

Guinea-Bissau: Beyond Rule of the Gun

I. OVERVIEW

The assassinations of the chief of defence staff, General Batista Tagme Na Wai, on 1 March 2009 and President Joao Bernardo Nino Vieira early the next day have plunged Guinea-Bissau into deep uncertainty. National Assembly Speaker Raimundo Pereira was quickly sworn in as interim president pending the election the constitution requires. That the killings occurred only months after the acclaimed November parliamentary elections, however, indicates that, in current circumstances, the democratic process cannot cope with the rule of the gun, as well as the extent to which the military's use of force has overwhelmed state institutions. Without outside help to end military involvement in politics and impunity, it may be impossible to halt a slide into further violence. Elites need to stand up to the military, but they require support. The international community should work for an international or hybrid commission of inquiry into the killings. Security system reform needs to be improved by better international coordination and creation of a national commission with enhanced autonomy.

The situation further deteriorated when, in the early hours of 5 June, a presidential candidate and former minister was shot dead in his home, and a few hours later another former minister was also shot dead, along with a bodyguard and driver, while motoring into Bissau. The authorities claimed that they were resisting arrest for their part in a coup plot, for which former Prime Minister Faustino Imbali was taken into custody.

The precise motives remain unknown, but both the March and June killings have credibly been linked to deep mistrust among the political-military elites. The commission of inquiry established to investigate the March killings is likely to be fatally weakened by lack of political will to uncover the truth and widespread fear of intimidation and retaliation. Without international involvement, it is highly unlikely that the true culprits will be identified. This reflects the inability of the justice system to counter impunity and deal with the widespread criminality linked to drug trafficking that has engulfed the country.

Since the return to multi-party rule in 1994, no president has successfully completed the constitutionally-mandated five-year term. General Tagme is the third chief of defence staff to be assassinated in nine years. Although the violence pre-dates the surge of organised drug trafficking in the region, the possibility of huge illicit riches has increased the stakes in the power struggle, leading to a vicious cycle of criminality and political instability, the beginnings of which are visible not only in Guinea-Bissau but also in neighbouring Guinea. Recent events point to increasing factionalism in the military, which could pose a serious challenge to current efforts to reform the army.

Reactions to the March killings, domestic and international, have been mixed. Some Bissau-Guineans regard them as presenting a welcome opportunity for a new beginning, given the destabilising nature of the personality conflict and rivalry that existed between President Vieira and both General Tagme and Prime Minister Carlos Gomes Junior. But most, especially in private conversations, view it as confirmation that the military holds the state to ransom and is likely to continue to do so in the absence of an international force to protect state institutions. The international community, while condemning the assassinations, has endorsed the interim government and the planned election without sending a strong signal regarding the continued use of force and widespread abuses committed by the military.

Prior to the 5 June killings, preparations for the presidential election on 28 June 2009 were well advanced, and there is every chance they will take place as scheduled, in view of the support and endorsement the process has received from the international community and the political parties represented in the National Assembly. The campaign has been peaceful, with three favourites emerging, Malam Bacai Sanha, Kumba Yala and Henrique Pereira Rosa – all former heads of state. The election has the potential to help move the country beyond the present impasse, but it could also provoke further instability. In any case, an election alone is not enough to halt the continued militarisation of politics.

To begin to build political stability through the demilitarisation of political power, the following measures should be pursued by political and military elites in the country and supported by the international com-

munity, particularly the Economic Community of West African States (ECOWAS), the Community of Portuguese Speaking Countries (Comunidade dos Países de Língua Portuguesa, CPLP) and the UN:

- Guinea-Bissau's political elites, in particular the new president, should fully and decisively implement reform of the armed forces, prioritising the planned reduction from 4,458 to 3,500 troops. They must stop looking to the military to settle or adjudicate political disputes and desist from creating client groups in the army.
- The military itself must realise that its continued involvement in politics and related violence has seriously eroded its once proud legacy. If it is to regain public trust, it must turn away from this and embrace professional reform. Senior officers should consider early retirement and postings to regional and wider international peacekeeping operations as honourable options for ending their careers.
- The international community must send a strong signal that the continued use of force and human rights abuses are unacceptable and will entail consequences. The international force to protect state institutions and civilian politicians that some former senior Bissau-Guinean officials have proposed should be established. Likewise, an international or hybrid commission of enquiry into the assassinations backed by a UN Security Council mandate should be negotiated with the new president, as several Bissau-Guinean politicians have urged, and pushed hard if, under pressure from the armed forces, he proves reluctant.
- Security system reform (SSR) needs to be much better coordinated between the UN and the European Union (EU); a lead country should be identified for implementation, possibly Portugal, the former colonial power; and a trust fund created and the number of direct donors reduced. Domestic ownership of the process should eventually be enhanced through establishment of a national commission, with greater autonomy than the current steering committee.

II. THE MARCH ASSASSINATIONS

In the early evening of 1 March 2009, the chief of the defence staff since 2004, General Batista Tagme Na Wai, was killed in a bomb explosion at the general staff headquarters in Bissau. At about 4am on 2 March, armed men in uniform attacked the presidential palace and

brutally murdered the head of state, President Joao Bernardo Vieira, in the presence of his wife.¹ Later that day, a crisis management commission was formed, comprising the heads of the various military commands and units and led by a 43-year old navy captain, Jose Zamora Induta, who subsequently became the interim chief of the defence staff.²

Although the military sought initially to blame the events on Vieira himself, this was quickly retracted, presumably because such a claim would have pointed to its involvement in the second killing. On 2 March, the commission issued a statement informing the public about the events and pledging to respect the constitutional order.³ The next day, the speaker of the National Assembly, Raimundo Pereira, was sworn in as interim president, as per the constitution, in anticipation of the election of a new head of state on 28 June.⁴

A. WHY THE KILLINGS?

Leading up to the killings, serious political and security tensions had become apparent, stemming in large part from deep mistrust and rivalry within the political-military class.⁵ The former navy chief of staff, Rear

¹ Crisis Group interview, human rights lawyer, Bissau, 9 April 2009. The president's corpse was taken to the national hospital for surgery to repair mutilations. Pictures of his abused body were widely circulated on the internet, causing some politicians to demand explanations from the health minister, not least because of concern the images might fuel revenge, particularly by Vieira's Pepel ethnic group. See "MP exige explicacoes ao MS sobre imagens de Nino e Tagme na internet", *Ultima Hora*, 2 April 2009.

² Crisis Group interview, Chief of Defence Staff Zamora Induta, Bissau, 7 April 2009. Induta, who studied in prestigious military academies in the USSR and the U.S., speaks Portuguese, French and English and has held administrative positions at home and abroad, including military observer in the UN Mission in Angola in 1997. He belongs to the new generation of senior officers who did not take part in the liberation struggle.

³ See "Assassinato de Tagme na Wai e Nino: Como a crise foi gerida", *Kansare*, 6 March 2009.

⁴ Prior to his assassination, Vieira had met with close advisers at the presidential palace to discuss the killing and possible replacements for General Tagme. According to Crisis Group sources, at one meeting Vieira expressed the possibility of resigning for fear of being blamed for the general's death. The prime minister was not among the top officials who visited the palace that evening, although he had been summoned. Crisis Group interviews, Bissau, 9 April 2009.

⁵ For the background, see Crisis Group Africa Briefing N°57, *Guinea-Bissau: Building a Real Stability Pact*, 29 January 2009; and Crisis Group Africa Report N°142, *Guinea-Bissau: In Need of a State*, 2 July 2008.

Admiral Bubo Na Tchuto, fled to the Gambia shortly after being accused of involvement in an alleged coup attempt against the president in August 2008. On 23 November, a week after the parliamentary elections, armed soldiers attacked the president's residence, killing a member of the presidential guard. That attack raised alarm over the personal security of the chief executive. The international community, including the African Union (AU) and ECOWAS, condemned what they perceived as a coup attempt.⁶

In January 2009, after the military confirmed an attack on General Tagme by armed men belonging to the presidential guard, he disbanded that force, formed from a former private militia popularly known as the *Aguntas*.⁷ This exposed the president to further attacks, although the military agreed to assure his security. Senior diplomats told Crisis Group in Bissau that President Vieira pleaded with the international community to guarantee his security, but this was not followed up. Disbanding of the presidential guard confirmed the longstanding mistrust between the chief of the defence staff and the president, and the latter's inability to influence the military's actions.

