**POLICY BRIEF** 



# BREAKING THE VICIOUS CYCLE

# **Cocaine politics in Guinea-Bissau**

Mark Shaw and A. Gomes

MAY 2020

#### ACKNOWLEDGEMENTS

Special thanks to the valuable contribution of locally based international and national observers, national civil society, and law-enforcement agents who were willing to provide information and input for this policy brief.

© 2020 Global Initiative Against Transnational Organized Crime. All rights reserved.

No part of this publication may be reproduced or transmitted in any form or by any means without permission in writing from the Global Initiative.

Cover photo: The port at Bissau on the eve of Guinea-Bissau's presidential election, November 2019. © Getty Images/John Wessels Other photographs provided by the authors.

Please direct inquiries to: The Global Initiative Against Transnational Organized Crime Avenue de France 23 Geneva, CH-1202 Switzerland

www.globalinitiative.net

## CONTENTS

Summary	i
Introduction	
Eradicating the scourge	3
A new cycle of conflict	4
Promises of reform dashed	
A new crisis and a case of 'déjà-coup'	8
Two major cocaine seizures	
The return of the old guard	
Responses from the international community	
The way forward	
Notes	20

#### **SUMMARY**

With the latest round of political conflict continuing to destabilize the minuscule West African country since late 2019 and early 2020, new evidence (and rumours) has emerged that cocaine is once again transiting through Guinea-Bissau. The COVID-19 lockdown in the country is most likely now providing convenient cover for drug trafficking. Although the cocaine economy is but one contributor to the decades-long litany of instability blighting Guinea-Bissau, it is an important factor, and one that needs to be addressed afresh. Like the drug itself, the money generated by the cocaine transit trade has become addictive for some political and military figures in Bissau. Several previous attempts to end the trade have failed. A more systematic and long-term policy response from the international community is now required if lasting stability in Guinea-Bissau is ever to be achieved.

#### The protagonists

- José Américo Bubo Na Tchuto, Guinea-Bissau's navy chief; arrested by US Drug Enforcement Administration agents in April 2013.
- José Mário Vaz, president, June 2014– February 2020.
- Domingos Simões Pereira, prime minister, July 2014– August 2015 (appointed, and fired, by Vaz). Stood for president in late 2019.
- President Umaro Sissoco Embaló; former prime minister under Vaz; claimed power in February 2020. His presidency is contested by his opponents owing to alleged election irregularity.

#### The supporting actors

- General Biaguê Na N´tam, chief of staff of the armed forces.
- Aristides Gomes, prime minister 2019-2020.

### The stage

Guinea-Bissau, West Africa, April 2012-April 2020

- General Antonio Indjai, former military chief of staff; seized power in the 'cocaine coup' in April 2012.
- Nuno Nabiam, prime minister nominated by Embaló in February 2020.
- Braima Seidi Bá, a politically connected businessman, sentenced for drug trafficking in connection with a large seizure of cocaine in September 2019.
- Ricardo Ariza Monje, a Mexican native convicted for drug trafficking following a large seizure of cocaine in September 2019.

- Botche Candé, current minister of the interior.
- Mutaro Djalo, former minister of the interior.





## INTRODUCTION

S andwiched between Senegal and Guinea, Guinea-Bissau is one of the smallest states in Africa (it has an estimated population of 1.8 million) and among the world's most impoverished nations. Cocaine trafficking has long plagued the country. Guinea-Bissau has been exploited for many years as a trans-shipment point for cocaine produced in Latin America, much of which is then smuggled to markets in Europe, because of its geographical position on the supply chain route and, as this paper discusses, because of its politics. In the wake of the first democratic elections in 1994, and the ensuing economic crisis, drug money became a useful source of political patronage and a critical resource to support political party campaigns.

Political instability has defined the history of post-independence Guinea-Bissau. The impact of drug trafficking on Guinea-Bissauan politics has been widely acknowledged, including by the UN Security Council in several resolutions and presidential statements.<sup>1</sup> Recent evidence suggests that, although the drugs economy is not the only cause of political instability in the country, it is an important contributor and unless something is done, the problem is likely to become more acute. Although ensuring free and fair elections in a drive to secure much needed constitutional reform is absolutely necessary, this in its own right is not enough to achieve stability, good governance, sustainable development, and to put an end to the state's reliance on the cocaine trade.

While drug trafficking through Guinea-Bissau first courted the attention of the media around 2005, there is strong evidence to suggest that the trade may have begun earlier, in 1999. A few years later, the country was dubbed by both the UN as well as United States authorities as a 'narco state'. It is a term that has stuck, although what constitutes a narco state and whether Guinea-Bissau fits that definition have been contested.<sup>2</sup>



#### FIGURE 1 Guinea-Bissau

Whatever the case, the cocaine economy and the local profits it has generated, largely from protection fees paid to some in the political elite, but also the resources it provides to a wider network of actors, including many young men, have become deeply entrenched in the political and societal life of the country.<sup>3</sup> This has damaged the political process by resourcing political and military bureaucrats, and their supporters in the military and the justice system, whose primary aim is to misuse political office for personal gain.

Drugs and the resources they provide have proved to be a stubbornly enduring presence, and while some drug money has undoubtedly filtered down to ordinary people, trafficking has delayed and distorted development, promoted intra-elite

violence and conflict, and undermined what little trust there is in the factional political class. Drug trafficking money also provides a useful resource for local politicking in Guinea-Bissau, whose political system depends on clientelism. Mobile phone airtime, T-shirts and food are all necessary forms of micro-patronage handed out to obtain votes. Spare and unaccountable cash is a useful way to enhance one's political chances.

Over time, this has created a self-reinforcing cycle where drug money bolsters a portion of the political and military elite, who have little interest in the country's normative social, political and economic development. That misgovernance in the political-military sphere precludes any form of sustainable development or external financial support, which creates a vicious narco-cycle leading to greater reliance on drug money. And thus the interdependence continues.

