
Côte d'Ivoire

The eighteen-month-ceasefire between the government of Côte d'Ivoire and northern-based rebels and the peace process initiated at the same time were shattered in early November 2004 when Ivorian government aircraft launched bombing raids on the main rebel-held cities of Bouaké and Korhogo. The killing of nine French soldiers in a government air raid on a French base a few days later provoked a deepening of the human rights and diplomatic crisis. The French retaliated by largely destroying Côte d'Ivoire's air force, which in turn sparked a brutal wave of attacks by pro-government militias against French and other civilians in the commercial capital Abidjan and western cacao-growing region. The use of xenophobic hate speech by Ivorian state media during the November crisis incited the pro-government militias to commit serious crimes against foreigners, including rape.

In response to the crisis, the United Nations Security Council passed resolution 1572 which imposed a thirteen-month arms embargo on Côte d'Ivoire and threatened economic and travel sanctions if the parties failed to implement their commitments under the preexisting peace accords. At year's end, the Ivorian government is politically isolated by the international community. However, neither the embargo nor the threat of further sanctions have deterred it from threatening to pursue a military solution to the conflict. The prospect of a renewed government offensive against the rebels raises serious human rights concerns, particularly given the more prominent use of the ill-disciplined militias and the government's use of hate media to incite violence against perceived opponents. The renewed conflict in Côte d'Ivoire threatens to further draw in roving combatants from neighboring countries and jeopardize the precarious stability within the region.

The north and most of the west of the country remain under the control of the rebel forces known as the Forces Nouvelles (FN), while the government retains control of the south. Some four thousand French troops monitor the ceasefire line. Neither the faltering peace process nor the six thousand-strong United Nations peacekeeping mission, the United Nations Operation in Côte d'Ivoire (UNOCI), established in April 2004, have been able to facilitate respect for human rights.

The 1999-2000 military junta, 2002-2003 internal armed conflict between the government and rebels, and the political unrest that followed have all been characterized by a serious disintegration of the rule of law, often with fatal consequences. The issues at the heart of the Ivorian conflict—the exploitation of ethnicity for political gain, competition over land and natural resources, and corruption—continue unabated. From 1999 serious atrocities have been perpetrated by both sides, including numerous massacres, sexual abuse, and the widespread use of child soldiers. Neither the Ivorian government nor the rebel leadership has taken concrete steps to investigate and hold accountable those most responsible for these crimes. Perpetrators have therefore been emboldened by the current climate of impunity that allows grave abuses to go unpunished.

Impunity of State Security Forces

State Security Forces continue to act with impunity while the Ivorian government demonstrates little political will to hold accountable perpetrators within the government or security forces.

From March 25-27, 2004, pro-government forces participated in a deadly crackdown against opposition groups who planned to protest the lack of progress in implementing the Linas-Marcoussis Agreement. During the violence, members of the Ivorian security forces, including pro-government militias and Front Populaire Ivoirien party militants responded aggressively by using unnecessary and deadly means that were disproportionate to the supposed threat the march posed. Instead of dispersing demonstrators with non-lethal means as they assembled, the security forces shot at and detained them in their communities as they prepared to gather, fired upon them as they attempted to flee, and executed many after being detained. During the violence at least 105 civilians were killed, 290 were wounded, and some twenty individuals “disappeared” after being taken into custody by members of the Ivorian security forces and pro-government militias, many on the basis of their nationality, ethnicity, or religion.

From September 2004, security forces have been involved in a number of incidents, including the disappearance of people close to leaders of opposition party Rally of Republicans (Rassemblement de Republicains, RDR), raids by security forces on mosques and market places, and increased racketeering and extortion—particularly of northern Ivorians, supporters or perceived RDR supporters, and West African immigrants. In late September, the Ivorian Army raided several mosques in Yamoussoukro and detained some 250 people, most of whom were West African immigrants. On September 29, Ivorian gendarmes raided a market in the Abidjan suburb of Adjamé, and detained 380 mostly northerners or West Africa immigrants, scores of whom were beaten and forced to pay money for their release. On October 5, a gardener and three security guards were abducted by the Republican Guard from the Abidjan residence of opposition leader Allasane Ouattara. The bruised body of the gardener was found a few days later floating in a lagoon in Abidjan.

Attacks on Journalists and Press Freedom by Pro-government Forces

National and international journalists have on numerous occasions been threatened and harassed by pro-government forces. In April 2004, Guy-Andre Kieffer, a French-Canadian journalist who wrote about corruption in the cacao industry, disappeared in Abidjan and is believed to be dead. A relative of the president has been charged with complicity in the kidnapping and murder, though no further arrests have been made. French prosecutors, who have opened a separate investigation, have accused the government of blocking their investigations. The resumption of attacks on rebel-held positions was accompanied by attacks on four private opposition newspapers—*Le Patriote*, *24 Heures*, *Le Nouveau Réveil* and *Le Libéral Nouvea*—which were on November 4 ransacked, looted or burned by hundreds of pro-government militias.

The Use of Hate Speech

State owned and private pro-government press continue to play a crucial role in exacerbating tensions in Ivorian society not only through unbalanced and sometimes provocative coverage of events, but also by direct incitation of hatred, intolerance and violence against groups perceived to oppose the government. The most dramatic example of this occurred in November 2004 when high-level government officials and militia

leaders speaking on state radio and television, disseminated continual messages which incited pro-government militias to attack French civilians. There was at least one instance in which a broadcaster's incitement of an attack included the number plate of a vehicle said to be driven by French nationals.

