

22 September 2010

CÔTE D'IVOIRE

Quest for durable solutions continues as the electoral process moves forward

While the implementation of the Ouagadougou Peace Accord saw some progress in mid-2010, in particular with the announcement of a new date for the elections and agreement on the voter list, fears of renewed violence and further displacement remain. At the same time, internally displaced people (IDPs) continue to struggle for durable solutions.

In the absence of country-wide monitoring mechanisms, it is difficult to obtain a clear estimate of the number of people still displaced. It is similarly unclear to what extent IDPs have been able to integrate locally in their areas of displacement or resettle elsewhere in the country, as only return movements have been (partly) monitored. Assistance to IDPs has been gradually integrated into wider relief and development programmes, although protection concerns have remained especially in the west and in northern areas under the control of the Forces Nouvelles (FN) rebels.

Although return movements have continued both spontaneously and with the support of humanitarian agencies in the course of 2010, obstacles to sustainable returns persist. These include continuing insecurity, rampant criminality, human rights abuses and, especially in the west, longstanding land disputes. As land tensions have continued to cause displacement and to prevent IDPs from accessing their plantations, humanitarian partners and national institutions have moved in 2010 towards a more coordinated approach to preventing and resolving these conflicts.

Côte d'Ivoire signed the African Union Convention on IDPs in November 2009, but had not ratified it by September 2010. National legislation for the protection of IDPs was also waiting to be signed. With the role of the Ministry of Solidarity and War Victims as the national focal point for IDPs being discontinued at the beginning of 2010, prospects for renewed attention to IDP issues were further compromised. At the same time, the international community has continued its shift from humanitarian to recovery and development programmes.

Internal displacement in Côte d'Ivoire

- Areas affected by displacement
- Return movements
- Capital city
- Economic capital
- Province capital
- Town, village

0 50 100 Km

IDMC

December 2009



Source: IDMC

More maps are available at www.internal-displacement.org

Background and causes of displacement

Internal displacement in Côte d'Ivoire has been caused both by the internal armed conflict that broke out in 2002 following a failed coup by disaffected soldiers, and by localised communal conflicts. Intermittent fighting between government forces and northern-based rebels of the Patriotic Movement of Côte d'Ivoire (Mouvement Patriotique pour la Côte d'Ivoire, or MPCl), later known as the New Forces (Forces Nouvelles or FN), continued until the signing of the Ouagadougou Peace Accord (OPA) in March 2007.

Hundreds of thousands of civilians were displaced in 2002, including civil servants in northern areas under rebel control, and indigenous and migrant communities from the western regions of Moyen Cavally and Dix-huit Montagnes. Many of them sought refuge in the southern city of Abidjan.

The OPA and its supplementary agreements have sought to resolve the crisis in the country by addressing strategic issues such as the identification of the population and registration of voters, the demobilisation and disarmament of both rebel and militia forces, and the reunification of the country (the north has remained under the control of the FN and the south under government control).

Although the OPA has led to more significant progress in the resolution of the conflict than the five peace agreements which preceded it, its implementation has been continuously delayed. A UN-led technical mission to assess and recommend options for the future of the UN peace-keeping force in Côte d'Ivoire (ONUCI) (UN SC, 28 January 2010, para. 22), found that besides logistical challenges and technical constraints such as the lack of capacity of the national implementing institutions, disagreements on how the most sensitive tasks should be carried out, and a lack of political will have contributed "significantly" to these delays (UN SC, 20 May 2010, para. 12).

Since mid-2009, members of political elites have increasingly made use once again of the xenophobic concept of "Ivoirité" ("Ivorian-ness") in their discourses (ISS, July 2010). In the 1990s, ethnic discrimination became a common practice as "Ivoirité" was increasingly used as a condition of participation in public life, and constitutional amendments designed to restrict the posts of president and vice-president to those whose parents were both Ivorian by origin led the citizenship of all of those who did not belong to certain "core" ethnic groups to be questioned (OSI, October 2009).

In February 2010, plans to remove over a million people from the electoral list because of doubts over their Ivorian nationality, and President Gbagbo's decision to dissolve and reform the government and the Independent Electoral Commission (Commission Electorale Indépendante or CEI) over the issue, led to violent mass protests in several of the country's cities (IRIN, 22 February 2010). Both demonstrators and security forces were found to have perpetrated grave human rights abuses and violations in the course of the protests (UNOCI, August 2010).

