

ICO Research Report - Guinea-Bissau

Assisting Guinea-Bissau in implementing civil society recommendations made in the
2020 United Nations Universal Periodic Review

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ABOUT US

ICO is independent, neutral and dedicated to the protection of human rights and giving a voice to those who need it. Through the belief that communities can come together and achieve peace, based not on one group's views prevailing over another, but by constructing a shared vision for a better future. In order to achieve these goals, we know that they cannot be imposed from above and that only communities themselves can determine what peace looks like to them. That is why our unique multifaceted approach is so important.

The first of our three approaches for peace and reconciliation within the ICO model revolves around bringing communities together through events, activities and meetings to build bridges at the grassroots. The second is supporting diplomacy by providing space for groups to build trust and address their issues constructively and providing legal, academic, political, and peer support so that minority and disadvantaged communities can best represent their constituency. The third approach is based upon challenging systems that lead to inequalities, in health, wealth and cultural expression so that all groups can negotiate from a place of respect and justice.

The ICO Research Center provides a crucial foundation to each pillar of ICO. By conducting research we are able to identify key areas of development to be targeted, and in turn develop appropriate strategies that ensure implementation that is considerate to the communities we are working with.

ABSTRACT

The goal of the ICO research team has been to investigate how to assist the government of Guinea-Bissau in implementing the recommendations made by the civil society organisations that contributed to the recent UN Universal Periodic Review.

The research methodology aimed to advise on best practices that have been proven to work when approaching similar issues in the surrounding regions of West Africa and the Sahel. They also investigated accountability gaps and institutions that are especially failing in education and health services.

By conducting this research ICO hopes to offer advice and assistance to local councils and authorities in Guinea-Bissau and strive to work towards a better future for the nation and its people.



CIVIL SOCIETY AND MAINSTREAMING GENDER EQUALITY

Over the past few decades, Guinea-Bissau has faced a series of human rights issues, attributable to its institutional instability, low-general literacy, and involvement with various types of trafficking. The country's most recent Universal Periodic Review (UPR) revealed an urgent need for reform to ensure its adherence to internationally recognised human rights standards and principles. This report will focus specifically on Guinea-Bissau's civil society and discuss how its government can implement UN recommendations for increased civic engagement. It will also explore the role played by Civil Society Organisations (CSOs) in catalysing sustainable development, and suggest ways in which such organisations may be improved to encourage civil participation. Furthermore, this report will highlight the work being done by President Embaló's government in collaboration with the African Development Bank in developing infrastructure, in response to the Special Rapporteur's discovery that Guinea-Bissau's government expenditure allocated to basic social services was among the lowest of the 58th ordinary session of the ECOWAS authority of heads of state and government. Finally, it will address the emphasis the UN Sustainable Development Co-operation framework for Guinea-Bissau 2022 to 2026 places on 'mainstreaming gender equality', by examining previously successfully implemented practices by neighbouring countries to ensure women participate in democratic activities.

To ensure that Guinea-Bissau rises to the next level of economic and political development, its government needs to take steps towards implementing UPR recommendations, specifically those regarding civil society. Analysing previously taken measures to engage civil society in West Africa will allow for the creation of a blueprint for success, alongside gathering a list of Civil Society Organisations (CSOs) that could help advance shared public goals and interests. As highlighted in a report by the Centre on Global Counterterrorism Cooperation focused on countering violent extremism and promoting community engagement in West Africa and the Sahel region, citizens in states with a history of political corruption often feel 'disassociated with the state and their national identities' meaning that 'competing groups, including extremist groups, can offer messages and ideas that build a false but sometimes alluring sense of belonging and shared history' (Center on Global Counterterrorism Cooperation, 2013, p. 10). It is vital that the influence such groups have over civil society in Guinea-Bissau is diminished. Previously successful practices suggest that this can be done through cooperation with CSOs to enhance civil society engagement.

Ghana's civil society has undergone many changes since its struggle for independence. It is now 'vibrant and has an important role to play in shaping policy, as well as strengthening the demand for accountability' (European Union, 2014, p. 3). The emergence of CSOs has played a crucial role in Ghana's democratic development, and thus suggests that increased government engagement with such organisations in Guinea-Bissau may aid in its development. During the early 1990s and 2000s, Ghana saw the formation of CSOs that 'provided water, education, and health facilities among others, often deriving their fundings from outside the country' (European Union, 2014, p. 3). The period from 2000 to 2010 saw a shift in some CSOs work 'from mostly service delivery initiatives to activism in public policy advocacy and engagement' (European Union, 2014, p.3). Greater pressure from donors, compounded by 'increased credibility of CSOs through their contributions to development', led the Ghanaian government to give space for more civil society engagement (European Union, 2014, p. 3).

As demonstrated by the transformation of Ghana's civil society, CSOs have the potential to play a key role in increasing civic engagement in Guinea-Bissau. However, it is important to adopt a critical



approach when considering the impact such organisations may have. While most of them claim to operate in the public's interest, their activities are seldom transparent. As highlighted in a 2012 article published by the Institute for Defense Analyses on Civil Society in West Africa, in some cases CSO's are more influential than governments, yet there is very little visibility into how they work (Buckley, 2012). In some instances, the leadership in CSOs is as undemocratic as the regimes they criticise. To some extent, all civil society groups are self-interested and have political interests. Thus, governments must analyse their track records before making the decision to cooperate.

