



## Security Council

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### **Report of the Secretary-General on developments in Guinea-Bissau and the activities of the United Nations Peace-building Support Office in that country**

#### **I. Introduction**

1. The present report is submitted pursuant to paragraph 14 of Security Council resolution 1233 (1999) of 6 April 1999, by which the Council requested me to keep it regularly informed and to submit a report every 90 days on developments in Guinea-Bissau and on the activities of the United Nations Peace-building Support Office in Guinea-Bissau (UNOGBIS).

2. Members of the Council will recall that in my last report, of 22 June 2001 (S/2001/622 and Corr.1), I described efforts to stabilize the situation in the country and to strengthen the fragile democratic institutions in order to address the urgent political, economic, social and security crises the country faces. I also outlined the contributions of UNOGBIS to this process.

3. Following their consideration of that report, members of the Council, on 10 July 2001, in a statement to the press, reaffirmed their support for the efforts of the Government and the people of Guinea-Bissau to promote national reconciliation and strengthen democratic institutions and the rule of law. They also expressed concern about the unstable situation in the country and reiterated their call on the international community to continue to assist Guinea-Bissau in its economic rehabilitation and reconstruction efforts.

4. The present report covers developments since my last report and outlines the ongoing activities of UNOGBIS and other entities of the United Nations system in support of the country's peace-building process.

#### **II. Political developments**

5. During the period under review, the overall situation in the country has remained volatile. The political scene has been dominated by the Government's increasing instability in the face of an emerging institutional crisis resulting from differences among various institutions, representing different branches of power, over their constitutional responsibilities. As the opposition has continued its demands for the resignation of both the Government and the Prime Minister, Faustino Imbali, the inexperienced Government has been rendered practically non-functional, while the delay in the investigations of its alleged embezzlement of US \$17 million has further eroded its credibility.

6. Adding to political uncertainty, none of the three major political parties, largely owing to internal procedural difficulties, has been able to hold a national congress to clearly define its post-electoral strategies and priorities.

7. By mid-September, a number of President Kumba Yala's controversial decisions had resulted in a rift between him and his own party and had provoked a strong resistance on the part of major political actors, especially the judiciary.

8. The President's earlier decision to suspend the activities of a Muslim group and to expel from Guinea-Bissau its leaders, whom he accused of contributing to the country's instability, was deemed by the legal authorities to be unconstitutional. His subsequent decision to dismiss the President of the Supreme Court



and three of its judges was also qualified as unconstitutional.

9. Finally, the media's frequent use of the newly acquired freedom of expression in an unrestrained manner, disregarding the fragility of the post-conflict political process, has also contributed to an acrimonious political atmosphere. On their part, government functionaries have often overreacted to even valid critical comments from the media, sharpening political differences.

10. On the positive side, despite the difficult political climate, the National Assembly has continued its efforts to assert its role as a check on the executive, including its oversight responsibilities in the management of the national treasury. The report of its commission to investigate the alleged embezzlement of \$17 million and to recommend procedures enhancing the fiscal control of the national treasury has been completed, although it has yet to be made public. A parallel investigation by the Attorney-General commissioned by the Prime Minister appears to be suspended, however, reportedly for lack of funds.

11. In an important legislative initiative, the National Assembly, before going into recess last August, approved draft revisions to the Constitution submitted by its Technical Committee. That Committee was established to bring the country's constitution into line with internationally recognized norms. The revisions include, among others, amendments to article 5, which would bar citizens of Guinea-Bissau who have only one parent indigenous to the country from high office. The revised Constitution now awaits the President's approval.

12. In another encouraging step, notwithstanding their differences, all political parties have agreed that municipal elections should be held early next year. Electoral preparations continue, although financial constraints hamper effective planning for these elections. Once the National Assembly, which will resume its work in November, enacts the necessary electoral law, the Government would seek the international community's financial assistance for the conduct of the elections.

13. During the reporting period, my Representative continued his efforts to promote dialogue and to mobilize civil society groups and individuals, especially the Bishop of Bissau, to lessen tensions at critical junctures in order to stabilize the situation.

