

United Nations



Nations Unies

Executive Office of the Secretary-General
Cabinet du Secrétaire général

Guinea Bissau

To: Mr. Nambiar,

Please find attached the draft report of the UN Inter-Agency Assessment Mission to Guinea Bissau (13 to 24 October 2008) on the implementation of the Security Sector Reform Programme.

Mr. Pascoe seeks the Secretary-General's approval to share the report with key stakeholders ahead of a series of meetings on this issue next week.

The Political Unit supports Mr. Pascoe's request.

Nicholas Haysom
16 January 2009

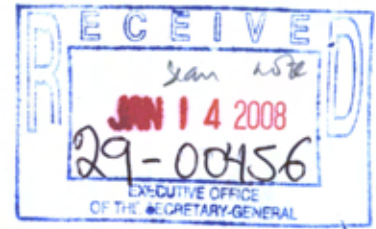
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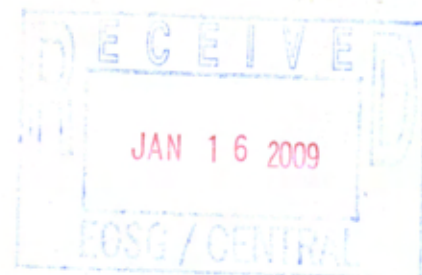


Note to Mr. Nambiar

**REPORT OF THE UN INTER-AGENCY SECURITY SECTOR REFORM
ASSESSMENT MISSION TO GUINEA BISSAU**

1. From 13 to 24 October 2008, DPA led an Inter-Agency Assessment Mission to Guinea Bissau which held discussions with the national authorities of the country and representatives of regional and international partners (bilateral and multilateral), representatives of the UN Country Team, media and civil society organizations, on the implementation of the SSR programme. The major focus of the mission was to identify the gaps in the implementation of the programme and submit recommendations on how to close such gaps, as well as on the future role of an integrated UN presence in Guinea Bissau. **The report of the mission is attached.**
2. I should like to highlight the following sections of the report for your attention:
 - a) **The Executive Summary;**
 - b) **The observations and the recommendations.**
3. Given the strong and wide interest in the Security Sector Reform Programme, within and outside Guinea Bissau, and in view of recent security incidents and assassination attempts on the President and Chief of Staff of the Army, **you may wish to bring the contents of the report to the attention of the Secretary-General and obtain his approval to share these with key stakeholders involved in Guinea Bissau's SSR programme at his earliest convenience. Such a course of action will facilitate DPA's efforts to follow-up on different aspects of the mission's findings and recommendations.** The early approval and operationalization of the programme, which constitutes a key priority of the UN's peacebuilding strategy in Guinea Bissau, would allow us to focus on this important project in a coordinated manner, given the imminent establishment of a UN Integrated Office in Guinea Bissau.

for B. Lynn Pascoe
13 January 2009



UN INTER-AGENCY SECURITY SECTOR REFORM ASSESSMENT MISSION
TO GUINEA-BISSAU

13 to 24 October 2008

Mission Report

« The United Nations exists to support the maintenance of international peace and security and to assist Governments and peoples in building a world in which freedom from fear and want is a reality for all. The lessons of the past 60 years have illustrated that these goals are fundamentally intertwined; security, development and human rights are preconditions for sustainable peace. Member States are the primary providers of security, which contributes to the protection of human rights and sustainable development. The task of the United Nations is to support national actors in achieving their security, peace and development goals. To that end, the development of effective and accountable security institutions on the basis of non-discrimination, full respect for human rights and the rule of law is essential. Where requested or mandated, the Organization can enhance its operational role in security sector reform by helping to establish an enabling environment, supporting needs assessments and strategic planning as well as coordination and specialized resource mobilization, providing technical advice to and building the capacity of security institutions and their oversight mechanisms and supporting national and international partners in monitoring and reviewing progress. »

BAN Ki-moon

UN Secretary-General

Approved on behalf of the Secretary-General.


Vijay Nambiar

INTER-AGENCY JOINT ASSESSMENT MISSION IN GUINEA ON THE SSR IN GUINEA BISSAU

Executive Summary

From 13 to 24 October 2008, the DPA led UN Inter-Agency Joint Assessment Mission on the Security Sector Reform (SSR) in Guinea Bissau, visited the country. Members of the Mission were drawn from DPA, DPKO, UNOGBIS, UNDP, UNODC, UNOWA, UNICEF, OHCHR, INTERPOL and IDLO. The Terms of Reference of the Mission included a review of the SSR documents, consultations with National Authorities, Regional and International Partners (bilateral and multilateral). The Mission was also expected to submit recommendations on a future programme of integrated support and assistance from the United Nations to the government of Guinea Bissau.

In keeping with its Terms of Reference, the Mission met with the Prime Minister of Guinea Bissau, key Government Ministers, representatives of Guinea Bissau's Regional and International Partners (bilateral and multilateral), representatives of the UN Country Team, Media and Civil Society Organizations.

The Mission observed the fact that Guinea Bissau faces a number of challenges as a country, most of which were traceable to its past history of instability and insecurity arising from a vicious cycle of military coups, political unrest and general under development. Other causative factors relate to the new and emerging threats such as drug trafficking, weak infrastructural capacities and other trans-national criminal activities, most of which emanate from outside the borders of Guinea Bissau.

Even while having to contend with these daunting, multifaceted challenges, the Mission found a high level of openness to acknowledge and address the problems facing the country, by its government. The National Authorities, who were consulted by the Mission, were convincing in their commitment and that of the government, to implement the Security Sector Reform Programme. That commitment was equally matched, by the declared willingness on the part of the countries of the Region (ECOWAS), bilateral and multilateral Partners, to support Reform in Guinea Bissau.

Guinea Bissau's SSR Programme and Strategy are outlined in a document titled Reorganization and Modernization of the Defence and Security Sector Strategy Paper that was prepared in 2006 and subsequently approved by the National Parliament. The Strategy provides for a two-tier coordination structure: a Steering Committee made up of the relevant Ministers and Country Representatives and; a Technical Coordination

Committee (TCC) with representatives drawn up from the relevant Ministries, Civil Society, the Media etc.

In terms of findings, some of the major gaps observed in the implementation of the SSR Programme in Guinea Bissau could be summarized as follows;

1. Absence of legal and constitutional frameworks to underpin the implementation of SSR;
2. Weak institutional capacities and infrastructure to absorb assistance;
3. Lack of a clear strategic vision for SSR in the short, medium and long terms. This absence of national security strategy and lack of threat assessment, impacted negatively on the design roles, sequencing and implementation of the SSR programming;
4. Weak coordination of SSR initiatives at three critical and strategic levels: National, Regional and International, including even within the UN family. The net effect of this situation is the duplication of efforts and uncoordinated efforts in support of the implementation of SSR priorities.
5. Concerns over the long term viability and sustainability of the SSR programmes
6. Concerns over the perceived lack of information sharing mechanisms, accountability and transparency, as well as the absence of clear monitoring and evaluation framework for the Reform programme;
7. The challenge of strengthening the national structures established to implement the reform programme in a coordinated manner. It was in this regard, a matter of deep concern that the SSR Technical Coordination Committee, had no predictable, assured and sustainable means of funding the perform its functions;
8. Anxiety within the Defence and Security Sectors over the content and future of SSR, including in particular, the DDR aspects. It was not evident that the buy-in of these critical sectors for the SSR, had been irreversibly secured;
9. Concerns over the capacity of the UN, particularly, UNOGBIS to facilitate the implementation of the Reform Programme in Guinea Bissau, given the prevailing budgetary and human resources constraints.

Based on the foregoing observations and in order to address the multifaceted and wide range of challenges that impact on the implementation of the SSR, a number of key recommendations have been made targeting different levels of interventions. These include:

- a) The Government of Guinea Bissau;
- b) ECOWAS; and
- c) International Partners.

UN INTER-AGENCY SSR ASSESSMENT MISSION TO GUINEA BISSAU

13-24 OCTOBER 2008

MISSION REPORT

I. INTRODUCTION

1. At the request of the Government of Guinea-Bissau, a DPA-led Inter-Agency Security Sector Reform (SSR) Assessment Mission visited Bissau from 13 to 24 October 2008. The objective of the Mission was to engage the national authorities and international partners in Guinea-Bissau, in identifying gaps in the Security Sector Reform process, in particular, civilian law enforcement and the criminal justice sectors.

