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Guinea-Bissau: Human rights violations in the run up to presidential elections

Amnesty International deplores the apparent unlawful killings and extra-judicial executions of politicians by the armed forces and fears a further deterioration of the human rights situation in the run-up to presidential elections, scheduled for 28 June 2009.

Amnesty International is concerned about the arbitrary arrest of several former members of government and at least one was beaten at the time of his arrest; others have gone into hiding fearing for their safety.

The organization calls on the authorities in Guinea Bissau, to open a thorough, prompt, transparent and impartial investigation into the apparent extrajudicial execution of politicians by the armed forces, as well as into the arbitrary arrest and beatings and for those suspected to be responsible to be brought to justice. Amnesty International further calls on the authorities in Guinea-Bissau to ensure that the military are not allowed to arrest or detain civilians.

Four people, including two prominent politicians, were killed in the early hours of Friday 5 June 2009. Several others were arrested after the armed forces claimed they were plotting a coup to overthrow the government and to kill the prime minister and the chief of staff of the armed forces. The deceased and those arrested were known to be close to the late President Bernardo "Nino" Vieira, who was killed by soldiers on 2 March 2009. The late President's killing followed that of the Chief of Staff of the Armed Forces, General Batista Tagme Na Waie, a few hours earlier.

Helder Proença, a former Minister of Defence, whom the Chief of Staff of the Armed Forces accused of being the mastermind of the plot, his bodyguard and driver were killed as they were returning from Senegal. They were killed at around midnight, on the Amilcar Cabral Bridge, some 40 km north of Bissau, where soldiers were reportedly waiting for them. Baciro Dabó, a former Minister of the Territorial Administration and a candidate in the forthcoming presidential elections, was killed at home at around 2 am. According to reports, a group of about 13 soldiers entered his house and shot at him. Some reports have suggested that he received three shots in the torso and one at the back of his head.

Following the killings, the Internal Security Service of the Interior Ministry issued a statement claiming that the armed forces had foiled a coup on the night of 4 June; that the alleged perpetrators were armed and that while some surrendered, others resisted arrest leading to an exchange of fire in which the four people were killed. However, according to reports, there is no evidence that the deceased were armed or that an exchange of fire occurred. The Security Services had presented a film and audio recording said to be of the alleged plotters during a meeting in which they allegedly agreed to stage a coup.

Amnesty International is also concerned about the arbitrary arrest of an undetermined number of former government officials and the beating of at least one of the detainees.

Those arrested include:

- Faustino Fadut Imbali, a former prime minister, who was arrested also in the early hours of the morning of 5 June in his house. He was beaten at the time of his arrest and taken to the Armed Forces Headquarters where he has been held without charge.
- Colonel Antero João Correia, the Director General of the Security of the State and Domingos Brosca were also arrested and are being held in the cells of the Air Base in Bissau.
- Yaya Dabó, Baciro Dabó's elder brother, was arrested on 8 June after he reportedly said he would avenge his brother's death.

All were arrested by military personnel without a warrant for their arrests. Several others including Conduto Pina and Veríssimo Nacassa "Tchitchi" are reportedly in hiding fearing for their safety.

The detainees have not been brought before a judge to legalise their detention, as prescribed by Guinea-Bissau law that stipulates that all detainees must have their detention legalised within 48 hours. Furthermore, the arrests were carried out by military officials who do not have the authority to arrest civilians in Guinea-Bissau, in violation of national and international law.

Amnesty International is concerned that in the current atmosphere of arbitrary arrests and unlawful killings the situation is not conducive to the exercise of freedom of expression, an essential condition for the effective exercise of the right to vote. The UN Human Rights Committee has stated in its General Comment 25, interpreting Article 25 of the International Covenant on Civil and Political Rights, that "freedom of expression, assembly and association are essential conditions for the effective exercise of the right to vote and must be fully protected."

Background Information:

Guinea-Bissau is a highly volatile country, with a long history of coups and military rebellions. A short civil war ended with the overthrowing of the late President Vieira from power in May 1999. He returned to the country in 2005 to contest presidential elections which he won. Since 2000, soldiers have killed three Chiefs of Staff of the Armed Forces, as well as other high ranking military officers. Those responsible for the killings were not brought to justice. In August 2008 Rear Admiral José Américo Bubo Na Tchute was accused of leading an alleged coup attempt against the late President Bernardo João Vieira. He escaped house arrest and fled to The Gambia.

On Sunday 1 March 2009, the Chief of Staff of the Armed Forces, General Batista Tagme Na Waie, was killed in a bomb attack in his office in the Armed Forces General Command in Bissau. Hours later, in the early hours of Monday, 2 March, in an apparent revenge attack, soldiers killed President João Bernardo Vieira, whom they believed was responsible for the death of General Tagme Na Waie.

No investigation into these killings has been carried out as yet. The Procurator General recently said that his office did not have money to carry out the investigation. The Military pledged to respect the Constitution and a new Chief of Staff of the Armed Forces was appointed. In accordance with the Constitution the President of the National Assembly took over as interim President until new presidential elections are held, which were scheduled for 28 June 2009. However, the holding of elections is in doubt as the electoral campaign should have started on Sunday 7 June. In accordance with the law, the campaign must run for 21 days. To date, however, the authorities have not made any announcement about a possible postponement of the elections.

Following the killings of President Vieira and General Tagme Na Waie, in late March and early April 2009, Pedro Infanda, a lawyer, and Francisco José Fadul, a former Prime Minister and, at the time of the beating the President of the Audit Court, were arrested and tortured by

soldiers after they criticised the armed forces. Immediately after, members of the Guinea-Bissau Human Rights League (Liga Guineense dos Direitos Humanos – LGDH), including its president were threatened by armed people after publicly condemning the arrest and torture Pedro Infanda and the beating of Francisco José Fadul.

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