The West Africa Civil Society Institute (WACSI) is an organisation that has the capacity to promote credible CSOs. Established by the Open Society Initiative for West Africa (OSIWA) in 2005, WACSI is underpinned by an aim to reinforce the capacities of civil society in the sub-region. It runs various successful programmes and has a Capacity Development Unit which 'seeks to enhance the effectiveness and performance of organised and organic civil society groups' (WACSI, n.d). Significantly, it aims to 'strengthen the legitimacy, transparency, accountability and resilience of these groups through training, shared-learning, mentoring and coaching programmes among others' (WACSI, n.d). To avoid involvement with corrupt CSOs, the government of Guinea-Bissau could reach out to WACSI and request a list of legitimate civil society organisations that have the tools to engage disillusioned communities. As well as reinforcing the capacity of CSOs, WACSI also promotes the importance of ensuring the Third Sector is legitimate. On the 20th May 2021, it held a maiden workshop, in partnership with Accountability Now, AGNA-CIVICUS and Rendir Cuentas 'to introduce the Global Standard for CSO Accountability framework and share knowledge on how to strengthen civil society accountability in West Africa' (WACSI, n.d., p. 1). The workshop, entitled 'Global Standard for Civil Society Accountability: Reinforcing Legitimacy and Sustainability of the Third Sector in West Africa', featured a number of established civil society leaders as speakers including Ilina Neshikj, Executive Director Accountability Now and Global Secretariat of the Global Standard, and Anabel Cruz, Director of Institute of Communication and Development (ICD) and Co-coordinator of Rendir Cuenta (WACSI, n.d., p. 1).

To conclude the workshop, a list of recommendations were directed to civil society organisations to aid in the reinforcement of their legitimacy. These included institutionalising 'organisational learning on accountability within their organisations', as well as accountability frameworks 'in all organisations and institutions by putting in place robust policy to guide the practice of accountability at all levels' (WACSI, n.d.). In the context of Guinea-Bissau, this substantiates the need for effective policies that promote accountability and transparency within CSOs. Ultimately, this will diminish the influence of corrupt CSOs. Additionally, it will increase civil society engagement by publicly highlighting their importance in catalysing development, which will in turn encourage citizens to participate in their projects.

Alongside reaching out to WACSI for a list of credible CSOs with a proven track record of strengthening civil societies, Guinea-Bissau's government could also contribute towards strengthening CSOs. While they are on the frontlines of development in Africa, little is known about them, and although there are a few CSO databases, they 'provide mostly basic, directory-like information, much of it outdated' (Agyeman & Maruru, 2018). Thus, the sector's contributions are largely invisible, meaning that many Africans 'are unaware that some of the benefits they enjoy today are a direct result of CSO-led actions' (Agyeman & Maruru, 2018). Consequently, CSOs often do not receive adequate financial and moral support from the public, meaning they struggle to fulfil their aims. Furthermore, invisibility also prevents CSOs from cooperating with each other. In order to combat the lack of insight surrounding such organisations, the establishment of infrastructure that 'would help to strengthen the sector by gathering, analyzing and sharing sector data' is vital



(Agyeman & Maruru, 2018). Ideally, this infrastructure would also utilise services that focus on setting standards and promoting 'continuous improvement in performance and impact' (Agyeman & Maruru, 2018).

As well as aiding in the development of credible CSOs, WACSI also holds capacity building workshops. In March 2022, it held a three-day workshop in Niamey, Niger, for young civil society actors. Specifically, it focused on 'effective advocacy for open civic space and democratic engagement' (WACSI, 2022). By adopting a hybrid approach, it enabled both physical and virtual participation. Those in attendance were exposed to 'cutting edge advocacy skills that are crucial to the expansion of civic space, consolidation of democracy, and promotion of a stronger, dynamic and sustainable civil society' (WACSI, 2022). In July 2022, WACSI held a similar workshop at Novotel in Dakar, Senegal, which aimed to 'strengthen citizens advocacy and collaboration between social movements (organic institutions) and organized civil society institutions working to expand civic space, promote accountability and sustain citizens activism in West Africa' (WACSI, 2022). Ultimately, the continuation of such workshops will aid in the spread of ideas that emphasise the importance of civil society amongst disillusioned communities. In turn, this will diminish the influence of extremist groups. However, in the context of Guinea-Bissau, feasibility is a factor that must be thoroughly considered.

Demonstrated by its long history of coups, Guinea-Bissau is a politically volatile state, and thus the dangers surrounding the congregation of citizens as part of a public workshop designed to promote political stability through increased engagement must be taken into consideration. Previous workshops have been held in the country, however it is likely that many of its citizens are reluctant to participate due to the fear of violence. To overcome this, the implementation of mechanisms that enhance security in Guinea-Bissau must be prioritised.

As noted by the Special Rapporteur, Guinea-Bissau's government expenditure allocated to basic social services was among the lowest of the 58th ordinary session of the ECOWAS, in particular for health care and education. In order to alleviate extreme poverty in support of peace and reconciliation, more capital needs to be invested into areas of relevant infrastructure. Due to a severe lack of infrastructure and a stagnant business climate, subsistence farming is Guinea-Bissau's main income producer, meaning that it stands to benefit from a diversified economy. Currently, only ten per cent of its road network is tarred. Investing more capital into the construction of roads, bridges, railways and ports would benefit tourists hoping to visit, as well as those seeking to invest in a country that has the potential for growth. Ultimately, this would contribute to the diversification of its economy and allow its government to invest more into the building of schools and hospitals. However, due to Guinea-Bissau's history of financial instability as a result of widespread corruption, it is not feasible for its government to spend the amount of capital required to create an effective transport network without aid. It will therefore need support from an institution such as the African Development Bank, for example, which is currently working with Guinea-Bissau to bring about 'economic diversification, structural transformation and lay the foundation for inclusive, resilient, and sustainable growth' (African Development Bank Group, 2022). This approach was mutually adopted in the Country Strategy Paper 2022-2026, published on 20 September 2022, which highlights key areas of infrastructure that require development. The current access rate to electricity in Guinea-Bissau is 20%, for example (African Development Bank Group, 2022). By the end of the new country strategy in 2026, this figure should have risen to 50% (African Development Group, 2022). This will be achieved through the completion of a 225-kV western backbone interconnection line in the Gambian basin, the development of renewable energy, and by the installation of 500 solar street lamps (African Development Bank Group, 2022).



