



## Guinea-Bissau

### Country Reports on Human Rights Practices - [2000](#)

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Note: On June 14, 1998, the United States Embassy suspended operations in the midst of heavy fighting in Bissau and all official personnel in the country were evacuated. This report is based on information obtained by U.S. embassies in neighboring countries and from other sources.

President Koumba Yala was elected in January with a 72 percent electoral majority in a runoff election following multiparty elections in November 1999. Both elections were considered by local and international observers to be generally free and fair, although there were reports of some irregularities in the November 1999 election. The Social Renewal Party (PRS), Yala's party, also won 38 of 102 National Assembly seats in the November 1999 elections. The PRS victory ended the 26-year domination of the African Party for the Independence of Guinea-Bissau and Cape Verde (PAIGC). In January President Yala named 16 former Junta members as Ministers, creating an uneasy power-sharing arrangement between the military and the civilian government. In March at the behest of the U.N. Office on Guinea-Bissau (UNOGBIS), the U.N. Security Council called on all parties, particularly the military junta that deposed President Bernardo Viera in May 1999, to uphold the results of the election. However, General Ansumane Mane, head of the military junta, did not accept the authority of the elected government completely. The coalition government did not resolve fully the issues of control over the budget and the military. This uneasy coalition lasted for most of the year, as Mane placed increasing restrictions on the elected civilian government. However, in November Yala nominated 30 members of the armed forces for promotion without consulting Mane. In response Mane placed the Chief of Staff of the Armed Forces under house arrest, declared himself Chief of Staff, and directed his soldiers to disarm the Presidential Guard. The Presidential Guard and other elements of the armed forces refused to take part in the coup, and General Mane and approximately 35 supporters fled the capital. For a week, they hid in the countryside; however, on November 30 in Quinhamel, 40 miles north of Bissau, Mane and his supporters were surrounded, and Mane was killed in an exchange of gunfire with government forces. Subsequently President Yala reshuffled his cabinet in an effort to control the military and move forward with reconstruction. The Constitution provides for an independent judiciary; however, it is subject to political influence and corruption.

The police, under the direction of the Ministry of the Interior, have primary responsibility for the nation's internal security; however, a lack of resources and training continued to hamper their effectiveness. The armed forces are responsible for external security and may be called upon to assist the police in internal emergencies. Members of the police and the military committed serious human rights abuses.

The population of 1.2 million relies largely upon subsistence agriculture and the export of cashew nuts. Both activities were affected negatively by the fighting beginning in 1998. Annual per capita gross domestic product (GDP) prior to 1998 has been estimated at \$840. Due to the conflict, GDP declined by 28 percent in 1998 but improved modestly in 1999 and during the year. Exports of cashew nuts returned to preconflict levels during the year. Commercial banks and other monetary institutions, which had ceased operations with the outbreak of hostilities in June 1998, reopened in July 1999. The country remains burdened by heavy external debt and massive underemployment.

The Government's human rights record was poor, and, while there were improvements in a few areas, serious problems remained. Citizens were allowed to vote in generally free and fair elections. Security forces committed some extrajudicial killings. The police and members of the armed forces continued to use beatings, physical mistreatment, other forms of harassment, and arbitrary arrest and detention. The Government did not punish any members of the security forces for abuses. Prison conditions remained poor. The Government at times used incommunicado detention. The judiciary is subject to political influence and corruption. The Government infringed on citizens' privacy rights. The Government at times limited freedom of

the press, and journalists practiced self-censorship. The Government at times restricted freedom of movement. Violence and discrimination against women were problems. Female genital mutilation (FGM) was practiced widely. Child labor and some forced child labor persisted.

The conflict that ended with the May 1999 coup caused massive civilian dislocation and hardship, but by June 1999 most of the 350,000 internally displaced persons had returned to their homes. By the end of 1999, virtually all persons who sought refuge in neighboring countries had repatriated spontaneously.

An estimated 2,000 persons were killed during the 11-month conflict between June 1998 and May 1999. Reports continued of deaths and injuries from land mines and unexploded shells that remain in populated areas.

Rebel forces were responsible for beatings, other forms of harassment, detention, robbery, and looting.

