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Synopsis

Seven years after the eruption of a brief civil war in Côte d'Ivoire, the country is at peace but almost all the conditions for renewed political violence that could continue to expose it to an armed conflict in the medium term are still present. The conflict was just one of the dimensions of a profound political crisis that has not been solved. The presidential elections expected since October 2005 have yet to be organised in mid-2009. Various external actors have been involved in the peacemaking and peacekeeping efforts in Côte d'Ivoire. The United Nations Operations in Côte d'Ivoire (UNOCI) has been one of these. It was established by the United Nations Security Council (UNSC) through a resolution under Chapter VII of the UN Charter in February 2004. UNOCI is still on the ground in 2009 and the Council continues to renew regularly its mandate with little impact on the internal political process; and thus an embarrassing uncertainty on the timeline of the peacekeeping operation.

I. Conflict history

In the 1960s and 1970s, Côte d'Ivoire, through its production of coffee and cocoa, presented a rare example of growth and stability in West Africa. But from the 1980s, the country began to experience a period of economic, social and political turmoil. The end of the 33-year presidency of Félix Houphouët-Boigny, who died in December 1993, forced the Ivorian nation to face the democratic process in a tense context. Besides, the large number of foreigners in Côte d'Ivoire, and of Ivorians of somewhat recent foreign descent, created an important issue of voting rights and control of land in specific regions. Around 26 per cent of the population was of foreign origin according to a 1998 census. Many of these had been Ivorian citizens for two generations or more. The underlying tensions had been suppressed under the leadership of Houphouët-Boigny, but surfaced in the context of a shrinking economy and political succession battle at the end of his rule.¹

Early signs of a divided social fabric along ethnic and regional lines (broadly defined, Northerners versus Southerners, despite the limitations of such categorisation) were widely perceptible when



Henri Konan Bédié, who was the President of the Parliament, succeeded Houphouët-Boigny. Bédié won the presidential elections in 1995 amidst contestations and 'active boycott' by a coalition that was mainly formed by the long-time opposition party of Laurent Gbagbo, the Ivorian Patriotic Front (FPI), and a breakaway of Houphouët-Boigny's powerful Democratic Party of Côte d'Ivoire (PDCI), the Rally of Republicans (RDR), led by Alassane Ouattara. The latter was the Prime Minister at the time of Houphouët-Boigny's death and engaged in an undeclared rivalry with Bédié. President Bédié did not finish his constitutional mandate. He was overthrown on 24 December 1999 by General Robert Guéï, a former army chief of staff. This was the first coup d'état in the history of Côte d'Ivoire.

The junta promised to return rapidly the country to democratic and civilian rule. Guéï allowed elections to be held in 2000 but decided to be candidate. When the election was won by Laurent Gbagbo – the only important political leader whose candidacy had not been rejected by a controversial Supreme Court decision on the eligibility of RDR and PDCI candidates – Guéï at first refused to accept his defeat. Massive street protests and a shift in the loyalty of part of the security forces forced him to step down. Gbagbo became president on 26 October 2000. On 19 September 2002, the civil war erupted when the coup plotted by soldiers facing demobilisation under the army reform programme was driven back in Abidjan, and became a rebellion led by the Patriotic Movement of Côte d'Ivoire (MPCI) of Guillaume Soro. MPCI was later joined in the conflict by two other rebel groups, the Movement for Justice and Peace (MJP) and the Ivorian Peoples' Movement for the Great West (MPIGO). The three factions later formed the *Forces Nouvelles* (FN).

From September 2002 to January 2003, the civil war was marked by confrontations between governmental forces and rebels, the capturing of towns followed by massacres of civilians suspected of supporting one camp or the other; the execution of gendarmes and their families, aerial attacks by helicopters in the West, targeted kidnappings and assassinations, and large-scale sexual violence. There also emerged 'patriotic' groups and militias aligned to defend the president and counter both the rebellion and the political opposition. The recruitment of Liberian and Sierra Leonean mercenaries by both the Ivorian rebel groups and the governmental forces and associated militias added a worrying regional dimension to the conflict. The rebels also hired combatants from Mali and Burkina Faso, which had been the training base for the September 2002 insurgency.²

¹ On the origins of the Ivorian crisis and the rising political, ethnic and regionalist tension and violence, see Christian Bouquet, *Géopolitique de la Côte d'Ivoire*, Paris, 2005; Marc Le Pape and Claudine Vidal, *Côte d'Ivoire, l'année terrible 1999-2000*, Paris, 2002; Jean-Pierre Dozon, 'La Côte d'Ivoire entre Démocratie, Nationalisme et Ethnonationalisme', *Politique Africaine: Côte d'Ivoire, la tentation ethnonationaliste* 78, June 2000; Human Rights Watch, 'The New Racism: The Political Manipulation of Ethnicity in Côte d'Ivoire', *Human Rights Watch Report* 13, 6 (A), August 2001; and United Nations High Commissioner for Human Rights, 'Report of the Commission of Inquiry into the Events Related to the March in Abidjan (Côte d'Ivoire)'.

² For an account of the security situation from September 2002 and the key phases of the peace process, see the reports of the International Crisis Group: 'Côte d'Ivoire: the War Is Not Yet Over', *Africa Report* 72, 28 November 2003; 'Côte d'Ivoire: No Peace in Sight', *Africa Report* 82, 12 July 2004; 'Côte d'Ivoire: the Worst May Be Yet To Come', *Africa Report* 90, 24 March 2005; 'Côte d'Ivoire: Halfway Measures Will not Suffice', *Africa Briefing* 33, 12 October 2005; 'Côte d'Ivoire: Peace as an Option', *Africa Report* 109, 17 May 2006; and 'Côte d'Ivoire: Stepping up the Pressure', *Africa Briefing* 40, 7 September 2006.

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The first peace negotiations took place at the end of October 2002 in Lomé (Togo). A ceasefire was agreed between the MPCI and the loyalist army, but violence continued. The French military force monitoring the initial ceasefire line, known as Operation *Licorne*, received additional troops until it numbered almost 2,500 by the end of December 2002. January 2003 brought further fighting and increasing reports of abuses against civilians in the western region. French diplomacy led to the new peace talks in the Parisian suburb of Linas-Marcoussis and resulted in the signing of a comprehensive peace agreement on 24 January 2003. A neutral Prime Minister, Seydou Elimane Diarra, was appointed to form a Government of National Reconciliation that would implement the military, political and legal components of the Linas-Marcoussis Agreement (LMA). The Security Council (by resolution 1474 of 4 February 2003) authorised the deployment of Economic Community of West African States (ECOWAS) troops supported by the French *Licorne* force along with the monitoring presence of a small UN peace mission.³

The implementation of the Linas-Marcoussis Agreement quickly appeared as an impossible task in the short term. A series of meetings and other agreements negotiated by the heads of state of the region did not prevent the protagonists from creating and sustaining a situation of 'no peace, no war'. The president and his partisans strived to keep power in the southern part of the territory while the *Forces Nouvelles* set the bases of a durable military, political, economic and financial organisation of the northern half of the country divided by a 'zone of confidence' monitored by the international forces. The 'armed peace' took the shape of bloody events in March 2004 when the government used war weapons and 'parallel' forces to prevent a demonstration of the opposition parties in Abidjan, which resulted in 150 deaths according to the UN.⁴ In November 2004, the president ordered the Operation 'Dignity' against the FN, thus violating the ceasefire. An unexplained aerial attack on a French military base in Bouaké was followed by the destruction by the *Licorne* force of almost all of the Ivorian military air fleet. Extreme tension between Ivorian demonstrators and French nationals and military in Abidjan ensued, marked by the death of Ivorian civilians on 9 November.

Diplomatic efforts resumed with the mediation led by former South African President Thabo Mbeki. A new peace agreement was signed in Pretoria on 6 April 2005, but it enabled neither to avoid hindrances nor to organise the presidential election slated for October 2005, at the end of the constitutional tenure of the president. A Security Council resolution extended the transition period by one year (resolution 1633 of 21 October 2005) and reinforced on paper the powers of the prime minister to the detriment of the head of state. One year later, the process for the way out of the crisis had practically not moved forward. Another resolution of the Security Council (resolution 1721 of 1 November 2006) was issued to open a 'final transition period not exceeding twelve months'. The president opposed the essence of resolution 1721 (2006) and officially proposed on 19 December 2006 to dialogue directly with the FN. The discussions took place in Ouagadougou (Burkina Faso) and resulted, on 29 March 2007, in the signing of an agreement by the president and the ex-rebel leader who would later become prime minister.⁵ However,

³ Albert Tevoédjré (Benin) was appointed Special Representative of the Secretary-General.

⁴ 'Report of the Commission of Inquiry into the Events Related to the March in Abidjan (Côte d'Ivoire)', op. cit.

⁵ For an account of the Ouagadougou talks and an analysis of the Agreement, see International Crisis Group, 'Côte d'Ivoire: Can the Ouagadougou Agreement Bring Peace?', *Africa Report* 127, 27 June 2007.

the schedule of the implementation of the Ouagadougou Political Agreement has been modified and delayed on several occasions. The presidential election expected since October 2005 is still awaited in 2009.

II. Mandate and evolution

In 2003, a few months after the 19 September 2002 failed coup attempt which inaugurated the Ivorian conflict, the Security Council voted first the resolution 1464 (2003) on 4 February. Acting under Chapter VII, the Council gave its authorisation to the already deployed ECOWAS and French forces tasked with monitoring the ceasefire between the governmental forces and the rebellion; and it endorsed the newly signed Linas-Marcoussis Agreement (24 January 2003). On 13 May 2003 the Council voted resolution 1479, which established a United Nations Mission in Côte d'Ivoire (MINUCI), with a military component. On 4 August of the same year, resolution 1498 renewed ECOWAS and French forces authorisation for another six months. Resolution 1514 of 13 November 2003 extended MINUCI's mandate until 4 February 2004.

Having determined that the situation in Côte d'Ivoire continued to pose a threat to international peace and security in the region, acting under Chapter VII of the UN Charter, the Security Council, by its resolution 1528 of 27 February 2004, decided to establish UNOCI for an initial period of 12 months as of 4 April 2004. On that date UNOCI took over from MINUCI, but French forces remained as an independent operation authorised by the Council and expected to act in support of the UN peacekeeping force.

I. The initial mandate of UNOCI and its subsequent revisions

By resolution 1528 of 27 February 2004, the Security Council:

- Decided to establish the United Nations Operation in Côte d'Ivoire for an initial period of 12 months as of 4 April 2004, and requested the Secretary-General to transfer authority from MINUCI and ECOWAS forces to UNOCI on that date;
- Decided that UNOCI would comprise, in addition to the appropriate civilian, judiciary and corrections component, a military strength of a maximum of 6,240 United Nations personnel, including 200 military observers and 120 staff officers, and up to 350 civilian police officers;
- Requested UNOCI to carry out its mandate in close liaison with the United Nations missions in Sierra Leone and in Liberia, including especially in the prevention of movements of arms and combatants across shared borders and the implementation of disarmament and demobilisation programmes.

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The Council decided that the mandate of UNOCI, in coordination with the French forces authorised by the same resolution, should be the following:

- *Monitoring of the ceasefire and movements of armed groups:* (a) to observe and monitor the implementation of the comprehensive ceasefire agreement of 3 May 2003, and investigate violations of the ceasefire; (b) to liaise with the National Armed Forces of Côte d'Ivoire (FANCI) and the military elements of the *Forces Nouvelles* in order to promote, in coordination with the French forces, the re-establishment of trust between all the Ivorian forces involved; (c) to assist the Government of National Reconciliation in monitoring the borders, with particular attention to the situation of Liberian refugees and to the movement of combatants;
- *Disarmament, demobilisation, reintegration, repatriation and resettlement:* (d) to assist the Government of National Reconciliation in undertaking the regrouping of all the Ivorian forces involved and to ensure the security of their cantonment sites; (e) to help the government implement the national programme for the disarmament, demobilisation and reintegration (DDR) of combatants, with special attention to the specific needs of women and children; (f) to coordinate closely with the United Nations missions in Sierra Leone and in Liberia in the implementation of a voluntary repatriation and resettlement programme for foreign ex-combatants, with special attention to the specific needs of women and children, in support of the efforts of the government; (g) to ensure that the programmes mentioned in paragraphs (e) and (f) take into account the need for a regional approach; (h) to guard weapons, ammunition and other military materiel handed over by the former combatants and to secure, neutralise or destroy such materiel;
- *Protection of United Nations personnel, institutions and civilians:* (i) to protect UN personnel, installations and equipment, provide the security and freedom of movement of UN personnel and, without prejudice to the responsibility of the government, to protect civilians under imminent threat of physical violence, within its capabilities and its areas of deployment; (j) to support, in coordination with the Ivorian authorities, the provision of security for the ministers of the Government of National Reconciliation;
- *Support for humanitarian assistance:* (k) to facilitate the free flow of people, goods and humanitarian assistance, *inter alia*, by helping to establish the necessary security conditions;
- *Support for the implementation of the peace process:* (l) to facilitate, in cooperation with ECOWAS and other international partners, the re-establishment by the Government of National Reconciliation of the authority of the state throughout Côte d'Ivoire; (m) to provide oversight, guidance and technical assistance to the government, with the assistance of ECOWAS and other international partners, to prepare for and assist in the conduct of free, fair and transparent electoral processes linked to the implementation of the Linas-Marcoussis Agreement, in particular the presidential election;

- *Assistance in the field of human rights:* (n) to contribute to the promotion and protection of human rights in Côte d'Ivoire with special attention to violence committed against women and girls, and to help investigate human rights violations with a view to help ending impunity;
- *Public information:* (o) to promote understanding of the peace process and the role of UNOCI among local communities and the parties, through an effective public information capacity, including the establishment as necessary of a UN radio broadcasting capability;
- *Law and order:* (p) to assist the government in conjunction with ECOWAS and other international organisations in restoring a civilian policing presence throughout Côte d'Ivoire, and to advise the government on the restructuring of the internal security services; (q) to assist the government in re-establishing the authority of the judiciary and the rule of law.

