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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. The situation in Côte d'Ivoire was the focus of attention during the 10th Meeting of the Peace and Security Council held in Addis Ababa on 25 May 2004. On this occasion, the Council expressed its grave concern over the deadlock in the implementation of the Linas-Marcoussis Agreement and the continued deterioration of the situation in Côte d'Ivoire. Having stressed that unilateral action by any side could only worsen the situation and further delay the peace process, the Council appealed to all the Ivorian parties to exercise restraint and create conditions conducive to the return of all the stakeholders to the National Reconciliation Government. In this regard, the Council underscored the need to maintain the composition and integrity of the Government, including a consensus Prime Minister.

2. The present report reviews the situation in Côte d'Ivoire since the 10th Session of the Peace and Security Council. It also gives an account of efforts to re-launch the peace and reconciliation process in this country.

II. POLITICAL DEVELOPMENTS

3. The period following the 10th meeting of the Peace and Security Council witnessed many political developments. Firstly, it should be pointed out that in reaction to the paragraph of the Communiqué of the 10th Peace and Security Council Session on maintaining the composition and integrity of the Government, the Embassy of Côte d'Ivoire in Ethiopia, by a note verbale dated 4 June 2004, observed that the Linas-Marcoussis Agreement focused exclusively on the preservation of ministerial functions and the nomination of representatives designated to occupy these functions as part of the effective advancement of the peace and normalization process in Côte d'Ivoire. Therefore, the Embassy added, since no provision of the Marcoussis Agreement provided for the nomination *intuitu personae* of representatives of the signatory parties of the said Agreement to ministerial functions, or even to the post of Prime Minister, it was clear that the decision taken by the Peace and Security Council, which in substance refers to the return of

the Ministers that were dismissed from the Government, was open to misinterpretation and could exacerbate the already precarious political situation in the country.

4. During the period under review, there was no significant progress made in the implementation of the Linas-Marcoussis Agreement. Governmental activity remains paralysed, despite the mediation efforts initiated. The legislative texts provided for under the Marcoussis Agreement are yet to be adopted, and the disarmament, demobilization and reintegration programme has still not been implemented.

5. On 15 and 16 April 2004, President Tandja Mamadou, President of the Republic of Niger and Current Chairperson of the West African Economic and Monetary Union (WAEMU), visited Côte d'Ivoire with a view to facilitating the resumption of the implementation of the Linas-Marcoussis Agreement. To this end, he met the different political players, including the President and the Prime Minister, as well as a delegation of the Follow-Up Committee. On this occasion, the "Marcoussists" coalition or the "G7" submitted to President Tandja a Memorandum they had previously submitted to the Head of State, expressing the concerns they considered to be prerequisites to the resumption of dialogue, namely: the security of persons and property; the right to demonstrate; equal access by all political players to the public media; and the establishment of an International Commission of Inquiry to shed light on the events of March 2004 and determine where responsibility lay. The Current Chairperson of WAMEU, for his part, reiterated his support for the Linas-Marcoussis Agreement and urged the Ivorian parties to implement it.

6. During the same period, a delegation headed by Mr. Jean Marie Guéhenno, United Nations Assistant Secretary General for Peacekeeping Operations, and including representatives of the African Union and France, travelled to Côte d'Ivoire and held talks with the Head of State, from 15 to 20 April 2004. Having considered all the concerns raised with regard to the peace process, the delegation particularly restated the impatience of the international community in the face of the current stalemate and urged the Ivorian parties to overcome their differences.

7. As part of ECOWAS efforts to re-launch the peace, a summit bringing together Presidents Olusegun Obasanjo, John Kufuor, Gnassingbé Eyadéma and Laurent Gbagbo was held in Abuja on 20 June 2004. It should be noted that in the aftermath of the Abuja meeting, President Gbagbo, in a speech at the United Nations, intimated that he

had given instructions for the National Assembly to expedite consideration of the last draft legislations recommended by the Linas-Marcoussis Agreement. He added that he had requested the Prime Minister to pursue consultations with a view to forming a new Government. On 25 June, the Ivorian Head of State travelled to Libreville to discuss with his Gabonese counterpart, the initiative consisting in bringing together all Ivorian political players around some Heads of State from West Africa and other regions, including President El Hadj Omar Bongo Ondimba.

8. During the period under review, my Special Representative in Côte d'Ivoire, André Salifou, maintained regular contact with the Ivorian parties. In this regard, he met President Gbagbo on 1 June 2004 and exchanged views with him on the Linas-Marcoussis implementation process, including the legal texts provided for by this Agreement and the paralysis of government activities. My Special Representative suggested to President Gbagbo to cause the voting of a law on the financing of political parties, in order to reassure the Ivorian political class and to ease people's minds. I am pleased to note that on 22 June 2004, the Ivorian Head of State submitted a draft legislation on the financing of political parties to the National Assembly for consideration.

