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Persistent Challenges to Long-Term Peace in Côte d'Ivoire

Summary

- The announcement that 429,000 fraudulent or possibly foreign names were on the voters registry halted the preparations for already delayed 2009 presidential election and revived the divisive discussion of citizenship and identity in Côte d'Ivoire (Ivoirité).
- The stalled electoral process highlighted unresolved issues such as the failed demobilization and disarmament processes and the marginalization of civil society from the implementation of the 2007 Ouagadougou Peace Agreement.
- In April 2010, the U.S. Institute of Peace, the Community of Sant'Egidio and George Mason University's Institute for Conflict Analysis and Resolution brought key leaders of Ivorian civil society and the religious community to Washington, D.C. to develop an approach for resolving the present political impasse and to actively participate in the peace process.
- The April meeting resulted in the Washington Appeal, which urges Ivoirians to tolerate ethnic and political diversity, reduce the tensions around elections, identify longstanding grievances, and expand the role of civil society in the peace process.

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Introduction

After a failed coup d'état in 2002 sparked a brief civil war in Côte d'Ivoire, the country remained divided. The government controlled the south, while the rebel Forces Nouvelles (FN), controlled the north. After the failure of four peace agreements,¹ the March 2007 Ouagadougou Political Accord (OPA) seemed particularly promising because it was a product of the “Direct Dialogue,” the direct negotiations between President Laurent Gbagbo and the leader of the FN, Guillaume Soro. However, it is clear that the OPA is strictly a political agreement, as its name suggests, between Soro and Gbagbo; it does not contain provisions that address the root causes of violence. The OPA resulted in a power-sharing arrangement between Gbagbo and Soro.

A critical component of the OPA is the organization of presidential elections, which have been repeatedly postponed since 2005. In February 2010, elections—which had been rescheduled for November 2009 after several other delays—were officially called off when the ruling Front Populaire Ivoirien (FPI) declared that 429,000 names on the revised voters list were fraudulent and possibly those of foreigners. Concurrently, the government criticized the FN over their failure to demobilize and disarm ahead of the presidential elections. Recently, a new date was set for the elections: October 31, 2010. However, the issues that arose after the February postponement—

namely the demobilization and disarmament—have not been seriously addressed, raising questions about the tasks to be accomplished before elections can take place.

After the postponement of the elections in February 2010, civil society began to more forcefully highlight its marginalization from the peace process, upon concerns that elections held within the present context may be accompanied by violence, and that the stalemate may indicate the possible return to war. In April 2010, the Community of Sant'Egidio,² George Mason University's Institute for Conflict Analysis and Resolution, and the United States Institute of Peace (USIP), brought together key members of Ivorian civil society and religious leaders to develop a platform to resolve the immediate crisis and impact the peace process in general. From April 27 to 30, the participants discussed the current crisis, the role that civil society can play in its resolution, and crafted a public appeal to lay the foundation for a resolution of the political crisis. This Peace Brief reviews the continuing saliency of citizenship and identity issues as conflict triggers in Côte d'Ivoire, examines the consequences of holding elections with the presence of an armed group, and summarizes the Washington Appeal issued by civil society and religious leaders.

Planting Seeds of Political Violence: Who is Ivorian?

The charge that foreign names could be used to cheat in an election is part of Côte d'Ivoire's history.³ In other contexts, foreigners were blamed for Côte d'Ivoire's declining economic fortunes in the 1990s and served as a pretext for defining who is an Ivorian (Ivoirité). Since foreigners hailed from the northern countries of Mali and Burkina Faso and shared names with northern Ivorians, the divisive notion of Ivoirité resulted in discrimination and harassment of legitimate Ivorian citizens, as well as foreigners. It also fueled the violence and tension in the Ivorian 2000 presidential elections, and was among the main grievances articulated by the FN when they launched their failed coup d'état in September 2002. Thus, the announcement that 429,000 names (most of which are northern sounding) on the voter registry may be suspicious or foreign raised the specter of this dark history.

The contention over who is Ivorian finds its roots in the rule of President Félix Houphouët-Boigny, the country's first president. Houphouët-Boigny's encouraged migrant farmers from northern and central Côte d'Ivoire, Mali and Burkina Faso to develop land.⁴ Moreover, before 1990, immigrants—who comprised approximately between one-quarter to a third of the population—had been voting in elections and were entitled to citizenship.⁵ By 1990, Côte d'Ivoire's economy had contracted: the price of cocoa (the country's chief export) had dropped, corruption was rampant, agricultural productivity was declining, the currency was overvalued, and living standards had dropped 38 percent in 15 years.⁶ With natives of Mali and Burkina Faso sharing names similar to those in northern Côte d'Ivoire, many began to openly discriminate against those with northern sounding names, presupposing that they were not citizens.