## RESPECT FOR HUMAN RIGHTS

### Section 1 Respect for the Integrity of the Person, Including Freedom From:

#### a. Political and Other Extrajudicial Killing

There were no political killings; however, on November 30, in the aftermath of an attempted coup, General Ansumane Mane and eight supporters were killed in an exchange of gunfire with government forces, while they were attempting to escape.

Troops loyal to or allied with President Vieira killed an unknown number of civilian noncombatants prior to the May 1999 coup.

Prior to the May 1999 coup, President Vieira took no action to encourage forces allied with him to minimize the loss of life among prisoners of war and the civilian population. During the 1999 coup, reports indicate that loyalist forces based in the Marinha district of the capital Bissau fired at advancing rebel forces and killed 60 civilians who had sought refuge in a nearby mission school. Overall, an estimated 2,000 persons were killed during the 11-month conflict. There was no investigation into nor action taken against the troops responsible for these killings by year's end.

No suspect has yet been named in the August 22, 1999, murder of Nicandro Barreto, Justice Minister under President Vieira. Barreto was strangled at his home in Bissau.

A mass grave uncovered in October 1999 contained the remains of 28 persons and was believed to include those of former Vice President Paolo Correia, former Attorney General Viriato Pa, and military officers sentenced to death in 1985 by a military tribunal on charges of an attempted coup. No action was taken in this case during the year.

The attack by rebel troops on the presidential palace in May 1999 reportedly left 70 persons dead. Reports indicated that indiscriminate rebel shelling in civilian neighborhoods killed noncombatants. No action was taken against any rebel troops by year's end.

#### b. Disappearance

There were no reports of politically motivated disappearances.

#### c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The Constitution prohibits cruel and inhuman punishment, and evidence obtained through torture or coercion is invalid; however, the Government often ignored these provisions, and security forces beat, mistreated, and otherwise abused persons. Human rights observers noted repeated instances of police and members of the armed forces beating and abusing civilians for minor social or legal infractions. Security and police authorities historically have employed abusive interrogation methods, usually in the form of severe beatings or deprivation. The Government rarely enforced provisions for punishment of abuses committed by security forces.

On September 7, Joao Monteiro, who had served as the intelligence chief under President Vieira, was convicted of torture and assault and sentenced to 12 years in prison. The Bissau Regional Court proved that while serving as Director General of State Security during the 1998 to 1999 crisis leading to the overthrow of Vieira, he had ordered the arrest of Ansumane Faty, who subsequently was tortured.

In November the Government arrested approximately 400 citizens and soldiers immediately following the attempted coup by General Mane (see Section 1.a.). Inacio Tavares, President of the Guinea-Bissau Human Rights League, alleged that the soldiers were held in three military camps, sometimes without drinking water, food, or medical attention. On December 14, he accused the military of physical abuse, torture, and persecution of the families of suspects. He called for accelerated hearings and permission for family visits, and, at year's end, all civilians and some soldiers were released; however, some soldiers remained in custody (see Section 1.d.).

Prior to the May 1999 coup, forces loyal to Vieira engaged in widespread harassment, including stopping civilians and subjecting them to degrading body searches without cause. In January 1999, there were reports that Senegalese soldiers, who had entered the conflict at Vieira's request, entered the Simao Mendes hospital in Bissau and removed a junta soldier who had been wounded in the conflict. The soldier was returned the next morning with several cuts and what appeared to be cigarette burns, as well as gangrene, which may have been related to his original combat wound. The soldier died within a few days. No action was taken against the soldiers by year's end.

In 1999 human rights monitors reported several incidents in which police accused of rape or the mistreatment of prisoners prior to the May 1999 coup were not prosecuted.

In 1999 there were credible reports that rebel soldiers beat and harassed civilians suspected of government sympathies.

Prison conditions remained poor, but generally they were not life threatening. Beatings and deprivation were used as a means of coercion. The June 1998 rebellion effectively stopped a program aimed at halting such methods. Prison authorities had very little control over inmates, many of whom simply left during the day. Following a request in 1998 by the Interior Minister for international donor assistance to rehabilitate the prisons, the European Union renovated two of them, but following the fighting in May 1999, no further repairs have been made. Many prisons were damaged during the fighting in May 1999, and the inmates escaped and have not been recaptured.

