



# SECURITY COUNCIL REPORT UPDATE REPORT



23 December 2005 No. 6

## GUINEA-BISSAU

### Council Action

Council action on Guinea Bissau in December had a number of curious procedural features—the outcome of which may cause some negative ripples amongst countries outside the Council who follow the issue.

At face value, while the intent is obvious, it is unclear whether the new mandate has been approved and, if so, by whom. The Council action was obscure and the documents are ambiguous.

It seems that in practice the UN Peacebuilding Support Office in Guinea-Bissau (UNOGBIS) will now revert to a purely Secretariat mandated political mission, as opposed to a Security Council mandated mission.

The outcome seems to be a very substantial downgrading of the Council's involvement, no doubt reflecting the improved situation on the ground, in particular the completion of the presidential election.

The modified mandate proposed by the Secretary-General, includes support for efforts to consolidate constitutional rule and maintain constitutional order; support for national reconciliation and respect for the rule of law and human rights; encouraging and supporting national efforts to reform the security sector; encouraging the full implementation of UN Programme of Action on Small Arms; and focusing on initiatives that meet the requirements of self-sustainability and national ownership.

The Council has said it will continue to monitor the situation in Guinea-Bissau. A ruling by the Supreme Court of Justice regarding the constitutionality of recent government changes made by Guinea-Bissau's president is awaited and this could give rise to renewed controversy and political uncertainty.

### Key Facts Relating to Renewal of Mandate

UNOGBIS was established in 1999. The following are the key facts about its status.

- On 3 March 1999 the Secretary-General, in a letter to the Council S/1999/232, proposed the establishment of a "Peacebuilding Support Office".
- In a response the same day, S/1999/233, the President said that Council members "...welcome the proposal...".
- On 6 April 1999 in resolution 1233 (1999) the Council said that it "supports the decision of the

Secretary-General to establish..." UNOGBIS.

It was clear at this stage that UNOGBIS was a Secretariat political mission, established by decision of and accountable to the Secretary-General.

The persistence of political violence and uncertainty for several years and its intensification in 2004 was of increasing concern to the Economic Community of West African States (ECOWAS) and African Union (AU) members following the situation. Under Brazil's leadership in the Council a decision was taken to elevate the level of Council attention to the issue.

- Resolution 1580 (2004) represented a Council decision to take into its own hands the authority for the mandate. That resolution "decides" to extend and revise the mandate.

The recent actions are as follows:

- On 2 December 2005 (S/2005/795) the Secretary-General "recommended" the extension of the mandate and referred to his earlier proposals for adjustment.
- On 14 December, after Informal Consultations on the situation in Guinea-Bissau, a press statement SC/8581 was issued which says that "Agreement was reached for [the mandate's] revision and renewal up to 31 December 2006".
- On 16 December 2005 the President of the Council wrote to the Secretary-General (S/2005/796) and said that members of the Council "...take note..." of the proposed renewal and adjustment of the mandate.

### **Background on the situation in Guinea-Bissau**

Guinea-Bissau has experienced frequent bouts of political turmoil since it won independence from Portugal in 1974.

In 1980, João Bernardo Vieira led a military coup that ousted President Luis Cabral. Vieira assumed the presidency, and, 14 years later, won the country's first free presidential election. In 1999, a military coup led by General Ansumane Mane, whom Vieira had dismissed a year earlier, ousted Vieira and led to a civil war. A presidential election was held in January 2000, and was won by Koumba Yala. President Yala, however, was forced from office in September 2003 by another successful coup. Soon after, military forces and political leaders signed a charter that installed an interim civilian government and called for new parliamentary and presidential elections. Parliamentary elections were held in March 2004, but violence flared up in October 2004, when a military mutiny resulted in the assassinations of the military's Chief of the General Staff and an armed forces spokesperson. In July 2005, the country held its presidential election. Former president Vieira won the vote, defeating former president Malam Bacai Sanha in a runoff.

Though the government transition was peaceful, the political situation has remained polarised. Sanha rejected the results of the election, delaying the inauguration to 1 October 2005. On 28 October 2005, Vieira dismissed the government of Prime Minister Carlos Gomes Junior, who also rejected the election results, and appointed a new prime minister. Sanha and Gomes' party, the African Party for the Independence of Guinea-Bissau and Cape Verde (PAIGC) the country's largest party, has challenged the constitutionality of Vieira's move, and the case will be considered by the country's Supreme Court of Justice.

The economic situation in Guinea-Bissau has also remained grave, with the government having difficulty in paying salaries to government workers, schools being closed for months at a time, and rising levels of crime.

