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Country on a Precipice

The Precarious State of Human Rights and Civilian Protection in Côte d'Ivoire

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I. Summary

The continuing failure of the government of Côte d'Ivoire and the New Forces rebels to address human rights concerns raises the prospect of massive rights violations should the shaky peace between the government and rebels fall apart. The government has provided support for some ten thousand ill-disciplined militia fighters, which often are supplanting the official security forces. These militias have committed serious crimes with impunity, particularly against northerners, Muslims and West African immigrants and others perceived to be supporting the rebels. The government's past willingness to use hate speech in the media to incite violence against perceived opponents remains a cause of future concern should armed hostilities return. As well, the northern-based New Forces rebels continue to engage in serious human rights abuses such as extrajudicial executions, torture, arbitrary detentions and confiscation of property.

The 1999-2000 military junta and the 2002-2003 armed conflict between the government and northern-based rebels, in addition to the political unrest and impasse that has followed, have been punctuated by egregious atrocities by both government and rebel forces including political killings, massacres, "disappearances" and numerous incidents of torture. The steady crescendo of impunity by armed groups from all sides, but especially government militias, has resulted in ever-increasing incidents of violence against civilians. The political and social climate has become increasingly polarized and characterized by intolerance, xenophobia, and suspicion, bringing fears of what could happen should there be an all-out resumption of hostilities.

Two military incidents since November 2004, discussed in this report, demonstrate the precarious nature of the situation, and how further incidents could set off a spiral of human rights violations that could prove difficult to control. The two incidents – the November 2004 government offensive against the rebel-held north and the February 28, 2005 militia attack on the rebel-held town of Logouale – not only sparked an alarming spate of ethnically motivated attacks between indigenous groups and immigrant farm workers over land rights, but also highlighted the desperate need for stronger measures to protect vulnerable groups of civilians.

In the first several months of 2005, diplomats, U.N. sources, international aid workers and Liberian fighters said they believed, despite official denials, government forces were training and equipping militias, including hundreds of Liberian mercenaries, to renew the

war against the New Forces rebels.¹ The attacks would likely start from the far west where long-simmering tensions between indigenous groups and immigrant farm workers over land rights are easily manipulated for political gain. The deployment of ill-trained and ill-disciplined militias would greatly increase the likelihood of abuse against the civilian population and suspected rebels. Human rights abuses by New Forces rebels, which have a history of torture and summary execution against perceived government opponents, are also a grave source of concern,² especially given that rebel commanders sometimes appear to be unable to exert effective command and control over armed bands, ostensibly allied to them.³

Concerned by the explosive state of affairs in Côte d'Ivoire, the U.N. Security Council has taken important steps to provide some protection for the civilian population. However, more needs to be done. Additional troop reinforcements for the U.N. peacekeeping mission in Côte d'Ivoire – some 1,200 peacekeepers have been requested by Secretary General Kofi Annan – should be approved and deployed without delay. United Nations economic and travel sanctions against individuals “determined as responsible for serious violations of human rights and international humanitarian law in Côte d'Ivoire” or who “incite publicly hatred and violence” should be implemented immediately.⁴ The sanctions were authorized in November 2004 under U.N. Security Council resolution 1572 but have effectively been put on hold by African Union negotiators. Regional bodies, concerned governments, as well as the International Criminal Court, must follow through with efforts to hold key players in the Ivorian conflict accountable for human rights abuses and violations of international humanitarian law. Lastly, U.N. Security Council members should make preparations to pass a resolution, in the event that the situation in Côte d'Ivoire deteriorates, to block radio [or electronic] transmissions of xenophobic hate speech intended to incite violence against civilian populations.

The renewed conflict in Côte d'Ivoire also threatens to draw in more roving combatants from neighboring countries and jeopardize the precarious stability within the region. Governments in the region, the Economic Community of West African States and the

¹ Human Rights Watch interviews with UN officials, diplomatic sources, military analysts, Abidjan, February-March 2005.

² See, Human Rights Watch Report, “Trapped Between Two Wars: Violence Against Civilians in Western Côte d'Ivoire,” August 2003.

See, Human Rights Watch Briefing Paper, “Côte d'Ivoire: Accountability for Serious Human Rights Crimes Key to Resolving Crisis,” October, 2004.

³ Human Rights Watch interviews with representatives of international non-governmental organizations, UN officials, and diplomats, February – March, 2005.

⁴ U.N. Security Council Resolution 1572 (2004), S/RES/1572 (2004), article 9 and 11.

United Nations must proactively investigate the cross border movement of arms and combatants by both the Ivorian government and New Forces rebels. Those involved in the recruitment and use of child combatants, a war crime, must be held fully accountable. This includes the Ivorian government which has since at least October 2004 recruited scores of recently demobilized Liberian child combatants for use in a militia in western Côte d'Ivoire.

A United Nations force of some 6,000 peacekeeping troops and a French force of 4,000 more heavily armed soldiers under separate command currently stands between the rebels and government forces. The U.N. says this is too small a force to ensure peacekeeping and civilian protection. It has asked for, and genuinely needs, 1,200 additional troops which would better enable them to protect civilians. However, that demand is running into United States opposition in the Security Council on ostensibly budgetary grounds.⁵ Japan is also less than enthusiastic about the call for more troops, diplomats say.⁶

The division of the international force into U.N. and French contingents is a constraint on the U.N.'s ability to protect civilians across the country. As was evident during the November 2004 events in Abidjan, French priorities in Côte d'Ivoire are not always the same as those of the U.N. Reinforcements to the U.N. contingent would help the U.N. achieve a peacekeeping profile independent of France, the former colonial power, which is viewed with mistrust by many Ivorians in the south and west, and allow the U.N. to respond serious emergencies as it best sees fit.

To the surprise of many Western diplomats and UN officials, mediation efforts by South African President Thabo Mbeki led to the signing of an agreement by all sides on April 6, 2005, which effectively committed all forces to disarm and work towards elections in October 2005. Progress in the mediation, which was sponsored by the African Union, had been slow until the meeting in Pretoria April 3-6, 2005, which was billed as a last ditch attempt to save Côte d'Ivoire from sliding back into full-scale war. A decision on the eligibility of candidates for the presidential election was left to mediator Mbeki, who on April 13, 2005 asked President Gbagbo to use his special presidential powers according to Article 48 of the Ivorian Constitution to circumvent the constitution and allow all political parties that are signatories of the Pretoria agreement to run.

⁵ Human Rights Watch interviews with U.N. sources and diplomats, Abidjan and New York, February and March 2005.

⁶ Ibid.

Political observers remain skeptical about the prospects for implementation of the Pretoria agreement, however, given that two previous peace accords – Linas-Marcoussis in January 2003 and Accra III in July 2004 – never got off the ground,⁷ and because the government has on at least two occasions broken the ceasefire, and attacked rebel-held positions. Gbagbo's willingness to abide by Mbeki's proposal to open up the field of candidates, and thereby include his key political rival, remains the most central issue standing between the prospects for an end to the war and a resumption of hostilities.

One casualty of the African Union-led mediation process and indeed preceding efforts to achieve peace has been the international community's reluctance to either restrain military and political leaders in the Ivorian conflict alleged to have committed abuses of human rights and international humanitarian law (the laws of war) through the imposition of economic and financial sanctions, or encourage criminal prosecution against them.

The U.N. Security Council in November 2004 did approve economic and financial sanctions against individuals accused of such violations. Yet these sanctions, which could curb ongoing human rights abuses, have yet to be implemented for fear of undermining efforts to achieve an end to the political and military stalemate.

The international community has appeared equally reluctant to take concrete steps to hold accountable leaders and commanders from all sides accused of war crimes. Putting justice on hold for an elusive final settlement denies victims and Ivorian society the right to see those responsible for serious human rights crimes held accountable, undermines the ever-deteriorating rule of law and is a dangerous strategy given the precarious state of human rights and civilian protection in Côte d'Ivoire today. Not only does this strategy not seem to be working, but it also appears to be emboldening perpetrators.

This report examines the military, social and economic context of the current political stalemate, the potentially devastating human rights costs of the proliferation of militias, and the government's use of hate speech that incites violence. It is based on interviews in Côte d'Ivoire and elsewhere from February-April, 2005 with diplomats, United Nations officials, military and intelligence analysts, civil society leaders and aid workers. The report makes several urgent recommendations that addresses these concerns and might reduce the terrible human cost should hostilities resume.

⁷ Human Rights Watch interviews by telephone, Abidjan and New York, April 2005.

II. Recommendations

To the United Nations Security Council

- Approve the French draft resolution for an immediate increase in UNOCI peacekeeping forces, civilian police personnel and support staff.
- Expedite the work of the U.N. Sanctions Committee and immediately activate travel and economic sanctions against individuals identified as responsible for serious violations of human rights and international humanitarian law, who break the U.N. arms embargo or who incite publicly hatred and violence.
- Expedite the publication of the report of the U.N. Commission of Inquiry into human rights violations committed since 2002 and hold a meeting in the U.N. Security Council to discuss its findings and recommendations.
- Increase resources to UNOCI for monitoring of radio and television broadcasts which incite hatred, intolerance and violence.
- In the event deterioration in the security situation in Cote d'Ivoire is accompanied by persistent radio and television transmissions intended to incite hatred, intolerance and violence against civilian populations, be prepared to pass a resolution, or include in another resolution an article, which calls for the blocking of such transmissions.

To the United Nations Mission in Cote d'Ivoire

- Ensure that UNOCI forces can provide protection to all civilians whose security is at risk because of communal tension or threats from abusive military forces.

To the African Union

- Consider the imposition of sanctions – including arms embargos, travel bans and economic sanctions – against the Ivorian government or other African governments which sponsor groups involved in the perpetration of widespread and systematic human rights abuses, including the use and recruitment of child soldiers.

To the Prosecutor of the International Criminal Court

- Publicly acknowledge the gravity of the crimes that have been committed by all sides to the Ivorian conflict, and that you have been vested with the authority to investigate and prosecute them.
- Take steps to lay the groundwork as soon as is feasible to begin an investigation with a view to prosecution of those suspected of human rights and international humanitarian law violations by both pro-government and rebel forces.

To the Government of Côte d'Ivoire

- Issue clear public instructions to all security forces to respect international humanitarian and human rights law. Ensure attacks on Burkinabe and other foreign groups end immediately and those responsible for such attacks are brought to justice.
- Issue clear public orders to security services to ensure that civilian militias are brought within the scope of the law and cannot act with impunity.
- Acknowledge and condemn unlawful killings committed by security and other pro-government forces since September 2002.
- Investigate and punish those responsible for harassment and extortion of traders and travelers by the security services and civilian militias.
- End the incitement of hatred, intolerance and violence by state-run broadcasters and print journalists and bring to justice any broadcasters or journalists that incite the same. Respect freedom of expression and create a climate in which journalists may work freely.
- Cooperate fully with any investigative steps taken by the International Criminal Court.

