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REPORT OF THE CHAIRPERSON OF THE COMMISSION
ON THE SITUATION IN CÔTE D'IVOIRE

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I. INTRODUCTION

1. This report takes stock of the situation in Côte d'Ivoire for the period June to October 2006 and is submitted as a supplement to my report PSC/PR/2(LII) of 29 May 2006 on the situation in Côte d'Ivoire, a copy of which is attached hereto, to the 52nd meeting of Council on 29 May 2006.

II. BACKGROUND TO DEVELOPMENTS IN THE SITUATION AND PEACE EFFORTS BETWEEN OCTOBER 2005 AND MAY 2006

2. At its 40th meeting, held in Addis Ababa at the level of the Heads of State and Government, on 6 October 2005, Council adopted decision PSC/AHG/Comm.(XL). In that decision, Council, *inter alia*, reaffirmed that the Linas-Marcoussis Agreement of 24 January 2003, the Accra III Agreement of 30 July 2004 and the Pretoria Agreements of 6 April and 29 June 2005 were the appropriate framework for a peaceful and lasting solution to the crisis in Côte d'Ivoire; took note of the report submitted by the Economic Community of West African States (ECOWAS) following the Extraordinary Summit of Heads of State and Government held in Abuja on 30 September 2005, and the recommendations adopted on that occasion; noted that although significant progress had been achieved in the peace process, additional measures were required to expedite the implementation of the outstanding issues, in particular the dismantling and disarmament of the militias, DDR, and the creation of conditions for free, fair and transparent elections; and endorsed the observation of the ECOWAS Extraordinary Summit on the end of the mandate of President Laurent Gbagbo on 30 October 2005 and the impossibility, acknowledged by all Ivorian parties, of organizing presidential elections on the scheduled date.

3. Consequently, Council decided that the arrangements agreed upon in the Linas-Marcoussis Agreement should continue from 31 October 2005, for a period not exceeding twelve (12) months on the basis of the following modalities: President Gbagbo should remain Head of State during the above-mentioned period; a new Prime Minister acceptable to all the Ivorian parties signatory to the Linas-Marcoussis Agreement would be appointed - the Prime Minister would have full authority over his cabinet and would not be eligible to stand for the elections to be organized; an International Working Group (IWG) at ministerial level, chaired by the Foreign Minister of Nigeria in his capacity as the representative of the Chairperson of the AU, would be established and would meet once a month in Côte d'Ivoire to evaluate, monitor and follow-up the peace process; and a day-to-day mediation would be undertaken by some representatives of the IWG, under the chairmanship of the Special Envoy of South Africa, as the representative of the AU Mediator. Council also reaffirmed its support to individual measures provided for in paragraph 9 and 11 of United Nations Security Council resolution 1572 (2004) of 15 November 2004; affirmed its support to the United Nations Operation in Côte d'Ivoire (UNOCI); requested the United Nations Security Council to provide UNOCI with all necessary means and to increase its strength; and decided to submit its decision to the United Nations Security Council in order to obtain its support.

4. By resolution 1633 (2005) of 21 October 2005, the United Nations Security Council reaffirmed its endorsement of the observation of ECOWAS and of Council on the end of the mandate of President Gbagbo on 30 October 2006 and the impossibility of organizing presidential elections on the scheduled date, and of the decision of Council, notably that President Gbagbo would remain Head of State from 31 October 2005, for a period not exceeding twelve (12) months, and demanded that all the parties signatory to the Linas-Marcoussis, Accra III and Pretoria Agreements, as well as all the Ivorian parties concerned, implement it fully and without delay. The Security Council also endorsed, with a few amendments, the modalities for the implementation of the institutional arrangements agreed to in the Council's decision, including the establishment of the IWG at ministerial level and the Mediation Group, both of which would be co-chaired by the Special Representative of the UN Secretary-General; stressed that the Prime Minister must have all the necessary powers according to the Linas-Marcoussis Agreement and all the governmental financial, material and human resources, to ensure the effective functioning of the Government and to successfully carry out the essential tasks related to the peace process; and requested the IWG to draw up, as soon as possible, a roadmap, in consultation with all Ivorian parties, with a view to holding free, fair, open and transparent elections as soon as possible and no later than 31 October 2006, concerning in particular the appointment of a new Prime Minister and the implementation of all outstanding issues.

