Civil Society Dialogue Network Geographic Meeting

Guinea-Bissau:
Peacebuilding responses to impunity and exclusiveness

6-7 June 2013, Brussels

Meeting Report

The meeting on 'Guinea-Bissau: Peacebuilding responses to impunity and exclusiveness', organised by the European Peacebuilding Liaison Office (EPLO) with support from the European External Action Service (EEAS) and the European Commission (EC), took place in Brussels on 6 and 7 June 2013. This initiative was part of the Civil Society Dialogue Network, financed by the European Union (Instrument for Stability), the objective of which is to facilitate dialogue between civil society and political decision-makers in the European Union (EU) on issues relating to building and consolidating peace (more information at www.eplo.org). The meeting brought together around 40 participants from Bissau-Guinean civil society and representatives of other organisations present in Guinea-Bissau and the sub-region, along with employees of the EU institutions and the Member States.

This report, produced by the consultant Patrícia Magalhães Ferreira, summarises the debates and brings together the main recommendations made by the participants of the meeting, which took place in accordance with the Chatham House Rule. The opinions and views expressed here cannot therefore be attributed to any of the participants individually or to their organisations, nor do they necessarily represent the opinions of the organisers.

1. Introduction

In recent decades, Guinea-Bissau has been affected by political and military instability and continues to be one of the poorest countries in the world; it is even one of the few countries where poverty levels have recently worsened. Access to power and resources, particularly in the political, economic and military arenas, is exclusive and dominated by a very small elite, meaning that issues of exclusion and perpetuation of power are of particular concern. Since the middle of the last decade, this situation has worsened as a result of drug trafficking, as the country has become an important link in the trafficking route for drugs coming from Latin America to Europe. The generalised impunity of those involved in corruption and human rights violations has become a significant problem in the country, impeding steps towards more sustainable development and a more long-term peace. Guinea-Bissau's government is currently going through a period of transition and is awaiting elections to be held following a new period of instability resulting from the coup d'état in April 2012.

This situation is a challenge for the international community, which is debating a number of solution dilemmas for countries in precarious situations and affected by conflicts. In spite of significant developments on paper, the practical application of innovative and coherent approaches to solving the problems in these countries, including Guinea-Bissau, continues to be troublesome and necessitates a more inclusive and effective dialogue between the various stakeholders. The European Union (EU) has provided Guinea-Bissau with considerable support,

including development aid and a Common Security and Defence Policy (CSDP) mission, designed to achieve security sector reform (SSR). In light of the most recent developments, the EU has continued to provide humanitarian aid and other support which directly benefits the population, however even the most extensive EU institutional cooperation will not solve the problem until such time as legitimate authorities are in place, following democratic elections.

The meeting therefore enabled civil society authorities and organisations to come together and discuss the situation in Guinea-Bissau and to establish the main challenges for the future, including an analysis of the factors involved in the conflict and the current situation in the country; an assessment of the causes, impact and solutions to the problems of impunity and exclusions; identifying social initiatives and existing resources for promoting peace, justice and the security of the Bissau-Guinean people; and formulating suggestions as to how the EU, regional and international stakeholders (including non-governmental organisations) can promote development, peace, justice and security in Guinea-Bissau.

Round-table discussion were held on the following topics: (i) the structural and deep-rooted causes for armed violence in Guinea-Bissau; (ii) prospects for impunity and exclusion in the country; (iii) local capacity for peace, justice and development; (iv) current political and security situation and possible scenarios in Guinea-Bissau; and (v) strategies for foreign policy and support for the country, including the impact of lessons learned from past external actions and pointers for strategies implemented by external actors, particularly for the European Union.

2. Structural and deep-rooted causes of instability

Recent political developments in Guinea-Bissau reflect, for the most part, the political, military and institutional patterns which have been reinforced over a number of decades. The country won its independence through an armed revolution, which contributed significantly to the **legitimacy and reputation of the armed forces**, which actually pre-date the state itself. This is a similar path followed by various other African countries, although there are some differences, since the military forces in Guinea-Bissau were never reformed or redefined, and instead maintained a highly interventionist role in political life in the country, whether as allies of the political regimes (as seen as the beginning of the last decade), agents of repression and destabilisation (as seen in the various military coups d'états, assassinations, detentions or beatings which all constitute grave violations of human rights) or as key players in the constant redefinition of political-military alliances. In addition, the armed forces do not reflect the social make-up of the country, as the majority of senior and intermediate positions are occupied by members of a single ethnic group (the Balanta), while Bissau-Guinean society is intrinsically multi-ethnic and multi-cultural.

The main structural and deep-rooted causes of instability in the country are **poor government and the problems of corruption, together with weak institutions and recurring impunity.** Before independence, the number of Bissau-Guinean people that had completed higher education was no more than a few dozen, which created problems when it came to recruiting staff to government positions. In addition, the Bissau-Guinean state was not the result of an endogenous process but rather was based, following independence, on replicating and adapting the institutions and structures inherited from the colonial state, which was inherently repressive, violent and militaristic.