To the New Forces

- Issue clear public instructions to all combatants to respect international humanitarian and human rights law.
- Ensure combatants receive human rights and international humanitarian law training.
- Issue clear instructions to combatants to allow the return of refugees and displaced persons, in particular members of the Baoulé group that fled Bouaké.
- Cooperate fully with any investigative steps taken by the International Criminal Court.

To France

- Issue clear instructions to commanders to control civilian demonstrators without resorting to lethal force unless their forces are in clear and imminent danger of their lives.
- Conduct an investigation into the alleged disproportionate use of force against demonstrators in Abidjan by the French in November 2004.
- Ensure French forces are trained in crowd control and equipped with riot control gear.

- Ensure troops in Operation Unicorn respect international humanitarian law and intervene to protect all civilians throughout their area of deployment.

To the United States, the European Union and other international donors

- Call publicly and privately on the Ivorian government to investigate and where applicable prosecute violators of international humanitarian law and human rights.
- Condition military or police assistance to the Ivorian government, with the exception of human rights training, on the investigation and prosecution of those accused of such abuses.
- Give political and financial backing to any judicial mechanism set up to ensure accountability for perpetrators of serious crimes.

III. Background

Côte d'Ivoire was one of the most stable and prosperous countries in West Africa for thirty years, after independence from France in 1960. It was governed by President Felix Houphouët-Boigny, an ethnic Baoulé whose Democratic Party of Côte d'Ivoire (Parti Democratique de la Côte d'Ivoire, PDCI) monopolized political activity in what was effectively a one-party state.

Under Houphouët-Boigny, the cocoa-based economy flourished, drawing in millions of foreign workers, particularly from Burkina Faso, Mali, Niger and Guinea. By the late 1980s, however, commodity prices were falling and Côte d'Ivoire's foreign debt rising. An economic recession in the early 1990s brought an increase in rural unemployment.

Many educated urban youth returned to their villages to find themselves unemployed and competing for land and increasingly scarce resources with immigrant foreign workers from neighboring West African countries. In the west, the heart of the cocoa and coffee growing region, friction rose between immigrant plantation workers and the Ivorian villagers who had sold or leased them land. The death of Houphouët-Boigny in 1993 marked the beginning of overt political tension and the end of the fragile ethnic balance he had maintained among Côte d'Ivoire's myriad indigenous tribes and West African immigrants.

Houphouët-Boigny's successor, Henri Konan Bédié, exploited differences in Ivorian society to shore up his core political support. Bédié exploited the idea of "Ivoirité"

(Ivorianess) in an attempt to separate “real” Ivorians from outsiders. The country’s economic woes were blamed on foreigners. The most notable victim of this exclusion has been Alassane Ouattara, a northern Muslim of Burkina Faso descent who was barred by Bédié from running for President. Ouattara headed the Rally of Republicans party (Rassemblement de Republicains, RDR), which had considerable support from northern ethnic groups and Muslims, and was considered to be one of Bédié’s strongest political rivals.

During Bédié’s six-year rule allegations of corruption and mismanagement multiplied, and he increasingly relied on ethnicity as a political tactic to garner support in an unfavorable economic climate. In 1999, Gen. Robert Guei, a Yacouba from the west and Bédié’s chief of staff, took power in a coup following a mutiny by soldiers. Initially applauded by most opposition groups as a welcome change from the longstanding PDCI rule and Bédié’s corrupt regime, Guei’s pledges to eliminate corruption and introduce an inclusive Ivorian government were soon overshadowed by his personal political ambitions and the repressive measures he used against both real and suspected opposition.⁸ Throughout 2000 – another election year – Ivorian politics became increasingly divided on ethnic and religious lines.

The cumulative political, economic, religious and ethnic tensions of the 1990s erupted into violence during the presidential elections in October 2000.⁹ The legitimacy of the elections was seriously compromised by the exclusion of fourteen of the nineteen presidential candidates, including Alassane Ouattara and the PDCI candidate, former president Bédié. General Guei fled the country on October 25, 2000 after massive popular protests and the loss of military support followed his attempt to entirely disregard the election results and seize power. Laurant Gbagbo, an opposition politician who had for years fought against Houphouët-Boigny’s one-party democracy, and candidate for the Ivorian Popular Front (Front Populaire Ivoirien, FPI) was installed as president a day later. This transition was marred by violence as RDR supporters – calling for new elections – clashed with FPI supporters and government security forces. Over 200 people were killed and hundreds were wounded in the violence surrounding the October 2000 presidential and December 2000 parliamentary elections.

⁸ A number of army soldiers who had brought Guei to power in the 1999 coup fled to Burkina Faso in 2000 after being detained and allegedly tortured by Guei’s regime. Some of these individuals later since emerged as core members of the MPCl rebel movement.

⁹ See, “The New Racism: The Political Manipulation of Ethnicity in Côte d’Ivoire,” *Human Rights Watch Report*, Vol. 13, No. 6(A), August 2001.

Rebellion

On September 19, 2002 rebels from the Patriotic Movement of Côte d'Ivoire (Mouvement Patriotique de Côte d'Ivoire, MPCCI) attacked Abidjan, the commercial and de facto capital of Côte d'Ivoire, and the northern towns of Bouaké and Korhogo. The attempted coup was led by a number of junior military officers who had been at the forefront of the 1999 coup, but left after several of them were detained and tortured under Guei. In late 1999 they had fled to Burkina Faso, where they were thought to have received training and possibly other forms of support in the two years between their exile from Côte d'Ivoire and their return on September 19, 2002.

The MPCCI rebels were composed mainly of “Dioula” or northerners of Malinké, Senaphou and other ethnicities, some Burkinabe and Malian recruits, and the “dozos,” or traditional hunters.¹⁰ Its main stated aims were the redress of recent military reforms, new elections and the removal of President Gbagbo, whose presidency was perceived as illegitimate given the flawed elections in 2000. However, it also represented other grievances, including the widely held feeling of many northern Ivorians that they were consistently politically excluded and systematically discriminated against over the past decade. While the core of the MPCCI was northern Ivorian—such as Senaphou and Malinké—its membership at both the troop and high political levels included most Ivorian ethnic groups, including Baoulé and Bété members.

The MPCCI failed to take Abidjan but within two months had taken much of the north as well as the key western towns of Man and Danane, (approximately 50 percent of the country.) The western towns were taken with the help of two groups composed largely of Liberian and Sierra Leonean fighters: the Movement for Justice and Peace (Mouvement pour la justice et la paix, MJP), and the Ivorian popular Movement for the Far West (Mouvement Populaire Ivoirien du Grand Ouest, MPIGO). These three groups of rebels later formed a military-political alliance known as the New Forces (Forces Nouvelles, FN).

The armed conflict between the government and the Force Nouvelles officially ended in January 2003 with the signing of a French-brokered peace accord by all the warring parties. The agreement, known as the Linas-Marcoussis accord, called for a government of national reconciliation with members from each faction of the rebels as well as opposition parties. The government of national reconciliation was tasked with reforming the laws on nationality, electoral procedure and land inheritance. The accord delegated

¹⁰ See, Human Rights Watch, *Trapped Between Two Wars: Violence against Civilians in Western Côte d'Ivoire*, August 2003, Volume 15, No. 14 (A), pp 9-10.

most powers to a prime minister who would lead the government until a free and fair presidential election was held.

Since 2003, the country has effectively been split in two with the New Forces based in Bouaké, controlling the land-locked north, and President Gbagbo holding the south, where the bulk of the country's 16 million inhabitants live.

Côte d'Ivoire made scant progress toward implementing Linas-Marcoussis in 2003. Despite the presence in government of the rebels and the main opposition political parties known collectively as the G7, representatives of the New Forces withdrew in September 2003 complaining of President Gbagbo's "lack of good faith" in implementing the accords.

The United Nations, the African Union (AU) and the Economic Community of West African States (ECOWAS), feared a renewal of hostilities and so organized a summit in Accra, Ghana in July 2004 to reinvigorate Linas-Marcoussis. This resulted in the Accra III agreement which committed the government to adopt key legal reforms including one on citizenship for West African immigrants, one which would define eligibility under article 35 of the Ivorian constitution to contest presidential elections and another which changed rights to land tenure.

A French and ECOWAS force had moved in to secure towns in western Côte d'Ivoire in June 2003 and monitor the cease-fire. In May 2003, the U.N Security Council approved a political and observation mission to the country – the United Nations Mission in Côte d'Ivoire (MINUCI) – which was made up of military liaison personnel and civilian human rights monitors.

On February 27, 2004, given concerns about both the lack of progress in implementing the peace agreement and that "the situation in Cote d'Ivoire continued to pose a threat to international peace and security in the region," MINUCI was transformed into a peacekeeping force by U.N. Security Council resolution 1528.¹¹ The force, deployed on a one-year renewable mandate on April 4, 2004, comprised some 6,000 UN blue helmets backed by 4,000 more heavily-armed French troops belonging to Operation Unicorn (Licorne). Together they patrol an east-west buffer strip between the opposing Ivorian forces known as the Zone of Confidence. The U.N. mission is known as the United Nations Operation in Côte d'Ivoire (UNOCI). It operates under Chapter VII of the

¹¹ U.N. Security Council Resolution 1528, 27 February 2004, S/RES/1528(2004).

U.N. charter with a mandate to “protect civilians under imminent threat of physical violence, within its capabilities and its areas of deployment” and to oversee a program of disarmament, demobilization and reintegration (DDR) agreed by the two parties.¹²

Ceasefire Broken

On November 4, 2004, despite considerable political investment by the United Nations, France and the African Union to bring about a negotiated settlement to the conflict, President Gbagbo’s government launched bombing raids on rebels in the north, shattering an 18-month-long cease-fire. French and UNOCI forces did not respond to the attacks until nine French soldiers were killed in an air attack on Bouaké on November 6, 2004. French aircraft immediately destroyed two Ivorian Sukhoi 25 fighter-bombers, the kernel of the country’s tiny air force, on the ground at Yamoussoukro, the political capital of Côte d’Ivoire, in retaliation.