The UN's peace building effort in Guinea-Bissau, through UNOGBIS, has been operating in the country since April 1999. The Secretary-General reports on the efforts of UNOGBIS to the Council every three months.

In a 21 November 2005 letter to the Secretary-General, president Vieira requested that the UN extend the mandate of UNOGBIS until 31 December 2006. He said that UNOGBIS had a decisive role to play in the consolidation of lasting peace and stability.

As opposition leaders have challenged the decisions made by the president in the aftermath of the elections, UNOGBIS along with the African Union, ECOWAS and the Community of Portuguese-Speaking Countries (CPLP) have appealed to the country's leaders to resolve the election dispute through dialogue.

### **Council Dynamics**

Largely due to its ties to Guinea-Bissau through the CPLP, and its concern about the ongoing instability, Brazil played a leadership role in the Council in 2004 in seeking to upgrade the level of Council's engagement with that situation. Brazil was successful in December 2004 in persuading the Council to take the unusual step of bringing UNOGBIS under a Council mandate. However a number of Council members were unhappy with this outcome.

Although in 2005 the situation has improved somewhat after the recent presidential election, there is still significant tension and there has been a groundswell of criticism of the Council amongst leading African members of the General Assembly that the Council was still not paying enough attention to Guinea-Bissau.

Nevertheless, it seems that those members of the Council, who only reluctantly supported resolution 1580 in 2004, succeeded in December 2005 in returning to previous practice, whereby the matter would be handled by an exchange of letters between the Secretary-General and the President of the Council and not through a new resolution.

It may be that there were strong feelings on this subject in the Secretariat and the outcome reflects that position as well.

Nevertheless the documentary record is at best obscure and ambiguous. Clarity surrounding mandates has been an important theme for over a decade in discussions about improving performance in UN missions. This is a case in which the Council, no doubt accommodating range of sensitivities, has left the situation unclear.

With Brazil leaving the Council, Guinea-Bissau's closest ally on the Council will be gone. It remains to be seen whether concerns by African countries outside the Council will persist and whether this will affect Council dynamics.

### **Options**

Should the situation in Guinea-Bissau deteriorate, in particular in the immediate aftermath of the ruling by the Supreme Court on the constitutionality of recent presidential decisions, the Council would be likely to come under pressure to reassert its role.

A further option may be for members of the Council to urge the Secretary-General to upgrade the rank of his representative on the ground to Special Representative. This would facilitate the

implementation of the revised UNOGBIS mandate whose important component is emphasizing synergies and complementarities with UN agencies, in particular UNDP, as well as with the African Union, ECOWAS and the Community of Portuguese Speaking Countries.

## UN Documents

<b>Security Council Resolutions</b>
<ul style="list-style-type: none"><li>• S/RES/1580 (22 December 2004) revised and extended the mandate of UNOGBIS.</li><li>• S/RES/1233 (6 April 1999) supported the decision of the Secretary-General to establish UNOGBIS.</li><li>• S/RES/1216 (21 December 1998) requested that the Secretary-General make recommendations for a possible role for the UN in Guinea-Bissau's peace and reconciliation process.</li></ul>
<b>Reports and Letters of the Secretary-General</b>
<ul style="list-style-type: none"><li>• S/2005/795 (2 December 2005) letter recommending extension and modification of the UNOGBIS mandate.</li><li>• S/2005/752 (2 December 2005) is the latest report.</li><li>• S/2005/575 (12 September 2005) proposals for revision of the UNOGBIS mandate.</li><li>• S/1999/233 (3 April 1999) welcomed the Secretary-General's proposal.</li><li>• S/1999/232 (3 April 1999) included the proposal to establish UNOGBIS.</li></ul>
<b>Presidential Statements</b>
<ul style="list-style-type: none"><li>• S/PRST/2005/39 (19 August 2005) acknowledged the successful presidential elections.</li><li>• S/PRST/2005/14 (31 March 2005) acknowledged progress made in Guinea-Bissau, including in the electoral process.</li><li>• S/PRST/2004/41 (2 November 2004) expressed deep concern at the developments that led to the killings of two military officials.</li><li>• S/PRST/2004/20 (18 June 2004) expressed satisfaction regarding progress made towards restoring constitutional order.</li></ul>
<b>Council Press Statements and Letters</b>
<ul style="list-style-type: none"><li>• S/2005/796 (16 December 2005) took note of the Secretary-General's proposal.</li><li>• SC/8581 (14 December 2005) announced agreement for the renewal of the UNOGBIS mandate.</li></ul>

## Historical Background

*14 December 2005* The Council President announced the renewal of the UNOGBIS mandate up to the end of 2006.

