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**REPORT ON THE EVOLUTION OF THE CRISIS EXIT PROCESS IN CÔTE  
D'IVOIRE SINCE THE SIGNING OF THE OUAGADOUGOU  
POLITICAL AGREEMENT**

## REPORT ON THE EVOLUTION OF THE CRISIS EXIT PROCESS IN CÔTE D'IVOIRE SINCE THE SIGNING OF THE OUAGADOUGOU POLITICAL AGREEMENT

### I. INTRODUCTION

1. Since March 2007 to date, the crisis exit process in Côte d'Ivoire has been conducted on the basis of the Ouagadougou Political Agreement (OPA) and its Supplementary Agreements. In contrast to previous Agreements signed by several political parties and movements, the OPA was signed only by the former warring parties (and the Facilitator of the Inter-Ivorian Dialogue). However, the two Ivorian signatory parties to the OPA have reaffirmed their commitment to the Linas-Marcoussis, Accra and Pretoria Agreements, and to all United Nations Security Council Resolutions on Côte d'Ivoire.

2. The Ouagadougou Political Agreement focuses primarily on the following issues: general identification of the populations; the electoral process; the Defence and Security Forces of Côte d'Ivoire, restoration of State authority and the redeployment of the Administration throughout the national territory. This report assesses the level of implementation of this Agreement in the above key areas.

### II. IMPLEMENTATION OF THE AGREEMENTS

#### A) General Identification of the Populations

3. The OPA provided for the resumption of the public hearings for a period of three months with a view to the issuance of legal declarations in lieu of birth certificates. This operation, which took off in September 2007, ended in September 2009, with a total of about 635,000 requests approved.

4. The Agreement also provided for the reconstitution of the civil registers lost or destroyed in some centres. This operation, which was conducted with UNOPS support, started in earnest in January 2009, after several months of assessment. The reconstitution of the civil registers came to an end in May 2009, resulting in the registration of about 250,000 persons.

5. As regards the identification exercise *per se*, the two parties, by signing the Second Supplementary Agreement to the OPA on 28 November 2007, agreed on the appointment of *SAGEM Security*, as technical operator, to identify and place the voters on the voters' register. By virtue of the Agreement, *SAGEM* worked in collaboration with the National Institute of Statistics (NIS) under the supervision of the Independent

Electoral Commission and in close cooperation with the National Identification Office (NIO) and the National Commission for Supervision of the Identification (NCSI). After enlisting the consensus of the parties concerned, the Prime Minister, on 22 February 2008, officially handed the Terms of Reference for the identification and voters' registration exercise to SAGEM, the technical operator. Furthermore, the *modus operandi* for this operation, validated by the IEC and approved by NIO and NCSI, was signed on 31 May 2008 by SAGEM and the NIS and enacted by decree on 19 June 2008.

6. A presidential decree set 15-30 October 2008, for the commencement of the identification of the populations combined with their registration on the electoral roll. However, logistical and organisational difficulties did not allow for compliance with this timeline. It was not until 30 June 2009, that the operation effectively came to an end with the registration of 6,552,694 persons.

7. Identification of the populations came up against several obstacles, the main ones being the following: (1) the IEC displayed shortcomings in estimating the timeframe, as well as the material and logistical organization for both the public hearings and the identification operation; (2) the choice of the technical operator came late, not only for the identification operation, but also for the reconstitution of lost or destroyed civil registers; (3) the low-level of mutual confidence between the political parties which traded accusations of fraud, thus delaying the various operations; (4) the OPA laid down a number of principles but implementation details were negotiated at the time of the drafting of the enabling texts. The bid to achieve consensus among all the parties in order to guarantee a peaceful exit from the crisis, contributed to the delay in the identification process.