The resolution, *inter alia*, also:

- Authorised UNOCI to use all necessary means to carry out its mandate, within its capabilities and its areas of deployment;
- Stressed the importance of the complete and unconditional implementation of the measures provided for under the Linas-Marcoussis Agreement, and demanded that the parties fulfil their obligations under the LMA so that, in particular, the forthcoming presidential election could be held in 2005 in accordance with the constitutional deadlines;
- Called upon all parties to cooperate fully in the deployment and operations of UNOCI, in particular by guaranteeing the safety, security and freedom of movement of UN personnel as well as associated personnel throughout the territory of Côte d'Ivoire;
- Reaffirmed, in particular, the need for the government to undertake the complete and immediate implementation of the DDR programme, including the disbanding of all armed groups, in particular the militias, the curbing of all kinds of disruptive street protests, especially of the various youth groups, and the restructuring of the armed forces and the internal security services.

The Council finally also authorised for a period of 12 months from 4 April 2004 the French forces to use all necessary means in order to support UNOCI in accordance with the agreement to be reached between UNOCI and the French authorities, and in particular to:

- Contribute to the general security of the area of activity of the international forces;
- Intervene at the request of UNOCI in support of its elements whose security might be threatened;
- Intervene against belligerent actions, if the security conditions so required, outside the areas directly controlled by UNOCI;
- Help to protect civilians, in the deployment areas of their units.

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On 24 June 2005, Security Council resolution 1609 slightly modified their mandate, authorising the temporary redeployments among UN missions in Liberia (UNMIL) and Sierra Leone (UNAMSIL), if needed. The Council, by this resolution, *inter alia*, decided that UNOCI should have the following mandate from the date of its adoption:

- *Monitoring of the cessation of hostilities and movements of armed groups*: no significant change as compared with resolution 1528 (2004);
- *Disarmament, demobilisation, reintegration, repatriation and resettlement*: no significant change;
- *Disarmament and dismantling of militias*: to assist the Prime Minister of the Government of National Reconciliation in formulating and monitoring the implementation of the Joint Operation Plan for the disarmament and dismantling of militias envisaged in the Pretoria Agreement, to secure, neutralise or destroy all weapons, ammunition and other military materiel surrendered by militias;
- *Protection of United Nations personnel, institutions and civilians*: no change;
- *Monitoring of the arms embargo*: to monitor the implementation of the measures imposed by paragraph 7 of resolution 1572 (2004), in cooperation with the Group of Experts established under resolution 1584 (2005) and, as appropriate, with the United Nations Mission in Liberia, the United Nations Mission in Sierra Leone and governments concerned, including by inspecting, as they deemed it necessary and without notice, the cargo of aircraft and of any transport vehicle using the ports, airports, airfields, military bases and border crossings of Côte d'Ivoire; to collect, as appropriate, arms and any related materiel brought into Côte d'Ivoire in violation of the measures imposed by paragraph 7 of resolution 1572 (2004), and to dispose of such arms and related materiel as appropriate;
- *Support for humanitarian assistance*: same as in resolution 1528 (2004);
- *Support for the redeployment of state administration*: to facilitate the re-establishment by the Government of National Reconciliation of the authority of the state throughout Côte d'Ivoire which is essential for the social and economic recovery of the country;
- *Support for the organisation of open, free, fair and transparent elections*: to provide all necessary technical assistance to the government, the Independent Electoral Commission (IEC) and other relevant agencies or institutes, with the support of the African Union (AU), ECOWAS and other international partners, for the organisation of open, free, fair and transparent presidential and legislative elections within the time frames envisaged in the Constitution of the Republic of Côte d'Ivoire; to provide technical information, advice and assistance as appropriate to the High Representative referred to in paragraph 7 of resolution 1603 of 3 June 2005; to contribute, within its capabilities and its areas of deployment, to the security of the areas where voting is to take place;
- *Assistance in the field of human rights*: to contribute to the promotion and protection of human rights in Côte d'Ivoire, with special attention to violence committed against children and

women, to monitor and help investigate human rights violations with a view to ending impunity, and to keep the Security Council Committee established pursuant to resolution 1572 (2004) regularly informed of developments in this regard;

- *Public information*: to promote understanding of the peace process and the role of UNOCI among local communities and the parties, through the mission's public information capacity, including its radio broadcasting capability; to monitor the Ivorian mass media, in particular with regard to any incidents of incitement by the media to hatred, intolerance and violence, and to keep the Security Council Committee established pursuant to resolution 1572 (2004) regularly informed of the situation in this regard;
- *Law and order*: to assist the Government in restoring a civilian policing presence throughout Côte d'Ivoire, to advise the government on the restructuring of the internal security services, and to assist the Ivorian parties with the implementation of temporary and interim security measures in the northern part of the country, as provided for the Pretoria Agreement; to assist the government in re-establishing the authority of the judiciary and the rule of law throughout Côte d'Ivoire;

The Council's resolution 1609 (2005) also authorised an increase in the military component of UNOCI of up to 850 additional personnel, as well as an increase in the civilian police component of up to a ceiling of 725 civilian police personnel, including three formed police units, and the necessary additional civilian personnel. On 2 June 2006, resolution 1682 authorised a further increase of up to 1,500 additional personnel including a maximum of 1,025 military and 475 police personnel.

On 10 January 2007, Security Council resolution 1739 made a few modifications to the mandates of UNOCI and French forces supporting it. The Council, *inter alia*, decided that UNOCI should have the following mandate from the date of adoption of this resolution:

- *Monitoring of the cessation of hostilities and movements of armed groups*: no change;
- *Disarmament, demobilisation, reintegration, repatriation and resettlement*: no change;
- *Disarmament and dismantling of militias*: no significant change;
- *Operations of identification of the population and registration of voters*: to contribute to the security of the operations of identification of the population and registration of voters, within its capabilities and its areas of deployment;
- *Reform of the security sector*: to assist, in close liaison with the working group mentioned in paragraph 15 of resolution 1721 (2006), in formulating a plan on the restructuring of the Defence and Security Forces and in preparing possible seminars on security sector reform to be organised by the African Union and ECOWAS;
- *Protection of United Nations personnel, institutions and civilians*: no change;

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- *Monitoring of the arms embargo*: no change;
- *Support for humanitarian assistance*: no change;
- *Support for the redeployment of state administration*: no change;
- *Support for the organisation of open, free, fair and transparent elections*: to provide all necessary technical assistance to the prime minister, his government, the Independent Electoral Commission and other relevant agencies or institutes, with the support of the African Union, ECOWAS and other international partners, for the organisation of open, free, fair and transparent elections, presidential and legislative, by 31 October 2007 at the latest, as referred to in resolution 1721 (2006); to provide technical information, advice and assistance as appropriate to the High Representative for the Elections (HRE); to contribute, within its capabilities and its areas of deployment, to the security of the areas where voting is to take place; to provide as necessary, within its capabilities and its areas of deployment, in close cooperation with the United Nations Programme for Development, logistical support for the IEC, in particular for the transportation of electoral material;
- *Assistance in the field of human rights*: no change;
- *Public information*: no significant change;
- *Law and order*: no significant change;

The Security Council also authorised by that resolution the French forces to use all necessary means in order to support UNOCI and in particular to:

- Contribute to the general security of the area of activity of the impartial forces;
- Intervene at the request of UNOCI in support of its elements whose security might be threatened;
- In consultation with UNOCI, intervene against belligerent actions, if the security conditions so require, outside UNOCI's areas of deployment;
- Help to protect civilians, in the deployment areas of their units;
- Contribute to monitoring the arms embargo established by resolution 1572 (2004);
- Contribute to the drawing up of a plan on the restructuring of the Defence and Security Forces and to the preparation of possible seminars on security sector reform to be organised by the African Union and ECOWAS.

2. Resolutions on individual sanctions, arms embargo and ban of diamond imports from Côte d'Ivoire

On 15 November 2004, Security Council resolution 1572 condemned the violation of the ceasefire by governmental forces, decided to impose an embargo on arms sale to Côte d'Ivoire and targeted sanctions on individuals to be identified by a Council committee. The resolution, *inter alia*:

- Condemned the FANCI air strikes, which constituted flagrant violations of the ceasefire agreement of 3 May 2003, and *demande*d that all Ivorian parties to the conflict, the Government of Côte d'Ivoire as well as *Forces Nouvelles*, fully comply with the ceasefire;
- Reiterated its full support for the action undertaken by UNOCI and French forces in accordance with their mandate;
- Demanded that the Ivorian authorities stop all radio and television broadcasting inciting hatred, intolerance and violence; requested UNOCI to strengthen its monitoring role in this regard, and urged the Government of Côte d'Ivoire and the *Forces Nouvelles* to take all necessary measures to ensure the security and the safety of civilian persons, including foreign nationals and their property;
- Decided that all states should, for a period of thirteen months from the date of adoption of the resolution, take the necessary measures to prevent the direct or indirect supply, sale or transfer to Côte d'Ivoire, from their territories or by their nationals, or using their flag vessels or aircraft, of arms or any related materiel, in particular military aircraft and equipment, whether or not originating in their territories, as well as the provision of any assistance, advice or training related to military activities;
- Decided that all states should take the necessary measures, for a period of 12 months, to prevent the entry into or transit through their territories of all persons designated by the Committee established by the resolution, who constituted a threat to the peace and national reconciliation process, in particular those who were blocking the implementation of the Linas-Marcoussis and Accra III Agreements, any other person determined as responsible for serious violations of human rights and international humanitarian law in Côte d'Ivoire on the basis of relevant information, any other person who incited publicly hatred and violence, and any other person determined by the Committee to be in violation of measures imposed above;
- Decided that all states should, for the same period of 12 months, freeze immediately the funds, other financial assets and economic resources which were on their territories at the date of adoption of that resolution or at any time thereafter, owned or controlled directly or indirectly by the persons designated by the Committee, and decided further that all states should ensure that any funds, financial assets or economic resources were prevented from being made available by their nationals or by any persons within their territories, to or for the benefit of such persons or entities;

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- Decided to establish a Committee of the Security Council consisting of all the members of the Council (the Committee), to undertake the following tasks: (a) to designate the individuals and entities subject to the measures imposed by paragraphs above, and to update this list regularly; (b) to seek information regarding the actions taken by the member states to implement the measures imposed by the resolution; (c) to consider and decide upon requests for the exemptions set out in the resolution; (d) to make relevant information publicly available through appropriate media; (e) to promulgate guidelines as might be necessary to facilitate the implementation of the measures imposed by the resolution; (f) to present regular reports to the Council on its work, with its observations and recommendations, in particular on ways to strengthen the effectiveness of the measures imposed by the resolution;
- Decided that the measures imposed should enter into force on 15 December 2004, unless the Security Council should determine before then that the signatories of the Linas-Marcoussis and Accra III Agreements had implemented all their commitments under the Accra III Agreement and were embarked towards full implementation of the Linas-Marcoussis Agreement.

Security Council resolution 1584 of 1 February 2005 included monitoring of the arms embargo in the mandate of UNOCI and *Licorne* force and requested the creation of a panel of experts to gather and analyse information on implementation of resolution 1572 (2004) on arms embargo and individual sanctions. On 15 December 2005, another resolution (1643) banned the imports of rough diamonds from Côte d'Ivoire with a view to tackling one of the sources of finance of the *Forces Nouvelles*. Resolution 1643 (2005), *inter alia*:

- Decided that all states should take the necessary measures to prevent the import of all rough diamonds from Côte d'Ivoire to their territory, welcomed the measures agreed by participants in the Kimberley Process Certification Scheme to this effect, and called upon the states in the region which were not participants in the Kimberley Process to intensify their efforts to join the Kimberley Process in order to increase the effectiveness of monitoring the import of diamonds from Côte d'Ivoire;
- Requested all states concerned, in particular those in the region, to report to the Committee (the Sanction Committee), within 90 days from the date of adoption of the resolution, on the actions they had taken to implement the measures imposed by resolution 1572 (2004) and by resolution 1643 (2005) and *authorised* the Committee to request whatever further information it might consider necessary;
- Requested the Secretary-General, in consultation with the Committee, to re-establish a group of experts consisting of no more than five members (the Group of Experts), with the appropriate range of expertise, in particular on arms, diamonds, finance, customs, civil aviation and any other relevant expertise, *inter alia*: to gather and analyse all relevant information on flows of arms and related materiel, on provision of assistance; advice or training related to military activities, on networks operating in violation of the measures imposed by resolution 1572 (2004), and on the sources of financing, including from the exploitation of natural resources in Côte d'Ivoire, for purchases of arms and related materiel and activities; to provide

the Council Committee in its reports with evidence of any violations of the measures imposed by resolution 1572 (2004) and resolution 1643 (2005).

