

AFRICA RISK CONSULTING

Guinea Monthly Briefing April 2016

Guinea Summary 28 April 2016

The Commission Électorale Nationale Indépendante (CENI) (national independent election commission) calls local elections in October, though faces significant protest from the opposition who demand the elections before 30 June. The CENI also plans a restructure of prefectures and districts, which the opposition equally opposes. The Panama Papers leak reveals that Panama-based Mossack Fonseca dealt with several Beny Steinmetz Group Resources' (BSGR) affiliate companies, further pointing to its alleged role in bribing Mamadie Touré, wife of former president Lansana Conté (1984-2008). The scale of the leaks may prompt further probes into government officials. The government confirms it will recover its .gn domain name by 2017. The .com.gn domain it currently holds is the source of significant cyber-crime.

Partitioning for local elections begin while opposition protests

The **Commission Électorale Nationale Indépendante (CENI)** announced on 18 April that local elections will take place in October.¹ However, the opposition has challenged the deadline for the elections that will determine mayors and district presidents across **Guinea**.² The main opposition party, the **Union des Forces Démocratiques de Guinée (UFDG)** led by **Cellou Dalein Diallo**, and the **Parti de l'Espoir pour le Développement National (PEDN)** under the leadership of former prime minister **Lansana Kouyaté**, had both announced in February that they would be disappointed if the CENI decided to organise the elections in October, rather than before 30 June.³ CENI said the opposition did not explain its objections to holding polls in October. As CENI director **Etienne Soropogui** stated,

*"We transmitted the project to all the relevant actors for potential amendments, but these did not return to us with any specific changes. They simply stated that local elections should take place on 30 June."*⁴

In this tense atmosphere CENI has started partitioning its 33 prefectures and five communes across the country to prepare for the upcoming elections.⁵ It is updating the cartography and electoral divisions in a process that will form new voting and governing districts.⁶ CENI called on a mixture of representatives to approve the new divisions.⁷ To date, 2,214 out of a total 2,420 administrative and government, civil society, traditional leaders, and opposition members have officially approved the new sub-prefecture level partitioning – 91.49% of the total.⁸ Soropogui said the partitioning operation was an important step towards holding local elections:

*"... it is an extremely important operation for the CENI... in the sense that they will determine the decentralisation and delocalisation of the most direct administrative bodies of government."*⁹

However, certain administrative and legal obstacles may hinder the completion of the process.¹⁰ CENI must first make a proposal to the territorial administration ministry, as it has no legal capacity to do so itself,

¹ GuinéeNews, 20 Apr 2016.

² Source, journalist, Conakry.

³ Africaguinée, 20 Apr 2016.

⁴ GuinéeNews, 20 Apr 2016.

⁵ Africaguinée, 20 Apr 2016.

⁶ www.ceniguinee.org

⁷ www.ceniguinee.org

⁸ Africaguinée, 20 Apr 2016.

⁹ www.ceniguinee.org

¹⁰ www.ceniguinee.org

before the constitutional court approves the new divisions.¹¹ The CENI will also need to recruit a further 600 people. It has given local representatives training in the implications of the new partitioning and is recruiting local agents to correct anomalies in the electoral register.¹²

In several prefectures, as was the case in **Boké (Boké Prefecture)** – birthplace of President **Alpha Condé** (2010-present) – the opposition refused to take part in the partitioning process.¹³ Of a total 810 representative opposition members, only 619 participated – a rate of 76.4%.¹⁴ The administrative, civil society and fiefdom members, on the other hand, had participation rates above 98.5%.¹⁵ This suggests there may have been a deliberate opposition boycott on the grounds that new electoral boundaries would favour the ruling **Rassemblement du Peuple de Guinée (RPG)**. It may also explain the opposition's insistence on holding the local elections before 30 June.