According to the International Crisis Group, the regions that face a higher risk of electoral violence include the commercial capital Abidjan and those areas where tensions persist between locals, economic migrants from other areas of the country, and workers from other West African countries, over access to land and its economic exploitation (ICG, 5 May 2010). In these areas, the risk of further displacement is also high.

The electoral process

With a new government and electoral commission in place, the new date of 31 October 2010 was announced for the presidential elections (UN News, 5 August 2010). These elections were a central element of process agreed in the OPA, but they have been repeatedly postponed since 2007 although internal and external observers see them as a prerequisite for a durable resolution

of the crisis (IRIN, 2 September 2010; Reuters, 25 August 2010; AU, 11 August 2010). At the same time, disputed results could reignite violence (Reuters, 25 August 2010). In particular, issues around the voter list and the disarmament of both rebel and militia elements remain to be addressed if the risk of violence is to be limited.

Côte d'Ivoire's presidential candidates all accepted the final voter list produced by the new electoral commission at the beginning of September 2010. The list is to be posted in polling stations at the beginning of October (VOA, 7 September 2010). However, analysts have highlighted that the current list does not differ much from the one President Gbagbo last rejected and have expressed concerns that other obstacles could still arise (Reuters, 6 September 2010). In particular, the disarmament of rebel and militia forces is still to be completed.

The FN has not disarmed but has completed the regrouping of its troops into barracks ahead of the October polls, in line with the rules agreed in the Ouagadougou Peace Accord (Reuters, 31 August 2010). The disarmament, demobilisation and reintegration programme has faced many challenges, ranging from the lack of capacity of the national implementing institution to the inability of the government to pay the promised demobilisation allowances (UN SC, 20 May 2010). Meanwhile, although the UN again renewed its arms embargo in October 2009, both the government and FN have continued to rearm; despite an international ban, Ivorian "conflict diamonds" have continued to be sold, as illegal mining has continued to grow in 2008 and 2009 in some of the areas under FN control (UNSC, 9 October 2009; PAC, October 2009).

IDP numbers

Given the patterns of displacement, with almost all internally displaced people (IDPs) being hosted by

friends or relatives, the extreme scarcity of information from the centre-north and the lack of comprehensive monitoring mechanisms on durable solutions, reliable statistics on the current number of IDPs across the country are difficult to obtain.

According to UNHCR, as of June 2010, there were some 519,000 IDPs in the country, more than half of them women (UNHCR, 1 June 2010). The estimate is based on the results of a 2005 survey by UNFPA and the national institute of statistics ENSEA, which found a total of almost 710,000 IDPs in five government-held regions. Since March 2007, IDPs have started returning to their areas of origin or previous residence, including displaced civil servants who have been redeployed. Return monitoring mechanisms have been mostly limited to the western regions of Moyen Cavally and Dix-huit Montagnes. It is unclear how many IDPs have decided to integrate locally or settle elsewhere in the country. Therefore, in the absence of proper country-wide monitoring mechanisms, it is very difficult to make a reliable estimate.

Meanwhile, short-term displacement have continued, mainly as a consequence of inter-communal land disputes (Nord-Sud, 3 June 2010 and 23 April 2010).

Assistance needs and protection concerns

With many development indicators worsening across the country (IRIN, 2 September 2010; UN OCHA, 14 July 2010), IDPs' assistance needs have gradually been integrated into wider relief and development programmes. Assistance has mainly focused on improving food security, as malnutrition indicators have reached alarming levels in some areas in the north (UN SC, 20 May 2010). Excessive rainfall has caused localised flooding (IRIN, 25 June 2010) and conflicts over land have continued to reduce production and cause poor households, including IDPs and returnees, to risk

losing their food reserves (FEWSNET, July 2010). Hosts have also been at increased risk: in the western departments of Guiglo and Bloléquin, the 31,000 IDPs reportedly living with host communities have caused resources to be stretched (UN SC, 20 May 2010).

Human rights violations and abuses have continued across the country. Sexual and gender-based violence have continued to be widespread, especially in the west and in the areas under FN control (US DoS, 11 March 2010). Restrictions on internal travel have also frequently limited the movement of people, especially those seeking to travel between towns under FN control or from government-controlled to FN areas (HRW, 20 January 2010).

Travel restrictions have constituted an extra burden for those IDPs who have wanted to regularise the situation of their children, given the necessity to register children's birth in their place of birth (NRC, March 2010).