Priority 6 of the United Nations Sustainable Development cooperation framework for Guinea-Bissau sets out the mainstreaming of gender equality in all areas as an important goal. As women form a large part of civil society, mechanisms that ensure their voices are heard need to be successfully implemented in order to maximise civic engagement. In the context of alleviating extreme poverty, projects cannot be effective unless women participate in their formulation and implementation due to the fact that women either solely or largely support an increasing number of families. However, as a result of discriminatory social norms, many women feel that they lack the capacity to become immersed within the public sphere. Therefore, small steps must be taken in order to give them the confidence they need to actively engage in political dialogue, as demonstrated by the case of Senegal. In Set-Setal, a settlement in Dakar, infectious diseases such as typhoid and malaria were rampant primarily due to inadequate waste collection services. Municipal services could only collect '35% of the 263 cubic metres of waste produced per day', while '51% of households had no toilet facilities and 76% had no convenient systems to process used waste-water which was consequently poured onto the streets' (Best Practices Database, 2018). In response to these issues, women in the community embarked on a waste management programme which resulted in the regular collection of waste, and thus the eradication of anarchic dumps, the generation of income from activities such as waste collection, the employment of jobless youth, and most importantly, the reinforcement of the managerial capacities of women (Best Practices Database, 2018). While this was a local initiative, its impact was large as it undermined patriarchal norms by highlighting women's ability to break out of the domestic realm and catalyse sustainable change. In relation to the development of Guinea-Bissau, this example can be used to substantiate the creation of female-led community initiatives. Not only will this align with the global aim to mainstream gender equality, but it will also enhance civil society engagement.

In Senegal, the importance of the inclusion of women is also recognised at a national level. This is reflected by the Senegalese Law on Parity, signed in 2010 by former president Abdoulaye Wade. As a result of this law, all political parties are required to ensure that at least half of their candidates in local and national elections are women. During its first legislative elections following the passing of its parity law, a record 65 women were elected to the national assembly (Hirsch, 2012). While 'legislative change alone cannot overcome the cultural barriers to women's equality in Senegal', the mere presence of women in the legislature is making a difference (Hirsch, 2012). Currently, Senegal is 'among the countries with a high women's political participation in Africa and the world', with 43.3% of women in Parliament, and thus has the potential to lead the way for equality, specifically in West Africa (International IDEA, 2022). If Guinea-Bissau's government enforced a similar gender parity law, alongside establishing female-led community initiatives, significant steps would be made towards achieving gender equality.

The United Nations Office of the High Commissioner for Human Rights (OHCHR) has been present in Guinea-Bissau since 1999. Following the exit of the UN mission in December 2020, the Senior Human Rights Advisor (SHRA) was deployed. Its mandate focuses on 'strengthening the capacity of the United Nations Country Team in Guinea-Bissau to integrate human rights in their programs and policies and on assisting national actors to comply with human rights obligations under international law' (United Nations, n.d.). Overall, the OHCHR in Guinea-Bissau has been successful in consolidating the importance of human rights. This is substantiated by its various achievements, including 'advocacy and awareness raising through public reporting', its creation of a 'strong partnership with the Institute of Education Development of the Ministry of Education, resulting in the development of pedagogical tools for the use of children and educators to incorporate human rights in primary education in the context of the curricular reform', and its 'systematic human rights monitoring and assessments to promote accountability and deter further human rights violations', for



example (United Nations, n.d.). However, there are areas of the commission that could be improved in order to maximise its effectiveness, particularly in the context of security sector reform. Military corruption is one of the main issues facing Guinea-Bissau and while over the past four years its OHCHR has led human rights training cycles for the armed forces, military attacks continue to undermine its government's stability. This suggests that the scope of Guinea-Bissau's OHCHR security sector reform programs needs to be broadened, in order to ensure that the entirety of the country's armed forces are complying with international human rights norms. However, due to deep rooted ideological differences between Guinea-Bissau's military and its government, feasibility needs to be taken into account when considering the extent to which OHCHR strategies can catalyse the abolition of military corruption.



JUSTICE, GOVERNANCE AND INSTITUTIONAL STABILITY

Introduction

The first section of the report will outline strategies to improve governance and institutional stability in Guinea-Bissau, to enable the implementation of strategies to be successful in the medium and long term. The report will argue that there is a lack of press freedom in Guinea-Bissau to hold the government accountable for implementing recommendations and educating the people of Guinea-Bissau. The second part of the report will aim to provide strategies Guinea-Bissau could incorporate to improve access to justice in the country. This will be achieved by investigating how other developing countries have increased access to justice. The report will take the position that Guinea-Bissau needs to strengthen judiciary independence to make the courts more robust and resistant to corruption through financial independence. The last section will provide recommendations for how to adapt decentralisation to accommodate the country's conditions. Similarly, this section will examine the lessons from other developing nations' decentralisation processes.

Creation of conditions for governance and institutional stability to allow for the implementation of plans and strategies for the medium and long term

Problem

On February 15th, 2022, The Foundation for West Africa sent the President of Guinea-Bissau a petition to improve the state's press freedom problem. The foundation requested that the President deal with the increasing number of crimes against journalists in the country. Press freedom in Guinea-Bissau and the Sahel region has deteriorated. There have been increased human rights violations against journalists and media blackouts in Africa. Also, some nations have introduced draconian measures to suppress press freedom through new laws. Weaver defines press freedom "as the relative absence of governmental restraints on the media; the relative absence of governmental and other restraints on the media" (Ogbondah, 1994, p.10). Reporters Without Borders (RSF) argued that the pandemic had marked an increase in repressive legislation and brutality towards journalists. For instance, in sub-Saharan Africa, RSF has recorded 109 press freedom violations associated with the public health crisis. This included 40 arbitrary arrests of journalists, 26 attacks, of which security forces committed 24, 14 sanctions or convictions of journalists or media organisations, 19 restrictive measures, and 10 threats. This included around 29 countries in Africa (RSF, 2020). The following section will focus on the strategies Guinea-Bissau can implement to improve press freedom.

