



# CÔTE D'IVOIRE

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About thirty gendarmes came down to our community at 9:00 a.m. on the 21<sup>st</sup> of September. They were armed with machetes and clubs [gourdins] and they'd brought petrol with them, so we ran. Just before, two gendarmes had come to tell us we'd be OK—our homes would not be demolished. Some believed them, others fled because they'd heard rumours all the houses would be burnt. The houses of nine families were destroyed. One was a Malian family, the others were Burkinabé. We've lived here together with Ivorians for more than twenty years.

-community leader from Cocody district (October 11, 2002)

## GOVERNMENT ABUSES IN RESPONSE TO ARMY REVOLT

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## CÔTE D'IVOIRE

### GOVERNMENT ABUSES IN RESPONSE TO ARMY REVOLT

I. Summary.....	2
II. Recommendations.....	3
To the Government of Côte d'Ivoire .....	3
To the MPCCI .....	3
To the International Community, in particular ECOWAS, France, the European Union and the United States.....	4
To the United Nations.....	4
III. Background.....	4
IV. Public Rhetoric Increases Tensions.....	5
V. Arbitrary Arrests and Killings as Result of Individual Denunciation—Instilling a Climate of Fear ...	6
VI. Destruction of Poor Neighborhoods Around Abidjan—A Humanitarian Tragedy.....	7
VII. Police Raids on Other Abidjan Neighborhoods—Arbitrary Arrests and Extortion.....	11
VIII. Arbitrary Arrests and Extrajudicial Killings of RDR Activists and Supporters.....	13
IX. Reported abuses committed by the MPCCI .....	14
X. The Role of the International Community .....	14
Acknowledgments.....	16

## I. SUMMARY

Côte d'Ivoire is facing a political crisis that poses a serious risk that the country could plunge into the sort of brutal war well known to neighboring Liberia and Sierra Leone. The crisis is rooted in well-established divisions within Ivorian society and in particular within the military, divisions that have been deliberately exacerbated by government policy over the last few years. This is in turn linked to the government's failure to address the violence and intimidation that marred the presidential and parliamentary elections of late 2000. That this downward spiral in respect for human rights continues is not inevitable. But if it is to be avoided, both sides of the conflict must adopt inclusive policies to guarantee the protection of the rights of all people in Côte d'Ivoire regardless of their ethnic, religious, national, or political identity. The impunity so far enjoyed for past and present human rights violations must also be addressed.

On September 19, 2002, dissident divisions of the Ivorian army, who have since identified themselves as the Patriotic Movement of Côte d'Ivoire (Mouvement Patriotique de Côte d'Ivoire, MPC), took hold of the northern Ivorian town of Korhogo and the central town of Bouaké. There was fighting in several parts of Abidjan, the economic capital, but government troops retained control there. The government has referred to the attacks as an attempted coup. Since September 19, the MPC has succeeded in retaining control of Korhogo; Bouaké has been fiercely contested but also remains under MPC control, as do a number of other smaller towns. The rebels also took and then lost the central town of Daloa. A cease-fire officially came into force on October 18, and appears to be holding. There are hopes that efforts led by the Economic Community of West African States (ECOWAS) may lead to an end to hostilities and a resolution of the main issues underlying the crisis.

Human Rights Watch is concerned that the response of the government to the military revolt has not been restricted to legitimate security measures, but has rather tended, at minimum, to exacerbate existing divisions in Ivorian society and, at worst, to promote or cause human rights abuses. President Laurent Gbagbo was out of the country at the time of the attacks. He returned from Italy on September 21 and made a defiant speech that seemed to set the tone for the harsh backlash that ensued. He said the "rebels" appeared to have prepared their assault with heavy weapons from abroad, though he did not specify from where. He stated: "The hour of patriotism has struck, the hour of courage has struck, the hour of battle has struck. They have imposed a battle on us and we will fight it." He said he would call a demonstration within a few days so that everyone living in Côte d'Ivoire could show their allegiance. "In this country we have to know who is who and who wants what. There must be one side for democracy and the republic and one side against democracy and the republic and battle will be joined."<sup>1</sup> At that time Western embassies were warning about gangs of government supporters armed with machetes roaming the streets of Abidjan.<sup>2</sup> This coincided with the beginning of brutal razing of various neighborhoods in the city. The head of the Burkinabé community in the Agban district of Abidjan, Ablasse Rimtounda, told Associated Press: "This is a terrible situation. People shouldn't do this to us."<sup>3</sup>

In many cases government security forces have carried out or tolerated serious human rights violations by others, including groups of youths, against individuals who are considered sympathetic to the rebellion simply by their ethnicity or religion. The members of the MPC are largely northern Ivorians, and there have been allegations that they have received support from both or either of the governments of Liberia and Burkina Faso. Côte d'Ivoire hosts many foreign nationals, including more than a hundred thousand Liberian refugees and more than two million migrants from Burkina Faso. These and other foreigners, as well as northern Ivorians, have been indiscriminately blamed—including by government or pro-government spokespeople—for the rebellion. Despite a conciliatory speech by President Gbagbo on October 8, neighborhoods primarily occupied by northerners (who are mainly Muslims) or foreigners have continued to be raided and non-Ivorians arrested. Others have been arbitrarily arrested and killed for their political affiliation or presumed status as an "assailant," a term used by the government to describe anyone it views as supporting those responsible for the September 19 attack. The term

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<sup>1</sup> Matthew Tostevin, "Côte d'Ivoire—Ivory Coast leader promises total war on rebels," Reuters, September 21, 2002.

<sup>2</sup> Clar Ni Chonghaile, "Insurgents hold two cities, as homes burn, and ethnic divisions flare in Ivory Coast," Associated Press, September 21, 2002.

<sup>3</sup> Ibid.

“terrorist” is also widely used. In mid-October, people dressed in military uniform killed several dozen civilians—Ivorian Muslims, Malians and Burkinabés—in Daloa soon after the government regained control of the town. In the face of international criticism, the government has ordered an inquiry into this mass killing.

In response to the events following the attacks of September 19, a Human Rights Watch fact-finding mission visited Abidjan between October 6 and 16. The delegation interviewed numerous victims of the Ivorian government’s most recent pattern of abusive practices. Due to the security situation, the team was not able to travel outside of Abidjan, and was therefore not able to investigate allegations of abuses committed by the MPC. The absence of detailed accounts of abuses by the MPC in this report should not therefore be taken as an indication that none have occurred, or that Human Rights Watch condones those that have; allegations of abuse by all parties deserve thorough investigation at the earliest possible moment.

Human Rights Watch calls on the government of Côte d’Ivoire to take steps immediately to halt the abuses described in this report. It is essential that Côte d’Ivoire honors its commitments to international human rights treaties, specifically the International Covenant on Civil and Political Rights and the Convention against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment, which the government has ratified. Côte d’Ivoire is also bound by the Geneva Conventions and their two Optional Protocols.