The Human Rights League was given access to most prisoners during the year, including 600 loyalist troops detained as prisoners of war following the May 1999 coup. Of those persons detained, 180 were released immediately and another 50 individuals were released within a month. At the end of 1999, more than 385 persons remained in detention; however, at year's end, only Afonso Te, Vieira's former deputy chief of staff, remained in prison (see Section 1.d.).

#### d. Arbitrary Arrest, Detention, or Exile

The Constitution prohibits arbitrary arrest and detention; however, security forces arbitrarily arrested and detained persons.

The law provides for procedural rights, such as the right to counsel, the right to release if no timely indictment is brought, and the right to a speedy trial; however, in practice the judicial system generally failed to provide these rights.

Police detained suspects without judicial authority or warrants, occasionally using house arrest. Prior to the May 1999 coup, the Government held detainees without charge or trial for extended periods of time, sometimes incommunicado; however, during the year, such abuse was infrequent, and detainees were held for short duration. The authorities routinely did not observe bail procedures.

In November the Government arrested approximately 400 citizens and soldiers immediately following the attempted coup by General Mane. Inacio Tavares, President of the Guinea-Bissau Human Rights League, accused the military of physical abuse, torture, and persecution of the families of suspects. He called for accelerated hearings, and at year's end, many of the persons had been released (see Sections 1.a. and 1.c.).

On May 27, the Government arrested Fernando Gomes, the former president of the Guinea Bissau Human Rights League and president of the newly formed political party, Socialist Alliance of Guinea Bissau, and two television journalists. The three were held incommunicado for 2 days in a windowless, unlighted cell. They

were charged with slander and defamation after Gomes publicly accused Prime Minister Caetano N'tchama of corruption, making false statements, and incompetence. All three were released on bail on May 29; charges against the journalists were dropped on May 30, and at year's end, no further action had been taken against Gomes.

Between November 24 and 26, the Government arrested several opposition politicians on suspicion that they supported the attempted coup by General Mane. Those detained included Francisco Benante, the president of the African Party for the Independence of Guinea (Bissau) and Cape Verde; Fernando Gomes; Fernando Mendoca; and several members of the Union for Change opposition party, including Amine Saad--the former Procurator General, Manuel Rambout Barcelos, Caramba Ture--an M.P., and Agnello Regala--director of Bombolon radio. Reportedly they were held for almost a week before a judge released them for lack of evidence. President Yala invalidated their passports and placed them under house arrest in Bissau. At year's end, some remained under house arrest.

Amnesty International accused the Government of isolated incidents of arbitrary arrest and harassment.

Following the May 1999 coup, the Government detained as prisoners of war about 600 of the loyalist forces who had defended Vieira; 180 of these soldiers were released immediately, and another 50 were released within a month. At the end of 1999, more than 385 remained in detention; however, at year's end, only 1 senior official associated with the May 1999 coup remained in prison (see Section 1.c.).

The Government does not use forced exile. Following the May 1999 coup, the military junta allowed President Vieira safe passage to leave the country for The Gambia to receive medical treatment, reportedly with the understanding that he would return to the country to stand trial on charges of corruption and human rights abuses. After leaving the country, Vieira traveled to Portugal and was granted asylum. In October 1999, the Attorney General traveled to Portugal to present evidence of human rights abuses by Vieira and to request his return to Guinea-Bissau to stand trial. The Government of Portugal stated that it had not received a request for Vieira's extradition, and there is no indication the Government has requested his extradition.

#### e. Denial of Fair Public Trial

The Constitution provides for an independent judiciary; however, judges are trained and paid poorly, and sometimes are subject to political pressure and corruption. The Supreme Court is especially vulnerable to political pressure, because its members are appointed by the President and serve at his pleasure. The judiciary is reluctant to decide cases of a political nature. Cases against several former members of the Government were delayed. The Supreme Court failed to deal impartially with highly charged political cases. However, there is some evidence that the judiciary retains a degree of independence. Most officials who were charged with treason immediately following the ouster of former President Vieira in May 1999 have been acquitted for lack of evidence. The Chief Justice of the Supreme Court was elected democratically by his colleagues on November 22 and officially installed on December 6; he was not appointed by the President.