The French attack against the Ivorian Air Force triggered a stream of invective against France and foreigners from Ivorian state broadcasters and pro-government newspapers which urged “patriots” to take to the streets to defend the nation. French homes, businesses and institutions were looted and torched prompting the biggest evacuation of foreigners in the country’s post-colonial history. Some 8,000 people from 63 countries left Côte d’Ivoire in November 2004. The loss of these expatriates has severely affected an already ailing economy

The U.N. Security Council reacted to the upsurge of violence by imposing an arms embargo on Côte d’Ivoire in November 2004.¹³ In February 2005 it voted to strengthen the embargo and authorized the naming of a panel of experts to monitor it. After the offensive President Thabo Mbeki of South Africa stepped up efforts to mediate between President Gbagbo and the rebels. Mbeki had been mandated by the AU to secure the implementation of the Linas-Marcoussis peace deal, which among other things, called for the constitution to be amended to allow candidates with only one Ivorian parent to run in national elections. That would permit Ouattara to run against President Gbagbo in October 2005. Parliament voted reluctantly in December 2004 to amend Article 35 of the constitution but President Gbagbo insisted that the amendment be put to a referendum, which would effectively delay the October presidential election.

¹² UN Security Council Resolution 1528, 27 February 2004, S/RES/1528(2004).

¹³ UN Security Council Resolution 1572 (2004), 15 November 2004, S/RES/1572 (2004).

The Pretoria Agreement

Following the February 28, 2005 government attack on rebel-held Logouale and amid rumors of an imminent government offensive against the north, President Mbeki intensified peace efforts and summoned all the parties to a meeting in Pretoria on April 3, 2005. Three days of intensive negotiations resulted in the Pretoria Agreement which: included a declaration of “the immediate and final cessation of all hostilities;” committed the New Forces rebels and Ivorian government to disarm all combatants, including militias; provided for ministers representing the New Forces to return to the government of national reconciliation; and committed all actors to take steps towards presidential elections planned for October 2005. The contentious issue of eligibility to stand for the presidency – effectively the downfall of both previous accords – was left with mediator Mbeki to decide following consultations with U.N. Secretary-General Kofi Annan and African Union head Olusegun Obasanjo.¹⁴

In a letter from President Mbeki to President Gbagbo read out on Ivorian state television on April 13, 2005, President Mbeki asked the Ivorian president to use his special presidential powers granted him under the constitution to clear the way for all parties who signed the Pretoria Agreement to be allowed to contest, effectively clearing the way for Mr. Gbagbo’s biggest political rival, to run against him.¹⁵

Economic Decline

The war and subsequent political stalemate have played out against a backdrop of national and regional economic decline. Before the military coup of 1999 the Côte d’Ivoire was feeling the economic pinch after years of falling commodity prices, economic mismanagement and corruption. Even so, it was prosperous relative to its neighbors and had the best infrastructure in West Africa. Now, years of neglect coupled with insecurity are taking their toll. Cocoa, coffee, cotton and other crops are still getting to port but unemployment and national debt are rising. In 2004 the economy shrank by three to four percent and the budget deficit ballooned. The World Bank and International Monetary Fund have frozen all loans because of non-payment. An exodus of foreigners after the anti-French riots of November has exacerbated the decline.¹⁶

¹⁴ “Key Points of Pretoria agreement on Ivory Coast,” Agence France Presse, 6 April 2005.

¹⁵ UN Office for the Coordination of Humanitarian Affairs, April 13, 2005: Côte d’Ivoire: Mbeki makes his decision ahead of crucial disarmament meeting.

¹⁶ Human Rights Watch interviews with diplomats, financial reporters and development workers, Abidjan, March 2005.

IV. The Proliferation of Pro-Government Militias

Since 2000, when President Gbagbo took over in flawed elections, the government has increasingly relied on militias for both law enforcement and, following the 2002 coup attempt, to combat the rebellion. The militias are used by the government and pro-government regional officials to violently suppress opposition demonstrations and political party activity, muzzle the press and attack West African immigrant farm workers in disputes over land rights and agricultural resources.¹⁷

One of the greatest threats to the rule of law and human rights protection in Côte d'Ivoire is the proliferation of militias which are often armed and appear to operate with the knowledge and assistance of government and powerful local officials.¹⁸ Openly-armed groups supporting President Gbagbo roam villages in parts of Côte d'Ivoire's so-called "Wild West" along the border with Liberia, witnesses said. In Abidjan and other cities in the south thousands of mainly unemployed and underemployed young men can be brought on to the streets in minutes by militia leaders who enjoy the support of close associates of the president.

The militias are not legally constituted and the government has failed to hold them accountable for their actions. These groups stand accused of political thuggery and intimidation of opposition politicians and journalists. They operate with impunity, fearing neither law enforcement forces nor the criminal justice system. Some of their members are openly and regularly involved in crime, extorting goods and money from traders and businessmen, sometimes in collusion with the security services.

Groups such as the Young Patriots monopolize political discourse and most public forums for political debate. No opposition group can hold a public meeting without fear of being attacked while the police turned a blind eye, local human rights researchers said.¹⁹

The phenomenon of the militias and their persistent growth is a cause of grave concern to Ivorian human rights groups and international humanitarian agencies. U.N. Secretary-General Kofi Annan reflected this in his March 2005 report to the U.N. Security Council where he noted that the "mobilization of militia-type groups in increasing nationwide." He expressed that he was "deeply concerned by the arming of these militias, and their

¹⁷ Human Rights Watch interviews with French and UN military sources, Abidjan February-March 2005.

¹⁸ Human Rights Watch interviews with UN sources, Abidjan, February 21 to March 3, 2005.

¹⁹ Human Rights Watch Interviews with researchers from three Ivorian human rights organizations, Abidjan, February 2005.

increasingly dangerous activities.” He called for the armed militias to be reined in and their leaders held accountable for attacks on civilians and peacekeepers.²⁰

The Militia Groups

At least seven main militia groups operate in the south and west of Côte d’Ivoire.²¹ Most recruits are supporters of President Gbagbo’s FPI party. Many also come from the President’s ethnic Bete group, the related Attie, Abey and Dida groups²² or their allies in the west, the We and Krou tribes.²³

Among the largest are the Young Patriots (Congrès Panafricain des Jeunes Patriotes, COJEP) led by Charles Ble Goude, the Patriotic Group for Peace (Groupe Patriotique pour la Paix, GPP), headed by Moussa “Zeguen” Toure, and Eugene Djue’s Union for the Total Liberation of Côte d’Ivoire (Union pour la Liberation Totale de la Côte d’Ivoire, UPLTCI). The leaders of all three groups cut their political teeth in the Ivorian Students Federation (Federation estudiantine et scolaire de Côte d’Ivoire, FESCI), as did rebel leader Guillaume Soro. FESCI is a registered student association which actively supports President Gbagbo and muzzles anti-government dissent on college and school campuses.²⁴

The Young Patriots claim to have some 25,000 members in the south. Western officials estimate their numbers to be about 13,000.²⁵ The GPP has, according to their leadership, some 60,000 members, 15,000 of them in Abidjan, the remainder in the south.²⁶ Western officials put the figure at about 6,000.²⁷ The group was officially dissolved by the Ivorian cabinet in October 2003 but it never stopped functioning and at this writing, continues to function openly in Abidjan and elsewhere. The UPLTCI claims to have some 70,000 “patriots” but again foreign sources estimate the figure to be much lower. Western diplomats believe the number for all militias across the government-held areas is about 31,000. The National Commission for Disarmament, Demobilization and Reintegration, set up as part of the Linas-Marcoussis accord, estimates total militia

²⁰ Fourth Progress Report of the Secretary-General on the United Nations Operation in Côte d’Ivoire, March 18, 2005, S/2005/186.

²¹ Estimate by human rights groups in Côte d’Ivoire

²² The Bete, Attie, Abey and Dida groups have few cultural, religious or ethnic links. What they share is resentment at their exclusion from political and economic power during the Houphouet-Boigny years.

²³ The We are known as Krahn in Liberia and Guere in Côte d’Ivoire; the Krou are also called Kroumen.

²⁴ U.S Department of State annual human rights report, on Côte d’Ivoire, March, 2005.

²⁵ Estimates by Western and UN officials obtained by Human Rights Watch, Abidjan, February 2005.

²⁶ Human Rights Watch interview with GPP leader Moussa Toure, Adjame, March 1, 2005.

²⁷ Human Rights Watch interviews with European diplomats and UN sources, March 2005.

membership at 10,000, although U.N. Secretary General Kofi Annan acknowledged that this figure was "very likely to be underestimated."²⁸

In the west of Côte d'Ivoire, the militias are more clearly based on ethnic origin. The biggest is the Liberation Forces of the Far West (Forces de Liberation du Grand Ouest, FLGO), founded by Denis Glofiei Maho, a traditional chief of the We ethnic group based in Guiglo. The FLGO are thought to have at least 7,000 members.

The Lima Suppletive, a militia group largely made up of Liberians from the Krahn ethnic group, works in association with the FLGO and Armed Forces of Côte d'Ivoire (FANCI). According to interviews conducted by Human Rights Watch in Liberian towns and villages close to the Ivorian border in March 2005, the government of Côte d'Ivoire has since October 2004 recruited hundreds of recently demobilized combatants in Liberia, including scores of children under eighteen. Those interviewed by Human Rights Watch described two periods of intense recruitment: in October 2004, just prior to an Ivorian government offensive against the rebel-held north, and in the beginning of March 2005, in anticipation – according to their reports – of future attacks on rebel-held positions. They described crossing the border into Côte d'Ivoire in small groups, sometimes accompanied by an Ivorian non-commissioned officer, and once in Côte d'Ivoire, being housed in one of several military bases in and around the western towns of Guiglo, Bloléquin and Toulepleu. All of those interviewed by Human Rights Watch reported receiving weapons, ammunition and uniforms from Ivorians dressed in military uniforms and who they believed to be part of the FANCI.²⁹

Most Liberians fighting with Lima originally fought with the Movement for Democracy in Liberia (MODEL). From 2002, the Ivorian government permitted MODEL to actively recruit Liberian refugees in Western Côte d'Ivoire and make use of its territory to launch attacks against Liberia in exchange for MODEL's help in combating Ivorian rebels. Hundreds of MODEL fighters actively worked alongside the Ivorian government army and smaller militia groups in 2002 and 2003.³⁰

²⁸ Fourth Progress Report of the Secretary-General on the United Nations Operation in Côte d'Ivoire, March 18, 2005, S/2005/186, p 3.

²⁹ Human Rights Watch interviews with Liberian combatants who are part of the Lima Suppletive Ivorian militia, Liberia, March 21-24, 2005.

³⁰ Human Rights Watch interviews with Western diplomats, Abidjan, February 2005 and with former MODEL fighters, Liberia, March 2005.

