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Commission Africaine des Droits de l'Homme et des Peuples

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Report

Of

The Promotional Mission

To

The Republic Of Guinea Bissau

16th – 22nd March 2005

Commissioner E.V.O. Dankwa

April 2005

INTRODUCTION

Dates of the Visit and Composition of the Delegation

Commissioner E.V.O. Dankwa, the Commissioner responsible for promotional activities in the Republic of Guinea-Bissau undertook a Promotional Mission to the Republic from 16th – 22nd March 2005.

The objective of the visit was to hold meetings with various stakeholders in the country drawn from the Government, NGOs, Community Based Organisations, International Organisations, and the media on the situation of human rights in the country. The visit also aimed to publicise the African Commission and its work in the promotion and protection of human and peoples' rights. Based on the various meetings it held, the Mission made several recommendations as included at the end of this report.

Commissioner Dankwa was accompanied and assisted by Mr. Nega Girmachew Lulessa, a Legal Officer with the Secretariat of the African Commission.

GENERAL INFORMATION ABOUT GUINEA-BISSAU

History

The rivers of Guinea and the islands of Cape Verde were among the first areas in Africa explored by the Portuguese in the 15th Century. Portugal claimed Portuguese Guinea in 1446 and established a "captaincy-general" of Portuguese Guinea in 1630 to administer the territory. With the cooperation of some local tribes, it soon engaged in slave trade and exported large numbers of Africans to the Western Hemisphere via the Cape Verde Islands. Cacheu, one of the nine administrative regions of Guinea-Bissau, became one of the major centers for the trade, which declined in the 19th Century. Originally founded as a military and slave-trading center in 1765, Bissau instead grew to become the major commercial center.

Portuguese conquest and consolidation of the interior did not begin until the latter half of the 19th Century. Portugal lost part of Guinea to French West Africa, including the center of earlier Portuguese commercial interest, the Casamance River region. A dispute with Great Britain over the island of Bolama was settled in Portugal's favor with the involvement of the United States of America.

Before World War I, Portuguese forces, with some assistance from the Muslim population, subdued animist tribes and eventually established the territory's borders. The interior of Portuguese Guinea was brought under control after more than 30 years of fighting; final subjugation of the Bijagos Islands did not occur until 1936. The administrative capital was moved from Bolama to Bissau in 1941, and in 1952, by constitutional amendment, the colony of Portuguese Guinea became an overseas province of Portugal.

Four years later, Amilcar Cabral and Raphael Barbosa clandestinely organized the African Party for the Independence of Guinea and Cape Verde (PAIGC), which moved its headquarters to Conakry, Guinea, in 1960 and started an armed rebellion against the Portuguese in 1961. Despite the presence of Portuguese troops, which grew to more than 35,000, the PAIGC steadily expanded its influence and, by 1968, it controlled most of the country. It established civilian rule in the territories under its control and held elections for a National Assembly thereby increasingly confining Portuguese forces and civilians to their garrisons and larger towns.

The Portuguese Governor and Commander in Chief from 1968 to 1973, Gen. Antonio de Spínola, returned to Portugal and led the movement that brought democracy to Portugal and independence for its colonies. PAIGC's Amilcar Cabral was assassinated in Conakry in 1973, and party leadership fell to Aristides Pereira, who later became the first President of the Republic of Cape Verde. Although the party's National Assembly unilaterally declared the independence of Guinea-Bissau on September 24, 1973, it wasn't until September 10, 1974 that Portugal finally and officially granted independence to Guinea Bissau, which followed Portugal's April 1974 revolution. Luis Cabral, Amilcar Cabral's half-brother, became President of Guinea-Bissau. In late 1980, the government was overthrown in a relatively bloodless coup led by Prime Minister and former armed forces commander Joao Bernardo Vieira.

From November 1980 to May 1984, President Vieira headed the Revolutionary Council to which the provisional government was responsible. In 1984, the council was dissolved, and the National Popular Assembly (ANP) was reconstituted. The single-party assembly approved a new constitution, elected President Vieira to a new 5-year term, and elected a Council of State, which was the executive agent of the ANP. Under this system, the President presided over the Council of State and served as Head of State and Government. The President also was head of the PAIGC and commander in chief of the armed forces.

There were alleged coup plots against Vieira's Presidency in 1983, 1985, and 1993. In 1986, first Vice President Paulo Correia and five others were executed for treason following a lengthy trial. In 1994, the country's first multi-party legislative and presidential elections were held. An army uprising against the Vieira government in June 1998 triggered a bloody civil war that also saw the military involvement of the Senegalese and resulted in hundreds of thousands of displaced persons. A military junta ousted Vieira in May 1999 and an interim government turned over power in February 2000 when opposition leader Kumba Yala, founder of the Social Renovation Party (PRS), took office following two rounds of transparent presidential elections.

Despite the elections, democracy did not take root in the succeeding 3 years. President Yala neither vetoed nor promulgated the new constitution that was approved by the National Assembly in April 2001. The resulting ambiguity undermined the rule of law and impulsive Presidential interventions in ministerial operations hampered effective governance. On

November 14, 2002, the President dismissed the government of Prime Minister Alamara Nhasse, dissolved the National Assembly, and called for legislative elections. Two days later, he appointed Prime Minister Mario Pires to lead a caretaker government controlled by presidential decree. Elections for the National Assembly were scheduled for April 2003, but later postponed until June and then October. On September 12, 2003, the President of the National Elections Commission announced that it would be impossible to hold the elections on October 12, 2003, as scheduled. The army, led by Chief of Defense General Verrisimo Correia Seabra, intervened on September 14, 2003. President Yala announced his "voluntary" resignation and was placed under house arrest. The government was dissolved and a 25-member Committee for Restoration of Democracy and Constitutional Order was established. On September 28, 2003 businessman Henrique Rosa was sworn in as President. He had the support of most political parties and of civil society. Artur Sanha, PRS President, was sworn in as Prime Minister. On March 28 and 30, 2004, Guinea-Bissau held legislative elections which international observers deemed acceptably free and fair which installed the present Prime Minister, Mr. Carlos Gomes Junior.

