

Building peace and development in Côte d'Ivoire

National decisions, shared duties and responsibilities

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A year after the second round of presidential elections, and a few days before the parliamentary elections (11 December 2011), Côte d'Ivoire finds itself in a particularly important moment. Following intense armed clashes, the country seems to be moving towards a new stage in its history. This is thus a good moment to carry out a retrospective review of the causes of the post-election crisis; a review which, in turn, may contribute to the construction of a scenario for peaceful state-building. Accordingly, this policy paper makes a series of recommendations in the short, medium and long term, all of them rooted in one premise: the construction of peace and development depends exclusively on Ivorian national decisions, but the responsibilities and duties are, in some cases, shared by national and international actors. This paper thus forms part of ICIP's ongoing commitment to the construction of peace in Côte d'Ivoire.

Context

In 2010, ten years after the holding of the previous elections, and three and a half years after the signing of the Ouagadougou Peace Agreement, Côte d'Ivoire held presidential elections in two rounds. These were planned as the end of the process of transition and the political crisis after the armed conflict and as the beginning of the phase of the building of peace and development. However, the political, economic and social consequences of the elections have been very different from what one expects in a context of the end of a crisis and of the construction of peace.

The results of the first round (held on 31 October 2010, with 83% participation) left sitting President Laurent Gbagbo (with 32% of the vote), and Alassane Ouattara (with 28%) as the candidates for a second round in which alliances would play a key role. Following the second round (on 28 November 2010, with a participation of 81%), the Independent Electoral Commission, certified by the international community (led by the United Nations and backed by the African

Union, AU) declared Alassane Ouattara the winner, with 54% of the votes. The Constitutional Council, however, citing as their motive violent incidents in the north, ruled out the results in seven northern regions and declared Laurent Gbagbo as the winner. The end result was a situation of dual power, with two presidents being named: one of them, Gbagbo, legitimised by the constitutional body and having control of the main bodies of administration and the state; the other, Ouattara, recognised by the international community, shut away in a hotel in central Abidjan. Why did this situation arise? What had gone wrong?

To understand how this came about we must go back in time and be conscious, first of all, of the conditions under which the elections were called, as the agreed starting point for overcoming the crisis. However, the rest of the terms laid down in the Ouagadougou Peace Agreement (in particular, the demobilisation of the rebel forces and the identification of the population to ensure their right to vote) had not been fulfilled as

agreed and/or had produced fragile and inadequate results.

It is also important to remember that the Ougadougou Peace Agreement, which laid down the roadmap, was the latest in a long list of negotiating processes with intermediaries of various kinds, some of them reaching very ambitious agreements (notably Linas-Marcoussis, Accra and Pretoria).

Finally, we must note that the negotiations stemmed from an armed conflict which was the consequence of a failed coup, years after the economic crisis of the nineties and the demise of the development model and of the political system which had emerged following independence. The deterioration, firstly, of the economic and social situation and then of the political situation allow us to understand the centrality of some elements of analysis and of the fracture lines which generated a conflict which was at times violent. These include national identity (*la ivoirité*) and the possession of land (*le foncier*), both central in a context which demands multidisciplinary and transversal analyses, given that we can find structural causes, accelerators of the crisis and triggers of the violent phases of the conflict.

Analysis

Structural causes, accelerators and triggers of the post-election crisis

If we think of the trigger of the crisis which arose from the disputed results of the second round of the elections, an explanation at first sight would be simple: the lack of legal transparency and of independence in the bodies which had the powers to resolve the election dispute (an independence made impossible by that laid down in the very agreements that established the roadmap). In short, neither were the relevant articles of the Electoral Code applied (especially Article 64, which emphasises the need for the elections to be rerun in the event that serious breaches are found), nor was there any desire to reach a consensus concerning what to do, not even for a joint review of the results to be carried out by all the national and international observing bodies. From then on, the more superficial accounts describe confrontations between two sides, both verbal and armed clashes, and several unsuccessful attempts at mediation, particularly from within Africa (the AU and the Economic Community Of West African States, ECOWAS).