II. COMPOSITION OF THE MISSION

2. The Mission was made up of two representatives from: DPA Africa II Division, DPKO/OROLSI, DPKO/SPC, CTED, IDLO, INTERPOL, UNDP, UNICEF, UNODC, UNOGBIS, UNOWA and OHCHR. It was led by Mr. Sam Bassey Ibok, Deputy Director, Africa II Division of the Department of Political Affairs at the United Nations Headquarters. (The list of representatives who participated in the Mission is attached to this report as Annex 1).

III. TERMS OF REFERENCE

3. As mandated, (see TORs in Annex II) the Mission consulted widely with the National Authorities of Guinea-Bissau, with Regional Representatives from ECOWAS, the UN Country Team and representatives of the international partners involved in Guinea-Bissau's SSR Programme. (The Programme of the Mission featuring the list of the personalities met with and consulted is attached to this Report as Annex 3. Within the framework of its consultations, the Mission reviewed documents on national strategies and programmes related to SSR, as well as some of the initiatives taken by the country's partners in this area.

V. DEFINING THE PROBLEM: SECURITY SECTOR REFORM

4. As a legacy of the liberation struggle, Guinea-Bissau faces the challenge of dealing with an aging and overstaffed defence and security forces, with salaries absorbing approximately one fourth of the national budget. Over the years since independence, the failure to achieve a comprehensive security sector reform strategy, combined with the Government's inability to provide for the basic needs of the Armed Forces, resulted in several failed attempts at demobilization. This was a factor which predisposed the

country to repeated army mutinies and attempted coups d'état.

5. The country has nine public security forces, which, like the armed forces, lack adequate training, equipment and basic infrastructure to perform their duties. After the 1998 civil war, the ethnical balance in the armed forces was lost. The Balantas, who represent 25% of the population, make up more than 70% of the armed forces. According to the census of the armed forces in 2008 supported by UNDP, there are 4,458 active military personnel (4,271 or 95.8% men and 187 or 4.2% women). The military is top-heavy with 41.9% of officers (1,869), 13.5% of under officers (604), 24.9% of corporals (1,108) and 19.7% of troops (877). 3,839 belong to the Army (86%), 169 to the Air Force (3.8%) and 450 to the Navy (10%). There is a perception that the freedom fighters believe that the country owes them its independence. The army leadership is perceived as playing an active role in national politics, although it has repeatedly and publicly stated its intention of staying out of the political arena. The image of the armed forces is also tarnished by a perceived high level of corruption and allegations of military involvement in drug trafficking. The Police Force has not fared any better. Altogether, there are gaps in the legal and Constitutional Frameworks that should underpin the governance structures for the Security Sector in Guinea-Bissau.

A. The Development of a Security Sector Reform Programme for Guinea-Bissau

6. SSR is a top priority by the Government of Guinea-Bissau. Like the United Nations, the government of Guinea-Bissau believes that SSR is a condition sine qua non for peace consolidation, development and democracy. In October 2005, a team of British SSR experts from the Security Sector Development Advisory Team (SSDAT) visited Bissau, at the invitation of UNOGBIS. This was part of British assistance to UNOGBIS whose mandate includes encouraging and supporting national efforts to reform the security sector, and the development of stable civil-military relations, as well as attracting international support for these efforts.

7. On 17 February 2006, the Minister of Defence formally submitted the final SSR Strategy Document, a Triennial Public Investment Proposal (2006-2008) to support implementation, a triennial Plan of Activities (2006-2008), and a comprehensive list of legislation that needed to be reviewed and updated to reflect the SSR. In November 2006, the Government presented its Security Sector Reform Programme to the donor community at a round table in Geneva but the necessary funding was not secured. This lack of funding hampered efforts to implement the SSR strategy in 2007. UNOGBIS held extensive consultations with the key government actors and the international donors which led to the development of a coordination structure and efforts to prioritise the proposals made in the Strategy in view of the limited funding available. In January 2008, through joint cooperation efforts of the Government and its international partners, the SSR programme was operationalized, and officially launched during a ceremony held in Parliament, and with the support of the army.

8. At this time the Government established a three-tier coordination structure to enable comprehensive support and consultation to be able to take place between Government offices and with key international SSR partners. This structure is made of

one **Inter-Ministerial Committee**, one **Steering Committee** chaired by the Minister of Defence and including representatives of bilateral and multilateral partners, and one **Technical Coordination Committee**.

9. Support to different aspects of the SSR programme in Guinea-Bissau is already being provided by the international community, including by ECOWAS, the EU, UNODC, UNOGBIS, and UNDP, as well as key bilateral partners, such as Brazil, France, Nigeria, Portugal, Spain and UK. On 22–23 May 2008, a mapping exercise of all the on-going and planned assistance to Guinea-Bissau in the area of SSR was conducted in New York. The meeting recommended that an integrated inter-agency SSR assessment mission to Guinea-Bissau be organized *“essentially to provide specific guidance and support to the national SSR process, by identifying challenges and key gaps in current support architecture, and to make concrete recommendations on the way forward in providing technical support and guidance from the United Nations to the nationally-led SSR process”*.

10. Pursuant to the findings of the mapping exercise, the Government of Guinea-Bissau requested the United Nations to field an inter-agency assessment mission to the country. Subsequently, from 13 to 24 October 2008, the Inter-Agency SSR Assessment Mission was conducted to enable further discussions with the national authorities and international partners in Guinea-Bissau on a possible roadmap and strategy for the acceleration and expansion of UN’s assistance to the SSR process, in particular, on defence, civilian law enforcement, judicial police, justice and the rule of law.

VI. REVIEW AND ASSESSMENT OF THE SSR STRATEGY AND PROGRAMME

11. During the Assessment Mission, the national authorities consulted were unanimous in their view that the SSR Programme in Guinea-Bissau is nationally owned and therefore constitutes part of the national priorities of the country. However, it was also evident that the commitment manifested by national authorities was very often limited by weak technical and financial capacities and institutional infrastructure. The Mission took its point of departure from the fact that reform in Guinea-Bissau is work in progress. That assumption was clarified and reinforced by the country’s Minister of Defence, who was also the chair of the National Steering Committee on SSR, when he described the SSR strategy document as a **“living document”** which, while not perfect, would serve as a useful reference point to consolidate action on the implementation of SSR. The Mission envisioned its paramount objective to centre around building upon and consolidating the efforts that Guinea-Bissau’s National Authorities and their Partners had deployed to take forward the SSR Programme in the country.

A. Defence Forces

12. The SSR Programme, when implemented as envisaged, should reflect the new strategic and operational deployment of Defence bodies in a limited and professional manner. The SSR Programme should include a national deployment map and mechanism

for cooperation and coordination. By having a clear picture of strategic, operational and tactical deployment, planners can easily prepare recommendation for their respective organic laws in terms of strength, missions and boundaries. In addition, the Strategy Document contemplates a new structure but no clear conceptualization on the mission of the Armed Forces. There is also no Table of Organization and Equipment for the Ministry of Defence and the Armed Forces.

13. Several international actors are directly involved in the training of the Armed Forces. Some of them are providing packages for training in diverse functional areas. However, it is important to note that some of these packages come with different doctrines. It is essential to develop one common educational programme (and common doctrine) to ensure sustainability and interoperability. The SSR Programme should have explicitly indicated the level of education and training for members of the Defence forces. Existing manpower should be upgraded and a minimum operational level established.

14. The SSR Programme envisages the downsizing of the defence forces from 4,458 to 3,440 (1,720 Army, 1,240 Navy and 516 Air Force). However, it does not present a plan for inverting the pyramid of the Armed Forces which has more high ranking officers than soldiers. This situation should be reversed to create a more operational army. In addition, having increased and better trained soldiers would allow Guinea-Bissau participate in peacekeeping operations. The SSR Assessment Mission also noted the absence of evaluation of the Defence Institutions. Planners should revise the timeframe for the reconstruction of all installations and offices. The revision should take into consideration, at least:

- a) The necessary time for convincing all major donors of the importance of the reform for the future of the nation;

- b) The necessary time for a transparent mechanism of selection among the corporations which are going to be in charge of the different projects and programmes;

- c) The timeframe for putting in place of all the missing organic laws and statutes such as those related to the people who fought in different conflicts, those who will be released for not complying with the vetting system, etc.;

- d) The necessary time for allowing all personnel to be informed about the content and effects of the reform;

- e) The necessary time for national authorities to approve all related laws, international conventions and regional agreements.