The 1980s saw the start of a clear process of **militarising power**, in which, for the first time, the good faith of a coup d'état was legitimised, to the benefit of personal power rather than the overall good of the general population. This process, which excluded certain sections of the Bissau-Guinean population and dismantled the Bissau-Guinean national project initiated by Amílcar Cabral, took place through the **centralisation of the state**. While Amílcar Cabral's vision was to promote development in the villages and work from there, what actually happened was precisely

the opposite. The **economic (liberalisation) and political (multi-party system) dynamics which characterised the 1990s** took place in a context of state fragility, patrimonialisation, militarisation and centralisation.

On the one hand, the Structural Adjustment Programmes reduced state investment in the production and social sectors, leading to a situation in which the state failed to fulfil its social and civic responsibilities, entrenching a revenue monoculture (cashew), with rice being imported from Southeast Asia. The lack of economic opportunities created a situation in which it became easy for the armed forces to recruit in certain areas, while economic liberalisation led to the political, military and economic elite identifying more closely with each other (with members of the public bodies setting up companies, members of the military creating businesses, and politicians and members of the military gaining easy access to credit, etc.).

On the other hand, in the political arena, the multi-party system, which led to a new opportunity to reflect on and rationalise the choices made, ended up becoming a battle field in the struggle for power, often viewed as a means of survival and a "winner takes it all" situation, given the lack of alternatives for those who are unsuccessful in the elections. The abundance of political parties before elections suggests that various parties emerged solely to combat other individuals or groups who had also formed their own parties, or for merely utilitarian purposes, as a means of negotiation to support and influence government appointments. This altered the relationship networks by, for example, determining allegiances and influencing the constant redefinition of alliances between different elements of political and military life.

Violence in Guinea-Bissau is mainly **state violence and not civil or social violence,** meaning that a violent seizure approach of the state apparatus prevails, especially through coups d'état, the violent usurping of opponents and/or members of the military seizing political power. This contrasts with the non-violent culture which is the essence of the Bissau-Guinean people, and which is displayed through various cultural factors and in traditional practices. The struggle for independence itself was not based on personalising the war, as it was not fought against people, but rather against a regime that oppressed both Bissau-Guinean and Portuguese people. The conflict of 1998-9 could perhaps be better categorised as a military conflict, rather than a civil war, as the people who were forced to flee or were displaced were taken in by others, from other regions and ethnic backgrounds, or were given access to land and production tools for the first time. The main issue here, therefore, is **where the violence is concentrated in Guinea-Bissau, who promotes it and who benefits from it**.

There is a **disconnection between the population and the government structures**, which overlaps another significant division between the urban and rural contexts. The political dynamics of the village are focused on the day to day, the fundamental needs and problems encountered by the population, and are far removed from the political dynamics of Bissau. This manifest in various forms, such as the lack of awareness of the importance of informing and involving the population in politics, as well as forms of political organisation that do not take these people into consideration. The formal government organisation and the current legislative and institutional structure not only significantly differs from the local, daily problem solving mechanisms, but is also ignored and systematically abused by members of the ruling class. The question therefore arises of whether we should look to the organisation of Bissau-Guinean society at grass-roots levels to find ways to reformulate the organisation of the government and rebuild the Bissau-Guinean state.

In parallel, there is an ingrained **mentality which grants the military elite a disproportionate amount of power**. This is even the case among the ruling class and civil society. This forms part of a process of militarising power, strengthened by decades of coups and other recurring events. There is, however, an evolution of the paradigm, in which violence takes place within the military, since there is no unified military entity but rather various armed groups and sectors within the

military institution that fight among themselves to keep their leader in power (with episodes where the military leaders are killed by their successors, for example). There are therefore **new forms of violence taking shape**, particularly with regard to symbolic and ethnic elements.

This is linked not only to the overly stressed idea that being "part of the army" means having access to resources and economic power, but also to the idea that certain groups are not held responsible for or punished for carrying out illegal acts or human rights violations. This impunity is essentially **state and military impunity**, in which career progression, rewards and promotions are not based on merit, but are instead granted to those who use violence or various types of plots, which ends up lending weight to the idea that these strategies are the best employed for achieving objectives. This also derives from the institutional male-domination of the economic, business and military structures, which contribute to perpetuating structural violence and gender-based discrimination.

The **ethnic factor** has historically been an element of national unity in the country, despite the fact that it has recently been misused, which is a potential danger in the current situation. This means that while there is a process of common identity based on a holistic identity, which has been supported by a secular tradition of inter-ethnic marriages, there have been instances of this being exploited for political ends (the clearest example of this being the PRS' ethnic identification with the Balanta), which has resulted in some parts of the military being strengthened. In a context in which economic and social attributes influence access to government and political positions in a number of different ways, individual strategies to obtain access to power have included the exploitation of identity-related capital. In addition to this, there are signs of political and military instability spreading to society at large, with the recent trend of the Balanta ethnic group engaging in hostile activities, with small-scale conflicts and instances of land occupation and livestock theft (which is not related to the local practice and rules of livestock theft traditionally practiced by certain groups).