The government's widespread use of hate speech and incitement of violence against French and other Europeans has provoked concerns about future attacks against the governments more familiar targets: Muslims, northerners and West African immigrants. The use of hate speech provoked widespread condemnation by the international community, including a warning from the United Nations adviser on the prevention of genocide and an obligation under U.N. S.C. resolution 1572 for the peacekeeping mission to strengthen its monitoring role of broadcasts that incite or provide directions for violence. However, the U.N. has not indicated if the peacekeeping mission is prepared to block the hate speech transmissions through technical or other means.

Impunity of Pro-government Militant Groups and Civilian Militias

Political developments were throughout the year accompanied by acts of harassment, intimidation and violence by the pro-government militant groups and civilian militias. Since 2000, the government has increasingly relied on pro-government militias for both law enforcement and, since 2002, to combat the rebellion. From September 2004, pro-government militia members have reportedly been undergoing military training in Abidjan. Throughout the year members of the political opposition, UNOCI personnel, French soldiers, journalists and foreigners were most often the targets. For example, on March 10, scores of youth from the "Young Patriots," stormed the Ministry of Justice in Abidjan to protest appointments made by the justice minister, who is also the president of one of the key opposition parties. As deadlines for rebels to begin disarming passed in June and October, hundreds of "Young Patriots" attacked United Nations and French personnel. After a small rebel attack on the town of Gohitafla was repelled by French troops in July, militant youths destroyed tens of UNOCI vehicles in Abidjan and San Pedro. In November, the mobs attacked, looted and burned French and other European owned homes, businesses and schools, provoking a massive evacuation of at least five thousand foreign nationals. French government sources said at least three of its citizens were raped and scores of others wounded during the attacks.

Abuses by the Forces Nouvelles

Within rebel-held areas – thought to be at least 50 percent of the national territory – there are no legally constituted courts, nor has the rebel leadership established a legitimate judicial authority or shown any political will to try serious crimes in which their commanders or combatants were involved. Within FN-controlled areas there were frequent reports of extortion, looting of civilian property, armed robbery, rape, arbitrary taxation, abduction, extra-judicial execution of suspected government informants, and attacks against United Nations peacekeepers and French soldiers.

The most serious incident occurred on June 20-21, 2004, during clashes between rival rebel factions in the northern city of Korhogo which led to the deaths of some one hundred people, including civilians. According to a fact-finding mission by the UNOCI human rights section, many of those found in three mass graves had been executed or suffocated after being held in a make-shift prison. Many others were tortured and subjected to inhuman and degrading treatment.

Inter-communal Conflict Over Land

Longstanding tension over access and ownership of land between indigenous Ivorians, some of whom have formed into civilian based militias, and West African immigrant farmers, the majority from Burkina Faso, continues to claim numerous lives during 2004. The tension, exacerbated by political rhetoric during the 2002-2003, has forced thousands from lands they farmed in the west and southwest of the country. In late December 2003 and January 2004, French soldiers found the bodies of thirty five people thought to be mostly West African immigrants in several villages around Bangolo in the west. At around the same time hundreds of people of Burkinabe origin were forced by local militias from the Bete ethnic group to leave their homes around Gagnoa. In March and April 2004, at least twelve people were killed near Gagnoa and elsewhere in the southwestern part of the county. Since June 2004, foreign communities around Guiglo and Duekoue were targeted by an unidentified armed group, resulting in the deaths of at least seven and displacement of thousands. In November communal violence between the Bete and Dioula ethnic groups in Gagnoa resulted in at least five deaths. Reform of the land ownership law was among the package of legal reforms slated for review under the peace accord, however the government has yet to undertake action to end the violence and implement needed reforms.

Key International Actors

Throughout most of 2004, the impasse in implementation of the January 2003 Linas-Marcousses Agreement and fears that it would lead to a fresh outbreak of violence resulted in a flurry of diplomatic efforts to resolve the crisis by the United Nations, the Economic Community of West African States (ECOWAS), the African Union (AU) and the French government. The Ivorian government's resumption of hostilities in the face of these efforts resulted in widespread condemnation and international isolation. It also provoked a crisis in Franco-Ivorian relations.

In February 2004 the Security Council expanded the mandate of the United Nations mission in Côte d'Ivoire to become a full peacekeeping operation, including the deployment of some six thousand peacekeepers and two hundred military observers. A high level summit in July aimed at jump-starting the peace-process resulted in the signing of the Accra III agreement which committed the government to adopt several key legal reforms by the end of August 2004, including one on citizenship for West African immigrants, one which would define eligibility to contest presidential elections, and another which would change rights to land tenure. The agreement also set October 15, 2004 as the starting date for disarmament. At year's end, none of the key reforms have been passed by the Ivorian government.

Throughout 2004 the U.N., the European Union (E.U.), and the United States made repeated calls to both sides to end human rights abuses, including the incitement of violence through hate speech, and implement the peace accords. The United Nations, including the Secretary-General, Security Council and Office of the United Nations High Commissioner for Human Rights (OHCHR) have taken a proactive role in denouncing and investigating serious international crimes committed in Côte d'Ivoire, and indeed on numerous occasions have called for perpetrators to be held accountable. Since 2000 the OHCHR dispatched three independent commissions of inquiry into the grave human rights situation in Côte d'Ivoire; the first following the election violence of October 2000; the second following the violent crackdown of an opposition demonstration in

March 2004; and the third, following a request by all parties to the Linas-Marcoussis Agreement to investigate all serious violations of human rights and humanitarian law perpetrated in Côte d'Ivoire since September 19, 2002.