## **B. Electoral Process**

8. Article 12 of the Third Supplementary Agreement to the OPA, signed on 28 November 2007, stipulates that the presidential election shall take place not later than the first half of 2008. This timeframe could not be kept, particularly as a result of delays in the adoption of the requisite legislative and regulatory texts. A new date was set by the decree inviting eligible voters to participate in the presidential election on 30 November 2008. Again, as a result of delays in the registration operation, the CPC in its 10 November 2008 meeting, noted the impossibility of organizing the presidential election on the official date of 30 November 2008. Six months later, on 14 May 2009, a fresh decree calling upon eligible voters to participate in presidential election on Sunday 29 November 2009 was issued. However, it was only on 22 November 2009 that the provisional voters' register could be published. The register comprised two sections, the first being a white list of 5,300,586 eligible persons with personal history particulars; and

a grey list of 1,033,985 persons whose nationality needed to be verified. As a result of this delay and the difficulties encountered during consideration of the contentious cases on the electoral register, the IEC came up with a new electoral calendar setting the date for the first round of the presidential election for end February-early March 2010, a date endorsed by the Permanent Consultation Framework at its 6<sup>th</sup> Meeting held on 3 December 2009.

9. It is noteworthy that 14 of the 20 candidates for the presidential election were retained by the Constitutional Council which published the list on 20 November 2009. The candidates so retained include three key players in the ivorian political arena, namely: President Laurent Gbagbo, Mr. Henri Konan Bédié and Mr. Alassane Dramane Ouattara.

10. On 9 January 2010, the Office of the President of the Republic accused the IEC and its Chairman of manipulating the voters' register by producing a record of 429,000 persons for inclusion, officially, on the final voters' register. There followed a period of trial of strength between the IEC Chairman (supported by *RHDP*) and the presidential camp resulting in the dissolution of the IEC and of the Government on 12 February 2010. Subsequently, the Ivorian parties, with the help of the Facilitator, on 25 February 2010, reached a consensus to reappoint an IEC in accordance with the Pretoria Agreement, but chaired by new personalities, and set up a new government.

11. The issue of contentious cases on the provisional voters' register has continued to be the subject of debate. Consensual solutions were adopted particularly to compile, from 17 to 31 May 2010, the complaints of Ivorian citizens that had been placed on the grey list and to embark upon a comprehensive verification of those on the white list as from 21 June 2010. The date for conclusion of the contentious cases on the voters' register and the publication of the final voters' register, and the fresh date for the first round of the presidential election are yet to be known.

12. The major obstacles faced by the electoral process are the same as those that hampered the identification exercise, obstacles compounded by the following:

- i. the combination of the populations' identification operation with voters' registration engendered additional difficulties.
  - As a matter of fact, the identity issue in a country where 30% of the population is non-Ivorian constitutes an emotive and political issue; reason for which it would have been more advisable to address the matter in a more serene framework than that of elections.

- ii. the very high cost of the agreement with SAGEM (66.7 billion CFA Francs) to be borne solely by the Ivorian Government generated concern;
- iii. the recurrent debate between the presidential camp and the New Forces on the question of disarmament and reunification prior to the elections has been a source of constant tension and has slowed down the electoral process;
- iv. the serious malfunctioning of the IEC, which was denounced by the Office of the President of the Republic in January 2010, dealt a serious blow on the electoral process.

### **C. Defence and Security Forces**

13. The OPA provided for the restructuring of the defence and security forces and a task force was established for this purpose as far back as December 2007. The question of the grade of *FAFN* (Armed Forces of the New Forces) soldiers and quotas in the new National Army often came to the fore, and several consultations were undertaken in this regard. The Fourth Supplementary Agreement to the OPA, signed on 22 December 2008, provided answers to the issue of quota for *FAFN* soldiers in the defence and security forces. 4,000 troops will be deployed to the National Police and Gendarmerie and assigned to security duties under the command of ICC (Integrated Command Centre, 5,000 *FAFN* former volunteer fighters to be integrated in the New National Army will be selected and assembled for joint basic training in four military camps (Bouaké, Korhogo, Man and Séguéla) under the command of the *FAFN* Chief of Staff with the support of the Impartial Forces. A joint commission for integration of these former fighters was established on 2 September 2009 and, concurrently, the operation to rehabilitate the assembly centres started. On 15 June 2010, a ceremony was organized in Korhogo for the encampment of the first 500 elements of *FAFN*. The issue of grade was first addressed by the grades harmonization Commission which submitted its proposals in early September. The issue was subsequently resolved by presidential decrees on 16 November 2009.