On the political side, Vieira had serious difficulties maintaining control over the African Party for the Independence of Guinea and Cape Verde (*Partido Africano da Independencia da Guine e Cabo Verde*, PAIGC) ever since he went into exile after the 1998-1999 civil war.⁸ His return in 2005 depended on the military, particularly General Tagme, who promised to protect him against the evident hostility of the party he had led for several decades. Vieira eventually had to contest the 2005 presidential election as an independent, and his bitter rivalry with the reformist prime minister, Carlos Gomes Junior, not only exposed his weakness within the party but also led to the paralysis of government.⁹

⁶ See "Guinée-Bissau: résidence présidentielle attaquée, 'échec de la mutinerie' selon le président", Agence France-Presse, 25 November 2008.

⁷ The *Aguntas*, a militia group trained in Guinea, were responsible for the president's security. Sources in the country told Crisis Group that Tagme was not happy with their recruitment. They believed the attack was orchestrated by Tagme to provide a pretext for disbanding the 400-strong militia. Crisis Group interviews, senior diplomats and international staff, Bissau, 1 April 2009.

⁸ Crisis Group interview, Bissau-Guinean intellectual, Dakar, March 2009. See also Crisis Group Briefing, *Building a Real Stability Pact*, op. cit.

⁹ In Guinea-Bissau's semi-presidential system, executive power is divided between the president and the prime minister. The 1984 constitution authorises the president to nomi-

That Vieira survived in power as long as he did despite his lack of authority over the government and the army depended in large part on the protection provided by General Tagme, notwithstanding a sharp rivalry that dated back to the coup attempts of the 1980s, when Vieira had Tagme tortured.¹⁰ Their arrangement was that Vieira would give Tagme a free hand over the military in return for his protection. But the mistrust persisted, leading Vieira to employ the *Aguntas*. Nevertheless, Tagme considered it his duty to give the president at least symbolic protection against a hostile Balanta-dominated military that had chased him out of the country in 1999, as well against elements within PAIGC.¹¹ He consistently said his fate and Vieira's were linked. This was interpreted in Bissau as meaning that if anything happened to him, Vieira would be attacked.¹² Equally, anyone trying to eliminate Vieira would have to deal with Tagme.

Although the motives behind the assassinations are officially unknown, widespread speculation has linked them to criminal drug-trafficking networks and to the former head of the navy, Jose Americo Bubo Na Tchuto, who is in exile in the Gambia and whose hostility to Tagme was widely known.¹³ Some have pointed to the method of attack on Tagme as indicative of the involvement of international organised crime networks. Na Tchuto is suspected of having been a major facilitator of narcotics trafficking in the country, although he denies this.

However, while drug trafficking undoubtedly raises the stakes in the fight for state power, it is doubtful that the trafficking networks would have wished to draw attention to their presence in such a spectacular way. Although Tagme made some attempts to tackle drug

nate as prime minister an individual supported by a majority in parliament, who then serves as head of the government. Over the years, there has been constant rivalry between the holders of the two offices, which resulted in the paralysis of government activities after 2005. The stability pact signed by the three dominant political parties in the National Assembly in March 2007 was viewed as a measure to limit the powers of the president, particularly to prevent him from removing the prime minister. See Crisis Group Briefing, *Building a Real Stability Pact*, op. cit.

¹⁰ Crisis Group interviews, member of the bar association, member of the Citizens Good Will task force, Bissau, 2 April 2009.

¹¹ The Balanta are one of the largest ethnic groups. Originally from the north, they are also found in the south and part of the centre of the of the country and constitute about 30 per cent of the population.

¹² Crisis Group interviews, member of the bar association, civil society activist, Bissau, April 2009.

¹³ See "Guinea-Bissau: Mutually assured destruction", *Africa Confidential*, vol. 50, no. 5, 6 March 2009.

trafficking, they were not effective enough to warrant his elimination. Neither is the method of Tagme's assassination convincing evidence for the involvement of international criminals. Given the level of his personal security, it would have been improbable to attack him using AK 47 rifles, the weapon used to assassinate his predecessors.¹⁴ Equally, accusations that Na Tchuto was responsible for the killings leave important questions concerning who did what on the ground unanswered.

The culprits in Tagme's murder remain unknown but must have benefited from significant complicity within the military. It is widely acknowledged in Bissau that President Vieira was killed by an army unit, so it is possible his murder was a more or less spontaneous revenge attack by angry Balanta soldiers.¹⁵ If it is seen as a revenge killing, it may be that those who killed Tagme also wished to eliminate Vieira and anticipated the domino effect. However, sufficient time elapsed between the two killings to also suggest at least a possibility of some planning. In any event, it would be credible to see them as a calculated attempt by military figures to eliminate Vieira and Tagme simultaneously.¹⁶

This cycle of revenge killings is highly dangerous, given that the military is divided by political ties, ethnic tensions and possible connections to drug cartels.¹⁷ Although the new chief of defence staff is a Balanta, like his predecessor, the majority of the lower ranks of the army as well as some officers remain loyal to the memory of Tagme and Vieira. The risk of factional fighting pitting former Tagme and/or Vieira loyalists against current leaders is a serious possibility. Revenge killings also have profound repercussions on wider society. Families whose breadwinners or protégés have been assassinated often bear long-term grievances and seek revenge.

There are also fears regarding Zamora Induta's capability and legitimacy to lead the military, considering his rank and that he did not take part in the liberation struggle. Senior political figures and diplomats in Bissau alike have expressed concern over the prospects of disagreement between the new defence chief and his deputy, Colonel Antonio Injai, over the military's en-

dorsement of the next president.¹⁸ An attempt by military elements to challenge Induta's leadership could result in further violence. Immediately after the assassinations, the former head of the navy, his former boss Bubo Na Tchuto, expressed his disapproval of Induta as chief of defence staff and had his lawyer in Bissau seek a court ruling to halt the process.¹⁹ Induta's visit to the Gambia, where an agreement was signed to promote bilateral military and security cooperation, has been interpreted as a move to calm fears regarding Bubo Na Tchuto's presence there and secure that flank for the new military hierarchy in Bissau.²⁰ While Na Tchuto's influence in the military is unclear, he retains some core support.²¹

Instability in Guinea-Bissau poses a serious risk in a volatile sub-region, and Na Tchuto's presence in the Gambia indicates that he may have forged a potentially significant alliance with President Jammeh, whose links with at least one faction of Casamance rebels are well known. In the neighbouring Casamance region of Senegal, decades of low-level fighting have been fuelled by instability in Guinea-Bissau, with some rebel factions benefiting from the support of the Guinea-Bissau military.²² However, since 2000, the main rebel group, the Mouvement des Forces Démocratiques de la Casamance (MFDC), has become weaker, and its actions have been reduced to occasional attacks on civilians, in part due to the support of Tagme and Vieira for the anti-insurgency strategies of Senegal's President Wade.²³ While the situation on the ground in Casamance remained calm after the events in Bissau, the loss of both Tagme and Vieira has raised concerns

¹⁴ Crisis Group interview, security expert, Bissau, 1 April 2009.

¹⁵ Crisis Group interview, senior diplomat, Bissau, 2 April 2009. See "Entretien Aristide Gomes, ancien Premier ministre: 'Je propose une feuille de route pour la Guinée-Bissau'", *Le Soleil*, Dakar, 20 May 2009.

¹⁶ This point of view was supported by credible informed sources on the ground, including a former prime minister, Francisco Fadul. Crisis Group interview, Bissau, 3 April 2009.

¹⁷ Crisis Group interview, former senior member of a main political party, 2 April 2009.

