



COTE D'IVOIRE

“They Killed Them Like It Was Nothing”

The Need for Justice for Côte d'Ivoire's Post-Election Crimes

HUMAN
RIGHTS
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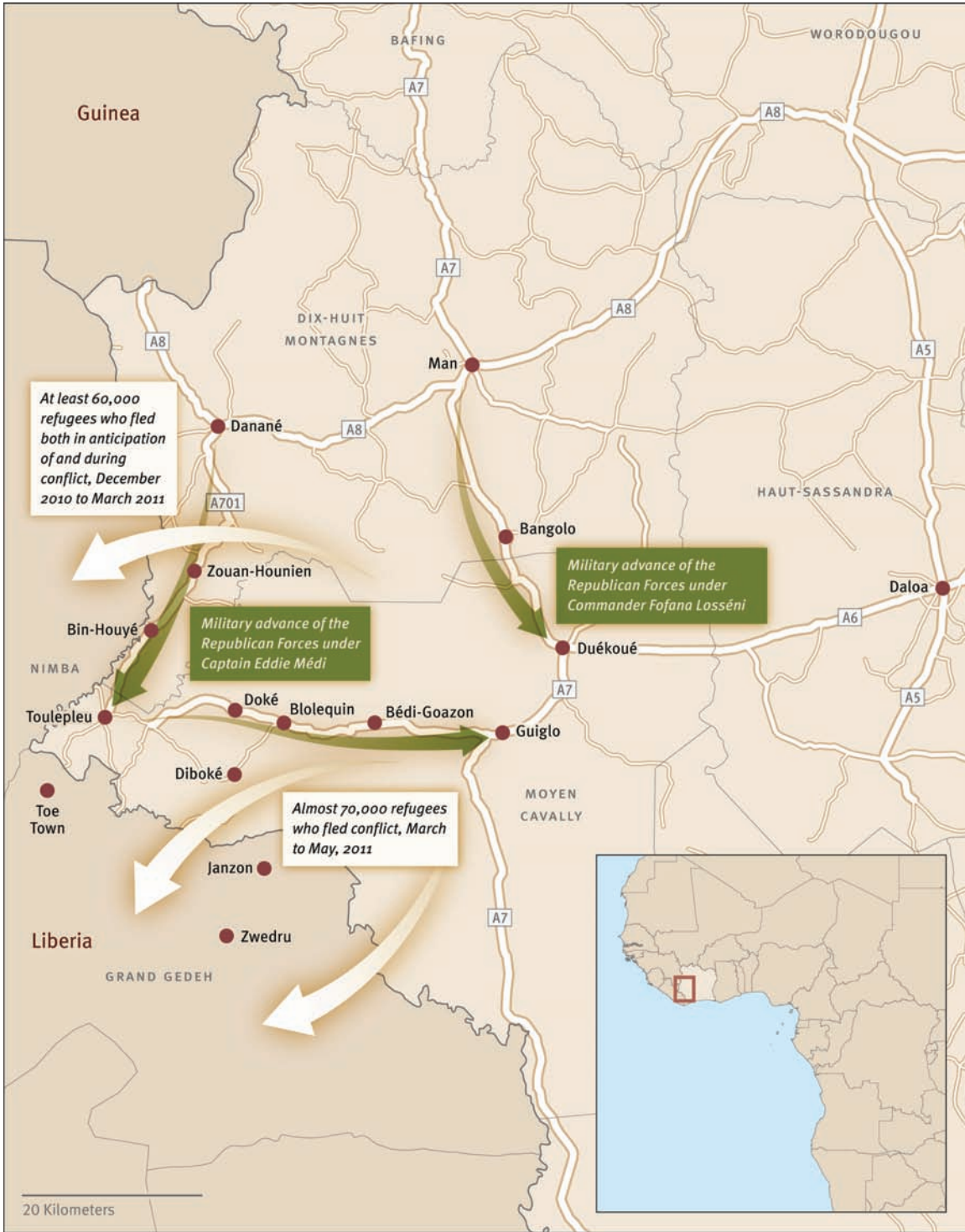
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Côte d'Ivoire. © 2010 Human Rights Watch



Côte d'Ivoire's Far West. © 2011 Human Rights Watch



Abidjan. © 2011 John Emerson/Human Rights Watch. Map data © OpenStreetMap contributors, CC-BY-SA

Summary

On November 28, 2010, Ivorians went to the polls to elect a president, hoping to end a decade-long crisis during which the country was divided politically and militarily between the north and south. In the week that followed this run-off election, despite clear international consensus that Alassane Ouattara had won, incumbent President Laurent Gbagbo refused to step down. The post-election crisis then evolved from a targeted campaign of violence by Gbagbo forces to an armed conflict in which armed forces from both sides committed grave crimes. Six months later, at least 3,000 civilians were killed and more than 150 women were raped in a conflict that was often waged along political, ethnic, and religious lines.

Elite security force units closely linked to Gbagbo dragged neighborhood political leaders from Ouattara's coalition away from restaurants or out of their homes into waiting vehicles; family members later found the victims' bodies in morgues, riddled with bullets. Women who were active in mobilizing voters—or who merely wore pro-Ouattara t-shirts—were targeted and often gang raped by armed forces and militia groups under Gbagbo's control, after which the attackers told the women to “go tell Alassane” their problems. Pro-Gbagbo militiamen stopped hundreds of real and perceived supporters of Ouattara at checkpoints or attacked them in their neighborhoods and then beat them to death with bricks, executed them by gunshot at point-blank range, or burned them alive.

Abuses by pro-Ouattara forces—ultimately known as the Republican Forces, following a March 17 Ouattara decree—did not reach a comparable scale until the beginning of March, when they launched an offensive to take over the country. In Duékoué, the Republican Forces and allied militias massacred hundreds of people, pulling men they alleged to be pro-Gbagbo militiamen out of their homes and executing them unarmed. Later, during the military campaign to take over and consolidate control of Abidjan, the Republican Forces again executed scores of men from ethnic groups aligned to Gbagbo—at times in detention sites—and tortured others.

In the course of six field missions to Côte d'Ivoire, including four in Abidjan and two along the Ivorian-Liberian border, Human Rights Watch researchers interviewed over 500 victims and witnesses to the violence as well as members of the armed forces on both sides, Ouattara government officials, journalists, medical staff, representatives of human rights and humanitarian organizations, United Nations officials, and diplomats in Abidjan, New York, Washington, and Paris. Human Rights Watch found that armed forces on both sides

committed war crimes and likely crimes against humanity—a finding shared by an international commission of inquiry that presented its report to the Human Rights Council on June 15.

The post-election violence was the culmination of a decade of impunity for serious crimes. Despite grave crimes in violation of international law committed during Côte d'Ivoire's 2002-2003 civil war and its aftermath, no one in the country was held to account for the violence. Those who were armed or who served in security forces were effectively immune from accountability for crimes they committed. As a result of this impunity, community self-defense groups sprung up throughout the country, but particularly in the volatile west, where vigilantism replaced the rule of law.

Gbagbo's presidency was also notable for the concentration of power among ethnic groups aligned to him and for the government's increasing manipulation of ethnicity and citizenship—targeting ethnic northern Ivorians and West African immigrants as dangerous “foreigners,” despite that many of these individuals had spent all of their lives in Côte d'Ivoire, often in southern cities like Abidjan far removed from their historical ethnic regions. After the election run-off, the Gbagbo government-controlled state television station, *Radiodiffusion Télévision Ivoirienne* (RTI), incited violence against these groups, routinely referring to them as “rebels” and unwanted outsiders that threatened the nation. As the post-election tension escalated, Gbagbo's mouthpieces went further, comparing Ouattara supporters to “rats” and “culled birds” and exhorting followers to set up roadblocks and “denounce foreigners”—a call followed immediately by gruesome, targeted violence.

The brutality against perceived Ouattara supporters reached appalling levels. Between December 2010 and April 2011, pro-Gbagbo militiamen stopped hundreds at checkpoints based on the person's dress or name on an identity card; they often proceeded to beat the victim savagely, pile tires and wood and douse petrol on the limp body, and then burn the person alive. The practice became known as article 125: 100 francs CFA (US \$0.23) for petrol, 25 francs CFA for the box of matches. Others were shot at point-blank range: a 40-year-old man from Burkina Faso described being detained at an Abidjan checkpoint on March 29 along with eight other West African immigrants; police told all the immigrants to walk in one direction, and as they did, opened fire. The witness received two gunshots but was able to survive, unlike six others killed next to him.

In the far west, Gbagbo militiamen and Liberian mercenaries killed hundreds identified predominantly by ethnicity. In one particularly heinous event in Bloléquin on March 25, people who had taken refuge in the town prefecture awoke to the Gbagbo forces having

recaptured part of the town from the advancing Republican Forces. As they swarmed into the prefecture, the Gbagbo forces demanded that the inhabitants speak Guéré, the language of an ethnic group in the far west that largely supported Gbagbo. Those who could not speak it as a mother tongue were gunned down. Three days earlier, the same group of mercenaries and militiamen killed at least 37 people, mostly West African immigrants, in nearby Bédi-Goazon village.

As the Republican Forces began their offensive in early March, they likewise engaged in collective punishment of real and perceived Gbagbo supporters. In the far west, the Republican Forces executed at point-blank range elderly Guéré villagers who were unable to flee. One woman said she watched her father, husband, and son all killed in front of her. The Republican Forces held women and raped them in towns where military bases were located. They burned entire villages to the ground. The Republican Forces committed atrocities similar to those they committed in the far west, although on a smaller scale, once they controlled Abidjan.

By the conflict's end, residents reported that wells in the west were stuffed with human remains. Several Abidjan neighborhoods were marked with communal graves dug in haste, turning dirt parking lots and children's soccer fields into constant reminders of the violence that had been visited upon the country. Other bodies littered the streets for days, particularly where pro-Gbagbo militias operated checkpoints. The stench became so horrible, according to residents, that they themselves took to burning corpses. In certain areas of Yopougon and Koumassi neighborhoods in particular, all that remained of many victims were a few white bone fragments and a blackened patch of concrete—both still visible to a Human Rights Watch researcher several weeks after clashes ended. In almost every corner of Côte d'Ivoire—particularly in the west, the southern coastal region, and in Abidjan—the conflict left utter destruction. Almost everyone carried a story of a brother killed, a sister raped, a home burned to the ground or pillaged of all its valuables.

After intense fighting in the far west in March, the Republican Forces swept into Abidjan at breathtaking speed—with most of Gbagbo's forces abandoning their positions, except for a few elite units and militia groups. Fighting threatened to drag on in Abidjan, however, as Gbagbo's huge arsenal of heavy weaponry began to be employed in likely indiscriminate attacks that killed civilians. The UN Security Council quickly authorized the peacekeeping force "to use all necessary means ... to protect civilians under imminent threat of physical violence ... including to prevent the use of heavy weapons against the civilian population." During the week of April 4, UN peacekeepers and the French *Force Licorne* attacked Gbagbo's military sites throughout Abidjan, culminating in an April 11 attack on Gbagbo's

residence. Republican Forces were then able to storm Gbagbo's residence on April 11 and arrest him, his wife, and a number of other allies. Certain armed groups loyal to Gbagbo continued to hold out, however, killing 100 people alone in Abidjan the day after their leader's arrest. By mid-May, the fighting finally ended.

The scale and organization of crimes committed by both sides, including murder, rape, and persecution of individuals and groups on political, ethnic, and national grounds, strongly suggest that they were widespread and systematic. Under the Rome Statute of the International Criminal Court, such acts, as part of an "attack on a civilian population," constitute crimes against humanity. Both sides also committed war crimes, including intentional attacks against civilians and the murder of people not taking an active part in hostilities. When such grave crimes are committed, people in command authority who should have been aware of the crime and failed to prevent it or submit it for investigation and prosecution can be held accountable.

The evidence presented in this report and the gravity of the crimes committed suggest that impartial justice—to provide remedy to victims, enshrine the rule of law, and help promote the prospect of preventing further atrocities—is essential in Côte d'Ivoire. President Ouattara has notably asked for the ICC to investigate grave crimes committed after November 28, 2010, and, on October 3, 2011, the ICC pre-trial chamber granted the ICC prosecutor's June 23 request to open such an investigation. The ICC could play an important role in ensuring accountability for the horrific acts committed during this period. However, domestic trials will also be crucial in this effort, including because, historically, the ICC has taken on only a few cases in situations it investigates, trials conducted domestically can have greater resonance with affected populations when conducted according to international standards, and local accountability efforts can help maximize the rebuilding of respect for rule of law.

So far, domestic criminal investigations and prosecutions for post-election crimes appear glaringly one-sided. At time of writing, military and civilian prosecutors had brought charges against at least 118 Gbagbo allies, several of whom, like General Dogbo Blé of the Republican Guard and General Guiai Bi Poin of the elite security unit CECOS, have been implicated by Human Rights Watch as being responsible for grave crimes. A military prosecutor has charged former pro-Gbagbo military leaders with crimes including murder, rape, and the concealment of bodies; several specific events mentioned in the charges, like the March 3 killing of seven women who were demonstrating peacefully along with thousands of other women, have been documented by Human Rights Watch. Gbagbo and his wife, Simone, are in preventative detention; the government charged both with

economic crimes on August 18, 2011, following statements that the ICC would investigate their potential role in war crimes and crimes against humanity. Human Rights Watch has consistently called for the prosecution of those in Gbagbo's forces responsible for grave crimes and stressed that any immunity or amnesty deals for grave crimes—including for Gbagbo given evidence concerning his role in such crimes—would be counter to international law and practice as well as respect for victims. Human Rights Watch also calls on neighboring states to cooperate in arresting and extraditing those, like Young Patriots leader Charles Blé Goudé, who are implicated in grave crimes and have sought refuge elsewhere.

In stark contrast to the prosecution of those from Gbagbo's side, no member of the Republican Forces has been arrested on charges for crimes committed during the conflict. Human Rights Watch, the international commission of inquiry, the Office of the High Commissioner for Human Rights, Amnesty International, and the International Federation of Human Rights have all documented grave crimes by the Republican Forces. While President Ouattara and Justice Minister Jeannot Kouadio Ahoussou have consistently promised that all crimes will be punished, the gap between rhetoric and reality risks a reversion to impunity. A crucial window is closing in which the government can send a message that a new era of impartial justice and human rights has begun, rather than a victor's justice that could have a devastating impact on the country's reconciliation. Human Rights Watch believes that the Ouattara government's most pressing task is to give victims on both sides the justice they demand and deserve for the decade of grave crimes that have been committed.

Human Rights Watch also calls on the government to ensure that those implicated in human rights abuses are not appointed to serve as members of the future Ivorian army, gendarmerie, and police. Rather than extort and abuse the population, security forces should protect civilians and faithfully investigate crimes. Early signs are very negative, as Ouattara promoted on August 3 several commanders against whom there is strong evidence of implication in serious violations of international law, including Martin Fofié, who has been on the UN Security Council sanctions list since 2006 for commanding troops implicated in extrajudicial executions and the use of child soldiers. His appointment sends the wrong signal regarding the president's commitment to justice and a rights-respecting security forces.

Côte d'Ivoire's international partners should demand impartial accountability and assist the government in identifying and addressing shortcomings in pursuing domestic trials for grave crimes. The ICC prosecutor should amend his request to open an investigation to

cover crimes committed prior to the post-election period so that an investigation best ensures an end to a decade of impunity. The UN Operations in Côte d'Ivoire needs to conduct joint patrols with Ivorian forces through the upcoming legislative elections and actively participate in disarmament efforts. The peacekeeping operation should be commended for strong steps it has taken, particularly its reinforcement of the west in advance of legislative elections.

Lastly, Human Rights Watch calls on the UN Security Council and secretary-general to promptly publish the report of a 2004 international commission of inquiry into human rights violations associated with the 2002-2003 civil war. Many of those identified in the confidential 2004 Annex as most responsible for grave crimes remained in power to again incite and oversee grave crimes in the 2010-2011 conflict—and potentially appear in the confidential annex of a 2011 commission of inquiry report. Both Annexes should be published or, at a minimum, made available to the main actors responsible for justice efforts in Côte d'Ivoire: President Ouattara, Justice Minister Ahoussou, and Abidjan prosecutor Simplicie Koffi.

Thousands of people in Côte d'Ivoire lost loved ones and suffered enormous harm during the country's most recent outbreak of violence. Most were targeted because of their political or ethnic affiliation. Such discrimination and incitement to hatred must end, and so too must the impunity that has long undermined Côte d'Ivoire's security. To return to the once-lauded status of stability and prosperity, the Ouattara government must ensure and welcome the impartial pursuit of justice. The conflicts in Côte d'Ivoire have laid bare the grave consequences of security forces, militias, and political leaders operating above the law. If the Ouattara government does not soon heed these lessons and pursue members of the Republican Forces responsible for post-election crimes with the same fervor that it has for Gbagbo's allies, Côte d'Ivoire risks another descent into violence and vigilantism. While it may be politically difficult to prosecute certain commanders implicated in crimes, it would be far more costly to the country's stability and the respect for the rule of law to once again ignore victims' clear demands for justice.

Recommendations

To President Alassane Ouattara, Justice Minister Jeannot Kouadio Ahoussou, and Interior Minister Hamed Bakayoko

- Ensure the investigation and prosecution, in accordance with international fair trial standards, of members of both sides' forces against whom there is evidence of criminal responsibility for grave crimes, including those liable under command responsibility for their failure to prevent or prosecute these crimes.
- Ensure that those currently charged in the Gbagbo camp are detained and tried according to standards that meet international law. Ensure, in particular, adequate time and resources for the preparation of a vigorous defense by competent counsel for any accused.
- Seek assistance from key donors to ensure fair, credible domestic investigations and prosecutions of grave crimes. This should include requests for assessments of the Ivorian justice system's capacity to pursue cases involving grave crimes as well as assistance based on such assessments. Areas that merit particular attention include: safeguards, both legal and procedural, to ensure the independence and impartiality of the bench; and resources and plans to protect rights of accused and witnesses who may be at risk.
- Ensure that military courts do not try civilians and that, unless a case involves purely military offenses, civilian courts are given preference because of their greater independence.
- Ensure that members of the military, gendarme, and police are vetted for involvement in grave crimes, either directly or through command responsibility.
- Publicly request that UN High Commissioner for Human Rights Navanethem Pillay provide the confidential Annex to the 2011 commission of inquiry report, as per the government's request for the commission to identify those most responsible for the violence. Request also that the UN Security Council publish the 2004 commission of inquiry report.
- Continue to provide full cooperation and unhindered access to the International Criminal Court, including in the potential future arrest and surrender of suspects.
- Provide complete access to all detention facilities, including places of house arrest and military camps, to international monitors and members of the human rights division of the UN Operations in Côte d'Ivoire. Access should include detainees having the ability to describe their conditions without the presence or interference of the Republican Forces.

- Prioritize efforts to combat sexual violence, which remains pervasive throughout the country and is particularly acute in the far west. In particular, improve the response of law enforcement personnel and the judiciary to sexual and gender-based violence, including by recruiting more female police officers to act as focal points in police stations and by training judicial and security personnel. Ensure access to health care, psychosocial support, legal assistance, and socio-economic reintegration services for survivors of sexual violence, including those who have been targeted for political and ethnic reasons during the conflict.
- Commit to providing compensation and other reparations for victims of abuses and to assist villagers, particularly in the far west and along the southern coastal region, in the rebuilding of villages destroyed during the fighting and reprisals.
- Commit to working swiftly with the next National Assembly to ratify the Rome Statute to the International Criminal Court; the Palermo Protocol to Prevent, Suppress, and Punish the Trafficking in Persons; the African Charter on the Rights and Welfare of the Child; the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa. In addition, make a declaration accepting the competence of the African Court on Human and Peoples' Rights to receive individual petitions, as outlined under Article 5(3) of the court's Protocol.
- Thoroughly review—and, as necessary, revise—the training curriculum for police, gendarmes, and armed forces to ensure comprehensive training on human rights issues, including the laws of war, interrogation and detention practices, and minimum use of force for crowd control. All training should be consistent with human rights and international humanitarian law standards, such as the Geneva Conventions, the UN Code of Conduct for Law Enforcement Officials, and the UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials.

To Charles Konan Banny, President of the Dialogue, Truth, and Reconciliation Commission

- Respect international human rights standards with regard to granting of amnesties. This means excluding amnesties for international crimes such as crimes against humanity, war crimes, extrajudicial killings, enforced disappearances, and torture.
- Ensure open and meaningful consultation is carried out with civil society and victims throughout the process. Ensure that the commission explores the dynamics that have given rise to cyclical violence, ethnic tensions, and pervasive corruption, with a view to make recommendations aimed at preventing a repetition of past violations.

To the United Nations Operations in Côte d'Ivoire (UNOCI)

- Assist the government to undertake a full and thorough Demobilization, Disarmament, and Reintegration (DDR) program in line with the Integrated DDR Standards (IDDRS) and other internationally recognized best practices. Ensure that DDR is performed credibly and impartially—disarming those from all sides of the conflict who are not entering the reconstituted armed forces.
- Assist the government to reestablish the rule of law with a focus on the independence and impartiality of the justice system, the humane treatment of detainees, and the protection of accused and witnesses. In line with UNOCI's noteworthy efforts to reinforce security in the far west, focus particular attention on that region, given the longstanding lawlessness that has prevailed there.

To the UN Security Council

- In the interest of truth and justice during Côte d'Ivoire's now decade-long crisis, publish the 2004 Commission of Inquiry report, including the annex that identified key people responsible for grave crimes during the 2002-2003 armed conflict.
- Ask the Special Representative on Sexual Violence in Conflict to provide briefings on rape and other sexual violence to the Security Council and promote a coordinated and effective response to sexual violence by all actors in Côte d'Ivoire.
- Monitor closely the Ivorian government's pursuit of justice for the post-election violence and ensure that such efforts are impartial, with fair, credible investigations for grave crimes committed by both sides.

To the Office of the High Commissioner for Human Rights

- Make the 2011 international commission of inquiry annex available to domestic authorities responsible for judicial investigation in Côte d'Ivoire.

To the International Criminal Court Prosecutor

- Amend the request to open an investigation to include crimes prior to the post-election period, including the 2002-2003 armed conflict and its aftermath.

To the African Union and the Economic Community of West African States:

- Remain actively engaged on Côte d'Ivoire and ensure that the Ivorian government prioritizes human rights and rule of law considerations. In particular, help ensure that President Ouattara fulfills his promise to hold responsible those implicated in grave crimes, regardless of political affiliation or military rank.

- Encourage African states to support efforts to hold responsible those implicated in grave crimes, including by handing over any suspect requested by the International Criminal Court—as per President Ouattara’s invitation—or the Ivorian government as long as international standards for treatment and trial are met.
- Assist regional efforts to disarm, demobilize, and effectively reintegrate the fighters that politicians and warlords have recruited during armed conflicts in Sierra Leone, Liberia, and Côte d’Ivoire.

To the Government of Liberia

- Prosecute according to fair trial standards mercenaries and other Liberian fighters implicated in grave crimes in Côte d’Ivoire.

To Neighboring Countries Where Individuals Allegedly Involved in Grave Crimes May Have Taken Refuge

- Publicly commit to handing over any suspect requested by the International Criminal Court. Should the Ivorian government request the arrest and extradition of someone implicated in crimes committed during the post-election period, fully cooperate as long as international standards for treatment and trial, such as those outlined in the Convention against Torture, are met.

To International Donors, including the European Union, France, and the United States

- Assist the Ivorian government in its efforts to restore the rule of law and conduct trials for grave crimes committed during the post-election period. Ensure that such efforts are impartial, with fair, credible investigations for grave crimes committed by both sides.

Methodology

This report is based primarily on six research missions conducted between December 2010 and July 2011. Human Rights Watch researchers conducted investigations in Abidjan in January, March, May, and July 2011, and along the Ivorian-Liberian border in December 2010 and March-April 2011. In between these research missions, Human Rights Watch conducted additional interviews by telephone.

In total, Human Rights Watch interviewed over 500 victims and direct witnesses to the post-election violence, including supporters from both political camps, people from all major Ivorian ethnic groups, West African immigrants, and members of both sides of armed forces. Human Rights Watch also spoke with diplomats in Abidjan, New York, Washington, DC, and Paris; officials in the Ouattara government; medical professionals; representatives of the United Nations peacekeeping mission in Côte d'Ivoire; staff on the international commission of inquiry; and representatives of human rights and humanitarian organizations.

Much of this material has previously appeared in extended press releases published by Human Rights Watch immediately after four of the six research missions. The material was made available quickly as a result of the urgency of the findings and the rapidly evolving nature of the crisis. This report brings together the entirety of Human Rights Watch's post-election work in Côte d'Ivoire, including new material previously unpublished.

The extremely tense security situation throughout the crisis required great care in ensuring that victims were not put at physical risk for speaking with Human Rights Watch. Human Rights Watch often identified victims and witnesses through the help of numerous local organizations, neighborhood leaders of President Ouattara's RHDP political coalition, journalists, and representatives of immigrant communities.

Throughout the crisis, Human Rights Watch was careful to ensure fairness and balance by investigating abuses committed by both sides and maintaining consistent contact with groups and individuals that were well connected to each side. The descriptions of events are based on information verified and corroborated through multiple direct sources, particularly victims and eyewitnesses, as well as the inspection of victims' injuries and sites where events occurred. Before an individual or security force unit was named as responsible for certain crimes, Human Rights Watch corroborated the information from independent sources, including victims, eyewitnesses, and other perpetrators involved.

The interviews were primarily conducted in French, or on a few occasions in one of the languages spoken by the different ethnic groups and then translated into French by an interpreter.

Human Rights Watch has withheld names and identifying information in order to protect witnesses' privacy and security.

Background

From its independence in 1960 through the 1980s, Côte d'Ivoire was hailed for its economic prosperity and relative stability. But, underneath the veneer of harmony, dangerous cracks were already emerging along political, ethnic, and geographic lines in the years after independence. With the same three actors at the forefront of politics since 1993—the current president, Alassane Ouattara, and former presidents Laurent Gbagbo and Henri Konan Bédié—these cracks eventually ruptured, most notably with a 1999 coup d'état, the 2002-2003 armed conflict, and, in its culmination, with the six months of post-election violence from November 2010 to May 2011. No one was credibly brought to justice for the grave crimes committed during the decade of violence preceding the 2010 elections, which allowed impunity to firmly take hold, particularly among Gbagbo's security forces and allied militias as well as with the *Forces Nouvelles* ("New Forces") rebels who became Ouattara's Republican Forces.

From Independence to the 2000 Elections

Under the leadership of founding President Félix Houphouët-Boigny from independence in 1960 until the 1990s, Côte d'Ivoire became a key economic power in West Africa and a global leader in cocoa and coffee production. During this time, the country had an "open-door policy" to immigrants, and given its relative stability and prosperity, the country became a magnet for the migrant workers, largely from members of the regional economic block, the Economic Community of West African States (ECOWAS). These migrant workers eventually composed an estimated 26 percent of its population. Houphouët-Boigny, a Catholic and ethnic Baoulé, oversaw a government that nominally reflected the country's ethnic and religious make-up; ethnic tensions were relatively rare, but on occasion were violently repressed.¹

Throughout his 33 year presidency, Houphouët-Boigny suppressed opposition political parties, permitting only his *Parti Démocratique de la Côte d'Ivoire* (Democratic Party of Côte d'Ivoire, PDCI) to exist until 1990. Among his targets was a young history professor and leading trade unionist named Laurent Gbagbo, who agitated for multi-party rule and was imprisoned from 1971 to 1973 for "subversive teaching" and "fomenting insecurity."²

¹ There were several episodes of repression against ethnic groups from southern Côte d'Ivoire during his rule, notably in 1966 against the Agni and in 1970 against the Bété. See Tiemoko Coulibaly, "Lente décomposition en Côte d'Ivoire," *Le Monde Diplomatique*, November 2002; Jean-Pierre Dozon, "La Côte d'Ivoire entre Démocratie, Nationalisme et Ethnonationalisme," *Politique Africaine: Côte d'Ivoire, la tentation ethnonationaliste*, No. 78, June 2000, pp. 45-62.

² Phil Clark, "Ivory Coast's Laurent Gbagbo: From democrat to dictator," *BBC News*, April 11, 2011. See also Marcus Boni Teiga, "Fin de partie pour Gbagbo," *SlateAfrique*, April 11, 2011.

Gbagbo ultimately spent much of the 1980s in exile in France, following his secret establishment of the *Front Populaire Ivoirien* (Ivorian Popular Front, FPI) political party. Gbagbo returned to Côte d'Ivoire in 1988 as the head of the FPI and ran against Houphouët-Boigny in the country's first multi-party elections in 1990; Houphouët-Boigny won in a landslide, but Gbagbo won a seat in the National Assembly one month later.³

After his re-election, Houphouët-Boigny appointed as prime minister Alassane Ouattara, an economist who had ascended to high levels at the International Monetary Fund (IMF) and the Central Bank of West African States (commonly referred to as the BCEAO, the acronym from its French name). Gbagbo soon railed against what he perceived to be a government led by “foreigners.”⁴ The provocation was mostly aimed at Ouattara and initiated a long campaign of politically motivated contests over Ouattara's citizenship.⁵ On March 6, 1992, Gbagbo was sentenced to two years imprisonment following his arrest for leading large student protests against the PDCI government. Gbagbo apparently blamed Ouattara for the crackdown and arrest, which deepened an animosity between the two.⁶

After Houphouët-Boigny died in 1993, which coincided with a continuing deterioration in Côte d'Ivoire's economy, politicians focused more explicitly on nationality and ethnicity as a means of securing support. The 1995 presidential elections saw a power scramble after the decades of one-party government and involved the same principal actors that would run for president in 2010: Henri Konan Bédié, who assumed the presidency following Houphouët-Boigny's death and led the PDCI; Laurent Gbagbo, head of the FPI; and Ouattara, head of the *Rassemblement des républicains* (Rally of the Republicans, RDR). In targeting Ouattara, his main political rival, Bédié coined the idea of *Ivoirité*, or “Ivorianness”—an ultra-nationalist discourse that redefined what it meant to be an Ivorian, marginalizing northern Ivorians and accusing immigrants of trying to control the economy.⁷ Ouattara was born in the northern town of Dimbroko to a mother from Côte d'Ivoire but

³ Phil Clark, “Ivory Coast's Laurent Gbagbo: From democrat to dictator”; Marcus Boni Teiga, “Fin de partie pour Gbagbo.”

⁴ While Ouattara had included foreign nationals in key posts—notably Sidya Touré, later Guinea's prime minister; and Pascal Koupaki, now Benin's prime minister—Gbagbo was mostly targeting Ouattara himself. Daniel Schwartz, “Alassane Ouattara: Inaugurated as Ivory Coast president after long standoff with former leader,” CBC News, May 21, 2011; Marcus Boni Teiga, “Fin de partie pour Gbagbo,” *SlateAfrique*, April 11, 2011.

⁵ Daniel Schwartz, “Alassane Ouattara: Inaugurated as Ivory Coast president after long standoff with former leader,” CBC News, May 21, 2011; Phil Clark, “Ivory Coast's Laurent Gbagbo: From democrat to dictator”; Marcus Boni Teiga, “Fin de partie pour Gbagbo.”

⁶ Phil Clark, “Ivory Coast's Laurent Gbagbo: From democrat to dictator”; Marcus Boni Teiga, “Fin de partie pour Gbagbo”. Gbagbo was ultimately released on July 31, 1992, after pressure by French members of the Socialist party and human rights groups like Amnesty International.

⁷ A succinct review of this period can be found in Thomas Hofnung, *La Crise Ivoirienne: Dix clés pour comprendre* (Paris: La Découverte, 2005), pp. 29-31. See also International Crisis Group, *Côte d'Ivoire: 'The War is Not Yet Over,'* ICG Africa Report No. 72, November 28, 2003, pp. 2-3.

spent much of his childhood in what is now Burkina Faso, then called Upper Volta, and traveled on an Upper Volta passport from when he went to the US for post-secondary education in the 1960s through his time at the IMF and BCEAO in the 1970s and early 1980s.⁸ Bédié preyed on rising anti-northern and anti-immigrant sentiments and was able to bar Ouattara's candidacy on the alleged grounds that he was not a native Ivorian.⁹ The RDR boycotted the election, as did Gbagbo's FPI, and Bédié won easily.

On December 24, 1999, soldiers disgruntled over low pay seized power from President Bédié and asked General Robert Guei, Bédié's chief of staff, to lead the government. After taking power, Guei formed a broad-based junta that included ministers from leading opposition parties, including the RDR and FPI, and pledged to clean up corruption and rewrite the constitution. By July 2000, in advance of scheduled 2000 elections, it became clear that General Guei had political ambitions and that he, too, was ready to foment ethnic differences in order to eliminate political rivals. A widely-criticized constitutional referendum was held, and the new constitution set new, stricter eligibility requirements for contesting public office—both parents of anyone wishing to contest the presidential election had to have been born in Côte d'Ivoire.¹⁰ Ouattara and other candidates challenged the new requirements, but on October 6, 2000, the Supreme Court disqualified 14 of the 19 presidential candidates, including Ouattara, on citizenship grounds, and former president Bédié, for not submitting a proper medical certificate.¹¹

On October 22, 2000, presidential elections were held. After early results showed Gbagbo leading in the polls, General Guei dissolved the National Electoral Commission and proclaimed himself the winner—an ironic omen of Gbagbo's own efforts to maintain power

⁸ Daniel Schwartz, "Alassane Ouattara: Inaugurated as Ivory Coast president after long standoff with former leader," CBC News, May 21, 2011; Guillaume Guguen, "Alassane Ouattara's political baptism by fire," *France 24*, May 12, 2010; *Africa Confidential*, "Côte d'Ivoire: The National Question," Vol. 41, no. 13, June 23, 2000. By the time Ouattara took over as governor of the BCEAO in 1988, he was using an Ivorian passport. Guillaume Guguen, "Alassane Ouattara's political baptism by fire," *France 24*, May 12, 2010. Ouattara has said that the diplomatic passport from Upper Volta was not a reflection of his nationality. *Africa Confidential*, "Côte d'Ivoire: The National Question," Vol. 41, no. 13, June 23, 2000.

⁹ Daniel Schwartz, "Alassane Ouattara: Inaugurated as Ivory Coast president after long standoff with former leader," CBC News, May 21, 2011; Human Rights Watch, *The New Racism: The Political Manipulation of Ethnicity in Côte d'Ivoire*, vol. 13, no. 6(A), August 20 01, <http://www.hrw.org/node/78097>; Human Rights Watch, *Trapped Between Two Wars: Violence against Civilians in Western Côte d'Ivoire*, vol. 15, no. 14 (A), August 2003, <http://www.hrw.org/en/reports/2003/08/05/trapped-between-two-wars>; International Crisis Group, *Côte d'Ivoire: "The War is Not Yet Over,"* p. 6.

¹⁰ In targeting Ouattara, the Constitution as amended stipulated, "The candidate for the presidency must ... be of Ivorian origin, born of father and mother who are also of Ivorian origin. He must never have renounced his Ivorian nationality, nor have ever claimed he was of another nationality." Constitution of Côte d'Ivoire, Chapter III: The President of the Republic and the Government, 2000, art. 35. For discussion of Guei's manipulation of the referendum process, see International Crisis Group, *Côte d'Ivoire: "The War is Not Yet Over,"* p. 7.

¹¹ The Supreme Court, which had in 1999 been dissolved following the coup, was widely believed to have been handpicked by Guei. Human Rights Watch, *The New Racism*.