In particular, the Ivorian government should make public statements that no person should be arrested or attacked on the basis of ethnic, religious or national identity, and that all credible allegations that individuals have been involved in criminal activity should be reported to the police and the persons concerned afforded due protection of law as those allegations are investigated. The Ivorian authorities should suspend from active duty, investigate, and prosecute where appropriate all members of the security forces accused of unlawful killings or arrests, or extortion, and should also investigate and prosecute civilians accused of such acts. Human Rights Watch calls on the MPC to ensure that all its combatants are instructed to respect the human rights of all civilians and to treat all captives in accordance with international humanitarian law.

## II. RECOMMENDATIONS

### To the Government of Côte d’Ivoire

- Immediately halt the excessive use of force by all security personnel, and give clear instructions to all members of the security forces that they must afford the rights of all civilians;
- Publicly acknowledge and condemn the unlawful killings of alleged “assailants” and opposition sympathisers, provide comprehensive public information on these killings and compensation to the victims’ families, and facilitate access for the families to the criminal justice system;
- Suspend from active duty, investigate and prosecute members of the security forces accused of unlawful killings, torture, beatings, unlawful arrest or extortion;
- Ensure that the criminal justice system effectively responds to allegations that human rights abuses have been committed, paying particular attention to bringing to justice those responsible for assaults motivated by suspicion of foreigners, Muslims, or northerners;
- Ensure that any denunciations received by telephone hotline are dealt with using the minimum force and with full respect for the human rights of the person denounced, bearing in mind that everyone is presumed innocent until proved guilty;
- Take all possible measures to calm ethnic tensions throughout the country. This should include public statements emphasizing the rights of all individuals in Côte d’Ivoire to equal protection of the law.

### To the MPC

- Ensure that all combatants within the MPC are instructed to respect the human rights of all civilians.

## **To the International Community, in particular ECOWAS, France, the European Union and the United States**

- Take steps to ensure that mechanisms to end impunity for past and present human rights abuses are included in any peace agreement between the conflicting parties, including in particular abuses by the security forces;
- Ensure that documenting and monitoring human rights abuses is part of any humanitarian response to the current crisis;
- Urge both parties to instruct their forces to fully respect the human rights of all citizens and to hold accountable those who do not, within the provisions of international human rights and humanitarian law.
- In the case of the E.U., reinstitute dialogue with the government of Côte d'Ivoire under Article 96 of the Cotonou Agreement.

## **To the United Nations**

- Request permission for the special rapporteur of the Commission on Human Rights on extrajudicial, summary or arbitrary executions to visit Côte d'Ivoire in order to investigate recent events.
- Insist on the implementation of the recommendations made by the commission of inquiry in 2001, and offer the assistance of the U.N. Office of the High Commissioner for Human Rights to do so.
- Submit regular and public reports on the ongoing human rights climate in Côte d'Ivoire to the Security Council through the office of the United Nations resident representative in Côte d'Ivoire.

### **III. BACKGROUND**

The current government in Côte d'Ivoire was elected in presidential and parliamentary elections in late 2000. These elections—held following a military coup in late 1999, whereby General Robert Guei had become president—were marred by widespread violence and intimidation that left over 200 people dead and hundreds wounded.<sup>4</sup> In addition, the leader of the largest opposition party, the Rally of Republicans (Rassemblement des Républicains, RDR), Alassane Dramane Ouattara, was prohibited from standing in either the presidential or parliamentary elections on the grounds that he was considered a foreigner of Burkinabé extraction. Many northern Ivoirians, who form the principal body of supporters for the RDR and were the main victims of the election violence, thus felt disenfranchised. Despite the very serious concerns surrounding the legitimacy of the elections, Laurent Gbagbo, leader of the Ivorian Popular Front (Front Populaire Ivoirien, FPI), was installed as president—though only after General Guei had attempted to proclaim himself the winner and been forced to flee amid popular demonstrations. Since assuming office, President Gbagbo has failed to acknowledge the flawed manner in which he became head of state, to promise new elections, to seek an end to impunity for the vast majority of those who committed the violence, or to take steps to reduce ethnic tensions. The largest economy in francophone West Africa, Côte d'Ivoire hosts many foreigners, including at least 135,000 Liberian refugees<sup>5</sup> and 2.3 million Burkinabé migrants.<sup>6</sup> With recession in recent years, these foreigners have increasingly become the target of xenophobic rhetoric and attacks, including during the 2000 elections.

The current crisis began with the racial difficulties raised around the 2000 elections, themselves based in the increasingly divisive politics that have taken hold of Côte d'Ivoire since the death of the country's first president, Félix Houphouët-Boigny. The immediate background, however, was an attempt by the government to demobilize many of the soldiers who had been brought into the army by General Guei. On September 19, 2002, some of the affected soldiers, calling themselves the MPCJ, took hold of the northern Ivorian town of Korhogo and the central town of Bouaké. There were attacks in several parts of Abidjan. The former coup leader and head of state General Guei was killed, as well as Minister of the Interior Emile Boga Doudou, but government troops retained

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<sup>4</sup> See, "The New Racism, The Political Manipulation of Ethnicity in Côte d'Ivoire," *Human Rights Watch Report*, Vol. 13, No. 6(A), August 2001.

<sup>5</sup> "Côte d'Ivoire: Government, UNHCR to conduct refugee census," U.N. Integrated Regional Information Network (IRIN), May 10, 2002, at [www.reliefweb.int](http://www.reliefweb.int) (accessed November 6, 2002).

<sup>6</sup> Figures from 1998 census, as quoted in "Ivorian peace hopes grow," [news.bbc.co.uk](http://news.bbc.co.uk), October 12, 2002.

control of the economic capital. The government has referred to the attacks as an attempted coup. It claims the Ivorian soldiers who mutinied are being supported by a “rogue state” from the north, widely interpreted as referring to Burkina Faso. The government has also sought to implicate the RDR in the rebellion.<sup>7</sup> Information suggesting that there are Anglophone people fighting alongside dissident soldiers has led people to treat nationals from Liberia and Sierra Leone as suspected opponents of the Ivorian government.

Since September 19, the MPCCI has succeeded in retaining control of Korhogo; Bouaké has been fiercely contested but remains under MPCCI control. Government troops have regained control of Daloa, but the MPCCI controls many other towns, including Odienne, Tiebissou, Didievei, Sakassou and Seguela.<sup>8</sup> A ceasefire officially came into force on October 18, 2002 and appears to be holding, while talks aimed at resolving the crisis are held in Lomé, Togo, under ECOWAS auspices (the talks were ongoing at this writing).

#### IV. PUBLIC RHETORIC INCREASES TENSIONS

Since the September attacks, the government has encouraged nationalistic fervor in the public media, and has failed to take steps to denounce or check attacks on foreigners, Muslims, or the political opposition. These statements and failures have exacerbated existing tensions among different elements of the population and encouraged popular attacks on groups deemed to be associated with the rebellion.