Economy

One of the poorest countries in the world, Guinea-Bissau depends mainly on farming and fishing. Cashew crops have increased remarkably in recent years, and the country now ranks sixth in cashew production. Guinea-Bissau also exports fish and seafood along with small amounts of peanuts, palm kernels, and timber. Rice is the major crop and staple food. Before the 1998 civil war, trade reform and price liberalization were the most successful part of the country's structural adjustment program under IMF sponsorship. The tightening of monetary policy and the development of the private sector had also begun to reinvigorate the economy. However, intermittent fighting between Senegalese-backed government troops and a military junta in 1998 destroyed much of the country's infrastructure and caused widespread damage to the economy, which led to a 28% drop in GDP that year. Partial recovery was possible in 1999-2002. Guinea Bissau is endowed with such natural resources as petroleum, phosphate and other minerals, although their development remains a distant prospect due to the intermittent unrest in the Republic. It is yet to exploit its offshore oil reserves, which could provide much-needed revenue in the long run. Despite these resources, Guinea Bissau has one of the most extreme inequalities of income distribution in the world. The government and international donors continue to work out plans to forward economic development from a lamentably low base.

The Land and the People

Guinea-Bissau is one of the smallest countries in West Africa. It is located between Senegal in the north and Guinea in the south. Its surface covers 36,125 square kilometers and the population is about 1,388,363 million. The climate is tropical with a period of rains lasting from June to October. Rivers wind through the low and forested coastal areas while the inland landscape changes into savannah in the east and northeast and more tropical in the south. The country is divided into nine administrative regions: Bafata, Biombo, Bissau, Bolama, Cacheu, Gabu, Oio, Quinara, and Tombali. Approximately 300,000 people are reported to live in Bissau, the capital city, and surrounding area. Other towns are small.

Thus about 75% of the population live in the countryside. More than 55% of the population are estimated to be below the age of 20.

The largest ethnic groups are the Fula and Balanta (about 25% each), Mandinga (about 15%) and Manjaco and Papel (about 10% each). There are at least 13 different languages. The largest common language is Creole, which is found all over the country. The official language is Portuguese, spoken, however, only by about 10% of the population. French is common among educated people and in the market places. About 40% of Guineans are Moslem with a few percent being Christian. But most Guineans embrace what could be called animist religions and philosophies of life.

Current Political Structure

Guinea- Bissau has been a multi-party Republic since 1991. The country's conventional name is the Republic of Guinea-Bissau. It adopted its first constitution in 1984. A new constitution was adopted in 2001 but it was neither accepted nor rejected by the President. Guinea-Bissau observes a separation of powers and has a President, who is the head of State, and a Prime Minister, who is head of the government. Other branches include a Council of State, which includes ministers and secretaries of state. Guinea-Bissau has a unicameral legislature known as the People's National Assembly, which has 100 seats and whose representatives are directly elected to four-year terms. Last elections for the legislature were held in March 2004 where 102 members were elected. The president is elected by popular vote for a five-year term and appoints a prime minister after consultation with party leaders in the legislature. The current president is Henrique Pereira Rosa, who will serve as the Head of State until April 2005, when a presidential election is scheduled to be held.

Structure of the Judicial System

The Supreme Court of Guinea Bissau consists of nine judges appointed by the President and who serve in final courts of appeal and criminal and civil cases. There is one regional court for each of Guinea-Bissau's nine regions which serve as first instance courts of appeals for Sectoral Court decisions and hear all felony and civil cases valued at over \$1000. There are also 24 Sectoral Courts that hear civil cases under \$1000 and misdemeanor criminal cases. The judiciary is claimed to lack independence. It operates amidst reports of reprisals against any attempts of independence by the judges and refusal of the political authorities to honour its decisions and sometimes to release detainees.

Guinea-Bissau Army and Police

The police, under the direction of the Ministry of the Interior, have primary responsibility for the country's internal security. The armed forces are responsible for external security and can be called upon to assist the police in internal emergencies. In 2002, the Government began a comprehensive program to restructure the armed forces, improve military living conditions, and demobilize approximately 4,000 active duty military personnel; however living conditions remained poor and delays in paying out salaries persisted. As a result, the

army mutinied on 6th October 2004, for the fourth time since the country's independence in 1974, intervening and acting independently of government authority. The mutinous soldiers killed the head of the armed forces in pursuit of demands, which included the payment of outstanding wages. Some members of the security forces were also alleged to have committed serious human rights abuses. The army remains one of the main sources of considerable instability in the country as it continues to be involved in the country's politics.

THE VISITS

Ministry of Foreign Affairs, International Cooperation and Communities, 15th March 2005

Officials at the Ministry of Foreign Affairs, International Cooperation and Communities appeared not prepared to receive the delegation. The latter learned that the information on the necessary arrangements to receive it wasn't communicated to the Secretary General of the Minister of Foreign Affairs. The visit of the Head of State of Cape Verde was the main factor in the delay in our work. The personnel assigned to assist the delegation, however, did their level best, till the last day of the mission, to contact relevant Ministries and/personalities and secure appointments for meetings with the delegation.

At the office of the Ministry of Foreign Affairs, International Cooperation and Communities, the delegation was met by Mr. Alfredo CRISTÓVÃO Gomes Lopes, Jurist and Chief of Cabinet, Mr. Suleimane Mane, a staff member, and Ms. Guilhermina Peres, administrative secretary at the Ministry.

Mr. Cristavao Gomes Lopes informed the delegation that due to the various engagements the Minister of Foreign Affairs, Engineer Soares Sambu, and the Chief of Protocol of the Ministry had with the visiting President of Cape Verde and the FAO delegation, they could not be available to meet with the African Commission's delegation. Instead, Mr. Gomez arranged for the delegation to meet with the Secretary General of the Minister, Mr. Sambé NU UANA.

The Secretary General of the Minister, Mr. Sambé NU UANA, informed the delegation that he was not aware of any meetings scheduled for the Minister with the delegation and that the Minister, after having been informed of the arrival of the delegation, had asked him to represent him at the meeting. He informed the delegation that the Minister was with the visiting delegation of Cape Verde, which was headed by the President of Cape Verde, and that of the delegation of FAO, with whom the Protocol has been engaged.

He apologized for the inconvenience experienced by the delegation as a result and welcomed the latter to the Republic of Guinea Bissau.

Commissioner Dankwa introduced the delegation, the African Commission, its mandate and the purpose of the mission. He stated that the African Commission consisted of 11 Commissioners, elected by the Assembly of Heads of State and Governments (AHSB) of the African Union (AU), from among nominations presented by Member States of the AU. He mentioned that all African States, with the exception of Morocco, were members of the

AU, and all have ratified the African Charter on Human and Peoples' Rights (the Charter), which was adopted in 1986 by the AHSG of the AU, formerly known as the OAU.

He stated that the African Commission was established in 1987, and in accordance with Article 62 of the Charter, all Member States must submit to it, every other year, a report on the legislative and other measures they have taken to give effect to the rights and freedoms enshrined under the Charter. He mentioned that he was aware of the internal problems the Republic faced recently, and that these appear to have been solved. He stressed that the African Commission thus expected Guinea Bissau to fulfill its obligations under the Charter and submit a report to it. He noted that reporting before the African Commission was not complicated and that all that countries needed to do was report on the human rights situation in their respective countries according to the requirements of the Charter.