3. Resolutions on the wider peace process and transitional political arrangements

On 3 June 2005, after the signing of the Pretoria Agreement, the Council adopted resolution 1603, which demanded implementation of the peace agreement, requested the designation by the UN Secretary-General of a High Representative for the Elections and defined the HRE mandate. The Council, *inter alia*:

- Took note with satisfaction of the provisions of the Pretoria Agreement reaffirming the determination of the signatories of the agreement regarding the need to organise presidential elections in October 2005 and legislative elections following immediately thereafter; as well as their agreement to invite the UN to participate in the work of the Independent Electoral Commission and the Constitutional Council and in the organisation of the general election, and of the decision by the Council of Ministers on 28 April 2005 to hold the first round of the presidential elections on 30 October 2005;
- Welcomed the decision taken by President Thabo Mbeki with regard to the eligibility for the Presidency of the Republic and took note with satisfaction of the announcement made by President Laurent Gbagbo on 26 April 2005 that all candidates nominated by the political parties signatory to the Linas-Marcoussis Agreement would be eligible for the presidential elections.

The Council requested the Secretary-General, on the basis of the Pretoria Agreement, to designate, as an exceptional arrangement, after consultations with the AU and President Thabo Mbeki, a HRE in Côte d'Ivoire autonomous from UNOCI to assist in particular in the work of the Independent Electoral Commission and of the Constitutional Council, without prejudice to the responsibilities of the Special Representative of the Secretary-General (SRSG) and with the following mandate:

- To verify, on behalf of the international community, that all stages of the electoral process, including the establishment of a register of voters and the issuance of voters' cards, provide all the necessary guarantees for the holding of open, free, fair and transparent presidential and legislative elections within the time limits laid down in the Constitution of the Republic of Côte d'Ivoire;
- To provide, in close cooperation with UNOCI and the mediation, all necessary advice and guidance to the Constitutional Council, the Independent Electoral Commission and other relevant agencies or institutes to help them prevent and resolve any difficulty which might jeopardise the holding of open, free, fair and transparent elections within the time limits laid down in the Constitution with the authority in that regard to make necessary determinations;

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- To report immediately to the Security Council through the Secretary-General, and to inform the mediator of the African Union, President Mbeki, any difficulty which might jeopardise the holding of open, free, fair and transparent elections, and to submit to them, as appropriate, such recommendations as he may see fit to make;
- To keep the Security Council, through the Secretary-General, and President Thabo Mbeki regularly informed of all aspects of his mandate;
- To request and receive information and technical advice from UNOCI as well as other sources.

With the end of the constitutional term of the president on 30 October 2005 without elections being held or even in early stages of preparations, the Security Council, after propositions of ECOWAS and a decision of the AU Peace and Security Council, adopted, on 21 October 2005, resolution 1633. The Council, *inter alia*:

- Supported the establishment of the International Working Group on Côte d'Ivoire (IWG) at a ministerial level and the Mediation Group (decided by the AU Peace and Security Council), which should both be co-chaired by the SRSG;
- Urged the chairperson of the African Union, the chairperson of ECOWAS and the African Union mediator to consult immediately with all the Ivorian parties in order to ensure that a new prime minister acceptable to all the Ivorian parties signatories to the Linas-Marcoussis Agreement would be appointed by 31 October 2005, in accordance with the decision of the Peace and Security Council;
- Stressed that the prime minister had to have all the necessary powers according to the Linas-Marcoussis Agreement and all the governmental financial, material and human resources, particularly with regard to security, defence and electoral matters, to ensure the effective functioning of the government, to guarantee security and the redeployment of the administration and public services throughout the territory of Côte d'Ivoire, to lead the programme of disarmament, demobilisation and reintegration and the operations of disarmament and dismantling of militias, and to ensure the fairness of the identification process and of voter registration, leading to the organisation of free, open, fair and transparent elections, with the support of the United Nations;
- Requested the IWG to verify that the prime minister had all the necessary powers and resources, and immediately to report to the Security Council any hindrance or difficulty which the prime minister might face in implementing his tasks and to identify those responsible;
- Requested the IWG to draw up as soon as possible a road map in consultation with all Ivorian parties, with a view to hold free, fair, open and transparent elections as soon as possible and no later than 31 October 2006;

- Demanded that the *Forces Nouvelles* proceed without delay with the DDR programme in order to facilitate the restoration of the authority of the state throughout the national territory, the reunification of the country and the organisation of the elections as soon as possible;
- Affirmed that the identification process had to also start without delay;
- Demanded also the immediate disarmament and dismantling of militias throughout the national territory.

One year after the adoption of resolution 1633 (2005), the Council took note of the impossibility of organising elections on the scheduled date. Resolution 1721 (2006) endorsed the decision of the AU Peace and Security Council that President Gbagbo should remain head of state as from 1 November 2006 'for a new and final transition period not exceeding 12 months'; renewed the mandate of prime minister for a 'new and final transition period not exceeding 12 months'; renewed and strengthened the mandate of the HRE and underlined that the Council was fully prepared to impose targeted measures against persons to be designated by the Sanctions Committee established by resolution 1572 (2004).

Almost immediately after the adoption of resolution 1721 (2006), the Ivorian president affirmed his intention to look for an alternative way of finding a solution to the impasse of the peace process. The dialogue that he proposed to the *Forces Nouvelles* with President Compaoré of Burkina Faso acting as facilitator led to the signing of the Ouagadougou Political Agreement on 4 March 2007 and a clear power-sharing between the president and the rebel leader. The Security Council's posture would change substantially from mid-2007 and the peacekeeping mission would find itself in a passive supporting role.

III. Implementation of Security Council resolutions

I. UNOCI and the provision of a stable and secure environment

Initial challenges for UNOCI as consequences of the post-Linas-Marcoussis Agreement political context

Created by resolution 1528 in February 2004, UNOCI began its deployment in April by 'rehatting' the West African troops that were part of the ECOWAS Mission in Côte d'Ivoire (ECOMICI) and were deployed along the ceasefire line with the much more equipped French *Licorne* troops. The general objective of UNOCI as tasked by the Council was to assist the Ivorian Government of National Reconciliation under the joint authority of the president and the consensual prime minister to implement all aspects of the Linas-Marcoussis Agreement, including maintaining the ceasefire; conducting the disarmament, demobilisation and reintegration of combatants; restoring state authority and public administration throughout the country; and organising free and fair presidential elections in October 2005.

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It meant that the implementation of the UNOCI mandate would be closely linked to the implementation of the LMA and this, in turn, would be dependent on the political will of the Ivorian actors regrouped in the Government of National Reconciliation. It would depend on the good faith of those who had signed the LMA (the representatives of all significant political parties and the initial three rebel movements) or endorsed it (President Gbagbo at the 25-26 January 2003 Kléber Summit of Heads of State in Paris). The political context from February 2003 to April 2004 when UNOCI entered the scene provided unambiguous indications on the reluctance of the key actors fully to respect their commitments in good faith.

Beyond ending the armed conflict and reunifying the country, the LMA attempted to address the political problems at the root of the crisis. The annex of the peace accord outlined a programme to guarantee free and fair elections and end impunity and hate media, as well as do away with the policy of exclusion that began under Henri Konan Bédié. That policy has been associated to the notion of *ivoirité* ('Ivorianness'), which distinguishes between Ivorians of 'authentic' native origin, and those whose heritage is 'mixed', and at the same time accuses immigrants from northern bordering countries (Burkina Faso, Mali, Guinea) of trying to take over the economy. To address these and related problems, the LMA outlined procedures for naturalising immigrants present in the country before 1972, revision of rural land tenure laws, the conditions for presidential eligibility, elimination of the requirement for ECOWAS nationals to hold a resident's card, and modification of the national identification process. The legal reforms called for by the LMA meant that the National Assembly had to be fully involved as well, and that the political will had to be shared by all significant political actors.

Government portfolios were negotiated at the Kléber summit in a tense atmosphere. In closed-door sessions with the leader of the MPCl rebel group presided over by the French president and UN Secretary-General, the Ivorian president, under pressure, reportedly agreed to cede the Defence and Interior Ministries to the MPCl in exchange for the nomination as prime minister of Seydou Diarra, who held the post under Guéï's military junta.⁶ But on the same day, pro-FPI youth leaders in Abidjan carried out violent anti-French demonstrations in protest, following which some 8,000 French nationals left the country. In subsequent weeks, the Ivorian president publicly expressed his reservations about the LMA, without rejecting it. After long negotiations, the MPCl finally renounced its claims on the Defence and Interior portfolios, and a National Security Council was set up to identify ministers for the sensitive posts. The president eventually named the ministers in September 2003.

The improvement of the security situation throughout 2003 (a ceasefire was signed on 3 May between the rebellion and the armed forces, and the war was declared over on 4 July) was not accompanied by an attenuation of the political tensions and real progress in the implementation of the LMA. FPI key figures, notably the president's wife Simone Gbagbo, and the President of the National Assembly Mamadou Koulibaly, echoed by 'patriotic' youth organisations, appeared determined to delay full implementation of the accords. The presidential camp continued to buy large quantities of weapons, including fighter aircraft, while members of the armed forces and the FPI were supporting the recruitment, training and arming of private urban militias.⁷

⁶ International Crisis Group, 28 November 2003, op. cit.



In short, the president and his close associates were not enthusiastic about a political settlement that was to some extent imposed on them in 2003 when the loyalist forces were militarily weak and needed French military support, at least in the short term, to prevent the rebel groups from attempting again to remove the president from power. For the presidential side, the main political consequence of the real implementation of the LMA and the appointment of a prime minister in Paris would be the neutralisation of the powers of the elected president and the transfer of government authority to the prime minister until the election expected in October 2005. The president found himself in the position of the legal president who had been unsuccessfully attacked by rebel groups but was to implement a peace agreement that would weaken him politically from 2003 and thus threaten his re-election in 2005.

On the other side, the rebel coalition of the *Forces Nouvelles* wanted to keep their armed combatants as long as possible, retain control of the northern territory they had taken over, obtain the implementation of the reforms called for by the LMA on nationality, identification policy, eligibility to the presidency, electoral commission, and ultimately push the president out of power. In the middle, the political actors of the opposition, composed mainly of the RDR and PDCI parties, felt that they had an unexpected opportunity to take their revenge against the FPI and conquer presidential power in 2005. The leaders and militants of the opposition, especially the RDR, had also not forgotten the bloody repression of their demonstrations immediately after the contested presidential election in October 2000.⁸ The apparition of an armed opposition to FPI and youth militias close to Gbagbo in the form of the FN rebellion gave a fresh impetus to the unarmed opposition.

When one adds to that already complex internal political context the external factors at the regional and international levels that were at play, the Ivorian ground looked like a perfect trap for a UN peacekeeping mission. In the region, one of Côte d'Ivoire neighbours, Burkina Faso, was quite directly involved in the conflict both as supporter/sympathiser of the rebellion and as victim, given the targeted violence and harassment on Burkinabe residents under FPI's rule. Despite President Blaise Compaoré's insistence on the purely internal nature of the Ivorian conflict, it was indisputable that he had provided support to the MPCJ and continued to allow Guillaume Soro and the military commanders of the rebellion to use Ouagadougou as a safe rear base. The animosity between the Ivorian president and his Burkinabe neighbour was at its peak after September 2002 when the latter even 'promised' an unfortunate judicial future before the International Criminal Court (ICC) to his Ivorian counterpart.⁹ Another northern neighbour of Côte d'Ivoire, Mali, was also considered to be sympathetic to the rebellion and not really supportive of the Ivorian president's legalist argument.

Ghana appeared neutral and President John Kufuor was very active in the peace efforts throughout 2003 and 2004, without ever attracting accusations of partiality from either side. As the unique superpower in the region, Nigeria's position was an important factor. At the outburst of the conflict, President Olusegun Obasanjo offered military support to the Ivorian president. His position

⁷ Ibid., and International Crisis Group, 12 July 2004, op. cit.

⁸ Human Rights Watch, August 2001, op. cit.; and Marc Le Pape and Claudine Vidal, 2002, op. cit.

⁹ Declaration of President Blaise Compaoré in an interview with the French newspaper *Le Parisien*, 21 January 2003.

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progressively moved towards hostility when he felt that the Ivorian president was playing with the commitments taken before himself and the other heads of state of the region.¹⁰ One element was essential to explain the rather limited support the Ivorian president had in the region: the nationalist and almost xenophobic ideology of the FPI in a country that had been hosting for decades an exceptionally high population of immigrants from all West African countries. Be it just a tool in the fight for internal power or a real ideology, the nationalist inclination of the FPI could be considered as a political and economic threat for most West African countries.