Trials involving state security are conducted by civilian courts. Under the Code of Military Justice, military courts try only crimes committed by armed forces personnel. The Supreme Court is the final court of appeal for both military and civilian cases. The President has the authority to grant pardons and reduce sentences.

Citizens who cannot afford an attorney have the right to a court-appointed lawyer.

Traditional law still prevails in most rural areas, and urban dwellers often bring judicial disputes to traditional counselors to avoid the costs and bureaucratic impediments of the official system. The police often resolve disputes.

There were no reports of political prisoners.

#### f. Arbitrary Interference with Privacy, Home, or Correspondence

The Constitution provides for the inviolability of domicile, person, and correspondence; however, the Government does not always respect these rights. The police do not always use judicial warrants and have forced entry into some private homes.

Loyalist forces reportedly searched private residences in Bissau without cause and without warrants. Loyalist forces allegedly were guilty of theft from both private homes and stores.

International and domestic mail at times was opened; however, this violation was by poorly paid postal employees in search of money or other valuables, not by security personnel. Limited mail service resumed in June 1999, after a 1-year shutdown following the destruction of the country's main post office building during the 1998 rebellion.

Rebel forces allegedly stole from private homes and stores.

## Section 2 Respect for Civil Liberties, Including:

### a. Freedom of Speech and Press

The Constitution provides for freedom of speech and the press; however, the Government at times limited these rights in practice, and journalists continued to practice self-censorship.

Amnesty International alleged that in some cases the Government intimidated journalists. On May 17, soldiers fired shots and entered the office of the newspaper *Diario de Bissau* to threaten a journalist who wrote an opinion piece critical of President Yala's wife. Journalists of the national press faced retribution for making comments critical of government operations.

Prior to the outbreak of hostilities in June 1998, the print media consisted of one independent daily, three independent weeklies, one government-owned biweekly, and one independent monthly. All of the newspapers during the year published only sporadically due to financial constraints and dependence on the state printing house. The national printing press, the only facility for publishing newspapers in the country, often lacked the raw materials to publish them. At the end of the year, the government-owned *Diario de Bissau* published several times a week; other newspapers, *Banobero*, *Gazeta de Noticias*, and *No Pintcha*, were weeklies.

Prior to the 1998 rebellion, there were three independent radio stations and one government-controlled station in Bissau. In addition Radio Portugal and Radio France International broadcasts were received from Lisbon and Paris. There were also three community radio stations operated by the indigenous nongovernmental organization (NGO) Action for Development. One independent station rebroadcast the British Broadcasting Corporation and another rebroadcast the Voice of America. The government-controlled national radio continued to transmit from Radio Mavegro facilities that it took over in June 1998. The Voice of the Military Junta broadcasts from facilities that formerly broadcast Radio Bombolon, whose owner sympathized with the rebels. During the year, the independent stations Radio Pidjiguiti and Radio Mavegro resumed broadcasting; however, the NGO-assisted community stations have not resumed operations. Reportedly the government-controlled stations practice self-censorship.

In December the Director of National Radio, Julio Ca, was suspended by government authorities; journalists said that they accused the Director of unbecoming behavior and censoring some stories.

On May 27, the Government arrested two television journalists, for reporting a politician's allegations of corruption and incompetence against the Prime Minister. They were held incommunicado for 2 days in hot, dirty, and unlighted cells. On May 29, they were charged with slander and defamation and released from custody. After a meeting between the Prime Minister and journalists on May 30, all charges were dropped. In November the Government detained the director of Radio Bombolon. Many foreign journalists were able to circulate and report on political developments, including the January election.

The Internet is available in the country; there were no reports of government interference.

Academic freedom generally was observed until the outbreak of fighting in 1998. After ceasing to function following the June 1998 rebellion, schools and research institutions reopened in most parts of the country in March 1999.

### b. Freedom of Peaceful Assembly and Association

The Constitution provides for freedom of assembly, and the Government respected this right in practice. Government approval is required for all assemblies and demonstrations. Prior to the June 1998 rebellion and following the May 1999 coup, the Government approved all such requests. There were no public assemblies or demonstrations between June 1998 and May 1999. Following the May 1999 coup, numerous organizations held rallies, some of which were critical of the Government; however, there were no reports of demonstrations during the year.

