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CÔTE D'IVOIRE

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Supporters of Alassane Ouattara bury their dead after the October election violence. © Issouf Sanogo, 2000

They made us chant, 'Alassane is Mousi [Burkinabé] and Gbagbo President.' On Friday some of the police were talking about a gendarme who had been killed and then on Saturday, a few police brought in a newspaper with the news and pictures of the Yopougon massacre and said, "this is the way you should've been killed...but you're lucky, you're in the police academy."

Testimony to Human Rights Watch

THE NEW RACISM

The Political Manipulation of Ethnicity in Côte d'Ivoire

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CÔTE D'IVOIRE

THE NEW RACISM The Political Manipulation of Ethnicity in Côte d'Ivoire

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I. SUMMARY

The 2000 presidential and parliamentary elections in Côte d'Ivoire in October and December were marred by political violence which left over 200 people dead and hundreds wounded. In the months preceding the October presidential and December parliamentary elections, political leaders exploited ethnic divisions to oust rivals, used the state apparatus to repress opponents, and incited hatred and fear among populations which had for decades lived in relative harmony. Their actions culminated in two unprecedented waves of violence which shocked Ivoirians and members of the international community alike, as well as grimly highlighting the danger of manipulating ethnic loyalties and latent prejudice for political gain. The legacy of the heightened suspicion and intolerance generated during the election period will take determined action to overcome; action which has so far been seriously lacking.

The violence shattered Côte d'Ivoire's hopes of rapidly regaining its status as francophone West Africa's economic powerhouse and a regional beacon of stability. This was lost a year earlier when a coup d'état against the corrupt government of incumbent elected president Henri Konan Bédié installed General Robert Guei as a military head of state in December 1999. General Guei had promised to return Côte d'Ivoire to civilian rule, and scheduled elections to do so, but had manipulated the process to such an extent that the legitimacy of the elections was already in doubt before they were held. A new constitution introduced by General Guei and approved by a July 2000 referendum required both parents of any Ivorian wishing to contest the presidential election to have been born in Côte d'Ivoire. This amendment was transparently designed to exclude Alassane Ouattara, the leader of the Rally of Republicans party (*Rassemblement des Républicains*, RDR), the largest opposition party, from the contest. On October 6, 2000, a controversial Supreme Court decision disqualified from running fourteen of the nineteen presidential candidates, including Ouattara, on citizenship grounds, and former president Bédié for not submitting a proper medical certificate. The Supreme Court, headed by General Guei's then legal adviser, was widely believed to have been hand picked by Guei himself.

On October 24, 2000, after early results showed Laurent Gbagbo, leader of the Ivorian Popular Front (*Front Populaire Ivoirien*, FPI), leading in the presidential poll, General Guei dissolved the National Electoral Commission and proclaimed himself the winner. Just two days later, he fled the country, in the midst of violence surrounding protests at his attempts to rig the elections. Laurent Gbagbo was left as the leading presidential candidate.

Despite the very serious concerns surrounding the legitimacy of the elections—both the widespread violence and the exclusion of Alassane Ouattara from the contest—Gbagbo was installed as president. Gbagbo then used the same methods as his predecessor during the December parliamentary elections, in particular to ensure that Ouattara was once again not allowed to run. Since assuming office, he has failed to acknowledge the flawed manner in which he became head of state, to promise new elections, to seek accountability for the violence, or to take adequate steps to ensure that, under his leadership, Côte d'Ivoire would be characterized by the rule of law, not by ethno-religious tension and military impunity.

The October 27, 2000, discovery of the bullet ridden bodies of fifty-seven young men in a forest on the outskirts of Abidjan, which became known as the Charnier de Yopougon (the mass grave of Yopougon, the name of a suburb near the forest) became the icon of the election violence and a test of President Gbagbo's ability and will to control the security forces implicated in the massacre. The majority of those killed, thirty to forty, had been detained as suspected RDR supporters within the Gendarme Camp of Abobo, located in one of Abidjan's most densely populated and pro-RDR neighborhoods. They were gunned down on October 26, apparently as an impulsive reaction by at least two gendarmes to the news that a gendarme lieutenant had been killed by RDR supporters. A subsequent operation to dispose of the bodies was premeditated and under more senior command. During this operation, some thirty gendarmes detained several young men as porters to carry the dead and wounded, transported them with the bodies in a convoy of one truck and two jeeps, and later executed them in the forest.

Around the time of this massacre, there were scores of other extrajudicial executions, as well as numerous

“disappearances,” sexual violence, hundreds of cases of torture, and the wanton destruction of property. The victims of these attacks were, before General Guei’s flight, members both of Gbagbo’s FPI and of Ouattara’s RDR; once Guei had left the country, suspected members of the RDR, foreigners, and Muslims were the main victims. All the abuses went largely uninvestigated, with little hope of justice for the victims.

President Gbagbo should have firmly brought the state security forces under control after assuming the presidency while taking steps to bring the perpetrators of the atrocities of October’s state-sponsored violence to justice. However he failed to do so.

The December parliamentary elections were characterized by a further breakdown in the rule of law as state agents and their political supporters, encouraged by the impunity they enjoyed, perpetrated similar and in some cases worse acts of violence. While there were fewer killings, there were more cases of arbitrary detention, sexual violence, and religious persecution. Also, by December, the relationship between the security forces and the youth wing of Gbagbo’s party had consolidated, with the latter enjoying complete immunity, even when they committed atrocities in the presence of gendarmes and police.

Although President Gbagbo did not initiate the descent into violence, for which General Guei must bear primary responsibility, he continued to use the same methods of incitement and ethnic polarization, and has failed to take credible steps to bring to justice the perpetrators of violent human rights crimes or to ensure that such abuses cannot be repeated.

The state security forces—working first on behalf of military dictator General Robert Guei and, after he fled the country, on behalf of President Laurent Gbagbo—were responsible for the vast majority of serious abuses in both October and December. Within the security forces, the police and paramilitary gendarmes were most directly involved. The regular army largely stayed in its barracks apart from the Presidential Guard, most notably its elite Red Brigade, which committed abuses against protesters prior to the flight of General Robert Guei. Almost all of the reported killings by the security forces appeared to have been deliberate: in many cases there was evidence killings had been planned.

Following the flight of General Guei, the youth wing of the FPI and vigilantes from ethnic groups aligned with President Gbagbo, including his own Bete ethnic group, often worked in coordination with and enjoyed the clear support of the security forces. These state-sanctioned civilian forces were also responsible for serious abuses including rape and murder.

Victims were overwhelmingly presumed supporters of the RDR, which draws heavily on support from the largely Muslim north. Ivorians from the Dioula ethnic group in the north, Muslims, and foreigners were victimized for their perceived support for the RDR. Supporters of the RDR had taken to the streets, in often violent protests, to demonstrate against the disqualification of their leader, Alassane Ouattara, from running, first in the October presidential elections and later in the December parliamentary contest. As the violence took on religious and ethnic dimensions, security forces began targeting civilians less on the basis of their political affiliation than solely and explicitly on the basis of their religion, ethnic group, and/or perceived nationality.

The violence surrounding the elections was founded on a trend in political discourse in which the concept of citizenship was central. Three successive presidents—Bédié, Guei, and Gbagbo—made the issue of nationality central to their parties’ political platforms. Since 1995, when President Bédié first invoked a conception of “Ivoryité,” or “Ivorian-ness,” there have been several outbreaks of violence against foreigners. An estimated 26 percent of the population of Côte d’Ivoire is made up of immigrants, primarily from Burkina Faso, Guinea, Mali, Nigeria, and Niger. The agricultural sector is heavily reliant upon their labor. In 1999, tensions between ethnic Krumens from south-west Côte d’Ivoire and Burkinabé farmers, who for decades have been farming the coffee, cocoa, and palm nut plantations, resulted in the expulsion of some 8,000 to 12,000 Burkinabés.¹ Nationalist

¹ Radio France International, Paris, November 26, 1999.

political fervor stoked by politicians has turned popular sentiment in some constituencies against foreigners and, more recently, against northern Ivorians coming from areas bordering Burkina Faso, Guinea, and Mali.

A January 7, 2001 coup attempt against President Gbagbo's government once again set off a frenzy of attacks against foreigners, when the president implicated foreign nationals from Burkina Faso in the attempt. Following harassment, attacks, and extortion both by vigilante groups and by members of the state security forces, tens of thousands of foreigners, mostly Burkinabés, fled Côte d'Ivoire.

The level of seniority of officers within the state security corps involved in the perpetration of human rights abuses is a cause for concern. Victims often described the presence of officers during operations in which serious abuses were committed and in apparent command. There is no doubt that high-ranking officers were in charge of six army, police, and gendarme bases where hundreds of detainees were tortured. Former detainees often described the presence of officers within police and gendarme bases and of their overseeing and directing the abuse or doing nothing to stop it. Paramilitary gendarmes within the National Gendarme Academy raped women within an open area, and witnesses identified, through their insignia, at least seven officers within the National Police Academy who were involved in sexual abuse of several women. Other officers stepped in to halt some abuses or attempted to do so.

Witnesses frequently described signs of a breakdown of command, in which officers and soldiers argued over whether certain abuses should be committed, or soldiers committed abuses after officers had ordered them not to. Numerous witnesses described an informal realignment of military authority based on ethnicity, instead of seniority. Soldiers and lower officers from President Gbagbo's Bete ethnic group were said to have disobeyed orders from or argued with senior officers originating from other ethnic groups.

Following a flood of international condemnation, Côte d'Ivoire pledged to conduct three official judicial investigations into the October violence: the first into the massacre of fifty-seven men on October 26 (the Charnier de Yopougon); the second into the killing of eighteen people whose bodies were found floating in the Ébrié Lagoon on October 25 and 26; and the third into the case of at least six men found murdered within Blokosso neighborhood on October 26.

After local and international human rights groups denounced sexual violence perpetrated against women by government forces and state-sanctioned vigilantes and the widespread torture of detainees during the December wave of violence, one official inquiry into rape was conducted but no follow-up action was taken.

Despite overwhelming evidence against members of his security forces and repeated pledges by President Gbagbo to punish individuals responsible for human rights abuses, not one member of the security forces has been arrested and convicted in relation to the incidents of late 2000. In April 2001, eight paramilitary gendarmes were charged with murder in connection with the massacre of the Charnier de Yopougon. They included then Captain Victor Be Kpan, who commanded the gendarme Camp of Abobo where the initial killings occurred, and who was promoted to major after the October election violence. None of the eight, who all denied any involvement in the killings, were arrested or taken into custody. The trial began on July 24, 2001 before a military tribunal inside the gendarmerie's Agban Camp, and on August 3, 2001, all eight gendarmes were acquitted. The judge ruled that the prosecutors had failed to produce sufficient evidence directly linking the gendarmes to the killings. The two survivors of the massacre refused to testify in the trial, citing fears for their safety.

Two brothers, both civilians, were the only people in detention in connection with the election violence; they were arrested in connection with the October 26, 2000, killing of gendarme Lt. Nyobo N'Guessan and were, at this writing, still awaiting trial. Otherwise, President Gbagbo has responded to calls for accountability by making a series of symbolic gestures such as the establishment of a twenty-six member committee to promote national reconciliation, and the designation of November 9, 2000, as a national day of prayer for those killed in the October violence.

While the international community condemned both the violence surrounding the elections and the lack of full

participation in the democratic process, there have been inadequate calls for justice and accountability, except with respect to the massacre at Yopougon. One exception was the decision of the United Nations to establish an international commission of inquiry into the October violence. The commission, which spent two months in Côte d'Ivoire, concluded that serious and systematic human rights violations, which often took on an ethnic dimension, took place during both the October and December election periods. It concluded that members of the security forces, particularly the gendarmes, were responsible for serious violations including the massacre at Yopougon. The commission recommended that those responsible for human rights violations be punished, that further investigations into cases of torture and ill-treatment be carried out, and that the fight against the longstanding culture of impunity within the security forces constitute a top priority for the Ivorian authorities.

The future of Côte d'Ivoire is in the balance. The much anticipated 2000 elections which were meant to restore the country to democratic rule served to expose both how firmly military impunity had taken root, and how frail democratic foundations had become. The political and social climate remains volatile and characterized by intolerance, xenophobia, and suspicion. The shocking brutality that permeated the election period was the fruit of a dangerous policy of manipulating ethnicity for political gain. Whether the fault-lines of ethnic and religious mistrust exposed during the elections cut deeper into the fabric of Ivorian society, or begin to heal, depends largely on the restoration of the rule of law. The abuses described in this report must be addressed by both the Ivorian government and international community, not with denial and impunity and symbolic gestures, but instead with concrete action.

Human Rights Watch calls on President Gbagbo to direct the justice ministry to promptly investigate, prosecute, and punish those responsible for violations of human rights. He must ensure that the security forces work for the protection of all Ivorians and foreigners; not just those citizens loyal to his ethnic group or political party. He must put an end to military impunity and take concrete actions to create a society based on tolerance, social equality, and the rule of law. The international and donor community must use all means possible to press for respect for human rights. To do otherwise will only serve to bring the feared violence and lawlessness of its troubled neighbors ever closer.

Key Findings

Killings By Members of the Security Forces

In both the October and December waves of violence, members of the security forces gunned down demonstrators, and rounded up opposition supporters and foreigners who they later executed in ditches, fields, in their homes, and within a gendarme base. Members of the paramilitary gendarmes were responsible for the majority of the killings, including those of the fifty-seven men whose bodies were found in the Charnier de Yopougon, and several smaller group killings. Some 170 people died as a result of the October violence, and Human Rights Watch documented forty-two deaths, of which thirty-six were perpetrated by the Security Forces, during the December events.

Scores of political protesters from all parties were killed when gendarmes, police, and, before the flight of General Guei, the Presidential Guard, indiscriminately opened fire on them as they gathered in their neighborhoods or marched through the streets. On October 24 and 25, the elite Red Brigade within the Presidential Guard opened fire on thousands of demonstrators primarily from the FPI, who had taken to the streets to protest General Guei's annulment of the election. The FPI estimated that approximately sixty of its supporters were killed. At least eighteen bodies later found floating in the Ébrié Lagoon were people thought to have been killed when the Presidential Guard opened up on demonstrators attempting to cross a bridge leading into the city center.

Much of the killing by the gendarmes in October and December took place in reprisal for the death of one of their members in the clashes. In October, after news spread of a gendarme lieutenant killed while patrolling through the Derrière Rail neighborhood of Abobo, gendarmes from the Gendarme Camp of Abobo went on a killing spree, hunting down and killing some twenty young men they targeted for being RDR supporters, foreigners, or Muslims. In December, a gendarme was killed during clashes with RDR protesters in the Port

Bouet II neighborhood of Yopougon. In response gendarmes and police gunned down at least thirteen demonstrators, and later swept through the street with bottles of gasoline setting businesses, houses, and cars on fire. At least three people, including two children, died.

Sexual Abuse

Both male and female detainees were subjected to sexual abuse and humiliation while in the custody of the gendarmes and police, or by supporters of the FPI in the presence of security forces. Human Rights Watch documented the cases of seven men whose genitals were beaten and/or burned, of eleven women who had been raped, and at least twelve other women who had been penetrated with objects, beaten in the genital area, or sexually humiliated. There was considerably more sexual abuse against women during the December wave of election violence than in October.

In early December, four women detained within the National Gendarme Academy were repeatedly gang-raped for two days. Several women were also gang-raped by some ten gendarmes and later by several militant FPI youths on the grounds of a technical institute in Cocody. Police cadets and officers within the National Police Academy subjected six women detainees to degrading treatment and in at least three cases forced women to lie naked in front of a group of officers who then inserted sand and police truncheons into their vaginas. One of these women was in the early stages of pregnancy and suffered a miscarriage during her days in detention.

Detention and Torture by Members of the Police and Gendarmerie

After detaining hundreds of RDR militants, Muslims, and foreigners, the police and gendarmes routinely used extreme forms of brutality and torture, resulting in the deaths of several young men. At least fifteen young men “disappeared” after detention. Numerous mid-and high-level RDR activists were tortured and later imprisoned without due process. Hospital and clinic workers reported treating hundreds of victims for lacerations, broken bones, burns, concussions, and head fractures sustained while in custody.

Civilians were detained after being stopped on the street and asked for their identification, dragged out of their homes and workplaces, or seized while participating in demonstrations. Scores of civilians who were uninvolved politically were captured exclusively and explicitly on the basis of ethnicity, religion, or their perceived nationality.

Scores of detainees were beaten with iron bars, electrical cable, ropes, belts, truncheons, chains, dog collars, bike chains, gun butts, and tree branches; burned with cigarettes, pieces of burning plastic, irons, and scalding pan lids; doused with cold water and forced to swim in dirty open sewers; forced to walk back and forth on their knees; made to lie under and look into the sun; forced to walk on burning clothes and tires; tear-gassed at close quarters and sprayed in the eyes, mouth, and genitals with tear gas and mace; forced to fight with each other, eat excrement, and drink their own blood, and threatened with death or subjected to mock executions. The most notorious centers for detention were the National Police Academy, the National Gendarme Academy, and the Agban Gendarme Camp.

“Disappearances”

While Human Rights Watch documented no cases of “disappearance” following the December violence, at least fifteen civilian men, including several foreigners, were captured or last seen and believed to be in custody around the time of the October elections and remain unaccounted for, “disappeared.” Most of those who have “disappeared” were detained at their home or in their immediate neighborhood by men in uniform. In Abobo, nine Dioula men, most from the same extended family, were detained by police and taken away in a public transport vehicle. In Treichville, a wounded man discharged from a hospital never returned home and was believed to have been taken into custody. In Derrière Rail, a twenty-eight-year-old man was dragged from his home by gendarmes in front of his mother. In Abobo, a twenty-five-year-old man from Burkina Faso was captured by a uniformed policeman and two armed men in civilian dress and has never been found. Hospital workers and morgue attendants described repeated visits by family members trying to locate their loved ones. The badly decomposed, unclaimed, and unidentified bodies of forty-five victims of political violence were buried in Abidjan in the evening hours of April 1, 2001, and were speculated to include some of those classified as

“disappeared.”

Assaults and Threats on Wounded and those Assisting the Wounded

On numerous occasions, gendarmes, police, and FPI supporters impeded the work of local Red Cross and other medical personnel trying to treat and evacuate the wounded. In October, a private car carrying a wounded Dioula youth and his doctor was stopped by a mob of FPI supporters in Gbagbo T-shirts. The mob beat up all the occupants, including the wounded man and his doctor, and later set fire to the car. In December, an ambulance carrying five wounded RDR supporters was stopped in Cocody by some twenty gendarmes backed up by a large group of FPI supporters. The gendarmes ordered the wounded to get out of the ambulance, threatening to kill them and the ambulance personnel if they refused to do so. One of the women patients was then dragged away and raped by at least two of the FPI youths in full view of the gendarmes. In at least three other instances, gendarmes and police detained Red Cross ambulances and threatened to kill the wounded RDR supporters inside. At least one government hospital refused to treat wounded RDR supporters.

Religious Persecution

Several mosques were attacked and burned by FPI mobs, while others were the object of police and gendarme round-up operations. Muslims were often targeted for detention and in some cases extrajudicially executed on account of their religion. Once in detention Muslims were often insulted and forced to break Muslim rules. This was particularly true in December during the holy month of Ramadan. A few churches also came under attack by RDR mobs, resulting in destruction and loss of property.

In October, the Aicha Niangon-Sud mosque in Yopougon was completely destroyed after being attacked by some 200 FPI youths. The police called to protect the mosque arrested the thirty-three Muslims who had remained inside and then stood by while the mosque was ransacked and burned.

In December, seventy-four Muslims and their imam who had gathered for afternoon prayers in the Avocatier mosque were rounded up and detained for several days within the National Police Academy of Cocody. In a similar operation, some twenty-five Muslims and their imam were arrested by police as they inspected the damage caused to the Sofogia Mosque after it was burned by a FPI mob shortly before.

While in detention, groups of Muslims were doused with urine and dirty water, forced to break their fast, refused the right to pray, or told to pray and then beaten as they bowed down. Elderly Muslims and imams were forced to pull out their facial hair and watch as sacred Korans were destroyed by police.

Mob Violence

Fighting between rival militants from the FPI and RDR parties resulted in numerous deaths. With militants from both sides armed with wooden sticks, machetes, iron bars, nail studded clubs, rocks, and in a few cases hunting and automatic rifles, political protests turned into pitched battles between militants of both sides, and degenerated into ethnic and religiously motivated mob violence. In many cases, paramilitary gendarmes and police actively sided with FPI mobs or stood by while they committed serious abuses such as rape and murder. While militants from the FPI and RDR spontaneously took to the streets, their leaders did little to try to rein in their supporters.

The most serious of these attacks occurred in October within Blokosso neighborhood, an opposition stronghold inhabited by ethnic Ébriés from the south. During the attack a mob of opposition supporters killed at least six unidentified young men. In Yopougon, FPI supporters burned alive a Muslim man. In Anonkoua, another Ébrié neighborhood, a man in a Muslim robe was attacked with a hammer and seriously wounded, and a carpenter of Malian descent on his way home from work lost his left leg and was blinded after a brutal attack. In December, an RDR supporter who had fled into the neighborhood to escape gunfire was hacked to death by Ébrié youths in full view of at least three gendarmes.

In October, RDR supporters in Anyama burned alive a civil servant, beat up FPI supporters, looted homes, and ransacked a local market. In Abobo, groups of RDR supporters forced their way into the homes of opposition

supporters and went through the streets looking for and brutalizing non-Dioulas. In December a large group of RDR supporters cut the throat of a municipal treasury official in Treichville.

II. RECOMMENDATIONS

To the Government of Côte d'Ivoire:

- Publicly acknowledge and condemn the unlawful killings and other abuses committed against peaceful demonstrators, members of the opposition, northerners, foreigners, and others distinguished by their religion or ethnicity.
- Implement the U.N. investigative team's recommendations and submit to the competent prosecutorial authorities information submitted by the U.N. mission.
- Establish an independent judicial inquiry into: (1) the violence surrounding the October presidential and December parliamentary elections and (2) violence against northerners and foreigners, with a mandate to make recommendations for prosecutions and for steps to take to prevent a recurrence of similar violence.
- Suspend from active duty, investigate, and where appropriate prosecute any member of the security forces against whom there are allegations of torture and ill treatment, including sexual abuse, unlawful detention and "disappearance," and unlawful killings.
- Desist from using the youth wing of the FPI and student groups for security functions reserved for the police and paramilitary gendarmes, and investigate and prosecute where appropriate members of any such group against whom there are allegations of breaking the law or human rights abuses.
- Promptly make public the results of two judicial investigations promised following the October violence into the killing in Blokosso neighborhood and concerning the eighteen bodies removed from the Ébrié Lagoon.
- Immediately charge with a recognizable criminal offense or release all detainees; those charged should be tried promptly and in accordance with international standards of due process.
- Invite the U.N. special rapporteurs on extrajudicial, summary, or arbitrary executions and enforced disappearance to visit Côte d'Ivoire and prepare reports on the situation in that country for submission to the 58th session of the Commission on Human Rights.

To the United States, France, the European Union, and International Financial Institutions:

- Call publicly and privately on the Ivorian government to investigate and prosecute where appropriate all allegations of human rights abuse in connection with the October and December 2000 elections.
- Condition balance of payments support to Côte d'Ivoire on credible efforts to investigate and prosecute serious human rights abuses and on improved respect for human rights, the rule of law, and democratic principles.
- Refuse all military or police assistance to the Ivorian government until accountability for reported abuses by the security forces has been established
- In designing development assistance, make programs for the strengthening of the Ivorian judiciary and other institutions essential to the rule of law a priority.
- Put diplomatic pressure on the government of Côte d'Ivoire to fully comply with the recommendations of the U.N. commission of inquiry.
- Support Ivorian civil society organizations in their efforts to promote and protect human rights and support freedom of the press in Côte d'Ivoire.

To the United Nations:

- Offer the assistance of the U.N. Office of the High Commissioner for Human Rights to implement the recommendations made by the commission of inquiry.
- Ensure all existing U.N. programs in Côte d'Ivoire contain a strong human rights element and provide for ongoing monitoring of the current ethnic and religious tension.
- 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.

To the Economic Community of West African States and the Organization of African Unity:

- Press for accountability for the human rights violations that have taken place in Côte d'Ivoire since October 2000.
- Increase the level of attention given to the volatile human rights situation, and violence against foreigners and others distinguished by their religion or ethnicity in Côte d'Ivoire.
- Make the human rights situation an agenda item at the yearly meeting of the OAU and during regular meetings with ECOWAS.
- Request the African Commission on Human and Peoples' Rights to follow its recent promotional visit to Côte d'Ivoire with a fact-finding mission into the election violence and ongoing human rights abuses and to make a written report of such an investigation available to the public, and provide funds for such an investigation.

III. BACKGROUND

For over three decades after its independence from France in 1960, Côte d'Ivoire was a country in which people of different religions and ethnic groups, including millions from neighboring West African countries coexisted in relative harmony. Potential religious and ethnic tension was largely smoothed over by Côte d'Ivoire's first President, Félix Houphouët-Boigny, a Catholic, who ruled through his Democratic Party of Côte d'Ivoire (*Parti Démocratique de la Côte d'Ivoire*, PDCI) until his death in 1993. During over three decades of Houphouët-Boigny's rule, the economy of Côte d'Ivoire, the world's leading producer of cocoa, was one of Africa's strongest, and attracted immigrants from around the West African sub-region. Politically, it was considered a pillar of stability in a region plagued by wars, though challenges to the one-party rule of the PDCI increased as the economic situation worsened in the 1980s. After opposition parties were legalized in 1990, security forces were increasingly deployed against dissenters from PDCI rule.