Ivoirité as a Trigger of Conflict

Citizenship and identity have been central to all elections. In 1995, President Henri Konan Bédié found himself in a potential battle against Alassane Ouattara, a northerner.⁷ Bédié inserted a clause into the electoral code that required the parents of presidential candidates to prove their Ivorian citizenship, that the candidate had not renounced Ivorian citizenship or taken up citizenship of another country, and stipulated that the candidate must have lived in Côte d'Ivoire for five years preceding an election. Ouattara had not decided to run, but with his past possession of a Burkinabè passport and doubts surrounding his father's citizenship, this electoral code would have affected him directly. Bédié's action was perceived as anti-northern.⁸

Before the 2000 elections, two new laws solidified the establishment of *Ivoirite*. In 1998, the national assembly voted to prohibit foreigners from owning land, specifically nullifying any existing property rights they might have acquired.⁹ Then, in 2000, a referendum led by President Robert Gueï amended the constitution to include a provision that only those with both parents of Ivorian birth could hold political office.¹⁰ Ouattara, along with 13 other candidates were disqualified, leaving only Gueï and Laurent Gbagbo as the major presidential candidates.¹¹

Gueï dissolved the electoral commission on October 24, 2000 and proclaimed himself as president when he realized that Gbagbo was going to win. In response, Gbagbo gave orders to his supporters to protest. Gueï fled the country the next day, and Gbagbo assumed power. But Ouattara's supporters demanded new elections, charging that the October elections were unfair. In demonstrations on October 26, Ouattara's supporters were met violently by the government forces, now acting on behalf of Gbagbo. Two days of fighting between FPI and RDR supporters left approximately 170 people dead¹² and exacerbated the ethnic and regional divisions in Côte d'Ivoire.

The Ouagadougou Political Accord

While the previous agreements required the disarmament of militia forces, the resolution of identity issues and elections, the OPA differed significantly in its approach. First, the OPA did not have outside mediators—although Burkinabè President Blaise Compaoré facilitated the agreement—and only involved President Gbagbo and FN leader Guillaume Soro; other political parties were not included. President Compaoré underscored the unique arrangement: the two parties present would be the only ones held accountable for the failure or success of the negotiations. Secondly, the OPA stipulated that those on the 2000 voters list would automatically receive national identity cards. Official figures estimated that 5 million people would need identification and voter registration cards. Those who had become eligible to vote (at 18 years) between 2000 and 2007 and those who had been considered foreigners in 2000 could appear before specially designated mobile courts to obtain a birth certificate, which could in turn be used to obtain national identity cards and voter registration cards. The opportunity to obtain identity cards was a major political victory for the FN and addressed one of the root causes of the Ivorian conflict. As high-ranking Burkinabè officials affirmed: "If Ivorians have to choose between obtaining a national identity card and a voter registration card, they will choose the identity card."¹³

Differing Views on Disarmament

As Côte d'Ivoire's elections were most recently postponed for a sixth time, an old debate over when the FN should disarm resurfaced. While approximately 4,300 FN had disarmed and demobilized by January 2010, about 12,000 had yet to do so. The "Direct Dialogue" did not address whether disarmament should occur before or after the identification process. Gbagbo preferred to have disarmament take place immediately, while the rebel forces did not. Rather than directly dealing with the issue, it was addressed by debating whether the militia groups should be integrated into the national army.

The parties decided that the most recent members – about 20,000 young FPI and non-FPI members who joined after the start of the war—would be integrated into a national civil service program, which provided them professional training to facilitate their re-entry into the workforce or school system. For those who would be integrated into the army, the parties decided to put together mixed groups comprising members of the FN and the government forces, who would be led by a unified command. However, the FN remains largely intact; the national civil service, integration, or disarmament have not evolved as planned.

Currently, the government contends that the Fourth Complementary Accord to the OPA mandates the FN (and all other militia) to disarm two months before the elections.¹⁴ The FN responded by pointing to a preceding article in the same accord stating that an integrated national defense force (of which they were to be a part) could only be formed after the inauguration of the new president—in other words, after the elections.¹⁵ Thus, exploiting this inconsistency, the FN contended that they are not required to disarm until after elections. While there are now plans to restart disarmament, it is not certain that the current effort will be more robust than past efforts. Yet, disarming the FN before the presidential elections is critical. The experiences in the Republic of Congo, the Democratic Republic of Congo and Angola demonstrate that proceeding with elections without disarmament can lead the losing side to react violently.