With respect to the aim of the Promotional Mission to the Republic, Commissioner Dankwa added that such Missions were conducted with a view to encourage Member States to continue their promotion and protection of human rights. He noted that during such missions, the delegation of the African Commission strives to hold as many meetings as possible with several authorities drawn from such Ministries as Foreign Affairs, Justice and Internal Affairs. It also holds discussions with the judiciary, NGOs, National Human Rights Institutions (NHRIs), members of both the private and government media, and individuals.

While explaining that the African Commission held Ordinary Sessions twice a year (with one of them being in Banjul, The Gambia), Commissioner Dankwa urged Mr. Sambé NU UANA to ensure that Guinea Bissau would take part in the African Commission's 37th Ordinary Session, which would be held close to the country in Banjul, from 27th April to 11th May 2005. He concluded by urging the authorities to ensure that the Republic ratifies the Protocol Establishing the African Court on Human and Peoples' Rights and the Protocol on the Rights of Women in Africa. These introductory remarks were repeated, with slight variations, at the rest of the meetings.

The Secretary General of the Minister, on his part, thanked the Commissioner for the brief introduction of the Mission and the African Commission. He stated that Africa remained beset with human rights violations, which is also a problem in Guinea Bissau. He disclosed that the Republic has yet to establish a national institution for human rights, which, he said explained the difficulty in coordinating the government's work in human rights, and the failure to submit any report to the African Commission. He hoped the Republic would finally settle itself to have such an office soon. He stated that the reports that are issued by the Guinean League for Human Rights do not reflect the reality on the ground.

He acknowledged the importance of the delegation's mission to the Republic and stated that it could help in sensitizing people. He assured the delegation that his office would do its best to have the Protocol Establishing the African Court on Human and Peoples' Rights and the Protocol on the Rights of Women in Africa ratified by the Republic. He hoped that the Republic would indeed be represented at the African Commission's sessions and urged the delegation to raise these matters with the higher authorities it intended to meet while on the mission.

To a question by Commissioner Dankwa on the recently concluded elections in the Republic, the Secretary General noted that the March 2004 elections, which installed the present government, were considered free and fair, and it helped in the setting up of a new government. Unfortunately, the military unrest of 6th October 2004, which resulted in the killing of the Chief of Army, led to the brief deterioration of the situation in the country. He noted, however, that in human rights terms, his government remained committed with less and less violations of human rights and media rights. Illustrating this, he said that there were 4 women Ministers in the government, that the former President remained a free man, that there were no political prisoners in the country, and that an amnesty consideration was underway to encourage reconciliation.

**The United Nations Peace-Building Support Office in Guinea-Bissau (UNOGBIS),
15th March 2005**

After receiving the delegation, Mr. Briant T. Ruane, Human Rights Officer, talked about the general human rights situation in the country. He stated that he lectured, once a week, on human rights at the University in Bissau. He added that the country lacked proper prisons for convicts, and the last one was destroyed during the 1998 civil conflict. However, there are three detention centres in Bissau, in which are kept about 100 prisoners. In one of these detention centres, long-term prisoners are kept together with short-term prisoners. There is severe lack of prison facilities, though the ICRC continues to do its best to ameliorate the situation.

There are no political prisoners in Guinea Bissau, with all the 21 prisoners who were accused of a coup attempt by the previous regime having been released. There were reports of mass arrests and beatings of students by the previous government authorities on the order of personalities as high as the former Prime Minister. Comparing the present situation with the immediate past, Mr. Ruane stated that there prevailed a more human rights friendly atmosphere at the present. As an illustration, he mentioned the recent efforts by the various Ministries including that of the Ministry of Justice to establish an inter-Ministerial committee/council representing each ministry to ensure cooperation in policies implementation, including those on HIV/AIDs. He said that the plan for such a council aimed at legalising it as an independent institution. The Ministry of Defence plans to establish a Conflict Prevention Office, which will train all security forces in human rights principles. He noted that the current Minister of Interior who is a lawyer is much more open to human rights. In his view, the present Police Commissioner has a better understanding of human rights than his predecessor.

With respect to women's rights, he noted that the President of the Supreme Court is a woman and that the country has many women parliamentarians. He added that although it remains a big challenge to instil a human rights culture, gender issues at the present are pushed to the fore in various areas.

To Commissioner Dankwa's various questions, Mr. Ruane responded that the Republic lacked a proper police training facility where the police could be trained in the proper use of force, as well as in basic principles of human rights and related matters. Due to this, he said, there are only prison wardens that had trainings during the pre-war period. He, however, noted that there are no reports of prisoner abuse and that there seems to be a clear

indication of the desire to move forward. He informed the Commissioner that an IMF delegation which was in the country at the same time as the former's visit to assess the performance of the present government. With respect to the rising cost of living, on the other hand, Mr. Ruane related the UNDP report for the country on its prospect of achieving the Millennium Development Goals (MDGs) by 2015, in which it was reported that 70% of the population of the Republic are living on less than 2 US\$ a day.

Mr. Ruane also talked about the problem of corruption in the country and efforts underway to address it. He noted that corruption remained a concern and that the public prosecutor, Mr. Octavio Alvez, was addressing it. Consequently, the former director of the State's Oil Company has been detained for alleged embezzlement of over 100,000 US\$. The Prosecutor also intends to call for questioning the former Mayor of Bissau and two deputies, whose immunities he has requested to be lifted. Mr. Ruane, however, recalled the failure of a similar attempt to have removed the immunities of three deputies.

Mr. Ruane mentioned the Guinean League for Human Rights as one of the most active human rights NGOs in the country. He added that the said NGO released a report in 2004 on the human rights situation in the country, and that in light of the elections scheduled for 12th June 2005, it had embarked upon sensitization. He also brought to the delegation's attention the Institute for Women and Children (IMC), which was set up by the government and has been very active in the areas of the rights of women and children. He expressed his fear over the possible unrest that may be instigated following the return of Mr. Cumba Yalla, former President who just announced his wish to run for the June 2005 Presidential elections. Mr. Yalla was barred from any involvement in politics following his overthrow in 2003.

Addressing Mr. Ruane's questions, Commissioner Dankwa explained that although modelled along that of the EU system of promotion and protection of human rights, the African Commission lacked a strong follow-up mechanism and that most African States have a dismal record of compliance with its decisions. He lamented the fact that the Republic is yet to submit any reports to the African Commission. He also elaborated further on the purpose of his mission to the Republic and expressed his gratitude to Mr. Ruane for accepting to receive the delegation on short notice.