¹⁸ Colonel Antonio Injai formerly commanded the Mansua military camp, charged with coordinating the northern military zone and considered the most powerful and well armed unit in the armed forces. He is believed to be widely popular and influential in the military. Crisis Group interviews, former minister and PRS dissident, Bissau, 2 April 2009; senior diplomat, Bissau, 1 April 2009.

¹⁹ Crisis Group interview, member of the bar association, Bissau, 2 April 2009.

²⁰ See "GAF, Guinea-Bissau armed forces sign MoU", *The Daily Observer*, Banjul, 30 March 2009.

²¹ A close observer of the military told Crisis Group "Bubo still has his hard core supporters in the army". Crisis Group interview, Bissau, 2 April 2009.

²² Crisis Group interviews, journalist, Ziguinchor, 14 April 2009; NGO worker, 13 April 2009. Senegal's foreign minister told Crisis Group "an unstable Guinea-Bissau is a concern to Senegal". Dakar, 31 March 2009.

²³ Crisis Group interviews, NGO worker, Group de contact du MFDC, Ziguinchor, 13 April 2009. President Wade has vigorously used both diplomacy and a military presence to undermine the MFDC and end the Casamance crisis.

over the possible revival of sympathy for the MFDC rebels among elements of the Guinea-Bissau military.²⁴

Vieira was known to be very close to Wade. The security and movement of his family immediately after the assassination and during the funeral were taken over by the Senegal government.²⁵ Some of Vieira's close allies, including military officers and civilian politicians, fled the country following his murder and are in exile in Dakar. Some are among those accused of coup plotting in June. Although no regional conflagration is imminent, the new strategic patterns are fragile, and meddling by any of the actors, whether Bissau-Guinean, Casamançais, or Gambian, in the affairs of a neighbour, could be highly risky. Recent arrests of drug traffickers in the Casamance region and in Dakar indicate some of the reverberations that continued instability in Guinea-Bissau can produce on drug trafficking in a sub-region with porous frontiers and fragile institutions.²⁶

These risks are unwelcome at a time when a military coup in Guinea has already shaken regional alliances. Vieira was close to Guinea's late President Conté and his son, Ousmane, who benefitted from Aguentas support and was arrested recently for drug offences. Since they were disbanded, the fate of the Aguentas has been a mystery; no mention has been made of them in the SSR process. The 400-strong militia, well trained in Guinea in counter-insurgency tactics, are known Vieira loyalists and have the potential to spark unrest in the region. A disarmament package for them should be explored by the new government and donors in the context of the SSR process.²⁷

Although Dadis Camara, the junta leader in Guinea, and the new chief of defence staff in Guinea-Bissau are not known to have links, they share a similar age and profile. Induta has expressed admiration for Dadis, who has won considerable respect around the region for his strongly expressed views on political corruption and promises of change. But the military's intrusion

into the region's politics is unhealthy, whatever the shortcomings of the political class.²⁸

B. REACTIONS TO THE ASSASSINATIONS

The international community's relatively tepid reaction to the killings, possibly related to uncertainty over motivations and culprits, contrasts with the trauma of the Bissau-Guinean population and the concerns they express, especially in private, for stability.²⁹

Crisis Group found widespread shock and fear in the country that was subsequently exacerbated by the June killings. A local chief said "the assassinations cannot be considered business as usual, since they involved the killing of a president".³⁰ Most local chiefs interviewed were convinced further violence was likely given the brutal way Vieira was killed and the refusal of the authorities to allow the funeral ceremony traditionally accorded to Pepel leaders.³¹

Some citizens considered the assassinations an opportunity to level the political playing field and move beyond the stalemate of the Vieira era. Following his 2005 election, Vieira's term was marked by inefficiency and political infighting, especially with the chief of the defence staff and the prime minister. But the majority viewed the events as confirmation of the military's continued grip on power and its destabilising effect on the country. Many opposition leaders described the assassinations as a de facto coup, asserting that political control remains in the hands of the military, despite its commitment to respect constitutional order.³²

The international community condemned the killings and pledged support for the interim government; an

²⁴ Crisis Group interview, journalist and MFDC sympathiser, Ziguinchor, 14 April 2009.

²⁵ Crisis Group interview, diplomat, Bissau, 1 April 2009.

²⁶ Informed sources in Casamance told Crisis Group that Senegalese police in early April in the village of Kalassin-cou stopped two four-wheel drive vehicles coming from Guinea-Bissau that were carrying cocaine and weapons. Crisis Group interview, journalist, Ziguinchor, 13 April 2009. "Les 2,4 tonnes de cocaïne qui sèment la tempête", *L'Observateur*, Dakar, 20 May 2009.

²⁷ Some sources say Induta has met with the Aguentas in an attempt to build bridges, suggesting some nervousness about their potential destabilising role. Crisis Group interview, diplomat, Dakar, 26 May 2009.

²⁸ See Crisis Group Africa Briefing N°58, *Guinea: The Transition Has Only Just Begun*, 5 March 2009.

²⁹ Crisis Group interviews, including the executive secretary of a leading NGO in Guinea-Bissau, Bissau, 9 April 2009.

³⁰ Crisis Group interviews, local chiefs, Biombo, Bafata, 10-11 April 2009.

³¹ Vieira belonged to the Pepel minority ethnic group, and his assassination is viewed by local Pepel chiefs as revenge of the Balanta, who always held him responsible for eliminating senior political and military figures from their ethnic group, for example executing Colonel Paulo Correia and five others on 26 July 1986. See Crisis Group Report, *In Need of a State*, op. cit.

³² Crisis Group interviews, politicians, Bissau, 9 April 2009. A former prime minister and close Vieira ally, Aristides Gomes, argued that "what we are witnessing is a coup d'état". See "Entretien Aristide Gomes, ancien Premier ministre: 'Je propose une feuille de route pour la Guinée-Bissau'", *Le Soleil*, Dakar, 20 May 2009.

emergency session of the AU's Peace and Security Council concluded that Vieira's assassination was not a coup, despite the obvious involvement of at least some military. The opposite judgement would have warranted Guinea-Bissau's immediate suspension. ECOWAS, the European Commission and the Lusophone CPLP pledged support for organising the presidential election. These reactions undoubtedly reflected the international community's dilemma, both because the killings remain unattributed and because determining that there had been a coup would have most likely led donors to cut at least some assistance, which could have had further destabilising effects. However, the careful reaction may have had the unfortunate effect of further emboldening the military, as evidenced by the continued instances of abuse of power described below.

C. LITTLE CONFIDENCE IN THE NATIONAL COMMISSIONS OF INQUIRY

Immediately following the March assassinations two commissions were established to investigate. The government created a national commission of inquiry, comprising five police, three magistrates and three military personnel, to find the motives and culprits behind the killing of General Tagme and President Vieira. Concurrently, the generals set up a second, purely military commission focusing solely on the Tagme assassination, on the grounds that the killing took place in the military headquarters. Five military personnel were arrested in March, including a former chief of the air force believed to be an explosives expert. Many considered those arrests a way to eliminate Vieira loyalists in the military. The military commission has completed its work and reported to the public prosecutor.³³

The national commission has made no headway. The police have complained of the refusal of military personnel to testify, while the prosecutor general has blamed lack of funds, including the complete absence of money for forensics, as the main reason for the commission's inability to undertake a proper investigation.³⁴ The crime scene at Vieira's home has been left unprotected, allowing intruders to remove, add or damage evidence.

