



JANUARY 2007

COUNTRY SUMMARY

Côte d'Ivoire

The political and military impasse between the Ivorian government and northern-based New Forces rebels resulted in 2006 in continued human rights abuses by all sides, a further erosion of the rule of law, and yet another postponement of elections that were to have taken place in October. As the crisis continued through its fourth year the institutions that once provided benefits to ordinary Ivorians—the public education, healthcare, and judicial systems—deteriorated further, resulting in serious hardship particularly in the north, and in the entrenchment of impunity. There were persistent reports of extortion, torture, and arbitrary detentions by the Ivorian security forces, pro-government militias, and the New Forces.

Some 4,000 French troops continue to monitor a buffer zone between the government-controlled south and the rebel-controlled north. An 8,000-strong peacekeeping mission, the United Nations Operation in Côte d'Ivoire (UNOCI), established in April 2004, is deployed countrywide.

The problems underlying the Ivorian conflict—eligibility for citizenship of some three million immigrant residents, the exploitation of ethnicity for political gain, and competition for land resources between “indigenous” and immigrant communities in the volatile western region—remain unresolved.

Efforts to End the Political-Military Stalemate

Elections originally scheduled to be held in October 2005 were postponed for one year under Security Council Resolution 1633, which called for the appointment of a prime minister “acceptable to all” to lead the country to elections before October 31, 2006. Following his appointment in December 2005, Prime Minister Charles Konan Banny’s efforts to implement the “roadmap” to elections soon deadlocked due to persistent squabbling between all sides about implementation of key areas. Citing the lack of political will as one of the principal reasons for the impasse, in

September 2006 the International Working Group (IWG, composed of various government and international and regional organization representatives, and charged by the UN Security Council with monitoring implementation of its resolutions on Côte d'Ivoire) stated that holding elections in 2006 was impossible and called on the Security Council to establish a "new transitional framework."

In November the UN Security Council duly adopted resolution 1721 extending the mandates of President Laurent Gbagbo and Prime Minister Banny (in Gbagbo's case for a second time since the expiry of his constitutional mandate in October 2005). In the "new and final" 12-month transition period established by 1721, Banny is to wield enlarged powers to help lead the country to elections before October 31, 2007, including the ability to issue ordinances or decree laws, and to exert authority over the defense and security forces. Many political observers believe that Banny's increased powers are necessary if he is to successfully break deadlock in debates surrounding the sequencing and modalities of key prerequisites for elections, including disarmament of pro-government and rebel forces, identification of Ivorian citizens who hold no identity documents, and registration of eligible voters. However, as 2006 drew to a close Gbagbo and his ruling FPI party appeared determined to resist ceding any authority to Banny.

Abuses by State Security Forces

During 2006 the police, army, and the Security Operations Command Center (CECOS, an elite, rapid reaction force charged with fighting crime in the economic capital Abidjan) rounded up, illegally detained, and sometimes tortured scores of individuals, often with little or no explanation for the reasons behind their arrest and detention. In January, seven individuals, Malians and Ivorians of northern origin, were rounded up by CECOS, accused of being rebels, and tortured at the *Ecole de la Gendarmerie* in Abidjan; one of them was tortured to death, and the others were released. Police, army, and CECOS engaged in systematic and widespread extortion, racketeering, and intimidation of business people, street traders, and taxi drivers, among others. The majority of these violations appeared to target northerners, West African immigrants, and other perceived rebel sympathizers.

Abuses by Pro-Government Militias and Groups

Pro-government militias and groups regularly intimidated, harassed, and at times attacked and sexually abused perceived opposition party members and rebel sympathizers. The groups most often associated with these attacks were the Young Patriots and a student group, the Students' Federation of Côte d'Ivoire (FESCI), which committed serious abuses, including torture, against students perceived to support the opposition. In January 2006 thousands of Young Patriots directed their violence against the international community, attacking vehicles and premises of the UN and international humanitarian agencies (resulting in heavy material losses); they also briefly took control of the national television station. The violence and associated incitement forced temporary retreat of some 400 UN and humanitarian personnel from parts of western Côte d'Ivoire. In April Young Patriots attacked a bus carrying UN staff in Abidjan's Yopougon neighborhood. In May militias trapped and stoned the cars of senior opposition figures, and in July they erected barricades, burned cars, and disrupted citizenship hearings in Abidjan and other places around the country after the head of Gbagbo's FPI party, Pascal Affi N'Guessan, declared that the hearings should be blocked by "all means necessary."

