

Executive Summary

Since an armed conflict erupted in 2002 between the Ivorian government and northern-based rebel groups, girls and women in Côte d'Ivoire have been victims of brutal forms of sexual violence by armed men on both sides of the military and political divide.

Human Rights Watch documented over 180 cases of sexual violence in Côte d'Ivoire, including individual and gang rape, sexual slavery, forced incest, and egregious sexual assault. Combatants raped women old enough to be their grandmothers, children as young as six, pregnant women, and breastfeeding mothers. Sometimes family members were forced to watch or were forced to rape their own relatives. Women and girls had guns, sticks, pens, and other objects inserted into their vaginas. Others were abducted to serve as sex slaves or were forcibly conscripted into the fighting forces. Abducted women and girls were often obliged to become the sex slaves of their captors (“husbands”), and were sexually abused over extended periods of time. Some sex slaves and other rape survivors gave birth to children fathered by their rapists. Sexual victimization of girls and women was often accompanied by other gross human rights violations against them, their families and their communities, as armed men on both sides of the political divide massacred, killed, tortured, assaulted, and kidnapped innocent civilians.¹

Some rape victims died because of the sexual violence inflicted against them. Many who did survive were raped so violently that they suffered serious bleeding, tearing in the genital area, long-term incontinence, and severe infections. While some pregnant women miscarried and other women became infertile as a result of the sexual violence they endured, yet others experienced the trauma of unwanted pregnancies resulting from rape. The women whom we interviewed suffered psychologically as well as physically. They told Human Rights Watch of their anguish,

¹ There is an ongoing debate over the use of the terms “victim” and “survivor.” Some suggest that the term “victim” should be avoided because it implies passivity, weakness and inherent vulnerability and fails to recognize the reality of women’s resilience and agency. For others the term “survivor” is problematic because it denies the sense of victimization experienced by women who have been the target of violent crime. This report uses both terms.

shame, rage, and depression as well as their courage in the face of unimaginable suffering.

Determining the full extent of the problem of sexual violence is complicated by difficulties in documentation arising from the fear of perpetrator reprisals, the authorities' lack of concern, and tremendous security risks associated with reporting or investigating crimes. Underreporting poses an additional problem, and partly reflects the low status of women and girls in Côte d'Ivoire, the cultural taboos around the issue of sexual violence, and women's fear of rejection by family or communities.

Causes and Perpetrators: the Responsibility of Both Government and Rebel Forces

The armed conflict that began in 2002 triggered the worst sexual violence in Côte d'Ivoire since the acute national political crisis began in 2000. Abuses took place throughout the country, especially in the hotly contested western regions which experienced the most fighting. Mixed groups of Liberian and Sierra Leonean mercenaries supporting both the Ivorian government and rebel forces in the west were guilty of especially egregious and widespread sexual abuses. However, even after the end of active hostilities, from 2004 onwards, sexual violence remained a significant problem throughout both rebel- and government-held areas.

Rebels in Côte d'Ivoire perpetrated horrific sexual abuse against women and girls in areas under their control, including rape, gang rape, sexual assault, forced miscarriages, and forced incest. The various rebel factions targeted some women for abuse because of their ethnicity or perceived pro-government affiliation, often because their husband, father or another male relative worked for the state. Many others have been targeted for sexual assault for no apparent reason. Women and girls were subjected to sexual violence in their homes, as they sought refuge after being found hiding in forests, stopped at military checkpoints, working on farms and attending places of worship. Sexual violence was often accompanied by other acts of physical violence such as beating, torture, killing, mutilation, or cannibalism. Numerous girls and women were abducted and subjected to sexual slavery in rebel camps, where they endured successive rapes over extended periods of time. Resistance was frequently met with horrific punishment, even death. Senior rebel

commanders made little or no effort to sanction rapists within their ranks or to prevent sexual violence against civilians, especially in the West and during periods of active fighting.

