

## **Background Paper on Security Sector Reform in Guinea-Bissau**

### **Introduction**

1. The present situation of the security and defence forces of Guinea-Bissau is attributed to the long and difficult years of the national liberation struggle (1963-1974), and subsequent post-independence internal conflicts, marked by military interventions in politics, clashes between various security and defence forces, and the armed conflict of 1998/99. Reform of the country's security and defence sectors (SSR) has been recognized as a necessary condition for a proper exercise of State sovereignty; a redefining of the role of the security and defence services; the protection of the human rights of groups and individuals; and the pursuit of human, economic and social development, democracy and peace consolidation.

2. These goals are vital hallmarks of effective peace consolidation. SSR in Guinea-Bissau involves resizing of the armed forces, capacity-building and adjustment of the respective roles of the armed forces, police and state security intelligence services and paramilitary forces, justice institutions and law-enforcement, security management and oversight bodies, and non-statutory security forces.

### **Outline analysis of the security and defence sector in Guinea-Bissau**

3. The Security Sector programme in Guinea-Bissau has three components: defence, security and justice.

4. **The Defence sector** in Guinea-Bissau is today marked by a generational conflict due to its varied composition of veterans and freedom fighters from the national liberation era, regular recruits who joined after independence, militias and other paramilitary elements. The defence sector is characterised by relatively large size; with serious imbalance or an inverted pyramid reflected in an excessive number of high-ranking officers compared to junior ranks; inadequate and disorganised turnover of men; weak levels of training and a lack of training facilities; lingering resistance to innovation and reform; socio-economic adversity and deteriorating living and working conditions; a deficient legal framework, with failure to implement existing law, and the persistence of legal vacuums.

5. **The Security sector** in Guinea-Bissau faces many challenges, related to the prevalence of multiplicity of bodies with the same aims but ill-defined jurisdictions (Public Order Police, Judiciary Police, Border Guards, Immigration Services, Maritime Police, Financial Oversight Services and State Security Information Services); an overage force compounded by a lack of periodical recruitment; poor distribution and presence across the territory; weak levels of training and lack of training institutions; inadequate performance levels; a discredited public image; generational conflicts and inter-departmental clashes; socio-economic adversity and deteriorating living and working conditions for personnel; and a lack of a legal framework.

6. Despite some progress made since the early 1990s, **the Justice sector** also continues to face mounting challenges related to the need to: maintain the principle of separation of powers; promote and administrative and institutional reforms; provide statutes for notaries and registrars; ensure financial autonomy for courts and notarial services; provide suitable premises for the proper working of the courts; restore public prestige and esteem for magistrates, notaries and registrars; reform basic legislation, including the Code of Criminal Procedure, Criminal Code, Code of Judicial Costs, Code of Labour Procedure, and Notarial Code; reduce the charges for judicial services; institute Constitutional and Administrative tribunals; build prisons offering minimum conditions for detention and custody; and empower Family and Juvenile courts.

### **Ongoing efforts by Government and international partners in support of SSR**

7. Efforts between Government and partners to undertake SSR were stepped up in 2005, when the United Kingdom Security Sector Advisory Team (SSDAT) undertook consecutive missions to the country to work with national and other international partners to prepare the SSR Strategy Document (October 2006), which was presented for funding to international partners at a round table in Geneva in November 2006. Despite initial pledges of support by partners at the round table, progress in SSR stalled because of recurring cycles of political instability within the Government.

8. Following the assumption of office, in April 2007, of a new Government under Prime Minister Cabi, there was a reactivation of engagement by partners through an International Partners Group for SSR in Guinea-Bissau, facilitated by UNOGBIS, alongside other advocacy platforms of bilateral and multilateral cooperation, including the International Contact Group on Guinea-Bissau, EU, and the UN. This led to the establishment in June 2007 of an Organizational Framework for SSR Implementation, Monitoring and Evaluation (made up of the three-tier SSR Inter-ministerial Committee; Steering Committee; and Technical Coordination Committee). Subsequent engagement between Government and partners led to the approval by the Steering Committee in September 2007 of the SSR Plan of Action, and the official launch of implementation of the Government SSR Programme in January 2008.

9. The launch of the SSR programme coincided with the conduct of a UNDP-funded Census of the Armed Forces to determine the exact number and details of military personnel for a decision on levels of financial and technical assistance to be provided. The Census results indicate that there is a total of 4,493 military personnel in active service, of which 1,869 are officers (41.9 %); 604 under-officers (13.5%); 1,108 sergeants (24.9%); and 867 foot soldiers (19.7%). The census concluded that that Guinea-Bissau's Armed Forces has an inverted hierarchical pyramid, and has a ratio of 2.73 military personnel per 1000 inhabitants, compared to the sub-region's average of 1.23 military personnel per 1000 inhabitants.

10. With regard to the roadmap to SSR implementation in Guinea-Bissau, the guiding national documents that inform the process are (i) **the October 2006 SSR Strategy**

**Document**, which defines the strategies to be adopted for the four target reform areas of Security, Defence, Justice and Veterans of National Liberation; (ii) the **2007-2009 Three-Year Investment Plan for SSR** (October 2006), which lays out the SSR objectives that need to be achieved and the programmes or projects needed to achieve the objectives, at an estimated budget of US\$184.3 million; and (iii) the **SSR Plan of Action** for the Restructuring and Modernization of the Security and Defence Sector (September 2007), which defines the timeline for implementation of activities, with the aim of operationalizing the Government's October 2006 SSR Strategy.