The Constitution provides for freedom of association, and the Government respected this right in practice. The Government did not prohibit or discourage the formation of associations; however, all private associations were required to register with the Government. There were no reports of associations being denied registration.

#### c. Freedom of Religion

The Constitution provides for freedom of religion, and the Government respected this right in practice.

Although the Government must license religious groups, no applications were refused during the year; however, there were no reports that applications were made.

#### d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

The Constitution provides for these rights; however, the Government limited them in practice. Checkpoints and police harassment occurred frequently during the year. After the outbreak of fighting in 1998, vehicle traffic was curtailed severely; however, during the year, such restriction was intermittent. Both government and rebel forces blocked the road from Bissau to the interior and interfered with the free movement of traffic. The Government carefully controlled movement within Bissau, prohibiting most traffic. Movement in the interior was restricted to a lesser extent, but it was still subjected to occasional interference by both government and rebel forces. The land borders with Senegal were closed to travelers during the early stages of the conflict. Later, Senegal allowed humanitarian convoys to transit the border. Land borders with Guinea generally remained open. The national airport, which had remained under rebel control after the outbreak of fighting, was reopened to commercial traffic in May 1999. Several times during the year, the Government closed the border with Senegal in reaction to cross-border raids by bandits in both countries. On September 6 and 7, the Governments of Senegal and Guinea-Bissau pledged to work to restore free trade and eliminate criminal cross border activities.

The Minister of the Interior issues passports. Citizens have the right to return and are not subject to political revocation of their citizenship.

The conflict that ended with the May 1999 coup caused massive civilian dislocation and hardship; however, by year's end, most of the 350,000 internally displaced persons had returned to their homes; all areas of the country were open to returning citizens. By the end of 1999, virtually all persons who sought refuge in neighboring countries had repatriated spontaneously.

The Government does not have formal provisions to recognize refugee status, but it was granted on a case-by-case basis. The Government has provided first asylum to refugees from the conflicts in Liberia, Sierra Leone, and the Casamance region of Senegal. A January 1998 U.N. High Commissioner for Refugees (UNHCR) census revealed the presence of just under 5,000 Senegalese refugees in Guinea-Bissau. The majority of these persons were found along the country's northern border with Senegal. Prior to the outbreak of hostilities in 1998, the UNHCR established a refugee camp south of the border region at Jolomete, which housed about 700 refugees. After the May 1999 coup, the UNHCR continued efforts to relocate these refugees, most of whom were displaced internally when the fighting erupted.

No refugees were deported forcibly to a country where they feared persecution. Foreign refugees who fled Bissau with the outbreak of fighting are believed to have done so voluntarily.

#### Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

President Koumba Yala was elected in January with a 72 percent electoral majority in a runoff election following multiparty elections in November 1999. Yala defeated interim president Malam Bacai Sanha of the African Party for the Independence of Guinea-Bissau and Cape Verde (PAIGC). Both elections were considered to be generally free and fair by international observers, foreign diplomats, and local NGO's. Yala's party, the Partida de Renovacao Social (PRS), won 38 of 102 National Assembly seats. The victory of the PRS ended the 26-year domination of the PAIGC.

The African Party for the Independence of Guinea Bissau and Cape Verde (PAIGC), the country's only legal party from 1974 to 1991 and the majority party in the National Assembly until the November 1999 elections, won 24 of the 102 seats in the National Assembly, while opposition parties gained a majority. The Partido de Renovacao Sociat (PRS) won 38 seats, and the Resistencia da Guine Bissau (RGB) won 29 seats, while 4 other parties split the remaining 11 seats. The elections, which included candidates from 13 parties, as well as several independents, were judged to be generally free and fair by international observers, although they

reported some irregularities.

In preparation for the November 1999 elections, the National Electoral Commission, with the assistance of the UNOGBIS, conducted a voter registration program among the estimated 1.2 million population. The current rolls showed 525,367 voters. About 400,000 persons voted in the November 1999 elections.