## **Eradicating the scourge**

Cocaine trafficking has become deeply embedded in the country's political economy – although there was a four-year period from 2014 to 2018, during which there were no major drug seizures across West Africa.<sup>4</sup> That temporary lull had led observers to believe that Guinea-Bissau had declined in importance as a West African transit hub. Specifically, the absence of seizures followed the US Drug Enforcement Administration's (DEA) arrest of Guinea-Bissau's former navy chief, José Américo Bubo Na Tchuto, who was arrested at sea in a US-orchestrated operation in April 2013.<sup>5</sup>

While interviews and reports at that time did suggest a tapering off of the drug transit trade as a result of this US intervention, it also had the effect of forcing trafficking further underground while leading to shifts in the overarching protection economy by significantly reducing overt military control. As it later turned out, more recent and substantial seizures in 2019 suggest that, if anything, the problem has worsened, and elements of the military are once again playing an important role in the ongoing cocaine economy.

The challenge, both for external actors and some courageous and committed internal ones, including the country's Judicial Police and local civil-society entities, is how to eradicate drug trafficking, and the protection money it generates, from the country's politics. Unless this is done, there is little chance for sustained development for ordinary Bissau-Guineans. The challenge is how to eradicate drug trafficking from the country's politics.



People wait outside a polling station in Bissau, 24 November 2019. © Getty Images/John Wessels

## A NEW CYCLE OF CONFLICT

n recent months, a renewed round of political conflict, which came to a head in late 2019, with a takeover of the government by the incumbent president, Umaro Sissoco Embaló in February 2020, can be traced back to a catalogue of political divisions and compromises that had been brewing in the country's fractious politics for some time. Not least was the splintering of the country's old liberation party, the Partido Africano da Independência da Guiné e Cabo Verde (PAIGC), when in 2018 the Movimento de Alternância Democrática, or MADEM G-15, was formed by a breakaway group of political opportunists who deserted the PAIGC.

On the surface at least, the political wrangling has manifested itself in tensions between certain (non-military) political actors around legal disagreements over the powers vested in the prime minister and the president. Scratch below the legal niceties, however, and what one finds is an unbridled battle for political power. And, although the chief of staff of the armed forces, General Biaguê Na N'tam, has pledged that the military will remain outside of politics, both serving and retired officers remain deeply politically connected and very influential. There is no getting around the fact that the country's military and political elite are closely entangled with each other.<sup>6</sup>

The current political jostling for the reins of power is another episode in the politically fragile history of Guinea-Bissau. In the past 16 years, the country has experienced two coups, a civil war, an attempted coup and a presidential assassination carried out by the military. The impact of the drug trade can be found deep in the sinews of several of these events, particularly the seizure by the military of power in the so-called 'cocaine coup' in April 2012, when the military, led by then chief of staff General Antonio Indjai, took power – in part to achieve control of the rapidly growing lucrative cocaine trade.<sup>7</sup>

Since the country's independence in 1973, only one president has completed his five-year term. This was José Mário Vaz, who finished his term in June 2019, but remained in office until February 2020, when presidential elections were held. Merely the fact that he completed his tenure was celebrated as a step forward in the slow process of democratization in the country.

In 2014, when Vaz was elected president, the Bissau-Guinean nation were full of hope that the country would now finally rise from the ashes and develop and prosper. Their optimism would prove short-lived. Vaz's presidency was marred by political instability, and his decisions were often controversial and widely questioned. Ominously, during the fiveyear period that he served as president, there were nine prime ministers, one lasting only ten days in office.<sup>8</sup> In a system where the prime minister is meant to lead the work of government, this allowed little consistency of delivery and few benefits for ordinary people. The young reformer Domingos Simões Pereira<sup>9</sup> was reluctantly appointed by Vaz, under political pressure, as prime minister in July 2014. This was a period in which those involved in the trafficking of drugs were lying low in the wake of the 2013 DEA arrests. Vaz, however, was never fully committed to his prime minister and the president was frustrated that his own priorities could not be included in the government's programme.

Vaz and Pereira came to disagree on how external aid money should be spent, and over the sensitive question of who should be appointed to key ministerial and bureaucratic posts in the administration. In part, this reflects problems in the country's constitution in respect of the functions of the president and prime minister. The fallout between the president and his prime minister was significant, as it symbolized a struggle between a group of reformist-thinking politicians and an old guard eager to hang on to the privileges of office.

## **Promises of reform dashed**

Pereira has always been a popular figure, a prime minister who probably threatened the president's own public standing. Consider, for example, events in 2015: in March that year, to much fanfare and local public interest, Pereira organized an international conference structured around a plan, Terra Ranka (meaning, literally, 'country take-off'). This national development plan sought to stimulate the country's political economy by attracting a package of external assistance and reducing corruption. Pereira's plan specifically mentioned the importance of ending the drug economy and the political protection networks that enabled it. 'The world recognizes', he said, 'only with the new government of Guinea-Bissau that it began to take the fight against drug trafficking seriously.'<sup>10</sup> Millions of euros of development aid were subsequently promised to the country.

Just as it looked like Guinea-Bissau had a new development trajectory within its grasp, and a

strategy of embracing rational politics, Pereira was fired by the president in August 2015. None of the money pledged at the Terra Ranka conference was disbursed as political instability raised its head once again in Bissau and Vaz limped to the end of his tumultuous presidency, cycling through a series of prime ministerial appointments who would not be seen as a challenge to his rule. The longest-serving of these was Embaló.

In March 2019, legislative elections were held and the PAIGC won 47 of the 102 seats in the parliament. Notably, at its first electoral showing, the breakaway MADEM G-15 party won 27 seats, making it the second largest in the chamber. Rumours circulated about links between the new party and the drug trade; a former trafficker told the authors that prospective MADEM G-15 deputies had promised 'an open door' to the drug traffickers if they could receive money to support their election campaigns.<sup>11</sup>

#### 2020: Countdown to the presidential 'appointment'



6



From left to right: Sousa Cordeiro, Ministry of Interior; António Abel, Military House Chief; General Esteve Lassana Massali, Brigadier Army Chief of Staff; Ibraim Papa Camará, Chief of Staff of Air Force; Estevão na Mena, Chief of Staff of CEMGFA; Carlos Mandrugal, Navy Chief of Staff; Biagê Na N'tam, Chief of the General Staff of the Armed Forces; President Umaro Sissoco Embaló; Mamadu N'Krumah, Deputy Chief of Staff of the Armed Forces; Prime Minister Nuno Nabiam; Antonio Indjai (former Chief of Staff of the Armed Forces). Photo taken at the Presidential Palace, Bissau, 29 February 2020.