Given the precariousness of the political situation, however, there is fear that the ongoing institutional tensions may plunge the country back into instability.

### **III. Military and security aspects**

14. The situation along the border with Senegal remains precarious, as the withdrawal of regular Bissau Guinean troops from the border region, with only border guards left in place to provide security, has left the situation there tense and delicate. Military hostilities between regular Bissau Guinean forces, deployed to the border region to contain the activities of rebel forces of the Movement of Democratic Forces of Casamance (MFDC), have somewhat subsided, and factional fighting within MFDC in Bissau Guinean territory also appears to have stopped. The danger of renewed rebel activities in that region remains acute, however, and mines laid around the border regions in the north of the country continue to make life in the area insecure.

15. The volatility of the border regions continues to hamper progress in the reorganization of the army. Nevertheless, the military authorities have just completed the draft plan for the restructuring of the army. A number of countries with traditional ties to Guinea-Bissau in the military field have pledged to collaborate with the political and military authorities of the country in the planning and the execution of the reform plan. There is still a long way to go before any such plan becomes reality, however.

16. Instability in the border regions also causes delays in the implementation of the Programme of Demobilization, Reinsertion and Reintegration, which the World Bank estimates might require approximately \$17 million. Progress, however, has been made. The first meeting of the National Council on the Programme of Demobilization, Reinsertion and Reintegration, held on 7 September 2001, concluded that, by 31 August 2001, the first stage of the Programme had been completed, including the census, in which 23,803 candidates had been counted. To implement the second stage, which envisages the demobilization of 5,000 persons, the Programme is collaborating closely with the International Organization for Migration, the World Bank and other donors.

17. In the meantime, the military authorities have reiterated their commitment to the non-recruitment of child soldiers. They have also provided to my Representative the names of 600 child soldiers recruited during the civil war who are to be discharged and reintegrated into civilian life. To that end, the Office of the Special Representative of the Secretary-General for Children and Armed Conflict, the United Nations Children's Fund, the United Nations Development Programme and UNOGBIS are jointly preparing a set of measures to help ensure that these children return to their families and are reintegrated as productive members of the society.

18. With regard to the Government's programme of civilian disarmament, a team of experts from the United Nations Regional Centre for Peace and Disarmament in Africa, at Lomé, visited Guinea-Bissau from 9 to 16 July 2001 to explore conditions on the ground for the implementation of the project of collection of illegal arms from the civilian population. The team's practical recommendations including sources of funding are expected to be completed in the near future.

19. Meanwhile, although slowed down by the recent rainy season, the mine-clearing process in the Bissau area has continued and 1,600 mines have so far been removed. With additional funds provided by the Governments of Germany and the United States of America, the programme will be able to continue the removal of the estimated 5,000 mines that still remain planted.

#### **IV. Economic and social aspects**

20. On the economic front, pervasive poverty in the country continues to pose a threat, as stability cannot be achieved without a noticeable improvement in the daily life of the population. Such improvements are yet to come, however, and public sector employees continue to agitate for wage increases and improved distribution of wage supplements in the form of food rations. While unpaid salary arrears to civil servants and the military are raising social discontent to dangerous levels, unemployment and under-employment rates, especially among young people, remain extremely high, luring restless young people, in the search for means of existence, into criminal activities and prostitution.

21. Further aggravating the economic situation, this year's crop of cashew nuts, the country's main revenue earner, has been half the estimated output. With foreign assistance accounting for some 80 per cent of the national budget and the income from custom duties reduced to a very low level, the resulting loss of revenue adds to the already grave liquidity crisis that confronts the Government. The economy is virtually on the verge of collapse and the Government has barely enough resources to meet its most urgent domestic obligations, principally the payment of salaries and the maintenance of critical social infrastructure, and only for a very short period of time.

22. The health sector has been particularly affected by the lack of resources. The statistics of fatalities among women and children are dismally high. The infant mortality rate is estimated at 124 per 1,000, while the death rate of children under 5 years is put at 203 per 1,000, with HIV infection rising rapidly.