Ministry of Interior, 16th March 2005

The Minister of Interior, H.E. Mr. Lassana Saedi received the delegation. Also present were Mr. Fransisco Malando Jatta, Assesneur du ministre pour les relations internes, and Dr. Victor Felix Diouf, Chef de Cabinet.

After introducing the delegation and the purpose of the mission, Commissioner Dankwa expressed his concern over the lack of participation of the Republic in the work of the African Commission. He urged the Minister to play his role in ensuring the Republic will be represented at the next ordinary session and that its outstanding reports are submitted in good time.

The Minister of Interior, on his part, welcomed the delegation, which he said was the first such visit to his office by an African human rights body. He noted that matter of human

rights was related to development and that it remained a challenge to each African country. With respect to the Republic, he stated that the respect of human rights is basic to development, which underlies any democracy. He noted that all leaders must know this correlation.

With respect to the Charter, he noted that he wasn't informed of this and suggested that the delegation in fact visit the Guinean Human Rights League which is also fighting against the same problems based on the same causes. He contrasted this working relationship with the time of the previous government, under which such a healthy relation with NGOs was not possible. The Minister of Interior has taken initiative to invite the Guinean League for Human Rights to establish a formal relationship with the NGO. He disclosed that the government does not have a particular department assigned to deal with human rights.

As to the various problems faced by his office and the Republic, Mr. Saedi stated that his country faced a lot of difficulties, passed through several wars, and does not have a prison. He emphasized the importance of having good prisons that respect human rights. He lamented that the only central prison in Bissau does not have any security. The Portuguese who left about 30 years ago left prisons which have not been maintained since then due to huge costs. Besides, he noted, the prisons left by the Portuguese were meant only for political and war prisoners who were tortured and killed. These colonial prisons are inhuman and hence cannot be used by the present government.

With respect to the level of crime in the country, the Minister admitted that local difficulties could not allow the provision of a comprehensive statistics, but noted that like in any other country, crimes are also committed in Guinea Bissau. Though the local index is showing an increase in the level of crimes, it is not as alarming as other countries. The lack of technical equipment, like cars, radios etc. affected the performance of the Police, which in turn contributed to the increase in crimes. He also acknowledged a random commission of crimes by individuals who still possess weapons from the time of the civil unrest. He clarified that his country indeed has prisons but these are either difficult to maintain due to the high cost to do so, or unusable due to the purpose they were built for by the Portugues. He noted, however, that some are being used just for preventive detention. He invited the delegation to liaise with the Ministry of Justice for a visit to one of these prisons. He also invited the delegation to visit Police cells under his Ministry. Regrettably, the schedule of the mission did not make it possible for the last offer to be taken up.

Guinean League for Human Rights, 16th March 2005

At the offices of the Guinean League for Human Rights (GLHR), the Vice-President of the NGO, Mr. Jao Vaz Manesh, received the delegation.

Founded in 1991, the GLHR aims at the promotion, protection and defence of human rights. It monitors the human rights situation in the country and issues subsequent reports. After briefly introducing the delegation and the purpose of the Mission, Commissioner Dankwa invited Mr. Manesh to brief the delegation on the situation of human rights in the Republic. Accordingly, Mr. Manesh stated that although the Constitution of the country guaranteed human rights, the situation on the ground is not ideal. The reading of the Constitution could give the impression of the Republic being democratic, yet, he noted,

there abound violations everywhere and in many ways. Some of such violations are: arbitrary imprisonment, delays in detention, civilian abuse by the authorities, and violence (which is even among citizens themselves). He added that the country has no real separation of powers, and that political interference continued to be exhibited often on the work of the judiciary; and the military interfered in the work of the government itself.

He illustrated this by mentioning the cases of various magistrates who were reassigned to various localities and different regions after decisions apparently not in favour of the government, and the failure of the government to comply with a court decision in favour of the Amadiya religion, which, he said, was legalised by the Ministry of Justice. He also mentioned the existence of FGM, early marriage and domestic violence against women. The root of all these problems, he noted, was in poverty.

The Institute for Women and Children (ICM), 16th March 2005

The delegation was received by Mrs. Iracema Do Rosario, President of the ICM. Also present was Mr. Jose Vieira, Principal counsellor.

Commissioner Dankwa briefly introduced the delegation and the purpose of the mission. He, in particular, drew the attention of the ICM to the African Protocol on the Rights of Women in Africa, which he noted the Republic has yet to ratify.

Mrs. Rosario, on her part explained that hers is a governmental institution established in 2000 (originally as part of the Ministry for the Promotion of Women) and is tasked with the promotion of the rights of women and children. She said that in Africa, such instruments as the Protocol are welcomed as the rights of women and children continue to be violated. Guinea Bissau needs stability to concentrate on development since when in conflict, women and children are the primary victims of the instability. She noted that that was the main reason for her institution to engage the sensitisation of the military and political parties. She encouraged the delegation to bring to the attention of other institutions with a view to bring the ICM contributions to enable it carry out its tasks.

She noted also that her institution also engaged in information dissemination and training on women's and children's rights. One such training was held in January 2005 for about 200 wives of military men on gender development, peace and reconciliation. And one such planned training is for the wives of military men to enable them practice trade, and on financial, family and social stability. She noted that her institution needs more resources for it to continue organising these and other similar seminars and trainings for selected target groups.

She further noted that her institution has networks in various areas with various interested parties, and encouraged the creation of such networks as that against violence in general and violence against women, in particular, a federation of women's leadership, a forum against harmful traditional practices, a network of female ministers and parliamentarians, all of which, she noted were created for the purpose of furthering the promotion and protection of women and children's rights.

She disclosed that the ICM has prepared a Draft Bill on harmful traditional practices, which will be submitted to the parliament. She noted that after the parliamentary elections on 24 March 2005, the violence that showed increase since the 1998/98 crisis has subsided. She concluded by promising to add her voice in urging the authorities of Guinea Bissau to ratify the African Protocol on the Rights of Women in Africa.

Amilcar Cabral University, 18th March 2005

While at the Prime Minister's Office and waiting for an audience with him, the delegation met with the Rector of the Amilcar Cabral University, Mr Chernio Diallo.

Having started operations just this year, Amilcar Cabral University has a student population of 2250, which have registered for one of the close to a dozen of courses offered there. University gets main assistance from the government, and that of Brazil and Portugal. Students pay taxes though they are not offered any accommodation at the university. Residences for teachers, especially for the Guineans in the Diaspora who wish to come back and teach, are underway.