5. Following the Council's meeting, and after consultations conducted by President Olusegun Obasanjo, then Chairperson of the AU, President Thabo Mbeki, the AU Mediator, and President Mamadou Tandja, current Chairman of ECOWAS, Charles Konan Banny, Governor of the Central Bank of West African States (BCEAO), was appointed as Prime Minister, and a Government was formed. The willingness of the Prime Minister to cooperate with the Head of State and his spirit of dialogue with all the Ivorian parties fostered the organization, in Yamoussoukro from 9 to 11 February 2006, of a seminar during which the Government adopted the roadmap to end the crisis elaborated by the IWG. Subsequently, a meeting of the main Ivorian political leaders was held on 28 February 2006. Among the encouraging results that emanated from that meeting, mention can be made of the commitment of the parties to fully implement previous agreements, the decision on an immediate resumption of dialogue between the commands of the *Forces de défense et de sécurité de la Côte d'Ivoire (FDSCI)* and the *Forces armées des Forces nouvelles (FAFN)*, regarding the dismantling of the militias and DDR; the agreement to conduct the identification process and the registration of voters simultaneously; the support for the measures taken by the Government to ensure equal access by all parties to the Radio-Télévision ivoirienne (RTI); and the acceptance of the arbitration of the High Representative for Elections regarding the Bureau of the Independent Electoral Commission (IEC). In general terms, the Yamoussoukro meeting helped to improve the political climate and to facilitate the return to Abidjan, on 14 March 2006, of Guillaume Soro, Secretary-General of the *Forces Nouvelles*, to rejoin the Government after an absence of 16 months. However, a number of difficulties arose, thus making it impossible to implement key aspects of the peace process.

6. In my report to the 52nd meeting of the Council held on 29 May 2006, I gave an account of the situation in Côte d'Ivoire; the efforts made by the AU and the international community to support the implementation of resolution 1633 (2005); the status of implementation of some aspects of the peace process (DDR operations and the disarmament and dismantling of the militias, identification of the population and establishment of voters' lists, redeployment of the administration, etc.); the deployment and reinforcement of UNOCI; the imposition of the individual measures provided for by Security

Council resolution 1572 (2004); the security and humanitarian situation; the functioning of monitoring mechanisms; and the role of the African Union.

7. Generally, I noted that although the impetus given by the Prime Minister allowed significant progress to be made, particularly in establishing a spirit of dialogue and compromise, as well as the prospect of an internal mediation by the Ivorians themselves, as evidenced by the convening of a mini-Summit in Yamoussoukro on 28 February 2006, there were still many challenges to be overcome. This applied particularly to the implementation of the DDR programme, the disarmament and dismantling of the militias, the identification process, which is a prerequisite for the establishment of voters' lists, as well as the redeployment of the administration throughout the national territory and the restoration of State authority.

8. It was in this context that Council, having recalled its decision of 6 October 2005 and resolution 1633 (2005), commended the continued collaboration between the Head of State and the Prime Minister, and encouraged them to continue their efforts to create conditions necessary for the holding of free, open and transparent elections, no later than 31 October 2006. Council urged the Ivorian parties to implement fully the roadmap proposed by the IWG, which the Government adopted during the seminar held in Yamoussoukro in February 2006. At the same time, Council expressed its deep concern over the considerable delay in the implementation of the roadmap, as observed by the IWG at its 6th and 7th meetings held on 20 April and 19 May 2006, respectively. In this regard, Council endorsed the agreement reached by the main Ivorian political leaders on the organization, concomitantly and without delay, of the disarmament and identification operations, and requested all the parties to comply strictly with this agreement.

9. Council welcomed the beginning of the mobile court hearings pilot project in seven sites, as well as the arrangement made by the Chiefs of Staff of the FDSCI and the FAFN to promptly initiate the DDR programme. In this connection, Council demanded that the Ivorian parties cooperate closely with the Government and UNOCI, with a view to ensuring that the DDR and identification processes were conducted with determination and extended to the entire territory immediately on completion of the mobile court hearings pilot project and the pre-cantonment of combatants, and that the operations for the rehabilitation of cantonment sites for DDR, as well as the redeployment of the administration and the restoration of the authority of the State, were successfully carried out.