Solution

According to Freedom House, one of the main obstacles hindering African states' progression in governance is the decline of press freedom (Freedom House, 2015). Rui Landim, a political commentator in Guinea-Bissau, described the media's crackdown as "the beginning of a reign of terror" (cited in Posthumus, 2022). For instance, in March 2021, a group of men wearing military uniforms ransacked the Radio Capital office in Guinea-Bissau. The government accused the radio station of being biased against Embaló's political rivals. A report revealed that the Guinea-Bissau government closed 79 out of 88 radio stations nationwide "in April after the expiry of a last-minute 72-hour deadline to pay license fees" (Fröhlich, 2022). Despite the constitution of Guinea Bissau guaranteeing freedom of expression, Augusto Mario da Silva, the Bissau-Guinean Human Rights League, accused Embaló's regime of limiting freedom of expression by intimidating and persecuting journalists. Guinea-Bissau enforcing press freedom is a robust implementation of plans and strategies for the medium and long term because the media can hold the government accountable and inform and educate the population on the government's activities. Guinea-Bissau could seek



guidance from fellow African states like Namibia, ranked 18th on the World Press Freedom Index in 2022, to strengthen their democracy. Namibia has press freedom enshrined in its constitution as a basic freedom. One of the distinct differences between Namibia and Guinea-Bissau's governance is the protection of press freedom. In Namibia, the courts actively defend press freedom. For instance, in 2019, the Supreme Court ruled that the government could not use national security to impact the court's decision on what Namibian media could report. As noted in the United Nations Sustainable Development Cooperation Framework (UNSDCF), the improvement of good governance within Guinea-Bissau from 2022 to 2026 is dependent on the legislative and political measures that the government adopts to guarantee freedom of the press (United Nations, 2021, p.58).

Feasibility of Recommendation

Although scholars like Krutz have valid reasons to be sceptical about the future of press freedom in the Sahel region because of the hostility some African leaders have displayed towards independent media (Krutz, 2020), the African Union (AU) have reiterated its commitment to safeguarding the rights of media during the 2022 World Press Freedom Day. Mrs Leslie Richer, the Director of Information and Communication of the African Union, demonstrated that AU took press freedom seriously by outlining the existing frameworks to protect such rights. For instance: the Guidelines on Access to Information and Elections in Africa of 2017 and the Model Law on Access to Information for Africa of 2013. If the AU continues to strengthen these frameworks and sanction violations committed by member states, press freedom can improve in Guinea-Bissau and across the wider Sahel region.

Problem

The ubiquity of coups and civil wars have undermined the functioning of Guinea-Bissau's institutions. However, the lack of clarity on the constitution has contributed to the political crisis in Guinea-Bissau. Some of the constitutional reforms in the country have been used to consolidate power or neutralise the opposition rather than solve constitutional problems (ISS, 2018). The UNSDCF for Guinea-Bissau argues that it is an essential agenda reform to support the National People's Assembly and their work on improving the constitution, which was agreed upon in the Conakry Agreement of 2016 (United Nations, 2021, p.19).

Solution

In the Constitution of Guinea-Bissau, there needs to be more clarity on how the Prime Minister gets appointed and the process for the dissolution of parliament. Under the Constitution, the President of the Republic appoints the Prime Minister considering the results of parliamentary elections (Article 98 of the Constitution). This law creates a problem if no coalition or party obtains an absolute majority in the National Parliamentary Assembly because the non-aligned parties can potentially reject the government's programme. Guinea-Bissau could adopt the Cape Verde approach by leaving the decision to the President after consulting political figures in the National Assembly (ISS, 2018). In Guinea-Bissau, the President can dismiss the government 'in the event of a serious crisis preventing the normal functioning of institutions' (Article 104 of the Constitution). The dissolution of government has been abused and sometimes misinterpreted. The ISS policy brief argues that Cape Verde's model can again be adopted in this constitutional reform recommendation. Even though the President can decide to resign from the government, the motion has to be approved by the Council of the Republic and the National Assembly.

Furthermore, since its independence in 1974, Guinea-Bissau has had 15 coup attempts. Samuel Huntington argues that weak state institutions are linked to the proliferation of coups, which is evident in Guinea-Bissau (Embaló, 2012). Recently Embaló's ascension to presidency was relatively peaceful; he relied on the military to consolidate power. The belief is that "while military interference no longer plays out in an open fashion, many people in Guinea-Bissau still think that the military remains influential behind the scenes" (Bertelsmann Stiftung, 2022, p.10). This demonstrates a necessity for Guinea-Bissau to increase its institutional stability. Due to the constant political



instability throughout Guinea-Bissau's independence, the relationship between the military and citizens has been strained (Interpeace, 2011). For instance, reports were made in the aftermath of the latest coup attempt about the fears of gunfire in Guinea-Bissau (Walsh, 2022). Therefore, I argue that an improvement in the Constitution of Guinea-Bissau will positively impact the nation's political stability.

Feasibility of Recommendations

This report takes the position that recommendations will not be successful if formal actors dominate the process of strengthening and clarifying the constitution. Non-state actors and social forces should be consulted in the decision-making of constitutional reform in order to establish national support. If reforms do not garner national support, it could increase the risk of institutional and constitutional instability in the future. Also, as noted by the UNSDCF, for Guinea-Bissau, institutional stability will be successful if it is anchored by political will and the commitment of the government (United Nations, 2021, p.35).

Accelerate reforms in the justice sector to ensure access to its services, regardless of economic conditions, gender, social origin or political position

Problem

Since Guinea-Bissau's independence, political and military elites have exploited the judiciary system. The judiciary's lack of independence makes the institution vulnerable to political pressure. Due to the country's political crisis, judicial reforms have been delayed. As a result, although political and military elites have been linked with Guinea-Bissau's drug problem, the political and military elites have been able to exercise their impunity for abuses (Freedom House, 2022). Similarly, the UNSDCF for Guinea-Bissau notes that reforms in the justice sector and law enforcement are necessary in order to tackle drug trafficking, corruption and Transnational Organised Crime, and also, to repel undue external interference with judicial proceedings within Guinea-Bissau (United Nations, 2021, p.19).