On October 6, parliamentarian Ben Soumahoro, the representative for Bako (northern Côte d’Ivoire), appealed to Ivorian patriots to: “Go and find Ouattara in his hiding place....<sup>9</sup> No French soldier will fire on you, go and get him.”<sup>10</sup> This speech was made to a meeting of the National Coordinating Body of Ivorian Patriots (Coordination nationale des patriotes de Côte d’Ivoire) and reproduced extensively on the public broadcast media and in the written press. No official commented on this incitement to unlawful arrest or attack, or noted that it was contrary to the international human rights norms to which Côte d’Ivoire is committed.

That same day, a journalist with national television (*Radio-télévision ivoirienne*, RTI) stated that expelling Burkinabés from Côte d’Ivoire represented the “key to victory.” He explained “We must simply send back just 500 000 Burkinabés so that the leader of the ‘land of honest men’ [a reference to Burkina Faso], the current leader of the war against Côte d’Ivoire and his supporters, clearly understand the role of Côte d’Ivoire in West Africa.”<sup>11</sup>

On October 8, President Gbagbo spoke to the nation in different terms. His address appeared to mark a change in rhetoric and led to hope for a change of policy. President Gbagbo called upon the Ivorian people to rally behind him against the “enemy,” but not to break the law. He told citizens not to loot shops and not to attack individuals. He went on to say: “Don’t attack foreigners, don’t attack your political opponents. Our struggle is not with them.”<sup>12</sup>

Though this speech was encouraging, more needs to be done to ensure that the “struggle” is pursued with full respect for the law. Since the speech was delivered, further neighborhoods have been raided and burned. And on October 18, in line with the continuing persecution of RDR supporters, two RDR sympathisers in Abidjan were killed by members of the security forces while burying a relative.<sup>13</sup> Many others have been arbitrarily arrested.

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<sup>7</sup> Alassane Ouattara is currently sheltering in the French Ambassador’s residence.

<sup>8</sup> “Instability in Côte d’Ivoire,” U.N. Office for the Coordination of Humanitarian Affairs (OCHA) Situation Report No 7, October 2, 2002, quoting international media reports.

<sup>9</sup> “Ben Soumahoro: ‘Allez-y chercher Alassane chez l’ambassadeur de France,’” *Notre Voie* (Abidjan), October 7, 2002. Soumahoro’s position is striking given that he was elected as an opposition RDR member.

<sup>10</sup> “Ben Soumahoro: ‘C’est ADO qui a fait le coup d’Etat de 99’” *Le Nouveau Réveil* (Abidjan), October 7, 2002.

<sup>11</sup> Reporters sans Frontières, *Reporters sans frontières demande au Conseil de sécurité de saisir la Cour pénale internationale*, October 28, 2002.

<sup>12</sup> “Rassemblez vous massivement mais sans voler aucun magasin et sans vous en prendre à aucun individu. C’est là la force des grandes nations. N’attaquez pas les étrangers, n’attaquez pas vos adversaires politiques. Notre combat est ailleurs.”

<sup>13</sup> Human Rights Watch telephone interview, October 21, 2002.

On October 15, Colonel Jules Yao Yao, the armed forces spokesperson, shamelessly announced the policy of killing suspected “assailants” in Daloa, which had recently been retaken from the rebels by government forces, in his nightly address on public television news. He said the curfew in Daloa should be strictly respected and “Anyone contravening this measure apart from members of the defense or security forces will be considered an assailant and killed without warning.”<sup>14</sup> In the following days, dozens of civilians with Muslim names were extrajudicially killed by people wearing military uniform. The government has acknowledged that these killings happened, but has claimed that their forces have no responsibility for these actions.<sup>15</sup> Independent sources have challenged this claim and produced evidence that government forces were indeed responsible.<sup>16</sup>

Under international human rights or humanitarian law, there is no provision to allow a member of the security forces to shoot an unarmed civilian on sight unless in self defense.

On October 23, pro-government protestors critical of France apparently tried to reach Alassane Ouattara, who had taken shelter in the French ambassador’s residence on September 19, immediately following the attacks that led to the current crisis. Protesters also gathered outside other French installations; after a crowd had been dispersed from the French military base (Base du 43eme bataillon d’infanterie de marine) by French troops using teargas and water cannon, some demonstrators began throwing stones at white motorists.<sup>17</sup> The new Ivorian minister of the interior deplored these excesses. A few days later, President Gbagbo clarified that he did not consider Alassane Ouattara as being behind the attacks. “If I had any doubts about Mr. Ouattara, I would have had him arrested. I have nothing against Alassane Dramane Ouattara,” Gbagbo told a delegation from the opposition RDR, according to a statement from the party.<sup>18</sup>

## **V. ARBITRARY ARRESTS AND KILLINGS AS RESULT OF INDIVIDUAL DENUNCIATION— INSTILLING A CLIMATE OF FEAR**

At the time of Human Rights Watch’s visit to Côte d’Ivoire, Abidjan was affected by a general climate of fear, acutely felt by anyone who could be perceived as critical of the government and its effort against the “assailants.” That includes human rights defenders, opposition politicians and those recently made homeless from the shantytowns of Abidjan. In that climate, it requires extraordinary courage for anyone who has witnessed or experienced a violation of their rights to speak out.

Since the current crisis occurred, the government has set up a hotline—a toll-free telephone service—apparently to encourage citizens to report people believed to be “assailants.” While in itself an ostensibly legitimate law-enforcement measure, it has in practice been abused to restrict the human rights of law-abiding civilians. On October 13, the Ivorian security forces arrested an Amnesty International researcher, an Ivorian human rights defender, and the women they were interviewing in the Awoussa Bougou neighborhood of Abidjan. The researcher’s papers were searched, and only after the direct intervention of the minister of justice at the request of the researcher’s colleague were they all released one hour later. Someone observing the interviews had reported this completely lawful activity to the special hotline.

The following day, in the Adjamé district of Abidjan, a human rights defender told Human Rights Watch that they had interviewed witnesses of an incident in which two travelers in a shared taxi had aroused suspicion because they did not know where the taxi was heading. This was taken as an indication that they were foreigners, and therefore “assailants.” The crowd attacked the two men, and by the time the police arrived—it seems

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<sup>14</sup> “Tout contrevant à cette mesure en dehors des forces de défense et de sécurité, sera considéré comme assaillant et abattu sans sommation.”

<sup>15</sup> “Ivory Coast government opens inquiry on alleged atrocities,” AFP, October 25, 2002.

<sup>16</sup> Eyewitnesses quoted by Amnesty International, News Release, October 28, 2002, AFR 31/006/2002.

<sup>17</sup> “France demands end to Ivorian attacks,” news.bbc.co.uk, October 23, 2002.