10. Council expressed its deep concern over the incitement to hatred and violence by certain media and political personalities, the violations of human rights and the persistence of the culture of impunity. In this regard, Council urged the Ivorian authorities to take all the necessary measures to identify and punish perpetrators of violence, and see to it that the independence and neutrality of the RTI is guaranteed and that RTI can broadcast throughout the entire national territory. Council requested the Security Council Committee established by paragraph 14 of resolution 1572 (2004) to take appropriate measures against persons who obstruct or intend to obstruct the peace process, including by attacking or hindering the actions of UNOCI, of the forces of *Operation Licorne* supporting it, of the High Representative for Elections or of the IWG, or who publicly incite hatred and violence. In this respect, Council commended the targeted sanctions imposed by the Security Council Committee on 7 February 2006.

11. Furthermore, Council recalled paragraph 13 of its communiqué of 6 October 2005, requesting the United Nations Security Council to provide UNOCI with all the necessary means to enable it to effectively discharge its mandate and envisage a substantial increase in the strength of its force. To that end, Council urged the Security Council to give rapid and favourable consideration to the proposals made by the Secretary-General of the United Nations with a view to strengthening UNOCI.

12. Finally, Council reaffirmed its support for the IWG and the Mediation Group, and encouraged them to continue their efforts in support of the Government and all the institutions engaged in the peace process. Council requested the IWG to submit to it an overall assessment of the situation and the state of progress, including recommendations on how to speed up the implementation of the roadmap, with a view to holding free, fair and transparent elections no later than 31 October 2006

13. Subsequently, on 1 June 2006, I addressed a letter to the Secretary-General of the United Nations to inform him of the decision thus adopted and to assure him of the Council's support for the proposals he had made to reinforce UNOCI. For his part, the Commissioner for Peace and Security addressed correspondence to the two co-chairpersons of the IWG, namely the Minister of State, Minister of Foreign Affairs, Cooperation and Francophony of the Republic of Congo, Rodolphe Adada, and the Special Representative of the United Nations Secretary-General in Côte d'Ivoire, Pierre Schori, to transmit to them the decision of Council and to draw their attention to the request made to the IWG to submit an overall assessment of the situation and the state of progress, and make recommendations on how to speed up the implementation of the roadmap, with a view to the holding of free, fair and transparent elections no later than 31 October 2006.

III. SUBSEQUENT DEVELOPMENTS AND STATUS OF IMPLEMENTATION OF THE VARIOUS ASPECTS OF THE PEACE PROCESS

14. During the period under consideration, that is June to October 2006, the situation in Côte d'Ivoire experienced two phases of development. Until early August, the developments in the peace process were rather encouraging; thereafter, difficulties occurred, making it impossible to hold the elections within the set timeframe.

15. Following the 52nd meeting of Council, some progress was made to resolve the crisis, until the obstacles encountered after 1 August 2006. Thus, a compromise was reached on the controversy over the functioning of the National Assembly; some progress was made in the pre-cantonment of combatants operation; the extension of mobile court hearings to the entire national territory began; the disarmament of militias commenced; significant progress was also made in the redeployment of State administration throughout the national territory.

16. With regard to the National Assembly, it should be recalled that, for a long time, a debate pitted the Parliamentary Group of the *Front Populaire Ivoirien* (FPI), which was favourable to maintaining the Parliament with all its prerogatives, against the Reconciliation and Peace Parliamentary Group – comprising deputies of the *Rassemblement pour la Démocratie et la Paix* (RHDP), known as the *Rassemblement des Houphouétistes* – who had decided to boycott parliamentary activities. The allowances of the latter were then suspended by the Speaker of the National Assembly. This measure heightened the tension among the political players. In a bid to ease the political climate, President Gbagbo received all the parliamentarians on 19 June. At the end of this meeting, a Joint Advisory

Commission on the National Assembly was established to find a consensual solution. In keeping with the conclusions made public on 23 June, the deputies of the Parliamentary Group for Reconciliation and Peace decided, *inter alia*, to return to the National Assembly. Thereafter, all parliamentarians attended National Assembly sessions, although the RHDP deputies do not participate in the voting for the adoption of laws, as they considered that the National Assembly, whose mandate expired on 16 December 2005, should focus exclusively on specific missions aimed at promoting peace and national reconciliation, as provided for in the communiqué of the IWG of 15 January 2006 and reiterated by the 8th meeting of the IWG held on 23 June 2006.

