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**REPORT ON THE CHAIRPERSON OF THE COMMISSION ON THE
SITUATION IN GUINEA BISSAU**

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I. INTRODUCTION

1. This report takes stock of the situation in Guinea Bissau and provides an account of the process that led to the organization of presidential and parliamentary elections which marked the end of the Transition established after the coup d'état on 12 April 2012 and the restoration of the constitutional order. The report concludes with observations on the way forward.

II. BRIEF HISTORICAL BACKGROUND

2. Following the death, on 9 January 2012, of President Malam Bacai Sanha, Guinea-Bissau had to organize, once again, an early Presidential election. At the end of the first round, which took place on 18 March 2012, Carlos Gomes Jr., then Prime Minister and candidate of the African Party for the Independence of Guinea and Cape Verde (PAIGC) who had won, had, for the second round, to face Kumba Yala, the candidate of the Party for Social Renovation (PRS), who had come second. Despite the fact that the election was considered to be free, fair and transparent by the international observers, five candidates, including Kumba Yala, had rejected the results, alleging massive fraud and requesting its cancellation. This resulted in an electoral impasse, amid controversy between political authorities and the military hierarchy about the presence, activities and mandate of the Angolan Mission for Military and Security Assistance to Guinea Bissau (MISSANG). It was within this framework that on 12 April 2012, a group of senior military officers, claiming to be a "Military Command," took power, eighteen days before the second round of the Presidential election that was scheduled for 29 April 2012.

3. The coup d'état was unanimously condemned by the international community. At its 318th meeting, held on 17 April 2012, Council decided to suspend, with immediate effect, the participation of Guinea Bissau in all activities of the AU until the effective restoration of constitutional order. The Economic Community of West African States (ECOWAS) also strongly condemned the coup d'état, recalled its principle of "zero tolerance" for the seizure of power or remaining in power through unconstitutional means and, therefore, suspended the participation of Guinea Bissau in its activities. The coup d'état was also condemned by the United Nations (UN) Security Council, the European Union (EU) and other international bilateral and multilateral actors. On 18 May 2012, the Security Council unanimously adopted Resolution 2048 (2012), which imposed targeted sanctions on the perpetrators of the coup, stressing, inter alia, that all national stakeholders and bilateral and multilateral international partners of Guinea-Bissau should remain determined to restore constitutional order. Furthermore, Council urged the ECOWAS to continue its mediation efforts for the restoration of constitutional order in Guinea Bissau, in close coordination with the UN, the AU and the Community of Portuguese Language Countries (CPLP).

4. Pursuant to the recommendations of the Extraordinary Summit of ECOWAS, held in Dakar, Senegal, on 3 May 2012, Sherifo Nhamadjo, then Acting Speaker of the National People's Assembly (ANP), became President of the Transition, on 10 May 2012. Ibrahima Sori Djalo, who was the Deputy Speaker of the ANP, replaced him as Speaker of the Parliament, while Rui Duarte Barros, a technocrat, was appointed as Prime Minister, following wide consultations. On 22 May 2012, a government was established with the mission of carrying out the proposed reforms after a Transition period of 12 months and organizing credible presidential and legislative elections. It was in this context that, the ECOWAS Mission in Guinea-Bissau (ECOMIB), which was responsible for ensuring a smooth conduct of the Transition, was deployed, from 18 May 2012, in place of MISSANG, whose withdrawal took place from 6 to 9 June 2012. Thereafter, ECOWAS decided to lift the sanctions imposed on Guinea Bissau and called upon all stakeholders concerned to work together to establish a genuinely inclusive Government.

III. EVOLUTION OF THE SITUATION AND EFFORTS OF THE AU AND THE INTERNATIONAL COMMUNITY

5. The political situation in Guinea Bissau was marked by a lack of consensus between national and international actors on the modalities to restore constitutional order. At the domestic level, it was noted that there was a political divide marked on the one hand, by the refusal of the PAIGC wing, which remained loyal to Prime Minister Carlos Gomes Jr. to form part of the Transitional Government and on the other hand by blocking the activities of the ANP. The situation had external repercussions with the emergence of divergences about the political transition process between some international partners of Guinea-Bissau. Following consultations between the President of the Transition and Guinea Bissau actors, with the support of the AU Liaison Office and in close cooperation with other international partners, the political tension was eventually defused.