Solution

Guinea-Bissau recognises the independence of judges as fundamentally important to the rule of law; however, the courts have the proclivity to be compromised due to the inadequacy of the budget that goes towards running the courts. For instance, military members can put pressure on the courts when their colleagues face legal charges. Also, other elites within Guinea-Bissau society can interfere with the judicial system because the lack of financial autonomy impacts the independence of judges.

Similarly, Namibia had the same problems before 2015 because its Ministry of Justice managed the administration of the Judiciary. As a result, judiciary independence was compromised because the Ministry of Justice was not completely compliant with the principles of the separation of powers. Therefore, on December 31st, 2015, Namibia introduced a new act in line with Article 78 (5) of the Namibian Constitution to create a separation from the Ministry of Justice and Judiciary to establish an independent body of the Judiciary. This improved access to justice for ordinary people in Namibia as the creation of the Office of the Judiciary made the Judiciary financially and administratively independent.

Scholars like Charles Manga Fombad argue that more is needed for the Judiciary to be independent for increased access to justice. In his view, the Judiciary needs to play an active role in being agents of change. In order to achieve a constitutional revolution to promote human rights and access to justice, there needs to be "a judiciary that is ready to use its powers to negate the continuous authoritarian impulses of elected politicians" (Fombad, 2013). For instance, there has been judicial activism in South Africa. In this case, the Government of the Republic of South Africa v Grootboom, the South African court used its agency to compel the government to address social issues.



In addition, non-state actors can improve access to justice in Guinea-Bissau by educating people about their rights. For example, in Argentina, an NGO called *Foro de Estudios Sobre la Administración de Justicia* created teacher programmes by leading a civic education initiative. These initiatives established curricula centred on civic engagement and the rule of law, and this was taught in schools in marginalised communities. Other African states have established methods to support people in marginalised communities. For instance, mobile courts were used in remote parts of the Democratic Republic of Congo to support people who were victims of gender-based violence. This is because these individuals did not have travel access. The mobile courts are recognised by the law in Congo and established by local civil society organisations.

Feasibility

The success of strengthening Guinea-Bissau's Judiciary depends on the willingness of Guinea-Bissau's political actors' desire to increase the independence of the Judiciary and access to justice. Unfortunately, thus far in the nation's history, the government's instability has delayed judicial reforms.

UN sustainable development Cooperation framework for Guinea Bissau 2022 to 2026 peacebuilding priority 2 is to support the government of Guinea-Bissau in strengthening democratic, accountable institutions: decentralise the governing system and enhance the capacity of state functions

Purpose of The Section

In Guinea-Bissau, decentralisation has been an explicit requirement because it is thought that the empowerment of local government will enable the country to achieve full democracy since the constitution was revised in 1996. In this section, I will discuss the most appropriate strategy to support the government of Guinea-Bissau in its decentralisation process to enhance the capacity of local state functions.

Solution

Decentralisation is the process of vertical power sharing in a political system. In other words, decentralisation "can take a variety of forms depending on the degree of distribution of powers and the nature of accountability" (Cabral, 2017, p.2). By taking a normative approach to decentralisation in Guinea-Bissau, I argue that the project will not be fully effective because the decentralisation process would be inappropriate when it is done in the context of the country (Arvanitis, 2017). In Guinea-Bissau, the expansion of state services in the country is necessary. Arvanitis suggests that projects can be catered to specific communities by funding organisations such as the World Bank and its Rural Community-driven Development Project. This will establish know-how on service delivery for the local government. Secondly, he argues that for decentralisation to be successful in Guinea-Bissau, evidence from cases from other developing country's decentralisation experiences highlights the importance of having a strong central state. This is because the regional areas of Guinea-Bissau administrations for accounts are more likely to be inefficient if the central administration management is negligent.

Also, decentralisation has not been successful in Guinea-Bissau because of the country's political history. The success of decentralisation depends on the government's commitment to the democratic empowerment of local governments. However, in countries where the central government uses the process of decentralisation to consolidate their incumbent government power. In Guinea-Bissau, the PAIGC historically have been politically dominant. Therefore, it is crucial to avoid the transfer of power to political patronage in the lower tiers of government. To further strengthen local governments, it is essential to have elections at the municipal level in Guinea-Bissau. This will increase the powers of civil society by giving them a voice and, in turn, make local governments more responsive to the demand of local citizens. Furthermore, having a localised approach to decentralisation in Guinea-Bissau is vital because of the country's local realities. Special



consideration should be for informal economic activities within Guinea-Bissau for the local government to collect local taxes.

Conclusion

Overall, Guinea-Bissau must focus on enforcing current or introducing new legislation that ensures the freedom of the press in the country. Press freedom is essential in improving good governance in Guinea-Bissau and the Sahel region. It must also reform its constitution in collaboration with various actors in the country, including civil society. This will validate the constitution, and reform will decrease the risk of political instability. Furthermore, it is essential for the justice system in Guinea-Bissau to establish its financial autonomy to prevent exploitation by elites within the nation. This will have a positive impact on the country's drug smuggling reputation. Lastly, although the report recommends the decentralisation of Guinea-Bissau in the long term, the country should focus on strengthening the institutions of the central government to decrease the chance of inefficiencies spreading to local institutions. It is critical to introduce elections at the municipal level to prevent patronage networks from forming and make the local governments more responsive to their citizens.

EDUCATION, HEALTHCARE AND CIVIC RIGHTS

Education

Every developed and developing nation has one common feature: they have understood the importance of education for growth and development. These countries have made sure, through dynamic public policy for the right to education, that every child should get at least free primary education. Educating the younger generation strengthens the nation's future.