17. On 31 May 2006, the Council of Ministers discussed, among other things, the results of the mobile court hearings pilot operation which took place from 18 to 24 May in the seven sites initially scheduled. Out of the 3,907 persons who were identified and received duplicates of birth certificates, 3,137 obtained certificates of nationality. During its meeting of 23 June 2006, the IWG expressed its appreciation to the Prime Minister for the measures he had taken to consolidate the momentum generated by the pilot project of mobile court hearings, and encouraged him to take the necessary measures to ensure the speedy resumption of these operations and their completion within the established deadlines.

18. The extension of mobile court hearings nationwide began on 17 July 2006 under difficult conditions. While the FPI called for a boycott of the mobile court hearings, the RHDP urged that they be continued. Consequently, at several sites in the government zone, clashes occurred between the young patriots of the FPI and RHDP youths. More serious violence occurred in Divo, on 23 July, and in Grand Bassam, on 25 July 2006, resulting in deaths and injuries, as well as in extensive material damage. In the meantime, mobile court hearings were conducted without obstacles in the area under the control of the *Forces Nouvelles*. The 9th meeting of the IWG, held on 20 July 2006, requested that the mobile court hearings should no longer be impeded and should proceed in the best possible conditions of security and transparency, stressing that the nationwide organization of mobile court hearings is a crucial step for the identification of the population and the establishment of reliable voters' lists, both of which are indispensable to the holding of free, fair, open and transparent elections.

19. Efforts were made by the Ivorian leaders to ease the tension and encourage the continuation of the mobile court hearings operation. These efforts resulted notably in the conclusion of an agreement between the young patriots and the RHDP youths to end the clashes, but also in consultations between the Cabinet of the Prime Minister and the FPI concerning the guidelines for mobile court hearings and the lifting of the call for a boycott by the FPI.

20. With regard to the identification process, following the decision of the Government to have identification and voter registration carried out simultaneously by the same operator, the Cabinet of the Prime Minister short-listed the technical operators. In this regard, it is worth mentioning the differences between the National Statistics Institute (INS), the Independent Electoral Commission (IEC) and the political stakeholders on the interpretation of the Pretoria Agreements on the role of the INS in the area of voter registration. While the INS, supported by the presidential camp, is convinced that this operation comes under its purview, the opposition is of the opinion that the INS should compete with other technical operators within the framework of a tender bid. Following a request by President Laurent Gbagbo, in a letter dated 11 July 2006, President Thabo Mbeki, in his capacity as Mediator, and in conformity with paragraph 16 of the Pretoria Agreement of 6 April 2005, gave his

ruling on 19 July 2006. According to the terms of this ruling, all the stakeholders must do their utmost to enable the INS to carry out its responsibilities as defined in decision 2005-01/PR of 5 May 2005, which states that the INS is designated, for the 2005 general elections, to carry out voters registration, establish the voters' list and produce voters registration cards. President Mbeki indicated that this should be done in a manner that fully respect the existing and agreed legal framework, which includes the provision that the IEC is the sole institution in charge of the electoral process, and that the INS should report to it on matters relating to the elections.

21. The pre-cantonment operation of the DDR programme was completed at the end of July 2006, according to the FDSCI and the FAFN. Elements of the FDSCI were regrouped in 35 sites, while those of the FAFN were regrouped in 50 sites. The *Forces Nouvelles* mentioned logistics problems, relating to water and electricity supply, means of transport and feeding of troops, to justify the delays in the pre-cantonment of their combatants. A Quadripartite Commission, composed of representatives of the FDSCI, FAFN, UNOCI and the *Force Licorne*, will be responsible for monitoring the effective conduct of this operation.

