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World Report 2011 - Côte d'Ivoire

Events of 2010

A long-delayed presidential vote on October 31 left President Laurent Gbagbo and former prime minister Alassane Ouattara in a run-off scheduled for November 28. Optimism among Ivoirians and international partners that the country was moving toward reunification after a calm first round was tempered by the ethnic-regional split among voters, as well as concerns that incendiary rhetoric by the candidates' supporters could lead to incidents of communal and political violence. A successful election would signal an end to the political uncertainty that has beleaguered the country for more than five years.

Meanwhile the almost singular focus on elections by the Ivorian government and its international partners resulted in grossly insufficient efforts to address disarmament, human rights abuses, and deficiencies within rule of law institutions. Ivoirians continue to suffer high levels of sexual violence, banditry, and land conflict with little recourse in a justice system plagued by corruption, lack of independence, and insufficient resources. The state institutions mandated to protect the population and investigate and hold accountable perpetrators of serious crimes continue to engage in unprofessional and predatory conduct, including the open extortion of citizens at checkpoints throughout the country.

Elections and a Continuing Political-Military Stalemate

In the first round of presidential elections, almost 80 percent of eligible Ivoirians cast their votes in a process that international observers deemed to be free and fair. However, none of the candidates received 50 percent of the vote, resulting in a run-off between Gbagbo and Ouattara. Votes were cast sharply along ethnic and regional lines during the first round, with Gbagbo controlling the south and west and Ouattara the north. There were widespread concerns that a contested second round would fail to end the country's long-term political uncertainty.

Ivorian authorities made minimal effort to disarm former combatants in 2010, allowing for the continued abundance of arms, particularly in the rebel-held north and the

formerly pro-government militia stronghold in the far west of the country. As of August the United Nations Operation in Côte d'Ivoire (UNOCI) had collected only 715 arms during their disarmament programs for rebel and militia forces combined, despite the government's census of 70,000 combatants and claims that around 30,000 combatants had already been demobilized. Rebel forces were increasingly unwilling to cooperate with inspectors from the UN Group of Experts tasked with monitoring compliance of a 2004 arms embargo. The government's Republican Guard has refused outright to cooperate since the embargo was imposed.

Rule of Law

The judicial system remains marked by corruption and lack of independence. The planned redeployment of judicial officials to the north progressed slowly in 2010, although several tribunals and correctional facilities were able to reopen after being in rebel hands for seven years. However, *Forces Nouvelles* rebels' refusal to relinquish de facto control of much of the north, including prisons and security, hampered the judiciary's ability to be effective and independent.

Land Rights

Violent conflicts over land rights remain a persistent problem in southern and western Côte d'Ivoire, exacerbated by the chronic failure of the judicial system to resolve disputes. Many such conflicts pit indigenous populations against immigrant communities. In May at least 10 people were killed in a clash around Mont Peko, one of many protected forest regions where land is illegally sold and turned into cocoa fields, while more than 20 people were seriously injured during a September confrontation in Fresco. In the far west, almost 900 ethnic Burkinabé internally displaced persons remain within a camp outside Guiglo due to fear of retribution from the indigenous population should they return to their land.

Extortion and Racketeering

As in past years the government took no meaningful steps to address widespread extortion and racketeering by government security forces and rebels. In the government-controlled south, police, gendarmes, and customs officials routinely demand bribes at checkpoints. Individuals who refuse to pay bribes to corrupt officials are refused passage, intimidated, and often beaten or arbitrarily detained. Immigrant populations and other perceived outsiders are targeted for particularly severe treatment.

Extortion remains even more problematic in the north, where *Forces Nouvelles* rebels continue to exert almost complete economic control over the population. The rebels reap the equivalent of hundreds of millions of dollars annually at checkpoints and through rackets on businesses, particularly the lucrative cocoa and timber trade. In late August rebel leaders promised that forces would stay in their barracks during the two months preceding the elections. However, at this writing, many are still illegally manning checkpoints.