Parallel Forces: The Militia's Relationship with the Ivorian Military

During his long years in opposition, Laurent Gbagbo, a university professor, built a power base on the street through groups like the FESCI students union, which backed his demands for multi-party politics in Houphouët-Boigny's one-party democracy. When Gbagbo took office in 2000, the officer corps of the FIANCI was largely represented by ethnic Akan and Boale who were historically loyal to his political rivals the Democratic Party of Côte d'Ivoire (PDCI). Gbagbo has retained his mistrust of certain sections of the political and military establishment from those days and has allowed alternative power structures such as the militias to flourish, according to Ivorian opposition party members and Western sources.³¹

After Gbagbo became president in 2000, between 3,000 and 4,000 members of FESCI and pro-government youth groups, many of them members of the Young Patriots, were recruited into the regular armed forces. According to a western intelligence source, this has had an adverse impact on army command structure.³² "Among the armed services and uniformed services in the south there are two lines of command. There is not adhesion to the chain of command in the gendarmerie but there are back channels," said a senior U.N. official.³³ "There is a fear that these groups on both the government and rebel sides will escape control and become laws unto themselves. The GPP and FLGO are already guilty of this," the official added.

Western security and diplomatic sources, and Ivorian opposition members say the regular army officer corps, many trained during the rule of the PDCI, resent the influence of the militia groups. "The militias appear to be constituted as parallel forces to the regular army," a senior official with an international organization said. "Why do they need parallel forces if the state is supposed to be governed by the rule of law? The government does not seem to be very confident regarding the loyalty of its forces. When Laurent Gbagbo was in opposition all he had was the street. We speculate that he is not confident about the regular army and the militias provide backup," he added.³⁴

According to militia leaders, the militias are in the vanguard of the forces defending the Côte d'Ivoire, making up for the weaknesses of an army that was split along ethnic, generational and regional lines after the 2002 rebellion.³⁵ During an interview with

³¹ Human Rights Watch interviews with RDR, PDCI leaders, European diplomats and military analysts, Abidjan, February-March 2005.

³² Human Rights Watch interviews with Western military analysts and UN sources, Abidjan, March 2005.

³³ Human Rights Watch interview with UN official, Abidjan, February 26, 2005.

³⁴ Human Rights Watch interview with Western military analyst, Abidjan, February 26, 2005.

³⁵ Human Rights Watch interviews with militiamen and leaders, February-March 2005.

Human Rights Watch, GPP leader Toure was very clear about the role of his group: “We have to be ready to defend the nation. At the start of the war we noticed the shortfall in our army so we needed to make our members available to the state to defend our country. We don’t have relations with the army but our existence is not negotiable. We don’t need to ask anyone’s permission to defend ourselves. There are a lot of people in the regular army who are afraid of us,” he said.³⁶ Toure would not discuss the command structure that the GPP followed nor would he disclose to whom he reported.

When some 2000 GPP militiamen in Abidjan took over a school in the opposition stronghold of Adjame in August 2004,³⁷ GPP leader Toure characterized the role of his group in military terms. He asserted that the move was aimed at protecting the city from a rebel advance from the north. Alarming, Toure made no distinction between political supporters of the RDR and members of the rebellion. “We took over this place as part of a strategic plan to defend the city. The rebels in the street are here. We have an opposition RDR mayor here,” he said.³⁸

Details of the militias’ links to the government and their finances are sketchy. Opposition politicians, opposition media and Western diplomats and military sources say the militias have close links with President Gbagbo’s associates and receive funding from FPI backers and businessmen.³⁹ Militia leaders say they receive money from donations by the general public.⁴⁰

The GPP and Young Patriots have a hierarchical command structure although it is difficult to determine the chain of command. The GPP issues membership cards. Militias in the west range from poorly-armed and ill-trained village self-defense groups to units that have clearly received military training and have links to elements of the Ivorian armed forces.⁴¹ For example in March 2004 GPP militiamen were armed and appeared to be working alongside the police in preventing a planned march by opposition groups in Abidjan. At least 105 civilians were killed and 20 “disappeared” during the crackdown.

³⁶ Human Rights Watch interview with Moussa Toure, Adjame, March 1, 2005.

³⁷ On March 11, the GPP left the Adjame camp, perhaps under pressure from the United Nations Mission in Côte d’Ivoire which had some weeks earlier insisted that they vacate the premises.

³⁸ Ibid.

³⁹ Human Rights Watch interviews with diplomats, foreign officials and journalists, February-March 2005.

⁴⁰ Human Rights Watch Interviews with militia leaders, Abidjan, February-March, 2005.

⁴¹ Human Rights Watch interviews with students, political activists and journalists in Abidjan, February to March 2005.

⁴² Maho's We-based FLGO militia fought alongside FANCI in the fierce battles to dislodge rebels in November 2002.

Militia Groups and Arms

The militia leaders and their supporters in government deny that the militias are armed. However, numerous Ivorian and foreign witnesses, including journalists and international agency workers, told Human Rights Watch that they have repeatedly observed militiamen with AK-47 assault rifles, Uzi submachine guns and pistols.⁴³

In an interview with Human Rights Watch, Mousa Toure, the head of the powerful GPP militia group in Abidjan, denied having arms: "People say we get supplied with arms but those are fairy tales," he said.⁴⁴ Toure nonetheless acknowledged that his men were given military and weapons training by the Ivorian security forces: "Our men have received training in arms. They get instructed in how to use weapons. The police and army who are patriots like us give us their weapons for training."⁴⁵

Western intelligence sources said arms were distributed to certain units of the GPP during the March 2004 violent crackdown on an opposition demonstration in Abidjan.⁴⁶ The same sources said the GPP had since 2004 received training at the gendarmerie academy in the Abidjan suburb of Koumassi and at a camp in Abobo on the outskirts of the city. They said there were other training camps throughout the government-held south but they would not disclose details of these or of the arms depots from which weapons were made available to certain militias. "We know they are trained, armed and relocated to the west to fight," said one senior official working with an international organization who is briefed by Western intelligence sources.⁴⁷

In February 2005, evidence of the GPP armed capability was on show for all to see when GPP members fought a gun battle with police cadets outside the GPP's Adjame camp. The shooting allegedly erupted after a GPP member picked a fight with a member of a nearby police training academy.⁴⁸ The clash, which killed a police cadet and a

⁴² Human Rights Violations in Abidjan during an Opposition Demonstration – March 2004, Human Rights Watch Briefing Paper, October 2004.

⁴³ Human Rights Watch interviews in Abidjan, February-March 2005.

⁴⁴ Human Rights Watch interview with Moussa Toure, Adjame, March 1, 2005.

⁴⁵ Ibid.

⁴⁶ Interviews with Human Rights Watch, Abidjan February, 2005.

⁴⁷ Interview with Human Rights Watch, Abidjan, February 28, 2005.

⁴⁸ Ivorian and international news reports, February, 2005.

market trader, showed that the GPP was not afraid to take on the police openly. Armed forces chief of staff Colonel Philippe Mangou went to the camp to diffuse the tension but no action was taken against the GPP.⁴⁹

In the west, militias are clearly armed as the February 28, 2005 attack on Logouale showed. FLGO militia leader Maho denies his men receive government arms, saying they came by their abundant weaponry by taking guns from slain rebel fighters.⁵⁰ However, Colonel Eric Burgaud, head of the French forces in western Côte d'Ivoire contradicted this: "We have proof that the militiamen were supervised by the Ivorian army and they had been armed by the Ivorian army, even though Philippe Mangou, the chief of staff of the Ivorian forces, has always said the opposite," he said.⁵¹ This was confirmed during Human Rights Watch interviews in March 2005 with five Liberians who participated in the Logouale attack, who said they received arms, ammunition and uniforms from military personnel in preparation for the attack.⁵²

Intimidation, Violence and Extortion of Civilians by the Militias

In the towns of the government-controlled south of the country political opponents of President Gbagbo, journalists, businessmen, street traders, private bus drivers and truckers all complain of intimidation, racketeering, violence and extortion at the hands of militias, sometimes in coordination with security forces.

The majority of the victims among business people are either from the predominantly Muslim north of Côte d'Ivoire or West African immigrants or descendants, groups viewed by the militias as rebel supporters.

Several members of Ivorian human rights groups in Abidjan told Human Rights Watch that victims consistently describe being too afraid to report crimes committed by militia members to the police.⁵³ Adama Toure, the Executive President of the National Bus Operators Federation of Côte d'Ivoire confirmed this: "The GPP come into the bus station here and steal from the drivers with impunity. Later we see the militias out jogging in the morning protected by gendarmes. We cannot complain about the GPP at any police station." he said.⁵⁴ In frustration, Toure organized bus strikes to protest

⁴⁹ Ibid.

⁵⁰ James Copnal, "Ivory Coast's Wild West" BBC, February 8, 2005.

⁵¹ Ange Aboa, "Interview-Ivory Coast govt planned attack in west-French army." Reuters, March 24, 2005.

⁵² Human Rights Watch interviews, Liberia, March 21-24, 2005.

⁵³ Interviews with researchers from three Ivorian human rights organizations, Abidjan, February 2005.

⁵⁴ Ibid.

against extortion by the security services and militias.⁵⁵ However, the protests prompted police to smash forty-two buses in one night in February 2005. Human rights activists, international aid agencies and U.N. agencies say that the militias operate with total impunity, fearing neither the security services nor the judiciary.⁵⁶

The behavior of the GPP in Adjame illustrates the link between common crime and politically motivated offenses. Adjame, a large commercial hub for the entire West African sub-region, balloons from 310,000 residents at night to some 2.5 million people during the day as stallholders, merchants, workers and buyers flood in, providing rich pickings for the corrupt militiamen and security forces. Traders in Adjame say the harassment has political and ethnic overtones.⁵⁷ They accuse GPP militiamen of targeting thousands of shopkeepers and transport operators not only because they had goods and money but also because more than 85 percent of them were northerners or non-Ivorian citizen Africans, groups seen as rebel supporters by the militias.⁵⁸ According to one U.N. official, “Half of the militias could be political bully boys and half freelancers out to make money. It is hard to distinguish between them.”⁵⁹

Militias’ Role in November 2004 Violence

When Ivorian government aircraft launched bombing raids on the main rebel-held cities of Bouaké and Korhogo in November 2004, pro-government forces took over the state radio and television station and militias ransacked the offices of opposition parties and pro-opposition newspapers. The Young Patriots leader, Ble Goude, a firebrand orator, galvanized thousands of mostly young men to take to the streets in support of the government and in defiance of the French. To get his message across, he relied on an informal network of grassroots groups or “street parliaments” known as the Agora, where speakers spread the message of fierce nationalism in meeting halls or on street corners.

