

Country/entity	Guinea
Region	Africa (excl MENA)
Agreement name	Dialogue Politique Inter-Guinéen Accord du 12 Octobre 2016
Date	12 Oct 2016
Agreement status	Multiparty signed/agreed
Interim arrangement	Yes
Agreement/conflict level	Intrastate/intrastate conflict Guinean coup d'etat and succession crisis (2008-2010, 2015-2016) Shortly after the death of President Lansana Conté, Guinea underwent a coup d'état by the Junta, the National Council for Democracy, led by Captain Moussa Dadis Camara. Pressure by ECOWAS led to the signing of the Ouagadougou Joint Declaration in January 2010 that provided for a power-sharing government and elections. Honouring the agreement, a peaceful transfer of power was achieved when President Alpha Conde won the elections that November. Nonetheless, unresolved electoral issues resulted in tensions when the Independent National Electoral Commission (CENI) in March 2015 announced dates for presidential elections to be held in October 2015 and then local elections in the first quarter of 2016. The announcement was met with violent opposition protests and killings demanding a reverse sequencing of elections. Once again ECOWAS stepped in facilitating a 4-month dialogue before the 2015 elections, eventually leading to a peace agreement on August 20, 2015 that maintained the original date for presidential elections. However, following the elections, commitment to the agreement and dialogue waned, and protests over corruption erupted in the capital. A second agreement was signed on October 12, 2016 providing for amendments to the electoral laws and the composition of the electoral commission, prisoner release, reparations and the formation of a high court of justice. Close Guinean coup d'etat and succession crisis (2008-2010, 2015-2016)
Stage	Framework/substantive - comprehensive
Conflict nature	Government
Peace process	Guinea peace process

Parties

Pour la Mouvance
Honorable Mamadou Cellou BALDE
Monsieur Lansana Komara
Dr Saliou Bella DIALLO

Pour l'Opposition
Honorable Aboubacar SYLLA

Pour le Gouvernement
Général Bouréma CONDE Ministre de l'Administration du Territoire et de la
Décentralisation

Third parties

Représentant du Système des Nations-Unies
Madame Séraphine WAKANA, Coordonateur Résident SNU

Représentant de l'OIF
Monsieur Ibrahima DIALLO, Correspondant OIF

Bureau du Représentant Spécial de la CEDEAO
Monsieur Ibrahim Funsho OLADELE, Chargé d'Affaires a.i

Chef de la Délégation de l'Union Européenne
Monsieur Gerardus Gielen, Ambassadeur

Ambassadeur des Etats-Unis d'Amérique
Monsieur Dennis HANKINS

Ambassadeur de France
Monsieur Jean-Marc GROGSDRIN

Société Civile
Monsieur François KOLIE

Description

I. On the electoral register II. On the organization of communal elections III. On the Independent National Electorate Commission (CENI) IV. On Special Delegations V. On Respect for the constitutional principle of the Public Administration's neutrality VI. On the Identification and prosecution of perpetrators of violence during protests organized by the Opposition for the 2013 Legislative Elections VII. On the Establishment of a High Court of Justice VIII. On the release of arrested and imprisoned persons IX. On compensation for victims of violence at the 2013 Legislative Election protests X. On unapproved demonstrations XI. On the Monitoring Committee XII. On the duration of the Agreement

Agreement document

[GN_161012_AccordPolitique_EN.pdf \(opens in new tab\)](#) | [Download PDF](#)

Agreement document (original language)

[GN_161012_AccordPolitique_FR.pdf \(opens in new tab\)](#)

Groups

Children/youth No specific mention.

Disabled persons No specific mention.

Elderly/age No specific mention.

Migrant workers No specific mention.

**Racial/ethnic/
national group** No specific mention.

Religious groups No specific mention.

Indigenous people No specific mention.

Other groups No specific mention.

**Refugees/displaced
persons** No specific mention.

Social class No specific mention.

Gender

**Women, girls and
gender** No specific mention.

Men and boys No specific mention.

LGBTI No specific mention.

Family No specific mention.

State definition

**Nature of state
(general)** No specific mention.

State configuration No specific mention.

Self determination No specific mention.

Referendum No specific mention.

