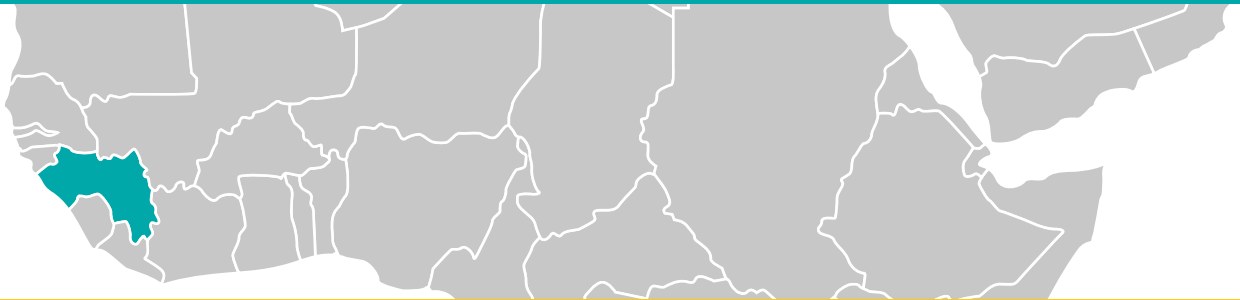


REPARATIONS FOR SURVIVORS OF CONFLICT-RELATED SEXUAL VIOLENCE



COUNTRY BRIEFING: GUINEA

Guinea is one of the first three countries where the Global Survivors Fund (GSF) supports locally-led civil society organisations (in the case of Guinea: 'Association des victimes, parents et amis du massacre du 28 septembre' ([AVIPA](#)) and the 'Organisation Guinéenne de Défense des droits de l'Homme et du Citoyen' ([OGDH](#))) to provide access to individual as well as collective interim reparative measures, such as livelihood packages, financial compensation and funds for facilitating access to education, medical and psychological care. This goes hand in hand with advocacy work to influence the national policy agenda to prioritise reparations and organise the trial of the massacre of the 28th of September 2009, in the September 28 Stadium in Conakry.

While Guinea's history counts several events of [political violence](#), this country briefing covers reparations for conflict-related sexual violence committed in the context of the 28 September 2009 Stadium massacre.

Official Register of Survivors of conflict-related sexual violence (CRSV): None

Commonly cited number of CRSV Survivors: The [International Commission of Inquiry](#) appointed just after the 28 September 2009 massacre concluded in its report that there were 109 cases of rape and sexual slavery.

Estimated Real Number of CRSV Survivors: Given the speed with which the number referred to above was reached, the fear of testifying and the stigmatisation of survivors, the actual number of survivors is likely to be higher than 109. The pilot project currently being implemented through a partnership between AVIPA, OGDH and GSF has identified 158 survivors of sexual violence at the September 28 Stadium over the course of just a few months of work.

Domestic Legal Framework for Administrative Reparations Programme: None

Mechanism to implement Administrative Reparations Framework: Not applicable.

Domestic Avenues for Reparations through Courts: Under Guinean law, victims can file a criminal complaint and obtain judicial reparations in the form of compensation. Approximately 450 victims of crimes committed during the events of 28 September, including survivors of sexual violence, have filed criminal complaints before the national judges in charge of the criminal investigation that lasted from 2010 to 2017, referring 11 alleged perpetrators to the Criminal Court. But there is ongoing uncertainty as to whether the trial will be held. The creation of a compensation fund was also ordered by the Minister of Justice in 2018-19 but has yet to be established.

Approximate Number of Survivors having received any formal Reparations for CRSV: 0

Survivor Perception regarding state of Implementation of Reparations: Survivors are still waiting for the State's recognition, the organisation of the trial against those responsible for the 28 September massacre and for reparation.



Nature and Scope of CRSV

In reaction to the drift towards authoritarianism of self-proclaimed President Moussa Dadi Camara, Guinean opposition parties and civil society organised demonstrations throughout the country, the most significant of which was that held at the September 28 Stadium in Conakry on 28 September 2009.

The repression of demonstrators was brutal; murders, rapes and other acts of sexual violence, torture and disappearances were committed by the national security forces including police, gendarmerie, special services and presidential security. The [International Investigation Commission](#) responsible for establishing the facts and circumstances of the events of 28 September 2009 reported that rapes and other acts of sexual violence were committed almost immediately after national security forces entered the stadium, and that women were taken from the stadium and held as sexual slaves for days. The Commission concluded that crimes against humanity had been committed by the security forces, including rape, sexual slavery and sexual violence involving sexual mutilation, and identified at least 109 victims. Survivors were subsequently stigmatised and rejected by their husbands, families and communities, and the State has yet to acknowledge responsibility for the serious crimes committed.