Pro-government forces, including members of the gendarmerie, police, army, and militias also carried out acts of sexual violence. Rape and sexual abuse of women by government forces was particularly prevalent throughout the contested western region and along frontlines, especially in towns that were subject to frequent takeover by different armed factions. Pro-government forces also targeted women and girls suspected of supporting the rebels. They singled out women from northern Côte d'Ivoire as well as women from neighboring states such as Burkina Faso, Mali, and Guinea; Muslims; and those who supported opposition political parties. In particular, pro-government forces targeted women affiliated with the predominantly Muslim opposition party named *Rassemblement des républicains* ("Rally of Republicans," or RDR). Law enforcement officers, militia men, and other pro-government forces abused women at checkpoints, in their homes during raids, in makeshift prisons, and in marketplaces. Violations by pro-government forces appeared to increase during periods of heightened political tension during the four-year political stalemate.

The low status of women and girls in law and custom contributes to the extent to which they are vulnerable to sexual violence. The fact that sexual violence during the conflict predominantly involved men raping women reveals that conflict-related rape, like most rape, reflects a dynamic of gender inequality and subordination. This power dynamic is deeply imbedded in societal attitudes.

For Victims, No Justice and Few Services

Government and rebel authorities appear to have directly or indirectly authorized sexual violence since the war began in 2002; the prevailing impunity for these crimes has emboldened the perpetrators at all levels.

Throughout the conflict in Côte d'Ivoire, the Ivorian government and rebel authorities have made scant efforts to investigate or prosecute perpetrators of even the most heinous crimes of sexual violence. This failure has contributed to an environment of

increasingly entrenched lawlessness in which impunity prevails. Several significant factors underpin this impunity. First, the destruction of courts in the rebel-held north of Côte d'Ivoire during the period of active hostilities shattered the already inadequate judicial system, undermined accountability, and often left rape survivors with nowhere to turn for redress. Second, many court and law enforcement personnel in the government-held south lack an adequate understanding of and fail to enforce laws relating to sexual violence, typically allowing perpetrators to escape justice. Third, women and girls in Côte d'Ivoire are subjected to structural discrimination by customary law, which offers inadequate protection for rape survivors. Ultimately, in Côte d'Ivoire, victims of sexual violence suffer in silence while perpetrators of crimes walk free.

Neither Ivorian nor international actors have made sufficient efforts to protect at-risk women and to provide survivors with much needed medical, psychological, or social support. Few programs have been established for women and girls who were subjected to sexual violence, even those who endured sexual slavery. Survivors often struggle alone with the severe physical and mental health consequences of the abuses they underwent. While some local actors and international aid agencies operate programs, their efforts cannot compensate for the national authorities' failure to adopt national strategies to address survivors' various needs. Moreover, attacks and threats against local and international non-governmental organizations (NGOs) by pro-government forces or rebels have at times resulted in closures of or constraints on some of the few existing programs.

The situation can and must improve. International human rights and humanitarian law requires the Ivorian authorities to put an immediate end to impunity for perpetrators and to provide adequate services to survivors.

The *Forces Nouvelles* ("New Forces" or FN) rebels and the Ivorian Government must shoulder the greatest responsibility for ending impunity and stopping ongoing abuses. They should publicly acknowledge and condemn past sexual abuses committed by their supporters, investigate alleged crimes, and punish perpetrators of sexual violence. Specialized law enforcement units should be established to deter

future sexual violence, or at a minimum, more law enforcement and judicial staff must be recruited and trained to address the problem.

The Ivorian government should immediately permit the International Criminal Court (ICC) Office of the Prosecutor to conduct a mission to Côte d'Ivoire to determine whether to open an investigation there. For their part, the United Nations Security Council members should expedite the publication of the 2004 UN Commission of Inquiry into human rights violations committed since 2002, and meet to discuss its findings and recommendations. The UN sanctions committee for Côte d'Ivoire must activate additional travel and economic sanctions against individuals identified as responsible for serious violations of international human rights and humanitarian law in Côte d'Ivoire.