3. Impunity and exclusion

I**nstitutional and capacity-related weakness** is an important component of impunity and exclusion dynamics in Guinea-Bissau, as it creates conditions which perpetuate and strengthen said dynamics. The machinery for prosecution is not well-established, the prisons do not have the capacity required to accommodate those convicted of crimes, there are serious errors made in criminal investigations, and the courts do meet the minimum conditions required to function and work properly, meaning that, given the above, it is very difficult for justice to be done.

In addition, **access to formal judicial remedies** is very limited, and there is, in general, a **lack of knowledge about the rights and obligations** of citizens. People being able to access the judicial system is an essential component of peace and development, but a recent study revealed that the Bissau-Guinean people view the judicial system with great distrust, people are ignorant of the laws in the country, do not know how to access the system and even fear the judicial institutions. Therefore, the issue is not so much that the legal system should be reformed or the laws altered (with the possible exception of the Constitution which, in parts, may not be up to date or may not be appropriate) but rather the issue of access to justice and the effective application of the existing laws.

At the same time, there are **issues which undermine the state's credibility** as the guardian of the operation and application of justice. They include actions detrimental to freedom and the exercise of human rights, from the physical coercion of women, instances of aggression and abuse of authority by members of the military and security agents against citizens, or beatings for political reasons, including in public. The fact the Public Prosecutor and other high-ranking positions are personally appointed or removed from office by the President of the Republic

effectively turns them into agents acting to promote the interests of and protect certain groups. Given the above, the judicial system not only fails to prosecute criminals, but actually promotes exclusion itself, as a weapon of political intimidation and a means of repression.

There are many examples of **corruption and malfunctioning** in the judicial sector. Among these are cases which are judged as summary offences, indictments of people who are not even aware of the trials, beatings and instances of brutality inflicted on people without those responsible being identified, a lack of follow-up investigations (with trials and sentencing) of involvement in drug trafficking, the failure to keep individuals in prison following judgment, and the simple lack of a safe environment for the work of judicial decision-makers and agents.

This results in magistrates **fearing** the consequences of being involved in certain cases, and also leads to a generalised **lack of confidence** among the general public in the operation of the judicial system and of the state in general. This leads to many people taking the law into their own hands to see that "justice is done", in an increasingly common process of citizens' justice, with the risk of further instability.

It is important to point out the distinction between popular justice and what is known as traditional justice. Traditional justice, which refers to a **local informal and customary type of justice**, plays an important role in Guinea-Bissau, especially in mediation rather than repression. There are no instances of anarchy because there is no space for it, as the gap left by the incapacity of the formal, state-run judicial system is filled by other security and justice structures and dynamics that are constantly created and reformed. Despite their usefulness to the country, it should be noted that these structures are not subject to scrutiny and can also be misused.

The problem of the duality of the justice system is one shared by many countries in Sub-Saharan Africa and is linked to the conflict between JUS (law and justice) and LEX (legislation). In practice, during the colonial and post-colonial period the model in place was one in which the LEX precedes and determines the JUS, which constitutes a reversal of these principles. In countries like Guinea-Bissau, it is possible to create a formal legislative structure and a legal system, but it is not feasible to administer justice without taking into account the legal knowledge which informs informal, traditional, community law. This means that constructing an effective judicial system in the country will have to start from the JUS and then move to the LEX, taking into account the dynamics mentioned. To do so, however, the **limits and rules relating to the relationship between the formal and informal systems must be clearly defined**, within the framework of fundamental national law.

In international social communication, it is this significant impunity which has resonated. This impunity is not only the result of disorganisation and neglect, but is also **used internally as a political weapon**. Currently, the internal conditions necessary to deal with the high levels of impunity are not present, due to the complicity of political stakeholders and the involvement of various sections of the elite in instances of impunity. This means that external intervention is essential, as seen in the case of the Bubo Na Tchuto prison. A recent survey of the population revealed a belief that impunity is institutionalised, that those in power perpetuate it and that therefore only an external institution or solution can break this cycle.

The actions of the international community, however, have not been coherent, and there has frequently been a sort of 'double standards' approach, with certain instances of violence or coups d'état being vehemently condemned while other similar events are almost universally ignored. The possibility of an international intervention as a way to break the vicious cycle of corruption-injustice-impunity-poverty is thus welcomed by some but rejected by others, who argue that an internal resolution to the country's problems is preferable.

The structural problems of impunity are linked to both the judicial system itself and the political system. While the formal judicial system perpetuates impunity, **in the political arena exclusion is promoted**, including through elections. Hence winning an election is viewed as carte blanche to rule for years without scrutiny, and as legitimating the imposition of the victor's will and the exclusion of opponents. Exclusion is a used for advantage, especially in decision making. Developing a more inclusive and effective justice system must involve a reform of the state itself, which cannot take place in isolation but must go hand in hand with a reform of public administration, justice and the armed forces.