22. The dismantling of the militias in the western part of the country also began on 26 July 2006. By early August, about 880 combatants had been registered, 701 of whom were demobilized and received the first installment of the safety net amounting to CFA francs 124,875. Ninety (90) arms and 5,107 rounds of ammunition were recovered. However, the small number of arms handed over led those in charge of the programme to suspend the distribution of the safety net. Other movements said to be «resistance» or «self-defence» movements also demanded to be included in the DDR programme, thus creating a risk of speculation on the safety net and the reintegration programme.

23. Finally, at the beginning of August and within the framework of the organization of mobile court hearings, prefects, sub-prefects and mayors who were displaced as a result of the war were redeployed. This operation was welcomed by the population.

24. The progress achieved should be linked to the outcome of the high-level meeting organized by the Secretary-General of the United Nations in Yamoussoukro, on 5 July 2006. On that occasion, the Ivorian parties reaffirmed, *inter alia*, their commitment to the peace process and the need to continue to spare no effort to implement resolution 1633 (2005). They also reiterated their commitment to do their utmost to speed up the DDR process, as well as the electoral and identification processes. Furthermore, they recognized the extremely urgent need for the dismantling of the militias, the redeployment of State administration, the beginning of nationwide mobile court hearings and the deployment of local and regional commissions of the IEC. Important measures were taken to revive the process, in particular the deployment of at least 50 mobile courts by 15 July for the mobile court hearings, the publication by 15 July 2006 of a presidential decree authorizing the IEC to make any necessary adjustment to the Electoral Code for the elections, the presence of the Impartial Forces during the military dialogue, and the dismantling of the militias before 31 July 2006.

25. Furthermore, the Ivorian parties reaffirmed the importance for them to make all the necessary efforts to respect the agreed schedule and the relevant UN resolutions. At the same time, they welcomed the intention of the Secretary-General to organize a meeting, in mid-September, on the margins of the General Assembly, to take stock of the situation and, if necessary, take any other measure.

26. In the meantime, and in order to support the positive developments then taking place, the United Nations Security Council, on 2 June 2006, adopted resolution 1682 (2006) by which it authorized, until 15 December 2006, an increase in the strength of UNOCI of up to 1,500 additional personnel, including a maximum of 1,025 military personnel and 475 civilian police personnel. The Security Council also expressed its intention to keep under review the appropriate personnel levels for UNOCI, in the light of the situation in Côte d'Ivoire and in the sub-region.

27. While the implementation of the roadmap appeared to be progressing normally, new developments took place, which constituted lasting obstacles to essential components of the process. On 3 August 2006, the Cabinet of the Prime Minister published a practical guide on the mobile court hearings and a document containing practical provisions for the issuance of certificates of nationality. These two documents, in conformity with Ivorian law, separate the issuance of duplicates of birth certificates during mobile court hearings from the obtaining of certificates of nationality issued by the presidents of courts of first Instance, sectional court judges or the magistrates they delegate, in their chambers and in the absence of claimants.

28. In a speech delivered on 6 August 2006, on the occasion of the commemoration of the 46th independence anniversary of the country, President Laurent Gbagbo stated essentially that Côte d'Ivoire was plunged into a deep crisis because Ivorians agreed to wage war against their own country; that the institutions should operate according to the Constitution and that they would function until the next elections; that the mobile court hearings were for the sole purpose of issuing duplicates of birth certificates and that certificates of nationality were issued by the presidents of the residence courts; and that no new voters list would be established.

29. In reaction to President Laurent Gbagbo's speech, the *Forces Nouvelles* withdrew from the military dialogue. For its part, the RHDP issued a declaration on 14 August 2006, in which it stated its position with regard to this speech and the guides published by the Cabinet of the Prime Minister. This position was endorsed by the G7 – which brings together the PDCI-RDA, the RDR, the UDPCI, the MFA and the *Forces Nouvelles* – during their extraordinary meeting in Daoukro, on 17 August 2006. The communiqué published on that occasion stressed that the G7 held President Gbagbo solely responsible for the impasse in the peace process; that it rejected any plan to extend his mandate beyond 31 October 2006; denounced and rejected the guides for mobile court hearings and certificates of nationality; condemned and rejected the decree of 5 August 2005 appointing magistrates, which institutes «the official exclusion of some Ivorian magistrates because of their Northern-sounding names»; demanded that the IEC be allowed complete freedom in the selection of service providers, the proclamation of results and the management of electoral disputes; denounced the erroneous and partisan interpretation of paragraph 6(2) of the final communiqué of Pretoria II, which deals with the respective roles of the IEC and the INS, while recalling that the biased interpretation by the FPI had already been rectified by the decisions of the IWG.

