

Guinea: A Way Out of the Election Quagmire

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EXECUTIVE SUMMARY AND RECOMMENDATIONS

Two years after President Alpha Condé's victory in the first really competitive election in the history of postcolonial Guinea, the country still does not have a national assembly. Forthcoming legislative elections look set to be complicated: ethnic tensions, compounded by the 2010 polls, remain high and the electoral system is deeply controversial. The establishment of a new Independent National Electoral Commission (INEC) in September 2012 was an important step, but progress stalled again in December on the issue of the voter register. President Condé must engage in a genuine dialogue with the opposition and the INEC must reach a consensual solution on the register. With international support, the government and opposition must consolidate the electoral system. Peaceful and credible legislative elections are essential to establish a parliament that reflects the country's diversity, give the opposition a real voice, restore checks and balances, and prevent the hope raised by the replacement of illegitimate military leaders with an elected civilian president turning into disillusionment.

Direct dialogue between the government and opposition on the legislative elections started more than a year after Alpha Condé came to power, with the Inclusive Framework for Political Dialogue (Cadre de dialogue politique inclusif, CDPI). It ended two months later with limited results. Between March 2012 and February 2013, there were no further direct talks, but instead a series of interventions, facilitations, consultations and announcements. Some questions have been settled and others brushed aside, but the opposition still strongly disagrees on two key issues: the INEC and the voter register. Soon after a banned opposition protest on 27 August 2012, which led to widespread disorder in the capital Conakry, the government pledged to reconstitute the INEC, and the commission's controversial president asked that his mandate not be renewed. His successor, Bakary Fofana, presented in December a timetable setting the elections for 12 May 2013. Does this signal a way forward? Did this peculiar form of dialogue, with accusations, manoeuvres and anger, eventually yield progress?

Although there has been some headway, the level of polarisation remains high. The appointment of the new INEC members created fresh friction, with its new president rapidly coming under fire, and it is this contentious institution that must resolve the key problem of the electoral register. Tension on that issue boiled over on 10 December, when the opposition accused Fofana of violating the procedures of INEC by refusing to release a report on the register prepared by the International Organisation of Francophonie (Organisation internationale de la francophonie, OIF), and considered calling for his resignation. Fofana's announcement, the following day, that elections would be held in May 2013 raised the temperature further: the opposition rejected that date, arguing that the INEC plenary had not been consulted.

The opposition also protested against the technical weaknesses and lack of transparency in the process of revising the electoral register, as well as the lack of preparation for the Guinean

diaspora's vote. On 29 January, the opposition, allied with a number of "centrist" parties, called for new demonstrations and dismissed the direct dialogue called for by the authorities as a ploy to have them cancel the protest. During a new INEC meeting to discuss the electoral register on 11 February, the majority supporting President Condé voted to endorse the controversial revision while opposition commissioners walked out. They might decide to suspend permanently their participation.

In sum, the situation remains worrisome. Holding elections while the government and opposition disagree on fundamental issues is dangerous. The government shows contempt for the opposition and took almost a year to engage in dialogue. The opposition maintains that President Condé was elected through fraud and prefers to avoid elections (or, at least, does not want transparent and consensual polls). It accuses the regime of ethnic favouritism. Civil society, which played a key role at the end of the 2000s, is now divided along political and ethnic lines. Controversial elections against the backdrop of ethnic disputes raise many risks at both local and national levels.

Electoral turmoil could degenerate into significant violence. Security sector reform has made limited progress and tension remains very high between the security forces, accustomed to impunity and also affected by ethnic disputes, and the population, exasperated by police and army brutality. Electoral troubles could offer opportunities to those in the armed forces who have not fully accepted their new submission to civilian authority.

The Condé regime cannot simply talk about its good governance and development ambitions: it must also iron out political tensions. Moreover, it is more important that the vote is credible than that it takes place in May – although with so much time already lost it should take place as soon as possible and certainly before December 2013. For this to happen, dialogue is vital. The road to the elections will be rocky, but it is crucial to keep friction to a minimum, maintain serious dialogue between the parties and rebuild trust in the electoral apparatus. It is also necessary to strengthen the capacity of the political system – the judiciary, territorial administration, security forces, INEC, political parties – and for civil society to manage in a proper and credible manner the conflicts that will inevitably emerge during the long electoral journey ahead.

RECOMMENDATIONS

To break the election logjam and guarantee a credible vote

To the president of the republic:

1. Set up regular meetings with the leaders of the main parties and the boards of the National Transition Council (Conseil national de transition, CNT) and INEC to discuss the political situation and establish shared understanding of the electoral system issue.

To the president of INEC:

2. Provide all INEC commissioners with all the documents relating to the organisation of the elections and clarify the procedures for the revision of the electoral register.
3. Reopen discussions on the electoral register in the INEC plenary without excluding any solution;

on this issue and on others, the electoral commission must make credible decisions, which require operating on the basis of consensus rather than on a majority vote.

4. Take the necessary steps to allow Guineans living in the diaspora to exercise their right to vote.

To the government of Guinea:

5. Increase and publicise the repression of crimes and offences committed by members of the defence and security forces, whether in the execution of their duties or not.

6. Consider, in consultation with human rights organisations, the creation of an observatory of impunity.

7. Clarify publicly its position on, and its relations with, the different organisations of “donzo” traditional hunters, whose presence in urban areas is creating mistrust.

To the Guinean Social Movement:

8. Prepare for the deployment of a national electoral observation mechanism inspired from the one implemented during the 2012 presidential election in Senegal.

To the international partners of Guinea:

9. Mobilise and support international and non-governmental organisations involved in the electoral process to reinforce the credibility of the polls, including by:

a) supporting the Guinean Social Movement in the establishment of an electoral observation mechanism.

b) preparing local representatives of the different parties within INEC and its sub-structures, as well as magistrates, to the management of disputes that will no doubt emerge in the course of the electoral process.

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