Civil Society's Call for Peace: The Washington Appeal

Anxious to avoid an escalation of current tensions, key leaders of Ivorian civil society and the religious community in April 2010 issued the Washington Appeal. At its core, the appeal is meant to encourage Ivorians to keep working toward peace by focusing on ethnic and political tolerance, reducing the tension around elections, identifying longstanding grievances and expanding the role of civil society.

The Washington Appeal rejects the divisive issues around nationality. It cites specifically that Côte d'Ivoire's diversity is its strength and a resource upon which to build. Moreover, the participants in the April meeting implored Ivorians to work toward social reconciliation and tolerance.

While acknowledging the importance of elections, the Washington Appeal demands that they are placed in the appropriate context. It suggests that a sole focus on elections produces tension and precludes attempts to address some of the underlying issues that may continue to threaten peace beyond the elections. Ivorians must therefore look beyond elections and engage in a discussion on the future of the country.

Finally, the Washington Appeal called for greater involvement of civil society in the peace process and closer engagement with political stakeholders. Urging civil society to go beyond documenting the peace process, the participants demanded a more inclusive and substantive role for civil society to ensure that information about the peace process and the obstacles impeding its progress be transparently communicated and monitored. To this end, some advocated that civil society take part in monitoring the upcoming elections.

Advancing Peace in Côte d'Ivoire

The appeal distinguishes between short and long-term peace. In the short term, the participants in the Washington Appeal called for peaceful elections and the involvement of civil society in the peace process. In the long term, the participants stressed the need to look beyond elections, toward the root causes of the conflict.

Indeed, neither elections nor the full implementation of the OPA will resolve the most pressing issues fueling tensions in Côte d'Ivoire. First, constitutional and institutional reforms are imperative to address uncertainty over land rights and tenure. Currently, there is little legal guidance for resolving the conflicts over land tenure among indigenous, immigrant, and foreigners that have arisen in the last 20 years, and which serve to deepen ethnic divisions. Legal reforms should also address the plight of the immigrant families who held Ivorian land for generations, but now find themselves without property rights. Secondly, whereas the issuance of identity cards to identify citizenship status of residents has been completed, those who are not citizens of Côte d'Ivoire

ABOUT THIS BRIEF

This Peace Brief reviews the factors that continue to divide Ivorian communities and stall the peace process in Côte d'Ivoire and provides reflections of a meeting of Ivorian civil society and religious leaders in Washington, D.C.

or their place of origin face an uncertain future. Finally, although Côte d'Ivoire is still the leading exporter of cocoa, the heyday of the cash crop has long faded, causing economic hardships and fueling anger at foreigners; legislation is sorely need to address these changing economic dynamics.

Endnotes

1. The previous agreements included: the Linas-Marcoussis Agreement (2003); Accra Agreements II and III (2003 and 2004); and Pretoria Agreement (2006). The first Accra Agreement was a summit called by the Economic Community of West African States (ECOWAS) in September 2002, two weeks after the attempted coup.
2. The Community of Sant'Egidio was present during the direct dialogue sessions at Ouagadougou.
3. See Daniel Chirot, "The Debacle in Côte d'Ivoire," *Journal of Democracy*, Vol 17, no. 2 (April 2006), pp. 67-68, and Richard C. Crooke, "Winning Coalitions and Ethno-Regional Politics: The Failure of the Opposition in 1990 and 1995 Elections in Côte d'Ivoire," *African Affairs*, vol. 96, no. 383 (April 1997), pp 222-223.
4. See Chirot, p. 66; Crooke, p. 222; Catherine Boone, "Electoral Populism where Property Rights are Weak: Land Politics in Contemporary Sub-Saharan Africa," *Comparative Politics*, January 2009.
5. Chirot, p. 66; Crooke, p. 222.
6. Chirot, p. 64.
7. Crooke, p. 223; 225.
8. Ibid, pp. 227- 229.
9. Boone, p. 192.
10. See National Democratic Institute for International Affairs (NDI). "Statement on Political Developments in Côte d'Ivoire," August 11, 2000. Accessible at http://www.afrol.com/Countries/CIV/documents/ndi_political_dev.htm
11. See Human Rights Watch, "The New Racism: The Political Manipulation of Ethnicity in Côte d'Ivoire," August 2001, Section I; "Côte d'Ivoire: France Denounces Exclusion of Presidential Candidates," Agence France Press October 7, 2000; "Paper on Upcoming Referendum," *L'Inter*, July 15, 2000.
12. Human Rights Watch, Section V.
13. According to Mario Giro, personal observation during the negotiations. It was assumed that 65 percent of Ivorians did not have any form of identity cards, whether national identity cards or birth certificates.
14. Fourth Complementary Accord to the Ouagadougou Political Accord, December 22, 2008, Article 3.
15. Ibid, Article 2.



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