To Commissioner Dankwa's query of his impressions of the situation of human rights in the country, Mr. Diallo noted that Guineans have gone through hard times but these days, general freedom of speech is guaranteed. He emphasized on the correlation between justice and stability and noted that problems with justice could lead to instability and vice-versa. He also mentioned of the recent instability in the country due to religious intolerance involving the Ahmadiya religious sect.

The Faculty of Law, Amilcar Cabral University, 18th March 2005

The Director of the Faculty of Law, Mr Vasco Biague, received the delegation.

Commissioner Dankwa explained the purpose of the mission to the country in general and the faculty in particular. He stated that the mission seeks out and meets with as many parties as possible that are interested and work in human rights. The Faculty of Law, he added, deals with the law and the staff usually know about the situation of human rights and hence the African Commission's interest to meet with the faculty.

Mr. Biague explained the relationship between the Faculty of Law and the Amilcar Cabral University. He noted that the Faculty of Law existed for the last 15 years while the University is only 2 years old. The former existed as an autonomous institution teaching law while the latter is a public teaching institution. However, the Faculty is being seen as part of the University and arrangements are underway to merge the two. The Faculty teaches human rights as one of its modules for the 5th year law students. It also organises workshops on peace building and related topics in collaboration with the EU Bissau office, UNICEF, and the UNHCR. These workshops complement the human rights teaching at the Faculty.

He also disclosed that some of the former students of the Faculty are working as magistrates and judges at the various tiers of the judiciary: Sectoral Courts, Regional Courts, and Supreme Court. Some judges also teach at the Faculty while most students that go on further studies from the Faculty proceed to Portugal.

Addressing Commissioner Dankwa's question on his personal opinion on the situation of human rights in the country, Mr. Biague stated that the protection of human rights in the country remained wanting. He listed a number of concerns in this respect: lack of knowledge of the law or one's rights, problem of application of the law, problems with the judiciary in the form of procedural delays and inefficiency, and direct violations of human rights as arbitrary detention, violence against citizens. He noted also that there is corruption in the country and that it affected everyone. He urged the Commissioner to involve the Faculty in subsequent missions to the country.

West Africa Network for Peace Building (WANEP), 18th March 2005

Mr. Etchen Sambu, the National Coordinator for WANEP received the delegation. He briefed the delegation on the work of WANEP in Guinea Bissau.

He stated that WANEP is a sub-regional network of organisations that deal with human rights and has its headquarters in Accra, Ghana. It existed in Guinea Bissau *de facto* since 2003. However, it was only in January 2005 that WANEP Guinea Bissau was legally recognised. The Guinean League for Human Rights is a member of WANEP.

WANEP's basic challenge in the country is to create a conducive environment for Guineans to develop themselves. As its field of action, WANEP does not only deal with peace, democracy and development but also with the reinforcement of human capacity, and through its national partners, with peace building, human rights, gender and the problem of disarmament. He noted that when the different member institutions acquire the necessary knowledge in their respective fields, it would help in the general development of Guinea Bissau.

He further noted that due to the 11 years of liberation war the country went through, there exists a culture of violence since nothing concrete was done after independence. When basic human rights are systematically violated, it creates a chain of violence and conflict. WANEP Guinea Bissau aims at addressing that. He noted that this also underlined the reason for WANEP to have as its goal the transformation of human beings, their mentality, and the emergence of the human value consciousness. In this regard, it has started offering human rights education at the level of school children and middle level education, which will help in the upbringing of children in the society with a sense of non-violence, respect and happiness.

As regards the political situation in the country, Mr. Sambu noted that the transition period after the conflict in 1998/1999 has helped the society forget the past which was full of violations. Although there is some hope for the better, the military's routine violation of human rights creates disquiet and uncertainty in the society. The military is

the source of the main violence, and there is a resurgence of arbitrary detentions and religious intolerance, and fundamentalism. Compared to the military period, however, Mr. Sambu stressed that there were encouraging positive developments. This is a learning process for the whole country, which is made possible due the contribution of various actors, including WANEP and the Guinean League for Human Rights.

He concluded by enumerating the specific programmes the organisation carried out: a weekly human rights programme (which was previously an initiative of the Guinean League for Human Rights), an amnesty initiative for the military with a view to ensure complete reconciliation, a seminar on the concept of amnesty which was also broadcast on the radio, and an upcoming (in April 2005) meeting near the border between Senegal, Guinea Bissau, and The Gambia on various human rights issues.

Guinean Association for the Victims of Judicial Error, 18th March 2005

This meeting took place in the evening of 18th March at the lobby of the hotel where the delegation was staying.

The President of the NGO, Mr. Mario Sa Gomes briefed the delegation on the situation of human rights during Cumba Yalla's Presidency and rights after his overthrow. He stated that during these periods, there was widespread violation of rights committed by the authorities. Imprisonment and arbitrary detentions, for instance, were common. Brutal killing of individuals, including that of Ansumanemane also took place.

Compared to the present situation, he noted that there are improvements and that the various interested actors are trying to bring peace and reconciliation for all to come back to the country. Equally, peace and respect for freedom are being nurtured. However, he added that the army needs reform, and change in the political attitude of all parties in power and in opposition is also required. As long as the army remains as it is without any reform, the elections are not going to bring any change since all the several elections that were held have been frustrated by the army, whose exact numbers are not known for various reasons.

Ministry of Justice, 21st March 2005

The Minister of Justice Mr. Raimundo Pereira received the delegation. Also present were Mrs. Adelaida D'almeida, Director General of Administration of Justice and Prison Services.

Commissioner Dankwa presented the delegation and briefly introduced the African Commission and the purpose of the mission. He stated that such missions enabled the African Commission find out what is being done in terms of the promotion and protection of human and peoples' rights in the particular country, encourage government authorities, NGOs and civil society alike to strive for better protection of human and peoples' rights, and see for itself, with a view to putting forward workable recommendations, the various difficulties the authorities may be faced with in this respect. With respect to Guinea Bissau, Commissioner Dankwa reminded the Honourable Minister that the Republic lagged far

behind its reporting obligations under the African Charter, in the drafting of which the Ministry can play a role. The Faculty of law, NGOs and other stakeholders can also be involved in the process. He also informed the Honourable Minister of the dates of the 37th Ordinary Session to be held from 27th April to 11th May 2005 in Banjul, The Gambia and urged him to ensure that Guinea Bissau is represented at this session. He concluded by also reminding him of the need for the Republic to ratify the Protocol on the African Court on Human and Peoples' Rights and the Protocol on the Rights of Women in Africa.