Harm caused to Survivors, Families and Communities

Survivors have suffered severe physical and psychological trauma as a result of the events at the Stadium. The rapes committed that day, and the following days for those held as sexual slaves, were extremely violent, taking the form of gang rapes and rapes with weapons or tools, which caused significant gynaecological and even intestinal damage. Many survivors also contracted sexually transmitted diseases, including HIV/AIDS. Survivors were also beaten and kicked, resulting in severe physical injuries, including to their eyes, feet and back.

Many survivors endure health problems as a result of the violence, including high blood pressure, diabetes and psychosomatic pain. They also suffer from enduring psychological consequences, most commonly post-traumatic stress disorder, depression, generalised anxiety, agoraphobia, or a phobia of the military.

To make matters worse, survivors have also been stigmatised and rejected by their husbands, families, neighbours, landlords, employers, and others. The crimes they have endured are often trivialised, or denied altogether, and victims are blamed by their relatives and the wider community for what they have been through. Few have told their families, including their children, about what happened to them, but the mere fact that they were present at the Stadium is enough to be stigmatised, as rapes and other forms of sexual violence were widely reported in the media.

Hence, in addition to the direct consequences of the sexual violence endured, such stigmatisation has also resulted in survivors facing rejection, exclusion, marginalisation and poverty.

FACTS AND FIGURES

109 women were officially stated as victims of rape and sexual violence at the September 28 Stadium, although this figure, established the day after the events, is assumed to be underestimated.

The pilot project implemented by GSF, AVIPA and OGDH has identified 158 survivors.

Victims include members of civil society or political activists belonging to opposition parties having participated in the demonstrations.

Perpetrators include police, gendarmerie, special services and presidential security personnel.



Survivors gather in a training on reparations, April 2021
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"There is nothing we have not heard: 'How a married woman can go to the Stadium and abandon her husband'."

"People told me that even if they killed me there it would not have been a problem, because those who went there and were raped, they were asking for it."



Survivors' Perspectives

Needs and Expectations

Since 2019, GSF supported a pilot project in Guinea (see [website](#) and [video](#)) to provide interim reparative measures while continuing to push the government to implement a state-led reparations programme. The project is co-created with survivors and implemented by the 'Association des victimes, parents et amis du massacre du 28 septembre' (AVIPA) and the 'Organisation Guinéenne de Défense des droits de l'Homme et du Citoyen' (OGDH). The Global Survivors Fund adopts an inclusive approach which involves survivors at every step of the project, as they are best placed to recommend methodologies for identifying, defining, and implementing individual and collective interim reparative measures.

Survivors expressed their needs and expectations at the beginning of the project. The vast majority of survivors wanted to improve their quality of life through a professional activity, which would allow them to feed themselves and their children well, to pay for their children's education, ensure access to housing and cover medical costs.

Most survivors wished to resume the commercial activities they had prior to the events, be it trading, making clothes or selling food. To do so, they needed the means to purchase the necessary products, and in some cases acquire premises.

Survivors explained that monetary/financial compensation would allow them to meet basic needs, such as better housing. Many survivors were living in precarious conditions after being driven out of their homes, sometimes having just one room for them and their children. Monetary compensation would allow them to improve such living conditions, enabling them to buy a house or a piece of land.

Survivors further requested the payment of school fees and education costs for their children as a key form of reparation, as such education had been either interrupted or made difficult since the 28 September events.

Medical and psychological rehabilitation were also a priority for survivors. Appropriate care, surgery and treatment of illnesses are still an absolute necessity, as is psychological care, particularly to combat isolation and the feeling of shame.

As a form of collective reparation, survivors proposed the creation of a centre, where they could come together, carry out activities including income-generating activities such as selling their products, undergo therapy, maintain collective memory, organise ceremonies and meetings, and welcome survivors of sexual and gender-based violence committed more recently. "It would be important to build a holistic centre for the victims, fixed and reliable so as not to be marginalised. There has been no judgment of the perpetrators, and no recognition of the survivors at State level".

Survivors have also requested that a book of testimonies and photos be produced so that **"the world knows"** what happened, in an effort to maintain collective memory of the events and contribute to survivors' rehabilitation. They have also insisted on the importance of commemorating international days on sexual violence to fight against stigmatisation.