At the international level and especially within the Security Council in 2004, France was the major player, given its history of colonial power and post-colonial close relationship with Houphouët-Boigny's Côte d'Ivoire. When the conflict began in September 2002, the French president was Jacques Chirac, a long-time right-wing politician who had personal relations with Houphouët-Boigny and the PDCI and little sympathy for Laurent Gbagbo, who had been the single most vocal opponent to the 'father of the Ivorian nation'. Moreover, the FPI was officially a left-wing party aligned with the French Socialist Party (PS). France had maintained a permanent military base in Abidjan providing a guarantee of external and de facto internal security for Houphouët-Boigny's three-decade presidency. But the French government did not save Konan Bédié from the December 1999 coup. After the coup attempt of September 2002, the Ivorian president asked for French military support in virtue of the defence agreement between both countries. France did provide logistical assistance to the Ivorian army but opted for a 'neutral' stance consisting of freezing the military situation by deploying troops on a ceasefire line while calling for a political solution. The political conditions of the Linas-Marcoussis talks and the Kléber conference in January 2003 ended up convincing the presidential side that the French government was not ready to adopt a firm and unequivocal line against the rebellion.

When UNOCI entered the scene in April 2004, the Ivorian 'peace process' had already displayed its characteristic features. It would be dominated by the struggle of an embattled president to keep the real power in a national, regional and international environment that was not favourable to him in the short and in the medium terms, when his constitutional mandate would end. The civil war had been brief and the western region was the most violent and volatile area due to a combination of pre-war land disputes between 'autochthons' and 'foreigners', the proximity of the Liberian border and related movements of ex-combatants, weapons and illegal economic activities and the entrenchment of militia groups which initially defended the region against the rebel attacks between November 2002 and February 2003.

All the actors of the violence were identifiable: the rebel forces in the north and northwest, the militarised and ethnic militias supporting the FPI in the west, the youth 'patriotic' organisations and associated urban militias in Abidjan and other southern cities, and the official security and defence forces in the government-controlled south. UNOCI would have to operate in the middle, assisting a divided 'government of national reconciliation' with a disarmament programme and the restoration of state authority, protecting civilians under imminent threat of physical violence, and helping with the organisation of elections. The security situation would be tightly determined by the political battle

¹⁰ FRIDE interview with a former African Union diplomat, February 2009.

between the president, the FN, opposition parties and, depending on their positions on specific issues of the peace process, France and the UN peacekeeping mission.

The November 2004 ceasefire violation

On 4 November 2004, early in the morning, two Ivorian army Sukhoi-25 fighter planes took off from Yamoussoukro airport, which was also used for operations by the 'impartial' forces, as UNOCI and *Licorne* were usually called. Fifteen minutes later, the planes were hitting a check-point held by the FN in Bouaké. In Abidjan, two former officials of the Ivorian national television (RTI) close to the president, under military escort, took control of the public institution. RTI operated the media coverage of the country's 'war of liberation'.¹¹ The 'Young Patriots' played their role by trying to attack the hotel where most ministers of the FN, under protection of UNOCI's special security group, were residing. They ransacked the offices of the National Committee for Disarmament, Demobilisation and Rehabilitation (NCDDR), as well as those of RDR and PDCL opposition parties, and plundered the offices of three opposition newspapers.¹²

In the morning of 5 November, FANCI planes took off again and fired weapons which hit Vavoua and Séguéla. On the ground, government troops attempted forays into the 'zone of confidence' heading towards Bouaké, before meeting refusal from the UNOCI blue helmets to let them pass through their positions in Tiébissou. The military offensive continued the following day, 6 November, with aerial bombing on Bongora, Brobo and Bouaké.¹³ The last raid of the Sukhoi planes on Bouaké reached a base of the French forces: nine French soldiers and an American citizen were killed; 38 other French soldiers were wounded. The *Licorne* force retaliated by destroying on the ground almost all of the Ivorian military air fleet in Yamoussoukro and Abidjan, fighter planes as well as helicopters, including inside the presidential compound in Yamoussoukro. The chain of events from 6 to 9 November¹⁴ was widely covered by the international media because of the transformation during these days of the Ivorian internal conflict into a quasi-war between France and its former colony:

- On 6 November, a few hours after the attack on the French forces in Bouaké and the immediate retaliation ordered by Paris, hundreds of Ivorian demonstrators poured onto the streets with the objective of besieging the French military base in Abidjan and paralysing the movement of French troops towards the airport; the *Licorne* soldiers took over the airport after short clashes with the Ivorian forces; French attack helicopters opened fire to prevent the advancing tide of demonstrators from crossing the two bridges of Abidjan; organised small groups of youths went on looting houses, shops, business offices and Franco-Ivorian schools; and the *Licorne* troops began sheltering thousands of French and other Western foreigners before launching a massive evacuation operation by plane out of the country.

¹¹ International Crisis Group, 24 March 2005, op. cit.

¹² Third Progress Report of the Secretary-General on the United Nations Operation in Côte d'Ivoire, S/2004/962, 9 December 2004.

¹³ Ibid.

¹⁴ International Crisis Group, 24 March 2005, op. cit.

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- On 7 November, French military reinforcements arrived at the Abidjan airport; *Licorne* troops based in Bouaké (centre) and Duékoué (west) undertook an emergency move towards Abidjan, which was punctuated by bloody clashes with FANCI forces, especially in Duékoué, Dibobly and Guessabo; FPI leaders publicly called for the departure of French troops from Côte d'Ivoire; and the president finally made a statement urging for calm and the end of demonstrations.
- On 8 November, *Licorne* tanks arrived in front of the presidential palace in Abidjan, while they were supposed to have gone to a hotel (Hôtel Ivoire) where French nationals were expected to regroup for evacuation; groups of 'Young Patriots' gathered to form a 'human shield' around the presidential palace to prevent a feared '*coup d'état*' by the French army; and hundreds of 'patriots' were transported by buses of the public transport company to the hotel where heavily armed French troops had taken position.
- On 9 November, Ivorian gendarmes also arrived at the hotel to set up a block between French soldiers and the crowd of anti-French demonstrators; the tension mounted and the situation got out of control; some French soldiers shot at the crowd, killing a number of people; *Licorne* soldiers finally withdrew after talks with Ivorian high-ranking officers. All of these events took place while South African President Thabo Mbeki, designated on 7 November as mediator in the Ivorian crisis by the AU, was in Abidjan for an emergency visit.

The violent riots and the inflammatory statements in the following days resulted in the evacuation of some 9,000 foreigners including 8,300 French nationals and led to the controversy between Abidjan and Paris on the number of victims and the determination of the responsibility for the violence. Between the propaganda of the 'patriots' and the state media, and the numerous contradictory and embarrassing statements of the French authorities, establishing the facts turned out to be difficult. While the official toll released on November 26 by the Ivorian Ministry of Health stated 57 civilians deaths and 2,226 injured, French officials finally admitted that the shots fired 'in self-defence' by soldiers of *Licorne* had caused 'about twenty Ivorian victims'.¹⁵

Many observers considered that the Ivorian president had received a 'yellow light' to embark on the military operation against the FN. Frustrated by the political stalemate, Paris and New York allegedly *de facto* abided by the military option to which the president never renounced, by expecting a short, 'clean' and successful offensive of the FANCI forces, which were equipped and assisted by mercenaries.¹⁶ Between 4 and 6 November, there were few actions from French and UN authorities to dissuade the president and his army from pursuing the military operation and blatantly violating the ceasefire and the peace agreement.¹⁷ The exact circumstances and motivations of the bombing of the French quarters in Bouaké remain a mystery. Neither the Ivorian authorities nor their French counterparts have shown the political will to establish the truth of that episode. The November 2004

¹⁵ Ibid.

¹⁶ Ibid.

¹⁷ A French military official quoted in an International Crisis Group Report recognised that possibility: 'We looked elsewhere when the attacks started on 4 November; we thought that after capturing Bouaké, for example, the *Forces Nouvelles* would have understood that it was time to disarm'. See International Crisis Group, 24 March 2005, op. cit.

extreme tension between France and the Ivorian government was symbolic of the passion and the hesitations that characterised France's political and military management of the Ivorian crisis and ended up diluting its strategy and objectives.

UNOCI and Security Council reactions to the November 2004 events

The crisis illustrated the limits of UNOCI in influencing the course of events. Commenting the November 2004 episode, the third report of the Secretary-General on UNOCI in December 2004 read:

Throughout the crisis, UNOCI troops actively sought to reduce tensions by maintaining close contacts with both FANCI and Forces Nouvelles, as well as working robustly to preserve the integrity of the zone of confidence and to prevent any military movements through it. Additional United Nations troops were deployed to Abidjan to provide security for UNOCI personnel and property in the city. UNOCI continues to be proactively engaged in all these areas.¹⁸

When asked whether the UN forces could have done more to prevent or halt the violation of the ceasefire before the French military retaliation of 6 November, former senior UNOCI officers insisted that the blue helmets did not allow the FANCI ground troops to advance to Bouaké by passing through their positions inside the zone of confidence, but added that they had neither the mandate nor the capacity to enter in direct confrontation with the Ivorian army or stop fighter planes.¹⁹ There had been, in fact, diverging views within the UN mission senior staff about the reaction to adopt in face of the 4-6 November resumption of hostilities. The position of the then force commander was seen by some senior civilian staff as too passive. Also significant was the absence of a clear directive from New York to guide the reaction of the peacekeeping mission to major security developments that could have plunged the country back into direct military hostilities.

In his December 2004 report on UNOCI, the Secretary-General included a section on the 'Emergency requirements for the reinforcement of the United Nations Operation in Côte d'Ivoire' in which he acknowledged that '[t]he crisis in the first half of November [had] strained to the limit UNOCI's capacity to implement its mandate'. The report noted that on the military side, 'the new dynamics of the situation in Côte d'Ivoire [had] changed some of the key assumptions on which the original concept of operations was based'. It also acknowledged the clear difficulties of coordination between UNOCI and the French independent *Licorne* Operation in times of crisis, as it stated:

UNOCI's structure was predicated on the ability of the Licorne force to provide quick reaction capacity when needed. However, the recent events have illustrated the complexities of the balance between the two forces and how difficult it can be to reconcile the emergency requirements of each when both are severely stretched. Consequently, UNOCI needs to be provided with its own modest reserve capability as a first level of response, in particular, in Abidjan. In addition, in order for the Mission to be able to present a credible deterrent, particularly in the zone of confidence, it is

¹⁸ Third Progress Report of the Secretary-General, op. cit.

¹⁹ FRIDE interview, January 2009.

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assessed that the peacekeepers on the ground will need to be backed up by both attack and light helicopters.²⁰

The Secretary-General recommended the deployment of an additional infantry battalion of 850 military personnel to act as a reserve force; an additional aviation unit composed of eight attack and light helicopters and 270 support personnel; a small-boat unit of 30 personnel to assist with the deployment of troops and extraction of personnel in emergency situations; the deployment of an additional 76 gendarmes to bring the level of gendarme units in charge of the close protection of key Ivorian political actors to 282. The adjustments requested by the Secretary-General would add 1,226 military personnel to the December 2004 authorised strength of UNOCI force of 6,240, increasing it to up to 7,466 military personnel. To enhance the protection of UN personnel and facilities, in particular UNOCI headquarters in Abidjan, the Secretary-General also recommended the deployment of a formed police unit of 125 personnel, temporarily drawn from the already authorised strength of 350 civilian police personnel.

Other emergency requests included a military medical facility in Abidjan; a modest increase in security and public information personnel to strengthen the mission's information capacity and to enhance monitoring of the 'hate media', as called for in Security Council resolution 1572 (2004); and a small number of additional civilian staff to carry out other tasks required to implement the post-November 2004 crisis Council resolution, including the collection of information on the arms embargo and the situation along the borders of the country.²¹ In its final observations, the Secretary-General's report noted that the 'recent crisis [had] brought into focus UNOCI's responsibilities regarding the protection of civilians, both in Abidjan and more widely in the country'; 'highlighted the limitations of the mission when faced by massive unrest and attacks against certain groups of civilians that [were] clearly orchestrated, organised and undertaken in a climate of impunity'. The Secretary-General then invited 'the Security Council and regional leaders to consider long-term strategies that could be employed in [that] pivotal West African country, including by the United Nations'.²²

After the beginning of air strikes on 4 November 2004, the first official reaction of the Security Council would happen two days later, on 6 November, following the deadly attack against the French cantonment in Bouaké on that same day. In a presidential statement read out by the US Representative John Danforth, the Council '[condemned] the attack against French forces in Bouaké on 6 November 2004 that resulted in fatalities and other casualties, as well as the fatal air strikes in the north by the national armed forces of Côte d'Ivoire, as violations of the ceasefire agreement of 3 May 2003'.²³ In the same statement, the Council '[confirmed] that French forces and UNOCI [were] authorised to use all necessary means to carry out fully their mandate in accordance with its resolution 1528 (2004) of 27 February 2004', and '[confirmed] also that UNOCI, within its capabilities

²⁰ Third Progress Report of the Secretary-General, op. cit.

²¹ Ibid.

²² Ibid.

²³ 'Presidential Statement Demands End to Military Action, Full Cooperation with United Nations Group in Country', *Security Council Press Release, SC/8239*, 6 November 2004.

and areas of deployment, [was] authorised to prevent any hostile action, in particular within the Zone of Confidence'.²⁴

Without the attack that cost the lives of French soldiers, and which provoked in retaliation the destruction of major Ivorian military assets, as well as the anti-French demonstrations and violence in Abidjan on 6 November, it was not clear that the Security Council would have reacted in the same way to the violation of the ceasefire by one of the parties. A more substantial reaction of the Security Council to the deterioration of the security situation in November came with the adoption of resolution 1572 of 15 November 2004, which imposed as of 15 December 2004 an embargo on arms sales to Côte d'Ivoire and allowed targeted sanctions on individuals considered as spoilers of the peace process to be identified by the Council Committee created by the same resolution.²⁵

Though the adoption of the resolution was a strong signal to the Ivorian parties, the resources necessary for its implementation would take some time to follow and nobody would be placed on the list of the individuals subjected to targeted sanctions until the anti-UN violent demonstrations of January 2006. On the military side, the reinforcements requested by the Secretary-General in December 2004 would not be allowed by the Council until its resolution 1609 of 24 June 2005, and, even then, only partially.