Abuses by the New Forces

New Forces rebels regularly extorted money and looted goods from civilians in areas under their control. Roadblocks erected by the New Forces were focal points for extortion and to a lesser extent rape and sexual harassment. New Forces police commissioners arbitrarily dispensed justice, acting in effect as investigator, prosecutor, judge, and jury for those individuals brought before them. As a result, numerous individuals accused of common crimes were arbitrarily detained in prisons, informal detention centers, and military camps for often extended periods. Some individuals are believed to be held incommunicado in secret detention centers.

Internal Displacement

An estimated 750,000 individuals have been displaced from their homes since the beginning of the crisis in 2002, causing dire economic hardship for thousands of families across Côte d'Ivoire. In 2006 continued human rights abuses contributed to ongoing displacement of individuals from their homes and prevented many

individuals from returning, particularly in the volatile cocoa-producing regions of the west where the internally displaced are regularly subject to extortion and robbery by Ivorian security forces and pro-government militias.

Accountability

Throughout 2006 neither the government nor the rebel leadership took significant steps to discipline, investigate, or hold accountable those responsible for ongoing crimes, much less past atrocities during the 2002-2003 civil war. Despite repeated threats to impose sanctions on Ivorians who violate human rights, break the arms embargo, indulge in hate speech, or block the peace process, the UN Security Council has only imposed travel and economic sanctions against three mid-level individuals from the Young Patriots and New Forces. Subsequent attempts to impose sanctions against additional individuals (leaders in Gbagbo's FPI party) were stymied by China and Russia. The Security Council has yet to make public or discuss the findings of the Commission of Inquiry report into serious violations of human rights and international humanitarian law since September 2002, which was handed to the UN secretary-general in November 2004. The report contained a secret annex listing people accused of human rights abuses who could eventually face trial.

Although the Ivorian government lodged a declaration in September 2003 with the International Criminal Court (ICC) accepting the court's jurisdiction over serious crimes committed since September 2002, the prosecutor has not yet determined whether his office will open an investigation in Côte d'Ivoire. Although the ICC prosecutor indicated in early 2005 and then again in late 2005 that he intended to send a delegation to Côte d'Ivoire, this has yet to take place. The delay has been due in part to the Ivorian authorities.

Key International Actors

Although the African Union took the lead in attempting to resolve the Ivorian crisis in 2006, no one country or international body appeared willing or able to exert sufficient influence to move the two sides towards a settlement. Throughout the year, international actors attempting to mediate the conflict continued to be exasperated with the lack of political will by all parties, but particularly Ivorian government actors,

to implement resolution 1633. Key international players were equally unprepared to take serious measures to combat impunity, although the UN Security Council on numerous occasions expressed serious concern at ongoing violations, and France, together with Denmark, Slovakia, and the United Kingdom, attempted to expand the list of individuals subject to sanctions. This reluctance appeared to embolden the perpetrators and fed into the intransigence of the Ivorian government and New Forces.

For their part, both sides to the conflict appear to have lost confidence in international actors that have in the past played an important role in attempting to achieve peaceful resolution of the crisis. In September 2006 Gbagbo's party called for the departure of all French troops and the dissolution of the IWG. In October the New Forces leadership pushed for replacement of AU mediator Thabo Mbeki, whom it accused of being too sympathetic to the government, resulting in Mbeki's withdrawal.

Although it failed to expand the list of persons subject to sanctions beyond three individuals, or take action to ensure accountability for current or past abuses, the UN Security Council in June 2006 authorized increasing UNOCI by some 1,025 additional military personnel.