"Reparation is restoring victims' rights."

"Reparation is to secure the future".

"Reparation... is something that can diminish the burden of the person inside. I want to be a hero in front of the people who called me everything. I'm proud and I'm here, strong and determined with my children."



Survivors gather in a training on reparations, April 2021
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Survivors' Initiatives

Survivors are actively involved in defending their rights. They have created AVIPA, chaired by Ms Asmaou Diallo, which, among other things, defines and implements national and international advocacy activities for the rights of the victims of the Stadium massacre in Guinea, including their right to justice and reparation. To this end, AVIPA works closely with OGDH, the only other Guinean human rights NGO working with victims of the 28 September Massacre, the [International Federation of Human Rights](#) (FIDH), the [Coalition for Sites of Conscience](#), and the [Mukwege Foundation](#). In 2017, [Dr Denis Mukwege and a team from the Panzi Hospital](#) in the Democratic Republic of Congo travelled to Guinea to meet and care for survivors.

In addition to providing interim reparative measures to survivors, the GSF/AVIPA/OGDH [project](#) aims to guide the development and implementation of a reparation framework by the Guinean State. The project has been implemented under the supervision of a Steering Committee, comprised of survivors, representatives of civil society organisations and key professionals including a lawyer and psychologist. It maintains regular exchanges with the United Nations, in particular the Team of Experts on the Rule of Law and Sexual Violence in Conflict. The pilot project has identified 158 survivors of sexual violence from the September 28 Stadium, who have received livelihood support in the form of three instalments, as well as one year of training mostly on financial management, so as to enhance the impact and transformative effect of individual reparative measures (see [project video](#), [Adama Sira](#), [Fatoumata](#), [Maimouna](#), and [Dalanda](#)).

A medical and psychological fund has allowed the provision of surgical treatment and medical care related to injuries and conditions as a result of sexual violence, as well as individual, group and family therapy. As requested by survivors, a survivors' centre should soon be established in Conakry as a form of collective interim reparative measure.

"*Nos vies d'après*", a book of survivors' testimonies and photos, will be published on 28 September 2021, documenting the evolution of survivors' lives since the events and the implementation of interim reparative measures. This book will allow survivors to have the truth about what happened recognised to some extent, and to have their voices heard. The photos provide a form of satisfaction, breaking survivors' solitude and reinforcing solidarity among victims, allowing them to feel less isolated, closer to other survivors, happier and proud. The pictures are also a way of measuring progress and of seeing the results of survivors' efforts to claim their rights.



Reparations

IN THEORY

Provided that the 28 September trial is held, civil parties only could obtain compensation from the defendants, or if they do not have the required funds, from a compensation fund which has yet to be created and funded.

Laws: [Arrêté du Ministre de la justice A 2018/3173/MJ/CAB](#) of April 9, on the creation, organisation and functioning of the steering committee for the trial of the events of September 28, 2009. This text also creates the fund for victims' compensation within the context of the trial (article 3).

Revised partly by: Arrêté 5348/MJ/CAB/2019 of August 26, 2019, on the creation, attributions, organisation, functioning of the bodies responsible for organising the trial of the events of September 28, 2009.

[New Criminal Code](#)

[New Code of Criminal Procedure](#)

Administrative law: [Joint statement](#) by the Government of Guinea and the Office of the Special Representative of the Secretary-General on Sexual Violence in Conflict, November 18, 2011.

[Report of the International Commission of Inquiry](#) mandated to establish the facts and circumstances of the events of 28 September 2009 in Guinea.

United Nations Team of Experts on the Rule of Law / Sexual Violence in Conflict - Preliminary Note Regarding Reparations Following the Events in Guinea on September 28, 2009, December 12, 2014.

IN PRACTICE

Although the trial has been announced several times since the end of the investigation and was referred to the Criminal Court in 2017, there is still no certainty as to whether and when it will be held. The compensation fund has not yet been set up. No formal reparations have been provided.

In the absence of State action, and considering the need for urgent reparation, GSF and its partners provided interim reparative measures to survivors. This project has been a survivor-led process.



Opportunities

The possibility of a trial on the events of the 28th of September has resulted in the emergence of various national initiatives. A criminal investigation was opened in February 2010 and lasted until December 2017, with the support in particular of the United Nations Team of Experts on the Rule of Law and Sexual Violence in Conflict and the Office of the Prosecutor of the International Criminal Court. 450 civil parties supported by their lawyers and civil society organisations took an active part in these proceedings, which ended with 11 indictments, including for charges of rape and other forms of sexual violence. These proceedings have sent a strong signal despite significant political, financial and logistical obstacles.