Because there was no outright majority, the PAIGC and a smaller party, Assembleia do Povo Unido, formed a coalition, putting up Pereira as their nominee for prime minister. Predictably, Vaz – now in the dying months of his tenure – was having none of that.<sup>12</sup> In the end, a compromise was reached on another candidate, Aristides Gomes. Pereira was appointed as an advisor to the new prime minister.

The presidential election in late 2019 produced a tense contest. The two opposing presidential candidates were Embaló, who had earlier crossed to MADEM-G15, versus reformist Pereira of the PAIGC. Embaló was a former senior member of the PAIGC, as Vaz had appointed him to the prime minister's post in 2016 (although the legislature later passed an overwhelming vote of no confidence in him). Provisional results from the elections body (the CNE) showed Embaló to have a commanding lead. Pereira filed a complaint with the Supreme Court, citing irregularities in the counting process.

The crisis deepened as a bizarre stand-off developed between the country's electoral body and its most

senior judicial one, the Supreme Court, which was to rule on whether a recount of the election results was required or not. While the country continued to wait for the Supreme Court's decision, several judges reported that they could not carry out their work effectively because of the presence of military forces, who closed the Supreme Court's seat, the Palace of Justice. The Supreme Court never gave a clear ruling on the allegations of irregularities, but called into question the national verification and consolidation of data, and requested a recount of the votes. The electoral body refused to follow the court ruling.

The Economic Community of West African States (ECOWAS), which maintained both a political and a military mission in Guinea-Bissau (ECOMIB), had been historically a critical and successful mediator in tamping down past political crises. In the repeated political crises following the 2012 coup, ECOWAS mediators emphasised the importance of the fact that the military had stayed out of the political arena and congratulated the military leadership for their restraint.<sup>13</sup> ECOWAS has performed much less well in the latest round of conflict, often sending conflicting signals. For example, the regional body over hastily congratulated Embaló on his appointment while the standoff with the Supreme Court was still under way.<sup>14</sup> One reason is that ECOMIB's mandate was due to expire at the end of March, so ECOWAS's own leverage was reduced as political tension mounted. The regional body seemed on the back foot and ECOMIB forces provided no opposition to the local military occupation of government buildings. An ECOWAS specialist mission on constitutional reform issues was refused on 8 March by the government. Embaló ordered the cantonment of the ECOMIB forces on 9 March as elements within the Bissau-Guinean military became more assertive.<sup>15</sup> The ECOWAS representative, Blaise Diplo-Djomand, left the country on 10 March for reasons that are not clear, but most likely related to the cancellation of the specialist mission and pressure from the new government that ECOMIB be confined to their barracks.

### A new crisis and a case of 'déjà-coup'

As the political temperature ratcheted up in early 2020, so did the political rhetoric: Embaló declared on 6 February in a statement that he would be ready 'to go to war, if necessary'.<sup>16</sup> That statement was not to be taken lightly given that key members of the country's military elite seemed closely aligned with him.

By late February 2020, Embaló had manoeuvred himself into the presidential office, with the clear support of a coterie of senior soldiers, who appeared alongside him on the steps of the presidential palace on February 29, the day he nominated a new prime minister, Nuno Gomes Nabiam. The military figures included Biaguê Na N'tam, chief of the general staff, and his deputy, Mamadu N'Krumah, as well Ibraim Papa Camará, chief of the airforce, who had previously been accused of involvement in drug trafficking.<sup>17</sup> N'Krumah and Camará are both on the UN and EU sanctions lists for their involvement in the 2012 coup d'état, along with the former military chief of staff, Indjai.<sup>18</sup>

Soldiers from the ECOWAS security mission in Guinea-Bissau (ECOMIB). © Getty Images/John Wessels



Nabiam is somewhat of a political chameleon. He had previously competed against Vaz for the presidency. Following his defeat, he formed the Assembly of the People United – Democratic Party of Guinea-Bissau (APU-PDGB).<sup>19</sup> In February 2020, in his then position as first vice president of the National People's Assembly, he symbolically nominated Embaló as president. On the same day, he was appointed by Embaló as head of government and prime minister of the country, replacing Gomes. Ironically, in May 2019, Nabiam said that Pereira should be appointed prime minister by President Vaz 'whatever the cost', arguing that if this did not occur there would be instability and revolution in the country. Nabiam is viewed as being close to Indjai.

Importantly, Nabiam is of Balanta ethnicity, as is Indjai and much of the military hierarchy. The Balanta are a key political constituency who vote in a unified way and generally for someone of their own ethnicity. Before Embaló ran for president, Nabiam and Indjai were critical in ensuring Balanta support for him. There were two national congresses aimed to obtaining support for Embaló from the Balanta community in the elections.<sup>20</sup> During these meetings, Nabiam, with the support of Indjai, convinced the leaders from the Balanta villages to provide support. The Balanta leaders' condition was that Nabiam should be invested as prime minister after the inauguration of Embaló as president.<sup>21</sup>

For its part, the military had not even feigned neutrality during the presidential election. Soldiers loyal to Embaló and Nabiam had occupied government buildings, parliament and, most significantly, the Palace of Justice, as the judges had tried to finalize their deliberations. ECOWAS seemed to have misread the situation, and ECOMIB forces, nearing the end of their mandate, did not receive authorization to intervene. As a prominent local human-rights lawyer, Luis Vaz Martins commented: 'After the February 27 coup d'état, the military are the ones in power, indirectly through the politicians who defend the political-military alliance that was the base of this military coup. It can be categorically said that the [people's] fundamental rights and freedoms have been suppressed.'22

With the disputed presidential election unresolved, and external attention on the political crisis in Bissau already waning, the sudden urgency of the corona virus eclipsed the crisis. The pandemic quickly assumed centre stage on the global policy agenda. The new political rulers in Bissau, it was reported, were aware that the world was now looking the other way, and this might buy them an opportunity for push-back.

Although the actual number of confirmed infections was initially unclear as the poorly resourced authorities scrambled to respond, Guinea-Bissau appeared vulnerable and the government moved rapidly to a lockdown, suspending commercial flights and closing the main market in Bissau.<sup>23</sup> The new president made a statement referring to the pandemic as pandemonium, a word that could also accurately sum up Guinea-Bissau's politics in early 2020.<sup>24</sup>

The group of military men who lined up on either side of the new president and prime minister in February contained a notable addition: António Indjai, the DEA's main target in its April 2013 operation targeting the Bissau elite. The parallels between the 'cocaine coup' of 2012 and the seizure of power in early 2020, one that also had clear military backing, have been pointed to by several local observers.