Concerns over the commission's inadequacies have been widely expressed. It is likely to be fatally weakened by a lack of political will to track the culprits

and fear of retribution from the military. Many people are convinced that without international involvement, it is highly unlikely to identify the true culprits. These weaknesses underscore the need for an internationally supported investigation.³⁵ The lawyer representing Vieira's wife, Isabelle (a direct witness to the events of 2 March), has also made it clear to the public prosecutor that lack of security for witnesses and legal representatives in Bissau further underlines the need for outside involvement.³⁶

The programmed failure of the commissions of inquiry reflects wider problems of impunity, exacerbated by the March events. Hours after the murder of President Vieira, soldiers broke into a police cell and freed all prisoners, including military personnel detained on drug trafficking and coup charges. Later in March, military men arrested and reportedly tortured the prominent human rights lawyer Pedro Infanda (who had represented Bubo Na Tchuto) for statements made regarding the new chief of defence staff.³⁷ A few days later a former prime minister, Francesco Fadul, was violently attacked at home for his controversial views on the assassinations.³⁸ Subsequently, armed men pursued the president of the Human Rights League in Guinea-Bissau because of a press statement condemning the attacks on Fadul and Infanda.³⁹ Underlining a further damaging aspect of this violence, a newspaper editor and publisher claimed that "given the current circum-

³⁵ Although most of the candidates have emphasised the need to end impunity and find the real culprits behind the killings, only Bacai Sanha has supported an international inquiry in the event the current commission proves inadequate. See "Malam Becaye Sanha, candidat a la présidence Bissau-guinéenne: l'indépendance de la Casamance est une utopie", *Walfadjri, L'aurore*, Dakar, 15 May 2009.

³⁶ Crisis Group interview, Maitre Boukounta Diallo, Dakar, 28 May 2009. See also the press communiqué he signed, Dakar, 19 May 2009.

³⁷ Crisis Group interview, Pedro Infanda's lawyer, 2 April 2009.

³⁸ Fadul is the only public figure to have condemned the assassination. The beating of Infanda was acknowledged by the military, but it has categorically denied involvement in the beating of Fadul, instead blaming armed men in uniform who cause trouble and blame it on the military. See "Estado-Maior General des forces armadas reage a acusacao de agressao a civis, mas confirma a do advogado", *Dairo*, Bissau, 6 April 2009. Fadul himself is convinced he was the victim of organised intimidation by the army. Crisis Group interview, Bissau, 3 April 2009.

³⁹ The UN's peace-building support office (UNOGBIS), established in 2001, condemned the attacks in a press release. Crisis Group interview, UN office (UNOGBIS) human rights office, Bissau, 2 April 2009.

³³ See "Un rapport militaire sur la mort du chef d'état-major", Radio France Internationale (RFI), 16 May 2009.

³⁴ See "No cash for president: army chief death probe – Bissau", Reuters, 19 May 2009.

stances reigning in the country, the print media has imposed on itself a sort of self-censorship".⁴⁰

In the early hours of 5 June 2009, a presidential candidate and ex-territorial administration minister, Baciro Dabo, was shot and killed in his home. Several hours later, a former defence minister, Helder Proenca, was also shot dead, together with his bodyguard and driver while on his way into Bissau. The interior ministry said both were killed while resisting arrest for a foiled coup.⁴¹ The same day, former Prime Minister Faustino Imbali was reported to have been severely beaten by soldiers, who arrested him in connection with the alleged coup plot. High-ranking PAIGC members in Bissau and senior military officers in exile in Dakar have also been accused of involvement.⁴² All the accused, including those killed, were close allies of Vieira.

In a live broadcast on Radio Sol Mansi in Bissau on 6 June, civil society groups and religious leaders cast serious doubts over the alleged coup plot and called for an end to impunity.⁴³ The coordinator of the Citizens Goodwill Task Force and the National Civil Society Movement condemned the killings.⁴⁴ The EU and the UN Security Council swiftly condemned them also, while the head of the ECOWAS commission referred to a "reprehensible act which saps democracy, peace and stability in Guinea Bissau".⁴⁵ A presidential candidate, Pedro Infanda, withdrew from the election, asking "when the army, which is meant to guarantee security, is the perpetrator of crimes such as those committed Friday, who could we expect to protect us during campaigning and on the day of the vote?"⁴⁶

⁴⁰ Crisis Group interview, editor and publisher, Kansare, 9 April 2009.

⁴¹ See "Guinea-Bissau crackdown slammed by peers", Agence France-Presse, 7 June 2009.

⁴² Among those accused were a former deputy chief of defence staff, Antonio Afonso Te, and a former chief of defence staff, Sandji Fati, as well as parliamentarians Conduto de Pina and Roberto Cacheu, the manager for the presidential campaign of Malam Bacai Sanha. See "Only military reforms can save Guinea-Bissau", Reuters, 8 June 2009.

⁴³ Crisis Group interview, coordinator, Citizens of Good Will task force, Bissau, 8 June 2009.

⁴⁴ Crisis Group interviews, president, National Civil Society Movement; coordinator, Citizens of Good Will task force, Bissau, 8 June 2009.

⁴⁵ See "Guinea-Bissau crackdown slammed by peers", *op. cit.*; also "Bissau military kills politicians", BBC, 6 June 2009.

⁴⁶ *Ibid.*

III. THE MILITARISATION OF POLITICS

That the March killings occurred barely three months after the November 2008 parliamentary elections demonstrated that even successful electoral processes are not a guarantee against political violence. Political elites, diplomats and civil society leaders in Bissau have said that democratic institutions are powerless in the face of the military and that this is unlikely to change without significant additional international involvement. "Since the assassination of Amilcar Cabral, violence has never ceased in Guinea-Bissau", claimed a coordinator of one activist group.⁴⁷ Two of General Tagme's predecessors as chief of defence staff have been assassinated since 2000,⁴⁸ and due to the military's interventions, no elected president since the return to multi-party rule in 1994 has completed the five-year term prescribed in the constitution. Extricating the military from politics is the biggest challenge to Guinea-Bissau's political stability.

A. THE POLITICAL INFLUENCE OF THE MILITARY

Since the end of the 1998-1999 conflict, the military has built and exercised its political influence through various means. Ultimate control of the armed forces is the sole reserve of the chief of defence staff, not a civilian president or minister.⁴⁹ He determines all issues of recruitment and promotion and wields great economic power through control of funds allocated to the military that, according to a credible source, constitute 25 per cent of the country's annual budget,⁵⁰ as well as through the navy's control over all resources in the territorial waters. The total impunity with which the

⁴⁷ Amilcar Cabral, the leader of the liberation struggle, is considered the founding father of modern Guinea-Bissau. He was assassinated in Guinea in 1973. Crisis Group interview, coordinator, Estados Gerais para a Guine-Bissau, Bissau, 6 April 2009. Estados Gerais (roughly "State of the nation") is a project coordinated by leading civil and political activists that aims at promoting a national dialogue to renegotiate the foundation of the state. It is modeled on national conferences that have been common in Francophone Africa. "Des états généraux pour la Guinée-Bissau: proposition de sortie de crise", Bissau, 1 January 2006 (document made available to Crisis Group).

⁴⁸ General Ansumane Mane was assassinated in November 2000; General Verissimo Seabra was assassinated in 2004.

⁴⁹ Crisis Group interview, Chief of Defence Staff Zamora Induta, Bissau, 7 April 2009.

⁵⁰ Crisis Group interview, member of parliament, 9 April 2009.

military has been able to use indiscriminate force provides it considerable leverage over all civilians, including the political elites. Its usual procedure is to pressure civilian governments to heed its demands. If this fails, it proceeds to direct intimidation and violence, including beatings and even murder. The collapse of the institutions created to enhance civilian oversight is a further indication of the military's dominance.

