

DEMOCRACY FOR GUINEA-BISSAU?

AN ANALYSIS OF THE 2005 PRESIDENTIAL ELECTIONS

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KAIPTC Paper No. 8, August 2005

INTRODUCTION

Guinea-Bissau held presidential elections on 19 June 2005 and a run-off on 24 July, after an 18-month transitional period. The transitional period followed decades of intermittent political instability since a violent independence struggle from Portugal in 1974, culminating in civil war in 1998-1999 and most recently in *coups d'etat*, in September 2003 and October 2004. The instability has been exacerbated by the small country's post-independence leaders. Past leadership has been characterized by disregard for the rule of law, human rights abuse, and undemocratic governance. Bad governance has compelled the international community, especially the European Union and Portugal to impose aid and trade restrictions on the country. Ordinary Bissau-Guineans have borne the brunt of these policies.

Despite these aid and trade restrictions, the international community has maintained some form of constructive engagement with the country. The United Nations (UN) and Economic Community of West African States (ECOWAS) have played active roles in attempts at establishing and maintaining stability in Guinea-Bissau. Especially during the civil war of 1998-1999, ECOWAS and the Community of Portuguese Speaking Countries (CPLP) initiated talks and brokered agreements between the military junta and the Vieira government. After one such agreement on 17 February 1999, in which parties agreed to disarmament and encampment of troops, ECOWAS peacekeeping forces (ECOMOG) oversaw a country-wide process of collecting heavy weapons. ECOMOG also had oversight over the collection of small arms and light weapons, particularly in Bissau.

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The UN has also intervened in the crisis by establishing the UN Peacebuilding Support Office for Guinea-Bissau (UNOGBIS) in March 1999. UNOGBIS became operational in June the same year, with the principal mandate of fostering national reconciliation and assisting with presidential and legislative elections. Since its operationalisation, UNOGBIS' mandate has been extended six times, and has been revised to reflect the changing political situation.

Following a coup in May 1999 in which President Vieira was removed from office, elections were scheduled for November 1999, just seven months later and a new government was sworn-in in February 2000. In between the coup and the swearing-in of the new president, attempts at reforming the security sector in terms of demobilization and reintegration of soldiers stalled and the economy disintegrated. The elections in Guinea-Bissau in 1999, therefore, 'work[ed] against the consolidation of peace by driving the parties apart rather than reconciling them'.² This goes against the belief that "the mere holding of elections will channel political action into peaceful contests among elites, the winners of which are accorded public legitimacy".³ Certainly, for Guinea-Bissau, the 1999 elections did not bring the much hoped-for stability. This could be attributed to the short period of time between the coup and elections. There was insufficient time to engage in security sector reform and to restructure the economy. In addition to the economic and security problems that contributed to the September 2003 coup, then-president Kumba Yala exacerbated the situation through his political mischief and erratic rule.⁴

Following the bloodless coup d'état which overthrew President Kumba Yala on 14 September 2003, attempts were made to restore the country to constitutional rule. The *coup*, though widely condemned by the international community and ECOWAS, was subtly accepted as the only way to restore the country to some semblance of peace and stability. A Political Transition Charter was subsequently signed by the Military Committee, representatives of most political parties, and civil society. The Charter provided for a Transitional Government, to be led by a civilian Prime Minister; a National Transitional Council; and a civilian Transitional President. The Charter provided for the holding of legislative elections within six months of its signing, and presidential elections to follow after 18 months (within one year of the swearing-in of the elected deputies).

In the legislative election conducted by the National Electoral Commission (CNE) on 4 April 2004, the African Party for the Independence of Guinea-Bissau and Cape Verde

² Roland Paris, 'Peacebuilding and the Limits of Liberal Internationalism,' *International Security*, Vol.22, 1999. p.54.

³ Terry Lynn Karl, "The Hybrid Regimes of Central America," p.73. Quoted in Roland Paris, 'Peacebuilding and the Limits of Liberal Internationalism,' *International Security*, Vol.22, 1999. p.82

⁴ President Kumba Yala sacked Supreme Court Judges, dissolved the National Assembly and postponed legislative elections several times.

(PAIGC) obtained 45 seats in the 100-member National Popular Assembly; while the party of former President Yala, the Party of Social Renewal (PRS) obtained 35 seats. The United Social Democratic Party (PUSD) received 17 seats, with 2 seats going to the Electoral Union (UE) and one to the United Popular Alliance (APU).⁵ Thus none of the parties achieved an absolute majority. On 7 May 2004, the National Popular Assembly (ANP) was formally inaugurated and the National Transitional Council was dissolved. Presidential elections were then scheduled for 19 June 2005.