Indjai is an enigmatic figure in Guinea-Bissau politics. He was by all accounts the architect of the April 2012 seizure of power during the coup and then served as head of the military government. In 2013, Indjai was indicted by a US court for agreeing to provide weapons to representatives of the Fuerzas Armadas Revolucionarias de Colombia (FARC) (who were in fact DEA agents who had planned the entrapment operation) in return for a consignment of cocaine. Transcripts of the engagement between Indjai and the DEA agents presented in open court show that he had little compunction in supporting drug trafficking, pressing for the completion of the deal.<sup>25</sup> 'What [the military aides] told me,' said one self-confessed trafficker, Malam Mane Sanha, who was cooperating with the US government in exchange for a reduced sentence, 'is that they



Porous border: the port at Bissau.

wanted people to come and [bring drugs] because they needed the money. ... They were always saying that they needed the money. [Indjai's aide, Captain] Julio told me, if the delay was because of the uniforms [the importation of which was a cover for the cocaine], for them to forget about it and just bring in the drugs.<sup>26</sup>

In that DEA operation, in which former admiral Na Tchuto was arrested, Indjai had in fact been the main target of the US authorities. However, the canny old general seemed to have suspected that the operation was a set-up, so he had not ventured out to sea, dispatching instead Na Tchuto as his envoy. Strong external pressure in the wake of the coup, combined with the DEA's arrest, had made the position of the military government untenable. Indjai had relinquished his post and retreated to his compound some 50 kilometres from Bissau.

By all accounts, the military's role in drug trafficking declined around that point, or at least it receded into the background. Interviews suggest that by the time of the coup, this was occurring anyway, as the Latin American cartels had begun to find that the military were unpredictable and unreliable partners.<sup>27</sup> However, drug trafficking, and the protection of the cocaine economy by elements within the state, had clearly not stopped altogether. For example, in September 2018, the Judicial Police, who had obtained information from foreign police connections, were to have arrested two suspects from Brazil who were suspected of having cocaine in their possession. The then minister of the interior, Mutaro Djalo, arrived at the airport with six National Guard agents and ordered the Judicial Police to surrender the suspects to them. Djalo is regarded to be close to the current minister of the interior, Botche Candé, who is alleged to have been involved in at least two cases where the Judicial Police were prevented from doing their work in relation to investigations.<sup>28</sup> Candé was also alleged to have been involved in the so-called 'people's rice' case, where several tonnes of rice gifted by China were seized and sold privately.<sup>29</sup> Candé never publicly replied to the allegations and the investigation was suspended under dubious circumstances. Candé's son is the commander of the Rapid Intervention Police.<sup>30</sup>

## TWO MAJOR COCAINE SEIZURES

ater, two very large seizures of cocaine – in March and September 2019 (i.e. in the periods before the parliamentary and, later, presidential elections) suggested that the drought in seizures in West Africa since 2014 may have masked ongoing cocaine trafficking. Such large consignments were unlikely to have been routed through Guinea-Bissau on a once-off basis. In fact, the last significant seizure in Guinea-Bissau had happened in 2007 with the Judicial Police acting on intelligence to locate 635 kilograms of cocaine transported in a vehicle in which two military officers were travelling. The officers were handed over to the military authorities for an investigation; they were later released. The cocaine was stored for safekeeping in the vault of the Ministry of Finance, from where it went missing when members of the military intervened.

Although drug seizures are only a reflection of law-enforcement efficiency or criminal inefficiency (or both), and not necessarily an indication of the extent of an illicit trade, they do nevertheless provide concrete evidence of trafficking. In Guinea-Bissau both of these 2019 seizures have been important in demonstrating that trafficking was most probably continuing.<sup>31</sup>

The March seizure was made in Safim, some 15 kilometres from Bissau on the road to Senegal. Interviews suggest that the drugs had originally been transferred by sea, were dropped off on one of the islands dotting the coastline, then transported inland. A Senegalese-registered truck in Bissau was loaded with drugs in a false bottom before it was to be driven to Mali. Former prime minister Aristides Gomes speaks to journalists as a seized consignment of cocaine is destroyed, 16 October 2019. Changes in government raise suspicions that senior politicians are far less committed to the eradication of trafficking. Arrests that followed the seizure indicate that the network involved in moving the drugs spanned at least five West African countries. The timing of the consignment is widely believed by several local observers to be linked to the need to fund electioneering in the run-up to the country's parliamentary poll on 10 March 2019. 'There was a lot of pressure to get it through,' said a source close to the trafficking economy. 'People needed the money.'<sup>32</sup> It was said that the drugs were to have been driven over the Senegalese border, then onto Mali, Mauritania and northward up the coast, before being loaded onto boats bound for the European markets.<sup>33</sup>

An intriguing detail in this case is that it is alleged by several people that Vaz intervened indirectly in the immediate aftermath of the seizure. The Office of the President called the responsible investigators from the Judicial Police saying that the truck was meant to have contained ballot boxes and stopping it would be seen as an attempt to subvert the electoral process. Whatever the truth – and almost all foreign observers, including West African military officers, subscribe to the veracity of the account – the story raised the suspicion that the case was linked to some in the political elite.<sup>34</sup>

A number of arrests were subsequently made by the Judicial Police. These included one Sidi Ahmed Mohamed, a Nigerian who is a member of the cabinet of Qusseini Tinni, the President of the National Assembly of Niger. Mohamad Mahri, a Malian with a history of involvement in drug trafficking, was said to have evaded arrest after receiving a tip-off. The Judicial Police reported that they were also looking for other Malians, as well as a Guinea-Bissau army captain whom they regard as being linked to the case.

In September, the Judicial Police made another, and much larger, seizure of cocaine, this time some 1 800 kilograms, hidden in bags of rice. It is said that this was part of a much larger consignment that may have been transported through or stored in Guinea-Bissau. As in the case of the March seizure, the drugs were deposited in the coastal archipelago before being transferred to the mainland for storage.

