



POLITICAL UNCERTAINTY IN GUINEA BISSAU: DYNAMICS THREATENING DEMOCRATIC CONSOLIDATION AND NATIONAL STABILITY

1.0 BACKGROUND

In the past 12 months, Guinea Bissau has been embroiled in political crisis arising from tensions and disputes between the President, Prime Ministers and the People's National Assembly (PNA). This has led to the dissolution of three different governments within the period resulting in political uncertainty and threats to the democratic future of the country. The current political impasse started on August 12 2015, when President José Mário Vaz Vaz dismissed Prime Minister Domingos Simoes Pereira, who played the dual role of the President of the ruling African Party for the Independence of Guinea Bissau and Cape Verde (PAIGC). On August 20 2015, President Vaz appointed Baciro Djá as the new Prime Minister. The PNA condemned the appointment since Djá was not nominated by the PAIGC and subsequently filed an appeal against his appointment to the Supreme Court. As a result, Djá was forced to resign, following a ruling of eight judges of the Supreme Court who declared his appointment as a violation of the country's constitution.

In light of the ruling, a compromise was reached between President Vaz and

PAIGC to appoint Carlos Correia as the new Prime Minister in September 2015. However, disagreements over the formation of a new government led to a confrontation between the President and Prime Minister Correia. The political crisis escalated in December 2015 when 15 Members of Parliament (MPs) from the PAIGC abstained from voting on the 2016 proposed budget by Correia. Infuriated by this development, the PAIGC expelled the 15 MPs including Djá and other close allies of Vaz from the party in January 2016. The expulsion compelled the MPs to join the opposition Party for Social Renewal (PRS) in order to retain their seats in parliament. The Supreme Court ruling of April 2016 also facilitated the retention of seats by the MPs, a situation that caused Correia the majority seats in parliament.

Following persistent tensions in the Parliament, President Vaz dismissed Prime Minister Carlos Correia on May 12 2016, dissolved the Cabinet and placed Ministries under the control of the security forces, on grounds that the Cabinet had proved incapable of managing a month-long political crisis. The dismissal of Carlos Correia and subsequent appointment of Baciro Djá

as the Prime Minister on May 26 2016 via a presidential decree triggered demonstrations by members of the ruling PAIGC and opposition around the presidential palace in Bissau, with two people reportedly sustaining injuries¹. Despite the swearing in of a new cabinet by Prime Minister Baciro Djá on June 2 2016, the tensions continue to increase in Guinea Bissau with members of the deposed government and the ruling PAIGC threatening to embark on large-scale demonstrations to cripple the economy.

In a bid to resolve the impasse, the Economic Community of West African States (ECOWAS), sent Former President Olusegun Obasanjo as a special envoy to mediate the impasse in 2015. Despite this effort, the crisis has persisted leading to another high level delegation from ECOWAS comprising of the Presidents of Guinea, Senegal and Sierra Leone, being sent to dialogue with disputing parties.

This policy brief is an attempt to provide insight into the political situation in Guinea Bissau and its implications for the democratic and socio-economic development of the country. It will also proffer possible options for response to resolve the political impasse.

¹ <http://www.news24.com/Africa/News/president-of-crisis-hit-guinea-bissau-names-new-pm-triggering-protests-20160527-2>

West Africa Early Warning & EARLY RESPONSE Network (WARN)

The West Africa Early Warning Network (WARN) is an integral part of the West Africa Preventive Peacebuilding Program co-ordinated by the West Africa Network for Peacebuilding (WANEP). Through its WARN Program, WANEP is setting the stage for a civil society-based early warning and response network in Africa with emphasis on human security.

WARN covers the entire Economic Community of West African States (ECOWAS) region.

Since 2002, WANEP entered into an agreement with ECOWAS through the signing of a Memorandum of Understanding (MOU) in the framework of capacity building in Conflict Prevention. One of the goals of

this agreement is to interface WARN with the ECOWAS Early Warning Systems to optimize early warning conflict prevention in West Africa. In view of this development, WANEP has been operating a liaison office located at the ECOWAS Secretariat in Abuja, Nigeria since April 2003.

In recognition of the role and achievements of the West Africa Network for Peacebuilding (WANEP) in Conflict Prevention and Peacebuilding in Africa, particularly in West Africa, the Economic and Social Council of the United Nations at its substantive session of 2006 granted WANEP Special Consultative Status to the UN. WANEP is therefore mandated to designate official representatives to the United Nations in New York, Geneva and Vienna to further its advocacy and outreach strategies for peace and human security.

