

INTERNATIONAL
CATALAN
INSTITUTE

FOR PEACE

GRAN VIA, 658 BAIX. 08010 BARCELONA
T. +34 93 554 42 70 | F. +34 93 554 42 80
ICIP@GENCAT.CAT | WWW.ICIP.CAT

ICIP WORKING PAPERS:
2009/3

Elections in 2009? Progress and obstacles in the construction of peace in the Ivory Coast

Albert Caramés

INSTITUT
CATALÀ
INTERNACIONAL

PER LA PAU

Elections in 2009? Progress and obstacles in the construction of peace in the Ivory Coast

Albert Caramés

Collaborator of ICIP now in the Ivory Coast. Member of the School for a Culture of Peace until July of 2009

albert.carames@gmail.com

Text commissioned by the International Catalan Institute for Peace as a working tool for a future electoral observation mission seeking the peacebuilding in the Ivory Coast.

**International Catalan Institute for Peace
Barcelona, novembre 2009**

2.nd edition: april 2010

© 2009 Institut Català Internacional per la Pau

Gran Via, 658, baix. 08010 Barcelona (Spain)

T. 93 554 42 70 | F. 93 554 42 80

recerca.icip@gencat.cat | www.icip.cat

Editors

Javier Alcalde and Rafael Grasa

Editorial Board

Pablo Aguiar, Alfons Barceló, Catherine Charrett, Gema Collantes,
Caterina Garcia, Abel Escribà, Vicenç Fisas, Tica Font, Antoni Pigrau,
Xavier Pons, Alejandro Pozo, Mònica Sabata, Jaume Saura, Antoni
Segura and Josep Maria Terricabras

Traduction

Luke Moreland

Text Correction

Àtona, SL

Graphic Design

Cla-se

ISSN

2013.5793 (on line edition)

2013.5785 (paper edition)

DL

All rights reserved

ABSTRACT (CAS):

Tres meses de conflicto armado en Côte d'Ivoire¹ en 2002 acabaron con la división del país en dos regiones, separadas por una línea de separación controlada por las francesas Forces Licorne. El proceso de paz se alargó en el tiempo y se caracterizó por una falta de confianza mutua y por la inmovilidad política. Estos hechos desembocaron en una situación de *impasse* y en la permanencia de Laurent Gbagbo en la presidencia del país. Además, los diferentes acuerdos políticos no ayudaron al proceso de construcción de paz, ya que no trataban algunos de los problemas principales del país, como la propiedad de las tierras y la identidad. Este documento de trabajo aspira, en primer lugar, a analizar los hechos principales y las causas que originaron el conflicto desde el golpe de estado de 2002. En segundo lugar, el documento analiza el proceso de paz y señala los elementos clave del Acuerdo de Paz de Ouagadougou (2007): la creación de una estructura de fuerzas armadas nueva y única, así como la identificación de la población y la convocatoria de elecciones. El objetivo principal es proporcionar una herramienta de trabajo al Institut Català Internacional per la Pau (ICIP) para enviar una futura comisión de observación electoral a este país africano.

Palabras clave: crisis, acuerdo de paz, fuerzas armadas, reintegración, elecciones, identificación.

ABSTRACT (CAT):

Tres mesos de conflicte armat a Côte d'Ivoire² durant el 2002 acabaren amb la divisió del país en dues regions, separades per una línia d'interposició controlada per les franceses *Forces Licorne*. El procés de pau es perllongà

1. En castellano, Costa de Marfil. El nombre francés, Côte d'Ivoire, sin embargo, es el único nombre oficial del país.

2. In Catalan, Costa d'Ivori. The French name, Côte d'Ivoire, however, is the only official name of the country.

en el temps i es caracteritzà per una manca de confiança mútua i per una immobilitat política. Aquests fets desembocaren en una situació d'*impasse* i en la permanència de Laurent Gbagbo a la presidència del país. A més, els diferents acords polítics no ajudaren el procés de construcció de pau, ja que no encaraven alguns dels problemes principals del país, com ara la propietat de les terres i els assumptes d'identitat. Aquest document de treball aspira, en primer lloc, a analitzar els fets principals i les causes que originaren el conflicte des del cop d'estat del 2002. En segon lloc, el document analitza el procés de pau i assenjala els elements clau de l'Acord de Pau d'Ouagadougou (2007): la creació d'una estructura de forces armades nova i única, així com la identificació de la població i la realització d'un procés electoral. L'objectiu principal és proporcionar una eina de treball a l'Institut Català Internacional per la Pau (ICIP) per enviar una futura missió d'observació electoral a aquest país africà.

Paraules clau: crisi, acord de pau, forces armades, reintegració, eleccions, identificació.

ABSTRACT (FRA):

Trois mois de conflit armé en Côte d'Ivoire pendant l'année 2002 finirent par provoquer la division du pays en deux régions, séparées par une ligne d'interposition contrôlée par les Forces Licorne françaises. Le processus de paix se prolongea dans le temps, caractérisé par un manque de confiance mutuelle et une immobilité politique. Ces faits ont débouché sur une situation d'*impasse* et la permanence de Laurent Gbagbo à la présidence du pays. De plus, les différents accords politiques n'aiderent pas le processus de construction de la paix, puisqu'ils n'abordaient pas certains problèmes principaux du pays, comme par exemple la propriété des terres et les sujets concernant l'identité. Ce document de travail aspire, tout d'abord, à analyser les faits principaux et les causes qui provoquèrent le conflit à partir du coup d'état de 2002. En deuxième lieu, le document analyse le processus de

paix et signale les éléments clé de l'Accord de Paix d'Ouagadougou (2007) : la création d'une nouvelle et unique structure des forces armées, ainsi que l'identification de la population et la réalisation d'un processus électoral. L'objectif principal est de fournir un outil de travail à l'Institut Catalan International pour la Paix (ICIP) afin d'envoyer une future mission d'observation électorale dans ce pays africain.

ABSTRACT (ENG):

In 2002 in the Ivory Coast³ three months of armed conflict ended with the division of the country. Two regions were separated by an interposition line controlled by the French *Forces Licorne*. This significant peace process was maintained over time, but characterized for lack of mutual confidence and political immobility, which led to an impasse and the continuation of Laurent Gbagbo in the presidency. Moreover, the peace building process was less successful because the different political agreements failed to address some of the main national problems, such as land property and identity issues. The following paper aims first to analyze the main facts and causes that instigated the conflict since the coup d'état in 2002. Secondly, the paper will analyze the peace process and point out the key elements of the Ouagadougou Peace Agreement (2007): the creation of a new and unique armed forces structure, as well as the identification of the population and implementation of an electoral process. The main goal is to provide the International Catalan Institute for Peace (ICIP) a working tool in order to send an electoral observation mission to this African country by November 2009.

Key words: crisis, peace agreement, armed forces, reintegration, elections, identification.

3. Although known as the Ivory Coast in English, the French name, the Ivory Coast, is the only official name of the country.

CONTENTS:

ACRONYMS

1. INTRODUCTION
 2. THE «CRISIS» IN THE IVORY COAST
 - 2.1. CAUSES OF THE «CRISIS»
 - 2.2. EVOLUTION OF THE «CRISIS»
 3. THE PEACE PROCESS IN THE IVORY COAST:
FROM LINAS-MARCOUSSIS TO OUAGADOUGOU
 - 3.1. CHRONOLOGY OF THE EXIT FROM THE CRISIS
 - 3.2. KEY ACTORS FOR THE EXIT FROM THE CRISIS
 4. THE AGREEMENT OF OUAGADOUGOU UNDER CLOSER EXAMINATION:
FROM TALK TO ACTION
 - 4.1. MAKING A NEW ARMED FORCES
 - 4.1.1. DESIGN OF THE PROCESS
 - 4.1.2. EVOLUTION OF THE PROCESS OF DDR
 - 4.2. PEACEFUL AND TRANSPARENT ELECTIONS IN THE IVORY COAST?
 - 4.2.1. TECHNICAL CHALLENGES
 - 4.2.2. POLITICAL PERSPECTIVES
 5. CONCLUSIONS
- ANNEX I. PEACE AGREEMENT OF LINAS-MARCOUSSIS (2003)
- ANNEX II. PEACE AGREEMENT OF OUAGADOUGOU (2007)
- ANNEX III. MAP OF THE IVORY COAST

ACRONYMS

APO: Peace Agreement of Ouagadougou

WB: World Bank

CCI: Integrated Command Center

CEI: Independent Electoral Commission

CNDDR: National Commission for DDR

CNSI: National Commission for the Supervision of Identification

DDR: Disarmament, Demobilization, and Reintegration

DDM: Disarmament and Dismantling of the Militias

IHL: International Humanitarian Law

ECOWAS: Economic Community of West African States

U.S.: United States

FAFN: Armed Forces of New Forces

FANCI: National Armed Forces of the Ivory Coast

FDS: Defense and Security Forces

IMF: International Monetary Fund

FN: New Forces

FPI: Ivoirian Popular Front

GTZ: German Technical Cooperation

HRW: Human Rights Watch

ICG: International Crisis Group

ICIP: International Catalan Institute for Peace

INS: National Institute of Statistics

LIDHO: Ivoirian Human Rights League

MFA: Movement of the Forces of the Future

MJP: Movement for Justice and Peace

MPIGO: Movement of the Ivory Coast of the Great West

OCHA: Office for the Coordination of Human Affairs

NGO: Non-Governmental Organization

UN: United Nations

ONI: National Identification Office

ONUCI: United Nations Mission in the Ivory Coast

PDCI: Democratic Party of the Ivory Coast

NPRCR: National Program of Reinsertion and Community Rehabilitation

RDHP: The Rally of Houphouetists for Democracy and Peace

RDR: The Rally of the Republicans

EU: European Union

UNMIL: United Nations Mission in Liberia

MPCI: The Ivory Coast Patriotic Movement

1. INTRODUCTION

The Ivory Coast is a country located in the region of Western Africa with a surface area of about 322,000 km² and a border with Ghana, Liberia, Mali, Guinea, and Burkina Faso. Its population is 18.4 million inhabitants, 46% of which are in urban zones and with more than eight nationalities in the region. The life expectancy does not surpass 46 years. Its historical trajectory has been marked by its indigenous populations, the migrations caused by the period of colonization, and immigration during the period of liberation (Akindes 2007, 12).

After its period as a French colony since 1893, the Ivory Coast experienced the process of independence on the 7th of August 1960 and adopted its own Constitution in November of the same year. This constitutional text was based on a presidential regime, theoretically recognizing the plurality of parties and the separation of the three powers. In spite of this supposed plurality, the Ivoirian political stage was dominated from 1960 to 1993 by the president Félix Houphouët-Boigny. He exercised an authoritarian power and neo patrimonialism (Diarra 1997, 23) that was known as the «houphouetist compromise», an exercise of «engineering» based on the politics of opening to the outside while paternalistically managing the country's social diversity according to the president's own interests (Médard 1982, 14).

Although the Ivory Coast was recognized after independence as «the African Miracle» for the prosperity and political stability that it attained during the sixties and seventies, the country erupted in episodes of armed violence when the economic crisis strongly damaged the foundations of a regime built on the big profits of exporting cocoa (School for a Culture of Peace 2008, 8). The eighties were marked by a decline of public finances and by the so called «crisis of the cocoa», culminating in a series of protests in the second half of the decade that requested an opening of the regime and an acceptance of political pluralism. As a result, underground political groups emerged such as the *Ivoirian Popular Front* (FPI) and *the Rally of*

the Republicans (RDR) that in 1990 achieved the goal of democratic openness (School for a Culture of Peace 2008, 8).

After the death of Boigny in 1993 the rise to power of his right hand man, the former president of the Parliament, Henri Konan Bédié (with Alassane Dramane Ouattara as Prime Minister), accentuated the feeling of offense among the population. The inhabitants of the Ivory Coast became further divided along ethnic lines and organized political parties around their ethnicity. The central conflict was that the ethnic group, Baoulé (which the country's two previous heads of state belonged to), was the only group that had controlled power since 1960.

From then on began the period of greatest political instability that led to another crisis after a coup d'état in September 2002. Three months of armed conflict divided the country in two parts, north and south, separated by a peace line dominated by the French Forces Licorne. The name describes the military operation of the French armed forces (force of fast reaction) that was initiated with the events of September 2002, and also joined with the United Nations Mission in the Ivory Coast (ONUCI). In the most decisive moments of the crisis they had as many as five thousand contingents, although at present, after the dissolution of the peace line, they only count nine hundred and fifty members in the capital, Abidjan.

The lack of political will on the part of the president as well as the New Forces (FN) led to an impasse that postponed the elections longed for during many years, leading to a situation of political stagnation with the perpetuation of Laurent Gbagbo in power. The political agreements reached afterwards for the implementation of the peace agreement of Linas-Marcoussis (Agreements of Accra I, II, and III in March of 2003 and July of 2004, and Pretoria in April and June 2005) amounted to little. The successive resolutions of the UN Security Council indicating new strategies to unblock the process also did not accomplish anything substantial. Many of these documents focused on the dismantling of the militias, the beginning of the process of disarmament, and the adoption of legislative reforms, whereas the resolutions of the United Nations marked the creation of an

International Work Group to control the peace process (Akindes 2007, 9; School of a Culture of Peace 2008, 8).

The present document intends to analyze the main events from the coup d'état of 2002 up to the present, just before the celebration of presidential elections. First, the main facts and causes that led to the crisis will be noted. Second, the paper will provide a balanced analysis of the process of peace that followed. And the following section will include a detailed examination of the main points necessary for complying with the Peace Agreement of Ouagadougou (formation of new armed forces, process of identification, and elections). In this way, the paper will establish a comparison between the theoretical design and the reality on the ground in the Ivory Coast. Finally, the principal points discussed will inform a section of conclusions. Also featured in this document are the cross-sectional elements that have not been discussed enough in the process of exiting the crisis (and that, consequently, do not appear in the different peace agreements), but that contribute to the construction of peace in the country.

The goal of this work is to endow the International Catalan Institute for Peace (ICIP) with a tool to assist in building and sending an electoral observation mission to the presidential elections in the Ivory Coast, foreseen for the 29th of November 2009 but already delayed till an unspecified date after the first half of 2010. Also, experiencing firsthand the situations treated in the peace agreement will serve to explore the contributions that this institute can do for the construction of peace in this country.

2. THE «CRISIS» IN THE IVORY COAST

The increasing political and economic instability from the nineties led to a period of «crisis», named as such for the short duration of the acute phase of armed conflict, which prevents it from being categorized as war. This section intends to account for the causes, the chronology, and the consequences of this period.

2.1. CAUSES OF THE «CRISIS»

The diagnosis of the causes of the conflict is determined first by the position of the actor that perceives it and then from the different understandings generated about the conflict. The international community sees a dispute between a country divided in two: the north mainly of Muslim religion and a Catholic south (Basset 2003, 5). This confrontation of a religious nature has generated prejudices against the Diola ethnicity who are accused of being violent unlike other ethnic groups, and also being the instrument for the former French colonizers to legitimize their presence in the country (Akindes 2007, 31).

From an internal point of view from the southwest and midwest of the country, the conflict was driven by an attempt from the north to illegally access the power in the west of the country, the richest in resources, and which had been privatized and confiscated by the ethnic group, Akan (Akindes 2007, 32). From the center, south, and east of the country their perception was rooted in the fact that the Akan themselves had valued the transfer of power of the general Robert Guéï to Laurent Gbagbo as a simple continuity of the same management (Akindes 2007, 32).