9. On 5 June 2004, my Special Representative met with the Prime Minister Seydou Diarra. The discussions focused on the strategy elaborated by Mr. Diarra to resolve the crisis. This strategy comprises two components. The first consists in re-launching government activities in three phases, namely: opening of discussions with the "G7" on their grievances; convening the Government deprived of the three Ministers who were dismissed; and meeting with the "G7" ministers. The second component includes the convening of a government seminar principally to look into the drafting and adoption of a Code of Conduct for members of the Government among themselves and in their interaction with the Head of State and the Prime Minister; the functioning of the Government; the establishment of a time chart for the implementation of the disarmament, demobilization and reintegration programme as well as the adoption of the texts provided for in the Linas-Marcoussis Agreement. In addition, the Prime Minister seized this opportunity to enquire about the initiatives envisaged by the African Union to resolve the current crisis.

10. It should also be noted that from 6 to 15 June 2004, President Gbagbo visited the United States of America, where he held talks with the

United Nations Secretary General, the President and African Members of the Security Council, as well as American Senators.

11. On the ground, the situation was marked by continued acts of violence. During the demonstration organized in Abidjan in early June by the “Young Patriots”, a group loyal to President Gbagbo, the foreign community, particularly the French and those considered as such, were subjected to verbal abuse and physical aggression. Acts of vandalism, as well as repeated sit-ins in front of the headquarters of the United Nations Operation in Côte d’Ivoire (UNOCI), and of the 43rd Infantry Battalion of the French marines and the “Office of the Prime Minister” also occurred. In the provinces, several towns were the scenes of similar acts during the same period. Exasperated by the prolonged partition of their country, the “Young Patriots” demanded from the Neutral Forces and the UNOCI, the unconditional disarmament of the rebels, the reunification of the country and the redeployment of the administration throughout the national territory. On 22 June, the Ivorian Head of State, in a televised speech, condemned the acts of violence by the “Young Patriots” against the French and UNOCI, acts which constituted an embarrassment to the country vis-à-vis its traditional partners.

12. At the same time, the internal rivalries within the New Forces worsened, degenerating into violent clashes in Bouaké and Korhogo on 20 and 21 June, between the supporters of Sergeant Ibrahim Coulibaly, known by the nickname “IB”, who claims to be the leader of the rebellion, and partisans of Guillaume Soro, Secretary General of the New Forces. Mr. Soro saw this new incident as a ploy by the Ivorian authorities, with the backing of neighbouring Guinea. The ensuing clashes resulted in over twenty dead and many injured.

III. MILITARY AND SECURITY SITUATION

13. On the whole, the situation remained calm during the period under review. However, a number of incidents are worth mentioning. As well as the clashes within the New Forces mentioned earlier, there were attacks against the gendarmerie posts in Gohitafla and Itry in the Central-West region of Côte d’Ivoire by unidentified elements on 7 June. These attacks, which revealed the inadequacy of the operation of the said neutral forces responsible for ensuring security in this zone, resulted in the death of five loyalist soldiers and about fifty elements among the ranks of the attackers, as well as two injured among the Operation Licorne soldiers. To resolve the situation, the Operation Licorne and

UNOCI forces should define the roles of the different elements active in the field, with a view to coordinating their activities more effectively and ensuring better coverage of the zone.

14. The deployment of UN forces continues. On 22 June 2004, they were 3081 in number out of a total authorized strength of 6240. About half of this force is made up of former battalions of the ECOWAS Mission in Côte d'Ivoire (ECOMICI), who have changed helmets, the other half comprising 63 officers from the command headquarters of the United Nations Mission in Côte d'Ivoire (MINUCI), 123 military observers, 171 soldiers of the French Engineering Company, 305 soldiers of the Bangladeshi Advance Party and a 726-man Moroccan battalion. An infantry battalion and an engineering company from Bangladesh, as well as a Pakistani transport company are expected to join the Mission before the end of June.

15. The UNOCI took over the operational responsibilities of the MINUCI liaison teams and the ECOMICI forces. For the time being, the top priority is the reinforcement of liaison activities of the newly established National Armed Forces of Côte d'Ivoire (FANCI), the New Forces and Operation Licorne. An UNOCI crisis management centre, endowed with a strategic planning unit was set up. In addition, President Gbagbo appointed a high-ranking representative to liaise between UNOCI and the Ivorian security forces. Once a balanced deployment has been achieved in the Zone of Confidence, the UNOCI will strive to establish its positions in the critical and unstable zones, to the north as well as the south of the zone, where most of the serious human right violations were perpetrated, in order to facilitate a peaceful reunification of the country.

16. As of 19 May, the strength of the civil police company of the Mission was 49 men. This company will work towards the establishment of a national training programme for the national police and gendarmerie, and provide technical assistance for the reform and restructuring of these institutions. Furthermore, the police company is holding consultations with the Ivorian security forces with a view to the deployment of civil police agents. In this regard, joint patrols with the national police, the gendarmerie and the Licorne forces in the Zone of Confidence and in the South are envisaged, as well as with the New Forces in the North.