4. Peace, Justice, Development and Elections: outlook for the future

Summarised below are the key ideas and main recommendations in these four areas that came out of the two-day long debate:

Peace
Creating long-lasting and sustainable conditions for peace within the country is closely interwoven with the rebuilding of the state itself, given the historical and political dynamics referred to above. Guinea-Bissau may be a weak or a failed state, but it is first and foremost a poor state, which contributes to a survival-based approach to power and to the idea that government is an instrument for accessing and controlling resources (both internal and external). Dynamics such as these lead to a "state of individuals", rather than a state of institutions, and a relationship between the people and the formal structures of the state, which, despite not being as conflict-ridden as in other African countries, is characterised by a lack of connection.

There is also a disconnection between the formal state system and traditional systems that include local mechanisms for dissuasion, punishment and conflict mediation. These mechanisms are important at community level but have not been sufficiently valued or taken into account. It is important to note, however, that these systems are being eroded as they are increasingly unable to respond to new types of conflict and violence. Furthermore, they should not be thought of as a miraculous solution to the country's problems, given that they are, in themselves, highly discriminatory (for example, in relation to women and their role in peace). There is therefore a need to identify the more positive aspects, which may help to bring about a peace process more in touch with the people. It is also important to question to what extent women and children have been given a voice in the peace process, since large sectors of the population remain absent from these processes.

Over and above the rebuilding of the State, there will be no justice or stability in Guinea-Bissau without reform of the defence and security sector. The fact that the national reconciliation conference was held without substantial military representation, and that successive programmes of reform of the armed forces were drawn up without the involvement of the armed forces themselves in formulating actions, identifying the main problems or finding solutions to these problems demonstrates the shortcomings which have affected the success of the processes, which have often dragged on without achieving effective results or contributing to stability. It is therefore, it is necessary to hold the most open and inclusive debate possible on the purpose of the armed forces and the role they should play in future peace and development in Guinea-Bissau.

Recommendations
- Recognize the value of the cultural osmosis that creates Guinea-Bissau's identity as a factor in creating peace, thereby minimising the risks of manipulation or exploitation of different ethnic elements.
- Evaluate to what extent the local conflict mediation mechanisms can be used to create a more extensive peace promotion process.

- Give women and young people a greater voice in the peace process to stimulate active citizenship. Here it is important, for example, to value and enhance the role of community radio stations and the media as an essential part of civic communication and information.
- Commit to a more far-reaching, systematic and transparent reform of the armed forces with clear communication and information on its objectives. Additionally, ensure that the armed forces are actively involved in drawing up these reforms, identifying the main problems and finding solutions to these problems.
- Involve the armed forces in concrete tasks such as rebuilding infrastructure or maritime patrol and defence to prevent clandestine and illegal exploitation of fishing stocks, in order to promote a new role and use for the armed forces within the country, as well as changing their public image.

Justice and Impunity

There is a need to counter existing analyses of the causes and nature of the conflicts and impunity in Guinea-Bissau, which differs clearly from other African conflicts characterised by widespread or inter-ethnic violence. The specific features of this context are important here, as there has been no civil war requiring national reconciliation between two clearly defined sides, nor has there been generalised violence on a wide scale, such as those which led to the establishment of International Courts.

Impunity in Guinea-Bissau is not a collective process, so it is necessary to identify the guilty parties, in order to restore justice and remove the unmerited collective accusation of guilt from the people of Guinea-Bissau. The quest for peace in Guinea-Bissau is also the search for truth, as the decades-long history of impunity throughout the decades has involved processes of concealment, locking away and accumulation, a process in which both leaders and people end up fearing the truth. There must be an analysis of the past to overcome this imposed silence.

Beginning with the first principles of the fight against impunity – individual and collective rights to know the truth, access to justice and compensation and assurance that the cycle of impunity has been broken – there are two important issues to be addressed.

Firstly, recourse to an International Court does not seem to be a viable solution, due to the nature of the violence, as discussed above, and the improbability of there being sufficient funds and international interest in setting it up. Other mechanisms could be used, in which international partners would play an important role, such as strengthening national structures and courts, through external support and funding, as shown by the example of Timor-Leste.

Secondly, there is the issue of whether declaring an amnesty for guilty parties who were never identified or judged could be, in itself, a form of impunity and a way of allowing new crimes to be committed, as it would mean effectively erasing past events and, yet again veiling the search for truth. Although it is possible to pardon those who were never judged, this option may be questionable from a moral and ethical standpoint in the case of Guinea-Bissau, given the type of crimes, the instances of instability and the nature of violence in the country, as seen above.