<sup>18</sup> “Ivory Coast opposition not implicated in coup: president” [Corrected 10/25/02], Agence France- Presse, October 26, 2002.

someone had phoned to denounce them—they had been shot dead along the roadside near where they had boarded the taxi.<sup>19</sup>

## VI. DESTRUCTION OF POOR NEIGHBORHOODS AROUND ABIDJAN—A HUMANITARIAN TRAGEDY

Following the attacks of September 19, the Ivorian security forces, reportedly sometimes accompanied by young armed men in plain clothes, began an assault on various neighborhoods of Abidjan, allegedly to seek out those who had launched the attack and their supporters. What ostensibly started as a security operation immediately degenerated into a serious pattern of human rights violations, accompanied by excessive force, extortion, arbitrary arrests and destruction of property with the consequent mass dislocation of vast numbers of inhabitants of Abidjan. The Ivorian Red Cross estimated that between September 21 and 24, some 12,000 people were displaced from ten neighborhoods in Abidjan. Of these people, an estimated 80 percent were foreigners.<sup>20</sup> A further eight neighborhoods were designated for destruction but had not been visited by the inter-agency rapid assessment mission that made this estimate.

It is President Gbagbo's stated policy for his security forces (including the military, the gendarmerie and the police) to engage in a pattern of eradicating certain poor districts of Abidjan, alternatively called "quartiers précaires" (precarious neighborhoods) or "bidonvilles" (shantytowns).<sup>21</sup> In early October 2002 the Governor of Abidjan district went further. He said: "All precarious neighborhoods in Abidjan—those hiding places for the assailants' weapons and drugs—will be razed. In one month's time, there will be no more precarious neighborhoods in Abidjan."<sup>22</sup> Around one million people in Abidjan live in such areas. Under this policy, numerous neighborhoods of Abidjan (more than twenty in the district of Cocody alone) were destined to be either bulldozed or burned down. In rare cases, the residents receive written eviction notices prior to the destructions. In most cases, the attacks occur entirely without warning, often in the middle of the night. Witnesses reported that in most cases gendarmes (but in some cases police,<sup>23</sup> and in a few cases individuals in civilian clothes) entered their districts during the night, banging on doors and often breaking them down, yelling at the inhabitants and ordering them to leave the premises immediately. Some people fled prior to the actual invasion of their districts, fearful after reports that their district would be next. However, most remained and were present when the forces entered.

Witnesses interviewed by Human Rights Watch reported that the government forces burned down their homes with all their belongings inside, including their identity documents, and that they had in most cases lost everything. In some districts, the homes were bulldozed, apparently because burning attracts more attention, or because it is more difficult during the rains.

The neighborhoods targeted are all impoverished parts of Abidjan. Many, though not all, are ad hoc constructions made of wooden planks and plastic sheeting, and all appear to be quite crowded. Key to government policy seems to be the fact that these neighborhoods are inhabited predominantly by a mixture of

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<sup>19</sup> Human Rights Watch interview with a human rights defender, Abidjan, October 14, 2002.

<sup>20</sup> Information provided by humanitarian agencies in Abidjan.

<sup>21</sup> Policy reiterated in President Gbagbo's speech of October 8, 2002, reported in *Le Jour* (Abidjan) of October 10, 2002. "Je voudrais vous dire que les armes qui ont servi pour attaquer, les 18 et 19 septembre, sont entrées en Côte d'Ivoire depuis longtemps, d'après ce que les enquêtes nous révèlent. Ce ne sont que celles qui ont servi à attaquer le camp de la gendarmerie d'Agban, qui étaient précisément cachées, camouflées dans les bidonvilles autour de Cocody et d'Adjamé-Williamsville. C'est pourquoi, dès la découverte de cette vérité, il a été procédé à la destruction de ces bidonvilles."

<sup>22</sup> Statement by Pierre Amondji reported in *Soir Info* and *24 heures*, October 4, 2002, as reported in "Les quartiers précaires d'Abidjan vont être rasés (gouverneur)," AFP, October 4, 2002.

<sup>23</sup> Some witnesses were unable to distinguish between gendarmes and police, and few were able to describe the uniforms in detail as they were fleeing during the invasions. However, most stated that the forces who entered were uniformed, armed individuals, some with red berets, and all those uniformed were armed either with pistols or with machine guns.

northern Ivorians, immigrants from Burkina Faso, Mali, Niger and Guinea, and refugees from Sierra Leone and Liberia. Most of the immigrants have been living in Côte d'Ivoire for years, if not generations.

On September 21, 2002, gendarmes destroyed part of the Moscou neighborhood of Washington in the Cocody district of Abidjan. A community leader explained what happened:

About thirty gendarmes came down to our community at 9:00 a.m. on the 21<sup>st</sup> of September. They were armed with machetes and clubs [*gourdins*] and they'd brought petrol with them, so we ran. Just before, two gendarmes had come to tell us we'd be OK—our homes would not be demolished. Some believed them, others fled because they'd heard rumours all the houses would be burnt. The houses of nine families were destroyed. One was a Malian family, the others were Burkinabé. We've lived here together with Ivorians for more than twenty years.<sup>24</sup>

Other residents testified about their own experiences. One said:

I knew they'd burnt other places so when the gendarmes came, I offered them the money I had. They took 60,000 CFA [approximately U.S.\$85]. Later the same day, they came back and took the rest of my money. At 9 o'clock the next day [September 21] they came and set fire to our house and destroyed the fridge I'd just bought for my business—I sell water, yoghurt and fruit. I'd lived here since 1982 with my husband and other members of my family. We are fourteen in our family and we now live here without any shelter.<sup>25</sup>

Another person from the Moscou neighborhood recounted:

There was panic all around, we were on the bridge, it is the only bridge to leave this area of the district. I ran that way and met two men in green uniforms with machine guns. They told me to sit down and give them the money, if not they said they would just kill us.<sup>26</sup> They forced us down by grabbing our arms, and forced us to give them money. I gave 50,000 CFA [approximately U.S.\$70] my sister gave 60,000 CFA [approximately U.S.\$85]. The two of us were together.<sup>27</sup>

Liberian refugees were among those brutally evicted from their homes in Deux Plateaux district of Abidjan. One young man told Human Rights Watch:

I am from "Sicobois"<sup>28</sup> in the Deux Plateaux district. We are mostly Liberians there but there are some others as well. I lived there for nine months—I came to Côte d'Ivoire from Liberia on November 14, 2001 after I'd seen my mother killed in front of me. On September 28, 2002 at 7:45 p.m., it was a Saturday, government forces came, gendarmes, in uniforms, I think it was the Republican Guard, with a Côte d'Ivoire badge on their arms and red berets on their heads. We were all there, they told us to get out, get out. None of us were informed before this, though we heard rumors. The government is accusing Liberians of being the cause of the coup. We ran and left all our belongings behind. The area was burned, completely to the ground as it was made of wood.

... We also heard that a man named Patrick David, a Liberian, was shot dead by soldiers in the Koute Quartier in Yopougon.

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<sup>24</sup> Human Rights Watch interview, Abidjan, October 11, 2002.

<sup>25</sup> Human Rights Watch interview with a Burkinabé woman, Abidjan, October 11, 2002.