After French forces destroyed the Ivorian air force in retaliation for the killing of nine French soldiers in an air raid on November 6, 2004, anti-foreigner feeling soared. Ble Goude, nicknamed the General, used his unfettered access to state broadcast media to fill the streets of Abidjan with anti-French demonstrators. As news of the French

⁵⁵ Human Rights Watch interviews, Adjame, February 26, 2005.

⁵⁶ Human Rights Watch interviews, Abidjan, February-March 2005.

⁵⁷ Human Rights Watch interview Adjame, February 25, 2005.

⁵⁸ Human Rights Watch interviews in Adjame market with traders and their representatives. February 25-28, 2005.

⁵⁹ Human Rights Watch interview, Abidjan, February 25, 2005.

destruction of the Ivorian air force spread, Ble Goude suddenly appeared on evening television to deliver a ringing, “your-country-needs-you” address.

“I was shocked,” recalled one Ivorian journalist who followed the events. “Ble Goude came on national television saying things like, ‘if you’re having dinner, stop eating immediately and go outside’. Within an hour thousands were marching towards the airport.”⁶⁰

The government was able to use the militias to mobilize the street while ostensibly calling for calm. President Gbagbo appeared on television and, in a statesmen-like manner, urged demonstrators to go home. But others including Ble Goude, considered by Western diplomats to be a close associate of President Gbagbo, were on screen exhorting “patriotic” Ivorians to march. They did so in their thousands, including many non-militia members, who headed for the base of the French 43rd Marine battalion near Abidjan airport. The violent demonstrations, spearheaded by the militias, resulted in widespread destruction of property, numerous rapes and provoked the evacuation of some 8,000 foreigners, mostly French nationals.

Ble Goude insisted that the demonstrators and his Young Patriots were unarmed.⁶¹ However, French officials say they saw armed Patriots on the General De Gaulle bridge from mid-afternoon.⁶² They cite as proof the fact that several French soldiers were wounded by gunfire during the demonstration.⁶³ The Ivorian government accused the French forces of firing on demonstrators in Abidjan with live ammunition and put the toll from the November 2004 violence at 64 dead and some 1,500 injured. Several demonstrators interviewed by Human Rights Watch said they witnessed French forces firing live ammunition into crowds of demonstrators from both buildings and a helicopter.⁶⁴ Some of the dead and injured from the Hotel Ivoire were trampled in the rush to escape the shooting, according to hospital sources.⁶⁵

⁶⁰ Human Rights Watch interview with reporter for pro-opposition newspaper, Abidjan, March 2, 2005.

⁶¹ Human Rights Watch interview, Abidjan, March 2, 2005.

⁶² Human Rights Watch interview with French officials, Abidjan, February-March 2005.

⁶³ IRIN, “Côte d'Ivoire: Row develops over killings by French troops,” December 1, 2004. “We ourselves suffered a very large number of injuries which shows that they (the French troops) were not confronted by unarmed civilians, but by people, whether they were Ivorian servicemen, Young Patriots or others, who were armed with kalashnikovs, air guns and hand guns,” French Defence Minister Michele Alliot-Marie noted.

⁶⁴ Human Rights Watch interviews with wounded demonstrators, Abidjan March 2, 2004.

⁶⁵ Human Rights Watch interviews with international aid workers and journalists, Abidjan, March 1-2, 2005; report by the Ivorian Movement for Human Rights, (*Mouvement Ivoirien des Droits Humains, MIDH*), Abidjan, December 2004, pages 20-21.

Diplomats said the speed with which the militias mobilized showed a sophisticated organization and communications structure. The militias commandeered public and private transport, set up roadblocks and identity checks, all with the tacit consent of the regular security forces. “They had effective control of the street, directing the looting of French-owned property and the burning of offices of opposition media,” the journalist said. “Many foreigners were raped in all that mayhem but no French were killed. That shows there was a level of control.”⁶⁶

V. Inadequate Civilian Protection

The November 2004 government military offensive against the rebel-held north and the February 28, 2005 militia attack on the rebel-held town of Logouale served as stark reminders of the potential for massive human rights abuses against the civilian population should there be an all-out return to armed hostilities between pro-government and rebels forces.

Both military actions included alarming attacks against civilians. Both actions exposed fault lines in Ivorian society and showed the ready potential for armed groups to engage in collective punishment of perceived opponents, and for feuding ethnic groups to use the cover of armed hostilities to attack each other. The actions also illuminated the desperate need for support for the proposed increase in U.N. troops and equipment, so as to more effectively protect vulnerable groups of civilians.

The November 2004 Government Offensive

In early November 2004, 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 when Ivorian government aircraft launched bombing raids on the main rebel-held cities of Bouaké, Korhogo, Vavoua and Seguela.

Two days of government air attacks left at least fifty-five civilians dead and many more injured.⁶⁷ After nine French soldiers were killed during a government air raid on Bouaké, France responded by destroying the country’s air force. When violent anti-French riots broke out in Abidjan, the French forces redeployed to Abidjan to protect French citizens and property, robbing the U.N. of much of its rapid reaction capability.

⁶⁶ Human Rights Watch interview with reporter for pro-opposition newspaper, Abidjan, March 2, 2005.

⁶⁷ According to a report by the Ivorian Movement for Human Rights, (*Mouvement Ivoirien des Droits Humains, MIDH*), Abidjan, December 2004, the air raids killed 16 civilians in Bouaké and 39 in Vavoua and Seguela.

The shattering of the ceasefire ignited two patterns of violence.⁶⁸ The first was in the countryside between indigenous groups and outsiders – Dioulas and immigrants. The second was in Abidjan against the French in particular and non-African residents in general.⁶⁹

The government offensive rekindled communal violence in the western region of Gagnoa, President Gbagbo's home. The region – heart of the country's vital cocoa and coffee industry – is a tinderbox. Disputes between indigenous Bete and immigrant groups such as Burkinabe plantation workers over land ownership and resources are common. These disputes are exacerbated by the country's economic decline. On the night of November 6, 2004 groups of young men calling themselves “patriots” ransacked shops belonging largely to Dioulas and non-Ivorian Africans in Gagnoa. According to human rights activists who were present in Gagnoa at the time, the Ivorian police failed to intervene to stop the plunderers or arrest those involved.⁷⁰ The Burkinabe and others organized themselves into self-defense groups. In the clashes that followed, local human rights activists reported ten dead, at least eight of whom were immigrants, and thirty-eight wounded. Local officials put the death toll at six.⁷¹

The November 2004 crisis showed how a sustained military offensive on various fronts provides an extreme challenge for the U.N. and French forces to be able to provide protection to their own personnel, citizens and bases, as well as civilians from Cote d'Ivoire who find themselves in imminent danger of attack.⁷² During the crisis, both the U.N. and French forces positioned in the north and west swiftly moved to Abidjan to provide much needed attention to civilians there. However, by doing so, they left civilians living in areas prone to violence by armed groups and during communal clashes in the past, vulnerable to attack.

The French forces concentrated primarily on protecting their own and other foreign civilians who were coming under attack by pro-government militias. This robbed UNOCI of heavy weapons and a rapid reaction force which would have been needed to intervene if fighting broke out in several locations simultaneously and to extract civilians

⁶⁸ *Rapport Sur la situation des Violation des Droits de l' Homme en Côte d'Ivoire suite aux Bombardements des Zone Forces Nouvelles*. Report by SOS Racisme Afrique, December 2004.

⁶⁹ Ibid.

⁷⁰ Report by the Ivorian Movement for Human Rights, (*Mouvement Ivoirien des Droits Humains, MIDH*), Abidjan, December 2004, p. 24.

⁷¹ Report by the Ivorian Movement for Human Rights, (*Mouvement Ivoirien des Droits Humains, MIDH*), December 2004, pages 23-26.

⁷² See, U.N. Security Council Resolution 1528 (2004), February 27, 2004, 6(i).

from areas of conflict. “November showed that Unicorn were not our rapid reaction force. They redeployed to protect French and other foreign nationals in Abidjan,” observed UNOCI force commander Major-General Abdoulaye Fall.⁷³

Meanwhile, ONUCI forces pulled 600 men out of the buffer zone in November to protect its installations in Abidjan. These installations are spread over six sites in the city, thus rendering them difficult to defend. Fall noted this deficiency within his own forces and the logistical problems which exacerbated them. “The second lesson is that we too are not strong enough. We had to send troops to protect our sites in the Abidjan area,” Fall said.⁷⁴

While about 2,000 people flooded into UNOCI camps in Abidjan for protection during the riots, and some stayed for weeks, the troops were too busy protecting their installations to be able to do much else. For example, it took several days for UNOCI to be able to conduct regular patrols within areas of Abidjan and the west which are heavily populated by vulnerable groups, namely northerners, Muslims and West African immigrants who have come under frequent attack from pro-government militias, which accuse them of supporting the northern-based rebellion.

“Our ability to protect people is limited. The French are here to look after mainly the French. There are African foreigners, Lebanese and others who would be vulnerable again,” said a senior UN official. “If we had a major outbreak of communal violence in Abidjan and if it involved military or criminal elements we would not have the ability to control it. That is a real worry,” the official added.⁷⁵

The February 2005 Government Attack on Logouale

On the morning of February 28, 2005 an irregular force of self-proclaimed “patriots” attacked a rebel outpost in the volatile far west of the country. From the military point of view, the attack on the village of Logouale will be no more than a footnote in the history of Côte d’Ivoire’s civil conflict. Following the Logouale attack, Bangladeshi peacekeepers captured eighty-seven fighters, including two Liberian children, who were some days later handed over to the government in the western militia stronghold of Guiglo. The French army said between forty and fifty people were killed in the Logouale attack, most of them militiamen. The U.N. put the death toll at twenty-eight.⁷⁶

⁷³ Human Rights Watch interview, Abidjan, March 1, 2005.

⁷⁴ Human Rights Watch interview, Abidjan, March 1, 2005.

⁷⁵ Human Rights Watch interview, Abidjan, February 25, 2005.

⁷⁶ Ange Aboa, “Interview-Ivory Coast govt planned attack in west-French army.” Reuters, March 24, 2005.

But Logouale is a chilling warning for the international community that, should large-scale hostilities resume, the potential is great for massive xenophobic or ethnic violence against civilians. During the Logouale attack itself, there was little information about the perpetration of violations of international humanitarian law, however, it sparked a series of ethnically motivated attacks between indigenous groups and immigrant farm workers over land rights which resulted in several deaths, caused over 13,000 to flee and left several villages in flames.