The warehouse where these drugs were found is the property of a politically connected businessman, Braima Seidi Bá, who has long been suspected of involvement in drug trafficking. Seidi Bá was previously linked to another case in which several Latin American traffickers were arrested in a warehouse in Bissau in August 2007. The warehouse had been rented by a company that he owned.<sup>35</sup>

Both these seizures and the immediate criminal-justice response to them seemed at the time to bode well for Guinea-Bissau in terms of its stance on drugs. The drugs were destroyed by incineration under the supervision of the UN and ECOWAS. Sidi Ahmed Mohamed was convicted of drug trafficking by Bissau's regional court in November 2019 and sentenced to 15 years in prison.<sup>36</sup>

However, the changes in government a few months later would soon bring with them a more ambiguous response to drug trafficking, raising suspicions that senior politicians now at the helm were far less committed to the eradication of trafficking. The advent of the global COVID-19 pandemic also dramatically shifted attention away from ongoing political contestation in Bissau.



# THE RETURN OF THE OLD GUARD

eidi Bá, who had reportedly been on the run under the old government, mysteriously reappeared after the appointment of Nabiam as prime minister.<sup>37</sup> His trial, access to which was restricted because of the corona virus lockdown, took place in absentia, even though Seidi Bá was present in Bissau when his sentence was handed down.<sup>38</sup>

In the case of the September seizure the two ringleaders, Mexican-born Ricardo Ariza Monje (a long-term resident of the country and known as 'Ramon'<sup>39</sup>) and Seidi Bá, who has dual Bissau-Guinean and Portuguese citizenship, were each sentenced to 16 years in prison. Several others linked to the seizure, including defendants from Guinea-Bissau, Colombia, Mexico and Mali, received jail sentences of between four and 16 years.

By the standards of Guinea-Bissau, where court processes have often been subverted and judges threatened, the court judgment makes interesting reading. It details multiple banking transactions between Latin America, Bissau and European countries (including Portugal, Spain, Germany and the United Kingdom) as well as the United States.<sup>40</sup>

After the sentence was handed down on 31 March 2020, Seidi Bá did not report to the prison to serve his sentence but continued to move freely around Bissau surrounded by several men in military fatigues. According to local rumour, Seidi Bá was operating under the protection of Indjai.<sup>41</sup> The other arrested and convicted persons are in the Bandim detention centre. At the time of writing, Seidi Bá had not yet been taken into custody. The national assembly (parliament) building, Bissau. © Flickr/Colleen Taugher What seems to be occurring is a reconstituting of the old military criminal entrepreneur network. Such apparent interference by elements within the security forces in the work of the Judicial Police have increased since February. For example, in March a mobile brigade of the Judicial Police detained a Guinean citizen in possession of a kilogram of cocaine at the airport. The drugs were bound for Portugal. Agents of the Ministry of Interior National Guard, an institution responsible for border security, subsequently intervened. The Judicial Police could do little against the well-armed National Guard. The suspect was released and the drugs seem to have disappeared under mysterious circumstances.<sup>42</sup>

In early April, there was another strange development. The Director of the Criminal Investigation Division of the Public Order Police, Baba Djalo, was detained for 12 days on suspicion of drug trafficking. The allegations against him, which are unclear, suggest that he stole drugs being held by the Public Order Police. A foreign diplomat shed some light on the incident: 'After twelve days of captivity – for me it was not a detention, but a kidnapping – and due to [the suspect's] illness, the Ministry of the Interior decided to hand over the detainee to the Judicial Police for investigation. In my opinion, this was another case of a thief who robs a thief ... and the military trying to get their drugs back.'<sup>43</sup>

Our information is that the person behind the attempt to obtain the drugs is a convicted drug trafficker who was previously detained by the DEA sting operation in April 2013 that culminated in the arrest of Na Tchuto. He is said to have acted with the consent of a senior government official. Both of these names are currently withheld on legal advice.<sup>44</sup> Malam Mane Sanha, previously also detained with Na Tchuto, who served a 36-month reduced sentence after testifying on behalf of the US government, is also back in Bissau, displaying conspicuous amounts of wealth, according to local police sources.<sup>45</sup> What seems to be occurring is a reconstituting of the old military criminal entrepreneur network that has been responsible for trafficking in Guinea-Bissau since 2007, culminating in the 2012 coup.

Members of the Judicial Police feel increasingly threatened and several are reported to have left the country, or have sent their families abroad, having faced intimidation and threats. Investigators report that the current environment resembles the era of the old guard following the 'cocaine coup' in 2012, in that the Judicial Police have had to constrain their operations for fear of a reprisal from the military. Officers have limited their movements and are no longer pursuing in-depth investigations.<sup>46</sup>

Ominously, in the first days of the new political order under Embaló, a new head of the Judicial Police was appointed, Mário Yala, a public prosecutor with suspected ties to drug traffickers.<sup>47</sup> There was an immediate general outcry, including pressure from foreign actors and Yala was withdrawn from the post. The Bissau-Guinean Prosecutor-General, at the time Ladislau Embassa, publicly defended Yala's actions. Nevertheless, he was replaced by Teresa Silva, the former Deputy Attorney General, who is considered close to the current government and whose husband is a Supreme Court judge. Silva's husband voted in favour of the appointment of Embaló as president in the electoral dispute with Pereira.



The corona virus and the government's lockdown in response have greatly limited public activities, with a curfew allowing movement only between 7 a.m. and 11 a.m. There are, however, reports of expensive cars circulating in Bissau at night, and these vehicles have been seen entering and leaving the port and airport.

Elements of the military and political elite have long considered drug trafficking to be a 'legitimate' trade. The authors have been told on several occasions that cocaine is a European problem, and not one that concerns Guinea-Bissau – this despite evidence of a growing local population of drug users.<sup>48</sup>

What's more, reporting on these events has become much more difficult for local journalists. The local media is highly vulnerable to political and economic pressure, and many journalists indicate that they self-censor out of fear for their safety. Journalists and bloggers have been harassed and attacked. On 24 March, in the days preceding the lockdown and as political tension increased, an independent radio station, Radio Capital, was attacked by an armed group of military personnel.

Certain politicians who have opposed drug trafficking in the past also appear to have been targeted. The former Minister of Justice, Ruth Monteiro, was a strong opponent of the appointment of public prosecutors who had been tainted by links to drug trafficking. She was prevented for some time from leaving the country and lived in fear for her life. Eventually, facing external pressure from the United States the government allowed her to leave.<sup>49</sup> Those who have stood up to the link between the state and drug trafficking often feel they have little protection.