Houphouët-Boigny was succeeded by Henri Konan Bédié in 1993, the then PDCI speaker of the National Assembly. Bédié, who was elected president in 1995, was also a Catholic from the same Akan ethnic group. During Bédié's six-year rule, his government was plagued by allegations of corruption and bad governance, which resulted in the International Monetary Fund, World Bank, and the European Union all suspending economic aid in 1998.²

As President Bédié grew increasingly unpopular, he sought to eliminate potential political rivals. Unlike Houphouët-Boigny, who encouraged immigration and included Muslims in his government, Bédié fomented ethnic and religious mistrust through his own breed of nationalism which came to be known as "Ivoryité" or "Ivorian-ness." Prior to the 1995 presidential race Bédié stirred up xenophobia aimed at undermining the person he perceived to be his biggest potential political rival, Alassane Ouattara. Ouattara had been prime minister under Houphouët-Boigny and later headed the Rally of Republicans party (RDR), which draws heavily on support from the largely Muslim north. Bédié insisted Ouattara was not a native Ivorian but was instead from neighboring Burkina Faso. After Bédié questioned Ouattara's nationality and ultimately barred his candidacy from the 1995 elections on the grounds that he was not entitled to Ivorian citizenship, Ouattara and the RDR withdrew from the race and Bédié was reelected.

On December 24, 1999, soldiers disgruntled over low pay seized power from President Bédié and asked General Robert Guei, Bédié's chief of staff, to lead the rebellion. After taking power, Guei formed a broad-based junta which included ministers from leading opposition parties, including the RDR and Laurent Gbagbo's Ivorian Popular Front (FPI), and pledged to clean up corruption and rewrite the constitution. While the mostly bloodless coup was welcomed by many Ivorians who had grown weary of the increasing levels of corruption under Bédié's regime, it shook Côte d'Ivoire's reputation as a regional pillar of stability.

By July 2000, it became clear that General Guei had political ambitions and that he, too, was ready to foment ethnic and religious differences in order to eliminate political rivals. In late July, a flawed constitutional

² "Political Upheavals Expose Ivory Coast's Economic Weaknesses," AFP January 17, 2001

referendum was held, which, among other things endorsed amendments setting new, stricter eligibility requirements for contesting public office.³ Under the new constitution, both parents of anyone wishing to contest the presidential election had to have been born in Côte d'Ivoire.

Ouattara and other candidates contested the new requirements, but on October 6, 2000, a controversial Supreme Court decision disqualified fourteen of the nineteen presidential candidates, including Ouattara, on citizenship grounds, and former president Bédié, for not submitting a proper medical certificate. The Supreme Court, which had in 1999 been dissolved following the coup, was widely believed to have been hand picked by Guei himself.

On October 22, 2000, presidential elections were held. After early results showed Laurent Gbagbo, the FPI's candidate, leading in the polls, General Guei dissolved the National Electoral Commission and proclaimed himself the winner. On October 24, 2000, tens of thousands of protesters from several political parties took to the streets and descended on the city center. President Guei's elite Presidential Guard opened fire on demonstrators, killing scores. On October 25, 2000, after the military and police abandoned him, General Guei fled the country and Gbagbo declared himself president.

On October 26, 2000, as supporters of Gbagbo's FPI party celebrated the swearing in of their new president, Ouattara's RDR once again took to the streets, this time demanding fresh elections on the grounds that Ouattara and other candidates had been arbitrarily barred from running. The bloody clashes which ensued were characterized by religious and ethnic tensions as security forces and civilians supporting President Gbagbo clashed with the mostly Muslim northerners who form the core of support for the RDR. The RDR's call for new elections was backed by the United States (U.S.), South Africa, the United Nations (U.N.), and the Organization of African Unity (OAU).

As Ouattara and the RDR prepared to participate in the December 10, 2000 parliamentary elections, a November 30, 2000, Supreme Court decision again barred Ouattara from standing, again because of questions about his citizenship. In response, the RDR called for a boycott of the elections, took to the street in protest, and later disrupted voting in many areas in the north. After bloody clashes broke out following a protest rally on December 4, 2000, President Gbagbo imposed a curfew and state of emergency. The decision to disqualify Ouattara from standing was condemned by the U.S., the OAU, and the European Union (E.U.), which all subsequently suspended plans to send or withdrew their election monitoring teams.

The parliamentary election went ahead in all but twelve northern districts where polls for twenty-seven seats were disrupted by RDR supporters protesting the Supreme Court's ruling. There were several reports of destruction of ballot boxes and attacks upon election officials. Elections in these districts were later held without incident on January 14, 2001. The ruling FPI party won a slight majority, with ninety-six seats, followed by the former ruling party, the PDCI, which won ninety-four seats. After boycotting the parliamentary contest, the RDR did participate in February 25, 2001 national municipal elections where they won the majority of council seats, sixty-three, followed by the PDCI, which won sixty, and the FPI, who with thirty-three.

In addition to the military coup of December 1999, military mutinies in April and July 2000, an armed attack on General Guei's residence in September 2000, and a January 7, 2001, attempted coup attempt against President Gbagbo further undermined Côte d'Ivoire's reputation for political stability and damaged the economy.

³The Constitution of Ivory Coast, Chapter III as amended in 2000, stipulates: The President of the Republic and the Government, Article 35: The candidate for the presidency must.... be of Ivorian origin, born of father and mother who are also of Ivorian origin. He must never have renounced his Ivorian nationality, nor have ever claimed he was of another nationality. (In French: "Il doit être ivoirien d'origine, né de père et de mère eux mêmes ivoiriens d'origine. Il doit n'avoir jamais renoncé à la nationalité ivoirienne. Il ne doit être jamais prévalu d'une autre nationalité.")

IV. CÔTE D'IVOIRE'S OBLIGATIONS UNDER INTERNATIONAL LAW

The acts of violence perpetrated by the Ivorian state security forces during the October and December 2000 election periods violated the provisions of international human rights instruments to which Côte d'Ivoire is party. These include the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT),⁴ International Convention on the Elimination of All Forms of Racial Discrimination (CERD),⁵ the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW),⁶ and the International Covenant on Civil and Political Rights (ICCPR).⁷

The brutality of the methods used by the security forces in the torture and ill-treatment of hundreds of detainees during the election violence, including sexual abuse of both men and women, clearly violated the Convention against Torture, which Côte d'Ivoire ratified in 1995. Article 2 of the convention states that, "no exceptional circumstances whatsoever, whether a state of war or a threat of war, internal political instability or any other public emergency, may be invoked as a justification of torture." The imposition of a state of emergency, such as that invoked in Côte d'Ivoire on December 4, 2000 prior to the parliamentary elections, can not, according to this article, justify any use of torture, nor is "an order from a superior officer or a public authority" admissible as a justification for torture. Article 4 of the convention establishes that the States Parties must outlaw any act of torture in their national legislations, and introduces the obligation by the States Parties to prosecute perpetrators of torture and take legislative, administrative, judicial or other measures, such as education, aimed at the prevention of torture. Furthermore, article 14 states that State Parties must ensure that victims can obtain redress, and have the right to compensation, including rehabilitation.

During the 2000 elections, the Ivorian Government incited hatred and fear, and exploited ethnic and religious divisions in order to achieve political gain. The state security forces, which were utilized by the government to repress political opposition, committed hundreds of violations against members of minority ethnic groups, foreigners, and Muslims in general, including extrajudicial executions, rape, and unlawful detention. These acts were in flagrant violation of the Ivorian government's obligations under the International Convention on the Elimination of All Forms of Racial Discrimination (CERD), which Côte d'Ivoire ratified in 1973.

As a party to CERD, the Ivorian government is obliged, under article 2, to "condemn racial discrimination and undertake to pursue by all appropriate means and without delay a policy of eliminating racial discrimination in all its forms." Furthermore, each State Party undertakes "to engage in no act or practice of racial discrimination against persons, groups of persons or institutions and to ensure that all public, authorities and public institutions, national and local act in conformity with this obligation." States Parties further commit themselves, "not to sponsor, defend or support racial discrimination by any individuals or organizations."⁸

Under article 6 of the CERD, the Ivorian government is obliged to "adopt immediate and effective measures, particularly in the fields of teaching, education, culture and information, with a view to combating prejudices which lead to racial discrimination and to promoting understanding, tolerance and friendship among nations and

⁴ Adopted and opened for signature, ratification and accession by United Nations General Assembly resolution 39/46 on December 10, 1984. Entered into force on June 26, 1987 in accordance with article 27 (1). Côte d'Ivoire ratified CAT on December 18, 1995.

⁵ Adopted and opened for signature, ratification, and accession by United Nations General Assembly resolution 2106 A (XX) on December 21, 1965. Entered into force on January 4, 1969 in accordance with article 19. Côte d'Ivoire ratified CERD on January 4, 1973.

⁶ Adopted and opened for signature, ratification, and accession by United Nations General Assembly resolution 34/180 on 18 December 1979. Entered into force on 3 September 1981 in accordance with article 27(1). Côte d'Ivoire ratified CEDAW on December 20, 1995.

⁷ Adopted and opened for signature, ratification, accession by United Nations General Assembly resolution 2200 A (XXI) on December 16, 1966. Entered into force on March 23, 1976 in accordance with article 49. Côte d'Ivoire ratified ICCPR on March 26, 1992.

⁸ CERD, Article 2.

racial or ethnical groups.” Instead of targeting individuals for persecution on the basis of nationality, ethnicity, or religion, as was the case during the election period, the Ivorian government, under article 5, is obliged to undertake to eliminate all forms of discrimination and guarantee equality before the law, irrespective of ethnic origin or nationality. Included in this are the rights to equal treatment before tribunals, the right to security of persons and protection by the state against violence or bodily harm. In contrast to the use of state controlled media to promote ethnic division and suspicion, article 4 obliges all States Parties to condemn all propaganda based on ideas of superiority of one race or ethnic group.

Through its ratification of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) in 1995, Côte d’Ivoire assumed the obligation to protect women from sexual and other forms of gender-based violence perpetrated by state agents and private actors alike. While gender-based violence, such as rape, was not explicitly addressed in the convention, an authoritative interpretation in 1992 by the U.N. Committee on the Elimination of Discrimination Against Women (CEDAW Committee), established that “[g]ender-based violence is a form of discrimination which seriously inhibits women’s ability to enjoy rights and freedoms on a basis of equality with men.”⁹

The International Covenant on Civil and Political Rights (ICCPR) is the most comprehensive international human rights instrument ratified by Côte d’Ivoire. Côte d’Ivoire ratified the ICCPR in 1992. All States Parties undertake to provide for a broad range of fundamental human rights; many of which were violated during the period of election violence. The scores of extrajudicial executions perpetrated by the security forces was in clear violation of the inherent right to life, guaranteed under article 6, which states that, “[t]his right shall be protected by law. No one shall be arbitrary deprived of his life.” The unlawful detention of hundreds of individuals, deprived of their liberty solely and explicitly on the basis of their religion, ethnicity, or nationality, was in clear violation of article 9 of the ICCPR which asserts that “[n]o one shall be subjected to arbitrary arrest or detention.” Broad due process obligations are articulated within articles 9, 14, and 15 including the right to be informed of the reasons for arrest, to be brought promptly before a court of law, and to have legal representation. All States Parties have the obligation to ensure that, “[a]ll persons deprived of their liberty shall be treated with humanity and with respect for the inherent dignity of the human person.” The inhuman treatment to which hundreds of detainees were subjected during the election period was in clear violation of article 7, which states that, “no one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.” Under article 9, States Parties agree that all victims of unlawful arrest or detention “shall have an enforceable right to compensation.”

While not legally binding, the Declaration on the Protection of All Persons from Enforced Disappearance, passed by the United National General Assembly in 1982, affirms the gravity of the act of “disappearance.” The declaration commits states to prevent the practice of forced disappearance, conduct investigations into allegations of “disappearance”, and punish offenders. Article 5 defines all acts of enforced disappearances as a criminal offence and renders state authorities which “organize, acquiesce in or tolerate” it liable under civil law. Articles 6 and 7 clarify that no civilian, public or military order or, threat of war, internal political instability or public emergency may be invoked to justify enforced disappearance. Article 10 commits states to hold all detainees in officially recognized places of detention, to keep accurate information on them including their places of detention and transfers, and to make this information available to family members and counsels. Lastly, article 13 lays out principles to ensure investigation of complaints of forced disappearances by a competent and independent state authority.

The principles enshrined in the Effective Prevention and Investigation of Extra-legal, Arbitrary and Summary Executions, adopted by the United National Economic and Social Council in 1989,¹⁰ establish important principles not only on the prevention and protection of potential victims, but also about the way an investigation into any such allegation must be conducted. While the principles are not legally binding they provide authoritative

⁹ United Nations, Committee on the Elimination of Discrimination against Women, “Violence Against Women,” General Recommendation No 19 (Eleventh session, 1992), CEDAW/C 1992/L.1/Add.15, para.1.

¹⁰ Effective Prevention and Investigation of Extra-Legal, Arbitrary and Summary Executions, Resolution 1989/65, 15th Plenary Meeting, May 24, 1989.

guidance to States as to how to deal with the phenomenon of extra-legal, arbitrary or summary executions. Article 1 establishes that all extra-legal, arbitrary and summary executions are punishable offences, irrespective of a state of war or political instability. In article 2, states commit in principle to prevent these executions by, in part, ensuring “strict control, including a clear chain of command, over all officials responsible for apprehension, arrest, detention, custody and imprisonment as well as those officials authorized by law to use force and firearms.” When family members or other credible bodies report cases of alleged extrajudicial executions, governments commit to conduct thorough, prompt, and impartial investigations of suspected cases, abiding by the guidelines sent out in articles 9 –17. Article 18 commits governments to ensure those identified by an investigation as having participated in extra-legal, arbitrary or summary executions are brought to justice, and article 19 asserts that under no circumstances, including a state of war, siege or public emergency, shall blanket immunity from prosecution be granted.

V. THE OCTOBER PARLIAMENTARY ELECTIONS

After RDR leader Alassane Ouattara and several other candidates were excluded from running in the October 22, 2000, presidential elections, only two serious contenders—the incumbent president, General Robert Guei, and FPI candidate Laurent Gbagbo—were left to stand.

In the afternoon of October 23, 2000, after preliminary results showed Gbagbo leading by a significant margin, security forces marched into the National Electoral Commission (*Commission Nationale Electorale*, CNE) and stopped the count. Journalists were removed at gunpoint. On October 24, an election official announced on national radio and television that the CNE had been dissolved and that General Guei had won the presidential contest with 56 percent of the vote.¹¹

For weeks prior to the election Gbagbo had warned that if the election were stolen his supporters would take to the streets in protest. On the afternoon of October 24, 2000, shortly after Guei declared himself president, Gbagbo had a press conference in which he condemned the annulment and called on his supporters to take to the streets in protest. “I demand that in every town and in every neighborhood of Cote d’Ivoire, Ivorian patriots take to the streets until their rights are recognized and until Guei backs off. From that moment, I believe that the transition government will be dissolved and will no longer have any reason to exist.”¹² As he was speaking, tens of thousands of FPI supporters from throughout greater Abidjan had already started to flood into the streets. While some members of other parties, including the RDR and PDCI also marched, the protesters on October 24, 2000, were overwhelmingly supporters of the FPI.

As they arrived at the city center and national television station, military forces loyal to General Guei, particularly the Red Brigade, an elite unit within the Presidential Guard, opened fire directly into the crowds with little or no warning. Thousands of protesters on their way into Abidjan’s central Plateau District were fired on as they attempted to cross over the Houphouët-Boigny Bridge, and in some cases after having jumped into the water of the Ébrié Lagoon to escape the gunfire. Others were shot as they attempted to cross to safety in boats. Many of those who were forced to jump into the lagoon later drowned. At least eighteen bodies, including those of several adolescents, were later found in the lagoon.

On October 24, 2000, a thirty-two-year-old FPI leader was on the Houphouët-Boigny Bridge with thousands of other protesters when soldiers from the Red Brigade opened fire, forcing demonstrators to jump into the lagoon. He recounted:¹³

As we marched the demonstration grew and grew; we were in our hundreds if not thousands. As we entered the bridge I could see about forty military men lined up on the other side. We sat

¹¹ “Ivory Coast,” in U.S. Department of State, *Country Reports on Human Rights Practices 2000* (Washington, D.C, U.S. Department of State, Bureau of Democracy, Human Rights and Labor, February 2001).

¹² Television footage of Press Conference with Gbagbo, Reuters, October 24, 2000.

¹³ Human Rights Watch interview, Abidjan, November 6, 2000.

down for a while on the bridge and started singing and chanting pro-Gbagbo slogans to show them we wanted to have a peaceful demonstration. The military started launching tear gas at us and we threw it back at them.

Then I heard the military screaming ‘GO!’ At first I thought they were about to fire more teargas, but then I heard gunfire and realized they were shooting at us. People started to run helter-skelter. A lot of people jumped into the water to escape—they couldn’t run backwards, couldn’t run forwards. There was no place to go. Then I saw several soldiers firing at the people who’d jumped into the lagoon.

Several people near me were hit. I took off running with some others but six soldiers, including one in civilian dress, chased us for some minutes through the streets—firing the whole time. All of a sudden I felt pain and saw blood running down my leg. Then the guy next to me was hit in the back. Somehow I managed to escape and was later taken to a police station with three other wounded. The man who’d been hit next to me died shortly after.

A boat owner who witnessed what happened to the demonstrators after being chased off the bridge, and who later helped fish many bodies out of the lagoon described what he saw:¹⁴

On Tuesday, [October 24] at around 3-4:00 p.m., I saw hundreds of marchers running down to the port from the direction of the bridge. They were being shot at from all sides. Then about twenty soldiers who’d been waiting near the port intercepted them and started beating the people. They made them lie down on the ground and the soldier walked on them, kicked them, hit them with their guns and whipped them with their belts. They walked on one woman’s face and she lost her teeth.

For several hours I saw soldiers running around chasing and shooting at the demonstrators. They chased them through the streets and into the lagoon. When the soldiers weren’t looking we’d help pull them out of the water.

On Wednesday, [October 25] me and several other boat owners fished nine bodies out of the water; six men and three women. Five of them had bullet wounds, mostly on the chest and arms. Three of them were very young; around thirteen to fifteen. There was one fourteen-year-old shoeshine boy I know. His mother came and identified the body.

On Thursday morning, [October 26] we fished another nine bodies out of the lagoon and put their bodies on the dock. They were all young men. Four of them had bullet wounds and five seemed to have drowned.

Many people were killed and injured when jeeps used by the Red Brigade drove directly into the crowds in both the Plateau and Cocody Districts. At least two FPI supporters were killed after two grenades or small mortars were fired into a crowd of protesters. Numerous victims and witnesses saw the Red Brigade’s leader, Sergeant Boka Yapi, directing operations in which serious abuses were committed.¹⁵

As pressure mounted on General Guei, a few hundred mostly FPI supporters were rounded up and detained within the Presidential Palace. There, many were beaten and several, including a pregnant woman, were tortured. Many of these FPI detainees were later transferred to the Abgan Gendarme Camp or National Police Academy, where most were held for a matter of hours. The FPI detainees did not describe serious ill treatment at either facility. The widespread and in many cases severe abuse suffered by RDR supporters and of actual and suspected foreigners, who were two days later detained within the same facilities, is striking by contrast.

¹⁴ Human Rights Watch interview, Abidjan, December 15, 2000.

¹⁵ Human Rights Watch interviews with twelve victims and witnesses, Abidjan, November 4–19, 2001.

A nineteen-year-old FPI supporter jumped off the Houphouët-Boigny Bridge as the Presidential Guard opened up on a large demonstration on October 24, 2000. He described his capture and subsequent treatment while in the overnight custody of both the Presidential Guard and police:¹⁶

It was a stand off. About ten of them opened fire at us on the bridge and we had no choice but to jump into the water. They followed us as we tried to swim to shore, and we eventually had to give ourselves up. They captured over thirty of us. First they stripped us to our underwear and then forced us to walk down the Rue de Commerce in one line to the Presidential Palace. They kicked us in the testicles as we marched. Then about 100 meters from the entrance to the Palace they forced us to walk on our knees and as we entered, the military inside were clapping their hands and cheering.

Inside the palace compound, people, women no less than men, were whipped and beaten with the buckles of their belts. We were among the second group to enter; all those in the first group were bleeding and swollen from the beating. One young man who was bleeding asked for water. A soldier came up to him with a bottle of water, put it in his mouth and pushed it down, rough, into his throat.

They said things like; “why are you people marching? Our president, is he not Ivorian? Is that not what’s most important? They’re both from the west aren’t they?”

After four hours several trucks took all of us to the National Police Academy where they took our names, gave us water. We were not beaten again. We were released the next morning around 10:00 a.m. The police were angry about what had happened to us.

A thirty-two-year-old woman was one of four women detained and held within the Presidential Palace on October 24, 2000. She described how a pregnant woman among them lost her baby as a result of the beating:¹⁷

I joined the demonstrations on Tuesday. When we arrived at the Houphouët-Boigny Bridge, the military on the other side started firing straight into the demonstration. People scattered and I fell down. Then two soldiers came up to me and beat me with the butt of their guns. They threw me into a big truck with about fifty other demonstrators and took us to the Presidential Palace.

The women were allowed to keep their clothes on. All of us were beaten badly. There were four women in my group. One of them was at least six months pregnant. One of the soldiers pulled my bra down, grabbed me by the breasts and started pulling me around the room. At one point, the pregnant woman responded to the insulting language and said, “You have mothers at home too.” One of the soldiers reacted furiously, pushed her to the ground on her back and subsequently stepped on her belly. Then a few others followed and stepped on top of her belly from both sides. She started bleeding shortly afterwards.

Around 8:00 that night, all four of us were taken to the military hospital. The pregnant woman lost her baby. Another woman had one of her ears sewn back on. The third woman had head injuries and a broken arm. I have bruises all over my body and breasts and I’m still taking medication for my head.

On Wednesday October 25, 2000, pre-dawn fighting within the Akouedo military base signaled the beginning of a dramatic shift of support by the security forces from General Guei to Laurent Gbagbo. This shift in turn signaled the end of General Guei’s rule. In the early morning FPI crowds again took to the streets at first light and

¹⁶ Human Rights Watch interview, Abidjan, November 9, 2000.

¹⁷ Human Rights Watch interview, Abidjan, November 9, 2000.

for several hours were again fired upon primarily by members of the Presidential Guard. However, later that morning, the gendarmes, police, and most members of the army except the Red Brigade withdrew their support for General Guei and started demonstrating their overt support for Gbagbo. Numerous truckloads of gendarmes were seen driving through the crowds giving the V for victory, the FPI party sign. As the hours progressed more and more security forces joined the ranks of the protesters and eventually FPI demonstrators overran state radio and television facilities. By the afternoon, national radio and television reported that Guei had stepped down and fled the country.

During the afternoon and early evening of October 25, 2000, as thousands of jubilant FPI supporters celebrated the victory of their leader, thousands of RDR supporters took to the streets demanding that new elections be held. RDR leaders claimed the election was flawed and illegitimate, and maintained that Gbagbo's popularity was far less than that of Ouattara or PDCI candidate Emile Constant Bombet, who had both been barred from running by the Supreme Court. The results later released by the National Electoral Commission showed the turnout had in fact been low: 37 percent of the registered voters.¹⁸ These results gave an absolute Gbagbo majority, with 59.6 percent of the votes cast, versus 32.7 percent for Guei.¹⁹

As the FPI protesters celebrated, Gbagbo, in a nationally televised speech that evening, paid tribute to his supporters, "I thank you for spontaneously and massively heeding my appeal. You came out in hundreds of thousands into the streets all over the national territory to ensure that right will prevail over might." He declared himself as president and also thanked the security forces for their backing, "I want to pay a particular tribute to our national armed forces—the gendarmerie, the police force—who decided to uphold the cause of democracy and of the Republic by siding with us."²⁰

On Thursday October 26, 2000, infuriated by Gbagbo's national address the night before, thousands of RDR protesters from neighborhoods all over Abidjan took to the streets in protest. They set up barricades of burning tires and debris, and thousands set out to demonstrate their disapproval of Gbagbo's taking power. In an interview later in the day, RDR leader Ouattara pledged his support for the protests and said, "We are going to demand free elections and we will continue the demonstrations until we have those free elections. We want new elections with a minimum of delay and we think the elections can take place even within three weeks."²¹

From the morning of October 26, 2000, the security forces, primarily the paramilitary gendarmes and the police, responded with what appeared to be a well organized operation to break up the protests and impede the demonstrators from converging on the city center, the national television station, and other strategic locations. From that day, the army and Presidential Guard largely stayed in their barracks, and Boka Yapi's Red Brigade were rumored to have fled to the rural areas. The police and the gendarmes appeared to adopt an overtly political agenda, suppressing RDR dissent on behalf of the new ruling party, the FPI.

As RDR supporters attempted to leave the crowded residential neighborhoods of Abobo, Yopougon, Koumassi, Treichville, and Adjame, they were met by gendarmes and police who broke up the demonstrations, and in several cases opened fire on them. In many cases RDR demonstrators, among them members of the ethnically-based traditional hunting structures called Dozos, were armed with machetes, rocks, machetes and hunting rifles. However, there was little effort by the security forces to limit casualties, distinguish between nonviolent demonstrators and armed elements, or use less lethal forms of crowd control. Tear gas was, however, widely used.

In the evening of October 26, 2000, President Gbagbo was sworn in as president. In his inaugural address he said he intended to form a government of national unity and promised to unite the country after months of divisive military rule. He appealed for calm saying, "I call for all Ivorians to rally together for the respect of those

¹⁸ Douglas Farah. "Violence Greets Ivory Coast Leader," *Washington Post*, October 27, 2000.

¹⁹ "Ethnic, Political Battles Erupt in Abidjan," Associated Press, October 26, 2000.

²⁰ "Gbagbo's Address to the Ivorian Nation," www.bbc.co.uk, October 25, 2000.

