

Guinea-Bissau | Freedom House

POLITICAL RIGHTS: 15 / 40 (-1)

A. ELECTORAL PROCESS: 6 / 12 (-1)

A1. Was the current head of government or other chief national authority elected through free and fair elections? 2 / 4

The president is elected through a two-round voting system for a term of five years. The prime minister is appointed by the president “in accordance with the election results” after consulting with the parliamentary parties, and the government must be dissolved if the parliament rejects its proposed budget.

In the 2014 presidential election, José Mário Vaz of the PAIGC took 61.9 percent of the second-round vote, defeating independent Nuno Gomes Nabiam, who took 38.08 percent. The election was considered largely free and fair. However, Vaz’s 2015 dismissal of PAIGC leader Domingos Simões Pereira as prime minister touched off a political crisis. A series of subsequent governments appointed by Vaz failed to secure parliamentary approval. In 2017, the UN Security Council urged Vaz and other leaders to implement the internationally brokered Conakry Agreement of 2016, which called for an inclusive government led by a consensus prime minister.

In January 2018, Prime Minister Umaro Sissoco Embaló resigned, and President Vaz appointed a PAIGC member—Artur Silva—as prime minister, but without the party’s agreement. Silva could not form a government with parliamentary support, as both the PAIGC and the PRS denounced his unilateral appointment. In February, the Economic Community of West African States (ECOWAS) imposed sanctions on some of Vaz’s supporters and family members for allegedly sabotaging the political process and the implementation of the Conakry Agreement. Vaz finally nominated a consensus prime minister, Aristides Gomes, in April, and he remained in office through the end of 2018.

A2. Were the current national legislative representatives elected through free and fair elections? 2 / 4 (-1)

Members of the 102-seat National People’s Assembly are elected by popular vote for four-year terms. In the 2014 elections, the PAIGC took 55 seats and was allocated two additional seats for diaspora representation, bringing its total to 57. The PRS secured 41 seats, the Party for Democratic Convergence (PDC) took two seats, and the Party for a New Democracy (PND) and the Union for Change (UM) won one seat each.

Monitoring groups and local human rights organizations reported some instances of intimidation or beatings of election officials and candidates during the election period. One PRS candidate for the legislature was reportedly kidnapped by unknown armed assailants. Voting was otherwise relatively peaceful and transparent, and the legislative elections were considered largely free and fair by international observers.

The incumbent assembly's four-year mandate, which was set to expire in April 2018, was extended to allow elections scheduled for November, but the voting was then postponed again due to delays in the voter registration process. Both the PAIGC and the PRS agreed to the extension of the mandate even as some politicians and civil society organizations argued that the measure was unconstitutional. In December, a presidential decree set the legislative elections for March 2019.

Score Change: The score declined from 3 to 2 because legislative elections scheduled for 2018 were postponed and the original mandate of the incumbent legislature expired.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 2 / 4

There are some problems with the country's electoral laws and framework, including weak controls on campaign spending and vote buying and a lack of legal provisions for domestic poll observers. The 2014 elections were delayed in part due to a lack of funding, and the postponement of the legislative elections due in 2018 was accompanied by allegations from some parties of irregularities in the stalled voter registration process.

B. POLITICAL PLURALISM AND PARTICIPATION: 8 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 3 / 4

Dozens of political parties are active in Guinea-Bissau, and 15 of them competed in the 2014 legislative elections. The political crisis since 2015 has led to some instances of violence and intimidation among partisan groups.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 2 / 4

Guinea-Bissau has a limited record of democratic power transfers between rival political parties, as the PAIGC or military rulers have governed for most of the period since independence. In 2014, Vaz succeeded an independent serving as acting president in the wake of the 2012 coup. Nevertheless, despite the repeated delays and tensions with the president, opposition forces were expected to have an opportunity to increase their representation in the 2019 legislative elections.

B3. Are the people's political choices free from domination by the military, foreign powers, religious hierarchies, economic oligarchies, or any other powerful group that is not democratically accountable? 1 / 4

The military has apparently refrained from interfering in politics since 2014, but the choices of voters and politicians continue to be influenced by corruption and patronage networks. Organized crime linked to drug trafficking and money laundering has contributed to the country's political instability in recent decades.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 2 / 4

Women enjoy equal political rights, but their participation is limited in practice by cultural obstacles, and they are underrepresented in leadership positions. Just 14 women won seats in the last parliamentary elections. During 2018, women advocated for more equal political representation, and in November the assembly passed legislation requiring 36 percent of candidates on party lists to be women, though it did not require gender alternation on the lists. The president signed the bill into law in December.

Ethnicity plays a role in politics. For example, one of the larger groups, the Balanta, have traditionally dominated the military and cast votes for the PRS.

C. FUNCTIONING OF GOVERNMENT: 1 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 1 / 4

Governance has been impaired by the political crisis that began in 2015. The constitutional legitimacy of the prime minister and cabinet remained in doubt until the appointment of a consensus prime minister in April 2018, and the expiration of the legislature's original mandate that month raised questions about its authority as well. Until it met in April, the full legislature had not convened for over two years. Aristides Gomes was the seventh prime minister to be appointed since President Vaz took office in 2014.

C2. Are safeguards against official corruption strong and effective? 0 / 4

Corruption is pervasive, including among senior government figures. Both military and civilian officials have been accused of involvement in the illegal drug trade. Critics of past corruption investigations targeting former high-ranking officials have argued that they were politically motivated.