6. Pursuant to the relevant decisions of Council and Security Council Resolution 2048(2012), the Special Representative of the AU actively interacted with all the national and international actors for an enhanced contribution by the AU in the search for an end to the crisis. It is in this context that the Special Representatives of the AU and the UN jointly undertook a series of consultations with international partners involved in the management of the crisis in Guinea Bissau, as well as with the party that in the incumbency in Guinea Bissau at the time of the coup d'état in April 2012. In the same vein, the AU co-chaired, with the United Nations, a Coordination meeting between the Community of Portuguese Speaking Countries (CPLP), ECOWAS and the EU at the AU Permanent Observer Mission to the United Nations in New York, on 28 September 2012 and facilitated, on 29 September 2012, a meeting between the then Guinea Bissau authorities and those that had been overthrown. Furthermore, under the coordination of the AU, ECOWAS, the CPLP, the EU, the UN, and later the International Organization of *La Francophonie* (OIF), undertook two joint assessment missions to Guinea Bissau, from 16 to 21 December 2012 and 8 to 11 July 2013 respectively. These missions contributed to the consolidation of encouraging developments that took place on the ground,

thanks to the action of ECOWAS and facilitated the emergence of consensus on matters then under discussion, including those relating to the electoral process. Definitively, the process conducted jointly and collectively by the six international organizations was the framework to build international consensus and promote collective action in support of the efforts of the Guinea Bissau actors.

7. Following the consultations held by the AU Special Representative, on 17 May 2013, the two main political parties, the PAIGC and PRS, signed a Memorandum of Understanding at the headquarters of the AU Liaison Office in Bissau, thereby facilitating the formation of a more inclusive Government. In the same vein, it is worth stressing the consensual approval of the Transition Pact and the revised Political Agreement, the appointment of the Chairman and members of the National Electoral Commission (CNE) and the fixing of the dates for Presidential and Legislative elections.

8. At the same time, the socio-economic situation deteriorated sharply, due to the effects of international sanctions and the poor crop of cashew nuts coupled with the falling prices on the international market. Added to this are the difficulties faced by the Government of the Transition to pay salaries and arrears accumulated over the years, which had led to repeated strikes in the public sector and paralyzed its functioning. The security situation and human rights were also of concern, marked by sporadic tensions, attacks on freedom of the press and serious violations of human rights, with the effect of rousing a sense of self-censorship and widespread fear.

IV. ELECTORAL PROCESS

9. To remedy the shortcomings which marred the presidential election of 2012, the Guinea Bissau parties endeavored to take all necessary measures to guarantee the organization of free and fair and credible elections. On the basis of the consensus reached on the issue, the ANP adopted a law authorizing the use of improved manual registration system for the preparation of making electoral lists, thus translating into deed the recommendations made by the UN Mission on Assessment of electoral needs, as well as those of the second Joint AU/ECOWAS/CPLP/EU/OIF/UN Assessment Mission.

10. The budget for the elections, revised downwards, amounted to 19.3 million American Dollars. The campaign for resource mobilization, led by the Prime Minister of the Transition, accompanied by the Special Representatives of the AU, UN and ECOWAS made it possible to obtain tangible results. Thus ECOWAS and some of its Member States contributed 19 million U.S. Dollars, the EU € 2 million and the UN 700 000 U.S. Dollars. In addition to the 6 million US Dollars paid into the account opened by ECOWAS for this purpose, Nigeria offered computers and 25 vehicles. The Government of East Timor contributed 6 million U.S. Dollars, comprising budget support, the dispatch of a technical support mission and the supply of electoral materials. For its part, the AU organized training for the officials of the CNE, from 2 to 6

December 2013 and made available to it a Consultant responsible for working out its information and communication strategy.

11. The improved manual census enabled the identification of 90% of the 810,000 citizens of voting age and the registration of 775,508 voters in the country and in the diaspora. Initially scheduled for 24 November 2013, the election date was successively postponed to 16 March and 13 April 2014. The deadline for submission of candidatures was set for 5 March 2014. Having rejected eight candidates for the Presidential election and 7 files for the Legislative elections, the Supreme Court validated 13 candidates - among whom there were 6 independent candidates and 7 supported by political parties or coalition of political parties - and 15 political parties. The election campaign, which ran from 22 March to 11 April 2014, took place in a calm environment and without major incident. However, it was overshadowed by the death, on 4 April, of Mr. Kumba Yala, former President of the Republic, founder and Honorary President of the PRS.