PRS leader Koumba Yala and interim President Malan Bacai Sanha of the PAIGC led a field of 12 candidates for president. Neither candidate secured an absolute majority as required by law, so Yala and Sanha faced each other in a second round of voting on January 16.

General Mane and the junta consistently declared that they would stay out of politics once a new civilian government was elected; however, Mane did not accept completely the authority of Yala's Government. When he was inaugurated in January, President Yala named 16 former junta members as Ministers, creating an uneasy power-sharing arrangement between the military and the civilian government. The resulting coalition government did not resolve fully issues of control over the budget and the military. This uneasy coalition lasted for most of the year, as Mane placed increasing restrictions on the elected civilian government. However, in November Yala nominated 30 members of the armed forces for promotion without consulting Mane. In response Mane placed the Chief of Staff of the Armed Forces under house arrest, declared himself Chief of Staff, and directed his soldiers to disarm the Presidential Guard. The Presidential Guard and other elements of the armed forces refused to take part in the coup, and General Mane and approximately 35 supporters fled the capital. For a week, they hid in the countryside, and on November 30 in Quinhamel, 40 miles north of Bissau, Mane and 8 of his supporters were killed in an exchange of gunfire with government forces. Subsequently, President Yala reshuffled his cabinet in an effort to control the military and move forward with reconstruction.

Adequate and timely payment of soldier and veteran benefits remained a concern. Some international loan funds were devoted to such payments; the problem of back pay for members of the armed forces remained unresolved at year's end.

The Government arrested several opposition politicians during the year (see Section 1.d.).

Women are underrepresented in government and politics. In the National Assembly, women occupy 9 of the 102 seats. In the Government of National Unity inaugurated in February 1999, 1 of 10 cabinet ministers was a woman; however, there are no female ministers in President Yala's government.

#### Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

The Government did not interfere with the privately operated Guinea-Bissau Human Rights League (LGDH), and international human rights groups continued to investigate human rights abuses without government harassment. International and nongovernmental human rights groups, which effectively ceased operations with the outbreak of hostilities in June 1998, resumed activities following the inauguration of a Government of National Unity in February 1999.

#### Section 5 Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status

The Constitution and law prohibit discrimination on the basis of sex, race, and religion; however, in practice, the Government does not enforce these provisions effectively.

##### Women

Physical violence, including wife beating, is an accepted means of settling domestic disputes. Although police intervene in domestic disputes if requested, the Government has not undertaken specific measures to counter social pressure against reporting domestic violence, rape, incest, and other mistreatment of women.

Discrimination against women persists, although officially it is prohibited by law. Women are responsible for most work on subsistence farms and have limited access to education, especially in rural areas. Women do not have equal access to employment. Among certain ethnic groups, women cannot own or manage land or inherit property.

##### Children

The Government allocates only limited resources for children's welfare and education. According to a November study by an international agency, enrollment in basic education rose from 42 percent in 1993 to 62 percent in 1998 (girls went from 32 percent to 45 percent, while boys went from 55 percent to 79 percent). However, in 1998 10 percent of rural schools offered only the first grade, and 23 percent offered only the first and second grades. Following the beginning of fighting in 1998, enrollment fell to 57 percent. Adult illiteracy is 66 percent for men and 82 percent for women.

Female genital mutilation, which is widely condemned by international health experts as damaging to both physical and psychological health, is practiced widely within certain ethnic groups, especially the Fulas and the Mandinkas. The practice is increasing as the population becomes more Muslim and is being performed not only on adolescent girls, but also on babies as young as 4 months old. The Government has not outlawed the practice; however, it formed a national committee in the mid-1990's that continued to conduct a nationwide education campaign to discourage FGM. International NGO's, including the Swedish group Radda Barnen and Plan International, as well as several domestic NGO's, such as Friends of Children and Sinim Mira Nasseque, continued working through the national committee to eliminate FGM. The efforts of both domestic and international groups, largely suspended after the outbreak of fighting in June 1998, resumed in many parts of the country in February 1999.

#### People with Disabilities

There is no law mandating accessibility. The law does not prohibit discrimination against the disabled specifically, and the Government does not ensure equal access to employment and education; however, there were no reports of overt societal discrimination. The Government has made some efforts to assist disabled veterans through pension programs, but these programs do not address adequately veterans' health, housing, and food needs; there are no reports of funds for special programs for the disabled.