AIM AND SCOPE

The aim of this paper is to provide an account and analysis of the June and July 2005 presidential elections. The paper begins with a brief account of the peacebuilding process which culminated in Presidential elections. It covers the period from the September 2003 *coup d'etat*, the transitional arrangements, legislative elections, and the post presidential election period. The background focus is on factors which may have been conducive to violence in the run-up to the presidential elections; whether or not the pre-conditions for staging free and fair democratic elections were met; and why previous peacebuilding attempts have failed. This is followed by an overview of the candidates and their reactions to victory and defeat. The paper concludes by highlighting those issues, which if not properly tackled could result in the recurrence of violence and ruin any possibility of post-election stability.

RUN-UP TO THE PRESIDENTIAL ELECTION

Elections in West Africa have often been superceded by periods of instability as a result of dissatisfaction by certain groups with the results or the general conduct of the elections. Cote d'Ivoire, Sierra Leone, Togo, Nigeria and Liberia have all recently experienced political instability which could be linked directly or indirectly to election disputes. Taking a lesson from these experiences, it was therefore imperative that the election in Guinea-Bissau be conducted in a manner that would be satisfactory to the candidates and the electorate. Taking a cue from the legislative election which was generally described as "free, fair and transparent",⁶ the presidential election was expected to be without incident.

Guinea-Bissau's interim government was, however, in no position to fund and solely organise the presidential election. In March 2005, the UN Secretary-General reported to the Security Council that even though "the economic situation in Guinea-Bissau improved slightly in 2004 with an increase in the country's GDP growth rate to 4.3%, thanks in particular to a successful cashew harvest, the government remains unable to pay the backlog of civil service arrears from 2003, domestic debt or salaries for January

⁵ African Elections Database. www.africanelections.tripod.com/gw.html.

⁶ IRIN news, EU approves fresh aid to Guinea-Bissau, 24 May 2005, <http://www.irinnews.org/report.asp?ReportID=47262>

2005”.⁷ To prevent the country from slipping into further decay, it was important that reform strategies be implemented. These would begin with elections which would pave the way for democracy to take root.

To help organise and conduct the elections, Guinea-Bissau’s international partners provided adequate financial support, as well as in-kind and other electoral assistance. The United Nations Development Programme (UNDP) provided technical assistance to the National Electoral Commission (CNE) while UNOGBIS provided coordination of technical and logistical support. The European Union announced that it was sending 100 observers to Guinea-Bissau, who could stay in the country for up to three months if the elections went to a second round. The EU also approved nine million Euros (US \$11.7 million) of immediate aid for Guinea-Bissau to help the cash-strapped government hold the presidential elections.⁸ The EU promised a further 9.2 million Euro aid package to be disbursed in the second half of 2005 if the election went smoothly and the country completes its return to constitutional rule.

Thus the EU, and indeed the international community, had made elections a prerequisite for aid and were constantly pushing for democratization through elections. This perhaps explains why foreign observers tend to maintain that elections are free and fair, even when there are obvious irregularities in the polls, in order to “set the democratization process on course by all means”. The lapses in the economy are the main reason for the political instability that Guinea-Bissau has experienced, yet little was done to help with economic recovery. The government’s impoverishment and inability to pay civil service salaries has led to street demonstrations, strikes and general discontent. However, donors were prepared to ‘cough up’ large amounts to fund elections. West Africa contributed to the process by sending three West African Heads of State to Bissau to discuss with the Interim President, Henrique Rosa, modalities for ensuring a violence-free election and to elicit guarantees from the military that there would be no post-election military intervention.⁹ The delegation consisted of Nigerian President Olusegun Obasanjo, (the current chairman of the African Union), President Mamadou Tandja of Niger, (current chairman of ECOWAS), and President Abdoulaye Wade of neighbouring Senegal.

However, to conduct successful elections in Guinea-Bissau, it was important to ensure that conditions were right and conducive; for the state institutions that would oversee the elections, the population, and for the political parties. The elections in Guinea-Bissau could best be described as *transition* elections. According to Baffour Agyeman-Duah: “Transition elections end dictatorships, introduce elective politics and usher the country into constitutional governance. [Transition elections] may be held against a background of fear, intimidation and political violence, that years of repression may have fostered.