15. At the heart of any SSR process is the desire to establish republican and professional security forces, which protect the human rights of the population, and take their commands from the civilian head of government. Due to the history of the military in Guinea-Bissau, it would be important to establish a comprehensive vetting procedure for new and current military and police elements who wish to form part of the reformed security forces. The inclusion of a vetting system will also provide a clear message to all security forces on the end to impunity and ensuring the supremacy of the rule of law. Ultimately, it will provide a framework for addressing acts of impunity and other serious

human rights violations committed in the past. It would also lay the foundations for ensuring good governance in the future. A balanced recruitment process, that takes account of the ethnic composition of the country, is paramount.

B. Civilian law enforcement

16. The Assessment Mission found the organization of the Police and other Law Enforcement Agencies (LEAs) to be somewhat dysfunctional. Lack of capacity and resources to function efficiently and to perform expected roles remain major areas of concern in the implementation of the Security Sector Reform. There are nine police and Law Enforcement Agencies in Guinea-Bissau: The Public Order Police (POP); Judiciary Police; Border Police; Immigration Service; Prevention Police Service; State Information Service (Intelligence); Fire Service; Traffic Police; and Rapid Intervention Police. The main Police Agencies are the Public Order Police and the Judiciary Police under the oversight of the Ministries of Internal Affairs and Justice respectively. All the agencies are under-resourced, with extremely low capacity, overlapping mandates- which often led to friction and are plagued by corruption, untrained personnel and lack of equipment. Agencies including the Public Order Police do not have organic laws, creating confusion as to their roles and responsibilities. Most of the police and LEAs are led by former freedom fighters who are advanced in age and lack the requisite training and expertise for such appointments. The SSR assessment mission was unable to visit the Provinces, but was informed of the absence of Police and Law Enforcement presence nationwide; for instance, the Judiciary Police is present only in Bissau.

17. The Judiciary Police is charged with the responsibility of investigating serious crimes, including drug trafficking, money laundering, corruption and terrorism, and has a total of only 47 agents for the entire country. Within the Judiciary Police, a small component has been organized to combat drug trafficking. These agents receive financial compensation from the international community. The Judiciary Police has started the recruitment of new officers but contradictory figures on the necessary numbers of officers to recruit were presented to the team. A recognition and ambition to address the urgent need to strengthen the capacity of the INTERPOL National Central Bureau in this recruitment process was clearly expressed.

18. The Public Order Police is structured to maintain a presence all over the Country, with a Regional Commissioner in each of the eight administrative regions and a Commissary in each of the 36 administrative sectors of Guinea-Bissau. The Public Order Police has generic jurisdiction related to criminal investigations. Its jurisdiction extends to the investigation of crimes related to money laundering and providing support to the Public Prosecutor's Office when required. So far, it does not have an Organic Law that can legalise properly its actions, jurisdiction and cooperation with the other law enforcement agencies of the State.

19. The SSR assessment mission confirmed the gaps earlier identified during the mapping exercise in New York in particular:

- i. the lack of attention to governance and oversight issues and the absence of a dedicated capacity to address organized crime and drug trafficking, which

had been identified as being a significant and imminent security threat to Guinea-Bissau;

- ii. the lack of Organic Laws for the Ministry of Interior and the Public Order Police;
- iii. inadequate assistance provided to the Public Order Police;
- iv. lack of training and Police Academy;
- v. lack of basic equipment including uniforms, weapons, office furniture, computers, bicycles and vehicles;
- vi. a serious lack of capacity to respond to acts of terrorism and transnational organized crimes. The mission was also informed of hostility between the Judicial Police and Public Order Police;
- vii. The marginal presence of women in all ranks of the LEAs.

20. The increase in incidences of organized crime is a symptom of the serious malaise confronting policing and law enforcement in Guinea-Bissau. However, unless the root causes of institutional dysfunction and lack of capacity are addressed, any support which focuses only on combating crime will remain superficial and unsustainable. The support for building capacity to combat serious organized crime must be within the context of an institutional development and capacity building of police and other LEAs, ensured through a comprehensive reform, restructuring and rebuilding process. The address of transnational organized crime, e.g. crimes which by definition includes an element of trafficking, must be put in the context of regional cooperation and analyzed information-sharing. The SSR National Action Plan foresees a restructuring process which will reduce the number of LEAs from nine to four, with the number of personnel to be retained in each agency as follows:

- i. Public Order Police (1300);
- ii. Guinean National Guard (1700);
- iii. State Information Service (300);
- iv. Judiciary Police (150).

21. There was no available information on the analytical basis for determination of number of personnel assigned to each Agency. However, these numbers were based on the situation prevailing in the country in 2006 and should be reviewed due to the increased incidences of drug trafficking and organised crime. It is also not clear if the Government's capacity to ensure adequate funding for maintenance of these organizations was taken into consideration, including the payment of salaries, procurement and maintenance of equipment and the development of infrastructure. The SSR action plan is deficient in addressing the need for a comprehensive police reform, focusing more on procurement of equipment and training without addressing other core issues, such as the need to conduct the census of all police and LEAs in order to provide a database of essential information of the existing agencies and staff strength which would

facilitate the development of the reform plan.

C. Border Protection

22. The land, air and sea borders of Guinea-Bissau are all unsecured. The team was informed that with over 80 islands within the national boundary, there is no functioning border guard. The border guard does not have any vehicle or equipment to discharge its responsibilities, does not have trained officers, and most of the officers are former freedom fighters who were moved into the unit from the military, and consequently many are past the age of retirement. The team was informed by the Head of the Border Guards Unit that the Unit had never made any drug related arrests and seizures. There had, however, been some arrests related to human trafficking/ people smuggling at the airport and border posts. The SSR plan of action envisages the creation of a National Guard which will take on the responsibilities of securing the national borders of Guinea-Bissau.

23. An Integrated Border Management (IBM) Program is required to address the border issue. This program should be based on a comprehensive threat analysis and provide for the design of structures involved in an IBM to provide a realistic response to identified threats. The integration should address all the Agencies which represent the three components: Land, Sea and Air. The Guinea-Bissau authorities should take the opportunity of the reorganization of the security sector to create sustainable and realistic structures to secure the national borders, combat transnational organized crime and integrate the IBM policy within a wider regional scope. The IBM Program should aim at creating a full border control structure to control the land, air and sea borders and enhance the capacity of these structures to counter serious problems as illegal migration and children trafficking at the borders with Senegal, as well as drug trafficking from the sea and within the archipelago. The Border Police should work in an integrated manner within the country and ensure regional cooperation with other West African countries, particularly neighbouring countries. Guinea-Bissau, with bilateral support, has to procure equipments such as rummaging kits, drug test kits and X-ray machines for use at all points on entry; and the land crossing points will need to be reinforced with specific drug detection tools or canine units.

D. Governance and oversight mechanisms

24. Ensuring a functional civilian oversight mechanism is critical to the development of democratic and accountable Security Institutions including Police and other LEAs. In Guinea-Bissau, The Ministries of Justice and Interior exercise oversight over the Police and LEAs, while the Ministry of Defence oversees the Armed Forces. These Ministries are, however, as ill-equipped as the Agencies they supervise. This is particularly true for the Ministry of Interior which supervises the Public Order Police and other Agencies including the Immigration Service, State Security, Information Service and the Border Guards. Increased capacities at the Ministry of Defence is also required. Senior police officials complained of political interference in technical operational issues and politically motivated appointments of personnel into senior positions. Also of concern were the disclosures **that operational strategies were jettisoned each time a new Minister of the Interior was appointed, in order to accommodate the objectives of the Minister's political party, leading to lack of continuity and creating disaffection.**

The reform of the Ministry of Interior is thus critical to the development of functioning and professional policing and law enforcement in Guinea-Bissau. The promulgation of an Organic Law regulating the activity of the Ministry of Interior, and which clearly defines the extent of its oversight responsibilities over policing and law enforcement is required, to avoid the politicization of the police and the attendant negative consequences. In order to avoid friction and increase the degree of cooperation and collaboration among the police particularly the Public Order Police and the Judiciary Police, it would be ideal to have both Agencies under the oversight of a single Ministry.