Allegations of possible links of some military personnel to drug-trafficking cartels suggest an additional means that senior officers may have to strengthen their domestic power. All this indicates the urgency of reforming the institution comprehensively. Moreover, the military's powerful role has not translated into stability within the institution itself. The repeated assassinations of chiefs of defence staff are only the most obvious symptom of internal struggles to exert control over the political sphere. A former holder of that office, General Ansumane Mane, once attributed his refusal to serve in the Kumba Yala government in part to his desire to "supervise" the actions of the government.⁵¹

The political role of the military is, in the eyes of some officers, justified by their achievements in the war of liberation. Although those with direct experience of that conflict are slowly leaving the scene, the history is still used to legitimise military actions and has given the army in particular a sense of mission that carries over into the political realm and across generations. The transgressions of the armed forces are thus linked to the failure to transform the institution from a liberation army in which violence has been the accepted means for gaining access to power into a professional body.⁵²

Politicisation also results from the attempts by civilian politicians to seek client groups within the armed forces. Divisions within the officer corps reflect the polarisation of a political class that has tended to look to the military to settle scores and resolve partisan rivalries. In the words of the new chief of the defence staff, "the military has often been solicited by politicians to resolve their differences".⁵³ This has resulted in *carte blanche* to interfere in politics and undermined any civilian oversight. Institutional reform must entail an understanding between officers and civilian politicians

to respect the other's legitimate prerogatives and maintain a healthy separation of powers.⁵⁴

B. CHALLENGES OF SECURITY SYSTEM REFORM

Several provisions in the constitution and laws, if enforced, could significantly enhance civilian oversight of the military. For example, in 1999, the Supreme National Defence Council (Conselho superior de defesa nacional, CSDN, chaired by the president) and the Supreme Military Council (Conselho superior militar, CSM, chaired by the defence minister) were created to oversee management of the military establishment.⁵⁵ But the CSDN has met only once, in April 2009, a decade after it was established, on the insistence of the new chief of defence staff. The military commission that was set up to manage the crisis in the aftermath of the recent assassinations is *de facto* the highest decision-making body for the military and, according to the chief of the defence staff, likely to become an entity for providing senior advice to the chief of defence staff.

In the aftermath of the killings, the military is very unpopular in the country. Senior officers have appeared to show some concern over this reputation but have not been willing to embrace reforms. The new chief of defence staff insisted to Crisis Group that the military has no desire to be entangled in politics and that "the military like all other state institutions needs profound reforms".⁵⁶ But with the new military commission in place, he has already built a strong power base that would be very difficult for the new president to dismantle, since the legally-mandated institutions to regulate the military are not functional.

Reform of the military faces three sets of problems: economic; ethnic; and symbolic/historical. On the first front, there is strong scepticism in the military that the reforms would provide sufficient guarantee for retired officers. Unless there are reasonable guarantees that they will have decent living conditions, the military will be reluctant to move forward on the reform process. A senior officer pointed to "the fear of being in a

⁵¹ Crisis Group Report, *In Need of a State*, op. cit., p. 15.

⁵² Crisis Group interview, former head of state, Bissau, 10 April 2009.

⁵³ Crisis Group interview, Chief of Defence Staff Zamora Induta, 7 April 2009.

⁵⁴ Crisis Group interviews, former prime minister, Bissau, 3 April 2009; senior official of Partido da Renovacao Social (PRS), Bissau, 9 April 2009; and chief of defence staff Zamora Induta, 7 April 2009.

⁵⁵ Boletim Oficial, Suplemento Numero 36, 7 September 1999, p. 10.

⁵⁶ Crisis Group interview, Chief of Defence Staff Zamora Induta, 7 April 2009.

civilian life without a decent means of living".⁵⁷ The massive return to uniform of retired officers during the 1998-1999 conflict was motivated principally by a desire to earn a living. Any changes that do not address this issue are bound to be resisted not only by the military but also by the many who depend on the military for their livelihood.⁵⁸

The reform process also has socio-political and symbolic implications. As in many West African countries, the military is dominated by one ethnic group. The Balanta have been historically disadvantaged in education, so have viewed the armed forces as their only assured path for gaining political leverage and social mobility. Current plans for retirement and restructuring would likely mean a significant decrease in their domination of the institution. While the desire to regain public trust is an incentive for the military to accept the reforms, there is need to be sensitive to the risks of injuring Balanta pride and to the importance of preserving the self-esteem of those who leave the service, including the symbolism of having been a "libertado".⁵⁹

The factionalisation of the military, partly on political and partly on personal lines, poses another significant challenge. While the impoverished bulk of the armed services would undoubtedly welcome a well-run, fully reliable pension system, senior officers see control over the rank and file as a vital part of their political leverage. It is likely they are resisting reform not least so as to retain their soldier clients – factions originating for the main part in the 1998-1999 civil war. They are able to do so in part because the potential benefits of the reform process are not being explained fully to the troops. The recent insistence by senior officers that they did not agree to reduce the military from 4,458 troops to 3,500 – a central part of the current reform plan – is an indication of the problem.⁶⁰

These challenges are compounded by the total impunity for crimes the military enjoys. The recent assassinations have exposed the weakness of the justice system, which has received relatively little attention in SSR efforts to date. This is a vital concern for ordinary citizens, who are convinced that unless the system is fixed,

they will continue to suffer from widespread criminality.⁶¹ At present, it is totally inadequate to deal with criminality, including drug trafficking.⁶² There is not even a viable prison. Criminals are usually kept in small police cells that are vulnerable to armed attacks, posing dangers to criminal justice officials.⁶³ Penal institutions have received no significant donor help.⁶⁴

The justice system is further marred by inefficiency and corruption. Staff, including judges and magistrates, work in very difficult conditions and go without salaries for months at a time. A former magistrate lamented that "there is no morale, no security and no incentive for personnel".⁶⁵ The newly established National Human Rights Commission, headed by a human rights lawyer, is non-functional.⁶⁶ Though doubts have been raised regarding its apparent lack of independence from the justice ministry, it does not have the resources and infrastructure to even begin work.⁶⁷

The impact of a broken justice system on drug trafficking is particularly worrying. The UN Office for Drug and Crime (UNODC) estimates that the drugs that transit Guinea-Bissau from Latin America to Europe yearly are worth about \$2 billion, more than four times the GDP.⁶⁸ The illicit trade corrupts officials and increases the stakes of political rivalries. Without a functional justice system, it will be very difficult to deal with the threat that drug trafficking poses to stability in the country and the sub-region.

⁵⁷ Crisis Group interview, senior military officer, 27 May 2009.

⁵⁸ The military, at 4,458 soldiers, is proportionally the largest in West Africa. The proportion of the country's 1.4 million population that depends at least in part on a military salary is also quite high.

⁵⁹ "Libertado" (liberator) is the term applied to those who participated in the armed struggle to free the country from Portuguese colonial rule.

⁶⁰ Crisis Group interview, diplomat, Dakar, 4 June 2009.

⁶¹ Almost all those interviewed by Crisis Group, including local chiefs in Bafata and the governors of Bafata and Mansua, mentioned justice as the country's most pressing problem. Crisis Group interviews, 10-11 April 2009.

⁶² Crisis Group interviews, former head of state, former justice minister, Bissau, 10 April 2009.

⁶³ Crisis Group interview, former magistrate, 6 April 2009.

⁶⁴ The Portuguese government has trained some police and also supported the judicial police. Crisis Group interviews, head of cooperation, Portuguese embassy, and head, EU-SSR project, both 9 April 2009.

⁶⁵ Crisis Group interview, former magistrate, 6 April 2009.

⁶⁶ Crisis Group interview, president, National Commission for Human Rights, 9 April 2009.

⁶⁷ Crisis Group interview, UNOGBIS human rights officer, 2 April 2009.

⁶⁸ See "Drug Trafficking as a Security Threat in West Africa", UNODC, Dakar, October 2008. The extent and implications of Guinea-Bissau's drug trafficking continues to divide experts. UNODC research, based on extrapolation from known seizures, points to a very widespread problem. Other well informed sources minimised the problem in conversations with Crisis Group, arguing that criminals would be too exposed to be attracted in large numbers to such a small country.

IV. THE PRESIDENTIAL ELECTION

Given the international support and the manner in which the electoral process is unfolding, the presidential election is likely to be held on 28 June 2009 as scheduled,⁶⁹ despite the assassination of one candidate and accusations of the involvement of the PAIGC candidate's campaign manager in a foiled coup attempt. Whether it improves the situation or stimulates more violence, however, is a question whose answer depends importantly on the transparency of the process, the credibility of its results and thus the legitimacy of the new president.