⁷ Security Council, ‘Report of the Secretary General on Developments in Guinea-Bissau and on the activities of UNOGBIS.’ 16 March 2005. S/2005/174

⁸ IRIN news, op cit.

⁹ IRIN news, Guinea-Bissau: EU sends 100 observers to monitor presidential elections, 20 May 2005, <http://www.irinnews.org/print.asp?ReportID=47228>

They occur after intense domestic agitation and external pressure. Even though election is not a guarantor of peace, it usually begins the process of consolidation of democracy and stability.”¹⁰ It is therefore important that structures are established that are capable of preventing or resolving any post-election crisis which may threaten to derail the process.

The state institution directly responsible for organizing elections is the Ministry of Territorial Administration. The ministry is therefore responsible of voter registration, and the compilation and display of the voters register. This casts doubt on the neutrality of the process, as the Minister’s obviously has party loyalties. The composition of the electoral commission also raises questions of neutrality and independence. The Commission, which, according to the electoral code, is to supervise and ensure the proper conduct of elections, is composed of executive members, career civil servants and technocrats. While the executive members are representatives of all the political parties in parliament; the party with the majority in parliament (PAIGC) occupies the post of the Chairman of the Commission.¹¹

The electoral commission is responsible for voter and civic education, but was unable to perform this task without donor assistance. The funding that the international community had pledged in support of the elections proved to be insufficient and arrived late. This contributed to low turnout for registration, as there were inadequate resources and preparations for voter civic education.

THE CONTENDERS

The assumption that the elections were going to be without incident was somewhat shaken when the candidates that would contest the elections emerged. A total of 17 candidates applied to the Supreme Court for validation, as listed below in alphabetical order with their affiliation and, where pertinent, brief comments on their political history:

1. Iaia Djalo – Independent
2. Idrissa Djalo – National Unity Party (PUN).
3. Francisco Fadul – United Social Democratic Party (PUSD). Fadul served briefly as Prime Minister, from 3 December 1998 to 19 February 1999.
4. Antonieta Rosa Gomes – Guinean Civic Forum-Social Democracy (FCG-SD). Gomes contested the 1994 presidential election and won 1.79% of vote.
5. Emposse Ié – Popular Party.
6. Faustino Imbali – Manifest Party of the People (PMP). Imbali served as Prime Minister from 21 March 2001 to 9 December 2001.
7. Mario Lopes da Rosa – Independent

¹⁰ Baffour Agyeman-Duah, ‘Elections in Emerging Democracies: Ghana, Liberia and Nigeria,’ *Critical Perspectives*, Centre for Democracy and Development. August 2000. p.8.

¹¹ Report of WACSOE Pre-elections Assessment Mission to Guinea-Bissau from 4-6 April 2005.

8. Adelino Mano Queta – Independent
9. João Tatis Sa – Guinean People’s Party (PPG).
10. Malam Bacai Sanha – African Party for the Independence of Guinea and Cape Verde (PAIGC). Sanha served as Acting Interim President from 14 May 1999 to 17 February 2000. He contested the November 1999 elections, placing second to Yala in the contest.
11. Aregado Mantenque Té – Worker’s Party (PT).
12. João Bernado ‘Nino’ Vieira – Independent. Vieira was president from 1980-1998. He was permitted by the Supreme Court to stand, even though the Transitional Charter had barred him from contesting elections until 2008.
13. Kumba Yala – Social Renewal Party (PRS). Yala won the Presidential election in 1999, but was deposed by the military in September 2003. He was also barred by the Transitional Charter, but was allowed to stand by the Supreme Court.

Four other candidates later withdrew from the race, in support of other candidates.

Of the thirteen presidential candidates, three stood out as favorites based on their performance in previous elections, their popularity and indeed controversies surrounding them. These were João Bernado Vieira, Kumba Yala and Malam Bacai Sanha, two of whom had previously served as President and one as Interim President.

João Bernado ‘Nino’ Vieira

João Bernado Vieira, then Prime Minister, overthrew President Luiz Cabral in a *coup* in 1980. From November 1980 to May 1984, power was held by a provisional government responsible to a Revolutionary Council headed by President Vieira. In 1984, upon the dissolution of the council, the National Popular Assembly (ANP) was reconstituted. The single-party assembly approved a new constitution, elected President Vieira to a new 5-year term, and elected a Council of State, which was the executive agent of the ANP. Under this system, the President presided over the Council of State and served as Head of State. The president also was head of the PAIGC and commander-in-chief of the armed forces.¹² Vieira had a bad reputation among donors due to his poor human rights record and corruption, and he alienated foreign cooperating partners. To entrench himself in power, Vieira eliminated all potential opposition members, including members of his own party. It was under his rule that the country experienced a rebellion led by General Ansumane Mane and the civil war of 1998/1999. Subsequent peace agreements between Vieira and Mane were broken by both parties, leading to the final overthrow of Vieira in May 1999. He later sought asylum in Portugal.