Durable solutions

The information available on whether IDPs have been able to achieve durable solutions refers essentially to return movements as there is virtually no data on IDPs who have sought to integrate in the place to which they were displaced or resettle in another area. Information on returns is more or less limited to the western regions of Moyen Cavally and Dix-huit Montagnes. By 30 March 2010, close to 90,000 IDPs had returned to their areas of origin or habitual residence in these two regions (UN SC, 20 May 2010). However, conflicts over access to land and land ownership, rampant criminality, human rights abuses and the prevalent impunity of perpetrators all continue to constitute obstacles to the attainment of durable solutions.

Return movements have mostly been spontaneous (UN OCHA, February 2009), but some IDPs

have received support to return. Since the beginning of 2010, humanitarian agencies have organised at least four return convoys to the west and provided returnees with food and non-food items (ICRC, 18 May 2010; UNOCI, 8 April 2010; 26 March 2010). UNHCR has continued its protection monitoring activities in 2010 in areas of return in Moyen Cavally and Dix-huit Montagnes (UNHCR, 1 June 2010). In some villages, peace committees have also facilitated the peaceful return of IDPs and their inclusion into local decision-making processes (UN SC, 20 May 2010).

Obstacles to return

In its 2010-2011 Global Appeal, UNHCR identified as the main conditions for durable returns in 2010 the holding of free, fair and transparent elections, the acceptance by political parties and armed groups of their results, and the improvement of security in areas of return (UNHCR, 1 June 2010). At the same time, it has identified land disputes and poor social cohesion as the main obstacles to sustainable return (UNHCR, 1 June 2010). Migrant communities (originating from other regions of Côte d'Ivoire or from other West African countries) who had been displaced from localities in the west were still targeted at the end of 2009 as they attempted to return to their plantations (HRW, 20 January 2010).

In many cases, while people were displaced the plots they had planted were either sold or leased by others to third parties. When they tried to return, many IDPs found their plantations occupied (IRIN, 27 January 2010). In the absence of a system of restitution or compensation for land, the 1998 Rural Land Law is currently the only legal framework available to settle disputes in rural areas. The Law is designed to recognise and formalise customary rights, and to reduce tensions over land ownership resulting from the uncertainty of customary transactions; however the formalisation of customary rights in the context of displacement complicates land disputes and increases the risk of discord (IDMC, October 2009, p.5). Moreover,

the law remains little known in most of the areas of return in the west (IRIN, 27 January 2010) while the implementation capacity of the government remains limited.

Numerous land disputes have also arisen in the protected forest areas where many internally displaced people used to plant their crops. As the 1998 Rural Land Law only applies to the rural land domain and not to the protected forests, there is no legislative framework to resolve these disputes. While solutions to land disputes in both village and protected forests in the west have mostly been ad hoc, humanitarian agencies and national institutions agreed in May 2010 to set up a local platform in Moyon Cavally region to adopt a more consistent approach to the prevention and the resolution of disputes (SODEFOR, 12 May 2010).

National and international responses

Côte d'Ivoire signed the African Union Convention for the Protection and Assistance of Internally Displaced persons in Africa (the Kampala Convention) in November 2009 (AU, 6 August 2010), but as of the beginning of September 2010 it had not ratified it. Elements of a national legal framework upholding the rights of IDPs, including a bill defining mechanisms to compensate war victims including IDPs, were still awaiting signature in September 2010, years after they had been drafted. The likelihood of their signature was further reduced by the discontinuation of the mandate of the Ministry of Solidarity and War Victims as the IDP focal point in February 2010, following a government reshuffle (GoCdl, 23 February 2010). The Ministry had taken the initiative of drafting legislation on compensation and restitution issues and had set up an inter-ministerial committee on IDPs. Its functions were taken over by the new National Secretariat for Solidarity and War Victims (GoCdl, 2010). The Ministry of Reconstruction and Reinsertion, which had been supporting IDP re-

turn movements in the course of 2009 (Fraternité Matin, 20 April 2009; Xinhua, 26 August 2009), was also abolished on the same occasion.

The declared overarching goal of the government's IDP plan is the return of all displaced people to their original homes. The Ouagadougou Accord focuses on the drafting of a national strategy to facilitate the return of IDPs, and remains silent on their right to integrate in the place of displacement or resettle in another part of the country, as prescribed in the Guiding Principles.

The medium-term social objectives of the government, described in its Poverty Reduction Strategy Paper (PRSP), include efforts to promote national reconciliation and social cohesion and the full reunification of the country as well as general economic development (IMF, 20 May 2009). Côte d'Ivoire has turned to the Heavily Indebted Poor Countries Initiative of the International Monetary Fund and the World Bank for debt relief assistance. In 2010, however, with social development indicators stagnating or deteriorating and a continuing political impasse likely, the World Bank announced the decision to tie debt relief to the holding of elections (Reuters, 29 January 2010).