Recommendations
- Efforts are needed to ensure that the judiciary is more independent, which requires concrete measures in formal and structural terms: appropriate conditions in terms of infrastructure must be put in place; the judicial map must be redrawn so that the courts are closer to the people: existing human resources working in the justice sector should be strengthened, giving them greater security and enabling them to act more effectively.
- Reform of the justice sector must go hand in hand with a thorough reform of state institutions and bodies, including changes to power hierarchies and to legislation, beginning with revision of the Constitution. It is also essential to define clear criteria for

> appointments to high-level public positions (such as the Attorney General, the President of the Electoral Commission and the President of the Court of Auditors), to reform electoral law and change the framework law for political parties, among others.
> - There must be clear demarcation between the formal and the customary/traditional legal systems and their respective roles, since these are not currently defined in legal terms, thereby opening the door to grey areas in the application of justice.
> - Engaging in the slow but essential process of changing mentalities, in particular in how citizens interact with the judicial system; in people's perceptions that government, police, military and judicial authorities perpetuate instability: and in the pursuit of the truth as a tool in the fight against impunity. Invention programmes at national level, with the participation of people who are known nationally and whose opinion is respected by large sections of the population, is one example of the measures which could be implemented. Another example would be to focus more on programmes to provide the public with information and raise awareness about their rights and obligations, with civil society and the media having an important role to play in this context.
> - There should be no steps towards new amnesties, as these help perpetuate the conditions in which conflict arises and can be seen as a way of giving permission for new crimes. Given that mass crimes did not take place, justice for the victims would lie mainly in sentencing those found guilty. This could be done by strengthening the capacities of national institutions alone, a long-term process, or together with other measures, such as adhering to the Rome Statute of the International Criminal Court. In this context, there are other issues which would need to be taken into consideration, such as the time frame (as many crimes have lapsed), as well as carrying out a serious investigation into the location of bodies and the possibility of subsequent pardons, etc.
> - As it is extremely difficult to break the cycle of impunity, due to the involvement of national stakeholders, it is suggested that external stakeholders should intervene more to support the functioning of judicial mechanisms. External efforts must also be reformulated so as to be better coordinated and more coherent (see points below).

Development

Development, from a cultural point of view, should be an activity centred on and undertaken by human beings, which is very different to how development has been implemented in Guinea-Bissau.

The process of development in the country sees teaching and education as opportunities to focus on the memory and the culture of the people, training in skills and adapting knowledge to local and national skills and needs. It also involves taking advantage of ethno-cultural capabilities, since local techniques and knowledge can be harnessed to encourage maximisation of skills, mobilisation of human resources and fostering of a sense of national trust and belonging. This can be manifested, in particular, in the way the land is managed, in the integrated production system, in trade logic, cultural demonstrations and the relationship with nature.

However, the development processes pursued to date at the macro level are based on a logic of exclusion, monoculture and short-term interventions aiming at achieving immediate results, contributing, paradoxically, to further fragmentation of the dynamics and institutions which, in precarious situations, need the most support. As in other African countries, those who are in power do not have a mid to long term vision or a real development strategy. The socio-economic indicators have worsened in recent years and there is a high level of social inequality. Despite the rhetoric of appropriation, empowerment and participation, in many of the projects, policies and actions implemented the various stakeholders have not effectively participated in setting priorities and managing and implementing their own processes of development.

> **Recommendations**
> - See development as a process and not just an outcome, with medium and long-term

- programmes, advocating an integrated vision in thematic and local terms, which can be monitored.
- Take into consideration the specifics of the context, rather than applying generalised and standardised formulas. In particular, in redesigning national institutions the focus must be on the dynamics necessary to take due account of the realities of Guinea-Bissau reality, without jeopardising community dynamics.
- Implement an effective process of decentralisation of power, with increased participation by national stakeholders in the decision-making process (including women) and thus help influence the restructuring of the state of Guinea Bissau.
- Adopt a holistic approach to reform of public administration through, creating spaces for dialogue and consultation between the various stakeholders in which all voices can be properly heard, including in the definition of strategies and priorities. With this as a base, it will then be imperative to engage in wide-ranging social consultation to form the basis of a new social contract.
- Although Guinea-Bissau has valid and qualified human resources, they are badly coordinated, fragmented and badly managed. It is important to focus on training human resources and on education institutes serving communities, in which the communities acknowledge the services provided and where there is a process of interaction and a promotion of new cultural syntheses.
- A fundamental aspect is access to credit and the redevelopment of a private sector which is committed to national causes and needs, and which is linked to the state through public-private partnerships. This also implies investing in skilled personnel by financing scholarships in both training institutes and universities so that the reformed public sector is sustained by competent human resources.
- Another important aspect is the creation of a new cooperative model to boost the primary and secondary sectors of the economy, as a sustained and productive development strategy for the distribution of products and services on the national and sub-regional market, in conjunction with producers and rural communities.
- Among the key sectors to prioritise are: integrated and diversified agriculture; the development of public infrastructure (energy, water, roads and means of communication); development of the cultural sector through initiatives to promote the wealth and diversity of culture, as well as promoting regions; the potential for tourism in the protected areas (not as a mass tourism strategy but using an alternative and productive model where the communities contribute to a more inclusive process of development).