Guinea-Bissau is no exception. The government is working on its education sector using the recommendations of the UNPR. The Universal Periodic Review (35th session, January – February 2020) states the 1984 Constitution of the Republic of Guinea Bissau, as last amended in 1996, granting the right of all citizens to education in article 49 and providing that the “state shall gradually promote the gratuitous nature of education and the equal possibility of all citizens to have access to every level of education”. However, the literacy rate of the male population is 68.2%, as opposed to 40.6% of the female population. These statistics state the clear message that a lot has to be done for girls' education. In a poor country like Guinea-Bissau, girls are still seen as ‘second-class’ citizens when it comes to the provision of basic education. What is meant by ‘second-class’ citizens is that boys are given priority over girls for education, despite it being free, as the law states. Girls are forced to do household chores, get married early and rear their family instead of getting an education. “Only 12[%] of girls complete the primary cycle (18[%] of boys) as a result of girls' work in household chores, agriculture and small businesses” (UPR latest report, n.d.).

This disparity is a consequence of many fundamental societal problems. Lack of awareness of girls' rights, genital mutilations, domestic violence, lack of recognition and dignity for their unpaid labour (home-making jobs), just to name a few. Furthermore, between 7% and 10% of girls are forced into marriage before reaching the age of 15, and between 28% and 29% are married before reaching the age of 18. Early pregnancies and early marriages deprive them of their education (UPR latest report, n.d.). All these numbers are important to mention here because the sheer loss of human capital not only affects girls at individual levels but also hinders the nation's growth as a whole.

It is undeniable that Guinea-Bissau takes the recommendations of world forums seriously and continues to work on them. A lot, however, has yet to be done. The UPR (35th session, January – February 2020) states the Basic Education Law of Guinea-Bissau of 2010 that affirms that basic education is compulsory and provides the first and second cycles of basic education, that is, grades 1–6, for free. The 7th to 9th year of basic education is tendentiously free depending on the economic possibilities of the state. However, this law does not ensure non-discrimination in education. This is true for migrants, like young boys (talibés), for instance, who have to migrate to other Muslim dominated countries to learn Koranic education. Another problem is that of the disparities between rural and urban centres. According to the NEP 2017–2025, the gross enrolment rate at pre-primary education increased from 7% in 2010 to 13% in 2013, however its availability remains limited to urban centres. The problem of limited reach of education in rural areas can be addressed in a number of ways: allocating adequate budget to rural education, building better infrastructure so that rural children can commute easily to nearby cities for education, and increasing awareness among local communities to put forth their need of education to the local authorities or national government.

The quality of education itself must also be improved by employing qualified teachers who not only see this as a profession but also have an in-built passion for teaching. This is one of the common recommendations of the UPR as well as the World Bank's SABER (Systems Approach for Better Education Results) report. Low standards of education can have the following negative consequences:

- Low completion rates and learning outcomes: completion rates in the first two cycles of basic education (up to grade 6) decreased from 64% in 2010 to 59% in 2013 due to a variety of factors,

including political instability and the resulting disruptions in the education sector (MEN et. al., 2015, cited in UPR latest report, n.d).

- A recent assessment of learning outcomes found that both students and teachers had low levels of achievement in both Mathematics and Portuguese (MEN et. al., 2015, cited in UPR latest report, n.d.). If teachers do not have a good hold on the subject then students will not either.
- Frequent and ongoing strikes in the sector have further hampered education outcomes. An estimated 40 percent of school days in the 2012–2013 school year were lost due to teachers' strikes and other paralysis (MEN et. al., 2015, cited in UPR latest report, n.d.), and multiple months were lost in the 2015–2016 and 2016–2017 school years.

To improve the quality of education in Guinea-Bissau, here is a real life example. The Liberian Education Advancement Program (LEAP) - Social Finance is a non-profit organisation helping the government to build a public-private education model to provide free quality education to Liberian students. To check the teacher's quality, CGD in "Outsourcing Service Delivery in a Fragile State" implemented a series of tests on teachers to understand the difference between LEAP and Non-LEAP teachers. The difference: 0.14 Standard Deviation (SD), is statistically significant and implies that LEAP teachers are better than non-LEAP teachers. So, taking inspiration from this model, Guinea-Bissau can contact non-profit organisations to support them in the recently introduced NEP (National Educational Plan 2017–2025) which prioritises expanding education coverage, improving the quality of education, and supporting TVET and higher education.

One more question arises: is the quality of teaching the only key to improve education? The answer is no. An efficient system, timely management, and strict governance also matter. These are part of NEP's focus on strengthening the management of schools. Suggestions by the SABER COUNTRY REPORT (2017) are as follows: governance of the education sector by improving coordination, decentralisation, and financial management.

Firstly, education must be made compulsory. Guinea Bissau has set the minimum school leaving age at 15 years. But child labour hampers education: in "2010, 57 per cent of children between the ages of 5 and 14 were engaged in child labour" (UPR 35th Session, n.d.). The prime example of strictly implementing this law is in England, commonly known as the RoSLA (Raising of School Leaving Age). Similarly, in Europe, America and Canada, this law was successful in increasing the overall literacy rate. The obstacles and suggestions for Guinea-Bissau are as follows: fighting bureaucracy and corruption. The will of bureaucrats to build better infrastructure also matters: the education budget must not be spent on other sectors, and laws be put in place to curtail child labour.

Secondly, a free school meal programme should be implemented in every government school to attract students. This would not only increase educational attainment, but also offer nutritional food to children. A 2015 study by the University of Essex found that the introduction of free school meals for 4 to 7 year olds was associated with a 7.4% reduction in obesity rates over a period of just 190 days (Nesta, 2022). While hard evidence about the impact of free school meals on educational attainment is limited, when universal free school meals in primary schools were piloted in two areas in England from 2009 to 2011, 10–11 year olds were found to make around two months more progress, on average, than similar pupils in comparison areas. (Nesta, 2022). Progress was also made by students from lower socio-economic backgrounds, suggesting that universal provision could help narrow the outcome gap. Although the socio-economic differences between the UK and Guinea-Bissau must be acknowledged, the focus should be on the impact of implementing a free-school programme. But the programme is difficult to implement successfully. Obstacles to be addressed include: proper planning and procurement of food items, recruiting staff, and ensuring infrastructure to cook meals. This would be costly, and a potential solution would be the introduction of a take-home ration system. The International Food Policy Research Institute considers it better than free school meals as



it involves a lower cost for the government, whilst simultaneously encouraging students to attend school, thus, positively impacting net educational levels across the country.