10 years later. On October 24, 2000, tens of thousands of protesters took to the streets and descended on the city center. President Guei's elite Presidential Guard opened fire on demonstrators, killing scores. On October 25, 2000, after the military and police abandoned him, General Guei fled the country and Gbagbo declared himself president. The next day, Ouattara's RDR once again took to the streets, this time demanding fresh elections on the grounds that Ouattara had been arbitrarily barred from running. Gbagbo refused. The bloody clashes that ensued were characterized by religious and ethnic divisions as security forces and civilians supporting President Gbagbo clashed with the mostly Muslim northerners who formed the core of support for the RDR.¹²

As Ouattara and the RDR prepared to participate in the December parliamentary elections, the Supreme Court again barred him on citizenship grounds. In response, the RDR called for an election boycott, took to the streets in protest, and later disrupted voting in many northern areas. Bloody clashes continued through the legislative elections. More than 200 people were killed and hundreds more were wounded in the violence surrounding these October and December elections. Security forces gunned down demonstrators in the streets of Abidjan; hundreds of northerners and RDR supporters were targeted on the basis of ethnicity and religion and arbitrarily arrested, detained, and tortured; and security forces committed rape and other human rights violations in complicity with FPI supporters. The bodies of 57 young men were later discovered in a mass grave in Abidjan's Yopougon neighborhood. Human Rights Watch research at that time as well as a United Nations inquiry concluded that the responsibility for the massacre rested squarely with members of the gendarmerie. Yet those responsible for the killings and other election-related violence were never brought to justice, beginning a decade of impunity.¹³

Armed Conflict and Political-Military Stalemate

On September 19, 2002, rebels from the Patriotic Movement of Côte d'Ivoire (*Mouvement Patriotique de Côte d'Ivoire*, MPCl) attacked strategic targets in Abidjan along with the northern towns of Bouaké and Korhogo.¹⁴ Although it did not succeed in taking Abidjan, the MPCl, soon joined by two western-based rebel factions,¹⁵ quickly managed to control the northern half of Côte d'Ivoire. The three rebel groups formed a political-military alliance called the *Forces Nouvelles*, which sought to end political exclusion and discrimination

¹² Human Rights Watch, *The New Racism*.

¹³ Human Rights Watch, *Trapped Between Two Wars*; Human Rights Watch, *The New Racism*.

¹⁴ On the morning of the coup attempt, gendarmes killed former junta leader Robert Gueï, his wife, and several others in his Abidjan residence. International Crisis Group, *Côte d'Ivoire: "The War is Not Yet Over,"* p. 11.

against northern Ivorians and remove Gbagbo, whose presidency they perceived as illegitimate due to flaws in the elections.¹⁶

The Gbagbo government's initial response was to launch an operation in Abidjan in which security forces descended on low-income neighborhoods occupied primarily by immigrants and northern Ivorians. During these operations they claimed to be searching for weapons and rebels, but in many cases simply ordered out all residents and burned or demolished their homes. The raids displaced over 12,000 people and were accompanied by numerous human rights abuses, including arbitrary arrests and detentions, summary executions, rape, and enforced disappearances. In addition, extortion was widespread and commonplace.¹⁷ For their part in the north, MPCI rebel group killed at least 40 unarmed gendarmes and 30 of their family members in Bouaké between October 6 and 8; summary executions of captured Gbagbo security forces indeed became routine.¹⁸

In subsequent months, armed clashes broke out between the two fighting forces. Fighting was particularly intense in the country's far west, where both sides had recruited Liberian mercenaries, and militias—often referred to as community self-defense groups—fought with Gbagbo's security forces.¹⁹ Most violence, however, was aimed at civilians, rather than the armed forces fighting against each other. Human Rights Watch at the time documented grave crimes committed by all sides, including summary executions, massacres, targeted sexual violence, indiscriminate helicopter attacks, and arbitrary arrests and detention by Gbagbo's government forces; state-supported violence, including killings, by the militia groups; and summary executions, massacres, targeted sexual violence, and torture by the *Forces Nouvelles*. Liberian groups aligned to both sides were implicated in large-scale killing of civilians, and forces fighting for both sides used child soldiers.²⁰

¹⁵ 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).

¹⁶ Human Rights Watch, *Trapped Between Two Wars*; Human Rights Watch, "Because they have guns ... I'm left with nothing": *The Price of Continuing Impunity in Côte d'Ivoire*, vol. 18, no. 4 (A), May 25, 2006, <http://www.hrw.org/node/11314>. For a discussion of Gbagbo-led policies that discriminated against northern Ivorians and immigrants, see International Crisis Group, *Côte d'Ivoire: "The War is Not Yet Over,"* pp. 7-8.

¹⁷ Human Rights Watch, *Trapped Between Two Wars*; Human Rights Watch, *Government Abuses in Response to Army Revolt*, vol. 14, no. 9(A), November 28, 2002; "Des centaines de soldats ont investi hier des bidonvilles," *Le jour*, December 12, 2002, p.2.

¹⁸ International Crisis Group, *Côte d'Ivoire: "The War is Not Yet Over,"* p. 15; Amnesty International, *Côte d'Ivoire: A succession of unpunished crimes*, February 27, 2003.

¹⁹ Human Rights Watch, *Trapped Between Two Wars*; Human Rights Watch, *Youth, Poverty and Blood: The Lethal Legacy of West Africa's Regional Warriors*, vol. 17, no. 5(A), April 2005, <http://www.hrw.org/node/11796>; International Crisis Group, *Côte d'Ivoire: "The War is Not Yet Over,"* pp. 21-25.

²⁰ Human Rights Watch, *Trapped Between Two Wars*; Human Rights Watch, *Child Soldier Use 2003: A Briefing for the 4th UN Security Council Open Debate on Children and Armed Conflict*, January 29, 2004, <http://www.hrw.org/reports/2004/01/16/child-soldier-use-2003>; International Crisis Group, *Côte d'Ivoire: "The War is Not Yet Over,"* pp. 21-27.

In May 2003, a ceasefire agreement formally ended active armed conflict between the government and the *Forces Nouvelles*, though occasional breaches of the ceasefire continued through 2005. The country was split in two—as it would remain through 2010—with the *Forces Nouvelles* controlling the north and the government the south. Severe human rights violations against civilian populations continued in both parts of the country. On March 25, 2004, Gbagbo’s forces indiscriminately killed more than 100 civilians around a planned demonstration by opposition groups; some 20 more were victims of enforced disappearances.²¹ Violent, pro-Gbagbo militia groups like FESCI and the Young Patriots began supporting security forces in the intimidation, extortion, and violence against northerners, immigrants, and other people perceived to be in the opposition.²² In the *Forces Nouvelles*-controlled north, commanders became wealthy through extortion and racketeering; with no judicial system there, arbitrary detention, torture, and extrajudicial executions also continued against perceived government supporters.²³ Sexual violence against women and girls remained widespread throughout the country. Armed forces and civilians terrorized women, who found themselves without effective state support due to weak legal and security institutions that failed to prevent violence, prosecute perpetrators, or support victims.²⁴ For all of the grave crimes committed during the 2002-2003 armed conflict and its aftermath, no one was held to account.

Peace Agreements and Peacekeepers

After the end of hostilities, the warring parties signed a number of peace agreements that sought to bring about disarmament and the country’s reunification. France, ECOWAS, the

²¹ Human Rights Watch, *Human Rights Violations in Abidjan during an Opposition Demonstration – March 2004*, October 14, 2004, <http://www.hrw.org/reports/2004/10/14/human-rights-violations-abidjan-during-opposition-demonstration-march-2004>; See also Office of the United Nations High Commissioner for Human Rights, “Report of the Commission of Inquiry on the Events Connected with the March Planned for 25 March 2004 in Abidjan,” April 29, 2004 (finding “the indiscriminate killing of innocent civilians and the committing of massive human rights violations,” as “the march became a pretext for what turned out to be a carefully planned and executed operation by the security forces ... under the direction and responsibility of the highest authorities of the State.” The commission recommended that “[c]riminal investigations before an independent court should be carried out with a view to prosecuting those responsible ... i.e. the commanders of the special units involved within the security forces of Côte d’Ivoire, as well as the so-called parallel forces.” No credible investigation or prosecution was ever undertaken by Gbagbo’s judicial authorities.).

²² Human Rights Watch, “*The Best School*,” *Student Violence, Impunity, and the Crisis in Côte d’Ivoire*, May 21, 2008, <http://www.hrw.org/node/62207>; Human Rights Watch, “*Because they have guns ... I’m left with nothing*.”

²³ Human Rights Watch, *Afraid and Forgotten: Lawlessness, Rape, and Impunity in Côte d’Ivoire*, October 22, 2010, <http://www.hrw.org/node/93700>; Human Rights Watch, “*Because they have guns ... I’m left with nothing*”; Human Rights Watch, *Country on a Precipice: The Precarious State of Human Rights and Civilian Protection in Côte d’Ivoire*, May 3, 2005, <http://www.hrw.org/node/11761>.

²⁴ Human Rights Watch, “*My Heart Is Cut*”: *Sexual Violence by Rebels and Pro-Government Forces in Côte d’Ivoire*, August 2007, <http://www.hrw.org/node/10803>; Human Rights Watch, *Afraid and Forgotten*.

African Union, and the UN spearheaded various initiatives to end the stalemate, but all effectively failed.²⁵

On February 27, 2004, the UN Security Council established a peacekeeping mission in Côte d'Ivoire—known as the UN Operations in Côte d'Ivoire (UNOCI, or ONUCI by its French acronym). The force, deployed on April 4, 2004, comprised some 8,000 UN peacekeepers and nearly 1,000 police officers, and was backed by 5,000 more heavily armed French troops belonging to *Force Licorne*.²⁶ These peacekeepers monitored a buffer zone running the width of the country east to west, known as the “Zone of Confidence,” which separated the opposing Ivorian forces. The UN peacekeeping mission in Côte d'Ivoire was charged with assisting the government in implementing a national disarmament, demobilization, and reintegration plan, and with protecting civilians under imminent threat of violence. The UN Security Council also imposed an arms embargo on Côte d'Ivoire in November 2004.

In March 2007, President Gbagbo and *Forces Nouvelles* head Guillaume Soro signed the Ouagadougou Political Agreement (OPA), later endorsed by the African Union and the United Nations Security Council.²⁷ The OPA, which was the first to have been directly negotiated by the country's main belligerents on their own initiative, resulted in Soro's appointment as prime minister in a unity government and the hope that Côte d'Ivoire was moving out of “no peace, no war.” The agreement reiterated previously defined objectives, including disarmament, citizen identification, voter registration, and the country's reunification—including unified armed forces and the return of state authorities to the north. The OPA also called for presidential elections by early 2008, but delays were almost immediate. Citizen identification and voter registration were at times marred by violence, including riots and the shooting of demonstrators by security forces, as issues of

²⁵ These include the Linas-Marcoussis Agreement organized by France's president and signed in January 2003; the Accra II Agreement organized by ECOWAS and signed in March 2003; the Accra III Agreement organized by ECOWAS and the UN Secretary-General and signed in July 2004; and the Pretoria Agreement, organized by the African Union and signed in April 2005.

²⁶ *Force Licorne* was originally deployed to Côte d'Ivoire in September 2002 to protect French nationals as the coup d'état unfolded. It was soon tasked with also supporting the cease-fire between the government and rebels and the efforts of the peacekeeping operation. After the Ouagadougou Political Agreement (OPA), *Force Licorne* was explicitly mandated with supporting UNOCI in the implementation of the OPA. *Force Licorne* steadily reduced its troop commitment from 2004 on, maintaining about 900 soldiers in Côte d'Ivoire by the eve of the 2010 presidential elections. République Française, Ministère de la Défense et des Anciens Combattants, “Les forces françaises en Côte d'Ivoire,” July 7, 2011, <http://www.defense.gouv.fr/operations/cote-d-ivoire/dossier/> (accessed August 27, 2011).

²⁷ African Union Peace and Security Council, “Communiqué of the 73rd Meeting of the Peace and Security Council on the Situation in Côte d'Ivoire,” PSC/PR/Comm.2 (LXXIII), March 19, 2007; and UN Security Council, “Presidential Statement: The situation in Côte d'Ivoire,” U.N. Doc. S/PRST/2007/8, March 28, 2007, http://www.un.org/Docs/sc/unsc_pres_statements07.htm (accessed September 3, 2010).

nationality and ethnicity continued to fester.²⁸ Gbagbo repeatedly delayed elections on the grounds that the conditions outlined in the OPA were not met.²⁹ He ultimately served five years beyond his mandate, but pressure mounted domestically and internationally, and, after seven previous delays, he agreed to an October 2010 poll.

2010 Elections and Immediate Aftermath

Côte d'Ivoire held the first round of presidential elections on October 31, 2010. As they had since Houphouët-Boigny's death, the elections primarily involved Ouattara, Gbagbo, and Bédié. The first round took place calmly and, with record turnout—at over 85 percent—Gbagbo took 38.3 percent of the vote, Ouattara received 32.08 percent, and Bédié came in third with 25.24 percent. Because no one received a majority, a run-off between Gbagbo and Ouattara was scheduled for November 28.³⁰ Ouattara and Bédié had sworn previously to support each other in any run-off with Gbagbo, forming a coalition, along with minor political parties, known as the Houphouëtist Rally for Democracy and Peace (*Rassemblement des Houphouëtistes pour la Démocratie et la Paix*, RHDP). It was unclear, however, whether their coalition would hold—given the personal history between the two and the longstanding marginalization of northerners by Bédié's PDCI and Gbagbo's FPI.

On December 2, Youssouf Bakayoko, president of the Independent Electoral Commission (*Commission Electorale Indépendante*, CEI), announced that Ouattara won the run-off with 54.1 percent of the votes.³¹ Monitoring groups, including the European Union and Carter Center, considered the election mostly free and fair, citing only a few irregularities. Fewer than 24 hours after the CEI's decision, Paul Yao N'Dre, president of the Constitutional Council and a close ally of Gbagbo, overturned the Commission's results on behalf of the Council and proclaimed Gbagbo the victor with 51.45 percent of the votes. The Council declared that the electoral commission had failed to meet the three-day deadline to announce the results—ignoring that Gbagbo allies on the commission had blocked the

²⁸ See “Les « audiences foraines » embrasent la Côte d'Ivoire,” *Le Figaro*, July 25, 2006; Adam Nossiter, “Many in Ivory Coast May Be Left Out From Vote,” *New York Times*, February 7, 2010; and Ange Aboa, “Security forces kill protestors in Ivory Coast,” Reuters, February 19, 2010.

²⁹ The OPA, and its fourth supplementary agreement signed on December 30, 2008, laid out the process for going to elections. Among its preconditions, it called for the disarmament and demobilization of militia groups and the *Forces Nouvelles*; and the full redeployment of state authorities to the north, where the *Forces Nouvelles* maintained control. See Ouagadougou Political Agreement, March 4, 2007; Fourth Supplementary Agreement to the Ouagadougou Political Agreement, December 22, 2008. By mid-2010, these conditions had still not been met—because of Gbagbo's stalling and because of the lack of trust among the *Forces Nouvelles* that Gbagbo would ever step down.

³⁰ UN Department of Public Information Strategic Communications Division, Côte d'Ivoire Presidential Elections: Fact Sheet 25 November 2010.

³¹ Reuters, “Timeline: U.N. rejects Gbagbo win in Ivorian poll”, December 3, 2010.

announcement, including by ripping up results in front of cameras.³² The Constitutional Council annulled hundreds of thousands of ballots from northern regions, where Ouattara drew significant support, based on alleged voting irregularities.

On December 3, in accordance with procedures outlined in UN Security Council resolution 1765 and political agreements signed by conflict's protagonists, the Special Representative of the Secretary-General for Côte d'Ivoire, Choi Young-Jin, certified the electoral commission's results and confirmed Ouattara as the winner.³³ He also "certified that the Constitutional Council's proclamation [that Gbagbo won] was not based on facts."³⁴ The UN Secretary-General and Security Council endorsed Ouattara's victory, which was further recognized by the African Union³⁵, ECOWAS³⁶, the EU, and the US.

On December 4, Gbagbo was quickly sworn in as president by the Constitutional Council; Ouattara soon followed with his own inauguration. Both appointed prime ministers and cabinets. A stand-off began, with Gbagbo operating from government buildings, and Ouattara functioning from Abidjan's Golf Hotel. International bodies called repeatedly on Gbagbo to step down. In late December, ECOWAS threatened the possibility of military intervention, although the African Union—with members like Angola and the Gambia stating their public support for Gbagbo and others like South Africa and Ghana expressing some sympathy with Gbagbo—quickly pushed back against ECOWAS playing the lead African role in resolving the crisis. ECOWAS president Victor Gbeho expressed frustration at one stage with several African nations who were "calling for the marginalization of ECOWAS," and "undermining" the body's efforts to remove Gbagbo.³⁷

On January 28, the African Union established a high-level panel to try to break the impasse.³⁸ Originally tasked with presenting recommendations within a month, its mandate was extended on February 28.³⁹ On March 10, the African Union again endorsed

³² Associated Press, "Council declares Gbagbo winner of Ivory Coast poll," December 3, 2010; Archie Bland, "Leader's backers rip up 'fraudulent' Ivory Coast election result," *The Independent* (UK), December 2, 2010.

³³ Y.J. Choi, "Statement on the certification of the result of the second round of the presidential election held on 28 November 2010," December 3, 2010. See also Vijay Nambiar, "Dear President Mbeki: The United Nations Helped Save the Ivory Coast," *Foreign Policy*, August 17, 2010.

³⁴ Y.J. Choi, "Statement on the Second Round of the Presidential Election Held on 28 November 2010," December 8, 2010.

³⁵ African Union, "Communiqué of the 252nd Meeting of the Peace and Security Council", December 9, 2010.

³⁶ ECOWAS, "Final communiqué on the extraordinary session of the authority of heads of state and government on Côte d'Ivoire," December 7, 2010.

³⁷ Scott Stearns, "ECOWAS: S. Africa Undermining Ivory Coast Mediation," VOA News, February 9, 2011.

³⁸ African Union, "Communiqué of the 259th Meeting of the Peace and Security Council," January 28, 2011, para. 6.

³⁹ Peter Heinlein, "African Union Declines Action Against Libya," VOA News, February 28, 2011.

Ouattara's victory and said that Gbagbo should leave power.⁴⁰ Gbagbo's camp rejected the decision, and armed forces from both sides threatened the imminence of civil war.⁴¹

Faced with Gbagbo's persistent refusal to cede power, the international community applied financial pressure. The EU and US implemented targeted financial and travel restrictions against Gbagbo and many of his close allies; the EU further sanctioned entities, including financial institutions and the Abidjan port, which were seen to keep the regime financially solvent. The West African central bank also cut off Côte d'Ivoire's accounts in an attempt to further financially strangle Gbagbo. He responded by commandeering banks—and allegedly robbing accessible money—after many suspended their operations.⁴²

Nevertheless, Gbagbo continued to defy escalating diplomatic and financial pressure. The Republican Forces—led by Ouattara's Prime Minister, Guillaume Soro, and comprised primarily of the *Forces Nouvelles* soldiers who had controlled northern Côte d'Ivoire for a decade—launched a military offensive in late February. Less than two months later, they had taken over almost all of the country, and on April 11, they arrested Gbagbo. The six months of post-election violence—which were the culmination of 15 years of complete impunity and the increasing manipulation of ethnicity—left a heavy human cost. By the end of hostilities in May, more than 3,000 civilians had been killed and more than 150 women had been raped in that six-month period alone.

⁴⁰ African Union, "Communiqué of the 265th Meeting of the Peace and Security Council," March 10, 2011.

⁴¹ Scott Stearns, "Aide Says Gbagbo Rejects AU Endorsement of Ouattara as Ivory Coast Leader," VOA News, March 11, 2011; Reuters, "Ivorian rebels say only force can remove Gbagbo," March 10, 2011; Reuters, "Gbagbo camp rejects Ivorian plan and warns of war," March 10, 2011.

⁴² Jennifer Freedman and Olivier Monnier, "Ivory Coast's Gbagbo Faces Financial 'Asphyxia' as Sanctions Begin to Bite," Bloomberg, January 21, 2011; Reuters, "Government in Ivory Coast Seizes Banks," February 17, 2011.

I. Initial Post-Election Violence: November 2010-January 2011

As it became clear that Laurent Gbagbo would not accept the internationally recognized election results that proclaimed Alassane Ouattara the victor, Gbagbo's security forces launched a violent crackdown to squelch the opposition. Each time that Ouattara supporters went out to protest in Abidjan, they were violently suppressed—with particular brutality during a December 16 march on Gbagbo's RTI television station. Security forces fired live ammunition as well as fragmentation grenades leaving scores of demonstrators dead and many more wounded. The violence escalated further as Gbagbo's forces carried out enforced disappearances in pro-Ouattara areas, targeting neighborhood leaders in Ouattara's coalition. Many were found later by family members in morgues, their bodies riddled with bullets. Security forces or allied militia groups also targeted and raped women because of their, or their husband's, political activism in support of Ouattara; at times, the women saw their husbands executed in front of them.

The principal perpetrators during this period were the elite security units linked closely to Gbagbo, including the Republican Guard, CECOS (a rapid-response unit), the BAE (an anti-riot unit), and the CRS (an elite police force). At times, they worked hand in hand with the pro-Gbagbo militia groups, primarily the Student Federation of Côte d'Ivoire (*Fédération Estudiantine et Scolaire de Côte d'Ivoire*, FESCI), a student group with a history of political violence; and the Young Patriots (*Jeunes Patriotes*), a militant youth wing founded and led by Charles Blé Goudé, who Gbagbo appointed in December 2010 as his Youth Minister.

On the other side, the *Forces Nouvelles*—in control of the country's northern half—engaged in intimidation and violence there against Gbagbo supporters, and committed sexual violence against some women. The violence did not approach the level committed by Gbagbo forces at that time, but foreshadowed the Republican Forces' grave crimes at a later stage of the crisis.

Pro-Gbagbo Forces

Excessive Use of Force against Demonstrators

When Ouattara supporters took to the streets to demonstrate following the November 28 run-off, Gbagbo's security forces met them with brutal and often lethal force.

Demonstrations during this period primarily occurred around the December 2 and 3

controversy over election results, as well as the December 16 march to *Radiodiffusion Télévision Ivoirienne* (RTI).

Security forces often, but not always, first employed tear gas and fired guns over demonstrators' heads. However, generally within minutes they turned to lethal firearms—including Kalashnikov rifles, automatic pistols, and fragmentation grenades—without aggressive behavior or sufficient violence by the demonstrators to necessitate lethal force. Security forces continued firing as the demonstrators fled, killing dozens and wounding scores more. The use of fragmentation grenades was deemed particularly pernicious by victims interviewed by Human Rights Watch, including one young man whose younger brother was killed by a grenade:

We have lived through [political violence in] 2000, 2002, 2004, but never, during any of this, did the security forces use grenades like this on us. Never.... It is the worst. It leaves so many injured and dead because the shrapnel sprays everywhere. We put our hands up, we show we're peaceful, and they respond by firing these grenades.⁴³

The use of live ammunition and fragmentation grenades during these events contravened the principles of absolute necessity and proportionality enshrined in the UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials and the UN Code of Conduct for Law Enforcement Officials.⁴⁴ Indeed, as the assemblies were generally peaceful in nature, the Basic Principles state that “law enforcement officials shall avoid the use of force or, where that is not practicable, shall restrict such force to the minimum extent necessary” to disperse the crowd.⁴⁵ In several cases documented by Human Rights Watch during this period, security forces and militia operating with them went farther, killing captured or detained protesters at point-blank range.

December 4: Treichville/Koumassi

On Saturday, December 4, Ouattara supporters took to the streets in Treichville and Koumassi, pro-Ouattara neighborhoods in southern Abidjan, to celebrate the UN's endorsement of Ouattara's victory and to protest Gbagbo's decision not to relinquish

⁴³ Human Rights Watch interview with brother of victim killed by grenade, Abidjan, January 16, 2011.

⁴⁴ Basic Principles on the Use of Force and Firearms by Law Enforcement Officials [hereafter Basic Principles on the Use of Force], adopted by the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Havana, August 27 to September 7, 1990, U.N. Doc. A/CONF.144/28/Rev.1 at 112 (1990), arts. 4, 5, 9, 10, 12-14; United Nations Code of Conduct for Law Enforcement Officials, adopted December 17, 1979, G.A. res. 34/169, annex, 34 U.N. GAOR Supp. (No. 46) at 186, U.N. Doc. A/34/46 (1979), art. 3.

⁴⁵ Basic Principles on the Use of Force, art. 14.

power. The security forces swiftly suppressed them, leading to at least four deaths, including of three boys, as well as dozens of wounded. Most of the wounded were injured by fragmentation grenades that security forces launched or rolled into crowds, according to witnesses Human Rights Watch interviewed.⁴⁶ None of the victims nor any of the demonstrators around them appeared to have engaged in aggressive behavior toward the security forces that would have dictated a response of even minimal force.

At around 9 a.m., a 14-year-old boy from Koumassi followed his older brother to an intersection known as *Carrefour Kahira*, curious to watch the youth assemble and celebrate. According to multiple witnesses interviewed by Human Rights Watch, a contingent of CECOS forces in vehicles marked number 51 and 53 arrived around an hour later, along with a few units of the Republican Guard.⁴⁷ The boy's older brother told Human Rights Watch what followed:

The security forces entered the neighborhood in their pickups, CECOS number 51 and 53. People were on the road, and after several minutes the CECOS forces fired tear gas without any warning. We were about 15 meters from them. We'd made no movement toward them and hadn't thrown rocks or anything. Then they followed by launching fragmentation grenades. [My brother] had moved away to play with his friends earlier, he was about 10 meters from me. I heard one of the first explosions and looked and saw him on the ground, blood was running everywhere. I went over to him, and he had been hit by the shrapnel. Blood was soaking through his pants from his upper leg and hip.... I picked him up and brought him to my father's house, and from there we took him to a clinic in the neighborhood. When we arrived, he had already lost the color in his face. The doctor looked at him and said it was too late, he was already dead.... After we got home from the hospital, everyone in the neighborhood came and cried. We still cry.⁴⁸

Less than 500 meters away, at *Carrefour Saint Etienne* near Koumassi's main market, two more boys died from grenade wounds, and a third suffered near-fatal injuries, when a

⁴⁶ Human Rights Watch interviews with witness to killing, Abidjan, January 16, 2011; with youth leader and demonstration participant, Abidjan, January 16, 2011; with demonstration participant wounded by grenade, Abidjan, January 16, 2011; and with demonstration participant, Abidjan, January 16, 2011.

⁴⁷ Human Rights Watch interviews with witness to killing, Abidjan, January 16, 2011; with youth leader and demonstration participant, Abidjan, January 16, 2011.

⁴⁸ Human Rights Watch interview with brother of 14-year-old killed by grenade, Abidjan, January 16, 2011.

demonstration of around 100 Ouattara supporters came under attack.⁴⁹ According to three witnesses interviewed by Human Rights Watch, CECOS was again the main security force present, accompanied by a smaller number of CRS and men dressed in civilian attire, with balaclavas. A young man who watched his 12-year-old younger brother killed by a fragmentation grenade told Human Rights Watch, “These were boys. Not armed men. Boys in the street having fun with the demonstration. Who kills unarmed boys?”⁵⁰

A similar demonstration occurred in Treichville, with scores of Ouattara supporters meeting the morning of December 4 at the intersection of Avenue 16 and Rue 21. Human Rights Watch interviewed three people present, two of whom suffered severe wounds from fragmentation grenades and another who received a gunshot to the hand as he ran away from the CRS II and military forces firing on the demonstrators. One of the demonstrators, who suffered serious wounds to his hand and back from grenade shrapnel, watched his friend killed by gunfire at close range.⁵¹ Another demonstrator described the CRS forces rolling grenades into the crowd.⁵² After the first few exploded, he started running, but another grenade landed to his right as he fled, causing wounds that forced the youth to walk with a cane. More than six weeks later when Human Rights Watch interviewed him, he still walked with a cane.

December 16 March to RTI

On December 14, Ouattara’s government called on supporters to march on December 16 and take over Gbagbo’s RTI television station—which was crucial in maintaining Gbagbo’s control and inciting violence against Ouattara supporters [see *Incitement to Violence by the Gbagbo Camp*, below]. Gbagbo responded by increasing the presence of military forces in Abidjan, particularly around RTI. As thousands of Ouattara’s supporters took to the streets on December 16, they were again swiftly and violently suppressed by Gbagbo’s security forces. Human Rights Watch documented the killing of at least 32 protesters, including by fragmentation grenades and gunfire at close range. The overwhelming majority of the demonstrators appear to have acted peacefully throughout the events; however, Human Rights Watch did document the killing of several members of Gbagbo’s security forces—including one who was killed by a mob after he shot several demonstrators from a rooftop.

⁴⁹ Human Rights Watch interviews with witness to 12-year-old killed by grenade, Abidjan, January 16, 2011; with father of 15-year-old killed by grenade, Abidjan, January 16, 2011; and with 24-year-old witness, Abidjan, January 16, 2011.

⁵⁰ Human Rights Watch interview with witness to killing by grenade, Abidjan, January 16, 2011.

⁵¹ Human Rights Watch interview with 28-year-old injured by fragmentation grenade, Abidjan, January 14, 2011.

⁵² Human Rights Watch interview with 26-year-old injured by fragmentation grenade, Abidjan, January 14, 2011.



Quattara supporters lie wounded after pro-Gbagbo security forces threw a stun grenade during the December 16, 2010, march on RTI television station. At least 32 people were killed and scores more wounded as security forces suppressed the demonstration. © 2010 Issouf Sanago/AFP/Getty Images

A 24-year-old who made it within 600 meters of RTI described the panic as protestors faced grenades and gunshots from multiple directions:

Around 9 a.m., as we arrived in Deux Plateaux, I saw CECOS in a 4x4. They were with normal police and the CRS. The police told us to pass, so we continued by them. No more than two minutes later, CECOS opened fire. It was about 600 meters from RTI. There were more soldiers between us and RTI, dressed in solid green military uniforms. They had a white band around their arm and carried Kalashes [Kalashnikov rifles] and grenades. As we advanced, they opened fire with tear gas. People stopped advancing, but then they opened fire with live rounds. Several people fell down after being shot.... It was then that I saw them fire fragmentation grenades. The group in green uniforms launched them out of something similar to what they fire tear gas from.... An explosion happened to my right, and I saw three people fall down. Two of them were dead immediately, I was covered in their blood.... Four of us moved the bodies to get them away from where firing was happening. Two of us picked up the first body, two the second. One of them, I can't even explain to you his

wound, it was something else. No one could have survived that, it was if one part of his face and neck had exploded.

I started running with others towards the RHDP office, but the military pursued us in a cargo truck. We left the main road and headed towards Adjamé. Here we encountered three 4x4s with gendarmes in their blue-white uniforms. Several of them threw grenades, and one exploded not far from me. I fell down in pain, and I could see that I'd been hit in the lower leg. There was blood, and the metal pieces buried into my leg. My brother was with me, and he told me I had to get up. My leg hurt, but I couldn't stop.⁵³

Another demonstrator interviewed by Human Rights Watch witnessed two more people killed by gunshot. The attackers in his case were in all black uniforms, generally worn by police units. Six more people, including the person interviewed, were wounded when security forces fired grenades. The 29-year-old described the scene after he was injured:

When I went down to the ground, my head was on someone who was dead. My hearing was completely gone, I couldn't make out any sound except ringing and the occasional bullet. There was blood everywhere, I tried to shake the guy I was on top of, but he didn't respond; there was no movement. Another deceased, a younger youth, was right next to me.... After several minutes, I could see that those in the black uniforms were talking, and they came at us and took several of the bodies near me and put them on a truck. I knew if I was taken, I was dead, so when they came and reached for me I kicked at them and tried to make it impossible to grab me. They said something—I still couldn't hear—but they stopped trying to take me. They took the other bodies around me, including the two that were dead, and put them on the truck before driving away.⁵⁴

Targeted Killings and Enforced Disappearances of Pro-Ouattara Activists

In addition to suppressing demonstrations, Gbagbo's security forces targeted neighborhood political party officials and allied civil society groups for killings and enforced disappearances. Human Rights Watch documented more than 10 enforced disappearances or extrajudicial executions that occurred around the December 16 march; the evidence very strongly suggests these were the result of an organized effort

⁵³ Human Rights Watch interview with 24-year-old victim, Abidjan, January 16, 2011.

⁵⁴ Human Rights Watch interview with 29-year-old victim, Abidjan, January 16, 2011.

to select, find, and abduct particular victims associated with Ouattara’s political coalition. They include:

- Early on the morning of December 14, an active neighborhood leader of the *Mouvement des Forces de l’Avenir* (MFA), a party in the RHDP coalition, was forced by three armed men in civilian attire into a grey Mercedes. Witnesses told Human Rights Watch that they overheard the assailants demand the location of several other MFA leaders in Abobo. A call to the abducted man’s phone the same day was answered, and the person who responded said, “[Your relative] is part of the group trying to destabilize the party in power.” His body was later found in the morgue.⁵⁵
- A leading member of the MFA told Human Rights Watch that several other party leaders had been “disappeared”—at least two of their bodies later identified with gunshot wounds at a morgue.⁵⁶ Two neighborhood activists for the party UDCI (*l’Union Démocratique de Côte d’Ivoire*), also part of the RHDP coalition, were similarly disappeared on December 9—their bodies found at the Yopougon morgue over a week later.⁵⁷
- On December 18, two members of the civil society group *Alliance pour le changement* (APC)—which is linked to Ouattara’s party and was active in election rallying—were abducted in plain sight of witnesses during the early evening in Cocody Angré neighborhood. A witness told Human Rights Watch that people at a nearby restaurant were forced to the ground while armed men forced the two activists into a 4x4. Both are believed to be dead.⁵⁸
- Six days later, another APC leader barely escaped abduction in Abobo at around 7:30 a.m., when a dark green Mitsubishi 4x4 raced up and five armed men, three in military fatigues, got out, yelling at him by name to enter the car. A witness told Human Rights Watch that several wore the Republican Guard’s red berets.⁵⁹ The intended victim said that as the men tried to force him toward the car, he saw eight photographs—including his own and others he recognized as members of the RHDP community leadership—on the car’s floor.⁶⁰

⁵⁵ Human Rights Watch interview with 19-year-old witness to abduction, Abidjan, January 12, 2011; Human Rights Watch interview with 38-year-old neighbor and witness to abduction, Abidjan, January 13, 2011.

⁵⁶ Human Rights Watch interview with Abobo neighborhood leader of MFA, Abidjan, January 13, 2011.

⁵⁷ Human Rights Watch interview with witness to abduction, Abidjan, January 15, 2011.

⁵⁸ Human Rights Watch interview with 48-year-old witness, Abidjan, January 15, 2011.

⁵⁹ Human Rights Watch interview with 26-year-old witness, Abidjan, January 14, 2011.

⁶⁰ Human Rights Watch phone interview with victim in hiding in northern Côte d’Ivoire, January 14, 2011.

Human Rights Watch also documented the targeted abduction and killing of several people who had monitored ballot boxes in Abobo for Ouattara's RDR party. A family member of one such victim said:

At around 6 p.m. on December 18, we were all in our houses when a group of about 10 policemen dressed in black arrived in a transport truck and parked outside. They got down and forced their way into our compound. At that moment I heard a neighbor who is [from an ethnic group that largely supported Gbagbo] say, "Look, there he is, there is one of them." Moments later they captured my relative, who is in his 40's, and forced him into their truck.... Around the same time, the woman who was helping the police identify victims said, "The other one is praying in the house." They went into the house of the other [election monitor], who is about 60 years old, to capture him. He said, "No, no ... at least let me put my shoes on," but they screamed at him to leave them and dragged him into the truck.

About a week later we found their bodies in the Yopougon morgue. It was very difficult... I saw bullet wounds in their chests, and a lot of blood on their heads. In the morgue, I saw many bodies lying on top of one another. The elder of the two victims was the RDR representative at our polling station. He personally imposed himself at the polling station door to stop the FPI people who came to steal the ballot boxes.⁶¹

In addition to these documented disappearances and attempted abductions, Human Rights Watch received statements from more than a dozen neighbors and family members that 4x4s bearing armed, camouflage-wearing men had come to the houses of RHDP community leaders, sometimes a number of times. Many RHDP leaders in Abidjan were forced to remain in hiding for months.

Killings of Perceived Opponents by Pro-Gbagbo Militia

Witnesses told Human Rights Watch that they saw men being beaten to death with bricks, clubs, and pieces of wood, or shot by members of pro-Gbagbo militias who had created unofficial checkpoints. This would remain prevalent throughout the post-election crisis, targeting northern Ivorians and West African immigrants.

⁶¹ Human Rights Watch interview with witness, Abidjan, January 15, 2011.