Elections and the transitional period

In the current situation in Guinea-Bissau, we should query the feasibility of holding elections as a way to work towards peace or guarantee democracy, as in the past elections have always served to heighten tensions. In fact, the country has a minimalist vision of democracy, spurred on by internal or international stakeholders, which is essentially associated with political parties and the holding of elections.

Nonetheless, the next elections (scheduled for the end of 2013 but more likely to take place in 2014) will not have any impact on stability or on governance unless the structural issues already mentioned are tackled. For the situation to really change it will be necessary, in particular, for new stakeholders to emerge in the political sphere, since the stakeholders currently active in this field derive their legitimacy from cultural, ethnic, social and village-related factors. In addition, there is the problem of representativeness and credibility, as huge sections of the population, like farmers, young people and women, are not represented in political decision-making structures.

In the short term, there are still important issues to resolve and address before the elections, if we wish to ensure that these elections are not just yet another cosmetic exercise in the recent history of instability in the country. The following are of particular importance:

(i) constituencies favour voting along ethnic lines as it makes it possible for certain groups to reach the National Assembly without being subjected to effective scrutiny, although they may be completely out-of-date; (ii) the electoral register has not been updated since 2008, meaning that those who attained voting age after that cannot vote under the current conditions; (iii) the National Electoral Commission does not appear to possess the total independence which would enable it to carry out technical tasks impartially; (iv) the financing of political parties is not subject to independent scrutiny and doubts remain about the financing of drug trafficking in this area; (v) mechanisms for acceptance of electoral results are not in place, meaning that there is a risk of continuing instability following the elections. Elections are frequently declared to be free and fair by international observers in the absence of effective participation by internal stakeholders in monitoring the elections, and without analysing possible manipulation of the election results, which may not be confined to the election day itself.

The transitional period has been marked by instability and tensions between political parties, as well as by a lack of dialogue and communication during the process of nominating a government to carry out the necessary tasks until the elections take place. Inclusive and participatory dialogue has been absent from many aspects of political life, which creates doubts as to the existence of conditions different from the past and which are necessary for real change.

The nature of the new post-election government still needs to be defined. It needs to be decided whether the government will be composed of an elected majority or if it will be more inclusive. Many people have expressed concern at the risk that the victorious party in the election would be forced to share power with the losers (who would demand seats following the election), claiming that a national unity government would be justified only in exceptional circumstances. In fact, since the introduction of a multi-party system in Guinea-Bissau, there have been more presidents of transitory or national unity governments than elected presidents, although this has not actually led to any real "national unity" within the government. We can see other African countries, such as Mali, where the national unity government was yet another source of instability.

In constructing *scenarios for the future* task there are pointers to negative changes in the situation, to positive changes, and to the most likely outcome. The worst case scenario would be that the country would go the way of Somalia, with the collapse of the state and total paralysis of institutions, with drug trafficking continuing to exacerbate instability and the possibility of a new coup d'état before the elections or shortly afterwards. In the best case scenario, in the short-term there would be internal reform of the main parties, a climate of dialogue and greater political transparency, elections would run normally and everyone would play their part in an inclusive vision for peace and development in the country. The most likely outcome, however, is that the elections take place without the structural causes of instability being properly taken into account and without no real change in the rules of the game.

In this context, what is the role of civil society in Guinea-Bissau?
Organised civil society also reflects the country's vicissitudes and hence it is not free from partisanship or affiliations, being made up of groups who are struggling for survival, for political interests and to achieve their objectives, as in any other country. The participation of civil society in politics should not be discouraged but rather encouraged, as long as its members do not use organisations to promote their own opinions or political viewpoints.

In Guinea-Bissau, many NGOs end up being the victim of diktats and rules from their financing bodies, but they have taken on a vital role for the people of Guinea-Bissau and are often active in areas and fields in which the state and private sector are conspicuous by their absence. Although their actions are limited by the existing repression and they often suffer from internal divisions, civil society organisations in Guinea-Bissau have been involved in important initiatives to

denounce human rights violations or to promote joint positions on various issues, such as the Civil Society Organisation Roadmap for the Political Transition Period.

In addition to having to organise to address the country's problems, civil society has to be included in a national vision and consensus on priorities in resolving problems, that is, there has to be some minimal framework for State commitment involving the various stakeholders, as only this can ensure real change within the country.