The real story is however more complex, with many different strands. It cannot be reduced to a simple clash between two rivals (an “international” President

versus a “constitutional” President) and their respective allies. It is necessary rather to analyse the structural factors (the political and party system; the very strong presidential powers; and the “zero sum” post-independence political model based on the winner takes all), and the accelerating factors, that is to say, those which worsened the crisis, to which we will now turn.

Firstly, during the months of dual power and internal “war”, the polarisation of the two opposed positions increased in direct proportion to the exhaustion of the attempts, especially by diplomatic means, to resolve the conflict. The process showed a clear tendency to entrenchment of positions from the very beginning: each side considered itself to be the unique and legitimate winner and no one opted for nor tried to promote in a decisive way any effort at a joint validation of the election results.

Both parties considered themselves to be the exclusive and legitimate winners

Secondly, as a measure of pressure and coercion, the international players opted to impose an economic blockade, whose results have been grave and persistent. The decree of economic embargo on Laurent Gbagbo and on those close to him ordered by the European Union (EU) and the agreement by ECOWAS to prevent access to the presidential accounts for the administration created by Gbagbo led to the economic strangulation of the country, worsening the already bad situation created by the exhaustion of the post independence economic model and the successive economic crises. The policy of pressure and economic coercion used by the international community and by the opposing sides can of course oblige one or other side to make concessions in the short term but always causes “collateral damage”. And in the case of the months following the elections, this damage came to be on the scale of humanitarian crisis: a failure to pay salaries to central government employees; a lack of access to their bank accounts for many members of the population; difficulties in the supply of food and medicines; refugees and internally displaced persons; new forms of corruption, etc.

A third multiplying factor was the use of force as a tool for the final resolution of the crisis, given the context of the proliferation of weapons and of groups with access to weapons. The truth is that the country was, and partially still is, a barely controlled powder keg, with a

multitude of armed groups and the rapid proliferation of weapons. The result was very quickly a high degree of armed conflict, with a serious impact on civilians, especially in Abidjan and the west of the country. In addition, at the end of the crisis, the international community decided, through Security Council Resolution 1975 (2011), to authorise the attack on Gbagbo's heavy weapons arsenals in order to ensure the protection of civil society.

It should, however, be clarified that the military resolution of the conflict is directly related to the decisions taken earlier, insufficient both in their form and substance, in the field of diplomacy. Specifically, the AU's demand for the creation of a united armed force following the failure of diplomatic mediation took the form of the creation of the *Forces Republicaines de la Côte d'Ivoire* (FRCI) that from the end of March 2011 onwards gradually conquered the territory, starting from the north, until finally arriving, facing little resistance, at Abidjan. The FRCI's arrival at the economic capital unleashed the bloodiest confrontations, with the significant participation of international troops (the *Force Licorne* and UNOCI), under the aegis of Resolution 1975. Subsequently there came the capture of Gbagbo; the Constitutional Council's confirmation on 28 November 2010 of the victory of the candidacy of Ouattara (thus changing its initial decision); the inauguration of the new president and of his government; and the first six months of the new phase.

It is too early to make an analysis. In order to be able to draw out lessons and recommendations, we will limit ourselves to focussing on the initial agenda and on Ouattara's intervention at the UNESCO on 26 October 2011, which will allow us to recall the structural causes of the Ivorian crisis and conflict.

Initial and future agenda of the new government

The agenda that emerged from the victory of Ouattara, his being constitutionally recognised and his inauguration as President, was in early May 2011 extremely complex. We can however conclude that so far there have been some positive results and, most importantly, almost no negative aspects. There were three crucial aspects in consolidating the situation in the short term and moving toward reconstruction and peace building in the country.

Firstly, the creation and efficient functioning of the unity government, which was not and is not a mere attempt at reconciliation with the entourage of the former President Gbagbo (with his party, the *Front Populaire Ivoirien*, and the youth and student movements, *Jeunes Patriotes* and FESCI, respectively),

and which would already have been quite difficult due to the end of the crisis and above all to the polarisation of discourses and positions during the period of dual power.