²¹ "Ouattara Takes Refuge After Attack on Abidjan Home," Reuters, October 26, 2000.

principles and values that make our country great – pardon, tolerance and solidarity.”²² However he rejected pleas for new elections despite calls to do so from the RDR, as well as the U.N., the OAU, South Africa and the United States.²³

The government estimated that 164 people were killed during the October 24-26, 2000, violence in Abidjan alone.²⁴ The RDR maintained 155 of its supporters were killed,²⁵ while the FPI put their number of dead at approximately sixty.²⁶ During the same period the Ivorian Red Cross in Abidjan evacuated 158 and treated 896 wounded.²⁷

Detentions

Throughout the day hundreds of protesters were rounded up and taken to one of several facilities including the National Police Academy (École Nationale de Police), Agban Gendarme Camp (Gendarmerie Agban), Gendarme Camp of Koumassi (Escadron Koumassi de la Gendarmerie), Gendarme Camp of Abobo (Escadron Abobo de la Gendarmerie), and Gendarme Camp of Yopougon (Escadron Yopougon de la Gendarmerie).²⁸ Some six hundred detainees were held, most of them for two to four days. From the moment of capture nearly all detainees were subjected to brutal treatment. Human Rights Watch interviewed scores of detainees, all of whom were subjected to some degree of ill-treatment while in custody, ranging from mild beatings to severe torture.

The majority of detainees were held in either the National Police Academy (between 200 and 300) or the Agban Gendarme Camp (some 150). It was also in these two facilities that detainees suffered the most severe treatment. Detainees interviewed by Human Rights Watch, many still exhibiting wounds and scars, described being beaten with iron bars, electrical cable, ropes, belts, truncheons, chains, dog collars, gun butts, and pieces of wood. They were burned with cigarettes, pieces of burning plastic or clothing, and forced to swim in dirty open sewers. They were also forced to walk back and forth on their knees; made to lay under and look into the sun; tear-gassed at close quarters and sprayed in the eyes, mouth, and genitals with tear gas and mace; forced to fight with each other; and made to drink their own blood. Local clinics and hospitals treated hundreds of wounded. Almost all detainees were kept incommunicado and were deprived of food, water, and toilet facilities for the first several days of their detention. To secure the release of detainees, numerous family members reported having to pay bribes to corrupt police and gendarmes.

A twenty-five-year-old tailor described his two-day detention in the Agban Gendarme Camp during October. Some twenty bruises, burns, and small wounds on his head and body were clearly visible to Human Rights Watch researchers.²⁹

At around 1:00 p.m. on October 26, I was participating in a march with other RDR militants when I was captured with five other guys. After reaching the camp they made us swim in the gutter full of dirty water, broken bottles, human feces, and garbage. One of them forced my head under the half-meter deep water. As we moved through the gutter, gendarmes were lined up and beat us hard on the head with the butts of their rifles.

²² “Gbagbo to Form Ivorian Government Without Ouattara,” Reuters, October 27, 2000.

²³ Norimitsu Onishi, “Dictator Gone, Ivory Coast Splits Into Ethnic and Political Violence,” *New York Times*, October 27, 2000.

²⁴ “Ethnic Wounds Hard to Heal in Ivory Coast,” Reuters, November 7, 2000. The total number of deaths countrywide for post-presidential election violence was estimated by the government to be some 170. This may be an underestimate. In an interview with the Ivorian Red Cross on November 16, 2000, Human Rights Watch was told seventeen people were known to have died during post-election clashes in several towns outside of Abidjan (seven in Daloa, three in San Pedro, four in Divo, and three in Bouake.)

²⁵ “Ivory Coast Calls for Inquiry,” Associated Press, October 30, 2000.

²⁶ “Ivory Coast people sweep Gbagbo to power, 60 dead,” Reuters, October 25, 2000.

²⁷ Human Rights Watch interview with Ivorian Red Cross Official, Abidjan, November 16, 2001.

²⁸ The gendarme camps (escadrons) of Abobo, Koumassi, and Yopougon are colloquially known as “Camp Commandos.”

²⁹ Human Rights Watch interview, Abidjan, November 14, 2000.

Then they told us to take our clothes off and walk on our knees for over twenty meters. They continued beating us and one of them hit my penis with the hook on his red belt. It was so painful, it was bleeding and I started screaming. One of them said, 'oh if we've hurt you there, don't worry, we have doctors here,' then he called another gendarme who sprayed a little can of what I think was tear gas on my penis, nose, and eyes. I almost lost consciousness.

Entering Camp Agban I saw there were about one hundred other prisoners. They didn't ask us any questions. They spoke of the RDR, made us all say, 'Alassane is a Burkinabé,' and made us sing the national anthem. They beat us using their belts, wooden sticks and iron bars. At one point they took our clothes, which were in a pile outside the entrance, set them on fire and went around dropping the bits of burning cloth on our legs and backs. They picked clothes with plastic in them—like sports suits—because they burned better.

Then, around 6:00 am the next morning, they told us to wash all the blood off the walls from the place where we were being held. It was an open area with a cement floor and no roof. We washed all of it—and there was a lot of blood—but one gendarme came and said it wasn't clean enough. We washed it again and then they made us do push-ups. One prisoner was so wounded he couldn't do the push-ups and a gendarme came and kicked him hard. Then they ordered us to clean the offices of the gendarmes. Finally they gave us clothes and let us go.

Detainees being held within the National Police Academy were beaten by both cadets and officers. A nineteen-year-old RDR activist who spent six days there described his experience:³⁰

From the moment we arrived at the Academy on October 26, the police started beating us. By 9:00 p.m. or so there were about 300 people. I stayed in for several days and was beaten and tortured by both policemen and cadets. It was the Police Academy; I guess they were teaching the cadets how to behave. Some were with two 'V's' [a sergeant]³¹ and others had the markings of students.

We were all in one big room and they tortured us in many ways. First were the constant beatings; with batons, wood, cut tree branches. The police kept waking us up by throwing cold water on us. Then they had us—two-by-two—crawl a distance on our knees and the one who arrived last was beaten. They'd put two of us together and order us to fight, and if they say we're faking, they beat us up. Sometimes they walked on our backs.

I don't think anyone died in custody but I saw a good number of people who'd lost consciousness and people who couldn't stand anymore.

They made us chant, 'Alassane is Moussi [Burkinabé] and Gbagbo President.' On Friday some of the police were talking about a gendarme who had been killed and then on Saturday, a few police brought in a newspaper with the news and pictures of the Yopougon massacre and said, 'this is the way you should've been killed...but you're lucky, you're in the police academy.'

There were parents outside waiting to get their children and I understand they were paying 5,000 CFA [U.S.\$7] to free them. We later heard one woman paid 20,000 CFA [U.S.\$28] but they didn't let her son go. I think some people were being passed off as relatives of the police officers but were in fact just paying them off. I was finally let go on Monday evening at around 9:00 p.m. when a friend's mother paid about 4,000 CFA [U.S.\$6] for each of us.

³⁰ Ibid.

³¹ In the Ivorian Gendarmerie, the ranks distinguished by V's are those of non-commissioned officers; one V designates a corporal, two Vs a sergeant, three Vs a staff sergeant. One and two bars are the symbols of junior rank officer, with one bar for a second lieutenant and two bars for a first lieutenant. Three bars distinguish a captain and four bars a major.

State security forces were first reported to be actively siding with FPI supporters to suppress political dissent and attack RDR supporters, northern Muslims and foreigners on October 26, 2000. Several RDR supporters detained within police stations and gendarme bases reported having been initially detained by FPI supporters, who then handed them over to the state security forces.

Raphael Lapke, fifty, the editor of a small newspaper and an RDR supporter from Gbagbo's ethnic group, the Bete, was detained by a group of FPI supporters in the early morning of October 26, 2000 and later handed over to the paramilitary gendarmes. He was later held and beaten for several hours within the Gendarme Camp of Koumassi. He described his capture and the seemingly political motive for his detention.³²

I used to work closely with Laurent Gbagbo. I was the one who created his newspaper, *Notre Voix*. Then we had a disagreement and in 1995, I left. On October 26 at around 6:30 in the morning I took a stroll from my house to the junction to see what was happening. A few RDR people had started blocking the road but there were some FPI people around too. One of them recognized me, whistled and then the others surrounded me. They asked me what I was doing and I told them the RDR was going to demonstrate in the morning and I was going to join them. I said, "You're not public security, you're not there to say if we can demonstrate or not." They accused me of having left my brother to go to a party of foreigners. I tried to remind them that we struggled with Gbagbo so that we could all be free but that now they were trying to prevent political expression. This angered them. They started beating us and then took us to a small group of gendarmes who were guarding a nearby factory. These gendarmes called their superiors and fifteen minutes later a jeep with ten gendarmes came and took us to the Gendarme Camp at Koumassi.

As soon as we arrived the gendarmes threatened to kill me, and started saying the same things as the FPI militants: 'we don't understand how you can leave your brother and go with those foreigners, you should be happy a westerner is president.' They ordered us to take off our clothes and lie down, and then started beating us on the back. All ten of them beat me with their belts. They said they were going to beat me to death. There's a heavy iron buckle on those rope-belts they use. It gave me open wounds and cut open the skull of one of my employees who'd also been captured.

Sexual Abuse

Human Rights Watch documented several serious cases of sexual abuse in October, most within the Agban Gendarme Camp. There, several women were stripped naked, beaten, ordered to spread their legs, and threatened with sexual assault with tree branches. At least five male prisoners were ordered to get an erection in order to rape women detainees. When the men were unable to do so, they were struck repeatedly with a belt buckle on the head of the penis. In the Yopougon Gendarme Camp, at least one man was led around by a string tied to his penis. Nurses and doctors treating the wounded confirmed treating several men whose genitals had been badly wounded while in detention.³³

A thirty-four-year-old RDR supporter who suffered multiple head injuries, burns and a broken right arm while in the Agban Gendarme Camp, described seeing sexual abuse against both men and women. He recounted:³⁴

They also treated the women very badly. There were about nine or ten of them and they were completely naked. At one point they told the women to stand up and spread their legs and they took branches from an acacia tree they'd broken off and it looked like they put them inside of them. I couldn't see if they actually did it but the women were crying. One of the gendarmes tried

³² Human Rights Watch interview, Abidjan, November 13, 2000.

³³ Human Rights Watch interviews with hospital and clinic workers, Abidjan, November 5, 7, and 14, 2000.

³⁴ Human Rights Watch interview, Abidjan, November 14, 2000.

to stop it and said, ‘but these could be your sister or your mother’; but another just said, “our mothers and women are at home, not out in the street.” Then one of the gendarmes picked on a particular woman and grabbed her breasts and started pulling her in circles around the room.

Then they’d just point at one of us and order us to stand. Then they inspected our private parts. They said they were looking for the biggest ones to rape the women. Then they told five boys to get an erection and rape the women. But they couldn’t and then the gendarmes walked up to those men, took their penis in the palm of their hand and hit it, hard, with the buckle of their belts. They screamed from the pain and they were bleeding. They hit all five men like this.

Victimization on the Basis of Ethnicity and Religion

From October 26, 2000, the violence also developed a clear ethnic and religious focus. The victims were not only supporters of Alassane Ouattara’s RDR party, but also foreigners, Muslims, and Ivorians from northern ethnic groups who were identified with the RDR but targeted explicitly on the basis of their ethnic group, religion, and/or foreign nationality. Scores of victims from Mali, Burkina Faso, and Guinea, or Dioula from northern Côte d’Ivoire, described being dragged out of their homes, pulled off of buses, stopped randomly in the street, or chased by groups of gendarmes or police. Numerous witnesses described members of non-northern ethnic groups being allowed to proceed at checkpoints and freed from detention after verifying their place of origin. Witnesses and victims said well over one hundred foreigners were among those being held within the National Police Academy.

An elderly Muslim man who witnessed thirteen foreigners, RDR supporters, and Dioulas being gunned down by gendarmes on October 26, 2000, was among many who described how Ivorians from other ethnic groups were let go.³⁵

While we were lying there being beaten, a group of four people came by; two men and two women. I saw the gendarme stop them and ask them for their ID papers. After looking, the gendarme said, ‘you can go, it’s not Baoules we want, it is the Dioula we’re looking for.’

The comments made by both state security forces and FPI while capturing, taunting and torturing, or indeed before killing their victims illuminated the depth to which ethnic hatred and xenophobia had taken root.

On October 26, 2000, Muslims and mosques also came under joint attack by FPI militants and police. In several cases Muslims were accused of harboring arms in the mosques but police made no effort to establish whether or not this was true. Instead, Muslims were “accused” of supporting the RDR supporters and subsequently punished. In detention, Muslims were often insulted and forced to break religious rules.

In Yopougon, after several hundred FPI supporters surrounded and threatened to burn down the Aicha Niangon-Sud mosque, the frightened mosque officials telephoned the police for help. Police from two districts responded, but instead of dispersing the mob, they allowed the mob to enter and proceeded to detain the Muslims trying to protect their mosque. Some thirty Muslims were then taken into custody, and held and tortured in the National Police Academy for several days. One of the congregation described what happened:³⁶

At around 9:30 a.m., I received a call from the imam telling me to be careful because mobs had already burned down another mosque in Yopougon. At first we thought it was a rumor, but to be sure we did a call to prayer, to get members of our Mosque to come and help protect it. After they came, we saw a huge group of people—a few hundred—coming towards the mosque. When they arrived they surrounded us and started knocking at the gate and throwing rocks inside the compound.

³⁵ Human Rights Watch interview, Abidjan, November 19, 2000.

³⁶ Human Rights Watch interview, Abidjan, November 15, 2000.

We saw the mob was also armed with iron bars, machetes, rocks, knives, wood and they were yelling, 'no more RDR, no more Dioulas, we've come to kill you, it's time to finish with the Muslims.' Some of them said they'd heard a church had been burned. We could see they had cans of petrol.

When we realized things were getting out of control, we called the police from the 17th precinct to help protect us and the mosque.

When the police entered, they told us they were going to take us out of there. By this time the mob was starting to break down the gate. As we got into their cars they assured us they'd protect our mosque. This was around 11:45 a.m. As we left we could see the attackers were FPI militants; they were putting up the 'V' sign the FPI uses. It was when the police put up the same 'V' sign as they were taking us out that we first suspected something was wrong.

Then it got worse. We knew something was really wrong when on our way going, the police started saying, 'you aren't true citizens of this country, you're going to be sent back to where you came from and if you don't understand that, we'll wake you up one by one when you're on top of your women and kill you.'

When we arrived at the 17th police precinct they put us inside a closed room then the next morning they told us to write all our names down and explained we were to be sent to the Police Academy. When we asked what our crime was, they explained that we were holding RDR meetings in the mosque. They asked us what we were doing in the mosque so early in the morning and accused us of organizing ourselves to go out and burn churches.

At around the same time on October 26, 2000, a mob of FPI militants and a small patrol of police attacked and threatened to burn down a mosque in Treichville. A twenty-five-year-old mosque-goer, who was shot in the arm by the police during the attack, described what happened.³⁷

I was at home with my sister when at around 10:00 a.m. we received a call from our imam saying people had started attacking mosques and that a mob wanted to burn our own. He told us to prepare ourselves to come and protect our mosque.

We quickly went to the mosque, picked up some stones and waited to see what would happen. We were about forty men and women. Then we saw a group of about twenty FPI militants coming towards the mosque. Many of the FPI people I recognized because they were from my neighborhood. In back of the mob I saw a police patrol car with four policemen walking outside of it. I even knew some of the police. The pickup had '2nd District' written on it.

The FPI people had wood, machetes and a few had bottles of petrol. Then the mob started throwing rocks and the police threw tear gas at us. The FPI were saying they were going to burn the mosque and kill the Dioula. They said we should go away from Côte d'Ivoire and that they were going to catch all foreigners, especially the Burkinabés. We threw a lot of rocks at them. The FPI people then retreated a bit and let the police come in front from where they threw more tear gas at us. When one of the police officers closest to where I was stopped to change his clip, I ran for it, but was shot in the arm. The fighting lasted for about fifteen minutes before they gave up and left.

A forty-year-old Dioula driver described how he was rounded up from his neighborhood with other Dioula men before being taken to the National Police Academy:³⁸

³⁷ Human Rights Watch interview, Abidjan, November 4, 2000.

³⁸ Human Rights Watch interview, Abidjan, November 6, 2000.

On Thursday [October 26] at around 4:00 p.m. as I was getting ready for afternoon prayer, around ten police, including two women from the 13th District Police arrived in two civilian cars. They parked in front of my compound,³⁹ got out and announced that everyone who's a Dioula should come out. They were dressed in solid green. They asked us to show our ID cards, and ordered the Dioula men to lie in the gutter. Since I had been inside praying, my wife lied and said that I was out. But then they pointed a gun at her and that obliged me to come outside.

Then without telling us why, they loaded us in two civilian cars and took us to the 13th District. They didn't interrogate us or ask us any questions. They just 'accused' us of supporting Alassane. They beat us, walked on our back and threw cold water on us. We spent the night there and then the next morning they drove around picking up other prisoners until we were about forty in numbers.

Along the way they told us to collect money together so we would be let go. We took up a collection but then they took our money and brought us to the Ecole de Police anyway.

RDR supporters also sought out and attacked people on the basis of ethnicity; in their case those from non-Dioula ethnic groups. A young woman from Abobo who supports the FPI was attacked by an RDR mob in her home in October and described how the mob targeted ethnic Baoules and Betes:⁴⁰

A few of them kicked the door in and shouted that they were looking for Betes. They asked my two brothers for identification papers. My brothers replied that we belong to the PDCI, that we didn't even vote, and that we were Baoules and not Betes. The intruders shouted that we were all the same, that we were the ones who were happy when Gbagbo won the elections.

There were several attacks against churches by RDR supporters, resulting in the destruction of church buildings, bibles, pews, vehicles, and other property. Whereas state security forces had overtly sided with FPI mobs during attacks against mosques, they intervened to halt attacks against churches. A member of an evangelical church in the Port Bouet II neighborhood in Yopougon described how gendarmes stepped in to protect it and him from an RDR mob:⁴¹

At 9:00 a.m. my people told me that the church was on fire. About ten of us rushed to see for ourselves. Just in front of it we saw a group of RDR people with stones, knives, and machetes. They were saying, 'they burned our mosque and now it's their turn. Where is your pastor, we'll kill him.' The pews, bibles, books, and other documents and office equipment from the church were on fire just outside the entrance. They were throwing rocks and breaking the windows. Then the gendarmes arrived and chased them away. After that everything calmed down.

“Disappearances”

Numerous men captured by police and paramilitary gendarmes during the October wave of violence have at this writing yet to be accounted for. All fifteen victims of “disappearance” documented by Human Rights Watch were either politically aligned with the RDR, foreigners, or from northern ethnic groups, and were detained or last seen in the afternoon of October 26, 2000. All but one was last seen in the RDR stronghold of Abobo. Most witnesses interviewed by Human Rights Watch said the “disappeared” family members were seized from their homes or in their neighborhoods by men in uniform, sometimes accompanied by armed men in civilian dress. They described spending days searching for their relatives in morgues, hospitals, prisons, and police and gendarme barracks. The most serious case followed the detention by police of nine men from Abobo. Three

³⁹ A “compound” is a collection of rooms or small dwellings, often behind one wall, which houses members of an extended family or several families and which share cooking, washing, and toilet facilities.

⁴⁰ Human Rights Watch interview, Abidjan, November 15, 2000.

⁴¹ Human Rights Watch interview, Abidjan, April 25, 2001.

witnesses said the nine, several of whom are from the same extended Dioula family, were captured by a combination of uniformed and plain-clothed policemen. None of the security forces have acknowledged the detentions. One of the witnesses, the wife of one of the victims, described the detention:⁴²

I am the wife of S. We have a four-year-old child and I'm nine months pregnant with our second. My husband is Ivorian as are all of those taken that day. They weren't involved in politics; they are long distance truck drivers and didn't have time for that. We are one of the few Dioula families living within our immediate area; there are Baoules, Betes, and Agnis around us. Maybe that's why they targeted us.

The whole thing happened in less than five minutes. It was around 3:40 p.m. on October 26. I heard a knock on the door to the compound, and we heard them say, 'It's the police and if you don't open, we'll kill you all.' Then my husband opened the door and eight of them stormed into the family compound. Some, I think three, were in T-shirts and jeans and others were in combats. All of them had pistols except the boss; he had a long gun.

The boss did most of the talking. He was in a ski mask and seemed really nervous. He told them to take their shirts off and threatened to kill us all. There was a handicapped man in one of the rooms in the compound and when his children started crying, the boss said he should be left alone. He was the only man they left.

Then our men were ordered to move out of the house and we [the wives] started crying and begging them to leave our husbands. Outside we saw there was a mini-bus and I saw what I think were three other prisoners inside. A few of them were bleeding. I wouldn't leave my husband and followed him as he and the others were led outside. I asked, 'why are you taking them, what have they done?' And one of them said, 'you people are Dioula, just wait and see what we'll do to you. You should stop following Alassane.' Another who spoke Dioula said, 'don't worry, we'll make them suffer a little and then bring them back.' I was crying and wouldn't let go of the back of the mini-bus as my husband got inside. I begged them to tell me where he was being taken, but one of the police pushed me hard and said I asked too many questions.

The mother of a twenty-eight-year-old man who was dragged out of the family home in Abobo by paramilitary gendarmes described what happened:⁴³

On Thursday, there were a lot of problems in Abobo so we'd closed the door to the compound. Between 1:00 and 1:30 p.m. the gendarmes came and took my son. We heard a knock on our door and seven of them forced their way into the compound yelling at everyone to get out. Some had anti-riot gear and I can't remember what they were dressed in or much of what they said. All I knew was they were taking my son. Then they dragged him away; they didn't even ask for his papers.

I begged for him and as three of the gendarmes dragged him out of our house and up the street I followed them pleading for them to leave him. I stayed with them until we reached the corner [about 300 meters] and then they told me to go back. I refused but they said that if I don't go back they'd kill me. They said he had been arrested but didn't say why. Then they rounded the corner with him and that's the last time I ever saw him again. He was my first-born. I heard he was put inside a truck with other men but I didn't see this. We've checked all the hospitals, morgues, and prisons again and again but he's not there. My son was a member of the RDR but he hadn't participated in any of the marches that day.

⁴² Human Rights Watch interview, Abidjan, November 6, 2000.

⁴³ Human Rights Watch interview, Abidjan, November 18, 2000.

A thirty-one-year-old driver from Burkina Faso was captured in Abobo on October 26 by one uniformed gendarme and two armed men in civilian dress, and has since “disappeared.” The victim’s brother, also present during the incident, described how he was able to break free from his captors:⁴⁴

All day it had been quite tense but in the afternoon, around 2:00 p.m., it seemed things were calming down so my brother and I decided to venture outside. Shortly after going outside, we suddenly saw the gendarmes; one in uniform and two in civilian dress. The ones in civilian had khaki colored pants, one wore a gray T-shirt, and the other an African print shirt, and both had pistols—one in his hand and the others in the waist. The one in uniform had an AK-47. All had boots. The gendarme was dressed in the typical gendarme way.

I saw them running towards us; the uniformed gendarme in front and the two civilians behind. As soon as we saw them we took off running headed straight back to our compound. First they grabbed me by the neck but I struggled with them and was able to get away, and then I saw that the uniformed gendarme had gotten hold of my brother. As I struggled to get away I saw that they were beating my brother and then I freed myself and ran back into the compound, slammed the door, and that was the last time we ever saw him.

Derrière Rail: Reprisal Killings

The violence in October worsened following the killing, allegedly by RDR supporters, of a gendarme officer in the Derrière Rail section of Abobo at approximately 1:15 p.m. on October 26, 2000. After news of the killing of Lieutenant Nyobo N’Guessan spread, gendarmes, particularly those based in Gendarme Camp of Abobo, went on a killing spree, randomly hunting down and killing some twenty young men they had targeted for being RDR supporters, foreigners, and/or Muslims. The massacre of thirty to forty young men detained within the Gendarme Camp of Abobo appeared to have been an impulsive reaction by at least two gendarmes to the news of the gendarme’s death. At least eleven of the cases of “disappearance” documented by Human Rights Watch were from the Derrière Rail neighborhood, and were of men captured and last seen around the same time that afternoon.

According to several witnesses interviewed by Human Rights Watch, Lt. Nyobo N’Guessan was shot inside the house of a Dioula family after he and two other gendarmes had forced their way inside, allegedly to search the premises. Family members present say Lt. Nyobo N’Guessan was accidentally killed by the sons of an elderly man as he was being beaten by the lieutenant. They maintain one of the sons grabbed one of the gendarme’s guns and a round went off.⁴⁵ This account could not be independently verified. According to residents of Derrière Rail, the death of the gendarme was followed by the deployment of scores of well-armed gendarmes who then began apparently randomly searching and detaining residents. Survivors and witnesses of the killing within the Gendarme Camp of Abobo, and of two smaller group killings of thirteen and at least three men respectively, said the gendarmes doing the killing repeatedly said the victims were being made to pay for the death of their gendarme comrade.

A man who lived across the street from where the gendarme officer was killed described events as he witnessed them from his house:⁴⁶

I was in my house on Thursday, October 26, when at around 13:05 a brother came to inform me that the gendarmes were running around breaking doors down in our neighborhood. We stayed inside and looked out the window to see what was going on. Some minutes later I saw the first group of gendarmes coming down our street.

⁴⁴ Human Rights Watch interview, Abidjan, November 18, 2000.

⁴⁵ Human Rights Watch interview, Abidjan, February 11, 2001.

⁴⁶ Human Rights Watch interview, Abidjan, November 11, 2000.

Then three gendarmes went into the house across the street — about ten meters from where I live. A Dioula family lives there. First they broke the door down, then they entered. Then a little while later we heard yelling and a shot. We later learned it was an officer who'd been killed inside the courtyard. Shortly after the shot, the two other gendarmes who'd entered the house went away.