30. In the same context, on 17 July 2006, the Presidents of the PDCI-RDA and the RDR addressed a correspondence to the Secretary-General of the United Nations, contesting decision n°2006-12/PR of 29 July 2006 by the President of the Republic, which authorized the IEC to propose adjustments to the Electoral Code, and argued that the IEC should be able to make adjustments to the Electoral Code rather than submitting the proposals to the Prime Minister, who, in turn, submits them to the President of the Republic. The leaders of

the PDCI-RDA and the RDR also wrote to President Mbeki regarding his ruling of 19 July 2006 on the respective roles of the IEC and the INS, stressing that only the IEC can decide on the role the INS should play within the framework of the electoral process.

31. The political impasse had negative effects on the other components of the roadmap, particularly the DDR programme, following the withdrawal of the *Forces Nouvelles* from the military dialogue. The DDR Monitoring Group, which had held three meetings by 2 August 2006, did not continue its deliberations and the quadripartite supervision of the pre-cantonment was not carried out.

32. In order to overcome those difficulties, the Prime Minister fielded peace missions to some localities in the interior of the country from 22 August 2006. Those delegations were composed of personalities of different political persuasions and included deputies as well as representatives of the civil society. However, the *Forces Nouvelles* did not authorize the deployment of these missions into the areas under their control.

33. On 31 August 2006, the Prime Minister organized a ceremony for the deployment of the prefectural corps from the northern, central and western regions, who had been displaced by the war. Those officials, who numbered 61, undertook to return to their respective regions. However, the *Forces Nouvelles* issued a press release on 2 September 2006 in which they requested that these «returns», which they felt were premature, be stopped.

34. In order to remove the obstacles, the Prime Minister, on 5 September 2006, initiated a meeting in Yamoussoukro of the main Ivorian leaders, namely the President of the Republic, the Presidents of the PDCI-RDA, the RDR and the Secretary-General of the *Forces Nouvelles*. The participants did not reach a consensus on the revival of the process to end the crisis and requested the Prime Minister to continue his consultations. On the sensitive issue of certificates of nationality, they expressed the hope that all Ivorians who have the right to the certificates be able to obtain them within two or three months, while ensuring that they are issued transparently, promptly and free of charge.

35. It is against this background that the IWG held its 10th meeting on 8 September 2006. On that occasion, the IWG was briefed by the Prime Minister on the progress achieved in the implementation of the roadmap, including the implementation of the decisions of the high-level meeting of 5 July 2006 and the outcome of the meeting between the main Ivorian political leaders, which took place on 5 September 2006. Following its deliberations, the IWG expressed its serious concern about the persistent obstacles that hinder the implementation of the Yamoussoukro decisions and of the roadmap. The IWG noted that these blockages were due to several reasons, including the lack of political will of the main political actors; the deep disagreement among the main Ivorian actors on the fundamental issue of the establishment of new, credible voters' lists; the stalling of the dismantling of the militias and the suspension of DDR since 8 August 2006, along with the interruption of the military dialogue; the institutional duality and the conflicting legal interpretation that paralyze the functioning of the Government, make it difficult to implement the peace and reconciliation process, and distort the neutrality of the electoral process; and the impossibility for the Prime Minister to exercise the powers conferred upon him by resolution 1633 (2005), including nominations to civil and military posts.

36. Concerned about the stalemate in the operation of mobile courts, the IWG stressed the need to adopt exceptional and derogatory measures to reactivate the process and allow the issuing of duplicates of birth certificates and certificates of nationality as soon and as equitably as possible. The IWG also recalled the exclusive responsibility of the IEC, confirmed by the Mediator, for the electoral process and the establishment of credible voters' lists, in conformity with international standards.