In addition, the circle around Ouattara also reveals tendencies, interests and positions of diverse origins and with different expectations: those close to Prime Minister Guillaume Soro, the multifaceted structure of the former rebels, *Forces Nouvelles* (which arose from the fusion in 2002 of three existing armed groups), and the *Partie Démocratique pour la Côte d'Ivoire* (PDCI), led by former President Henri Konan Bédié, who played a decisive role in Ouattara's electoral victory when he called for a vote for him in the second round. This explains the complexity of the debates about how to integrate all these tendencies and how to go on to name the key ministers in the new government.

Reconciliation, justice and truth are key

An initial difficulty are the posts of Prime Minister and the Ministers of the Economy, Interior and Defence (currently occupied by Soro himself, with a delegated minister), who have to deal with important issues such as the management of natural resources and the land, as well as the preparations for parliamentary elections.

Secondly we encounter a very important issue related to the above mentioned ministerial portfolios: that of security. At the end of the crisis, there were a vast number of armed groups and an uncontrolled proliferation of arms, thus illustrating the inefficacy of the arms embargo imposed on the country, breached by both factions during the crisis. In this situation, with obligations outstanding from the previous phase (the demobilisation and reintegration of former combatants are far from complete), the restructuring and restructuring of the armed forces is an essential task. With the exception of the *Garde républicaine*, all the forces expressed their loyalty to the new president, but as is well known, the devil is in the detail. In addition, the mandate derived from Security Council Resolution 2000 implies external support to reformulate the national defence and security policy, through a strategy of reform of the security sector.

There is a third, basic point: along with resolving the structural causes of the crises of recent decades (development, identity, the land question, the expectations of the younger generation, changes in the political and judicial systems, etc.) it is necessary to begin a process of transformation from a fragile state

of negative peace (the absence of direct violence), to the early stages of positive peace, of conflict transformation and peace building: reconciliation, justice and truth. Concerning this issue it is worth mentioning one of Alassane Ouattara's most innovative promises, the creation of a Truth, Dialogue and Reconciliation Commission. Many Ivorians, whatever their political sympathies, desire a peaceful climate and a search for the truth. Carrying out research to find out what has happened both over recent months and since the civil war in 2002 has clear popular support and is a necessary, although not a sufficient, requirement for reconciliation and peace building. Success, however, depends on the Commission's composition, its mandate and its operational capacity on the ground, as well as on the possible participation in this process of the International Criminal Court, which is a very sensitive issue.

There are still too many unknowns, given that there are many elements to be taken into account. Firstly, the humanitarian and legal treatment given to the former President Gbagbo, who recently arrived in The Hague where he is facing four charges of crimes against humanity at the International Criminal Court. Secondly, the exact combination of truth, justice, recognition of guilt and forgiveness which is finally adopted. For now we should note that Ouattara, in his speech before UNESCO, located the role of the Commission in the creation of social cohesion and stressed the importance of research to find out what happened; he refused to make *tabula rasa* of the past. We must forgive, he said, but also ensure that justice is done.

Therefore, at present the balance is a combination of optimism and realism. The (moderate) optimism follows from the way in which the short and medium term agenda has been faced up to, dealing with the triggers and accelerators of the post-election crisis, although still are many loose ends to be tied up. The realism comes from the need to tackle the agenda of development and peace building in the medium and long-term, dealing with the structural issues which have remained pending, some of them for decades.

Outstanding structural aspects

Specifically, we will refer to four structural aspects which are often forgotten. Firstly, the replacement of the neo-colonial model of development that produced the "Ivorian miracle" but also led to a decline, when it became impossible to continue a model which remained linked to "French Africa" and which produced corruption at almost every level of society. Secondly, changing and democratising the political system, characterised by being very presidential and

lacking countervailing powers. In addition, on moving from a one party system to a multiparty democracy, a political culture of "zero sum" was created, with little space for the search for consensus, and in which a maximalist ethos predominated, thus hindering the reaching of agreements and the search for solutions based on power sharing. This exacerbates the enormous influence of leaders who learnt their politics in the period of Houphouët-Boigny.

