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COUNTRY SUMMARY

Côte d'Ivoire

At the end of 2008, hopes that a March 2007 peace accord would end the six-year political and military stalemate between government forces and northern-based rebels were dampened by insufficient progress in disarmament, elections preparations, and restoration of state authority in the north; an increase in criminal and political violence; and yet another postponement of the presidential election that was planned for November 2008.

Government forces and New Forces rebels continue to engage in predatory and abusive behavior, including widespread extortion at checkpoints and sexual violence against girls and women, with near-complete impunity. The increasingly entrenched culture of impunity led to serious concerns about prospects for peaceful elections and long-term stability.

Côte d'Ivoire's key partners, notably the United Nations, the European Union, France, and the Economic Community of West African States (ECOWAS), were reluctant to bring public pressure to bear on either the government or the rebels for the slow pace of election preparations, much less for the country's worrying human rights situation.

Efforts to End the Political-Military Stalemate

Since the crisis erupted, the UN, France, ECOWAS, and the African Union have all spearheaded initiatives to end the political-military stalemate in Côte d'Ivoire.

Following a series of unfulfilled peace agreements and the October 2005 expiry of the five-year constitutional mandate of President Laurent Gbagbo, the UN Security Council postponed elections for one year under resolution 1633 (2005). Then-prime minister Charles Konan Banny's efforts to implement a "roadmap" to elections soon deadlocked. In response, the Security Council adopted resolution 1721 (2006)

extending the mandates of both Gbagbo and Banny for 12 more months, and granting sweeping powers to the prime minister. Soon after its adoption, however, President Gbagbo made clear that he would not accept key provisions of the resolution.

In March 2007 Gbagbo and rebel leader Guillaume Soro signed a peace accord negotiated with the help of Burkina Faso President Blaise Compaoré. The Ouagadougou Agreement, the first to have been directly negotiated by the country's belligerents, resulted in the appointment of Soro as prime minister in a unity government and set forth an ambitious 10-month timetable, which, if followed, would have led to a presidential election by early 2008.

Implementation of the Ouagadougou Agreement

Throughout the year target dates for completion of key provisions of the Ouagadougou Agreement—disarmament and reintegration of combatants, reunification of defense and security forces, restoration of state authority in the north, and voter registration—were missed and pushed further and further back.

At this writing, only 11,364 of some 35,000 rebels and 1,000 of approximately 24,000 militiamen have disarmed. Shockingly, only 10 serviceable weapons have been collected during the exercise. Observers blamed the delay on the lack of political will by both sides, disagreement over the number of high-ranking rebels to be integrated into the national army, and inadequate funding for reintegration programs. Meanwhile, violent demonstrations by disgruntled ex-combatants and militiamen caused instability in the north and west. Inadequate progress in disarmament in turn effectively stalled plans to reintegrate several thousand rebels into the national army and police force.

Attempts by the government to restore its authority throughout the north were largely unsuccessful. While some mayors and health and education workers managed to return, the redeployment of police, judicial, and corrections personnel was effectively blocked by rebel authorities.

The citizen identification process that ended in September 2008 resulted in the delivery of approximately 750,000 substitute birth certificates. However, the voter registration process that commenced on September 15 was interrupted several times due to attacks on registration offices by pro-government youth groups.

Politically Motivated Violence

There were several incidents of politically motivated violence by pro-government groups against real or perceived members of the political opposition. In western Côte d'Ivoire several citizens were prevented from attending citizenship hearings due to the presence of armed militiamen. In August 2008 pro-government youths stormed the hotel in which the secretary-general of the opposition Rally of Republicans (RDR) party was staying. And in October and November there were numerous attacks on voter registration centers in the commercial capital Abidjan and in the west during which youths harassed and threatened election workers and those standing in line, and stole computers and other registration materials. The attacks disrupted the process and, on one occasion, provoked a temporary suspension of voter registration.

However, with few exceptions, political leaders from all parties travelled the country unimpeded. In May President Gbagbo publicly called on a notorious pro-government student group implicated in committing violent acts in favor of the ruling party to refrain from such acts.