25. Parliament is an important actor in security sector oversight. It approves the budget of security institutions, adopts the laws and has the overall role of monitoring security institutions. The Parliament has adopted the national SSR strategy and that was reported to be the first time ever that the Parliament openly discussed about security policies. The role of Parliament, however, needs to be strengthened for assuring an external oversight by the representatives of the people. Parliamentarians need to be better informed about security institutions, and the decision-making process needs to be more transparent in order to make the oversight function possible and effective.

26. Other state and non-state oversight mechanisms can play a very positive role in SSR. Dialogue between civil society organizations and state actors can be critical for laying a large consensus around the reform process and the overall legitimacy of the process and the new institutions to be created by the reform. All mechanisms that guarantee the participation of both men and women should be encouraged.

Reforming the Legal Systems of Guinea-Bissau

27. The national strategy does not seem to adequately address other aspects of the Criminal Justice Sector, including for instance, the prisons. It was revealing that the only reference to this sector in the SSR action plan was the rehabilitation of an old prison facility. The Mission found no indication of any intention to strengthen the institutional capacity of the Prison Services. Corruption is rife in the judiciary and should be addressed. In order to address challenges arising from issues such as corruption and impunity, a holistic approach to strengthening the criminal Justice Sector is required.

28. The efficient delivery of justice is hampered by the disharmonious legal frameworks and organic laws governing the various authorities involved. Harmonisation of these legal frameworks starting with the one pertaining to law enforcement authorities, the prosecution, the judiciary and the correction systems should be coupled with an infusion of young and trained personnel. The United Nations and its key partners could provide assistance to the Government of Guinea-Bissau on the review of legislation, the formulation of new and auxiliary legislation, including constitutional review, upon the national authorities' request.

29. There are a number of international agencies and bilateral partners providing support for the capacity building of the Police and to some extent, other parts of the criminal justice sector in Guinea-Bissau. However, to date, the approaches have been

largely ad hoc, uncoordinated and focused on providing equipment and selective training for a few officers. While it is important in the short-term to support capacity building through quick impact projects, especially in relation to combating trans-national and organized crimes, it is also important to emphasize that a comprehensive, holistic and coordinated approach to the reform and restructuring of the criminal justice sector within the overall SSR framework, is the only viable solution for achieving sustainable results in the long-term.

30. The implementation of a comprehensive programme of SSR will require a further development of the legal system of Guinea-Bissau by way of supporting and promoting the adoption and implementation of the necessary laws and mechanisms to ensure democracy, compliance with the rule of law and with the international conventions to which the country is a signatory. International organized crime poses a real threat to peace and security in Guinea-Bissau, including through drug trafficking and money laundering, which could easily pave the way for terrorism and related crimes such as smuggling of migrants, trafficking of small arms and light weapons, trafficking of women and children for purposes of prostitution or exploitation as well as for recruitment of child soldiers. The Penal Code and the Penal Procedure Code are being reviewed to harmonize international legal conventions against international organized crime and terrorism, recently ratified by the country. Similarly, the Civil Code and the Civil Procedure Code are under revision.

31. The Judicial Sector, like many other sectors in the country, lacks sufficient resources and trained personnel to deal with organized crime syndicates. It was alleged that the near-total absence of specialisation and legal procedures to deal with new offences contained in the different international Conventions that Guinea-Bissau has signed and ratified, emboldens international and national criminals to operate with impunity in the country. Judges continue to receive death threats. Complaints of alleged corruption have tainted the Judiciary thus undermining the already low confidence that many citizens have in the Judiciary.

32. In spite of efforts being made by the Government, the formal justice system of Guinea-Bissau still lacks the capacity to provide adequate, timely or cost-effective judicial services to its population. Core impediments are the absence of correctional facilities, the irregular (or non-) payment of Judges, Prosecutors and court support staff, and insufficient levels of basic supplies and equipment in justice sector institutions. Following the total destruction of the only prison in Guinea-Bissau during the armed conflict of 1998, none of the remaining detention facilities in Bissau have been rebuilt. There is no adequate system of prisoner records. Additionally, there are no facilities to detain juvenile offenders and no separate detention facilities for women. Compounding these structural obstacles, Law Enforcement Agencies and Prosecution Services lack the capacity to construct cases efficiently and according to due legal procedures. One consequence is that courts in both Bissau and the regions function sporadically and inefficiently. The population, particularly in the rural areas, has limited access to justice, including to legal representation and Legal Aid Services. Other barriers include cost, cultural incompatibilities and linguistics (the courts operate in Portuguese however the majority of the population speak Creole-based dialects). Women, who are vulnerable to

sexual and gender-based violence, and have difficulties with accessing justice. The net effect is that some disputes are resolved through customary fora involving decision-making which can be unfair, exclusionary and discriminatory, especially against women and minors. Given this situation, any efforts to strengthen the justice system must be balanced and take into account the important roles played by both formal justice sector officials and community leaders.

33. A further pivotal issue is Guinea Bissau's weak rule of law culture whereby neither the population demands nor justice sector actors embrace basic rule of law values. Institutional strengthening should therefore be accompanied by measures to strengthen confidence in the law through capacity building, awareness raising and community legal empowerment.

34. The justice component of the Government's Justice and Security Sector Reform strategy is weak vis-à-vis other sectors, principally military and police, and is weighted heavily towards institutional and legislative reform to the exclusion of day-to-day service provision. The international community, through UNDP, UNODC and the EC, is actively responding to several of these issues and any future intervention should coordinate with and build upon such initiatives.

VII- Drug Trafficking, Trans-national and Organized Crime

35. Since 2005 and according to figures provided by UNODC, 46 tons of cocaine have been seized en route to Europe via West Africa, and it appears that a bulk part of the cocaine entering Africa is routed via two hubs, Ghana and Guinea-Bissau. This significant increase in seizures could be attributed to the vigilance and actions by law enforcement authorities in West Africa. However, the reality is that hardly any significant seizure is due to the actions of law enforcement authorities in the region and are actually the result of interventions by naval military forces from various countries. In effect, these are merely temporary disruptions of trafficking activities rather than systematic, concerted and competent law enforcement investigations seeking the identification, apprehension, prosecution and conviction of the traffickers. In general, the lack of coordination among national as well as international actors appears to the team as critical, preventing the development of an overarching strategy and sustainable approach to combat serious organized crime in Guinea-Bissau. This together with the absence of vital legal frameworks has raised questions and concerns about the sustainability of now ongoing and future planned actions.

36. Although not able to interrogate the full spectrum of serious organized crime in Guinea-Bissau, the team learned that drug trafficking is not the only problem in this area. Information was provided with regard to alarming incidences of child trafficking. UNICEF Representative provided figures suggesting that some 200 children are trafficked from Guinea-Bissau to primarily Senegal every month, for the purpose of street-begging in Dakar and also seasonally to work on the Senegalese cotton plantations. Furthermore, an escalating influx of luxury and allegedly stolen vehicles sold at retail prices has been reported, forcing legitimate car-sellers out of business; in addition

Annex I

Composition of the Joint Assessment Mission

	Name	Function	Department/Agency	Duty station	Email address
1.	Mr. Sam Bassey Ibok	Deputy Director	Africa II Division / DPA	New York	ibok@un.org
2.	Mr. Patrick Atayero	Deputy Chief of Section	DPKO	New York	atayero@un.org
3.	Ms. Zubaida Rasul	Senior Political Affairs Officer	UNOGBIS	Bissau	rasul@un.org
4.	Lt. Col. Mario Panizza	Expert on Defence and Security	DPKO	New York	panizza@un.org
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6.	Ms. Miriam Estrada	Legal Adviser	Counter-Terrorism Executive Directorate	New York	estradam@un.org
7.	Marlène Nzengou	Associate Political Affairs Officer	Africa II Division/DPA	New York	nzengou@un.org
8.	Ms. Silvia Luciani	UNICEF Representative	UNICEF	Bissau	sluciani@unicef.org
9.	Mr. Giuseppe Calandruccio	Human Rights Officer	Africa Unit, OHCHR	Geneva	gcalandruccio@ohchr.org
10.	Mr. Alejandro Alvarez	Justice & Security Sector Reform Adviser	Bureau for Crisis Prevention and Recovery / UNDP	Geneva	alejandro.alvarez@undp.org
11.	Mr. Mody Ndiaye	Special Advisor for Guinea-Bissau	UNODC	Bissau	mody.ndiaye@unodc.org
12.	Ms. Sandra Valle	Senior Interregional Adviser	UNODC Organized Crime and Criminal Justice Section	Vienna	sandra.valle@unodc.org