UNOCI, the protection of civilians and the promotion of human rights

2005 was supposed to be the year of elections which would mark the end of the process initiated by the LMA. After the near collapse of the peace process resulting from the November 2004 events, most of the diplomatic efforts to return to the implementation of the LMA were in the hands of South African President Thabo Mbeki, acting as the mediator appointed by the African Union. Mbeki's involvement led to the signing of the Pretoria Agreement on 6 April 2005.²⁶ Once again, the conflict was solved on paper, and only technical, logistical and financial constraints seemed to be the main obstacles to the conduct of the presidential election in October 2005. But as had been the case with the LMA and the various Accra peace agreements, the Pretoria Agreement would face enormous difficulties in the implementation phase. The security situation remained precarious and volatile in the country, especially in the west and inside the 'zone of confidence' monitored by UNOCI and *Licorne* forces without adequate capacities and without police and judicial responsibilities.

In the western part of the country, ordinary civilians, usually farmers in their villages or on the way to and from their plantations, continued to be the main victims of deadly attacks by unidentified armed groups with an ethnic dimension. As reported in the Secretary-General's June 2005 report on UNOCI, '[b]etween 30 April and 2 May, 25 people were killed and 41 injured in Duékoué, Yrozon, Blody and

²⁴ Ibid.

²⁵ See the details of the resolution in section II above.

²⁶ The PA included a joint declaration by the Ivorian parties on an immediate and final cessation of hostilities, an end to the war throughout the country, the agreement to proceed immediately with the disarmament and dismantling of militias and armed groups, the resolution of the question of eligibility to the presidency and the revision of the various laws which were still not in conformity with the LMA.

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Tao Zeo and more than 9,000 people, mostly from the Guéré community, were displaced'.²⁷ In the night of 31 May 2005, unidentified individuals armed with machetes and hunting guns brutally attacked the inhabitants of Guitrozon and Petit Duékoué villages, near the town of Duékoué, 480 kilometres from Abidjan, in their sleep. The toll was 41 dead and 61 injured. Another attack in the neighbouring settlement of Diapahi, and the retaliations in the town of Duékoué itself, brought the toll to more than 100 civilians assassinated in early June 2005.


Following the 31 May 2005 massacre, UNOCI reinforced its presence in the volatile area around Duékoué, and 350 troops helped the Ivorian Defence and Security Forces to stabilise the situation. *Licorne* and UNOCI also launched a joint surveillance operation in the area and the 'zone of confidence'. The Secretary-General noted that the strengthened presence in the west placed 'an additional strain on the mission's already overstretched military capacity'.²⁸ The emergency reinforcements of UNOCI requested by the Secretary-General in his third report in December 2004 and reiterated in the fourth report in March 2005 had not been authorised by the Security Council. In his fifth report of 17 June 2005, the Secretary-General highlighted the need urgently to allow an increase of the mission's strength by the deployment of an additional 2,076 troops and three formed police units comprising 375 officers.

On 24 June 2005, the Security Council finally included in its resolution 1609 (2005) an authorisation for an increase in the military component of UNOCI of up to 850 personnel and an increase in the civilian police component of up to 725 personnel, including three formed police units. Though the resolution also opened the possibility for temporary redeployment of troops from the two other peacekeeping missions in West Africa, UNAMSIL and UNMIL in the context of inter-mission cooperation, the Council's support to the Secretary-General's requests was limited. Only 850 additional military personnel were authorised instead of the 2,076 troops recommended in the fifth report on UNOCI. One of the consequences of such limited reinforcement of the UN mission was to maintain the perception and to some extent the reality that the only external force on the ground with a real deterring capacity was the French *Licorne* Operation, which was much more equipped and mobile than the UNOCI. While *Licorne's* mandate to support UNOCI especially as a rapid reaction force was confirmed by resolution 1609 (2005), the events of November 2004 had shown that in difficult times the French forces act independently and had also severely affected the perception of *Licorne* by the Ivorian public opinion and thus its operational margin of manoeuvre.

The protection of civilians from physical violence and, more generally, the protection of human rights remained a permanent concern for the UN mission, which informed of detailed human rights violations in regular public reports and informed the Council on worrying developments in the Secretary-General reports. The Secretary-General's report of 26 September 2005 denounced, for example, the persistence of 'politically motivated and arbitrary detentions, extrajudicial killings, rape, confiscation of private property, the intimidation of opposition leaders and their followers, committed with impunity by elements of the Ivorian Defence and Security Forces and by the Forces Nouvelles, and militias

²⁷ Fifth Progress Report of the Secretary-General on the United Nations Operation in Côte d'Ivoire, S/2005/398, 17 June 2005.

²⁸ Ibid.



associated with both forces'; as well as 'incidents of ethnically motivated human rights abuses such as killings, rape and destruction of dwellings which were also committed by ethnic and community-based militias'.²⁹ But the mission could not do much more than reporting violations to protect the human rights in a context of limited military presence throughout the territory, limited cooperation or even hostility from the official Defence and Security Forces, absence of political will to dismantle the numerous militias, and little action from the Security Council on human rights issues.

Despite resolution's 1572 (2004) authorisation of sanctions on, among others, individuals responsible for violations of human rights and international humanitarian law, the list of the Sanctions Committee of the Council remained empty until February 2006. The fate of the report of the International Commission of Inquiry on serious violations of human rights and international humanitarian law in Côte d'Ivoire, covering the period from 19 September 2002 to 16 October 2004, provided a telling example of the Security Council's fleeing of its responsibilities and sending confusing signals to the parties to the conflict and the general public opinion. In the final observations of his sixth progress report on UNOCI, the Secretary-General called on the Security Council 'to consider, as a matter of urgency' the report that had been transmitted to the Council on 23 December 2004.³⁰ The Council never put the discussion of that report on its agenda and, consequently, never took any follow-up action.

Some UNOCI officials still express their frustration at the wide gap between the numerous statements against impunity emanating from Council resolutions and presidential declarations and its reluctance to take concrete action against the perpetrators of human rights violations and the political actors who encouraged them.³¹ The opportunity to influence the calculations and thus the behaviour of the Ivorian players from all sides and perhaps get them to respect their commitments to the peace agreements by prioritising human rights issues was missed.

UNOCI under harassment and attacks in January 2006

The question of the future of the National Assembly of Côte d'Ivoire, whose constitutional mandate expired on 16 December 2005, triggered off violent demonstrations from 16 to 19 January 2006, which for the first time directly targeted the United Nations mission. The International Working Group on Côte d'Ivoire, which had been created by a decision of the Peace and Security Council of the African Union on 6 October 2005 and confirmed by UN Security Council resolution 1633 on 21 October 2005, recommended on 15 January 2006 that the Parliament's mandate should not be extended. Resolution 1633 (2005) had fixed the rules of the transitional period that followed the end of the constitutional mandate of the president in October 2005. It had confirmed the AU's decision of extending for one year the mandate of the president to allow for the organisation of free and fair elections, but it had also transferred the essential powers in all aspects of the peace process to the new Prime Minister, Charles Konan Banny (appointed on 4 December 2005 to

²⁹ Sixth Progress Report of the Secretary-General on the United Nations Operation in Côte d'Ivoire, S/2005/604, 26 September 2005.

³⁰ Ibid.

³¹ FRIDE interview, UNOCI headquarters, Abidjan, November 2008.

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replace Seydou Elimane Diarra after a selection process under influence of France and ECOWAS heads of state).

The resolution also gave a strong supervisory role to the International Working Group³², which had to 'verify that the Prime Minister has all the necessary powers and resources', had to 'report to the Security Council any hindrance or difficulty which the Prime Minister [might] face in implementing his tasks and to identify those responsible' and was tasked with drawing 'a roadmap in consultation with all Ivorian parties in view to hold free, fair, open and transparent elections as soon as possible and no later than 31 October 2006'.³³ Côte d'Ivoire's peace process and politics were meant to be tightly controlled by the international community, represented by the IWG. For the partisans of the president, the framework imposed by the Security Council under strong influence of ECOWAS members, the AU Peace and Security Council and France was aimed at neutralising presidential powers in the key period leading to the organisation of elections. It was thus unacceptable for them.

The first actions unfolded on 15 January 2006, before the release of the IWG statement on the fate of the National Assembly.³⁴ The entourage of the prime minister on the way to attend the IWG meeting was stoned by demonstrators while a UNOCI vehicle was burnt. The following day, barricades were set up in various parts of Abidjan. Hundreds of demonstrators gathered in front of UNOCI headquarters blocking access and exit from the building, elements of the powerful and well-organised student union aligned with 'patriotic movements' supporting the president took control of the Ivorian public radio and television office, without reaction from the Ivorian Defence and Security Forces. For four days, the security forces in charge of keeping public order and protecting UNOCI personnel did not apply the presidential decree banning street demonstrations. Similar demonstrations against UNOCI and the international presence were organised in other towns in the south such as San Pedro, Yamoussoukro, Daloa, and Guiglo, in the west.

In the western volatile town of Guiglo, after two days of one-off invasions of the UNOCI camp without clashes, the situation degenerated on 18 January when the blue helmets of the Bangladeshi contingent fired shots at demonstrators. Five youths were killed and 42 were wounded. Like in Abidjan, the upheaval was planned. On 12 January, five days before the release of the IWG statement on the National Assembly, the presidential party's local federation had held a meeting at the Guiglo council, whose third deputy, Denis Glofiéi Maho, was the godfather of the militias of the western region.³⁵ It was the local leaders of the ruling party, the student union and the movement of 'Young Patriots' who held the demonstrations to demand the departure of the Guiglo-based Bangladeshi contingent of UNOCI.³⁶


³² The IWG was composed of the representatives of the following countries and institutions: Benin, Ghana, Guinea, Niger, Nigeria, South Africa, France, United Kingdom, United States, UN, AU, ECOWAS, European Union, International Organisation of the Francophonie, World Bank, and the International Monetary Fund. It was expected to meet at ministerial level every month in Abidjan and was co-chaired by the Special Representative of the UN Secretary-General and head of UNOCI, and the Minister of Foreign Affairs of the country that holds the rotating chairmanship of the African Union.

³³ United Nations Security Council resolution 1633 of 21 October 2005.

³⁴ International Crisis Group, 17 May 2006, op. cit.

³⁵ Ibid.

³⁶ Ibid.



The January 2006 events, the forced departure of the peacekeepers from all their bases in the region and the destruction of the offices of several humanitarian agencies in Guiglo revealed again the weaknesses of the peacekeeping operation. Devised to monitor a ceasefire line and then a buffer zone between the loyalist army and the FN rebellion, the UN force did not adapt sufficiently to the evolution of the means used by the protagonists. UNOCI continued to face the refusal by the Security Council to allow the full military, police and helicopter reinforcements requested in successive reports by the Secretary-General. In the 3 January 2006 report, the Secretary-General had recommended an increase of the military component by 3,400 troops, as well as the immediate deployment of three additional formed police units (375 personnel) and 100 civilian police officers.³⁷

On 7 February 2006, the Security Council Sanctions Committee released the list of the first three Ivorians that would face international travel bans and the freezing of their assets, in accordance with resolutions 1572 (2004) and 1643 (2005) of the Security Council: leaders of the 'patriotic' organisations involved in the January 2006 attacks on UNOCI, Charles Blé Goudé and Eugène Djué, as well as Martin Kouakou Fofié, a military commander of the FN based in Korhogo (northern city). Although these sanctions, brought up on several occasions but never applied since November 2004, targeted agitators rather than their masterminds and political supports, they gave, at last, a signal of the firmness of the Council. However, the fact that they were applied only in reaction to targeted attacks on UN presence and the wider international community sent the message that the Council acted decisively when UN staff and equipments were threatened but not to defend and protect the human rights of the ordinary civilian population.

On the UNOCI reinforcement issue, the Security Council remained reluctant to follow the Secretary-General's recommendations. In a letter dated 1 February 2006, addressed to the President of the Security Council,³⁸ the Secretary-General recommended the emergency redeployment of one infantry battalion and one formed police unit from UNMIL to UNOCI on a temporary basis. The Council approved the temporary deployment of just one mechanised infantry company by its resolution 1657 of 6 February 2006. But in his 11 April 2006 report, the Secretary-General noted that such reinforcement was limited and temporary and reiterated his request for a substantial strengthening of UNOCI by four battalions, three additional formed police units and 100 civilian police officers.³⁹ A new letter of the Secretary-General to the President of the Security Council on 22 March⁴⁰ eventually pushed the Council to authorise a limited reinforcement of the peacekeeping mission. On 2 June 2006, resolution 1682 authorised until 15 December 2006 an increase in the strength of UNOCI of up to 1,500 additional personnel, including a maximum of 1,025 military personnel (well short of the 3,400 troops recommended by the Secretary-General) and 475 civilian police personnel, as requested.