14. The Integrated Command Centre (ICC) provided for under the Agreement was set up on 17 March 2007, by a presidential decree and inaugurated in Yamoussoukro on 16 April 2007, coinciding with the beginning of the dismantling of the confidence zone and establishment of joint brigades (FDSCI-*FAFN*). The ICC has long been handicapped by meagre resources in terms of both equipment and human resources. In April 2009, the President of the Republic and the Prime Minister agreed to boost the operational capacities of ICC and, to this end, instructed the two Chiefs of Staff (*FDSCI* and *FAFN*) to develop a joint scheme to open joint stations, institute joint gendarmerie brigades and deploy an equal number of 8,000 men throughout the national territory.

The operation effectively took off in June 2009, but only a few hundreds of troops have been deployed to date.

15. The implementation of the disarmament, demobilization and reintegration component of the OPA has not been easy. Although a national reintegration and community rehabilitation (*PNRRC*) and a national civic service programme (*PSCN*) have been put in place, it took quite some time to obtain adequate financing. According to the information published by the *PNRRC* Coordinator in April 2010, of the 34,814 former *FAFN* fighters profiled, 14,774 are yet to be demobilized; and of the 37,451 elements of the self-defence groups profiled, 20,144 are yet to be demobilized.

16. The Third Supplementary Agreement to the OPA, signed on 28 November 2007, provides for the commencement of the assembly of the former fighters, the recovery and storage of arms and the dismantling of the militias not later than 22 December 2007, and the payment of fixed monthly allowance by Government, so as to guarantee the mobilization, operation and the provision of food and support to the former fighters up to their rehabilitation and integration in the new Defence and Security Forces or in civilian life. A presidential decree dated 28 December 2007 set at 90,000 CFA Francs the monthly allowance to be paid to encamped *FAFN* former fighters. The assembly of *FDSCI* members ended on 24 January 2008 but that of *FAFN* dragged on for a long time. Of the overall declared strength of 34,678 former *FAFN* fighters, 11,364 elements had been encamped as at 1 October 2008. The New Forces explained that they were faced with technical and financial difficulties, in particular the provision of daily care and support for the encamped soldiers and the fixed allowance of 90,000 CFA Francs. It is noteworthy, in this regard, that there have been several violent demonstrations by *FAFN* elements especially in Bouaké, Séguéla and Vavoua, especially in the second half of 2008, the protest focussing essentially on payment of this allowance.

17. The Fourth Supplementary Agreement to the OPA signed on 22 December 2008, stipulates that the disarmament, recovery of the arms held by the two former warring Forces, the demobilization of the former fighters of the New Forces and the dismantling of the militias should be concluded not later than two months before the date set for the presidential election. The parties invite the Government to pay the former *FAFN* fighters and the militias an allowance or provide direct demobilisation assistance amounting to 500,000 CFA Francs on a once-and-for-all basis. There has been considerable delay in the implementation of the Fourth Supplementary Agreement and the provision in respect of payment of 500,000 CFA Francs to the former *FAFN* fighters and militias is yet to be implemented.

18. The implementation of the OPA provisions on the Defence and Security Forces came up against difficulties similar to those mentioned in regard to other components of

the Agreement. This state of affairs has been compounded by the recurrent tensions in the New Forces compelling their hierarchy to adopt a cautious approach, thus slowing the disarmament and reunification of the country.

#### **D. Restoration of State Authority and Redeployment of the Administration**

19. The President of the Republic and the Prime Minister agreed, on 5 June 2007, on the appointment of prefectural authorities and deployment of magistrates. To launch the redeployment of the Administration in areas under the control of the New Forces, an installation ceremony for the prefect of the Department of Bouaké was organized on 18 June 2007, attended by the Prime Minister and other prefects and secretaries-general redeployed in this area. The two parties decided, during the signing of the Third Supplementary Agreement to the OPA, on 28 November 2007, that redeployment of the Administration and public services throughout the territory would be completed by 30 January 2008 at the latest. From the very onset of the redeployment, the prefectural administration came up against various problems, especially the lack of residential accommodation, offices, means of travel and staff. These material difficulties were gradually sorted out with the support of Côte d'Ivoire's economic partners. The European Union was preoccupied with the rehabilitation of the buildings, and the World Bank financed the purchase of over 200 vehicles. The issue that has been pending for long concerns the actual authority to be exercised by the prefects given the fact that they were cohabiting with the area commanding officers of the New Forces who kept most of their previous powers. This situation generated tension between the *FPI* and the New Forces over the issue of disarmament and reunification of the country. Despite the signing of the Fourth Supplementary Agreement on 22 December 2008, which provided that the Department prefects and sub-prefects appointed in the *CNO* area would exercise full powers by 15 January 2009 at the latest, the situation has not really changed. Indeed, in the Protocol signed on the occasion of the handing over of office among the prefects and the *FN* area commanding officers that took place in Bouaké on 26 May 2009, it was stipulated that the prefectural authorities would have recourse to the ICC for management and maintenance of public order. However, as the ICC had not deployed its police stations and joint brigades, the *FN* area commanding officers continued to exercise security and revenue collection duties. Disarmament and the country's reunification continued to be a bone of contention between the *FPI* and the New Forces, particularly in April 2009 and in March-April 2010.