### Section 6 Worker Rights

#### a. The Right of Association

The Constitution provides all civilian workers with the freedom to form and join independent trade unions. However, the vast majority of the population works in subsistence agriculture. Most union members are government or parastatal employees; only a small percentage of workers are in the wage sector and are organized.

The Government registers all labor unions. There are 11 labor unions registered and operating. All unions are officially independent of the Government, but seven unions are affiliated with the National Trade Union Confederation (UNTGB), which retains close informal ties with the PAIGC. The law does not favor UNTGB-affiliated unions over others. The Constitution provides for the right to strike and protection for workers from retribution for strike activities.

The only legal restriction on strike activity is the requirement for prior notice. In past years, several unions have conducted legal strikes with no retribution against the strikers; however, there were no strikes during the year.

Both enforcement of the law and the functioning of the formal economy, which largely ceased after the outbreak of hostilities in June 1998, returned to preconflict levels following the inauguration of a Government of National Unity in February 1999.

All unions are able to affiliate freely with national confederations and international labor organizations of their choice. The Uniao Nacional dos Trabalhadores da Guinea-Bissau (UNTGB) is affiliated with the International Confederation of Free Trade Unions. Other unions belong to International Trade Secretariats.

#### b. The Right to Organize and Bargain Collectively

The Constitution does not provide for or protect the right to bargain collectively, and there were no instances of genuine collective bargaining. Most wages are established in bilateral negotiations between workers and employers, taking into consideration the minimum salaries set annually by the Government's Council of Ministers.

The Government's provisions for the protection of workers against antiunion discrimination have very little effect due to low union membership. Although there are no laws providing sanctions against employers practicing such discrimination, no workers have alleged antiunion discrimination, and the practice is not

believed to be widespread.

There are no export processing zones.

c. Prohibition of Forced or Compulsory Labor

Forced or compulsory labor, including that performed by children, is prohibited by law, and these prohibitions generally are enforced in the formal sector; however, children often are forced by their parents or guardians to work as street traders or agricultural laborers in the informal sector (see Section 6.d.). The Government has not taken action to combat such practices.

d. Status of Child Labor Practices and Minimum Age for Employment

The 1986 General Labor Act established a minimum age of 14 years for general factory labor and 18 years for heavy or dangerous labor, including all labor in mines. These minimum age requirements generally are followed in the small formal sector, but the Ministry of Justice and the Ministry of Civil Service and Labor do not enforce these requirements in other sectors. Children in cities often work in street trading, and those in rural communities do domestic and field work without pay. The Government does not attempt to discourage these traditional practices.

The law prohibits forced or compulsory labor by children; however, while this prohibition generally is enforced in the formal sector, such labor occurs in the informal sector (see Section 6.c.).

The Government has taken no action on ILO Convention 182 on the worst forms of child labor.

e. Acceptable Conditions of Work

The Government's Council of Ministers annually establishes minimum wage rates for all categories of work but does not enforce them. The lowest monthly wage is approximately \$15 (9,000 CFA). This wage is insufficient to provide a decent standard of living for a worker and family, and workers must supplement their income through other work, reliance on the extended family, and subsistence agriculture. The maximum number of hours permitted in a normal workweek without further compensation is 45, but the Government does not enforce this provision. With the breakdown of the formal economy in June 1998, most of the country returned to barter, and both the Government and the private sector lacked the funds to pay salaries. Following the inauguration of a Government of National Unity in February 1999, activity in the formal economy started to return to preconflict levels, and the Government was able to pay most salary arrearages.

With the cooperation of the unions, the Ministry of Justice and Labor establishes legal health and safety standards for workers, which then are adopted into law by the National Assembly. However, these standards are not enforced, and many persons work under conditions that endanger their health and safety.

Workers do not have the right to remove themselves from unsafe working conditions without losing their jobs. In view of high unemployment, a worker who left for such reasons would be replaced readily.

f. Trafficking in Persons

The law prohibits trafficking in persons, and there were no reports that persons were trafficked to, from, through, or within the country.

[End.]