Guinea’s Other Emergency: Organising Elections

I. Overview

Guinea is due to hold a presidential election in 2015. The country’s electoral history, the failure of dialogue between the government and the opposition, and the indefinite postponement of local elections originally scheduled for early 2014 are all bad omens. With a divided political scene split along ethnic lines, and in the grip of an Ebola epidemic that has weakened Guinea’s economy, the government has two options. It can either promote dialogue and establish a credible framework for the second free presidential election in the country’s history, a framework that could include a negotiated postponement; or run the risk of instability and inter-ethnic violence. Given its control of institutions and the political timetable, it must work with the opposition and international partners to build minimum consensus on electoral arrangements in order to reduce the risk of violent protests in the lead up to, during or after the vote.

Such a consensus must be stronger than the one reached for the September 2013 legislative elections, held after a delay of almost three years. Those polls were preceded by fierce controversy and violent demonstrations. Although the conduct of the vote was peaceful, the opposition accused the government of fraud and called for the elections to be annulled. Many foreign observers questioned the integrity of the polls. The government managed to contain tensions only because the opposition felt that legislative elections were of secondary importance, and because international partners mediated between the two sides.

The forthcoming polls present a very different challenge. First, more is at stake in a presidential vote, given the power Guinea’s political system vests in the executive. Secondly, the government has already indicated its resistance to significant international involvement. Also, the legislative elections confirmed the ethnic dimension of voting patterns. The country’s two main groups, the Fulani and the Malinké, are split, with the former mostly lined up behind the main opposition party, Cellou Dalein Diallo’s Union of Democratic Forces of Guinea (UFDG) and the latter mostly behind President Alpha Condé’s Rally of the People of Guinea (RPG) Rainbow.

Electoral regulations and institutions, including the timetable, remain flawed. The date of the presidential election has not yet been set. Despite – or because of – the makeshift arrangements of recent years, the regulatory framework is incoherent. Even where clear rules exist, they are often not enforced. The country lacks key insti-
Institutions, such as a Constitutional Court to replace the Supreme Court’s constitutional chamber. The government-opposition dialogue initiated in July 2014 to clarify the legal framework quickly collapsed, as the parties failed to settle on a written record of the verbal deals reached during the discussions.

Although the risk of intervention by the army is lower than in the past, political tensions are a grave concern. The opposition, which refrained from organising demonstrations for a time, officially because of the Ebola epidemic, announced in November 2014 that it was preparing for renewed action. Controversy over the elections fuels ethnic divisions, slows economic development and hampers government attempts to mobilise the public in the fight against Ebola. There is still time to build minimum consensus on electoral arrangements, but it will require the following steps:

- President Condé should invite the government and opposition to engage in a new round of talks on electoral arrangements. Both parties should prepare for this dialogue by drafting precise, comprehensive and realistic measures. A senior political figure from the president’s office should participate.

- The parties should agree on a realistic electoral timetable. They should not rule out the option of postponing the presidential vote if this would genuinely improve its quality. Considering the importance of the local authorities in the organisation of elections, their controversial replacement by government-appointed administrators and the need to promote trust, local elections should be held a minimum of three months and a maximum of six months before the presidential polls, so as to provide ample time for elected representatives to start working.

- The Independent National Electoral Commission should be entirely reshuffled so as to fully recognise its political character. The new commissioners should be appointed solely and in equal numbers by the presidential coalition and the opposition, and decisions should be made by consensus.

- The president should pass the decrees to promulgate the organic laws creating the National Human Rights Institution and the Constitutional Court as voted by the National Transition Council. Practical measures, including budgetary, should be taken so that these institutions can begin operating quickly.

- The government, with the opposition’s support, should ask the UN to send a needs assessment mission to assess electoral arrangements.

The government should invite credible long-term international electoral observation missions from the EU and the African Union (AU) to monitor the presidential election and, though this is less common, the local elections, at least in Conakry, Moyenne Guinée and the Nzérékoré region.

II. A Troubled Electoral History

Free and competitive elections are a recent phenomenon in Guinea and the two most recent ballots, the 2010 presidential election and the 2013 legislative elections, provoked fierce controversy.¹ Long-time Guinea advocates have reason to rejoice that

¹ For more on the 2010 election, see Crisis Group Africa Report N°178, Guinea: Putting the Transition Back on Track, 23 September 2011, p. 3.
these elections were not tarnished by the kind of blatant and violent fraud that was commonplace under the Lansana Conté regime. Still, the preparation, administration and declaration of the results of both elections were accompanied by tension and protests that resulted in violence. Each time, they were followed by confused and incomplete negotiations whose outcome was unevenly implemented. Each time, the elections were held after considerable delays – four months between the two rounds of the presidential election and nearly three years in the case of the legislative elections. Each time, international actors have had to intervene directly.

In 2010, a contact group formed around the AU, the Economic Community of West African States (ECOWAS) and the UN Office for West Africa (UNOWA) played a decisive mediation role, and a Malian general, rather than a Guinean citizen, was appointed head of the Independent National Electoral Commission (INEC). In 2013, UNOWA mediated between government and opposition to try to build minimum consensus on electoral arrangements, which resulted in the 3 July 2013 agreement. During the legislative elections, EU observers had to stay up all night in front of one of Conakry’s town halls to secure the records of the election results.

These efforts were not enough. In 2010 and in 2013, the main losers, the Union of Democratic Forces of Guinea (UFDG) and the Union of Republican Forces (UFR), denounced fraud and called for the elections to be annulled. Election observers did not hide their doubts about the integrity of the ballots. In 2013, the opposition and the EU highlighted worrying coincidences. In both cases, international partners formulated recommendations that have thus far largely been ignored.

However, in 2013, almost all the opposition parties eventually accepted the results. As in 2010, they did so under international pressure, considering that they fared relatively well and that the legislative elections were of secondary importance in a presidential system. Whether fraud took place or not, the continuing lack of...
consensus about the electoral system gives cause for concern about the elections that are scheduled for 2015 in this politically fragile country.