Vieira’s asylum status had initially threatened to impede his candidacy in the June 19 election. The constitution and laws of Guinea-Bissau forbid anyone with political asylum

¹² Mark Malan, ‘Transition with Minimal Assistance: Lessons from Guinea-Bissau’. KAIPTC Paper No. 5, March 2005

in a foreign country from seeking elected office. To circumvent this obstacle, Vieira successfully negotiated with the Portuguese government for his political asylum to be temporarily suspended.¹³ Even though he had been banned by the Transition Charter until 2008, his candidacy was cleared by the Supreme Court.¹⁴ As he could not obtain the support of his party, PAIGC, Vieira decided to contest the election as an independent candidate.

Malam Bacai Sanha

Malam Sanha, the official candidate of the PAIGC also contested the November 1999 elections. A long time member of the PAIGC, Sanha served as governor of Gabu and Bafata regions and headed several ministries, including the ministry of foreign affairs, before becoming speaker of the National People's Assembly in 1994. Following the civil war and the ouster of elected President Vieira in 1999, he was appointed acting president in accordance with the constitution, from 14 May 1999 until new elections were held on 17 February 2000. In the 1999 election, he placed second with 23.37% of the vote to Kumba Yala's 38.81%. In the run-off between the two, Malam Sanha lost to Yala, who obtained 72% of the vote.

Kumba Yala

The most controversial of the candidates, Yala was elected president in November 1999 and was inaugurated in February 2000. During his presidency, he threw the country into economic and political chaos.¹⁵ His erratic governance led to the dissolution of the National Assembly and postponement of legislative elections four times; and to the dismissal of several Supreme Court judges. During his time, the military continued to play a decisive role in politics; sometimes openly challenging decisions of the president. For example military appointments made by the president were declared null and void by the military. Yala was overthrown in a bloodless coup d'état by Chief of Staff of the Armed Forces, General Verissimo Correia Seabra, in September 2003. His overthrow was subtly accepted by the international community. While still under house arrest, he was convinced by ECOWAS to resign and made to sign a document banning him from active politics for five years.

PROCEDURAL ISSUES AND CAMPAIGN ANTICS

As previously indicated, the Transition Charter to which all the major political parties were signatory, had barred Vieira and Yala from contesting for political office for five years. What then informed the decision of the Supreme Court to validate the application of Vieira and Yala? The best explanation that could be proffered is the fear factor. Yala's

¹³ IRIN News, Guinea-Bissau: Supreme Court delays approval of presidential candidates, 9 May 2005, www.irinnews.org.

¹⁴ See below, Procedural Issues and Campaign Antics.

¹⁵ Afrol News, Donors may get tired of Guinea-Bissau, 25 April 2005 <http://www.afrol.com/articles/16225>.

government had a history of terminating the appointment of judges who refused to abide by his instructions; thus, for fear of future repercussions, the Supreme Court annulled the stipulation of the Transition Charter. The other explanation for this decision may be found in fears that violence could erupt should Yala's application be refused. Yala belongs to the largest ethnic group in Guinea-Bissau, the Balanta, who constitute almost 90% of the Armed Forces.¹⁶ Yala had also indicated that he was going to refuse any supreme court decision that prevented him from running for president.¹⁷ His campaign director had also threatened that unless Yala be allowed to stand, there would be no election. The protest made reference to Resolution 12 of 26 November 2004 and Resolution 24 of 28 March 2005 of the National Assembly which granted amnesty to all military and political actors in the country.

Thus, due to political and security considerations, and for the sake of peace, it became prudent to grant Yala's application and that of Vieira too. Another explanation for overlooking the inconsistencies in the electoral system was the determination to proceed with the elections on schedule with the belief that elections will pave the way for the democratic process. However, to progress from transition to consolidation of democracy, "elections require the concurrent enhancement of the other institutions of democracy. There should be an independent, dedicated and resolute judiciary; an independent and sound legislature; a free and assertive press; and viable institutions of civil society."¹⁸

The decision of the Supreme Court to validate the application of the two former presidents indicates that the judiciary is still not independent as their decision was not based on the application of the law, but on factors outside the law. The independence of the legislature has not been tested, as they were only voted into power in April 2004. Their independence will face a tougher test under a new president, as none of the political parties in parliament has a majority, and executive direction from the president will be critical.