12. Election observation witnessed a strong involvement of the international community. The AU Election Observation Mission, led by former President of Mozambique, Joaquim Alberto Chissano, deployed, for the first round, 56 observers, including 9 long term observers, who were already on the ground since 9 February 2014 and 38 observers for the second round. For their part, ECOWAS deployed 220 observers, including nine long-term ones; the EU 55, comprising members from the European and UK Parliaments and the CPLP 15. As for the OIF and the Economic and Monetary Union of West Africa (UEMOA), they were represented by 12 observers each, while the Joint East Timor - New Zealand Mission and that of the United States had at least ten observers each. To address the concern of making the elections secure, a joint command was established. It was overseen by the National Police and integrated the National Guard, ECOMIB, the elements of the AU and the UN Offices, as well as the armed forces, when necessary.

13. The election on 13 April 2014, which witnessed a turnout of over 70%, took place in the calm and discipline. All election observation missions, including that of the AU, declared the elections to be free, fair and credible, despite some technical shortcomings that were not likely to jeopardize the credibility of the poll. According to provisional results announced on 16 April 2014 by the CNE, José Mario Vaz, the PAIGC candidate got 252,260 votes or 40.99% of the votes cast, followed by Mr. Gomes Nabiam Nunu, an independent candidate, who totaled 154,174 votes or 25.14% of the votes. As the two candidates did not obtain the required majority of votes, they were brought to face each other in a second round, which took place on 18 May 2014. In the second round, Mr. José Mário Nuno faced Mr. Gomes Vaz Nabiam which was conducted quietly. On 19 May, like all other missions, the AU mission concluded that "the second round of the Presidential election took place in broadly acceptable conditions of freedom, transparency and credibility compared to continental and international standards." According to the results announced by the CNE on 20 May 2014, José Mario Vaz was declared winner of the Presidential election with 364,394 votes, or 61.9% of the votes cast against 224,089 votes or 38.10% votes for Mr. Gomes Nabiam Nunu. The latter challenged the results,

which, according to him, did not tally with the figures he had. Thereafter, during a press briefing on 22 May 2014, he stated that, in the supreme interest of the Nation, he accepted finally the results as published by the CNE.

14. As regards the Legislative elections, the 102 seats in the ANP, 57 were won by the PAIGC; 41 by the PRS; 2 by the Party of Democratic Convergence (PCD); 1 by the New Democracy Party (PND) and 1 by the Union for Change (UM). Under the Constitution of the Republic of Guinea Bissau, the post of Prime Minister should be for the political party with the largest representation in the ANP.

V. OBSERVATIONS

15. I welcome the completion of the process of ending the crisis in Guinea Bissau and congratulate all the actors concerned and the people of Guinea Bissau on their commitment and sense of responsibility. I reiterate my gratitude to ECOWAS for its sustained support of the process of ending the crisis in Guinea Bissau. In this regard, the Presidents Alassane Dramane Ouattara, Goodluck Jonathan and John Dramani Mahama deserve a special mention, considering their personal involvement in order to successfully conclude the Transition process. I am also grateful to the other international actors which contributed to the progress made, particularly the CPLP, the UN and the Francophonie, as well as the bilateral partners concerned.

16. The restoration of the constitutional order should allow Guinea Bissau to settle down and carry out the structural reforms it badly needs, especially the sector of Defence and Security Sector, as well as to address the many other challenges facing it, particularly drug trafficking, the fight against impunity and the promotion of national reconciliation. If it is clear that the Guinea Bissau actors have a vital role to play, their efforts cannot succeed without strong support from the international community. In this context, I recommend to Council to lift the suspension measure taken against Guinea Bissau following the coup d'état of 12 April 2012. I appeal to all the international actors concerned to continue and increase their support, especially during the Donors Round Table scheduled for late 2014.

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Report on the Chairperson of the Commission on the Situation in Guinea Bissau

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