# RESPONSES FROM THE INTERNATIONAL COMMUNITY

G lobal attention attracted by the corona virus has eclipsed the problem of the new regime and political instability in Guinea-Bissau in the media. The international community in Bissau is now significantly smaller, and the opportunities to move around freely and work are now constrained. However, according to one foreign observer in Bissau, there was already an attitude of waiting to see how the crisis would develop before the pandemic broke out. His view is that the virus gave a convenient excuse for outsiders to disengage from a problem that they were already tiring of or at least seemed reluctant to confront.<sup>50</sup>

On 26 April, President Embaló extended the state of emergency for an additional 15 days. While the extension of the state of emergency highlights the limited health capacities of the state to respond to the virus, it also continues to provide a useful distraction from the political crisis and an opportunity under which drug trafficking may continue.

A briefing held by the UN Security Council on 14 February highlighted some agreement among the five permanent members (the P-5) that the drawdown of the UN mission in Guinea-Bissau should continue. The issue of drug trafficking was also highlighted. In particular, Russia, supported by China, has argued for the lifting of Security Council sanctions against the country's military, arguing that the recent elections have shown that the military have stayed out of politics.<sup>51</sup> Whether subsequent reports of the military's active role in ensuring that the new government takes office and the degree to which military units have been

involved in intimidation will change this and lead some Security Council members to review their stand against sanctions remains unclear.

UN agencies on the ground remain active, although the corona virus has also restricted their ability to conduct business. The UN response is divided between engagement of the political mission (UNIOGBIS) and the work of several UN agencies mobilized on the emergency response front. On the political side, the UN, like others, has largely followed the lead of ECOWAS. This has translated into a 'wait and see' approach, symbolized by the letter of former prime minister Aristides Gomes to the UN Secretary-General, which called for a clarification of the UN's stand. If anything, the UN's focus has also been on the swift completion of the electoral cycle and on constitutional reforms, without a longer-term plan for structural change in other areas, most notably the crucial issue of security sector reform.

As noted, the response of ECOWAS to the crisis of 2020 has been incoherent. Countries within the regional bloc are themselves divided over what to do. Senegal, Nigeria and Niger, for example, moved quickly to recognize the new president, whereas other states demurred. On 23 April, ECOWAS appeared to step back from the dispute by formally recognizing Embaló as the legitimate president of the country. The European Union stated that ECOWAS's recognition of Embaló 'brings an end to a prolonged post-electoral stalemate which was detrimental to the stability of the country'.<sup>52</sup> That must be seen as a major victory for Embaló, although it is unlikely to tamp down the conflict. The UN Secretary-General said he 'takes note' of ECOWAS's decision.<sup>53</sup>

As noted, ECOWAS and the west African peacekeeping force, ECOMIB, have been a key part of every recent round of conflict resolution in Bissau. The end of the ECOMIB mandate has changed the equation. While not solving the longer-term cycles of political instability in the country, the combination of ECOWAS diplomacy and the presence of West African soldiers on the ground, has generally been enough to at least contain (although not end) the conflict. The Guinea-Bissau military have however long chaffed at the presence of foreign soldiers. There would have been quiet celebration among some in the local military elite at this turn of events. ECOMIB forces however remain in the country confined to their barracks.

The ECOWAS recognition statement came in the wake of a threat, which, significantly, was made at the barracks of the Armed Forces General Staff, that Embaló would proceed to dissolve the country's elected legislature. Embaló's argument is that the legislature, with its majority PAIGC members, has gridlocked the ability of the government to carry out its work. ECOWAS's calculation may have been that it was better to retain the elected legislature rather than hasten the shift to a more authoritarian presidency, although it seems hard to see how this shift is not in any event occurring. Embaló's threat to dissolve the legislature was also predictably countered by arguments that he did not have the power to do so. Whatever the case, the statement appears to have brought the matter to a head, and in symbolic alignment with the military command, it sent a message that was loud and clear. Fearing more conflict, ECOWAS appears to have backed down or at least made the calculation that it has bigger fish to fry at the moment. The African Union has been content to follow the lead of ECOWAS.<sup>54</sup>

Global attention attracted by the corona virus has eclipsed the problem of the new regime and political instability in Guinea-Bissau.



Guinea-Bissauans have been subjected to continual cycles of political instability. © Getty Images/AFP Seyllou

## **THE WAY FORWARD**

Political conflict in Guinea-Bissau is not new. However, the latest cycle of conflict and political tension in Bissau may have serious long-term consequences if left to fester. The patterns of conflict and political contestation in the country cannot be easily broken, so there is little likelihood that, without external pressure, matters will resolve on their own. While it is true that a set of deep structural drivers feed instability in Guinea-Bissau and thus there are no easy solutions, the role of external actors in pushing forward reforms is likely to be central to achieving a degree of stability in the near term. This round of political conflict is also occurring in a period when both the UN and ECOWAS are set to disengage, or at least lighten their footprint. This does not bode well for the future of the country, and the ordinary people of Guinea-Bissau will bear the social and economic costs of what is in effect political stagnation.

Most concerning about the latest episode of conflict is that control over the drug economy appears once again to be at least part of the calculus of key players in the political and military elite. The crisis of 2020 has some worrying parallels with that of 2012/13, when the military were central players in protecting and then participating in the drugs business. This time, however, the focus of the international community, is elsewhere, and the players in Bissau are being left largely to their own devices. Drug money has seeped into the country's politics and because it is an important source of unaccountable funds in a political and elite economy driven by patronage, it may be now central to the running of parts of the political system. That bodes badly for the country's future and reduces the incentives for long-term stability and development.