The introduction of discriminatory laws that favored those considered nationals, and the wave of exaltation of the *ivoirité* that the former president Bédié initiated, sowed the seeds of what later would end up being a period of «crisis». During this period a stereotype grew that the people from

the north, generally of Muslim faith and of ethnic groups that had as a common language the Diola (shared with Burkina Faso, Mali, Guinea), were actually foreign; whereas the people of cultures of Christian confession and the majorities in the south were classified as authentic Ivoirian. This stereotype combined with the perception that the villages of the north occupied land that did not belong to them, initiated a wave of violence at the end of the nineties that the Government did not try to contain (School for a Culture of Peace 2008, 8).

More concretely, the introduction of different laws from the end of the nineties contributed to this situation. First, the law of property of the land (*code foncier*) of 1998 stands out. The country being predominantly agricultural, the production and the commercialization of its main products (coffee, cocoa, etc.) was one of its principal sources of wealth. However, the country lacked a judicial system of properties beyond the traditional system of each ethnic group, to regulate the territorial market in the rural area. The law of 1998 permitted the clarification of the territorial situation, as well as transforming the rights of use of the land.

In this way the government obtained the law of properties and the re-introduction of spaces of negotiation of land that had never been defined in contracts between their owner and their «exploiters». The issue was ignited when it was observed that from this law it was specified that the non-Ivoirian agricultural exploiters did not have right to the property of the lands. Therefore, a source of conflict originated between the indigenous population and the non-Ivoirian emigrants that brought into play the structural causes of nationality and identity (Kouman 1999, 33).

Linked to the territorial taxes and the taxes on the lands, this significant law was related to nationality. This has turned into an increasingly sensitive problem especially if it is taken into account that it is a country that has suffered important migratory flows from its independence. Thus, there is a latent conflict between those that are considered as really Ivoirian and those who are not and this has created tensions in different areas, such as in the electoral arena where the identifying process has not yet been clarified. Likewise, social cohesion has been seriously damaged because of several is-

sues including the bad administrative practices on the rights of the citizen, the uncertainty and the slowness of the process of identification of the population of the north, and the police extortion in areas such as the delivery of the identity cards (Akindes 2007, 33).

Another trigger of the climate of tension in the country was set off by the Constitution of 2000. This constitution specified that the president had to be Ivoirian of origin with Ivoirian parents and should never have possessed another nationality. Thus, it denies any possibility to have a double nationality, as might be the case of Alassane Ouattara, the ex prime minister, of Burkina Faso origin. The constitution discriminated against certain sociopolitical backgrounds established in the coup d'état of 1999 (Akindes 2007, 33).

Aside from the tension created by the constitution, it is possible to analyze certain structural causes. Principally, the four different programs of structural adjustment that the country endured modified the distribution of resources in several important ways. Because of the privatizations and the shutdown of public businesses during the nineties, the state reduced recruitments for the public administration and also froze salaries. These structural adjustments generated an increase in unemployment, particularly among the youngest active population (Akindes 2007, 37). Moreover, the private sector also could not absorb the new demands for employment. Figures show a high increase of the poverty index with time, a clear factor triggering outbursts of armed violence (Akindes 2007, 36).

One may also note in terms of the economy how the deforestation problem linked to economic policies supporting agriculture for export created tension in the country. The fall during the eighties of the commercialization of coffee and of cocoa started to put in serious doubt the model of extensive agriculture that dominated the country and it eventually became a sector of clear economic decline (Akindes 2007, 37).

Consequently, the constitutive elements of identity, such as ethnic group, religion or region, became the basis for the conquest of state power through the promotion of one's own interest and self-image and the disqualification of the identity of their opponents (Akindes 2007, 39). A good

example is how the armed force has often been exploited according to the context and the needs of the government. Other important aspects to consider include the acts of impunity perpetrated alongside a weak judicial system (stoning, violence against the students, destruction of private and public goods, extrajudicial executions, etc.), the exploitation of the media among the different political alliances, the weakness of civil society organizations as sources of opposition and alternatives, and the exploitation of different religions on the part of those alliances mentioned above. In short, the formation of distinct political identities led to the construction of an environment in which Ivoirians only interact with similar ethnic groups and avoid and distrust other groups (Akindes 2007, 47).

The different regional disputes that have occurred over the territories are also vital to understanding the conflict. Examples of territorial disputes include the conflicts over the protected areas, the fight for the obtaining of forest or aquiferous resources, the conflicts of community leadership, or the tensions of communal life (Akindes 2007, 59). All in all, it is not only a matter of looking for the most effective resolution to the claims made among the disputing sides, but analyzing and confronting the different structural causes in a detailed and thorough way.

2.2. EVOLUTION OF THE «CRISIS»

In 1999, the general Robert Guéï led a coup d'état in the midst of a crisis created from the houphouetist legacy, putting an end to 39 years of domination of the party of Boigny and Bedié, the PDCI-RDA. The coup broke the existing stability built from strategic alliances that were based on the routine transfer of resources. Güei created a government of national unity that was joined by the Ivoirian Popular Front (FPI) of the current President Laurent Gbagbo and The Rally of the Republicans (RDR) of Alassane Ouattara. At first the regime set up a system that seemed to be more egalitarian (Cohen 1973, 24). The opportunity of initiating a process of decentralization was considered likely since the mid-eighties but was eventually lost, squander-

ing a promising possibility for the country's economic recuperation (Akindes 2007, 24).

The elections of 2000 went to Laurent Gbagbo in spite of the massive fraud perpetrated by Guéï. Strong disturbances and demonstrations in the main cities occurred when Güei attributed the victory to himself. The results that were made public later granted the victory to Gbagbo, which did not prevent them from being contested by those who did not feel represented by the elections. The dynamics of violence as the means to obtain power had started in the Ivory Coast. The new government, which initiated a purge of the sectors of the army considered close to the coup general (military elites of the west of the country) and those considered as not loyal to the regime (the soldiers of the north), could not prevent a new rebellion two years later that intended to take power away from the new president (School for a Culture of Peace 2008, 8).

A crucial and triggering inflection point of the «crisis» can be identified on the night of the 18th to the 19th of September 2002 when an armed rebellion initiated a political paralysis in the main cities of the country (Abidjan, Bouaké and Korhogo), and transformed into a military coup d'état. They were an organization that had been grouped together and trained in Burkina Faso although it is difficult to specify the level of implication of the neighboring government in their training and financing (Akindes 2007, 9).

Although they did not achieve their goal to bring down the Government, they got control of the north of the country and laid down the region's main demands requesting the dismissal of Gbagbo, the modification of the Constitution, and the practice of inclusive elections. During the attack on the capital the former coup general, Robert Guéï, was assassinated, which led to the raising of opposing armed groups armed in the west that according to different information Guéï himself had formed and financed: the Movement for Justice and Peace (MJP) and the Movement of the Ivory Coast of the Great West (MPIGO). These groups in November of that same year took up the main western cities demanding the resignation of Gbagbo.

The political consequence of the crisis was the partition of the country in two with a regrouping of the insurgent soldiers in the north to be organized

in commandos so as to operate in the different localities and consolidate their presence. They also challenged the power in the capital, which suffered an important crisis of authority: the public services had to be totally decreased, registrations of the civil state were diminished, and legal records were destroyed. Consequently, the social and political life of the country was militarized since many other sectors (marginalized youth, unemployed students, young soldiers, etc.) could enlarge the ranks of the different armed groups. In addition, there was a systematization of the violence and massive violations of human rights. Other significant consequences were the breach of social connections, the loss of authority of the state, the deterioration of the socioeconomic infrastructures and the living conditions of the villages, and the forced displacements (figures of the OCHA estimate there are about seven hundred thousand displaced citizens within the country) (Akindes 2007, 8).

3. THE PEACE PROCESS IN THE IVORY COAST: FROM LINAS-MARCOUSSIS TO OUAGADOUGOU

The peace process has had an excessively long duration in comparison to the short duration of the «crisis», in part because of the noncompliance with the different signed agreements due to the lack of confidence among the signing parties. The groups' noncompliance is based on the imposition of their own demands and needs, rather than addressing the structural problems enumerated in the previous section. However, aspects such as identity and nationality occupy a central space in the discussions.

3.1. CHRONOLOGY OF THE EXIT FROM THE CRISIS

Days after the coup d'état of September of 2002, Gabon made a call to initiate a dialogue between the disputing parties, while the African organization ECOWAS organized a summit in Ghana to try to resolve the situation. In October of the same year, the Government accepted the peace plan suggested by ECOWAS and the beginning of a ceasefire, and soon afterwards, peace talks in Togo began with the mediation of their president. An agreement of cessation of hostilities was signed in Lome backed by the Senegalese Minister of Foreign Affairs. Mainly, the rebel groups claimed a general amnesty as condition for their disarmament and demobilization. It would be the first of a long list of meetings among the protagonists of the crisis.

Later, France would start to be implicated in the dynamics of the resolution of the crisis, drawing on all the political forces, as well as the FN, to the round table of Linas-Marcoussis in January 2003. There, put on the table would be a series of aspects such as nationality, identity, the conditions of eligibility, the regime of territorial taxes, the media, the rights and freedoms of the human being, the disarmament and demobilization of the

ex combatants, and most fundamentally, economic growth (Akindes 2007, 24).

Finally on the 24th of February the peace agreement was signed. The main points of the agreement would be: the indivisibility of the country, the creation of a Government of national unity with representation of the armed groups, the election of a prime minister of consensus, the preparation of elections, the demobilization of the combatants, and the creation of unitary Armed Forces, where the FN integrated with the already existing government army. Even though all the attendants signed the agreement, Laurent Gbagbo felt betrayed by France since during the attempt of the coup d'état it had sent its troops to avoid the overthrow, but later, gave the same status in the negotiations to the democratically chosen Government and to the rebels (School for a Culture of Peace 2008b, 30).⁴

In August 2003, once the official end to the conflict was declared, a law of amnesty was approved. It applied to all the imprisoned members and for the members of the armed groups who had confronted the Government but that had not committed economic crimes or serious violations of the IHL and human rights.

Already in 2004, the UN Security Council approved the Resolution 1528, which created the Peacekeeping Mission in the Ivory Coast (ONUCI), with the mandate of observing the ceasefire of the armed groups, guaranteeing the implementation of a program of Disarmament, Demobilization, and Reintegration (DDR) of ex-combatants, and supporting the development of the peace process. However, the situation in the country was rife with instability, even though in August, the Agreements of Accra III were signed in Ghana to carry out political reforms and a new calendar of disarmament and demobilization. The Parliament also approved the naturalization of seven hundred thousand people, which allowed the main leader of the opposition, Alassane Ouattara, the possibility to participate in the elections (School for a Culture of Peace 2008b, 30).

At the beginning of 2005, a situation of instability and mistrust persist-

4. See Annex 1.

ed among the FN and the president of the government. The armed groups that integrated in the FN accused Gbagbo of not complying with the agreements that brought the construction of a Government of Unity and National Reconciliation, and they refused to participate in a plebiscite on the reform of the constitution and the electoral participation of immigrant people, which would allow Alassane Ouattara to run in the elections (School for a Culture of Peace 2008b, 30).

After several months of tension in April 2005 a new ceasefire agreement was signed in Pretoria (South Africa) between the Government and the FN, after some negotiations facilitated by the South African president, Thabo Mbeki. This agreement also dealt with the disarmament and dismantling of the progovernmental militias and of the FN. It would be the third agreement signed among the parties since 2002.

Later, the general situation deteriorated notably after the continuous delays in the initial process of demobilization of the FN (for political motivations as well as lack of funds). Moreover, this same coalition rejected the mediation carried out by South Africa and instead wanted outside replacement by ECOWAS and the AU. To further aggravate the situation, the lack of collaboration of leaders and political parties in the constitution of the electoral commission prevented carrying out the elections on the planned date. The president Gbagbo did not accept that the peace process was in the hands of ECOWAS, as he considered that some of the member countries had been involved in the «crisis» initiated in September of 2002. The South African mediating team also threatened that they would demand from the Security Council of the UN the imposition of sanctions to those parts that tried to block the peace process.

In the face of this complex situation, at the end of September, the AU explored the possibility of calling a summit of heads of state to tackle, exclusively, the situation of the country. In the last months of 2005, the Security Council of the UN supported this effort in order to allow Gbagbo to remain one more year in his position, while the conditions were prepared to have elections. In November of the same year, the International Work Group, created to propel the peace process and formed by the AU, ECOWAS, the EU,

France, and the US, was brought together to establish an electoral calendar and suggested the nomination of a new Prime Minister: Charles Konan Banny, until then the governor of the Central Bank of Western Africa. He had the difficult task of disarming all the groups before the term of a year.

The difficult peace process was complicated during 2006 by several factors: first, the attacks of the pro-governmental militias, the Young Patriots, against the different headquarters of the United Nations; second, the deployment of the UNMIL on the border with Liberia; third, the threats of another pro-governmental militia (Greater West Liberation Front); fourth, the questioning of the pacification work carried out by the ONUCI during the last three years; and fifth, the criticisms from some sectors that the International Work Group tried to mediate the conflict as an instrument directed by France.

Already in 2007, after a continuous blocking of the peace process, the president Gbagbo took the initiative of establishing a direct dialogue with the FN, a process sustained by the international community and backed by the government of Burkina Faso. These were the first conversations that took place exclusively between the two main actors of the armed conflict since it began in 2002.

The leader of the FN, Guillaume Soro, met the new Prime Minister, C. K. Banny, in the city of Yamoussoukro where they agreed to redouble the efforts for the implementation of the process of identification, demobilization, and reintegration in a process of restructuring of the Armed Forces. ECOWAS offered as a mediator their newly chosen President, Blaise Compaoré, head of the Burkinabe Executive.

The first meetings were carried out separately with representatives of both leaders listening to their proposals with the aim of finding a preliminary point of commonality so the meeting could take place between both leaders. Alongside this process, the leader of the Young Patriots, Charles Blé Goudé, close to the presidential party FPI, started a national campaign for peace with a new message with which he called on the Ivoirians to renounce the violence and to work to achieve social cohesion (School for a Culture of Peace 2008, 11). As a result, in February there began in Burkina Faso the

exploratory dialogue that led to the arrangement of a direct meeting between Laurent Gbagbo and Guillaume Soro.

Both leaders signed the Peace Agreement of Ouagadougou (APO) on the 4th of March 2007. The new agreement stipulated the creation of a new transitional Government in the following five weeks with an egalitarian distribution of power, a joint military command that managed to unify the Armed Forces and the FN, a calendar for the processes of disarmament, the registration of the population, and the establishment of an electoral process. Moreover, both sides agreed to the disappearance of the peace line controlled by the ONUCI and the French Forces Licorne that divides the north and south of the country. In the agreement it was stipulated that the withdrawal of the troops of peace maintenance from the peace line would be reduced gradually. They would be replaced with an impartial force with posts of surveillance that favor the free circulation of people and merchandise through all the Ivoirian territory.

