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Côte d'Ivoire: one year after Marcoussis, the victims are still waiting for justice

One year after the Linas-Marcoussis Agreement, signed on 24 January 2003 by all Côte d'Ivoire political and military tendencies, Amnesty International calls for the creation of the international commission of inquiry provided for in the Accords, so that the victims of the very serious human rights abuses committed since the beginning of the crisis in September 2002 can obtain justice and compensation.

"At an audience granted to us in March 2003, the Côte d'Ivoire president, Laurent Gbagbo formally promised to open inquiries into all allegations of human rights abuses. In January 2003, in Paris, we also met representatives of the Forces Nouvelles, New Forces (name given to the armed groups who rebelled in September 2002). They declared themselves ready to cooperate in an exhaustive inquiry into all atrocities committed during the conflict. However, to our knowledge, none of this has so far taken place", said Amnesty International, which has conducted three missions in Côte d'Ivoire since the beginning of the conflict.

While welcoming the recent conviction, on 22 January 2004, of the murderer of the Radio France International journalist, Jean Hélène, Amnesty International is concerned that the military court found "mitigating circumstances" in a crime that was provoked by a xenophobic hate campaign against independent Ivorian and foreign journalists.

"Conviction of the murderer of Jean Hélène, must not let us forget that hundreds of other cases of serious human rights violations have been committed with impunity by both parties, without any of those responsible being brought to justice", said Amnesty International today.

This cycle of impunity, the prime cause of the present Côte d'Ivoire crisis, has therefore not been put to an end, and despite a certain amount of progress in the process of national reconciliation, civilians continue to be the victims of atrocities committed by armed elements belonging to all parties to the conflict. This was clearly confirmed in the recent report submitted to the Security Council by Kofi Annan, the Secretary-General of the United Nations, on 6 January 2004. This mentions "reports of continuing use of child soldiers and of frequent cases of sexual abuse against women, including sexual slavery and rape, committed by elements from both Government forces and the Forces nouvelles." The report also emphasizes that "neither the Forces nouvelles nor the Government have taken effective steps to bring perpetrators of human rights violations to justice"

This judicial apathy is accentuated by the fact that the judicial system is nonexistent in the northern part of the country, which is controlled by the New Forces, and that, with the notable exception of the recent trial of the murderer of Jean Hélène, the government has failed to open any inquiry into the allegations of very serious human rights abuses committed by the security forces and militias close to the government.

“In view of the manifest failure of the Côte d’Ivoire judiciary to re-establish the rule of law in Côte d’Ivoire, and given the repeated but ignored promises made by political representatives, it is essential that the international commission of inquiry provided for in the Linas-Marcoussis Agreement, be established as quickly as possible”, affirmed Amnesty International today.

The need for justice has been firmly stated on several occasions by the United Nations Security Council, notably in resolutions 1464 and 1479. Moreover, the report issued by Kofi Annan, Secretary-General of the United Nations, in January 2004, recommended the establishment as quickly as possible of a United Nations peacekeeping operation whose tasks would in particular include “provision of advice on the timing of the establishment of an international commission of inquiry into serious human rights violations committed since September 2002, as envisaged under the Linas-Marcoussis Agreement”.

In addition, Amnesty International urges Côte d’Ivoire to ratify the Statute of Rome on the creation of an International Criminal Court, as promised by the government of national reconciliation’s prime minister to Côte d’Ivoire deputies on 28 May 2003.

Public Document

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