	Name	Function	Department/Agency	Duty station	Email address
13.	Mr. Anatole Ayissi	Senior Political Affairs Officer	UNOWA	Dakar	ayissi@un.org
14.	Mr. Esaie Mezui Eyi Ovono	Regional Specialized Officer	INTERPOL Sub-regional Bureau	Abidjan	e.ovono@interpol.int
15.	Lt. Col. Alain Scolan	Team Leader	INTERPOL Command and Control Center	Paris	a.scolan@interpol.int
16.	Ms. Erica Harper	Senior Rule of Law Advisor	International Development Law Organization (IDLO)	Geneva	enarper@idlo.int
17.	Mr. Thomas F. McInerney	General Counsel	IDLO	Rome	tmcinerney@idlo.int
18.	Ms. Chantelle McCabe		IDLO	Geneva	chantellemccabe@mac.com

Annex II

Terms of reference of the Inter-Agency SSR Assessment Mission

The Assessment Mission was mandated to undertake the following tasks:

- a) Consult with the national authorities and their partners on the needs of the SSR, including the national SSR strategy, national three-year investment plan on SSR, report of the May 2008 mapping of the resources meeting, PBSO mapping document (section on SSR), UNOGBIS matrix on donor support to SSR in Guinea-Bissau and previous assessment documents on SSR (OECD SSR in-country consultation in Guinea-Bissau etc), as well as documents of ongoing programmes;
- b) Consult with ECOWAS and the EU/SSR Mission;
- c) Review with national authorities and their partners of ongoing and planned activities on SSR, identifying the challenges and the continuing gaps that need to be addressed;
- d) Review national and regional initiatives, in particular those aimed at combating drug trafficking, money laundering, organized crime, trafficking of women and children for the purposes of sexual exploitation, among others, with a view to identifying their implication for the SSR programme, and include programming and recommendations to address these concerns within the recommendations of the Mission;
- e) Visit relevant SSR-related projects and/or activities;
- f) Make recommendations on how best the UN should support SSR in Guinea-Bissau, within the framework of an integrated office in the country;
- g) Recommended an action plan focusing on the key areas and challenges to be addressed by an expanded and integrated United Nations SSR assistance package, based on a complementary programme of SSR to be implemented by the country and its Government;
- h) With the cooperation and presence of Interpol, recommended measures for the implementation of SC resolution 1373 (2001) as well as the different international and UN Conventions and Protocols aimed at strengthening security and peace for the Guinea-Bissau citizens;
- i) Highlight how the future UN Integrated Office in Guinea-Bissau would support and assist the Government with its SSR programme, and also identify regional resources that could be used to support these efforts, particularly with regard to drug-trafficking, money laundering, border control, illegal immigration, law enforcement and organized crime in the country.

Annex III

Personalities consulted during the Mission

H.E. Eng. Carlos Correia, the Prime Minister

Mr. Artur Silva

General Tagme Na Waie, Chief of Staff of the Armed Forces

Mr. Cipriano Cassamá, Minister of Interior

Ms. Carmelita Pires, Minister of Justice

Ms. Lucinda Barbosa, Director General of the Judicial Police

Mr. Baciro Djá, Chair of the SSR Technical Coordination Committee

Mr. José Djó, Secretary of State of Finances

General Na Batcha, Minister of Veterans Affairs

Mr. Calvário Ahukarié, Director of INTERPOL

Mr. Isaac Aggrey, The Acting Special Representative of ECOWAS

Colonel Armando Nhaga, The Deputy Head of the Public Order Police

Mr. Augusto Mário Có, Head of the Border Guard unit

Ms. Silvia Luciani, Representative of UNICEF

Ms. Sara Negrão, Gender Officer of UNOGBIS,

Mr. Francisco Benante, Speaker of Parliament

Mr. Luís Cabral, Prosecutor-General,

Brig. General Eduardo Costa Sanhá, President of the Military Court,

Dr. Ansumane Sanhá, Acting President of the Criminal Court

Ms. Teresa da Veiga, Committee in charge of money laundering (GIABA)

Mr. Jorge Alturas, Adviser in Guinea-Bissau,

Ms. Mazza, UNDP RR/UN RC

national authorities as was clearly expressed at meetings with the Ministers of Interior and Justice. It is evident that an enlarged UN police component composed of police reform experts, as well as officers with expertise in serious and organized crimes such as drug and human trafficking, would be required within the proposed UN integrated office in Guinea Bissau. An enlarged UN police could also include police trainers conversant with the development of training curriculum and a number of senior advisors who could be deployed to advise and mentor Police and Law Enforcement Officers. However, such enlarged UNPol capacity should take into cognizance the activities of other UN agencies, the presence of the ESDP mission and other bilateral support in order to ensure synergy rather than duplication and competition. It is envisaged that a TAM would be deployed to Guinea Bissau in the not too distant future to develop a concept for a UN integrated office in Guinea-Bissau which could finalize the number of officers and required skills.

39. The Mission observed that the UN Country Team is already assisting the government of Guinea Bissau in fields related to SSR. UNODC is supporting the government on drug trafficking and organized crime-related issues, with particular focus on the judiciary police and the prison system. UNDP designed an 8 million US\$ programme aiming at strengthening capacities in the judicial system, promoting access to justice (with special focus on women) and strengthening democratic governance and oversight over the security system. A strengthened role for the whole UN on SSR needs to build on these existing initiatives.

IX. OBSERVATIONS

40. The Inter-Agency SSR Assessment Mission had very open and frank discussions with national authorities and international partners in Bissau. The Mission was able to attest to the quality and quantity of work accomplished by the national and international stakeholders. It acknowledges the key role played by the EU in SSR and considers that the UN should work closely with the European Security and Defence Policy – ESDP – Mission and the European Commission projects in Guinea-Bissau. It was most impressed about the candour with which the national authorities were open to discuss the shortcomings and challenges that they faced in the implementation of the SSR Programme in Guinea-Bissau. The Mission was convinced of its role being one of reinforcing the implementation programme which began in 2007 and complementing the modest achievements of the national authorities, in order to consolidate UN's support for SSR in a more integrated and comprehensive manner.

41. As indicated elsewhere in this report, there were consistent demands for UNOGBIS to play a major coordination role in this regard. The Mission also felt the need to ensure stronger linkages and synergies with the Poverty Reduction Strategy Paper (PRSP), the peacebuilding configuration, the United Nations Development Assistance Framework (UNDAF) and the work of the UNCT. There is no need to re-invent the wheel in Guinea-Bissau. UNOGBIS and the UNDP have always been involved at decision-making levels in the existing coordination mechanisms. What is urgently needed is to put in place a unified UN mechanism of coordination, ensuring that attention is focused on the much needed humanitarian, human rights, rule of law development and

money-laundering problems were pointed out, to the extent that representatives of the international community, in public and broad day-light, were approached and asked by Bissau-Guinean citizens to take loads of cash money to Europe. It is noteworthy that Guinea-Bissau currently does not have any sorts of mechanisms, resources and structures to fight money-laundering. Recent violent assaults in Bissau, including fatal ones on European nationals, rumour of illicit arm-trades gone bad and corroborating intelligence suggest the link in Guinea-Bissau between Drugs – Money laundering – Arms smuggling, and also indicate the presence of organized crime networks from Colombia, Venezuela and Mexico as important facilitators. Although there is a recognition at higher political and justice sector levels on the existence of serious and organized crime problems in Guinea-Bissau, the understanding of the concept and cornerstones of such criminality is poor. The approach at its best is that criminals are occasionally investigated as suspects of individual serious criminal acts without considering them to be part of organized crime and members of criminal networks.