Political Violence

The first round of presidential voting occurred with few reported incidents of violence or intimidation. However, in the prelude to the run-off between Gbagbo and Ouattara, inflammatory rhetoric by party media organs and incidents of intimidation by party youth wings intensified. At this writing there were increasing fears that intimidation and violence might mar the second round and the announcement of results.

Tensions flared in early February as a result of disputes over the voter list. Following reports that judicial authorities were controversially removing names from the voter list, protests turned violent in several towns across Côte d'Ivoire, leaving several persons dead or seriously injured. Government buildings were sacked in Man, Bouaké, and Vavoua. President Gbagbo dissolved the government and electoral commission on

February 12, citing the protests and accusations that the electoral commission's head committed fraud, leading to additional protests throughout the country. Law enforcement officials fired on demonstrators in Gagnoa on February 19, killing five. An investigation by UNOCI's human rights division found that Ivorian security and defense forces committed serious violations in suppressing these protests and riots, including extrajudicial killings, physical violence, and illegal arrests and detentions.

Sexual Violence

Sexual violence remained pervasive throughout the country. Problems are particularly acute in the far west of Côte d'Ivoire, where armed men sexually assault women and girls in their homes, as they tend to their fields, as they walk to or from the market, and after hauling them from transport vehicles. Victims are typically attacked during a robbery. The attacks are especially common during the cocoa harvest and on market days. Victims' access to health and legal services remains extremely limited. Attempts to investigate and prosecute cases of sexual violence are hampered by lack of political will among police and court officials, and aggravated by severe deficiencies in the justice system, particularly in the north and west.

Accountability for Past Abuses

Impunity for serious crimes committed in Côte d'Ivoire remains a major concern. The UN Security Council has still not made public the findings of the UN Commission of Inquiry into serious violations of human rights and international humanitarian law since September 2002, delivered to the UN secretary-general in November 2004. In 2003 the Ivorian government accepted the jurisdiction of the International Criminal Court over serious crimes committed in violation of international law. However, it has since repeatedly failed to facilitate ICC initiatives to assess national efforts on accountability for such crimes, including to determine whether the ICC should open an investigation there.

The National Human Rights Commission, which began work in July 2008, submitted its second annual report in August 2010. The commission still failed to meet the standards laid out in the Paris Principles because it remained politicized, not effectively independent from the executive, and inadequately funded.

Key International Actors

Côte d'Ivoire's key partners – including the UN, the Economic Community of West African States, the European Union, and France – grew increasingly frustrated with election delays, and throughout the year exerted considerable pressure on the Ivorian government to hold elections in 2010. They also provided significant financial support for election preparations. However, these international partners remained reluctant to publicly criticize the government for its human rights record, or to push for accountability for those responsible for war crimes, political violence, or rampant crime.

With the notable exception of the August report on human rights violations during the February demonstrations, UNOCI continued to fail to make its statistics and reporting on human rights abuses in the country publicly available.

UN Security Council Resolution 1933, adopted in June, extended UNOCI's mandate through December, authorizing over 8,400 military and police personnel. In advance of elections the Security Council agreed to deploy 500 additional peacekeeping troops, and UNOCI was given a clearer mandate regarding the protection of civilians. However, proactive efforts to stem rampant violence, including sexual violence, remained nominal. France maintained 900 troops in Côte d'Ivoire to support UNOCI.

The Security Council extended a sanctions regime through April 30, 2011, including an arms embargo, a ban on the import of Ivorian diamonds, and travel bans and asset freezes on three individuals, two of whom were implicated in attacks against UN

personnel in 2006. In its August report, UNOCI recommended an exception allowing the Ivorian government to import anti-riot equipment, citing the lack of such equipment as a contributing factor to the February abuses by security forces.

In January 2010 the UN Human Rights Council published a report on Côte d'Ivoire under its Universal Periodic Review mechanism. Côte d'Ivoire committed to implement recommendations on the rule of law and to end impunity for sexual violence by bringing perpetrators to justice. However, virtually no efforts were made during the year to achieve these goals.

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