On the other hand, in the APO the signing parties committed to establishing a new law of amnesty that covers the period between the outburst of the conflict (19th of September 2002) and the date of enforcement of the present agreement. Excluded are crimes of war, crimes against humanity, and economic crimes. Equally, it stipulated the creation of an organ tracking the implementation of the agreement, in addition to an organ for the permanent dialogue with the groups of opposition.⁵

With the signature of the APO it opened a new stage of rebalancing among the political forces of the country. The offering of a direct dialogue and its success created at first a new balance, situating Laurent Gbagbo and Guillaume Soro on one side and the rest of the opposing political parties, which previously were part of the G-7 alliance, on the other side.⁶ This was reflected in the new restructuring and in the distribution of ministries in the Government of national unity, adjudicating the most strategic positions in the executive to members of the FPI and of the FN, although members of

5. See Annex II.

6. The G-7 is an Alliance of the principal opposing parties: PDCI, RDR, UPDCI y MFA; with the three armed groups that belong to the New Forces: MPIGO, MPPI, MPJ.

other parties, such as the RDR, also occupied positions in a new transitional government of concentration. The nomination of Soro as prime minister confirmed the beginning of this new stage in the history of the peace process (School for a Culture of Peace 2008, 12).

Thus, two years after the signature of the APO the situation was still diffuse and incomplete. The deployment of the state through all the territory is not functioning as planned: although the suppression of the peace line between both parties seemed a good preliminary point, the confidence between both parties still is lacking. In the north, the region controlled by the FN was divided up into ten areas, each of them directed by a commander that works as a military governor, which came to be known as the *com'zones*. In these regions money is still taken for tolls on highways and in the border areas, which encourages the desire to maintain power and not wanting to be replaced with the planned structure of the prefectures. Although the ceremony of founding of these prefectures has been carried out, it is the old *com'zones* that still exert power, for the alternative should be the disarmament of the FN (ICG 2009, 12).

As for the south, the state works chaotically worsened by the context of the economic world crisis that has affected the production of cocoa, for example, registering a drop of 35% from its production of a year earlier. A rigorous management of public affairs has not taken place and the presidency is only in charge of the electoral arena. The office of the prime minister is seen as having a very weak structure, formed by a group of young people who are completely nullified in the event of the absence of Guillaume Soro. All in all, it was reported that the members of the government work for the interests of their political party more than for the general interest (ICG 2009, 12).

3.2. KEY ACTORS FOR THE EXIT FROM THE CRISIS

The signature of the APO has returned the reins of the process to the Ivorian actors, reducing the profile of the United Nations and its mission deployed for maintaining peace. However, the role of the international com-

munity, led by France, is still difficult to discern. It is important to identify the role of the main actors and parties in all parts of the process.

First, the creator of the direct dialogue that led to the signature of the APO, Laurent Gbagbo, has known how to preserve his position and his interests in the Ivoirian political game. The president has remained impassive in the face of all the attempts of the international organs, materialized in resolutions of the Security Council of the UN, to reduce his executive powers in order to unblock the peace process. On repeated occasions Gbagbo has appeared reluctant to embrace the development of the processes of identification of the population, refusing to accept that they take place when the demobilization of the rebel combatants has not been carried out. Also, he has refused to comply with what has been stipulated in the peace agreements, the cessation of part of the executive power to the prime minister, with the aim of maintaining himself in the best position in the electoral race (School for a Culture of Peace 2008, 12).

With respect to his party, the FPI has always played a strategic role for the president. On many occasions Gbagbo has resorted to the use of the discourse of his nearest collaborators (among them his wife Simone Gbagbo, a very influential person for her husband and the party, and the president of the party Pascal Affi N'Guessan) to spread the most inflammatory messages and to maintain an irreproachable image for being open to dialogue and for peace.

The role that the Young Patriots could play in the peace process is still uncertain, although the perceptions are generally negative. This pro-governmental militia that for years supported the president Gbagbo and that promoted the use of violence (when it was not directly attacking members of the opposition or expelling the representatives of United Nations from the country, for example), continues harassing the opposing leaders and their followers. These activities led the Security Council to adopt sanctions against its most prominent members in 2006, Charles Blé Goudé and Eugène Djoué, forbidding their leaving the national territory and freezing their accounts abroad.⁷ However, their main leader Charles Blé Goudé was

7. Resolution 1572 of the Security Council of the UN of 2004. S/RES/1727 (2006).

named Ambassador of the Peace with the function of spreading the message of reconciliation through all the Ivoirian territory (School for a Culture of Peace 2008, 11).

On the other hand, the arrival of Guillaume Soro in the post of prime minister not only meant a symbolic act through which Gbagbo recognizes his former competitor, but also that it represents the will of having a shared responsibility around the future of the peace process. In this sense, the skills of Soro are central for the development of the agreements, especially concerning the demobilization of the armed groups (the New Forces as well as the militias) and the process of identification (determining the technical operator and taking charge of the financing of the process). Soro will not be able to maintain his position once the elections are arranged since the agreement of Ouagadougou stipulates it, and secondly, because he does not comply with the requirements of minimum age set in the constitution for candidacy for the presidency. In summary, the strategy Soro will follow to preserve his capacity of influence on the future of the country after the elections is still an open question. However, it has been confirmed that his positioning has been contrary to that of Gbagbo: first, the identification issue, and second, the demobilization issue, a fact that seems to be the rule.

An equally important task is to understand the role of opposition parties, who might be the new competitors of the FPI, starting with the PDCI. This party is managed by the successor of the president of independence Félix Houphouët-Boigny, Henri Konan Bédié, one of the main political leaders who aspire to occupy the presidency. He has his main support in the south but also in some regions of the east of the country, the region he comes from, especially among the populations of the ethnic group, Akan. At first he was shown criticizing the APO and he insisted on the existence of a secret pact between their two signatories. Moreover, a few months after their signature, he considered the agreement as a failure and showed publicly his disagreements with the prime minister as well as with the president, questioning the legitimacy of the government.

For their part, the RDR represents the aspirations of the population of the north that expects to obtain its share of power in the political framework

of the country. Directing them is a prime minister of the last government of Houphouët-Boigny, Alassane Dramane Ouattara. After his participation was vetoed in the last two presidential elections, nobody has opposed openly the candidacy of Ouattara for 2008, a symbol of the will of all the groups to finish the crisis.

In another arena, the civil organizations in the Ivory Coast have always been linked to the political parties and their criteria and independence at the time of making proposals has always been questioned. The practical nonexistence of independent well-defined movements makes it difficult for the civil society to be able to act as a counterweight to the political powers. However, we can identify some of the more distinguished proposals, like the one formulated by the Ivoirian League for Human Rights (LIDHO) that united more than one hundred fifty Ivoirian organizations in February 2008 and established an official statement of civil society with the aim of increasing the capacity of implementation of all the movements (School for a Culture of Peace 2008, 13). Thus, the takeover of this sector will be key for the process of constructing sustainable peace.

Finally, from the beginning of the crisis, the role of the international community started by taking a certain leadership of the process and only later moving to a second plan of support and certification that has been judged as excessively weak. The APO materialized the will of the Ivoirian political class by putting the international organs to a side and getting full control of the process. This situation, far from an obstacle, transformed into a new opportunity for the international community to affect the process without being first in line, and therefore, avoiding the blame for the failure of the new initiative if it did not do well (School for a Culture of Peace 2008, 13).

This way the international actors, especially the ONUCI, would have centered its strategies after the APO to accompany the process and support the initiatives of the signers of the agreement for their implementation. In the successive resolutions of the Security Council it would be agreed to maintain the Committee of sanctions and the Group of Experts for tracking the embargo of weapons and the implementation of sanctions. However,

this agreement also stipulated that the International Work Group and the Special Representative for the Elections would disappear. These two last positions would be compensated for with the creation of the international consultative organ that participates in the meetings of the Evaluation and Accompaniment Committee created by the APO. On the other hand, the Special Representative of the General Secretary would assume the tasks of certification of the electoral process, for which was created a license of support in the mission.⁸

Because the Ivory Coast was France's former colony, and also because of a wide diversity of commercial interests, France has become the greatest political exponent of peace in the country from the EU, and as a result, has been accused on numerous occasions of excessive interventionism. France's intervention in the country continues to be possible today. For example, the peace agreement of Linas-Marcoussis was signed because of the important pressure exerted by the French government, which contributed to its image of imposing peace and that gave legitimacy to the anticolonialist discourse of Gbagbo. However, France received with relief the news of the new agreement, especially in what concerned the disappearance of the peace line, which would allow France to reduce the number of troops in the land, even though they would continue supporting the Blue Helmets (School for a Culture of Peace 2008, 13).

The role played for the World Bank and the IMF however is very far from the *laissez-faire* politics developed in the last year by the United Nations. Their performance has been defined as demanding with the Ivorian authorities, because they urge complete transparency, practice efficient accounting, and require objectivity for decisions about injecting new money into the country. As the EU did, the World Bank committed itself to financing the process of identification and the reconstruction of censuses, but re-

8. According to the Resolution 1765 of the Security Council of the UN (16/07/2007), and the initiative of the Committee of Evaluation and Accompaniment, the International Consulting Organ was created, integrating the RESG, the resident coordinator of the PNUD and representative of the World Bank, the IMF, the EU, the AU, the African Bank of Development, the CE-DEAO, and France.

fused to contribute economically to the process of developing the national census, as well as the creation and delivery of documents of identity. The reason was an important lack of transparency to the formalities carried out up till now through the Prime Minister Office (School for a Culture of Peace 2008, 15).

As it happened with the fulfillment of the peace agreements, it has not been possible to find a unitary voice to give an effective exit from the «crisis». The process has been based on a lack of mutual confidence from those taking part in the peace agreements as well as those who are not, and the international community has taken a secondary role.

4. THE AGREEMENT OF OUAGADOUGOU UNDER CLOSER EXAMINATION: FROM TALK TO ACTION

Even though it should be questioned if they are the most relevant aspects for an effective and sustainable construction of peace in the Ivory Coast, there are three main areas that form the vertebral column of the APO: the formation of some unified armed forces, the processes of identification of the population, and the establishment of an electoral process. As will be corroborated, the last two areas are tightly linked, therefore it is inferred that there are two main axes that form this agreement. The present section intends to analyze the degree to which they have been fulfilled.

4.1. MAKING A NEW ARMED FORCES

Security is one of the axes that are addressed in the context of the construction of peace and at the beginning of the phase of post-war rehabilitation. It is because of that that one of the main premises that appears in the APO is the need to stabilize the situation of security. In doing so, the country will be able to carry out the successive processes of identification of the population and the accomplishment of the presidential elections that will initiate the process of exit from the «crisis». As it is conceived in this agreement, this stabilization requires a reform of the sector of security, which affects the FANCI, as well as the armed group of opposition FAFN, through a new process of Disarmament, Demobilization and Reintegration (DDR) of former combatants.

In the Ivoirian case, this process already has different predecessors, since it has been postponed several times for the political disagreements among the signing parties. At first, the program of DDR had been designed together with that of the identification of the population, so that they had to

Table 1. What are the programs of Disarmament, Demobilization and Reintegration (DDR)?

The program of Disarmament, Demobilization and Reintegration (DDR) of former combatants is understood as the process that contributes to security and stability for post-war recovery through several measures: first, the elimination of weapons in the hands of the combatants; second, taking combatants out of the military structures; third, helping them reintegrate socially and economically in the society; and fourth, helping them find civil ways of life (Integrated Work Group of United Nations on the DDR, 2006). This program is part of a wider commitment negotiated in the peace process in such areas as justice, the reform of the police system, restructuring of the Armed Forces, elections, and political change, etc. Therefore, the DDR has to be a component of a wider strategy of the construction of peace.

The process of DDR presents several different goals: to begin with, the contribution to the security and the stability of the context where people are acting; second, the reintegration of the former combatants into civil life; and third, establishing a favorable environment for beginning a postwar recovery and rehabilitation. Likewise, through these programs it is intended to restore the confidence between the confronted factions and the population in general, giving sustenance to the unrealized signed peace agreement. In this way, the programs help prevent or mitigate future violent conflicts, contribute to the national reconciliation, release human and financial resources, and share capital for reconstruction and development. That is to say that the programs will transfer the military expenses towards expenses of a more social character, such as health or education (Integrated Work Group of United Nations on the DDR, 2006).

A program of this type involves political, military, security, humanitarian, and socioeconomic factors. Besides, this type of program is usually framed in post-conflict contexts; therefore, all the relevant factors have to be added: the institutional weaknesses, the situation in a context of political transition, the democratic fragility, the problems of violence, the destruction of infrastructures, and the economic dependence on international cooperation.

With respect to practical applicability, during 2008, for example, fifteen programs of this type were confirmed in different continents: one of them in the Americas (Colombia-AUC), three in Asia (Afghanistan, Indonesia-Aceh and Nepal), and the eleven remaining ones in Africa (Angola, Burundi, Chad, the Ivory Coast, Eritrea, Liberia, R. Central African, Rep. of the Congo, Rwanda, Sudan and Uganda).

Source: School for a Culture of Peace 2008c, 5.

be carried out in a synchronized way. Whereas the FPI required the complete disarmament of the Armed Forces of New Forces (FAFN) prior to the elections, the FN held that they would deliver their weapons when the elections comply with the guarantees of transparency and participation. Later, another reason for paralysis of the process was the rejection of the National Armed Forces of the Ivory Coast (FANCI) to integrate in the same army with the FAFN.

More specifically, after the Agreement of Linas-Marcoussis, the FANCI as well as the armed groups of opposition initiated the process of DDR dismantling some checkpoints and delivering some of the heavy artillery, but the discrepancies between the Government and United Nations on the total economic cost of the program persisted. After a new period of negotiations to try to reinstate the process (at first, the program of DDR had to happen between the 14th of May and the 31st of July 2005), the conversations were suspended because of the demand of the FAFN that first the militias were disarmed in the west of the country as a condition to initiate the process of DDR with their combatants. After this unsuccessful attempt a new calendar was agreed on, although there was still uncertainty of how to deal with the requirement of the payment of about nine hundred sixty dollars for the reimbursement of many of former combatants, and it therefore had to be suspended (School for a Culture of Peace 2008, 19).

4.1.1. Design of the process

Concerning the program of DDR, the APO specified that the recommendations mentioned in the Agreement of Linas-Marcoussis still should be followed: the creation of a Joint Plan of Operations on DDR, the implementation of a National Program of DDR, and the acceleration of the process of Disarmament and Dismantling of the Militias (DDM) located in the west of the country. In December 2007 three new political agreements were approved that complemented what had been established in the APO and in which the creation of this center of combined operations was confirmed under the figure of the Center of Integrated Command (CCI). The CCI would be under the responsibility of the office of the prime minister, commanded

by the Head of the state of the FANCI and that of the FAFN. The main goals of the CCI consist in the design of a policy of defense and security, the starting of the National Program of DDR, the formation of the new Defense and Security Forces (FDS) and the protection and the free circulation of the people through all the national territory.

Unlike the previously designed processes, with a very prolonged period of cantonment (or concentration) of the former combatants, it was decided that the disarmament and the demobilization have a maximum duration of 10 days, seven for the disarmament (involving a medical and psychological examination, identification of the former combatants, and the registration and collection of the weapons) and three more for the demobilization (focused basically in the information services and orientation to the former combatants).

There were six centers of regrouping that were set up in the area under control of the FANCI (Abidjan, Bondoukrou, Daloa, Guiglo, San Pedro and Yamoussoukro), differentiating between zones of regrouping, disarmament, and demobilization. For their part, in the north six more centers have been set up, of which three (Bouaké, Korhogo and Man) were rehabilitated and turned in by the ONUCI mid March 2008 (School for a Culture of Peace, 2008). It was estimated that the regrouping of the FAFN would cover a total of 34,678 contingents and would have a total duration of five months and a half until mid October 2008.