State symbols No specific mention.

**Independence/
secession** No specific mention.

**Accession/
unification** No specific mention.

Border delimitation No specific mention.

**Cross-border
provision** No specific mention.

Governance

Political

Governance→Political institutions (new or reformed)→General references

institutions (new or Page 1, Preamble

reformed)

1. In accordance with Article 58 of the Constitution, establishing the Prime Minister as responsible for encouraging social dialogue and for implementing any agreements with Social Partners and Political Parties, Mr. Mamadi YOULA, Prime Minister, Chief The Government has taken the initiative of reopening the political dialogue.

[...]

5. After having reaffirmed

-their loyalty to the constitution.

Elections

Page 1, Preamble

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[...]

5. After having reaffirmed

[...]

-their desire to create inclusive, credible and peaceful election conditions.

Page 1-2, I. On the electoral register:

7. The parties to the dialogue note that the current status of the electoral register allows for its use for the upcoming local elections without much change needed.

8. The parties to the Dialogue agree on, for the forthcoming national elections, a CENI-recruited Cabinet to carry out a complete audit of the electoral register, to obtain any recommendations to further consolidate the register and make it more efficient and consensual.

9. The conclusions of the audit should be available by 31 May 2017.

10. The results of the audit will be taken into account by the CENI to improve the electoral register.

11. To this end, a Joint Technical Committee will be set up to draw up a set of specifications, by 30 November 2016 at the latest. This Committee will be associated with the recruitment operations of the Cabinet performing the audit.

12. This Technical Committee can be assisted by foreign expertise when needed.

13. The final report of the audit will also be sent to the Monitoring Committee of the implementation of the Political Agreement.

Page 2: II. On the organization of communal elections

14. The parties to the Dialogue note the complexity of and the difficulties associated with organising elections in the country's 3763 districts.

15. In view of this complexity, the Dialogue parties recommend that:

a. The district council be composed pro rata according to the results obtained in the districts from the lists of candidates for the communal election;

b. The chairman of the council of each district must be appointed by the entity whose list has reached the top of said district by communal ballot.

16. To this end, the parties to the Dialogue invite the National Assembly to proceed with the revision of the electoral code at the 2016 budget session.

17. The parties to the Dialogue agree to postpone the holding of communal elections during the month of February 2017 to allow for the peaceful implementation of new provisions.

18. The Dialogue parties agree that the communal elections will be organized without revision of the electoral register. The CENI, for this purpose, will seize the constitutional court.

Page 2-3, III. On the Independent National Electorate Commission (CENI)

19. The Dialogue parties recommend that the CENI continue the activities of updating cartography, as well as all other activities that do not impact the elections.

20. The parties to the Dialogue recommend that the chronogram proposal be made available in order to follow the above.

21. The parties to the Dialogue invite, in accordance with the Agreement of 20 August 2015, the National Assemblies to proceed with the revision of Law 016 on the composition, organization and functioning of the CENI.

22. The parties agree that the revision of the law should allow the establishment of a more technical CENI, for better management of the electoral process.

23. The proposed law introduced by the Opposition to the National Assembly may serve

**Electoral
commission**

Page 1-2, I. On the electoral register:

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22. The parties agree that the revision of the law should allow the establishment of a more technical CENI, for better management of the electoral process.

23. The proposed law introduced by the Opposition to the National Assembly may serve as a basis for discussion, with a view to a possible adoption at the April 2017 Law Session.

**Political parties
reform**

No specific mention.

Civil society

No specific mention.

**Traditional/
religious leaders**

No specific mention.

**Public
administration**

Page 3, V. On Respect for the constitutional principle of the Public Administration's neutrality:

25. Despite the significant progress noted:

The parties reaffirm the sacrosanct principle of respect for the neutrality of the public administration.

26. The Government in general and the Ministry of Territorial and Decentralization Administration in particular must ensure that this principle is respected. The Code of Conduct for Territorial Administrators will be widely diffused both throughout the general population and the political parties.

27. The parties to the Dialogue express their commitment to the principle of fair access to public media for political parties and candidates.

30. The parties to the Dialogue reaffirm the need to ensure respect for fundamental rights and freedoms, including freedom of expression, freedom of safe assembly and movement, and respect for public order.