<sup>26</sup> "Ils ont dit qui'ils vont nous arroser."

<sup>27</sup> Human Rights Watch interview with two women, both approximately fifty years old, Abidjan, October 11, 2002.

<sup>28</sup> This term is widely used and seems to refer to wooden shantytowns in general, rather than a specific area. The area referred to in this report is behind the Sococe supermarket in Deux Plateaux.

The details of the way it happened were that we were sitting on our porch, and the men from the barracks came to us heavily armed. They came onto our porch and said “get out.” Some went in to gather some of their belongings. Not everyone left on foot, some had vehicles. I had to leave on foot. I saw them lighting the houses on fire. I was there when they set my house on fire.

I got separated from my little sister who is sixteen years old, and I still don’t know where she is. I was with my half-brother, who is also eighteen years old. He is here with me now. My documents got burned....<sup>29</sup>

Another Liberian refugee, a thirty-two-year-old woman, told Human Rights Watch:

I have been in Côte d’Ivoire since 1992. I had been living in the “Sicobois” neighborhood in Deux Plateaux, which is near the gendarmes’ barracks. On September 19, 2002 I did not go out because I was afraid to go out, one man came at 4:30 a.m., and I did not open the door when he knocked. The whole night we heard shooting. He said he knew we are foreigners, and said we brought the problems into our country. “We know your houses,” he said, “we will come back.”

In the later morning of the 20<sup>th</sup>, I woke up to hearing bullets flying. I looked out and saw that not too far from us in our neighborhood, houses were burning and people were running. Uniformed soldiers came and said to get out. We ran across the street and saw them burn down our house.

After that we went to visit my friend, who is also Liberian, to stay with her and eat there. While we were eating there, four uniformed soldiers and one in the car came to the house, and the four came inside, pushing the door open. My friend knew one of these soldiers. They came and tapped my friend’s brother on the back, while another one grabbed the boy’s hand and took him outside. When they came back in they asked my friend “Who are these people you are keeping here? Where is your dignity?” They asked the boy for money, he said he did not have any, so they put him in the car and drove off. We followed to [the military barracks] wanting to pay money for his release: we gave 120,000 CFA [approximately U.S.\$170] and gave our mobile phone as well. The boy was released, but during the four hours he was with them, they beat him, and he had finger prints on his face....<sup>30</sup>

One of the destroyed neighborhoods visited by Human Rights Watch researchers had been there for more than twenty-five years, which was not exceptional. Awoussa (or Hausa) Bougou, in the Yopougon district of Abidjan, was targeted in early October. It is divided into two parts, defined as near to either the first bridge over the road (1er pont) or the second (2ème pont). The two sections were destroyed on consecutive days. Human Rights Watch met residents one week later. Although their homes, shops, and mosques had been destroyed, many had returned to live there, sheltering under the trees.

Awoussa Bougou 2ème pont was destroyed first, as described to Human Rights Watch by a community leader:

On 3 October a group of people arrived early in the morning, around 7:00 a.m. They were police officers, gendarmes and bailiffs [*huissiers*].... They told us “you’ve got thirty minutes to leave before we demolish the whole area.” I pleaded that we could have forty-eight hours to save our belongings and leave safely, but they wouldn’t have it. They said we must leave. They had two bulldozers and destroyed everything. One of the bulldozer operators said, “I cannot destroy a mosque.” The police officer hit the operator and told him to go ahead. The operator’s left eye then became very swollen. They destroyed three large mosques and six small ones that day. The security forces threatened us, but no one was arrested. They were here all day. Some members

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<sup>29</sup> Human Rights Watch interview with eighteen-year-old Liberian male refugee, Abidjan, October 8, 2002.

<sup>30</sup> Human Rights Watch interview, Abidjan, October 8, 2002.

of the anti-riot police [*Brigade anti-emeute*] came too—one said: “We must destroy this place. That is where the RDR meetings took place.”

One week earlier the police and gendarmes had come to look for weapons. They found nothing, but still stole our things and harassed the women.

We’re Ivorians and Nigeriens living here—the name comes from Hausa. My family has lived here since 1975—my mother ran a business from here, but there is nothing left of that now.<sup>31</sup>

Awoussa Bougou 1er pont was demolished on Friday October 4. A Muslim woman from the north of Côte d’Ivoire who had lived in the neighborhood for twenty-five years told Human Rights Watch:

Last Friday the CRS [*Compagnie républicaine de sécurité*] came with people from the mayor’s office to move us out. They told us “If you talk we’ll kill you all.” They used tear gas to make us move fast. Five people got left behind because they could not escape quickly enough. There were three men, one woman, and a girl aged about seventeen. They were also northern Ivorians. One of them died.

Some have left to live with family in other parts of Abidjan, but most of us came back here because we have nowhere else to go. I sleep under the trees, others shelter with neighbors. The few things we have are stored with neighbors.

They brought big machines and destroyed three mosques. Over there, you can see people praying in the ruins of what was our main mosque. Four shops and many homes were also demolished. Everyone was crying. One person, a man of about forty years old, was arrested because he was speaking Dioula [a language spoken in the north of Côte d’Ivoire]—he was taken away by someone in civilian clothes. We intervened with the mayor but he said he could not help. We don’t know what happened to him.

We knew they wanted to destroy some of our homes because the mayor wanted to built a new town hall [*mairie*] here. We had paid money to lawyers to stop the mayor taking away our land. After 19 September, all that changed—they just came and demolished the whole area.

My husband is dead, so I look after my children alone. My oldest son is sixteen and I used to pay for him to go to school. Now I have nothing and so he cannot study.<sup>32</sup>

The Ivorian government claims that the districts being destroyed are populated by or sheltering “assailants” and/or weapons used by “assailants,” and that the targeting of these areas is necessary for national security. None of those interviewed by Human Rights Watch had seen arms being discovered in the numerous raids.

The Ivorian government had reportedly made an electoral promise to eradicate these districts ostensibly to improve the living conditions of the current residents,<sup>33</sup> but had not acted upon this until after the September attacks. In his October 8 speech, President Gbagbo said the process would continue around military/security installations and instructed his minister of finance to seek money to provide new housing for the people affected. He also stated that it was not targeted at foreigners.

None of the reasons given justifies the comprehensive and serious violations of human rights being committed by Ivorian authorities against civilians residing in these districts.

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<sup>31</sup> Human Rights Watch interview with a community leader, Abidjan, October 10, 2002.

<sup>32</sup> Human Rights Watch interview with female resident, Abidjan, October 10, 2002.

<sup>33</sup> Human Rights Watch interview with Ivorian journalist in Abidjan, October 8, 2002.

First, although in the face of a national security threat a government may have a basis for searching for both weapons and alleged perpetrators, such searches must be undertaken in a manner that protects the rights of the civilians. Thus, searches must not be selectively carried out based on the ethnicity, national origin, or political opinion of the residents; must be conducted during the day unless there has been a formal state of emergency declared; and must never involve extortion, arbitrary arrest, mistreatment of any kind, physical or sexual violence. All of these violations have been committed during the searches carried out by Ivorian security forces.