Civil society in Guinea-Bissau has been an active partner in the country's peace process. They were principal actors and signatories to the Political Transition Charter which formed the basis for the current electoral process. Unfortunately, the Electoral Code forbids national civil society groups from observing the country's electoral process as they are considered interested parties. This assertion is disingenuous, given that those with major control over the electoral process were drawn from the political parties, which per definition had a very high interest in the outcome of the elections.

The beginning of the campaigning period was marked by the controversial declaration by Kumba Yala that he was still the president of Guinea-Bissau and should thus be reinstated. This heightened the tension as his supporters marched the streets to

¹⁶ The Balanta tribe makes up 30% of the country's total population of 1.4million.

¹⁷ Afrol News, Growing concern over Guinea-Bissau polls, 13 April 2005, <http://www.afrol.com/articles/16128>.

¹⁸ Baffour Agyeman-Duah, op cit. p.11

demonstrate. ECOWAS leaders who visited Guinea-Bissau to hold talks with the three most influential aspirants, left the country without achieving any success. Kumba Yala refused to take their advice and remained insistent that he was still president. The reported storming out of President Obasanjo from the meeting did not improve the situation.¹⁹ Yala's stubbornness came as no surprise, as he had on several occasions ignored the advice of ECOWAS. The sub-regional body had previously sent its Council of Elders to Guinea-Bissau to warn him about the persistent postponement of legislative elections and his bad governance; these had gone unheeded. ECOWAS faces a dilemma when leaders refuse to heed 'early warning' counsel but expect assistance and support when faced with an insurgency, resulting from their own corrupt practices and bad governance. Should ECOWAS support the constitutional government with a proven history of bad governance; or the rebel group which attempts to oust that government?

Following his snub of ECOWAS leaders, Yala caused a further uproar when he staged an occupation of the Presidential Palace with some armed men. He insisted that the Supreme Court's decision to allow him to stand had created a constitutional power vacuum in Guinea-Bissau and stated that he had decided to resume his presidential term and postpone elections. After a couple of hours, he was expelled by soldiers of the Armed Forces, who later issued a statement pledging their commitment to peaceful elections.²⁰ Yala later denied that he had even occupied the palace. Although the actions of Yala in the run-up to the elections were strongly condemned by the military and the international community, no action was taken. He was neither sanctioned nor charged for the illegal occupation of the presidential palace, indicating that the Armed Forces, the Interim Government, the electoral commission, the police and the international community were all prepared to overlook this impunity for the sake of peaceful elections.

Aside from Yala's antics, the campaign period was marked by much "normal" election activity. The capital and other main towns were plastered with campaign posters, and cars blaring out music and campaign messages from rival candidates raced around the streets. The radio stations became clogged with daily 10-minute broadcasts by all 13 candidates.²¹ To all intents and purposes, it was just another, unremarkable, election campaign in West Africa.

OUTCOME AND AFTERMATH

June 19 was a peaceful and incident-free day. Some 538,466 registered voters were expected to cast ballots at 2,500 polling stations nationwide.²² Voter turn-out was

¹⁹ Afrol News, op.cit.

²⁰ United Nations Security Council, Report of the Secretary-General on developments in Guinea-Bissau and on the activities of the UNOGBIS. S/2005/380. 10 June 2005

²¹ IRIN News, Guinea-Bissau: Peaceful run-up to presidential election after shaky start to the campaign, 15 June 2005, www.irinnews.org/print.asp?ReportID=47641

²² Edward Harris, 'Guinea-Bissau votes for Democratic head', *Washington Post*, 19 June 2005. Also at www.reuters.co.za/locales/c_newsarticle

subsequently estimated at 87.63%.²³ The vote was monitored by 200 election observers from the United States, the EU and ECOWAS. The elections were described as free, fair and well-organised by several teams of international observers. Voter turnout in Guinea-Bissau elections has in the past, been on the high side. In the first presidential election of 1994, turnout in the first round was 89.3% and 79.8% in the run-off. Turnout for legislative election the same year was 88.9%. In the 1999 presidential election, turnout was 73.8% in the first round and 71.9% in the run-off. This trend demonstrates the eagerness of Bissau-Guineans for democracy from which they expect to gain the peace and stability that has eluded the country for most of its post-independence era. Yet these presidential elections have also tended to be close, as on all three occasions, the winner has had to be decided in a run-off.