However valuable it is to address impunity on both domestic and international fronts, justice alone cannot alleviate the suffering of survivors. The New Forces, the government, and aid agencies must improve medical assistance, provide free medical certificates to rape victims, launch a nationwide information campaign on the connection between sexual violence and HIV/AIDS (on prevention, counseling, testing and treatment), and prioritize the nationwide establishment of sexual and reproductive health programs for women and girls. Ivorian women should be active participants in the formulation and implementation of these programs.

Recommendations

To the New Forces and the Government of Côte d'Ivoire

- **Publicly acknowledge and condemn** the sexual abuses committed by your agents, alongside violations of international human rights and humanitarian law including extrajudicial execution, torture, physical abuse, and extortion of civilians.
- **Thoroughly investigate** all allegations of sexual violence and **prosecute** individuals against whom there is sufficient evidence of such abuses in compliance with international standards of fair trial.
- **Improve the response of law enforcement entities** to sexual and gender-based violence. Recruit and train more female law enforcement officers to respond to the needs of victims of sexual violence and gender-based violence. Provide training to members of the security forces on human rights and international humanitarian law, with a focus on women's human rights and gender-based crimes. Create specialized units within law enforcement entities to respond to sexual and gender-based violence.
- **Improve the response of the judiciary** to sexual and gender-based violence, including recruiting and training more female judicial staff, developing specialized teams for sexual violence and gender-based violence, and providing training on women's rights and sexual violence to members of judiciary in government-held areas and to New Forces authorities responsible for adjudicating cases in rebel-held areas.
- **Create an Ombudsman office for sexual exploitation of children** to investigate reported incidents of sexual abuse or exploitation of children and monitor appropriate disciplinary and judicial responses.
- **Immediately allow the ICC Office of the Prosecutor to conduct a mission** to Côte d'Ivoire to collect information necessary to determine the possibility of opening an investigation into serious crimes committed there, including sexual abuse committed by all parties to the conflict. Provide any cooperation to the ICC necessary to facilitate such a mission.
- **Cooperate with NGOs' and Opération des Nations Unies en Côte d'Ivoire (United Nations Operation in Côte d'Ivoire, or ONUCI) investigations of sexual**

- violence.** Support, cooperate with, and create a favorable environment for independent human rights monitoring.
- **Assist the National Inter-Ministerial Task Force for the Elimination of Violence Against Women (CNLVFF),** to more effectively implement their mandate. [The CNLVFF was founded in July 2000, and is mandated to coordinate all government initiatives responding to sexual violence, and to provide enhanced social, medical, and legal services for victims of sexual and gender-based violence.]
 - **Launch a nationwide public awareness campaign** on sexual and domestic violence against women to highlight the extent of the problem, consequences for survivors, strategies to reduce exploitation, and judicial consequences for perpetrators of exploitation and abuse; to change prevailing negative societal attitudes; and to educate the general population on women's human rights.
 - **Comply fully with Côte d'Ivoire's obligations under the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW).** Implement the Family and Social Services Ministry 2006 Action Plan, implement these obligations as a matter of urgency, and strengthen all legal protections afforded to women. Take the necessary steps to revoke or revise existing laws that discriminate on the basis of gender and ensure that they meet international human rights standards. Provide training on these new laws for the judiciary, police, prosecutors, and staff of local courts.
 - **Enhance women's participation** in all aspects of planning and implementation of the peace process and reconstruction and rehabilitation efforts. Ensure that women are in a position to design and lead responses to sexual and gender-based abuse, and to shape violence prevention programs.
 - **Give orders to combatants to release all women and girls abducted during the armed conflict** who continue to be held. Provide these women and girls with the necessary social and economic options to enable them to leave these often abusive relationships.
 - **Enact laws that allow women to have access to voluntary and safe abortions.** These measures should include the repeal of penal code provisions that criminalize abortion, especially those that punish women who have had an induced abortion. In order to allow for the actual enjoyment of the right to access a legal and safe abortion, the state may need to provide abortion

services free of charge for some women and girls. In Côte d'Ivoire this is certainly the case for survivors of rape or incest.