Second, the fact that some of the districts contain structures that were originally constructed without a permit to build on that area does not provide the government with a justification for the brutality with which they have destroyed these homes. While Human Rights Watch recognizes the right of the Ivorian government to regulate the use of public (or private) space for reasons of public policy, such regulation should respect the rights of those resident in the neighborhoods affected to a fair hearing at which they may assert rights to occupancy or compensation, and should avoid the use of arbitrary and excessive force.

## VII. POLICE RAIDS ON OTHER ABIDJAN NEIGHBORHOODS—ARBITRARY ARRESTS AND EXTORTION

Residents in some other districts have been targeted for harassment and arbitrary arrest even though their homes have not been destroyed. The police raided “Marcory sans fil” neighborhood in the early hours of October 11, and arbitrarily arrested around seventy men. The area may have been selected because much of the property there is owned by Burkinabés. The main purpose of the attack seemed to be extortion and intimidation, especially of immigrants and northern Ivorians. Human Rights Watch interviewed witnesses who had been forced to pay over substantial sums of money to avoid being arrested. Those who were taken into custody were only released when their relatives paid for their release. The stories from these witnesses combine to give a comprehensive picture of the ordeal they faced.

A twenty-nine-year-old Ivorian man told how he protected Burkinabés living with him:

I was asleep in my house in Marcory when the police came. They asked if we had any Burkinabés living with us. I said, “we’re all Ivorians here.” In fact, I do live with Burkinabés, but I wasn’t going to tell the police that. They then broke into other homes, took money from many Burkinabés—if they did not pay, they were arrested. They were all over the place from about midnight until 6:00 a.m. this Friday morning [October 11]. At least twenty men were taken away. They were rounded up just over there wearing nothing more than their trousers and made to lie on the ground until a truck arrived to take them away. At one point the police played music from their vehicles and made the detainees dance. There were no deaths last night, but they did fire shots in the air. They also took mobile phones. I was not touched myself. I was born here and I’m now twenty-nine years old.<sup>34</sup>

An Ivorian woman aged twenty-one, whose mother is Burkinabé, saw police taking away foreigners and extorting money:

Two men from our house were taken away—they were both foreigners, one Guinean and a Burkinabé, both men about twenty-five years old. The police knocked on the door, but when we did not open up, they broke it down. They searched our rooms looking under the mattresses, they did not even look at your ID cards if you gave them money. I was hit on the buttocks with a truncheon [*matraque*]; they were very rude. They took nothing from my house because I paid them money. I did not recognise the police who came here, they were not from the local commissariat.<sup>35</sup>

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<sup>34</sup> Human Rights Watch interview with male resident, Abidjan, October 11, 2002.

<sup>35</sup> Human Rights Watch interview, Abidjan, October 11, 2002.

In one compound, there were ten men and seven women living together, all Burkinabé. One of the men told Human Rights Watch:

The police knocked and told us to open the door. We did. They came in, they said this is a house search. They searched all our houses, from one to the next. Then, they told one of our women, twenty-five years old and with her baby on her back, to come with them, and she followed them. We ran after them, the police told us we'd have to pay 50,000 CFA [approximately U.S.\$70] for her release. We did not have that much so we offered 15,000 [approximately U.S.\$20], which they accepted and let her go.<sup>36</sup>

A young Burkinabé man described being detained, beaten, and eventually released on payment of a bribe:

At 4:00 a.m. there were knocks on my door at our courtyard, I opened the door. There were about five police officers, with uniforms, and pistols in their hands. They asked for money and I had none. They asked me where I'm from, I said I was from Burkina Faso. They asked about my friend, he said he's Ivorian, and they let him go. They took me, with my little brother, eighteen. They took us out, into the open courtyard [at the edge of the district], and said to get undressed. Then they took us to the 26<sup>th</sup> police post, there were approximately seventy-five of us, all male, none under eighteen I think. There they made us sing the national anthem of Côte d'Ivoire. Then they made us all clap for ourselves. Some of us were whipped, myself included, but I was not badly injured. Then they took us to the Zone 4 Commissariat. My big brother came to pay to get me out, which he did and I was out by 11:30 a.m. Four others had been let go before me, also by having someone come to pay for their release.<sup>37</sup>

In another compound, police extorted money on seeing posters identifying the occupant as a supporter of RDR leader Alassane Ouattara:

At 3:00 a.m. the police came to our compound and knocked on our door. I opened the door to find the police there, and in the street there were crowds of police, all dressed in black or grey, all around, with pistols and "kalashes" [AK-47 (Kalashnikov) machine guns]. Three of them came in, and searched the house. They asked for my ID card, when they saw the [surname] and saw that I come from Korhogo, then they saw the photo of ADO [Alassane Dramane Ouattara] in my house, they slapped me. Then they took 15,000 CFA [approximately U.S.\$20] and left.<sup>38</sup>

Another person from the same compound added:

They said: "You are northerners here? You're the 'assailants.' Give us your money, or we'll take you away." I had to give 45,000 CFA [approximately U.S.\$60].

A young woman described how police broke into a house owned and occupied by Burkinabés, beat several, and extorted money:

At 4:30 a.m. that night there was a knock on the door. They said, "if you don't come out, if we enter, we will kill you." They knocked and we still did not open the door because we were afraid. They broke in the door with a brick [showing the broken door and the brick used]. I told the young man who was with us and whom they wanted that he should go out with them, and that if not, they will shoot him. They took his phone and his money. There were six police who entered, all in green uniforms, and all had machine guns in their hands. The wife of one of the men in our courtyard gave the police money. They searched the whole place, took money from

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<sup>36</sup> Human Rights Watch interview with thirty-two-year-old Burkinabé man, Abidjan, October 11, 2002.

<sup>37</sup> Human Rights Watch interview with twenty-two-year-old male, Abidjan, October 11, 2002.

<sup>38</sup> Human Rights Watch interview with man aged around thirty from northern Côte d'Ivoire, Abidjan, October 11, 2002.

everyone, they beat one young man and his wife. I saw them beating them. They told me to leave but my husband gave them money. The landlord, a Burkinabé also, was arrested.<sup>39</sup>

### VIII. ARBITRARY ARRESTS AND EXTRAJUDICIAL KILLINGS OF RDR ACTIVISTS AND SUPPORTERS

Those connected with the RDR, whether leading figures or ordinary members, have been singled out for particularly harsh treatment. When asked directly by a *Le Monde* journalist on October 13, President Gbagbo stated that he did not think Alassane Ouattara was involved in the “coup attempt.”<sup>40</sup> However, public opinion seems to see little difference between the RDR and those responsible for the attacks. The widely broadcast inflammatory statement by parliamentarian Ben Soumahoro (see above) only served to increase the divisions within society and the public perception that RDR members are legitimate targets.