“There is potential that contention over this issue leads to increased political tension in our country, even pre and post-electoral violence, as Guinea has suffered historically from protests that the opposition intentionally incites.”¹⁶

Panama Papers implicate Conté’s wife Mamadie Touré

The so-called **Panama Papers** leak has implicated **Mamadie Touré**, the fourth wife of former president **Lansana Conté** (1984-2008). However, despite international attention, the leak has garnered only muted reaction in Guinea. **Panama-based Mossack Fonseca** allegedly helped hundreds of individuals to avoid tax in their countries of residence by setting up offshore companies. The Panama Papers consist of Mossack Fonseca e-mails and internal documents dating back several decades and leaked to **German** newspaper **Süddeutsche Zeitung**. The documents appear to show that in 2006 Touré gained the power of attorney for **Matinda Partners and Co Ltd**, registered in the **British Virgin Islands (BVI)**.¹⁷

The Panama Papers also indicate that in 2006 Touré began a relationship with **Beny Steinmetz Group Resources’ (BSGR)**.¹⁸ BSGR has been the subject of a **United States (US)** corruption probe into its \$165m acquisition in 2009 of the northern portion of the **Simandou** – the world’s largest iron ore mine, which previously belonged to **United Kingdom (UK)-based Rio Tinto**.¹⁹ In December 2008, weeks before Conté’s death, the **Moussa Dadis Camara** (2008-2009) military government cancelled Rio Tinto’s licences.²⁰ The government re-awarded the concessions to BSGR in 2009.²¹ In 2010 BSGR sold 51% of this investment to **Brazil-based Vale** – the world’s largest iron ore producer – for \$2.5 billion.²² US authorities raided Touré’s **Florida (US)** home in 2014 and seized property worth over \$1m, alleging that BSGR had paid Touré a \$5.3m bribe for helping the group win the Simandou North concession.²³ Prior to the Panama Papers revelations, UK-based non-governmental organisation (NGO) **Global Witness** had alleged that Touré received \$2.4m (one of several payments out of the total \$5.3m) from BVI-registered **Pentler Holdings** that held a 17.65% share in BSGR Guinea, possibly substantiating allegations that BSGR indirectly made the payment to Touré.²⁴ **Federal Bureau of Investigation (FBI)** investigators had stated that Matinda Partners was a conduit for the majority of the money paid to Touré. Touré also used a **Switzerland**-registered company, **Beneficence Foundation**, which was a stand-in shareholder in Matinda, in order to reduce the connection between the two entities.²⁵ Matinda ceased to operate in April 2010 and Touré is now

¹¹ www.ceniguinee.org

¹² www.ceniguinee.org

¹³ www.ceniguinee.org

¹⁴ www.ceniguinee.org

¹⁵ www.ceniguinee.org

¹⁶ Source, journalist, Conakry.

¹⁷ www.panamapapers.icij.org

¹⁸ www.panamapapers.icij.org

¹⁹ The Times, 4 Apr 2016.

²⁰ See previous ARC Briefings for Guinea

²¹ See previous ARC Briefings for Guinea

²² The Guardian, 9 Apr 2014.

²³ www.panamapapers.icij.org

²⁴ The Times, 4 Apr 2016.

²⁵ The Times, 4 Apr 2016.

collaborating with FBI investigators to advance the probe.²⁶ Touré's collaboration with the FBI led to charges of destroying evidence and tampering with a witness (Touré) against BSGR representative **Fredric Cillins**.²⁷ Mossack Fonseca in 2014 noted that the US was investigating Pentler, BSGR and **Onyx Financial Advisors**, concluding that Onyx and BSG "are the same".²⁸

In Guinea, the Mossack Fonseca revelations are considered "banal" news.²⁹ A local journalist gave two reasons for this being a non-event:

*"Firstly, Touré was already mentioned in the FBI investigation as involved in the Simandou scandal. Secondly, we were expecting that there would be further revelations that could implicate more 'big wigs' and other dignitaries of the Conté, Camara and Condé's regimes outside of Touré."*³⁰

Local observers say domestic reaction to the leaks indicates the extent to which corruption has become accepted as normal in Guinea:

*"Touré is nothing but a light precursor wind of a great storm in Guinea. Which politician, from Conté's to Condé's governments... won't have trouble sleeping because of this international scandal in a country where corruption is customary and institutionalised?"*³¹

A local lawyer also felt that the revelations were underwhelming:

*"The [Mossack Fonseca account] is one which was created to receive money from everywhere, including Guinea and **Sierra Leone**... These Panama Papers revelations mean nothing. They demonstrate nothing extraordinary – these are not new revelations. This was known during the FBI investigation."*³²