A. KEY ACTORS

The decision to hold the election later than the 60 days after the previous president's death the constitution required was taken by the political parties represented in the National Assembly, in order to address technical and financial obstacles.⁷⁰ The agreement underscored the broad consensus around the electoral process. Desejado Lima da Costa, the National Assembly's choice to head the National Election Commission (NEC), is a former trade union leader and politician with strong links to PAIGC.⁷¹ Such links may appear problematic, but they have been the norm in previous elections and are generally accepted by the political actors. Following the successful November 2008 elections, only the policy heads of the commission, such as the president and executive secretary, were newly selected. The bulk of the administrative structure, including the presidents of the regional electoral commissions, have remained in place, ensuring potentially important institutional continuity.

⁶⁹ Crisis Group interviews, UNOGBIS political affairs officer, Bissau, 1 April 2009; UNDP deputy resident coordinator, Bissau 3 April 2009; head of cooperation, Portuguese embassy, Bissau, 9 April 2009.

⁷⁰ Crisis Group interviews, president and executive secretary, NEC, Bissau, 9 April 2009.

⁷¹ The law requires that the NEC president be proposed by the ruling party and the executive secretary (second in command) be proposed by the leading opposition party, and both candidates be voted upon. The current president received 79 votes in favour, seven against, with three abstentions. Crisis Group interview, president, NEC, Bissau, 9 April 2009. See also "Paramento elege nova Direccao da CNE", *Bintaba di Nabas*, 2 April 2009. Electoral law reform is under consideration in the National Assembly. Crisis Group interview, member, vice president, Chamber of Commerce, Bissau, 12 May 2009.

The Supreme Court cleared twelve candidates (eleven men, one woman) to stand.⁷² The three favourites are all former heads of state. Malam Bacai Sanha, the PAIGC candidate, has stood for the office twice before, losing to Kumba Yala in 2000 and to Nino Vieira in 2005.⁷³ He was chosen as interim president following the 1998-1999 conflict that sent President Vieira into exile. His party enjoys a comfortable majority in the National Assembly, benefits from its role in the independence struggle and has a large presence throughout the country. He is supported by many fellow Malinke within the military, but their position is weak compared to the Balanta. In an interview, he has supported an international investigation into the assassinations.⁷⁴

Kumba Yala, the founder of the Partido da Renovacao Social (PRS) was elected president in 2000 and chased out by the military in 2003. Despite his removal and years abroad, the PRS has survived as the leading opposition party, drawing most of its support from the largest ethnic group, the Balanta. A former PAIGC activist, he narrowly lost the 1994 election to Vieira after starting the PRS. His term as president is remembered for the "Balantisation" of the politico-military class.⁷⁵ In the last several years, he converted to Islam, allegedly to win over the Muslim population, but the November 2008 legislative elections produced no significant gains for his party. The PRS has support from the lower ranks of the military, dominated by the Balanta, but this does not reach into the officer corps. Since his return to Bissau in May 2009, Yala has focused attention on the assassinations, with the objective of exploiting ethnic sentiments and public anger.

Henrique Pereira Rosa is the only leading candidate to stand as an independent. A reputable businessman and maritime insurer, he was named interim president with support from civil society organisations and the business community following the coup d'état that ousted Kumba Yala in 2003. Between then and 2005, he organised parliamentary elections as well as the presidential election that returned Vieira to office. He enjoyed a good working relationship with senior military and

⁷² The Supreme Court must certify the eligibility of presidential candidates. Six were not cleared, including two former prime ministers, Francisco Fadul and Aristides Gomes. See also section IV.B and fn. 82 below

⁷³ Since being accused of involvement in a foiled coup attempt, Robert Cacheu, the campaign manager for the PAIGC candidate, has sought refuge in the Catholic mission in Bissau. Bacai Sanha named a new campaign manager.

⁷⁴ "Malam Becaye Sanha, candidat à la présidence Bissau-guinéenne: l'indépendance de la Casamance est une utopie", *Walfadjri, L'aurore*, Dakar, 15 May 2009.

⁷⁵ See Crisis Group Report, *In Need of a State*, op. cit., and Crisis Group Briefing, *Building a Real Stability Pact*, op cit.

the current reformist prime minister, Gomes Junior, with whom he worked for seventeen months. His tenure is widely remembered as a period of stabilisation, and it is believed that he enjoys the support and confidence of the officer corps. He has based most of his campaign on the need for direct dialogue with all national actors, including the military.⁷⁶

B. ELECTORAL SCENARIOS AND POSSIBLE RISKS

The election may bring closure on the recent assassinations, but it equally has the potential to give rise to further crises, in view of the tensions that characterise politics in Guinea-Bissau. For example, strains were visible within the ruling PAIGC over the choice between Malam Bacai Sanha and interim President Pereira. While in other contexts this might have been a normal political division, in the current local context it can take on dangerous and destabilising dimensions. There are also fears within PAIGC and beyond that a Bacai Sanha presidency could see a repeat of the personality conflict between president and prime minister that characterised the Vieira era and rendered the country almost ungovernable. Bacai Sanha and Gomes Junior also have an old rivalry for leadership within the party that could likewise lead to renewed stalemate.⁷⁷

The election may well be close. There is a good chance no candidate will top 50 per cent, which would require a run-off within 45 days. If Rosa makes the run-off despite his lack of a party base, he would need to build alliances with smaller parties but would have a good chance to win, as he would likely gain support either from Kumba Yala or from parts of PAIGC, which is far from united behind Bacai Sanha. Yala's support would be motivated largely by a desire to ensure that PAIGC was weakened before the 2012 parliamentary elections. If Bacai Sanha and Kumba Yala reach the second round, Bacai Sanha would be heavily favoured because his party is much stronger, and there are still memories of Kumba Yala's disastrous term. Rosa's endorsement would probably not make a major difference, since he lacks a party machine to mobilise voters for his preferred second-round candidate.

Kumba Yala has a reasonable chance of getting to the second round, given his strong base among the Balanta, who are around 30 per cent of the population. But he would have trouble reaching much beyond that base,

especially given his party's weakness. If he falls out in the first round, however, he could still be a king-maker.

Another key player is Prime Minister Gomes Junior, who appears to enjoy great respect both in and out of the country. He is said to be very close to the new chief of defence staff, who described him as admirable, trusted and capable of moving the country forward.⁷⁸ Many analysts believe his decision not to contest the election was based on determination to implement the program for which he was elected in 2008. During the PAIGC primaries in April 2009, he supported interim President Pereira, underscoring his long rivalry with Bacai Sanha for leadership of PAIGC. That Pereira lost the nomination, however, underlined Gomes Junior's weakness in the party.

A Bacai Sanha victory would likely seriously damage Gomes's political career. He is likely, therefore, to throw his support to Rosa. They worked together in the colonial administration, and both are successful businessmen who lack association with the liberation struggle. In any event, whether Gomes plays a prominent role could be decisive, particularly in a second round, as well as in the subsequent evolution of the political landscape.

Violence is rising as factions attempt to intimidate and exclude one another and protect their positions in the aftermath of the assassinations. Further violence could spring from continued fallout from those events or problems around the election itself, the stakes for which are higher than they were for the peaceful November 2008 parliamentary polls. There is an assumption that the winner and his backers will control politics for some time.

Numerous risks are attached to the electoral process. Lack of transparency could lead to popular dissatisfaction and continued instability. Rejection of the results by a large section of society would be dangerous. Kumba Yala's possible unwillingness to accept the results or the rejection by elements of the political and military class of a Yala victory would pose serious threats as well.⁷⁹ Confidence in the process is likely to be low in light of recent events and the conviction of

⁷⁶ Crisis Group interview, Henrique Rosa, Bissau, 10 April 2009.

⁷⁷ Crisis Group interviews, politicians, Bissau, 10 April 2009.

⁷⁸ Crisis Group interview, Chief of Defence Staff Zamora Induta, 7 April 2009.