Constitution

Governance→Constitution→Constitution affirmation/renewal

Page 1, Preamble

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27. The parties to the Dialogue express their commitment to the principle of fair access to public media for political parties and candidates.

28. The parties to the Dialogue invite the public and private media to behave professionally and ethically in regards to information, particularly during the election period.

29. The Government is committed to ensuring the fair access of political parties and candidates to the media and public places.

30. The parties to the Dialogue reaffirm the need to ensure respect for fundamental rights and freedoms, including freedom of expression, freedom of safe assembly and movement, and respect for public order.

Power sharing

Political power sharing No specific mention.

Territorial power sharing No specific mention.

Economic power sharing No specific mention.

Military power sharing No specific mention.

Human rights and equality

Human rights/RoL general Page 1, Preamble
[...]
5. After having reaffirmed
[...]
-their willingness to pool their efforts towards insuring the normal functioning of the Institutions of the Republic of Guinea and towards a return to a regular administrative situation.

Bill of rights/similar No specific mention.

Treaty incorporation No specific mention.

Civil and political rights

Human rights and equality→Civil and political rights→Freedom of movement
Page 3, V. On Respect for the constitutional principle of the Public Administration’s neutrality:

[...]

30. The parties to the Dialogue reaffirm the need to ensure respect for fundamental rights and freedoms, including freedom of expression, freedom of safe assembly and movement, and respect for public order.

Human rights and equality→Civil and political rights→Freedom of speech

Page 3, V. On Respect for the constitutional principle of the Public Administration’s neutrality:

[...]

30. The parties to the Dialogue reaffirm the need to ensure respect for fundamental rights and freedoms, including freedom of expression, freedom of safe assembly and movement, and respect for public order.

Human rights and equality→Civil and political rights→Freedom of association

Page 3, V. On Respect for the constitutional principle of the Public Administration’s neutrality:

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30. The parties to the Dialogue reaffirm the need to ensure respect for fundamental rights and freedoms, including freedom of expression, freedom of safe assembly and movement, and respect for public order.

Page 5: X. On unapproved demonstrations

38. The parties, while reaffirming the need to respect the legal provisions relating to demonstrations, welcome the fact that this provision has been effectively observed since the signing of the Political Agreement of 20 August 2015.

Socio-economic rights

No specific mention.

Rights related issues

Citizenship

No specific mention.

Democracy

Page 1, Preamble

[...]

4. Given the importance it has in creating an environment without hostility, the parties to the dialogue recognise the importance of gathering together to bring peace in both political and social domains, as well as strengthening democratic achievements and achieving political harmony by restoring mutual trust and reopening an ongoing dialogue.

Detention procedures

No specific mention.

Media and communication

Rights related issues→Media and communication→Governance of media
Page 3, V. On Respect for the constitutional principle of the Public Administration's neutrality:

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Mobility/access

No specific mention.

Protection measures

No specific mention.

Other

No specific mention.

Rights institutions

NHRI

No specific mention.

Regional or international human rights institutions

No specific mention.

Justice sector reform

Criminal justice and emergency law No specific mention.

State of emergency provisions No specific mention.

Judiciary and courts

Page 3-4, VI. On the Identification and prosecution of perpetrators of violence during protests organized by the Opposition for the 2013 Legislative Elections:

31. The parties to the Dialogue note the Government's commitment to the following measures:

- diligence of judicial investigations;
- proceedings before the Dixinn District Court;
- establishment of a pool of investigating magistrates for offenses related to the demonstrations;
- constitution of the civil parties.

32. The parties to the Dialogue agree that the Monitoring Committee of this Agreement will be regularly informed of developments in the proceedings initiated.

Page 4, VII. On the Establishment of a High Court of Justice

33. In the context of implementing already established republican institutions, the parties to the Dialogue recommend the establishment of a High Court of Justice as soon as possible, because of the important role that this institution can play in improving the quality of political, economic and social governance.

XI. On the Monitoring Committee

39. The Monitoring Committee for the implementation of this Agreement, chaired by the Minister of Territorial and Decentralization Administration or his representative, is composed as follows:

- three (03) representatives of the Presidential Majority;
- three (03) representatives of the Opposition;
- one (01) magistrate of the judicial order.