Then about fifteen to thirty minutes later, around 14:15, a reinforcement of three vehicles came to pick up the body; including a jeep and an armored car. Then an hour or so later another reinforcement came. They stayed in the neighborhood breaking down peoples' doors and screaming, 'you're all RDR, we'll kill you all.' During this time I saw many people beaten, many houses broken into, and lots of tear gas was fired at us. They were the gendarme commandos, with red berets.

After numerous interviews with victims and witnesses from Derrière Rail, Human Rights Watch documented the deaths of at least eighteen other men killed in four separate incidents. All the victims were dragged out of their homes or detained while walking home, and then gunned down within the neighborhood. Many of the victims were foreigners.

An elderly Malian man, apparently detained because he was wearing a Muslim robe, was one of fourteen men gunned down, but survived. His account was verified by several others living within view of where the killings took place. He recounted the incident of which he claims to be the only survivor:⁴⁷

On Thursday October 26, at around 2:00 p.m. I left my house to do an errand. On my way I saw the gendarmes were all around. A minute later they saw me and ordered me to come to them. They said there were going to kill me because I'm a Dioula, because I'm a Muslim. I was wearing my bobo [robe] and slippers so they knew I was a Muslim. After hearing that I took off running across the railway line but was unfortunately caught by another gendarme. I begged them to forgive me—I shouldn't really have to ask forgiveness for anything but I figured my life was more important than my pride.

The gendarme who'd caught me told me to lie down on the railway and then the others said, no, I should join another group of prisoners nearby. As I was led to this place I saw there were thirteen prisoners; even though I'm old my mind is sharp and I took time to count. The gendarmes were all around and they kept pointing their guns at us. When I arrived they told me to take off my bobo and lay down on the grass with the others.

While lying there the gendarmes asked our nationality, which is how I came to know there was also one Burkinabé and one Mauritanian among us. One of them said, 'all of you are RDR, all of you are Dioula.' They beat us for about thirty minutes. They kicked and beat us with the thick iron buckles of their red belts. They were especially tough on the younger men but left me alone because I'm old. We were asking pardon and telling them we were sorry. One gendarme came by and said, "haven't you killed these people yet?"

Then after about thirty minutes of this a light-skinned gendarme said again, 'what are you waiting for, why haven't you finished these people yet? All of these people are Alassane's people.' And then this one started firing. Maybe others were firing as well. I couldn't tell. But I was sure about the light-skinned one. It seemed like he fired back and forth for about three to five minutes.

I don't know why I wasn't hit. Perhaps it was because I was the only elder. But God saved me. Sometime later a truck came to take the bodies but they allowed me to go. I was really in shock.

⁴⁷ Human Rights Watch interview, Abidjan, November 19, 2000.

An elder living within the neighborhood was also a witness to the killing of the thirteen. He described the operation to round up the victims and heard the gendarmes discussing the death of their comrade. He recounted:⁴⁸

On Thursday [October 26], a blue truck used by the gendarmes arrived here and parked right in front of my house and about twenty gendarmes jumped out. We were afraid and all ran inside our houses and closed the doors. As they deployed throughout the neighborhood I could see they were all well armed with AK-47s.

Then about an hour later I saw them come marching up the road with twelve young men. I counted them as they filed past my window. I didn't count the gendarmes but it seemed like there was a gendarme walking by each prisoner. When they arrived at the corner, just close to my house, I could see the gendarmes were beating the prisoners and I heard a gendarme saying, 'one dead gendarme is worth one hundred dead RDR people.'

There was a group of five gendarmes who had been participating in the beatings and, maybe because they were tired, had come to rest under my window. I heard them saying 'the little Dioula—today we'll finish them today. When the chief comes I'm going to ask permission to break them.' Then at around 3:00 p.m., after they'd been resting for several minutes, one of them said, 'after all this why are we keeping these people, why haven't we finished them off?' Another one of the five told him they should wait and not do anything—he was the only one who tried to stop it. But the impatient one—he was quite clear-skinned—just walked up to the people lying on the grass and started shooting.

The one I thought was the boss—he was clearly dressed differently; he had black pants with a red line, a t-shirt, and a walkie-talkie, and was the only one with a pistol—had earlier walked into the neighborhood and wasn't there when the killing took place.

Several residents of a house close to where the killings described above took place recounted how a young Malian passing by was chased by and later gunned down by gendarmes. The man's elderly father told Human Rights Watch he later counted seventeen bullet holes in his son's body. Human Rights Watch counted over twenty bullet casings at the scene.⁴⁹

Suddenly a young man jumped over the wall and came into our compound, bleeding. I heard shouting and steps and then a few seconds later a gendarme came over the wall after him and yelled, 'Where is he?' I denied that we had anyone, but the gendarme just followed the trail of blood and found the young man crouching behind a door. At around this time we heard loud banging at the door. At first we refused to open but after the gendarmes outside started shooting at the wall, we opened up.

Then seven gendarmes rushed in to take out the youth. Some had black chalk on their faces. They all had AK-47's except the one who seemed to be the boss who had two pistols. I saw that all of them had two 'Vs' [a sergeant] except the boss who had one bar [second lieutenant]. He was clearly in charge and giving the orders.

After we let them in they started screaming for all of us to come out of our rooms and one of them pointed his gun at my brother and asked for our ID papers. After looking at them he said, 'you're a Dioula, it's you we're looking for.' Then my brother's girlfriend, her sisters and another women started begging for his life. His girlfriend explained, 'I'm not a Dioula—I'm a Guerré and he is the father of my child. I live with him and can tell you there's no problem with him.' Just at this moment the other gendarmes were dragging the youth out the door so the one

⁴⁸ Human Rights Watch interview, Abidjan, November 17, 2000.

⁴⁹ Human Rights Watch interview, Abidjan, November 18, 2000.

who was on my brothers case just threw down his ID papers and went outside to kill the youth. I really thought all of us would be killed.

They yelled at us and screamed at the youth, ‘you’re an RDR,’ and he kept saying, ‘no I’m not RDR.’ As the gendarmes were dragging him outside he was begging for his life and asking for forgiveness. We never heard them ask the youth anything, not even for his ID. Then they told him to run but he was afraid, like he was frozen. Then they just pushed him away from the house and all seven of them got into a line and the boss man—the one with two pistols, gave order and they all opened fire. They were just firing and firing into him.

A fifty-two-year-old bus driver who was captured while on his way home from work was one of seven men, including several foreigners, gunned down in a field near the railway. He was shot through the stomach and pretended he was dead. Three died on the spot and the other who were wounded were taken away:⁵⁰

At around 2:00 p.m. on Thursday [October 26], as I was on my way home, I was halted by some gendarmes. I saw they had been capturing other people who were gathered off to one side. I gave my ID card and drivers license to one of them and heard him ask his boss, ‘look, this is a bus station worker from the local station.’ Then his boss replied, ‘I don’t care about the place he works, just look where he comes from.’ When they saw I had a Dioula name, the boss said, “he’s one of those Burkinabés who wants to burn the country and give it to Alassane. But today we’re going to do the burning.”

After a few minutes the gendarmes, there were about fifteen of them, marched us across the railway line. Then they made us take off all our clothes and told us to lie down. Among us were at least three Malians; two brothers and an older man. The two brothers tried to explain that they’d just come on the bus from Daloa to visit their parents. They still had their luggage bags. But the gendarmes didn’t have time for explanations. They beat us in that place for about two hours. They kept saying one of their bosses had been killed, and that some of their guns had been stolen. While they were beating us we could hear a lot of shooting going on. I saw them opening fire into peoples homes. It was like a war going on.

Then at around 4:00 they told us to lay face down and said, ‘it’s your turn now — look up at the sky and then look down at the earth and say good bye because we’re going to finish you off.’ The gendarmes were all around; there was no way to escape. While lying there I’d given myself to God. But all I wanted to do was ask them permission to go say goodbye to my children and my wife. I could hear the two Malian brothers softly reciting their prayers, “there is but one god,” and then the shooting started.

Several detainees within the Agban Gendarme Camp reported that torture with the camp became worse after news of the gendarme’s death reached those within the camp. An RDR supporter who’d been detained earlier in the day describes this:⁵¹

Over the walkie-talkie of one of the gendarmes we heard something about another one being killed in Derrière Rail. After this things got completely out of control. One screamed, ‘did you hear that! One of our officers is worth one hundred of you.’ Then another threatened, ‘you people should start saying your last prayers.’ It was at this point they started burning us. Then all of a sudden seven new gendarmes arrived at the camp and went crazy; they were savage, beating and walking on top of us and saying they were going to kill us. Another gendarme was going wild, threatening to kill us since one of his gendarme friends had died.

⁵⁰ Human Rights Watch interview, Abidjan, November 14, 2000.

⁵¹ Human Rights Watch interview, Abidjan, November 14, 2000.

Charnier de Yopougon

In a bid to restore calm following a day of shocking violence, two high-ranking officials from the RDR and FPI appeared together on state television in the evening of October 26, 2000, and called on their activists to desist from protests and stop the violence.⁵² On October 27, 2000, Ouattara recognized Gbagbo as president and met with him in a further bid to calm tensions. Ouattara refused however, to participate in the new government, insisting that “our priority is to bury our dead.”⁵³ All thought of reconciliation was in any event set aside by the discovery of the victims of a security force massacre later that day.

In the late afternoon of October 27, the bullet-ridden bodies of fifty-seven young men were found dumped in two piles in a forest clearing on the outskirts of Yopougon. After speaking with two survivors of and several witnesses to events surrounding the massacre, Human Rights Watch researchers established that paramilitary gendarmes based at the Gendarme Camp of Abobo were directly responsible for the killings. This incident was the single worst atrocity of the election period.

The massacre took place on October 26, 2000 in two stages. The first involved the shooting of detainees at the Gendarme Camp of Abobo, where young men rounded up from Abobo neighborhood were taken during the morning and early afternoon of October 26, 2000. Prior to the shooting detainees were subject to similar forms of brutality and torture to those reported by detainees in the National Police Academy and Agban Gendarme Camp. At approximately 3:00 p.m., as an ambulance carrying the body of Lt. Nyobo N’Guessan drove into the camp, at least two gendarmes opened fire on the detainees held there, killing some thirty to forty.

The second stage showed the signs of being a well-planned operation. Well-armed gendarmes deployed into a neighborhood bordering the Gendarme Camp of Abobo and rounded up between eight and thirteen young men who were used as porters to load the dead onto a truck and later dispose of the bodies in the forest. The porters and all other survivors were then gunned down, though some were not killed. These survivors described the presence of one truck, two jeeps, and the involvement of some thirty gendarmes in this operation.

At the time the Gendarme Camp of Abobo was under the command of Captain Victor Be Kpan. While it does not appear that he ordered his men to shoot the detainees inside the camp, he must take responsibility for failing to halt the initial killings or to take action against the gendarmes involved, and for the second part of the massacre which necessitated planning and logistical support.

A twenty-one-year-old man detained by paramilitary gendarmes on October 26 and later taken to the Gendarme Camp of Abobo tells how he witnessed the killing of some thirty to forty other detainees inside the camp. He was later taken to a forest on the outskirts of Abidjan where approximately fifteen men were killed. He told his story:⁵⁴

I'm an RDR party member and activist. On Thursday morning, October 26, at around 8:00 a.m. I left my home in Abobo to participate in a pro-RDR march to protest the results of the elections. But near the Abobo Cultural Center we met up with a group of gendarmes who detained me with about twenty other RDR militants. They didn't ask for our ID's. We were beaten really severely right there and we then taken to Camp Commando of Abobo.

As we entered at around 10:00 a.m. one of the gendarmes said ‘Say your last prayers.’ When we arrived, there were already eight or nine other people detained. I could see they'd been beaten, badly beaten. Over the next minutes and hours several more groups were brought in. Almost all of us were Dioula.

⁵² Norimitsu Onishi, “Dictator Gone, Ivory Coast Splits Into Ethnic and Political Violence,” *New York Times*, October 26, 2000.

⁵³ “Gbagbo to Form Ivorian Government Without Ouattara,” Reuters, October 27, 2000.

⁵⁴ Human Rights Watch interview, Abidjan, November 10, 2000.

In Camp Commando I ran into a friend of mine, S., and he told me he'd been arrested while walking by Camp Commando. He explained that after stopping him they'd asked him for his ID and when they saw that he had a Dioula name, he was arrested on the spot. There were two adolescents; one was a student, still in school uniform, aged about thirteen or fourteen, and another, a youth from Benin, around fifteen.

They started beating us from the moment we got off the truck. They ordered us to lie down and whipped us with their red belts. At one point they threw a bucket of water mixed with some kind of burning pepper in it and people screamed from the pain it caused as it went into the open wounds. Then at around 1:00 p.m. they told us to lie on our backs and face the sun. Another torture was when they threw tear gas at us and refused to allow us to move.

Then at around 3:00-3:30 p.m. (it was just after the afternoon call to prayer which we could hear from a nearby mosque), I heard a siren and saw a car coming into the main entrance to the camp. A few gendarmes got out of the car and started yelling and shouting and crying. Then one of the gendarmes in blue just started shooting us. First he shot three newly arrested people with a pistol. It happened less than five meters from where I was sitting.

Then a few other gendarmes started shooting at us. They were yelling in a sobbing, angry way. They were in fits of emotion. One of them said, 'We're going to kill you all; if our people are going to die then we'll kill you.' As they were shooting I lay down and pretended I was dead. The youth from Benin was hit and lay just on top of me and was just crying, 'Forgive me, have mercy on me.' I could see my friend S. had been hit on the leg, throat and chest. And then [a gendarme] standing several meters away said, 'Oh so you're not all dead' and I tried to pretend I was dead.

We all lay there, people dying were breathing heavily. I could hear a boy from Benin saying in a soft voice, 'Give me water, I'm so thirsty, bring me water.' After the shooting there were about thirty dead or almost dead, and more seriously wounded. Then about ten lightly injured.

Then about an hour or a so later a new group of prisoners were brought in. Then those prisoners and those of us who weren't wounded were ordered to load up the bodies onto a big blue truck. I loaded one person on the truck and then just stayed there trying not to be noticed.

Then at around 6:00 p.m. we took off. There were about fifteen gendarmes in our truck. They were dressed in full commando uniform and several had bandoliers wound around their waists. We headed north towards the Yopougon Prison and those of us still alive started talking to each other in whispers wondering if they were going to kill us or take us to the prison [in Yopougon]. But mostly we were just silent. There were about thirty to forty gendarmes in total participating in the operation.

Then we got to the place. We were terrified. Then they ordered us to unload the bodies. Since I was in the back of the truck I tried to stay there for as long as I possibly could. Then they ordered us to come and sit next to the dead and dying. Several of us were lying down trying to pretend we were dead but I was lucky because I had lain down first and then two others lay on top of me. It seemed like the dead had been separated from the wounded—maybe to make killing the survivors easier. I remember hearing them talking to each other saying, 'Why is it only now you northerners are protesting the election results; three weeks ago you didn't say anything. Now that the General is gone and Gbagbo is a civilian you think you can take over.' Then several of them, I couldn't really count, took up formation in front of us, we heard them loading their guns and the firing started. The boy on top of me received a lot of bullets. He screamed when he was hit and then started groaning and breathing heavily.

After a few minutes of firing, a few of them went around finishing people off. Then they walked

near where I was and stopped, noticing the boy lying on top of me was still breathing. I was trying desperately to control my breathing so they wouldn't notice me. It was when they were finishing him off that I was hit. [He was shot once in the arm.]

Then I heard one of them saying, 'Let's burn all the bodies,' and another said, 'No, they're all dead.' And then I heard the truck and jeeps leaving. I lay there, and after a few minutes saw someone get up from the pile of bodies. There were a few more who started saying, 'Help us, help us.' But they were dying and fell silent shortly after.

Another survivor, one of eight youths captured and forced to load the dead and wounded onto a gendarme truck, described his capture and subsequent experience:⁵⁵

I was in my house at around 4:00 p.m. on Thursday, October 26 when a friend came to visit me. We talked a while and I decided to walk him home. By this time it was calm and the riots from the morning had quieted down. As we were walking he suggested we go visit another friend, who lived close by in an area of Abobo called Gros Pine [big tire] which we did. There, several of us, all in the same compound, were drinking tea and listening to music. We were eight all together. All of us are Ivorian.

Suddenly we saw five gendarmes storm into the compound. One of them came directly into our room, and about five others stayed near the door. They asked for our IDs, which we showed them, and then the boss ordered us to come outside and sit down. I heard one of the gendarmes ask if we were all Dioula, and we said yes. They were all armed, with pistols, long guns and at least one had a machine gun with bandoliers wrapped around his shoulders. Then we were made to strip and they walked the eight of us out of the courtyard and into the street in a line—we were all completely naked; there were two gendarmes in front and two in back. As we were led away our mothers and sisters were crying and begging for them to leave us. Some of our neighbors were smirking, laughing. It's about a ten-minute walk to their camp, Camp Commando, and as we were getting close the gendarme with the bandoliers said, 'you'll soon see the Dioula we've already killed and we're going to kill you too.' Also as we were walking they stopped at another house along the way—I didn't know the owner—and asked a man inside for his ID but he wasn't a Dioula so they didn't take him.

As we walked into Camp Commando, there was another group of about four or five young men, also totally nude, who were being led into the camp by another group of gendarmes. When we entered the camp, in the courtyard just after the entrance, on the left we saw a lot of wounded all lying on top of each other; maybe twenty or so. A lot were totally naked, others had no shirts on. We heard groans and cries; many didn't really move. And straight ahead of the entrance lined up were the dead all lying side by side; some were on their backs, some on stomachs, some totally naked and some with no shirts. I can't tell how many there were but they were at least fifteen.

After seeing this, a group of gendarmes told the ones who'd brought us to take us out to the back. They made us lie down on our stomachs. While lying down a group of gendarmes who were different from the ones who captured us started to beat us. When lying down on our stomachs and in the middle of these beatings, a gendarme who I think was also a boss said 'the job is not yet done' and screaming like he was angry said, 'you killed one of our colleagues.' This is the only time he said this. I didn't know what he was talking about.

Then...after the beating, by this time it was around 5:00 p.m., I just heard a voice—I didn't see a face because we were lying face down—telling us to get up and then a few gendarmes walked us to where the bodies were. Then one of them said, 'pick up the bodies' and we were made to

⁵⁵ Human Rights Watch interview, Abidjan, November 10, 2000.

understand we had to pick up the dead and dying bodies and put them in a big blue truck. We were in pairs as we picked them up and carried them to the truck. If they were too heavy we just dragged them. I can't say for sure how many they were but me and my partner picked up five. There were many people picking up the bodies; the eight of us, plus the other group of about five who'd come in after us. And maybe a few more who were already in Camp Commando when we got there. It seemed like we were about twenty carrying the bodies.

It was when I was doing this that I got a good look at their wounds—it seemed all had died of bullet wounds. I saw one of them had bullet wounds in his legs, another in his chest, another in the head.

So after loading them we were ordered to get up in the truck with all the dead and wounded and we drove off. This was around 6:00 p.m. There were a lot of gendarmes in the truck with us and there was a blue jeep in front and a jeep behind. I was so afraid. At first we thought they might be taking us to the prison at Yopougon. It was so silent. No one talked.

Then just near the prison we turned down a little dirt road and drove a few minutes. The cars stopped and the gendarmes told us to get down and unload the bodies which we did; again two by two. We carried the bodies about four or five meters from where the truck was. After unloading one body—that is after the first trip—I just lay face down with the dead bodies and pretended I was dead and then the others started putting bodies on top of me. I heard an order being given for the wounded to be put in one place and the dead in another. And then some minutes later I heard an order being given for all the carriers to sit down; I think near where the wounded were. I couldn't see who gave the order—and then I heard the gunfire.

Before this no one said anything; no one begged for his life. I think the wounded and those still alive were then finished off with handguns because I could distinguish between the rapid fire of the rifle or maybe it was even a machine gun, and the pot pot, single shots of a handgun. I couldn't tell who was directing the operation; I missed a lot because I was face down. After this I waited until I heard the trucks go and then I got up from under the pile of the dead and left.

Mob Violence

Fighting between rival supporters from the FPI and RDR parties resulted in numerous deaths. With militants from both sides armed with wood sticks, machetes, iron bars, nail studded clubs, rocks, and in a few cases hunting and automatic rifles, political protests turned into pitched battles between militants of both sides, which in turn degenerated into mob violence in which opponents were often targeted solely on the basis of ethnicity or religion. Sometimes non-politically aligned and often unemployed youth joined ranks with one or the other side. The bloody clashes which ensued were characterized by religious and ethnic tensions as RDR supporters—most of them Muslims from northern-based ethnic groups—battled with FPI supporters, who are mostly Christians from western and southern ethnic groups.

The subsections of Abidjan's neighborhoods are largely divided along ethnic lines, and as tension mounted throughout the day on October 26, men from all sides formed neighborhood defense units to protect their families and property from attacks by rival mobs. By the afternoon after police and gendarmes deployed throughout the city, the RDR supporters and northern Dioulas melted back into their homes for safety. Those from the Agni, Baoule, Bete, and Ébrié neighborhoods remained on the street and in some cases victimized northern Dioulas and Muslims who happened to pass by.

The worst single act of mob violence occurred on October 26, 2000 in Blokosso Village, and resulted in the deaths of at least six men, including one Guinean. Blokosso, one of Abidjan's oldest neighborhoods, is inhabited primarily by people from the Ébrié tribe who were descendants of the original inhabitants of the capital Abidjan.

One edge of the neighborhood is immediately adjacent to the home of RDR leader Ouattara, the gathering

point for hundreds of RDR supporters, including armed traditional hunters called Dozos who had taken responsibility for his security.

Clashes between members of the two communities began on the evening of Wednesday October 25, immediately after Gbagbo declared himself president. The next morning the Ébrié community erected barricades at the entrances to the neighborhood to stop RDR supporters from entering. As they were doing this, accompanied by a patrol of gendarmes, RDR supporters became alarmed. Clashes ensued, and RDR militants and Dozos armed with pistols, hunting and automatic rifles advanced into the neighborhood. In the process the RDR militants set a car alight within the compound of a local Catholic church, destroyed property, and gravely wounded a fourteen-year-old boy. Witnesses say the boy was hit as the RDR supporters opened fire indiscriminately into the neighborhood. By noon, many residents of Blokosso decided to evacuate the neighborhood until the situation calmed down.

It was as they were fleeing that five witnesses interviewed by Human Rights Watch saw the bodies of five youths and the killing of a young Guinean man. There is some discrepancy as to the number of people killed. The Ivorian Red Cross told Human Rights Watch that at approximately 4:00 p.m. the same day they evacuated one badly wounded man from the round-about at Blokosso and counted seven corpses.⁵⁶ Others interviewed put the number of dead at six.

It is also not clear whether the victims were RDR militants who were killed while retreating back to Ouattara's house, RDR supporters traversing the neighborhood or politically uninvolved civilians targeted for their nationality, ethnicity, or religion. The bodies of the dead exhibited wounds from both bullets and machetes or knives.

Three witnesses interviewed by Human Rights Watch witnessed neighborhood youths armed with knives, machetes and rocks in the process of killing two of the youths. Witnesses, however also said that security forces were in the area around the time of the incident. The testimony of one of the witnesses interviewed by Human Rights Watch is as follows:⁵⁷

On Thursday morning, I saw several youths patrolling Ébrié village in groups of three and four. Some of them were wearing bandanas on their faces and others had their faces painted white. They were carrying machetes, knives, stones, and axes.

Around 11:00 a.m., at the roundabout I saw four dead bodies, strewn around the circle. One had a pool of blood by his head, like his head had been crushed by a stone. Then I saw the Guinean getting his throat cut. I knew him; he used to run a little coffee shop in Blokosso. I saw three youths standing around him; one of them cut his throat from behind with a long knife. Another man I didn't know was lying next to the Guinean about a foot away and it looked like he too had had his throat cut. Both men were bleeding all over and looked like they had been beaten with clubs and stones. As I fled the area I saw seven or eight of the attackers milling around the area.

Several serious attacks against RDR demonstrators, civilians dressed in traditional Muslim dress, and those suspected of being northern Dioulas or foreigners were perpetrated by civilians from the Ébrié community of Anonkoua

A forty-two-year-old carpenter whose family name originated from Mali was brutally attacked on October 26, 2000, by a machete-wielding mob from Anonkoua. The lacerations and beating he received resulted in a below-the-knee amputation and near total loss of vision. From his hospital bed, he described what happened:⁵⁸

⁵⁶ Human Rights Watch interview with Ivorian Red Cross official, Abidjan, November 16, 2001.

⁵⁷ Human Rights Watch interview, Abidjan, December 8, 2000.

⁵⁸ Human Rights Watch interview, Abidjan, November 12 and 18, 2000.

Between 2:00-3:00 p.m. I was heading alone back home from work. I usually go back along the highway but because of the demonstrations I decided to walk through the residential neighborhood, 'Village Ébrié.' I came upon a barricade where they asked for my ID. At first they let me through but after walking a few meters one of them whistled and then thirty or so of them surrounded me. I heard someone say, 'this man is a Malian.' I even recognized three of them that I used to greet whenever I passed through here. They asked me for 1000 CFA [U.S.\$1.40] I got out my money and gave them the 1000 but then they just grabbed all I had; about 45,000 CFA [\$61.00] Then set upon me; they started beating me all over with machetes, sticks, rocks. They hit my leg several times with a machete and were beating my head. I was on the ground. I didn't know what was happening. I was alone and yelled but they continued and continued. Then I must have passed out. I was later told I'd been thrown into a gutter and picked up and taken to a clinic by two men who knew me.

One of the Ébrié youths from Anonkoua manning the barricades in October described how he believed they were acting in self-defense:

There had been problems since October 24, and by October 26 we in the neighborhood 'Village Ébrié' decided to provide security for ourselves. On Thursday, October 26, at around 9:00 a.m. the RDR started marching from Anyama. I saw there were about 500 of them and they were armed with sticks, rocks, machetes...they were clamoring for new elections.