³⁷ Seventh Progress Report of the Secretary-General on the United Nations Operation in Côte d'Ivoire, S/2006/2, 3 January 2006.

³⁸ Letter of the Secretary-General dated 1 February 2006 addressed to the President of the Security Council, S/2006/71.

³⁹ Eighth Progress Report of the Secretary-General on the United Nations Operation in Côte d'Ivoire, 11 April 2006.

⁴⁰ Letter dated 22 March 2006 from the Secretary-General addressed to the President of the Security Council, S/2006/184.

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2. UNOCI's role in the DDR programme and the organisation of elections

UNOCI and the impossible disarmament

One of the essential elements of UNOCI's mandate as defined by the initial resolution 1528 of 27 February 2004 was to assist the Government of National Reconciliation in undertaking the regrouping of all the Ivorian forces involved and to ensure the security of their cantonment sites; to help the government implement the national DDR programme with specific attention to the needs of women and children; and to guard weapons, ammunition and other military materiel handed over by former combatants and to secure, neutralise or destroy such materiel.⁴¹ The DDR division of UNOCI was tasked with fulfilling this key component of the peacekeeping mission's mandate, but four years of renunciations to the parties' commitments to peace agreements, hesitations, political game, entrenchment of a 'no peace, no war' situation comfortable for the protagonists, continuous delays in the implementation of the DDR programme, and a lack of substantial pressure on the parties responsible for the stalled process led to an insignificant result. A simple and clear way of illustrating the story of the DDR and UNOCI's impuissance is to provide selected excerpts of the Secretary-General's reports to the Council in their sections on the DDR:

In the second report on UNOCI, dated 27 August 2004:

Under the Accra III Agreement, the disarmament, demobilisation and reintegration process is to start on 15 October (2004). In preparation, the National Commission for Disarmament, Demobilisation and Reintegration has updated its road map, which is based on the previously-developed joint plan of operations [...] In view of the expanded presence of UNOCI forces, it is now planned to conduct the disarmament and demobilisation process in two phases, starting in the north and then proceeding to the south, to be completed by 31 December (2004). The National Commission has also intensified its work to rehabilitate the disarmament sites [...] It is worth noting that the Ivorian parties at the meetings did not set any preconditions for the commencement of the disarmament, demobilisation and reintegration process. Significant challenges remain, however, including the formulation of plans to dismantle militias and paramilitary groups, and obtaining funding for the reintegration phase of the programme.⁴²

In the fifth progress report on UNOCI, dated 17 June 2005:

On 14 May (2005), in Yamoussoukro, the chiefs of staff of FANCI and the Forces Nouvelles agreed on modalities for the national disarmament, demobilisation and reintegration programme, with the disarmament and demobilisation phases envisaged to take place from 27 June to 10 August (2005) [...] A total of 48,064 persons are expected to benefit from the disarmament, demobilisation and reintegration programme, including 5,500 FANCI and 42,564 Forces Nouvelles

⁴¹ See the details of United Nations Security Council resolution 1528 (2004) in section II.

⁴² Second Progress Report of the Secretary-General on the United Nations Operation in Côte d'Ivoire, 27 August 2004.

personnel [...] On 18 May (2005), the Forces Nouvelles indicated that they would not disarm, until a number of conditions had been met. These include the disarmament and dismantling of militias and the adoption by the National Assembly of the amended law on the composition of the Independent Electoral Commission, the nationality code and the law on identification.⁴³

In the tenth progress report on UNOCI, dated 17 October 2006:

With regard to disarmament, the Yamoussoukro meeting [convened on 5 July 2006 by the then UN Secretary-General Kofi Annan] had decided that a monitoring group, comprised of the National Armed Forces of Côte d'Ivoire (FANCI), the Forces Nouvelles, UNOCI and the French Licorne force, would be established by 15 July, and that the pre-cantonment of combatants would be completed by 31 July. Although the monitoring group was established on 13 July, the Forces Nouvelles suspended its participation in the group and in the dialogue on military issues in reaction to the proclamation of the new guidelines on the operations of the mobile courts. They argued that the guidelines violated the agreed principle of conducting the initial phases of the disarmament and identification processes concomitantly [...] In addition, despite UNOCI efforts, the two sides have not yet submitted the lists of their combatants and weapons. Furthermore, the Forces Nouvelles are now insisting that the restructuring of the national army must be implemented immediately, as part of the disarmament, demobilisation and reintegration process. To that end, they have called for the establishment of an integrated command under the authority of the Prime Minister.⁴⁴

The story of the DDR in the Ivorian peace process is an endless series of meetings, roadmaps, updated plans, revised timetables, ruptures of dialogue between ex-belligerents and new demands from the parties accusing each other of not respecting its part of the peace deal. While the FN military and political leaders demanded the conduct of a large programme of identification of the population to issue national identity cards and then voter cards without exclusion of any Ivorian, the FPI party demanded the immediate disarmament of the FN to allow for the reunification of the territory and restoration of state authority before any significant progress on the identification programme and the organisation of elections. As it can be seen clearly from the above quotations from some reports of the Secretary-General, the Ivorian protagonists fully decided on the rhythm of the DDR, which never happened in fact.

Except for the limited number of weapons collected and destroyed during mediatised ceremonies to launch the disarmament process, there has been no proper disarmament exercise. The signing of the Ouagadougou Political Agreement on 4 March 2007 inaugurated another way of envisaging the future of ex-combatants by prioritising the unification of the 'two armies', in view of the creation of new Ivorian Security and Defence Forces, regrouping the loyalists and the former rebels. As the new Prime Minister and Head of the FN, Guillaume Soro was to decide, with his co-signatory, President Gbagbo, and the facilitator, President Blaise Compaoré of Burkina Faso, the terms of the dissolution of the rebel movement and the future of ex-combatants.

⁴³ Fifth Progress Report of the Secretary-General, op. cit.

⁴⁴ Tenth Progress Report of the Secretary-General on the United Nations Operation in Côte d'Ivoire, S/2006/821, 17 October 2006.

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The experience of UNOCI with the DDR part of its mandate provided a good illustration of the overall impuissance of the peacekeeping mission and also of the Security Council, which created it, when faced with a considerable level of lack of political will of the Ivorian protagonists to settle the crisis. UNOCI was there to 'assist' a government that was composed of representatives of parties which were engaged in a permanent battle to save their particular interests and was headed by prime ministers whose authority, entrenched in peace agreements and Security Council resolutions, was only theoretical. The Ivorian president used perfectly the legal argument of the prevalence of the Constitution of a sovereign country on all other considerations, in order to obstruct the steps of the peace process that might threaten his grip on power immediately or eventually. For their part, the FN political and military chiefs took full advantage of the relative sympathy that they initially enjoyed – for a rebel movement that attacked an elected government – in the region and during the Linas-Marcoussis and Kléber peace talks.

The FN got used to the power and financial resources derived from their control of more than half of the Ivorian territory since September 2002 and had no reason to respect their commitment to disarm without strong internal or external pressure. The Security Council repeated in its numerous resolutions and presidential statements its calls on the FN to engage in the DDR programme, but it never backed up those words with real measures. Only one FN commander was put on the list of individuals subjected to targeted sanctions for human rights violations, on February 2006. The Council acted on the financial side of the rebellion only through resolution 1643 of 15 December 2005, which banned imports of rough diamonds from Côte d'Ivoire. But even this limited part of the substantial illegal resources that were going into FN coffers was never severely affected by that resolution, given the incapacity of making the sanctions effective, as confirmed by UN panel of experts' reports.⁴⁵

The permanently delayed electoral process

The story of electoral preparations in Côte d'Ivoire since the signing of the Linas-Marcoussis Agreement in January 2003 is quite similar to that of the DDR programme. It was tightly connected to the endless disagreements between the Ivorian parties on the chronology of all the components of the LMA: the legislative reforms, the eligibility criteria for the presidential candidates, the identification programme and the revision of electoral lists, the composition and functioning of the Independent Electoral Commission (IEC), the disarmament programme, and the restoration of state authority on the entire territory. It was also largely determined by the political calculations of actors and their anticipations of the decisions of the international community. From 2003 to 2005, all parties were less interested in advancing the technical preparations to have a chance to organise the presidential elections in October 2005, in conformity with the Constitution and the LMA, than in anticipating the post-October 2005 transitional arrangements and the related future status of the president. In that context, UNOCI had little to do on electoral issues, given its limited mandate, which was initially to

⁴⁵ Report of the Group of Experts submitted in accordance with paragraph 9 of resolution 1643 (2005), S/2006/735, 5 October 2006; Report of the Group of Experts submitted pursuant to paragraph 2 of Security Council resolution 1708 (2006) concerning Côte d'Ivoire, S/2006/964, 12 December 2006; Report of the Group of Experts submitted in accordance with paragraph 7 (e) of Security Council resolution 1727 (2006), S/2007/349, 14 June 2007.

'provide oversight, guidance and technical assistance' to the government, and 'to prepare for and assist in the conduct of free, fair and transparent electoral processes [...] in particular the presidential election'.⁴⁶

The Pretoria Agreement, signed on 6 April 2005, called upon the UN to play 'an enhanced role' in the organisation of the general elections. On 23 May, the Ivorian government officially requested that the UN provide expertise and other assistance for the organisation of presidential and legislative elections. The South African mediation under Thabo Mbeki also asked the Security Council to authorise a larger UN role in the organisation of elections. To ensure that the elections would be credible and meet international standards, the Ivorian parties had agreed in Pretoria to a halfway solution, one between elections fully organised by the UN and elections fully managed by Ivorian institutions. The FN and the opposition parties pleaded for a heavy involvement of the UN in the electoral process, while the president opposed such external intrusion. The UN Secretary-General also considered that Côte d'Ivoire was not a failed state and had the capacity to organise its elections. It needed UN assistance and an election certification mechanism as a remedy to the total lack of confidence between the Ivorian parties.

By its resolution 1603 (2005), the Security Council requested that the Secretary-General designate, as an exceptional arrangement, after consultations with the African Union and President Mbeki, a High Representative for the Elections in Côte d'Ivoire, autonomous from UNOCI, to assist, in particular, in the work of the Independent Electoral Commission and that of the Constitutional Council, without prejudice to the responsibilities of the SRSG for Côte d'Ivoire. The High Representative was mandated 'to verify, on behalf of the international community, that all stages of the electoral process, including the establishment of a register of voters and the issuance of voters' cards, [provided] all the necessary guarantees for the holding of open, free, fair and transparent presidential and legislative elections, within the limits laid down in the Constitution of Côte d'Ivoire'. The High Representative was also mandated 'to provide, in close cooperation with UNOCI and the mediation, all necessary advice and guidance to the Constitutional Council, the Independent Electoral Commission and other relevant agencies or institutes to help them prevent and resolve any difficulty which [might] jeopardise the holding of the elections, with the authority to make necessary determinations in [that] regard'.

On 19 July 2005, the Secretary-General appointed his High Representative for the Elections in Côte d'Ivoire.⁴⁷ The HRE spent most of his time mediating between the Ivorian parties to agree on the sensitive issue of the composition of the Electoral Commission. It was already obvious at the time that the elections would be organised neither in October 2005 nor in the immediate months to follow. The IEC was formally inaugurated on 9 March 2006, and UNOCI began deploying electoral advisers in the context of its electoral assistance's mandate. The HRE strived to put pressure on all actors involved in the electoral process, including with regard to the preliminary step of identification of the population and voters, to move from declarations of intent to concrete preparations. However, the

⁴⁶ United Nations Security Council resolution 1528 of 27 February 2004.

⁴⁷ Antonio Monteiro (Portugal) was the first to hold the position. He was replaced on 13 April 2006 by Gerard Stoudmann (Switzerland).

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31 October 2006 deadline for holding the presidential election, which had been requested by resolution 1633 (2005), was missed.

The last quarter of 2006 was marked by mounting tension between the president and his political allies, on one side, and the prime minister and international actors incarnated by the International Working Group, the Special Representative of the Secretary-General, and the High Representative for Elections on the other. The Secretary-General's frustration at the political stalemate was perceptible in his tenth progress report on UNOCI, dated 17 October 2006, in which he said:

At every critical turn of the peace process, some of the main political leaders have resorted to calculated obstruction of the peace process, exploiting loopholes in the peace agreements, using legal technicalities and often inciting violent acts by their followers. Consequently, the second transition period, like the first, is coming to a close without elections. [...] In this context, it would be necessary for the Council to review the mandate of UNOCI and to augment its resources. It is also important for the Security Council to closely monitor the implementation of the road map during the new transition period, in particular, with a view to imposing targeted sanctions against those obstructing the peace process, or seizing the International Criminal Court.⁴⁸

On 1 November 2006, following ECOWAS and AU Peace and Security Council meetings, the Security Council adopted the ambitious resolution 1721 (2006), which renewed and strengthened the mandate of the prime minister and extended the president's term for a 'new and final transition period not exceeding 12 months'.⁴⁹ The resolution also renewed and reinforced the mandate of the HRE who '[should] be the sole authority authorised to arbitrate with a view to preventing or resolving any problems or disputes related to the electoral process' and '[should] certify that all stages of the electoral process, including the process of identification of the population, the establishment of a register of voters and the issuance of voters' cards, [provided] all necessary guarantees for the holding of open, free, fair and transparent presidential and legislative elections in accordance with international standards'. The president almost immediately rejected the essence of the resolution and unveiled his own solution: engaging in a direct dialogue with the *Forces Nouvelles*, with the exclusive facilitation of his former regional adversary, the president of neighbouring Burkina Faso. From December 2006 to the signing of the Ouagadougou Political Agreement on 4 March 2007, the UN was largely marginalised, and key elements of resolution 1721 (2006) were ignored.