The Minister of Justice, on his part, thanked the delegation for the brief account of the work of the African Commission. He set out the many problems the Republic continued to face, which he said also affected the government's participation in the work of the African Commission. He recalled that Guinea Bissau was one of the first countries to ratify the African Charter as it was then in peace and without security problems. He said that his country was always in defence of human rights but due to the instability that continued to plague the country, it could not pursue them persistently to fulfil its obligations. Within the present new government, there is a process to set up an inter-ministerial committee on human rights with the objectives of implementing all obligations relating to human rights. It will be composed of such Ministries as the Ministry of Education, Interior, Health, Foreign Affairs, and Justice. Such a structure will also make it easy for the Republic has to prepare a report for submission to the African Commission, which has also not been carried out mostly due to instability and lack of resources. He acknowledged the importance of participation in the Sessions of the African Commission and requested that the African Commission send it an invitation in good time. He also acknowledged the poor communication between the African Commission and the Republic.

Updating the delegation on the current developments in the country, the Honourable Minister stated that his government has been striving to do away with the former ways of bad administration, which were the source instability in the country. When there is no constitutional government, there is a tendency to violate human rights. He emphasised the importance of constitutional order, well functioning institutions, law and order, and independent courts all of which play a role in the improvement of the human rights situation on the ground. He noted the need in his country to re-establish the credibility of the courts.

He also talked about the problems in the Republic's prison system. He stated that there are not enough prisons in the Republic and that even the ones under use were not fit for use as prisons. He admitted that they continue to use detention centres as prisons. Noting the importance of prisons to combat impunity and further respect for the rule of law and human rights, he admitted that the Republic could not keep many convicts locked up in prisons, and many are therefore released before they finish their terms for lack of space. He noted of the progress made in attempts to rebuild prisons in such regions as Baffatta and Gabu. He acknowledged the need for external assistance to have a prison regime that confirms to international standards..

To Commissioner Dankwa's request for permission to visit one of the prisons in the Republic, the Minister responded in the affirmative and recommended that the delegation visit the one in Bafata. He noted that criminality was on the rise and the offences included murder and crimes against property rights. The judges in the courts study law

and specialize later on in magistracy. Those in the lower sectoral courts, however, need not have the special education for magistracy and they are just law school graduates. He also noted the plan to improve and strengthen the judiciary, rename the various tiers of courts, revise the penal and procedural laws, and to introduce new crimes such as information crimes and trafficking in human beings. He also mentioned the Republic's effort to combat corruption. There is an institution that works within the parliament to check corruption. In addition to their being effective tools to combat corruption, the courts themselves are also checked for such practices.

National Council for Social Communication (CNCS), 21st March 2005

Mr. Augusto Mendes, president of the CNCS, received the delegation. Also present were two staff members of the CNCS.

Following the the brief introduction of the members of the delegation and the purposes of the mission by Commissioner Dankwa, Mr. Mendes stated that the CNCS was an autonomous institution established by the parliament in 1991 with a view to allow pluralism in social communication and to ensure the freedom of the press as stipulated under the constitution, which guarantees freedom of expression, both written and spoken. The CNCS has as its goal to follow up the implementation of the constitutional press freedom rules for the benefit of all Guineans. Its chairperson is nominated by the Supreme Court who makes sure that he comes from within the judiciary. The president nominates two representatives, while parliament nominates three. The association of journalists, the members of the private social communication apparatus, and the public press each nominate one representative. The members of the CNCS work part time, they receive complaints, and recommend solutions. They also monitor all media for any emissions or transmissions that might destabilize the peace of the country, and ensure rather that they contribute to the unity and cohesion of the country. Parties whose case the Council handles have the right of reply, particularly in cases of newspaper or radio publications of interest. The government, through the Ministry of Information, consults the Council before the media offices are granted their licences. Because of limited resources the council does not, at the moment, perform one of its functions: the allocation of frequencies, although it was supposed to handle.

Press Conference, Guinean League for Human Rights, 21st March 2005-04-28

The delegation is grateful to the Guinean League for Human Rights for organising and hosting a press conference for the delegation. Representatives from the private radios, Radio Pindjiguiti and Radio Bombolom FM, attended the press conference. During the press conference, Commissioner Dankwa started, as usual, with the mandate of the African Commission and how it is being fulfilled. He responded to several questions posed by the representatives of the two media houses. He briefed them on his impressions of the situation of human rights in the Republic, which he said was improving as the country draws further away from conflict. He noted the difficulties faced by the Republic, which he said called for attention. He noted the progress made, stressed on the need to address the prison situation in the country and to do more in other areas as well.

Trip to visit the Bafata Prison, in Bafata Region, 22nd March 2005

Based on the suggestions of the Minister of Justice, the delegation visited the Prison under the Regional Tribunal of the Ministry of Justice in Bafata. Unfortunately, however, there were no prisoners in the premises. The representatives of the Ministry of Justice at the Regional Tribunal explained to the delegation that due to the termination of the activities of the regional tribunal and the escape of some prisoners in 2003, prisoners were no longer kept at the Bafata Prison. Commissioner Dankwa wondered why such an establishment was not put to use especially in light of the fact that it has recently been renovated and that the Republic continues to face challenges in the administration of prisons.

Upon its return from the trip, the delegation met with the Minister of Justice and held further discussions. Commissioner Dankwa reported that the delegation more interested in prisoners and their conditions of imprisonment than mere structure. The Minister of Justice apologized to the delegation on behalf of the protocol for the misunderstanding that was occasioned in the organisation of the trip.

The Prosecutor General's Office, 22nd March 2005

Mr. Octavco Inocencio Alves, the Prosecutor General, received the delegation. Also present were Ms Teresa Alexandruina da Silva, a Magistrate, and an official from the office.

Commissioner Dankwa set out by introduced the delegation and outlined the purpose of the mission. He noted that the delegation sought to visit the Prosecutor General especially since the office spearheads the fight against corruption in the country, which, he added, affects the enjoyment of human rights by all.

The Prosecutor General, on his part, welcomed the delegation. He noted that such visits presented an opportunity for exchange of ideas and experiences. He noted further that the Guinean Constitution refers to the African Charter. The Republic has a practice of signing several instruments but not ratifying them to have them implemented at the domestic level. He added that the unrest in the past all resulted from discontent and violation of basic human rights. Justification for the September 2003 coup was found in wide practice of corruption. The international community, initially, refused to recognise the change, but later on accepted the situation as the reality became increasingly clearer.

He said that in spite of limited progress, there were areas of concern. The situation of women, for instance, is still a cause for worry despite the constitutional guarantee of equality. Young girls in some areas continue to be given up in marriages on account of tradition and dictations of their parents; they are also kept away from school and are subjected to FGM and other harmful practices.