III. A Divided Political Scene

A. The RPG Rainbow: In Search of Policy Results

With a 47 per cent share of votes in the 2013 legislative elections, well above the 18 per cent won by Alpha Condé in the first round of the 2010 presidential election, the ruling party believes it is in a strong position. It has a plurality of seats in the National Assembly, and the speaker of the assembly is a party member.8 As some of its senior figures acknowledge, the RPG Rainbow also benefits from the advantages of incumbency, in particular control of the state apparatus. Control over jobs and appointments, licences and permits and public work contracts can ensure the loyalty of civil servants and citizens. “In a poor country, everybody gravitates toward power”, especially in rural areas, where “the prefects [local representatives] are like kings”.9

After three difficult years, during which budgetary austerity, stagnation of the world market for minerals and 2013 political violence slowed down the economy, the RPG Rainbow hopes to benefit from the development of a series of mining projects worth $45 billion in investments, more than six times the country’s gross domestic product.10 The government ceased budgetary austerity in 2014 and launched infrastructure projects, some of them labour intensive, thus providing a temporary remedy for youth unemployment.11 Reputable technocrats are trying to speed up improvements in the electricity sector. The energy minister announced that the imminent completion of a dam at Kaléta would ensure the supply of electricity to Conakry 24 hours a day as from May 2015. Progress in this politically sensitive sector, which has been the focus of social protests for years, could be decisive in the elections.12

8 Its 53 parliamentarians allied with the six parliamentarians of small parties (the assembly has 114 seats). Moreover, some parties opposed to the RPG Rainbow at the time of the elections and having obtained one or two seats claim to “non-aligned” but vote with the RPG Rainbow.

9 Crisis Group interviews, RPG Rainbow leaders, Conakry, 6 October 2013 and 4 June 2014. The opposition often criticises the public administration’s lack of independence. Although the government insists that it respects this principle, governors and prefects, who are appointed, do not hide their support for the government. For example, at a general meeting of RPG Rainbow, the governor of Conakry said: “When a party is in power, it should be the winner.... We thank the president of the republic for concluding the biggest project of the century, the Rio Tinto project, which is worth about $25 billion. We also thank the president for making significant progress with the Kaléta project, which, in association with Sowapiti, will bring electricity to Guinea ...”. See “Meeting du RPG: ‘Quand un parti est au pouvoir, c’est lui qui doit gagner’, dit Soriba Sorel Camara”, Guinée News (www.guineenews.org), 7 June 2014.

10 “Third review under the three-year arrangement under the extended credit facility and finance assurances review”, International Monetary Fund (IMF), Report n° 14/63, April 2014, p. 36-37. In a depressed global market, the mining companies may decide to retain their concessions while delaying investment. Crisis Group interviews, experts on the mining sector, Conakry, June 2014.

11 Crisis Group email correspondence, expert on international finance, 7 July 2014. The 2014 budget indicated that investment in the country’s natural resources will provide a 1.8 per cent increase in GDP in comparison to 2013. “Third review under the three-year arrangement”, op. cit., p. 12.

12 Faced with the risk of social protest in the event of power cuts during football World Cup matches, a Guinean mining services company, which is in talks with the government about a mining project, installed 27 large generator-powered screens across Conakry.
It is still not clear what impact the Ebola epidemic will have on these projects. The epidemic first appeared in Guinea in December 2013. It peaked in July 2014, and after more than 1,200 deaths, it has begun to level out. Economic consequences are considerable. Rio Tinto’s massive mining project in the Simandou is at a standstill. According to the World Bank, growth will be about 0.5 per cent in 2014, 4 per cent below the forecast rate, and it could even be slightly negative in 2015. International partners are helping the government combat Ebola and contain its economic impact, including by tolerating the budget deficit. The government is budgeting for a more than 4.5 per cent increase in public spending in 2015 and plans to recruit more than 10,000 civil servants.¹³

The other decisive electoral factor is ethnicity. Politics in Guinea are characterised by the struggle between the RPG Rainbow, supported by its Malinké stronghold in Haute Guinée, and the UFDG, dominated by the Fulani and with massive support in Moyenne Guinée.¹⁴ In order to come out on top and undermine the UFDG’s position in Moyenne Guinée, the RPG Rainbow oscillates between co-opting segments of the Fulani elite and mobilising support among the Runde, descendants of Fulani slaves, who are drawn from various ethnic groups. Some senior civil servants and RPG Rainbow politicians support Runde demands for access to land and local positions of power.¹⁵ However, it is still difficult to assess whether the Runde can become a genuine electoral force.

What will happen in Conakry and in the country’s two other main regions, Basse Côte and Guinée Forestière, where other ethnic groups are dominant but with significant Fulani and Malinké minorities, will be crucial. This is why the prime minister is from Basse Côte and the speaker of the National Assembly from Guinée Forestière. The RPG Rainbow could go again with the “Anyone Except a Fulani” stance, a position that helped it make up lost ground in the second round of the 2010 presidential election, when it mobilised support against the UFDG and the Fulani community, whose numbers, assertiveness and economic power worry some members of other communities. But the situation may have changed since 2010 and such a strategy might not guarantee electoral victory.¹⁶

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¹⁴ According to the latest census with information on ethnicity, which dates from 1954, 30-34 per cent of the population is Malinké and similar, 29-30 per cent Fulani and similar, 17-18 per cent Soussou and similar and 17-18 per cent Forestiers. See Bernard Charles, “Les désespérances de l’indépendance: l’unité nationale”, in Odile Goerg, Céline Pauthier and Abdoulaye Diallo (éd.), Le NON de la Guinée (1958). Entre mythe, relecture historique et résonances contemporaines (Paris, 2010). The figures are still highly controversial. For example, after the UFDG’s good result in the 2010 presidential election, many Fulanis believe they now account for more than 40 per cent of the population and some interpret this as an outright majority.


¹⁶ The “Anyone Except a Fulani” strategy has its limitations: in 2010, in the key swing areas, many voters abstained in the second round when their candidate had been beaten in the first round.
Despite the presence of representatives from all communities in high office, many Guineans believe the Malinké community dominates the government. About half of ministers in the government formed following the legislative elections are allegedly Malinké and they are widely seen as occupying key posts.\textsuperscript{17} Despite the RPG Rainbow’s dominance and its efforts to expand its support in Basse Côte and Guinée Forestière, the UFDG might not repel non-Fulani groups this time around. Thus, the RPG Rainbow cannot be certain about how the political game will play out, especially in terms of the economic impact of the Ebola epidemic.