The situation was no different in the June 2005 election. When results started trickling in on 21 June, there was indication that Malam Sanha was in the lead. Results were finally announced on 22 June. Announcing the results, the chairman of the National Electoral Commission indicated that Sanha led with 35.5%, followed by Vieira with 28.87%, and Yala with 25% of the vote. None of the candidates attained the 50% majority; and in accordance with the electoral code, there was the need for a run-off between the two leading candidates, which was scheduled for 24 July 2005.²⁴ The close results suggest the highly polarised nature of the country as each candidate amassed significant votes in the first round.

The first sign of trouble following the announcement of the election results came with the declaration by the Secretary General of the Social Renovation Party of Kumba Yala that the results were false. Yala maintained that his percentage of the vote had been switched with that of Sanha and he categorically refused to accept the result. Five hundred demonstrators, led by Artur Sanha, the secretary-general of Yala's Social Renovation Party, tried to march on the headquarters of Guinea-Bissau's National Electoral Commission, but were intercepted by a group of about 20 policemen. The clash that ensued between police and demonstrators led to the death of two people, while five others sustained injuries. This development compelled the Senegalese President, Abdoulaye Wade, to summon all three candidates to Dakar for talks. Following this, Yala announced in Dakar that he had accepted the results of the elections "in the interests of peace and stability." He still insisted, though, that he was the real winner of the first round.²⁵

The run-off that was held on 24 July initially posed little challenge for the peace and security of Guinea-Bissau. The race was expected to be close. The campaign for the run-off revealed the divisions that existed within the society and among the political parties. Both Sanha and Vieira were originally from the same PAIGC party; however, Vieira was

²³ IRIN news, Guinea-Bissau: Presidential election peaceful, no organisational problems, 20 June 2005, www.irinnews.org.

²⁴ IRIN News, Kumba Yala still refuses to accept defeat in presidential election, 27 June 2005, <http://www.irinnews.org/print.asp?ReportID=47841>.

²⁵ Ibid. Kumba Yala agrees to accept election defeat while insisting he won. 28 June 2005. <http://www.irinnews.org/report.asp?ReportID=47850>

contesting as an independent candidate while Sanha was the official candidate of the party. Some members of the party had openly supported Vieira. The latter's morale and chances were boosted when Yala pledged support for his candidacy. This in turn led to divisions within the Social Renovation Party, which draws support from the Balanta ethnic group, who had been persecuted during Vieira's presidency. The results of the run-off, however, indicated that the population did not vote based on past perceptions of the candidates (if indeed the elections had been transparent, free and fair). Vieira won with a majority of 52.35% as against Sanha's 47.65% of the votes. Perhaps, Vieira's reconciliatory campaign had been accepted, or Bissau-Guineans simply did not care who ruled, so long as they had a president.

Immediately the results were announced, the campaign team of Malam Sanha declared that there were indications of fraud in some parts of the country even though election observers had declared the poll to be free and fair.²⁶ The impasse worsened when Prime Minister Gomes Junior of the PAIGC threatened to resign as he could not work with Vieira. He later backed down on the threat, possibly as a result of pressure from the international community and on ECOWAS threat of sanctions against any Guinea-Bissau politician who attempted to derail the 'constitutional process.' Pressure from the Armed Forces of Guinea-Bissau contributed to the resolution of the potential post-election crisis as they threatened not to tolerate agitation by people bent on causing instability and subversion in the country.²⁷ Despite the admission by the chairman of the electoral commission that there had been some irregularity in some polling stations, these were not investigated. As indicated earlier, it was a case of democratisation through elections at any cost.

Vieira, as incoming president, will be faced with two major hurdles. He will have the difficult task of restructuring the economy and the security sector. These two sectors have posed the major challenges to the development and stability of Guinea-Bissau. However, given the fact that it is instability and insecurity that has consistently stymied all attempts at resuscitating the economy, the security challenge must surely be the absolute priority.