When the march arrived at Anonkoua, they started burning tires and we were frightened. The RDR marchers asked us what party we stood for, and if we weren't RDR we were attacked. Those people were like the Palestinians with their rocks. They attacked our people so then our people started running back to their houses. They got their shotguns and started shooting at the RDR.

I saw one wounded RDR who had a bullet in his chest. After this, we, the Ébrié, formed a checkpoint and started controlling everyone going by, asking for their ID cards. If you had a name that was from the north, a Dioula name, then you were brutalized. I saw one man dressed in a Muslim robe who was being beaten and attacked with a hammer.

Even the wounded were not immune from ethnic violence. A twenty-three-year-old youth, wounded by paramilitary gendarmes during clashes in Abobo on October 26, described from his hospital bed how he and his doctor were attacked by an FPI mob while on their way to hospital.⁵⁹

I'd gone to buy bread when panic erupted. As I was hiding in an alley I saw a gendarme firing directly at me from about thirty meters away and I was hit.

On our way to the hospital, near the university, we were stopped by a mob of FPI and university student youths with white headbands and Gbagbo T-shirts. They were armed with iron bars, knives, rocks, and sticks. The others explained that I was wounded and that we were on our way to the hospital but they said, 'we don't care, all we know is that you're all Dioulas.' They knew we were Dioulas, because at one point my friends were speaking in Dioula and they'd heard it. They dragged us out of the car and beat us; even me. Then they broke the windows of our car, and set it on fire with gas they had in containers. We begged them to let us go but they beat us, stole our watches and necklaces. The doctor took off running and then one of my friends put me over his shoulder and we ran away as well.

During the October 26 demonstrations, FPI supporters, civil servants, and people from ethnic groups backing Laurent Gbagbo were attacked by angry RDR mobs primarily within the RDR strongholds of Anyama and

⁵⁹ Human Rights Watch interview, Abidjan, November 12, 2000.

Abobo. RDR supporters in Anyama burned alive a civil servant, beat up FPI supporters, looted homes and ransacked a local market. In Abobo, small groups of RDR supporters ransacked neighborhoods looking for non-Dioulas, many of whom were seriously beaten, stoned, or cut with broken bottles. They forced their way into the houses of FPI and PDCI supporters demanding identification papers and looted many of their houses or properties. At least one woman was stripped naked, dragged out of her house by the hair, and severely beaten. Scores of non-Dioulas in the affected neighborhoods fled out of fear. In Yopougon, RDR mobs burned an evangelical church and threatened its pastor with death, allegedly in retaliation for an FPI attack against a mosque.

A resident of Anyama described how demonstrating RDR militants armed with sticks and rocks set up barricades, ransacked market stalls, and burned to death a civil servant after being stopped at a checkpoint.⁶⁰

On Thursday [October 26,] I went out to buy my newspaper to read about the Gbagbo victory. In front of the kiosk, I saw RDR supporters blocking the road with tables they took from the street sellers. Around 7:30-8:00 a.m., a motorbike with two men managed to pass through the roadblock. They were colleagues; both of them are civil servants who work for the water and forest department. Nothing happened then.

About thirty minutes later, one man came back, after having dropped his colleague off, and by then the road was fully blocked and the situation really tense. The RDR crowd was agitated, they made signs that he had to turn round but he tried to go through anyway. Then the RDR people pulled him off the bike by his shirt and started beating him. Those of us watching became so afraid; we ran into our houses.

Another witness hiding in the upper floor of a nearby building described what happened next:⁶¹

On Thursday morning, I was in my office, on the top floor of the building, I could see that the RDR was marching through town and had put up a roadblock. There was a man who came by on his motorcycle and wanted to pass through. I could see that they were yelling at him. They pulled him off and beat him up. I think he had passed out when they poured the gasoline from his bike over him and set him on fire. He burned completely. We came to know he was a government employee. I know they pointed him out because he was a westerner and an FPI man.

In Abobo opposition party members from the PDCI and FPI described how RDR mobs searched for and targeted ethnic Betes. A twenty-two-year-old woman from Abobo described having her house broken into by an RDR mob who brutalized her family after seeing a picture of Gbagbo in the living room:⁶²

On Thursday morning a crowd of RDR attacked our compound. They were carrying sticks and bottles and eventually kicked the door in. They screamed that they were Betes [Gbagbo's ethnic group] and asked for our ID papers. My brothers replied that that we didn't even vote, and that we were Baoules and not Betes. The intruders shouted that we were all the same, that we were the ones who were happy when Gbagbo won the elections. Then one of them saw a picture of Gbagbo in the living room and said that they didn't have to look further. They turned on me. I was holding my two-year-old son who they threw to the ground. Then another jumped on my back and I fell to the ground. Then one of them pulled my hair from behind and started tearing the clothes off my body, even my underwear.

They dragged me out of the house by my hair and said that they were going to kill us. Then my father came out with his rifle and fired in the air. The crowd dispersed after that. We live in an

⁶⁰ Human Rights Watch interview, Abidjan, November 11, 2000.

⁶¹ Human Rights Watch interview, Abidjan, November 11, 2000.

⁶² Human Rights Watch interview, Abidjan, November 13, 2000.

RDR neighborhood but had never had problems with Dioula or RDR people before. That night we left and spent the night at the gendarme base.

VI. THE DECEMBER PARLIAMENTARY ELECTIONS

By the beginning of November, and following calls for calm by both FPI and RDR leaders, political tension had largely been diffused. Police and gendarmes released hundreds of detainees from bases throughout Abidjan. Nevertheless, throughout November, scores of family members continued to search hospitals, morgues, and detention facilities for their missing relatives.

The December parliamentary election period was characterized by a further breakdown in the rule of law. During this period, state agents and their political supporters, encouraged by the impunity they had enjoyed in October, perpetrated similar and in some cases worse acts of violence. While the December wave of violence was characterized by fewer killings, there were more cases of detention, sexual violence, and religious persecution. At least one RDR official was killed and scores more, including several high-level representatives, were imprisoned. Also, by December, there was a consolidation in the relationship between the security forces and the youth wing of Gbagbo's party, the FPI, with the latter enjoying complete immunity from arrest even after committing atrocities in the presence of gendarmes and police.

Human Rights Watch documented forty-two deaths during the December violence, considerably higher than the official estimate of the Ivorian government — twenty deaths — or of the RDR, who believed some thirty of their supporters had died.⁶³

As Ouattara and the RDR prepared to participate in the December 10, 2000 parliamentary elections, a December 1, 2000, Supreme Court decision again barred Ouattara from standing, again because of questions about his citizenship.⁶⁴ The RDR secretary-general, Henriette Diabaty, condemned the ruling: "The decision is illegal and completely arbitrary. We have been patient...we cannot accept such a decision and we affirm that the party's chairman cannot be excluded from his country's political process."⁶⁵

In response to their leader's exclusion, the RDR withdrew their candidates from the election and called for a demonstration on December 4, 2000. The government reacted by declaring the demonstration illegal and Interior Minister Emile Boga Doudou announced a ban on all anti-election protests from December 5 through December 11, 2000.⁶⁶

On December 3, 2000, after holding discussions with the government, the RDR agreed to call off its planned march and replace it with a public meeting to be held the next day, at the Houphouët-Boigny Stadium in the city center.⁶⁷

From the early morning hours of December 4, 2000, thousands of RDR supporters gathered in their neighborhoods. Given the potential for violence, public transportation was almost entirely unavailable, leaving demonstrators no other alternative but to walk. As the demonstrators left their neighborhoods, they were met by police and gendarmes who had deployed in and around major roads and highways. The motive of the deployment was apparently to stop the RDR supporters from reaching the stadium.

An RDR activist explained:⁶⁸

⁶³ "Gbagbo Orders Investigation of Torture Allegations," Panafican News Agency, December 15, 2000.

⁶⁴ Ruling by Tia Koné in relation to Alassane Dramane Ouattara (Arret de Tia Koné relatif á Alassane Dramane Ouattara), Abidjan, November 30, 2000.

⁶⁵ "Ivory Coast: Focus on the Latest Electoral Crisis," U.N. Integrated Regional Information Network (IRIN)-West Africa, December 4, 2000.

⁶⁶ Ibid.

⁶⁷ Ibid.

On December 4, there were no taxis, no buses, so the only way to go to the meeting at the stadium was to walk. At around 9:00 am in Williamsville, we saw that the gendarmes, armed with guns and pistols, had formed a line across the road so as to prevent us from proceeding. As we got closer they opened fire and we all started running. I didn't see anyone dead but a colleague was hit in the face with a bullet. We weren't armed with anything.

I was captured by the gendarmes as we were running away, and later taken to Agban camp where I was severely beaten, to the point of needing hospitalization. The day after my capture, the gendarmes forced me to walk on my knees to a room where I gave a statement about our participation in the march.

The RDR saw the efforts by the security forces as a betrayal by the government who had the previous day granted permission to hold a meeting. Some of the demonstrators were armed with sticks, knives, machetes, and a few with hunting rifles; others had taken to the streets to set up burning barricades. Little effort was made by the security forces to distinguish between or isolate these armed elements from nonviolent demonstrators. On several occasions, most notably in the Abobo, Koumassi, and Yopougon neighborhoods, police and gendarmes indiscriminately opened fire into large crowds of people. Several people were killed as a result.

A twenty-six-year-old man marching with hundreds of other RDR supporters from Koumassi to the Houphouët-Boigny Stadium described what happened when police opened fire. At least two people died in the incident:⁶⁹

My brother T. died in my arms after being shot during the demonstration on Monday December 4. We were participating in the RDR march going to the stadium. We left our place in Koumassi at around 6:30 a.m. and started walking to eventually hook up with our colleagues coming from villages near the airport. As we approached the local gendarme base, they [the gendarmes] started throwing tear gas at us. By this time there were around 400 of us. When the gendarmes ran out of tear gas we continued on until we turned onto Blvd 7 de Septembre, where we hoped to meet the other RDR supporters.

Then at around 8:45 a.m., just near the roundabout close to the 6th District Police headquarters, they opened fire on us. I saw several of them shooting through the fence with a pistol. Four demonstrators were wounded at that moment. But many of us wanted to continue so we carried on nearly until we reached the main boulevard. There we ran into another group of policemen but this time we sent a small group to them to explain that we were just on our way for a meeting at the stadium.

They gave us permission to continue but as we were walking past them they just began firing at us. I saw about six officers in the vicinity and at least two actually shooting. There were two people killed during this shooting; my brother and one other. My brother didn't die instantly. He was saying, 'but we did nothing and you shot on us.' Then he started to bleed from the mouth and nose, he lived for about an hour.

A thirty-one-year-old petty trader, also an RDR activist, described how gendarmes tried to block activists from marching from the populous suburb of Yopougon. One RDR protester was killed in the shooting:

On Monday, December 4, at around 8:00 a.m. we, the RDR militants, left Yopougon on our way to the meeting in the stadium. Then a truck of gendarmes tried to block the main road to stop us from participating in the meeting. I saw about fifteen of them taking up position, and then they

⁶⁸ Human Rights Watch interview, Abidjan, February 3, 2001.

⁶⁹ Human Rights Watch interview, Abidjan, February 3, 2001.

just opened up on us with live bullets. I saw that one youth died on the spot. Many of us were wounded with bullets. We saw there were some FPI youths with the gendarmes as well. They just opened up firing on us with no warning.⁷⁰

At least one opposition supporter, a treasury official working with the Treichville mayor's office, an ethnic Baoule, and member of the Democratic Party of Côte d'Ivoire (PDCI), was murdered by an RDR mob as a large group of RDR supporters marched into the city center on the morning of December 4, 2000, to participate in the meeting at the stadium. According to witnesses he was brutalized and later had his throat slashed.⁷¹

Detention and Torture

After breaking up concentrations of RDR supporters on their way to the stadium in the morning, and to the national television station in the afternoon, police and gendarmes rounded up hundreds of demonstrators and detained them in several bases including the National Police Academy, Agban Gendarme Camp, National Gendarme Academy, Gendarme Camp of Koumassi, and the Gendarme Camp of Yopougon. According to the International Committee of the Red Cross in Abidjan, 814 people were arrested during the month of December violence.⁷² According to witnesses and victims interviewed by Human Rights Watch, several hundred more people were detained around the December parliamentary elections than during the October presidential elections.

Detainees were subjected to severe physical and psychological torture similar to reported treatment in October. Indeed, in many cases the treatment was worse. At least one RDR supporter died and scores more were wounded as a result of torture and ill-treatment. Hospital and clinic workers treated hundreds of victims for lacerations, broken bones, fractures, and burns sustained while in custody. In addition to the forms of torture used in October, police and gendarmes burned detainees with irons and scalding pot lids, scorched their testicles with cigarettes, and forced them to drink their own blood and eat excrement. As in October, the two most notorious places of detention both in terms of severity of treatment and numbers detained were the National Police Academy and the Agban Gendarme Camp. Many of the some thirty detainees held within the National Gendarme Academy were also severely tortured.

On December 6 and 7, 2000, the International Committee of the Red Cross (ICRC) and international and local human rights groups including Amnesty International, and the Ivorian Movement for Human Rights (*Mouvement Ivoirien des Droits de l'Homme*, MIDH), visited the National Police Academy, Agban Gendarme Camp, and other places of detention. Following the visits, conditions in detention improved considerably. There were few subsequent reports of abuse, and cadets and officers alike appeared to have received orders to desist from ill-treating the detainees. The ICRC treated the wounded and registered the names and phone numbers of detainees to notify their family members.⁷³

A twenty-two-year-old driver's apprentice, arrested within his house in Yopougon, described physical torture during his ten-day detention within the National Police Academy. His back and arms were scarred with at least nine small burns and numerous deep welts.⁷⁴

Arriving at the Police Academy they asked us to take off all our clothes. Then they took our IDs, mobile phones, jewelry, and made us walk through a formation of police—one on each side about a meter apart—who beat us severely with everything; batons, wood, chains, belts, electrical wire. The line was about thirty meters long and they told us to walk very slowly. Most of them seemed to be cadets. Then they made us walk on our knees; they told us to form groups of seven and race back and forth five times.

⁷⁰ Human Rights Watch interview, Abidjan, February 7, 2001.

⁷¹ Human Rights Watch interviews, Abidjan, February 10, 2001.

⁷² "Gbagbo Orders Investigation of Torture Allegations," Panafrikan News Agency, December 15, 2001.

⁷³ Human Rights Watch interviews with former detainees, Abidjan, February 5-11, 2001.

⁷⁴ Human Rights Watch interview, Abidjan, February 7, 2001.

For three days we suffered all kinds of torture. The cadets would work on us in groups; each one doing whatever he felt like. After they tired or at the end of their shift another group would come and do whatever they wanted.

They screamed at all of us to lie down on our stomach, then beat us with burning branches; keeping it there a few moments to make sure it burned. There was one who put the top of a saucepan in the fire till it was scalding then put a belt around the top so as to be able to hold it. Then he walked around burning us.

They beat us with iron, wood, batons, and would then pour a liquid that burned terribly into the open wounds. I think this was tear gas mixed with water. While they did this they said things like, 'you're the Dioula; you already control transport and trade and construction, and now you want more, you want to be president.'

We didn't eat or drink anything, not even water, on Monday or Tuesday. It wasn't until Wednesday morning, after the Red Cross and human rights people came, that we got something to eat, that the torture stopped, and things got a lot better.

Except on Thursday morning, after the beating had effectively stopped, a single gendarme came into the room and said sarcastically, 'You people are really ok here. You should see how your comrades in the National Gendarme Academy are getting on. If you see them, you'll see how well we treat RDR people.' Then he took off his red belt, with that thick iron buckle, and started beating us. He went around like a mad man for thirty minutes until he'd broken into a sweat. The other police just stood by, laughing, not saying anything or trying to stop him.

As in October, foreigners, northerners, and Muslims were dragged out of their homes or stopped on the street and detained solely and explicitly on the basis of ethnicity, nationality, or religion. According to a December report by the Interior Ministry, over half of the 302 detainees being held in the National Police Academy were foreigners (including fifty-seven Guineans, forty-six Malians, and twenty-eight Burkinabés).⁷⁵ Victims and witnesses described police and gendarmes breaking into the houses of foreigners and threatening to kill them if they didn't come out.

A forty-year-old Malian house painter was dragged out of his neighborhood on December 4, with at least ten others, during a morning police round-up operation in Williamsville. While held in the National Police Academy he was severely tortured, resulting in at least thirty open gashes and five deep, open sores and burns on his back, several of which required stitches. He recounted:⁷⁶

On the morning of December 4, we'd heard there was going to be trouble so I decided to stay home from work. At around 8:00 a.m., I went outside to the public washing area and starting hearing the people running around and then saw six or seven policemen. They ordered me out and I tried to explain that I wasn't among the marchers, that I was a Malian and had nothing to do with politics. When I told them this they said, 'Oh you're a Malian...you're the ones who send others to march in the streets while you remain at home.' They asked for my ID but they didn't even look at it.

Then they dragged me and another Malian as they moved through the neighborhood, compound by compound, looking for foreigners and Ivorian Dioulas. They threw a few tear gas bombs into houses of people who didn't want to open up. I didn't count how many they pulled out of their houses but I think there were about ten to fifteen.

⁷⁵ "Ivory Coast – Report of Violations Within the Police Academy," Ministry of the Interior, December 2000.

⁷⁶ Human Rights Watch interview, Abidjan, February 7, 2001.

Then we walked to the police station in Williamsville. About thirty others were brought throughout the rest of the day. It was when we got to the Police Academy that the true hell started. When we arrived they told us to take off our pants, get down and then march on our knees. Then about ten police cadets lined up on two sides and told us to walk as they whipped and beat us with batons, electrical wire, bamboo, and iron.

Once inside they forced us to lie down on our bellies and tortured us all night. They threw water on us, forced us to do sit-ups and other exercises, and beat us with truncheons, leather dog collars, wood, iron, bamboo and electrical cord. A few of them walked around with small rubber spray bottles with tear gas and water in it. They stopped in front of me, forced my eyes open wide and then sprayed it in. It was so painful—I couldn't see for fifteen minutes. Over the next few days they did this several times. I had deep gashes all over my back, some of them about an inch deep, and they also sprayed this substance into these wounds. There was one cadet who put the top of a saucepan in the fire to make it hot and then he walk around burning people with it. We were totally defenseless. How could we protect ourselves?

Hearing that the institute where he taught had come under attack, a forty-five-year-old chemistry teacher from a northern ethnic group ventured out and was soon after detained by gendarmes in Williamsville. The severe beating he received while held in the Abgan Gendarme Camp resulted in a skull fracture, one deep ten-inch gash on his back, and some forty smaller welts all over his body. He recounted:⁷⁷

As I arrived at the intersection near the cemetery, a group of gendarmes drove up; some in a jeep others in a cargo. There were about fifteen in each group. Some of the RDR people started running away when they saw them, but I didn't; I didn't have anything to hide.

I insisted that I wasn't involved in the march but they arrested me anyway. At the entrance to Abgan Camp, a few of the gendarmes at the gate said, 'so you've brought us food to eat.' They told me to take off all my clothes, save my underwear. And then the beatings started. They beat me with their belts with the iron bit, with batons, and with rubber.

The worst beating happened on Tuesday. Every group of gendarmes had their own way of torturing us physically and psychologically. While lying down one of them put his boot on my head so as to immobilize me, and then hit me four or five times with the iron buckle of his belt. It caused a huge gash, and a fracture on my head. I lost consciousness for over two hours and bled heavily. The others thought I was dead. They also broke one of my fingers and whipped me continuously on my back. On Wednesday, at around 16:00, I beleive the gendarmes thought I was going to die so a few hours later they sent me to the hospital at Cocody. I couldn't really walk, I was so dizzy. In fact I'm still dizzy. I'm still not the same. They stole my glasses and my gold watch. Altogether I spent three days in Abgan camp and was then in the hospital for over a week.

Despite police and gendarme efforts to stop the movement of RDR supporters, by noon thousands had managed to arrive at the Houphouët-Boigny Stadium. However, due to organizational and technical failure, the RDR meeting never took place. Witnesses said that, when RDR leaders were late in arriving and the sound system failed, several hundred frustrated protesters decided to march the two miles to the national television station, (*Radio Télévision Ivoirien*, RTI) despite pleas from the leadership not to march. By doing so, they were in violation of the interior minister's ban. The march was headed up by some ten to fifteen Dozos, or traditional hunters, armed with shotguns. Witnesses said many RDR supporters were armed with knives, sticks, and machetes.

⁷⁷ Human Rights Watch interview, Abidjan, February 6, 2001.

As the march approached the national television station in Cocody, they were met by scores of police and gendarmes, supported by FPI youths armed with machetes and clubs. The ensuing clashes resulted in at least five deaths and scores of wounded.

A RDR leader who was present both at the stadium and on its way to the TV station, recounted what happened.⁷⁸

First we went to the stadium. We waited until around noon for the RDR leadership to show up. Finally, [RDR secretary-general] Madame Diabaty arrived but the sound system for the meeting didn't work so there was no way to communicate with the masses. Eventually the militants got a bit agitated. Madame Diabaty asked us to go back home, the militants said no, that we're ready to die for our cause. Madame couldn't control us, we were fed up and wanted to move; we wanted to protest the arbitrary rejection of our candidate.

Scores of fleeing RDR protesters sought refuge within an empty technical institute, the *Ecole Normale Supérieure* (ENS), but were then forced out by gunfire and teargas. At least four protesters died within the ENS: two were electrocuted while trying to hide, and two were shot when security forces opened fire on the institute.

The clashes around the national television station on December 4, 2000, were notable for two patterns of abuse that differed from the October wave of political violence. The first was the overt collaboration between security forces and FPI supporters, and the second was sexual abuse against women.

Security Force Collaboration with the FPI

By December a relationship appeared to have been consolidated between police and gendarmes and FPI youth groups, pro-FPI student groups such as the Côte d'Ivoire Student Federation (*Fédération Étudiante et Scolaire de Côte d'Ivoire* FESCI), and neighborhood defense units from ethnic groups identified with the FPI. Numerous witnesses described collaboration, or coordination, between these government forces and FPI supporters on December 4, 2000, when they worked together to round up RDR demonstrators, patrol through neighborhoods, or man roadblocks. In other cases, the security forces stood by while FPI supporters committed serious violations such as rape and murder. These state forces ceased to work for the protection of the general population while becoming partisan supporters of the ruling party.

This collaboration was very clear in the afternoon clashes around the national television station. As hundreds of RDR supporters approached the national television station, units of police and gendarmes worked hand in hand with FPI supporters to "defend" the installation and break up the march. An RDR activist described the operation:⁷⁹

After leaving the stadium, hundreds of us decided to go towards RTI—peacefully. As we were getting close to the RTI, some FPI militia who we thought were our people blocked the junction, and then the gendarmes blocked the other way and we were encircled. This happened at around 2:30 or 3:00 p.m. We had about ten or so armed Dozo traditional hunters in front of us; they'd originally come to protect our RDR leaders. Then a truck full of gendarmes started firing tear gas at us...and at that moment other FPI and FESCI [university student] youths who'd been hiding in the bushes and behind buildings emerged. Some of them had bricks, wood, and wore red bandanas. At this point they weren't mixed with the police or gendarmes. I saw them clearly and could even be able to recognize some of them.

Then the FESCI youth who'd been hiding in the nearby student housing at 'Cité Rouge' started chasing and capturing RDR demonstrators as they tried to flee. They beat them and handed some over to the police.

⁷⁸ Human Rights Watch interview, Abidjan, February 6, 2001.

⁷⁹ Human Rights Watch, Abidjan, February 6, 2001.

Several other RDR supporters described being captured during joint operations between FPI supporting youths and the security services. A twenty-seven-year-old student captured by FPI supporters and then handed over to the security forces during an operation on the afternoon of December 4, 2000, recounted how he was only saved when he pretended he belonged to a non-northern ethnic group.⁸⁰

To get away from the troubles we climbed up to the second story of the technical institute and just prayed that we'd be ok. But eventually the gendarmes discovered we were there and started firing a lot of tear gas. They broke the windows and launched tear gas bombs directly into where we were hiding. They told us to come out or they'd kill us.

I was met by three gendarmes, one policeman and five FPI youths who had white charcoal on their faces. There were three other youths lying on the ground; bleeding and moaning. Then in front of the gendarmes two FPI youths started beating us with a big piece of wood. There was one youth they accused of being a Dozo and who was being severely beaten by two FPI youths and one gendarme.

The FPI youths beat us more and seemed to be the ones giving the orders. It was the FPI who said there were still people hiding inside and said the gendarmes should open fire to scare them out—and they did. I never saw the gendarmes giving the FPI orders. I begged them, I said I wasn't in the march. One of the gendarmes kept beating me and then an FPI youth asked me what my explanation was. I explained that I'd gone to see my parents, that they needed medicine, and that I was captured on my way. Seeing he didn't believe me, I explained again in Agni [from the Akan ethnic group of south and east Côte d'Ivoire] and after some time he said to the gendarme, 'leave him, I think I know this guy.' Then the youth helped me get out of there.

After a thirty-six-year-old RDR supporter was severely beaten up by a group of three FPI student militants (he suffered a broken arm and three-inch skull fracture), he ran to the police for protection. He described what happened then:⁸¹

After being tear-gassed we all scattered in different directions. While trying to escape I was caught by three FPI people who immediately set upon me and started beating me; one robbed my shoes, another took my blue jeans. They hit me on the head with iron bars and thick pieces of wood. Others RDR people were being beaten at the same time. I finally broke away and ran to a policeman, thinking he'd protect me but instead he hit me, whack, with the blunt end of his rifle. I fell down.

Then four FPI, including the same three who'd been beating me, came to where I was with the policeman and said they wanted to put me in a car which had been set on fire during the disturbances. And the policeman just nodded and told me to say my last prayers but thankfully at the same moment the Commissioner of the 8th Police District of Cocody happened to come by. He told me to get up and took me inside his car to the station where he ordered them to call the Red Cross to take me to the hospital.