On the number of participants susceptible to enrollment in the program, the estimations carried out suggest the need to demobilize about thirty five thousand contingents of the FAFN (five thousand for the new FDS, six thousand for the National Program of Reinsertion and Community Rehabilitation [PNRRC], twenty thousand to the civic service, and four thousand for the police forces) and five thousand of the old FANCI (ICG 2008, 11). However, different international observers assure that the total number of contingents of the FAFN did not surpass eight thousand or ten thousand contingents, therefore the remaining contingents that make up the indicated figure were associates who accompanied these forces, but were not combatants (ICG 2008, 11). As a condition to meet the Ivoirian process according

to what had been agreed on in the APO, they should have been recruited by the FANCI or by FAFN after the 19th of September 2002, the official date of the outburst of the conflict.

The PNRRC, under the responsibility of the office of the prime minister, was created for the implementation of the phase of reintegration of the former combatants who have not passed to be part of the new Armed Forces. This organ pursues the general goal «to contribute to the restoration of a climate of security and of peace through the assistance and support of the capacities of the former combatants, youth in a situation of risk and of the villages in a situation of crisis, so that in this way become the subjects of development» (School for a Culture of Peace 2008, 21). More precisely, the specific goals are the following:

- Social reintegration and economic reintegration of the demobilized former combatants.
- Rehabilitation of the community infrastructures in the areas affected by the conflict.
- Rehabilitation of the organizational capacities in the communities affected by the war.
- Restoration of the production capacities of the population.
- Access of the vulnerable groups to basic economic and social services.
- Reintegration of the participating youth in the conflict to their families and to basic education.
- Construction and consolidation of social cohesion.

With respect to social reintegration, understood as the temporary phase between demobilization and reintegration, it provides necessary assistance in the psychological and social arenas to facilitate social and economic rehabilitation. The main activities of this line of projects in the Ivory Coast are as follows: first, the organization of transition centers and of orientation for a limited number of youth associated with armed groups (regular as well as irregular); second, registration in the regional office; third, the provision of advice of orientation; fourth, medical and psychological support; and fifth,

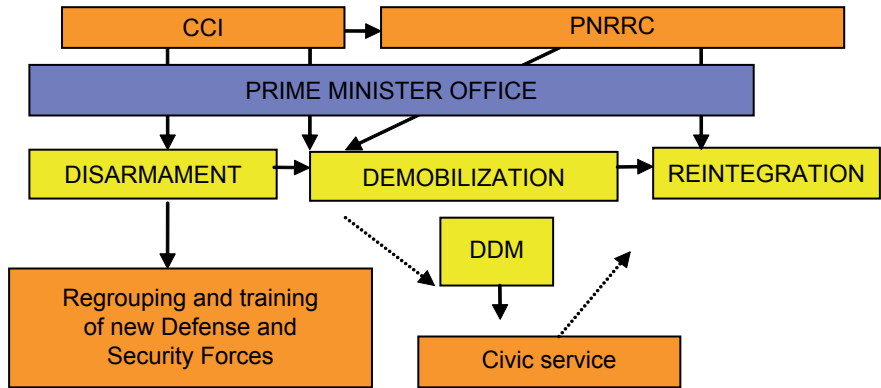
support to the resettlement to carry out actions of sensitization through the local authorities.

On the other hand, the economic reintegration looks to fulfill the groups' objectives of the development of their capacities, as well as the accomplishment of economic activities that are sustainable. In the Ivoirian case it was subdivided into several axes of intervention: the reintegration of a part of the demobilized former combatants to their initial activities or the promotion of activities for self-employment; training in different areas and according to their needs (education, vocational training, training in management, etc.); the location of demobilized participants qualified in existing employment already; the signature of partnerships with existing systems of financing (micro loans, productive projects, etc.); the starting of systems of accompaniment and evaluation of the activities of the benefited demobilized participants; and the support to the creation of activities generating incomes (School for a Culture of Peace 2008, 22).

Finally, the axis of community rehabilitation is conceived as a program of urgency in favor of the communities most affected by the crisis, of the former combatants, as well as of the internally displaced. It aims for the rehabilitation of the social infrastructures, the starting of activities generating incomes, the restoration of social cohesion, and the training in participative methods.

In parallel, there was foreseen the creation of a civic service, which included an additional training in three months of civic education and six of vocational training. This service is designed basically for the reintegration of the militias in the west of the country and for those former combatants who are susceptible to using this type of training before joining the process of reintegration due to their record and characteristics (School for a Culture of Peace 2008, 22). The following diagram illustrates the design of the main agencies and activities in the process of DDR in the Ivory Coast:

Diagram 1. Process of DDR in the Ivory Coast



Source: School for a Culture of Peace 2008, 22.

As for the financing of all the process, the World Bank had approved in May 2007 a subsidy of forty million dollars for the economic reintegration of former combatants, youth connected to armed groups and other youth in situations of risk. Theoretically, it was planned that the financing would be directed towards the office of the prime minister, although in November of the same year after the attempt at writing a memorandum of shared understanding on the reintegration, this international organ detached itself from the possible agreement. The World Bank detected certain ambiguities and indications of corruption that generated some doubts with regard to continuing this line of financing. These dissensions had to do with the high economic cost of the reintegration of the former combatants and the possible budgetary problems that might take place in the treasury of the state if the number of contingents of the FANCI was not cut back when reunified. Finally, the program of economic reintegration of the World Bank directed itself specifically towards the young population considered in a situation of risk (School for a Culture of Peace 2008, 23). Therefore, as in many other areas, the source of financing remained unclear, an obvious sign of the lack of transparency in implementation.

In short, the APO is an abstract document with respect to the specific procedures of disarmament and reintegration, lacking a calendar and a

fixed budget. One of the main errors and initial difficulties for the DDR has been intending to initiate the process from the global framework of the peace agreement; that is, waiting for the disarmament to be effective after significant political progress. A much more specific, more systematic, and more realistic design would have been necessary to be able to implement this process.

4.1.2. Evolution of the process of DDR

After the design of the current program, the president, Laurent Gbagbo, and the prime minister, Guillaume Soro, presided over the ceremony of the «peace flame» (*flamme de la paix*) in the middle of 2007, consisting of a symbolic destruction of weapons to mark the beginning of the process of disarmament in the country. This ceremony of a symbolic character turned into a historical fact, because it was the first time since the year of the outburst of the armed conflict in 2002 that the president traveled to the city of Bouaké in the north of the country (area dominated by the oppositional armed groups of FAFN during the last years).

At present, it is evident that the process of the formation of the Armed Forces will not take place until after the elections. It is foreseen that in the term of two years five thousand former combatants of the New Forces will be integrated, hardly 15% of what is required, but still 50% of the total forces. In this sense, the deployment of eight thousand contingents (four thousand from each side) from May 2009 had to be used for securing the electoral process, through the training of joint patrols throughout all the country. However, the reality was more complicated than the theory again and it was confirmed that from the FN there were not sufficiently qualified contingents for such a task. It was foreseen that the cost of these mixed units of police and gendarmerie was about 87 million dollars coming from the public funds. Therefore, the implementation will still take several months to be effective (ICG 2009, 10).

The only figures that have been able to demonstrate the process of demobilization come from the ONUCI and refer to the reintegration of 674 of the 7,704 former combatants who had chosen this option to transition to

civil life. This low percentage is a result of the lack of substance of the program and of the impatience of the armed groups of opposition, as well as for the lack of financing of the process. In particular, the fourth agreement complementary to the APO dictates the need to deliver nearly one thousand dollars to every demobilized combatant, yet the budget for this project is not available (ICG 2009, 10). Likewise, it was recognized that the problems of logistics and infrastructure that the FAFN have faced are more complex than those of the FANCI, and for this reason it was already known that the process in the north would be developed with more delay than planned (School for a Culture of Peace 2008, 22).

The fact of trying several times to initiate the disarmament of the FAFN has resulted in the politicization of the process, increasing the mistrust among the parties (World Bank; EU 2007, 5). The risk entailed in the demobilization of the FAFN, which might break the current balance of forces, recommends a parallel and gradual disarmament. The reality is more complicated: the weapons remain in the hands of the combatants, an unmistakable sign of the lack of confidence among the parties and which also shows the perspective of armed violence as an option (ICG 2009, 10). This reality is also more complex in the case of dismantling the militias situated in the west of the country, since an important degree of responsibility has been granted to their commanders, giving them greater power of decision on their demobilization, and as it has already been commented on, these militias are a group that is difficult to control (World Bank; EU 2007, 5).

Along other lines, it was confirmed that the national civic service had begun in a very discrete way to train two hundred fifty youth in May 2008, but there has not been any sign since then that it was functioning consistently. As for the DDM, this has not begun, but the 981 members of militias that were demobilized demanded compensation estimated at about 762 Euros. In a ceremony of disarmament carried out in May 2007, of the 1,027 weapons that had been announced, only 555 were presented and counted by the ONUCI without any type of number of identification. The existence of this compensation can multiply the number of combatants to be received in the process (ICG 2009, 11).

The different institutions responsible for the process (first the CNDDR, then the APO, and then the PNDDR/RC) have directed their efforts especially to activities of sensitization, but with broken promises that can be a source of insecurity, as for example with the suppression of compensation for demobilization (World Bank; EU 2007).

Another aspect that generates doubts is the existing interrelation between the diverse governmental institutions responsible for the process of DDR. It would be important to establish the relationships between these institutions to prevent possible overlapping among their activities. Although the Government argues that the responsibilities are clearly defined, the political blockings from both parties that are reflected in the delay of the initial calendar foreseen in the APO have led to the different processes of the program of DDR being in different degrees of evolution. This situation might lead to possible episodes of insecurity if the former combatant is not sufficiently attended to. The most flagrant case continues to be the inoperability of the already mentioned civic service, which could endanger the rest of the process (World Bank; EU 2007, 6).

All in all, the current balance of the different processes under way does not have an excessively positive result since the processes in the north and the west have hardly been initiated. The numbers of demobilization that have been provided are extremely imprecise, there is bad management and badly conceived plans of reintegration, in addition to the persistent lack of confidence among the parties (ICG 2009, 11).

Finally, one must not forget the constant noncompliance of the embargo of weapons around the country. Arsenal proceeds from the Southern Cone of the continent enter the port of Abidjan, while the ONUCI does not have sufficient means to face this illicit traffic, besides not having the license for doing a study in greater depth (ICG 2009, 11).

The optimum process would carry out the decentralization of the projects to the communities through a more realistic and detailed approach addressing the needs of the market for job creation, the partnerships among the public and private sector, or the constitution of micro-enterprises. With this approach the local authorities, represented in this case under the figure

of the prefect and the sub prefect, would be used for the negotiation and management of the projects of development (World Bank; EU 2007, 6). These types of projects of decentralization for the moment have only been developed bilaterally by the agency of German cooperation (GTZ) in all the country, but with special emphasis in the southwest, where the pro-governmental militias operate.

In conclusion, to improve the situation of security a much more local would be necessary, implicating all the responsible actors and that permits integration of the reform of the security sector with the reintegration of the demobilized. It can be confirmed that from one zone to another of the country there are many aspects that differ, such as the level of insecurity, the actors themselves, the dynamics, and the number and the characteristics of the former combatants.

Up to the moment it has been conceived that the reform of the security sector is only for the collection of armament, when one should also advocate for a process of treatment and reform of the new Armed Forces, a process still to be designed. An outstanding aspect in this matter and a clear example of the need for reform of this sector is the continuous controls on the roads where extortion happens all the time (School for a Culture of Peace, 2008). Therefore, the re-launching of the process of integration of the new Armed Forces, the processes of reintegration to the civil life of the former combatants, the suppression *de facto* of the *com'zones*, and a greater surveillance on the part of the ONUCI of the fulfillment of the embargo of weapons are some of the aspects for complying in this area of security (ICG 2009, 12).

4.2. PEACEFUL AND TRANSPARENT ELECTIONS IN THE IVORY COAST?

A process of peace construction must have a transitional political axis where the celebration of an electoral process is one of the fundamental goals. Previously, a process of identification of the population is necessary. Taking

this into consideration, two of the principal points of the APO, identification and elections will be treated in the same section due to their close relationship. In the case of the Ivory Coast, in relation to this process, certain technical challenges and political perspectives are presented that are worthwhile to analyze with care in the face of the possibility that on the 29th of November or a few months later presidential elections will be celebrated.

4.2.1. Technical challenges

The APO established a new calendar for the elections that permitted them to take place before the conclusion of 2007. Prior to the celebration of these elections it became necessary to accomplish an operative set of identification of the population and of an electoral census, joining the re-launching of the *audiences foraines* and of the reconstitution of the records of the civil state, lost or destroyed since 2000. It was a complex operative logistically speaking with months of political negotiations and it was defined in four phases: registration of the population, treatment of the verification of the data to publish a preliminary register of voters, verification of the list, and the production and distribution of the electoral cards (Carter Center 2009, 2).

The agreement itself established that the Independent Electoral Commission (CEI) would be the body in charge to lead the process that would carry out the elections inside a structure of another four organisms: the National Commission of Supervision of the Identification (CNSI), the National Office of Identification (ONI), the National Institute of Statistics (INS) and Sagem Sécurité, the French private enterprise responsible for the identification process (ICG 2009, 4). In general terms, this structure has been deemed complex and badly organized, besides not having clear financing. Therefore from the international community it has been valued as a less reliable interlocutor, contributing to the climate of still existing tension in the country (ICG 2009, 5).

At an international level, the functions of the High Representative would be assumed by the Special Representative of the General Secretary, who in March 2008 defined five criteria intended to certify the development and the result of the presidential elections, which were passed by the Evaluation

Committee of the APO. These five criteria are: celebration of elections in a climate of peace and without violence; equal access of all the candidates to the public media in an egalitarian way; an inclusive process in which there is the possibility for all candidates of being nominated as president and equality in the exercise of the vote; completion of the register of voters approved by all the political parties and organizations of the civil society; and a counting with the participation of international observers who insure the transparency of the process. Equally, a group of support was created for the work of certification inside ONUCI intended to gather information on all the possible noncompliance of these five criteria and evaluate in this way if the electoral process and the elections comply with the minimum requirements for being valid.

The process of identification of the population had to be inspected by the National Commission of Supervision of the Identification and is divided into three axes of action:

– (a) *Audiences Foraines*: intend to identify people over 13 years that have never been registered by the state, as well as identifying where people who are not registered come from, according to the data that they could provide about the origin of their parents⁹. They also have to analyze the birth certificates of the people born in the country of Ivoirian nationality or foreigners and their marital state. Next, these audiences have to account and verify everyone registered, a process that should have started a month after the previous one and should have lasted 45 days. However, at the end of June 2009, this process was not finished yet (ICG 2009, 4).

The difficulties were the lack of publicity and information, in spite of the efforts carried out by the United Nations through the radio station ONUCI-FM listing the dates on which the process would take place in every locality of the country. Besides, the people must go to their birthplace to be able to present themselves before these courts, which is impossible for the more than seven hundred thousand internally displaced victims of the conflict.

9. For more information about the requirements consult: <<http://www.audiencesforaines.gouv.ci/>>.

Furthermore, only persons older than thirteen years are registered and no mechanism has for the moment been defined to proceed with the registration of children younger than this age, prolonging a problem of birth registration. Finally, according to data of the Norwegian Refugee Council, there are about three million stateless persons in the country that having been born in the Ivory Coast do not have the right to be considered as national because their parents are foreign, as it is stipulated in the conditions to access nationality (School for a Culture of Peace 2008, 15).