Short-term recommendations
- Revise electoral laws, including the organic law on the National Electoral Commission to transform it into a technical and non-partisan organisation, and reduce and reorganise electoral constituencies so as to better reflect the make-up of the population.
- Produce an electoral register to include those who reached the age of majority since the last census, and enable the Diaspora to exercise their right to vote in the next elections.
- Pass a law on financing of political parties which will promote transparency and entail scrutiny by the Court of Auditors.
- Carry out civic education campaigns and take measures to enable citizens to freely exercise their rights and freedoms before and during the electoral process.
- Set up an internal electoral observation body to collaborate with international observers, with active participation from Guinea-Bissau's civil society.
- Through all of these measures, transform the elections into an opportunity to develop the most inclusive and representative dialogue possible, to include sectors of the population which have been disconnected from these processes until now, and setting up a framework structure for state commitment, involve the various stakeholders.

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5. Strategies for foreign policy and aid for Guinea-Bissau: the role of the European Union

In recent decades Guinea-Bissau has been involved in what is referred to by researchers as a process of "extraversion", since the majority of its resources come from outside and there is a lack of development of the internal taxation and manufacturing base. This is the result of internal and external factors, primarily corruption and depletion of the economy caused by various governments, and secondly by the process of liberalisation of the economy imposed by the World Bank and the IMF as a condition for the release of funds, which led to trade liberalisation without development of the other sectors of the economy. The **significant reliance on external resources** is illustrated by the fact that over 70% of the State's budget is dependent on international aid.

International development aid has had **mixed results** in the country. On the one hand, there have been positive examples since independence, such as the bilateral Swedish aid to various sectors that helped to improve social indicators, for example, through the expansion of education. Some projects achieved significant results without the need for large amounts of funds, such as the Cuban technical cooperation or the Bissau Faculty of Law. On the other hand, the results of international cooperation are generally barely visible, with unclear results and there is an obvious problem of appropriation, since there is little involvement of the Bissau-Guineans in the development of these projects.

This is made worse by the fact that the Bissau-Guinean authorities themselves do not have a clear vision of priorities for the country, **nor do they have an objective and structured vision for national development**, which would allow them to better coordinate and manage relationships between the various external partners. Guinea-Bissau's capacity to absorb foreign aid is very limited, which is why it is important to strengthen its institutions.

It is important to note that the International Community is not a single partner, rather a conglomeration of bilateral and multilateral partners and institutions which are divided and fragmented and have their own agendas and interests which are not always transparent or well-coordinated. **Competition between external partners for leadership and a leading role** in the projects is often evident in development projects that run simultaneously, are duplicated and overlap, within the same areas or sectors.

On a political level, during serious episodes of instability such as coups d'état or assassinations, the lack of coherence and coordination of stances by international partners also has negative repercussions internally, since it promotes divisions between Bissau-Guineans who decide to align themselves with one international organisation or another. The European Union itself took a rigorous and firm stance during the most recent episodes of instability which was welcomed, however its reactions were less rapid or less effective on other occasions, which compromises the coherence of its stance.

Many promises of international aid have not translated into the timely release of funds, as in the case of patients with HIV/AIDS, and when the funds are actually released, the majority of the money remains in the hands of international teams or Bissau-Guinean government bodies, without having a real impact on society and the population. The major multilateral donors tend to adopt **a prescriptive position, rigid parameters for action and bureaucratic procedures**, frequently submitting documents with previously-formulated documents and proposals to be merely rubber-stamped by their Bissau-Guinean partners.

There are also issues relating to the participation of Guinean parties, in **communicating and providing information** on the interests and objectives of these donors, including the European Union. It is not the availability or the totality of development aid provided by European partners over the last few decades are being called into question, rather the issue is what can be done in terms of dialogue, communication and information on the objectives and actions which receive support. Although the EU clearly has a great deal to offer, it has not been able to harness its cultural and identity-related similarity to Guinea-Bissau in its strategies and programmes, as the Union itself, divided by various bilateral foreign policy interests.

The example of the various attempts to reform the armed forces illustrates the problems mentioned above, as there was no process of defining priorities in conjunction with actual members of the military. The people of Guinea-Bissau were not asked what kind of armed forces they would like the country to have, and the people who were the target of the reform were not even made aware of the actual content of the reforms, which led to scepticism within the military and contributed from the outset to the failure of the programmes. By defining the reforms with political leaders to the exclusion of the military, the reform programmes had significant shortcomings, as they did not take into account the different geographical origins of the members of the military, the fragmentation of the armed forces into various groups controlling different sectors, the issue of training people to replace those leaving their posts or the issue of re-employing those disabled in combat, among others. Another example of lack of involvement and participation relates to cooperation within the judicial sector, in which technical assistance is not always accompanied by the effective transfer of knowledge to the Bissau-Guineans, and legislation is frequently presented to Bissau-Guinean judges solely for their approval, without them having been genuinely involved in the process.

This stance is linked to **pressure from donors to achieve rapid results**, even though it would be more useful to engage in a slower and more difficult process that would systematically involve a number of stakeholders put down roots and foster a real feeling of belonging and involvement. The short time-frame approach of international donors, contributes to this limitation, meaning that the focus is on projects and not on processes, on for example more technical and short-term

issues such as elections, rather than structural, long-term problems of governance and the causes of conflicts).