37. Guinea-Bissau is a signatory and ratifying party to the UN Convention against Trans-national Organized Crime. However, the capacity of the criminal justice sector to address these crime phenomena as a national problem or as part of a regional approach is extremely limited. International support to help Guinea-Bissau to live up to the “convention-commitments” in the area of serious organized crime fighting is therefore an absolute necessity, and, as a guarantee for success and sustainability, any such support need to take place as a vital part of regional coordination, information-sharing, gathering and analysis of criminal data, joint actions and programmes. International cooperation is of paramount importance to any efforts aimed at addressing trans-national organized crime, and in West Africa, the element of a regional approach and coordination is critical for success. Such regional cooperation is almost non-existing except for interactions facilitated through the INTERPOL. As a consequence and from short to long term perspectives, it is important to provide support and structure, enabling Guinea-Bissau to become part of international police cooperation through their INTERPOL National Central Bureau and to facilitate adherence to INTERPOL’s service standards and other international norms. ECOWAS is in the process of developing a regional strategy for combating drug trafficking and any strategy for Guinea-Bissau should be developed as an integral part of this effort. As an outcome of the *ECOWAS Ministerial Conference on Drug Trafficking as a Security Threat to West Africa* in Praia, Cape Verde, a Political Declaration as well as an Action Plan (including structures and partners for implementation) was drafted to be presented before the ECOWAS Heads of State meeting in December 2008. The action plan identifies a number of regional and national activities to be taken in combating drug trafficking in West Africa that call for a strong national focal points for international cooperation and swift facilitation of sharing of operational information.

VIII. UN PRESENCE

38. The Mission found that UNOGBIS, as currently configured, is neither able to offer adequate support towards police reform nor perform a facilitating function for international support to police reform, whereas this coordination role is the wish of the

political dimensions of SSR. It is also necessary to establish a set of modalities for strengthening these mechanisms and ensuring that the UN has the requisite capacities to play the role expected of it.

42. Coordination remains a major challenge. The team clearly felt the need for the UN to set up a dedicated SSR Unit possibly at UNOGBIS, with the relevant SSR expertise, including Military and Police advisers, working closely with the UNDP Rule of Law Officer. It was also the Mission's view that there should be a commonly agreed Terms of Reference which should be drafted after a participative exercise, involving the bilateral and multilateral donors, as well as then national authorities. This would not only establish the limits and competencies, but also help dispel the reticence of those who may not wish to be coordinated because of concerns that their scope of action may be limited to a third party.

43. Based on this felt need for a holistic approach, it is crucial to put in place the System that will allow the implementation of the Security Sector Reform Programme while taking into account local realities under the leadership of Bissau Guineans. Furthermore, to ensure a successful reform, the issues of drug and human trafficking, trans-national crime, corruption, irregular payment of salaries and the security and defence forces' weak motivation must be addressed. This must be done in a way that does not unfairly single out Guinea-Bissau, which is also a victim of international criminals.

A. Lack of Clarity on Long Term Strategy

44. The Mission was concerned over a perceived lack of a coherent and shared strategic vision on the SSR Programme in Guinea-Bissau. A key observation of the Inter-Agency SSR Assessment Mission related to the fact that there seemed to be a lack of clarity on a nationally articulated definition and long-term vision for SSR in Guinea-Bissau. As indicated earlier, some have attributed this perception to a seeming absence of any documented threat/risk analysis that should have underpinned the SSR Framework. The members felt that such an analysis would define the parameters on which the reform of the security sector would be based and to which the reform would provide a credible response as reference points. Participants of the Mission were also of the view that without clarifying such a fundamental vision as part of a comprehensive approach, the reform process would not be able to adequately respond in the future to the complex myriad of security challenges and concerns that face Guinea-Bissau. This gap could be addressed within the framework of the existing National Strategic document.

B. Ownership Issues

45. While the SSR Strategy was officially launched at the National Assembly on 23 January 2008, and the Government established coordination structures to monitor and implement the strategy together with international partners, the Mission was impressed with the quality of work achieved by the National Structures in Bissau. However, there was very little evidence that information on SSR is being effectively defused within the governance structures in Guinea-Bissau. Funding to support the work of the SSR Technical Committee has been in short supply. Indeed, working level information exchange among key stakeholders within the Government Ministries and Departments,

the media and Guinea-Bissau's civil society, concerning the contents of the strategy, its timelines and end state, were limited in circulation in spite of the hard work and dedication of the respective committees.

46. It would appear that the drafting of the National Strategy did not encompass as broad a spectrum of consultations within the Government and Ministries as would be desirable for such an important initiative. The net effect of this was that, while all parts of the Government especially at the leadership level agree on the need for SSR, there were limitations of an administrative nature on the involvement of medium and low level officials in following up on the implementation of the SSR strategy. The ownership of the SSR strategy remains the exclusive preserve of a limited number of key Ministers within the Government, including in particular, those who participated in the work of the National Steering and Technical Committees. This too has to be understood within the context of the interim nature of the government which at the time of the Assessment Mission was deploying every effort to conduct credible and crucial legislative elections.

47. The Mission was made acutely aware of the fact that, there had been three governments and one caretaker government since 2005, when the authorities, with the support of UNOGBIS and other international partners, started the current SSR process. Indeed, as one knowledgeable interlocutor informed the Mission, in the context of frequent changes of government and turnovers in ministerial positions, best practices regarding handovers and institutional memory are next to nil in the Government and so it should not be too unusual when the point is made that there were senior officials of government who claimed that they knew next to nothing about Guinea-Bissau's SSR Programme. Opportunities were missed in the past, especially in 2006, at truly entrenching awareness of SSR countrywide. It was also evident that representatives, who participate in the work of the National Technical Committee, did not keep their constituencies informed on major developments in the work of the SSR Programme.

C. SSR and DDR (Disarmament, Demobilization and Reintegration) Challenges

48. As would be expected, the Assessment Mission undertook an exhaustive review of the legislations underlying the security sector Ministries. It was noted that a number of reform related issues, such as the welfare of the veterans and the mechanisms to address them, drew their legislative authority from Guinea-Bissau's Constitution itself.

49. It was noted, in this connection that the National SSR Strategy, while providing for the main elements of the reform process itself, failed to address auxiliary concerns such as the formulation and costing of a retirement plan for veterans (military and police); the establishment of security training Institutes, and the development of a budget for operative costs for a new defence structure. It could be that these issues would be addressed in due course. However, a fundamental concern raised by almost all stakeholders consulted by the Mission, was the critical element of sustainability of the reform process vis-à-vis its understanding and acceptance by the Defence and Security establishments in the country. The Mission noted that past DDR processes efforts were unsuccessful because critical aspects of the reform were based on short term calculations and no long term projections were made to integrate programming for security elements

into the larger reform/Government programmes. It was evident during the Mission, that the reticence regarding Reform from the top brass of the Security and Defence Sectors is linked to the question of pensions and future survival. The leadership of the Military continues to baulk over the question of the armed forces.

D. Coordination

50. The SSR process in Guinea-Bissau has been constrained by difficulties associated with limitations in the performance of the strong coordination mechanisms which resulted in their limited effectiveness. Interest in and support for Guinea-Bissau's SSR Programme by bilateral and multilateral partners have been very encouraging and should be commended. However, it is true that some of these efforts appear to be piecemeal and characterized by independent competing interests and, on a few occasions, overlapping bilateral agendas, bureaucratic practices and complex bilateral implementation frameworks that are difficult to manage by the national authorities and SSR Committees, for example, reporting procedures. Lateral and horizontal cooperation and coordination is still weak. The planning process has been literally ad hoc, while resource mobilization, the most critical aspect of the SSR Programme remains the most challenging aspect of the Programme. It was frustrating and disappointing that, out of a budget of \$184 million, only about thirty percent has been disbursed or pledged to date. The part of the cost that was to be borne by the Government remains unpaid in view of the current fiscal crisis of the State.

51. As stated by the Chair of the SSR Technical Coordination Committee, there are three major intervening actors in the reform process, i.e. the Government, the European Union (the European Security and Defence Policy –ESDP– Mission and the European Commission projects) and the UN (UNOGBIS and UNDP). It is therefore important to coordinate their activities, as well as those of other bilateral and regional partners under the national leadership. Support by the international community should be provided to reinforce what already exists within a comprehensive and holistic framework, to identify priorities, to prevent overlaps and duplications, wastage of resources and to achieve synergies through results that would allow for a more pro-active engagement by the donor community. While the Mission was satisfied with the fact that the mechanisms for coordination are already in place – The National Steering Committee and the National Technical Committee, concerns were raised regarding the fact that some donor programmes had bypassed these structures. In view of the fact that these structures could provide an effective mechanism for implementation and coordination, that they bring together both the key national actors and the international partners, it is important that they be strengthened.

52. The Assessment Mission felt that the SSR strategy lacks the framework for ensuring regular human rights monitoring and reporting, as well as periodic review mechanisms with all SSR actors. The human rights monitoring and reporting mechanisms should be aimed at supporting the process of ratification of international human rights conventions and treaties, in particular, ICCPR and CAT and the integration of international standards into the local legislative framework. At the same time, the strategy should support the establishment of appropriate civilian oversight of security actors by the following:

- a) The executive;
- b) The legislative authorities; and
- c) Civil society organizations.