On 16 July 2007, Security Council resolution 1765, which defined the new role of UNOCI after the signing of the OPA, terminated the mandate of the HRE, transferred the responsibility for the certification of the elections to the SRSG, and retained the technical and logistical assistance of the UN to Ivorian

⁴⁸ Tenth Progress Report of the Secretary-General, op. cit.

⁴⁹ United Nations Security Council resolution 1721 of 1 November 2006.

electoral institutions. A 'post-mortem' analysis of the HRE mandate in Côte d'Ivoire and Security Council responsibility, provided by a former high-level UN diplomat, offers a good summary of that story:

The mandate of the HRE was a confidence-building measure decided by the UN Secretary-General and Thabo Mbeki to respond to the concern of Ivorian parties about the transparency of the electoral process. But it was an impossible job. It could not work without putting aside the Constitution of the country. The president did not want a strong international supervision of the elections. The HRE mandate participated to the same conceptual mistake as the appointment of presumably neutral Prime Ministers by the international community. The president never accepted a diminution of his powers [...] Except the French, the members of the Security Council were not interested in the issue and most were cynical. The significant fact is that the Council does not provide support to the people it sends to the field, especially when they face difficulties. The HRE played a positive role at some point and provided useful advice on technical compromises for the identification programme and the electoral registration. [...] However, the UN would have saved some credibility had it not created that position.⁵⁰

IV. Peace agreement, elections and exit strategy

I. The Ouagadougou Political Agreement and the 'accompanying' role of UNOCI

Signed on 4 March 2007, the Ouagadougou Peace Agreement (OPA) was the latest in a series of peace agreements but the first to have resulted from a 'direct' dialogue between the armed protagonists of the Ivorian crisis, on the initiative of the Ivorian president. One month of discreet discussions in Ouagadougou between the two delegations resulted in an ambitious agreement. The OPA did not represent a complete break with preceding agreements or Security Council resolutions. The transitional government had to implement the operations already required: the identification of the population and the distribution of new Ivorian identity cards to all those who have a right to them; the disarmament of armed militias, restructuring of the army and the reintegration of demobilised soldiers; the reunification of the national territory and redeployment of the administration in the area under control of the former rebels; and the organisation of open and transparent elections (within ten months of 4 March 2007). What changed with the OPA is that responsibility for the conduct of the transition was transferred to the protagonists themselves, the president and the new prime minister. Previous agreements had allocated this task to a prime minister equidistant from the parties to the conflict.

The signatories to the OPA have agreed to a restructuring of the two armed forces in view of setting up new Ivorian Defence and Security Forces, including through the creation of an Integrated Command

⁵⁰ FRIDE telephone interview, October 2008.

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Centre to unify the governmental and ex-rebel forces under joint command. The OPA transferred all responsibility for military issues to the Integrated Command Centre and therefore considerably limited the role of the UNOCI international forces and the French *Licorne* force. The missions of the Integrated Command Centre included the implementation of the National Programme of Disarmament, Demobilisation and Reintegration under the supervision of impartial forces; the implementation of military and security tasks related to the peace process; the security of the identification operations and the electoral process. The OPA was particularly vague on how to achieve DDR and restructure Ivorian Defence and Security Forces. A series of 'supplementary accords' will be signed in the course of the difficult and slow implementation of the OPA.⁵¹

The OPA made no request for a withdrawal of UN and French *Licorne* forces. It only explicitly requested the gradual reduction of forces in the 'zone of confidence', which was to be removed. The signatories to the OPA reaffirmed to the technical evaluation commission sent by the UN Secretary-General on 10-22 April 2007 that they needed continued support from the UN to implement the agreement. The UN technical evaluation mission made recommendations on the necessary adjustments of UNOCI's mandate, which were submitted in the Secretary-General's report to the Security Council dated 14 May 2007. On 16 July 2007, Security Council resolution 1765 endorsed the recommendations of the Secretary-General and requested UNOCI to 'support the full implementation of the Ouagadougou Political Agreement, including by supporting the integrated command centre, the restoration of State administration throughout the country, the identification and voter registration processes, the electoral process, persons affected by the conflict, efforts to create a positive political environment, protection and promotion of human rights, and the economic recovery process of Côte d'Ivoire'.⁵²

Before the OPA, the Council had been producing ambitious resolutions under Chapter VII intending to control the content and the rhythm of the peace process, but without providing the adequate resources or support to the peacekeeping mission, and not exerting sufficient pressure on the parties. Since its signing, the Council's resolutions, yet under Chapter VII, have limited UNOCI's role to providing passive support to the implementation of the agreement, depending on the goodwill of the president, the prime minister and, to some extent, the facilitator. The regional and global context of the Ivorian conflict had changed after five years. Key international actors of the Linas-Marcoussis Agreement's era had left the scene, including President Chirac of France, the only permanent member of the Council that was very active on the dossier; President Olusegun Obasanjo of Nigeria, UN Secretary-General Kofi Annan, two chiefs of UNOCI, and two High Representatives for Elections. The security situation undoubtedly improved, the risk of resumption of military hostilities opposing the Ivorian army to the *Forces Nouvelles* was substantially reduced and signs of return to normalcy multiplied. But the implementation of the OPA by those who elaborated and signed it became an open-ended process, leaving UNOCI and the Security Council in an uncomfortable position.

⁵¹ The OPA also provided for the removal of the 'zone of confidence', the strip of land extending 600 km from east to west that has separated the southern part of the country under the control of government forces and the northern part occupied by the FN since September 2002.

⁵² United Nations Security Council resolution 1765 of 16 July 2007.

2. The state of the peace process in 2009 and the future of UNOCI

Two years after the signing of the OPA, significant progress has been made, especially in the realisation of the identification of nationals and future voters, and the country continues to enjoy relative peace and stability. However, the elections scheduled at one point for 30 November 2008 – with a three-year delay – have been postponed again. In the first quarter of 2009, the Independent Electoral Commission was still unable to announce a new and realistic electoral timeline. At the request of the Special Representative of the Secretary-General, a technical assessment mission led by the Assistant Secretary-General for Peacekeeping Operations visited the country from 10 to 14 December 2008 to review UNOCI's role in the peace process. The mission observed that UNOCI's capabilities should be retained, in order to enable UNOCI to contribute to maintaining a secure environment for the full implementation of the Ouagadougou Agreement, in particular the electoral process. The following potential threats to the peace process were identified: the continued existence of armed militias and violent youth; the absence of effective disarmament of former combatants; the uncompleted redeployment of state administration; the risk of localised clashes in the north and the west; the limited freedom of movement due to continuing checkpoints and roadblocks; and the fact that elections could be a catalyst for violence in Côte d'Ivoire, in particular if they were perceived as lacking transparency and credibility.⁵³

However, 'the assessment mission proposed that the UNOCI force could be reduced by one battalion during the next rotation, from 8,115 to 7,450 troop personnel, on the understanding that the force's mobility will be enhanced with adequate air capabilities, including additional utility helicopters, and taking into account the continued support of the French forces to UNOCI in terms of quick reaction capabilities'.⁵⁴ The assessment mission also determined that a more substantial drawdown of UNOCI forces should not be considered 'until progress was made in carefully benchmarked areas and in security conditions on the ground'. The following key benchmarks and preconditions for a more substantial drawdown of UNOCI were identified: (a) completion of credible disarmament, demobilisation and reintegration of former combatants and dismantling of militias; (b) successful completion of the elections; (c) commencement of security sector reform, in particular confidence-building measures within a broader framework for democratic governance and oversight of the security sector; reunification of the army and establishment of functional and republican Ivorian armed forces and security services; and (d) restoration of state authority throughout the country.⁵⁵

The Secretary-General's recommendations were endorsed by the Security Council on 27 January 2009 with the adoption of resolution 1865. The Council renewed the mandates of UNOCI and of the French forces that support it; endorsed the recommendations of the report of the Secretary-General dated 8 January 2009; decided to reduce the level of authorised military personnel from 8,115 to

⁵³ Nineteenth Progress Report of the Secretary-General on the United Nations Operation in Côte d'Ivoire, 8 January 2009.

⁵⁴ *Ibid.*

⁵⁵ *Ibid.*

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7,450; requested UNOCI, within its existing resources, to support actively the full implementation of the OPA and its Supplementary Agreements; endorsed the benchmarks proposed by the Secretary-General for a possible further drawdown; requested the Secretary-General to monitor progress on their achievement; and encouraged him to continue to refine and update these benchmarks and to report to the Security Council. In the same resolution, the Council recalled that the Special Representative of the Secretary-General in Côte d'Ivoire '[should] certify that all stages of the electoral process [provided] all the necessary guarantees for the holding of open, free, fair and transparent presidential and legislative elections in accordance with international standards'.⁵⁶


Five years after its creation, the UN peacekeeping mission in Côte d'Ivoire actually initiated discreetly its exit strategy by decreasing for the first time its military strength and defining general benchmarks that will guide its further drawdown. After initial optimism and fatigue about the Ivorian dossier, the Council seemed to realise that the recurrent delays in the implementation of the OPA could not be only explained by technical, logistical and financial difficulties. It appeared that the only external actor who has an important role in the post-OPA context, President Compaoré, could not accelerate the implementation of the agreement and push President Gbagbo, Prime Minister Soro and the Ivorian institutions involved in the electoral process to make extraordinary effort to respect a date for the elections. In its resolution 1865 (2009), the Council recalled that it was fully prepared to impose targeted measures against persons who were determined to be a threat to the peace and national reconciliation process in Côte d'Ivoire, including by threatening the electoral process. It remains to be seen if such threatening language from the Council still carries some weight after years of hesitations and fluctuating decisions on the missions and objectives of UN peacekeeping in Côte d'Ivoire.

V. Implementation of resolution 1325 (2000)

I. The language on resolution 1325 (2000) in Security Council resolutions and reports by the Secretary-General on UNOCI

UNOCI was created by resolution 1528, adopted in February 2004, quite a while after the vote on resolution 1325 (2000). From the beginning, the resolutions on UNOCI contained references to gender issues in the context of peacekeeping. The initial resolution 1528 (2004) 'reaffirmed' resolution 1325 (2000) and included explicit gender references. UNOCI was mandated, amongst other things, to help the government implement the national DDR programme, 'with special attention to the specific needs of women and children'; to coordinate with the United Nations missions in Sierra Leone and in Liberia the implementation of a voluntary repatriation and resettlement programme for foreign

⁵⁶ United Nations Security Council resolution 1865 of 27 January 2009.



ex-combatants, 'with special attention to the specific needs of women and children'; to contribute to the promotion and protection of human rights 'with special attention to violence committed against women and girls and to help investigate human rights violations with a view to help ending impunity'; and requested the Secretary-General 'to give special attention to the gender and child-protection components within the staff of UNOCI'.

In its resolution 1603 of 3 June 2005, the Council [underlined] the importance of mainstreaming the gender perspective in peacekeeping operations and post-conflict peacebuilding and of appropriate expertise in this regard, and [encouraged] UNOCI to actively address this issue'. It also mentioned the recurrent issue of involvement of peacekeepers in sexual exploitation and abuse. It welcomed the zero tolerance policy, requested the Secretary-General to continue to take all necessary action and urged troop-contributing countries 'to take appropriate preventive action including the conduct of pre-deployment awareness training, and to take disciplinary action and other action to ensure full accountability in cases of such conduct involving their personnel'. Resolution 1609 of 24 June 2005 also requested 'special attention to the specific needs of women' in the conduct of the DDR programme, in the facilitation of humanitarian assistance by UNOCI and in the promotion and protection of human rights.

Resolution 1739 of 10 January 2007, almost three years after the establishment of UNOCI, went further than simply calling for 'special attention' to women and children, and urged 'UNOCI to take into account the rights of women and of gender considerations as set out in Security Council resolution 1325 as a cross cutting issue, including through consultation with local and international women's groups, and [requested] the Secretary-General, where appropriate, to include in his reporting to the Security Council progress on gender mainstreaming throughout UNOCI and all other aspects relating to the situation of women and girls, especially in relation to the need to protect them from gender-based violence'. There was at last a certain level of precision and definition of priorities in the role that was expected from UNOCI in implementing resolution 1325 (2000). The idea of monitoring and of progress in gender mainstreaming in general, and in the protection of women from gender-based violence in particular, are essential. But this effort in the wording of the resolutions came late, given the well-known serious impact of the conflict and the ongoing political crisis on the security of women and girls.

After the signing of the Ouagadougou Agreement, the Council in its resolution 1765 of 16 July 2007 '[called] upon all concerned parties to ensure that the protection of women and children [was] addressed in the implementation of the Ouagadougou Political Agreement as well as the post-conflict reconstruction and recovery phases, including continued monitoring and reporting of the situation of women and children'. It is worth mentioning that the OPA itself, as negotiated by the two former belligerents, was gender-blind. Given that UNOCI was established more than three years after the adoption of resolution 1325 (2000), the Council could have included explicit language on the protection of women from gender-based violence and participation of women in the peace process to provide unambiguous guidance and obligations in that area to the peacekeeping mission.