37. The IWG stressed that as a result of the above-mentioned blockages, it was impossible to meet the deadlines set by resolution 1633 (2005) and that, consequently, it was indispensable that the Security Council define a new transitional framework that could provide a remedy for the causes of the blockages identified above. In this regard, the IWG recommended that the United Nations envisage the following measures:

- a) the definition, in consultation with ECOWAS and the AU, of new institutional and governance arrangements for the period after 31 October 2006, in order to ensure the smooth functioning of the transitional institutions and a republican behaviour by the security forces;
- b) the adoption by the Security Council of a new resolution that eliminates the ambiguities and decisively reinforces the effective exercise of the powers conferred upon the Prime Minister as well as the involvement of the international community in the implementation of the roadmap, in particular the mandate and the means granted to the High Representative for Elections; and
- c) the adoption of individual sanctions against, in particular, those responsible for obstructing the peace and reconciliation process.

38. On his part, the Chairperson of the AU, Denis Sassou Nguesso, undertook a working visit to Abidjan from 10 to 12 September 2006 during which he met with the main Ivorian political leaders in order to assist them in overcoming their differences. The proposal then made by the Prime Minister and supported by the Chairperson of the AU regarding the exceptional measures to re-launch the identification operation, which had initially been accepted by all the parties, was eventually not accepted by President Laurent Gbagbo. Meanwhile, on 8 August 2006, I traveled to Abidjan, and met with President Laurent Gbagbo and Prime Minister Charles Konan Banny, with whom I exchanged views on the evolution of the situation.

39. In conformity with the decisions taken at the high-level meeting held in Yamoussoukro on 5 July 2006, the Secretary General of the United Nations organized, on 20 September 2006, in New York, a high-level follow-up meeting bringing together the Ivorian political actors, as well as leaders from the AU and West Africa. It should be noted that President Gbagbo declined the invitation addressed to him to attend the meeting. In letters addressed to the Chairperson of the AU and to me, he explained that his decision followed the 10th communiqué issued by the IWG on 8 September 2006, which, in recommending new institutional arrangements for the period after 31 October 2006, violated article 4(p) of the Constitutive Act of the African Union and created a serious threat to peace in Côte d'Ivoire. The participants at the high-level meeting noted that it was no longer technically possible to organize elections by 31 October 2006, and agreed to consider issues relating to a new transition beyond this date at official meetings of ECOWAS, the AU Peace and Security Council and the United Nations Security Council.

40. On 25 September 2006, President Thabo Mbeki, the AU Mediator, undertook a visit to Abidjan, where he met with President Laurent Gbagbo and Prime Minister Charles Konan Banny. The following day, he traveled to Ouagadougou, where, together with President Laurent Gbagbo, he met with President Blaise Compaoré. Following these visits, President Mbeki wrote to me, on 30 September 2006, to forward copy of the letter he addressed, on 27 September 2006, to President Gbagbo. In that letter, President Mbeki confirmed to President Gbagbo the understanding reached during their meetings on a number of issues, including the identification and registration process, the outstanding matters relating to the electoral list/voters role, the DDR, the creation of a new national army, the rule of law and the need to avoid abuse of power during the transition process, the post-October 2006 arrangements, and the special role given to the Prime Minister to manage all elements of the Ivorian transition process.

41. The period under review was also marked by the scandal concerning the dumping of 600 tonnes of toxic waste in over 15 sites in the Abidjan District, from 19 August 2006. Ten people died and thousands suffered from various degrees of poisoning. Aware that such a crime could not have been possible without the complicity of State services, and following massive protests by the populations concerned, the Prime Minister, on 6 September 2006, submitted the resignation of the Government to the President of the Republic, who accepted it. A new Government was formed on 16 September 2006. The Minister of Transport and the Minister in charge of Environment were replaced owing to their alleged responsibility in authorizing the dumping of the toxic waste. It should be noted that the 10th meeting of the IWG strongly condemned the dumping of toxic waste and the culture of impunity which made this possible, and expressed its solidarity with the Ivorian people and its sympathy with the victims and their families. The IWG urged the Government to speed up the ongoing investigations in order to identify and punish those who were administratively and politically responsible for those extremely serious criminal acts. The IWG also urgently appealed to the international partners to respond as quickly as possible to the requests for assistance made by the Government so as to remedy this health and environmental disaster.