2.0 TRENDS AND THREATS TO DEMOCRATIC CONSOLIDATION.

Constitutional Ambiguity: The overlapping functions of the President and Prime Minister underscore the imperatives of a constitutional review to ensure adequate separation of powers. Whereas, the Constitution empowers the President to “dismiss the Government in cases of serious political crisis challenging the normal functioning of institutions”, entrust the management of the country to a new team and conduct legislative elections within 90 days, critics have faulted the country's constitution as the root cause of the political impasse². It has led to a recommendation for a review by ECOWAS during its extraordinary Summit of September 2015³. Pro supporters of constitutional review point out that while the President can give his opinion on the formation of government, the Prime Minister has the absolute prerogative in the composition of the cabinet. Hence, the need to negotiate, concede and compromise for national stability. Also of concern is the application of the Constitution with regards to the President's appointment of Djá as Prime Minister in 2015 and the subsequent nullification of his appointment through a rejection by PAIGC, the Parliament and ruling of the Supreme Court. Similarly, former Prime Minister Correria's denouncement of his dismissal as a 'constitutional coup d'état' coupled with members of his government's initial refusal to leave the Government Palace despite a 48-hour ultimatum by the Supreme Court raises the urgency for a constitutional review. Irrespective of the negotiated exit of the Ministers by representatives of civil society, religious leaders, the ECOWAS Mission in Guinea Bissau (ECOMIB) and the United Nations Integrated Peacebuilding Office in Guinea Bissau (UNIOGBIS), the current impasse has also sparked another legal proceedings at the Supreme Court with the PAIGC challenging the constitutionality of the presidential decree.

Intra-Party Tensions and Institutional Differences: The current impasse is a direct consequence of internal disputes within the ruling PAIGC given that supporters of President Vaz want Pereira to resign as party leader. The dismissal of Pereira barely a week after the PAIGC threatened to withdraw its support for Vaz has led to a dispute between the executive and legislative arms of government. While the PAIGC supported the new Government of Prime Minister Carlos Correia, the relationship between the President and Prime Minister quickly deteriorated over the formation of a new cabinet. President Vaz rejected the cabinet proposed by Correia on grounds that it constituted nearly half of the previous cabinet members. The protests of pro-Vaz supporters against Correia's government led to the Parliament's initial rejection of the 2016 budget. The tensions within the party deteriorated to the extent that 15 MPs of the PAIGC voted against Correia's proposed budget, resulting in their expulsion from the party as well as PAIGC's loss of majority seats in parliament. Following these incidences, Alberto Nambei, leader of the PRS declared himself as the Speaker of the Parliament. Under his leadership, three resolutions including the reinstatement of the 15 legislators, were adopted, though the presidency is yet to endorse the resolutions. The impasse at the PNA resulted in the suspension of its current session of May 18 as a result of disputes over the agenda and the status of the 15 MPs.

Judicial and Security Sector Reforms: Despite the international community's assistance to the Government to restructure its judicial and law enforcement systems, corruption, bribery and harassment have continued at almost all levels of government. The justice system has over the years been attributed as 'terrible' given its perceived inability to prosecute offenders of the law who allegedly operate with impunity. The Supreme Court ruling of 2015, which declared unconstitutional the appointment of

the Prime Minister Djá is gradually improving trust and public confidence in the justice system. Given the country's history of nine coup d'états and attempted coups since 1980, international and regional actors have lauded the military for its non-interference in the current political crisis bedeviling the country. Most scholars attribute it as success of the ongoing security sector reforms. On one hand, while the military's neutrality in the crisis reduces apprehensions of the citizens, there are concerns that their non-interference may be short-lived given the increasing tensions between the presidency and the PAIGC. The military may be tempted to intervene on grounds of restoring decision-making authority. The security sector reforms that have been instituted over the years to check the excesses of the military is largely seen as transformative and has the capacity to forestall any future military intervention in politics. With support from ECOMIB, the Government has taken positive and unprecedented steps in security sector reforms. Since taking the lead in reforming the army in 2012, ECOMIB has contributed significantly to the deterrence of soldiers from overthrowing democratically constituted governments of the country. In this regard, the decision of the United Nations Security Council as well as ECOWAS Heads of State and Government to extend the mandates of UNIOGBIS and ECOMIB in February and June 2016 respectively for one year with financial support from the international community is laudable.

² Under the constitution, Guinea Bissau has a semi-presidential government system. The Head of State has to respect the interests of those parties, which form a majority in parliament when choosing a government.