In this photo dated Sunday, Jan. 16, 2011, pictures of various people who were allegedly maimed and killed for being suspected Ouattara supporters, lay strewn on a desk at the mayor's office in the Ouattara stronghold of Abobo neighborhood Abidjan. Local officials in Ouattara's RHDP political coalition often played a key role in amassing information on dead and wounded during the crisis (AP Photo/Rebecca Blackwell).

Human Rights Watch researchers documented the murder of at least 13 men at pro-Gbagbo militia checkpoints around the December 16 march. In many cases, witnesses said that police, gendarmes, and other members of the security forces actively sided with the militias, either standing by while the abuses were committed, openly praising the killings as or after they took place, or even shooting at the victim's body. Many of the killings took place just meters from a police station. Witnesses said that during neighborhood sweeps and in responding to marches by Ouattara supporters, pro-Gbagbo militia assisted security forces, at times firing Kalashnikov rifles, pistols, and shotguns at unarmed demonstrators.

Most of the militia killings took place in broad daylight. Victims were typically stopped at illicit checkpoints and ordered to show their identification cards. If the militiamen believed from the person's style of dress or surname that he was a Muslim or from an ethnic group that tended to support Ouattara, the militiamen would surround him, accuse him of being a "marcher" or "rebel," and beat the victim to death with iron bars, pieces of wood, and bricks. Victims and witnesses generally identified the attackers as members of FESCI or the Young Patriots, as a result of prior personal knowledge of the attacker, because the

attacker said he was from the group, or because of where the attack took place—often directly outside a Young Patriot assembly point or a FESCI-run student housing building.⁶²

A woman who lives in the Riviera II neighborhood described the killing of a youth by a group of FESCI members who live in university dormitories near her home:

During the afternoon of December 16, after the violence associated with the march had quieted down, a group of about 20 FESCI youths gathered outside their dorms. As a youth was walking by, the FESCIs yelled for him to come, but he was obviously frightened and started to run. The FESCI chased and caught him about 30 meters away and immediately started beating him, slamming him with wood and rocks until he fell down bleeding.

Another group of FESCI came from their dorms, and one of them shot him in the leg with a pistol. Some minutes later, a CECOS truck arrived at the scene. I heard the FESCI youth saying, “He was a marcher, a rebel.” Hearing this, a policeman from CECOS descended from his vehicle and shot the youth four times in the head with a long gun.⁶³

An Abobo resident described the January 13 killing of two young men by Young Patriots who operated a checkpoint right outside their neighborhood headquarters. These killings occurred on a day when unidentified attackers, alleged by the Gbagbo government to be pro-Ouattara forces, killed five policemen in the same area. The resident said:

At around 10 a.m., as I reached the main road, a woman told me that the Patriots were killing people again. I moved carefully to a position where I could see what was going on and saw a young man lying in the middle of the road.... He had blood all over his head, and I saw bricks lying on the road nearby. There were about 20 Patriots walking around the dying man carrying wood and bricks. He was barely breathing; it was his final moments. I passed by quickly across the road; I wanted to run but if I’d not walked normally, they’d turn on me.

Then, just after midday, I saw a second killing. The local Patriot leader and a few others chased a young man from a street that leads to the highway.

⁶² See Human Rights Watch, “Côte d’Ivoire: Violence Campaign by Security Forces, Militias,” January 26, 2011; Human Rights Watch, “Côte d’Ivoire: Crimes Against Humanity by Gbagbo Forces,” March 15, 2011.

⁶³ Human Rights Watch interview with witness to FESCI killing, Abidjan, January 13, 2011.

As they reached the road the man was trapped behind a parked mini-bus; he turned around with his hands up and one Patriot stabbed him several times with a knife.... The victim fell down and then two others picked up a small wood table and started banging it on the man again and again; they beat him to death. After killing him, the three turned around calmly, put their hands in their pockets, and strolled away. We later learned the victims were RHDP youths.⁶⁴

Sexual Violence

Human Rights Watch documented gang rapes of 14 women in Abobo by members of the security forces or pro-Gbagbo militia—in several cases working together—in the days after the December 16 march. The victims included two 16-year-old girls, a 17-year-old girl, and a woman who was eight months pregnant. In three cases, victims’ husbands were murdered simultaneously. The attackers often voiced a clear political motive, telling rape victims to report their “problem” to Ouattara.

A 25-year-old woman, who was gang raped along with several others when returning home from the December 16 march, painfully recounted to Human Rights Watch:

We were coming back from the march around 8 p.m. Arriving at the [Patriots] assembly point in [Abobo] Avocatier, there was a roadblock. When we passed in the morning, there wasn’t one, and there were a lot of us, so we thought we could walk together and return home. They attacked us, killing the men and raping us. They raped us right in the assembly point square.

They dragged the girls in the square and beat the boys with clubs. A few were able to flee. One of them caught my arms behind the back, another put his hand on my mouth. Three others held my legs, and they raped me. They tore my clothes. I was wearing an RDR t-shirt, a cloth with tight pants underneath.... Four men did this to me. I tried to fight back in vain. That’s why I’m so sick in my heart. They beat me with clubs, with the butts of their guns. There were many uniformed men among them, as well as youth wearing red bands on their arms.... While they were on top of me, they were raping other girls around me. They said to go tell Alassane that they’d raped me.... I returned home all alone crying, bleeding.⁶⁵

⁶⁴ Human Rights Watch interview with 34-year-old witness, Abidjan, January 13, 2011.

⁶⁵ Human Rights Watch interview with 25-year-old rape victim, Abidjan, January 26, 2011.

Another 25-year-old woman who was raped by three soldiers and a civilian watched her husband murdered in front of her on December 17:

At around 10 p.m., the military came to my home; there were eight of them dressed in camouflage with red patches, and one of the neighborhood Patriots. As they forced the door open, I ran to my 3-year-old and held him close. I screamed as they beat my husband, then one of them hit me forcefully on my head with the butt of his gun and ripped at my shirt.... When he saw I was wearing a shirt with Alassane's picture, they went mad. They grabbed my child out of my arms and threw him at the door, then pulled me into the bedroom, ripped off my clothes and lay on me; four of them did it, including the Patriot. I fought and one of them hit me with his belt. I came out of the room after they were done and saw that they'd made my husband get on his knees with his hands up. They shot him twice in the back... Before they shot him, my husband yelled, "My family, my family."

As they left, one said, "Go tell Alassane it was us who did this to you." My children saw their father murdered and now wake up at night crying. My husband was active in the RDR, maybe that's why they attacked us.⁶⁶

Attacks continued in the neighborhood several days after the December 16 march. A 20-year-old woman said she was raped in her home along with two family members, including one who was 16 years old, at around 1 a.m. on December 19. Six attackers, including five in black uniforms, knocked on the door of their Abobo residence and demanded that the women open up for the police. When they did, the men "set upon us—two of them used me; I didn't want what they were doing; they beat me until I had no choice.... When they were finished they took our sister, and we haven't been able to find her. They raped me in the bedroom, my sister in the salon, and the other [sister] who disappeared just outside the compound."⁶⁷

Pro-Ouattara Forces in the North

After the elections, *Forces Nouvelles* soldiers intimidated, threatened, and, in a few cases, killed or raped people aligned with Gbagbo's political party in the north, in addition to looting their properties. Human Rights Watch interviewed three women who were raped

⁶⁶ Human Rights Watch interview with 25-year-old rape victim, January 17, 2011.

⁶⁷ Human Rights Watch interview with 20-year-old rape victim, January 17, 2011.

during this period. The reported violations were of a much smaller scale than the abuses inflicted by Gbagbo's forces in Abidjan.

Between the second round of elections and February 24, when fighting broke out in the far west between the armed forces from the two sides, almost 40,000 refugees crossed the border into Liberia—the vast majority fleeing from the *Forces Nouvelles*-controlled region of Dix-Huit Montagnes into Liberia's Nimba county.⁶⁸ When Human Rights Watch conducted its first mission along the Liberian-Ivorian border at the end of December 2010, about 13,000 refugees were already registered.⁶⁹

Dozens of refugees interviewed by Human Rights Watch at this time said they left because they were harassed and intimidated by *Forces Nouvelles* soldiers in the days leading up to and after the second round of elections. Many of these refugees had either actively worked on or supported Gbagbo's campaign. A 40-year-old man told Human Rights Watch that he was beaten by *Forces Nouvelles* soldiers for acting as the Gbagbo party representative at a polling site in the far west. He showed Human Rights Watch scars that remained a month later on his head, back, and right hand. He fled to Liberia upon hearing from friends that the *Forces Nouvelles* soldiers were again looking for him.⁷⁰

After the Constitutional Court declared that Gbagbo had won, witnesses said dozens of *Forces Nouvelles* soldiers almost immediately left their stronghold in Danané and fanned out to villages perceived as supporting Gbagbo. Refugees, including a 38-year-old man from Mahapleu village, described fleeing into the bush as the soldiers arrived:

On Tuesday, November 30, my grandmother told me she heard there were going to be problems, and she told me not to cross [to Liberia] right now. Instead I went to the bush for two days. During that time, six *Forces Nouvelles* soldiers came to the village to search for Gbagbo supporters. We were five [Gbagbo supporters] in the village. They broke the door of my house looking for me. It was not a random act.⁷¹

⁶⁸ UN High Commissioner for Refugees, Côte d'Ivoire Situation Update CIV+5, February 24, 2010; UNHCR, Ivorian population statistics in Liberia: 1 December 2010 – 21 March 2011, March 21, 2011 (showing 39,784 refugees as of February 24, 2010, 38,248 of whom had crossed into Nimba County in Liberia).

⁶⁹ UN High Commissioner for Refugees, Media Advisory Liberia: Humanitarian needs growing as influx of Ivorian refugees continues, December 25, 2010.

⁷⁰ Human Rights Watch interview with 40-year-old Ivorian refugee, Lougauto, Liberia, December 29, 2010.

⁷¹ Human Rights Watch interview with Ivorian refugee, Kissiplay, Liberia, December 29, 2010.

In a particularly egregious case, a woman described her husband's abduction followed by the beating of her and her 7-year-old son, who died from the injuries:

My husband, a [pro-Gbagbo] military man, was taken away by FN several weeks after the election results. They came and knocked at our door and asked for him. He answered and said "Who is that" and they responded, "It is your good friend." My husband opened the door and four FN, wearing civilian clothes, came into the house and tied him up. They carried him out.... They were seven in total, and the other three remained and started beating me. One of them said, "We should rape this woman," but the other two said, "No, that is not our mission, we should not waste time." So they beat me and my younger son, who was 7 years old. He was shouting at them, so they started hitting him with sticks and other objects. He went unconscious, then they left and we decided to move from our village to the next. [Between there] and the Liberian border, the boy started experiencing pain and vomiting blood. We slept in the bush, where he died. I don't know my husband's whereabouts up until now.⁷²

Human Rights Watch also documented cases in at least three villages in which *Forces Nouvelles* fighters targeted Gbagbo supporters by looting their homes and businesses, including motorcycles, store goods, money, and other valuables. A 37-year-old man who lived in a village where such a raid took place told Human Rights Watch:

During the election we were campaigning for Gbagbo and when the results came out the *Forces Nouvelles* came and took our motorcycles.... I hid for three days, and I came out on December 14 and two people told me that FN were looking for me. On the evening of the 14th, the rebels arrived around 8 p.m. from Danané; I could not tell how many cars there were, but they had 4x4s and motorcycles. They had Danané *Forces Nouvelles* uniforms on and were armed with RPGs and Kalashes. I escaped to the bush and they said to my brother, "Don't be afraid, we are here to guard your people and your things." That evening they looted my brother. They took our motorbike and mobile; they actually took 20 motorcycles from the village.⁷³

⁷² Human Rights Watch interview, Sacleipea, Liberia, December 31, 2010.

⁷³ Human Rights Watch interview with 37-year-old refugee, Gborplay, Liberia, December 30, 2010.

Most refugees, however, told Human Rights Watch that they fled in anticipation of abuse, as the memory of the 2002-2003 armed conflict and its aftermath—particularly abuses by the *Forces Nouvelles*—remained fresh in their mind. A 39-year-old refugee from Zouan-Hounien said:

In 2003, I was arrested in Danané for one month, but because UNOCI intervened I was released. I was accused of supporting Gbagbo after the [2010] election, and when this [electoral controversy] happened I decided to move.... I didn't want a repeat of what happened before. Before I left [for Liberia] the rebels were asking for me, asking my friends. My friends told me to be careful. The same *Forces Nouvelles* soldier who arrested me in 2003 came back to the village and was looking for me.⁷⁴

Forces Nouvelles soldiers likewise targeted some women for sexual violence based on their real or perceived support for Gbagbo. Human Rights Watch documented three cases of rape during this period immediately after the second round of elections, including the wife of a Gbagbo campaign manager, raped by three *Forces Nouvelles* soldiers who came looking for her husband.⁷⁵ A 36-year-old woman watched from her house as two more women were raped in her village, including a pregnant woman raped by four *Forces Nouvelles* soldiers.⁷⁶ Several refugees in Liberia also told Human Rights Watch that *Forces Nouvelles* soldiers had come into villages and forced women to cook for them and in some instances held women as “forced wives.”⁷⁷

⁷⁴ Human Rights Watch interview 39-year-old refugee, Gborplay, Liberia, December 29, 2010.

⁷⁵ Human Rights Watch interview with victim's husband, Kissiplay, Liberia, December 29, 2010.

⁷⁶ Human Rights Watch interview with 36-year-old witness to two rapes, Kissiplay, Liberia, December 29, 2010.

⁷⁷ Human Rights Watch interview with 34-year-old female from a village where women were held, Bleimplay, Liberia, December 30, 2010.

II. Toward Active Conflict: February to mid-March 2010

By the end of January, the country stood on the brink of all-out armed conflict. Primarily through the state-run television station RTI, the Gbagbo government and its most militant followers intensified their incitement to violence against Ouattara supporters and UN personnel. “Foreigners,” which meant northern Ivorians and West African immigrants, were the subject of particularly powerful fear mongering. In addition, a surprise attack in Abobo by a group who called themselves the “Invisible Commandos” resulted in Gbagbo forces losing control of portions of the neighborhood. This combination—xenophobic incitement and the first sign of military threat—led to even greater violence by the Gbagbo militiamen, in particular, who often took to burning alive northern Ivorians and West African immigrants who had the misfortune of crossing the proliferating number of checkpoints. And in one of the defining scenes of Gbagbo’s refusal to give up power, security forces opened fire on women peacefully demonstrating in Abobo, killing seven.

On the other side, the Invisible Commandos were primarily responsible for the abuses documented during this period, including an attack against civilians in a pro-Gbagbo village and extrajudicial executions of captured Gbagbo security forces. The Invisible Commandos were comprised of pro-Ouattara militants, but did not have a clear chain of command to the Ouattara government. The often-identified commander of the Invisible Commandos, IB Coulibaly, was a high-level *Forces Nouvelles* commander before a violent falling out with Guillaume Soro over control of the rebel group in 2003.⁷⁸ In a continuation of the internecine struggle, IB was killed by Soro’s Republican Forces on April 27, 2011. But there was not always a complete distinction between IB’s forces and Soro’s forces as the efforts to remove Gbagbo continued; numerous Abobo residents and sources close to the *Forces Nouvelles* told Human Rights Watch that some elements under Soro’s ultimate command were in Abobo at this time and likewise implicated them in summary executions.

Pro-Gbagbo Forces

Incitement to Violence by the Gbagbo Camp

Throughout the post-election period, the Gbagbo camp turned the state-owned *Radiodiffusion Télévision Ivoirienne* into what might be described as a 24-hour-a-day propaganda machine. Human Rights Watch researchers watched many such broadcasts

⁷⁸ International Crisis Group, *Côte d’Ivoire: “The War is Not Yet Over,”* pp. 9, 10, 16. IB was previously a bodyguard for Ouattara when Ouattara was prime minister from 1990-93. John James, “Ibrahim Coulibaly: Ivory Coast’s serial coup-plotter,” BBC News, April 28, 2011.

that denounced “foreigners” and the UN and called on Gbagbo supporters to rise up against both. The term “foreigner” was consistently used by pro-Gbagbo militants to signify West African immigrants and ethnic groups from the north. Often such statements came from official government sources. In response to ECOWAS discussions in late December on military intervention, for example, Gbagbo and his spokesman made veiled threats to “risks” for West African immigrants should military intervention take place.⁷⁹

On January 10, the UN Security Council “strongly condemned and demanded an immediate halt to the use of media, especially ... RTI, to propagate false information to incite hatred and violence, including against the UN.”⁸⁰ Reporters Without Borders said in a January 13 release that journalists who were perceived Ouattara supporters “are being blacklisted” by “the state-owned media, especially Radio-Télévision Ivoirienne (RTI) and the [newspaper] *Fraternité Matin*”—as both became more inflammatory.⁸¹ On January 19, the UN Secretary-General’s Special Advisers on the Prevention of Genocide and the Responsibility to Protect issued a statement of concern about “continuing hate speech that appears to be aimed at inciting violent attacks against particular ethnic and national groups.”⁸²

Inciting language only became more common and more inflammatory. In a February 25 meeting later televised on RTI, Blé Goudé was shown telling his followers:

I give you this order, which must be applied in every neighborhood.... When you go back to your neighborhoods... you must operate checkpoints to monitor the comings and goings in your neighborhoods and denounce every foreigner who enters.⁸³

In the same broadcast, a member of the Young Patriots said, “If you are Ivorian, you have to denounce [foreigners] anytime, and if you don’t denounce them, you are a rebel, you are the enemy of Côte d’Ivoire, and you must be treated as such!” And indeed, as discussed in more detail below, Human Rights Watch documented a marked increase in the number of checkpoints—and in the number of targeted attacks, including killings, against these perceived pro-Ouattara groups—in the days immediately following the broadcast. Some witnesses to killings reported the militia making specific reference to Blé Goudé’s order.

⁷⁹ Tanguy Berthemet, “Laurent Gbagbo: ‘Il y a un complot contre moi’”, *Le Figaro*, December 27, 2010.

⁸⁰ Al-Jazeera, “UN warns of Ivorian ‘hate media,’” January 11, 2011.

⁸¹ Reporters Without Borders, “Côte d’Ivoire: Climate of Fear Prevents Journalists From Working Freely,” January 13, 2011.

⁸² United Nations, Statement attributed to the UN Secretary-General’s Special Advisers on the Prevention of Genocide and the Responsibility to Protect on the Situation in Côte d’Ivoire, January 19, 2011.

⁸³ The video clip was formerly available on RTI’s website, but it has since been removed.

Vitriol against pro-Ouattara groups grew further as open fighting began between pro-Ouattara forces and pro-Gbagbo forces. By mid-March, it was often dehumanizing in extreme ways, likening such groups to low forms of animals and encouraging a belief that all Ouattara supporters were “rebels.” In the March 9-15 edition of *Le Temps*, a paper formerly directed by Gbagbo’s second wife Nadiana Bemba and still close to the Gbagbo regime, a journalist wrote:

Ouattara’s “Blakoros” have decamped like rats in cassava fields, followed by the Burkinabé mercenaries who have been fireproof against our regular forces.... These rebels ... in full flight before General Mangou’s men, have infested Abobo like city and field rats, coming in fact from the rebellion’s stinking sewers.... [L]ike hyenas, [Ouattara and French President Sarkozy] giggle and drool at the sight of decaying corpses that are on their macabre menu.... In Abobo, mercenaries, rebels, Licorne and UNOCI wear the same clothes. That is to say, in the sewers of Abobo, nothing is needed to distinguish one vermin from another.⁸⁴

The Associated Press similarly reported that in an RTI broadcast around that time, “the anchorman smiled as he described a dozen alleged rebels killed by pro-Gbagbo soldiers in central Abidjan as ‘culled like little birds.’ Graphic images of their bloodied bodies were interspersed with images of soldiers giving each other high five and cheering crowds.”⁸⁵

On March 18, a day after Gbagbo forces fired mortars into an Abobo marketplace and killed some 25 civilians, Gbagbo spokesman Ahoua Don Mello said on RTI: “His Excellency ... Laurent Gbagbo calls on Ivorians to take greater responsibility and for stronger collaboration between citizens and security forces ... so that all suspect presences in our environment can be ‘neutralized.’”⁸⁶ The following day, Charles Blé Goudé called on his youth militants to “enroll in the army to liberate Côte d’Ivoire from these bandits.”⁸⁷ These two speeches formally mobilized a longstanding reality, placing the long-violent pro-Gbagbo militias central among the regime’s defense efforts. And in so doing, as throughout the crisis, there was no attempt to separate civilians from armed forces as targets. Northerners and West African immigrants, repeatedly dehumanized, were all potential “suspect presences” to be “neutralized”—as the “vermin” did not distinguish from each other. Hundreds more killings followed.

⁸⁴ K. K. Maurice, “Ces rats d’égouts...”, *Le Temps*, March 9-15, 2011.

⁸⁵ Marco Chown Oved, Associated Press, “Muslims face growing attacks in Ivory Coast crisis,” March 25, 2011.

⁸⁶ Tim Cocks and Loucoumane Coulibaly, “Gbagbo calls on civilians to join I. Coast struggle,” March 18, 2011.

⁸⁷ AFP, “Blé Goudé appelle ‘tous les jeunes de Côte d’Ivoire’ à s’enrôler dans l’armée dès lundi”, March 19, 2011.



Charles Blé Goudé, center, former President Gbagbo's Minister of Youth and leader of the "Young Patriots" militia group speaks as then commander in chief of the army Phillipe Mangou, right, looks on in front of thousands of young Gbagbo supporters on March 21, 2011 in Abidjan. © 2011 Sia Kambou/AFP/Getty Images

Targeted Violence against West African Immigrants in Abidjan

As tension escalated in February, immigrants from Burkina Faso, Mali, Guinea, Senegal, Niger, and Nigeria, were subjected to a steady and increasingly violent stream of abuses by Gbagbo's militiamen and security forces. Scores of West African immigrants interviewed by Human Rights Watch said the violence started in late December after ECOWAS recognized Ouattara as president and discussed the possibility of military intervention to remove Gbagbo. However, they said the attacks intensified greatly after the February 24 clashes between the two armed forces in Abobo and the nearby town of Anyama, and the February 25 televised meeting when Blé Goudé called on pro-Gbagbo youth to erect roadblocks and "denounce" foreigners. Human Rights Watch documented the killing of at least 32 West African immigrants and northern Ivorians during this period; 14 were gruesomely beaten or burned to death. In addition, there was widespread looting of shops and houses owned by immigrants as well as the systematic expulsion of West Africans from at least three Abidjan neighborhoods after February 25.

The majority of these attacks took place in the Yopougon, Port Bouët, and Cocody neighborhoods of Abidjan, which all had a heavy presence of pro-Gbagbo militias.

Numerous victims said they heard militiamen making reference to Blé Goudé's "order" while perpetrating abuses. A shopkeeper during a March 1 attack, for example, heard the militiamen say: "Our General [Blé Goudé] has sent us to secure this neighborhood and that means all of you... Mossi [an ethnic group from Burkina Faso], Malians... must get out of this place."⁸⁸ On the day of Blé Goudé's speech, two Yopougon marketplace porters were tied up, stuffed into their handcarts, and set ablaze.⁸⁹ On March 3, a handicapped man from Burkina Faso accused by militiamen of hiding rebels in his house was brought into an abandoned building in Port Bouët and set on fire.⁹⁰

A 21-year-old Malian who was detained with six other men he believed to be West Africans described how five of them were executed at point-blank range by pro-Gbagbo militiamen after being rounded up on March 6 on the streets of Yopougon:

That day I was wearing dirty clothes from working as a porter. That's how they knew I was Malian—we're most of the porters. As I was walking, six guys with Kalashes came up behind me, and one of them stuck it into my back and pushed me toward the road. They did the same thing to others, and soon they had seven of us. We were all West African immigrants. They forced us into two taxis, and when we arrived at an unfinished house they forced us down to a basement. There were other guys with Kalashes waiting. It was dark down there, so they used their cell phones for lights to take us down. It smelled horrible.... They beat us with an iron bar and a belt that had a sharp metal buckle. Four of them stood at guard with guns pointed on us at all times. All of them in the basement wore balaclavas. Then they attached black bandanas over the eyes of the first two guys, and one of the Patriots executed them at point-blank range. Another guy was lighting the area for him with a cell phone to make sure he didn't miss, even though the distance was two meters. They did the same to the next three guys, as they begged for their lives. Five were executed next to me, on their knees. The whole time they kept saying we were rebels, we were rebels.

When they tried to put the bandana on my head, I fought back. Every time they tried, I'd fight. So then they beat me again with the iron bar. I kept refusing to let them put the bandana on, as did the guy next to me, a youth from Niger. Eventually I heard them say they would finish us off elsewhere,

⁸⁸ Human Rights Watch interview with Malian shopkeeper, Abidjan, March 8, 2011.

⁸⁹ Human Rights Watch interview with 29-year-old witness, Abidjan, March 9, 2011.

⁹⁰ Human Rights Watch interview with 38-year-old witness, Abidjan, March 5, 2011.

and they took us outside. They forced the Nigerien guy into a taxi, but I saw another car coming and I took the chance to run for it. They fired two gunshots from behind, but didn't hit me. I ran and then once I got out of their sight, I found a spot to hide. Eventually I made it back home.⁹¹

In addition to killings, security forces and militiamen destroyed Ouattara supporters' homes and businesses. Several Malian and Nigerian shopkeepers who sold petrol, wood, and car parts in a market in Sebroko neighborhood, an area dominated by West African merchants, described how on February 24 members of the Republican Guard arrived to disperse a nearby peaceful demonstration and then opened fire on and threw grenades into their shops, provoking a huge fire that destroyed at least 35. A Malian man described hearing one soldier yell, "Say goodbye to your shops!" before they fired into an area that sold highly flammable items.⁹² The witnesses stated that as a group of Malians tried to rescue items from their burning shops, the Republican Guard shot into them, killing two people.⁹³

An elderly Malian man who had lived in Yopougon for 35 years described how on February 10, militiamen who operated a checkpoint nearby set his house on fire as he, his three wives, and 15 children slept—forcing them to flee the neighborhood. As they left, the Patriots admonished him never to return, lest they "cut him and his family into pieces."⁹⁴

Human Rights Watch documented several attacks where militiamen and security forces worked together. A Nigerian shopkeeper described a March 1 attack by CECOS and militiamen in which the attackers burned alive two Nigerien men, one a wood seller and the other a taxi driver wearing traditional Muslim clothing:

After looting and setting six stalls on fire, they returned to the road where they ran into an elder man from Niger who was selling wood. They beat him and took him to a police station saying, "We found a rebel and assassin!" They walked out a few minutes later. The man was screaming, "No, no, I'm a Hausa man from Niger.... I'm not a rebel!" Within a few minutes they had

⁹¹ Human Rights Watch interview with 21-year-old victim, Abidjan, March 8, 2011.

⁹² Human Rights Watch interview with Malian trader, Abidjan, March 7, 2011.

⁹³ Human Rights Watch interviews with 43-year-old Malian, Abidjan, March 8, 2011; and with 51-year-old Malian, Abidjan, March 8, 2011. Similar events happened in Yopougon. Several Nigerian and Malian traders described how on March 4 and 8, mobs of an estimated 150 youths armed with machetes and axes chanted, "Kill, burn, kill, burn, all of you must leave," as they broke into and pillaged the stalls of scores of West African merchants – threatening the traders with death if they continued to sell there. One Nigerian man who was wounded by a machete during the attack said he was told, "If [Nigerian President] Jonathan wants to bring ECOMOG [the ECOWAS military force] here, we'll kill all of you!" Human Rights Watch interview with Nigerian man displaced from Yopougon, Abidjan, March 9, 2011.

⁹⁴ Human Rights Watch interview with Malian displaced by militia, Abidjan, March 8, 2011.

put a tire around his neck, sprayed him with gas and set him alight. It happened right in front of the police station, but they did nothing. A half an hour later they stopped a taxi at their barricade, dragged out a man who we later learned was also from Niger, beat him bitterly, tied both his hands and legs and then one of them cut off his [genitals]. Then they brought a tire and gas and burned him alive.... The whole thing was so fast.⁹⁵

Northern Ivorians were also targeted, as recounted by a witness who watched militiamen burn a northerner alive and slit another man's throat at a Yopougon checkpoint in late February:

We were attacked and ordered by the Patriots to leave Yopougon.... About 200 of us decided to flee. As we fled, Patriots were screaming, "Go home, you're all imbeciles. Gbagbo is our president, leave this place or we'll kill you all." We left with what we could put in our bags.... From where we lived to the exit of Yopougon were seven checkpoints; they were armed with machetes and wood blocks. At each one, they demanded money and threatened us if we didn't pay. At around 2 p.m., we reached the last one. They stopped a Dioula⁹⁶ man who was about 20 years old and asked for his ID. He was terrified and ran, but the Patriots caught him almost immediately. The youth said, "I have nothing to do with the trouble, I beg you."

Before killing him the Patriots said, "You, you're a Dioula, you're the ones bringing war to Côte d'Ivoire." They beat him with wood and machetes, then one of them took out a big knife, the kind you use to kill a sheep, and cut his throat. This was but two meters away. He started to shake as the life was draining out of him. When I saw the youth killed, I thought they were going to kill my own child as well. It was the only thing I could think of: my son, my son.... The boy's mother and other family members were there, in the group with us, but they couldn't say anything. All they could do with all that pain in their hearts was to walk away. After some distance was between them and us, the mother started to cry.⁹⁷

⁹⁵ Human Rights Watch interview with Nigerian shopkeeper, Abidjan, March 10, 2011.

⁹⁶ The term "Dioula" is actually a Senoufo word for trader. It also refers to a small ethnic group from the northeast of Côte d'Ivoire, however it is most commonly used to refer to people of several ethnicities from northern Côte d'Ivoire who are in fact not ethnic Dioula but often speak a colloquial form of the language. The language has become widely used by many Ivorians as the language of trade and commerce, particularly in the market culture of Côte d'Ivoire, which is dominated by northerners and immigrants.

⁹⁷ Human Rights Watch interview with 36-year-old victim, Abidjan, March 5, 2011.

Attacks on Mosques, Muslims, and Imams

At several periods during the crisis, pro-Gbagbo forces, including elite security force units and militias, attacked mosques and specifically targeted imams for execution. Neither former president Gbagbo nor any of his military or civilian leadership publicly denounced these attacks on religious institutions and individuals. In a country split roughly evenly between Muslims and Christians, Ouattara's political base of northern Ivorian ethnic groups is primarily, though certainly not exclusively, Muslim,⁹⁸ while Gbagbo's supporters and militants were primarily Christian.⁹⁹ As with ethnicity, however, religion is closely linked to politics in Côte d'Ivoire, and it is often difficult to disentangle the primary motivation for certain attacks. For the vast majority of Ivorians, there is no inter-religious division or hostility, but as the crisis exploded, the association between Ouattara and Muslim supporters led to a significant number of attacks on Muslim leaders and institutions. Such attacks may well be war crimes under the Rome Statute and customary international humanitarian law.¹⁰⁰

The first such attacks occurred on December 17. Two mosques in Abobo were hit by rocket-propelled grenades (RPGs) during the hour of the main Friday prayer, and another was attacked in Bassam, a coastal town some 20 kilometers from Abidjan.¹⁰¹ A witness to one of the Abobo attacks told Human Rights Watch:

At around noon, I went to the mosque—the prayer started at 1 p.m., but we usually have a conference which starts an hour earlier. I saw military around and a few cars—one cargo truck and a 4x4. Shortly after arriving, I heard firing from outside. The mosque was attacked with heavy arms. I heard someone yelling, ‘*Take position, take position ... Fire! Fire!*’ like it was a war. Then ‘boom.’ The first RPG passed through the mosque and blew a big hole, near the women’s side, breaking down the wall. Another passed

⁹⁸ Ouattara's wife, Prime Minister Soro, and Chérif Ousmane, one of the highest-level Republican Forces commanders, are all Catholic, for example. The PDCI political party that joined with Ouattara's RDR to make the RHDP political coalition is also primarily composed of Catholics from the Baoulé ethnic group.

⁹⁹ Gbagbo and his wife Simone are often described as “born-again evangelicals,” and Simone repeatedly made explicit and implicit references to Gbagbo's divinely favored and chosen place as Côte d'Ivoire's leader. See Kim Wilshner, “Gbagbo's Iron Lady,” *The Guardian*, April 7, 2011; Selay Marius Kouassi, “Ivory Coast: Gbagbo and False Prophets,” *Africanews*, April 27, 2011; Christophe Boltanski, “Digging In: Inside Laurent Gbagbo's Last Stand in the Ivory Coast,” *Le Nouvel Observateur/Worldcrunch*, April 7-13, 2011.

¹⁰⁰ Rome Statute of the International Criminal Court (Rome Statute), A/CONF/183/9, July 17, 1998, entered into force July 1, 2002, art. 8(b)(ix); ICRC, Customary International Humanitarian Law, March 2005, Rules 27, 30.

¹⁰¹ Human Rights Watch interviews with assistant imam to attacked mosque in Abobo, Abidjan, January 16, 2011; with 37-year-old, Abidjan, January 16, 2011; with imam to attacked mosque in Abobo, Abidjan, January 16, 2011. See also Imam Sékou Sylla, “Attaque des mosquées d'Abobo et de Bassam par des hommes en uniforme: le communiqué du Conseil supérieur des imams,” December 18, 2010, <http://news.abidjan.net/h/383849.html> (accessed August 27, 2011).

through the mosque itself. The mosque was full of people, we all started running. I heard five booms; I think four [RPGs] hit the mosque. Before the attack they didn't fire tear gas or yell at us to leave the mosque.

After running outside, I saw men in black uniforms firing all around. I ran to my house, which is just across the street, about 10 to 15 meters away. From a window, I saw the armed men capture a 24-year-old RDR supporter and a 24-year-old Burkinabé. As they were running away from the attack, the police trapped and beat them, and then forced them into the cargo truck. It seemed like the police picked them because they were the first young men they came across; they weren't looking for those two in particular. They beat them until they fell down, kicked them, and then told them to get up. I heard the police yell, 'We're going to kill everyone in this neighborhood, you're all ADO [Ouattara's initials].' ... Their families looked everywhere—hospitals, police stations, the morgues. I go by and see their parents every day; every time we start talking about their sons, they start to cry.¹⁰²

In late February, as tensions mounted with scattered fighting in Abobo and the far west, mosques came under increasing attack by pro-Gbagbo militia. The Associated Press cited at least 10 attacks on mosques from late February through March.¹⁰³ On February 25—again a Friday, the Muslim holy day—Human Rights Watch documented three mosques in Yopougon neighborhood that were attacked. One imam said that he received a call the day before the attack, and the caller threatened, "We're going to burn the mosques because we know you're hiding arms, and then we're going to the head imam's house."¹⁰⁴ Three 4x4s arrived the following day with masked youth who opened fire inside the mosque and stole or destroyed everything inside. None of the 15 people inside the mosque at the time were hurt, though the attackers threatened repeatedly to kill them.¹⁰⁵

In Yopougon's Doukouré area, another mosque was attacked the same day. A 42-year-old who worked at the mosque witnessed its destruction:

The attack started at noon, right after I made the first call to summon people for the Friday prayer. They attacked the outer building, at the

¹⁰² Human Rights Watch interview with 37-year-old, Abidjan, January 16, 2011.

¹⁰³ Marco Chown Oved, Associated Press, "Muslims face growing attacks in Ivory Coast crisis," March 25, 2011.

¹⁰⁴ Human Rights Watch interviews with the mosque's imam, Abidjan, March 5, 2011.

¹⁰⁵ Human Rights Watch interviews with the mosque's imam, Abidjan, March 5, 2011; with the mosque's guard, Abidjan, March 5, 2011; and with a person at the mosque for prayer, Abidjan, March 5, 2011.

entrance into the mosque area, but some neighborhood youth in Doukouré pushed them back. The Gbagbo militia regrouped with reinforcements and came back around 2 p.m. They set fire to the outer building and then broke down the gate.... They entered in a Kia and a truck; others jumped the fence. They set fire in front of the mosque's main door, fired their guns and heavy weapons at the mosque, and then saw us. They forced us to lay down, put guns to our neck, and searched us. An ONUCI helicopter flew by, and after it left, they started beating us. There were six of them in military uniform, a few with the Republican Guard's red berets; the rest were Patriots.