Thirdly, an IMF (Hillman and Jenker, 2004) report highlights the importance of User Payments to increase attendance in school. A real-life case example is Mexico's Progress program. Under the program, the central government offered financial incentives to female household heads, conditional on them sending their children to school and taking them for regular health check-ups. Sadly, the incentives were not enough to cover the added cost, and school attendance only increased by 10%. The problem was that demand was lower than the supply of education. Parents were not willing to send their daughters to schools, despite government help. Guinea-Bissau officials can implement this programme, but only after creating awareness amongst parents about the importance of the education of girls.

All these recommendations from various sources are helpful, but when it comes to implementation the hurdle is corruption and political instability. These lead to unfulfilled promises and depletion of resources. Guinea-Bissau is a poor nation with around 70% of the population falling under the poverty line of US\$2 a day (World Bank, 2015). It is struggling in the same sectors as any other poor nation. The ray of hope is that world research forums are studying Guinea-Bissau, which in turn attracts foreign players to invest. Foreign investment can help the nation fight the challenges of poverty and lack of fundamental needs by ensuring funds are implemented effectively.

Health

With regards to the health sector, the UN UPR to Guinea-Bissau focuses particularly on girls' right to access good healthcare. Violating their human right to education gives birth to health problems, such as high infant mortality, genital mutilations, lack of menstrual hygiene, female feticides, just to name a few.

The problem of infant mortality, neonatal and maternal mortality should be the main focus of the government. These problems are interconnected: if a mother is healthy, both physically and mentally, neonatal and infant mortality is reduced. Therefore, the main problem is to battle discrimination against girls when it comes to their health and education. The solution to this problem starts at home. Parents who discriminate between their sons and daughters should be educated. These biases against girls can take different forms such as prioritising boys' education over girls', providing better food to the former rather than the later, forcing girls to do household chores, leaving them unaware of their basic rights, and most reprehensible, female genital mutilations.

The lack of nutrients in the early stages of life causes overall development delays and underdevelopment. Furthermore, when girls are forced to over-work, exhaustion, and female genital mutilations can harm their physical and mental health. When girls see their brothers enjoying their childhood with freedom, accessing education, and being carefree, it may leave them with an inferiority complex and other kinds of mental illness. This will later affect both their maternal health and the infant's health, leading to high rates of neonatal, maternal and infant mortality, as has been highlighted in the National Strategic Plan on Reproductive Health 2018-2022. To create awareness, local NGOs can lead campaigns, schools can monitor female attendance in school, and the ration cards system can provide food to people below the poverty line. The World Food Programme carries out help for health and nutrition support, school meals and rural development. But there is no proper system of ration cards. The WFP (n.d.) states that 25% suffer from chronic malnutrition and 69% of the population lives below the poverty line. These statistics signify the importance of implementing recommendations like that of a rationing system, which helps BPL people procure basic food items, such as oil, sugar, milk, bread, flour etc, at subsidised rates. This has been very successful in low-income countries around the world such as Pakistan, Bangladesh, Sri Lanka, Cambodia, Egypt



etc, and I strongly recommend that Guinea-Bissau implements this to help combat the problem of malnutrition.

This is the case when there is access to a healthy environment which girls are deliberately excluded from. But what if the surroundings are unhealthy themselves? As is the case with open sewers, lack of access to toilets, slum areas with tin homes, lack of access to water and electricity. Some of the Ministry of Health's €214,000,000 fund must be allocated to addressing these problems and increasing the standard of living for Bissau-Guineans. The World Economic Forum (2022) suggests the idea of 'tippy-tap' to promote hand washing and thus overall hygiene. In areas with lack of sanitation services, faecal sludge management can be introduced, which converts human excreta into renewable natural gas. These machineries can be expensive but can start returning investment after the span of 7 years. Portable toilets, building better sewers, and electricity lines are relatively cheaper ideas.

At the end of 2007, there were 2,546 health workers in the country, or 17.3 health workers for every 10,000 Bissau-Guineans. There were 211 doctors, or 1.4 doctors (national and expatriate) per 10,000 inhabitants, 2.3 nurses per 10,000 inhabitants and 5.4 midwives per 10,000 women of child-bearing age. As outlined in recommendations by the UNPR (n. d.), we can see that the ratios are very disproportional and disappointing. Major steps need to be taken to improve this. Given the fact that the population was of approximately 2 million people in 2021, the possibility of increasing doctors from within the population seems unachievable. There are however many programs around the world that recruit doctors to provide their services in third world or poor countries. Examples include: Medical Volunteer Abroad Programmes, Emergency Medical Training Programmes, Medical Training Initiatives etc. Guinea-Bissau's government would benefit from seeking out such programmes. They should provide scholarships for their citizens, apply for scholarships to the WHO, and tie contracts from developed countries to offer funds to citizens that choose to pursue a medical education. Some international MNCs should also offer support in elevating health conditions in Africa or particularly, in Guinea-Bissau, by supplying medication and sanitary napkins at lower costs.

Safety Conditions Of People And Their Assets

Guinea-Bissau has done great work towards bringing in change in law and order and civic rights for people, especially with the implementation of laws protecting human rights defenders and journalists. Some examples have been: the revision of the regulations governing the National Human Rights Commission and registration with the Global Alliance of National Human Rights Institutions, which included a national plan on human rights; the establishment of an inter-ministerial committee for the implementation of international human rights obligations; and a law protecting whistle-blowers and witnesses of offences related to corruption, and investigations into the killings of politicians and members of the defence and security forces.