B. A Motivated but Divided Opposition

Encouraged by its good results in the 2013 legislative elections, despite the alleged massive fraud, the opposition is focused more than ever on electoral arrangements. It can expect to fare well in the local elections. However, there is so much at stake in the presidential election that it may prove difficult to maintain unity.

The opposition is organised around two major political parties, the UFDG and the UFR. The UFDG was by far the most successful opposition party in the legislative elections, receiving 30 per cent of votes in the national proportional vote and 37 seats. Supported by the Fulani community, it is the strongest party in Moyenne Guinée, has a good support base in Conakry and a presence in Basse Côte. Its leader, former Prime Minister Cellou Dalein Diallo, was criticised by the party for his alleged lack of firmness and failure to win the most recent presidential election despite support from a sizeable Fulani community. However, tension between Diallo and his vice president, Amadou Bah Oury, exiled in France, seems to have declined for the moment.\textsuperscript{18} The UFR, led by another former prime minister, Sidya Touré, received 7 per cent of votes and ten seats. Touré is a very well-known national figure. He has a lot of influence among the Soussou and Baga communities in Conakry and Basse Côte, as well as contacts in Nzérékoré, in Guinée Forestière.\textsuperscript{19}

The Hope for National Development Party (PEDN), led by Lansana Kouyaté, a Malinké, is the third main opposition party, but only won two seats in the legislative elections. Kouyaté accused the presidential party of plotting to monopolise the Malinké electorate and refused to accept his seat in parliament. There are also a few parties with local support and some representation in the National Assembly, such as the Guinean Party for Rebirth and Progress (PGRP) and the Rally for the Integrated Development of Guinea (RDIG), as well as some without representation in the assembly, such as the Liberal Bloc (BL) and the Union of Democratic Forces (UFD), which do, however, have some echo in the media.

In the legislative elections, the UFR and UFDG agreed to support each other in the second round in some constituencies by withdrawing the candidate who received the least votes in the first round. In the presidential election, however, with a single office as the target, the opposition will struggle to maintain unity. Diallo, who received more than 43 per cent of the vote in 2010, knows he has a good chance of reaching the run-off. However, in order to promote Touré’s candidacy, the UFR says a Fulani candidate has no chance of winning the presidency, as in 2010, and that

\textsuperscript{17} Crisis Group interview, diplomat, Conakry, 12 June 2014.

\textsuperscript{18} Bah Oury has been in exile since the July 2011 attack on the residence of President Condé, for which he received a life sentence in absentia.

\textsuperscript{19} Crisis Group interview, UFR representative, Conakry, 27 September 2013.
presenting a single opposition candidate in the first round could prove to be a more successful strategy. Diallo, already accused of being too moderate by his critics within the Fulani community, is unlikely to withdraw his candidacy in favour of Touré. A UFR representative has mentioned the possibility of bypassing UFDG leaders and appealing directly to that party’s dissidents and leaders of other communities to support Touré. The UFDG, which elected a non-Fulani parliamentarian in Conakry, is trying to reach out beyond its communal base. The opposition is therefore unclear about how to approach the presidential election.

IV. Persistent Institutional Weaknesses

Politics are made more complicated by flaws in the legal and institutional framework for elections. Talks held in July 2014 on these issues fizzled out, and failed to lead to any improvements in the weak and incomplete institutional structures.

A. A Basic Problem: Flaws in the Legal and Institutional Framework

Flaws in the legal and institutional framework are making it difficult to dissipate the tension surrounding electoral arrangements. A history of dictatorship and a rocky path to political pluralism have left the country with an incomplete and sometimes contradictory body of legislation. There are many inconsistencies between the 2010 transitional constitution, the various political agreements, the laws and regulations inherited from President Conté’s regime, the laws drafted during the period of democratisation at the end of the Conté government, documents issued by the National Transition Council (CNT) and those prepared under Alpha Condé. Key documents, such as the transitional constitution, have already been ignored on several occasions during political disputes, for good or bad reasons. They have therefore been unable to fulfil their role as a political reference point.

The government sometimes manipulates this situation to reject or restrict dialogue, claiming it is time to respect the rules of the game and criticising the opposition for its opportunism. However, the government itself appears opportunistic, calling for compliance with the law or ignoring it for its own convenience. After years of controversy and distrust, there exists no coherent legislative framework that can inspire confidence.

The government regularly makes decisions that are questionable from a legal standpoint and there seems to be no conduit to appeal against such decisions. The Supreme Court, which should resolve these situations, is a transitional institution that does little and is rarely called on to make a ruling. Its failure to act decisively in 20 Crisis Group interview, Conakry, 5 June 2014.
22 For more on Guinea’s political history, see Crisis Group Africa Report N°74, Guinea: Uncertainties at the End of an Era, 19 December 2003.
23 For example, see the statements made by Minister Damantang Camara in “Revendications de l’opposition: Réaction du Gouvernement guinéen (Exclusif)”, Africa Guinée, 19 November 2014.
24 For example, the boundaries of Kaloum commune were changed by decree when a law should have been passed to do this. “Erection de Kassa en sous-préfecture – Chronique d’une cascade de violations”, Aminata (www.aminata.com), 10 June 2014.
the 2010 and 2013 elections did not improve its credibility in the eyes of the opposition. Meanwhile, the executive power has made so little of an effort to clarify the legal framework that some observers interpret it as an attempt to perpetuate a flawed system in order to gain time and leave the law open to interpretation. The opposition’s distrust has grown, warranted or not. There is at times no clear guidance from the law and “everything becomes a political matter”.