⁷⁹ Kumba Yala, who has a history of contesting unfavourable election results, may well exploit his popularity within the rank and file of the military and among the Balanta to do so again.

many that the 2005 presidential election was rigged.⁸⁰ The NEC should ensure greater transparency in its relations with stake holders, particularly candidates whose parties are not represented in it or are standing as independents. The manner in which the Supreme Court certified candidates has already raised concerns. Former Prime Minister Aristides Gomes claimed that there was an attempt to influence the Supreme Court's decision to annul his and several other candidacies.⁸¹ Though the court gave technical reasons, many observers said it was politically motivated.⁸²

The most likely danger, however, involves the losing politico-military factions, which could orchestrate instability so as to overturn the outcome, potentially leading to a new direct military intervention. Even if the immediate aftermath of the election is calm, continuing factional infighting in the military may threaten stability for years.

Nevertheless, the campaign has been calm. Candidates have moved about the country freely, with no intimidation reported, and radio and television coverage has enabled them to describe their programs widely. International observers are expected to be present for the final stage – the EU has already deployed about twenty.⁸³ Although the law does not allow for local observer groups, civil society organisations are organised into a loosely coordinated group, the “Brigada” (Brigade),

to monitor the conduct of the polls on election day.⁸⁴ Since the June killings, the military has apparently kept its distance from the electoral process.

V. ACTIONS TO HALT THE SLIDE

A. STRONGER INTERNATIONAL ENGAGEMENT

The brutal events of March have shown that civilian politicians and civil society require help to turn Guinea-Bissau around. Support is needed for efforts to remove the military from politics and send a clear signal that its continued abuse of power will lead to the country's isolation and possibly targeted international sanctions. The first steps should be a unified message and strong public positions regarding human rights abuses. The strong reactions to the 5 June events by ECOWAS and the UN Security Council, for example, were welcome.

The lack of alternatives has allowed the military to emerge as the only coherent and viable political force. It is vital to build democratic institutions, strong political parties, civil society and autonomous bodies like national commissions for human rights and democracy. Civil society organisations have an important role to play in advancing democracy and promoting national dialogue and should be supported by donors. It is also vital that political parties be helped to build their capacity, including through training for parliamentarians.

Military reform had stalled even before the March assassinations.⁸⁵ A conceptual outline of ministerial and military responsibilities has been drawn up and is before parliament. A census has also been carried out that established the number of army troops at 4,458.⁸⁶ The plan is to retire some 2,000 and recruit to bring the numbers back up to around 3,500. The training of recruits is intended to start a process of professionalisation.

⁸⁰ Crisis Group interview, legal consultant, April 2009. Crisis Group Africa Briefing, *Building a Real Stability Pact*, op. cit.

⁸¹ He cited the case of Francisco Fadul, a candidate in 2005 who was also rejected. Both are currently out of the country. Aristides Gomes, a close Vieira ally departed immediately after his assassination and remained in Dakar. “Entretien Aristide Gomes, ancien Premier ministre: ‘Je propose une feuille de route pour la Guinée-Bissau’”, *Le Soleil*, Dakar, 20 May 2009. He leads the Republican Party for Independence and Development (Partido Republicano para Independencia e Desenvolvimento, PRID).

⁸² Aristide Gomes was not cleared on the grounds that he failed to respect his party's own nominating procedure. His party, PRID, objected, however, that the decision of the Supreme Court was more political than legal. Crisis Group interview, PRID member, Bissau, 2 June 2009. Other sources in Bissau accepted that the exclusions were basically due to administrative lapses on the part of the candidates and parties and were not politically motivated.

⁸³ The National Electoral Commission confirmed that the CPLP, ECOWAS and the AU have indicated intentions to send observers as well. Crisis Group interview, executive secretary, National Electoral Commission, 22 June 2009. See, “Guinée-Bissau: le déroulement de la présidentielle menacé par l'insécurité”, Agence France-Presse, 16 June 2009.

⁸⁴ The “Brigada” has monitored the conduct of elections since 2005. Crisis Group interview, leading civil society member, 22 June 2009.

⁸⁵ A major attempt to relaunch the process was made at a conference in Praia, Cape Verde, on 20 April 2009. Its communiqué described the slow progress of the reforms and attributed this to poor coordination and weak local ownership. It unanimously agreed that a common approach to the process was essential to SSR implementation. “Communiqué final, table ronde sur la restructuration et la modernisation du secteur de la défense et de la sécurité en Guinée-Bissau”, Praia, 20 April 2009.

⁸⁶ Ibid.

sation that is to be accompanied by short-term national service conscription.⁸⁷

This reduction and associated restructuring and training is a vital step toward restoring proper civilian control over the armed forces and reducing the financial burden on the state. Properly implemented, it will help break the grip of the senior officers and prevent the further factionalisation of the military. The issue is thus technical and financial as well as political, and the several aspects need to be addressed simultaneously. The military hierarchy's resistance indicates that it is fully aware of the stakes. Donor financing and diplomatic messages should be used to finally push this core reform through.

To move forward, the military must play its part by recognising that involvement in politics has seriously eroded its historical liberation credentials. Politicians and the international community equally need to address legitimate military fears about the reform process. They should provide better living conditions for retired personnel and enact a better sensitisation program to make sure the message gets to the rank and file. It is important that the Balanta do not perceive restructuring as a way to evict them from the army. A gradual and measured approach is needed. Senior officers should be encouraged to consider early retirement and postings to regional and other international peace-keeping operations as valuable end-of-career options.

For progress on this key issue, international coordination needs to be addressed without delay. At least fourteen organisations and countries are involved in the SSR process, with inevitable conflicts and duplication.⁸⁸ This multiplication of international interventions has allowed the military to drag its heels. Donors have not been prepared to limit their own influence to achieve better coordination. Some will need to withdraw from direct intervention and be satisfied with making financial contributions to a single SSR trust fund. The overall leadership of the reform and management of the trust

fund will have to be decided. The two best placed bodies, the EU, which contributes the most money, and the UN, which can potentially provide most expertise and continuity, have failed to establish a proper working arrangement.⁸⁹ They need to do so without further delay. If the UN, as the Secretary-General has recommended, reorganises and increases its in-country presence in January 2010, its new Integrated Peacebuilding Office in Guinea-Bissau (UNIOGBIS) should have the SSR process as a vital focus of its mandate.⁹⁰

Portugal, the former colonial power, remains the single most influential international actor in Guinea-Bissau, providing significant technical and financial support. It already helps with the training of police and judicial officials and has a military team on the ground.⁹¹ Also, as the largest financier of the EU's SSR mission, it is best positioned to take on lead-country responsibility for pushing the process forward.

⁸⁷ Crisis Group interviews, Bissau, April 2009 and Dakar, May 2009. See also Crisis Group Briefing, *Building a Real Stability Pact*, op. cit. Army reforms have not been planned on the basis of any agreed assessment of needs, threats and means. The country likely cannot afford even a 3,500-strong army. However, the currently planned reforms are a vital first step and should be implemented without further delay.

⁸⁸ These actors include UNIOGBIS, the UK Security and Advisory Team (SSDAT), the UN Development Programme (UNDP), the UN Office for Project Services (UNOPS), CPLP, UNODC, ECOWAS, the EU, Portugal, France, Brazil, Spain, Nigeria and Angola. See the framework paper prepared for the SSR roundtable in Praia, "Advancing Guinea-Bissau's Security Sector Reform", 20 April 2009.

⁸⁹ In his 10 June 2009 report to the UN Security Council, the Secretary-General called it critical for there to be a common assessment of the country's needs in order to achieve a coordinated approach by donors. The EU, through its security sector reform mission (EU-SSR), has been playing a leading role in the SSR process and should continue to do so, supported potentially in leadership by Portugal. The anticipated new UN integrated office (see below) should also actively support SSR as one of its key priorities and its leader, Special Representative Joseph Mutaboba, should work out the appropriate division of labour with its EU counterparts. It should as well assist the UN Peacebuilding Commission, which has been funding programs and projects on security sector reform and the presidential elections and with the youth, justice and defence ministries and expects a second tranche of the peacebuilding fund to be approved soon. The new UN office should also work closely with Portugal, whose important contribution is described below. Crisis Group interview, senior diplomat, Portuguese embassy, Bissau, 9 April 2009.

