

House Foreign Affairs Committee
Tom Lantos Human Rights Commission

Briefing

on

Atrocity Prevention and Early Warning: The U.S. Government Framework and Côte d'Ivoire

October 29, 2020 - 11:00 a.m.

Via Cisco WebEx

Statement of Éric Aimé Semien

Founder and Chairperson

Ivorian Observatory for Human Rights (OIDH)

Context:

- Côte d'Ivoire has a long history of electoral violence since 1995, which has yet to be resolved. The main issue has to do with the breakdown of the social contract, particularly concerning an absence of a consensus as to how elections are organized. The disagreements in 1995 led to an active boycott of the elections, resulting in some being imprisoned, wounded, or killed.
- The disputes surrounding the organization of the elections in 2000 also led to numerous deaths. No need to mention the recent situation in 2010 which led to 3000 killed and many wounded.
- The election violence never resulted in appropriate or impartial judicial redress.
- These disputes are based on the issues relating to creating independent electoral commissions, constitutional councils, and the conditions surrounding eligibility for running as a candidate to be President of the Republic. These conditions are often used as reasons to exclude candidates from running.
- Generally speaking, Côte d'Ivoire is no model for a successful transition to democracy between 1990 and the death of the founding father Houphouy. There was no national conference nor national debate on the situation in the country as called for by the La Baule speech or which the collapse of the Berlin Wall now made possible.
- From that point on, we saw political transitions by force, resulting in the personalization of power, the progressive dismantling of the state and its institutions in favor of furthering the interests of individuals. At the same time, we also witnessed the rise of identity politics and the use of religion as means to manipulate the masses.

1 - 2020 Elections

- These liabilities accumulating since 2010 and the fracturing of the social and political scenes help explain the current political tensions. Nothing has been done between 2010 and today to bring together the Ivorian political actors nor to further national reconciliation.
- In respect to political freedoms, we are seeing judicial pursuits only of the former president's side as well as of all those openly in opposition to the current regime. We have also seen restrictions on the freedom of expression and the right to protest.
- On the electoral front, a November 18, 2016 decision by the African Court on Human and Peoples' Rights already required the Ivorian State to reform its electoral commission. Despite an initial show of good will, the Ivorian authorities did not pursue it to the desired

end. This has resulted in the opposition parties contesting the the electoral commission, whose membership is essentially composed of party supporters of the government in place.

- The current president had announced his intention not to run for another term, but changed his mind upon the death, a few months before the election in July 2020, of his chosen successor. This should be a purely personal matter which does not concern the Ivorian people overall. It would be his third term in office, something which is very controversial in respect to the constitution.
- The Constitutional Council is also made up of members whose loyalty to the party in power is beyond the shadow of a doubt. Confirming this, the Council rejected the candidacies of the major opposition leaders, such as former President Gbagbo, Mr. Guillaume Soro, Mr. Mabri Toikeusse, etc.
- Two decisions by the African Court on Human and Peoples' Rights requested that the Ivorian State take adequate measures to favor an inclusive list of candidates by allowing the candidacies of messrs. Gbagbo and Soro. The Ivorian State has refused to apply these decisions.
- We therefore find ourselves in a tense and conflictual context currently, with every possibility of seeing violence now that the Ivorian political opposition, claiming to be responding in retaliation, has called for civil disobedience.

II - Pre-Electoral Violence in 2020

- This is something we should have expected. Both sides (government and opposition) are standing their ground.
- We are seeing a return of the ethnic and religious cards being played. Certain parts of the population are being told that the current fight for power concerns them directly and that they need to help President Ouattara stay in power to avoid becoming victims of retaliation. On the other side, there is a belief that President Ouattara has not kept his word and has not created the conditions necessary for an inclusive election, something which he himself had always called for when he was in the opposition.
- Regrettably, we are seeing inter-communal fighting in the bastions of each camp. The fighting in Dabou last week between those who opposed a third term for Ouattara and those who supposedly supported him resulted in 16 deaths and dozens of wounded. Well before that, we saw inter-communal clashes in Divo, Bonoua, and Adzope, as well as several other places. Overall, to date, more than 30 have died with many others wounded. All this is taking place at a time when demonstrations have been made illegal, except when tied to a political campaign.

III - The Risks Surrounding the Elections.

- Most certainly, if these elections take place in these conditions, they will carry with them the sparks which could cause a national firestorm, as each side is dug into their positions and the violence continues.
- Mediation attempts by ECOWAS and the AU have not borne fruit as they haven't dealt with the fundamental issues raised by both sides.
- We now need a frank national dialogue between the political actors. We need to take the time to do it and allow for all the contenders to take part. Doing so would do justice to the decisions of the African Court on Human and Peoples' Rights. And it would be a guarantor of peace. The same conditions which led to violence in 2010 are present today, but even more so. Businesses are closing and populations are being displaced as not one day goes by without violence.

- The international community, and particularly the Ivorian Senate (SIC), needs to take the issue of elections in Côte d'Ivoire more seriously and from an impartial perspective in order to avoid a resurgence of violence which would be fatal to Côte d'Ivoire and the sub-region.