The government has yet to create key institutions provided for in the transitional constitution, such as the National Institution for the Defence of Human Rights (INDH), the National Court of Auditors and the Constitutional Court, which is supposed to replace the Constitutional Chamber of the Supreme Court and have the last word on electoral justice. The CNT adopted laws for the Constitutional Court and the INDH in 2011 but President Condé never promulgated them. According to the constitution, the Supreme Court should have proclaimed their entry into force, but it did not do so. Some observers suspect that Alpha Condé wants to amend these laws so that he will be able to appoint the presidents of these two institutions rather than leaving this task to their respective electoral colleges. Condé may want to make these presidents personally dependent on him, reducing their ability to limit the executive’s power.

B. A Problematic Electoral Timetable

The flaws in legislation also affect the electoral timetable. Even the dates of the elections are a subject for debate. Alpha Condé won the second round of the presidential election in November 2010, so his camp seems to be planning the first round of the next presidential election for the end of 2015. However, opposition leader Sidya Touré has demanded that the ballot take place in June because the first round of the 2010 presidential election was held in June. As for local elections, the previous ones were held in 2005 and further elections should have been held in 2010, but the issue was ignored during the transition. An appendix to the 3 July 2013 agreement scheduled them for the first quarter of 2014, but they have been postponed sine die. Discussion of this issue is blocked for the moment; the government has referred the matter to the INEC, but the commission has fuelled suspicions by saying more work is needed on the electoral system before it can suggest a date for the president to call elections by decree, as the law provides.

The opposition has long believed the government wants to postpone the elections. It points to the precedent set by the legislative polls, postponed for three years, and

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25 Crisis Group interview, international expert, Conakry, 2 June 2014.
26 Crisis Group interview, member of civil society, Conakry, 12 June 2014. For example, the internal rules of the new National Assembly have yet to be adopted because of disagreement about the composition of the assembly office and the distribution of seats on assembly committees: the presidential camp wants to appoint the chairs of all committees on the grounds that it has a plurality, but the opposition insists they should be allocated on a proportional basis.
27 The INDH has a direct role in the electoral system because it appoints two of the nine members of the Constitutional Court.
28 Crisis Group interviews, human rights activists and international experts, Conakry, June 2014.
30 The validity of this appendix was challenged by some government supporters, who pointed out that it had only been signed by the facilitators of the dialogue and not by representatives of the political parties.
refers to the example of Côte d’Ivoire’s former president, Laurent Gbagbo, who stayed in power for five years without calling elections. The opposition thinks the government is stalling for time to reap political and financial dividends from investments in the mining industry. It believes the government will create a situation whereby the opposition, under pressure from international partners and the electoral timetable, will have to accept flawed arrangements that provide the government with opportunities to manipulate the situation, provoke further controversy and continue to use delaying tactics. The government recently broke its silence and said it was in favour of postponing the elections because of the Ebola epidemic. On 3 October, President Condé said: “The only agenda is the fight against Ebola”. This argument was echoed by others close to the government.

Others believe the government is keeping its options open and that it may try to catch the opposition off-guard by holding the presidential election on time, in accordance with the constitution, without seeking consensus or making any concessions. The various competing sectors of the opposition would then have to choose between accepting an electoral system that is detrimental to their interests or boycotting the election, at the risk of allowing another opponent to enter the race. Moreover, the opposition says the government is using public education on the Ebola epidemic for political campaigning. In any case, the government has caught its opponents in a fundamental contradiction: they want the presidential election held on time, but also want to improve the electoral system, which could take some time.

The second sensitive question is whether to hold the presidential and local polls at the same time. The opposition wants the local elections held before the presidential election and insisted the 3 July agreement cover this point. It hopes that local elections will remove at least some of the administrators appointed by the government to replace local authorities elected in 2005. The local authorities play a role in organising the elections, distributing voting cards and election materials, and the opposition believes the government used them to help the RPG Rainbow in the 2013 legislative polls. The presidential camp has kept quiet on this sensitive issue but some observers think it wants local and presidential elections to be held at the same time.

C. Failed Talks

Talks on electoral arrangements only began in June 2014, nine months after the legislative elections, but then quickly failed. After the legislative elections, the government suspended debate on electoral arrangements. In November 2013, it dissolved the monitoring committee created by the 3 July 2013 agreement, though several key

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31 Crisis Group interviews, opposition representatives, Conakry, September-October 2013.
32 Crisis Group email correspondence, June-July 2014.
34 For example, see a UFDG activist’s account of a trip by Minister Tata Vieux Condé: “Quand l’épidémie d’EBOLA devient une ‘opportunité’ politique”, UFDG website, www.ufdgonline.org, 19 November 2014.
provisions of the agreement had not been implemented. The opposition called for
dialogue but the government insisted the discussion should take place in the Na-
tional Assembly. However, the assembly only convened in April 2014 and refused to dis-
cuss the arrangements made by the 3 July agreement.36

Meanwhile, Alpha Condé rejected the EU’s offer of technical support, to help the
INEC prepare for contracting a new company to maintain the electoral register, and
to help the assembly revise electoral laws. In public and in private, the president em-
phasised that EU input on these issues was no longer welcome and that the elections
were a sovereign matter.37

At the same time, the INEC, whose legitimacy is still contested by the opposition,
citing that a significant number of the commissioners it nominated have been bought
off by the government, did not have a budget and maintained a low profile.38 It finally
received funds from the government and began work in February 2014, not without
provoking controversy. It began to make corrections to the controversial electoral
register, officially to prepare for the local elections. However, it did not consult any-
one or communicate. It carried on working with the outgoing company, Sabari,
which the opposition claimed was in league with the government, then with another
company whose legitimacy it also challenged.39 In addition, arguing financial con-
straints, the INEC created ad hoc structures called “prefectoral electoral units” ra-
ther than operating through its usual local divisions. The INEC says that all parties
were represented on these units, but the opposition disagrees and maintains the
“corrections” were designed to enhance the arrangements for fraud in key areas.40

The opposition withdrew from the National Assembly on 9 June to protest the
lack of consultation.41 On 21 June, the interior minister finally invited the opposition
to “evaluate the 3 July political agreement”, outside the parliamentary framework. A
tense discussion took place with representatives of three of the main international
partners that had supported the electoral process in 2013 (the EU, U.S. and France)
but with no representative of the president of the republic.42 The agenda adopted by