⁹⁰ The mandate for the present office (UNIOGBIS) expires on 30 June 2009 but is expected to be extended routinely to 31 December. The Secretary-General has recommended that the UN increase its presence and strengthen its support for the government, with areas of focus to include: capacity building, security sector reform, combating human and drug trafficking, human rights promotion, curbing proliferation of small arms, mobilising international assistance and enhancing cooperation with the AU, ECOWAS, CPLP and EU, as well as assisting the UN Peacebuilding Commission's engagement. All this would involve more or less tripling the size of the present office. See "Report of the Secretary-General", 10 June 2009; also, "Ban urges 'credible' inquiry into Guinea-Bissau political killings", UN News Centre, 16 June 2009.

⁹¹ Crisis Group interview, senior diplomat, Portuguese embassy, Bissau, 9 April 2009.

The next element is domestic ownership, which will only come once there is better international coordination. The domestic structures lack both capacity and autonomy. A national commission on SSR involving both local and international actors should be established to coordinate the process, replacing the current arrangement⁹² and eventually sharing control of the trust fund, under suitable accounting conditions. Such a body, if properly constituted, would give more autonomy and coherence to both local and international actions.

The final urgent task is to deal with the many militias in the country, including the Aguntas. There is a serious risk that these irregulars will become regional guns for hire. The hardcore fighters need to be identified in both Guinea and Guinea Bissau and offered intense rehabilitation programs and durable alternatives to a life of the gun.

B. PROTECTING THE INSTITUTIONS OF STATE

Security system reform will be impossible as long as the military holds the country hostage. The international community will need to re-open dialogue with the new administration on the proposal to send a small force to protect state institutions and civilian politicians that ECOWAS and the CPLP made in March 2009 and that the government rejected, after some hesitation.⁹³ This issue has been raised by prominent political figures, including a former prime minister, and was put forward again by civil society groups following the 5 June killings.⁹⁴ It is a prerequisite for progress and

could most likely be achieved through a mix of ECOWAS and CPLP contributions. A mentoring or training component could be added to assuage concerns over international interference, but there would have to be a robust mandate, backed by the UN Security Council.

The possibility of sending such a force could be usefully presented as an option should the military continue to refuse real cooperation with SSR. The deployment of one battalion (approximately 600 men), with a concept of operation similar to that of the AU mission dedicated to the protection of the institutions of transition in Burundi in 2003, should be considered.⁹⁵

C. TACKLING IMPUNITY

The international community should also rapidly start negotiations with the government, particularly the new president, for a mixed domestic/international commission of enquiry into both the March and June killings. This should take the form of an investigation backed by a Security Council mandate.⁹⁶ Moreover, serious consideration should be given to reviewing the 2008 amnesty law that has failed to halt large-scale impunity.⁹⁷ International political will to address impunity has to be clearly expressed and the politico-military elites reminded that such a law is liable to be challenged outside the country. The UN office has an important role to play with regard to monitoring abuses and promoting a culture of human rights in the country.

⁹²In the current set-up, the “Interministerial Committee for Restructuring and Modernisation of the Defence and Security Sector” is charged with defining broad policy lines. A steering committee, comprising members of the international community, civil society and government members and which the commission would replace, is charged with implementation and is supported by a technical committee (renamed a technical secretariat in February 2009). This secretariat could be transformed into a support body for the new commission. See the strategy document “Restructuring and Modernisation of the Defence and Security Sector”, Republic of Guinea-Bissau, October 2006, and the “Report of the Secretary-General on developments in Guinea-Bissau and on the activities of the United Nations Peacebuilding Support Office in the Country”, Security Council, 31 March 2009.

⁹³See “CPLP e CEDEAO preparam contingente para garantir segurança na Guiné-Bissau”, *Diário Bissau*, 6 April 2009; also, “Vers une stratégie conjointe sur la Guinée-Bissau”, Pan African News Agency (PANA), 25 March 2009.

⁹⁴Crisis Group interviews, Francisco Fadul, former prime minister, Bissau, 3 April 2009, a former minister and PRS

dissident, Bissau, 2 April 2009. See the “Comunicado de imprensa”, National Civil Society Movement, Bissau, 5 June 2009.

⁹⁵See Crisis Group Africa Report N°81, *End of the Transition in Burundi: The Home Stretch*, 5 July 2004.

⁹⁶The Security Council in recent years has authorised international investigations, with varied powers, into the murders of former Lebanese Prime Minister Rafiq Hariri and former Pakistani Prime Minister Benazir Bhutto. There is no model for such an investigation, however, and neither of the two precedents has yet been carried to a conclusion. An international commission of enquiry for Guinea-Bissau would need to be fitted to the special circumstances and needs of the country.

⁹⁷An umbrella amnesty law was passed in 2008, covering those who have committed serious political crimes since independence. Crisis Group interview, vice president, National Assembly, 9 April 2009.

VI. CONCLUSION

The March assassinations of General Tagme and President Vieira and the June killings have again plunged Guinea-Bissau into political uncertainty and demonstrated that it is being overwhelmed by the rule of the gun. The commission responsible for investigating the March killings is inadequate to find the real culprits without international involvement, reflecting the inability of the justice system to deal with impunity and widespread criminality. Though the 28 June

presidential election is an opportunity to end the present stalemate, there is no guarantee that it will be sufficient to break the cycle of military involvement in politics. Unless additional efforts are made by both democratic forces and the international community to deal with military power, there will be neither real political stability nor a viable democratic process.

Dakar/Brussels, 25 June 2009

APPENDIX A

MAP OF GUINEA-BISSAU



APPENDIX B

ABOUT THE INTERNATIONAL CRISIS GROUP

The International Crisis Group (Crisis Group) is an independent, non-profit, non-governmental organisation, with some 130 staff members on five continents, working through field-based analysis and high-level advocacy to prevent and resolve deadly conflict.

Crisis Group's approach is grounded in field research. Teams of political analysts are located within or close by countries at risk of outbreak, escalation or recurrence of violent conflict. Based on information and assessments from the field, it produces analytical reports containing practical recommendations targeted at key international decision-takers. Crisis Group also publishes *CrisisWatch*, a twelve-page monthly bulletin, providing a succinct regular update on the state of play in all the most significant situations of conflict or potential conflict around the world.

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The Crisis Group Board – which includes prominent figures from the fields of politics, diplomacy, business and the media – is directly involved in helping to bring the reports and recommendations to the attention of senior policy-makers around the world. Crisis Group is co-chaired by the former European Commissioner for External Relations Christopher Patten and former U.S. Ambassador Thomas Pickering. Its President and Chief Executive since January 2000 has been former Australian Foreign Minister Gareth Evans.

Crisis Group's international headquarters are in Brussels, with major advocacy offices in Washington DC (where it is based as a legal entity) and New York, a smaller one in London and liaison presences in Moscow and Beijing. The organisation currently operates nine regional offices (in Bishkek, Bogotá, Dakar, Islamabad, Istanbul, Jakarta, Nairobi, Pristina and Tbilisi) and has local field representation in eighteen additional locations (Abuja, Baku, Bangkok, Beirut, Cairo, Colombo, Damascus, Dili, Jerusalem, Kabul, Kathmandu, Kinshasa, Ouagadougou, Port-au-Prince, Pretoria, Sarajevo, Seoul and Tehran). Crisis Group currently covers some 60 areas of actual or potential conflict across four continents. In Africa, this includes Burundi, Cameroon, Central African Republic, Chad, Côte d'Ivoire, Democratic Republic of the Congo, Eritrea, Ethiopia, Guinea, Guinea-Bissau, Kenya, Liberia, Nigeria, Rwanda, Sierra Leone, Somalia, South Africa, Sudan, Uganda and Zimbabwe; in Asia, Afghanistan, Bangladesh, Burma/

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June 2009

APPENDIX C

CRISIS GROUP REPORTS AND BRIEFINGS ON AFRICA SINCE 2006

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