– *Reconstruction of records*: during the «crisis», many records were looted and burned when the FN tried to expel the representatives of the Government of the areas under their control. Equally, many people lost their documents of identity during the crisis because they were confiscated or destroyed by the authorities with the aim of depriving their owners of the recognition of their nationality. Therefore, one of the major goals would be to reconstruct these records, although it was set out as an extremely complex operative.

– *Ordinary identification*: through the ordinary identification, the identity cards will be delivered to all the people who have a birth certificate, a certificate of nationality or a supplementary judgment. Similarly, an identifying document will be given to the foreign people who can vouch for their place of birth. Likewise, those documents that have been expired will be renewed.

As it has already been mentioned, the French company, Sagem Sécurité, selected by the Office of the Prime Minister and approved by the Council of Ministers, will carry out the process of identification of the population. Sagem planned on deploying six thousand apparatuses of identification through all the country, which would imply, in turn, the deployment of thirty thousand agents. The process began on the 30th of September 2008 and had a planned duration of six weeks, although finally it was prolonged thirty weeks up to its suspension at the end of March 2009 (Carter Center 2009, 2).

One reason for this extension was the prolonged negotiations between Sagem and the Office of the Prime Minister. Another factor was the lack of

funds as the main donors have refused to finance this operation because they consider that the process of choice of the technical operator has not been transparent enough and that the amount surpasses what has been estimated previously, the cost being four times what was calculated by the EU. Finally, the deficient deployment of the National Office of Identification through all the national territory has slowed down all the process of identification with the capital of the north, Bouaké, not having an office of this institution.

The budgetary shortage led to Sagem being hardly able to deploy at the same time three thousand five hundred teams of equipment instead of the plans for six thousand, which was a considerable delay of the process and a clear structural disorganization. The detection of a very centralized process from Abidjan and a level of insufficient communication between the capital and the different regions have not contributed to the process either, initiating in this way a vicious cycle that is difficult to exit (Carter Center 2009, 2). In other words, the central branches as much as the satellites (displaced in the different regions of the country) have worked sequentially and have not been capable of carrying out the two phases in a simultaneous way (ICG 2009, 5).

However, in contrast, a certain favorable attitude of the population towards this process of identification has been detected, although it has not been managed yet to reach the figure at first foreseen of 8.6 million identified people (the temporary register of voters is around 6.5 million people, although there is about 2.7 million people for identifying), indicating that the country will arrive at the day of celebration of the elections with a figure near to 6.5 million (ICG 2009, 5). In spite of that, the previously mentioned centralization meant the decentralized equipment was not able to be displayed with the entire operative, for the lack of some pieces that especially in the rural areas took many months to be resupplied (Carter Center 2009, 2).

The development of the last stage of the process (the distribution of the electoral cards before the official beginning of the campaign) is still pending, something that neither the CEI nor Sagem Sécurité have specified how they are going to carry out (ICG 2009, 6). In general terms, it could be said

that the technical challenges this process entails have been underestimated in great measure in favor of the political decisions taken for the consensus before its development. Many questions still remain to be solved, such as how to proceed in the event of errors during the verification of the preliminary register of voters, or which criteria will be used to verify the nationality of the people that do not appear in the last registers of voters that date from 2000 (Carter Center 2009, 2).

It is recommended to publish a detailed electoral calendar with a realistic appreciation of the numerous difficulties that have been found and that are going to be found for the preparation of the electoral process. The political transition in the country should not convert into a state of permanent transition, as institutional and political normalization is seen as urgent. For the development of a transparent electoral process this normalization should be the responsibility of all the implicated actors, especially the signers of the APO (Carter Center 2009, 2). Once the country arrives at that point, the situation of security through all the country will have to be strengthened; something that today has not been consolidated.

4.2.2. Political perspectives

Beyond the technical challenges, it is necessary to politically analyze the elections and the positioning of the main candidates. More precisely, of the twenty presented candidacies there are three main favorites.

First, the current president, Laurent Gbagbo, seems to be dedicated almost exclusively to controlling the main circuits of financing and identification to slow down the process as much as possible, for in this way he is able to gain time to find the electoral moment most favorable to his interests, besides inconveniencing the rest of the parties impatient for the elections. A long campaign favors him because the opposition does not have access to the public accounts. However, to avoid accusations of sabotaging the APO, his commitment has also been focused on this process, but to a rhythm not as quick as the calendar demands (ICG 2009, 6).

The political strategy of his party, the FPI, is still unclear. With its electorate mainly situated in the capital and in the southwest of the country, the

party is seen as representing Gbagbo himself, who, in turn, is exerting an important control on the state media, as well as on the main sources of wealth (cocoa and oil). His acquisition leaves him in a good position to face the personal fortunes of his opponents, reflected, for example, in the case of the candidate Alassane Ouattara (ICG 2009, 6).

The other signer of the APO and current Prime Minister, Guillaume Soro, presents a different situation. The impossibility of running as presidential candidate, because he does not have the minimum age stated in the Ivoirian Constitution, has not prevented him showing commitment to the fulfillment of the APO, with the aim of gaining legitimacy for demonstrating himself as the correct way out of the crisis (ICG 2009, 6). Besides, he has the possibility to exert a neutral role of refereeing the electoral process.

The main problem for him, however, is located in the internal area. The FN are an internally divided group with a high risk of disappearing, which would leave him without any type of platform for being a potential candidate in some future presidential elections. The imperious need to split up from the military wing does not exclude the possibility that it becomes a political party and in the event that it happens it will be of a regional area very limited in the north (ICG 2009, 6).

The parties excluded from the APO have a different position with a much extended regional representation, with a high ethnic representation, and with possibilities to dispute the presidency. On the one hand, the PDCI has initiated an ambitious pre-campaign through all the country. Represented by the former president, Henri Konan Bedié, he looks for the maximum possible mobilization to prevent abstention and to show a high vitality in spite of his advanced age, 75 years. This high age could be an obstacle to recruit the young and urban electorate, who do not feel represented by Bedié (ICG 2009, 8).

For its part, the RDR of Alassane Ouattara, with a presence especially in the north and in the agricultural southwest of the country, is both an adversary and ally of the PDCI. The doubtful Ivoirian nationality of Ouattara, of Burkinabe origin, is the main obstacle to surpass for this party. For that, they have been working from the pre-campaign, already trying to recruit

part of the electorate of the FPI since the first moment: their first political celebration in May 2009 was in the capital neighborhood of Yopougon, traditionally identified for the cause of the FPI, where they managed to bring tens of thousands of people together (ICG 2009, 8).

The possible alliance between the PDCI and the RDR is very fragile. They have found within the The Rally of Houphouetists for Democracy and Peace (RDHP), a political platform of opposition to the president Gbagbo, but that has given up looking for one candidate. However, the main focus of tension between both parties lies in the accusations of the RDR towards the PDCI of being the main instigator of Ouattara's participation in the national political life during the last years (ICG 2009, 9).

All in all, the availability of resources that Gbagbo and the FPI are accessing, added to the impossibility of Soro being a candidate for the elections, seems to give advantage to Gbagbo and the FPI in the electoral race towards the presidency. However, the ambitious precampaigns of the parties that did not sign the APO must be considered. The technical challenges to be assumed, as well as the decision about the final date of the elections (2010) will be important for the final result.

5. CONCLUSIONS

The sociopolitical crisis in the Ivory Coast must be understood not only for the main facts and perceptions of the different sectors, national and international, but also for the structural causes that already from the decade of the nineties have triggered this situation. Although it is true that the contest over nationality has generated violence, the process of identification by itself, as it is formulated at present, leaves people born in the country with foreign parents without being able to attain their right to being appointed to the nation. The structures that generate this inequality (as do the laws that the concept of *ivoirité* is founded on, as well as the law of land property, the electoral code, and the constitution) remain intact without for the moment any pretension of modifying them. The resettlement of the displaced, the agricultural property, the rights of citizenship, and the free circulation of goods and people are some of the challenges that remain in the Ivory Coast. The space dedicated in the APO to the return of those displaced by the conflict is scarce, being limited to identifying the responsible organ for designing a program to help their voluntary return, which in this case would be the Ministry of Solidarity and of the Victims of the War.

Thus, the process of exit from the crisis, tortuous and characterized by lack of mutual confidence, has led to a diffuse peace agreement. Therefore, the APO defined the priorities of action to initiate an exit from the crisis: identification of the population, elections, and creation of some unitary armed forces. In spite of the great transcendence of the decisions made, one might question once again to what extent these decisions address the origins of the conflict so that they prevent violence erupting in the country again. For example, there are still more than seven hundred thousand people displaced in the country, therefore the operative method of the *audiences foraines* has not taken into account the needs for those displaced internally in the country, when demanding that the formalities for the identification are carried out in the place of birth of the applicant. Equally, the lack of judicial institutions in the north and in the west of the country

indicates that another goal of the APO, the deployment of the civil administration through all the territory, is still pending. Moreover, the role of the different actors has been centered more on the conservation of their own interests than in complying with a process of effective and sustainable exit from the «crisis».

As for the formation of new armed forces, the current conclusion of the different processes in progress does not look excessively positive, since the processes have hardly begun in the north and in the west. The numbers of demobilization that have been given over time have been strange and imprecise, there is bad management and poorly conceived plans of reintegration, besides the persistent lack of confidence among the parties. For an improvement of the situation of security a much more local approach is needed with the implication of all the responsible actors and that allows integrating the reform of the sector of security with the reintegration of the demobilized. An optimum process would carry out the decentralization of the projects to the communities through a more realistic and detailed approach for the needs of the market for job creation, the partnerships among the public and private sector, or the constitution of micro-enterprises. On the other hand, the elections must not be seen as an end in itself, but as the beginning of a long path towards the reconstruction of the country and the reconciliation. This process is still hindered by multiple technical challenges and by different perspectives and political positioning of the candidates. In the technical area it is recommended to publish a detailed electoral calendar under a realistic appreciation of the numerous difficulties that have been found and are going to find for the preparation of the electoral process. In the political arena, the availability of resources that Gbagbo and the FPI are accessing added to the impossibility of Soro being a candidate for the elections seems to give advantage to Gbagbo and the FPI in the electoral race towards the presidency. However, the ambitious pre-campaigns of the parties that did not sign the APO must be considered. The technical challenges to be assumed, as well as the final date of the elections, will be important for the final result. It does not seem likely that the elections take place before the first half of 2010.

The requirement that the elections are celebrated in a transparent and free way, and that the results are accepted by all the parties (political parties, FN, militias, the population in general) is essential for laying solid foundations of peace in the country. The future legitimate government will be responsible for creating and implementing the program for the definitive exit from the crisis, and for that it will have to have the support of all the political sectors each involved in the reconstruction of the country, as well as of the more distinguished economic and social sectors, but mainly with the backing of the civil population. For this reason it is crucial to create the channels and mechanisms necessary to make the civil population participate in the process, so that they have direct and reliable information on all the initiatives started by those in office to prevent peace being seen as a new power distribution among the elite. In this sense, the initiatives intended to quickly spread the dividends of peace to the population will be key to securing support for the process and democratically involving the people of the Ivory Coast in the future of the country.

BIBLIOGRAPHY

- Akindes, F. (2007). *the Ivory Coast: de la stabilité politique à la crise. Vers une politique de réhabilitation basée sur la responsabilisation des communautés à la base*. Abidjan: World Bank.
- Basset, T. (2003). *Nord Musulman et Sud Chrétien: les moules médiatiques de la crise ivoirienne*. Afrique Contemporaine 206.
- Carter Center (2009). *the Ivory Coast. Identification de la population et recensement electoral. Appréciation générale et perspectives*. Abidjan: Carter Center
- Cohen, M. (1973). *The myth of expanding centre. Politics in the Ivory Coast*. The Journal of Modern African Studies.
- Diarra, S (1997). *Les faux complots d'Houphouët*. Paris: Karthala.
- School for a Culture of Peace (2008). *the Ivory Coast: retos y perspectivas un año después de Ouagadougou*, Quaderns de Construcció de Pau 5, Barcelona: School for a Culture of Peace.
 - (2008b). *Anuario 2008 de procesos de paz*. Barcelona: Icaria editorial.
 - (2009). *DDR 2009. Análisis de los programas de DDR de ex combatientes en todo el mundo*. Barcelona: School for a Culture of Peace.
- Global Witness (2007). *Hot Chocolate: How cocoa fuelled the conflict in the Ivory Coast*. Londres: Global Witness.
- Grupo de Trabajo Integrado de Naciones Unidas sobre el DDR (2006). *Integrated Disarmament, Demobilization and Reintegration Standards*, New York: United Nations.
- GTZ (2005). *Projet Prévention de Crises et Consolidation de la Paix Dans le Sud-Ouest de la the Ivory Coast*, Abidjan: GTZ.
 - HRW (2001). *Le nouveau racisme ; la manipulation politique de l'ethnicité en the Ivory Coast*, Human Rights Watch Vol. 13, No.6 (A), août 2001, Nueva York: Human Rights Watch.
 - (2003). *Trapped between Two Wars: Violence against Civilians in Western the Ivory Coast*, Nueva York: Human Rights Watch.

- International Crisis Group (2008). *the Ivory Coast: Garantir un processus électoral crédible*. Rapport Afrique n° 139.
 - (2009). *the Ivory Coast: Les impératifs de sortie de crise*. Briefing Afrique 62, Dakar: Crisis Group.
- Kouman, H.Y. (1999). *Les conflits fonciers. L'ivoirité, un concept incompris*. Abidjan: Fraternité Matin.
- Muggah, R. (2006). *Reflections on disarmament, demobilisation and reintegration in Sudan*, Londres: Humanitarian Practice Network.
- OCHA (2008). *La Communauté humanitaire exprime sa préoccupation suite à d'inhabituels mouvements de retour et repli des populations déplacées en zone ouest*. Communiqué de presse, Abidjan: OCHA.
- ONUCI (2007). *Rapport sur l'organisation du système judiciaire en the Ivory Coast*. Abidjan: ONUCI.
- World Bank, EU (2008). *Securité et «ex-combattants» en the Ivory Coast. Propositions pour une nouvelle approche adaptée, pragmatique et progressive*, unpublished joint working paper, Abidjan: European Commission.

ANNEX I. PEACE AGREEMENT OF LINAS-MARCOUSSIS (2003)

1. A l'invitation du Président de la République française, une Table Ronde des forces politiques ivoiriennes s'est réunie à Linas-Marcoussis du 15 au 23 janvier 2003. Elle a rassemblé les parties suivantes FPI, MFA, MJP, MPCI, MPIGO, PDCI-RDA, PIT, RDR, UDCY, UDPCI. Les travaux ont été présidés par M. Pierre MAZEAUD, assisté du juge Keba Mbaye et de l'ancien Premier ministre Seydou Diarra et de facilitateurs désignés par l'ONU, l'Union Africaine et la CEDEAO. Chaque délégation a analysé la situation de la the Ivory Coast et fait des propositions de nature à rétablir la confiance et à sortir de la crise. Les délégations ont fait preuve de hauteur de vue pour permettre à la Table Ronde de rapprocher les positions et d'aboutir au consensus suivant dont tous les éléments -principes et annexes- ont valeur égale:
2. La Table Ronde se félicite de la cessation des hostilités rendue possible et garantie par le déploiement des forces de la CEDEAO, soutenu par les forces françaises et elle en exige le strict respect. Elle appelle toutes les parties à faire immédiatement cesser toute exaction et consacrer la paix. Elle demande la libération immédiate de tous les prisonniers politiques.
3. La Table Ronde réaffirme la nécessité de préserver l'intégrité territoriale de la the Ivory Coast, le respect de ses institutions et de restaurer l'autorité de l'Etat. Elle rappelle son attachement au principe de l'accession au pouvoir et de son exercice de façon démocratique. Elle conviène à cet effet des dispositions suivantes:
 - a) Un gouvernement de réconciliation nationale sera mis en place dès après la clôture de la Conférence de Paris pour assurer le retour à la paix et à la stabilité. Il sera chargé du renforcement de l'indépendance de la justice, de la restauration de l'administration et des services publics, et du redressement du pays. Il appliquera le programme de la

Table Ronde qui figure en annexe et qui comporte notamment des dispositions dans les domaines constitutionnel, législatif et réglementaire.

