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PROGRESS REPORT OF THE CHAIRPERSON OF THE
COMMISSION ON THE SITUATION IN GUINEA-BISSAU

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I. INTRODUCTION

1. At its 340th meeting held on 2 November 2012, Council considered the situation in Guinea Bissau. In the press statement adopted on that occasion [PSC/PR/BR.2 (CCCXL)], Council expressed its deep appreciation of, and strong support for, the efforts made by the Economic Community of West African States (ECOWAS) and the leaders of the region, in order to promote a speedy exit from the crisis and to stabilize Guinea Bissau. Having stressed the need to pursue the regional and international efforts on the situation in Guinea Bissau, Council expressed satisfaction at the meeting between the Bissau-Guinean stakeholders, held in New York, on 29 September 2012, under AU's facilitation, and urged them to favor peace and the interests of their people, as well as to demonstrate restraint and the spirit of compromise required to address the multidimensional challenges facing their country.

2. Council encouraged the Commission to continue its action in support of the region, and stressed the need for continued close cooperation with ECOWAS and other international partners in the quest for lasting peace in Guinea Bissau. In this regard, Council endorsed the dispatch to Bissau, as quickly as possible, of a Joint Mission comprising the AU, ECOWAS, United Nations (UN), European Union (EU) and the Community of Portuguese Speaking Countries (CPLP). Finally, Council agreed to meet again to consider the situation in-depth.

3. This progress report provides a brief overview of the developments that took place during the period under consideration pertaining to the evolution of the situation in Guinea Bissau and related international efforts. The report concludes with observations on the way forward.

II. MAJOR POLITICAL AND OTHER RELATED DEVELOPMENTS

4. The period under consideration has witnessed encouraging developments in the search for a solution to the crisis created by the coup d'état of 12 April 2012. It should be recalled that the coup d'état was unanimously condemned by the international community. The ECOWAS, the AU, the CPLP, the EU and the UN demanded the restoration of constitutional order and, on the basis of their respective instruments, took measures against the junta and its supporters. However, differences in approaches soon emerged, thereby preventing the partners of Guinea Bissau from acting in a unified and coherent manner to move forward the shared objective of restoring constitutional order and contribute towards effectively addressing the numerous challenges faced by Guinea Bissau.

5. The coup d'état created deep divisions within the political class and the society in Guinea Bissau. The mediation, initiated by ECOWAS, pursuant to the conclusions of its extraordinary summit, held in Dakar, on 3 May 2012, resulted in the signing, in Bissau, on 16 May 2012, of a Political Agreement and a Pact for the Transition. These Agreements led to the establishment of a transitional period of twelve (12) months and, following the renewal of the Bureau of the People's National Assembly (ANP), to the appointment, on the basis of Article 71 of the Constitution, of Sherifo Nhamadjo, then Acting Speaker of the ANP, as President of the Transition. Ibrahima Sori Djal, then 2nd Deputy Speaker of the ANP, replaced him as Speaker of the Parliament, while Rui Duarte Barros, a technocrat and man of consensus, was appointed as Prime Minister, after wide consultations. To support the Transition, ECOWAS deployed a Mission in Guinea Bissau (ECOMIB), which took over from the Angolan Military Assistance Mission (MISSANG-GB), whose withdrawal was completed on 9 June 2012.

6. The impasse created by the refusal of the majority party in the ANP – the African Party for the Independence of Guinea Bissau and Cape Verde (PAIGC) – to join the structures of the Transition, coupled with the interruption of the ANP activities, prompted the President of the Transition to carry out a series of consultations with all the Bissau-Guinean stakeholders. As from August 2012, he met successively with the military, political parties, civil society organizations and religious leaders.

7. The consultations led to the convening, on 15 November 2012, of the 1st session of the 8th legislature of the ANP. On 21 November 2012, the MPs adopted, by 78 votes for and 21 against, the draft bill on the extension of the legislature until the end of the Transition, in anticipation of the expiration of their mandate, which was ending on 28 November 2012. In the same vein, on 23 November 2012, the two main political parties, that is the PAIGC and the Party for Social Renovation (PRS), agreed on the sharing of posts in the Bureau of the ANP. In this respect, the Executive Chairman of the PRS retained his post of Speaker of the ANP, while the Secretary-General of the PAIGC became the 1st Deputy Speaker. The post of 2nd Deputy Speaker was given to a former PAIGC Minister.

8. Furthermore, an 11-member Parliamentary Committee, led by the PAIGC, was established. The Committee is tasked not only to propose a new version of the Charter of the Transition, that could generate a broader consensus, but also to propose amendments to the electoral law, which is indispensable for the integration of the envisaged reforms within the framework of the general elections which should conclude the process for the restoration of constitutional order, such as the biometric census and the procedure for the appointment of the Chairman of the National Electoral Commission (CNE).