C3. Does the government operate with openness and transparency? 0 / 4

There are no effective legal provisions to facilitate public access to government information, and government officials do not disclose their personal financial information as required by law. The political impasse and related parliamentary dysfunction have further obstructed oversight of government spending in recent years.

In May 2018, civil society organizations and members of the public criticized the government's gift—requested from and sponsored by Morocco—of 90 new cars to parliamentary deputies. Opponents of the donation noted that the health care and education systems were in dire need of funding.

CIVIL LIBERTIES: 27 / 60 (+2)

D. FREEDOM OF EXPRESSION AND BELIEF: 11 / 16 (+1)

D1. Are there free and independent media? 2 / 4 (+1)

The constitution provides for freedom of the press, and there is some media diversity. Journalists regularly face harassment and intimidation, including pressure regarding their coverage from political figures and government officials. However, reports of threats and censorship diminished in 2018 compared with previous years, and in April the president stated that freedom of expression and the press should be protected.

Score Change: The score improved from 1 to 2 because threats to journalists and efforts to control the media appeared to decrease in comparison with previous years.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 3 / 4

Religious freedom is legally protected and usually respected in practice. Government licensing requirements are not onerous and often disregarded. Some Muslims have reportedly raised concerns about the influence of foreign imams who preach a more rigorous or austere form of Islam.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 3 / 4

Academic freedom is guaranteed and generally upheld, though the education system is poor in terms of access, quality, and basic resources. Public schools were closed for much of 2018 due to ongoing teachers' strikes, and in November police used force to remove students who attempted to assemble in schools as part of their protests against the prolonged closures.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 3 / 4

Individuals are relatively free to express their views on political topics in the private and social sphere, though some more public figures have faced the threat of arrest or charges in retaliation for their remarks in recent years.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 7 / 12 (+1)

E1. Is there freedom of assembly? 1 / 4

Freedom of assembly is frequently restricted. The authorities have repeatedly interfered with demonstrations linked to the political tensions between the president and the legislature. In August 2018 the police blocked a march against an agreement with Senegal to explore for oil in Guinea-Bissau's waters, which would give the

majority of proceeds to Senegal. Police violently suppressed a student march in November that was meant to protest delays in classes stemming from the teachers' strike, leaving at least eight people injured. A subsequent student demonstration outside government headquarters was reportedly allowed to proceed.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 3 / 4 (+1)

Nongovernmental organizations (NGOs) are generally able to operate. Some groups have faced intimidation and other obstacles, particularly those that are associated with street demonstrations, but no major cases of repressive measures against NGOs were reported during 2018.

Score Change: The score improved from 2 to 3 because there were no reports of serious threats or repressive measures against NGOs during the year.

E3. Is there freedom for trade unions and similar professional or labor organizations? 3 / 4

Workers are allowed to form and join independent trade unions, but few work in the wage-earning formal sector. Private employers sometimes engage in improper interference with union organizing and other activities. The right to strike is protected, and government workers frequently exercise this right. Several strikes took place during 2018, including actions by civil servants, teachers, and state media employees.

F. RULE OF LAW: 4 / 16

F1. Is there an independent judiciary? 1 / 4

Judges are highly susceptible to corruption and political pressure, and the court system as a whole lacks the resources and capacity to function effectively.

F2. Does due process prevail in civil and criminal matters? 0 / 4

Corruption is common among police, and officers often fail to observe legal safeguards against arbitrary arrest and detention. Very few criminal cases are brought to trial or successfully prosecuted, partly due to the limited material and human resources available to investigators. Most of the population lacks access to the justice system in practice.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 1 / 4

Conditions in prisons and detention centers are often extremely poor, and law enforcement personnel generally enjoy impunity for abuses. A number of cases of torture and beatings by police have been reported in recent years, including in 2018.

Because of its weak institutions and porous borders, Guinea-Bissau has become a transit point for criminal organizations trafficking various types of contraband. The

armed forces and some other state entities have been linked to drug trafficking. Criminal violence, including homicides, continues to threaten residents' physical security.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 2 / 4

Women face significant societal discrimination and traditional biases, despite some legal protections. They generally do not receive equal pay for similar work and have fewer opportunities for education and employment.

There are virtually no effective legal protections against discrimination on other grounds, including ethnicity, sexual orientation, and gender identity, though same-sex sexual activity is not specifically criminalized.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 5 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 2 / 4

There are few formal restrictions on freedom of movement, but widespread corruption among police and other public officials can limit this right in practice, as can criminal activity.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 1 / 4

Illegal economic activity, including logging, by organized groups remains a problem. The quality of enforcement of property rights is generally poor, and the formal procedures for establishing a business are relatively onerous.

Women, particularly those from certain ethnic groups in rural areas, face restrictions on their ability to own and inherit property.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 1 / 4

Domestic violence is not specifically addressed by law, and it is reportedly common. Victims of rape and domestic abuse rarely report the crimes to authorities. The government, international organizations, and community leaders have worked to eliminate female genital mutilation, though nearly half of the country's women have undergone such traditional practices. Early and forced marriages remain common.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4

Guinea-Bissau is one of the world's poorest countries, with most families relying on unstable employment in the informal economy or remittances from migrant workers abroad. Public services have deteriorated in recent years amid irregular payment of

public-sector workers.

Boys are vulnerable to organized exploitation as beggars and to forced labor in sectors including mining and agriculture. Girls are frequently victims of sexual exploitation or domestic servitude. Government officials have been accused of complicity in trafficking activity, including sex tourism schemes in the Bijagós islands.