- b) Il préparera les échéances électorales aux fins d'avoir des élections crédibles et transparentes et en fixera les dates.
- c) Le gouvernement de réconciliation nationale sera dirigé par un Premier ministre de consensus qui restera en place jusqu'à la prochaine élection présidentielle à laquelle il ne pourra se présenter.
- d) Ce gouvernement sera composé de représentants désignés par chacune des délégations ivoiriennes ayant participé à la Table Ronde. L'attribution des ministères sera faite de manière équilibrée entre les parties pendant toute la durée du gouvernement.
- e) Il disposera, pour l'accomplissement de sa mission, des prérogatives de l'exécutif en application des délégations prévues par la Constitution. Les partis politiques représentés l'Assemblée Nationale et qui ont participé à la Table Ronde s'engagent à garantir le soutien de leurs députés à la mise en oeuvre du programme gouvernemental.
- f) Le gouvernement de réconciliation nationale s'attachera dès sa prise de fonctions à refonder une armée attachée aux valeurs d'intégrité et de moralité républicaine. Il procédera à la restructuration des forces de défense et de sécurité et pourra bénéficier, à cet effet, de l'avis de conseillers extérieurs et en particulier de l'assistance offerte par la France.
- g) Afin de contribuer à rétablir la sécurité des personnes et des biens sur l'ensemble du territoire national, le gouvernement de réconciliation nationale organisera le regroupement des forces en présence puis leur désarmement. Il s'assurera qu'aucun mercenaire ne séjourne plus sur le territoire national.
- h) Le gouvernement de réconciliation nationale recherchera le concours de la CEDEAO, de la France et des Nations unies pour convenir de la garantie de ces opérations par leurs propres forces.
- i) Le gouvernement de réconciliation nationale prendra les mesures nécessaires pour la libération et l'amnistie de tous les militaires détenus

pour atteinte à la sûreté de l'Etat et fera bénéficier de la même mesure les soldats exilés.

4. La Table Ronde décide de la mise en place d'un comité de suivi de l'application des accords de Paris sur la Côte d'Ivoire chargé d'assurer le respect des engagements pris. Ce comité saisira les instances nationales, régionales et internationales de tous les cas d'obstruction ou de défaillance dans la mise en oeuvre des accords afin que les mesures de redressement appropriées soient prises. La Table Ronde recommande à la Conférence de Chefs d'Etat que le comité de suivi soit établi à Abidjan et composé des représentants des pays et des organisations appelés à garantir l'exécution des accords de Paris, notamment
 - le représentant de l'Union européenne,
 - le représentant de la Commission de l'Union africaine
 - le représentant du secrétariat exécutif de la CEDEAO,
 - le représentant spécial du Secrétaire Général qui coordonnera les organes de la famille des Nations Unies,
 - le représentant de l'Organisation internationale de la Francophonie,
 - les représentants du FMI et de la Banque mondiale
 - un représentant des pays du G8
 - le représentant de la France
5. La Table Ronde invite le gouvernement français, la CEDEAO et la communauté internationale à veiller à la sécurité des personnalités ayant participé à ses travaux et si nécessaire à celle des membres du gouvernement de réconciliation nationale tant que ce dernier ne sera pas à même d'assurer pleinement cette mission.
6. La Table Ronde rend hommage à la médiation exercée par la CEDEAO et aux efforts de l'Union Africaine et de l'ONU, et remercie la France pour son rôle dans l'organisation de cette réunion et l'aboutissement du présent consensus.

I. Nationalité, identité, condition des étrangers

1. La Table Ronde estime que la loi 61-415 du 14 décembre 1961 portant code de la nationalité ivoirienne modifiée par la loi 72-852 du 21 décembre 1972, fondée sur une complémentarité entre le droit du sang et le droit du sol, et qui comporte des dispositions ouvertes en matière de naturalisation par un acte des pouvoirs publics, constitue un texte libéral et bien rédigé.
 1. La Table Ronde considère en revanche que l'application de la loi soulève de nombreuses difficultés, soit du fait de l'ignorance des populations, soit du fait de pratiques administratives et des forces de l'ordre et de sécurité contraires au droit et au respect des personnes.
 2. La Table Ronde a constaté une difficulté juridique certaine à appliquer les articles 6 et 7 du code de la nationalité. Cette difficulté est aggravée par le fait que, dans la pratique, le certificat de nationalité n'est valable que pendant 3 mois et que, l'impétrant doit chaque fois faire la preuve de sa nationalité en produisant certaines pièces. Toutefois, le code a été appliqué jusqu'à maintenant.
 3. En conséquence, le gouvernement de réconciliation nationale: a. relancera immédiatement les procédures de naturalisation existantes en recourant à une meilleure information et le cas échéant à des projets de coopération mis en oeuvre avec le soutien des partenaires de développement internationaux; b. déposera, à titre exceptionnel, dans le délai de six mois un projet de loi de naturalisation visant à régler de façon simple et accessible des situations aujourd'hui bloquées et renvoyées au droit commun (notamment cas des anciens bénéficiaires des articles 17 à 23 de la loi 61-415 abrogés par la loi 72-852, et des personnes résidant en the Ivory Coast avant le 7 août 1960 et n'ayant pas exercé leur droit d'option dans les délais prescrits), et à compléter le texte existant par l'intégration à l'article 12 nouveau des hommes étrangers mariés à des Ivoiriennes.

2. Pour faire face à l'incertitude et à la lenteur des processus d'identification ainsi qu'aux dérives auxquelles les contrôles de sécurité peuvent donner lieu, le gouvernement de réconciliation nationale développera de nouvelles actions en matière d'état civil et d'identification, notamment:
 - a. La suspension du processus d'identification en cours en attendant la prise des décrets d'application de la loi et la mise en place, dans les meilleurs délais, d'une commission nationale d'identification dirigée par un magistrat et composée des représentants des partis politiques chargés de superviser et de contrôler l'Office national d'identification.
 - b. La stricte conformité de la loi sur l'identification au code de la nationalité en ce qui concerne la preuve de la nationalité.

3. La Table Ronde, en constatant que le grand nombre d'étrangers présents en Côte d'Ivoire a largement contribué à la richesse nationale et aidé à conférer à la Côte d'Ivoire une place et une responsabilité particulières dans la sous-région, ce qui a bénéficié également aux pays dont sont ces étrangers originaires, considère que les tracasseries administratives et des forces de l'ordre et de sécurité souvent contraires au droit et au respect des personnes dont les étrangers sont notamment victimes peuvent provenir du dévoiement des dispositions d'identification.
 - a. Le gouvernement de réconciliation nationale devra donc supprimer immédiatement les cartes de séjour prévues à l'article 8 alinéa 2 de la loi 2002-03 du 3 janvier 2002 pour les étrangers originaires de la CEDEAO et fondera le nécessaire contrôle de l'immigration sur des moyens d'identification non susceptibles de détournement.
 - b. De plus, le gouvernement de réconciliation nationale étudiera toute disposition législative et réglementaire tendant à améliorer la condition des étrangers et la protection de leurs biens et de leurs personnes.
 - c. La Table Ronde demande par ailleurs à tous les Etats membres de la CEDEAO de ratifier dans les meilleurs délais les protocoles existant

relatifs à la libre circulation des personnes et des biens, de pratiquer une coopération renforcée dans la maîtrise des flux migratoires, de respecter les droits fondamentaux des immigrants et de diversifier les pôles de développement. Ces actions pourront être mises en oeuvre avec le soutien des partenaires de développement internationaux.

II. Régime électoral

1. La Table Ronde estime que la loi 2000-514 du 1er août 2000 portant Code électoral ne soulève pas de difficultés et s'inscrit dans le cadre d'un processus d'amélioration des textes et que la loi 2001-634 du 9 janvier 2001 portant création de la Comisión Electoral Independante constitue un progrès significatif pour l'organisation d'élections transparentes.
2. Le gouvernement de réconciliation nationale: a) assurera l'impartialité des mesures d'identification et d'établissement des fichiers électoraux; b) proposera plusieurs amendements à la loi 2001-634 dans le sens d'une meilleure représentation des parties prenantes à la Table Ronde au sein de la comisión centrale de la Comisión Electoral Independante, y compris au sein du bureau; c) déposera dans un délai de 6 mois un projet de loi relatif au statut de l'opposition et au financement public des partis politiques et des campagnes électorales; d) déposera dans le délai d'un an un projet de loi en matière d'enrichissement illicite et organisera de manière effective le contrôle des déclarations de patrimoine des personnalités élues; e. prendra toute mesure permettant d'assurer l'indépendance de la justice et l'impartialité des médias, tant en matière de contentieux électoral que de propagande électorale.

III. Eligibilité à la Présidence de la République

1. La Table Ronde considère que l'article 35 de la Constitution relatif à l'élection du Président de la République doit éviter de se référer à des concepts dépourvus de valeur juridique ou relevant de textes législatifs. Le gouvernement de réconciliation nationale proposera donc que les conditions d'éligibilité du Président de la République soient ainsi fixées

Le Président de la République est élu pour cinq ans au suffrage universel direct. Il n'est rééligible qu'une fois. Le candidat doit jouir de ses droits civils et politiques et être âgé de trente-cinq ans au moins. Il doit être exclusivement de nationalité ivoirienne né de père ou de mère Ivoirien d'origine.

2. Le Code de la nationalité sera amendé par l'adjonction aux conditions de perte de la nationalité ivoirienne édictées par son article 53, des mots suivants: exerçant des fonctions électives ou gouvernementales dans un pays étranger.
3. Le Président de la République rendra public chaque année son bulletin de santé.

IV. Régime foncier

1. La Table Ronde estime que la loi 98-750 du 23 décembre 1998 relative au domaine foncier rural votée à l'unanimité par l'Assemblée nationale constitue un texte de référence dans un domaine juridiquement délicat et économiquement crucial.
2. Cependant, le gouvernement de réconciliation nationale: a. accompagnera la mise en oeuvre progressive de ce texte d'une campagne d'explication auprès des populations rurales de manière à aller effectivement dans le sens d'une véritable sécurisation foncière. b. Proposera un amendement dans le sens d'une meilleure protection des droits acquis les dispositions de l'article 26 de la loi relative aux héritiers des propriétaires de terre détenteurs de droits antérieurs à la promulgation de la loi mais ne remplissant pas les conditions d'accès à la propriété fixées par son article 1.

V. Médias

1. La Table Ronde condamne les incitations à la haine et à la xénophobie qui ont été propagées par certains médias.
2. Le gouvernement de réconciliation nationale reprendra dans le délai d'un an l'économie générale du régime de la presse de manière à renforcer le rôle des autorités de régulation, à garantir la neutralité et l'impar-

tialité du service public et à favoriser l'indépendance financière des médias. Ces mesures pourront bénéficier du soutien des partenaires de développement internationaux.

3. Le gouvernement de réconciliation nationale rétablira immédiatement la libre mission des médias radiophoniques et télévisés internationaux.

VI. Droits et libertés de la Personne humaine

1. Le gouvernement de réconciliation nationale créera immédiatement une Commission nationale des droits de l'homme qui veillera à la protection des droits et libertés en the Ivory Coast. La Commission sera composée des délégués de toutes les parties et présidée par une personnalité acceptée par tous.
2. Le gouvernement de réconciliation nationale demandera la création d'une comisión internationale qui diligentera des enquêtes et établira les faits sur toute l'étendue du territoire national afin de recenser les cas de violation graves des droits de l'homme et du droit international humanitaire depuis le 19 septembre 2002.
3. Sur le rapport de la Commission internationale d'enquête, le gouvernement de réconciliation nationale déterminera ce qui doit être porté devant la justice pour faire cesser l'impunité. Condamnant particulièrement les actions des escadrons de la mort et de leurs commanditaires ainsi que les auteurs d'exécutions sommaires sur l'ensemble du territoire, la Table Ronde estime que les auteurs et complices de ces activités devront être traduits devant la justice pénale internationale.
4. Le gouvernement de réconciliation nationale s'engagera à faciliter les opérations humanitaires en faveur des toutes les victimes du conflit sur l'ensemble du territoire national. Sur la base du rapport de la Commission nationale des droits de l'homme, il prendra des mesures d'indemnisation et de réhabilitation des victimes.

VII. Regroupement, Désarmement, Démobilisation

1. Dès sa prise de fonctions, le gouvernement de réconciliation nationale entreprendra le processus de regroupement concomitant des forces en

présence sous le contrôle des forces de la CEDEAO et des forces françaises.

2. Dans une seconde phase il déterminera les mesures de désarmement et de démobilisation, qui seront également menées sous le contrôle des forces de la CEDEAO et des forces françaises.
3. L'ensemble des recrues enrôlées depuis le 19 septembre seront immédiatement démobilisées.
4. Le gouvernement de réconciliation nationale assurera la réinsertion sociale des militaires de toutes origines avec l'appui de programmes de type Désarmement Démobilisation Rapatriement Réinstallation Réinsertion (DDRRR) susceptibles d'être mis en oeuvre avec l'appui des partenaires de développement internationaux.
5. Le gouvernement de réconciliation nationale prendra les mesures nécessaires pour la libération et l'amnistie de tous les militaires détenus pour atteinte à la sûreté de l'Etat et fera bénéficier de la même mesure les soldats exilés. La loi d'amnistie n'exonérera en aucun cas les auteurs d'infractions économiques graves et de violations graves des droits de l'homme et du droit international humanitaire.
6. Le gouvernement de réconciliation nationale procédera à un audit de ses forces armées et devra déterminer dans un contexte économique difficile le niveau des sacrifices qu'il pourra consentir pour assurer ses obligations en matière de défense nationale. Il réalisera sur ces bases la restructuration des forces armées et demandera à cette fin des aides extérieures.

VIII. Redressement économique et nécessité de la cohésion sociale

1. Le gouvernement de réconciliation nationale rétablira la libre circulation des personnes et des biens sur tout le territoire national et facilitera la reprise des activités scolaires, administratives, économiques et sociales.
2. Il préparera dans un bref délai un plan de reconstruction et de développement des infrastructures et de relance de l'économie nationale, et de renforcement de la cohésion sociale.

3. La Table Ronde recommande aux institutions internationales et aux partenaires de développement internationaux d'apporter leur concours au processus de redressement de la the Ivory Coast.

IX. Mise en oeuvre

Le gouvernement de réconciliation nationale veillera à ce que les réformes constitutionnelles, législatives et réglementaires que nécessitent les décisions qu'il sera appelé à prendre interviennent dans les meilleurs délais.