Guinea launched the **Cour des Comptes** (account court) in January, aiming to stop corruption through an inspection of government accounts.³³ The Cour des Comptes has refused to comment on the revelations regarding the Panama Papers and Touré.³⁴

Guinea domain name struggle almost over

In what it hopes will be a move to cut down cyber crime, the information technology (IT) ministry has made progress in reclaiming its '.gn' internet domain name for government internet operations. For several years, Guinea has been unable to repatriate its '.gn' internet domain name.³⁵ This poses significant problems with regard to the management and security of national data, especially within government, as the Guinean state does not control the current domain.³⁶

The IT ministry's e-government reform is responsible for the interconnection of state ministries, departments and agencies and bodies to ensure greater internal traceability of government operations.³⁷ The e-government is currently on hold while the government seeks to recover the domain name.³⁸ Currently the government uses the '.gov.gn' domain, which it has to reserve and maintain on another continent.³⁹ The Guinea government established the '.gn' domain name in 1994, and **Randy Bush** of the **Internet Assigned Numbers Authority (IANA)** administers the domain.⁴⁰ However, since registration requires presence in

²⁶ www.panamapapers.icij.org

²⁷ The Times, 4 Apr 2016.

²⁸ The Times, 4 Apr 2016.

²⁹ Source, journalist, Conakry.

³⁰ Source, journalist, Conakry.

³¹ Moise Sidibe, Guineenews, 9 Apr 2016.

³² Guinea Bar lawyer, 25 Apr 2016.

³³ Guinée Matin, 11 Jan 2016.

³⁴ Source, journalist, 26 Apr 2016.

³⁵ Guineenews, 10 Apr 2016.

³⁶ Source, journalist, Conakry.

³⁷ Guineenews, 10 Apr 2016.

³⁸ Guineenews, 10 Apr 2016.

³⁹ Guineenews, 10 Apr 2016.

⁴⁰ Constitutional court, Head of IT, 26 Apr 2016.

Guinea, and the two name servers are in different networks, no Guinean entities have registered under the ‘.gn’ domain name.⁴¹ IT minister **Moustapha Mamy Diaby** claims the process of repatriation is “*beyond 80%*” and the government will have recovered the .gn domain by 2017.⁴²

The **Agence Nationale de la Gouvernance Électronique (ANGEIE)** (National Agency for Electronic Governance) says the current gov.gn domain increases the risk of cyber-criminality, as hosting problems have escalated, causing an increase in criminal activity within Guinean cyberspace.⁴³

*“Today we have serious hosting problems. In order to host a website, you need a foreign address. Therefore, no piece of digital information is secure as all our information is stored elsewhere. So, if hackers want to hurt us, they will. The repatriation of the .gn domain will get us out of this enclave and will allow us to manage our own data without interference.”*⁴⁴

Implications

The extent of opposition hindrance in the process of organising local elections may seem insignificant. However, with Guinea’s tumultuous political history, and recent flare-ups of violence in the UFDG and the opposition (see *ARC Briefing Guinea February 2016*), not to mention historical local elections violence, there is the risk for local elections to exacerbate existing tensions. Once the CENI releases more definitive information regarding the division of prefectures and districts, the opposition will look to see what impact it may have on the influence of the ruling RPG in certain historically highly contested areas when local elections do take place.

The Panama Papers appear to further corroborate the information already available from the US court proceedings and FBI investigation. The fact that Touré is mentioned in such a widescale, worldwide leak, however, brings far more attention to the issue, and could give rise to a potential future court hearings against BSGR, and, more importantly, further investigation into ministers and other government officials during the time of the scandal.

Despite the ANGEIE’s optimism, the repatriation of the ‘.gn’ domain will not reduce the risk of computer crime entirely. It will allow the government to shore up its digital defence systems, making it harder for investigators and activists to investigate corrupt government practices.

⁴¹ www.iana.org

⁴² Constitutional court, Head of IT, 26 Apr 2016.

⁴³ Analyst, ANGEIE, 25 Apr 2016.

⁴⁴ Analyst, ANGEIE, 25 Apr 2016.

About Africa Risk Consulting:

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