9. On 5 December 2012, following his election as Vice-President of the Supreme Court, where he was a Judge Adviser, Rui Nene was chosen as the Chairman of the CNE. Following the protest caused by this election, on 3 January 2013, Mr. Nene handed over his resignation to the Speaker of the ANP. It should be recalled that, after his election at the Supreme Court, the

PAIGC Parliamentary Group proposed the candidature of Rui Nene for the post of Chairman of the CNE. The leader of the PRS Parliamentary Group then denounced that candidature and casted doubt on the transparency of the process. He called upon the PAIGC to comply with the law, which provides for the Higher Council of the Judiciary to present a list of potential candidates for the post of Chairman of the CNE on the basis of which the Parliament pronounces itself. Despite that protest, the PAIGC Group, having pointed out that the Charter of the Transition did not provide for modalities for the election of the Chairman of the CNE, appointed its own candidate as the head of that Commission on that same day. This appointment was challenged by a number of political parties, particularly the 26 political parties members of the Forum supporting the Transition, which, besides, criticized Mr Nene for being a member of the PAIGC while belonging to the Judiciary.

10. On 7 November 2012, Mr. Faustino Fudut Imbali, Minister of Foreign Affairs and International Cooperation and Communities, and Mr. Kadré Désiré Ouedraogo, President of the ECOWAS Commission, signed two agreements in support to the efforts of the Government of Guinea Bissau. Under the first agreement, ECOWAS pledged to make available 63 million dollars to Guinea Bissau within the framework of the implementation of the Defense and Security Sector Reform (DSSR). On its part, the Transitional Government committed itself, within the framework of that reform, to contribute towards the establishment of the Pension Fund to enable the launching of the demobilization process. The second agreement relates to the deployment of ECOMIB.

11. On 17 November 2012, the ECOWAS Authority of Heads of State and Government decided to extend the mandate of ECOMIB for a further period of six months. That decision was taken against the background of the events of 21 October 2012. With the arrival of the Nigerian contingent, on 29 November 2012, ECOMIB now has a force strength of 665 military and police officers in charge of ensuring the protection of the authorities of the Transition and the security of public places, as well as carrying out health and engineering activities.

III. EFFORTS OF THE AU

12. As pointed out above, the Commission facilitated the convening of a meeting between the representatives of the current regime and those of the overthrown regime within the premises of the AU Permanent Mission in New York, on 29 September 2012. On that occasion, the two parties requested the Commission to facilitate the convening of another meeting between them. They also requested the dispatch a joint mission to Bissau, comprising ECOWAS, AU, CPLP, EU and the UN, to assess the political and security situation and submit a report which should be the basis for subsequent initiatives.

13. On 1 December 2012, the Commission organized, in Addis Ababa, a consultative meeting on Guinea Bissau which brought together ECOWAS, CPLP, EU and the UN. The meeting enabled the five organizations to consult on the evolution of the situation and the best way to

help that country overcome the short, medium and long-term challenges facing it. In this respect, they agreed to undertake a joint mission to Bissau, from 16 to 21 December 2012, and adopted the Terms of Reference of the said mission. Furthermore, and pursuant to the conclusions of the meeting held in New York, on 29 September 2012, the five organizations seized the opportunity of their meeting to interact with a delegation of representatives of the overthrown regime, based in Lisbon. Although it was invited to send a delegation to Addis Ababa, the Bissau-Guinean authorities declined to attend.

14. During the period under consideration, the AU Liaison Office continued to monitor the evolution of the situation on the ground. Furthermore, my Special Representative, Ambassador Ovídio Manuel Barbosa Pequeno, continuously interacted with the current authorities, particularly with the President of the Transition and other Government officials, as well as with the political parties and the civil society. He also maintained close contact with members of the diplomatic community, especially the African Ambassadors. Furthermore, the Liaison Office implemented some quick impact projects (QIPs) in several areas. The Office also participated actively in the preparation of the Joint Mission sent to Guinea Bissau.

IV. JOINT MISSION TO GUINEA BISSAU

15. As agreed, the Joint Mission went to Bissau from 16 to 21 December 2012, under the leadership of the AU. In Bissau, the Mission met with the transitional authorities, particularly the President of the Transition, Manuel Serifo Nhamadjo, the Prime Minister, Rui Duarte Barros, the Ministers of Foreign Affairs, Defense and Justice, as well other officials working in these sectors, the Bureau of the ANP and the Parliamentary Commission in charge of amending the Pact of the Transition, the CNE, the different political parties, both those supporting the Transition and those which do not participate in it, the civil society, including women' associations, traditional and religious leaders, socio-professional organizations (the business community, the bar association and a group of journalists). The Joint Mission also met with the members of the diplomatic community in Bissau.