IV. EXTRAORDINARY SUMMIT OF ECOWAS ON THE SITUATION IN COTE D'IVOIRE

42. The Extraordinary Summit of ECOWAS Heads of State and Government was held in Abuja, Nigeria, on 6 October 2006, to examine the status of the peace process and the implementation of United Nations Security Council resolution 1633(2005). In the communiqué issued at the end of the deliberations, the Heads of State and Government expressed their deep concern over the numerous deep-rooted and persistent blockages identified by the IWG and which impede the implementation of the Yamoussoukro decisions and the roadmap prepared in accordance with the resolution 1633 (2005). While commending the efforts made by the Ivorian Government to accelerate the implementation of the roadmap, they, however, deplored the various constraints and delays, which made it impossible for the elections to be held on 30 October 2006, as scheduled.

43. The ECOWAS Heads of State and Government further noted that the persistent Ivorian crisis, in the long run, poses a serious threat to regional peace and security. They therefore reaffirmed that the resolution 1633(2005) constitute, for ECOWAS, an ideal framework for the resolution of the crisis in Côte d'Ivoire. In this context, they strongly condemned all forms of blockage to its implementation and recommended that the UN Security Council take all necessary appropriate measures in this regard.

44. The Heads of State and Government expressed satisfaction with the IWG for the time and the initiative taken to monitor the implementation of the roadmap in Côte d'Ivoire, and lent their support to the UNOCI forces and to the French forces for the stabilization of the situation in Côte d'Ivoire.

45. Finally, the Heads of State and Government agreed to submit their recommendations to the AU Peace and Security Council. In substance, the Heads of State and Government, having taken note of the imminent expiration of the transition period on 31 October 2006, and considering that the planned election cannot be held as scheduled, recommended that a new transition period not exceeding twelve (12) months be established, commencing from 1 November 2006. This new transition would make it possible to continue and complete the following tasks:

- i. identification and registration of voters;
- ii. DDR and restructuring of the Armed Forces;
- iii. dismantling of the militias;
- iv. restoration of State authority throughout the territory of Côte d'Ivoire; and
- v. technical preparations for elections.

46. ECOWAS recommended that, during this period, President Gbagbo should remain Head of State and that the Prime Minister should have all the powers necessary and should have full and unfettered authority to implement activities emanating from the recommendations of the ECOWAS Extraordinary Summit of 30 September 2005, as well as the necessary authority over the defense and security forces, to enable him to achieve the tasks assigned to him. ECOWAS further recommended that the Transition Government, in order to carry out its assignments, may adopt ordinances passed by the Council of Ministers. ECOWAS stressed the need for exceptional measures to facilitate the certification of identity and citizenship as quickly as possible and in an equitable manner, indicating that the Government could, by ordinance, adopt appropriate practical measures within the spirit of the law to speed up the processes of issuing these documents.

47. ECOWAS agreed that the Chairpersons of AU and ECOWAS should lead the mediation efforts, whilst the IWG should undertake day-to-day mediation and monitoring of the process and serve as a conduit for all external inputs into the mediation process. ECOWAS called for an enhanced mandate for the impartial forces, particularly in the provision of security for high-ranking government personalities and in the maintenance of law and order, for the holding of transparent, free and fair elections. In conclusion, ECOWAS recommended the imposition of appropriate and targeted sanctions against individuals or groups whose conduct impedes or disrupts the implementation of the peace process and relevant Security Council resolutions.

V. OBSERVATIONS

48. Despite the efforts made since the adoption of Council's decision of 6 October 2005 and Security Council resolution 1633 (2005) of 21 October 2005, it will not be possible to organize presidential elections in Côte d'Ivoire on the scheduled date. In this regard, Council should agree on new arrangements to be established and measures to be taken in order to ensure the success of the peace process, in the light of the recommendations made by the ECOWAS Heads of State and Government.

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