36 On 2 May 2014, the opposition wrote to the prime minister, who took two weeks before sending a
vague reply that referred the opposition to the assembly. Letter from the prime minister to Abou-
bacar Sylla, spokesperson for the political parties in the republican opposition, Conakry, 19 May 2014.
37 “Alpha Condé, president of Guinea, embodies hopes for reform”, The Financial Times,
November 2013; and Crisis Group interviews, diplomats, Conakry, June 2014. A technical assistant
deployed by the EU was eventually assigned to electoral education, a less sensitive issue.
38 Crisis Group interviews, opposition representatives, Conakry, June 2014. According to a member
of the opposition, only four of the ten commissioners appointed by the opposition refuse to cooper-
ate with the government. In March 2014, the UFR expelled the commissioner it had nominated
from the party.
39 Sabari denies any bias. For more on the controversy about Sabari, see Crisis Group Africa Report
No199, Guinea: A Way Out of the Election Quagmire, 18 February 2013, p. 11.
40 Crisis Group interviews, INEC commissioners and members of the opposition, Conakry, June 2014.
41 Taking advantage of a move made by the government, which cancelled a previously authorised
meeting of the UFR on National Assembly premises, the opposition withdrew shortly before the rat-
ification of an investment framework for a massive mining project. The company concerned, Rio
Tinto, had been expecting a unanimous vote by the assembly. The presidential camp accused the
opposition of links with Rio Tinto’s rival, BSG Resources, and of wanting to sabotage the Condé
government’s achievements.
42 The following problems were associated with this round of talks: the debate was convened by the
interior minister, whose ethnic allusions have made him a controversial figure, rather than the
prime minister; the initial deadlines were very short; the government tried to include “non-aligned”
parties in the quota of opposition representatives; the government and the RPG Rainbow had sepa-
the two parties on 26 June covered all aspects of electoral arrangements, but it was quickly narrowed down to the 3 July agreement, probably on the president’s instructions. On 5 July, one year after the 2013 agreement, the justice minister announced a new accord.

However, the situation quickly became complicated. The opposition announced that the written record of the proposed agreement did not accurately reflect the content of the discussions. It claimed the text ignored some issues that were discussed, in particular the exclusion of two companies involved in the management of the electoral register in 2013, Sabari and Waymark, and the creation of committees responsible for monitoring INEC’s work. The opposition refused to sign the agreement and submitted its own version. It renewed its appeal for a comprehensive approach to the talks, a discussion on “reorganising” the INEC, the creation of a Constitutional Court and changes to electoral laws. The government therefore failed to convince the opposition of its good faith in this first round of talks.

The talks were suspended and have not been resumed. The INEC has made progress with other tasks and announced its choice of a new company, the French company Gemalto, to update the electoral register prior to the presidential election. Although the INEC emphasised that the 3 July agreement covered this new contract and that it complied with public procurement procedures, the opposition and some commissioners did not hide their distrust of the process.

On 7 November, the opposition reiterated its demands: signature of the document setting out the conclusions of the July 2014 dialogue, creation of committees to monitor INEC’s work, implementation of the agreements, a consensual electoral timetable to promptly hold local elections, reform of the INEC and the immediate creation of the missing institutions. On 21 November, the interior minister, Alhassane Condé, stated that the record of the conclusions of the 5 July 2014 agreement would be signed soon. The opposition reminded him that its demands went beyond the provisions of that agreement. It is clearly afraid that the government is stalling for time and, on 25 November, it gave the government until 15 December to accept its demands and said that if the deadline were to be passed, it would organise countrywide demonstrations. President Condé replied that he would not tolerate demonstrations amid an Ebola epidemic.

rate representatives and were therefore more numerous than the opposition; the discussions were chaired by a minister; the national facilitators of the 3 July agreement were invited but not the international facilitator. However, on this last point, the discussions seemed to show that the opposition argued its case more firmly in the absence of the international facilitator.

43 It is important to distinguish between the correction of the electoral register, which concerns mistakes in existing registrations and its revision, which registers citizens who have the right to vote for the first time.

44 The opposition also demands resumption of the census and a halt to harassment of its representatives. It expressed concern about the unresolved murder of an official of the Conakry UFDG and the unexplained presence of members of the presidential guard around Sidya Touré’s residence.

V. Threats to the Electoral Process

A. Street Violence

The opposition has the power to mobilise its supporters out on to the streets, especially in Conakry. The authorities seem to be aware of this because the police force was the only public service sector that was allocated resources for recruitment in the draft budget for 2014.\(^46\) Even though the authorities rightly stopped using the army to maintain order in Conakry and ended use of lethal weapons by police and gendarmerie, demonstrations in 2012 and 2013 left more than 50 people dead, mainly demonstrators, and often as a result of gunshot wounds. A resumption of demonstrations could lead to further casualties.

Should the opposition decide to withdraw from the electoral process, as it did in August 2012, it might try to impede the holding of elections, as it then threatened to do. There could be incidents in the vicinity of local government offices, INEC missions and polling stations at different stages of the process in opposition strongholds – Moyenne Guinée, some districts of Conakry and some areas of Basse Côte.

More broadly, political tension affects economic development and creates an uneasy social climate. There are small but sometimes violent local demonstrations every week in Conakry or other cities, in protest at the lack of access to water and electricity or in response to abuses by the security forces. However, neither the opposition, nor the deeply split trade union movement, which is under the influence of the government, have managed to organise larger demonstrations. Routine political street violence is, however, a long-term problem for Guinea.

B. Ethnicity, a Determining Factor in Politics

Political tension also fuels the ethnic dimension of the debate, much further afield than Conakry. This makes possible demonstrations and the holding of elections without consensus on the electoral framework all the more dangerous. The Fulani community in Conakry was very active in supporting the UFDG in 2012 and 2013, and almost all the civilian victims of the violence that occurred at these demonstrations had typical Fulani names. Ethno-regional identity is more than ever one of the major factors shaping political affiliation in Guinea, especially in the two largest ethnic groups, the Malinké and the Fulani.