ANNEX II. PEACE AGREEMENT OF OUAGADOUGOU (2007)

PREAMBULE

A l'invitation de Son Excellence Monsieur Blaise COMPAORE, Président du Burkina Faso, en sa qualité de Président en exercice de la Conférence des Chefs d'Etat et de Gouvernement de la Communauté Economique des Etats de l'Afrique de l'Ouest (CEDEAO), agissant sur mandat exprès de celle-ci, deux délégations de la République de the Ivory Coast, l'une représentant le Président de la République et l'autre les Forces Nouvelles, se sont rencontrées à Ouagadougou du 05 février au 03 mars 2007. Cette rencontre fait suite à l'annonce, le 19 décembre 2006, du plan de sortie de crise du Président Laurent GBAGBO qui a saisi, le 23 janvier 2007, le Président en exercice de la CEDEAO pour faciliter le dialogue direct entre les ex-belligérants du conflit armé en the Ivory Coast. Le Président Blaise COMPAORE, après avoir consulté le Secrétaire General des Forces Nouvelles, Monsieur Guillaume SORO, les différents acteurs de la scène politique ivoirienne, ainsi que le Premier Ministre, Monsieur Charles Konan BANNY, y a marqué son accord et a préconisé que ce dialogue direct s'inscrive dans le cadre de la résolution 1721 (2006) adoptée par le Conseil de sécurité des Nations Unies le 1er novembre 2006.

Au cours de leurs échanges, la Délégation de la Présidence de la République de the Ivory Coast, conduite par Monsieur Désiré TAGRO, Conseiller Spécial du Président Laurent GBAGBO, Porte-parole de la Présidence de la République de the Ivory Coast, et la Délégation des Forces Nouvelles, conduite par Monsieur Louis-André DACOURY-TABLEY, Secrétaire Général Adjoint des Forces Nouvelles et Ministre de la Solidarité et des Victimes de guerre, profondément attachées à une sortie heureuse de la crise en the Ivory Coast, ont procédé à une analyse de la situation intérieure. Elles ont souligné l'impérieuse nécessité de construire la paix et la stabilité; de lutter contre l'insécurité grandissante, le chômage et la pauvreté; de restaurer

l'autorité de l'Etat sur l'ensemble du territoire national et de garantir la libre circulation des personnes et des biens sur toute l'étendue du territoire national. En raison de la responsabilité particulière qu'elles ont dans la conduite du processus de sortie de crise, les deux Parties au conflit armé en the Ivory Coast ont reconnu l'impérieuse nécessité de se mettre ensemble pour consolider la paix, promouvoir une véritable réconciliation nationale et parvenir à une normalisation politique et institutionnelle, à travers un dialogue permanent et une confiance mutuelle.

Après avoir identifié les problèmes rencontrés dans la mise en oeuvre des Accords de Linas-Marcoussis, d'Accra et de Pretoria, ainsi que des Résolutions de l'ONU sur la the Ivory Coast, les Parties, en vue d'arrêter des décisions, ont réaffirmé:

- leur attachement au respect de la souveraineté, de l'indépendance, de l'intégrité territoriale et de l'unité de la the Ivory Coast;
- leur attachement à la Constitution;
- leur attachement aux Accords de Linas-Marcoussis, d'Accra et de Pretoria;
- leur attachement à toutes les Résolutions des Nations Unies sur la the Ivory Coast, en particulier aux Résolutions 1633 (2005) et 1721 (2006) du Conseil de Sécurité de l'ONU;
- leur volonté de créer les conditions d'élections libres, ouvertes, transparentes et démocratiques;
- leur volonté de mettre en commun leurs efforts et leurs énergies en vue d'un fonctionnement normal des Institutions de la the Ivory Coast et d'un retour à la normalité politique, administrative et militaire en the Ivory Coast.

Pour faciliter la mise en oeuvre des Accords et des résolutions ci-dessus visés, notamment la Résolution 1721 (2006), les Parties ont arrêté les décisions suivantes:

I. DE L'IDENTIFICATION GENERALE DES POPULATIONS

Les Parties signataires du présent Accord ont reconnu que l'identification des populations ivoiriennes et étrangères vivant en the Ivory Coast constitue une préoccupation majeure. Le défaut d'une identification claire et cohérente, de même que l'absence de pièces administratives ubiques attestant l'identité et la nationalité des individus constituent une source de conflits. Elles ont, en conséquence, décidé de mettre fin à cette situation par les mesures suivantes:

1.1. La relance des audiences foraines d'établissement de jugements supplétifs d'actes de naissance

1.1.1. Les audiences foraines seront relancées sur l'ensemble du territoire national dès la mise en place du nouveau Gouvernement issu du présent Accord. Dans le but d'accélérer la délivrance des jugements supplétifs d'acte de naissance, les magistrats appelés à animer les nouvelles juridictions créées pour les besoins des audiences foraines seront nommés par décret présidentiel et dotés de moyens nécessaires pour leur mission.

1.1.2. Les opérations exceptionnelles d'audiences foraines qui dureront trois (03) mois délivreront uniquement des jugements supplétifs tenant lieu d'actes de naissance aux personnes nées en the Ivory Coast qui n'ont jamais été déclarées à l'état civil.

1.1.3. A l'occasion de la relance des audiences foraines, une campagne de sensibilisation, d'information et de mobilisation impliquant les acteurs politiques, les Etats Majors Militaires et la Société civile sera organisée pour inviter les personnes concernées à se présenter devant les juridictions foraines de leur lieu de naissance pour se faire délivrer un jugement supplétif tenant lieu d'acte de naissance.

1.1.4. Les Parties s'engagent à garantir la sécurité des opérations d'audiences foraines sur toute l'étendue du territoire national.

1.2. La reconstitution des registres de naissance perdus ou détruits Parallèlement aux audiences foraines d'établissement de jugements supplétifs d'actes de naissance, les registres d'état civil perdus ou détruits dans certains centres d'état civil seront reconstitués conformément aux dispositions de l'Ordonnance du 17 janvier 2007 et de son Décret d'application qui devra être pris dans les meilleurs délais.

1.3. L'organisation d'une opération d'établissement de nouveaux titres d'identité (cartes nationales d'identité et titres de séjour) Les Parties s'engagent à organiser une opération exceptionnelle d'établissement de nouveaux titres d'identité selon les modalités ci-après.

1.3.1. Identification ordinaire

1.3.1.1. Les Ivoiriens, assujettis à l'obligation de détention de la carte nationale d'identité, disposant d'un certificat de nationalité et d'un acte de naissance ou d'un jugement supplétif d'acte de naissance en tenant lieu, pourront bénéficier de la nouvelle carte nationale d'identité.

1.3.1.2. Les non Ivoiriens disposant d'un acte de naissance ou d'un jugement supplétif d'acte de naissance en tenant lieu et d'un document consulaire indiquant leur nationalité pourront bénéficier d'un nouveau titre d'identité correspondant à leur statut.

1.3.2. Identification sur la base de la nouvelle liste électorale

1.3.2.1. Dans un souci d'accélération de l'identification et compte tenu de la situation actuelle de l'Administration en the Ivory Coast et des besoins subséquents de la sortie de crise, les Parties conviennent de privilégier l'identification basée sur la liste électorale.

1.3.2.2. A l'issue des audiences foraines, la CEI procédera, sur la base de la liste électorale de 2000, à un recensement électoral, avec collecte des données biométriques sur toute l'étendue du territoire national. Pourront s'inscrire sur la liste électorale les ivoiriens âgés de dix-huit (18) ans au moins, munis d'un extrait d'acte de naissance ou d'un jugement supplétif d'acte de naissance en tenant lieu.

- 1.3.2.3. Tous les citoyens qui se seront fait enrôler sur la liste électorale se verront délivrer un récépissé comportant leur numéro d'identification unique qui sera nécessaire pour le retrait de la carte d'électeur et de la nouvelle carte nationale d'identité.
 - 1.3.2.4. Après la procédure de validation de la liste électorale par la CEI, un décret pris en Conseil des ministres autorisera l'attribution de la nouvelle carte nationale d'identité à tous ceux qui figurent sur la liste électorale définitive. Celle-ci servira de base de données commune pour la délivrance des nouvelles cartes nationales d'identité et de la carte d'électeur.
- 1.3.3. Normes sur les nouveaux titres d'identité
- 1.3.3.1. Les nouveaux titres d'identité seront infalsifiables, hautement sécurisés et comporteront un numéro d'identification unique pour chaque titulaire.
 - 1.3.3.2. La confection et la délivrance des nouveaux titres d'identité seront assurées par l'Office National d'Identification (ONI), sous la supervision de la Commission nationale de supervision de l'Identification (CNSI).
 - 1.3.3.3. Pour l'opération d'identification, le Gouvernement fera appel, avec l'accord des deux (02) Parties, à un opérateur technique désigné par décret pris en Conseil des Ministres.

II. DU PROCESSUS ÉLECTORAL

Soucieuses de parvenir, dans les meilleurs délais, à une paix durable et à une normalisation politique et institutionnelle en the Ivory Coast, les Parties au Dialogue Direct réaffirment leur engagement à préparer, à l'issue de l'opération d'identification, des élections présidentielles ouvertes, démocratiques et transparentes, conformément aux accords de Linas-Marcoussis, d'Accra et de Pretoria. A cette fin, elles décident ce qui suit:

2.1. L'inscription sur la liste électorale.

2.1.1. Les Parties conviennent que l'inscription sur la liste électorale sera établie par l'Institut National de la Statistique (INS) et l'opérateur technique désigné par le Gouvernement pour l'identification. Ces deux opérateurs accompliront leur mission sous la responsabilité de la CEI.

2.1.2. Tous les citoyens ivoiriens en âge de voter pourront s'inscrire sur la liste électorale. A cet effet, ils devront se munir d'une des pièces suivantes: un extrait d'acte de naissance ou un jugement supplétif d'acte de naissance en tenant lieu.

2.1.3. Un décret pris en Conseil des Ministres fixera les modalités d'inscription sur la liste électorale conformément aux dispositions du Code électoral.

2.2. La publication de la liste électorale définitive

2.2.1. La liste électorale définitive, validée par la CEI, sera publiée conformément aux dispositions de l'article 11, al. 2 du Code électoral, ou par toute autre voie convenue par les Parties.

2.3. L'établissement et la distribution des cartes électorales

2.3.1. Après sa publication, la liste électorale définitive donnera lieu à l'établissement des cartes d'électeurs sous la responsabilité de la CEI.

2.3.2. La distribution des cartes d'électeurs sera assurée par la CEI à travers ses démembrements deux semaines au plus tard avant la date des élections, conformément à l'article 5 du Code électoral.

2.3.3. L'électeur qui n'aura pas pu retirer sa carte d'électeur dans le délai prévu dans le paragraphe ci-dessus pourra néanmoins voter avec sa nouvelle carte nationale d'identité, s'il est régulièrement inscrit sur la liste électorale.

2.4. Collaboration entre les structures intervenant dans le processus électoral

2.4.1. Dans un souci de transparence et d'efficacité, sous l'autorité de la CEI, l'INS et l'Opérateur technique désigné par le Gouvernement collaboreront pour l'établissement des cartes d'électeur. 2.4.2. Un décret pris en Conseil des ministres précisera les modalités de cette collaboration.

III. DES FORCES DE DÉFENSE ET DE SÉCURITÉ DE CÔTE D'IVOIRE

Les Parties au présent Accord, conscientes que l'Armée nationale doit éter le reflet de l'unité et de la cohésion nationales et la garante de la stabilité des institutions républicaines, se sont engagées à procéder à la restructuration et à la refondation des deux armées en vue de la mise en place de nouvelles forces de défense et de sécurité attachées aux valeurs d'intégrité et de moralité républicaine.

Un mécanisme spécial de restructuration et de refondation de l'Armée sera adopté par ordonnance pour fixer le cadre général d'organisation, de composition et de fonctionnement des nouvelles Forces de Défense et de Sécurité. En conséquence, les deux Parties décident de procéder à l'unification des deux forces en présence par la création d'une structure opérationnelle intégrée.

3.1. La mise en place d'un Centre de commandement intégré (CCI)

3.1.1. Dans un esprit de cogestion des questions liées à la Défense et à la Sécurité, les deux (02) Parties ex-belligérantes conviennent de créer un Centre de commandement intégré chargé d'unifier les forces combattantes en présence et de mettre en oeuvre les mesures de restructuration des Forces de Défense et de Sécurité de the Ivory Coast.

3.1.2. Le Centre de commandement intégré adoptera son organigramme et sera placé sous le commandement conjoint du Chef d'Etat Major Général des FANCI et du Chef d'Etat Major des FAFN. Il sera paritairement composé d'Officiers désignés par les deux (02) Chefs d'Etat Major.

3.1.3. Le Centre de commandement intégré aura pour missions essentielles:

- la contribution à l'élaboration de la politique de défense et de sécurité;
- la mise en oeuvre du Programme National de Désarmement, de Démobilisation et de Réinsertion (PNDDR), sous la supervision des Forces impartiales;
- l'opérationnalisation des tâches militaires et de sécurité liées au processus de sortie de crise;

- la sécurisation des audiences foraines, des opérations d’identification, ainsi que la sécurité du processus électoral;
- la mise en place d’unités militaires et paramilitaires mixtes;
- la coordination des mesures visant à garantir la protection et la libre circulation des personnes et des biens sur toute l’étendue du territoire national.

3.2. Du Programme National de Désarmement, de Démobilisation et de Réinsertion

3.2.1. Les Parties au présent Accord conviennent de procéder, dans les meilleurs délais, au désarmement des forces en présence conformément aux recommandations des Accords de Linas-Marcoussis et aux modalités prévues dans les accords militaires suivants:

- Le Plan Conjoint des Opérations du DDR (PCO) signé le 09 janvier 2004 et actualisé lors du séminaire sur le désarmement organisé du 02 au 06 mai 2005 à Yamoussoukro sous l’égide de la médiation Sud-Africaine;
- Le Programme national de Désarmement, de Démobilisation et de Réinsertion (PNDDR/RC) et son chronogramme, adoptés le 9 juillet 2005 à Yamoussoukro;
- Les conclusions de la séance de travail tenue à Yamoussoukro le samedi 14 mai 2005 entre les Chefs d’Etat-major (CEM) des FDS et des FAFN.

3.2.2. Les Parties conviennent d’accélérer le démantèlement et le désarmement des milices.

3.2.3. Les Parties conviennent d’accélérer le processus de regroupement sur les dix sept (17) sites préalablement localisés et d’exécuter le chronogramme du PNDDR actualisé.

3.3. Le Service civique

3.3.1. Les deux (02) Parties conviennent que le Service civique, destiné à encadrer toute la jeunesse de the Ivory Coast et à la former en vue d’un emploi, accueillera également tous les jeunes qui se sont familiarisés avec le maniement des armes pour les besoins de la guerre, dans le but de les encadrer et de les former pour de futurs emplois civils ou militaires.