53. The lack of human rights centrality in respect to the mission of the civilian Law Enforcement Authorities, the Armed Forces and the Judiciary Authorities, as well as their mission to improve the security of the population and justice delivery, should be tackled by introducing human rights into the curricula, while at the same time designing and organizing awareness campaigns targeting SSR actors and the general public. In the correction sector, the lack of planning for the training of penitentiary police is noticeable and should be addressed by designing and supporting curricula for penitentiary police to include a human rights component.

X. RECOMMENDATIONS

54. Following the extensive consultations with all the SSR stakeholders in Guinea-Bissau, the Inter-Agency SSR Assessment Mission to Guinea-Bissau recommends as follows:

A) To the Government of Guinea-Bissau

- a. The Government has made significant investment in the SSR Programme. The current Government has displayed both the requisite political will and the commitment to implement the reform. Both the SSR Steering Committee and the Technical Coordination Committee have deployed extensive efforts to implement the security sector reform. These efforts should be acknowledged and commended. However, the point must be made that those efforts remain constrained as highlighted in the section of this Report dealing with the Mission's assessment of the implementation of the security sector reform.
- b. In order to provide momentum and ownership for the SSR Programme, there should be a more intensive and comprehensive programme of sensitization and information sharing at all levels, including, in particular, within the defence and security forces, government departments, civil society, the media, etc. The National Strategy document should be widely disseminated to secure a buy-in from the key stakeholders and the general population.
- c. The mobilization of resources to implement the reform programme in Guinea-Bissau must be addressed as a matter of the utmost priority. It was evident during the Mission that uncertainties in the sources of funding to backstop the Programme had resulted in the loss of momentum and remains a source of frustration for key national actors. The National Technical Committee for instance, lacks even the minimum of resources to go forward with its ambitious programmes and projects. Yet, there are many funding support programmes that are being channelled to Guinea-Bissau for the implementation of the SSR. Such funding arrangements should be coordinated by and

anchored in the National Technical Committee. The Government should take the lead in establishing a coordination mechanism for mobilizing resources for the ~~Security Sector~~ **Reform**;

d. In order to address the problems associated with the absence of appropriate legal frameworks to support SSR in Guinea-Bissau, the Government should enact legal frameworks and enforcement mechanisms to deal with international organized crime, corruption, terrorism, the financing of terrorism, and adopt urgent policies focused on the establishment of measures to restore the sovereignty of the country and the rule of law. The Mission was not unaware of the fact that the Parliament was dissolved to make a way for the 16 November legislative elections;

e. The enactment of the relevant legislation should also provide the basis for ensuring transparency and accountability in the utilization of resources and facilitate the achievement of successful Security Sector Reform;

f. To address the problem of integrating women into the mainstream SSR activities, the Government should ensure that gender is addressed in the ~~Reform~~ **Programme** as a cross-cutting issue. Women and the youth are at the vanguard of ensuring continuity and sustainability in Guinea-Bissau, like in every other society. The role of women in the SSR Programme must be clearly defined as full partners in Guinea-Bissau;

g. The Mission strongly recommends the establishment of regional cooperation and international assistance frameworks to provide the expertise, equipment, infrastructure and information to fight criminal networks, prevent money laundering, human trafficking and bring criminals to justice. One of the ways of addressing this problem could be through the creation, with assistance from the international community, of a coordination mechanism (networked software) with the capacity to provide updated information in real time or clustered. The Government must integrate itself into the ECOWAS Regional frameworks that address some of the SSR related agendas;

h. Given the centrality and importance of the role of the Defence and Security Sectors to the success of any future SSR-DDR programme in Guinea-Bissau, the Mission strongly recommends the establishment of a transparent and effective vetting mechanism for all ~~Security and Defence~~ **Security and Defence** forces in the country;

i. The Mission acknowledges the commitment of the Government of Guinea-Bissau to uphold the principle of the respect for the rule of law. The Mission recommends the strengthening of these efforts and the need to reinforce the fight against corruption, including through addressing the problem of impunity which phenomenon even though alien to Guinea-Bissau, remains a destabilising factor in its quest for achieving social and economic development.;

j. Given the recent past history of Guinea-Bissau, it is recommended to put in place the necessary mechanisms and modalities for ensuring that the military and other security actors subscribe to the principle of democratic, and civilian oversight of the Security Sector;

k. Following from the experience of the successful census of the ~~Defence~~ **Defence** forces of

Guinea-Bissau, it is recommended that, with the assistance of the international community, the Government of Guinea-Bissau conducts a census of all members of the police and other Law Enforcement agencies as urgent priority. This should be followed by a process of vetting based on the requirements and guidelines on qualifications for service in the police and other law enforcement services as indicated in the organic law and other relevant legislation;

l. To successfully implement the SSR Programme, the Government should be working in tandem with its cooperating partners, to develop a progressive implementation plan with identifiable priorities, time frames for accomplishments, benchmarks and desired outcomes, as well as to establish an implementation and monitoring mechanism comprising national and international representatives,

m. While several attempts have been made to address the question of pension for retired personnel from security sector and DDR, these remain as key challenges in the development of a successful SSR strategy. While the international community can support these efforts, it is crucial that key actors in Guinea Bissau develop a clear plan, with specific targets and time lines, that will have the backing and firm commitment of the military for an effective implementation. This process would ensure that future generations can respect the heroism and courage of all liberation fighters, with the knowledge that they were able to create the foundation of a modern security force capable of defending the people and sovereignty of Guinea Bissau. In turn, demobilized service men can enjoy their well-deserved retirement and refrain from any action that would lead to a return of the status quo ante.

n. The Government should take the opportunity of the reorganization of the security sector to create sustainable and realistic structures to secure the national borders, fight transnational organized crime and integrate their Integrated Border Management (IBM) policy within a wider regional scope;

o. In concert with its international partners, the Government needs to reinforce border and territorial controls by effective patrolling of air, sea and land borders and the strengthening of law enforcement agencies' operational capabilities. It should be clearly understood that it is virtually impossible for the country to tackle this problem on its own. As part of the SSR strategy, modalities should be put in place by the international community to address this problem on an incremental basis.

p. The Mission strongly recommends the strengthening of the security and justice sectors, to create strong and reliable judicial system and Rule of Law structures;

q. Quick Impact Projects (QIP) aimed at building the capacity of Bissau-Guinean LEAs to combat the rising threat of organized crime and specifically drug trafficking, should continue while not losing sight of the longer-term developmental needs for the Police and other LEAs. The comprehensive reform and restructuring of all Police and LEAs in Guinea-Bissau as part of the overall SSR strategy is an absolute necessity in view of the current situation of these agencies. To facilitate the process the creation of necessary legal framework, will be required. This can be achieved through the promulgation of an act of Parliament to ensure legal backing for the SSR process and the

promulgation of organic laws for all the four Police and LEAs which are expected to emerge after the restructuring exercise as indicated by the SSR plan of action. It is essential that in-depth assessments of the police and various LEAs are conducted, to identify the areas in need of support. In addition, there should be a resource mapping exercise to identify which funding will be provided by the government and the funding as well as technical expertise expected from the international community. A progressive implementation plan with identifiable priorities, time frames for accomplishments, benchmarks and desired outcomes is required, while the National Steering Committee should be strengthened and supported.

To the United Nations

Expectations on the role of the United Nations in support of Guinea-Bissau's SSR Programme have remained high before, during and after the Mission.