The results of the 2013 legislative elections clearly confirmed this phenomenon,\(^47\) though the explicit use of ethnic arguments by politicians was less common than in 2010. Each escalation in rhetoric provoked lively controversy and each side insisted it had no ethnic bias while at the same time criticising the ethnic bias of their opponents.\(^48\)

The ethnic issue nonetheless remains prominent, as evidenced by the current controversy over the July 2014 publication of the census results. The opposition saw

\(^{46}\) “Third review under the three-year arrangement”, op. cit., p. 11.
\(^{47}\) In the Malinké region of Kankan, the RPG received between 86 and 96 per cent of votes. In the Fulani region of Labé, the UFDG received between 77 and 87 per cent of votes.
\(^{48}\) In April 2014, the interior minister invited Cellou Dalein Diallo to go to Somalia if he was not happy with the situation in Guinea, an allusion to the east African (and hence foreign) origin often supposed of the Fulani. The singer Elie Kamano, a declared supporter of the opposition, said in October 2014 that President Condé was “a scarred Mossi from Burkina Faso [ritual scarifications are thought typical of Mossi culture] and the son of a Malian mother” and therefore a foreigner.
the announcement that the Malinké-majority Kankan region is now the most populous part of the country as an attempt to manipulate the statistics and justify the future fraudulent increase in the number of votes in this area.49 Whatever the accuracy of the census, a Guinean academic told Crisis Group that Guineans have certainly “learned that democracy is a numbers game” and that it all depends on the size of the ethnic groups.50

The electoral controversy therefore fuels tension across the country. Relations between communities could deteriorate everywhere, especially between Malinkés hoping for special treatment from the authorities and other groups. The local elections may cause tension between groups perceived to be foreign, and those who consider themselves to be native to the area and thus deserving of special rights, even though they may be a minority there.

The most serious crisis occurred in the summer of 2013 in Nzérékoré and Beyla. The murder of a young Konianké (an ethnic group associated with the Malinkés), who was accused of theft by a security guard of Guerzé origin (a supposedly autochthonous group from Guinée Forestière), sparked intercommunal clashes that left more than 200 dead.51 The security forces restored order and Alpha Condé visited Nzérékoré to stress that he was the president of all Guineans. He made efforts to satisfy some Guerzé grievances, and influential military officers arranged the signature of a pact between the communities. But the situation remains tense. The Guerzé say that the government closed down many polling stations in areas populated by Guerzés during the legislative elections in order to block the votes of hostile sectors of the population.52 There are problems elsewhere, for example in Moyenne Guinée, where the Runde question has caused localised conflicts with, thus far, limited violence.53

The combination of political suspicions, rumours around the Ebola epidemic and intercommunal tensions could also be problematic, as several recent episodes of violence in Guinée Forestière illustrate. The most dramatic event occurred in September 2014 in Womey, a Guerzé village. A health education team, trying to raise awareness about the disease, and led by the regional governor, was attacked by local people, who accused it of coming to spread the virus. Eight people were killed. The incident highlighted the distrust that some Guineans feel toward the government. This is most intense in Guinée Forestière, for both longstanding and more recent reasons. This area was the scene of massive intercommunal violence in the summer of 2013 and a large number of votes were annulled there in the September 2013 legislative elections.54

49 For example, see the UFR communiqué on this issue: “Le recensement général de la population et de l’habitat (RGPH) vise à justifier la fraude électorale”, Le Jour Guinée (www.lejourguinee.com), 17 July 2014. The authorities explained these demographic changes by the attraction exerted by mining projects in Haute Guinée.

50 Crisis Group email correspondence, academic, 17 July 2014.

51 This figure, higher than the official figure, is taken from the following report: “Rapport d’évaluation conjointe de la situation humanitaire suite aux violences intercommunautaires dans la région administrative de Nzérékoré les 15, 16, 17 et 18 July 2013”, Republic of Guinea and the United Nations System.

52 Crisis Group interview, civil society activist, Dakar, 14 June 2014.


54 For more on the area’s peculiarity, which cannot be summed up with the notions of exclusion and marginalisation, see Mike McGovern, Unmasking the State: Making Guinea Modern (Chicago, 2012).
C. Does The Army Pose a Real Threat?

The risk of military intervention is perhaps the least significant threat to the country at the moment. Rumours of a coup have persisted since President Condé was elected, but aside from the failed attack on his private home in July 2011, which may well have been anticipated and infiltrated by the security services, nothing has happened.55 Alpha Condé has managed the army prudently. He retired several thousand older soldiers, but has hardly changed the military budget or benefits. He has gradually moved some units and heavy equipment away from the capital while establishing a solid military base at Kindia, on the outskirts of Conakry, which controls access to the capital. Nevertheless, the Guinean army remains fragile, and prolonged political troubles could prompt discontent in sectors of the military who feel the government has distributed power unevenly.

The government has skilfully used the threat posed by the military to accuse the opposition of being irresponsible, to justify the use of discretionary powers, and to pressure international actors to encourage the opposition to make concessions. As recently as September 2014, President Condé accused the opposition of trying to provoke a coup.56

VI. Acting Now

A. Relaunching Talks on Electoral Arrangements

President Condé should relaunch dialogue between the government and the opposition. The talks should be carefully prepared and preferably use the framework tested in July 2014. To give credibility to a new round of talks and avoid the danger of the presidency disavowing the outcome, the presidency, rather than members of the government or the RPG Rainbow, should be the regime’s lead representative in the discussions. The presidency’s general secretary, Kiridi Bangoura, who played a central role in negotiating the 3 July 2013 agreement, seems to be the person most suited to represent the president on this occasion.

The talks should focus on implementation of the 3 July agreement and on all controversial aspects of electoral arrangements. The opposition and the presidential camp should each release a detailed and comprehensive description of their views on reform, defining priorities and proposing a realistic timetable for local and presidential elections. This is a decisive moment for the opposition, which must resolve the contradiction between the scale of reform it would like to see and its desire to avoid any delay to the elections. The talks should lead to agreement on an electoral timetable and should not rule out the postponement of the presidential election for a reasonable period if this would allow a genuine improvement in electoral arrangements.

