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# GUINEA BISSAU

OBSERVATORY FOR THE PROTECTION OF HUMAN RIGHTS DEFENDERS  
ANNUAL REPORT 2011

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In 2010-2011, in a context of military-sponsored political instability, violence and drug trafficking, those who denounced human rights violations exposed themselves to retaliatory measures and failed to get protection from law enforcement bodies.

## Political context

In 2010-2011, the new President, Mr. Malam Bacai Sanhá, of the African Party for the Independence of Guinea and Cape Verde (*Partido Africano da Independência da Guiné e Cabo Verde* - PAIGC), elected in July 2009 to replace former President João Bernardo Vieira who was killed by soldiers in March 2009, was unable to restore political stability and the rule of law in the country. In particular, the predominance of military over civilian rule, military rivalries as well as the increasing presence of drug trafficking interests and violence, continued to characterise the political situation in the country<sup>1</sup>. On April 1, 2010, troops led by the Deputy Chief of General Staff, Major General Antonio Indjai, took control of the armed forces headquarters and detained Prime Minister Carlos Gomes Junior, Army Chief of General Staff Zamora Induta, the Head of the Intelligence Service Colonel Samba Djaló and other officers. The Prime Minister was released a few hours later, after civilian crowds converged in front of his office to denounce the military actions. Following a complaint that was lodged on April 12, 2010 by Major General Antonio Indjai against Mr. Zamora Induta accusing him, among other, of “embezzlement” and “involvement in drug trafficking”, the latter was arrested. He was kept in detention until December 2010<sup>2</sup>. In August 2010, the European Union (EU), citing among other reasons the nomination in June 2010 of Major General Indjai as Chief of General Staff after Mr. Induta was dismissed from his post, the political instability and the lack of respect for the rule

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1/ See UN Security Council Resolution 1949, UN Document S/RES/1949 (2010), November 23, 2010.

2/ Shortly before his arrest, Mr. Induta had launched a military investigation into drug related activities involving high-ranking military officers and had reiterated his commitment to combating drug trafficking within the armed forces. The Military High Court ordered his release in October 2010 due to a lack of evidence to substantiate charges, but he was kept in detention until December upon order of Major General Indjai for alleged security and safety concerns. See UN Security Council, *Report of the Secretary-General on developments in Guinea-Bissau and on the activities of the United Nations Integrated Peace-building Office in that country*, UN Document S/2010/335, June 24, 2010 and *Report of the Secretary-General on developments in Guinea-Bissau and on the activities of the United Nations Integrated Peace-building Office in that country*, UN Document S/2011/73, February 15, 2011.

of law, announced that it will not continue its activities to provide advice and assistance to the local authorities on the Security Sector Reform (SSR) after September 2010<sup>3</sup>.

Moreover, impunity, especially among the military and for 2009 political assassinations, continued to prevail. For instance, despite assertion by the Prosecutor General that the investigation into Mr. João Bernardo Vieira's assassination had progressed, it was not completed and no one had been charged as of April 2011<sup>4</sup>. Similarly, the assassination in June 2009 of the presidential candidate Mr. Baciro Dabó remained unpunished. In addition, in June 2010, the Government rejected recommendations made at the Universal Periodic Review of the UN Human Rights Council to improve the human rights records of armed forces and reinforce the fight against impunity in the military<sup>5</sup>.

The ratification in November 2010 of the International Covenant on Civil and Political Rights and the International Convention on the Elimination of All Forms of Racial Discrimination, both signed in 2001, was nevertheless a positive step.

### **Intimidation of journalists reporting on human rights violations**

In 2010-2011, journalists reporting on human rights violations continued to face reprisals. On May 15, 2010, Mr. **João de Barros**, owner and publisher of the newspaper *Diário de Bissau*, was attacked inside the newspaper's office by a businessman, Mr. Armando Dias Gomes, accompanied by his driver. Mr. João de Barros was threatened of death and warned not to report about drug trafficking. Two other journalists present in the office were also threatened. The newspaper's equipment was vandalised and as a result the newspaper could not continue publishing. The newspaper had published several articles on drug trafficking in the past including a recent one titled "Guinea-Bissau, a supposed narco-State". Mr. João de Barros filed a complaint and the two aggressors were briefly arrested on the same day but released a few hours later. As of April 2011, the criminal investigation remained pending<sup>6</sup>. In addition, in 2010, at least one journalist was

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3/ In January 2011, the EU took an additional step when the Council invited the authorities of Guinea-Bissau to hold consultations under Article 96 of the Cotonou Agreement and notified the authorities that parts of the EU development cooperation will be suspended pending results of the consultation. See Council of the EU Press Releases 12740/10 and 5750/11, August 2, 2010 and January 31, 2011.

4/ See Guinean Organisation for Human Rights (*Liga Guineense dos Direitos Humanos* - LGDH) Press Statement, March 2, 2011.

5/ See UN General Assembly, *Report of the Working Group on the Universal Periodic Review Guinea-Bissau*, UN Document A/HRC/15/10, June 16, 2010.

6/ See LGDH and Reporters Without Borders (RSF) Press Release, May 21, 2010.

forced to flee abroad after reporting on drug trafficking following threats he received<sup>7</sup>. On April 15, 2011, the Government reportedly threatened to suspend the newspaper *Última Hora* after it published on April 8 an article quoting the US State Department of States *2010 Country Reports on Human Rights Practices in Guinea Bissau*, in which the US Department of States wrote that President João Bernardo Vieira had been murdered by soldiers led by Major General Antonio Indjai. On April 20, 2011, the Presidency Minister, Ms. Maria Adiatu Djaló Nandigna, further warned to use her legal powers to definitely cancel licences if the media, especially the newspaper *Última Hora*, were not bringing their editorial policies “in line with the higher interests of Guinea-Bissau”<sup>8</sup>.

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7/ His name is not disclosed for security reasons. See RSF Press Release, May 21, 2010.

8/ See RSF Press Release, April 22, 2011.