Thirdly, the educational system, quite universal and initially of a high standard, which has deteriorated — particularly in higher education — and has ended being absorbed by partisan struggles.

Fourthly, correct the attempts at transparency and to fight against corruption which have had the opposite effect, creating new and worse forms of opacity. One example was the replacement, promoted by the World Bank, of the traditional rules of play in the cocoa market by new rules which only worsened the situation.

It is also necessary to address the best known structural challenges, or at least those which are most visible on the public agenda: national identity; agrarian reform and the legislation which follows from this (with particular consequences in the west); the deployment of the state in the north of the country; completing the reform of the security sector and modernising the state apparatus; and above all the development of public policies for youth in relation to education and work. There should also be a special mention of the gradual construction of a shared — and ideally agreed — narrative concerning the past, present and future of the country, which should follow from the analysis of the underlying causes of conflict and the options for peace both in the medium term (Côte d'Ivoire Horizon 2020, in the words of President Ouattara) and over the next three decades.

Recommendations

For actors in Côte d'Ivoire

1. For the Government of Alassane Ouattara

In the short term

-Consolidate, following the parliamentary elections of December 2011, an effective and efficient national unity government, based on an equilibrium between all the political forces which represent the country, with parties from Ouattara's platform (RHDP) and the opposition forces (FPI, LIDER, etc.).

-Carry out a process of reform of the security sector, which should be the embryo, among others, of a public policy over the medium term which promotes the demobilisation and the reintegration of former combatants and militia members, and establishes disarmament programs for the civil population. In the medium term, this should enable the reform of all military, intelligence and police structures.

-Establish a Truth, Dialogue and Reconciliation Commission, which is rigorous and thorough and has a clear mandate and real operational capacity, with a double objective: a) clarify the crimes committed by all sides since 2002, b) facilitate the process of reconciliation and peace building, building a pluralistic and non monolithic account of the causes and consequences of the various phases of the conflict.

-Maintain access, under the conditions agreed, for investigators on missions for the International Criminal Court.

-Set up an institutional and participatory diagnosis of public educational policy, with particular emphasis on secondary education and on the revitalisation of higher education — gradually reopening the universities located in the north — and in parallel with that, implement at all levels of education educational programs concerning peace, human rights and the peaceful resolution of conflicts.

In the medium and long term

-Set up a program over several years, probably lasting for more than one period of office, focusing on the “3 R’s”: rebuilding and restoring everything that was destroyed during the last decade; resolving the causes of the incompatibilities that led to the violence; and reconciling people and communities.

-Develop a program for the progressive construction of a democratic state of law, beginning with the holding of free and fair elections, both for parliament and at local level (including all the prior steps concerning censuses, identification, acceptance of candidates, maintaining security during the voting process, free and secret ballot).

-Promote the policies and the structural and institutional changes needed to reopen the main markets (cocoa, coffee, etc.) and implement multi-level initiatives to fight corruption and the lack of transparency, including the reform of some measures intended to favour transparency that have been shown to have the opposite effect (in the cocoa market).

-Initiate a process of national dialogue to establish a new model of sustainable development that is not so dependent on raw materials and the intensive use of land, which is knowledge-intensive and which creates opportunities for young people.

-Give space to civil society organisations in a pluralistic process of peaceful reconstruction of the country, accepting that they have a crucial role in establishing a state of law, and that any real reform of society and the nation can only be successful with direct local participation, which requires working with intermediate structures and grassroots groups, not just at the level of the elites.

-Implement participatory processes with civil society and opposition forces, with self critical analysis of the past, in order to facilitate reconciliation.

2. For supporters of Laurent Gbagbo

In the short term

-Develop an opposition which is constructive and seeks reconciliation, and has the objective of bringing forward new proposals and policies for the construction of the state.

