legislative elections held.

February 2, 1996 - During a military mutiny over low pay and poor living conditions, approximately 60 people are killed and 300 injured; the presidential palace is also destroyed.

1998 - Lansana Conte reelected in presidential elections widely viewed as flawed; an opposition candidate, Alpha Conde, arrested for treason.

April 12, 2000 - Alpha Conde is tried and sentenced to five years in prison.

September 2000 to September 2001 - hundreds of deaths and thousands of refugees due to numerous cross-border attacks from Liberia and Sierra Leone.

February 2001 - Five people executed in a government crackdown on lawlessness.

May 2001 - President Conte pardoned Alpha Conde, but barred him from political activities.

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November 2001 - Constitution amended by referendum to allow the president to run for a third term and to expand the presidential term from five to seven years.

2002 - Legislative elections that were widely viewed as flawed held.

2003 - Lansana Conte reelected in presidential elections that were widely viewed as flawed; most political parties boycotted the elections.

March 2004 - Students across the nation strike in protest of the arrest of 17 student leaders at Gamal Abdel Nasser University in Conakry.

2005 - Guinea holds local elections that were widely seen as flawed.

June 2006 - Unions held nationwide strike demanding better working and living conditions.

January/February 2007 - Triggered by the release from prison by President Conte of two prominent businessmen accused of embezzlement, the labor unions organized a nationwide strike demanding that the President resign. Tens of thousands marched in the capital where security forces fired into crowds. President Conte declared a ten-day state of siege, but his attempt to extend it was refused by the National Assembly. Official reports indicate that at least 137 people were killed and over 1700 wounded. As part of a negotiated agreement between the President, the unions, and civil society, Lansana Kouyate appointed as Prime Minister. Through powers of delegation, Kouyate made head of government while Conte remained head of state.

March 29, 2007 - Prime Minister Kouyate installed a new government of consensus by appointing new cabinet officials.

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