Ivorian and international media and said at least 16 people had been killed during communal clashes in the four weeks following the Logouale attack, which, according to aid workers had occurred in the villages of Fengolo, Toa, Zeo and Diahouin close to the town of Duekoue.⁷⁷ An international relief agency official said staff had reported seeing injured people along the road from Man to Bongolo the day after the Logouale attack.⁷⁸ Another relief worker expressed concern that the peacekeepers had been unable to prevent an attack by the same militia on a nearby village of immigrant Burkinabe farmers which had been set ablaze.⁷⁹

A March 16, 2005 situation report from the U.N. Office for the Coordination of Humanitarian Affairs (OCHA) described the situation in and around Logouale as follows:

“Local authorities have reported that over 13,000 people are displaced. Their displacement is also due to ethnic tension between the local Guere ethnic group and other communities. It is estimated that many villages in this area are empty while others have been burned down. Killings and other violations of human rights, house burning, and other acts of retaliation have been perpetrated by both sides. Checkpoints manned by armed young men have sprung up in between Guigle and Bloequin since the Logouale attack.”⁸⁰

The incident exposed the apparent willingness of local leaders to cynically exploit ethnic differences and economic resentments. The clashes that followed the attack were between indigenous We and West African immigrant groups, mostly from Burkina Faso. Given the level of ethnic tension in the area, these attacks generated concerns about the

⁷⁷ OCHA statement March 10, 2005.

⁷⁸ Human Rights Watch interview with international aid worker, Abidjan, March 2, 2005.

⁷⁹ Human Rights Watch interview with international aid worker, Abidjan, March 2005 and report by IRIN news agency.

⁸⁰ OCHA Humanitarian update on crisis in western Cote d'Ivoire, Abidjan, 16 March 2005, p. 1.

potential for violence on a massive scale and, in the event of multiple attacks, if UN peacekeepers would be in a position to protect civilians as stipulated by their mandate.

Indeed, the mid and far west of Côte d'Ivoire, the heart of the country's vital cocoa and coffee industry, is a region of smoldering instability which, if ignited, could engulf the whole sub-region. Immigrants from Burkina Faso, Mali, Niger and Guinea provided cheap labor for local landowners to carve plantations out of the tropical forest for decades after independence and helped turn Côte d'Ivoire into the world's biggest cocoa producer. But the civil war and economic decline have sharpened long-standing differences over land rights.

Indigenous groups have attacked the immigrant farmers, often just after the cocoa harvest when they have taken the crop.⁸¹ The farm workers have organized themselves into self-defense groups and have fought back,⁸² resulting in a lethal tit-for-tat dynamic between the two groups. "This is a very worrying development," one relief worker said of the violence which followed the Logouale attack. "We have seen attacks on immigrants before during fighting. It is difficult to know whether this is a one-off incident or the precursor to a broader military offensive."⁸³

The Ivorian armed forces and Abidjan government repeatedly denied involvement in the Logouale attack, which was portrayed in the pro-government media as a spontaneous attempt by frustrated local farmers to recapture their land from the rebels.⁸⁴ A hitherto unknown militia group calling itself the Movement for the Liberation of Western Ivory Coast (Mouvement pour la Liberation de l'Ouest de la Côte d'Ivoire, MILOCI) under the leadership of Pastor Diomande Gammi claimed involvement in the attack.⁸⁵ Gammi said his movement represented members of the Yacouba ethnic group in western Côte d'Ivoire.⁸⁶

⁸¹ Human Rights Watch interviews with opposition politicians and international aid workers, Abidjan, February 2005.

⁸² Ibid.

⁸³ Human Rights Watch interview, Abidjan, March 1, 2005.

⁸⁴ Ivorian pro-government newspapers, Abidjan, March 1, 2005.

⁸⁵ Ivorian press reports, Abidjan, March 1, 2005.

⁸⁶ The Yacouba have been sympathetic to the rebels since former military leader General Guei, himself a Yacouba, was killed, apparently by pro-Gbagbo forces at the outbreak of civil war in September 2002. Diplomats in Abidjan saw the emergence of MILOCI as an attempt by the government to split Yacouba support for the rebels.

However, U.N. and Western officials are in no doubt that the government was behind the attack. French soldiers detained an Ivorian lieutenant and other fighters suspected of being Ivorian soldiers who took part in the attack.⁸⁷ A senior French army officer accused government forces of being behind the Logouale attack: “We have proof that the attack on Logouale was planned, organized and financed by the central powers in Abidjan,” Colonel Eric Burgaud, head of the French forces in western Côte d’Ivoire said.⁸⁸

General Abdoulaye Fall, commander of the U.N. force, said some of those arrested said they had been sent from Abidjan by the leader of the Young Patriots, Ble Goude. “There was a large representation of different ethnic groups,” Fall said. “And some of them said they were Young Patriots acting for Ble Goude who set out from Abidjan,” he noted.⁸⁹ Ble Goude toured the western region February 10-13, 2005. In speeches in the area he appeared to be trying to motivate young men from the We ethnic group to fight. He praised them for showing “courage and determination in ridding the region of the rebellion”.⁹⁰

Five Liberians – among them three children – who had participated in the Logouale attack told Human Rights Watch that while a few FANCI personnel and numerous Young Patriots participated in the attack, the majority of fighters were Liberians who were part of the Lima Suppletive militia. They said that the Ivorians served primarily to guide them through the Zone of Confidence buffer area, but that the Liberians had superior knowledge of guerrilla-style tactics and were thus used ‘as the vanguard’. They also said they had been recruited from Liberia to fight with the Lima militias during the months of October and November 2004, and had left for Logouale from their bases around the Western towns of Guiglo and Bolequin.

Some of the attackers had new AK-47 assault rifles and other weapons which the French army says were supplied by the Ivorian security services. “We seized AK-47 Kalashnikovs which were relatively new,” Fall confirmed.⁹¹

FLGO leader Maho blamed the Burkinabe for the clashes and vowed to strike back. “We can’t stand by and let our relatives be killed by foreigners. That’s why we have

⁸⁷ Ange Aboa, “Interview-Ivory Coast govt planned attack in west-French army. “ Reuters, March 24, 2005.

⁸⁸ Ibid.

⁸⁹ Remarks to reporters quoted in the pro-PDCI newspaper *Nouveau Reveil*, Abidjan, March 3, 2005.

⁹⁰ Pro-government newspaper *Fraternite Matin*, Abidjan, February 15, 2005.

⁹¹ Report in the pro-PDCI newspaper *Nouveau Reveil*, Abidjan, March 3, 2005

organized patrols to reassure the villagers...we know it's people from Burkina Faso who are attacking them so we are going to launch operations in these zones to stop the killing," Maho told villagers in Ziglo, 25 km from Guiglo, during the funeral of a FLGO fighter killed in a clash.⁹²

Following the attack, the MILOCI militia also vowed to intensify its campaign to dislodge the rebels. "Our fight is a fight for freedom. We want our people under rebel control to find their dignity once again. The land belongs to our ancestors and no one can take it away from us," Pastor Gammi said. ⁹³ He has also accused French troops of blocking his fighters' advance at Logouale and threatened to make the French Unicorn force MILOCI's next target.⁹⁴

This threat was repeated by FLGO leader Maho; "The FLGO reserves the right to administer a forceful response to France and its interests and symbols on the entire Ivorian territory commensurate with the enormous wrong done to Côte d'Ivoire by [French President] Jacques Chirac and his murderous soldiers," he said. ⁹⁵

Need for Reinforced UN Presence

The militia assault on the immigrants viewed as rebel sympathizers illustrates the problems faced by the overstretched peacekeepers in protecting the civilian population. UN officials say the light force of 6,250 blue helmets can handle single incidents such as an incursion into the buffer zone they patrol between government forces in the south and the rebel New Forces in the north. But, as the Logouale attack aftermath and the November 2004 violence against immigrant groups – including the killing of Dioulas in Gagnoa and widespread anti-French riots in Abidjan – has shown,⁹⁶ the blue helmets are too thinly spread and lightly equipped to deal with multiple attacks accompanied by civil unrest or communal violence.⁹⁷

After the November fighting UN Secretary-General Kofi Annan asked the Security Council to send an extra 1,200 troops to Côte d'Ivoire but that request is running into opposition from the United States on budgetary grounds. ⁹⁸ Annan reiterated the need

⁹² Ange Aboa, "Ivory Coast militias in west vow to fight on," Reuters, March 22, 2005.

⁹³ Ibid.

⁹⁴ Ivorian and international news agency reports, Abidjan, March 2005.

⁹⁵ IRIN report, Dakar, March 4, 2005.

⁹⁶ Reports by Ivorian Human Rights groups *Mouvement Ivoirien des Droits Humains* (MIDH) and SOS Racisme Afrique, December 2004.

⁹⁷ Human Rights Watch interviews with UN officials, New York, Dakar and Abidjan, February-March 2005

⁹⁸ Human Rights Watch telephone interview with UN officials, New York, March 11, 2005.

for reinforcements in his March 2005 report to the Security Council: "The need for these reinforcements has been further underscored by the deteriorating security situation, in particular in the Zone of Confidence, and requires the Council's urgent attention and support."⁹⁹

In February 2005, France submitted a draft resolution to the Security Council calling for 1,226 additional peacekeepers consisting of an 850-strong infantry battalion, backed by a fleet of eight attack helicopters, 125 police and 270 support staff. "The French are using all kinds of diplomatic wiles to get the resolution through but the chances are not looking good," said one European diplomat.¹⁰⁰

This is very worrying news for the thousands of West African immigrants, internally displaced persons and refugees from Liberia who would be at risk if Côte d'Ivoire slid back into war. It would also undermine UNOCI's ability to fulfill its mandate with respect to protecting civilians "under imminent threat of physical violence." We can react to small incidents pretty well," said a senior UN official. "But if we had fighting between the government and FN, together with attacks on civilian areas, which is likely to be the case, then we would not have the capacity to contain it."¹⁰¹

The widening of the ONUCI "rules of engagement," which were in November 2004 expanded to include the prevention of "any hostile action, in particular within the Zone of Confidence," emphasized yet another reason for the proposed reinforcements. Fall noted that his men were already fulfilling this mandate and were now in a stronger position to be able to respond to and stop attacks by either the government or rebel forces.¹⁰² He pointed to the halting of the militia incursion in Logouale as an example of how the new rules had been applied.