The creation in 2018 of a multi-party steering committee responsible for organising the trial on a practical level and mobilising funds for compensation for the victims by former Minister of Justice, Cheick Sako, generated hope for effective access to justice and reparation for the victims who were civil parties. But changes in the political landscape caused Minister Sako's [resignation](#), a change in the composition of the steering committee which met more [occasionally](#), and the compensation fund was never effectively set up.

At international level, the [Office](#) of the Special Representative of the Secretary-General of the United Nations on Sexual Violence in Conflict (OSRSG-SVC) is particularly active in promoting the organisation of the trial and in ensuring that survivors obtain reparation. In 2014, the Team of Experts issued a note recommending to prioritise reparations for CRSV survivors, including administrative reparation measures independently of the organisation of the trial. The Office's Senior Expert on Guinea regularly meets the Steering Committee of the GSF/AVIPA/OGDH project. The UN Expert Team on the Rule of Law and Sexual Violence in Conflict, the Office of the United Nations High Commissioner for Human Rights, and the [UN Human Rights Council](#), through the Universal Periodic Review, have also advocated for the trial to be held. Furthermore, the International Criminal Court has opened a [preliminary examination](#) of the situation in Guinea in October 2009, which encouraged the investigation at national level as a result of [positive complementarity](#).

Survivors and civil society, both national and international, continue to mobilise to demand the organisation of the trial, and to advocate for access to justice and reparation, including by way of a comprehensive domestic reparations programme.



Key Challenges

- Obtaining official recognition as survivors of sexual violence of 28 September 2009 from the Guinean State.
- Stigmatisation of survivors of sexual violence.
- Organising the 28 September trial and creating the compensation fund for civil parties.
- Establishing a global administrative reparation programme to meet the needs of all CRSV survivors and victims of the 28 September massacre.



"The individual interim reparative measures allowed us to recognise ourselves, to feel alive among others. We were able to carry out and develop our activities, and those who saw us as losers saw us differently. The trainings allow us to know what to do, how to do it and the need to do it. Today we can send our children to school, we no longer have to choose, we are relieved. Medical support allows us to be in better health and this is also important to work. Psychological support helps us to overcome our sorrows. The individual interim reparative measures have changed our lives".

Saran Cisse, survivor, member of the Pilot Project Steering Committee.



Preliminary Recommendations

- The new authorities of Guinea should take meaningful steps to address impunity for the events of the 28th of September 2009 and bar from political office any of those who took part or have been indicted for these crimes.
- The new authorities of Guinea should support survivors' demands and needs for justice and reparation for the crimes committed in the September 28 Stadium, in particular:
 - Organise the trial of those responsible of crimes committed on the 28th of September 2009 and following days (intellectual and material perpetrators as well as accomplices).
 - Establish a comprehensive reparation policy, and national reparation fund to provide reparations to victims of sexual violence. The methodology and results of the pilot project led by GSF, AVIPA and OGDH could provide useful material for the development of this policy, including in areas such as: identification of survivors, survivors' participation, and identification of interim measures of redress, both individual and collective.
 - Organise broad, inclusive and survivor-centric consultations across the country and abroad with Guinean survivors.
- The new authorities of Guinea should ensure continuity of medical and psychological support to survivors including through partnerships with the organisations currently supporting survivors (AVIPA, OGDH and the survivors' centre soon to be established), through partnerships and funding that allow for its day-to-day management and for a variety of solidarity, awareness-raising, memory and income-generating activities by survivors.



Next Steps

Urgent action by the international community, Guinean civil society organisations, and new State authorities is needed to assist, support and sustain survivors' efforts to implement the above recommendations and achieve recognition and effective reparation. This includes the following:

- On the occasion of the commemoration of the 28 September 2021, Guinea's new authorities should publicly acknowledge the victims of the 28 September Stadium and their need for justice and reparation.
- Towards the organisation of the trial and the creation of a comprehensive reparation policy, Guinea's new authorities should continue to collaborate with different stakeholders, in particular representatives of the international community, and support the trial steering committee to prepare the organisation of the trial and to establish a national reparations fund based on international good practice.
- Government authorities, diplomats, survivors and civil society should discuss the impacts of the GSF/AVIPA/OGDH interim reparative measures project and lessons learned with a view to inform the development of a more global survivor-centred national reparations policy and generate complementarity among diverse forms of reparation.