A series of urgent steps should be considered:

- There are clearly legitimate reasons in a country like Guinea-Bissau, with its weak to non-existent health infrastructure, to have adopted a firm response to the corona virus. However, there is no justification for security force abuses in this period. Equally, the possibility that the state of emergency is being used as a cover for drug trafficking should be urgently investigated.
- The government should be held to account for why an individual convicted of a serious drug-trafficking offence – Braima Seidi Bá – is not serving his sentence. The message that this sends to the outside world is that the president and prime minister, supported by the military elite, are protecting a major drug trafficker.
- While there is a consensus for a drawdown of UNIOGBIS by the end of 2020, there is a strong argument for providing support to other parts of the UN system engaged on the ground in Guinea-Bissau, most notably the UN Office on Drugs and Crime (UNODC), to monitor and support the Judicial Police and the wider criminal justice system in their response to drug trafficking. Without this, the Judicial Police will be unable to investigate cases in an unhindered and independent manner.
- A more coherent political response one that recognizes that drug trafficking is an important driver of the country's poor governance, chronic instability and stunted development prospects – is required from the international community and regional counterparts. The role of the military in occupying various government institutions and the Supreme Court of Justice deserves to be roundly condemned. The international community needs to more clearly demonstrate

to the political and military elite in Bissau that their actions will not be allowed to continue to take place with impunity, a fact the Security Council has itself recognized.<sup>55</sup>

- The current evidence suggests that the military remain closely connected to political processes in Bissau, as well as enabling drug trafficking. Lifting the Security Council sanctions on the military in the current context would be rewarding criminal behaviour, and would further empower the military elite.
- Civil society in Guinea-Bissau have a key role to play in the current crisis but need support. This includes in particular the role of independent media and civil-society organizations in monitoring, reporting and commenting on political and security developments. These voices deserve to be heard and protected. The international community needs to make it clear that attacks on members of civil society will not be tolerated.
- The one longer-term possibility to resolving endless cycles of political instability in Bissau is to build a genuine and inclusive national dialogue of all political leaders, the military as well as civil-society actors. This should be held jointly under ECOWAS, AU and UN auspices. One option would be, in the style of truth commissions, to offer amnesty to political actors who are prepared to talk honestly about their involvement in drug trafficking and other crimes. Those who do not would be subject to prosecution, underscoring that, in the final reckoning, there would be no impunity for those who have been involved in drug trafficking and have undermined the long-term political, social and developmental prospects for Guinea-Bissau.

## NOTES

- 1 See, for example, the summary of the latest resolution, https://www.un.org/press/en/2020/sc14130.doc.htm.
- 2 There is no clear definition of what constitutes a 'narco-state' and the use of the term is not always helpful politically in taking the discussion on solutions forward. Guinea-Bissau constitutes rather an elite protection network for drug trafficking.
- 3 Henrik Vigh notes that cocaine is seen locally as a 'potential provider of possible livelihoods and mobility'. See H Vigh, Caring through crime: Ethical imbalance and the cocaine trade in Bissau, Africa, 87, 3 (2017), 479–495.
- 4 Outlined in Organization for Economic Cooperation and Development (OECD), Illicit financial flows: illicit narcotics transiting West Africa, Paris, OECD Working Papers, 2019.
- 5 Admiral Na Tchuto pleaded guilty in May 2014 and served a prison sentence before being deported to Guinea-Bissau.
- 6 Beatrice Embaló, Civil military relations and political order in Guinea-Bissau, *Journal of Modern African Studies*, 50, 2, 253–281.
- 7 Mark Shaw, Drug trafficking in Guinea-Bissau, 1998–2014: The evolution of an elite protection network, *Journal of Modern African Studies*, 53, 3 (2015), 339–364.
- 8 In fact, determining the exact length of his term is difficult, as Imbali did not recognize his dismissal.
- 9 Pereira was a former World Bank employee and executive secretary of the Community of Portuguese Speaking Countries.
- 10 See https://www.facebook.com/dsimoespereira.paigc/ posts/1240899236093195.
- 11 Interview, Bissau, July 2019.
- 12 The constitution states that the president should appoint the prime minister, 'taking into account the electoral results and having heard the political forces represented in the National People's Assembly'; see Articles 68, 69 and 98 of the Constitution of Guinea-Bissau. In effect, the majority coalition had been prevented from appointing their own choice as head of the government.
- 13 For an overview, see Brown Odigie, ECOWAS's efforts at resolving Guinea-Bissau's protracted political crisis, 2015– 2019, African Centre for the Constructive Resolution of Disputes, *Conflict Trends*, 2 September 2019.
- 14 See https://issafrica.org/iss-today/could-military-interference-derail-peace-prospects-in-guinea-bissau.
- 15 https://africa21digital.com/2020/03/10/presidente-eleito-da-guine-bissau-diz-que-mandou-cancelar-missao-dacedeao/.
- 16 Sissoco public statement at Osvaldo Vieira Airport, 6 February 2020. See https://www.publico.pt/2020/02/07/ mundo/noticia/sissoco-embalo-ameaca-legislativo-judicial-guinebissau-1903238.

- 17 Camará, NaTchuto and Indjai were designated 'drug kingpins' by the US Treasury in 2010.
- 18 See the list at https://www.europeansanctions.com/region/ guinea-bissau/ and https://www.sanctionsmap.eu.
- Assembleia do Povo Unido Partido Democrático da Guiné-Bissau (APU-PDGB).
- 20 These meetings were held in Nhooma and Uaque.
- 21 For this reason, the Balantas and the military were not present at the presidential swearing ceremony but were present at the Nabiam inauguration ceremony, publicly demonstrating their support only after they were sure that Embaló had appointed Nabiam as prime minister.
- 22 Personal communication, March 2020.
- 23 On 27 March 2020, the government declared a state of emergency. The crackdown that resulted was accompanied by reports of beatings, illegal charges and other human rights violations by the Bissau-Guinean Human Rights League, a civil-society organization monitoring human rights in the country. Widespread cases of petty corruption also occurred as members of the Public Order Police demanded payment for the return of impounded motor vehicles, motorbikes and bicycles.
- 24 See https://e-global.pt/noticias/geopolitica/crise/guine-bissau-medidas-contra-coronavirus-provoca-revoltas-e-protestos-em-bissau/.
- 25 See the testimony from several witnesses as to the eagerness of Indjai's two military aides, who fronted negotiations for him, for the deal to go through. United States District Court, Southern District of New York, United States of America v. Rafael Garavito-Garcia, 12 CR 839 (JSR), before Judge Jed S. Rakaoff. The testimony is at Case 1:12-cr-00839-JSR Document 81 Filed 04/24/15, pp. 57–59.
- 26 Testimony of Malan Mane Sanha, Case 1:12-cr-00839-JSR Document 83 Filed 04/24/15, pp. 71–73.
- 27 Interviews with several observers and participants in Bissau, July 2019.
- 28 Interview, law-enforcement agents, Bissau, July 2019.
- 29 Information from senior law-enforcement officials in Bissau, April 2020. See also the following news report: 'In addition to the seizure made on Monday on a property of the Minister of Agriculture, the [Judicial Police] had already confiscated as many tons of rice that were stored in the Bafatá region, allegedly owned by the company Cuba Ltda, whose owner is Botche Candé, former Minister of Interior and special advisor to Guinean President José Mário Vaz.' See https://www.asemana.publ.cv/?Arroz-do-Povo-Ministro-da-Guine-Bissau.
- 30 The Rapid Intervention Police are a special paramilitary force of the Police of Public Order, under the Ministry of Interior.