With respect to corruption, there are some cases that are still pending before the courts.

These were filed following petitions from many quarters and investigations of the Auditor General. The Prosecutor General's office is in charge of the investigation of the petitions and charging the culprits before the courts. If the Prosecutor General is dissatisfied with the decision of the courts, he can appeal. The office receives many petitions even against officials of the same office.

As regards the reports that the Republic owes the African Commission, the Prosecutor General noted that the former owed similar reports to other reporting mechanisms as well. To date, the Republic does not have a national body in charge of monitoring the implementation of international instruments. The Prosecutor General could assist by contributing to such reports owed to the African Commission but the primary responsibility of organising such a task remains with other departments of the government. He stated that the recent initiative to establish an inter-ministerial committee/body for human rights lacked a legal backing, which would enable it to come into being as soon as possible. The government needs to be encouraged to create such a body as soon as possible since the latter would also be able to coordinate the preparation of the report to be submitted to the African Commission. The Prosecutor General's Office can contribute to this exercise at that stage.

To the various questions posed by the Prosecutor General, Commissioner Dankwa responded that Guinea Bissau is yet to ratify the Protocol on the African Court on Human and Peoples' Rights and the Protocol on the Rights of Women in Africa. Although some NGOs from the Republic, and in particular the Guinean League for Human Rights, attended some of the Ordinary Sessions of the African Commission, the Republic has never been represented at those Sessions.

With respect to the impact of the African Commission's work in some countries, Commissioner Dankwa noted that the former's contribution in the continent was not negligible. Although the work of the African Commission also exhibited more room for improvement, and that some states continued not to submit reports to it, Commissioner Dankwa mentioned the following cases where the African Commission successfully intervened after its attention was called to the same:

- The African Commission successfully intervened in the case of a Nigerian major general and others who were condemned to death, after the latter drew its attention to the unfair trial they were subjected to leading to their conviction. The intervention led to the suspension of the execution order and eventual release of the complainants [Communication 87/93 - Constitutional Rights Project (in respect of Zamani Lekwot and 6 others)/Nigeria];
- A Kenyan prisoner who was in danger of dieing due to lack of medical care was promptly sent to a referral hospital, after the Special Rapporteur on Prisons and Conditions of Detention in Africa had brought the matter to the attention of the Director of Prisons, Kenya;
- The intervention of the African Commission must have contributed to the release from prison in Angola of journalist who had not been tried and had been imprisoned for insulting the President;
- The recommendations of the Commission's Special Rapporteur on Prisons

and Conditions of Detention for changes in Prisons in Mali were followed within eighteen months.

The Prime Minister's Office, 22nd March 2005

At this meeting with the Prime Minister, His Excellency Mr. Carlos Gomes Junior, Commissioner Dankwa expressed his gratitude for the audience granted to the Commission's delegation. Also present was Mr. Olivio Pereira, Director of Cabinet in the Prime Minister's Office.

After briefly introducing the African Commission, and noting the difficult path the country passed through, Commissioner Dankwa drew His Excellency's attention to three issues. One, that to date, Guinea Bissau has not submitted any report to the African Commission; two, that the Republic start taking an active interest in the work of the African Commission, particularly by taking part in its sessions; and three, that His Excellency should ensure that the Republic ratifies the Protocol Establishing the African Court and that on the Rights of Women in Africa. He concluded by noting that this was the first visit to the Republic by the African Commission after a long silence and lack of response from the authorities in the country.

His Excellency Mr. Carlos Gomes Junior, on his part, stated that human rights were the concern of not just one country but of all. Unfortunately in Africa, many do not have a conscious understanding and respect of human rights, for which reason the continent continues to witness genocide, conflicts and violations of human rights. He disclosed that he and the President were businessmen and use their experience in that area to contributing to the development of the country. He noted that he has gained experience in politics by being a member of parliament for 5 years, Vice-President from 1994 to 1995, and Vice-President of the Economic and Monetary Union of West Africa (UEMOA). He noted that he had also tried several times to quit politics but kept being called for service by his party and constituency.

He stated that the international community has commended his government's seriousness in respect of the rule of law. At the time he assumed office, many individuals were under detention, and even the movement of people within Bissau was curtailed due to several checkpoints. His office instructed the Ministry of Interior and Defence to gradually ease such hurdles and to avoid unlawful detention of citizens. Although some problems still persist, they are being addressed. The country is now discussing an Amnesty law to which the Prime Minister's office is not against. However, he wondered how one could be granted amnesty without a court judgement. He emphasised his respect for human rights and his resolve to fight impunity. Amnesty should be clearly within the law. Parliament may grant amnesty but it cannot replace the courts, which is a principle of separation of powers requiring a healthy relationship between the organs of the state with a view to implement the laws.

The Prime Minister expressed his willingness to follow up the ratification of the Protocol on the African Court on Human and Peoples' Rights and the Protocol on the Rights of

Women in Africa. He also expressed his wish to receive the delegation's report on the visit. Guinea Bissau always benefited from international cooperation. It is able and continues to send Peace Keeping forces to various parts of Africa in the spirit of solidarity and to prevent conflict, including such countries as Angola, Liberia and even beyond Africa, to Haiti.

The Prime Minister also addressed Commissioner Dankwa's various questions. He said that when the 6th October uprising started, he was asked to seek refuge at the UN or elsewhere by those who were concerned for his safety. He, however, stayed in office to the end of the mutiny since he believed he was elected by the people who wished him to defend their interests and could not run away from his duties. The mutiny was occasioned by the misunderstanding on the part of those who returned from Peace Keeping Missions. Their salary was paid by the UN, which was late in disbursing the necessary funds for it and they thought their superiors misappropriated their salary instead. With respect to a proposed Amnesty to the soldiers who mutinied and others involved in the conflict that ensued, he added that the government signed a Memorandum of Understanding with the military making it clear that it has no authority to grant amnesty but that it can mediate with the proper organ, which is the courts of the land, to do so. That's why the government is not in favour of the parliamentary initiative to grant amnesty to the military.

He expressed his wish for the international community to provide his government with urgently needed assistance in conducting the forthcoming elections, resources to effect reforms in various sectors of government including the army and to put in place measures for the prevention of conflict. He concluded by assuring the Commissioner that his Office is keen to work closely with the African Commission.

Recommendations

Acknowledgement

The Mission is grateful to the Government of the Republic of Guinea Bissau and to many individuals and bodies who facilitated and contributed to its success. Special mention must be made of Mr. Suleimane Mane, a staff at the Ministry of Foreign Affairs, International Cooperation and Communities, who accompanied the delegation during the mission and kindly served, beyond his official call of duty, as the interpreter for the delegation at almost all of the meetings noted above.