Several other victims from Koumassi and Abobo described being dragged from their homes by joint patrols of FPI supporters and either police or gendarmes. A twenty-three-year-old Burkinabé who was one of fifteen people, mostly foreigners, captured from Koumassi on the morning of December 4, 2000, described what happened.⁸²

⁸⁰ Human Rights Watch, Abidjan, February 3, 2001.

⁸¹ Human Rights Watch interview, Abidjan, February 7, 2001.

⁸² Human Rights Watch interview, Abidjan, February 7, 2001.

I'd gone to work that day, but my boss told me that because of the situation I should return home. Shortly after getting back home, between 9:00 and 10:00 a.m., a friend of mine came to our house to warn us that the gendarmes and FPI youths were going around the neighborhood pointing out Dioula homes and capturing people.

I rushed to close the main door to our compound, but shortly after a group of gendarmes and FPI people came. I saw four gendarmes with red berets, and about twenty FPI youths. First they sent tear gas bombs and then they broke into the compound. We all tried to scatter; many from my compound jumped over the walls and ran but I couldn't get away.

One of the gendarmes accused us of being among the RDR marchers and of throwing stones at them and some of the FPI people started beating us. Then they shoved me into a truck with about fifteen others, including three Burkinabés and one Malian, and took me to the Police Academy where I spent about one week.

Serious human rights violations, including murder and rape, were committed by FPI supporters in full view of the police and gendarmes. In some cases police and gendarmes attempted to intervene, but Human Rights Watch documented several disturbing incidents of overt complicity—and in some cases collaboration—while these abuses were taking place.

On December 4, an ambulance carrying five RDR supporters wounded during the march to the stadium was stopped in Cocody by some twenty gendarmes backed up by a large group of FPI supporters. The gendarmes ordered the wounded to get out of the ambulance, threatening to kill them and the ambulance personnel if they refused to do so. One of the women patients was then dragged away and raped by at least two of the FPI youths in full view of the gendarmes. One of the wounded, a twenty-six-year-old mechanic, described what happened:⁸³

Five of us, three men and two women, had been hit during clashes around the fire brigade. I'd been shot in the leg. Later the Red Cross picked us up in an ambulance to take us to Cocody University Hospital. When we neared the national television station we were stopped by about twenty gendarmes. Hanging around them was a big mob of around a hundred FPI youths. The FPI had their shirts tied around their waists, wore black bandanas and had white powder on their faces. One of the gendarmes ordered everyone, including the wounded, to come down and threatened to kill anyone who didn't. He put his head inside the ambulance said 'we're going to kill all of you and leave you in a shallow grave behind the prison just like the last time you marched.' [Referring to the fifty-seven men whose bodies were found in the Charnier de Yopougon.]

Then the driver said, 'no you can't shoot us, you can't do this, I will denounce you.' But the gendarme just pushed the driver and pointed his gun at us. Those of us who were able then got down, being pushed and slapped as we did. One gendarme hit me on the right check with the butt of his rifle. They left the two most seriously wounded because they'd lost consciousness.

One of the wounded girls was about seventeen. She'd been hit in the arm with a tear gas canister and wasn't too badly wounded. When she got down from the ambulance a group of about five FPI youths came up to the gendarme who'd stopped us and started yelling, 'Oh chief, let us have this one, she's from the north anyway, we want to do something with her.' The gendarme said, 'the northerners are like sheep, do what you want.' And then the girl was dragged off by the youths. She was crying, 'forgive me for what I've done, leave me, leave me.' They took her about five meters away by the side of the road, and I saw one, then another raping her. Then another group of about twenty FPI youths came and walked off with her. The raping took about ten minutes.

⁸³ Human Rights Watch interview, Abidjan, February 7, 2001.

About three minutes later a gendarme officer with a walkie-talkie and three bars [a captain] came up and yelled at the gendarme who'd stopped us saying, 'leave them now, they're wounded.' The driver explained that the young wounded woman had been taken away but the chief just said, 'shut up, don't talk so much.' The ambulance driver insisted, explaining that she was also wounded but the officer threatened that if we didn't leave just then, he'd kill us all. We didn't see the girl after that and I don't know where they took her.

On December 4, a forty-one-year-old businessman participating in the RDR march to the stadium, fled into the largely Ébrié neighborhood of Anonkoua with several other demonstrators after being fired on by gendarmes. He described how a young RDR militant had his throat slashed by a group of youths in the presence of three gendarmes.⁸⁴

As we marched by we found that the Ébriés had blocked the route. I saw they were armed with machetes, hunting rifles, and pieces of wood. There was a confrontation for fifteen minutes or so—we wanted to continue marching and they refused to allow us to pass. At one point they started firing and two of our people were wounded.

Then two trucks of gendarmes arrived. There was gunfire and confusion and we all ran helter-skelter. Two other marchers and I were forced to run into the Ébrié neighborhood. We knew they'd be hostile but really had no other choice. The Ébrié didn't seem to notice me perhaps because I was dressed well, had glasses, and had been able to keep myself clean. I started walking slowly, like I had nothing to hide, and gave the 'V' sign to let them believe I was an FPI supporter. I guess I didn't look like the typical RDR militant.

But about five meters behind me, one of the RDR militants who'd fled with me had black charcoal on his face, and so was easily identified. As I walked away I kept glancing back and saw that he'd been caught by about five Ébriés. The one who caught him threw him to the ground and then another hit him repeatedly with a thick piece of wood. Then a third came by with a machete and cut his throat. They were yelling, 'he's RDR, he was in the march!' The boy was begging and yelling, 'please, please, I'm sorry.' There were about fifty or so Ébrié youth around, a few of them with hunting rifles, and nearly all the rest had machetes. The three that killed him all had white chalk on their face; in their tribe it's a sign of war. From the time they caught him to the time they killed him was only about two minutes.

As the boy was being killed a group of three gendarmes was running through the neighborhood. They were about ten meters away but they definitely saw when the boy was being killed. After he was dead they came a bit closer to look at the corpse. Then together with the Ébrié youths, they started patrolling around together looking for other marchers. They were definitely working together; the Ébrié were indicating where they thought the RDR youths had run. The gendarmes had time to intervene to stop the killing of the RDR youth, but they didn't. After seeing this I started trembling. I felt sick. But I just tried to control myself walking slowly, confidently, until I could get away.

Rape and Sexual Abuse

Human Rights Watch documented significantly more cases of sexual abuse against women from the December wave of violence than during the October presidential elections. The incidents, including rape, gang-rape, and penetration with truncheons, sand, and branches, were perpetrated by police and gendarmes, and by FPI supporters with the complicity of the security forces. All the victims were RDR supporters or women from northern ethnic groups. They were sexually abused in the street, within the ENS technical institute, and within

⁸⁴ Human Rights Watch interview, Abidjan, February 10, 2001.

both the National Police Academy and National Gendarme Academy. Victims and witnesses said the abuse was perpetrated by both cadets and officers.

On December 4, 2000, gendarmes, or FPI supporters in front of gendarmes or police, raped from six to ten young women who had run into the ENS technical institute to flee the afternoon street battles between RDR supporters and security forces. Several young women were handed over to youths to rape after the gendarmes were “finished” with them, “inviting” the FPI youths to sexually abuse the young women. Six of these women were then transferred to the National Police Academy where they were all subjected to other serious forms of sexual abuse, torture, and humiliation. Most of these abuses were perpetrated in the presence of high-level officers within the Academy. Four women were taken to the National Gendarme Academy where they were all raped for two days. All women interviewed by Human Rights Watch reported being beaten, specifically on the buttocks and thighs, while one suffered a broken arm and another a broken finger.

The ENS technical institute where many of the rapes occurred is located near a university dormitory. A student watching from her window described the scene and how gendarmes “invited” others to rape the young women during December 4, 2000:⁸⁵

I saw six women totally nude in the courtyard. Three of them were being raped by the gendarmes and the other three were handed over to the FPI youths. The gendarme knew some of the students were watching; in fact some of us, the women students, screamed from the windows for them to stop. But they didn't care. Before starting to rape, the gendarmes looked up at us watching from the windows and screamed things like, ‘Come and get it; a free woman, who has a condom? Come and look, free porno.’ I saw ten gendarmes rape these girls; and some even took their rifle, pieces of branches, and sand and put it into their privates. The three women were being guarded in one place in the compound by one gendarme. Then they called one woman, and all ten of them raped her. Then she'd move to a side and they'd bring the second one.

Then these three were handed over to the FPI. I didn't see what happened to them there. I think they were raped in another place. We stayed there and watched this going on for two hours. I even called the police to come and stop it but they said they couldn't do anything. Later they put the girls in a truck and drove them away. It was so horrible I couldn't sleep for three days.

One of the three young women described by the student above was visibly traumatized as she recounted how she and two other women were gang-raped by some ten gendarmes and several militant FPI youths on the grounds of the ENS technical institute. The young woman, a seventeen-year-old RDR supporter, was later taken to the National Gendarme Academy where she was gang raped by several more gendarmes for two more days.⁸⁶

There was a lot of shooting so we ran into the ENS to hide. The gendarmes fired a lot of teargas into the place and after we started coughing and sneezing, they came to know that we were there. As soon as they dragged us out they started beating us and then three of us were raped—myself, the caretaker's wife, and a woman from Dabou.

The gendarmes raped us right there in the courtyard on the grass and dirt. They told us to lie down and said, ‘and you say you want a Burkinabé president; just wait and see what we do to you.’ First one raped me and then when I tried to get up another would push me down and get on top of me. About ten gendarmes raped me. A few of them also made me take their penises in my mouth. When they were finished they called the youth from FPI and asked, ‘who wants to make love with them?’ and then several of them came and raped us as well. Maybe even ten of them. I don't remember. It all became a blur. At one point one of the youths put sand in my sex.

⁸⁵ Human Rights Watch interview, Abidjan, February 6, 2001.

⁸⁶ Human Rights Watch interview, Abidjan, February 8, 2001

They really mistreated the wife of the caretaker. She screamed that she was not in the march but they kept saying they didn't care. One of the gendarmes told the caretaker to get a machete and cut off a small branch from a banana tree. Then they told her to put the branch inside her sex. They forced her poor husband to watch. Some of the gendarmes doing the raping had two 'V's [sergeant] and others had two bars [first lieutenant].

Later they took me and another girl to the Gendarme Academy. They left the caretaker's wife and when we arrived we found two more girls already being held. We were all raped inside the Academy as well. The first night four gendarmes took us near the toilet area and raped all four of us. That night I was raped by four gendarmes. The next day they beat us from morning till night and then late at night I was raped by four different gendarmes. I saw the other three being raped right next to me. They made us take their sex into our mouths. I bled for several days following the rapes. During my time there I was beaten with iron bars, with batons and with the iron belt buckle of their red rope belts. They especially beat us on our thighs and bottoms. Things got a lot better after Wednesday when a gendarme from the Dioula tribe gave us, the women, clothes and told us that if anyone else tried to rape us, we should cry out. He gave us soap, helped us to find water and put guards in front of us to protect us.

A twenty-two-year-old university student who was sexually abused inside the ENS by two FPI supporters described how she was handed over to the youths by the police:⁸⁷

After the teargas became too much we decided to come out from where we were hiding [inside the ENS]. As we came out, the police and gendarmes were there. I was arrested by two police, who started beating me the second they got hold of me. They kept saying, 'but you're a girl, what are you doing here.' After beating me the police handed me over to some of the FPI youths who were hanging around and said, 'here's another one, go do what you want with her.'

The FPI youths dragged me in between two parked cars. Nearby I could see two other girls, totally naked, being raped by other FPI youths. The youths ordered me to go inside the room and I begged them to spare me. When I refused they started beating me and ripping my clothes off. Some of the police or gendarmes walked by and said, 'what's your problem, why aren't you doing it to her?' and the youths said, 'we can't do it in front of you, our senior brothers.' Then the police left.

Then they pushed me down. I started to cry and to give them excuses. I said I'm a schoolgirl, a virgin, then I told them I was on my monthly period. By this time the FPI youths were about eight; there were five holding me down. They said things like, 'it's you who want to help the Burkinabé to be president.' I recognized one of the FPI youths and asked for his help. At one point I cried, 'Allah' in Dioula and they became really angry, started beating me hard and said, 'we'll kill all of you Dioula.' One boy told me to open my mouth and he tried to put his penis there.

A few minutes later a policeman arrived and said I should be freed. The FPI youths complained and the police said, 'look, we're the ones who called you boys to use them in the first place, so we're the ones who will say when they should be let go.' Then the police escorted me to a police car and protected me from the youths who were trying to beat me as I went. I had black and blue marks on my back and legs, and fingernail marks on my chest from where one of the youths had clawed at me.

Police cadets and officers within the National Police Academy subjected six women detainees to sexual abuse, torture and humiliation. Human Rights Watch interviewed four of these women, three of whom were forced to lie

⁸⁷ Human Rights Watch interview, Abidjan, February 3, 2001.

naked in front of a group of officers who then inserted sand and police truncheons into their vaginas, and forced them to pretend to have sex with each other. Several were beaten in their genital area with truncheons and one was directly threatened with rape. One of these women was in the early stages of pregnancy, and had a miscarriage during her days in detention.

On December 4, a twenty-seven-year-old woman on her way home from work sought refuge within the teaching institute along with many RDR marchers. When police, accompanied by FPI youths discovered she was from the northern Senoufou ethnic group, she was beaten, stripped and raped by one of the youths. She was then taken to the National Police Academy where she suffered others forms of sexual abuse including an attempted rape. She recounted:⁸⁸

We were six women in the Academy. I wasn't raped inside but we suffered so many other terrible things. On the first night a police cadet told me to get up and follow him to the bath and toilet area. When I arrived he told me to clean myself well because he and the others were going to have sex with me. I told him that others had already done this to me and that I was burning inside, but he just said 'you do it every day in town but here you refuse us.' Then he asked, 'the one who fucked you was he protected,' to which I said no but by this time he'd already taken down his trousers and had an erection. But when I told him this he left me.

But on the way back to the main room the policeman took me by where the officers sit. I knew they were officers because they had orange bars and were the ones we saw giving the orders. There were about seven or eight of them. When we reached them, one told me to lie down in front of them and open my legs. Then they came and looked at me, told me to open my legs wider and then ordered me to move like I'm making love with my husband. Then one of them put a handful of sand inside my vagina. It burned inside me. Then they told me get up and wash. They had me lying in front of them for about fifteen minutes.

Then the next night, a police cadet told me to go take water in a bucket. While I was leaning over to fill the bucket, he tried to put his baton inside of me but I yelled out and in the end he wasn't able to do it. Then this cadet told me, 'the bosses wanted to talk to you.' And they took me to the same place as the day before. I believe most of the officers were the same but I can't be sure. Again they told me to lie down but this time they put the baton inside me saying, 'just pretend this is your husband.' I cried from the pain.

Targeting of RDR Leaders

In December, scores of RDR militants, including several mid- and high-level RDR leaders, were arrested, charged before an examining judge and later imprisoned within the Abidjan House of Arrest and Corrections (Maison d'Arrêt et de Correction de Abidjan, MACA), on charges of disrupting public order, breach of the peace, complicity in the destruction of property, or being in possession of a weapon. Very few of those interviewed by Human Rights Watch reported having been formally interrogated or even questioned about their activities. None, at this writing, had received a proper trial. The prolonged detention differed from October when almost all detainees were released from detention within one week. At this writing some forty remain in detention. Interior Minister Emile Boga Doudou said the RDR leaders and activists had been arrested in possession of firearms and other weapons, and maintained that, "All these elements lay bare the manifest desire of the RDR to take power through arms."⁸⁹

Among those charged were Ali Coulibaly, RDR spokesman, Kafana Kone, RDR national secretary, and Jean-Philippe Kabore, the son of RDR general secretary Henriette Diabaty.

⁸⁸ Human Rights Watch interview, Abidjan, February 8, 2001.

⁸⁹ "Ivory Coast's President Tries to Restore Calm," www.cnn.com, December 5, 2000.

According to the detainees themselves and other witnesses, the RDR leaders were subjected to particularly severe forms of torture. In most cases it was gendarmes, including officers up to the ranks of lieutenant and captain who perpetrated this abuse.

Souleymane Kamarate Kone, thirty, who works in the communications department of the RDR, was tortured after being captured with Jean-Philippe Kabore and several others. From within the MACA he described the extent of the abuse received following their arrest on December 4, and how one RDR official died from the injuries sustained while in the custody of the gendarmes.⁹⁰

At around 17:30 p.m. on December 4, I went with Jean-Philippe Kabore, the son of Madame Diabaty, and four others to check on her house, which is near the American Cultural Center. There were rumors that it'd been attacked. We went out thinking things had calmed down.

On our way, we passed by one gendarme checkpoint without problem, but ran into serious problems after the second one, which was just near the national television station. They asked us where we were going and Jean-Philippe explained that he was going to his mother's home. They asked who his mother was, and when he responded, 'Henriette Diabaty,' they became aggressive and hysterical. The gendarmes who'd stopped us called for the others to come running—there were about twelve—and started shouting, 'we've captured the son of Henriette.'

They ordered us out of the car, told us to take our clothes off and then started beating us with their belts, gun butts, and wood. One of them stabbed me and the others with the bayonet on the end of his rifle. When they'd searched us they found the small pistol that Fofanah, one of Madame Diabaty's bodyguard carries; he's a bodyguard and had a gun permit so it wasn't anything illegal. When they found the pistol they went crazy. They beat him savagely and kicked him in the face with their boots. At one point they forced him to open his mouth, and sprayed a tear gas canister directly into him.

After about twenty minutes of this, they ordered us to go inside the national television station, where they left us with a second group of about thirty gendarmes including several officers with two and three bars [the insignia of lieutenant and captain]. They beat and tortured us as well. At one point a gendarme officer, who said he knew I worked in the RDR communications department, ordered me to give him the names and whereabouts of the survivors from the Charnier de Yopougon. To make me talk he burned my pubic hair and around the testicles with a cigarette lighter. This happened several times. I saw the others being tortured as well. The national TV journalists saw everything that happened to us in there. After two hours they sent us, nude and bleeding, to the National Gendarme Academy.

After arriving there, an officer who I believe is the boss, came to meet us and was visibly angry at his men for what they did to us. He asked, 'Why did you beat them?' and ordered that we be given clothes. Shortly after we arrived, Fofanah, the bodyguard, passed out from his injuries and from the tear gas. One of the officers ordered that he be taken to hospital. I saw there were about fifty other detainees already inside, all of them bleeding. We weren't actually beaten at the National Gendarme Academy and at around 21:00h, the remaining five of us were put into an ambulance. We thought we were going to be taken to a hospital to receive treatment but instead they took us to Agban Gendarme Camp where we joined several hundred more detainees.

The very worst of our very bad experience began the moment we arrived at Agban. First they told us to get undressed and then they beat everyone until blood was flowing from all of us. They treated Jean-Philippe the worst of all. They put some kind of yellow powder in a rubber dropper and put it in our wounds and eyes. As we lay bleeding on the ground, they told us we were

⁹⁰ Human Rights Watch interview, Abidjan, February 10, 2001.

dirtying their floors and ordered us to lick our own blood from the ground; 'you're leaving our place dirty, clean it up, clean it.' A few of them had a clothes iron which they pressed on us. Here also I was asked for information about the survivors of Yopougon and about one of our student leaders who's president of the International Forum. One of the gendarmes said, 'We know you manage the files at the RDR, you know where they are.'

On Tuesday at around 12:00 midnight, Babou Coulibaly, who's a private secretary to Alassane, was brought into Agban in a guard car. As soon as he arrived the gendarmes started pointing at him and accusing him of infiltrating Gbagbo's people and of wanting to kill the president. I don't know where they got this information. They dragged him out of the car and started beating him so hard he couldn't move. They went mad and behaved like animals; they jumped on him, kicked him in the gut and sides with their boots and thumped him with pieces of wood and the butts of their rifles. He was beaten unconscious and at around 2:00 a.m., perhaps afraid that he was going to die, they took him away. I later heard he died in hospital.

Violence Escalates Following a Presidential Speech

In the evening of December 4, 2000, President Gbagbo held a nationally televised address in which he imposed a curfew and state of emergency to run until the morning of December 12. In the address he ordered the security forces to act without restraint against the demonstrators whom he indirectly accused of trying to topple him through a coup d'état. He said, "police, gendarmes and soldiers from all branches of the armed forces are ordered to use all means throughout the country to oppose troublemakers.... Power is not acquired through putsches. I do not want to let Côte d'Ivoire become a country that goes from putsch to putsch. All troublemakers will be punished."⁹¹ Many RDR supporters later told Human Rights Watch that they believed the address had given the security forces a carte blanche for repression of the opposition.

It is difficult to ascertain the degree to which the gendarmes and police felt protected by the president's statement or whether the impunity they had thus far enjoyed was enough to influence their actions. Nonetheless, according to statements overheard by several victims, the police and gendarmes did indeed use the president's speech as an excuse to commit serious human rights violations.

From the early morning of December 5, 2000, the gendarmes and police deployed in force in the neighborhoods which had the previous day been flashpoints of RDR protest. The security forces blocked roads and then fired indiscriminately into crowds of demonstrators, rounded up and detained RDR supporters, and broke into the homes of foreigners, northerners, and Muslims. Victims and witnesses often described FPI supporters accompanying and in some cases collaborating with security forces as they perpetrated many of these attacks. Human Rights Watch documented the deaths of twenty-three civilians on December 5, 2000, all at the hands of the security forces. The neighborhoods most affected by the December 5, 2000, violence were the RDR strongholds of Abobo and Yopougon. As in October, the violence perpetrated by security forces in Yopougon appeared to escalate following the killing of a gendarme during clashes with RDR supporters.

A twenty-two-year-old driver seriously tortured during ten days of detention in the National Police Academy, described how the president's declaration helped the police cadets justify their actions:⁹²

On several occasions we were threatened with death. One of them said they'd received orders directly from the president to do anything and everything to defend themselves, and that we should be careful because this meant they could easily kill us if they wanted. They said their pity for us was the only thing stopping them from doing so. They clearly said the president's edict meant that no one would intervene if they killed us. We were at their mercy.

⁹¹ "Ivory Coast in State of Emergency After Bloody Pre-election Violence," *www.cnn.com*, December 4, 2001.

⁹² Human Rights Watch interview, Abidjan, February 7, 2001.

After hours of clashes between RDR supporters and security forces in Abobo, gendarmes patrolled through the streets and alleys, captured, and in some cases gunned down suspected RDR supporters. A Malian man described how gendarmes with civilians he assumed were FPI supporters broke into the house of his brother, cousin, and an Ivorian Dioula on December 5 and murdered them without even having asked the men to identify themselves:⁹³

There are several families living in this compound; all of us are Malian, except one family from Côte d'Ivoire. None of us are RDR activists; as Malians we had no reason to be involved with national politics.

On Tuesday [December 5], around 11:30 a.m. a friend came into the compound yelling, 'the gendarmes have arrived. Be careful.' We quickly shut all the windows and doors. Shortly afterwards, we came under attack. We heard people yelling, and through a crack in a window I saw a lot of gendarmes accompanied by a few civilians I assumed were FPI approaching our place.

As they came closer I heard one of the civilians say, 'It's here; this is a Dioula compound,' and then they fired ten or so tear gas bombs inside the compound, setting two rooms on fire. We were choking but managed to put all the women and children in one room where we hoped they'd be protected. We knew it was the men they were after. We heard banging at the door and then six of us, including me, jumped over the wall into the compound next door while five hid in our own compound. Shortly after we jumped over the wall, I heard the gendarmes break through our own door and was later told ten or so burst inside.

Myself and two others had hid under the bed in one of the rooms, and the other three hid elsewhere. From under the bed we kept hearing, 'leave, leave, now, we've come to kill you.' We knew they were trying to break down the door of this compound as well. Then we heard the sound of the door breaking and then yelling and steps and running and then a lot of gunshots. We didn't hear the gendarme saying stop or asking for their identification or anything.

After we could hear the gendarmes had moved on, we came out and found the bodies of my brother, cousin, and our friend lying in blood. One had fallen in the last room of the compound and the other two had fallen in the abandoned house next door. There were no wounded; only the three dead.

I don't know why they attacked us. We later heard they were looking for a bus driver who is an RDR man. Some say the FPI militants had told the gendarmes this driver had hidden in our compound. Others said the gendarmes were pursuing RDR youths they'd accused of causing trouble, and thought they'd sought refuge in our place.

The gendarmes spent two hours in our neighborhood and as they were leaving I saw the local FPI people applauding, cheering and giving the V sign. Then we set about burying my brother and the others.

A thirty-year-old Burkinabé trader was one of five Burkinabés captured on December 5 during a police operation in Abobo. They were later taken to the National Police Academy where all were tortured:⁹⁴

I live with two cousins and some friends, all from Burkina Faso, in what would be considered a Burkinabé neighborhood. At around 18:00h, about forty of us were inside preparing to break our fast when ten policemen suddenly burst into our compound. They screamed, 'hands up, nobody move,' and started beating on us and ordered the five of us men they'd caught into a civilian

⁹³ Human Rights Watch interview, Abidjan, February 11, 2001.

⁹⁴ Human Rights Watch interview, Abidjan, February 7, 2001.

minibus waiting outside. They didn't ask for our papers, they didn't accuse us of anything. But it was clear they knew we were foreigners. The arrest happened very quickly; they only spent about a minute in the compound. They said things like, 'you Burkinabé...you came here to look for a little money and now you want to rule us.'

The most serious clashes on December 5, 2000, occurred in the Port Bouet II section of Yopougon. After a gendarme was killed early in the morning during serious clashes between hundreds of RDR supporters and security forces, gendarmes fired into a group of RDR protesters, killing at least thirteen. Later that morning the gendarmes, accompanied by several civilians alleged to be FPI supporters, swept through the neighborhood with bottles of petrol setting fire to many houses, cars, and businesses. At least three foreigners, including a two-year-old Nigerian girl and an eleven-year-old Togolese girl were killed when explosive devices were fired into the densely populated civilian neighborhood.