However, in his March 2005 report, UN Secretary General Kofi Annan said the forces were severely overstretched and warned of the dangers of leaving the UNOCI forces at their present levels.¹⁰³ The commander on the ground in Man, in the west of Côte d'Ivoire agreed. "We, in the west, are deployed across a big area and I think the U.N. should deploy more men because the situation is changing quickly," Colonel

⁹⁹ Fourth Progress Report of the Secretary-General on the United Nations Operation in Côte d'Ivoire, March 18, 2005, S/2005/186.

¹⁰⁰ Human Rights Watch telephone interview with UN officials, New York, March 11, 2005.

¹⁰¹ Human Rights Watch interview, Abidjan, March 2, 2005.

¹⁰² S/PRST/2004/42: Statement by the President of the Security Council; November 6, 2004.

¹⁰³ Fourth Progress Report of the Secretary-General on the United Nations Operation in Côte d'Ivoire, March 18, 2005, S/2005/186.

Mohammed Shahidul Haque, the commander of some 750 Bangladeshi troops in Man, said.¹⁰⁴ “The problems that you have one day are not the same you will have the next.”

UNOCI officials point out that their mission is understaffed relative to Côte d’Ivoire’s population of 16 million. “In Sierra Leone, which is one third the size of Ivory Coast in terms of population, we had three times the number of troops,” the U.N. official said.¹⁰⁵

According to one U.N. staff, the objective of the mission has changed drastically. It was deployed to monitor the Zone of Confidence buffer strip, after the 2003 Linas-Marcoussis peace accord. “We were put here as a light force while the peace agreement was to be implemented but none of Marcoussis has happened. The objective of the mission has changed radically,” he said.¹⁰⁶

UNOCI’s performance has been under fire from President Gbagbo, who has said the U.N.’s main task is to disarm the rebels. President Gbagbo has openly questioned the future of the peacekeepers while his supporters have staged demonstrations calling for the French to leave.¹⁰⁷ “I have more than 10,000 soldiers from around the world in my country who I have asked to help me bring an end to the rebellion,” President Gbagbo said. “Those who come here must clearly state the reason for their presence – either they’re here to rid us of the rebellion, in which case they disarm the rebels, or they let us disarm them ourselves and they go back to where they came from.”¹⁰⁸

The attack on Logouale alarmed Ivorian human rights activists and international aid agencies who note that UNOCI and Operation Unicorn patrols do not venture frequently enough to the areas where communal violence could flare up during an army or militia offensive. One such area is Gagnoa in the mid west of Côte d’Ivoire, the Bete heartland and home region of President Gbagbo. While the U.N. technically does not need to ask for permission to deploy to that areas, three UN officials told Human Rights Watch that UNOCI has yet to establish a permanent presence in the volatile Gagnoa area because the Ivorian government had refused them permission to do so.¹⁰⁹

¹⁰⁴ Ange Aboa, “U.N. warns of possible new war in Ivory Coast.” Reuters, March 24, 2005.

¹⁰⁵ Human Rights Watch interview with U.N. official, Abidjan, March 2005.

¹⁰⁶ Human Rights Watch interview, Abidjan, March 1, 2005.

¹⁰⁷ Several thousand young men marched in the towns of Duekoue and Guiglo, western Côte d’Ivoire, on March 19, 2005, calling for Operation Unicorn forces to leave.

¹⁰⁸ Speech, Abidjan February 2005.

¹⁰⁹ Human Rights Watch interviews, November 2004, February 2005.

Action on the part of the peacekeepers is all the more important in light of the partisan nature of the local security forces. For example, according to a local human rights organization, from November 6-7 2004, groups of Bete youth and militia members attacked northerners and “foreigners” in full view of the police and gendarmerie, killing up to fifteen people, and ransacking shops, businesses and homes.¹¹⁰ Some of the Dioulas banded together and fought back.¹¹¹

Aid officials are also concerned about the security of Liberian refugees and Burkinabe displaced in western Côte d’Ivoire where some blame renewed fighting in the region on foreign nationals. According the Fati Kaba, the regional spokesperson for the U.N. Office of the High Commissioner for Refugees, “[t]he tensions in western Côte d’Ivoire have the potential of adversely affecting the protection of refugees, because each time there’s fighting in Côte d’Ivoire, the local population tends to be hostile to the refugees, because of past involvement of Liberian nationals in the fighting.”¹¹²

There are around 17,000 Liberian refugees in Ivory Coast who fled their own civil war, which ended in 2003. Some 5,000 of them are housed in the “Peace Town” camp in the western district of Guiglo. Nearby there are 7,000 displaced Burkinabe at the Centre d’Assistance Temporaire des Deplaces.¹¹³

Abdoulaye Mar Dieye, the U.N. coordinator for humanitarian affairs in Côte d’Ivoire, said tensions made it difficult for aid workers to gain access to the vulnerable populations. “Because of the security situation, some NGOs have reduced their staffing,” he said.¹¹⁴

In addition to political violence, one of the biggest concerns for the U.N. police (CIVPOL) is the lack of security in Abidjan where the economy has been hit by the November 2004 riots which prompted more than 8,000 expatriates, many of them businessmen, to flee the country. “The security situation is going to get worse as people get poorer” said a UN security official. “Added to that you have 3,500 inmates who

¹¹⁰ Report by the Ivorian Movement for Human Rights, (*Mouvement Ivoirien des Droits Humains, MIDH*), “Reprise des Hostilités en Côte d’Ivoire en Novembre 2004”, Abidjan, December 2004.

¹¹¹ Ibid

¹¹² Voice of America report, Abidjan March 5, 2005.

¹¹³ OCHA and UNHCR figures, March 2005.

¹¹⁴ Ibid.

escaped from Abidjan's MACA prison in November...that means hundreds of killers or violent criminals are roaming around adding to the lack of security.”¹¹⁵

With this in mind, U.N. officials noted their frustration at the lack of CIVPOL officers deployed to the mission. Although CIVPOL officers are not armed and have no powers of law enforcement, their presence in the troubled Adjame market appears to have led to a reduction in harassment of traders by militias and security services.¹¹⁶ CIVPOL has 221 people spread across the south of Côte d'Ivoire but cannot find enough qualified French-speaking officers to bring it up to its authorized strength of 350.¹¹⁷

Virulent government criticism of the French presence has also prompted France to question its role in its former colony. France sent in the Unicorn force after war broke out in September 2002, a move that was then seen as having blocked the New Forces from capturing Abidjan. But anti-French sentiment in the south has soared since the government's aborted November 2004 offensive.

UNOCI officials realize that by increasing their presence in Côte d'Ivoire they could be accused of contributing to the de facto partition of the country. But they contend that without the blue helmets there could be bloodbath. “Some would say that what we are doing by building up forces is creating a two-state solution, a division of the country. That is not our intention. But if you were to pull out these troops it could lead to hundreds if not thousands of people being killed,” one U.N. official observed.¹¹⁸

Arms Embargo

The U.N. also has an arms embargo that it has applied to both sides in the Ivorian conflict. The Security Council voted in February 2005 to strengthen the embargo and authorized a panel of experts to monitor it, which was named on April 1, 2005. The U.N. has authority to conduct inspections without notification but the head of the Ivorian army said he would insist on prior notice of searches.

UN sources estimate UNOCI needs experienced arms inspectors and customs officers, together with a protection unit, to effectively monitor Côte d'Ivoire's ports and porous borders for arms shipments. They also note that both sides have already acquired

¹¹⁵ Human Rights Watch interview, Abidjan, February 24, 2005.

¹¹⁶ Human Rights Watch interviews with CIVPOL sources, Abidjan, March 1-2, 2005.

¹¹⁷ Ibid.

¹¹⁸ Human Rights Watch interview with UN source, Abidjan, February 25, 2005.

enough arms – on the international market in the case of the government or through countries such as Burkina Faso for the rebels – to continue the conflict for a long time.¹¹⁹

VI. Hate Media

The use of xenophobic hate speech by Ivorian state media during the November 2004 crisis incited the pro-government militias to commit serious crimes against foreigners, bringing widespread condemnation from the international community.

President Gbagbo's government backed its air and ground offensive against the New Forces in November with a media blitz against northerners, immigrants and the French. The barrage of hate speech and incitement to violence was preceded by a campaign of intimidation and sabotage to silence opposition and independent voices.¹²⁰ On November 4, the government locked out senior staff of the state television and radio broadcaster RTI and removed its director. On the same day the FM relay transmitters of foreign broadcasters Africa Number One, BBC, RFI and VOA were sabotaged by an unspecified military unit.¹²¹ Groups of Young Patriots burned or ransacked the offices of four pro-opposition newspapers, and the government ordered the main distributor to halt deliveries of six independent and opposition dailies.¹²²

In the days prior to the Ivorian air force attacks on the French base the press whipped up anti-French sentiment and questioned the loyalty of northerners and those of non-Ivorian descent. The pro-FPI paper *Le National Plus* singled out Côte d'Ivoire's thriving Lebanese business community as profiting from the war and aiding the rebels.

“The Lebanese, the rebels' accomplices, will soon be denounced and will pay for working with those who have plunged Ivorians into mourning.”¹²³ Another pro-Gbagbo newspaper, *Le Temps*, accused those who supported France or members of the G7 opposition coalition of coming from tainted bloodlines. “Once again today we can speak unashamedly of impure bloodlines. Every one of those descendants of mixed blood who

¹¹⁹ Human Rights Watch interviews with Western diplomats and military analysts, Abidjan, February-March 2005.

¹²⁰ Human Rights Watch interviews with journalists, diplomats and opposition members, Abidjan February to March, 2005.

¹²¹ Human Rights Watch interview with UN officials, February 2005.

¹²² Human Rights Watch interviews with Ivorian human rights group and journalists working for opposition newspapers, Abidjan, February-March 2005.

¹²³ *Le National Plus*, Abidjan, November 5, 2004.

defend the colors of France through the rebellion of the G7 should be aware of it. They come from unclean blood.”¹²⁴

The flood of invective reached full spate after the French air raid. RTI replayed clips of speakers urging Ivoirians to take to the streets to save the country from the rebels and French invaders. The television blended rumor, rhetoric and news reports to produce a stream of xenophobic, rabble-rousing discourse which lasted for days.¹²⁵ The television endlessly looped patriotic songs and gory footage of the victims shot by French soldiers outside the Hotel Ivoire on November 9. “All this contributed to the atmosphere of revenge and violence,” said an opposition journalist who went into hiding after the offensive started. “The message was foreigners support the rebels.”¹²⁶

State broadcasting managers defended their coverage against criticism from the U.N., Western governments and international press freedom groups saying the country was under attack. “I strongly believe that the management of public media is different in times of crisis than it is in times of peace,” said Jean-Paul Dahily, who was made head of a crisis committee running RTI. “It is there to serve the institutions of the republic and not the enemy.”¹²⁷

In response to concerns about the use of incitement during the November 2004 crisis, UN Security Council Resolution 1572 demanded that “the Ivorian authorities stop all radio and television broadcasting inciting hatred, intolerance and violence.” The resolution went on to request that UNOCI “strengthen its monitoring role in this regard.” In early 2005, UNOCI set up a unit within the section of the Public Affairs section to track the media for hate speech. However, at this writing it has a staff of just one full-time monitor with two assistants. It also lacks clear guidelines about what constitutes hate speech.¹²⁸ “We don’t know in any meaningful or legal way where opinion ends and hate speech begins,” said one UN source. “We need a set of rules.”