3.3.2. L'organisation et le fonctionnement du Service civique seront définis par décret pris en Conseil des Ministres.

IV. DE LA RESTAURATION DE L'AUTORITE DE L'ETAT ET DU REDEPLOIEMENT DE L'ADMINISTRATION SUR L'ENSEMBLE DU TERRITOIRE NATIONAL

- 4.1. Fermement déterminées à parvenir à la normalisation politique et institutionnelle en the Ivory Coast, les Parties au présent Accord s'engagent à restaurer l'autorité de l'Etat et à redéployer l'administration et tous les services publics sur l'ensemble du territoire national.
- 4.2. Le redéploiement de l'administration et des services publics se fera par l'ensemble des ministères concernés, sous l'autorité du Premier Ministre, dès la suppression de la zone de confiance et l'établissement des postes d'observation. Le redéploiement de l'administration concernera l'ensemble des services publics, y compris les services sociaux de base, notamment ceux de l'éducation, de la santé, de l'eau et de l'assainissement.
- 4.3. La désignation des responsables des principaux services administratifs se fera après concertation entre les deux Parties.
- 4.4. Les Forces de Police et de Gendarmerie, comprenant les 600 éléments issus de l'Accord de Pretoria, seront chargées d'assurer la sécurité de l'ensemble du corps préfectoral et des services techniques déployés.

V. DU CADRE INSTITUTIONNEL D'EXECUTION

- 5.1. Les deux (02) Parties au Dialogue Direct exerçant un contrôle effectif, administratif et militaire, de part et d'autre de la zone de confiance, conscientes de leurs hautes responsabilités dans le fonctionnement de l'Etat et déterminées à parvenir à une normalisation politique et institutionnelle fondée sur la gestion concertée du pouvoir politique et la réconciliation nationale, décident de mettre en place un nouveau cadre institutionnel d'exécution.

5.2. Le Gouvernement de transition travaillera dans un esprit de concertation permanente, de complémentarité et d'ouverture aux autres forces politiques de the Ivory Coast pour aboutir à la réunification de la the Ivory Coast, au désarmement et à l'organisation d'élections ouvertes, transparentes et démocratiques, tels que prévus dans les différents accords et résolutions relatifs à la sortie de crise.

VI. MESURES VISANT A CONSOLIDER LA RECONCILIATION NATIONALE, LA PAIX, LA SECURITE ET LA LIBRE CIRCULATION DES PERSONNES ET DES BIENS

Afin de consolider la paix, la réconciliation nationale et la libre circulation des personnes et des biens, les Parties au Dialogue direct conviennent des mesures ci-après:

6.1. De l'embargo sur l'importation des armes

6.1.1. Les deux Parties au Dialogue direct conviennent de demander au Conseil de Sécurité des Nations Unies, avec le concours du Facilitateur et de la CEDEAO, la levée de l'embargo sur les armes qui pèse sur la the Ivory Coast dans un délai de trois mois après l'organisation de l'élection présidentielle.

6.1.2. Elles conviennent aussi de demander au Conseil de Sécurité de l'ONU, avec le concours du Facilitateur et de la CEDEAO, une autorisation spéciale immédiate d'importer les armements légers nécessaires au maintien de l'ordre et de la sécurité publique, sous le contrôle du Centre de commandement intégré visé dans le paragraphe 3.1. ci-dessus.

6.2. De la zone de confiance

6.2.1. Les deux Parties au Dialogue direct, dans le but de permettre la libre circulation des biens et des personnes, conviennent de demander aux Forces impartiales de la Licorne et de l'ONUCI la suppression de la zone de confiance, conformément au paragraphe A.4. du document portant «Gestion de la zone de confiance», dénommé Le «Code 14».

6.2.2. A titre transitoire, une ligne imaginaire, dite ligne verte, allant d'Est en Ouest suivant la ligne médiane de la zone de confiance, sera établie et sera jalonnée par des postes d'observation installés sur les axes d'infiltration. Les postes d'observation seront occupés par les Forces impartiales et seront réduits de moitié tous les deux mois jusqu'à leur suppression totale.

6.2.3. Des unités mixtes, composées paritairement des membres des FAFN et des FDS et chargées d'assurer les missions de police et de sécurité, seront déployées dans la zone de confiance. Ces unités seront supprimées avec la réforme et la restructuration de l'Armée.

6.3. De la loi d'amnistie

Afin de faciliter le pardon et la réconciliation nationale et de restaurer la cohésion sociale et la solidarité entre les Ivoiriens, les deux Parties au Dialogue direct conviennent d'étendre la portée de la loi d'amnistie adoptée en 2003. A cet effet, elles ont décidé d'adopter, par voie d'ordonnance, une nouvelle loi d'amnistie couvrant les crimes et délits relatifs aux atteintes à la sûreté de l'État liés aux troubles qui ont secoué la the Ivory Coast et commis entre le 17 septembre 2000 et la date d'entrée en vigueur du présent Accord, à l'exclusion des crimes économiques, des crimes de guerre et des crimes contre l'humanité.

6.4. Des sanctions

Les Parties au présent Accord conviennent de saisir l'Union Africaine, par l'intermédiaire de la CEDEAO, pour demander au Conseil de Sécurité des Nations Unies la levée immédiate des sanctions individuelles frappant les acteurs de la crise ivoirienne.

6.5. Du Programme d'aide au retour des déplacés de la guerre

Dans la perspective de la réconciliation nationale et de la normalisation politique et institutionnelle, les Parties au Dialogue direct conviennent de mettre en place, dans les meilleurs délais, un Programme d'aide au retour des déplacés de la guerre. Ce Programme vise à assurer la réinsertion sociale des personnes et des familles qui ont abandonné leur domicile ou leurs biens du fait de la guerre. Les deux (2) Parties conviennent de donner au Ministère technique concerné les moyens de mise en oeuvre de ce Programme.

6.6. Du Code de bonne conduite

En raison de l'impérieuse nécessité d'apaiser et de moraliser la vie publique, d'instaurer un nouvel environnement politique en the Ivory Coast et d'éviter toute interprétation partisane et démagogique du présent Accord, les Parties s'engagent à observer un code de bonne conduite.

6.6.1. Les Parties s'engagent à organiser une vaste campagne d'information et de sensibilisation auprès des populations vivant en the Ivory Coast, afin de les amener à adhérer pleinement au processus de sortie de crise et de réconciliation nationale.

6.6.2. Elles s'interdisent toute propagande, notamment médiatique, tendant à nuire à l'esprit de la cohésion et de l'unité nationales. Elles font appel à la presse nationale et internationale pour qu'elle accompagne, de manière constructive, la consolidation de la paix et l'esprit de tolérance.

6.6.3. Les Parties s'engagent à entretenir entre elles un esprit de dialogue permanent basé sur la confiance mutuelle, à s'abstenir de toute attitude belligérante et outrageante et à appeler leurs militants respectifs à adopter des comportements empreints de respect et de retenue.

6.6.4. Elles conviennent de conjuguer leurs efforts en vue de renforcer l'éthique et la moralité républicaines au sein de leurs forces respectives, dans le respect de la dignité et des droits fondamentaux de la personne humaine. Elles s'engagent à conduire leurs forces respectives à travailler ensemble en bonne intelligence.

6.6.5. Les Parties s'interdisent toute utilisation abusive et contraire à l'esprit du présent Accord de la société civile et des organisations syndicales.

VII. DES MECANISMES DE SUIVI ET DE CONCERTATION

Aux fins du suivi du présent Accord et de la poursuite du Dialogue direct, les Parties conviennent de créer un Cadre permanent de concertation (CPC) et un Comité d'évaluation et d'accompagnement (CEA).

7.1. Le Cadre permanent de concertation (CPC)

Le Cadre permanent de concertation est un organe de veille et de Dialogue permanent dans le but de renforcer la cohésion nationale. Il est composé ainsi qu'il suit:

- Monsieur Laurent GBAGBO, Président de la République;
- Monsieur Guillaume K. SORO, Secrétaire général des Forces Nouvelles;
- Monsieur Alassane Dramane OUATTARA, Président du RDR;
- Monsieur Henri Konan BEDIE, Président du PDCI;
- Monsieur Blaise COMPAORE, Président en exercice de la CEDEAO, en sa qualité de Facilitateur.

Hormis le Président Laurent GBAGBO et le Président en exercice de la CEDEAO, les autres membres du CPC ont rang de Président d'institution.

Le CPC est compétent pour examiner toute question relative au présent Accord.

7.2. Le Comité d'évaluation et d'accompagnement (CEA) Le Comité d'évaluation et d'accompagnement est chargé de l'évaluation périodique de la mise en oeuvre des mesures prévues dans le présent Accord. Il est également chargé de suggérer toutes dispositions pratiques et nécessaires à la bonne exécution du présent Accord.

Il est composé ainsi qu'il suit:

- Président: le Facilitateur ou son Représentant;
- Membres: trois (3) représentants pour chacune des deux (02) Parties signataires;

Les deux Parties conviendront, d'un commun accord, de l'élargissement du CEA à d'autres membres de la classe politique ivoirienne. En outre, le Facilitateur fera appel à tout autre observateur, représentant de pays et d'organisations internationales ou interafricaines qu'il jugera nécessaire.

Le CEA est présidé par le Facilitateur ou son représentant. Il se réunit au moins une fois par mois en session ordinaire et, en tant que de besoin, en session extraordinaire, sur convocation de son Président. Aux fins de l'exécution de sa mission, le CEA rendra compte au CPC de la mise en oeuvre de l'Accord et en informera le Représentant spécial du Secrétaire général des Nations Unies.

VIII. DISPOSITIONS DIVERSES ET FINALES

- 8.1. Les Parties s'engagent à s'en remettre à l'arbitrage du Facilitateur en cas de litige sur l'interprétation ou la mise en oeuvre du présent Accord.
- 8.2. Les Parties conviennent de demander des troupes militaires africaines supplémentaires pour participer à la mission de paix des Forces impartiales en the Ivory Coast.
- 8.3. Le chronogramme joint au présent Accord en fait partie intégrante. Les Parties conviennent d'exécuter les opérations convenues conformément à ce chronogramme.
- 8.4. Le présent Accord entre en vigueur dès sa signature par les Parties. Les Parties conviennent de demander au Facilitateur, en sa qualité de Président en exercice de la CEDEAO, de saisir, par le biais de l'Union Africaine, le Conseil de Sécurité des Nations Unies aux fins d'entériner le présent Accord.

Fait à Ouagadougou, le 04 mars 2007

Laurent GBAGBO

Président de la République de the Ivory Coast

Guillaume Kigbafori SORO

Secrétaire général des Forces Nouvelles de la République de the Ivory Coast

Blaise COMPAORE

Président du Burkina Faso,

Président en exercice de la CEDEAO,

Facilitateur

1. Signature de l'Accord politique de Ouagadougou - Jour J
2. Mise en place du Centre de commandement intégré Commence deux (02) semaines après le jour J
3. Mise en place du cadre institutionnel d'exécution Se fait quatre (04) semaines après la signature de l'Accord.

4. Formation du Gouvernement se fait cinq (05) semaines après la signature de l'Accord
5. Suppression de la zone de confiance et mise en place des unités mixtes Commencent une (01) semaine après la formation du Gouvernement
6. Démantèlement des milices Commence deux (02) semaines après la formation du Gouvernement et dure deux semaines
7. Annexe.

CHRONOGRAMME DE MISE EN OEUVRE DE L'ACCORD DE OUA-GADOUGOU

- Regroupement (rassemblement par unité des ex-combattants dans les sites de regroupement et stockage des armes sous la supervision des Forces Impartiales)
 - Redéploiement de l'Administration
 - Début des audiences foraines Commencent deux (02) semaines après la formation du Gouvernement et durent trois (03) mois 8. Enrôlement en vue de l'inscription sur la liste électorale et de l'identification commence un (01) mois après le début des audiences foraines
9. Unification des forces en présence et enrôlement pour le Service civique Commence quinze jours après le début de l'enrôlement
 10. Etablissement et distribution des nouvelles cartes nationales d'identité et des cartes d'électeurs à partir de la liste électorale Commencent à l'adoption officielle de la liste électorale définitive
 11. Fin du processus DDR et organisation des élections

ANNEX III. MAP OF THE IVORY COAST



ICIP WORKING PAPERS - SUBMISSION GUIDELINES

1. International Catalan Institution for Peace (ICIP):

The principle purpose of the ICIP is to promote a culture of peace in Catalonia as well as throughout the world, to endorse peaceful solutions and conflict resolutions and to endow Catalonia with an active role as an agent of peace and peace research.

2. Objectives of the Publication:

The ICIP wants to create an open forum on topics related to peace, conflict and security. It aims to open up debate and discussion on both theoretical and contemporary issues associated with the pursuit and maintenance of peace in our world. It strives to connect an eclectic group of voices including career academics, PhD students, NGO representatives, institutional representatives, and field workers and field writers to celebrate groundbreaking and constructive approaches to peace and conflict resolution.

3. Scope of the Publication (List of Themes):

The ICIP is interested in works related to peace, conflict and security research. It aims to provide an innovative and pluralist insight on topics of methodology of peace research, the history and development of peace research, peace education, peace-keeping and peace-creating, conflict resolution, human security, human rights, global security, environmental security, development studies related to peace and security, international law related to peace, democracy, justice and equality, disarmament, gender, identity and ethics related to peace, science and technology associated with peace and security.

4. Audience:

The ICP aims to provide accessible, valuable and well-researched material for all those interested in the promotion of peace. Our audience in-

cludes fellow academics and researchers, student of peace and security, field workers, institutional and governmental representatives as well as the general public.

5. The review process:

ICIP WP is a peer reviewed publication. Submissions should be sent directly to the series editor (recerca.icip@gencat.cat), who will check whether the paper meets the formal and general criteria for a working paper and will commission a review.

6. Who may submit working papers:

- a. The main criterion for the submission of Working Papers is whether this text could be submitted to a good academic journal.
- b. ICIP staff and other fellows and visitors affiliated with the ICIP are expected to submit a working paper related to their research while at the ICIP.

7. Submission System:

All submissions can be made to the ICIP, e-mail address recerca.icip@gencat.cat with “Working Papers – submission” in the subject line.

For a complete version of the ICIP WP submission guidelines, please visit the publications section of the website www.icip.cat.

Una versió completa i en català d'aquests criteris de submissió de texts la trobareu a la secció de publicacions del lloc web www.icip.cat.

Una versión completa y en castellano de estos criterios de sumisión de textos se encuentra en el apartado de publicaciones de la página web www.icip.cat.

NEXT NUMBERS OF THE ICIP WORKING PAPERS SERIES

Working Paper 2010/1: *Territorial Autonomy and Self-Determination Conflicts. Opportunity and willingness. cases from Bolivia, Niger and Thailand*, by Roger Suso.

EDITED NUMBERS OF THE ICIP WORKING PAPERS SERIES

Working Paper 2009/8: *Indigenous People's Mobilization and their Struggle for Rights in Colombia*, by Farid Samir Benavides.

Working Paper 2009/7: *A Critical Application of Securitization Theory: Overcoming the Normative Dilemma of Writing Security*, by Catherine Charrett.

Working Paper 2009/6: *Bringing actors and violent conflict into forced migration literature. A model of the decision to return*, by Inmaculada Serano.

Working Paper 2009/5: *The Quest for Regulating the Global Diamond Trade*, by Franziska Bieri.

Working Paper 2009/4: *Hezbollah's identities and their relevance for cultural and religious IR*, by Pol Morillas Bassedas.

Working Paper 2009/3: *Eleccions pacífiques a Costa d'Ivori a finals del 2009? Avenços i obstacles de la construcció de pau al país ivorià*, by Albert Caramés.

Working Paper 2009/2: *Prohibició de submissió a nou judici – regla del ne bis in idem – en el sistema interamericà de drets humans i en el dret comparat*, by Priscila Akemi Beltrame.

Working Paper 2009/1: *Conflict prevention and decentralized governance*, by Rafael Grasa and Arnau Gutiérrez Camps.