In line with the PRSP, international donors have prioritised development assistance while government partners have progressively shifted from humanitarian activities to recovery and development projects. There is no humanitarian appeal for 2010, and Côte d'Ivoire is not among the countries to benefit from the Central Emergency Response Fund (CERF) in 2010. From January to June, the remaining humanitarian activities carried out by UN agencies continued to focus on the reintegration and protection of IDPs and returnees in the west (UN SC, 20 May 2010).

As of 1 July 2010, OCHA transferred its coordination and contingency planning capacities to the office of the UN Resident Coordinator and to its regional office in Dakar. OCHA's office in Guiglo in

the west is the only office to remain open until the end of 2010 (UN OCHA, December 2009).

The UN Operation in Côte d'Ivoire (ONUCI) launched a local transition fund in July to consolidate its humanitarian activities (APO, 9 July 2010). As of September 2010, only the Swiss government had contributed, with \$1 million to finance community rehabilitation programmes.

With Resolution 1933, the Security Council extended to the end of 2010 the mandate of ONUCI to accompany the government in the implementation of the OPA and the holding of the elections (UN SC, 30 June 2010). In this latest resolution, the Security Council has more explicitly included in ONUCI's mandate its support for humanitarian assistance, including by taking into account the special needs of vulnerable groups including IDPs. The term "displacement" first appeared in Security Council Resolution 1726 in 2006, two years after the establishment of ONUCI, where the Security Council mentions its "serious concern" over displacement in the preamble. It was only in Resolution 1765 of 2007 that displacement was mentioned in the core text: [the Security Council] "invites the signatories of the Ouagadougou political Agreement to take the necessary steps to protect vulnerable civilian populations, including by guaranteeing the voluntary return, reinstallation, reintegration and security of displaced persons, with the support of the United Nations system, and to fulfil in this regard their commitments in accordance with the Ouagadougou political Agreement and their obligations under international humanitarian law" (UN SC, 16 July 2007).

Note: This is a summary of IDMC's internal displacement profile on Côte d'Ivoire. The full profile is available online [here](#).

Sources:

African Press Organization (APO), 9 July 2010, UN announces launch of local transition fund in Côte d'Ivoire

African Union (AU), 11 August 2010, Press Statement Of The 238th Meeting Of The Peace And Security Council

African Union (AU), 6 August 2010, List Of Countries Which Have Signed, Ratified/Acceded To The Kampala Convention

Famine Early Warning System Network (FEWS NET), July 2010, SAHEL ET AFRIQUE DE L'OUEST Mise à jour de la sécurité alimentaire Juillet 2010

Fraternité Matin, 20 April 2009, Prise en charge des victimes de guerre: Dacoury-Tabley dénonce le manque de solidarité du Gouvernement

Government of Côte d'Ivoire, 2010, De La Tour B Aux Deux Plateaux

Government of Côte d'Ivoire, 23 February 2010, Nouveau Gouvernement : Le Premier Ministre Compose Une Equipe De 27 Membres

Human Rights Watch (HRW), 2010, 2010 World Report: Chapter on Côte d'Ivoire

Institute for Security Studies (ISS), July 2010, Peace and Security Council Report, no. 12

Integrated Regional Information Networks (IRIN), 27 January 2010, Beyond the law on land disputes

Integrated Regional Information Networks (IRIN), 25 June 2010, Dozen die in Côte d'Ivoire rains

Integrated Regional Information Networks (IRIN), 22 February 2010, Uneasy calm after wave of protests

Integrated Regional Information Networks (IRIN), 2 September 2010, Analysis: No political mandate, no development in Côte d'Ivoire

Internal Displacement Monitoring Centre (IDMC), October 2009, Whose land is this? Land disputes and forced displacement in the western forest area of Côte d'Ivoire

International Committee of the Red Cross (ICRC), 18 May 2010, Le CICR fournit une assistance à quelque 12 000 personnes

International Crisis Group (ICG), 5 May 2010, Securing the Electoral Process

International Monetary Fund (IMF), 20 May 2009, Côte d'Ivoire: Poverty Reduction Strategy Paper

Nord-Sud, 3 June 2010, Litige foncier à Daloa : 300 femmes et enfants réfugiés à la sous-préfecture