They forced open the mosque's door and proceeded to steal or destroy everything. They broke the box where we hold alms and stole the money. Then they used their can of gas and set fire to the Qurans, rugs, and prayer mats. They left around 4 p.m., having taken or broken everything, including the office computers. I saved what I could, but that was a few rugs.¹⁰⁶

A second witness watched as someone who had been at the mosque when it came under attack was gunned down as he ran away.¹⁰⁷ Residents found the bodies of at least six perceived Ouattara supporters outside the mosque on the street the following day.¹⁰⁸ A Human Rights Watch researcher visited the mosque on March 9; it, and surrounding buildings, had been almost completely destroyed, with the roof collapsing from heavy weapon fire, bullet casings on the floor, burn marks and debris throughout the interior, and burned Qurans collected in a box.

Muslims told Human Rights Watch that it became essentially impossible to wear a *boubou*—traditional clothing often identified with Muslims in Côte d'Ivoire—in public. Pro-Gbagbo militiamen operating checkpoints would target those in Muslim dress, they said, for being Ouattara supporters. Often, the violence was specifically pointed at imams and other Muslim leaders. Human Rights Watch interviewed a witness to the March 9 targeted abduction by pro-Gbagbo militiamen of an imam and his son in Bloléquin.¹⁰⁹ According to news reports, their bodies appeared on the street the following day, riddled with bullets.¹¹⁰ Another witness described the March 28 targeted killing by pro-Gbagbo militiamen of a

¹⁰⁶ Human Rights Watch interview with 42-year-old witness, Abidjan, March 7, 2011.

¹⁰⁷ Human Rights Watch interview with 28-year-old witness, Abidjan, March 7, 2011.

¹⁰⁸ Human Rights Watch interviews with 42-year-old witness, Abidjan, March 7, 2011; with 32-year-old witness, Abidjan, March 7, 2011; and with 26-year-old witness, Abidjan, March 7, 2011.

¹⁰⁹ Human Rights Watch phone interview with Bloléquin resident and witness, April 2, 2011.

¹¹⁰ D Konate, "Bloléquin – Les miliciens de Gbagbo tuent l'imam et son fils," *Le Patriote*, March 11, 2011; "Le COSIM aux Musulmans: 'Ne tombez pas dans le piège,'" *Le Patriote*, March 18, 2011.

leading imam inside his Duékoué house.¹¹¹ The High Council of Imams, of which the deceased imam was a spokesperson in Duékoué, reported that his body and house were then burned.¹¹² News reports identified additional executions of Muslim religious leaders in Abidjan, including on March 15 in Yopougon and March 19 in Adjamé.¹¹³

Despite the repeated attacks, Muslim leaders consistently called on followers to avoid allowing the conflict to turn religious, including in a March 18 communiqué.¹¹⁴ And there were, by comparison, few reported attacks against churches by the Republican Forces. Human Rights Watch received credible information from an international organization about the pillaging of one church in Cocody in mid-April, during which church officials present were threatened for supporting Gbagbo. Human Rights Watch also documented the partial destruction in early May of a Yopougon church where many Gbagbo supporters had taken refuge—though the church damage was described by the witness as incidental to the soldiers’ fighting against who they perceived to be former Gbagbo militiamen among the displaced persons, and not motivated by anti-Christian sentiment.¹¹⁵

Targeted Rape and Enforced Disappearances of Ouattara Supporters

After sporadic fighting between Gbagbo’s armed forces and the pro-Ouattara forces started in Abobo on February 24, Gbagbo’s militiamen and security forces together undertook another string of targeted rapes and enforced disappearances. On February 25 alone, Human Rights Watch documented the rape of nine Abobo women by these groups; all victims were active and public members of Ouattara’s political party.

Seven of the women were taken from their houses and raped by one to four men in a building under construction. In all cases, the attackers voiced a clear political motive. A 30-year-old woman, one of three abducted from the same house and later gang raped by militiamen and police, described to Human Rights Watch the February 25 attack:

¹¹¹ Human Rights Watch interview with Ivorian refugee, Zwedru, Liberia, April 4, 2011.

¹¹² Conseil Supérieur des Imams, Communiqué, March 30, 2011, <http://www.cosim-ci.org/spip.php?article101> (accessed August 27, 2011).

¹¹³ Marco Chown Oved, Associated Press, “Muslims face growing attacks in Ivory Coast crisis,” March 25, 2011; M. Tié Traoré, “Décès de l’Imam Diabaté Moussa – Sa famille et le Cosim dénoncent un ‘assassinat’” *L’Intelligent d’Abidjan*, March 16, 2011.

¹¹⁴ “Le COSIM aux Musulmans: ‘Ne tombez pas dans le piège,’” *Le Patriote*, March 18, 2011; Human Rights Watch interview with imam in Koumassi, Abidjan, March 7, 2011.

¹¹⁵ Human Rights Watch interview with person displaced on the church grounds, Abidjan, May 24, 2011. He described the Republican Forces as launching heavy weapons into the area, destroying a main church wall.

I live with two other women. We're well known in our neighborhood for our political work in favor of Alassane [Ouattara]. We often go house to house with booklets laying out his political program, wear ADO t-shirts, participate in marches, and go to [party] meetings. On February 25, on account of the [fighting between armed forces] in our neighborhood, the militiamen put up a roadblock and started rampaging. At around 5 p.m. a group of 10 men with guns banged on our door and burst into our house. Three were in police uniform, and the others were the Young Patriots—we recognized some of them. They said, "We know who you are, we know about your work.... You are on our list." We had photos of Alassane on the wall, and many of the pamphlets we distribute, which they ripped up in front of us.

They forced us at gunpoint into a pickup truck and took us to a building under construction. All of us were raped. Three of them raped me, and one of my sisters was raped by four. While one finished, others were holding me from behind. Then they'd switch.... We were kept there until around 10 the next morning. Our clothes were completely ripped.... As we walked home, a neighbor gave us a cloth to cover ourselves with. Before letting us go they said, "If we hear you're continuing to do politics, we know where you live and will come after you.... You should know by now, a Dioula [a term often signifying several northern ethnic groups, including Ouattara's] will never govern Côte d'Ivoire."¹¹⁶

Human Rights Watch documented seven enforced disappearances on February 25 of men from Ouattara's political party; witnesses implicated members of CECOS as well as pro-Gbagbo militia forces. In two cases, women were raped in front of family members, and the husband and father of the victims were "disappeared." One young woman described how her father, an official with the local chapter of Ouattara's party, was detained and later taken away by a group of policemen and militiamen. She told Human Rights Watch that she was raped during the incident.¹¹⁷ A few witnesses, including a 34-year-old woman whose husband was abducted on February 25, described armed men coming to their door with a list on which the name of their family member appeared:

At 8 p.m., three men in civilian clothing knocked at our door. I answered the door and asked what the problem was. They ordered me to get my husband,

¹¹⁶ Human Rights Watch interview with 30-year-old rape victim, Abidjan, March 9, 2011.

¹¹⁷ Human Rights Watch interview with rape victim and daughter of disappeared local political activist, Abidjan, March 9, 2011.

who was sleeping in our bedroom. I tried to be calm and asked them who they were and why they had come. One of them took out a card on which I read CECOS. They said we were organizing the campaign of Alassane there. It was true, we are very active in the RHDP, but of course I didn't say that.... They took out a list and said my husband's name was there. They had pushed their way through the door by now. I was crying, "Please don't take my husband.... He's not in politics, he's a simple driver. Don't take him, my children are young." One of them pointed his pistol at my husband and told him to come. I was sobbing; my husband asked me to calm down.

One of them slapped my face, ripped off my underclothes and held me down on the sofa. My husband screamed, "Leave my wife. I beg you, leave her." They said, "Shut up, we can do whatever we want." They said they were going to kill all the Dioula who're working for Alassane, that we were rebels. After [raping] me, they dragged my husband outside and took him away in one of their (CECOS) cars. I call him on his mobile again and again, but he doesn't answer.¹¹⁸

Another RHDP leader from the Riviera Palmière neighborhood was abducted on February 10 by three armed men dressed in green camouflage uniforms. A witness heard one of the armed men saying, "It's you who's behind Alassane, we were sent to find you," and described how the armed men fired in the air when a group of people moved toward the car to try to free the victim.¹¹⁹

Violent Suppression of Demonstrations

Gbagbo's security forces continued their pattern of violently suppressing demonstrations during this period, with Human Rights Watch documenting the killing of 25 protesters between February 21 and March 8. Scores more were seriously injured, with documented use of live rounds, fragmentation grenades, rocket-propelled grenades, and an unidentified weapon fired from a tank.

On February 21 in Koumassi, three witnesses told Human Rights Watch that security forces fired at least two RPGs directly into a crowd of over 100 demonstrators, killing at least four and wounding several others. The witnesses said that security forces, including CECOS,

¹¹⁸ Human Rights Watch interview with 34-year-old rape victim, Abidjan, March 9, 2011.

¹¹⁹ Human Rights Watch interview with victim's wife, Abidjan, March 5, 2011.

also fired live rounds and tossed fragmentation grenades into the crowd.¹²⁰ One demonstrator said: “First they shot at us, and then they fired rockets directly into the crowd. I saw several dead, including one Malian man whose arm was completely severed. His intestines were completely outside his body.”¹²¹

In Treichville, around 9 a.m. the same day, troops from the Republican Guard arrived in a convoy of cargo trucks and opened fire on demonstrators congregated at the intersections of Avenue 16 and Rues 17 and 21. One witness told Human Rights Watch, “They came and opened fire with live ammunition immediately. A youth not far from me took a gunshot straight to his head; it was as if part of his face was blown off. He was one of at least two killed that I saw with my own eyes.”¹²²

On March 3, in an event that ultimately defined the brutality of Gbagbo’s attempt to cling to power, security forces killed seven women who were demonstrating peacefully with thousands of other women in Abobo neighborhood. As the women reached where they had planned to assemble, a green pickup with a mounted machine gun, a police cargo truck, a green military camouflage tank, and a blue gendarme tank passed by. Three witnesses told Human Rights Watch that the tank fired a heavy weapon. Almost simultaneously, someone in green fatigues with a military helmet opened fire with a machine gun mounted on the back of a pickup.¹²³ A doctor who treated several women who later died said that their wounds were clearly caused by heavy weaponry, not bullets.¹²⁴ The doctor, as well as two witnesses at the scene, told Human Rights Watch that the head of one victim had been completely separated from her body.¹²⁵ Other victims, including both deceased and seriously injured, had bullet wounds from the mounted machine gun.¹²⁶

¹²⁰ Human Rights Watch interviews with 30-year-old demonstrator, Abidjan, March 4, 2011; with 29-year-old demonstrator, Abidjan, March 4, 2011; and with 27-year-old demonstrator, Abidjan, March 5, 2011.

¹²¹ Human Rights Watch interview with 29-year-old demonstrator, Abidjan, March 4, 2011.

¹²² Human Rights Watch interview with 24-year-old demonstrator, Abidjan, March 5, 2011.

¹²³ Human Rights Watch interviews with 26-year-old witness, Abidjan, March 7, 2011; with 31-year-old witness, Abidjan, March 7, 2011; and with 27-year-old witness, Abidjan, March 6, 2011.

¹²⁴ Human Rights Watch interview with medical professional at Abobo Sud Hospital, Abidjan, March 9, 2011.

¹²⁵ Human Rights Watch interviews with medical professional at Abobo Sud Hospital, Abidjan, March 9, 2011; with 26-year-old witness, Abidjan, March 7, 2011; and with 31-year-old witness, Abidjan, March 7, 2011.

¹²⁶ Human Rights Watch interview with medical professional at Abobo Sud Hospital, Abidjan, March 9, 2011.



On March 7, 2011, women protesting the March 3 killing of seven women demonstrators by Gbagbo's elite security forces in Abidan's Abobo neighborhood. Their sign says, "Do not shoot us, we give life," as women in the background hold photos of the women killed on March 3. Gbagbo's security forces would again open fire on the March 7 demonstrators in Treichville neighborhood, killing at least four more. © 2011 Jane Hahn

Human Rights Watch also documented seven deaths between March 4 and 15 in Abobo from stray bullets during indiscriminate strafing by Gbagbo's security forces. More than a dozen Abobo residents described how security forces drove quickly through territory controlled by pro-Ouattara forces several times every day, firing Kalashnikovs in every direction—sometimes in the air, other times toward people on the streets. The daily attacks ultimately led to the massive internal displacement of people from Abobo.

A doctor from one Abobo hospital told Human Rights Watch that he had performed surgery on 108 people between February 28 and March 8 related to the post-election violence, all but four involving wounds from bullets or heavy weaponry fired by Gbagbo's security forces. The doctor was unable to clarify how many of the wounded were civilians.¹²⁷

¹²⁷ Human Rights Watch interview with medical professional at Abobo Sud Hospital, Abidjan, March 9, 2011.

Pro-Ouattara Forces

Civilian Killings in Anonkoua Village

Around 2 a.m. on March 7, more than 60 pro-Ouattara fighters attacked the village of Anonkoua-Kouté, located just outside their Abidjan military stronghold in Abobo. Anonkoua is a village of predominantly Ebrié people, who largely supported Gbagbo. Human Rights Watch believes, based on interviews with witnesses and neighborhood residents, that the attackers were from the Invisible Commandos. Witnesses described the attackers descending upon Anonkoua from Abobo PK-18, which was the base of the Invisible Commandos from late February through late April. As detailed above, the Invisible Commandos fought against Gbagbo but were likely outside Ouattara and Soro's chain of command; IB Coulibaly, a longtime rival of Soro killed on April 27 during internecine fighting after Gbagbo's arrest, was widely believed to be their commander.¹²⁸

On March 6, there had been combat in the area between Gbagbo forces and the Invisible Commandos. Victims of the March 7 attack as well as a fighter from the Invisible Commandos told Human Rights Watch that pro-Ouattara forces acted out of concern that weapons had been left in the village by pro-Gbagbo forces.¹²⁹ However, the attackers appear to have killed civilians at random and burned down much of the village, rather than search for weapons. Human Rights Watch interviewed four victims from Anonkoua-Kouté and confirmed the death of nine civilians, including two women who were burned to death. One 28-year-old victim told Human Rights Watch:

I could hear machine gun fire, and people from the village started crying out. I went out to see what was happening, and I came across someone who grabbed me and demanded a password. I didn't know it, so he pointed his sawed-off shotgun at me from two meters away and fired. I swung my arm at the gun as he was firing, and buckshot sprayed into my arm and neck. I fell to the ground, and lay there as if I was dead. I watched them massacre the village as I lay there.... The rebels were dressed in all black. Some wore Balaclavas, others had on bandanas. They pounded on people's doors and kept saying, "We're here for war, we're not here to play," and demanded where people were hiding arms as they beat and killed them.

¹²⁸ AP, "Ivory Coast warlord Ibrahim Coulibaly killed," April 28, 2011; John James, "Ibrahim Coulibaly: Ivory Coast's serial coup-plotter," BBC News, April 28, 2011; Damien Glez, "IB, l'homme invisible d'Abidjan," *SlateAfrique*, April 1, 2011.

¹²⁹ Human Rights Watch interviews with 28-year-old victim, Abidjan, March 10, 2011; with 40-year-old witness, Abidjan, March 10, 2011; and with Invisible Commandos fighter, Abidjan, March 8, 2011.

At one house close to mine, a woman refused to open the door. They threw in lit bottles that had been soaked in gas, and the house went up in flames. A woman on fire came running out, screaming. She died later that day. I watched as they grabbed another of my neighbors and shot him at point-blank range. It was all barbaric.¹³⁰

Another witness described watching pro-Ouattara forces slit the throat of his 72-year-old father.¹³¹ At least 15 houses were burned according to multiple residents, and the entire village was abandoned.

In addition, pro-Ouattara forces—believed by witnesses, victims, and neighborhood residents to be a combination of IB Coulibaly’s Invisible Commandos and *Forces Nouvelles* fighters loyal to Soro, depending on the specific attack’s location—threatened and displaced perceived Gbagbo supporters throughout Abobo and Anyama. On March 8, a member of the Bété ethnic group said pro-Ouattara soldiers broke down his door in Abobo and ransacked his house. They pointed guns at him and said he was a “Patriot,” threatening to kill him. Neighbors intervened on his behalf, which the victim believed saved his life, but the attackers stole all his possessions.¹³² The victim, like thousands of others, fled to an area still under Gbagbo’s control.

Summary Executions of Detained Gbagbo Fighters

Human Rights Watch documented the summary execution of 11 armed forces and militia members loyal to Gbagbo between March 1 and 10. In seven cases, witnesses described how pro-Ouattara forces stopped vehicles or individuals on foot at checkpoints in Abobo to search for weapons. When pro-Ouattara fighters found a weapon and “judged” the person to be a Gbagbo combatant, they killed the disarmed detainee. Human Rights Watch believes the perpetrators to be a combination of the Coulibaly’s and Soro’s fighters, at times working with youth militiamen from the local population. The former *Forces Nouvelles* spokesperson denied that Soro’s forces were in Abobo at this time.¹³³

One pro-Ouattara combatant in Abobo—who identified himself as part of the Invisible Commandos—described four cases to Human Rights Watch in which he had been part of this kind of operation. On March 2, an ambulance was stopped and his fellow-combatants

¹³⁰ Human Rights Watch interview with 28-year-old victim, Abidjan, March 10, 2011.

¹³¹ Human Rights Watch interview with 40-year-old witness, Abidjan, March 10, 2011.

¹³² Human Rights Watch interview with former Abobo resident, Abidjan, March 9, 2011.

¹³³ Ivoire-Press, “Violation des droits de l’Homme dans la commune d’Abobo: la Déclaration 160311 des Forces nouvelles,” March 16, 2011, <http://news.abidjan.net/h/394426.html> (accessed August 27, 2011).

said they had discovered Kalashnikovs during the search; the driver was then detained. On March 5, the pro-Ouattara fighter said he found three people with arms passing a checkpoint on foot near the Abobo sub-neighborhood of Anonkoua. In both cases, the pro-Ouattara fighter said he brought the detainees to a higher-level commander, indicating organization and a clear chain of command. After being detained, the person was subject to an “intense interrogation,” then “neutralized,” the fighter said.¹³⁴

A witness to the execution of another three people believed to be loyal to Gbagbo told Human Rights Watch:

On Monday, March 6, I was walking through Abobo when a black 4x4 came across a checkpoint. The *Forces Nouvelles*¹³⁵ there stopped the car and searched it. They found three Kalashes as well as security force uniforms.... The FN guys held up the Kalashes, and immediately ten more FN descended on the car. They grabbed the three people who were inside and threw them to the ground, beating them with long blocks of wood and the guns they’d just captured. They ripped off their clothes and as some of them were still beating them, others grabbed tires and lay them on top. The FN guys then poured gasoline from a container, and lit it all on fire. You could see the movement of the Gbagbo guys’ legs as they burned, still being beaten by the FN soldiers.¹³⁶

In another incident on March 7, pro-Ouattara forces detained four alleged militia leaders in Abobo and summarily executed them. Credible accounts indicated that two people were captured and then used to lay a trap for higher-level leaders, before the pro-Ouattara forces executed all of them.¹³⁷ Human Rights Watch was shown video images of the body of “Lamté,” a neighborhood militia leader implicated in post-election killings against Ouattara supporters. His throat had been cut completely. In the video, another victim was seen to be impaled with a stake.

¹³⁴ Human Rights Watch interview with Invisible Commandos fighter, Abidjan, March 8, 2011.

¹³⁵ The witness referred to the attackers as *Forces Nouvelles*, but Human Rights Watch was not able to determine whether in this specific case the perpetrators were soldiers in IB Coulibaly’s Invisible Commandos or *Forces Nouvelles*’ fighters loyal to Soro.

¹³⁶ Human Rights Watch interview with 30-year-old witness, Abidjan, March 9, 2011.

¹³⁷ Human Rights Watch interviews with Invisible Commandos fighter, Abidjan, March 8, 2011; with Abobo resident and witness, Abidjan, March 9, 2011; and with Abobo resident, March 8, 2011.

III. Full-Scale Armed Conflict: mid-March-May 2011

The months of tension and violence in Côte d'Ivoire escalated into armed conflict by March 2011, when the Republican Forces launched a military offensive in the far west. Although the first towns were captured at the end of February, intense fighting between armed forces began in mid-March in the far west and at the end of March in Abidjan. Grave crimes continued, on both sides, through the last days of fighting in early May—almost a month after Gbagbo's April 11 arrest.

In the far west, retreating militia and mercenary groups loyal to Gbagbo perpetrated massacres and widespread killings as they inflicted a final wave of violence against northern Ivorians and West African immigrants. In Abidjan, security forces aligned with Gbagbo indiscriminately shelled civilian areas, launching heavy weapons into market places and neighborhoods. Pro-Gbagbo militia groups launched attacks on homes and created frequent checkpoints, killing hundreds of perceived Ouattara supporters in horrifyingly brutal ways. Together these marked the final acts of what likely amounts to crimes against humanity by forces overseen by Gbagbo, Blé Goudé, and their close allies.

In return, as the Republican Forces swept through the country, they left a trail of killings, rapes, and villages burned to the ground. In the far west, Ouattara-aligned forces executed elderly persons unable to flee the combat. Women in Duékoué watched as Ouattara's soldiers pulled their husbands, brothers, and sons out of their houses and killed them. After taking control of Abidjan, the Republican Forces executed at least 149 people and tortured or treated inhumanely scores more in detention. At a minimum, these constitute war crimes under international law. But given the widespread and, at times, organized nature of the acts, they likely also amount to crimes against humanity.

Pro-Gbagbo Forces

Killings, Massacres in Far West

As the Republican Forces advanced during their military offensive, regular armed forces previously loyal to Gbagbo retreated quickly. Other pro-Gbagbo forces, however, notably Ivorian militiamen and Liberian mercenaries [see text box below], often stayed behind. Many of these forces appeared to take a final opportunity to commit atrocities against alleged Ouattara supporters before retreating as well. Human Rights Watch documented massacres by pro-Gbagbo militiamen and mercenaries in two towns in western Côte d'Ivoire as well as killings in four more towns.

Liberian Mercenaries: Regional Warriors, Take Two

Both sides recruited Liberian mercenaries during the post-election period, utilizing networks with former combatants from Liberia's brutal civil war that dated back to the first Ivorian armed conflict.¹³⁸ According to Human Rights Watch's field work along the Liberian-Ivorian border, including interviews with recruited mercenaries, Gbagbo's forces began re-recruiting and readying former Liberian allies in the weeks prior to the second round of elections. As armed conflict grew closer, both sides' armed forces engaged in recruitment, often working with individuals implicated in grave crimes during the region's civil wars.¹³⁹ Leaders of ex-combatant groups based in Monrovia told Human Rights Watch that in total more than 3,000 Liberians crossed into Côte d'Ivoire to fight. Several Liberian recruits said they were paid between \$300 and \$500 each. Others crossed with the promise of later payment as well as the express ability to loot.

On March 22, pro-Gbagbo militiamen and mercenaries killed at least 37 West African immigrants in Bédi-Goazon, a village 32 kilometers from the town of Guiglo and home to an estimated 400 West African immigrants, most of whom work on cocoa plantations on land owned by "native" Ivorians.¹⁴⁰ Human Rights Watch spoke with six witnesses who said that many of the attackers, who spoke English, appeared to be Liberian, while the vast majority of victims were immigrants from Mali and Burkina Faso. Witnesses said the Republican Forces passed through Bédi-Goazon at around 1 p.m. as they advanced toward Guiglo. Around 3:30 p.m., at least four cars containing scores of pro-Gbagbo militiamen, some in military and some in civilian dress, descended on the area where West African immigrants live. Witnesses described the militiamen, armed with automatic weapons, RPGs, and machetes, killing immigrants inside their homes and as they attempted to flee. As the attackers left, they pillaged and in some instances burned houses, looting any item of value, including motorcycles, money, televisions, mattresses, and clothing.

¹³⁸ For a discussion of the role of Liberian mercenaries in the first Ivorian conflict, see Human Rights Watch, *Youth, Poverty and Blood*; Human Rights Watch, *Trapped Between Two Wars*; and International Crisis Group, *Côte d'Ivoire: "The War is Not Yet Over,"* pp. 21-27.

¹³⁹ Human Rights Watch interviews with leaders of ex-combatant group, Monrovia, Liberia, March 28, 2011; with 32-year-old mercenary recruit, Toe Town, Liberia, April 1, 2011; and with 29-year-old mercenary recruit, Toe Town, Liberia, April 1, 2011. See also Tamasin Ford and Rachel Stevenson, "Ivory Coast rebels have killed hundreds, say observers," *the Guardian* (UK), April 9, 2011; Emily Schmall and Mae Azango, "Liberian mercenaries detail their rampages in western Ivory Coast," *Christian Science Monitor*, April 10, 2011.

¹⁴⁰ A rural land law enacted in 1998 required someone to be an Ivorian citizen in order to own land, stripping the right from immigrants and, at times, northern Ivorians who could not establish their citizenship to the government's demands. International Crisis Group, *Côte d'Ivoire: "The War is Not Yet Over,"* p. 7. For a detailed discussion of the 1998 law and land rights problems more generally, see Norwegian Refugee Council, *Whose land is this?: Land disputes and forced displacement in the western forest area of Côte d'Ivoire*, October 2009.

Several witnesses described a clear ethnic element to the targeting of victims. A 36-year-old witness said: “They came in accusing us of being rebels, and said, ‘If you’re Dioula [from northern Côte d’Ivoire], you can try to flee, if you’re Guéré [natives of the area and largely Gbagbo supporters], stay, we’re not concerned with you. But if you’re Malian or Mossi [an ethnic group from Burkina Faso], we’ll kill you.’ And then they started killing.”¹⁴¹

An 18-year old Malian woman described hearing the attackers yelling, “Fire them,” in English as they descended from their vehicles and started to kill. She said she and many other women and children were saved by a female Liberian who intervened to stop them from being killed.¹⁴² A few witnesses, including a 28-year-old Malian man, survived after paying money to the attackers, but watched others killed right in front of them:

At around 3 p.m. we heard the sound of heavy trucks coming, and ran into our houses. The men fired into the air, then started breaking down the doors ... saying, “Fire, fire” and, “You’re rebels, we’ll kill all of you.” We heard shots and screams.... My family and I were cowering in our home; after breaking down my door, they screamed that I should give them money, or they’d kill me. I gave them all I had—84,000 CFA and the keys to three motorcycles. I begged them not to kill me.... I was terrified, but it saved my life. The commander said, “If it wasn’t for this money, you’d be dead.” But not everyone had money.... They killed a Burkinabé man in front of me... and later in a nearby house, I saw them kill five women just a few meters away. They screamed, “Give us money!” The women pleaded saying they didn’t have any, and then they shot them—three inside the house, two just outside. They ordered four of us to carry the goods they looted to their truck.... As I walked through the village I saw at least 20 bodies and heard women and children wailing.... I saw them setting houses on fire and was told some villagers were burned inside.¹⁴³

A 34-year-old man from Burkina Faso described seeing 25 people killed and noted what he believed to be a clear motive for the attack:

As they were killing people, they accused us of being rebels...They said other things in English that I couldn’t understand. I saw 25 people killed

¹⁴¹ Human Rights Watch phone interview with 36-year-old witness, Man, March 30, 2011.

¹⁴² Human Rights Watch phone interview with 18-year-old witness, Man, March 29, 2011.

¹⁴³ Human Rights Watch interview with 28-year-old witness, Man, March 29, 2011.

with my own eyes. They killed women, with children, with men. They said they'd kill us all. They forced the people out and they killed them, just like they said. Most people who live there in the village are Burkinabé, Malians, and Senoufo [an ethnic group from northern Côte d'Ivoire]. They killed people in front of the door to their house after pulling them out. One man opened his door, two guys dragged him out, and they fired their Kalashes into him. Also I saw an entire family killed. The man, two wives, the man's little brother, and their kids—two kids nine and five years old. They killed them like it was nothing.¹⁴⁴

Several days later, on March 25, pro-Gbagbo militiamen and mercenaries massacred around 100 people in the town of Bloléquin after briefly recapturing it from the Republican Forces. Hundreds of people had fled to the town prefecture during intense fighting between the two armed forces. When the pro-Gbagbo forces took control of the prefecture early on March 25, they separated out those from northern Côte d'Ivoire and West African immigrants and executed men, women, and children. A person who was being held by the Republican Forces at the Bloléquin prefecture when the Gbagbo forces arrived described to Human Rights Watch how he, unlike the scores who were executed, was spared:

It was around 4 a.m., and we could hear really loud clashes. The prefecture was shaking from the gunfire. The townspeople had generally been separated by their ethnic group into different rooms, and we, the Guéré, were lying down in a large room.... Just before 6 a.m., armed men broke into the room where we were. It was the Liberian mercenaries and some other pro-Gbagbo fighters. The mercenaries were led by a guy who goes by the name "Bob Marley." As they broke into the room we put our hands up screaming, "We're captives, we're captives, don't shoot!" They asked if there were any rebels among us, and we said "No, we're all Guéré, we're captives." They led us out of the room and we started to see bodies all over the ground in other rooms. They had us go out the back, saying, "There are too many bodies in the main entry hall for you to pass by." I could look and see bodies stacked up. There were women, men, and young children.

At the prefecture entrance, they had a Guéré militia guy standing there, who asked each person what ethnic group he was from—he spoke to the person in Guéré to hear if we could speak it as a mother tongue. If you could speak

¹⁴⁴ Human Rights Watch phone interview with 34-year-old witness, Man, March 30, 2011.

Guéré, they led you outside. If you couldn't, they forced you into another direction. We'd combined with people from other rooms at this stage, so some were Dioula, Mossi, Malinké. I heard babies and women crying, they killed them all. They massacred them. We were standing outside and they had us wait while they opened fire on everyone who wasn't Guéré. I don't know how anyone could have survived. There was so much noise from the firing, from the crying. I have never heard anything like it.¹⁴⁵

Another person interviewed by Human Rights Watch arrived in Bloléquin several days later and counted more than 70 bodies in the prefecture with gunshot wounds. He said that there were more bodies in the surrounding area that he had been unable to count. He confirmed that the victims were from ethnic groups from northern Côte d'Ivoire and neighboring West African countries.¹⁴⁶

Human Rights Watch also documented the killing of 10 northern Ivorians and West African immigrants in Guiglo during the morning of March 29, when it was controlled by pro-Gbagbo militiamen and Liberian mercenaries, identified by their irregular uniforms, traditional amulets, and use of Guéré and English in communicating. Witnesses said that the perpetrators tied the victims together, then slit their throats.¹⁴⁷ Another person interviewed by Human Rights Watch, who saw the bodies the following day, identified two as Malians and another as Guinean.¹⁴⁸ The pro-Gbagbo forces left Guiglo on March 30, hours before the Republican Forces moved in. Human Rights Watch also documented the killing of eight Togolese nationals from Keibli in mid-March, before the village just outside Bloléquin was captured by Republican Forces. A Bloléquin resident interviewed by Human Rights Watch found their dismembered bodies in and around a lake.¹⁴⁹

In both the Bloléquin and Bédi-Goazon massacres, witnesses told Human Rights Watch that the attackers were led by a Liberian mercenary whose nom de guerre was "Bob Marley."¹⁵⁰ According to witnesses and several other credible accounts, including from former combatants in Liberia, "Bob Marley" worked for Gbagbo dating back to the 2002

¹⁴⁵ Human Rights Watch interview with 28-year-old Ivorian refugee, Janzon, Liberia, April 2, 2011.

¹⁴⁶ Human Rights Watch phone interview with 42-year-old witness in Bloléquin, April 3, 2011.

¹⁴⁷ Human Rights Watch phone interviews with 35-year-old Burkinabé immigrant in Guiglo, April 3, 2011; and with 31-year-old Nigerien immigrant in Guiglo, April 4, 2011.

¹⁴⁸ Human Rights Watch phone interview with 32-year-old Malian immigrant in Guiglo, April 3, 2011.

¹⁴⁹ Human Rights Watch phone interview with Bloléquin resident and witness, March 16, 2011.

¹⁵⁰ Human Rights Watch interviews with 28-year-old Ivorian refugee, Janzon, Liberia, April 2, 2011; with 24-year-old Ivorian refugee, Garley Town, Liberia, April 4, 2011; with 31-year-old refugee, Garley Town, Liberia, April 4, 2011; by phone with 28-year-old witness in Bédi-Goazon, Man, March 29, 2011.

armed conflict and used the village of Ziglo, just outside Bloléquin, as his base for recruiting and training Liberian mercenaries around the 2010 elections.¹⁵¹

According to news reports, Liberian authorities arrested “Bob Marley” in May 2011 in connection with his involvement in the Ivorian crisis.¹⁵² At time of writing, he was being held in Monrovia, facing charges for “mercenarism” under Liberian law.¹⁵³

Indiscriminate Shelling in Abidjan

During the month of March, in what appeared to be indiscriminate attacks under international humanitarian law, Gbagbo’s security forces fired heavy weapons, including mortars, that killed civilians in pro-Ouattara areas of Abidjan. The worst of these attacks took place in Abobo neighborhood and were primarily carried out by pro-Gbagbo soldiers who remained in the area’s gendarme base known as Camp Commando—the only part of Abobo still controlled by Gbagbo forces at this time. Human Rights Watch documented at least 30 deaths from indiscriminate shelling, in what likely amount to war crimes.

On March 17, multiple witnesses interviewed by Human Rights Watch saw mortars fired from Camp Commando.¹⁵⁴ The first four shells landed in an area known as Abobo SOS during a five minute stretch between 12 and 1 p.m., collectively killing six—including two children under 10 years old—and wounding another 34.¹⁵⁵ One person, who still carries shrapnel from the attack in his neck and was wounded in multiple places, said, “I heard ‘BOOM’ and then fell down. I put my hand up to my head and saw blood running down my arm from my head. A Senegalese man nearby took shrapnel to his stomach and died.... When the shell exploded, there was a wind—Voom—that blew out, with an intense heat.”

Soon after, two shells landed in Abobo’s Siaka Kone marketplace, killing at least 15 people and injuring some dozen more. Six men were having tea and chatting in a small market

¹⁵¹ Human Rights Watch interview with 28-year-old Ivorian refugee, Janzon, Liberia, April 2, 2011. Ziglo is the home of Gbagbo ally and former director general of the Abidjan port Marcel Gossio, who, residents from western Côte d’Ivoire interviewed by Human Watch Rights said, had financially supported the mercenaries. The international commission of inquiry likewise identified Gossio as funding pro-Gbagbo militia groups. Rapport de la Commission d’enquête internationale indépendante sur la Côte d’Ivoire [hereafter “2011 COI report”], U.N. Doc. A/HRC/17/48, June 7, 2011, para. 25.

¹⁵² Rukmini Callimachi, Associated Press, “Police hold top Liberia mercenary ‘Bob Marley’ accused in Ivory Coast massacres,” June 14, 2011.

¹⁵³ Ibid.

¹⁵⁴ Human Rights Watch phone interview with 39-year-old witness, Abidjan, July 6, 2011; Human Rights Watch interview with 47-year-old witness, Abidjan, July 30, 2011.