55 For more on the attack in 2011 and on Condé’s relations with the army, see Vincent Foucher, “Alpha Condé and the politics of military (mis)adventure”, African Arguments (africanarguments.org), 17 October 2011.
56 These accusations were made after undocumented allegations by an anti-government website that President Condé was undergoing medical treatment abroad, that the government was concerned and the army on alert. The government denied these allegations. “Alpha Condé assène l’opposition: ‘Ils veulent que l’armée prenne le pouvoir’”, Guinée News, 6 September 2014.
Government and opposition should have access to assistance from experts made available by international partners of their choice.

B. **Strengthening the Institutions and Electoral Arrangements**

The best electoral arrangements will be first and foremost the ones that are based on a consensus attained through dialogue. Process matters as much as content. Still, the dialogue should address four core issues.

First, discussion on the legal framework and the institutions that act as political checks and balances should not be abandoned on the pretext of a lack of time. The government and parliament must act on the conclusions of the talks and work together to craft coherent electoral laws. The president should then move quickly to promulgate organic laws on the INDH and the Constitutional Court so that these institutions can begin work as soon as possible.

Secondly, measures are needed to strengthen the INEC’s credibility, which seems to have sustained lasting damage. Political and ethnic divisions mean that a new, purely technical commission, as discussed earlier by the CNT, does not seem to be an effective solution. It seems preferable to accept the political character of the INEC and create a smaller commission with commissioners appointed solely and in equal numbers by the presidential coalition and the opposition. Commissioners should remain answerable to their parties, which should be able to recall them if necessary. Decisions should be reached by consensus.

Thirdly, a special effort should be made to agree on the adjudication of electoral disputes. The parties should train their members in electoral law and the legal system should handle electoral disputes differently. Disputes should only be referred to the Constitutional Court as a last resort. Government and opposition should have access to assistance from experts made available by international partners of their choice. The Socialist International and Liberal International, as well as large German, French and U.S. political foundations may have a role to play here.

Finally, as a confidence-building measure aimed at the opposition and in line with the spirit of the 3 July 2013 agreement, the government should guarantee the holding of local elections before the presidential election. By agreeing to a pluralisation of local authorities, the central government would make the political game fairer as a sign of good faith. Local elections should be held a minimum of three months and a maximum of six months before the presidential election, so that the newly-elected local representatives have time to start work and help prepare for the presidential election.

C. **Involving the International Community**

After making international partners guarantors of the elections and political agreements, the authorities should continue working with them, as they have played a decisive role, both formally and informally. If the government wants to ensure credible elections and convince the opposition of its good intentions, it should carry on with partners with a rigorous approach – the EU, AU and UN – rather than choosing more flexible partners. There will be a political price to pay for any attempt to take the easy road.

The international partners are focused on more dramatic issues, such as the Ebola epidemic in Guinea itself, and are certainly aware of the opportunities in the
country’s mining, infrastructure and service sectors. Nevertheless, they have become crucial guarantors in the Guinean political game, from the negotiations in the various stages of the transition after the 2008 death of Lansana Conté, to the monitoring of and support for the elections in 2010 and 2013. They cannot disengage at this crucial moment.

To help move the talks along, the authorities should ask the UN Department of Political Affairs to send a mission to assess electoral arrangements. The authorities should ask the opposition to support this request so that the two sides are equally involved in this part of the process. A long-term international observation mission, composed of election experts rather than elected representatives, will also need to be planned and deployed to monitor the presidential election and, though less common, the local elections, at least in Conakry, Moyenne Guinée and the Nzérékoré region.\textsuperscript{57} The EU and AU, which conducted rigorous election monitoring in 2010 and 2013, seem to be best placed to carry out this role.

\section*{Conclusion}

By maintaining an inflexible attitude toward the opposition and by refusing to endorse the results of the July 2014 talks, President Condé is probably taking a calculated risk. But the lack of consensus about the elections is a threat and the Ebola epidemic is making the situation even more worrying. It is time for the government to try to build a consensus by offering comprehensive, direct, high-level talks. As for the opposition, it should engage in a constructive dialogue with technical rigour and realistic demands.

\textbf{Dakar/Brussels, 15 December 2014}

\textsuperscript{57} Crisis Group interview, diplomat, Conakry, 11 June 2014.
Appendix A: Map of Guinea
Appendix B: Glossary

AU  
African Union

BL  

INEC  
Commission électorale nationale indépendante, Independent National Electoral Commission

CNT  
Conseil national de transition, National Transition Council. Ad hoc institution formed following the death of President Lansana Conté in 2008, acted as a legislature until the National Assembly elected in September 2013 entered into function.

INDH  

PEDN  
Parti de l'espoir pour le développement national, Hope for National Development Party. Led by former Prime Minister Lansana Kouyaté, who is now in opposition. Won two seats in the National Assembly in 2013 but Kouyaté refused to take up his seat, unlike the party’s other deputy, Zalikatou Diallo, who was expelled from the party.

PGRP  
Parti guinéen pour la renaissance et le progrès, Guinean Party for Rebirth and Progress. Led by Alpha Ibrahim Sila Bah, who was elected as the party’s only deputy in 2013.

RDIG  
Rassemblement pour le développement intégré de la Guinée, Rally for the Integrated Development of Guinea. Led by Jean-Marc Telliano, who was dismissed from the government in October 2012 and joined the opposition. Telliano was the party’s only deputy in 2013.

RPG Arc-en-ciel  

UFD  
Union des forces démocratiques, Union of Democratic Forces. Led by Mamadou Baadiko Bah. Opposition party with no parliamentary representation.

UFDG  
Union des forces démocratiques de Guinée, Union of Democratic Forces of Guinea. Led by former Prime Minister Cellou Dalein Diallo, who lost to Alpha Condé in the second round of the 2010 presidential election. A member of the so-called “republican” opposition. Won 37 seats in 2013.

UFR  
Union des forces républicaines, Union of Republican Forces. Led by former Prime Minister Sidya Touré, the party supported Cellou Dalein Diallo against Alpha Condé in the second round of the 2010 presidential election. A member of the so-called “republican” opposition. Won ten seats in 2013.