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2. The record of UNOCI in the areas of protection of women and promotion of the participation of women in the peace process

The Secretary-General's report dated 18 March 2005 mentioned the establishment of a Gender Unit within UNOCI to implement the principles of resolution 1325 (2000) on gender mainstreaming in peacekeeping operations and described its first activities as follows:

As of March 2005, the Unit had established a gender component in the civilian staff induction training. It has also carried out liaison with the civilian police and the military training units for the inclusion of a gender component in their respective training activities and in preparation of a train-the-trainers course. The Unit has also established contacts and partnerships with United Nations agencies, non-governmental organisations and local organisations as well as with the Ivorian Ministry of Children, Women and Families.⁵⁷

From 2005, the Secretary-General's reports almost systematically included a section on 'Gender' which gave a short summary of the work of UNOCI in that area. In the course of 2005, the Gender Unit continued to conduct gender-awareness training for military personnel, UN police and civilian personnel. Another main activity was to work with the National Commission for DDR to integrate the special needs of women into DDR planning and execution. But as reported in the Secretary-General's sixth progress report, it was difficult to obtain from the National Commission the total number of women involved in the DDR process. As an UNOCI gender officer noted, 'men are the ones who make the lists'. He gave the example of the FN military chiefs who initially included only 14 women in the list of ex-combatants to be involved in the cantonment phase of the DDR. It turned out that they had ignored 596 female ex-combatants.⁵⁸ The Gender Unit also extended its focus on strengthening local capacity through training sessions and workshops on gender-based violence, including sexual exploitation and abuse, and gender mainstreaming in DDR.


In the course of 2006, the Secretary-General's reports mentioned the initiatives of UNOCI to sensitise and prepare women to take an active role in the decision-making process, in line with the objectives affirmed in resolution 1325 (2000). The Gender Unit participated in the training of female candidates for the forthcoming elections through a long-term cooperation with one of the major women's organisation in the country, the Coalition of Women Leaders.⁵⁹ The mission also developed training activities on gender equality for national school advisers, specific gender training for national gendarmerie and police forces (1,000 police cadets and 26 officers from the gendarmerie, reported as of July 2006).⁶⁰ In cooperation with UNDP and the International Friendship Service (IFS), the mission

⁵⁷ Fourth Progress Report of the Secretary-General on the United Nations Operation in Côte d'Ivoire, S/2005/186, 18 March 2005.

⁵⁸ FRIDE interview, Abidjan, November 2008.

⁵⁹ Eighth Report of the Secretary-General, op. cit.

⁶⁰ Ninth Progress Report of the Secretary-General on the United Nations Operation in Côte d'Ivoire, S/2006/532, 17 July 2006.



also developed a project for the creation of a Women's Resource Centre to support women and girls who had been affected by the conflict. UNOCI also assisted the Ministry of Family and Social Affairs in drafting a national gender policy and trained the personnel on gender issues.⁶¹

The interviews conducted with the main Ivorian non-governmental organisations working on gender issues confirmed the efforts made by UNOCI in advancing the objectives of resolution 1325 (2000). Women leaders and activists recognised the work that has been done from mid-2005 by the peacekeeping mission's Gender Unit and the interest showed by the Special Representative of the Secretary-General for gender mainstreaming in the mission's activities.⁶² They all identified the sensitisation on the contents of resolution 1325 (2000) and the training on gender issues as the most significant contributions of the Gender Unit. The United Nations Development Fund for Women (UNIFEM) also played an important role in the promotion of resolution 1325 (2000) and support of local women's organisations for their activities in that regard.⁶³ UNOCI radio has been used as an instrument to popularise the key issues on the protection of women and participation in decision-making processes, and offered a precious outlet for women's organisations in a sociological context that tends to marginalise their voices in public debate.

The lack of sufficient human resources devoted to gender issues in the mission was highlighted. A gender adviser (and head of the Gender Unit) with two gender officers and an assistant could certainly not successfully face the challenges. The Gender Unit has no representation outside the mission's headquarters in Abidjan. The establishment of gender focal points in addition to the Gender Unit was not enough to mainstream gender in all areas of the peacekeeping mission as called for by resolution 1325 (2000). Women's organisations also regretted the absence of a dedicated fund for women's initiatives within the framework of the Quick Impact Projects of the mission, but they welcomed the direct support of the Gender Unit to help women's organisations improve their project proposals.

In the priority area of protection of women from gender-based violence, notably the violence related to the conflict, the record of UNOCI is not impressive. Information campaigns, distribution of brochures, sensitisation about resolution 1325 (2000) and women's rights, training of peacekeepers, national police and gendarmes, as well as elements of *Forces Nouvelles*, are all useful activities that should eventually (and hopefully) reduce the extent of gender-based violence in the Ivorian society. But when a peacekeeping mission is on the ground, people, in general, and women, in particular, expect to be better protected, even if those who bear the primary responsibility for the protection of the population remain the country's security forces and the *de facto* authorities like the FN on the territory under their control. As in many conflicts, in the Ivorian case those who are expected to protect civilians from physical violence are often involved in the violation of the basic rights of their fellow citizens. Many non-governmental organisations, both national and international, reported the widespread atrocities

⁶¹ Tenth Progress Report of the Secretary-General, op. cit.

⁶² Within the mission, according to a senior staff member, resolution 1325 (2000) was one of the favourite subjects of the Special Representative of the Secretary-General, but he was a lone voice in the mission, and most staff considered gender issues as the exclusive work of the Gender Unit. FRIDE interview, Abidjan, November 2008.

⁶³ FRIDE interviews, Abidjan, November 2008.

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committed against women in the course of the Ivorian conflict and their persistence a long time after the period of actual fighting. As observed, for instance, by Human Rights Watch (HRW) in a comprehensive report:


Human Rights Watch documented over 180 cases of sexual violence in Côte d'Ivoire, including individual and gang rape, sexual slavery, forced incest, and egregious sexual assault. [...] Sexual victimisation of girls and women was often accompanied by other gross human rights violations against them, their families and their communities, as armed men on both sides of the political divide massacred, killed, tortured, assaulted, and kidnapped innocent civilians. [...] Abuses took place throughout the country, especially in the hotly contested western regions which experienced the most fighting. Mixed groups of Liberian and Sierra Leonean mercenaries supporting both the Ivorian government and rebel forces in the west were guilty of especially egregious and widespread sexual abuses. However, even after the end of active hostilities, from 2004 onwards, sexual violence remained a significant problem both rebel- and government-held areas.⁶⁴

Women leaders interviewed by FRIDE considered that no significant progress has been made in fighting sexual violence. They observed that there is little to expect until the rule of law is restored throughout the country and impunity ends. With a political situation still marked by uncertainty and bad faith of the main actors – resulting in the continuing delays in the organisation of elections, disarmament and dismantling of irregular forces, and reform of the security sector – a real return to normalcy and the end of impunity will also be delayed. Local organisations engaged in the defence of women's rights unambiguously blamed Ivorian political authorities, security forces, associated militias and ex-rebels for the failure to contain the violence inflicted on women and girls.

The work of the Human Rights Division of UNOCI in documenting the basic violations including sexual violence both in rebel-held and governmental areas is appreciated.⁶⁵ But the lack of follow-up action by national authorities is the major problem. Yet, there is also a degree of responsibility at the UN Security Council level. Its failures to activate targeted sanctions on individuals responsible for serious violations of human rights and international humanitarian law, including sexual violence; merely to discuss the report of the UN Commission of Inquiry into human rights violations committed since 2002; and to give adequate resources to the mission, in order to allow it to deploy massively in the areas most exposed to violence against civilians in a deterrent posture, have done nothing to combat the culture of impunity.

The mission's efforts to promote an increased participation of women in the peace process are also acknowledged. UNOCI supported the initiatives of women's organisations aiming at identifying and training women from various backgrounds so as to make them fit for candidacy to elections at local, regional and national levels. Bilateral donors participated in the funding of such projects and UNOCI's Gender Unit contributed in providing training expertise. As often, the main obstacles to a significant participation of women in politics and public affairs – be it in a context of a peace process or not – are entrenched in the functioning of the political parties and all other organisations that are expected

⁶⁴ Human Rights Watch, "My Heart is Cut". Sexual Violence by Rebels and Pro-Government Forces in Côte d'Ivoire', *Human Rights Watch Report* 19, 11 (A), August 2007.



to be representative of the diversity of the population, beginning with its gender diversity. The relative economic dependency on men who for long have been holding most decision-making positions, and taking advantage of it with no intention of sharing power with women, remains a serious obstacle. Ivorian women also quoted the unambiguously male-dominated traditional structures, such as local chiefs, as significant hurdles in their efforts to promote gender equality in decision-making.

The repeated postponements of the presidential and general elections in Côte d'Ivoire did not discourage the most active civil society organisations in their efforts to bring women's voices, gender issues and a gender perspective to the appraisal of the numerous challenges of conflict resolution and post-conflict reconstruction and peacebuilding in the country. 'Coordination for the participation of women to the electoral process and the post-crisis reconstruction' has been created in the post-Ouagadougou Agreement context. UNOCI reiterated its support, including at the Special Representative of the Secretary-General level. But the resources for concrete results-oriented action remain limited. A positive note comes from the development of a national action plan for the implementation of resolution 1325 (2000) by the Direction of Equality and Promotion of Gender at the Ministry of Women, Family and Social Affairs, and from the existence of dedicated staff despite the limited resources at their disposal.⁶⁵ UNOCI's exit strategy should explicitly include a gender component and identify key areas of continuing international assistance to address the serious problems that have not been given the necessary priority in the first years of the peacekeeping mission.

VI. Concluding observations

The armed conflict opposing President Gbagbo's loyalist army and the rebellion of *Forces Nouvelles* is over. The deep political and social crisis is not. Seven years after the outburst of the rebellion, the conditions for durable peace and stability are far from present. The immediate consequences of the brief civil war and the long situation of 'no peace, no war' constitute a serious threat to the security of the state and its populations, including the internally displaced population, of which women represent a majority. No real disarmament of irregular armed groups has taken place. The ex-rebel commanders are yet fully to relinquish their control of the northern part of the territory to the official state administration. The power-sharing agreement between the president and the former leader of the rebellion has been on hold since March 2007. The political agreement signed in Ouagadougou was supposed to organise a short transitional period when all conditions for credible elections would be put in place. More than two years after the OPA, it is impossible to know when the presidential election will be organised and in what political and security conditions they may take place. It is also impossible to know whether the elections will be an essential step in the return of durable peace or they will open a new period of political violence and instability that could degenerate in the medium term into a fresh rebellion.

⁶⁵ FRIDE interviews, Abidjan November 2008.

⁶⁶ Ibid.

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The UN peacekeeping mission has been on the ground since mid-2004. Main military hostilities were over when UNOCI deployed its troops. It was there to assist a Government of National Reconciliation in the implementation of the comprehensive Linas-Marcoussis Peace Agreement, including by monitoring the ceasefire, helping to build confidence between the belligerents, protecting civilians in imminent danger of physical violence if and when it could, assisting in the DDR programme, the reunification of the country and the organisation of free and fair elections. The mandate defined by the Security Council for UNOCI was broad in terms of the areas to be covered. But it was also limited in the sense that the mission was to 'assist' the Ivorian government in almost all areas. Almost everything depended on the space given by the government and, ultimately, on internal politics.

The peacekeeping mission was constrained internally by the contradiction between the political interests of the president and the programme of the Government of National Reconciliation defined by the Linas-Marcoussis Agreement. The conditions of the negotiations that led to the LMA and the formation of the Government of National Reconciliation in 2003 have had a profound and durable impact on the evolution of the peace process. UNOCI found itself in a situation where both armed parties had no interest in respecting the peace accords, including the president who maintained his authority over the regular armed forces and his constitutional legitimacy, at least until October 2005. For a UN peacekeeping mission to have had some chance of accomplishing its mandate in such internal political context, it would have needed considerable resources in terms of troops, civilian police and deterrent capacity in general, as well as an unequivocal and sustained political support of an anonymous Security Council.

UNOCI was also constrained externally by the early involvement of France, which played the roles of former colonial power, controversial peace-broker of the LMA, first foreign military actor on the ground, and permanent member of the Security Council. French quick military intervention was certainly decisive in halting the civil war and thus saving lives, but the French diplomatic way of handling the dossier failed to provide sufficient motives for a large international support, including from other members of the Security Council, for a robust peacekeeping mission ready to defend itself and its mandate. Ivorian actors took full advantage of the reluctance of the Council to exert real pressures on those who were obstructing the peace process and even committing or encouraging serious human rights violations. UNOCI's presence was positive and continues to be so in contributing to a peaceful environment, but it has never been in a position to have a strong impact on the evolution and pace of the peace process. The signing of the Ouagadougou Agreement was expected to offer an exit way for the UN peacekeeping operation and the Security Council. However, as long as elections are not organised, it will be difficult for the Council to decide on the departure of UNOCI. The mission may be long and costly. It still has the responsibility of making sure that it does not simply delay the civil war before leaving the country.