¹⁵⁵ Human Rights Watch interviews with 47-year-old injured by shelling, July 30, 2011; and with 49-year-old injured by shelling, July 30, 2011.

alleyway when one shell exploded several meters away; all were killed.¹⁵⁶ A 50-year-old man who was wounded by shrapnel from the same explosion described the scene:

It was just before 1 p.m., I was seated at a table here. We couldn't go out to our jobs at this time because it was too dangerous to be in the open, so we were sitting here and talking, thinking it was safe. Then we heard the explosion—Boom. It caused a huge amount of dust to fly up, and combined with the noise, it provoked a panic, people were running in every direction.... When it exploded, it sent out little gunshots everywhere. Once the panic stopped, I saw thirteen people dead right there in the market. One of them was a 72-year-old man who was seated next to me. I had wounds in both of my legs and ankles, one of which required surgery.... Some of the wounds people had were so horrible we couldn't even look at them. People had body parts that were blown off, others were completely deformed.¹⁵⁷

Four other witnesses described the situation similarly, including one whose younger brother was wounded in the stomach and later died at the hospital.¹⁵⁸ All witnesses made clear that no military personnel or targets were in the area. When Human Rights Watch visited the scene in July 2011, hundreds of holes were still visible in tin roofs, metal doors, concrete walls, and anything else within 15 to 20 meters of where the shells exploded. The UN Human Rights Division investigated on the day of the attack and reported that at least six 81 mm mortar shells were fired, killing at least 25 and wounding another 40.¹⁵⁹

Similar attacks on residential areas killed at least nine more between March 11 and 24; in one such attack, a woman and her infant were killed.¹⁶⁰ The international commission of inquiry documented further shelling by Gbagbo's forces in the neighborhoods of Williamsville, Yopougon, and Adjamé, citing at least 40 deaths and more than 100 wounded including the Abobo attacks.¹⁶¹

¹⁵⁶ Human Rights Watch interviews with 50-year-old witness, Abidjan, July 30, 2011; with 42-year-old witness, Abidjan, July 30, 2011; and with 47-year-old witness, Abidjan, July 30, 2011.

¹⁵⁷ Human Rights Watch interview with 50-year-old witness, Abidjan, July 30, 2011.

¹⁵⁸ Human Rights Watch phone interview with 39-year-old witness, Abidjan, July 5, 2011; Human Rights Watch interviews with 64-year-old witness, Abidjan, July 30, 2011; with 42-year-old witness, Abidjan, July 30, 2011; and with 47-year-old witness, Abidjan, July 30, 2011.

¹⁵⁹ Associated Press, "UN Condemns Mortar Attack On Ivory Coast Market," March 18, 2011; "Ivory Coast crisis: 'Deadly shelling' in Abidjan," *BBC News*, March 17, 2011.

¹⁶⁰ Human Rights Watch interviews with 42-year-old witness, Abidjan, May 17, 2011; with 64-year-old witness, Abidjan, July 30, 2011; and with 51-year-old witness, Abidjan, July 30, 2011.

¹⁶¹ 2011 COI Report, para. 53.



A man stands in the room where a young girl died late on March 10, 2011, after an explosive device detonated on the roof of her house in Abobo neighborhood. Gbagbo's security forces repeatedly fired mortars that killed civilians in likely indiscriminate shelling; in the worst such act, some 20 civilians were killed when mortars hit an Abobo marketplace and surrounding areas on March 17. © 2011 Getty Images

In response to the repeated shelling of civilian areas, the UN Security Council passed resolution 1975 on March 30, calling on UNOCI "to use all necessary means to carry out its mandate to protect civilians under imminent threat of physical violence ... including to prevent the use of heavy weapons against the civilian population."¹⁶² On April 3, UN Secretary-General Ban

Ki-Moon asked President Sarkozy for *Force Licorne's* assistance in these efforts; joint strikes by UN peacekeepers and *Force Licorne* began the next day against areas where Gbagbo forces were alleged to be firing heavy weapons against civilians.¹⁶³ They culminated in attacks on Gbagbo's residence on April 11, just before the Republican Forces arrested the former president.¹⁶⁴ An Associated Press reporter counted more than 500 BM-

¹⁶² UN Security Council Resolution 1975, March 30, 2011, U.N. Doc. SC/10215, para 6.

¹⁶³ UN Security Council Report, Update Report No. 3: Côte d'Ivoire, April 20, 2011; AFP, "French and U.N. forces attack Laurent Gbagbo's bases after urgent request from Ban Ki-moon," April 4, 2011; AFP, "Gbagbo cornered as battles rage in Ivory Coast city of Abidjan," April 5, 2011.

¹⁶⁴ Reuters, "UN, French attack Gbagbo heavy weapons in I. Coast," April 11, 2011; Marco Chown Oved, Associated Press, "UN, French fire on Gbagbo residence in Ivory Coast," April 11, 2011.

21 missiles used in 122mm multiple rocket launchers in Gbagbo's residence several days later; mortars, grenades, and heavy machine gun ammunition were also found, including at the residence of Gbagbo's prime minister, Ake N'Gbo.¹⁶⁵

Widespread Ethnic Killings and Rapes in Abidjan

Human Rights Watch documented more than 260 killings by pro-Gbagbo militias, mercenaries, and armed forces in Abidjan as the Republican Forces progressively took over the city. Gbagbo's forces established checkpoints throughout the city and continued their months-long campaign of targeting northerners and West African immigrants. Prior to the Republican Forces' arrival in each neighborhood, pro-Gbagbo forces inflicted a final wave of violence against Ouattara supporters—killing men, particularly youth, and subjecting women to sexual violence. Killings continued until the last days that Gbagbo forces remained in certain neighborhoods. Scores were killed in the long-time militia bastion of Yopougon in the days after Gbagbo's arrest, leaving the neighborhood marked with dozens of communal graves and, for days on end, bodies strewn throughout the streets.

The killings documented by Human Rights Watch took place in Adjamé, Williamsville, Koumassi, Port Bouët, and Yopougon neighborhoods. Credible sources, including local human rights groups and neighborhood leaders of immigrant populations, had information about similar killings in other neighborhoods, like Treichville and Plateau, suggesting that the total number killed by pro-Gbagbo militias during this period is probably higher. Bodies were often burned, sometimes en masse, by pro-Gbagbo militiamen or by residents who could no longer tolerate the smell—leaving no trace except for small bone fragments.

Adjamé and Williamsville

Pro-Ouattara forces—particularly the Invisible Commandos—briefly expanded control down from Abobo into the neighborhoods of Adjamé and Williamsville on March 14. After pro-Gbagbo forces pushed them back in subsequent days, they targeted and killed dozens of perceived Ouattara supporters in the area. A 52-year-old woman who remained in Williamsville through most of the violence because her parents were too old to flee told Human Rights Watch:

It was after the [pro-Ouattara forces] were pushed back that youth in civilian attire from the university dorms [a common base for militia groups] started entering the neighborhood. Some of them wore red armbands. When they arrive, they fire their guns. Every day they fire and fire. Whenever

¹⁶⁵ Marco Chown Oved, Associated Press, "More of Gbagbo's arsenal found," April 14, 2011.

we see them, we hide quickly.... With my own eyes I have seen them kill three people and seriously wound another.... Just yesterday, they killed four more below the bridge at the Mobil station. I was coming back from the market when I saw the four bodies already dead. The militiamen were still there, I passed and made like I didn't see them.... One day they stopped me and wanted to shoot me, but one of them intervened and I was able to go.¹⁶⁶

Killings became increasingly frequent as the Republican Forces moved closer to Abidjan. An Ivorian driver described the March 28 killing of three Malian butchers by militiamen wearing black t-shirts and red armbands. The men shot the butchers as they were fetching a cow in Williamsville.¹⁶⁷ A Senegalese man who was shot in the arm in Adjamé by armed men in uniform described how two of his Senegalese friends were shot dead in the same March 17 incident: "The armed men pointed their guns at them and shot.... They didn't ask any questions, they just shot them point blank."¹⁶⁸ Another witness described the March 30 killing of a civilian stopped at a militia checkpoint in Adjamé:

At noon, the militiamen stopped a pick-up truck and asked the driver and his apprentice for their ID papers. The driver was told to go ahead, but they pulled the apprentice out of the passenger seat and fired four times at him; his body is still in the street. This is their way of targeting foreigners... They judge your background from your ID papers. If you're an ECOWAS national or from the north, they take you out and—too often—shoot and kill. With some 10 such checkpoints in Adjamé now, these kinds of killings are becoming the norm.¹⁶⁹

While militiamen were often perpetrators, witnesses also identified regular security forces in some attacks. A 40-year-old man from Burkina Faso was one of nine West African immigrants detained by armed, uniformed men he believed to be policemen at an Adjamé checkpoint on March 29, and later taken into a police station and shot:

At 8:30 a.m., I was stopped at a checkpoint on my way to work. They asked for my ID and after seeing my name, told me to get into a 4x4 nearby. I got in; there were eight others there. The police vehicle took us to the 11th police commissariat. Just behind the commissariat there is a camp, which

¹⁶⁶ Human Rights Watch interview with 52-year-old witness to militia killings, Abidjan, March 24, 2011.

¹⁶⁷ Human Rights Watch phone interview with witness to killings, Abidjan, March 30, 2011.

¹⁶⁸ Human Rights Watch interview with victim and witness to two killings, Abidjan, March 24, 2011.

¹⁶⁹ Human Rights Watch phone interview with witness to killing, Abidjan, March 30, 2011.

is where it all happened. The police pushed us in and yelled at us, “Are you brothers of the rebellion?” I said no but obviously it wasn’t a real question. Then they said, “If you are Burkinabé, go over there to the left. If you are Malian, go to the left.” So we all went left. Then they turned left and fired on us... Six of us died. I got shot in the arm and the kidneys and it looked bad, so they left me for dead. The police left directly after. It was clear they were police because of their uniform; even the 4x4 was a police vehicle, marked as such, and the camp was the police camp at the commissariat. Two of the dead were Burkinabés; I learned the other six were Malian.... I couldn’t sleep last night because of the sutures and the memories.¹⁷⁰

The violence in Adjamé ultimately provoked the mass exodus of northern Ivorians and West African immigrants, who sought refuge in their respective embassies or with family members outside of Abidjan or in other neighborhoods.

Koumassi/Port Bouët

Human Rights Watch also documented scores of killings in Koumassi and Port Bouët as the Republican Forces and pro-Gbagbo forces fought for control of Abidjan between March 31 and Gbagbo’s April 11 arrest. As the southernmost neighborhoods of Abidjan—opposite where the Republican Forces entered the city—they were two of the last three neighborhoods to fall. Indeed, neither saw particularly intense fighting, as the Republican Forces did not need to control them to arrest Gbagbo; most pro-Gbagbo militiamen fled the neighborhood around the time of Gbagbo’s arrest.

While fighting was going on elsewhere in the city, however, real and perceived Ouattara supporters in these neighborhoods were consistently targeted by the Young Patriots, FESCI, and CECOS soldiers. Militiamen killed at least 18 residents of Port Bouët, primarily West African immigrants, during attacks on April 2 and 4.¹⁷¹ More were killed as they fled the attack toward other neighborhoods. As pro-Gbagbo militiamen attacked on April 2, hundreds fled toward the *Force Licorne* base nearby. Upon hearing that the Licorne base could not house them, residents continued toward Koumassi. One witness described what followed:

¹⁷⁰ Human Rights Watch phone interview with 40-year-old witness to six killings, Abidjan, March 30, 2011.

¹⁷¹ Human Rights Watch interviews with 52-year-old who identified mass grave of 10 killed by militia near Blocs Beach Hotel, which served as a militia base, Abidjan, May 17, 2011; with neighborhood leader of the Burkinabé community, Abidjan, May 17, 2011; with 26-year-old witness to two militia killings, Abidjan, May 14, 2011; and with 34-year-old witness to two killings, Abidjan, May 14, 2011.

There were more than a hundred of us running. As we came towards the building in Koumassi Sicogi where many militiamen lived, we fell into an ambush. It was around Camp Commando [a gendarme base]. They opened fire, and as I was running I stepped into a hole and tore my knee. I fell to the ground, and there were six bodies around me—two next to me, and four more in front, just meters away. The shooters came toward us, wearing Gbagbo t-shirts and black pants. I pretended that I was dead; I knew that otherwise they would kill me. They touched each of us with their guns, and one of them said, “They’re dead, let’s go.” At about 7, 8 a.m., a French patrol came. I couldn’t move because of my knee, but I screamed for their attention, and they came and got me.¹⁷²



Members of the Red Cross in Côte d’Ivoire inspect two dead bodies during a body collection operation in the Yopougon neighborhood of Abidjan on May 4, 2011. Yopougon, a bastion of pro-Gbagbo militias, was the last battleground in Abidjan, and forces on both sides were implicated in serious crimes there. Getty Images

Another witness interviewed by Human Rights Watch watched the April 7 execution of four brothers at a militia checkpoint near the same Camp Commando, located near a main entrance to Koumassi.¹⁷³ Late that afternoon, a resident who lived less than 100 meters

¹⁷² Human Rights Watch interview with 29-year-old Port Bouët resident, Abidjan, May 17, 2011.

¹⁷³ Human Rights Watch interview with 33-year-old Koumassi resident, Abidjan, May 17, 2011.

from this checkpoint told Human Rights Watch that he snuck close to the site and filmed 24 bodies lying along the street.¹⁷⁴ Numerous witnesses said that, by several days later, there were merely blackened areas along the road where the militia had burned bodies.

Yopougon

As the longtime base of Gbagbo's militias and the final battle zone in the fight for Abidjan, Yopougon neighborhood was the site of particularly intense killings against perceived pro-Quattara groups. Many killings occurred in the days after Gbagbo's arrest, as militiamen overtly sought retribution.

In the largely Muslim Mami-Faitai section of Yopougon, Human Rights Watch saw what appeared to be eight common graves, each containing between 2 and 18 bodies according to people involved in the burials.¹⁷⁵ At least 46 people were killed in the area between April 11 and 13. The residents of Mami-Faitai had created a checkpoint at their neighborhood's entrance, where, several residents said, unarmed youth signaled if attackers were coming by banging pots and pans. Residents described how seven attackers in BAE (the anti-riot unit) uniforms descended on the checkpoint just after midnight on April 11 and killed 18 people. A survivor who pretended to be dead after being shot told Human Rights Watch:

When they arrived, they yelled, "Everyone lay down." Since they all had Kalashes, we had no choice. There were 18 of us there who lay down, 16 of whom were killed. They took our cell phones; one of them said, "Now you won't be able to call ONUC [UN peacekeepers] anymore." They demanded our names; the first two were Ibrahima and Boubakar. They charged their weapons and one said, "It's you that caught President Gbagbo, you're going to pay. We're going to make a mass grave in your neighborhood today." I was the leader of the group, so I said, "We're youth from the neighborhood; we're unarmed. We're not rebels, we're not politicians, we're just protecting our neighborhood, our women."

One of them put his foot down on me and shot into my back [wound seen by HRW]. It didn't kill me though. I lay there like I was dead, hoping they wouldn't notice and shoot me again. He kicked me, and I didn't respond.... After a second kick, he moved to the next person. All seven of them were shooting by this time—killing one after another.... When the people in our

¹⁷⁴ Human Rights Watch interview with 24-year-old Koumassi resident, Abidjan, May 17, 2011.

¹⁷⁵ Human Rights Watch interviews with 34-year-old who was forced by the militia to bury victims, Abidjan, May 15, 2011; and with 49-year-old who participated in burial of 18 in one grave, Abidjan, May 15, 2011.

neighborhood heard the gunshots, many came out to defend us. But the Gbagbo guys fired to push back the crowd. Two more bodies were found by the mosque nearby; people who had tried to come help us.¹⁷⁶

A 65-year-old man, who lived in the same neighborhood and lost five sons when militiamen climbed into his compound around 9 a.m. on April 12, said:

They were going house by house to kill. They were more than 10 that jumped the fence into my compound. Most were in civilian clothes—all black, a few masking their faces with charcoal—but others wore military pants. All had Kalashes. They broke the first door, in which three of my sons were hiding. I was inside the main door, the metal one, which is what saved me. They couldn't break it down like the two wood doors in the courtyard. They fired their guns after they jumped over the fence; we all heard and ran to listen and look through a hole in the door.

I watched as they pulled out three of my boys from the first room. They forced them to lay down on their stomachs in the hall and shot them at point-blank range. First they took everything of value from them, then one opened fire, “pop-pop,” on each son. They demanded money, and my sons gave it to them; they demanded clothes, my sons gave it to them; they demanded the TV, cell phones. Everything was given, yet the militiamen killed them. They yelled that we, the Dioula, were rebels that had taken over the country. Another said, “It's your brothers that captured Gbagbo yesterday.” They pillaged that bedroom, then went to the second door where two more boys slept. They broke down that door too and immediately shot one who was standing up, right in the chest. One of the attackers then said, “We've taken care of four of them, that's enough, let's go.” But another said no. The fifth son was hiding under his bed. They pulled him out and shot him. Several stayed for more than an hour, while the others continued their killing elsewhere. One of them broke open the fridge and, with the five bodies on the ground, took out couscous, bissap [juice], and ate right there. Crumbs were left on the ground right by the bodies.

Around 2 p.m., we stopped hearing gunfire and went out. When I saw the bodies, I was in shock, I couldn't even cry. We marched through blood to get

¹⁷⁶ Human Rights Watch interview with 26-year-old, Abidjan, May 14, 2011.

out of the compound, the five bodies just lying there. Bullet holes had gone into the concrete floor. We couldn't take the time to bury them, as we didn't know when the militiamen would return. When we came back, we were told by a few who had hidden in the neighborhood that the militiamen had packed the bodies together and set them on fire. Burn marks were in front of our compound. We found some remains of bones, but nothing more.¹⁷⁷

In the Doukouré sub-neighborhood of Yopougon, 29 people lie in a single mass grave from the April 12 killings, according to several residents who helped bury the bodies on April 13.¹⁷⁸ At least seven more graves are nearby in the same dusty parking lot for the neighborhood mosque, with body counts between one and twelve, according to others who assisted in the burials.¹⁷⁹ As they went from house to house killing, the militiamen also raped women, including a 23-year-old:

Around 2:30 in the afternoon the militiamen knocked on the door to the courtyard. Before we could even come to open it, they'd broken it down. My husband raised his hands. They demanded his ethnicity, his identity card. He said, "I'm Dioula," and they said, "Ah, it's you that supports Alassane." He didn't respond, but as they grabbed his identity papers, they shot him in the arm and then his ribs.

Then they told the women to take off their clothes and lay down, or they would shoot us. I begged for forgiveness, but one of them called in the others who had remained outside. First, five more came in, then one went out to call in more, and three more came. They all had weapons. The first who entered wore military fatigues and carried a Kalash. The others were in civilian dress and had knives and machetes. There were three women in the rooms that share the courtyard, and they raped all of us. One militiaman raped each woman. They forced us to turn around and then raped us. After they finished, they took everything we owned, left us with nothing.¹⁸⁰

Human Rights Watch documented 21 rapes by pro-Gbagbo forces in Doukouré and Mami-Faitai in the week after Gbagbo's arrest. At least 9 occurred, like the one described above,

¹⁷⁷ Human Rights Watch interview with 65-year-old father of victims, Abidjan, May 14, 2011.

¹⁷⁸ Human Rights Watch interviews with 25-year-old resident and participant in burial, May 14, 2011; and with 58-year-old resident and participant in burial, May 14, 2011.

¹⁷⁹ Human Rights Watch interview with 30-year-old who participated in burials, Abidjan, May 14, 2011; and with 32-year old who participated in burials, Abidjan, May 14, 2011.

¹⁸⁰ Human Rights Watch interview with 23-year-old rape victim, Abidjan, May 14, 2011.

during the April 12 attacks. Rapes also continued in subsequent days, however, as some women tried to return home to get essential belongings for their families then in hiding.

Killings within areas controlled by the militias continued through the final days of the battle for Yopougon. On April 25, pro-Gbagbo militiamen took advantage of a brief movement by the Republican Forces out of Yopougon Andokoi to set up a roadblock. Two Malian brothers came into the neighborhood around noon, thinking it was safe, and were stopped at the checkpoint. The older brother, interviewed by Human Rights Watch, escaped but looked back to see that his 26-year-old brother been stopped. After the Republican Forces took back the area that night, the older brother returned to find his brother's half-charred body stacked next to five more victims who had been burned almost beyond recognition.¹⁸¹ On April 27, retreating militiamen burned Locodjoro, one of the last areas to fall to the Republican Forces, to the ground. They destroyed hundreds of homes, and according to witnesses, they detained, bound, and executed two Malians. One was on his way into the area to save his mother who had been unable to flee earlier violence.¹⁸²

Yopougon residents from both political parties said they had seen a few well-known militia leaders in and around the sub-neighborhoods of Yopougon where large numbers of killings occurred. Witnesses described repeatedly seeing militia leader Bah Dora in the area of Toit Rouge. Witnesses there described the involvement of militiamen under Bah's command in multiple killings of civilians from alleged pro-Ouattara groups.¹⁸³ Several neighborhood residents told Human Rights Watch that Bah was captured by the Republican Forces and held at the 19th precinct police station.¹⁸⁴ Two witnesses also said they saw Maho Glofiei, a longtime militia leader from western Côte d'Ivoire, in Yopougon just before Gbagbo's arrest.¹⁸⁵

Republican Forces Military Offensive

On March 17, Ouattara signed a decree creating the Republican Forces of Côte d'Ivoire as the country's "official" armed forces. The Republican Forces included the former *Forces Nouvelles* fighters as well as members of the national army and security forces who joined

¹⁸¹ Human Rights Watch interview with 38-year-old witness and brother to deceased, May 20, 2011.

¹⁸² Human Rights Watch interviews with 27-year-old Locodjoro resident who fled the attack, May 23, 2011; with 42-year-old brother of Malian who was executed, May 24, 2011; and with 31-year-old witness to the attack, May 24, 2011.

¹⁸³ Human Rights Watch interviews with 46-year-old Yopougon resident, Abidjan, May 24, 2011; with 45-year-old Yopougon resident, Abidjan, May 24, 2011.

¹⁸⁴ Human Rights Watch interviews with 46-year-old Yopougon resident, Abidjan, May 24, 2011; and with 27-year-old Yopougon resident, Abidjan, May 24, 2011.

¹⁸⁵ Human Rights Watch interviews with 46-year-old Yopougon resident, Abidjan, May 24, 2011; and with 38-year-old Yopougon resident.

Ouattara's side.¹⁸⁶ The decree was promulgated around three weeks after the *Forces Nouvelles*, under the command of Ouattara's Prime Minister, Guillaume Soro, first launched an offensive in Zouan-Hounien, a town on the Liberian border. By March 29, after a month of tense fighting with primarily pro-Gbagbo militias and mercenaries, the now-created Republican Forces controlled the west. In the subsequent two days, town after town fell throughout southern, central, and eastern Côte d'Ivoire as attacks opened up on three fronts. By March 31, the Republican Forces converged on Abidjan and began a battle that would culminate in Gbagbo's April 11 arrest. Fighting continued, however, through the first week of May, as pro-Gbagbo militiamen fought on in their stronghold of Yopougon neighborhood.

Until their military offensive began in the country's far west, armed elements loyal to Ouattara were implicated in few serious abuses. However, wherever they met stiff resistance once armed conflict began—primarily in the west and Abidjan—soldiers systematically targeted civilians perceived to support Gbagbo. Men, especially youth, were particularly targeted for their perceived affiliation with militias, but the elderly, women, and children were also killed. In total, hundreds were killed, most along ethnic lines, and dozens of women were raped. These abuses at times implicated high levels of the Republican Forces leadership, either directly or through command responsibility.

Killings, Rape, and Pillage in the Far West

Armed clashes between pro-Ouattara and pro-Gbagbo forces began in the west on February 25, around the town of Zouan-Hounien. After quickly taking Zouan-Hounien and Bin-Houyé along the Liberian border, the Republican Forces faced much greater resistance in Toulepleu, Doké, Bloléquin, and Duékoué.¹⁸⁷ On March 10, Soro acknowledged Commander Fofana Losséni as Republican Forces' leader in the "pacification of the far west," with the mandate "to protect the populations in the name of Ouattara's government."¹⁸⁸ Witnesses and Ivorian newspaper reports also identified Captain Eddie Médi as the military offensive's field leader from Zouan-Hounien through Guiglo.¹⁸⁹

¹⁸⁶ Reuters, "Ivory Coast's Ouattara Says Rebels are Legitimate Army," March 18, 2011.

¹⁸⁷ Although they were not named the "Republican Forces" until March 17, this report will refer to them as such for consistency in describing the military offensive. The soldiers that were the "*Forces Nouvelles*" that took control of Zouan-Hounien on February 25 were primarily the same as those that took Doké, Bloléquin, and other towns once reconstituted as the "Republican Forces."

¹⁸⁸ Rahoul Sainfort, "Toulepleu, Zouan Hounien, Bin Houyé - Soro dans les ruines de la région Ouest," *Le Patriote*, March 23, 2011.

¹⁸⁹ Human Rights Watch interviews with 26-year-old Ivorian refugee in Liberia from Bloléquin, Janzon, Liberia, April 4, 2011; and by phone interview with 34-year-old in Bloléquin, April 5, 2011; Kindo Ousseney, "Portrait: Le capitaine Eddie Medi / L'officier qui a chassé les mercenaires de Gbagbo l'Ouest," *Nord-Sud*, March 17, 2011.



A young girl is helped by her mother at Bangolo Hospital in western Côte d'Ivoire, April 11, 2011. She was shot in the foot as she fled an attack on her village, near Duékoué, during post-election violence. The wounds were too severe to save her foot and it had to be amputated. © Peter DiCampo/VII Mentor Program

As combat waged throughout March, the Republican Forces targeted alleged pro-Gbagbo civilians. Soro visited the Republican Forces in Toulepleu on March 9 and 10, which does not appear to have reduced the abuses.

Human Rights Watch documented the killing of civilians by pro-Ouattara forces in at least a dozen villages around Toulepleu and Bloléquin, including by point-blank execution, dismemberment, and immolation. While the majority of the region's ethnic Guérés fled in anticipation of the Republican Forces' attack, those who remained were subjected to collective punishment for the group's perceived support for Gbagbo. The international commission of inquiry similarly found "that in arriving in the different towns, the FRCI and their allies likewise committed a number of acts of violence against populations considered favorable to former president Gbagbo...."¹⁹⁰

A 57-year-old Guéré man from Zoguiné, a village between Toulepleu and the nearby official border crossing into Liberia, described to Human Rights Watch how the Republican Forces executed a farmer walking home, burned his mother alive, and destroyed his village:

¹⁹⁰ 2011 COI Report, para. 65.

The rebels¹⁹¹ arrived at my village on Monday, March 7, at 10 a.m. The women in the village had already fled once we heard Toulepleu had been attacked. But my mother remained because she couldn't flee, and then there were 14 men who stayed as well. Most of us were in the village, but one was in his fields outside the village.

Seven of the rebels entered. When we heard the firing we all fled to the bush. But the guy at his plantation didn't know they'd come. He came back to his house and when he did, they fired on him and hit him in his knee so he couldn't walk. They were in military fatigues, all of them, and they had white bandanas on their heads. Some of them had charcoal on their faces; others had red paint on. The rest of us were hidden in the bush and watched from 100, maybe 200 meters away. They shot him in his knee with a Kalash from about 10, 20 meters. They came to him after that first shot and aimed their guns at him. Then [our neighbor] yelled out to us, "Come back from the bush! It's not the rebels who've come. It's our protectors [the pro-Gbagbo troops]." They tried to trick us. But we could see them with their guns pointed at him. So we didn't move. After a couple minutes, they must have realized we weren't coming back. They set fire to his house, and then several of them grabbed him and dragged him along the ground. They must have dragged him 85 meters, bringing him toward the main road that runs through the village. Then they shot him at point-blank range and cut out his insides with a long knife. They left his body there.

Then they went back into the village and started breaking into all the houses. They searched those close to the road and took everything of value. They set fire to the houses that had straw roofs. My mother was old and sick and couldn't leave her bed. They burned her house with her still in it. I found her burned body later, after they left. I watched as they burned my house after stealing everything. Since they'd come to the village on foot, they amassed all of the belongings along the main road. And then they called in their companions who arrived with a military cargo truck to take it all away. They took TVs, radios, anything they could get their hands on.

¹⁹¹ In interviews, victims and witnesses used a variety of terms to describe Ouattara's regular armed forces, including "rebels," *Forces Nouvelles* (or FN), FAFN (for *Forces Armées des Forces Nouvelles*), and *Forces Républicaines de Côte d'Ivoire* (Republican Forces of Côte d'Ivoire or FRCI).

They slaughtered all of our animals—just opened fire on them with their Kalashes—before getting into the truck.¹⁹²

In a few towns and villages, the Republican Forces arrived sooner than expected, before most people had taken flight, and opened fire as the panicked population tried to flee into the surrounding bush. Human Rights Watch documented dozens of killings during such instances in Toulepleu, Diboké, Doké, and Bloléquin.

Witnesses said the Republican Forces often went house-to-house after occupying a village, killing many who remained. A 23-year-old woman from Diboké told Human Rights Watch that fighters from the Republican Forces entered her house and killed her mother, father, and younger brother. She escaped through a window, ultimately fleeing to Liberia.¹⁹³ A 25-year-old woman from Bloléquin hid under her bed as pro-Ouattara forces entered her house and killed her 20-year-old sister.¹⁹⁴ In at least four cases documented by Human Rights Watch, victims had parts of their arms cut off and then their insides cut out with long knives—two while still alive, two others after they had been shot.¹⁹⁵

After working through the towns and villages, some Republican Forces fanned out on foot on the smaller roads into areas where residents work on cocoa plantations—killing additional people who believed they had fled to safety. In one of several such accounts, a 47-year-old woman told Human Rights Watch:

When we heard that the rebels were coming, my family fled to our *campement* (the small camp near their cocoa plantation). It's two kilometers outside of Doké, on a road you can only get to on foot or motorbike. We thought we would be safe there, even if there was fighting in the town. On March 16, I was with my father, husband, and 10-year-old son. My sister and her children were also there. We were preparing food when two rebels came across us in the bush. One of them was dressed in full military camouflage with a white bandana; the other one had on military pants and a black t-shirt. Perhaps they'd seen the fire, that's how they found us.

¹⁹² Human Rights Watch interview with 57-year-old Ivorian refugee, Toe Town, Liberia, March 31, 2011.

¹⁹³ Human Rights Watch interview with 23-year-old Ivorian refugee, Toe Town, Liberia, April 1, 2011.

¹⁹⁴ Human Rights Watch interview with 25-year-old Ivorian refugee, Zleh Town, Liberia, March 31, 2011.

¹⁹⁵ Human Rights Watch interviews with 22-year-old Ivorian refugee, Toe Town, Liberia, April 1, 2011; with 31-year-old Ivorian refugee, Janszon, Liberia, April 2, 2011; with 62-year-old Ivorian refugee, Zwedru, April 3, 2011; and with 58-year-old Ivorian refugee, Garley Town, April 3, 2011.

They saw me first, and they opened fire from 20 or 30 meters away. I went to the ground and pretended I was dead. They hadn't hit me. Then they saw the others and went toward them. They opened fire again, and they killed my family—my son, my husband, and my father were all killed. They were shooting with big guns, guns that fired quickly like “boom-boom-boom.” I lay there, watching as my boy fell down dead, but I couldn't cry. If I cried they would know I was still alive, and they would have killed me. But why am I still alive? They have taken my son, my husband, and my father. I have nothing. I'm no longer alive anyway.... They left and after a little time I got up and looked at the bodies. Blood had run into the ground, but none of them were moving anymore. My boy had been hit with two bullets, one in the chest and the other one in the stomach. I held him and cried silently.¹⁹⁶



Ivorian refugees on the road between the towns of Zwedru and Janzon, in Grand Gedeh county of Liberia, after fleeing from the violence in western Côte d'Ivoire, March 25, 2011. © 2011 Juliette Robert

After summarily killing Guéré civilians found in a village, the Republican Forces often proceeded to pillage and burn houses, according to witnesses. Human Rights Watch documented the partial burning of at least 10 Guéré villages around Toulepleu and

¹⁹⁶ Human Rights Watch interview with 47-year-old Ivorian refugee, Janzon, Liberia, April 2, 2011.

Bloléquin. Several witnesses described watching, while hiding in the bush, Ouattara's forces burn even buildings used to store the village's rice and rice seed.¹⁹⁷

Summary Executions of Detained Civilians, Primarily the Elderly

As the Republican Forces swept through, those who were elderly or ill, as well as family members who refused to leave loved ones who were unable to flee, often remained behind in their houses. In at least several instances, Republican Forces locked these people in one or several village houses and killed them in the days that followed. Human Rights Watch documented the killing of more than 30 Guérés who had been unable to flee with their families; in the vast majority of cases, the Republican Forces shot elderly victims at point-blank range. Scores of other refugees interviewed by Human Rights Watch said they left behind elderly relatives in other villages around Toulepleu and Bloléquin, suggesting that this death toll could be higher.

A 21-year-old Guéré woman from a village near Toulepleu described how in early March, she, her family, and five other villagers were detained. She was raped, her husband was killed for trying to defend her, and others were executed:

The village was attacked by rebels [around March 7]. The loyalists [pro-Gbagbo troops] had been in the village for some time, but they fled right before the rebels arrived. My husband, two children, and I hid in our house. The rebels found us and took us to the village chief's house, where we were held for around a week, together with five other villagers, including two women. Every day they took someone out and shot him in front of the house. The rebels would enter, take the person out, and then a shot would be fired and the person never came back. On the fifth day I was raped inside the house by one of the rebels. He raped me right in front of my children. When my husband tried to defend me, they took him outside, fired a shot, and he never came back.¹⁹⁸

A 67-year-old woman from Doké, where fighting between Ouattara and Gbagbo forces took place on March 13, similarly described to Human Rights Watch the execution of 20 Guéré civilians, the majority elderly men and women:

¹⁹⁷ Human Rights Watch interviews with 52-year-old Ivorian refugee, Toe Town, Liberia, March 31, 2011; with 58-year-old Ivorian refugee, Bah Town, Liberia, March 31, 2011; with 31-year-old Ivorian refugee, Zleh Town, April 1, 2011; and with 46-year-old refugee, Toe Town, Liberia, March 31, 2011.

¹⁹⁸ Human Rights Watch interview with 21-year-old Ivorian refugee, Toe Town, Liberia, April 1, 2011.

I woke up to gunfire the first day they attacked Doké. I was in my house, and when I heard the shooting I ran outside. The rebels caught me immediately. Some of them were in military camouflage; some were in t-shirts with military pants. There were military cargo trucks and 4x4s around town. Six of them trapped me along with four other people. They locked us in one of the bigger houses in the village. When they put us there, one said, “We didn’t come here for you. We didn’t come here to kill you.” ... The second day, they brought more people to the house. Some were from the village, mostly other aged or sick people that couldn’t flee. And then there were similar people from neighboring villages that they brought there. Altogether we were more than 30, more than 40 people even. We were all over 45 years old.... What fight did they have with us?

It was this day that they started to kill. The rebels pulled people out of the house and executed them right in front. I could look out and watch it all. I was so surprised the first time, we all cried out knowing then we were going to die. They grabbed an elderly man—it was three of them that came in—they pulled him outside, told him to start walking away, and then shot him from two, three meters away. His body just went down to the ground. Then they came in and grabbed another person. That day they killed our village chief.... In total they killed more than 20 people held there, some every day. After three days of killings, they brought some of the bodies together and burned them. The smell was horrible from all the decaying bodies outside....

They’d slammed my foot with a Kalash that first day, so my foot was really inflamed. A young rebel came to me because of my injury and said that I was to go into the bush and collect wood to cook for them later. He told his friend I couldn’t run away because my foot was so inflamed. They didn’t realize I was still strong, that I knew if I stayed I’d be killed. So when I went into the bush to get that wood, I made my escape. I was in the bush for two weeks.... I still don’t know where my husband and children are.¹⁹⁹

An 84-year-old man held in another house in Doké with six other Guérés described how on the fifth day of their captivity, uniformed Republican Forces soldiers locked the one-room house in which they were being detained and then opened fire through the walls. Five of the seven captives died immediately, all of them over 50 years old, and the witness had

¹⁹⁹ Human Rights Watch interview with 67-year-old Ivorian refugee, Zwedru, Liberia, April 3, 2011.

three gunshot wounds in his left leg.²⁰⁰ Pro-Ouattara forces left the village—which was briefly taken back over by pro-Gbagbo forces without a fight that day—allowing the man to escape with another survivor. They found a car that took them to Guiglo, where the Red Cross treated him. Faced with another imminent attack by the Republican Forces in Guiglo, the 84-year-old man spent two weeks traveling more than 100 kilometers on foot to cross into Liberia and find refuge in a village there.²⁰¹

Rape and other Sexual Violence

Human Rights Watch documented 23 cases of rape and other sexual violence by the Republican Forces as they advanced through the west. All the victims were Guéré. In several instances, the attackers referred to the victim's ethnicity before or during the rape. Credible reports from humanitarian organizations working along the Liberian-Ivorian border suggest dozens more cases.