Prisons and detention

No specific mention.

Traditional Laws

No specific mention.

Socio-economic reconstruction

Development or socio-economic reconstruction

No specific mention.

National economic plan

No specific mention.

Natural resources

No specific mention.

International funds

No specific mention.

Business

No specific mention.

Taxation No specific mention.

Banks No specific mention.

Land, property and environment

Land reform/rights No specific mention.

**Pastoralist/
nomadism rights** No specific mention.

Cultural heritage No specific mention.

Environment No specific mention.

**Water or riparian
rights or access** No specific mention.

Security sector

**Security
Guarantees** No specific mention.

Ceasefire No specific mention.

Police No specific mention.

Armed forces No specific mention.

DDR No specific mention.

**Intelligence
services** No specific mention.

**Parastatal/rebel
and opposition
group forces** No specific mention.

**Withdrawal of
foreign forces** No specific mention.

Corruption No specific mention.

Crime/organised crime No specific mention.

Drugs No specific mention.

Terrorism No specific mention.

Transitional justice

Transitional justice general No specific mention.

Amnesty/pardon No specific mention.

Courts Transitional justice→Courts→National courts
Page 3-4, VI. On the Identification and prosecution of perpetrators of violence during protests organized by the Opposition for the 2013 Legislative Elections:
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Mechanism No specific mention.

Prisoner release Page 4, VIII. On the release of arrested and imprisoned persons
34. In order to alleviate the socio-political climate, the parties request that lenient measures be taken to release those arrested and condemned for political demonstrations, in keeping with the spirit of the Dialogue.
35. However, these release measures do not apply to persons convicted of murder.
36. Finally, the parties request the diligence of proceedings for persons prosecuted for such events, in keeping with the spirit of the Dialogue.

Vetting No specific mention.

Victims

Page 4, IX. On compensation for victims of violence at the 2013 Legislative Election protests

37. In accordance with the Agreement of 20 August 2015, on the Government's commitment to compensate the victims of the 2013 political protests:

-the parties to the Dialogue agree on the establishment of the 2013 Political Demonstrations Victims' Fund, comprising a Fund for Deceased and Disabled Victims and another for Looting Victims;

-the funds will be placed under the tutelage of the Ministry of Territorial and Decentralization Administration and supported by the State as well as technical and financial partners, similarly to the "Basket Funds";

-in the case of deceased and handicapped persons, a management structure will be set up under the supervision of the Ministry of Territorial and Decentralization Administration (MATD). In addition to the MATD, it will include the representatives of the Ministries of Justice, Attorney General, National Unity and Citizenship Institutes, the INDH, the OGDH, the United Nations High Commissioner for Human Rights, two (02) representatives of the Civil Society designated by the parties to the dialogue, two (02) representatives of the victims, two (02) representatives of the Dialogue framework, of which one (01) for the Movement and one (01) for the Opposition;

-the management structure will define its mode of operation for processing files submitted to it by the beneficiaries;

- in the case of victims who have lost property, the management structure will include, in addition to MATD, the representatives of the Ministries of Economy and Finance, Commerce, Justice, Attorney General, National Unity and Citizenship Institutes, the victims, the Movement and the Opposition;

-this specific management structure will define the mechanism of its operation with a view to reimbursing the victims;

To this end, the parties to the Dialogue recommend that a provision be made in the 2017 finance law for a gradual settlement of damages.

Missing persons

No specific mention.

Reparations

Transitional justice→Reparations→Material reparations

Page 4, IX. On compensation for victims of violence at the 2013 Legislative Election protests

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Reconciliation

No specific mention.

Implementation

UN signatory No specific mention.

Other international signatory No specific mention.

Referendum for agreement No specific mention.

International mission/force/similar No specific mention.

Enforcement mechanism XI. On the Monitoring Committee
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-three (03) representatives of the Opposition;
-one (01) magistrate of the judicial order.
40. Representatives of the Civil Society (02) and the International Community (ECOWAS, International Organization of La Francophonie, United Nations, European Union, Embassies of the United States and France) will participate as observers.