20. In the Third Supplementary Agreement signed on 28 November 2007 and the Fourth Supplementary Agreement signed on 22 December 2008, the Parties decided on the redeployment of the tax and customs authorities, on the basis of the principle of single treasury. However, there was no perceptible change in the situation apart from the opening of a single window facility in Bouaké for vehicles and trucks customs

clearance and registration in CNO areas, at a ceremony chaired by the Prime Minister on 4 March 2009. It was under these conditions that the CEA, during its 7<sup>th</sup> meeting held on 9 August 2009, “*encouraged the Government to carry on with opening single window facilities in other localities in CNO areas and urged the parties to agree, without delay, on the practical details for implementation of the mechanisms provided for with regard to the installation of joint customs brigades at the borders.*”

21. One major obstacle to reunification has long been the issue of redeployment of the tax Administration. Observers believe that the slow progress or *impasse* in the reunification of the country has to do with economic interests.

### III. SUPPORT BY THE INTERNATIONAL COMMUNITY SUPPORT

22. Throughout the OPA implementation, the Facilitator of the Inter-Ivorian Dialogue, H.E. Blaise Compaoré, President of Burkina Faso, deployed tremendous effort in chairing the meetings of the Agreement Follow-up Mechanisms (*CPC* and *CEA*), consulting with the parties each time the situation called for it.

23. The United Nations has always extended the mandate of the UNOCI, which had a military component of around 8,000 people, 750-member police unit and a civilian police force of around 400 members. UNOCI always put its logistics at the service of the electoral process and contributed towards the reintegration of former combatants through a large-scale programme of quick impact projects. The economic partners of Côte d'Ivoire invested considerable resources in the peace process in Côte d'Ivoire and brought the country to the decision point of the HIPC Initiative.

24. The African Union has remained by Côte d'Ivoire's side and accompanied it all through the crisis exit process. Apart from the Liaison Office that monitors the situation on daily basis, regularly consulting the Ivorian role players and representatives of the international community, the AU Commission has remained engaged on the side of Côte d'Ivoire, fielded pre-electoral evaluation missions each time the deadlines for elections drew nearer, took part in *CEA* meetings as a member of the International Consultation Organ (*OCI*) and financed, to the tune of US\$ 100,000, six quick impact projects for the rural populations. The Peace and Security Council, after having endorsed the OPA, met on a regular basis to review its implementation. It also fielded a mission to that country at the end of April 2009.

### IV. OBSERVATIONS

25. The initiative taken by President Laurent Gbagbo to call on Mr. Henri Konan Bédié, President of the *PDCI-RDA*, and Alassane Dramane Ouattara, President of the



*RDR*, on 10 and 17 May 2010 respectively, for talks on resumption of the peace process in Côte d'Ivoire, deserve to be commended. The meetings helped to re-establish a peaceful political climate, paving the way for the organization of the AfDB Annual Assemblies in serenity from 27 to 28 May 2010. It is hoped that such meetings would continue and that they would inspire all the Ivorian parties to give priority to dialogue in the interest of Côte d'Ivoire.

26. The Government, the Independent Electoral Commission (*CEI*) and all the structures working with it, as well as all the Ivorian parties, also need to be encouraged to agree on the electoral calendar and organise presidential elections this year, 2010.

27. The PSC may wish to reiterate its gratitude to President Blaise Compaoré, Facilitator of the Inter-Ivorian Dialogue, for his sustained and tireless efforts and encourage him to persevere in his endeavours until a successful conclusion of the crisis exit process.

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