UNOWA  
United Nations Office for West Africa.
Appendix C: The Reliability of the Results of the 2013 Legislative Elections in Question

Analysis of the data available for the 2013 legislative elections is inconclusive about the reliability of the ballot. It is difficult to decide whether the government or the opposition is in the right in this controversy because indicators can be interpreted differently. However, the way in which the indicators converge in favour of the presidential party gives cause for concern.

Even before the 2013 election, the opposition raised doubts about the reliability of electoral preparations. Its analysis of the data published by the INEC on the electoral register and the distribution of polling stations led it to conclude there was a certain bias.\(^{58}\) It claimed that the distribution of supplementary polling stations was influenced by political criteria: there were 400 additional polling stations in four of the governing party’s strongholds, making it easier for electors to vote, while there was a reduction of 200 in the number of stations allocated to six opposition strongholds.

The opposition also maintained that some pro-opposition prefectures in the Labé region had many more overcrowded polling stations than prefectures in pro-government Kankan. It also pointed to the registration of a very high number of voters aged eighteen in pro-RPG Rainbow constituencies and concluded that the governing party had used its influence to register underage voters. A quick calculation using data published by the INEC does indicate some curious discrepancies: close to 11 per cent of registered voters in Kérouané, a pro-RPG Rainbow area, were aged eighteen, compared to a national average of 4.4 per cent.

Other data supplied by the INEC raises questions. For example, the electorate increased a lot in pro-RPG areas between the electoral censuses of 2010 and 2013 (more than 30 per cent on average in the Kankan region, in Haute Guinée), but much less in the pro-UFDG area of Moyenne Guinée (15 per cent in the Labé region, less than 10 per cent in Mamou region), with a national average of 23 per cent. The number of voters even fell, slightly, in two pro-opposition constituencies in Moyenne Guinée, Gaoual and Télimélé.

Interpretation of these intriguing discrepancies is a subject of debate. The presidential camp says there was a normal readjustment in Haute Guinée, a pro-Condé area where registration had hitherto been unduly low. It also claimed that revision of the electoral register exposed fraudulent additions in 2010 in the pro-UFDG Moyenne Guinée. Other observers feel that potential UFDG voters were less likely to vote because of the party’s distrust of the electoral process. Others still feel census officials may have been zealous in pro-Condé areas. As for the opposition, it takes the figures as proof of a plan conceived at the highest level by the government’s electoral experts.

The election results also raised questions. There were surprising geographical variations in the turnout, the cancellation of polling station results and the numbers of spoiled ballot papers. For example, the results of hardly any polling stations were cancelled in the five constituencies of the pro-RPG Rainbow region of Kankan (only five out of a total of 2,097, less than 0.25 per cent), while the national average was over 8 per cent. The constituency of Kankan had less than 1.6 per cent spoiled ballot papers, but the figure for Nzérékoré, where the opposition was expecting good results, was over 7 per cent.

\(^{58}\) “Observations sur le fichier électoral et le découpage des bureaux de vote”.
Comparison of areas where there were no cancellations of results shows that turnout varied between 50 per cent (Kaloum, heavily-disputed historical centre of Conakry) and 92.5 per cent (Mandiana, pro-RPG area of Haute Guinée). Turnout was highest in the five pro-RPG constituencies in the Kankan region.

However, these discrepancies are open to interpretation. The presidential camp has its own version of events in the areas where the opposition claims there was fraud. It points to the demobilisation of Fulani voters in the context of opposition criticism of the electoral system, as well as to the frustration of sectors of Forestier voters, who see politics as being no more than a battle between the two dominant ethnic groups, the Fulani and the Malinké. Government supporters highlight the enthusiasm for Alpha Condé in Haute Guinée and his skill in getting people to vote for him. Others underline the effective and legal voter registration campaign organised by the RPG Rainbow to ensure their traditional supporters voted in massive numbers. In the end, everyone can interpret these statistical anomalies in the way they see fit. But the fact that the presidential camp always seems to be the beneficiary raises questions, as indicated by the carefully drafted statements made by the most rigorous of the electoral observation missions.
Appendix D: About the International Crisis Group

The International Crisis Group (Crisis Group) is an independent, non-profit, non-governmental organisation, with some 125 staff members on five continents, working through field-based analysis and high-level advocacy to prevent and resolve deadly conflict.

Crisis Group’s approach is grounded in field research. Teams of political analysts are located within or close by countries at risk of outbreak, escalation or recurrence of violent conflict. Based on information and assessments from the field, it produces analytical reports containing practical recommendations targeted at key international decision-takers. Crisis Group also publishes CrisisWatch, a twelve-page monthly bulletin, providing a succinct regular update on the state of play in all the most significant situations of conflict or potential conflict around the world.

Crisis Group’s reports and briefing papers are distributed widely by email and made available simultaneously on the website, www.crisisgroup.org. Crisis Group works closely with governments and those who influence them, including the media, to highlight its crisis analyses and to generate support for its policy prescriptions.

The Crisis Group Board of Trustees – which includes prominent figures from the fields of politics, diplomacy, business and the media – is directly involved in helping to bring the reports and recommendations to the attention of senior policy-makers around the world. Crisis Group is co-chaired by former UN Deputy Secretary-General and Administrator of the United Nations Development Programme (UNDP), Lord Mark Malloch-Brown, and Dean of Paris School of International Affairs (Sciences Po), Ghassan Salamé.

Crisis Group’s President & CEO, Jean-Marie Guéhenno, assumed his role on 1 September 2014. Mr. Guéhenno served as the United Nations Under-Secretary-General for Peacekeeping Operations from 2000-2008, and in 2012, as Deputy Joint Special Envoy of the United Nations and the League of Arab States on Syria. He left his post as Deputy Joint Special Envoy to chair the commission that prepared the white paper on French defence and national security in 2013.

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December 2014
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Chad’s North West: The Next High-risk Area?, Africa Briefing N°78, 17 February 2011 (only available in French).

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Zimbabwe’s Elections: Mugabe’s Last Stand, Africa Briefing N°95, 29 July 2013.
A Cosmetic End to Madagascar’s Crisis?, Africa Report N°218 (also available in French), 19 May 2014.

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