Nord-Sud, 23 April 2010, Conflit foncier à Danané : 11 blessés à l'arme blanche

Norwegian Refugee Council (NRC), March 2010, Enquête sur la déclaration à l'état civil par les populations rurales en Côte d'Ivoire

Open Society Institute (OSI), October 2009, Citizenship Law in Africa

Partnership Africa Canada (PAC), October 2009, The Kimberley Process: Too Important to Fail, Too Important for Pretense

Reuters, 29 January 2010, World Bank ties Ivory Coast debt relief to election

Reuters, 25 August 2010, Timeline - Ivory Coast's drawn-out political crisis

Reuters, 6 September 2010, Ivory Coast political rivals agree on voter list -PM

Reuters, 31 August 2010, Ivorian rebels say back in barracks ahead of poll

Société de Développement des Forêts (SODEFOR), 12 May 2010, Compte rendu d'atelier (copy with IDMC)

U.S. Department of State (U.S. DOS), 11 March 2010, 2009 Human Rights Report: Cote d'Ivoire

United Nations High Commissioner for Refugees (UNHCR), June 2010, UNHCR Global Report 2009 - Côte d'Ivoire

United Nations News Service, 5 August 2010, UN mission takes note of new date for Ivorian presidential polls

United Nations Operation in Côte d'Ivoire (UNOCI), 26 March 2010, L'ONUCI escorte le retour des déplacés internes du Moyen Cavally

United Nations Operation in Côte d'Ivoire (UNOCI), 8 April 2010, L'ONUCI escorte 107 ex-déplacés rentrant au Moyen Cavally

United Nations Operation in Côte d'Ivoire (UNOCI), 26 August 2010, Rapport sur les violations des droits de l'homme liées aux événements de février 2010

United Nations Security Council (UN SC), 30 June 2010, Resolution 1933 (2010)

United Nations Security Council (UN SC), 20 May 2010, Twenty-fourth report of the Secretary-General on the United Nations Operation in Côte d'Ivoire

United Nations Security Council (UN SC), 28 January 2010, Resolution 1911 (2010)

United Nations Security Council (UN SC), 9 October 2009, Final report of the Group of Experts on Côte d'Ivoire pursuant to paragraph 11 of Security Council resolution 1842 (2008)

United Nations Security Council (UN SC), 16 July 2007, United Nations Security Council Resolution 1765

UN Office for the Coordination of Humanitarian Affairs (UN OCHA), December 2009, OCHA in 2010-Côte d'Ivoire-Fast Facts

UN Office for the Coordination of Humanitarian Affairs (UN OCHA), February 2009, Bulletin Humanitaire - 1 au 31 janvier 2009

UN Office for the Coordination of Humanitarian Affairs (UN OCHA), 14 July 2010, West Africa Consolidated Appeal 2010 (Mid-Year Review

Voice of America (VOA), 7 September 2010, Ivory Coast Presidential Candidates Agree on Voter List

Xinhua News Agency, 26 August 2009, Un programme de réinstallation des déplacés de guerre

About the Internal Displacement Monitoring Centre

The Internal Displacement Monitoring Centre, established in 1998 by the Norwegian Refugee Council, is the leading international body monitoring conflict-induced internal displacement worldwide.

Through its work, the Centre contributes to improving national and international capacities to protect and assist the millions of people around the globe who have been displaced within their own country as a result of conflicts or human rights violations.

At the request of the United Nations, the Geneva-based Centre runs an online database providing comprehensive information and analysis on internal displacement in some 50 countries.

Based on its monitoring and data collection activities, the Centre advocates for durable solutions to the plight of the internally displaced in line with international standards.

The Internal Displacement Monitoring Centre also carries out training activities to enhance the capacity of local actors to respond to the needs of internally displaced people.

In its work, the Centre cooperates with and provides support to local and national civil society initiatives.

For more information, visit the Internal Displacement Monitoring Centre website and the database at www.internal-displacement.org.

Contact:

Nina M. Birkeland

Head of Monitoring and Advocacy

Tel.: +41 (0)22 795 07 34

Email: nina.birkeland@nrc.ch

Marzia Montemurro

Country Analyst

Tel.: +41 (0)22 799 07 05

Email: marzia.montemurro@nrc.ch

IDMC

Norwegian Refugee Council

Chemin de Balexert 7-9

1219 Geneva, Switzerland

www.internal-displacement.org

Tel: +41 (0)22 799 0700

Fax: +41 (0)22 799 0701