



Côte d'Ivoire – Researched and compiled by the Refugee Documentation Centre of Ireland on 10 August 2011

Information on state protection in Côte d'Ivoire. What is the situation for human rights?

A report published by the *International Crisis Group* states:

“The coming to power of the elected President Ouattara should not mask reality. Côte d'Ivoire remains fragile and unstable. The atrocities after the second round of the presidential elections on 28 November 2010 and Laurent Gbagbo's attempt to retain power by all means despite losing the election exacerbated already acute tensions. The next months are crucial.” (International Crisis Group (1 August 2011) *A Critical Period for Ensuring Stability in Côte d'Ivoire*)

This report also states:

“The FN former rebels, who helped Ouattara take power by force in Abidjan, play a disproportionate role in the FRCI. Soldiers from Prime Minister Soro's movement dominate Abidjan and the west, in addition to the north of the country they controlled for the last eight years. They are badly trained, disorderly and commanded by warlords not in a good position to establish rule of law.” (ibid)

This report refers to the treatment of persons associated with the previous regime as follows:

“The government seems to be focusing on punishing the defeated. Several Gbagbo associates have been charged, and the justice system is investigating economic crimes of his clan. There is no doubt about the seriousness of crimes committed by Gbagbo's military and civilian allies before and during the crisis or the need for investigation. But no charges have yet been brought against supporters of the new president who also committed serious crimes. Statements by President Ouattara at home and abroad, notably in the U.S., clearly indicate a desire for impartial justice. The moment has come to translate intention into action that is politically risky but necessary.” (ibid)

A report from the *UN Security Council*, in a section titled “Police and gendarmerie” (paragraph 29), states:

“The police and gendarmes, of whom there were some 30,000 before the crisis, are only slowly returning to work, despite the confidence-building measures by UNOCI to encourage law enforcement personnel to return to duty. To date, 85 per cent have registered to resume duty but very few are actually working. They undertake very limited activities, mostly jointly with FRCI. Many interlocutors assessed these law enforcement institutions negatively, even without the impact of the crisis, pointing to impunity, lack of accountability, politicization, corruption, absenteeism and lack of training and equipment.” (UN Security Council (24 June 2011) *Twenty-eighth report of the Secretary-General on the United Nations Operation in Côte d'Ivoire*, p.7)

In a section titled “Human rights situation” (paragraph 40) this report states:

“The post-elections violence triggered widespread human rights violations, sexual-based violence and serious violations against children. The International Commission of Inquiry submitted its report to the Human Rights Council on 15 June. It concluded that serious violations of human rights and international humanitarian law were committed during the crisis, when some 3,000 persons were estimated to be killed. The Commission stressed that national reconciliation without justice would not be sustainable and recommended that the Government conduct complete, impartial and transparent investigations of human rights violations and bring those responsible to justice.” (ibid, p.9)

In paragraph 41 this report states:

“While human rights violations have decreased in terms of intensity, formidable challenges remain: the population continues to be vulnerable owing to the fragile security situation and the security vacuum in certain areas, the proliferation of arms and armed groups, the presence of explosive remnants of war, the severe weakening of institutions responsible for the protection of human rights and the legacy of impunity. There is also the continuing risk of reprisals, which could undermine efforts in support of social cohesion and reconciliation. UNOCI has received reports of several cases involving FRCI elements, which are being investigated. All interlocutors, including the President and the Prime Minister, recognized that addressing impunity and ensuring accountability and the effective protection of human rights will be essential.” (ibid, pp.9-10)

A report published by the *UN Office for the Coordination of Humanitarian Affairs*, in a section titled “Situation Overview”, states:

“The general security situation in Abidjan and Western part of the country remains unpredictable. Incidents of burglary and armed robbery by unknown persons are being reported. In addition to homes, a diplomatic mission and premises of law enforcement agencies have now been targeted. In the West, the population movement continues to be very fluid. Most IDPs want to return but hesitate to do so for many reasons. They continue to engage in ‘go and see’ visits to assess the situation in their intended zones of return. The resulting pendulum movement of the population is explained by the reigning atmosphere of insecurity, intimidation and uncertainty of receiving assistance in their zones of return.” (UN Office for the Coordination of Humanitarian Affairs (1 August 2011) *Côte d’Ivoire Situation report # 13*)

An *Amnesty International* report, in a section titled “Continuing Human Rights Violations and Abuses” (section 3), states:

“Since the arrest of Laurent Gbagbo on 11 April 2011, crimes under international law, including crimes against humanity and war crimes, have been committed by militias and Liberian mercenaries loyal to the former president and by the FRCI and the Dozos. Pro-Gbagbo militia groups and Liberian mercenaries committed crimes under international law in many different areas as they first made an attempted stand against the FRCI’s offensive in Abidjan and then retreated from the economic capital and moved towards Liberia in the latter part of April and the beginning of May. At the same time a wave of reprisal attacks against real or perceived Gbagbo supporters by forces and militia groups loyal to Alassane Ouattara targeted people and communities in Abidjan and in parts of the south-west and west of the country, based

largely on ethnicity and perceptions that young, fit men were likely to have been members of militias. In late April and early May 2011, crimes under international law were attributable to both parties to the conflict. From mid-May onwards, these crimes were overwhelmingly committed by the FRCI and the Dozos.” (Amnesty International (28 July 2011) *“We Want to Go Home, But We Can’t”: Côte d’Ivoire’s Continuing Crisis of Displacement and Insecurity*)

In a section titled “Crimes Under International Law Committed By The FRCI” (section 3.2) this report states:

“The FRCI are now deployed widely across Côte d’Ivoire. But in many regions both the mere presence and the actual behaviour of FRCI troops are a source of considerable insecurity. They have not yet won the trust and confidence of many ethnic groups, who have been targeted since the FRCI launched their general offensive against Laurent Gbagbo in March 2011.” (ibid, p.16)

See also section titled “Lawlessness and Impunity” (section 5) which states:

“Crimes under international law – crimes that involve direct individual criminal responsibility under international law, such as crimes against humanity, war crimes, torture, enforced disappearances and extrajudicial executions - have been committed by all parties to the conflict in Côte d’Ivoire since 2002 and are still being committed today in some parts of the country. Those responsible are not facing justice. The recent human rights violations and abuses, and associated insecurity, occurred in a context of near lawlessness, particularly in the west of the country. The FRCI are, at present, the only national security or law enforcement force widely present in the area. As shown in this report, the Dozos have been given - or have assumed with the complicity or acquiescence of the FRCI - a security role in parts of the west of the country. The Dozos have committed serious violations of international humanitarian law and continue to perpetrate serious human rights violations without any clear chain of command or mechanism to ensure accountability. The country’s police and gendarme forces have not yet been widely redeployed throughout the region. As such they are not playing a significant role in bolstering security and in responding to and investigating reports of human rights violations by the FRCI and the Dozos.” (ibid, p.32)

A *BBC News* report states:

“The United Nations has accused forces loyal to Ivory Coast's President Alassane Ouattara of unleashing violence against supporters of former President Laurent Gbagbo. The troops killed two people and wounded dozens of others during attacks in the south and west, the UN said. It said many residents fled to forests, leaving villages empty. Mr Ouattara was sworn in last month, promising to end months of conflict.” (BBC News (9 June 2011) *Ivory Coast crisis: Alassane Ouattara forces accused*)

This response was prepared after researching publicly accessible information currently available to the Refugee Documentation Centre within time constraints. This response is not and does not purport to be conclusive as to the merit of any particular claim to refugee status or asylum. Please read in full all documents referred to.

References:

Amnesty International (28 July 2011) *"We Want to Go Home, But We Can't": Côte d'Ivoire's Continuing Crisis of Displacement and Insecurity*
<http://www.amnesty.org/en/library/asset/AFR31/007/2011/en/1d18c667-4e96-4083-9761-80db41b415a0/afr310072011en.pdf>

(Accessed 10 August 2011)

BBC News (9 June 2011) *Ivory Coast crisis: Alassane Ouattara forces accused*
<http://www.bbc.co.uk/news/world-africa-13717088?print=true>

(Accessed 10 August 2011)

International Crisis Group (1 August 2011) *A Critical Period for Ensuring Stability in Côte d'Ivoire*

<http://www.crisisgroup.org/en/regions/africa/west-africa/cote-divoire/176-a-critical-period-for-ensuring-stability-in-cote-divoire%20.aspx>

(Accessed 10 August 2011)

UN Office for the Coordination of Humanitarian Affairs (1 August 2011) *Côte d'Ivoire Situation report # 13*

http://reliefweb.int/sites/reliefweb.int/files/resources/F_R_193.pdf

(Accessed 10 August 2011)

UN Security Council (24 June 2011) *Twenty-eighth report of the Secretary-General on the United Nations Operation in Côte d'Ivoire*

http://www.ecoi.net/file_upload/1226_1311167649_twenty-eighth-report-of-the-secretary-general-on-the-united-nations-operation-in-cy-te-divoire.pdf

(Accessed 10 August 2011)

Sources Consulted:

Amnesty International

BBC News

Electronic Immigration Network

European Country of Origin Information Network

Google

Human Rights Watch

Immigration and Refugee Board of Canada

International Crisis Group

IRIN News

Refugee Documentation Centre Query Database

Refugee Review Tribunal

UNHCR Refworld