There were few instances of the vitriolic and xenophobic rhetoric that prevailed at the height of the crisis in 2002-2003. In August the National Assembly passed a law criminalizing racism, xenophobia, and tribalism, providing for sentences of up to 20 years if the infraction is committed in the media, during a political gathering, or by a government functionary. Critics noted that certain provisions of the law are written so broadly that they threaten freedom of expression.

Extortion and Racketeering

Countrywide, both rebels and members of the police, gendarmerie, army, and customs engaged in frequent acts of extortion, racketeering, intimidation, and physical assault at roadside checkpoints. Government efforts—including an open

acknowledgment of and a parliamentary inquiry into the problem, sting operations, and limited efforts to prosecute alleged perpetrators—had at year's end failed to considerably reduce the level of these crimes. Racketeering was blamed for elevating already high food prices. UN efforts to dismantle numerous checkpoints were usually followed by the mounting of fresh barricades.

Criminality and the Rule of Law

Throughout the year, ordinary Ivorians were subjected to frequent acts of violent crime, including armed robbery, highway banditry, murder, torture, and sexual abuse, for which the perpetrators enjoyed near-total impunity. These incidents most frequently occurred in the west, in the rebel-held north, and within a buffer zone formerly occupied by international peacekeepers. Throughout 2008 neither the government nor the rebel leadership took significant steps to investigate or hold accountable those responsible.

In the government-controlled south, deficiencies in the judicial system, such as widespread corruption and lack of independence from the executive branch, pose a significant impediment to victims seeking justice and to rebuilding respect for the rule of law. Those unable to bribe judges and other officials are routinely denied justice.

Rebel leaders in the north appear to lack both capacity and will to hold accountable members of their increasingly fractured forces. Internecine struggles between commanders led to numerous acts of arbitrary detention, torture, forced disappearance, and murder by feuding rebel bands. Limited efforts at justice are meted out arbitrarily by zone commanders in complete disregard for even most basic due process. Extended pretrial detention is commonplace, including for those accused of petty crimes, and there are credible reports that members of the New Forces use beatings and torture to extract confessions.

The UN conducted numerous training sessions with police, judicial, and corrections personnel, and together with the EU rehabilitated court buildings and corrections facilities in the north that were destroyed during the 2002-2003 hostilities.

Inter-communal clashes over land rights in the west resulted in numerous deaths and other abuses and slowed the return of tens of thousands of people displaced during the 2002-2003 armed conflict.

Sexual Violence

There were frequent incidents of sexual violence against women and girls, including those committed during assaults by armed robbers on public transportation vehicles, and to a lesser extent at checkpoints manned by New Forces rebels and government security forces. In some cases, particularly in western Côte d'Ivoire, victims of sexual violence are targeted on the basis of their nationality or ethnic group. Survivors' access to health and legal services is extremely limited. Efforts to prosecute cases are hampered by deficiencies in the judicial system, particularly in the north, and the regular dismissal of cases due to out-of-court settlements between families of the victims and perpetrators.

Accountability for Past Abuses

The UN Security Council has still not made public the findings of the UN Commission of Inquiry into serious violations of human rights and international humanitarian law since September 2002, which was handed to the UN secretary-general in November 2004. In September 2003 the Ivorian government accepted the jurisdiction of the International Criminal Court (ICC) over serious crimes. However, as in previous years, the government consistently undermined a planned ICC mission to assess the possibility of opening an investigation into such crimes.

Key International Actors

Since 2004 the ruling party has effectively employed intimidation and political pressure to neutralize the criticism and minimize the influence of the UN, EU, and France. Throughout 2008 these key partners and ECOWAS remained reluctant to publicly criticize Ivorian actors for the slow implementation of the Ouagadougou Agreement, much less for their role in perpetuating serious human rights problems.

Since 2004, the UN has maintained a peacekeeping mission, the UN Operation in Côte d'Ivoire (UNOCI), which at year's end had 8,000 peacekeepers deployed countrywide, supported by some 1,800 French troops. In 2008 the UN Peacebuilding

Fund and Support Office approved \$5 million to support reintegration programs for ex-combatants and other programs.