The government of Guinea-Bissau estimates that there are at least 25,000 small arms and light weapons in circulation, most of which are in the capital and the border areas.²⁸ Some of these weapons were left behind by the Portuguese after independence in 1974. Smugglers and corrupt government officials then sold them to the Casamance Separatist rebels.²⁹ Efforts have previously been made to control the proliferation of weapons in the country. However, the government has been counting on the international community to lead these efforts. The UN Security Council dispatched a fact-finding mission on small

²⁶ The announcement of the results had been delayed by the CNE for fear of violent reprisals. IRIN News. GUINEA-BISSAU: Vieira officially declared president, 10 August 2005. www.irinnews.org/report.asp?ReportID=48540&SelectRegion=West_Africa

²⁷ PANA, *Guinea Bissau army warns against subversion*, 9 August 2005 www.panapress.com/paysindexlat.asp?code=eng024

²⁸ Afrol News, *Small arms increases in Guinea-Bissau*, 11 March 2005. www.afrol.com/article/15871

²⁹ Ibid.

arms from 7 to 11 March 2005. The mission has developed a project proposal which consists of “assistance towards the establishment of a national small arms commission ...and the execution of a pilot small arms collection and destruction programme in the city of Bissau.”³⁰ If these measures were intended to contribute towards forestalling any post-election armed violence, it is clear that this is a case of ‘too little, too late’. However, the post-election security environment remains far from stable, and may be improved by the robust pursuit of the pilot and follow-on projects.

A complete overhaul of the defence sector is also urgently needed. The Armed forces in Guinea-Bissau have a history of internal division and intrusion into politics. During the June 1998 military revolt led by General Mane, 5,000 disgruntled soldiers left the Armed Forces and joined the *Junta Militar* (military junta). The soldiers had been embittered by long-standing grievances over poor conditions and low pay.³¹ These grievances have persisted, and subsequently led to the *coup d'état* of September 2003 and the “peacekeepers rebellion” of October 2004, which threatened to derail the peacebuilding process.

Since independence, several processes have been initiated to demilitarize the society and to reduce the interference of the military into politics. After the 1998-1999 conflict, in 2000, President Kumba Yala promulgated a decree authorizing the implementation of the “*Programa de Desmobilização, Reinserção e Reintegração dos Ex-Combatentes da Guiné-Bissau*” (PDRRI). The programme, which was funded by the World Bank and other bilateral donors, started in August 2000 and was to last until 2006. So far, the programme has succeeded in demobilizing and reintegrating the excess soldiers and policemen as well as the militiamen involved in the 1998-1999 conflict. However, due to lack of funds, only 7,186 out of 11,445 who applied for demobilization have benefited from the programme, leaving a total of 4,259 militia disgruntled by their exclusion from benefits.

The ethnic composition of the armed forces remains a major source of concern. The Armed Forces officially totaled 6,800 in 2001.³² A census conducted by the military in May 2005 concluded that there are now 5,100 military personnel in active service.³³ The military remains a highly divided institution, even among the Balanta members and there have been allegations of widespread corruption within the military hierarchy.³⁴ Efforts are however being undertaken to promote reconciliation between officers and other ranks in the military. The Chief of General Staff, General Tagme Na Waie, has carried out a series of sensitization meetings in all regions and barracks to promote reconciliation.

³⁰ Security Council, ‘Report of the Secretary General on Developments in Guinea-Bissau and on the activities of UNOGBIS.’ 10 June 2005. S/2005/380

³¹ Mark Malan, op cit.

³² http://www.iss.co.za/AF/profiles/GuineaBissau/guineabis_index.html.

³³ UN Security Council, op cit.

³⁴ Francesco Torcoli, op cit.

Three committees have been set up within the General Staff to examine the Defence Act and military regulations; retirement for members of the armed forces; and physical deployment of the armed forces. The armed forces have also been working with the secretariat of state for Public Administration on the registration of all military personnel, with a view of obtaining accurate figures of military personnel in active service.³⁵

While it is commendable that the military have pledged their support for the incoming president,³⁶ the “politicization of the military, which has been directly responsible for the disintegration of the military around ethnic, religious, rank, personal and factional rivalries”³⁷ will have to be curtailed.

There are also salient regional security concerns that Vieira will have to address. Senegal has been very conscious of the fact that the border with Guinea-Bissau has been a haven for Casamance rebels. Former President Yala closed down the border bases of the separatist rebels who were operating in Guinea-Bissau’s territory. Bacai Sanha, in his campaign messages, sought to win Senegal’s favour by promising to “... end the conflict in Casamance through dialogue with those seeking independence”.³⁸ President Wade has consistently played a major role as a peace-broker in Guinea-Bissau. He met with the three main candidates after the elections and managed to get Yala to accept the result. The Senegalese president wants to have the firm assurance from whoever is in power that they will support his fight against separatist guerillas. The border with Senegal is also a source of concern for Guinea-Bissau, as that is a main source of the small arms circulating in Bissau.