IV. SOCIO-ECONOMIC AND HUMANITARIAN SITUATION

17. The war has affected all sectors of the Ivorian economy. Industries are finding it difficult to make a profit on their investments. Consequently, thousands of jobs are in danger. There is also a considerable fall in cocoa bean, coffee and cotton exports, which are estimated at 10%, 29% and 25% respectively. Food production is also falling, with losses ranging between 10% and 27% depending on the product.

18. The redeployment of the education and health administration in the zone under the control of the New Forces has slowed down; it has even been suspended in some localities. At educational level, less than 20% of the teachers have returned to their posts. Furthermore, the acute shortage of teachers is aggravated by the absence of educational material. In addition, in the West of Côte d'Ivoire, the issue of citizenship also arises for students who are sitting for the different end of year exams. The situation is even more critical for the 4,000 students remaining in Bouaké who run the risk of another wasted year since they were unable to travel to Abidjan. As for the health centres, the majority of those located in the Northern zone are out of use, while those in the South are overused.

19. In the areas under government control, a new project called "rescue or safeguard schools" was launched to receive the 14,000 displaced students who were unable to register in schools at the beginning of the year. These students are distributed in seven schools, five of which are in Abidjan, and two in Daloa and Yamoussoukro respectively, for those in the hinterland, three of the cities offering asylum to the largest number of displaced persons. This fourth new school year began on 10 May 2004 and should end in November 2004, at the end of examinations scheduled to coincide with those of schools in the North.

20. The return of displaced people has slowed down. Development activities have stagnated, with the risk of food insecurity, particularly in the North, where small farmers are forced to sell their harvest cheaply to avoid facing barriers. Humanitarian agencies have therefore adopted a new strategy, based on emergency humanitarian assistance aimed at meeting the immediate and urgent needs of vulnerable groups.

21. Furthermore, the current crisis continues to have major effects on the humanitarian situation in the country and West Africa in general. It

should be recalled that some 69,000 refugees are still resident in Côte d'Ivoire, the majority of whom are Liberians living in villages in the Western region of the country. Relations between the Ivorian asylum communities improved in most regions of the country, following the information campaign launched by the United Nations High Commission for Refugees (HCR), in cooperation with the Government. However, the continued presence and the freedom of movement of the rebel forces of the Movement for Democracy in Liberia (MODEL) in the West of Côte d'Ivoire remains a source of great concern.

V. HUMAN RIGHTS

22. The Council will recall that at its 10th Session, it had expressed grave concern over the exactions, killings and human rights violations perpetrated since the beginning of the crisis. Consequently, the Council encouraged the African Commission for Human and Peoples' Rights to expedite an inquiry into the human rights violations in Côte d'Ivoire.

23. In this regard, it should be recalled that in April 2003, the African Commission for Human and Peoples' Rights undertook a high-level mission to Côte d'Ivoire. This mission was pursuant to a decision of the Commission and at the invitation of the Ivorian President. On this occasion, the delegation of the Commission met with the highest Ivorian authorities, representatives of the United Nations and ECOWAS, as well as religious leaders and representatives of the civil society. These encounters made it possible for the delegation to garner corroborating information on the alarming human rights situation characterized mainly by extra-judiciary executions, kidnappings and widespread insecurity.

24. As part of the follow-up on this visit and the above-mentioned decision of the Council, the Commission, at its 35th Ordinary Session held in Banjul, The Gambia from 21 May to 4 June 2004, decided to field an investigative mission to Côte d'Ivoire to ascertain on the spot, whether the allegations of human rights violations in different regions of this country were founded.

VI. OBSERVATIONS

25. Since my last report on Côte d'Ivoire, there have been no positive developments in the situation. Despite the efforts deployed, the deadlock caused by the events of late March 2004 has not been broken. Indeed, government activity has slowed down. Furthermore, important aspects of

the Linas-Marcoussis Agreement, such as the adoption of the basic texts and the disarmament, demobilization and reintegration programme have not been implemented.

26. I also wish to point out the exacerbation of rivalry within the New Forces. These rivalries bear the inherent danger of a splintering of this movement, as well as increased violence, which would render the implementation of the Marcoussis Agreement even more complex and increase the suffering of the people.

27. One should also not forget the humanitarian and socio-economic impact of the crisis, in Côte d'Ivoire as well as in the rest of the region.

28. Obviously, efforts aimed at resolving the crisis and successfully implementing the Marcoussis Agreement should be redoubled. In this regard, I wish to inform the Council that in recent weeks, I contacted a number of African Heads of State to convene the Ivorian parties in Yamoussoukro, with a view to re-launching the peace process. I intend pursue these efforts.

29. The Peace and Security Council should send a clear and unambiguous signal to the Ivorian parties concerning the need for them to demonstrate the necessary political will to steer their country out of the current crisis. In this respect, the Council should coordinate its efforts closely with that of the United Nations, ECOWAS and the European Union.

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Report of the Chairperson of the Commission on the Situation of Côte D'ivoire

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