One RDR activist told Human Rights Watch:

On September 27, my car was followed... The next day, the RDR office was ransacked. Since that day, it has been closed and all our members are afraid. The doors were completely broken down. Since then all activists have been in hiding... On September 19 already some ten RDR activists were arrested. One RDR activist was arrested at his work on September 24, he was held for forty-eight hours and accused of having sheltered “assailants.” He was tortured, but then released. Others have disappeared.<sup>41</sup>

Human Rights Watch is concerned that whatever the political links may be, people should only be arrested and detained if there is reason to suspect involvement in criminal activity. In such cases, the suspect has the right not to be held beyond the legal time limits and to be protected from torture or any form of ill-treatment. In the cases listed below, there has been no allegation of any involvement in criminal activity.

Many have been arrested after being denounced. They are usually asked questions about what they think of the situation, whether they know Alassane Ouattara, whether he financed or organized the “coup,” and about whether they have been sheltering “assailants.” Most have been freed after a couple of days in custody at the various gendarmerie “Brigades de Recherches” (investigation branch). Some have been charged with state security offences. Others seem to have been arrested yet their relatives have had no news of them since their arrest and have been unable to trace them. For example, on October 30, Professor Samuel Gadégbéku, a physician, was arrested in the Cocody district of Abidjan at the hospital while he was seeing patients. He was taken away by two armed and uniformed police officers and a man in civilian clothes. No explanation was given. He is national membership secretary (*secrétaire national à la solidarité*) for the RDR.

On October 12, Adama Cissé, RDR representative (*commissaire politique*) in M’Bahiakro, a town to the east of Bouaké, died shortly after he had been arrested by gendarmes. His son was taken to hospital in need of medical treatment. A witness explained to a journalist what happened:

They first came to search Adama Cissé’s house (on October 11) because they were looking for Fanny Ibrahima who is the RDR mayor of Bouaké and a friend of Mr. Cissé. These soldiers were also looking for arms. After searching his house and finding nothing, the soldiers started beating Mr. Cissé, while demanding to know the whereabouts of his deputy, Mr. Moussouaré. Then the loyalists took the local representative of Mr. Ouattara’s party with them to their camp at Yrakro. It was there that the torture increased, according to our source. At 6:30 p.m., after the political

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<sup>39</sup> Human Rights Watch interview with Burkinabé woman aged around twenty-five, Abidjan, October 11, 2002.

<sup>40</sup> Interview conducted by *Le Monde* (Paris) on October 13, 2002, and reproduced in *24 Heures*, October 15, 2002.

<sup>41</sup> Human Rights Watch interview with RDR activist, Abidjan, October 10, 2002.

authorities had intervened, Adama Cissé and his son, Abou Cissé—who had meanwhile been picked up and beaten—were released.<sup>42</sup>

In the early hours of the following morning, Adama Cissé died; his son was receiving medical treatment for the injuries he had sustained.

On October 18, two men were killed while burying a relative at the Williamsville cemetery in Abidjan. Seydou Coulibaly and Lanzeni Coulibaly were both cousins of Amadou Gon Coulibaly, a RDR senior official. The attack was reportedly carried out by armed gendarmes travelling in an unmarked 4x4 vehicle; they reportedly indicated that the life of another relative, Amadou Coulibaly—the party’s communications secretary—was under threat, before killing the two men. The government has claimed that individuals acting on their own initiative carried out the attack.<sup>43</sup>

This incident clearly shows that RDR figures are in grave danger. It is the Ivorian government’s responsibility to ensure protection for all civilians, regardless of their origin or opinions.

## IX. REPORTED ABUSES COMMITTED BY THE MPCCI

Due to security conditions at the time of our visit, Human Rights Watch was not able to visit rebel-held areas of Côte d’Ivoire. We were not therefore able to investigate reports of abuses carried out by the MPCCI in rebel-held towns, including Bouaké and Korhogo. However, secondary sources have reported abuses being committed by the MPCCI.

A correspondent for Agence France Presse (AFP), Christophe Koffi, was arrested by the MPCCI and held for one week after he had conducted an interview with one of the organization’s leaders.<sup>44</sup> There have also been reports of unlawful killings and secret detentions. Amnesty International interviewed a witness who saw a soldier killed by the MPCCI while hiding in his home in Bouaké on October 8.<sup>45</sup> The population has been encouraged to denounce any members of the military or those suspected of being government sympathizers. Some of those denounced have reportedly been summarily killed.<sup>46</sup> Many members of the security forces and other representatives of government authority are also reported to have been arrested and to be held incommunicado. Amnesty International also reports that children as young as fourteen have been seen fighting for the MPCCI.<sup>47</sup>

Human Rights Watch is concerned at reports received regarding these abuses committed by the MPCCI, and urges the MPCCI to issue clear instructions to all its members to respect the human rights of all civilians and combatants in its custody. We also urge regional and international intergovernmental bodies, especially the United Nations and ECOWAS, to investigate these reports and prevail upon the MPCCI in the same terms.

## X. THE ROLE OF THE INTERNATIONAL COMMUNITY

The conflict in Côte d’Ivoire has damaged relations with many of the country’s neighbors and with nations further afield. Perhaps the most difficult relations are with Burkina Faso, which is blamed by Ivorian public opinion for the attacks, and whose nationals have been portrayed through the media as “assailants” and have been arbitrarily arrested or killed. Other immigrant populations within Côte d’Ivoire, especially those from Mali, Liberia, and Sierra Leone have also been victimized.

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<sup>42</sup> Interview quoted in *Le Patriote* (Abidjan), October 14, 2002

<sup>43</sup> Human Rights Watch telephone interview, October 21, 2002.

<sup>44</sup> Human Rights Watch interview, Abidjan, October 10, 2002.

<sup>45</sup> Amnesty International News Release, October 18, 2002, AFR 31/005/2002.

<sup>46</sup> *Ibid.*

<sup>47</sup> *Ibid.*

France, the former colonial power in Côte d'Ivoire, which has retained strong links with all the governments in power since independence, has also been singled out for popular criticism. President Gbagbo has criticized the West, and France in particular, for not providing military assistance to help fight against the attacks. France has a military cooperation pact with Côte d'Ivoire that has not been invoked, though France has apparently doubled its normal military presence since the attacks in September.<sup>48</sup> The Ivorian government has asked France to establish and monitor a buffer zone until ECOWAS is ready to do so. The French government sent 900 soldiers to "ensure the safety of the 20,000 French residents in Côte d'Ivoire." French Colonel Christian Baptiste told AFP that the situation had evolved once mediation efforts failed. He added: "Our mission of ensuring safety is all the more current now and we are closely examining areas of potential danger."<sup>49</sup>

ECOWAS has been mediating in the conflict, and managed to secure a cease-fire agreement between the two sides that came into effect on October 16. Peace negotiations are currently underway in Lomé. Army chiefs of staff from ECOWAS member countries will make recommendations to their foreign ministers on the deployment of a regional force. However, this proposed initiative has generated hostility within the Ivorian government, which prefers to solve the conflict internally. There have been many pro-government demonstrations against the use of an ECOWAS force.