*21 November 2005* In a letter to the Secretary-General, President Vieira requested the extension of the mandate of UNOGBIS.

*28 October 2005* Vieira dismissed the prime minister and the cabinet.

*1 October 2005* Vieira was sworn in as president for a second time.

*24 July 2005* Vieira won the presidential election runoff.

*22 December 2004* The Security Council passed resolution 1580, extending the mandate of UNOGBIS to 22 December 2005.

*6 October 2004* A military mutiny resulted in the assassinations of Guinea-Bissau's Armed Forces Chief of the General Staff and the armed forces spokesman.

*15 September 2004* João Bernardo Honwana of Mozambique replaced David Stephen as the Secretary-General's Representative for the situation in Guinea-Bissau and the head of UNOGBIS.

*March 2004* Legislative elections were held, won by the ruling party, PAIGC.

*28 September 2003* The military and political parties signed the Transitional Charter, creating a transitional prime minister, president and council. Interim President Henrique Rosa and Interim Prime Minister António Artur Rosa were sworn in.

*14 September 2003* The military ousted President Koumba Yala in a coup.

*November 2002* Yala dissolved the National Assembly.

*1 February 2002* David Stephen of Great Britain replaced Samuel C. Nana-Sinkam of Cameroon as the Secretary-General's Representative in Guinea-Bissau and the Head of UNOGBIS.

*November 2000* General Ansumane Mane was killed during a shootout with government forces, who claimed that he was attempting a coup.

*17 February 2000* Yala was sworn in as president.

*January 2000* Yala won the presidential election.

*14 May 1999* Malam Bacai Sanha became interim president.

*6-7 May 1999* General Mane led a coup that ousted President Vieira.

*6 April 1999* The Council passed resolution 1233, supporting the Secretary-General's proposal to establish UNOGBIS. Samuel C. Nana-Sinkam of Cameroon was appointed to be the Secretary-General's Representative in Guinea-Bissau and the head of UNOGBIS.

*3 April 1999* The Secretary-General proposed the establishment of UNOGBIS.

*24 February 1999* The Government of National Unity, which included both government officials and military leaders, assumed power.

*21 December 1998* The Council passed resolution 1216, requesting that the Secretary-General make recommendations on a possible role of the United Nations in the Guinea-Bissau peace process.

*1 November 1998* Government officials and the military junta signed a peace agreement in Abuja.

*7 June 1998* Violence broke out after Vieira dismissed General Mane.

*1994* Vieira won the first free presidential election in the country's history.

*1980* Vieira led a military coup that ousted Luis Cabral, the country's first president.

10 September 1974 Guinea-Bissau won independence from Portugal. Cabral assumed the presidency as the leader of the PAIGC.

1973 The PAIGC declared independence.

1963 The PAIGC launched a war to gain independence from Portugal.

### Other Relevant Facts

<b>Representative of the Secretary-General for Guinea-Bissau, Head of UNOGBIS</b>
<ul style="list-style-type: none"><li>• João Bernardo Honwana (Mozambique)</li></ul>
<b>Size of UNOGBIS Staff</b>
<ul style="list-style-type: none"><li>• 27, including 11 international civilians, 2 military advisers, 1 police adviser and 13 local civilians</li></ul>
<b>Cost</b>
<ul style="list-style-type: none"><li>• \$3,359,000 (estimated)</li></ul>
<b>Duration</b>
<ul style="list-style-type: none"><li>• 6 April 1999 to present</li></ul>

### Useful Additional Sources

- UNOGBIS [http://www.un.org/Depts/dpa/docs/conflict/guinea\\_bissau.html](http://www.un.org/Depts/dpa/docs/conflict/guinea_bissau.html)
- African Union <http://www.africa-union.org/>
- Comunidade dos Países de Língua Portuguesa (CPLP) <http://www.cplp.org/>
- Economic Community of West African States (ECOWAS) <http://www.ecowas.info/>
- Institute of Communications of Guinea-Bissau (a state-run agency) <http://www.icgb.org/>
- ReliefWeb's Guinea-Bissau page <http://www.reliefweb.int/rw/dbc.nsf/doc104?OpenForm&rc=1&cc=gnb>
- University of Pennsylvania African Studies Center's Guinea-Bissau Page [http://www.africa.upenn.edu/Country\\_Specific/G\\_Bissau.html](http://www.africa.upenn.edu/Country_Specific/G_Bissau.html)