A thirty-year-old RDR supporter who participated in the clashes described how the gendarmes opened fire on demonstrators and later detained and stripped him and two other youths before shooting them. He described how he survived by pretending to be dead.⁹⁵

The trouble started at around 8-9:00 a.m. in the morning on Tuesday. The police were trying to stop the RDR from demonstrating but we were too many; we were around 500 to 700 demonstrators concentrated in the roundabout leading to the hospital. Then the gendarmes arrived and we all took off running. And then they opened fire at us. At that point I saw about six to eight bodies. About forty of us were captured by different groups of gendarmes.

Three of us were captured in my group. They held us for some time, ordered us to remove all our clothes and then forced us to walk into the neighborhood. By this time the gendarmes had already started burning houses. They asked us to set a house on fire but we refused and then I heard a gendarme with three V's [a staff sergeant] and a walkie-talkie say, 'kill them, we don't want RDR here.' He seemed to be the one in charge.

Then they told the three of us to run and from about ten meters away opened fire. I wasn't hit but I fell down as if I had been. I saw the bodies of the other two later. Then one of the gendarmes came by and hit me hard with a gun, but I just lay there. Later in the day after things had calmed down I counted thirteen dead bodies lying in the roundabout.

A restaurant owner described how gendarmes set fire to his restaurant and other neighboring properties.⁹⁶

On Tuesday morning at around 8:00 a.m. the gendarmes came back in force. They were firing everywhere. I saw them in black and red berets and with patches from the Marine [National Navy]. At around 1:00 p.m. I opened my window a little and saw about eight gendarmes walking down the street with a ten liter can of petrol, accompanied by several, I think six, guards from the University Hospital of Yopougon, and a few FPI youths. I watched them as they set fire to our neighborhood. First they threw petrol on the kiosk of a Baoule man, a furniture store, and then they came to my restaurant. First the FPI youths broke down the door and stole the music recorder, espresso machine, and some eggs, milk, and oil. Then the FPI and the guards gathered all the chairs together and the gendarmes set them on fire. Then, as my restaurant was burning, one of the gendarmes sprayed it with bullets and continued on up the road.

I saw the gendarmes setting fire to so many places: my place, two other houses one of which is owned by a Malian, a big coal truck, and a taxi. Around the same time I saw the gendarmes fire into a house occupied by Togolese people. I heard an explosion and saw the father and three girls

⁹⁵ Human Rights Watch interview, Abidjan, February 10, 2001.

⁹⁶ Human Rights Watch interview, Abidjan, February 10, 2001.

come running out. I later heard people crying and learned one of the girls and a Nigerian man had been killed. After this we all fled the neighborhood until things calmed down. I don't know why the gendarmes did all this. I'd heard that a gendarme had been killed at the roundabout between 8:00 and 9:00 or so in the morning and maybe it was in retaliation. All I know is that I lost 6 million CFA [U.S.\$8,570] in the fire.

The seventeen-year-old sister of a two-year-old Nigerian girl who was killed when an explosive device fell into their compound on December 5, 2000, described what happened and how the gendarmes later impeded the evacuation of the wounded.⁹⁷

From around 6:00 a.m. the youths had started moving up and down skirmishing with the gendarmes. Then around 8:00 a.m. we heard that a gendarme had been killed by one of the marchers. The thing became much more serious after that. There was a lot of gunfire.

Then five minutes later our own problem started. We were all in our beds; my mother was lying down with my little sister and I was sitting on my own bed. At around 8:45 a.m. a tear gas bomb was fired inside our compound. We started choking and coughing and then suddenly there was a huge explosion, a crashing sound and white smoke everywhere. There was blood everywhere, we were cut up all over; my sister was bleeding heavily from the head and from her stomach. My mother was hit on the head and all over her legs and back. There was a big hole in our roof where the bomb dropped and the iron bits went everywhere.

Shortly after the incident we tried to take them to the hospital but the gendarmes refused us permission. Shortly after 9:00 a.m. a gendarme who was passing by as we opened the door, came up to us agitated and yelling. My father's first wife tried to tell the gendarme we had wounded who needed to go to the hospital. This gendarme just asked her if she had matches. I don't know what he was going to use them for. She insisted saying, "please we need your help, we have wounded who need to go to hospital," but he refused and threatened to kill her if she insisted. The same gendarme came back three times asking for matches and threatening us. We told them we were Nigerian and had nothing to do with all the troubles. They knew we had wounded but they wouldn't let us out. And all the time my sister and mom were getting worse and worse. We weren't able to take them to hospital until 2:00 p.m. My little sister died shortly after we arrived. These bombs are things they use in war—is it war they're waging on us?

Several medical personnel described how the RDR wounded were refused treatment within the University Center Hospital of Yopougon, which is located less than 500 meters from where the December 5, 2000, clashes occurred. An ambulance driver described the scene and how guards and gendarmes refused them entry.⁹⁸

They told us they'd received orders not to open the door. We spent over two hours trying to convince them to open the door. We tried to explain the principle of neutrality and that any wounded had a right to receive treatment. Finally at around noon, they allowed us to enter. Once inside I heard a few nurses comment that they weren't going to treat any RDR militants. Inside we found scores of wounded, almost all by bullet and they hadn't been properly attended to. We spent the next few hours going back and forth, evacuating them to other hospitals willing to treat them.

⁹⁷ Human Rights Watch interview, Abidjan, February 11, 2001.

⁹⁸ Human Rights Watch interview, Abidjan, February 11 and March 9, 2001.

Psychological Abuse

Many detainees were repeatedly threatened with death and subjected to mock executions. In December these death threats commonly revolved around the theme of the Charnier de Yopougon, as groups of detainees were told they would be taken out and shot in a forest, as had happened in October.

An eighteen-year-old RDR activist detained in Agban Gendarme Camp for twelve days and tortured recounted.⁹⁹

They always threatened to kill us. On the first day [December 4], at around 11:00 p.m. a gendarme armed with a machine gun and strings of bullets wrapped around his shoulders stopped in the front of the hall where we were detained as if to address all of us and said, 'tonight we're going to kill you all. At 3:00 in the morning we're going to load all of you onto trucks and kill you in the Banco Forest.' Then a few of the other gendarmes standing with him said, 'Do you remember all those bodies in the Yopougon massacre? Well, that was small compared to what we're going to show you tonight.' One of the gendarme doctors who later treated us threatened us, saying, 'be careful, if the situation turns to war you'll all be dead.'

A nineteen-year-old taxi driver was arrested in Yopougon with eight other neighbors, including several foreigners, none of whom had participated in the RDR protests. After being forced from their homes they were taken to a local police station. That night they were put in a truck without being told their destination. He recounts how mention of the Charnier de Yopougon was used to terrify them:¹⁰⁰

At 10:00 p.m. the policemen told us to get dressed and told us to get into a police vehicle. I had been arrested with eighteen others; including eight from Mali, a Guinean, and a trader from Niger who told me he'd been picked up. On our way going, one of the policeman asked us if we'd seen the pictures of the Charnier de Yopougon. He said we were going to end up like those youth. We were terrified because at that point we didn't know where they were taking us. I guess we were relieved to arrive at the National Police Academy.

Seven women detainees, who for three days had been subjected to physical and sexual abuse within the National Police Academy, were on December 7, 2000, told to their relief they were to be separated from the men. As they were being separated, police cadets then subjected them to a mock execution. One of these women described her terrifying experience:¹⁰¹

By Thursday, after several days of hell and humiliation we were given medical treatment and told we were to be separated from the male prisoners. They said we were going to the amphitheatre. I thought our suffering was over but soon learned our ordeal was yet to finish.

After leaving the clinic they told the seven of us to come with them. They took us to an entrance to a stairwell and told us to wait. Then they took us one by one down a long dark corridor that led to a basement. I was the fourth to go. It was dark and as we walked they said they were going to kill me and then I heard a shot. As I entered the amphitheatre I saw the woman who'd preceded me lying there. When I saw this I started crying and screaming and of course thought they were dead and that they were going to kill me too. Then they told me to lie down and fired a shot in the distance. Then the police cadets who'd thought this up just started laughing and told me to lie down with the others. They were doing this just to terrify us. It was just a 'little game,' a little fun the cadets were having. There was even a woman cadet among them.

⁹⁹ Human Rights Watch interview, Abidjan, February 3, 2001.

¹⁰⁰ Human Rights Watch interview, February 7, 2001.

¹⁰¹ Human Rights Watch interview, February 10, 2001.

An RDR supporter detained on the street near the national television station on December 4, 2000, described being threatened with death as gendarmes argued over how to kill him.¹⁰²

I was on the street detained with about ten others. They were all horribly beaten and bleeding all over. There was one whose face was smashed, I couldn't tell where his nose or mouth was, and there were two that weren't moving at all. I think they were dead.

Then a few gendarmes ordered me and other youth who were the only ones really conscious to pick up the wounded and the bodies and put them inside a truck. But I couldn't because I was so weak. They beat me, pushed me to the ground and then one of the gendarmes walked up to me, put his boot in my face and told me to lick it. While I was doing this, another one readied his gun and said he was going to kill me, another disagreed and said he was going to cut my penis, and yet another said they should cut my throat and the last said they should cut my legs off so I couldn't walk. They took my ID card and ripped it up. The thirty or so FPI youths were hanging around cheering the gendarmes on, and started saying things like, 'hey you Burkinabé with your bastard president.'

Religious Persecution

In December the targeting of Muslims by the state security forces, particularly by the police, became more organized. On December 5, 2000, seventy-four Muslims and their imam, gathered for afternoon prayer in the Avocatier Mosque, were rounded up in a police operation involving scores of police and several trucks. The Muslims were later detained for several days within the National Police Academy of Cocody. In a similar operation, some twenty-five Muslims and their imam were arrested by police as they inspected the damage caused to the Sofogia Mosque which had just been burned by a mob of FPI militants. Both groups were accused of hiding arms within their mosques.

While in detention, groups of Muslims were beaten, doused with urine and dirty water, forced to break their fast, and refused the right to pray. Elderly Muslims and imams were forced to pull out their facial hair and watch as Korans and other sacred texts were destroyed by police. In detention Muslims were often insulted and forced to break religious rules. This was particularly reported in December, during the holy month of Ramadan. Also in Abobo, gendarmes opened fire into at least one mosque, later rounding up the imam and several of his family members.

One of the mosque-goers from the Avocatier Mosque described what happened to the seventy-five Muslims captured during an afternoon operation by police from the 13th District:¹⁰³

On Tuesday, December 5, the police came into our mosque. All seventy-five of us, including our imam, were taken away. Fasting month had just begun and that day we'd gathered a little bit ahead of the afternoon prayer to read from a special book of Koranic teachings the imam uses. He told us it was very precious to him because his father had brought it from Saudi Arabia in 1948.

So, at exactly 3:58 p.m., we started to hear cars arriving, running, shooting and yelling and the next thing I knew a policeman pointed a gun at the imam and yelled, 'don't move.' They threw teargas bombs in the place and as we ran outside we saw that the mosque had been surrounded by policemen; some with pistols, others long guns and a few with grenade launchers. There was a police truck with "13th District" written on it and three smaller cars. I know police uniforms; this was definitely a police operation.

Once outside they ordered all of us to take off our robes and get on our knees. They beat us. The women were crying and screaming, 'leave our husbands, let our sons go.' This annoyed the police

¹⁰² Human Rights Watch interview, Abidjan, February 3, 2001.

¹⁰³ Human Rights Watch interview, Abidjan, February 11, 2001.

who then started shooting in the air. The women then ran about fifty meters away and watched from there.

Then we had to walk on our knees towards the waiting vehicles and the police said, ‘you Muslims are nasty, dirty people, where are the guns you’re hiding?’ They didn’t ask us any questions, tell us what we were accused of or give us time to sort the problem out. Many of us held onto our Korans and the imam clutched his precious book of teachings.

Then they took us to the 13th district police station. As we got down from the vehicles there were several FPI activists in a line throwing stones and rocks at us. First the police ordered us, including the imam, to lie down in the mud, but one of the mosque youths said that he wouldn’t allow it so he got down first and told the imam to lie on top of him. When they started to beat us with their batons and another youth said he wouldn’t allow the imam to be beaten so he lay on top. The police really beat this boy, as if trying to punish our imam. Later they ordered some other prisoners to urinate in bottles and they poured it all over us.

The whole time we were trying to protect our Korans. But then the policemen started grabbing them and ripping them up in front of us. One of the policemen holding a rocket launcher ordered the imam to give up his sacred book. He refused but the policeman finally forced it from his hands and right in front of all of us started to rip up the pages of that very book the imam’s father had brought from Saudi. The imam just stood by and looked. It was painful for all of us.

Then around 8:00 p.m. they asked for our names and freed eight from my group including those who had typically non-Dioula names like Koffi and Kwasi. Then in groups of twenty they loaded the rest of us in into the police trucks and took us to the Police Academy.

The sixty-five-year-old caretaker of Depot No.9 Mosque in Abobo described seeing his mosque attacked by a patrol of gendarmes on December 5, 2000. The imam, his five sons and three nephews were captured from their house and detained for several days during the same operation:¹⁰⁴

I live about fifty meters from the mosque. On Tuesday things in our neighborhood were very tense. At around 9:00 a.m. I saw a group of about twenty or thirty gendarmes dressed in combats, with red belts and blue helmets arrive in a big truck. As soon as they drove up, the residents of the neighborhood rushed into their houses and shut the doors. The gendarmes parked near the mosque, got out and started patrolling here and there.

Some time later I saw five or so gendarmes take position around the mosque. First they fired at least three tear gas canisters inside. Then at least four of them took up position and started shooting at the mosque. I heard the sound of windows being broken and bullets pinging against the mosque. They stayed for about ten minutes but never scaled the fence, perhaps because they could see no one was inside.

A forty-year-old Malian man who was dragged from his house by police on December 5, 2000, as he was preparing to pray described religious taunting suffered while in detention:¹⁰⁵

After detaining us the police asked who was fasting. In our small group we were about five. Then they forced us to drink water. They held a cup above us and asked us to open our mouths. We were defenseless. I was held for ten days and was not able to pray through my entire time in detention. And it was holy month. There was nothing we could do. I just surrendered to God because I simply had no power.

¹⁰⁴ Human Rights Watch interview, Abidjan, February 11, 2001.

¹⁰⁵ Human Rights Watch interview, Abidjan, February 7, 2001.

The Parliamentary Elections Take Place

After two days of bloody clashes in Abidjan, a mediation committee comprised of government representatives, RDR officials, members of the security forces, and others was set up to try to ease tensions ahead of the December 10, 2000, parliamentary elections. Meanwhile, tension in the largely Muslim north rose as RDR demonstrators set up burning barricades, burnt down government offices, and chased local administrators out of at least three northern towns, including Ouattara's hometown Kong. In a further sign of tension, sixteen traditional leaders from the northern city of Odienne on December 8, 2000, released a statement expressing a desire to secede from the Côte d'Ivoire.¹⁰⁶

By December 9, 2000, the mediation committee had worked out an agreement which called on the government to postpone the parliamentary elections by a week to allow the RDR to appeal the earlier Supreme Court ruling to exclude Alassane Ouattara from running. In return, the RDR agreed to postpone their planned boycott and call off all street protests. However, at the last minute, on December 9, 2000, instead of announcing the agreement on national television as agreed, Interior Minister Emile Boga Doudou rejected the plan and asserted that elections would go ahead as scheduled. The government act reportedly angered United States and French diplomats working behind the scenes to broker the deal.¹⁰⁷

On December 10, 2000, with the state of emergency and night time curfew declared earlier in the week still in effect, the parliamentary elections went ahead except in twelve northern districts where polls for twenty-seven seats had been disrupted by protesting RDR supporters. In the northern towns of Korhogo, Odienne, and Ouangolodougou there were numerous reports of destruction of ballot boxes, vandalizing of polling stations, and attacks upon election officials.¹⁰⁸ In Korhogo, two election officials were reported to have been seriously injured.¹⁰⁹ Elections in these districts were later held without incident on January 14. The ruling FPI party won a slight majority, with ninety-six seats, followed by the old ruling PDCI which won ninety-four seats.¹¹⁰

Local government elections took place nationwide on February 25, 2001. The RDR participated, deciding against a boycott of this contest, and won the majority of council seats. The elections were peaceful except for violent protests which erupted in Abobo when youths protested the defeat of their candidate by the winning RDR candidate. One RDR man was reportedly killed. Following its success in the municipal elections, the RDR renewed its calls for new presidential and legislative elections.¹¹¹

VII. COMMAND RESPONSIBILITY

Many of the over one hundred victims and witnesses interviewed by Human Rights Watch described the presence of senior officers at the scene of serious violations and apparently in command of operations in which serious violations had taken place, including the gunning down of protesters in the street; torture, including sexual assault, of detainees within gendarme bases and police stations; and the rounding up and killing of RDR protestors, foreigners, and northerners or Muslims. While it is difficult to ascertain the exact chain of command and level of seniority of officers within the state security corps involved in the perpetration of serious human rights violations, command responsibility, as defined in international law, nevertheless lay clearly with the high command of the police, the gendarmerie and the Presidential guard.

In several cases documented by Human Rights Watch, victims described officers being directly involved in or ordering the perpetration of abuses, such as the sexual abuse of women by some seven officers within the National Police Academy and the torture in December of RDR detainees by gendarme officers within the national

¹⁰⁶ "Ivory Coast poll delay urged," www.bbc.co.uk, December 9, 2000; "Ivory Coast Government Seeks Vote," Associated Press, December 9, 2000.

¹⁰⁷ Douglas Farah, "Reneging on Pledge, Ivory Coast Government Holds Election," *Washington Post*, December 10, 2000.

¹⁰⁸ "Official Confirms Elections Were Disrupted in North," Panafican News Agency, December 10, 2000.

¹⁰⁹ "Official Says There Was No Poll in 12 Ivorian Districts," Panafican News Agency, December 11, 2000.

¹¹⁰ "Former Ruling Party Takes 15 Seats in Ivorian By-Election," Associated Press, January 15, 2001.

¹¹¹ "Death Mars Ivorian Opposition Victory," www.bbc.co.uk, March 30, 2001.

television station. In these cases, culpability by the officers or direct command responsibility of superior officers over their subordinates can be easily assumed. The commanding officer from the Gendarme Camp of Koumassi was the only commander identified who made a concerted effort to ensure the rights of detainees were respected, which he did particularly in December.

Numerous other victims and witnesses confirmed indirect command responsibility. Scores of detainees interviewed by Human Rights Watch described the presence of people whom they assumed were senior if not commanding officers in the police, gendarme and military installations in which serious abuses including torture and, in the case of the Gendarme Camp of Abobo, extrajudicial execution, were documented. In all of these installations, detainees were being held and mistreated in open areas. While, according to victims, few officers participated in the violations, they did nothing to stop them. In these cases, in which commanders witnessed the crimes or where the offenses were so numerous or notorious that a reasonable person could come to no other conclusion than that the officer must have known of their commission, indirect command responsibility could clearly be established.

Commanders are required to apply particular care when leading forces with the capacity to use lethal force. The failure of a superior to take appropriate measures to control and thereby prevent his subordinates from committing atrocities is another element of showing command responsibility. The failure to prevent the numerous atrocities committed by gendarmes in both October and December, apparently in retaliation for the deaths of other gendarmes, is a clear example of this.

Yet another form of indirect command responsibility is when an officer should have known of the offenses, but displayed such serious negligence as to constitute willful and wanton disregard of the possible consequences. Officers who stood by while subordinates committed serious violations would be equally culpable for the offenses. Similarly a superior would be culpable if he failed to punish the subordinate in question. Lastly, subordinates may not be absolved of responsibility for having obeyed illegal orders by their commanders to commit atrocities.

The victims also described numerous incidents of insubordination by police and gendarmes during which low ranking personnel argued, even physically fought, with officers over how to treat and whether or not to kill detainees. The incidents occurred on the street at the time of detention and within police and gendarme bases. They described subordinates outright ignoring the orders of their officers or waiting until they had departed before continuing with practices the officers had ordered them to stop. In all of these cases superior officers were attempting to intervene to stop abuses by their subordinates.

Some government officials and diplomats interviewed by Human Rights Watch blamed the violence by state security forces in October on the slightly more than twenty-four-hour power vacuum between the flight of General Guei, on the afternoon of October 25, 2000, and the swearing in of Laurent Gbagbo as president, on the evening of October 26, 2000. It was in fact during this twenty-four hour period that the most serious abuses, including the killing of the fifty-seven youths in the Charnier de Yopougon took place. At the same time there were serious abuses both before and afterward, indicating both that senior commanders exerted some control over the forces involved, and that they must share in responsibility for what happened.

A detainee being held within the Agban Gendarme Base in October described the confused line of command and the disrespect shown by lower ranking gendarmes towards their commanding officer.¹¹²

I couldn't tell who was in charge. Most of those beating us were corporals or sergeants. All but one of them participated in the beatings. They were all walking around clobbering us, each gendarme beating us as he pleased. No one seemed to be giving orders. It was all crazy. Sometimes it seemed like they were drunk or on drugs. At one point it was like a few of them got the idea to burn us so they found clothes and shoes with plastic, set it on fire and started burning

¹¹² Human Rights Watch interview, Abidjan, November 14, 2001.

us. And when the gendarmes were tired they just sat down, took a rest and someone else took their place.

Once after a shift change, one of the new gendarmes—he might have been an officer because he had a cell-phone and seemed to throw his weight around—said, ‘it’s enough now. Let’s stop it. Let these people alone now.’ But another gendarme started arguing with him and saying half to the gendarme and half to us, ‘we’re going to kill all of them. They’re all Dioulas, all foreigners, you’re the ones who want to set Côte d’Ivoire on fire.’ And then they started physically pushing and hitting and fighting each other until the one trying to stop the beatings took out a pistol and threatened the other one to follow his order, and then they left us alone.

In contrast, an RDR supporter held within first the Agban Gendarme Camp and later in the Camp Commando of Koumassi, described the difference between the two camps, and the effort made by the commander of Koumassi to exert his authority to ensure the protection of the detainees.¹¹³

In Agban we were severely beaten by ten or so gendarmes. They beat us until nearly all of us were bleeding. Then after the ICRC came, they decided to move 100 or so of us to Koumassi because it was too crowded at Agban.

After arriving at Koumassi we were taken in to the gymnasium where three gendarmes started beating us, mostly with belts. But after about five or ten minutes of this, a big man came and said, ‘leave them alone, don’t ever beat or disturb them.’ He ordered those beating us to leave and as they did we could hear them whispering that they’d come back anyway. Then the big man introduced himself as the commander and told us water was available for anyone wanting to take a bath. I observed that soldiers in this camp were much more disciplined than in Agban.

Then the next morning, at around 6:00-7:00 a.m., two of the same three who’d beat us the night before came back, as promised, to have a go at us. When several of us shouted from the pain, they yelled, ‘shut your mouth.’ We guessed it was because they didn’t want the commander to hear them. But he did and when he arrived a few minutes later, he yelled at them and said ‘I told you these people are not to be beaten, leave now.’ And from that day on we were left alone. The commander also gave us food and allowed our parents to send food to us. He always tried to comfort us by telling us that we’d soon be freed and that nothing would happen to us. He was very good to us, especially after Agban.

Two cousins who were among five Burkinabés captured from their home in Abobo on December 5, 2000, taken to a cemetery and threatened with death. They described a ten-minute argument over whether or not to kill them among the thirteen policemen conducting the operation.¹¹⁴

After arresting us they then drove us in a regular civilian minibus to the cemetery behind Abobo. Inside the minibus I counted thirteen police officers, including the driver. There was one in an African print shirt and with a walkie-talkie. I think he might have been the chief but I’m not sure. At the cemetery they told us to get down from the car and start walking. Some distance away we saw a big hole and one of them said, ‘no one’s around; we’ll kill you, put you in there [the hole] and no one will ever know.’ Then some of the others started saying we shouldn’t be killed.

They spent about ten minutes arguing, really arguing, over whether or not to kill us. During the yelling they said things like, ‘you Burkinabé...you came here to look for a little money and now you want to rule us.’ One of them said they should bring us to their boss at the HQ ‘so the police will know that we did our job.’ Finally the one in civilian dress insisted that we not be killed,

¹¹³ Human Rights Watch interview, Abidjan, November 25, 2001.

¹¹⁴ Human Rights Watch interview, Abidjan, February 7, 2001.

saying, “look, you’re not going to kill these people.” And the others who outnumbered the ones, who wanted to kill us, agreed and led us back to the minibus.

In December, the decision by the government to allow the International Committee of the Red Cross into the police stations and gendarme bases was clearly accompanied by a high level decision to stop these forces torturing the detainees. A Dioula taxi driver who’d been dragged out of his house and later detained within the National Police Academy in December described this apparent change of policy.¹¹⁵

All the ones doing the beating were students. On several occasions when the yells and cries were too loud, an official would come into the room and tell the cadets to take it easy. But they always started in again after the officials had left the room.

Early Wednesday morning [December 6], between 7-8:00 a.m., the director of the Academy addressed us in a group and said that we should no longer be beaten. He addressed himself to the police on duty and told them that when the next crew comes they should also be informed not to beat us. Later that day the white Red Cross people talked with all of us and asked for the phone numbers of our family so they could tell them where we were. Then on Thursday the Ivorian Red Cross came to treat our injuries.

On Thursday or Friday a big man—I think he was the overall head of police—came and asked the cadets why there were so many wounded. The cadets told them that when we’d arrived at the Academy we were already injured.

Two RDR supporters held within the Agban Gendarme Camp; the first in October and the second in December, described what appeared to be attempts to torture or kill them that were only coincidentally thwarted when senior officers happened on the scene.