- a. The UN must, as a matter of priority, work out how it would provide technical assistance to support the implementation of Guinea-Bissau's SSR Programme through co-location, co-management of expertise and mentoring. Current thinking within the UN must be translated into concrete action, without any further delay;
- b. The Mission strongly recommends a more proactive and integrated engagement in Guinea-Bissau based on a shared strategic vision and one that would build on the commendable accomplishments of UNOGBIS and the UN Country Team. This was the basis of the Mission's recommendations to strengthen the UN presence in Guinea-Bissau, in particular, UNOGBIS (within the framework of an integrated office with facilitation, political and coordination mandate on SSR). Similarly, the UNCT in Guinea-Bissau, including the UNODC and the UNDP, UNICEF, etc. should be strengthened not only in number, but more importantly, in terms of technical expertise in SSR. It is recommended that a strengthened UN strategy for Guinea Bissau needs to build on existing UN initiatives and projects to avoid duplication and overlaps. . The main effort should be placed on uniting all international actors under a single platform of the reform as one, holistic and comprehensive programme. The vision that the Mission anticipated for Guinea-Bissau, was more of an integrated strategic framework and a vision for the UN family in the country;
- c. The UN working in tandem with other international partners, including in particular, the EU (ESDP mission and EC programmes), should take the lead in establishing modalities to support the mobilization of resources to implement the Security Sector Reform;
- d. The capacity of the National Steering Committee and the Technical Coordination Committee should be strengthened by the ~~international~~ partners, with the UN spearheading such an effort.
- e. In order to facilitate implementation of decisions by the National Steering Committee, the UN, working with other partners, especially the EU, should help create a planning, coordination and implementation centre, with all necessary means to

bring together major national and international actors in one place (judiciary, defence, policy, advisors, media, human rights dedicated officers, etc). This initiative will help to reduce frictions, avoid repetition and duplication, provide clear indicators, help to identify gaps instantly, generate a lessons learned mechanism, a forum for discussion and reduce problems due to different agendas of stakeholders, as well as create a clear organization chart for SSR.

- f. Programming tools such as a Trust Fund should also be explored as a way of maximizing the use of resources and ensure a better coordination, as well as to make it easier for other donors not currently present in the country to contribute to the process. Such a centre should be made operational and placed at the disposal of the national Technical Coordination Committee.
- g. It is strongly recommended that the UN assists National authorities by providing expertise in all areas to establish the different phases for the strategies (including indicators, funding, timeframe, donors, beneficiaries, etc.) to develop a clear picture of strategic, operational and tactical deployment of the defence and security bodies; programmes for inverting the structure of the armed forces, the replacement of executive officers, the pension and retirement system (including the freedom fighters), the reintegration system, monitoring and evaluation mechanisms, based on a "Generational Security Reform". The Strategy should also provide a clear vision and objectives for the short, medium and long term period;
- h. In partnership with the ESDP Mission the UN should deploy immediately a Standing Police Capacity (SPC) team with expertise in reform, training and crime investigation to support UNOGBIS in developing a concept for enhanced UN support for police and law enforcement reform within the framework of SSR. It is evident that an enlarged UN police component composed of police reform experts, as well as officers with expertise in tackling serious and organized crimes such as drug and human trafficking would be required within the proposed UN integrated office in Guinea-Bissau;
- i. UNOGBIS in coordination with DPKO/PD, INTERPOL and UNODC could assist the Country in developing an Integrated Border Management (IBM) program. This could also be supported by bilateral donors;
- j. The UN is also uniquely placed to propose the development of a user friendly software with the capacity to unify all projects and programmes in the "SSR Synergic Matrix for Coordination and Cooperation", the e mechanism (software) that provides one centralized system and allows all members to file their projects, funds, deadlines, outcomes and observations in one single software;
- k. The relevant UN Agencies need to continue engaging in the justice sector as well as strengthening their technical capacities and programmatic investments. Particular efforts on capacity-building, access to justice and gender-based violence need to be pillars of those partnerships;
- l. The UN should work for the strengthening of the media and civil society's capacities

and support the development and implementation of national information and communication campaigns.

- m. The UN should ensure that gender is mainstreamed and fully integrated in the SSR process in Guinea-Bissau.
- n. Within the context of such an integrated strategic framework an exit strategy for UNOGBIS must be developed.

C. To ECOWAS

a. The responsibility to implement SSR in Guinea-Bissau relies to a large extent on national, UN, regional and international support and facilitation. However, Guinea-Bissau must also situate the challenges that confront it within the reality of being a West African country and addressing some of its problems within the regional context. This implies the use of regional legal frameworks. As mentioned elsewhere in this report, the prevailing and univocal message from interlocutors speaking about capacity-building initiatives in the area of transnational organized crime really stressed the need to put activities and programmes in the context of a regional approach. The DPKO/PD proposal "Coast of West Africa-initiative", in brevity focused on improved and enhanced capacity of INTERPOL National Central Bureaus in the region, enabling them to operate around the clock in accordance with INTERPOL Service Standards and well-recognized norms for international police cooperation, was endorsed by ICPO-Interpol, UNODC and UNOWA. A common understanding and agreement to prioritize Guinea-Bissau in the implementation of the "Coast of West Africa-initiative" was expressed and also in a timely manner reflecting the overall ambitions of ECOWAS draft Political Declaration and Action Plan.

b. Besides its known support for the reform process in Guinea-Bissau, ECOWAS must continue to provide assistance and support for the investigation of serious crimes in Guinea-Bissau, especially those that have regional implications.

c. ECOWAS, working with other international partners should extend support for the mobilization of resources to implement the reform.

d. As this report of the Mission was being finalized, the *ECOWAS Ministerial Conference on Drug Trafficking as a Security Threat to West Africa* was held. Even though the Conference was not part of the work of the Assessment Mission, the far reaching decisions of the Conference, once they are approved by the ECOWAS Heads of State and Government, should be implemented by Guinea Bissau as part of the regional strategy. Equally important would be the support that the UN and the wider International Community will extend to ECOWAS in achieving that objective.

e. As proposed by UNODC at the ECOWAS Conference, consideration should be given to the creation of a West African intelligence sharing centre on drug trafficking.

D. To the International Community

55. The role of the International Community is pivotal for any successful implementation of the SSR Programme in Guinea-Bissau. A lot has been done to support these efforts especially, through the existing coordination mechanisms, particularly, the Steering Committee and the National Technical Committee;

- a. To consolidate and provide renewed momentum for the SSR in Guinea-Bissau, the International Community, which incorporates the UN and bilateral/multilateral partners, should revisit their coordination arrangements and how their participation in the existing coordination mechanisms could be streamlined and strengthened, to make those mechanisms like the National Steering Committee, better funded, more effective and efficient to play their coordinating roles.
- b. There are several key areas that the International Community should focus their intervention efforts and these were identified in the following broad thematic frames;
 1. Providing assistance for investigation of serious crimes in Guinea-Bissau;
 2. Providing support to help build up institutional capacities and democratic governance;
 3. Supporting the mobilization of resources to implement the reform;
 4. Providing fast boats to enable the efficient control of borders and to monitor the coastal areas;
 5. Providing training for the use of (and the provision of) weapons detecting machines;
 6. Providing technical support in detecting movements of financial assets and the discovery of forgeries, as it is improving bilateral relationships with different countries to exchange information and training, suspending financial assets of terrorist linked individuals and organizations, establishing a national coordinating authority composed of different ministries, and fighting illegal immigration;
 7. Providing training in order to promote effective extradition and mutual legal assistance in order to ensure successful prosecution.
 8. Providing assistance in the areas of strategic planning, project management and programme implementation to national authorities;
 9. Collectively coaching/mentoring national authorities during the SSR process;

10. Providing basic equipment and training;
11. Providing funding and budget support; through inter alia the establishment of an SSR Trust Fund that would be at the disposal of the relevant National SSR Committees to support the implementation of the SSR Programme.
12. Providing debt relief for Guinea Bissau, especially the International Financial Institutions (IMF, World Bank, ADB)

XI. CONCLUSION

56. The United Nations remains committed to supporting the SSR Programme of the Government of Guinea-Bissau and the Assessment Mission reaffirmed the Government's ownership and commitment to implement the reform. Based on repeated calls from national authorities and their international partners to see UNOGBIS and UN Agencies, play a more enhanced facilitating role on the implementation of the SSR in Guinea Bissau, the Mission recommends that the proposed coordination arrangements be considered within the framework of the envisaged UN integrated presence in the country. Such a role should be developed in close consultation with the EU (European Security and Defence Policy – ESDP – Mission and the European Commission projects). As indicated by the Secretary-General, recommendations on how UNOGBIS could be transformed into an integrated office will be made after a Technical Assessment Mission is deployed in Guinea Bissau in early 2009 with a view to proposing concrete recommendations on such a framework. In the meantime, the most urgent recommendations included in this report should be implemented, in particular the strengthening of the National SSR Committees. This should be pursued in tandem with the strengthening of the UN presence, along with the development for a concept for enhanced UN support for police and law enforcement reform within the framework of SSR, in coordination with existing UN efforts on the security and rule of law areas.

XIII. ACKNOWLEDGEMENT

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