³ <http://allafrica.com/stories/201509231860.html>

3.0 IMPLICATIONS OF PROLONGED POLITICAL STALEMATE

The protracted political instability in Guinea Bissau has to a large extent affected effective functioning of state institutions and undermines prospects for socio-economic development. Whereas the Government has recorded giant strides including control of the army, the division between state institutions and main political actors threatens to erode democratic and developmental progress and could hinder the successful completion of ongoing reforms in the security, justice and public sectors of the country. The impasse has heightened public concern over the administration's perceived unwillingness to dialogue with relevant stakeholders to find solutions to the issues of contention. While the main focus is finding a sustainable resolution to the political crises, it is imperative to provide the required support to the citizens of Guinea Bissau, whose lives and livelihoods have been negatively affected by the persistent instability in the country.

The impact of the instability has also affected national development, with delays in adoption and implementation of budgets. More worrisome is the reduced confidence of investors in the country that has compelled international partners to delay their disbursement of financial resources pledged at the Brussels Donors' Conference of March 2015. In a country where the Official Development Assistance (ODA) amounts to about 15 percent of Gross Domestic Product (GDP) and almost 80 percent of the budget, the suspension of disbursement and direct support from international partners creates a huge financial pressure that could negatively affect the running of the State, including the payment of salaries. Considering that the State has over the years been weakened through coercion, corruption, impunity and drug trafficking, there is growing threat of increased poverty, underdevelopment and armed conflict. Poverty creates the

propensity for political instability, which invariably impacts on the economy and undermines development, security and peace in Guinea Bissau as well as the Senegambia region. Where grievances are not resolved and basic needs are not fulfilled, the incentives for rebellion become prevalent, especially in a region facing increasing threats of violent extremism.

4.0 SCENARIOS

Best Case Scenario: President Vaz and Prime Minister Djá govern the country based on mutual respect in accordance with the Constitution; a newly constituted government is accepted by the PAIGC and opposition parties; the ECOWAS mediation delegation facilitates agreement with disputing parties to adopt peaceful means in resolving the impasse (**Less Likely**). Supreme Court ruling accords credence to the recent appointments by the President; members of the deposed government are fully reintegrated into the public service with certain entitlements; PAIGC works collaboratively with the President and Prime Minister in addressing issues of national interest (**Likely**).

Worst Case Scenario: The window of vulnerability presented by the persistent tensions between the executive and legislative arms of government leads to social unrest and violent protestations; Angered by the Supreme Court ruling on the constitutionality of the appointments, supporters of the PAIGC resort to violence, a situation that compels the security agencies to intervene with the aim of restoring normalcy as well as maintaining law and order (**Very Likely**). Supporters of PAIGC throng to the streets, demanding the resignation of

President Vaz; widespread violent demonstrations are recorded across the country; the military seizes power and promises to organize elections within 90 days; International community rolls out sanctions against the country (**Likely**).

5.0 RECOMMENDATIONS

To the Government:

- Review the Constitution to ensure adequate separation of powers between the President and Prime Minister as well as the three arms of government.
- Eschew professionalism in the discharge of constitutional obligations and engage in dialogue with relevant stakeholders as a critical step for the transformation of the impasse and delivery of democratic dividends to the people.
- Provide relevant support and conducive environment for hosting the regional and national conferences aimed at sustainable national cohesion and reconciliation.
- Address the root causes of instability, with particular attention on political-military dynamics, ineffective state institutions and rule of law, impunity and human rights violations.
- Accord CSOs prominent roles in the promotion of democracy and good governance as well as in dialogue and mediation at the community level while raising public awareness about prevailing and emerging threats in the country.
- Develop a homegrown legislative framework for security sector reforms to ensure the process is internally and locally driven with strategic and discrete support from the International Community. The success or failure of the security sector reforms will determine the stability or vulnerability of the country.

⁴ Prolonged Political Crisis could erode Guinea Bissau's development gains, UN envoy warns http://www.un.org/apps/news/story.asp?NewsID=54224#V2EYVjep7_Q

Political Parties:

- Refrain from all acts of violence and sensitize supporters on the imperatives of a culture of peace and tolerance.
- Refrain from prioritization of self-interests ahead of national interest and aim at improving the general welfare of the citizenry by contributing positively to the governance of the country.

International Community:

- Ensure a coordinated approach and avoid duplication of efforts in the resolution of the impasse.
- Support the ECOWAS-led high-level mediation process between key political actors to transform the impasse with a view to strengthening the democratic culture in the country.
- Ensure adequate provision of financial and technical support to ECOMIB and UNIOGBIS as part of efforts

to ensure the ample implementation of its mandates.

- Encourage national authorities to develop a framework to formalize and consolidate judicial and security sector reforms.
- Impose targeted sanctions, especially travel bans on political actors as parts of efforts to pressure them to resolve the impasse.



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