- 31 It is important to note that because of the work of a Joint Airport Interdiction Task Force, supported by the UNODC and the EU, there have been regular seizures of cocaine at, or connected to, flights to and from Bissau airport. These were small quantities found among air couriers, and not of the scale of the consignments seized in March and September 2019.
- 32 Interview, Bissau, July 2019.
- 33 The route used to pass through Libya, but traffickers report that levels of instability are now too high there.
- 34 Interviews, West African military officers and local officials, July 2019.
- 35 Interview, Judicial Police officers, Bissau, July 2019. In August 2007, a unit of the Judicial Police arrested two Colombian nationals in a residential area of Bissau and seized a number of items from a warehouse, including large amounts in cash (euros), arms, ammunition and flowcharts with information about public officials and members of the Government of Guinea-Bissau. Braima Seidi Bá has also been identified as the owner of two Guinean companies involved in drug trafficking; see https://e-global.pt/ noticias/lusofonia/guine-bissau/guine-bissau-braima-seidi-ba-e-proprietario-de-duas-empresas-nacionais-implicadas-no-narcotrafico/; and https://www.un.org/peacebuilding/sites/www.un.org.peacebuilding/files/documents/ bg\_paper\_drug\_trafficking.pdf.
- 36 See http://www.odemocratagb.com/?p=22199.
- 37 There is some suggestion that he was not in Guinea-Bissau until the end of February, when the changing political events may have facilitated his return.
- 38 Information from civil-society groups and diplomats in Bissau.
- 39 The court concluded that Ramon was the main head of the organization in Guinea-Bissau and was assisted by Braima Seidi Bá in the preparation and coordination of all the operations on land, before, during and after the unloading of the narcotics. Ramon is said also to be linked to the case of an aircraft that landed in the middle of the Malian desert in 2009 with a large consignment of drugs onboard.
- 40 Judgment, Regional Court of Cacheu, Bissau, File Number 13/2020.
- 41 'The trafficker (Braima Seidi Bá) entered the country escorted by troops from the former commander of the General Staff of the Armed Forces, António Indjai, currently in charge of the ongoing Narco-Military Coup', https:// domingospresidente.com/guine-bissau-e-transformadaem-refugio-do-barao-dd-cocaina/. See also: https://www. publico.pt/2020/04/09/mundo/noticia/guinebissau-traficantes-voltaram-mandado-internacional-1911778? The authors have spoken to several sources in Bissau who confirmed this.
- 42 Information from members of the international community based on reports from local law enforcement.
- 43 Personal communication, April 2020.
- 44 This is reported by both local and foreign law enforcement officials. Personal communication, April 2020.

- 45 Malam Mane Sanha is the name he uses most commonly. He was tried in New York under the name Manuel Mamadi Mane, one of more than 12 names he used during his criminal activity. Personal communication with local and foreign law-enforcement officials, May 2020.
- 46 This is reported by local civil-society organizations in contact with Judicial Police officers.
- 47 See accusations against Mário Yala for his role during a cocaine interdiction operation named Carapau, https://www.facebook.com/nicolaudautarim/videos/2763150047117655. Yala's actions on drug trafficking cases were confirmed by civil-society representatives and Judicial Police sources.
- 48 Interviews indicate that there has been an increase in the numbers of drug users admitted to the country's limited treatment facilities, although data has not been systematically collected. For a survey showing increasing drug use, see Abílio Aleluia Otaíro Có Júnior, A Droga Entre os Jovens: Uma Análise Sobre o Consumo na Guiné-Bissau, dissertation submitted in partial fulfilment for master of sociology, Instituto Universitário de Lisboa, September 2013.
- 49 Information from international observers based in Bissau, May 2020.
- 50 Personal communication, April 2020.
- 51 See 8724th meeting of the United Nations Security Council, Friday 14 February 2020 https://undocs.org/en/S/PV.8724; Russian Federation (p. 16): 'We believe that the time has come for addressing the issue of lifting the Security Council sanctions against Guinea-Bissau. The sanctions have long been obsolete in nature. The current situation is a far cry from the events of 2012. As the recent elections have again shown, the armed forces are staying out of politics. We can therefore observe that the sanctions achieved their objective long ago. Maintaining the sanctions, in the light of the drawdown of the United Nations presence in the country, is all the more bewildering.' On China, see https://www.whatsinblue.org/2020/02/guinea-bissau-mandate-renewal-of-uniogbis.php.
- 52 See https://eeas.europa.eu/headquarters/headquarters-homepage/77862/guinea-bissau-statement-spokesperson-latest-political-developments\_en.
- 53 See https://www.un.org/sg/en/content/sg/statement/2020-04-24/statement-attributable-the-spokesman-for-the-secretary-general-guinea-bissau.
- 54 See https://au.int/en/pressreleases/20200424/lunion-africaine-felicite-le-president-elu-de-la-republique-de-guinee-bissau.
- 55 See UN Security Council Resolution 2512 (2020): '... underlining that any lasting solution to instability in Guinea-Bissau must include provisions to fight impunity and ensure that those responsible for [...] serious crimes, including those involving breaches of constitutional order and those related to drug trafficking, are brought to justice, including through national judicial mechanisms.'; see https://undocs.org/S/RES/2512%20(2020).



#### ABOUT THE GLOBAL INITIATIVE

The Global Initiative Against Transnational Organized Crime is a global network with 500 Network Experts around the world. The Global Initiative provides a platform to promote greater debate and innovative approaches as the building blocks to an inclusive global strategy against organized crime.

#### www.globalinitiative.net