23. The food situation, largely because of the miserable 2001 cashew nuts crop and the vagaries of weather conditions affecting food crops, is also becoming critical. The World Food Programme (WFP) is providing emergency food supplies to vulnerable families, but the security situation in the north of the country has often hampered WFP plans to cover the whole national territory in its operations. This important effort however is hardly enough and a food crisis appears to be looming.

24. In the meantime, the round-table conference, now planned for January-February 2002, will depend on the results of the World Bank/International Monetary Fund mission, planned for November 2001, whose report will be considered by the IMF Board, possibly in December.

25. As a follow-up to President Yala's visit to Nigeria in June 2001, a Nigerian economic mission visited Bissau in August to further explore with Bissau Guinean authorities avenues of bilateral collaboration, as well as ways to further integrate Guinea-Bissau's economy into the mainstream of subregional economic development.

#### **V. Human rights**

26. Guinea-Bissau's Human Rights Commission is becoming an active actor in the protection of human rights, while the Government has established an Inter-

Ministerial Committee responsible for reporting to the competent United Nations bodies on the progress in the country's implementation of the United Nations treaties and conventions Guinea-Bissau has signed.

27. During the period under review, UNOGBIS continued to maintain close contacts with national authorities and the judiciary to monitor the human rights situation in the country. In an initiative to further strengthen national capacity in the promotion of human rights, UNOGBIS, in collaboration with the Ministries of Defence and Internal Administration, the Embassy of the United Kingdom of Great Britain and Northern Ireland at Dakar and the Community of Portuguese-speaking Countries, organized at Bissau, on 11 and 12 July, a conference on the role of the national army and the police in the promotion and protection of human rights, which was attended by senior representatives of the military and the police.

28. All but seven, alleged to be MFDC rebels, of the persons detained in the aftermath of the events of November 2000 have been released pending trial. Owing, however, to the lack of resources, both financial and human, trials are yet to commence.

29. To enhance the professional capacity of the judiciary to ensure due judicial process in the country, including the speedy trial of the released detainees, UNOGBIS is preparing another refresher course for magistrates.

30. In the wake of the withdrawal of regular Bissau Guinean troops from the border with Senegal, a UNOGBIS human rights team visited border regions to assess the human rights situation. During its meetings with local civilian and military authorities, the mission made its recommendation with regard to their obligation to respect the human rights of civilians, including refugees.

## **VI. Observations**

31. Despite some positive developments, the overall situation in Guinea-Bissau remains dangerously unstable. The country's widespread economic and social problems have prevented the few democratic advances achieved over the past few months from taking root. Tangible dividends of democracy remain illusory for the people. Institutional tensions, an inexperienced Government and the lack of

transparency in governance constitute added sources of instability.

32. I have been exploring with the Economic Community of West African States and other friends of Guinea-Bissau ways and means of assisting the Government of President Yala to stabilize the political situation. In the meantime, I call on the political actors at all levels in Guinea-Bissau to maintain dialogue and refrain from any actions that threaten national unity and the constitutional order.

33. In this early and fragile phase of post-conflict peace-building, it is essential to safeguard the independence of the judiciary. In this connection, I wish to reiterate my previous appeals to the international community for urgent technical and financial assistance to a weak judiciary that labours under very difficult circumstances.

34. Early engagement is crucial to reversing conditions of instability in Guinea-Bissau. With the assistance of UNOGBIS and the United Nations entities in Guinea-Bissau, some windows of opportunity remain open, but such windows may vanish quickly if they are not fully exploited. Without improvements in the daily lives of the population, the present precarious political situation, if left unattended, may ignite a new round of open conflict. It is imperative that effective measures to relaunch the economy be taken, with particular focus on helping the most vulnerable groups in the society.

35. I appeal therefore to all bilateral and multilateral partners of Guinea-Bissau, in addition to actively participating in the forthcoming round-table conference, to explore in the interim other mechanisms and arrangements, including through international and national non-governmental organizations, to speedily assist the people of Guinea-Bissau in re-establishing income-generating activities and energizing its private sector.

36. Finally, I wish to pay tribute to my Representative, Samuel Nana-Sinkam, and to the staff of the entire United Nations country team for their dedicated efforts to help keep the peace-building process in Guinea-Bissau on course, despite multiple challenges.