The first described his experience:

At around 5:00 a.m. on Friday, October 27, 2000, two gendarmes came, unlocked the doors and told us all to come out of our cells and into the yard. As we were coming out of our cells—I was towards the back of mine and stood behind by the door—they chose five people totally at random and they said they were going to kill them. We started praying among ourselves so that they wouldn’t be killed. Then about ten minutes later we saw the two gendarmes coming back with the men. Later they [the five] told me that as they were walking away one of the officers came out of his office and yelled, ‘where are you going with these people,’ and one of the two gendarmes answered, “I’m going to show them something.” But the officer refused and ordered him to bring the youths back to the cells, which they did, complaining.¹¹⁶

The testimony of the second witness described a similar experience:

On Friday, December 8 at around 1:00 p.m., a gendarme with two V’s [a sergeant] called me and nine others and told us to get into a truck. Most of us were bleeding and seriously wounded from the beatings. There were eight gendarmes on the truck, the most senior with two V’s. We headed north and on the way one of them said we were going to be killed and dumped, just like what happened to those found in the Charnier de Yopougon. Around Williamsville we were stopped by a Mercedes, and a gendarme in uniform with four or five bars and a radio got out of the car. He must’ve been a big man because they all saluted him. Then the officer started screaming at the ones who’d taken us saying, ‘Are you crazy? Where are you taking them? Don’t you idiots know

¹¹⁵ Human Rights Watch interview, Abidjan, February 7, 2001.

¹¹⁶ Human Rights Watch interview, Abidjan, November 14, 2000.

the Red Cross has already registered them and you're going to kill them?' Then they took us back to Agban.¹¹⁷

VIII. IMPUNITY FOR ABUSE

President Gbagbo identified his predecessor General Guei as the instigator of the first violence in October which, according to FPI officials, had claimed the lives of sixty of its supporters.¹¹⁸ In an address broadcast on October 25, 2000, on state radio and television, he said: "I bow respectfully to the memory of the dead, those who lost their lives as a result of General Guei's barbarous order to shoot."¹¹⁹ Despite this and other similar statements, there has been no official investigation into the actions of then President Guei, Red Brigade leader Sergeant Boka Yapi, or any other members of the security forces who, under Guei's command, perpetrated serious violations against unarmed civilians.

Instead, on November 13, 2000, President Gbagbo held a surprise meeting with General Guei in the capital Yamoussoukro, in which Guei called on soldiers to put themselves at the service of the state and Gbagbo indirectly granted him immunity, saying "What is important is that the country starts a process of reconciliation.... I am not a policeman, nor a judge. I am happy with his [Guei's] declaration."¹²⁰ However, there was strong criticism of this meeting, and on November 21, 2000, Defense Minister Moise Lida Kouassi asserted that Guei did not have immunity from prosecution. He said the earlier meeting had been held to "solve a number of internal security problems.... The meeting does not mean impunity for General Guei. The government will let judicial procedures run their course."¹²¹

After the bodies of fifty-seven young men were discovered in the Charnier de Yopougon, the government pledged to find and punish the killers. At the scene, newly appointed Interior Minister Emile Boga Dougou said, "Our reaction is one of indignation. I had never thought that barbarity could reach such levels.... Those guilty will be punished, wherever they come from."¹²² Meanwhile the RDR asked for an international inquiry. RDR leader Ouattara said the dead men were Muslim northerners and accused members of the paramilitary gendarmes of being responsible.¹²³

President Gbagbo pledged to conduct three official judicial investigations into the October violence: the first into the Charnier de Yopougon, the second into the killing of eighteen men whose bodies were found floating in the Ébrié Lagoon, and the third into the killing of at least six men found slaughtered within Blokosso neighborhood.

Both domestically and abroad, a trial in the case of the Charnier de Yopougon was seen as a test for both Gbagbo's ability to stand up to the military, and his commitment to restore the rule of law. A guilty verdict was also interpreted as a requirement for the restoration of badly needed financial aid.¹²⁴ On April 13, 2001, six gendarmes were charged with murder in connection with the massacre of the Charnier de Yopougon.¹²⁵ One of the six was the commander of the Gendarme Camp of Abobo, Major Be Kpan who, while a captain at the time of the October events, was subsequently promoted. Two more gendarmes were later charged and on July 24, 2001 the trial before a military tribunal of the eight gendarmes began inside the Agban Gendarme Camp. However, the prosecution's case was seriously weakened by the failure to conduct ballistics tests on bullets found in the bodies,

¹¹⁷ Human Rights Watch interview, Abidjan, February 3, 2001.

¹¹⁸ "Ivory Coast People Sweep Gbagbo to Power, 60 Dead," Reuters, October 25, 2000.

¹¹⁹ "Gbagbo Addresses Ivorian Nation," www.bbc.co.uk, October 25, 2000.

¹²⁰ "Guei Comes Out of Hiding," www.bbc.co.uk, November 13, 2000.

¹²¹ "Guei May Face Charges," www.bbc.co.uk, November 21, 2000.

¹²² "Ivory Coast to Probe Massacre, Ethnic Tension High," Reuters, October 28, 2000.

¹²³ "Ivory Coast to Probe Massacre, Punish the Guilty," Reuters, October 28, 2000.

¹²⁴ "High Stakes for Gbagbo in Ivorian Massacre Trial," Reuters, August 1, 2001.

¹²⁵ The other seven gendarmes charged are Staff Sergeant Irié Bi Ba Célestin, Sergeant N'Guessan Blé Nicaise, Sergeant Seri Doukadji, Sergeant Wodié Hervé Joel, Sergeant Naza Yao Jacques, Tra Bi Tohola Rufin, and Yoro Dasiehond Alexis Le Sauveur.

and of the failure of several key witnesses to show up, including two survivors of the massacre, allegedly because of fears for their safety. During the trial, a lawyer for the victims' families, Ibrahima Doumbia said, "The witnesses don't feel secure. And without them, I don't think this trial will establish the truth."¹²⁶ During the trial, defense lawyer Banti Kakou implied impunity for the gendarmes was a requirement for stability in the Côte d'Ivoire by saying, "[b]y convicting them, you would needlessly undermine morale in the gendarmerie and therefore in Côte d'Ivoire."¹²⁷ All eight gendarmes maintained their innocence: Major Be Kpan said, "My men did not fire at any time," and defendant Sergeant Nguessan Ble said, "I was surprised even to hear about the killings."¹²⁸ On August 3, 2001, all eight gendarmes were acquitted by Judge Delli Sepleu, who ruled that the prosecutors had failed to produce any evidence directly linking the gendarmes to the killings.¹²⁹

Meanwhile, there was little international pressure to press for investigations or trials into the other hundreds of serious human rights violations committed against civilians during the October and December 2001 election periods. The results of the only other two official judicial investigation, into the case of eighteen bodies found in the Ébrié Lagoon and the killings in Blokosso, have yet to be made public.

After the October wave of state sponsored violence, and the ensuing wave of national and international condemnation, President Gbagbo could have made a serious effort to investigate and bring the perpetrators of atrocities to justice. In so doing he would have sent a clear message that the violence seen during the October election period would not be tolerated by his regime. However, his interventions were limited to the promise of investigations and other apparently token gestures – and the renewed violence in December, including the systematic torture of detainees, suggested no serious efforts were made to establish accountability.

President Gbagbo ordered no special judicial investigations into the December violence. However, responding to allegations of sexual abuse within the National Police Academy in the days prior to the December parliamentary elections, President Gbagbo requested that the Ministry of the Interior conduct an investigation. The December investigation concluded that while three rapes had been perpetrated by civilians in front of the paramilitary gendarmes, no rape had occurred within the National Police Academy.¹³⁰

The very limited scope of this investigation, and the use of a definition of sexual abuse restricted to penetration of a vagina by a penis, undermined its credibility. While several women victims interviewed by Human Rights Watch said they were not technically raped within the National Police Academy, they nonetheless suffered other forms of serious sexual abuse. The actions of the security forces within other detention facilities, or indeed on the grounds of the technical institute, were not investigated.

On December 11, 2000, Interior Minister Emile Boga Doudou responded to allegations of rape and other forms of torture made by the Ivorian Movement for Human Rights. He effectively justified sexual abuse by the security forces, implying that if members of the security forces are attacked, women become legitimate targets for sexual and other forms of abuse.¹³¹

I would very much like to react to these accusations. I agree with you that they are serious, but they are not based on any facts, because speaking about rape, whose fault is it if there is rape? I'd like to note that in a locality like Tengrele [in Northern Côte d'Ivoire] there was an attempt by RDR militants to rape nuns. And when you attack the security forces with firearms and weapons, with blades, and wound many of them, do not be surprised by the reaction of the security force.

¹²⁶ "High stakes for Gbagbo in Ivorian Massacre Trial," Reuters, August 1, 2001.

¹²⁷ "Ivory Coast Police Cleared of Murder," www.bbc.co.uk, August 3, 2001.

¹²⁸ "Ivory Coast Police Deny Guilt," Associated Press, July 31, 2001.

¹²⁹ "Ivory Coast Court Acquits Officers," Associated Press, August 3, 2001.

¹³⁰ "Ivory Coast – Report of Violations Within the Police Academy," Ministry of the Interior, December 2000.

¹³¹ Radio France International, December 11, 2000. Transcribed in: "Ivory Coast: Focus on Human Rights Issues," IRIN-West Africa, December 14, 2000.

The government made several symbolic gestures to try to ease domestic tension and deflect international criticism. On October 31, 2000, President Gbagbo set up a twenty-three member mediation body to promote national reconciliation. The committee, headed by Mathias Ekra, who had been the “national mediator,” or ombudsman, under Bédié, also included Muslim and Christian leaders, academics, traditional chiefs, and armed forces chief General Mathias Doue. November 9, 2000, was declared a national day of mourning for those killed in the October violence.

At this writing no member of the security forces has been arrested or convicted in connection with any serious violation committed during either the October or December waves of election violence. However, two brothers accused of the October 26, 2000 killing of Gendarme Lt. Nyobo N’Guessan were arrested in November 2000 and are currently in custody in the MACA prison in Yopougon. The first brother, who was captured on November 18, 2000, told Human Rights Watch he was threatened with summary execution if he failed to reveal the work place of the second brother. Following the arrest of the second brother, both claimed to have been threatened with death and forced to confess to the killing.¹³²

International Justice

On June 26, a suit was filed in Belgium against Laurent Gbagbo, Robert Guei, and the current Ivorian ministers of the interior and defense, Emile Boga Doudou and Moise Lida Kouassi, charging them with crimes against humanity. The case was brought by 150 people claiming to be victims of the violence in Côte d’Ivoire in October and December 2000, including a survivor of the Yopougon massacre.¹³³ They chose to sue the officials in Belgium because of that country’s 1993 law giving their courts jurisdiction over genocide and other crimes against humanity, war crimes, or torture, no matter where they were committed. On August 1, the case was accepted in the Belgian court.¹³⁴

IX. THE ROLE OF THE INTERNATIONAL COMMUNITY

The discovery of the Charnier de Yopougon brought condemnation from members of the international community, and became the focal point of international concern about human rights, leading the United Nations secretary-general to take the unusual step of appointing an international commission of inquiry into the October violence. The violence during the December parliamentary elections, however, received little attention and few condemnations. There were more expressions of concern about the legitimacy of the electoral process than about the deeper, more worrying causes for and meaning of the violence, including the manipulation of concepts of ethnicity and citizenship to target perceived political opponents.

Following the flawed October elections, South African President Thabo Mbeki, and Gnassingbe Eyadema, the president of Togo and current head of the Organization of African Unity (OAU), called for new elections.¹³⁵ U.N. Secretary-General Kofi Annan and the United States were less direct but strongly criticized the elections. Former colonial power France recognized the new government and said it was up to the Côte d’Ivoire to decide whether to hold new elections.¹³⁶

The decision to disqualify Ouattara from standing in the parliamentary elections was condemned by the U.N., OAU, the U.S., and the European Union, which all subsequently dropped plans to send election monitors as they had to the presidential contest two months earlier.

¹³² Human Rights Watch, Abidjan, February 11, 2001.

¹³³ Laurent Houssay, “Plainte en Belgique contre le président Ivoirien, nouvel embarras diplomatique”, Agence France-Presse, June 28, 2001.

¹³⁴ Theophile Kouamouo, “Cote d’Ivoire: les gendarmes de Yopougon acquittés ‘faute de preuves,’” *Le Monde*, August 4, 2001.

¹³⁵ Norimitsu Onishi, “Dictator Gone, Ivory Coast Splits into Ethnic and Political Violence,” *New York Times*, October 27, 2000.

¹³⁶ “Political Leaders Meet to Restore Calm in Ivory Coast,” Associated Press, October 27, 2000.

The United Nations

Secretary-General Kofi Annan publically expressed shock at the October killings, calling the Charnier de Yopougon a “heinous crime.”¹³⁷ International calls for accountability for the Yopougon massacre and other serious abuses led the secretary-general to appoint a special envoy, Lakhdar Brahimi, in November, and then an international commission of inquiry, chaired by Ambassador Colin Granderson (Trinidad and Tobago), in December. The secretary-general decided to appoint a commission following discussions with senior officials of the new Ivorian government. The other members of the commission were Franca Sciuto (Italy) and Mahamat Hassan Abakar (Chad), and the team comprised four human rights investigators, a police investigator, a political advisor, a legal advisor, a forensic specialist, and an anthropologist. The commission’s mandate, accepted by President Gbagbo, was three-fold: 1) to establish the facts and circumstances relating to the events that followed the October 22 presidential elections, their origin and aftermath; 2) to determine the nature of the acts committed and attribute responsibilities; and 3) to recommend measures to address impunity and prevent the recurrence of similar events. The commission spent two months in the country.¹³⁸

The report of the International Commission of Inquiry for Côte d’Ivoire was submitted to the secretary-general and the Ivorian government in late May 2001, and was made public in late July 2001.

The report concludes that serious and systematic human rights violations took place during the October and December events, which at times took on an ethnic dimension. It states that “since these tragic events, the Côte d’Ivoire has tried to improve its human rights situation, and it should continue on this path. But reconciliation will be difficult as long as people, Ivorians or not, do not feel safe from serious attacks against their individual rights, and as long as the forces charged with keeping order operation with impunity.”¹³⁹

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 states: “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.” It goes on to call for investigations into cases of torture and ill-treatment within the gendarmerie camps and maintains that the measures taken so far by the Ivorian government to address the consequences of the events — for instance the charges brought against eight gendarmes — constitute encouraging first steps, but are not sufficient.¹⁴⁰

The U.N. had sent monitors to the October presidential elections, despite the many concerns about the legitimacy of the process, including the exclusion of RDR candidate Alassane Ouattara and others from the process. Following the Ivorian Supreme Court’s decision to disqualify Ouattara once again from participating in the December parliamentary elections, however, the secretary-general issued a statement expressing dismay and later canceled the participation of U.N. election monitors in the second poll.

France

The crisis in Côte d’Ivoire caused much political wrangling within the French government and between the French and their European partners. France’s significant economic interests and historical closeness to the Côte d’Ivoire led to considerable debate over how much abuse of power by the Ivorian government should be tolerated. The French government accepted the new government while also publicly condemning the violence, but it often played an ambiguous role internationally.

¹³⁷ “Ivory Coast: Secretary-General Shocked by Mass Grave Discovery,” IRIN-West Africa, October 31, 2000.

¹³⁸ 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.

¹³⁹ Ibid. p. 55-56.

¹⁴⁰ Ibid. p. 57-63.

Although French officials claim that they initiated the Article 96 consultations between the European Union and the Côte d'Ivoire (see below) which resulted in the temporary suspension of E.U. assistance, those directly involved at the European Commission state that the French were firmly opposed to the E.U. action.¹⁴¹ Indeed, the French resumed their bilateral civilian cooperation with the Côte d'Ivoire in January 2001 just as the E.U. decision to undertake Article 96 consultations was made. It seems clear that the French strongly supported the resumption of E.U. and other bilateral assistance to Côte d'Ivoire, even if that aid was not linked to progress on the human rights and justice front.

Gbagbo himself had been closely linked to the Socialist Party in France, and lived in France during his exile in the 1980s. Given France's current "cohabitation" government, with the Socialists holding the Prime Minister's office, and the Gaullist *Rassemblement pour la République* (RPR) holding the presidency, relations between France and Gbagbo were potentially complicated. However, President Jacques Chirac met Gbagbo in January 2001 at the Franco-African summit in Cameroon, which resulted in a personal invitation from Chirac for Gbagbo to visit France. Gbagbo went to Paris in June 2001 and held extensive high-level meetings with French officials, including with President Chirac, Prime Minister Jospin, and the ministers of foreign affairs, defense, interior and cooperation, as well as the presidents of the National Assembly and the Senate.¹⁴² Behind the scenes, there was some competition between the Socialists and the Elysée (the French presidency) about influence on the new Ivorian president, but none of the French actors publicly highlighted concerns on the human rights and justice issues, or linked progress in these areas with French support. There was a general consensus on the need for France to support Gbagbo, end the country's international isolation, and help ensure that E.U. and other financial assistance would be restored.

Some French aid to Côte d'Ivoire was cut off in January 2000 in response to the December 1999 coup, notably the assistance of the technical advisors attached to the ministries and to the senior military command, although they remained in the country working at the French embassy. Other assistance deemed beneficial to the population continued, including aid for health and education, as did military training in regional schools. In January 2001, France resumed its full bilateral civilian cooperation, and in June, it resumed some military cooperation. Other forms of military cooperation, such as arms sales and transfers, spare parts for military aircraft, and visits to France by high-level Ivorian military officers, remain suspended.¹⁴³

The United States

The United States publicly condemned the electoral irregularities and human rights violations associated with the Ivorian elections in both October and December, and called for the authorities to cease intimidation and violence directed at opposition supporters. On October 25, 2000, U.S. State Department Deputy Spokesman Philip T. Reeker referred to "gross violations of democratic process," and called on all parties "to refrain from violence and come up with an interim agreement that can respect the will of the Ivorian people and return to the rule of law and get Côte d'Ivoire back on the democratic path."¹⁴⁴ On October 26, Reeker called the election "fundamentally flawed" and went on to say that "it is going to be very important for the voices of the disenfranchised Ivorians to be heard, and in that sense the holding of free, fair and inclusive elections will be needed to fully restore the Government of Côte d'Ivoire's legitimacy and bring democracy back to Côte d'Ivoire."¹⁴⁵

The U.S. suspended approximately \$1.2 million in electoral support in December when it determined that the elections could not be free and fair, based in part on the exclusion of numerous opposition candidates, although it did provide some assistance for the municipal elections in March, focusing on assistance to Ivorian NGOs for voter education and election monitoring.

¹⁴¹ Human Rights Watch interviews in Brussels, June 25, 2001.

¹⁴² Stephen Smith, "La Côte d'Ivoire Cherche l'Aide de la France," *Le Monde*, June 19, 2001.

¹⁴³ Human Rights Watch interview with Francis Blondet, Sous-Directeur, Afrique Occidentale, French Ministry of Foreign Affairs, Paris, June 29, 2001.

¹⁴⁴ "Press Briefing," U.S. Department of State, October 25, 2000. Briefer: Philip T. Reeker, Deputy Spokesman.

¹⁴⁵ "Press Briefing," U.S. Department of State, October 26, 2000. Briefer: Philip T. Reeker.

After the discovery of the Charnier de Yopougon, U.S. State Department Spokesman Richard Boucher called the reports of the massacre “appalling.” He applauded the Ivorian government’s agreement to allow an international investigation, and welcomed “the commitment of Mr. Gbagbo to find the perpetrators of the massacre and bring them to justice.”¹⁴⁶

Most U.S. assistance, except to support child survival and combat HIV-AIDS, has been suspended since the 1999 military coup, as mandated under section 508 of the Foreign Operations Act. U.S. assistance will remain suspended until the president certifies to Congress that a democratic government has taken office. Although there have been no official statements calling for new elections, the thrust of U.S. policy continues to be that it will monitor the situation and reevaluate as appropriate. U.S. officials maintain that they have repeatedly told the Ivorian government that those implicated in the violence must be brought to justice, and that any resumption of U.S. aid will be evaluated in the context of government progress toward national reconciliation and curbing human rights abuses.¹⁴⁷

In its annual report on human rights conditions around the world during 2000, published in February 2001, the State Department criticized the government of Côte d’Ivoire for its persistent human rights abuses, including violations committed during the 2000 elections, and the lack of full, participatory elections. The report calls the Ivorian government’s human rights record “poor,” and notes that members of the security forces committed numerous human rights abuses, including hundreds of extrajudicial killings. The report states that the Gbagbo government has a “mixed record in controlling the security forces.”¹⁴⁸

The European Union (E.U.)

In December 1998 the European Union suspended aid to President Bédié’s regime following a scandal involving the misappropriation of €27.5 million by several ministers. The December 1999 coup ensured that any potential resumption of aid was postponed.

In January 2001, the E.U. decided to hold consultations with Côte d’Ivoire under Article 96 of the ACP-EU Cotonou Agreement,¹⁴⁹ the new human rights conditionality clause. The consultations, which were held on February 15, focused on a series of E.U. concerns about the electoral process and human rights violations. The E.U. presented to the government a list of areas that had to be addressed within three months for the resumption of non-humanitarian aid. They included:¹⁵⁰

1. Assure an open political system for all parties and guarantee that the municipal elections would be open to all parties;
2. Make the committee for national reconciliation an active and efficient structure to address intercommunal problems, provide it with the necessary means to function, and ensure that its recommendations are followed by the government;
3. Make transparency on the abuses committed during the transition, including under the military regime, a priority;
4. Guarantee the neutrality of the armed forces and ensure that they respect human rights;
5. Guarantee the independence and the neutrality of the justice system, especially in the nomination of local judges;
6. Guarantee freedom of expression, especially of the press;

¹⁴⁶ “Press Briefing,” U.S. Department of State, October 30, 2000. Briefer: Richard Boucher, Spokesman.

¹⁴⁷ Human Rights Watch interview with Don Boy, Ivory Coast Desk Officer at U.S. Department of State, June 19, 2001.

¹⁴⁸ U.S. Department of State, Bureau of Democracy, Human Rights and Labor, *Country Reports on Human Rights Practices – 2000*. (Washington: February 2001).

¹⁴⁹ The Cotonou Agreement, concluded in June 2000, replaced the previous Lomé Agreement and regulates trade and other relations between African, Caribbean, and Pacific (ACP) developing countries and the E.U. Among other things, the Cotonou Agreement included stronger human rights criteria than its predecessor for the ACP countries to have preferential trade terms with the E.U.

¹⁵⁰ “Côte d’Ivoire: La check list politique de l’UE!” *La Lettre du Continent*, March 1, 2001, p. 4.

7. Publicly condemn xenophobia and establish administrative procedures dealing with citizenship and residency, so as to improve the situation of foreigners resident in the Côte d'Ivoire;
8. Restart the dialogue with all political parties.

During the subsequent three months, the E.U. maintained a dialogue with the Ivorian government, and determined that “a number of significant measures have been taken by the Ivorian authorities,” such as holding of local elections open to all political parties, launching of a dialogue including all parties, starting a national debate about reconciliation, and opening legal proceedings relating to some major human rights violations. For these reasons, on June 25, 2001, the E.U.’s Council of Ministers decided to resume gradual cooperation with Côte d’Ivoire, to be further reviewed and presumably restored in January 2002. However, the E.U. listed several areas of ongoing concern that will require further monitoring, including national reconciliation, the appointment of judges for the high courts, investigations and legal proceedings concerning acts of violence during 2000, and public condemnation of expressions of xenophobia.¹⁵¹ E.U. officials made clear, however, that these areas of concern do not represent benchmarks per se, and the idea of gradual resumption of aid is also linked to the difficulties of restarting assistance quickly once it has been stopped.¹⁵²

¹⁵¹ European Union, General Affairs Council, Council meeting, Luxembourg, June 25, 2001, p.10-11.

¹⁵² Human Rights Watch interviews with E.U. officials in Brussels, June 25 and 26, 2001.

International Financial Institutions

On March 1, 2001, the World Bank froze all loans and credits to the Côte d'Ivoire, since its loans were overdue by six months. The Bank's programs to the Côte d'Ivoire were suspended in October 2000, when the arrears exceeded the 60-day limit. Accordingly, all disbursements were suspended and no new operations can move forward. The Bank will not resume assistance until the arrears are cleared.¹⁵³ The Bank has been holding discussions with the Ivorian government on ways to reform the economy and fight corruption, but these have not included human rights criteria.

The International Monetary Fund's program with Côte d'Ivoire has been frozen since 1998 due to concerns over corruption and mismanagement by the Côte d'Ivoire government. On July 2, 2001, the government of the Côte d'Ivoire and the IMF signed an agreement for a staff-monitored program, which could lead to new loans in three to six months.¹⁵⁴ The success of this program will have important implications for the renewal of other international assistance, including from the E.U.

African Commission

The African Commission on Human and Peoples' Rights sent a mission to Côte d'Ivoire on a "promotional visit" in March 2001, consisting of the chair of the Commission, Victor Dankwa, and commissioners Kamel Rezzag-Bara and Jainaba Johm. The mission met with government ministers and officials, civil society representatives and political parties. In an oral report to the 29th ordinary session of the commission in Tripoli, Libya, April 2001, the chair noted that serious violations had taken place in Côte d'Ivoire including rapes, extrajudicial executions, and ethnic intolerance. A written report was not made available of the mission's findings.¹⁵⁵

X. ACKNOWLEDGEMENTS

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¹⁵³ The World Bank Group, "World Bank Places Côte d'Ivoire in Non-Payment Status," News Release No: 2001/251/AFR, March 1, 2001.

¹⁵⁴ "Ivory Coast, IMF to Sign Program Monday," Reuters, July 2, 2001.

¹⁵⁵ Transcript of commission session taken by Rachel Murray, Queen's University Belfast, supplied to Human Rights Watch.

Human Rights Watch
Africa Division

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