Transparency is an essential issue in this context. There is a general lack of transparency and communication, perpetuated by the political class as well as by development cooperation, which is shown in the inability to follow through on actions and monitor the use of funds. It is also seen in a lack of transparency in relation to donors' agendas and interests In this respect there is no great difference between traditional and emerging stakeholders, as demonstrated by the lack of transparency in the contracts to exploit natural resources (Angola, China) or in fishing agreements, in which fish stocks are to be exploited, without any real thought for local development. The Bissau-Guinean people have no knowledge of some of these agreements, and their effects are still unknown.

Geopolitical and economic concerns at the sub-regional level are frequently neglected by the international community, which favours a mainly national approach to problems, when many of the destabilising factors are linked to neighbouring countries and regional dynamics. Taking measures to address the growing Angolan influence in the structures and exploitation of natural resources or exploitation of fishing stocks off the coast of Guinea-Bissau by regional countries are examples of these dynamics.

Given the above, it is clear that Guinea-Bissau needs to take responsibility for **developing its own society and state project** as it is not foreign aid that will end impunity and resolve the causes of instability in the country. However, the external partners do have a role to play.

Although it has never been possible to mobilise international attention on the need to investigate the issue of the gradual infiltration of drug cartels in the country, when this process should have been launched about a decade ago, it is also true that this element is an opportunity to draw more attention to the country from international partners and to instigate concrete actions on their part. Europe is directly affected by the trafficking routes, while the United States have taken a more hands-on approach, specifically in terms of intelligence and researching key issues in trafficking. Keeping in mind that Guinea-Bissau is essentially a stepping stone and that drug consumption or trafficking are phenomena which are not expected to come to an end any time in the near future, the main strategy should be to take measures to deflect the route so that it no longer passes though the country. This can only be done with robust, **sustained aid from external partners**, both bilateral and multilateral, which can be implemented through various concrete actions and measures. In the same way, external aid to create and improve internal capacity in certain areas of public and state administration is essential in order to end impunity and exclusion in the medium to long term.

In addition, it is important for the international community, including the European Union, to not ignore **current positive experiences and local dynamics**, some of which have led to much innovation and progress. There are organisations and individuals who have demonstrated transparency, courage and good practices as stakeholders in a new approach for the country, who should be identified and supported through aid from the international community. This is the case for various civil society, media and some private sector organisations. It is possible to support institutions that create a link between the state and Bissau-Guinean society and therefore have the ability to promote dialogue and involve various stakeholders.

International stakeholders frequently find it difficult to find valid stakeholders and internal partners, because they continue to **focus to a significant degree on central state structures and the capital city**. Supporting the political, administrative and economic decentralisation of the country would be useful in combating the current disconnection between citizens and central government structures. In this context, the European Union's proposal to implement actions through civil society is to be welcomed. The Bissau-Guinean people have the capacity for resilience, far more

so than centralised institutions, so cooperation should focus on these local capacities and structures, as it is only in this way that these stakeholders can be involved in the decision-making processes and more sustainable outcomes can be produced.

Recommendations
- Guinea-Bissau must develop, through dialogue between the various partners, an objective and structured vision for the country's development which will outlive constituencies and changes of Government or interlocutors. This is the only way to reduce dependence on external resources and to better coordinate and manage relationships between the various external partners.
- The international community present in Guinea-Bissau must invest in mechanisms of dialogue and coordination, which will allow them to present a more coherent stance and go beyond issues of competition for visibility and leadership, in favour of sustained support for the country.
- Interventions by the international community should focus on reducing bureaucracy around release of promised financial resources, transparency, and systematic monitoring of the use of these funds.
- Donors should focus primarily on processes rather than projects, in other words they should combine activities which they deem important in the short-term (such as holding elections) with support for medium- and long-term processes, with slower and less visible results, but which are essential in order to break the cycle of impunity and exclusion, such as governance, capacity enhancement and state reform).
- The participation and involvement of a range of Bissau-Guinean stakeholders must be ensured through a genuine process of involvement and systematic dialogue, from the point when documents for cooperation programmes are being drawn up, otherwise their outcome will not be translated into any real positive impact on peace and development.
- The international community, including the European Union, should focus on communication and information on the objectives of their presence and the actions they support.
- The international community, including the European Union, should look beyond the central state structures and outside of Bissau, in order to support the political, administrative and economic decentralisation of the country in various ways.
- The international community, including the European Union, should act to support and strengthen existing positive practices and experiences, stakeholders who have developed actions with concrete results and parties who have the ability to promote dialogue, among them human rights organisations, other civil society organisations and the media (especially the community radio stations).
- The international community, including the European Union, should develop robust, sustained aid programmes to combat drug trafficking in Guinea-Bissau, including: patrolling maritime areas, supporting the institutions, collaboration and setting up partnerships to research and identify people linked to drug trafficking, strategies to combat organised, transnational crime and providing the necessary means and equipment, among other measures.