To Medical Service Providers

(The Ministry of Health and Public Hygiene, the FN health authorities, and independent medical service providers)

- **Eliminate costs for medical certificates for rape victims.**
- The Director of the National Program for Reproductive Health and Family Planning (DCPNSR/PF) must **disseminate a protocol for treatment of rape victims to all health centers**, which should include education about post-exposure prophylaxis drugs and training on the clinical management of rape.
- **Establish gynecological health clinics nationwide** for women and girls that can provide information on testing, voluntary counseling and treatment for HIV/AIDS and also for other sexually transmitted infections. Provide mobile health teams if health infrastructure is either unavailable or inadequate.
- **Train traditional healers on treatment for sexual violence.**

To the United Nations High Commissioner for Refugees (UNHCR)

- **Provide victims of sexual violence who fled their homes in Côte d'Ivoire and are living in the subregion with necessary assistance.** Make available social and economic options needed to enable women and girls who were held as sex slaves to leave these relationships if they are still with their captors.

To ONUCI and France's "Licorne" Peacekeeping Force

- Authorize the ONUCI human rights investigators to **engage in a comprehensive investigation on sexual violence** and women's rights, with additional funds and support as needed.
- **Strengthen in number and capacity the military observers and liaisons and the vital human rights monitoring component of ONUCI**, with a focus on sexual violence and women's rights.
- **Ensure that any drawdown or withdrawal of international peacekeepers be done only once it has been ascertained that Ivorian security forces are**

positioned and able to provide for civilian protection in those areas in which the drawdown or withdrawal is contemplated.

To the United Nations Security Council

- Further the work of the UN Sanctions Committee and immediately **activate travel and economic sanctions against additional individuals** identified as responsible for serious violations of international human rights and humanitarian law. South Africa, China, and Russia must review their positions which have thus far fostered impunity with no clear positive impact on furthering the peace process.
- **Expedite the publication of the 2004 report of the UN Commission of Inquiry** into human rights violations committed since 2002, and meet to discuss its findings and recommendations.

To the Economic Community of West African States (ECOWAS) and the African Union (AU)

- ECOWAS as a whole and individual member states adjacent to Côte d'Ivoire must take all necessary steps to **ensure that former fighters release all Ivorian women and girls abducted** during the armed conflict who continue to be held.
- ECOWAS and the AU should unequivocally **condemn sexual violence** by all parties, call for investigations and prosecutions, and call for the respect of the African Charter on Human and Peoples' Rights and of the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa.

To the International Criminal Court Office of the Prosecutor

- **Continue to press to conduct a mission** to Côte d'Ivoire to obtain information necessary to assess the possibility of an ICC investigation.
- **Issue a clear public message** that the ICC is monitoring abuses, including sexual violence, committed in Côte d'Ivoire, that perpetrators of serious crimes under international law must be held to account, and that national authorities should promptly commence appropriate national prosecutions for serious crimes.

To NGOs and United Nations agencies such as the UN Population Fund (UNFPA), the UN Children’s Fund (UNICEF), and the UN Development Fund for Women (UNIFEM)

- **Improve collaboration of partners** working on sexual and gender-based violence, including representatives from the government, international NGOs, and local organizations. Organize regular meetings for all active institutions to share information and coordinate programs.
- **Develop services for survivors** of sexual violence including both medical and social rehabilitation programs. It is vital to conduct needs assessment in targeted communities to determine skills, knowledge, and level of services provided to victims of sexual violence, identifying all potential local partners; to upgrade counseling and psychosocial support to survivors; to support social centers run by local NGOs (especially centers for women rejected by their families); and to promote income-generation and economic opportunities for women.