In a few instances, combatants seized women and girls during their initial attack on a village, forced them into the surrounding bush, and raped them. A 31-year-old woman from Bohobli, a village near Toulepleu, decided not to flee as the Ouattara forces advanced because her grandmother could not leave and because of her own disabled foot. She told Human Rights Watch that three armed men entered her house. One fighter killed the grandmother with a machete, while the other two dragged the woman into the bush, where one raped her.²⁰²

In the majority of documented cases, fighters held women captive in houses for one or several days, gang raping them repeatedly before moving on to the next town or village. Around March 7 or 8, the Republican Forces moved through Basobli, about 10 kilometers from Toulepleu toward the Liberian border. While most inhabitants fled once they heard that Toulepleu fell, a 25-year-old woman interviewed by Human Rights Watch stayed to look after her brothers and sisters:

Armed rebels arrived in the village. Seven of them took over my family home and held me captive for two nights with three younger brothers and sisters and one cousin. Three of the seven men raped me in the house multiple times both nights. The rebels were always there, but during the day I was allowed to walk around the village. Three other women in the village were being held in their homes; I spoke with them during the day,

²⁰⁰ Human Rights Watch interview with 84-year-old Ivorian refugee, Tuzohn, Liberia, April 4, 2011.

²⁰¹ Human Rights Watch interview with 84-year-old Ivorian refugee, Tuzohn, Liberia, April 4, 2011.

²⁰² Human Rights Watch interview with 31-year-old Ivorian refugee, Toe Town, Liberia, April 1, 2011.

and the women said they were being raped as well. When we talked the third day, we decided to flee. I got my family and when we saw the chance, we fled into the bush.²⁰³

After the pro-Ouattara forces took over Bloléquin on March 20, they similarly held men and women captive who had been caught in the fighting and were unable to flee. In a villa not far from the prefecture where several Republican Forces' commanders were staying, combatants repeatedly raped eight young Guéré women, including several girls, as described by a man held with them:

I was taken to a house in Bloléquin along with 15 other captives. It was a very large villa in town. The FAFN [*Forces Nouvelles*] military leaders were staying at the town prefecture, but another group of FAFN had commandeered this house which wasn't too far away. They kept us there as prisoners. Of the 16, eight were women—some girls, 14, 15 years old. All of us were Guéré.... During the night, they came and grabbed the women, who would cry and plead with the soldiers not to touch them. All the FAFN had the same idea, to rape the women, especially the youngest. The first time, three soldiers came at the same time and one said as he grabbed a girl, "Your Guéré husbands wanted war with us, so we'll give them war."

They even fought among themselves, right in front of us, over who would get to be with which girl. All night they took the girls—one or two FAFN would grab one, take the girl into a room across the hall, or downstairs—and then rape them. I listened to the cries all night; I didn't sleep, none of us did. Then the girls would be brought back, and another FAFN would take his turn. We were all kept in the same room, and the girls would come back and tell us that the soldiers had raped them over and over. They said that the soldiers would put a gun or machete to their neck, tell them to undress, and then rape them.²⁰⁴

The above crimes—killings as the Republican Forces entered villages, executions of the elderly who could not flee, sexual violence, and the burning of villages—appear to have been principally committed by forces under the direct command of Captain Eddie Médi

²⁰³ Human Rights Watch interview with 25-year-old Ivorian refugee, Toe Town, Liberia, April 1, 2011.

²⁰⁴ Human Rights Watch interview with 32-year-old Ivorian refugee, Janzon, Liberia, April 2, 2011.

(see Text Box below for more information on Médi).²⁰⁵ Previously the *Forces Nouvelles* commander in Danané, Médi's forces moved from Zouan-Hounien to Toulepleu and then over through Bloléquin to Guiglo during their March offensive.²⁰⁶ They left a documented path of killings and rapes. In an March 17, 2011, interview, Médi's chief of staff Dion Robert said that Médi "is always at the front of his troops,"²⁰⁷ making it likely that, at a minimum, he saw at least some of the war crimes committed. Reporting by the Associated Press indicates that abuses by Médi's troops continued in subsequent months, including a horrific massacre of 47 Guérés near the Liberian border the day after Ouattara's inauguration. Médi admitted to the journalist that he had sent troops to that area on the day in question, but said it was in response to activity by pro-Gbagbo mercenaries.²⁰⁸

²⁰⁵ Human Rights Watch interviews with 26-year-old Ivorian refugee in Liberia from Bloléquin, Janzon, Liberia, April 4, 2011; and by phone interview with 34-year-old in Bloléquin, April 5, 2011; Kindo Ousseny, "Portrait: Le capitaine Eddie Medi / L'officier qui a chassé les mercenaires de Gbagbo l'Ouest," *Nord-Sud*, March 17, 2011.

²⁰⁶ Kindo Ousseny, "Portrait: Le capitaine Eddie Medi," *Nord-Sud*, March 17, 2011; "Après Toulepleu, Bloléquin : Les FRCI avancent...", *La voix du golf*, March 22, 2011, <http://www.stpci.net/regionale.php?id=20> (accessed August 27, 2011).

²⁰⁷ Kindo Ousseny, "Portrait: Le capitaine Eddie Medi," *Nord-Sud*, March 17, 2011.

²⁰⁸ Rukmini Callimachi, Associated Press, "War over but massacres continue in Ivory Coast," July 23, 2011.

Pattern of Abuse: Two Republican Forces Commanders with a History of Overseeing Troops Who Commit Serious Crimes

Captain Eddie Médi: As noted above, Médi oversaw armed forces in the far west that murdered, raped, and burned villages on political and ethnic grounds. During the 2002-2003 armed conflict, Médi was a commander in the *Mouvement pour la Justice et la Paix* (MJP) rebel group that joined two others in forming the *Forces Nouvelles*. A *Nord-Sud* article states that, starting in November 2002, he played an active role in “different battles for control of western towns, including Man, Danané, and Bangolo” and then “routed Liberian mercenaries” who had overseen massacres in Bangolo.²⁰⁹ On March 7, 2003, Liberian mercenaries supporting Gbagbo were indeed implicated in a massacre of some 60 mostly Dioula residents of Bangolo, as documented by Human Rights Watch at that time.²¹⁰ Two weeks later, however, on March 22, rebel forces committed a massacre against Guéré civilians in Dah village just outside Bangolo in what “was most likely a reprisal attack” according to the same 2003 Human Rights Watch report.²¹¹ Whether Médi was specifically involved in this attack is unclear, but the information in the *Nord-Sud* profile indicates that he was at least a commanding officer for the MJP around Bangolo at that time. An International Crisis Group report found that, in April 2003, the MJP there “prevented access ... for four days” to MICECI troops (the ECOWAS mission to Côte d’Ivoire in 2003) sent to investigate the massacre. By the time the MJP allowed MICECI to enter, no physical evidence of a massacre remained.²¹²

In a 2004 interview with the newspaper *Fratérité-Matin*, Médi, by then the commanding officer of *Forces Nouvelles*’ military operations in the area,²¹³ was specifically asked about reports of massacres, rape, and other criminal acts by his forces. He responded that after the formal Gbagbo forces had fled, youth that had been armed remained in the villages and offered a “strong resistance.” He continued, “While there may have been excesses in some areas, I believe it was due to the resistance done to us.... The Bangolo events are not just imputable to our movement.... A lot of those that are speaking don’t have any proof that the acts they describe were from us.”²¹⁴ Many of the same explanations would be given by the

²⁰⁹ Kindo Ousseny, “Portrait: Le capitaine Eddie Medi,” *Nord-Sud*, March 17, 2011.

²¹⁰ Human Rights Watch, *Trapped Between Two Wars*, p. 40.

²¹¹ Human Rights Watch, *Trapped Between Two Wars*, p. 41. The 2003 United States Department of State report on human rights in Côte d’Ivoire also mentions reports of killings by rebel groups, including the MJP, in Bangolo in May 2003, as well as the discovery of mass graves in Bangolo in September. The report also notes that in Zérébo and Bahably, two villages in the Bangolo department, there were four water wells found with human remains – citing “early reports [that] indicated that western rebel groups who captured the area killed the persons in the mass graves and wells between December 2002 and January 2003.” United States Department of State Bureau of Democracy, Human Rights, and Labor, “Côte d’Ivoire, 2003,” February 25, 2004. All of these crimes were during a time at which, according to Médi’s chief of staff and Médi himself, Médi was a commander there.

²¹² International Crisis Group, *Côte d’Ivoire: “The War is Not Yet Over,”* p. 26, footnote 128.

²¹³ Kindo Ousseny, “Portrait: Le capitaine Eddie Medi,” *Nord-Sud*, March 17, 2011.

²¹⁴ Sylvain Doua Gouly, “Cote d’Ivoire: Capitaine Eddy Medy (COMJP Bangolo): ‘La confiance renaît entre la population et nous,’” *Fratérité-Matin*, June 8, 2004.

Republican Forces—comprising many of the same commanders—when implicated in similar abuses in 2011.

Commander Ousmane Coulibaly (known commonly by his former nom de guerre, “Ben Laden”): As discussed below in the section on the final battle for Abidjan, Ousmane Coulibaly was in charge of troops in Yopougon neighborhood that witnesses and victims repeatedly implicated in killings, torture, and arbitrary detentions. The U.S. State Department’s 2009 Human Rights Report on Côte d’Ivoire shows that Coulibaly may previously be implicated under command responsibility for grave crimes, stating, “Corporal Alpha Diabate, a close aide of FN Zone 8 commander Coulibaly Ousmane, was identified as the perpetrator responsible for torturing three cattle breeders in Odienne in May 2008. FN authorities had not taken any action against Diabate at year’s end.”²¹⁵ Moreover, back in early and mid-2003, Ousmane Coulibaly was a leading military commander in the MJP rebel group in the western town of Man. MJP, later part of the *Forces Nouvelles*, had close ties to Charles Taylor and Liberian mercenaries.²¹⁶ Human Rights Watch,²¹⁷ International Crisis Group,²¹⁸ the 2004 international commission of inquiry,²¹⁹ and Amnesty International²²⁰ implicated the MJP forces in and around Man in grave international crimes. Ousmane Coulibaly was not named as having ordered such crimes, but was a commander of operations overseeing troops that engaged in such acts.²²¹

²¹⁵ United States Department of State, “2009 Human Rights Report, Côte d’Ivoire,” March 11, 2010.

²¹⁶ International Crisis Group, *Côte d’Ivoire: “The War is Not Yet Over,”* pp. 18-21, 51.

²¹⁷ Human Rights Watch, *Trapped Between Two Wars*, pp. 26-28 (finding that after retaking Man from Gbagbo forces on December 19, 2002, forces including Ousmane Coulibaly’s MJP “specifically targeted those civilians, many of them self-defense committee members, who had collaborated with the government forces in targeting civilians” and also took women as “wives” in subjecting them to repeated sexual violence).

²¹⁸ International Crisis Group, *Côte d’Ivoire: “The War is Not Yet Over,”* pp. 25-26. ICG notes that, after repeated attacks on civilians by their Liberian mercenary allies, Coulibaly was placed in charge of “clean-up” between February and April 2003. This involved pushing the Liberian mercenaries toward the border. *Ibid.*, p. 24. A United States Department of State report from 2004 also mentioned Coulibaly in this role, stating: “On May 8, Ousmane Coulibaly, MJP military commander in Man, told the media that 140 Liberians were being detained ‘for their own protection.’” The report also notes, however, “In April, several sources reported that fighting between the western rebels, MPIGO, MJP, and their Liberian/Sierra Leonean allies resulted in execution of more than 50 Liberian mercenaries in the western region. A BBC reporter said he saw dead Liberian combatants with their hands tied and sometimes their heads and toes severed.” United States Department of State Bureau of Democracy, Human Rights, and Labor, “Côte d’Ivoire, 2003,” February 25, 2004.

²¹⁹ The UN Security Council never made public the report, but the report was leaked and is now widely available. Conclusion 28 identifies Man as one of many towns where both sides’ committed widespread or systematic attacks against civilian populations, including murders, rape, and torture, comprise crimes against humanity.

²²⁰ Amnesty International, *Côte d’Ivoire: Les Femmes, Victimes Oubliées du Conflit*, January 2007 (“[W]omen were systematically attacked by both pro-government militias and armed opposition groups such as the MJP and the MPIGO.... [who] used sexual violence against women to terrorize the civilian population and extort money, reducing many women to sexual slavery.”); Amnesty International, *Côte d’Ivoire: No Escape*, June 24, 2003 (documenting atrocities by the MJP against Liberian refugees in the far west).

²²¹ See International Crisis Group, *Côte d’Ivoire: “The War is Not Yet Over,”* pp. 24-26; United States Department of State Bureau of Democracy, Human Rights, and Labor, “Côte d’Ivoire, 2003,” February 25, 2004.

Duékoué Massacre Involving Republican Forces

After the Republican Forces took control of Duékoué in the early morning of March 29, they and allied militias massacred hundreds of Guéré residents in the town's Carrefour neighborhood. Human Rights Watch interviewed eight women who witnessed the events, as well as several people who helped count or bury the bodies in the subsequent days. Five witnesses interviewed by Human Rights Watch clearly identified Republican Forces among the attackers, saying they arrived in trucks, 4x4s, and on foot in military uniforms. Others described seeing two pro-Ouattara militias that worked closely with the Republican Forces in committing abuses against the civilian population: a traditional hunter and civil defense group known as the Dozo, generally armed with shotguns and identified by witnesses by their unique, traditional outfits; and a group of Burkinabé militiamen who live in the region and are led by Amadé Ouérémi. The international commission of inquiry,²²² Amnesty International,²²³ and the International Federation of Human Rights²²⁴ all found similarly that Republican Forces soldiers were directly involved in the Duékoué massacre, participating alongside militia groups like the Dozo.²²⁵

A dead body that was thrown into a well in Duékoué. Many people from Carrefour neighborhood, where pro-Ouattara forces killed hundreds, now live in a camp for the internally displaced, just down the road. The lack of a clean water source is one of many factors that prevent them from returning to their homes.

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²²² 2011 COI Report, paras. 29, 64.

²²³ Amnesty International, *They looked at his identity card and shot him dead: Six Months of Post-Electoral Violence in Côte d'Ivoire*, May 2011, pp. 37-42.

²²⁴ FIDH, *Côte d'Ivoire: Massacre in Duekoue and serious abuses against the civilian population all over the country*, April 2, 2011.

²²⁵ For a history of the Dozo, see Joseph Hellweg, *Hunting the Ethical State: The Benkadi Movement of Côte d'Ivoire*, 2011. For further discussion of May and June 2011 abuses by the Dozos and Republican Forces, often working together in the far west, see Amnesty International, *"We want to go home but we can't": Côte d'Ivoire's continuing displacement and insecurity*, July 28, 2011, pp. 18-25.



A woman cleans up the remnants of her burned-out house in the Carrefour neighborhood of Duékoué on 17 April, 2011. After forces under President Ouattara took control of the town early on March 29, hundreds were massacred in the Carrefour neighborhood that had long been a bastion of pro-Gbagbo militiamen. UN officials said one mass grave had almost 200 bodies. Getty Images

The Carrefour neighborhood's residents have long had a concentrated presence of pro-Gbagbo militiamen, and in the days prior to the Republican Forces' takeover, there were militia and mercenary killings against Ouattara supporters. However, according to witnesses interviewed by Human Rights Watch, the pro-Ouattara forces executed men not believed to be militia members, including boys and older men. Statements made by members of the pro-Ouattara forces demonstrate that they were targeting the neighborhood's population as collective punishment against the Guéré. A 39-year-old woman described the killing of her husband as well as dozens of others, in a statement similar to numerous others:

It was Tuesday morning [March 29], right after the [pro-Ouattara] rebels took control of Duékoué, that they came into the neighborhood and started shooting everywhere. There had to have been 500 of them.... They went house-to-house and took the men out to kill them. Two of them broke down my door and entered the house; they forced my husband outside. Several others were carrying a flame and set the house on fire. I came out screaming behind them, and they shot my husband at point-blank range

with a large gun.... The rebels were saying, “We’re here to kill Gbagbo, but since you the Guéré voted for Gbagbo, we’ll kill you until the last Guéré.”

Then the rebels moved on to the next house, leaving me there screaming. My husband, my brother-in-law, several cousins, they were all killed by Alassane’s forces that day. Most of the attackers throughout the neighborhood were in military uniform—the Republican Forces uniforms. Many had on red headscarves. Others were the Dozo in the traditional clothes and some Dioula youth who came with knives and machetes. The Republican Forces came in first by car and on foot, and the rest followed. They killed unarmed people everywhere. I saw people who had their throats slit with machetes and knives, others executed by gunshot. You could see the blood marking the road from all those who were killed. Bodies were everywhere. You could just see lines of bodies from those they’d marched out and shot.... Most of those killed were males, but they killed boys like men like the elderly. I saw them kill boys right in front of my eyes. One of them couldn’t be more than 10 years old and as they pulled him out he looked at me so scared and said, “Mama, please,” and they shot him.²²⁶

A 29-year-old woman from Carrefour similarly described her husband’s killing, followed by the forcible recruitment of her 15-year-old brother:

Around 8 a.m., they began attacking the Carrefour neighborhood.... There were many, many of them. There were Dozo, Amadé’s men, armed youth in civilian clothes, and FN soldiers. We were hiding in our house, my brother, my husband and our baby. The forces came and said, “Women leave, men we’ll kill you,” and everyone started trying to escape. We did the same. At 1 p.m. we fled our house and were on foot along the main route near the bridge. There were many corpses in the streets, pro-Ouattara forces everywhere in the middle of killings. I saw people being shot with Kalashes around us in the streets as we fled, but I couldn’t pay attention, I was too scared. A 4x4 passed us; one of them saw us and pulled over.... Three men got out and stopped my husband. They said, “We are looking for Guérés. You voted for Gbagbo, we are going to kill all of you. You are Guéré.” He said, “No, I voted for ADO,” but they said “No you didn’t, you’re Guéré so you voted Gbagbo.” We didn’t vote in fact. They pulled my husband away

²²⁶ Human Rights Watch phone interview with witness, Duékoué, April 2, 2011.

from me. I had our 6-month-old baby in my arms. They were chanting “ADO! ADO! You are all Guérés, you who voted Gbagbo! You didn’t vote ADO, we are going to kill you all. You’re all Gbagbos here.”

Then they shot my husband in his stomach. All three of them fired their Kalashes at him, even when he was just in front of them. They looked at my six-month-old baby and decided my baby couldn’t be of use, but my 15-year-old brother was there. He was crying, “Why did you kill him?” Killing my husband wasn’t enough.... They said, “Today you will become a soldier. We are going to take you to Man. In Man, you will become a soldier.” Man is where the [*Forces Nouvelles*] base is. They took him by force to the truck. There were at least six other young boys inside waiting, including children that looked as young as 10. I didn’t recognize them, but they were in civilian clothes, with fear on their faces. I heard the boys begging forgiveness as the men came back, but the soldiers didn’t reply. They pushed my brother in with the others and drove off. I’ve had no news of him since.

The men who killed my husband were military men carrying knives, machetes, and Kalashes. They were wearing warriors’ *gris-gris* [traditional amulets often worn by northern fighters], jeans, and military camouflage tops. It was clear they were pro-Ouattara forces; they were singing ADO. FN had taken the city that day; the Dozos and the Burkinabés were out on the streets too, burning things and killing people, going house to house. There was not a single house left untouched in Carrefour.... My apartment doesn’t exist anymore; it was burned like the others.²²⁷

A religious leader in Duékoué who went to the Carrefour neighborhood on March 31 told Human Rights Watch that hundreds of bodies were still there, including 13 in a church called l’Eglise du Christianisme Céleste. One was the pastor, riddled by bullets in his religious attire.²²⁸

Final Battle for Abidjan and Subsequent Weeks

The pattern of abuse first seen during the Republican Forces military offensive in the west continued as they captured Abidjan in April and proceeded to search for weapons and militiamen. Active fighting with pro-Gbagbo militias and mercenaries indeed continued in Yopougon neighborhood well after Gbagbo’s April 11, with the last corners of Yopougon

²²⁷ Human Rights Watch phone interview with victim, Duékoué, April 3, 2011.

²²⁸ Human Rights Watch phone interview with pastor, Duékoué, April 3, 2011.

liberated—and the last groups of militiamen fleeing—around May 8. As in the west, the Republican Forces took control of areas to find that many from their ethnic groups had been murdered by retreating Gbagbo militiamen. At times in systematic and organized operations, and at times in simple revenge, the Republican Forces engaged in collective punishment against young males from ethnic groups aligned with Gbagbo—committing extrajudicial executions in neighborhoods and detention sites and subjecting scores more to inhumane treatment that at times reached the level of torture.

In the months after Human Rights Watch’s investigations, the UNOCI Human Rights Division continued to document killings and other abuses by the Republican Forces, including eight killings and additional cases of torture and inhumane treatment between June 17 and 23,²²⁹ as well as 26 extrajudicial executions and 85 cases of arbitrary arrest and detention between July 11 and August 10.²³⁰

Killings and Other Abuses During Patrols and Search Operations

Human Rights Watch documented 95 killings by Republican Forces soldiers during search operations during and subsequent to active fighting with pro-Gbagbo forces. Two executions occurred between May 23 and 24, following Ouattara’s May 21 inauguration. The vast majority of killings documented by Human Rights Watch took place in Yopougon, a neighborhood heavily concentrated with Gbagbo supporters and former militia bases. Yopougon appears to have been disproportionately targeted for reprisal killings as the Republican Forces meted out deadly collective punishment against young men from the Bété, Attié, Guéré, and Goro ethnic groups. Numerous neighborhood residents told Human Rights Watch that the militiamen and mercenaries, who had for months targeted and killed pro-Ouattara groups, had largely fled prior to the Republican Forces’ takeover, so that those who remained were civilians, presumed to be Gbagbo supporters. Yopougon, with a population of around 1 million, is divided into dozens of smaller sub-neighborhoods. While the Republican Forces committed violence throughout Yopougon—and to a lesser extent in Koumassi and Port Bouët neighborhoods—more than 70 of the documented killings occurred in the sub-neighborhoods of Koweit and Yaosseh.

Koweit

Koweit was one of the last areas of Abidjan to fall, with fighting ending around May 3. In the days and weeks that followed, the Republican Forces conducted house-to-house searches. Males from pro-Gbagbo groups appear to have been targeted for abuse. Human

²²⁹ AFP, “Côte d’Ivoire: 8 personnes tuées par les forces pro-Ouattara (ONU),” June 23, 2011; Côte d’Ivoire: l’ONU dénonce la multiplication des violences des forces de Ouattara, *Le Monde*, July 9, 2011.

²³⁰ AFP, “26 Ivory Coast executions in four weeks: UN,” August 11, 2011.

Rights Watch also documented one case of rape. A 34-year-old woman from Yopougon Koweit described how she was brutally raped by a Republican Forces soldier on May 8, then saw the Republican Forces kill 18 youth:

Guys in military uniform arrived that morning at 9 and said they were searching for weapons. Eight of them entered my house. They yelled, “Give us your money or we’ll kill you. It’s you who took care of the militias.” They took 50,000 CFA (US \$115), my mattress, my tank of gas—everything of value. The guys were big, these were FRCI military men with clean uniforms. A leader among them said, “You the Bété, the Guéré, the Attié, it’s you who made this war. Where are the youth [males], we’re going to kill them all.”

They went door to door and pillaged all of value. They stayed for hours. When the goods started piling up, they forced me to load their cars—televisions, refrigerators... I’d have a big can of cooking gas on my head and another in my hand.... I loaded up a pickup truck, a sedan, another sedan—all stuffed with everyone’s valuables. They left nothing. As I was making my seventh trip, their leader, a large man, grabbed me and pulled me into where one of my neighbors slept.... He threw me on a mattress and told me to open my legs. I said, “Mister, please, not like this.” I begged him to let me go, but he struck me and told me to shut up. He forced himself on me, and he raped me. He kept me there, raping me, for more than an hour. He was violent the whole time, by the time he finished I was bleeding between my legs. The whole time, the other FRCI were pillaging. They knew what he was doing, they walked by. He was their leader though. I heard them call him Commander Téo. After he finished [raping] me, he had his Kalash [on him] and he tried to ram it into me. I closed my legs and it smashed into my thigh.... He laughed and walked out of the room.

As I finished loading their vehicles after I was abused, they were still searching house to house. Several houses down, they found young men hiding. As I was going back and forth to their cars, I saw the men had been stripped and made to lie down on my street. I counted them, they were 18. A few of the FRCI stayed with them, yelling at them about being militiamen—they weren’t militiamen, just neighborhood youth. All the militiamen had fled.... The soldiers talked about what to do with the prisoners. One said, “We didn’t come to waste time, we came to kill” and another agreed, “We can’t lose time, we don’t have space to take them, let’s finish the job and

go.” Then they opened fire—the youth were lying down on the ground, naked except for underwear. They fired back and forth across them, killing them all right there. Then they drove off.... I couldn’t stay there anymore. As I was leaving Koweit, all around there were bodies. I saw dozens.... I came across an old man and asked if I could clean myself in his house. Soon after, another group of FRCI came to his house. One said, “Hand over your money or you’re dead.” I said, “They’ve just taken everything I have. I have nothing left to give you.” He slapped me but let me go. The old man handed over his money, and that group pillaged his house.²³¹

Human Rights Watch documented six more killings in Koweit by the Republican Forces on the same day. A witness described five men being stripped, lined up, and machine gunned by a soldier. Four victims died instantly; the fifth, shot in the thigh, pretended to be dead and later crawled to a nearby house. The witness, a friend who lived nearby, went to him, and the man asked for water. As the witness went for water, he heard several gunshots. He found his friend dead—with a gunshot to the arm that had left bone fragments on the ground and another to the chest that had exited through the victim’s back.²³²

The killings began immediately after the Republican Forces took control of the neighborhood. On May 3, a witness watched as soldiers executed a 63-year-old man at point-blank range after accusing him of renting a room to a pro-Gbagbo militiaman.²³³ One man described his brother’s killing:

They searched house by house on the day the FRCI were trying to take the Marine Base [May 4 and 5]. They arrived in 4x4s, pickup trucks, Kias, many had “FRCI” written on the side. There were dozens of soldiers. They thought all of us, the Bété, Guéré, or Goro youth, were militiamen. They seized three of us from the house I was hiding in, myself and two of my brothers. They took my youngest brother, who is 21, and demanded his ethnic group. He said he was Bété. Two of them grabbed his legs, another two held his arms behind him, and a fifth one held his head. Then a guy pulled out a knife, said his mystical prayer, and slit my brother’s throat. He was screaming. I saw his legs shaking after they’d slit his throat, the blood streaming down his body. It was worse than you’d kill an animal. I couldn’t turn away. It was

²³¹ Human Rights Watch interview with 34-year-old rape victim, Abidjan, May 20, 2011.

²³² Human Rights Watch interview with 46-year-old witness, Abidjan, May 24, 2011.

²³³ Human Rights Watch interview with 53-year-old witness, Abidjan, May 24, 2011.

my brother. As they were doing it, they said that they had to eliminate all of the Patriots that had caused country's problems.

Then they turned and asked my ethnic group. I said Dioula, because I can speak Dioula. They knew I wasn't, but it was enough to not kill me. My other brother was scared; he knew he was next, so he started to run. One of them fired his Kalash; he fell down dead immediately. They then came back to me and said I was in a militia. They beat me with their guns, with their fists. They kept demanding that I say that I was in a militia, that they'd only stop if I said so. Eventually I relented and said I was. They loaded me up in a cargo truck and took me to the 16th precinct (police station)...²³⁴

Another witness described seeing the Republican Forces slit the throat of a youth in front of his father after finding a Kalashnikov and grenade in his bedroom during a 4 a.m. house-to-house search. The witness was stripped and forced to hand over his laptop computer, cell phones, and money.²³⁵ Human Rights Watch documented similar pillaging of scores of houses in Koweit. The witness, like many others interviewed by Human Rights Watch, wanted to flee Abidjan to his family village, but had no money for transportation since the Republican Forces had taken everything.

One member of the Republican Forces in Yopougon told Human Rights Watch that men under the control of Ousmane Coulibaly—a former *Forces Nouvelles* zone commander in Odienné—were in charge of the offensive and the “clean-up” operation in Yopougon Koweit.²³⁶ Several Ivorian journalists and sources close to the *Forces Nouvelles* also identified Coulibaly as the commander in charge of operations in that area (see *Pattern of Abuse* Text Box, above, for more information on Coulibaly).²³⁷

Yaosseh

A Republican Forces commander told Human Rights Watch that, after heavy fighting from April 12 to 19, his forces consolidated control of Yaosseh around April 20.²³⁸ After taking the area, many of the soldiers based themselves in the local police station—the 16th

²³⁴ Human Rights Watch interview with 25-year-old witness, Abidjan, May 20, 2011.

²³⁵ Human Rights Watch interview with 46-year-old witness, Abidjan, May 24, 2011.

²³⁶ Human Rights Watch interview with member of the Republican Forces, Abidjan, May 23, 2011.

²³⁷ Human Rights Watch interviews, Abidjan, May and July, 2011. See also “Commandant Ousmane Coulibaly (Chef de la sécurité à Yopougon) : “L’ère des miliciens est révolue,” *Le Patriote*, June 9, 2011; “Ousmane Coulibaly : ‘Nous contrôlerons Yopougon dans 48 heures,’” *France 24*, April 15, 2011.

²³⁸ Human Rights Watch interview with Commander Lezou, Abidjan, May 25, 2011.

precinct—which had formerly housed pro-Gbagbo militiamen. Several days later, the Republican Forces began search operations in Yaosseh, where many of the area’s militiamen had previously lived. Eleven witnesses interviewed by Human Rights Watch described how, between April 25 and 26, the soldiers killed at least 30 unarmed men, mostly youth from pro-Gbagbo ethnic groups. Most witnesses said the majority of victims had not been active militia members, who fled around April 19.

A 16-year-old boy saw his 25-year-old cousin shot and killed by soldiers as the two sat outside a health center at 2 p.m. on April 25. The witness was spared because of a serious medical condition which the soldiers said made clear he had never been a militiaman.²³⁹ A 42-year-old woman saw Republican Forces kill her younger brother along with several others that same night:

They got to Yaosseh around 1 or 2 p.m.; there was shooting everywhere. It lasted for a couple hours, and then there was calm. When it picked up a second time, I decided to leave. The whole neighborhood was fleeing. As I passed by the [Young Patriots assembly point], there were lots of bodies outside. I don’t know if they were killed in battle or executed.... We stayed away for several hours, but I had nowhere to sleep so I decided to go home. I was with my younger brother. I was ahead of him when I heard a gunshot. I turned around and he’d been hit in the leg, he’d fallen down. Then four FRCI came out and grabbed him. They were all in military uniform. One of them said, “Slit his throat.” And they did, right in front of me. I cried, and one of them said, “Lady, we have no business with you. It’s the militiamen we’re after.” I kept crying, saying that my brother was no militiaman. Then one of the others said, “You’re the women guarding the militiamen. Show us where the others are, or we’ll kill you,” and he slapped me and showed a knife still dripping with my brother’s blood. I said I don’t know any militia members, I’m just trying to go home, and the other soldier told him to leave me.

I hid at a neighbor’s house. The 16th precinct where they were based is nearby. I saw them coming into the neighborhood that night, shooting. I saw them kill two more young men they’d caught that night. They shot them at point-blank range. I left the neighborhood the next morning.... Two days later, I went to see my house. It had been completely pillaged, nothing was left. That day, our neighborhood buried four more youth right in front of me.

²³⁹ Human Rights Watch interview with 25-year-old witness, Abidjan, May 24, 2011.

Another five bodies were strewn on the street. I still don't know where my husband is.... His phone is off. I assume he, too, is dead.²⁴⁰

Another witness described how soldiers entered and opened fire into a neighborhood restaurant, killing eight males inside.²⁴¹ A 34-year-old woman witnessed three more executions on April 26, including her sister's husband, following a Republican Forces clash with Liberian mercenaries:

When they entered, they said, "We're only here for the boys." They were all in military fatigues, scores of them. I could see FRCI written on some of the cars, pickups, and 4x4s they'd arrived in. They came from the 16th precinct nearby. I know lots of people who saw killings, but in front of me they killed three—two by gunshot at point-blank range and a third, my sister's husband, by slitting his throat.... As they were killing, they said, "You who killed our relatives, we're going to kill you also." But it wasn't our boys who are still there that did the killing. All of those guys have left, they fled....²⁴²

As in Koweit, houses in Yaosseh were systematically pillaged, according to residents who witnessed the pillaging and who returned to find their houses emptied of all valuables.

Witnesses described a few instances in which senior officers intervened to stop extrajudicial killings, including a case in the Gesco neighborhood of Yopougon in late April. After one soldier appeared ready to execute a youth he had detained for being from an ethnic group believed to support Gbagbo—"because all Guéré, Bété, and Goro must be eliminated"—a higher-ranking soldier intervened and told them to leave the youth if they had no evidence they were militiamen.²⁴³ More often, however, soldiers who opposed executing civilians were unable to convince fellow soldiers who were intent on inflicting collective punishment. A 38-year-old woman described what happened on April 26:

My neighbor, a medicine vendor, was killed in front of me. They trapped him in his house and pulled him into the street. They argued over whether they should kill him, and one of the FRCI was against killing him. He said

²⁴⁰ Human Rights Watch interview with 42-year-old witness, Abidjan, May 24, 2011.

²⁴¹ Human Rights Watch interview with 31-year-old witness, Abidjan, May 22, 2011.

²⁴² Human Rights Watch interview with 34-year-old witness, Abidjan, May 20, 2011.

²⁴³ Human Rights Watch interview with 26-year-old, Abidjan, May 20, 2011.

the guy had nothing to do with the fighting; there was no reason to kill him. But his comrade shot him, first in both arms and then in the head.²⁴⁴

Extrajudicial Executions of Detainees

Human Rights Watch further documented the extrajudicial execution of 54 detainees by the Republican Forces at three separate detention sites in Yopougon—the 16th and 37th precinct police stations and the GESCO oil and gas company building—as well as in Koumassi and Port Bouët neighborhoods. Some of those captured had been identified by local residents as pro-Gbagbo militiamen who had committed crimes against pro-Ouattara communities, but the soldiers did not appear to have any information in most cases that linked those executed to any crime.

A member of the Republican Forces under the command of Chérif Ousmane described the execution in early May of 29 detainees outside the GESCO building:

It shocked me when we executed 29 people that we'd arrested during the search of the neighborhood Millionaire [Yopougon]. That day, Commander Chérif was really angry because he had lost six men during combat with militias in Abobo-Doumé [the Yopougon neighborhood near the Marine Base]. The head of our unit asked Chérif by phone what we were to do with the prisoners, and the order came to us, with Chérif directly mentioned, "You haven't arrested anyone, I don't want to see a single prisoner."

We brought them to GESCO and executed them several meters away on the roadside. We killed some five at a time, some four at a time, after lining them up. We didn't even put blindfolds over their eyes, they watched it all. They cried and begged us to let them live, saying they had nothing to do with the militias. Some were killed by machine gunning across them; others were killed by automatic pistols at point-blank range. They were all youth, in their 30s, and in civilian dress. I promise you that no one can say what crime these men committed. They were arrested simply because they had an appearance that showed them as suspects of either being militiamen or those that tell the militia about our movements. I wasn't happy about [being part of this], but I was only executing orders.... The military heads told us after to never tell this story and that all civilian deaths would be identified with the militias.... I killed men before in Yopougon, but it was

²⁴⁴ Human Rights Watch interview with 38-year-old witness, Abidjan, May 22, 2011.

men armed and shooting at us. When one fires on unarmed men begging for their life, it's difficult to forget. In Yopougon, we speak often of "disappeared"; these are, primarily, executions like those that I've described. The FRCI arrested a lot of militiamen and executed them. We've also dug mass graves to bury certain bodies at night.... There have been too many civilian and military deaths in Yopougon.²⁴⁵

Two former detainees in the 16th precinct police station similarly described the execution of at least four young men during the first night of their detention, around May 5.²⁴⁶ A 25-year-old who was picked up after fleeing the combat in Koweit said:

As we were coming out of the bush onto the main road, there were five FRCI waiting. One of them had an RPG that he pointed at us, and he told us not to move, to lay down immediately. We all lay down. This was around 2 or 3 p.m. They forced us to walk to the 16th precinct. A few had on FRCI t-shirts with military pants; others were in full military uniform.