Examples of implementing the modernisation of services have also been taken to ensure that fees are paid through banks in order to facilitate effective control of revenue collection, thereby strengthening the Ministry's control of internal revenue and combating the problem of corruption. The government has strengthened the capacity of members of the judiciary in the areas of criminal justice and the management of judicial proceedings, and ensured that judicial staff are better qualified to exercise their duties. The purpose of the implemented measures is to bring legal services closer to the citizens, as well as to reduce the extent to which people take the law into their own hands or resort to other forms of justice, such as traditional justice or police intervention. A prime example of the strengthening of people's safety is the fact that police officers involved in the 2017 murder of a citizen suspected of theft, who was beaten to death while in police custody in Zona Sete (Bissau), are awaiting trial. This is the first time that members of the security force have been tried for violating citizens' fundamental rights. Criminal justice bodies are taking these measures in order to



discourage security officers from committing offences, since officers should be protecting citizens' human rights rather than violating them.

Recommendations that need to be implemented:

Firstly, strengthening the institutional capacity of courts, judges and prosecutors by recruiting more people into the judicial system. The problem is, again, the small population. Therefore, law colleges, training programmes and an increase in qualified law teachers should be included in infrastructural changes. This will also improve the operating conditions of the courts by constructing and equipping new buildings and rehabilitating existing ones. The problem is cost. These can be mitigated by investing in renovating and extending pre-existing buildings, as opposed to building entirely new infrastructure.

Secondly, ensuring the implementation of the national policy for the protection of women and children, and establishing a centre for counselling, social care and follow-up care for victims of violence. Students can be given essential training programmes to carry these out. This will not only be cheaper, but will also help students by giving them hands-on knowledge of the judicial system, which may later develop an interest in pursuing law, in turn strengthening the capacity of lawyers and judges in the future.

Thirdly, accelerating the computerization of civil registration services in order to broaden access and improve efficiency. Digitalisation will be a proven significant step towards the safety of people and their assets. Decreased corruption and increased efficiency are needed in Guinea-Bissau's safety regimes. People can be technologically literate by attending local seminars. Students who have just basic knowledge of how to operate mobile phones can take active roles in such seminars to educate people about technology, which would be a very cost-effective measure. The government can sign contracts with developed nations to send over phones and laptops, which will directly impact the strategies to digitalise Guinea-Bissau.

Natural Resources

The cashew nut remains the country's most important source of income through cashew exports, and at a local level with much of the rural population employed in cashew plantations. Among other natural resources, phosphate and bauxite reserves are relatively unexplored; fisheries could generate significantly more income; sustainably managed forests would ensure both timber and non-timber forest resources contribute towards Guinea-Bissau's growth for years to come; and the country's rich bio-diversity offers a unique opportunity for eco-tourism. All of these sectors could help boost the country's poor rate of revenue collection, as well as provide employment through proper management and transparency of the procedures involved.

The recommendations of Edmundson (2014) fall under two categories:

"Governance and investment. Strong governance is essential, across all areas of natural wealth, if this potential is to be transformed into shared prosperity. To sustainably manage the country's mineral resources, the Ministry of Finance needs strengthening to ensure rents are optimally channelled to other forms of investment, including investment in people. The State Secretariat of Environment needs to be part of the dialogue so that mining activities are not to the detriment of surrounding areas and people's livelihoods. For the countries renewable resources (fishing, forests, biodiversity) these sectors need stronger management and regulation to attract responsible private sector investment while ensuring sustainably limits are not breach. On investment, priority sectors include mining, ecotourism and agriculture – all currently lacking in the infrastructure needed to bring about productivity improvements. Encouragingly, these recommendations appear to be aligned with emergent government thinking."



The decentralisation of private ownership of natural resources can prove to be a strong recommendation to tackle the problem of corruption and management of natural resources in Guinea-Bissau. The Natural Resource Governance Institute (2021) found that “in many countries, reform-minded officials and civil society advocates compelled governments to disclose more of the contracts they signed with extractive companies, and more information on extractive production, export values and payments to governments”. Such advances in transparency were much needed, but don’t go far enough in contexts where implementation of laws lagged, NRGi’s researchers suggested. They said that countries strengthened both the legal frameworks governing the extractive industries, as well as their implementation, but noted that the gaps between policy and actual practice nonetheless grew wider during the period of study. Mining governance was also highlighted. “Several countries with important reserves of critical minerals needed for green technologies aren’t prepared to benefit from the coming boom,” said Erica Westenberg, director of governance programs at NRGi (2021):

“Efforts to strengthen critical mineral supply chains should prioritize addressing governance and corruption challenges in producer countries, and officials in those countries should seize the moment by doubling down on resource governance. The report recommended that governments should improve resource governance by ensuring the implementation of sector laws, especially policies designed to counter corruption risks and negative local impacts associated with extraction. Authorities should also improve oversight in areas with high corruption risks, such as licensing, SOE procurement and commodity trading”.

These recommendations can be implemented for Guinea-Bissau as well. Efficient management includes producing relevant and important data about natural resources to formulate relevant policies, reducing corruption by introducing 'Right to Know' whereby the disclosure of information related to tenders, exports and management of natural resources is ensured. Proper exploitation of natural resources through these recommendations can help Guinea-Bissau promote GDP and national wealth. Regarding management of natural resources, the literature is sparse. This is indeed an important topic to explore as it provides livelihood and promotes national wealth. It must implement specific solutions utilising the natural resources at its disposal. Natural resources are not limited to cashew, mining, bauxite, and it also includes the preservation of wildlife and water resources. The lack of literature addressing these areas highlights the importance of researching the natural resources and management in Guinea-Bissau.



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As ICO project coordinator, Charlie Grant is responsible for the development and implementation of a number of ICO projects in West-Africa, the Balkans and the Middle-East. Charlie holds a Masters Degree in Human Rights - Political Science, from the University of Manchester. He is passionate about human rights, international humanitarian aid, and working to empower divided communities.