CONCLUSION

Guinea-Bissau could be described as a failing state, based on the state’s inability to provide the basic services that the citizens expect of it; cross-border insecurity; availability of small arms in the possession of subversionist groups and fragmented loyalty of the armed forces. The human rights record of successive governments has been poor; the legislature has been weak (although the successful election in March 2004 and establishment of the ANP holds some promise); the judiciary has been intimidated and rendered ineffective; the composition and professionalism (or lack thereof) of the armed forces poses a threat to the nation; and other state institutions have been weakened by corrupt leadership. A combination of all these factors has led to instability in the country

³⁵ UN Security Council, op cit. S/2005/380

³⁶ It is difficult to tell whether the military’s support for Vieira is a result of Yala’s backing or a genuine change of attitude. But whichever motive they might have, Security sector reform will need to address the ethnic imbalance in the Armed Forces.

³⁷ Eboe Hutchful, ‘Security Sector Reform in Ghana,’ Paper Prepared for the Workshop on Security Sector Reform and Democratisation in Africa: Comparative Perspectives, Accra, Ghana, February 27-28, 2002

³⁸ IRIN news, Guinea-Bissau: Peaceful run-up to presidential election after shaky start to the campaign, 14 June 2005. www.irinnews.org/report=47641.

since independence. Clearly, the state needs to be rebuilt, institutions of governance need restructuring, and the economy needs an urgent boost.

The term peacebuilding has been used to describe all the activities undertaken by both local and international actors to bring peace to a country after years of war and conflict. These activities are spearheaded by international organisations and civil society organizations, as weak states in transition from war to peace have been incapable and/or unwilling to undertake the process without substantial external involvement. The peacebuilding process in Guinea-Bissau began with the establishment of the Transition Charter, legislative elections in March 2004 and Presidential elections in July 2005.

The time frame of 18 months given in the Transition Charter for the holding of Presidential elections was, at the time, arguably inadequate. Within those 18 months, little progress was made in the rebuilding of the economy. The level of social dissatisfaction continued to be high, as demonstrated in the mid-April 2005 strike by teachers protesting the non-payment of salaries. This was also demonstrated in the revolt by the armed forces over non-payment of allowances. The consistent need for re-affirmation (among others, felt by regional leaders) by the military of their commitment to the respect of the constitution, is a sign that there is still anxiety about the potential of the armed forces to interfere in politics.

The new president and his government will need assistance, of the type being provided by the World Bank and the IMF, to clear the backlog of salary arrears of civil servants and the armed forces. Government income – mostly donor funding – is currently low and expenditure is high. The social and economic situation still remains of great concern and will continue to threaten stability. Vieira has had previous support from Senegal, Guinea and Gambia. To consolidate his position, the incoming president will not only have to ‘court’ ECOWAS leaders, but he will need to embark on good governance policies. The IMF and the World Bank have already pledged support for the country to help boost the economy, therefore, a lot will depend on Vieira and the policies that he will adopt.

The quality of leadership will be the deciding factor in Guinea-Bissau’s return to democracy, law and order. The quality of leadership in the democracies of this world is determined – among others, but very importantly – through a selection process associated with the preparation for and staging of free and fair elections. The June and July 2005 elections in Guinea-Bissau may have been declared “free and fair”, but it remains to be seen if they in any way represent a rational process for the selection of the individual best qualified to lead the country towards reconciliation and sustainable development. The fact that Yala, with his clear record of misrule and Vieira, with an equally dismal performance record received such a high percentage of the votes must cast significant doubts on the maturity of the country’s electorate and/or the electoral process itself.

The democratic political maturity of the people of Guinea-Bissau and its electoral process aside, the international community will have to acknowledge the fact that irrespective of how the incoming president rules, the ordinary citizens of Guinea-Bissau should not be the victims. Economic recovery programs, aid and restructuring programs should be

accelerated, rather than suspended – if necessary, in tandem with robust oversight of the quality of governance that may necessarily border on intrusive diplomacy, if not ‘benign coercion’. Sovereignty, whilst still recognized as a key principle of international law and international relations, is no longer an excuse for tolerating misrule.