The U.S. State Department has made it clear that "any authority that issues from an overthrow would not be accorded legitimacy by the United States." Before the September attacks, Côte d'Ivoire was under scrutiny and subject to U.S. sanctions imposed as a result of the 1999 military coup. However, according to the State Department, "over the past six months, we have been proceeding toward developing a more normal relationship with Côte d'Ivoire given the political and economic progress it has been making." The State Department is currently encouraging the ECOWAS peace initiative as the "best way out of the present crisis."<sup>50</sup>

Following the election violence of late 2000, U.N. Secretary-General Kofi Annan appointed an international commission of inquiry to investigate human rights abuses. The report of the commission was submitted to the secretary-general and the Ivorian government in late May 2001, and was made public two months later. In its recommendations, the report focuses on the fight against impunity; compensation for victims or their relatives; the fight against torture and other cruel, inhuman or degrading treatment; the security forces; technical assistance; and national reconciliation. On the question of impunity, the report stated: "As the commission has underscored throughout its report, the fight against the longstanding culture of impunity within the security forces must constitute a top priority for the Ivorian authorities. Those persons believed to be responsible for human rights violations must be punished, regardless of their function or rank, on the basis of in depth and impartial investigations and fair trials."<sup>51</sup> These recommendations remain equally valid today.

In January 2001, the European Union (E.U.) decided to hold consultations with Côte d'Ivoire under Article 96 of the Cotonou Agreement, the human rights conditionality clause of the agreement governing relations with the African-Caribbean-Pacific (ACP) group of countries. Normal relations were restored in early 2002, following a process of "national reconciliation" commenced in October 2001. The E.U. has condemned "the violence which has been directed in Côte d'Ivoire against a legitimate government and deplores the loss of human life it has caused," and reaffirmed a "commitment to a political solution including all the parties involved."<sup>52</sup> It has not, however, commented on abuses by the government of Côte d'Ivoire.

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<sup>48</sup> "France demands end to Ivorian attacks," news.bbc.co.uk, October 23, 2002.

<sup>49</sup> "Tentative de coup d'Etat du 19 septembre 2002. Refus de cessez-le-feu, la France durcit le ton à l'égard de Gbagbo. 'Plus que jamais notre mission de sécurisation est d'actualité et nous regardons de très près les zones de danger potentiel.'" AFP quoted in *Le Jour*, October 8, 2002.

<sup>50</sup> Statement made by Mark Bellamy, Principal Deputy Assistant Secretary of State for African Affairs, quoted in *Washington File*, October 28, 2002.

<sup>51</sup> Commission D'Enquête Internationale pour la Côte D'Ivoire, "Côte D'Ivoire: Rapport de la Commission D'Enquête Internationale pour la Côte D'Ivoire, Février-Mai 2001," July 19, 2001, Published by the United Nations, p. 2.

<sup>52</sup> "Declaration by the Presidency on behalf of the European Union on the events in Cote d'Ivoire," September 24, 2002.

## ACKNOWLEDGMENTS

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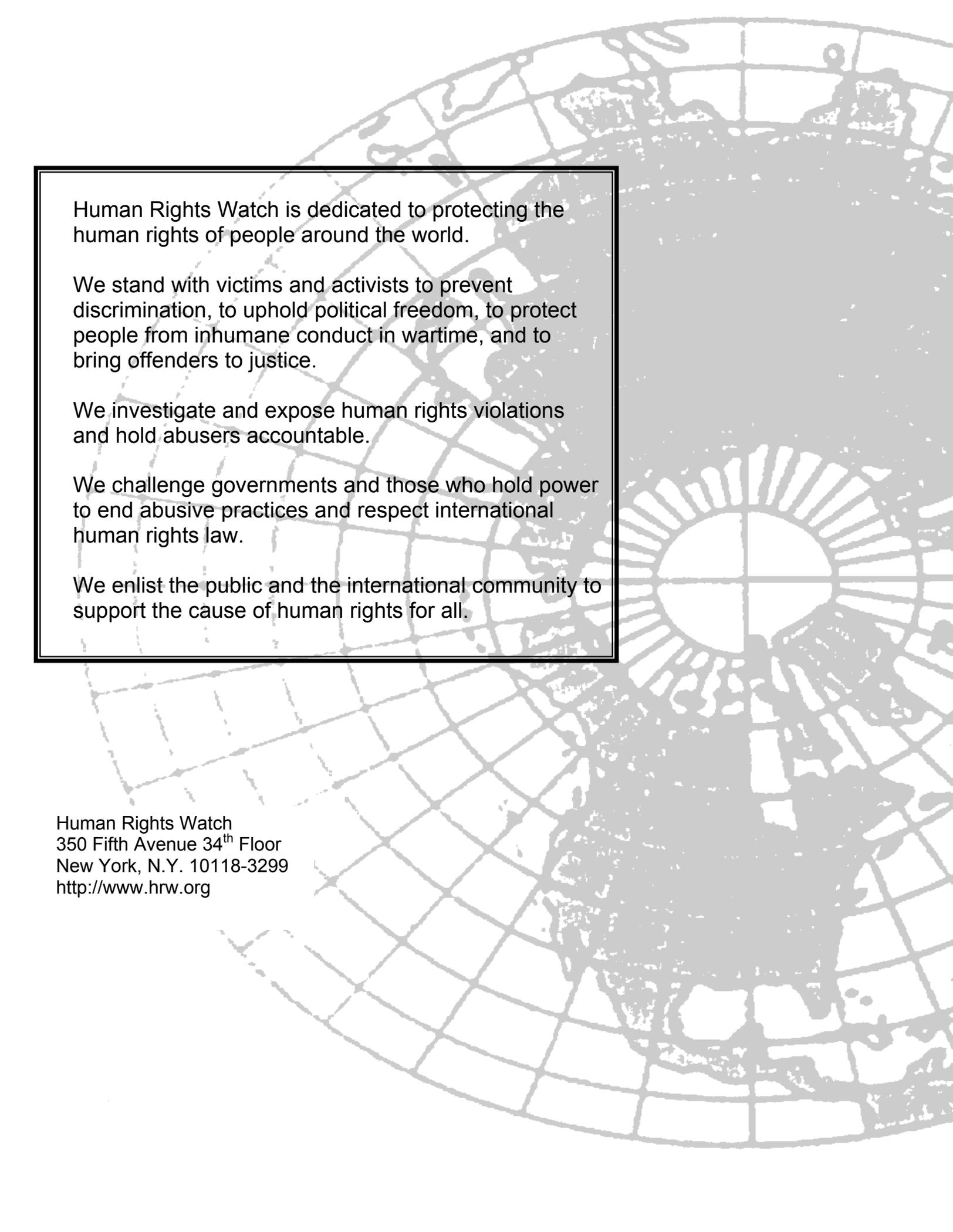
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