At the station, Koné, an FRCI soldier, was the person you met upon arrival. He asked each person whether he was a militiaman. We were surrounded by people with guns. As we responded, they inspected our hands and elbows, saying they could tell if you'd ever picked up a weapon. I said no, and I guess my answer satisfied them. Four others, though, were executed in front of us that night. They said their fingers were calloused, so they were militiamen. There was one guy that did the executions. He put on a balaclava and shot them at point-blank range, it was done one-by-one in front of everyone. The people were begging for forgiveness, saying they weren't in a militia, but the guy shot them anyway ... a bullet each time in the person's chest. They told us to move the bodies outside by the bridge, then Koné poured gas on them and set them on fire. I was there for a week. They didn't kill anyone after the first day.²⁴⁷

On May 15, a Human Rights Watch researcher saw a burning body less than 30 meters from the 16th precinct, still controlled by the FRCI, and was told by numerous witnesses at the scene that it was a pro-Gbagbo militiaman who had been caught and killed. The following

²⁴⁵ Human Rights Watch interview with soldier in Chérif Ousmane's Guépard unit, Abidjan, May 23, 2011.

²⁴⁶ Human Rights Watch interviews with 25-year-old former detainee in the 16th precinct, Abidjan, May 20, 2011; and with 27-year-old former detainee in the 16th precinct, Abidjan, May 22, 2011.

²⁴⁷ Human Rights Watch interview with 25-year-old former detainee in the 16th precinct, Abidjan, May 20, 2011.

day, two people who participated in the capture and witnessed the execution described the events.²⁴⁸ The account describes a relationship between the FRCI and local pro-Ouattara youth that Human Rights Watch observed and that was repeatedly described by witnesses. One witness said:

The guy that you saw burning was one of the militiamen involved in burning alive two people on February 25. Yesterday, we spotted him walking in Yaosseh. When he saw us, he ran. We chased and caught him around 9 a.m., then handed him to a group of FRCI from the 16th who were on patrol.... We went with them to the station, and the FRCI did their work. They executed him. When we first arrived, I said that I knew he was in a militia, that he had taken part in burning alive two of our comrades.... The FRCI asked him if this was true, and he denied it. So they tortured and beat him, asking again and again whether he had raised a gun during the crisis, whether he had killed. Eventually he said it was true. They kept beating him and asking for him to give the phone number of his accomplices. Eventually he did. The FRCI guys called another militiaman and tried to set a trap. But the guy never came. The militiaman begged for forgiveness after they'd finished torturing him but an FRCI guy said, "Those that kill, those that burn, they can't live." Then the FRCI finished their work, they did justice, executed him with two shots. We were there for all of it. After he was killed, his body was set on fire across the street.

Since the end of April, after the FRCI liberated the area, I've been involved in the capture of five militiamen. Two at one time, then one three different times. The FRCI executed them all. Two were thrown over the bridge, one body was left in the neighborhood, and the other two were killed in the 16th precinct.... Some of the militiamen are coming back, testing whether they can live here. But we haven't forgotten what they did. If you're [a Gbagbo supporter] that never picked up a gun, you can live here. But those who picked up guns, they will pay if they return.²⁴⁹

A Human Rights Watch researcher presented evidence about summary executions around the 16th precinct to Commissioner Lezou—a member of the Republican Forces then in charge of the precinct. Lezou adamantly denied that executions took place, saying that any

²⁴⁸ Human Rights Watch interviews with RHDP youth who captured alleged militiaman, Abidjan, May 16, 2011.

²⁴⁹ Human Rights Watch interview with RHDP youth who captured alleged militiaman, Abidjan, May 16, 2011.

bodies found on the streets were from the fierce combat between April 14 and 18. He also denied that a body was burned across the street from the precinct on May 15, even though the Human Rights Watch researcher said he had seen it himself.²⁵⁰

Human Rights Watch also documented five extrajudicial executions between May 12 and 19 of people detained in Yopougon's 37th precinct. Victims were taken out of the station at night over two days and executed on grounds nearby, said several detainees and a neighborhood resident.²⁵¹

Among those executed were several neighborhood-level leaders from pro-Gbagbo militia groups, including well-known Young Patriot leaders "Andy" and "Constant" in Koweit between May 5 and 6. A witness to Constant's death described how relatives of local people killed by Constant and his militia described crimes he was involved in to the Republican Forces, after which four soldiers killed him.²⁵² A witness said that, before the soldiers executed Constant, he showed them a cache of arms in his house.²⁵³ Two witnesses said they saw Chérif Ousmane in a convoy of six 4x4s that disposed of Andy's body on May 6.²⁵⁴ A witness who helped move the body said that it had been mutilated, with numerous knife and bullet wounds, likely indicating he had been tortured.²⁵⁵

While the killings were not on the same scale as in Yopougon, Human Rights Watch also documented extrajudicial executions in Koumassi and Port Bouët between April 13 and April 15, just after the Republican Forces occupied those areas. Several people executed were militiamen allegedly implicated in dozens of killings and, according to residents, in possession of large caches of arms. As in Yopougon, neighborhood youth played a role in identifying, denouncing, and trapping the alleged militiamen, before bringing them to the Republican Forces, in the words of one such youth, "to do their work."²⁵⁶

²⁵⁰ Human Rights Watch interview with Commissioner Lezou, Abidjan, May 25, 2011.

²⁵¹ Human Rights Watch interview with former detainee in the 37th precinct, Abidjan, May 20, 2011; with former detainee in the 37th precinct, Abidjan, May 22, 2011; and with neighbor who lived near the station, Abidjan, May 22, 2011.

²⁵² Human Rights Watch interview with 65-year-old male, Abidjan, May 14, 2011. Human Rights Watch documented six killings by Andy and Constant in early March that targeted pro-Ouattara groups, as well as a gruesome gang rape and killing of an 18-year-old woman. Human Rights Watch interview with witness to the killings and rape, Abidjan, May 24, 2011.

²⁵³ Human Rights Watch interview with 65-year-old male, Abidjan, May 14, 2011.

²⁵⁴ Human Rights Watch interviews with 57-year-old male, Abidjan, May 20, 2011; and with 45-year-old male, Abidjan, May 14, 2011.

²⁵⁵ Human Rights Watch interview with 65-year-old male, Abidjan, May 14, 2011.

²⁵⁶ Human Rights Watch interview with RHDP youth in Koumassi, Abidjan, May 17, 2011.

Torture, Inhumane Treatment in Detention

Human Rights Watch documented dozens of cases of torture and inhumane treatment of detainees by the Republican Forces. During and after the military offensive in Abidjan, hundreds of youth from pro-Gbagbo ethnic groups were arrested and detained—often at abandoned police stations and military bases as well as in makeshift detention facilities like gas stations and the GESCO complex. Almost every former detainee interviewed by Human Rights Watch described being routinely beaten, most often with some combination of guns, belts, clubs, fists, and boots, as Republican Forces soldiers ordered them to reveal the location of weapons or militia leaders.

Most were detained simply because of their age, ethnic group, and neighborhood residence. A university student in Port Bouët described being arrested, detained, and beaten on April 21 because he had lived at one of the neighborhood's university housing complexes—sites long associated with the pro-Gbagbo student group, FESCI:

I lived in the university housing because I'm a student from out of town, without family in Abidjan. I was never among FESCI. The Republican Forces arrested me and took me in a cargo truck from Port Bouët's 2nd precinct. There were 10 of them, two of us students. Four of them beat me repeatedly over three hours, and one took out a knife and cut down my shoulder and back [wound seen by Human Rights Watch]. As they beat me, they kept demanding where the guns were. I told them I'd never taken part in FESCI, but they didn't believe me. They threatened to kill me several times.... It was only when someone else from the community came and said I wasn't part of FESCI that they relented. The commander told me to forget what happened ... and gave me back my two cell phones. We're still threatened though, just because we're students.²⁵⁷

In several cases, the Republican Forces' treatment clearly reached the level of torture, defined under the Convention Against Torture as “any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person” by a state actor for purposes including obtaining information or punishing the person for an act committed or suspected of being committed.²⁵⁸ A 20-year-old who was detained for one week in the 37th police precinct in Abobo-Doumé described:

²⁵⁷ Human Rights Watch interview with 24-year-old university student, Abidjan, May 15, 2011.

²⁵⁸ Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Convention against Torture), G.A. res. 39/46, U.N. Doc. A/39/51 (1984), entered into force June 26, 1987, acceded to by Côte d'Ivoire on December 18, 1995.

Each day the FRCI pulled us out of the small cell to beat us with their Kalashes. Generally it was two of them; they'd strike you over and over with either their guns or their boots. It would last about five, ten minutes, then they'd leave and come back a couple hours later to do it again. As they hit me they'd say, "Are you going to answer our questions truthfully next time? Are you going to give us information?" Every time I told them that I'd never raised a weapon, but the beatings continued.

On the second day, they put a knife into a fire until it was scorching hot. Then they placed it on my left shoulder, making a cut as well. They demanded, "Are you militia? Where are the arms that have been hidden?" It was the burning that hurt more than the cut—it was the worst pain I've ever felt [wounds, including charred, discolored skin and a long scar on the victim's shoulder, seen by Human Rights Watch].²⁵⁹

Another detainee described how the Republican Forces forcibly pulled out several of his teeth during questioning after cornering him on a small road in Yopougon Wassakara in mid-April:

As I was walking to work [as a security guard], the FRCI ambushed me.... They were all in uniforms and wore military boots. They pulled me into an alleyway near Pharmacy Keneya saying that I was a Gbagbo militiaman. I said, "No, no, I'm just going to my job. I'm a guard." They said, "No, you're militia." ... They beat me with their Kalashes until I was bleeding from my head. I'm still not right in the head, I constantly have headaches. Then they held me down, two grabbed me by my shoulders, two by my legs, and one held open my mouth. One of their guys had pliers, and he ripped out one of my teeth up top. Then he ripped out a second one, but it broke and only part of it came out. They kept demanding, "Where are the weapons you've hidden?" The pain was so much, I couldn't even respond. So they kept going.... After the first couple, they stopped even asking questions. They yelled, "We're going to kill all of you militiamen that caused these problems. You're one of Gbagbo's Patriots, we're going to kill you all." ... I still can't really eat from all the pain. At night [a month later], blood still comes into my mouth from these wounds.²⁶⁰

²⁵⁹ Human Rights Watch interview with 20-year-old, Abidjan, May 22, 2011.

²⁶⁰ Human Rights Watch interview with 29-year-old, Abidjan, May 22, 2011.

IV. Key Leaders Implicated

The prohibitions of war crimes and crimes against humanity are among the most fundamental prohibitions in international criminal law. Under the Rome Statute of the ICC, crimes against humanity can be committed during peace or armed conflict and consist of specific acts committed on a widespread or systematic basis as part of an “attack on a civilian population,” meaning that there is some degree of planning or policy by the authorities. Such acts include murder, rape, and persecution of a group on political, ethnic, or national grounds.²⁶¹ War crimes in armed conflict not international in nature include murdering people not taking an active part in hostilities, including detained members of the armed forces, and intentionally directing attacks against civilians who are not directly participating in hostilities.²⁶² When crimes against humanity and war crimes occur, people in command authority who should have been aware of the crime and failed to prevent it or submit it for investigation and prosecution can be held criminally accountable.²⁶³

Based on its fieldwork, Human Rights Watch has identified the following people as implicated in responsibility—either for their direct participation or for command responsibility—for the grave crimes committed during the post-election period:

Gbagbo Camp

Laurent Gbagbo – The former president was the commander-in-chief of armed forces that committed war crimes and likely crimes against humanity. He appointed as Minister of Youth his longtime ally Charles Blé Goudé, providing a direct link to the Young Patriots, who engaged in widespread killings along ethnic lines. Despite clear evidence of grave crimes committed by his military and militia supporters, Gbagbo neither denounced nor took steps to prevent or investigate the crimes. When his presidential palace was overtaken by the Republican Forces, they found an enormous supply of heavy weapons—many of the same types that had been used in indiscriminate attacks that killed civilians. Gbagbo was arrested on April 11 by the Republican Forces; he was charged by prosecutor Simplicie Koffi on August 18 with economic crimes, including embezzlement, robbery, and misappropriation.²⁶⁴ He is in preventative detention.

²⁶¹ Rome Statute, art. 7.

²⁶² Rome Statute, art. 8.

²⁶³ Rome Statute, art. 28.

²⁶⁴ AFP, “Côte d’Ivoire: l’ex-président Gbagbo inculpé de “crimes économiques” (parquet),” August 18, 2011; Monica Mark, “Former Ivory Coast president charged in violent aftermath of elections,” *CNN*, August 19, 2011.

Charles Blé Goudé – He was the long-time head of the Young Patriots, a militia group implicated in hundreds of killings in Abidjan alone. His militiamen often worked closely with elite security force units in targeting Ouattara supporters. Rather than dissuade his followers from violence, Blé Goudé made speeches that could be interpreted as inciting such violence. On February 25, for example, in a speech broadcast widely, Blé Goudé called on his followers to set up neighborhood roadblocks and “denounce” foreigners—an explosive term the Gbagbo camp used to signify northern Ivorians and West African immigrants. Immediately following this call, Human Rights Watch documented a sharp increase in violence by the Young Patriots, generally along ethnic or religious lines. Human Rights Watch believes Blé Goudé to be credibly implicated in crimes against humanity. He is believed to be hiding in Ghana, although reports have previously placed him in Benin and the Gambia.²⁶⁵ On July 1, prosecutor Simplicie Koffi announced that authorities were seeking international arrest warrants against Blé Goudé for his post-election crimes.²⁶⁶

General Philippe Mangou – The head of the armed forces under former President Gbagbo, Mangou oversaw troops who appear to have committed war crimes and likely crimes against humanity. These crimes were widely publicized in Ivorian and international media, yet Mangou took no meaningful action to prevent further crimes or to investigate those responsible for repeatedly targeting Ouattara supporters. On March 21, Mangou appeared with Blé Goudé at military headquarters to address several thousand Young Patriots—already implicated in scores of killings and rapes—who heeded Blé Goudé’s call to defend the country. Mangou was quoted by numerous outlets as promising—as youth chanted “we want Kalashnikovs”—that the army would take “everyone, without regard to qualifications or age. The only thing that counts is the will and determination of each person.... Everyone will be enrolled in the army.”²⁶⁷ The Young Patriots would continue to commit atrocities in subsequent weeks. General Mangou was briefly maintained by Ouattara as the army head, then replaced General Soumaïla Bakayoko on July 7.

General Guïai Bi Poin – The head of the security force unit CECOS (*Centre de commandement des opérations de sécurité*), which was implicated in enforced disappearances, sexual violence, indiscriminate shelling that killed civilians, and the violent suppression of demonstrations. Taken as a whole, for both their widespread and systematic nature, the crimes committed under his command likely constitute crimes

²⁶⁵ “Ivory Coast warrant for Gbagbo ally Ble Goude,” *BBC News*, July 1, 2011; Jeune Afrique, “Du Bénin au Ghana : sur la trace de Blé Goudé,” June 17, 2011.

²⁶⁶ AFP, “Côte d’Ivoire: mandats d’arrêt contre Blé Goudé et d’autres pro-Gbagbo,” July 1, 2011.

²⁶⁷ Germain Dja K, “Des milliers de jeunes prennent d’assaut l’Etat-major – Les recommandations du Gal Philippe Mangou,” *L’Inter*, March 22, 2011; Y. Gbané, “Le général Philippe Mangou rassure: ‘L’enrôlement dans l’armée est gratuite’,” *Le Temps*, March 22, 2011. See also AFP, “Abidjan: plusieurs milliers de partisans de Gbagbo pour entrer dans l’armée,” March 21, 2011.

against humanity. Bi Poin never denounced the crimes, much less took efforts to investigate which soldiers were responsible—despite repeated identification of CECOS’s strong role in attacks on Ouattara supporters by human rights organizations and Ivorian and international media. Victims and witnesses identified them by the clearly marked “CECOS” on vehicles. The neighborhoods of Abobo and Koumassi suffered particularly, as both areas had “Camp Commando” bases where CECOS forces were stationed. A longtime Gbagbo ally, Bi Poin’s forces were some of the last to surrender. A military prosecutor brought Bi Poin in for questioning on May 13, but released him on the promise to appear when summoned.²⁶⁸ Bi Poin was not among the 57 military charged in early August and indeed took part in a June 22 gathering of military personnel tasked with designing the new Ivorian army.²⁶⁹ However, after the alleged discovery of a mass grave at the gendarme academy where Bi Poin was the commander, Bi Poin was arrested on August 20. Five days later, a prosecutor charged him with “economic crimes” and placed him in preventative detention in Abidjan.²⁷⁰

General Bruno Dogbo Blé – The head of the Republican Guard, which was implicated in enforced disappearances, the violent suppression of demonstrations, and the persecution of West African immigrants. Taken as a whole, the crimes committed under his command likely constitute crimes against humanity. Treichville neighborhood, where the Republican Guard camp is located in Abidjan, suffered particularly. As with Bi Poin, despite that his forces’ crimes were widely publicized by human rights groups and the media, Dogbo Blé never denounced the crimes, much less took efforts to investigate which soldiers were responsible. Dogbo Blé was arrested by the Republican Forces on April 15, and, at time of writing, is being held in a Korhogo military camp. A military prosecutor charged him on August 11 for his role in violent crimes committed during the post-election violence.²⁷¹

²⁶⁸ Armand B. Depeyla, “Arrestation et libération du Général Guiai Bi Poin : Ange Kessy explique tout,” *Soir Info*, May 16, 2011; Armand B. Depeyla, “Aujourd’hui à Korhogo: L’Aide de camp de Gbagbo, Dogbo Blé, Négblé César et Yoro Claude entendus ; Guiai Bi Poin convoqué jeudi,” *Soir Info*, May 30, 2010.

²⁶⁹ J.C.C., “Enquête du parquet militaire sur les violences postélectorales / Voici l’identité des 49 militaires, ex-FANCI inculpés,” *Le Patriote*, July 1, 2011; Assana Niada, “Défense nationale : 2300 volontaires et 8700 Fafn vont intégrer l’armée,” *L’Inter*, June 25, 2011; Abidjan.net, “Sortie de crise: les militaires se retrouvent a Bassam pour dessiner la nouvelle armée ivoirienne,” June 23, 2011.

²⁷⁰ Armand B. Depeyla, “Situation sécuritaire en Côte d’Ivoire : Le général Guiai Bi Poin mis aux arrêts,” *Soir Info*, August 22, 2011; Bahi K., “Découverte d’un charnier à l’école de gendarmerie : Ce que Guiai Bi Poin a dit,” *Nord-Sud*, August 22, 2011; AFP, “Côte d’Ivoire : mandats d’arrêt internationaux contre sept proches de Gbagbo,” August 25, 2011.

²⁷¹ J.C.C., “Enquête du parquet militaire sur les violences postélectorales / Voici l’identité des 49 militaires, ex-FANCI inculpés,” *Le Patriote*, July 1, 2011; Elisée Bolougbeu, “Côte d’Ivoire – Les officiers Boniface Konan, Henri-César Sama, Vagba Faussignaux, Jean Noël Abéhi et 57 ex-Fds inculpés,” *afreeelection.com*, August 11, 2011; Boris N’Gotta, “Événements postélectorales : Le procès militaire s’ouvre en novembre,” *L’Inter*, August 12, 2011.

“Bob Marley” – A Liberian mercenary commander who fought for Gbagbo in the west, he is implicated in two massacres and other killings that left over 120 dead, including men, women, and children. He was present for and helped orchestrate the attacks, according to victims and witnesses present, in which West African immigrants and northern Ivorians were targeted on ethnic grounds. He was arrested in Liberia in May 2011 and, at time of writing, was being held in Monrovia while awaiting charges for “mercenarism.”²⁷²

RTI Director General Pierre Brou Amessan – The head of the Gbagbo-controlled RTI television, he consistently oversaw programs that incited violence against Ouattara supporters and foreign nationals, calling on true Ivorians to “denounce” and “clean out” foreigners. Large-scale violence against perceived Gbagbo supporters often followed. The station also encouraged attacks against UN personnel and vehicles, and such attacks occurred repeatedly throughout the crisis. Under the Rome Statute, war crimes include “[i]ntentionally directing attacks against personnel, installations, material, units or vehicles involved in a ... peacekeeping mission... as long as they are entitled to the protection given to civilians or civilian objects under the international law of armed conflict.”²⁷³

Denis Maho Glofiéhi – Generally known as “Maho,” he was the long-time head of pro-Gbagbo militia groups in the west. In July 2010, he told Human Rights Watch that he commanded 25,000 fighters in his *Front de Libération du Grand Ouest* (Far West Liberation Force, or FLGO).²⁷⁴ Militiamen believed to be under Maho’s command engaged in killings both in the west and in Abidjan—where he was seen during the crisis’s final months, often together with Blé Goudé. Maho is believed to have fled from Yopougon before the Republican Forces took control. His current whereabouts are unknown.

Ouattara Camp

Captain Eddie Médi (also spelled, by some Ivorian media, Eddy Médy) – The commander of the Republican Forces March offensive from Toulepleu through Guiglo, a path along which scores of Guéré men, women, and children were killed, at least some 20 women were raped, and more than 10 villages were burned to the ground. Credible reports indicate that killings by forces under his command continued in the months after consolidating control, with Médi basing himself out of Bloléquin during these “clean-up” operations.²⁷⁵ No credible

²⁷² Rukmini Callimachi, Associated Press, Police hold top Liberia mercenary “Bob Marley” accused in Ivory Coast massacres, June 14, 2011.

²⁷³ Rome Statute, art. 8(b)(iii).

²⁷⁴ Human Rights Watch interview with Denis Maho Glofiéhi, Guiglo, July 2010.

²⁷⁵ Rukmini Callimachi, Associated Press, “War over but massacres continue in Ivory Coast,” July 23, 2011.

action appears to have been taken by Médi either to prevent the crimes or to punish those responsible in his ranks. At time of writing, Médi remained the commander in Bloléquin.

Commander Fofana Losséni – On March 10, Soro acknowledged him as leader of the “pacification of the far west,” identifying him as Médi’s boss and the overall commander of the Republican Forces March offensive in the west. Generally known as “Loss,” he was the *Forces Nouvelles* zone commander in Man. Soldiers under his command took control of Duékoué the morning of March 29 and proceeded to play a key role in the massacre of hundreds in Carrefour neighborhood. No credible action appears to have been taken by Loss either to prevent the crimes or to punish those responsible in his ranks. At time of writing, he remains a Republican Forces commander and has, according to Ivorian media reports, been named a deputy commander in an elite Ivorian force that is to be trained in France.²⁷⁶

Commander Chérif Ousmane – During the final battle for Abidjan, he was the head of the Republican Forces operations in Yopougon, where scores of perceived Gbagbo supporters were extrajudicially executed. A soldier in his “Guépard Company” directly implicated Ousmane in ordering the execution of 29 prisoners in early May. Chérif Ousmane was the long-time *Forces Nouvelles* commander in Bouaké. A 2004 report by the humanitarian news service IRIN implicated Ousmane in overseeing forces who committed extrajudicial executions against Liberian and Sierra Leonean mercenaries.²⁷⁷ On August 3, 2011, President Ouattara signed a promotion making Chérif Ousmane the second-in-command for presidential security (*Groupe de sécurité de la présidence de la République*).²⁷⁸

Commander Ousmane Coulibaly – The longtime *Forces Nouvelles* zone commander in Odienné, he oversaw Republican Forces soldiers implicated in torture and extrajudicial killings in Yopougon’s Koweit area. These occurred over several weeks, and no action appears to have been taken by Coulibaly either to prevent the crimes or to punish those responsible. Coulibaly went by the nom de guerre “Ben Laden” (the French spelling of Bin Laden) at that time, but changed it to “Ben le sage” (Ben the wise) as of June 20, 2011. At time of writing, he remains a commanding officer in the Republican Forces.

²⁷⁶ K. Bahi, “Force spéciale ivoirienne : Tout sur les 200 commandos de Ouattara,” *Nord-Sud*, September 17, 2011.

²⁷⁷ IRIN, “COTE D’IVOIRE: Liberian woman commands mercenaries in Korhogo,” January 2, 2004. See also Human Rights Watch, *My Heart is Cut*, p. 25, footnote 24; Olivier Talles, “Chérif Ousmane : le bras armé d’Alassane Ouattara,” *La Croix* (France), December 16, 2010.

²⁷⁸ AFP, “Côte d’Ivoire: des chefs de l’ex-rébellion affectés dans la nouvelle armée,” August 4, 2011.

Not Formally Aligned

Amadé Ouérémi (widely referred to as “Amadé”) – The leader of a group of well-armed Burkinabé in the Mont Peko region of Côte d’Ivoire’s far west, Amadé and his men were identified by multiple witnesses as among the main perpetrators of the March 29 Duékoué massacre in Carrefour neighborhood. Witnesses and residents of the area told both Human Rights Watch and the state-run newspaper *Fraternité-Matin* that Amadé fought alongside the Republican Forces in Duékoué,²⁷⁹ though there does not appear to have been a clear chain of command between the two. On August 10, the UN peacekeeping mission collected weapons and munitions from “nearly 90 members” of Amadé’s group.²⁸⁰ Area residents also told both Human Rights Watch and *Fraternité-Matin* that Amadé’s men had handed over only a small portion of their guns.²⁸¹

²⁷⁹ Human Rights Watch phone interviews with witnesses to killings in Carrefour neighborhood, Duékoué, April 2-3, 2011; Doua Gouly, “Duékoué: Amadé Règne en Maître Absolu Sur Le Mont Péko,” *Fraternité-Matin*, September 15, 2011.

²⁸⁰ UN News Centre, “Extrajudicial executions carried out in Côte d’Ivoire, UN reports,” August 11, 2011, <http://www.un.org/apps/news/story.asp?NewsID=39283&Cr=ivoire&Cr1> (accessed September 20, 2011).

²⁸¹ Human Rights Watch interviews with residents in Duékoué, Duékoué, September 2011; Doua Gouly, “Duékoué: Amadé Règne en Maître Absolu Sur Le Mont Péko,” *Fraternité-Matin*, September 15, 2011.

V. Accountability

Several initiatives are under way to promote accountability for the grave crimes committed during the post-election period. At the international level, a commission of inquiry implicated both sides' armed forces in war crimes and likely crimes against humanity. It provided a confidential annex of those identified as most responsible to the International Criminal Court prosecutor, who has received authorization from an ICC pre-trial chamber to open an investigation into grave crimes committed during the post-election violence.

At the domestic level, prosecutors have brought charges against at least 118 military and civilian leaders in the Gbagbo camp for their roles in the crisis. Military leaders have been charged with crimes including murder and rape, which could be underlying crimes that constitute war crimes or crimes against humanity. Civilian leaders, for the most part, have been charged with economic crimes and crimes against the state. In stark contrast to the efforts to prosecute Gbagbo and his allies, however, no member of the Republican Forces has been arrested or charged at time of writing.

Commissions of Inquiry

On March 25, 2011, the UN Human Rights Council adopted a resolution that established an independent international commission of inquiry to investigate human rights violations committed after the presidential runoff and to identify those most responsible for crimes committed so that they could be brought to justice.²⁸² With an extremely short timeline, the commission made its report public around June 10 and presented it to the 17th session of the Human Rights Council on June 15. In its summary, the commission concluded that:

[M]any serious violations of human rights and international humanitarian law were perpetrated by different parties: some might amount to crimes against humanity and war crimes. They were perpetrated by the defence and security forces and their allies (militias and mercenaries) and later, during their counteroffensive and once they had taken control of the country, by the Forces républicaines de Côte d'Ivoire (FRCI).²⁸³

²⁸² UN Human Rights Council, Situation of human rights in Côte d'Ivoire, U.N. Doc. A/HRC/RES/16/25, March 25, 2011. The three commissioners, together with a secretariat from the Office of the High Commissioner for Human Rights, performed field work in Côte d'Ivoire between May 4 and 28.

²⁸³ 2011 COI Report, summary.

Among its principal recommendations, the commission called on the government to ratify the Rome Statute of the International Criminal Court, address the conflict's root causes including discrimination, and restore security by rapidly undertaking disarmament.²⁸⁴ In its first recommendation to the Ouattara government, the commission particularly emphasized the need for justice:

See to it that those responsible for violations of human rights and international humanitarian law are brought to justice; the inquiries that have been launched must be conducted exhaustively, impartially and transparently.²⁸⁵

To that end, the commission prepared an Annex of people against whom their evidence reasonably suggested individual criminal responsibility. The commission report stated that the “confidential annex ... would be handed to competent authorities within the framework of a judicial investigation.”²⁸⁶ Human Rights Watch has been told by an individual involved with the commission that the Annex was given to the International Criminal Court prosecutor as well as the High Commissioner for Human Rights, Navanethem Pillay. However, the Annex was not given to Ouattara, the Minister of Justice, or the Abidjan Prosecutor. This is difficult to square with the commission's promise to provide it to “competent authorities” for judicial investigations, as domestic authorities have initiated prosecutions related to the post-election violence.

The failure to make public the Annex or to provide it to the government and the domestic prosecuting authorities recalled a previous international commission of inquiry. In 2004, a similar commission was tasked with investigating grave crimes committed during the 2002-2003 civil war. Its detailed report, which provided evidence of crimes against humanity by both sides, was handed to the UN Security Council in November 2004. The report has still not been made public.²⁸⁷ It contained a confidential annex that reportedly included 95 individuals deemed most responsible and deserving of criminal investigation. A journalist reported at that time that Simone Gbagbo, Charles Blé Goudé, and Guillaume Soro were among those named.²⁸⁸ The 2011 commission specifically recommended that

²⁸⁴ *Ibid.*, para 127(b), (c), (h).

²⁸⁵ *Ibid.*, para 127(a).

²⁸⁶ *Ibid.*, para 118.

²⁸⁷ Human Rights Watch has a leaked copy. At the time, certain countries on the UN Security Council and individuals involved in peace negotiations between the Gbagbo forces and the *Forces Nouvelles* believed that the report's publication would negatively impact efforts to end the military stalemate.

²⁸⁸ Philippe Bolopion, “Soro et Simone Gbagbo sur la liste de l'ONU,” *RFI*, January 28, 2005.

the Human Rights Council publish the 2004 report to fight against impunity.²⁸⁹ On June 30, High Commissioner Pillay echoed these demands, but expressed ambiguity regarding whether it was the Human Rights Council or the UN Secretary-General that could authorize the report's publication.²⁹⁰ Human Rights Watch has consistently called for the report's publication, including the annex, since 2004.²⁹¹

Immediately after the 2011 international commission of inquiry published its report, the Ouattara government announced that it was creating a national commission of inquiry.²⁹² Given that the Ouattara government specifically requested the international commission, which reported on the same events and offered conclusions and recommendations that identified grave crimes by Ouattara's forces that should be subject to judicial investigation, the timing raised concerns of a whitewash. On July 20, Ouattara signed the decree creating the commission, giving the body six months to present its conclusions on "how and why" such massive violations of human rights took place.²⁹³ An Associated Press journalist reported that the "wording of the decree implied that the commission would rebuff the accusations [by international rights organizations] and seek to exonerate Ouattara's forces."²⁹⁴ It was not clear whether the Ouattara government planned to wait on the national commission of inquiry's conclusions before undertaking criminal investigations and prosecutions of the Republican Forces—but Ouattara told the Associated Press in late July that the commission's report would be given to prosecutors before the end of 2011.²⁹⁵ However, that timeline quickly appeared unlikely, as the commission only began its activities on September 13. An August 10 decree from the Minister of Human Rights named 17 commissioners, including the judge Matto Loma Cissé as president.²⁹⁶ Several members of Ivorian civil society expressed concerns to Human Rights Watch about the commission's independence and impartiality, saying that Cissé was very close to Ouattara.²⁹⁷

²⁸⁹ 2011 COI Report, para 127.

²⁹⁰ Catherine Fiankan-Bokonga, "Côte d'Ivoire: Le rapport de 2004 doit être rendu public," June 30, 2011, <http://news.abidjan.net/h/403132.html> (accessed August 27, 2011).

²⁹¹ Human Rights Watch, World Report 2006: Côte d'Ivoire; January 17, 2006; Matt Wells, "Who Will Pay for Violence in Ivory Coast?," *CNN Opinion*, January 5, 2011; Philippe Boloïon, "Côte d'Ivoire: le cercle vicieux de l'impunité," *Le Monde*, February 4, 2011.

²⁹² AFP, "Crise: la Côte d'Ivoire crée une commission d'enquête sur les exactions," June 15, 2011; Bruno Nabagné Kone, "Communiqué / Conseil des Ministres du mercredi 15 juin 2011," June 15, 2011.

²⁹³ République de Côte d'Ivoire, Communiqué du Conseil des Ministres du Mercredi 20/07/2011, July 20, 2011 ; AFP, "Côte d'Ivoire: Ouattara instaure une commission sur les exactions," July 20, 2011.

²⁹⁴ Associated Press, "Ivory Coast president announces human rights investigation over postelection violence," July 21, 2011.

²⁹⁵ Desmond Butler, "AP Exclusive: Ouattara: no knowledge of massacre," July 30, 2011.

²⁹⁶ Anne-Marie Eba, "Lancement de la Commission nationale d'enquêtes / Coulibaly Gnénéma : "Contentez-vous des faits," *Nord-Sud*, September 14, 2011; "Communiqué du Conseil des ministres, hier : De nouvelles nominations à la commission centrale de la CEI," *Nord-Sud*, August 11, 2011.

²⁹⁷ Human Rights Watch interviews with members of Ivorian civil society, Abidjan, September 2011.



Côte d'Ivoire President Alassane Ouattara (C) arrives with Prime Minister and defence minister Guillaume Soro (L) at Abidjan's Presidential Palace on June 3, 2011 to attend the first cabinet meeting since a new government was announced on June 1. © 2011 AFP PHOTO/ SIA KAMBOU

Domestic Prosecutions against Gbagbo Camp

After capturing Gbagbo at his residence on April 11, the Republican Forces brought him to the Golf Hotel.²⁹⁸ Two days later, Gbagbo was transferred to Korhogo, a city in northern Côte d'Ivoire, and placed under house arrest; his wife, Simone, was also arrested on April 11 and later transferred to Odienné, another northern town.²⁹⁹ In subsequent days, Ouattara's forces arrested dozens more military and civilian leaders connected to Gbagbo.

For two months, no formal charges were initiated against those detained, leading groups including Human Rights Watch to call on the Ouattara government to end what appeared to be a violation of both Ivorian and international law.³⁰⁰ In a June 22 response, Justice

²⁹⁸ David Smith, "Laurent Gbagbo's humiliating fall," *The Guardian (UK)*, April 11, 2011.

²⁹⁹ Pascale Robert-Diard, "Quelle action judiciaire contre M Gbagbo?", *Le Monde*, April 19, 2011 ; M'Bah Aboubakar, "Mise en résidence surveillée - Simone Gbagbo transférée à Odienné," *L'Expression*, April 23, 2011.

³⁰⁰ Human Rights Watch, "Côte d'Ivoire: Act Swiftly on UN Inquiry," June 15, 2011; Amnesty International, Côte d'Ivoire: Arbitrary Detention of Actual or Perceived Supporters of Laurent Gbagbo, June 2011. Ivorian law says that a prosecutor can only detain someone for 48 hours without charges, with an additional 48-hour period in certain circumstances. République de Côte d'Ivoire,

Minister Jeannot Ahoussou Kouadio claimed that no charges needed to be filed because the individuals were under house arrest, not in detention. He also cited a 1963 law that allows the head of state to issue a decree authorizing house arrest for requisition of “persons that have a profile” relating to the promotion of the country’s economic and social wealth.³⁰¹ While unclear whether the Minister’s explanation has grounding in Ivorian law, the individuals were clearly detained under international law definitions—deprived of their right to liberty, whether in a formal prison, a former hotel, or under house arrest.