UNOCI is also unclear as to whether it should act to block broadcasts or other forms of media which incite hatred and violence against civilians. At this writing, UNOCI has no technical ability to block such transmissions. Rather, its emphasis appears to be on accountability: “Where the international community could make a difference is on the

¹²⁴ Le Temps, Abidjan, November 6, 2004.

¹²⁵ Interviews with journalists and foreign media monitors.

¹²⁶ Interview with Human Rights Watch, Abidjan, February 24, 2005.

¹²⁷ Reuters, Abidjan December 16, 2004

¹²⁸ Interviews with UN and media sources, Abidjan, February-March, 2005.

issue of accountability,” said one UN official.¹²⁹ “The [U.N.] sanctions committee could make it known it is looking at perpetrators of hate speech. Editors should know that they too, as well as their proprietors and political masters, will be held to account for what they put in their newspapers and on the airwaves.” While this is important, it is also imperative that UNOCI, together with the Security Council, elaborate written guidelines for establishing at which point it is justified, in the interest of civilian protection, to block such transmissions and indeed to have at their ready the technology needed to do so.

Monitoring broadcasts in French as well as in local languages is the most crucial part of the U.N. work, since newspapers are read by only a minority of Ivorians whereas radio reaches nearly everyone. During the height of the hate speech in November opposition supporters in Abidjan, a city surrounded by lagoons, called RTI “Radio Mille Lagunes”, a reference to the Radio Mille Collines broadcasts which stoked the genocide in Rwanda 10 years earlier. “The potential for a Rwanda situation is there,” said a senior diplomat. “Some of the things that need to happen have happened. Sustained, virulent propaganda against a particular group is a precursor to violence. The big difference between now and then is that we are aware of the danger.”¹³⁰

VII. Justice for Crimes by Pro-Government and Rebel Forces

The 2002-2003 armed conflict and the political upheaval that followed resulted in numerous atrocities by both government and rebel forces in violation of international human rights and humanitarian law. Killings, sexual violence against women, and the use of child soldiers was rampant within both government and rebel controlled areas. Ivorian state security forces and pro-government militias frequently and sometimes systematically killed, attacked and arbitrarily detained suspected rebel supporters on the basis of ethnicity, religion, nationality or political affiliation. Militias, either tolerated or abetted by state security services, have engaged in political violence and intimidation and targeted immigrant communities, particularly village-based Burkinabe farmers in the west.

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 no doubt been emboldened by the current climate of impunity that allows grave abuses to go unpunished.

¹²⁹ Human Rights Watch interview, Abidjan, February 24, 2005.

¹³⁰ Human Rights Watch interview, Abidjan, February 25, 2005.

A March 2005 report by the human rights section of UNOCI on the human rights situation in Côte d'Ivoire during January and February 2005 noted serious abuses by both pro-government and rebel forces. It noted "an intensification of the activities of militias and armed groups responsible for acts of violence and revenge, including summary and extra-judicial executions" in government controlled areas. In the New Forces area, it characterized the problems of arbitrary detention, torture and "disappearances" of suspected government supporters as ongoing, including within the homes of local commanders.¹³¹ One international observer noted that the rebel leadership has little effective command and control over its soldiers, resulting in frequent attacks against villages. "Many local village leaders now send their women out to sleep in the bush so as to avoid being targeted by the rebels."¹³²

The United Nations, including the Secretary-General, Security Council and the U.N. Office of the High Commissioner for Human Rights (OHCHR) has taken a proactive role in denouncing and investigating serious international crimes committed in Côte d'Ivoire. In response to the grave human rights situation in Côte d'Ivoire OHCHR has, dispatched three independent commissions of inquiry to the country: the first following the election violence of October 2000; the second following the violent crackdown on 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.

The government of Côte d'Ivoire remains primarily responsible for ensuring accountability for human rights violations, however, the U.N. should be taking several concrete steps that would more likely permit those suspected of human rights violations to be both restrained and held accountable for their crimes.

Firstly, the U.N. Security Council should make public the findings of a U.N. commission of inquiry report into violations of international humanitarian law committed in Côte d'Ivoire since September 2002. Secondly, in an effort to restrain the future actions of alleged human rights violators, the U.N. should without delay impose travel and economic sanctions against individuals "determined as responsible" for serious human rights violations. Lastly, in an effort to seek justice for the victims of these violations, the prosecutor of the International Criminal Court should at the earliest possible opportunity take concrete steps to lay the groundwork for an investigation into war crimes committed by all sides during the Ivorian armed conflict.

¹³¹ UNOCI Rapport sur la situation des Droits d l'Homme en Côte d'Ivoire: Janvier and Février 2005, March 2005.

¹³² Human Rights Watch phone interview, Abidjan, April 13, 2005.

Commission of Inquiry Report

The U.N. Security Council has yet to make public or discuss the findings of the last Commission of Inquiry report. The report, handed to the U.N. Secretary General in November 2004, is still waiting to be published, although a draft in French was leaked in January 2005.¹³³ UN officials say the delay in publishing the report is technical, citing translation hold-ups. The report contained a secret annex listing people accused of human rights abuses that could eventually face trial. Radio France Internationale (RFI) reported in January 2005 that the list contained 95 names including Simone Gbagbo, the president's wife, who is also the parliamentary leader of the FPI, Kadet Bertin, a former defense minister and key Gbagbo security adviser, and rebel leader Soro. RFI said the president's wife was accused of organizing death squads, while Soro was charged with ordering extrajudicial killings.¹³⁴

Travel and Economic Sanctions allowed under U.N. Security Council 1572

Another list of human rights violators is being drawn up by a U.N. sanctions committee. The Security Council authorized in Resolution 1572 of November 2004 the application of one year sanctions against Ivorians who violated human rights, broke an arms embargo, indulged in hate speech or blocked the peace process.¹³⁵ These sanctions include travel bans and the freezing of assets of those who “constitute a threat to the peace and national reconciliation process in Côte d’Ivoire, in particular those who block the implementation of the Linas-Marcoussis and Accra III Agreements.” Diplomats working the political track suggest the delay in taking concrete steps to both restrain through sanctions and hold accountable through a judicial process key players identified as persistent human rights abuses is political: that to pursue either goal would only hamper peacemaking efforts by alienating leading figures deemed necessary for the implementation of peace process.

Numerous diplomatic sources confirmed to Human Rights Watch that Mbeki and the African Union seemed to have effective veto power over whether or not to impose sanctions. As one diplomat noted, “Unless Mbeki says he has failed or specifically

¹³³ Commission d'enquête internationale sur les allégations de violations des droits de l'homme en Côte d'Ivoire, Rapport sur la situation des droits de l'homme en République de Côte d'Ivoire depuis le 19 septembre 2002 jusqu'au 15 octobre 2004 conformément aux dispositions de l'annexe VI de l'Accord de Linas-Marcoussis et à la Déclaration du Président du Conseil de Sécurité du 25 mai 2004 (PRST/2004/17).

¹³⁴ Philippe Bolopion, “Soro et Simone Gbagbo sur la list de l'ONU”, Radio France International, 16:39 (Paris), January 28, 2005. Also available on www.rfi.fr.

¹³⁵ UNSC Resolution 1572, adopted 15 November 2004, paragraphs 9-11.

recommends sanctions it is unlikely the issue will come to the Council.”¹³⁶ They say that sanctions against individuals have been put on hold indefinitely.¹³⁷ China and Russia have objected, with Beijing the most vocal opponent.

Most diplomats and UN officials interviewed by Human Rights Watch questioned this stance and supported using the threat of pursuing justice and imposing of individual sanctions as a “political stick” to pressure both sides into complying with the peace process and curb further human rights violations. “The real purpose of Resolution 1572 was to push people toward the peace process,” said one senior UN official in New York. A Western ambassador in Abidjan agreed. “We are in a very serious situation and must use every lever in order to bring pressure to bear,” the envoy said.¹³⁸

The International Criminal Court

Human Rights Watch is concerned about the politicization of justice, and believes that holding accountable those individuals on all sides most responsible for serious international crimes committed since at least 2002 is an indispensable part of combating the prevailing culture of impunity and ensuring that peace and stability take root in Côte d’Ivoire. Furthermore, accountability would act as a deterrent to future abuses. While Human Rights Watch welcomes efforts to restrain those accused of serious human rights crimes, including the imposition of travel and economic sanctions, they do not go far enough. The pursuit of justice for victims must play a central role in all future peace summits, negotiations and other efforts by the international community to end the conflict.

Given serious concerns about the ability and willingness of the Ivorian national courts to try these crimes and about the degree of social and political instability in the country, justice for Ivorian victims of serious international crimes requires significant support and engagement from the international community.¹³⁹

The prosecutor of the International Criminal Court should take concrete steps to lay the groundwork for an investigation into war crimes by all sides to the Ivorian armed conflict at the earliest possible opportunity. The chief prosecutor announced on January 28, 2005 that he would send a team to Côte d’Ivoire to lay the groundwork for a possible

¹³⁶ Human Rights Watch interview with UN official, New York, March 28, 2005.

¹³⁷ Human Rights Watch interviews with Human Rights Watch March 11, 2005.

¹³⁸ Human Rights Watch interview, Abidjan, March 1, 2005.

¹³⁹ See, Human Rights Watch briefing paper, Côte d’Ivoire: Accountability for Serious Human Rights Crimes Key to Resolving Crisis October 2004.

investigation of war crimes.¹⁴⁰ The prosecutor, Luis Moreno Ocampo, was acting on an ad hoc request to the ICC by the Ivorian government in September 2003 that had sought its help to bring the rebels to justice. Ocampo said government officials could also face eventual prosecution.¹⁴¹

VIII. Acknowledgements

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¹⁴⁰ John Chiahemen, "ICC Could Probe Ivory Coast Abuses – Prosecutor", Reuters, January 28, 2005.

¹⁴¹ Ibid.