11. Under the SSR Plan of Action, the Government's short-term objectives include: defining a security and defence context for the adoption of a legislative framework on SSR; improving the management of human resources, organizational structures and material conditions of Guinea-Bissau's defence and security sector; regaining the confidence of the population through commitment to SSR implementation; finding an adequate solution to the dilemma of the veterans of Guinea-Bissau's Liberation War; and promoting far-reaching national reconciliation based on democratic principles. The medium to long-term objectives include: modernizing the security and defence sector through the adoption of a legislative framework of SSR and the mobilization of human, material and financial resources; transforming the security and defence sector into guarantors of peace and security; tailoring the size of the security and defence forces to the economic capacity and needs of Guinea-Bissau; and creating favourable conditions for peace consolidation in Guinea-Bissau.

12. The greatest challenge to SSR implementation in Guinea-Bissau remains resource-mobilization. The budget estimate of US\$184.3 million is based on the Government's 2007-2009 Three-Year Investment Plan for SSR. About US\$43.2 million, representing only about 23% of the total budget has already been pledged by partners; the remaining US\$141.1 million (77%) is expected to be raised through further resource-mobilization efforts from partners. The Government of Guinea-Bissau is expected to contribute US\$18.4 million (10% of the total budget). Government and partners acknowledge that a proper approach to providing assistance to SSR would involve phase-by-phase and sector-by-sector funding by partners of project components within the overall SSR Programme that would eventually form part of a coordinated strategy aimed at ensuring that all sectors targeted for reform are covered.

13. Various partners have been providing assistance in specific areas of SSR. The European Union is playing a leading role in the provision of financial and technical assistance for the implementation of SSR. A long-term engagement has been envisaged under the 10th European Development Fund (EDF), covering the period 2008-2013 for an amount of 27 million euro. Ongoing EU support is being channeled through the 9<sup>th</sup> EDF and already covers a wide range of sectors, including justice sector reform (6 million euro), strengthening law-enforcement in combating drug trafficking (2 million euro), a demobilization programme (7.7 million euro), and three technical advisors deployed since October 2007 to provide advice on the institutional framework for SSR, the development of instruments for compensation and reintegration, setting up pension schemes and preparation of the remaining processes needed for the SSR process. An EU-

funded Census of the Veterans is expected to start shortly. Significant EU assistance is also being provided under the Instrument for Stability and the European Security and Defence Policy (ESDP) launched recently. A mission of the ESDP is currently in Guinea-Bissau to work in partnership with national and international partners, providing advice and assistance under SSR in order to contribute to creating the conditions for implementation of the SSR Programme and helping to facilitate subsequent donor engagement.

14. Specific programmes within the Government's 2007-2009 Three-Year Investment Plan for SSR are also benefiting from assistance by other international bilateral and multilateral partners. Examples include (i) the provision by Portugal of technical assistance under the Security Sector Restructuring Programme; (ii) the provision by Brazil and Portugal of support to the Security Forces Modernisation Programme, including training for law enforcement; (iii) the provision of support by Spain, Italy, UK and UNDP to the Programme for Capacity-building to Control Organized Crime including equipment and technical assistance; (iv) support by UNDP under the Defence Restructuring and Resizing Programme; (v) support by the UN Peacebuilding Fund (PBF), Portugal, Brazil and Spain to the Defence Forces Modernization Programme, to rehabilitate military infrastructure and military-technical cooperation; (vi) support by ECOWAS, in partnership national and international partners, under the Programme for Reintegration of Demobilised Personnel; (vii) support by China, Portugal, France, Germany, the PBF and UNDP under the Justice and Security Programme, including administration of justice, rule of law, access to justice and penitentiary infrastructure and administration; and (viii) strategic support to the SSR process, currently being provided by Brazil and UK, among others.

15. Further support is expected from partners, including assistance from the DPKO towards training for law-enforcement and the criminal justice system. An SSR mapping of resources exercise was conducted in New York on 22 and 23 May in this regard and an assessment mission will visit Guinea-Bissau soon. The SSR International Partners Group in Guinea-Bissau has also been holding regular meetings to hold consultations on progress and update a matrix of current and planned assistance to SSR.

16. Apart from addressing issues of resource mobilization, further important challenges to SSR implementation in Guinea-Bissau include coordination of and coherence among national and partner efforts; absorption capacity for the multiplicity of expertise and financial or technical assistance expected to be deployed in the country; sub-regional factors, including cross-border issues, which could impact on the SSR process; the impact of and efforts to combat drug trafficking and organized crime; and reconciling the envisaged heavy investment for SSR with vital parallel currently under-funded socio-economic programmes, including the development of human capital to take full ownership of the process of SSR and other national development programmes.

**Expectations from the Peacebuilding Commission (PBC) and Support from the Peacebuilding Fund (PBF)**

17. The PBC engagement in Guinea-Bissau since December last year has contributed to highlighting the country's socio-economic and political challenges to peace consolidation, including the need for a reform of the security and defence sector. Being on the agenda of the PBC requires a commitment from the Government to continue on the path of good democratic and economic governance and the adequate implementation of national programmes aimed at post-conflict reconstruction and development.

18. The engagement of the PBC in Guinea-Bissau will lead to the adoption of a Strategic Framework for Peacebuilding that will facilitate a medium to long-term integrated approach to post-conflict peace consolidation in key areas, including SSR. As a short-term measure aimed at addressing immediate and critical funding gaps, the PBF has offered financial support for the rehabilitation of military barracks and prisons in the country, respectively under the Government's SSR Programme and within the framework of the Government's Antinarcotics Operational Plan.