Several days later, authorities began to bring formal charges. On June 26, Abidjan prosecutor Simplicie Koffi announced charges against 15 political leaders under Gbagbo implicated in offenses against the state’s authority, the creation of armed gangs, and economic crimes.³⁰² Three days later, military prosecutor Colonel Ange Kessy announced charges against 49 officers from Gbagbo’s Ivorian army, 42 of whom were already in detention.³⁰³ The military court is reported to have charged them with the “diversion of public funds and equipment ... the illicit transfer of arms and ammunition; illegal arrests and abductions; [and] murders and concealment of corpses.”³⁰⁴ Then on July 1, Koffi announced he was seeking international arrest warrants against several Gbagbo allies believed to be abroad, including Charles Blé Goudé. The alleged crimes primarily appear to be crimes against the state and economic crimes.³⁰⁵

Charges continued to be brought by both civilian and military prosecutors in August and September. By August 12, at least 58 military officials and 37 civilian officials—including Gbagbo’s son, Michel—had been charged.³⁰⁶ As before, the military prosecutor included counts of arbitrary arrest and detention, murder, concealing corpses, and rape, while the civilian prosecutor brought charges almost exclusively for crimes against the state and

Loi No. 60-366 du 14 Novembre 1960 Portant Code de Procédure Pénale, art. 63. Under Article 9 of the International Covenant on Civil and Political Rights (ICCPR), a person under arrest “shall be promptly informed of any charges against him” and “anyone arrested or detained on a criminal charge shall be brought promptly before a judge....” ICCPR, art. 9.

³⁰¹ Y. Doumbia, “Détection de Gbagbo et ses proches : Les précisions du ministre de la Justice,” *L’Inter*, June 22, 2011; Sangwon Yoon, “Gbagbo supporters detained ‘without charges,’” Al-Jazeera, June 22, 2011.

³⁰² AFP, “Côte d’Ivoire: 15 pro-Gbagbo inculpés pour atteinte à l’autorité de l’Etat,” June 26, 2011. Those charged included Gilbert-Marie Aké N`Gbo, former prime minister; Alcide Djédjé, former minister of foreign affairs; and Philippe Henri Dacoury-Tabley, former governor of the West African central bank.

³⁰³ J.C.C., “Enquête du parquet militaire sur les violences postélectorales / Voici l’identité des 49 militaires, ex-FANCI inculpés,” *Le Patriote*, July 1, 2011. Those charged include General Dogbo Blé, who oversaw the Republican Guard; and Vice-Admiral Vagba Faussignaux, the head of the national marines.

³⁰⁴ J.C.C., “Enquête du parquet militaire sur les violences postélectorales,” *Le Patriote*, July 1, 2011.

³⁰⁵ AFP, “Côte d’Ivoire: mandats d’arrêt contre Blé Goudé et d’autres pro-Gbagbo,” July 1, 2011.

³⁰⁶ RFI, “Côte d’Ivoire charges 58 pro-Gbagbo former officers,” August 12, 2011.

economic crimes.³⁰⁷ A government spokesperson was quoted on August 10 as saying that “violent crimes” from the post-election period would be left to the ICC as domestic civilian courts “are not yet ready to judge this type of crime.”³⁰⁸ Finally, on August 18, Prosecutor Koffi announced charges against Gbagbo and his wife Simone for “economic crimes,” including embezzlement, robbery, and misappropriation.³⁰⁹

At time of writing, there were at least 118 individuals from the Gbagbo camp charged for crimes committed during the post-election period.

No Domestic Procedures against Republican Forces Soldiers

At time of writing, no member of the Republican Forces had been charged related to the grave crimes committed during the post-election violence. Some judicial steps were initiated in relation to the widespread killings that occurred in the west—crimes documented by Human Rights Watch, Amnesty International, the international commission of inquiry, the UNOCI Human Rights Division, and the International Federation for Human Rights. On April 2, the Justice Minister attacked the UNOCI Human Rights Division for implicating the Republican Forces and Dozo in the Duékoué massacre, but instructed the Daloa prosecutor to open a criminal investigation into crimes committed in the west.³¹⁰ According to several people interviewed by Human Rights Watch who had spoken with the prosecutor, however, a lack of personnel and equipment significantly delayed him in undertaking his investigation—with almost no work done through the end of July.³¹¹ When Human Rights Watch asked the chief of staff for the Minister of Justice in September about the investigation, he said that a team of police and prosecutors had conducted a three-month preliminary investigation and compiled a large dossier based on their interviews with witnesses to crimes by both sides. He said that they had enough information about crimes committed by pro-Gbagbo militias, but that there “were difficulties” in the investigations against the Republican Forces—making specific reference to a reluctance to

³⁰⁷ RFI, “Côte d’Ivoire charges 58 pro-Gbagbo former officers,” August 12, 2011; Elise Bolougbeu, “Côte d’Ivoire – Les officiers Boniface Konan, Henri-César Sama, Vagba Faussignaux, Jean Noël Abéhi et 57 ex-Fds inculpés,” *afreeelection.com*, August 11, 2011.

³⁰⁸ AIP, “Crise postélectorale: le porte-parole du gouvernement ivoirien assure que ‘les crimes de sang seront traités par le TPI,’” August 10, 2011, <http://news.abidjan.net/h/407265.html> (accessed August 27, 2011).

³⁰⁹ AFP, “Côte d’Ivoire: Laurent et Simone Gbagbo inculpés de ‘crimes économiques,’” August 18, 2011.

³¹⁰ Me Jeannot Ahoussou-Kouadio, Communiqué N° 003/04/2011 du Ministre d’Etat, Garde des Sceaux, Ministre de la Justice et des Droits de l’Homme, April 3, 2011.

³¹¹ Human Rights Watch interviews with a member of the international commission of inquiry team, Abidjan, May 21, 2011; with representatives of international organizations who had met with the prosecutor, July 29, 2011; and with Ivorian journalists following the case, July 29, 2011. It was only on May 26 that the Daloa prosecutor announced that his investigation would “enter its active phase.” Bayo Fatim, “Evènements post-électorales à l’Ouest L’enquête s’ouvre aujourd’hui,” *Nord-Sud*, May 26, 2011.

testify by international organizations who were in Duékoué when the massacre occurred and assisted in burials. He further stressed that the investigations were preliminary and needed to be “verified” before any charges were filed. He also said that, before domestic prosecutions would take place, the government was waiting for the ICC to act—despite the fact that the ICC has historically taken only a few cases in situations under investigation.³¹²

No progress is evident regarding the investigation of crimes committed during the Abidjan offensive and subsequent weeks. When Human Rights Watch first published work citing at least 149 killings—and implicated Chérif Ousmane and Ousmane Coulibaly as among those responsible—Interior Minister Hamed Bakayoko promised credible investigations, but expressed “doubt” about the findings and the credibility of victim testimonies as proof.³¹³ No such investigation appears to have been undertaken.

Military prosecutor Ange Kessi Kouamé said in early July that he had received numerous complaints about the Republican Forces, but he could not open an investigation because it was unclear whether the soldiers qualified as civilians or military under Ivorian law. Kouamé made clear that if considered civilians, only the civilian prosecutor was competent to prosecute them, so he was awaiting the clarification.³¹⁴ At time of writing, the government did not appear to have answered whether during the crisis the Republican Forces were civilians, military, or included individuals from both categories.

The failure to bring credible investigations against the Republican Forces has raised concerns of victor’s justice, as voiced by a commissioner on the international commission of inquiry and a leading human rights activist in Côte d’Ivoire.³¹⁵ The Ouattara government has continued to promise that persons implicated in crimes will be prosecuted regardless of whether they fall in its camp or the Gbagbo camp.³¹⁶

³¹² Human Rights Watch interview with Fodjo Kadjo Abo, *Directeur de cabinet* for the Minister of Justice, Abidjan, September 16, 2011.

³¹³ RFI, “Le gouvernement ivoirien réagit au rapport d’Human Rights Watch,” June 4, 2011.

³¹⁴ Armand B. Depeyla, “Situation militaire post-crise électorale, Ange-Kessi: Voici pourquoi les Frci ne sont pas poursuivies,” *Soir Info*, July 7, 2011.

³¹⁵ Fredrik Dahl, “U.N. rights chief concerned about new Ivory Coast army,” Reuter, June 15, 2011 (quoting commissioner Suliman Baldo as saying that concerns about “one-sided victory justice” were well-founded); *Le Nouveau Courrier*, June 23, 2011 (quoting Drissa Traoré of the Ivorian Movement for Human Rights (MIDH) as saying “there should be no justice of winners over losers”).

³¹⁶ Aymar D, “A propos des exactions à Duékoué / Jeannot Ahoussou, ministre de la Justice : ‘Des soldats marocains seront entendus’,” *L’Intelligent d’Abidjan*, June 30, 2011; Reuters, “Le gouvernement ivoirien promet à la CPI l’absence d’impunité,” June 28, 2011; Desmond Butler, “AP Exclusive: Ouattara: no knowledge of massacre,” July 30, 2011.

International Criminal Court

Côte d'Ivoire is not a state party to the Rome Statute, but it has accepted, during both the Gbagbo and Ouattara presidencies, the International Criminal Court's jurisdiction to investigate crimes under the ICC's authority, which are genocide, war crimes, crimes against humanity, and other serious violations of international humanitarian law. Since assuming power, Ouattara has expressly invited the ICC prosecutor to investigate crimes in Côte d'Ivoire and stated an understanding and desire for the ICC to prosecute both sides' crimes. However, Ouattara has also asked the court to restrict the investigation's timeframe.

Côte d'Ivoire first accepted the ICC's jurisdiction in a declaration dated April 18, 2003. Under article 12(3) of the Rome Statute, Gbagbo's then-Minister of Foreign Affairs, Mamadou Bamba, indicated that the government "accepts the jurisdiction of the Court for the purposes of identifying, investigating and trying the perpetrators and accomplices of acts committed on Ivorian territory since the events of 19 September 2002."³¹⁷ The declaration said it "shall be valid for an unspecified period of time,"³¹⁸ indicating potential continuing authority for the ICC to investigate grave crimes committed during and subsequent to the 2002-2003 armed conflict. On December 14, 2010, and May 3, 2011, President Ouattara renewed the 12(3) declaration. However, he modified the requested dates for the ICC's investigation. In his December letter, Ouattara promised cooperation with ICC investigations into "all crimes and acts of violence committed since March 2004."³¹⁹ Five months later, in confirming his previous request, Ouattara asked the ICC to investigate "the gravest crimes committed since November 28, 2010."³²⁰ [See Annex for the three ICC letters.]

The prosecutor heeded the last letter's demand in submitting his request to Pre-Trial Chamber II on June 23 to open an investigation—limiting the proposed period under investigation to the post-election period.³²¹ The prosecutor's request indicates a desire to focus on crimes committed following the 2010 election because "violence... reached unprecedented levels," and a "wealth of information" exists as to those crimes.³²²

³¹⁷ Republic of Côte d'Ivoire, Declaration Accepting the Jurisdiction of the International Criminal Court, April 18, 2003.

³¹⁸ *Ibid.*

³¹⁹ Republic of Côte d'Ivoire, Confirmation de la Déclaration de reconnaissance, December 14, 2010.

³²⁰ Republic of Côte d'Ivoire, Letter to the ICC Prosecutor, May 3, 2011.

³²¹ Office of the Prosecutor, Request for authorization of an investigation pursuant to article 15, June 23, 2011.

³²² Office of the Prosecutor, Request for authorization of an investigation pursuant to article 15, June 23, 2011, para. 41. The prosecutor, nevertheless, indicated that: "Upon review of the supporting material, the Chamber may conclude that Côte d'Ivoire repeatedly experienced violence prior to the 2010 elections and may therefore broaden the temporal scope of the investigations to events that occurred between 19 September 2002 (the date from which the Republic Côte d'Ivoire accepted the exercise of jurisdiction by the Court in accordance with article 12(3) of the Rome Statute) and 23 June 2011 (the date of the filing of this Application)." *Ibid.*, para. 42.

This time limitation needlessly cut off the proposed international investigation into grave crimes committed during the decade prior to the most recent violence and ignored the desires of most leaders of Ivorian civil society, who stress the importance of investigations going back to 2002, given the gravity, scale, and complete impunity for these crimes.³²³ Individuals working with Ouattara on justice issues suggested that the time limitation was included in Ouattara's request partly as a result of a suggestion by the ICC prosecutor's office to make an ICC investigation more manageable.³²⁴ Several high-level diplomats interviewed by Human Rights Watch, however, believed Ouattara's request was designed to protect some in his camp who had been involved in systematic killings, rapes, and other abuses during the 2002-2003 conflict and its aftermath.³²⁵

President Ouattara has consistently affirmed that the ICC should and would look at both sides' grave crimes.³²⁶ An ICC delegation, led by deputy prosecutor Fatou Bensouda, began its work on post-election violence during a June 27-July 4 visit to Abidjan. On June 28, Bensouda and Justice Minister Kouadio signed a formal agreement in which the Ivorian government promised full cooperation as outlined under part 9 of the Rome Statute.³²⁷

On October 3, 2011, the ICC judges granted the prosecutor's request to open an investigation into the post-election violence. They also asked him "to revert to the Chamber within one month with any additional information that is available to him on potentially relevant crimes committed between 2002 and 2010."³²⁸ Ouattara has promised to ratify the Rome Statute "as soon as possible."³²⁹

³²³ Human Rights Watch interviews with leaders of civil society, Abidjan, July 2011. See also Déclaration de la société civile ivoirienne sur l'ouverture d'enquête du bureau du Procureur de la CPI en Côte d'Ivoire, Public declaration signed by 40 Civil Society Organisations in Côte d'Ivoire, July 2011; Fulgence Zambélé, "Disagreement over scope of Côte d'Ivoire International Court probe," Inter Press Service, August 4, 2011.

³²⁴ Human Rights Watch interview with individuals assisting the Ouattara government on justice issues, Paris, June 2011.

³²⁵ Human Rights Watch interviews with high-level diplomats, May-June 2011.

³²⁶ AFP, "Côte d'Ivoire: la CPI travaillera sur 'les crimes de toutes les parties,'" June 28, 2011; AFP, "Ouattara a demandé par écrit au procureur de la CPI d'enquêter en Côte d'Ivoire," May 18, 2011. The Justice Minister has stated similarly, promising cooperation "so that light can be cast on all crimes committed ... whether they were by people close to Ouattara's camp or to Gbagbo's camp." Reuters, "Ivory Coast signs ICC accord, pledges no impunity," June 28, 2011.

³²⁷ Reuters, "Ivory Coast signs ICC accord, pledges no impunity," June 28, 2011. Part 9 of the Rome Statute outlines cooperation on issues like assistance with investigations and the arrest and surrender of persons against whom the court has issued warrants. Rome Statute, arts. 86-102.

³²⁸ International Criminal Court, ICC Pre-Trial Chamber III authorises the Prosecutor to launch an investigation in Côte d'Ivoire, October 3, 2011.

³²⁹ Republic of Côte d'Ivoire, Letter to the ICC Prosecutor, May 3, 2011.

Dialogue, Truth, and Reconciliation Commission

On April 27, 2011, Ouattara promised to create a Dialogue, Truth, and Reconciliation Commission (DTRC) on the model of South Africa's within two weeks, saying that it would be a "major focus of my presidency."³³⁰ Several days later, on May 1, Ouattara said he would name former Prime Minister Charles Konan Banny—a longtime politician in the PDCI party—as the commission's head.³³¹ Some foreign diplomats as well as members of Ivorian civil society, including pro-Ouattara organizations, voiced displeasure to Human Rights Watch about the Banny nomination. They noted that there was little consultation with civil society in making the choice and, given his partisan political background, they were uncertain as to whether he would inspire groups on both sides to feel comfortable with and confident in the commission.³³²

On July 13, President Ouattara formally created the Dialogue, Truth, and Reconciliation Commission (DTRC) through Order 2011-176, which gave the body a two-year mandate.³³³ The commission is to be led by its president, Charles Konan Banny, as well as three vice-presidents and seven commissioners.³³⁴ It is charged to, among other things, "elaborate a typology of human rights violations," "establish truth and situate responsibility for past and present sociopolitical events," "listen to victims and obtain the recognition of facts by perpetrators" and "identify and make recommendations toward the fight against injustice, inequalities of all kind, tribalism, nepotism, the exclusion, as well as hatred in all of their forms."³³⁵ The hearings were to be open to the public, except under specific circumstances.³³⁶ International Crisis Group expressed concern that the text of Order 2011-176 "contains no provisions that clearly define the powers of the commission and does not sufficiently guarantee its independence from the political power."³³⁷

³³⁰ "Les Ivoiriens aspirent à la paix," *La-Croix.com*, April 27, 2011.

³³¹ "Côte d'Ivoire: Konan Banny présidera la commission réconciliation," *Le Monde*, May 1, 2011. The DTRC was formally created by presidential decree no. 2011-85 on May 13, with Banny named the head. Communiqué de la présidence, May 13, 2011, reprinted in *Le Patriote*, May 14, 2011, <http://news.abidjan.net/h/399023.html> (accessed August 27, 2011).

³³² Human Rights Watch interviews with members of Ivorian civil society, Abidjan, May and July 2011; and with diplomats, May 2011. See also Bamba K. Inza, "Commission dialogue, vérité et réconciliation / La société civile craint un échec de Banny," *Nord-Sud*, June 9, 2011; Alphonse Soro, "Affaire Banny : Les précisions d'Alphonse Soro," *Ivoire-Presse*, June 10, 2011.

³³³ Présidence de la République, "Ordonnance no. 2011-167 du 13 juillet 2011 portant création, attributions, organisation et fonctionnement de la Commission Dialogue, Vérité et Réconciliation," July 13, 2011.

³³⁴ *Ibid.*, art. 6.

³³⁵ *Ibid.*, art. 5.

³³⁶ *Ibid.*, art. 21.

³³⁷ International Crisis Group, *Une période critique pour stabiliser la Côte d'Ivoire*, Rapport Afrique No. 176, August 1, 2011, p. 9.

On September 5, the council of ministers adopted a decree naming the vice-presidents and commissioners. The vice-presidents are leaders from the traditional, Muslim, and Christian authorities, respectively. The seven commissioners represent the different regions of Côte d'Ivoire as well as the Ivorian diaspora and foreign residents in Côte d'Ivoire.³³⁸ At time of writing, the commission did not have a clear strategy or role in the government's broader justice efforts.

³³⁸ Communiqué du conseil des Ministres Extraordinaire du lundi 05/09/2011, September 5, 2011, <http://news.abidjan.net/h/409574.html> (accessed September 8, 2011).

Conclusion

Many of the causes of the most recent Ivorian conflict are clear: a decade of state-led discrimination against northerners and West African immigrants over the manipulated notion of citizenship; incitation to hatred against these groups; the proliferation of violent militia groups and their close collaboration with Gbagbo's elite security forces; a failed judicial system; and, most directly, Gbagbo's refusal to hand over power after losing the run-off. Gbagbo's forces unleashed the violence in the election's immediate aftermath and raised the scale and gruesomeness of their attacks at every subsequent stage of the crisis. By the end, their acts included war crimes and likely crimes against humanity, with responsibility up to the highest levels of military and civilian leadership.

But, while Gbagbo's obsession with remaining in power may have provoked the latest armed conflict, by the fighting's end in mid-May, Ouattara's Republican Forces had committed atrocities that likewise fell within the gravest crimes identified under international criminal law. When speaking with or reading statements from government officials—and even diplomats from countries supportive of the Ouattara government—one gets the sense that while they recognize the Republican Forces committed bad acts, they consider them less egregious because “but for” Gbagbo's refusal to step down, the violence may never have happened. While logical in apportioning political blame, the argument fails under norms of human rights and international humanitarian law. Civilians from pro-Gbagbo groups who watched Ouattara's forces kill and rape loved ones or burn their villages to the ground were no more legitimate targets than the northern Ivorians and West African immigrants killed by Gbagbo's forces. From the victims' vantage point—many who did not particularly care if Gbagbo remained in power, even if they voted for him, but rather wanted to return to the country's previous stability and prosperity—the collective punishment engaged in by the two forces looked highly similar and equally costly.

High-level commanders on both sides are implicated in war crimes and likely crimes against humanity. At times, the violence they engaged in and oversaw reached a shocking level of depravity. In some respects, the nature of the violence should come as little surprise. Both Gbagbo's forces and the Republican Forces (when formerly the *Forces Nouvelles*) had a long history of targeting opponents for murder, rape, and pillaging. And no matter how many people were killed, no one on either side had been held responsible for their acts. This sidelining of justice was often abetted by key actors in the international community, who believed justice was incompatible with ongoing

peace negotiations. Some continue to believe so, failing to learn from lessons past, when postponing justice meant persons implicated in grave crimes remained entrenched in positions of power. When tensions again mounted, they returned to inflicting violence against civilians, having learned that there was almost no cost to doing so.

While life has started to return to normal for large parts of the population, particularly in Abidjan, insecurity continues for many who are thought to have supported Gbagbo—especially young men perceived as militiamen based on their age and ethnicity. More than 150,000 refugees remain in either Liberia or Ghana, afraid to return home. Reconciliation still appears a long way off.

Since taking control of the country, Ouattara's first steps to address impunity have been uneven, at best. Despite repeated promises that the government would hold accountable all who committed grave crimes during the conflict, the reality looks like victor's justice—with not a single member of the Republican Forces charged at time of writing. At times, the Justice Minister, presidential spokespersons, and even Ouattara himself have flatly denied the possibility that violations reported by human rights organizations could have merit—despite that, in some cases, the findings have been made independently by an international commission of inquiry, the UNOCI Human Rights Division, Human Rights Watch, the International Federation for Human Rights, and Amnesty International. In a few instances, high-level government officials have gone so far as to malign these organizations, either directly or through newspapers supported openly by their political parties, in actions that look similar to the way Gbagbo ruled.

The country sits at a crucial moment, one in which it can make a break from its past and return to the rule of law or add a new level of grievances to what has fueled violence and insecurity for a decade. Côte d'Ivoire has tried impunity. It has tried political and ethnic favoritism. The most recent result was at least 3,000 civilians killed and more than 150 women raped. September 29 marked the six-month anniversary of the Duékoué massacre—perhaps the most egregious, but just one of many events involving grave crimes by the Republican Forces. The women who watched their husbands and sons pulled out of their houses and executed at point-blank range have received no justice; their neighborhoods and villages are still burned to the ground, and the residents who escaped death are mostly living elsewhere, often in humanitarian camps. The time for Ouattara to live up to his rhetoric on impartial justice is long overdue. So too is real pressure to ensure impartial justice from the French and US governments, the UN Security Council, and ECOWAS. All of them rightfully threw their weight behind Ouattara

after Gbagbo refused to step down. But they have been largely silent, publicly, while selective justice takes root. Without the will at the domestic and international levels to ensure credible, impartial justice, Côte d'Ivoire is unlikely to break the cycles of violence, with dangerous implications for respect for rule of law and the country's stability.

Annex: Letters to the International Criminal Court

Republic of Côte d'Ivoire

[insignia]

Declaration Accepting the Jurisdiction of the International Criminal Court

Pursuant to article 12(3) of the Statute of the International Criminal Court, the Government of Côte d'Ivoire accepts the jurisdiction of the Court for the purposes of identifying, investigating and trying the perpetrators and accomplices of acts committed on Ivorian territory since the events of 19 September 2002.

Accordingly, Côte d'Ivoire undertakes to cooperate with the Court without delay or exception in accordance with Part 9 of the Statute.

This declaration shall be valid for an unspecified period of time and shall enter into effect on being signed.

Done at Abidjan, 18 April 2003

**FOR THE GOVERNMENT
OF THE REPUBLIC OF CÔTE D'IVOIRE
THE *MINISTRE D'ETAT*,
MINISTER OF FOREIGN AFFAIRS**

[signed]

Mamadou BAMBA

Présidence de la République

Le Président

République de Côte d'Ivoire

Union - Discipline - Travail

Abidjan, le 14 décembre 2010

NR 0040-PR-du 14/12/2010

**Monsieur le Procureur
Près la Cour Pénale
Internationale
Maanweg 174, 2516 AB
La Haye
PAYS BAS**

Objet : Confirmation de la Déclaration de reconnaissance

Monsieur le Procureur,

Le 18 Avril 2003, le Gouvernement de la République de Côte d'Ivoire reconnaissait solennellement, par son Ministre des Affaires Etrangères, la compétence de la Cour Pénale Internationale.


Depuis le 02 décembre 2010, suite à l'élection présidentielle de sortie de crise qu'elle a organisée les 31 octobre et 28 novembre 2010, la Côte d'Ivoire a un nouveau Président de la République dont la victoire a été proclamée par la Commission Electorale Indépendante.

Le Représentant spécial du Secrétaire Général de l'ONU a certifié les résultats de cette élection, conformément aux accords politiques de sortie de crise. L'ensemble de la Communauté internationale, notamment le Conseil de Sécurité de l'ONU, les Etats-Unis d'Amérique, la France, l'Union Africaine, la Communauté Economique des Etats d'Afrique de l'Ouest et l'Union Européenne, a reconnu les résultats de cette élection et m'a apporté son soutien.

Aussi, en ma qualité de nouveau Président de la République de Côte d'Ivoire et conformément à l'article 12 paragraphe 3 du statut de Rome qui dispose que : *« Si l'acceptation de la compétence de la Cour par un Etat qui n'est pas Partie au présent Statut est nécessaire aux fins du paragraphe 2, cet Etat peut, par déclaration déposée auprès du Greffier, consentir à ce que la Cour exerce sa*

compétence à l'égard du crime dont il s'agit. L'Etat ayant accepté la compétence de la Cour coopère avec celle-ci sans retard et sans exception conformément au chapitre IX », j'ai l'honneur de confirmer la déclaration du 18 avril 2003.

A ce titre, j'engage mon pays, la Côte d'Ivoire, à coopérer pleinement et sans délai avec la Cour Pénale Internationale, notamment en ce qui concerne tous les crimes et exactions commis depuis mars 2004.

Je vous prie de croire, **Monsieur le Procureur**, à l'expression de ma considération distinguée. 



Alassane OUATTARA

N/ Réf. : 0086/ PR

Abidjan, le 03 Mai 2011

A

Monsieur Moreno OCAMPO
Procureur auprès de la
Cour Pénale Internationale
A la Haye – PAYS- BAS

Monsieur le Procureur,

Le 18 avril 2003, conformément à l'article 12 paragraphe 3 du Statut de Rome, le Gouvernement de la République de Côte d'Ivoire reconnaissait solennellement, par son Ministre des Affaires Etrangères, la compétence de la Cour pénale internationale aux fins d'identifier, de poursuivre, de juger les auteurs et complices des actes commis sur le territoire ivoirien depuis les événements du 19 septembre 2002. Cette déclaration fut faite pour une durée indéterminée.

A l'issue de mon élection à la Présidence de la République de Côte d'Ivoire le 02 décembre 2010, l'une de mes premières décisions fut de confirmer, par lettre en date du 14 décembre 2010, l'acceptation par la Côte d'Ivoire de la compétence de la Cour pénale internationale.

Pour les raisons que vous connaissez, le transfert de pouvoir à l'issue de l'élection présidentielle des 31 octobre et 28 novembre 2010 n'a pu s'opérer de la façon pacifique que j'appelais de mes vœux. Il s'en est suivi une période de grave crise au cours de laquelle il est malheureusement raisonnable de croire que des crimes relevant de la compétence de la Cour pénale internationale ont été commis. Ces crimes sont d'une telle gravité que j'en appelle à votre concours pour faire en sorte que les principaux auteurs ne restent pas impunis et ainsi contribuer à restaurer l'Etat de droit en Côte d'Ivoire.

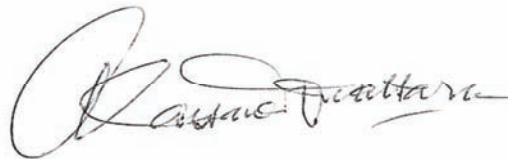
En ma qualité de Président de la République, je vais m'employer sans relâche à restaurer dans la plénitude de son indépendance et de ses prérogatives le système judiciaire ivoirien. Le Ministre de la Justice, Garde des Sceaux a déjà pris des mesures pour faire la lumière sur un certain nombre d'infractions commises au cours des derniers mois et des années précédentes. Je ne ménagerai par ailleurs aucun effort pour réconcilier les Ivoiriens entre eux et clore enfin une décennie de violences et de déchirures.

Dans ce contexte, et après consultations avec le parquet général et les autorités judiciaires, il apparaît néanmoins que la justice ivoirienne n'est, à ce jour, pas la mieux placée pour connaître des crimes les plus graves commis au cours des derniers mois et toute tentative d'en traduire en justice les plus hauts responsables risquerait de se heurter à des difficultés de tous ordres.

Par la présente, j'entends confirmer mon souhait que votre Bureau mène en Côte d'Ivoire des enquêtes indépendantes et impartiales sur les crimes les plus graves commis depuis le 28 novembre 2010 sur l'ensemble du territoire ivoirien, et fasse en sorte que les personnes portant la responsabilité pénale la plus lourde pour ces crimes soient identifiées, poursuivies et traduites devant la Cour pénale internationale.

Je réitère l'engagement de mon pays à coopérer pleinement avec votre Bureau tout au long de ces enquêtes et poursuites, et confirme mon intention de faire en sorte que la Côte d'Ivoire devienne Etat Partie au Statut de Rome dans les meilleurs délais possibles.

Je vous prie de croire, **Monsieur le Procureur**, en l'assurance de ma considération distinguée.

A handwritten signature in black ink, appearing to read 'Alassane Ouattara', written in a cursive style.

Alassane OUATTARA

Acknowledgements

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Human Rights Watch particularly expresses its gratitude to the victims and eyewitnesses to the often horrendous violence who agreed to share their stories. At times, they braved militia checkpoints and open fighting between armed forces to recount the story of a killed child, friend, sibling, or spouse. They spoke in anguish but with the hope that the horrors of this crisis would forever remind Ivorians and their leaders of the cost of manipulating ethnicity and inciting hate. They expressed repeatedly the need to hold accountable those responsible and to end the decade of impunity. We hope that this report plays a role in fulfilling those desires.

Glossary of Acronyms

- BAE *Brigade anti-émeute* (Anti-riot unit), an elite security force loyal to Gbagbo throughout the post-election crisis.
- BCEAO *Banque Centrale des États de l'Afrique de l'Ouest* (Central Bank of West African States), a central bank serving eight West African countries, including Côte d'Ivoire.
- CECOS *Centre de Commandement des Opérations de Sécurité* (Security Operations Command Center), an elite rapid-reaction force, linked closely to Gbagbo during the conflict, whose members are drawn from the army, the gendarmerie, and the police.
- CEI *Commission Electorale Indépendante* (Independent Electoral Commission).
- CRS *Compagnie Républicaine de Sécurité* (Republican Security Company), an elite police force, loyal to Gbagbo during the conflict.
- FAFN *Forces Armées des Forces Nouvelles* (Armed Forces of the New Forces), the military arm of the alliance of three different armed movements, who controlled the northern half of the country since 2002.
- FDS *Forces de Défense et de Sécurité* (Defense and Security Forces), a term used to refer collectively to the army, the gendarmerie, and the police.
- FESCI *Fédération Estudiantine et Scolaire de Côte d'Ivoire* (Student Federation of Côte d'Ivoire), a violent, pro-Gbagbo student group that both Charles Blé Goudé and Guillaume Soro once led.
- FLGO *Front de Libération du Grand Ouest* (Far West Liberation Force), a pro-Gbagbo militia force in the country's far west led by Maho Glofiéi.
- FPI *Front Populaire Ivoirien* (Ivorian Popular Front), the political party of former president Laurent Gbagbo.
- LMP *La Majorité Présidentielle* (The Presidential Majority), the political coalition of Gbagbo and several other minor political parties.

- MFA *Mouvement des Forces de l'Avenir* (Movement of the Forces of the Future), a small political party that was part of Ouattara's political coalition.
- MJP *Mouvement pour la Justice et la Paix* (Movement for Justice and Peace), armed rebel movement that emerged in western Côte d'Ivoire in 2002, later integrated into the *Forces Nouvelles*.
- MPCI *Mouvement Patriotique de Côte d'Ivoire* (Patriotic Movement of Côte d'Ivoire), armed rebel group who seized control of northern Côte d'Ivoire in 2002, the largest single constituent of the *Forces Nouvelles*.
- MPIGO *Mouvement Populaire Ivoirien du Grand Ouest* (Ivorian Popular Movement for the Great West), armed rebel movement that emerged in western Côte d'Ivoire in 2002, later integrated into the *Forces Nouvelles*.
- ONUCI *Opération des Nations Unies en Côte d'Ivoire* (United Nations Operations in Côte d'Ivoire, or UNOCI), the UN peacekeeping mission.
- PDCI *Parti Démocratique de la Côte d'Ivoire* (Democratic Party of Côte d'Ivoire), a political party led by former president Henri Konan Bédié, part of the RHDP political alliance.
- RDR *Rassemblement des Républicains* (Rally of the Republicans), the political party of current president Alassane Ouattara.
- RPG Rocket-propelled grenade.
- RHDP *Rassemblement des Houphouétistes pour la Démocratie et la Paix* (Houphouetist Rally for Democracy and Peace), political alliance of parties including the PDCI, RDR, UDCI, and MFA.
- RTI *Radiodiffusion Télévision Ivoirienne* (Ivorian Radio-Television), the national television station, controlled by the Gbagbo government during the crisis.
- UDCI *Union Démocratique de Côte d'Ivoire* (Democratic Union of Côte d'Ivoire), a party in the RHDP political coalition.

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(front cover) A pile of sandals, including those of a child, inside the Bloléquin prefecture building, where around 100 people were killed during post-election violence. As fighting intensified, Ouattara's Republican Forces had gathered civilians into the prefecture building; militias and mercenaries loyal to Gbagbo broke in and killed those from ethnic groups deemed to support Ouattara.

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(below) A young man hides his face after recounting the story of his injuries from post-election violence, Bangolo Hospital, western Côte d'Ivoire. He was shot by advancing pro-Ouattara forces and left for dead until a passing soldier heard him groan. Out of bullets, the soldier began hacking at him with a machete.

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For six months, Côte d'Ivoire residents endured horrific human rights abuses following the refusal of incumbent President Laurent Gbagbo to relinquish power when the country's electoral commission and international observers declared his opponent, Alassane Ouattara, the winner of the November 28, 2010, run-off election. Months after the April 11 arrest of Gbagbo by Ouattara's armed forces, the prospect of one-sided justice threatens to prolong the country's divisions and impede the reestablishment of the rule of law.

In the election's aftermath, Gbagbo's elite security forces unleashed a systematic campaign of violence against real and perceived Ouattara supporters, including through the violent suppression of demonstrations, the abduction and killing of neighborhood political leaders, and the rape of women and girls. As the Gbagbo government-controlled media incited hate against pro-Ouattara groups, Gbagbo's militias stopped them at checkpoints or attacked them in their neighborhoods, beating them to death, shooting them, or burning them alive.

Three months after Gbagbo refused to cede power, pro-Ouattara forces—largely the former rebel army of his prime minister, Guillaume Soro—launched an offensive to remove Gbagbo from power. In sweeping the country, these forces often inflicted a collective punishment against pro-Gbagbo ethnic groups through widespread executions, torture, and the burning of villages. By the fighting's end in mid-May 2011, at least 3,000 people had been killed and more than 150 women raped, often in targeted acts perpetrated along political, ethnic, and religious lines.

Based on six field missions to Côte d'Ivoire between December 2010 and July 2011 and over 500 interviews with victims and witnesses to the violence, this report documents crimes that reach the level of war crimes and likely crimes against humanity. The report further identifies 13 military and political leaders implicated in grave crimes either directly or through command responsibility, based on the accumulated evidence. It also details the failure, thus far, of the Ouattara government to ensure that perpetrators from both sides of the conflict are brought to justice for abuses they perpetrated.