16. All the stakeholders welcomed the dispatch of the Joint Mission. At the same time, they stated that the initiative should have taken place earlier, not only as a sign of solidarity with the people of Guinea Bissau, who are victims of a situation that is beyond their control, but also to ensure that decisions adopted by the international community are taken in full awareness of the situation. While recognizing that the solution to the problem faced by their country is first and foremost in the hands of the people of Guinea Bissau, the interlocutors of the Mission also stressed that without international assistance, their efforts cannot succeed. In this regard, most of them underscored the fact that the different approaches among the partners of Guinea Bissau can only compound and delay the resolution of the crisis in their country.

17. In its mission report, the AU team, which participated in the Joint Mission, pointed out that Guinea Bissau was faced with immediate and long-term challenges. In this regard, it noted

that the Bissau-Guinean actors had divergent positions, particularly regarding the articulation of the reforms that the country so urgently needs and the planned elections. For some, who constitute the majority, priority should be given to carrying out the most urgent reforms, particularly the DSSR, fighting impunity and promoting national reconciliation, to create conducive conditions for stability in the aftermath of elections. For others, who constitute a minority, the country should quickly bring the current Transition to an end, because only an elected government can successfully launch and implement the required reforms.

18. The AU Team also noted that beyond their divergences, the Bissau-Guinean parties were unanimous in stressing the need for the international community to properly contextualize the difficulties faced by Guinea Bissau, bearing in mind the history of the country since its accession to independence. Indeed, the problems of impunity, violations of human rights and the repeated interference of the army in the political life of the country are longstanding ones. Similarly, the issue of the DSSR cannot be dissociated from other considerations, particularly the role played by the army in liberating the country from the colonial yoke.

19. Furthermore, the Bissau-Guinean actors also warned against the attempt to blame only the military for all the misfortunes faced by Guinea Bissau. Certainly they have their share of responsibility, but the politicians also played a negative role, accused, as they are, of using the army to further their political ambitions, through partisan promotions, which undermine military hierarchy, and sometimes encouraging the army to overthrow governments they are opposed to. Consequently, any lasting solution to the crisis in Guinea Bissau would also require the emergence of a new political class, seriously committed to the consolidation of democracy and the promotion of the rule of law.

20. At the time of finalizing this report, consultations were underway among the five organizations which participated in the Joint Mission to agree on the report of their visit and on the conclusions reached. The report will be communicated to members of Council as soon as it is adopted.

V. OBSERVATIONS

21. I would like to note with satisfaction the encouraging progress made at the political level, particularly the breaking of the deadlock at the level of the ANP and the ongoing efforts by the current authorities and civil society to promote the broadest consensus possible among the Bissau-Guinean stakeholders. I encourage the transnational authorities and all the other stakeholders to pursue and intensify their efforts to facilitate the conclusion of the Transition, with the organization of free and fair and credible elections, as well as the resolution of the tremendous challenges faced by their country, which range from the fight against impunity to DSSR, to the improvement of governance, the fight against drug trafficking, the promotion of national reconciliation and socio-economic recovery. I commend the efforts of ECOWAS, which

greatly contributed to the progress achieved so far, and I note with satisfaction the positive role being played by ECOMIB on the ground.

22. The efforts of the Bissau-Guinean actors should be fully supported by the international community. In so doing, the latter will respond to the strong appeal for assistance made by the different stakeholders in Guinea Bissau and the real need for support and guidance which emerged during the consultations that the Joint Mission had on the ground. It is, therefore, important for the international community to actively re-engage in Guinea Bissau and to display the necessary unity of purpose to contribute effectively to the speedy resolution of the crisis and the long-term stabilization of the country. In this respect, the dispatch of the Joint Mission constituted an important step in the right direction. As soon as the report is finalized, it will be important to work, with the required sense of urgency, towards the implementation of the recommendations agreed upon. I thank ECOWAS, the CPLP, the EU and the UN for having participated in this Mission and in the consultative meeting held on 1 December 2012, as well as for their constructive contributions to these two initiatives.

23. On its part, the Commission will continue to work actively towards the resolution of the crisis in Guinea Bissau and to closely cooperate with all the partners concerned. In so doing, the Commission is acting in pursuance of the relevant decisions of Council on the need to promote a coordinated international approach and the importance of continued interaction with the authorities and other stakeholders in Guinea Bissau.

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