-Promote reconciliation, participating actively and in good faith in the unity government, acting when necessary as a responsible opposition and participating in the upcoming elections.

-Actively participate in the process of planning and implementing the various programs and policies mentioned above, for reconstruction, reconciliation and resolution, as well as in the development of a model and a plan for development over the next two or three decades.

In the medium and long term

-Participate in the elections and take advantage of the new National Assembly that emerges from them to present legislative proposals for the good of the country, conceived among the different parties and oriented on building peace, democracy and development.

-Participate in the identification of the keystones of a new political system and in the process of deciding, in parliament, how laws shall be made, what they imply and how they shall be implemented.

3. For Ivorian civil society:

In the short term

-Seek and insist on, if necessary with the complicity and support of external actors, the participation of the whole of Ivorian society in the future vision of the country, with all that entails.

-Seek, and if necessary insist on, a more active role for the discussion of proposals for reconstruction, resolution and reconciliation, as well as for participation in the creation and/or discussion of proposals and policies for nation building, either by participating directly – in situations where this possible – or through systems of consultation or direct dialogue.

In the medium and long term

-Contribute to the process of the recovery of historical memory and reconciliation, particularly in the process of uncovering the truth – all the while participating in the construction of a plural vision, including diverse voices, concerning the causes and consequences of in the conflict – as well as in the subsequent process of dialogue.

-Actively participate in the various aspects of peace building, as an essential actor to ensuring local ownership of the process.

-Participate in the process of creating, implementing and evaluating public policies and programs of reconstruction, reconciliation and resolution.

-Promote informal and non formal initiatives concerning education for peace, human rights and conflict resolution.

For international actors

4. For the United Nations system

In the short term

-Strengthen the systems of coordination for humanitarian aid and for ensuring the return of refugees and internally displaced person, as well as for the protection of civilians and in dealing with violence against women.

-Ensure that the peace building mandate agreed by the United Nations receives the funding and human resources necessary for it to be implemented.

-Given the uncontrolled proliferation of arms during the recent crisis, review the arms embargo imposed in 2004 and, with respect to the future, establish the lessons to be learned about good and bad practices so as to avoid errors being repeated in similar future situations.

-Consider and/or strengthen the mandate of peacekeeping tasks such as: reforming the security sector; support for the Truth Commission; establishing a state of law (including the upcoming elections); and the process of developing a new model of sustainable development.

-Establish protocols and guidelines that allow collaboration with local and international civilian actors, including academics and researchers, essential to the success and ownership of the process of peace building and development.

In the medium and long term

-Define a clear and explicit exit strategy, with a calendar, which allows the decentralisation of the peacekeeping mission into an integrated and coordinated system of public and private agencies and institutions involved in the process of peace building and development.

-Put local ownership, empowerment of national actors and participation at the heart of all efforts.

5. For the donor community (EU, WB, IMF, national agencies)

In the short term

-Critically examine their actions during the months of the crisis, particularly the application of coercive economic measures, so as to decide in a responsible way what must be done in terms of financial support to restore the damaged economy of Côte d'Ivoire.

-Continue the programs of humanitarian aid, and of reconstruction following an armed conflict and, in collaboration with local actors, for building peace and democracy.

In the medium and long term

-Establish mechanisms to coordinate aid which promotes the sustainable and self sufficient development of the country.

-Exercise self criticism concerning the shortcomings and weaknesses of all their involvement Côte d'Ivoire since the beginning of the century, so as to extract lessons from the experience.

6. For international civil society

In the short term

-Make proposals for reconciliation, taking as their guiding principles the adoption of a bottom-up approach and the taking into account of local characteristics.

In the medium and long term

-Promote campaigns for social justice through maintaining a critical spirit, directed towards the building of a peace which is sustainable and equitable for all (with respect to class, gender, origin, ethnicity or religion).

-Establish structures and tools for the empowerment of Ivorian civil society, taking into account the impact and conditions that this aid may have.

-Exercise self criticism of the shortcomings and weaknesses of all the actions of the various parties and actors so as to draw lessons.

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