The Mission commends the efforts of the government and interested parties to bring lasting peace in Guinea Bissau, improve the living conditions of Guineans, stamp out corruption, improve prison conditions and the conditions of service of the military and security personnel, meet the Republic's international and regional obligations, and ensure the promotion and protection of human and peoples' rights in the Republic.

The Mission is also acutely aware of the significant social, economic and political challenges facing the Government and people of Guinea Bissau, and makes the recommendations below in the belief that, if implemented, they will contribute towards addressing the challenges and problems faced by Guinea Bissau. The recommendations to the Government of the Republic of Guinea Bissau apply to both the current transitional government and subsequent governments alike.

To the Government:

1. *The Government of the Republic of Guinea Bissau should fulfil its obligation under Article 62 of the Charter and submit its long overdue initial State Report to the African Commission;*
2. *The Government of the Republic of Guinea Bissau must, as far as possible, involve all Government Departments with responsibility for the promotion and protection of human rights, opposition parties, NGO's, Civil Society Organisations (CSOs) and the private media in the preparation of the Republic's Reports to be submitted to the African Commission so as to ensure that they are truly reflective of the human rights situation in the country;*
3. *The Government of the Republic of Guinea Bissau should ratify the Protocol to the African Charter on the Establishment of an African Court on Human and Peoples' Rights, and the Protocol to the African Charter on the Rights of Women in Africa;*
4. *As a State Party to the African Charter on Human and Peoples' Rights, the Government of the Republic of Guinea Bissau should take an interest in the work of the African Commission and endeavour, among others, to take part in the latter's Ordinary Sessions;*
5. *The Government of the Republic of Guinea Bissau should establish an independent National Human Rights Commission in accordance with the Paris Principles relating to the status and functioning of national institutions for the protection and promotion of human rights;*
6. *The Government of the Republic of Guinea Bissau should outline clear guidelines on access to governmental institutions; It should also strive towards the maintenance of an effective and independent media;*
7. *The Government of the Republic of Guinea Bissau should formulate policies to deal with the serious issue of limited number of Judges and Magistrates and prisons and places of detention in the country; it should, in particular, enhance and strengthen the independence and impartiality of the judiciary by training judges, prosecutors, lawyers and police personnel with a view to promote and*

protect human rights and ensure the rule of law; in this regard, it is also encouraged to explore ways to extend free legal aid to indigents;

- 8. The Government of the Republic of Guinea Bissau should continue with the reform of its army and other security forces with a view to ending military intervention in the governance of the country;*
- 9. It should also ensure the progressive training of law enforcement personnel such as the Police and Prison officers according to international standards;*
- 10. The Government of the Republic of Guinea Bissau should formulate a plan to ensure speedy trial before the courts;*
- 11. The Government of the Republic of Guinea Bissau should guarantee as per the Republic's obligations under the African Charter on Human and Peoples' Rights and its own Constitution freedom of religion so that no religion is discriminated against;*
- 12. The Government of the Republic of Guinea Bissau, in collaboration with its development partners, NGO's, IGO's and CSO's, should work towards improving the living conditions of its citizens with a view to minimise their vulnerability to violence, empower them to sustain themselves and eventually bring them out of poverty;*
- 13. The Government of the Republic of Guinea Bissau, should ensure that human rights concerns are factored into all government policies and their implementation;*
- 14. The Government of the Republic of Guinea Bissau should set out guidelines and measures that will safeguard and encourage the independent functioning of the three arms of government: the executive, legislative and judiciary;*
- 15. The Government of the Republic of Guinea Bissau should ensure increased and equitable participation of women in decision-making processes including holding high governmental offices and ministerial positions;*
- 16. The Government of the Republic of Guinea Bissau should outlaw FGM and other harmful traditional practices; it should also take specific measures to counter social pressures against reporting domestic violence, rape, incest, and other forms of violence against women;*
- 17. The Government of the Republic of Guinea Bissau is encouraged to abolish the death penalty;*

18. *The Government of the Republic of Guinea Bissau should include Civic and Human Rights Education in the curricular of all educational institutions towards the nurturing and building of a culture of respect of human rights in the country;*
19. *The Government of the Republic of Guinea Bissau should strengthen the Prosecutor General's Office which continues to fight corruption in the country; it should ensure that the Office has all the resources it needs to carry out its mandate;*
20. *The Government of the Republic of Guinea Bissau should intensify its efforts towards raising public awareness of the scourge of HIV AIDS; in particular, government campaign should target such vulnerable groups as the youth, women, and the girl child;*
21. *The Government of the Republic of Guinea Bissau should strive to ensure a reliable power supply in the country, which seems to affect the operation of the industry, domestic life and private and public media/broadcasters to effectively reach out and educate the public;*
22. *The Government of the Republic of Guinea Bissau should continue with its determination to enhance political dialogue and promote national reconciliation, within the perimeters of the need to respect the rule of law and human rights;*

To the Parliament of Guinea Bissau:

23. *While noting the importance of the prevention of conflict and the need to ensure reconciliation for social cohesion, the National Assembly of the Republic of Guinea-Bissau is urged to take into account the justifiable quest for justice and the fight against impunity when considering amnesty for individuals and military personnel that were involved in the civil unrest;*

To the Government and Private Media:

24. *Both the Government and Private Media should perform their duties with the utmost diligence and professionalism called for in the practice, always remembering that they have both rights and duties;*
25. *Both the Government and Private Media should disseminate accurate information and educate the public about human and peoples' rights, the culture of peace generally and the African Charter on Human and Peoples' Rights particularly;*

To the International Community:

26. *The International Community at large should assist the Government of the Republic of Guinea Bissau in its peace-building and reconciliation efforts; in particular, the international community is encouraged to support the Government and the people of Guinea Bissau in their efforts to bring about reform and address the immense challenges they continue to face in the various sectors of the society including the military;*

To the NGOs, CBOs and IGOs:

27. *NGOs and CBOs are encouraged to strongly advocate for and educate the public on a democratic Guinea Bissau where human rights are respected and the ballot box, as opposed to the bullet, is used to change governments; they are also encouraged to assist the government with reference to its task under paragraph 26 above;*

28. *UNOGBIS should work towards leaving behind a prosperous and peaceful Guinea Bissau that is able and willing to effectively address tendencies disruptive of democratic order; it is commended for its endeavour to support the efforts of all national and international stakeholders with a view to enable the Republic attain full constitutional normalcy, including through the holding of free and transparent presidential elections slated for April 2005.*

Commissioner E.V.O. Dankwa,

Commissioner responsible for promotional activities in the Republic of Guinea Bissau