

Public

Annex 2.9

:

CÔTE D'IVOIRE: THE INDISCRIMINATE AND DISPROPORTIONATE REPRESSION OF A BANNED DEMONSTRATION

“We have not slept for four days. We have to keep a look-out. When we hear men in fatigues arrive, we all get up and bang saucepans together”.

Statement made by a resident of Abobo, Monday 29 March 2004

The demonstration organized in Abidjan on 25 March 2004 and convened by several Ivorian political parties suffered indiscriminate and disproportionate repression by security forces. The information gathered by Amnesty International indicates that the march, which President Laurent Gbagbo banned by decree, began peacefully. The security forces nevertheless forcefully repressed unarmed demonstrators, including militants of the former single party, the *Parti démocratique de Côte d'Ivoire* (PDCI), Côte d'Ivoire Democratic Party, who were attacked with tear gas grenades as they tried to leave the party headquarters to attend the demonstration. However, in at least one case, demonstrators also resorted to violence, killing two police officers, and cutting their bodies to pieces with a machete.

Before the establishment of the international commission of inquiry requested by all parties, expected shortly, it is impossible to say exactly how many people were killed or wounded. Extremely contradictory figures are circulating. The Côte d'Ivoire authorities affirm that the clashes left 37 dead, including two police officers lynched by a crowd, while on 29 March 2004, the former president, Henri Konan Bédié, publicly put forward the figure of 350 and 500 dead.

This report details the information that Amnesty International has gathered and analyzed concerning a number of extrajudicial executions and “disappearances”. For security reasons, the organization has chosen not to mention the names of those witnesses who were willing to answer our questions. Amnesty International believes these are serious allegations of very grave human rights abuses and that they must be carefully checked by the future international commission of inquiry.

The organization recognizes the right of the security forces to defend themselves when attacked or when they believe that public order is threatened, but the use of force should be measured and the security forces should only use it in legitimate defence or to defend the lives of others.¹ However, all the information gathered by Amnesty International indicates that the security forces employed excessive use of force by resorting to automatic weapons and heavy armaments, including vehicles mounted with guns. The organization is especially concerned at the arbitrary arrests and extrajudicial executions carried out by the security forces in the nights following the demonstration, during raids on houses mainly inhabited by Dioulas², and especially in Yopougon and Abobo, two districts in outer Abidjan.

Amnesty International also collected statements from three witnesses who described seeing a communal grave at N'Dotré, near Yopougon. They reported seeing many bodies, which the security forces apparently later took to an unknown destination. Other witnesses described seeing suspect traces of blood at the entrance to the waste reception centre at Akouedo, in Abidjan, after soldiers had buried the contents of their vehicles there on the night of Thursday 25 to Friday 26 March 2004. It has not been possible to check this information because the two areas were quickly sealed off by security forces who prohibited or delayed access to independent observers, including representatives of the United Nations Mission to Côte d'Ivoire (MINUCI).

Amnesty International is also concerned about verbal threats and physical attacks by the security forces on several Ivorian journalists who were covering the 25 March 2004 demonstration. The organization took statements from four journalists working for *Radio-Télévision ivoirienne* (RTI), Ivorian Radio and Television, and two daily newspapers, *Le Nouveau réveil* and *Le Patriote* respectively. Such harassment of the press is not new in Côte d'Ivoire and seems to result from the security forces' desire to maintain their ability to use excessive force far from prying eyes.

¹ Principle 9 of the United Nations Basic Principles on the Use of Force and Firearms by Law Enforcement Officials: "Law enforcement officials shall not use firearms against persons except in self-defence or defence of others against the imminent threat of death or serious injury, to prevent the perpetration of a particularly serious crime involving serious threat to life, to arrest a person presenting such a danger and resisting their authority, or to prevent his or her escape, and only when less extreme means are insufficient to achieve these objectives. In any event, intentional lethal use of firearms may only be made when strictly unavoidable in order to protect life."

² Generic name given to people with a Muslim sounding name, whether they are Ivorians or foreign nationals.

Although the situation appears to have calmed down since Tuesday 30 March 2004, especially after residents built barricades to protect themselves from attacks by the security forces, many people continue to live in fear and some have gone into hiding because they witnessed atrocities committed by the security forces. To help ensure public security, the Côte d'Ivoire Minister of Internal Security, Martin Bléou, announced on 1 April 2004, that the government had asked French and West African intervention forces (deployed in Côte d'Ivoire since the armed insurrection of September 2002 divided the country in two) to conduct “mixed patrols” with Ivorian forces.

Above and beyond these measures, which were aimed at reassuring a public traumatized by several days of violence, Amnesty International believes it is essential to investigate all allegations of serious abuses of human rights and to bring all presumed authors of these acts to justice. The organization welcomes, in this regard, the request to establish an international commission of inquiry made by the Head of State, President Laurent Gbagbo, and the Linas-Marcoussis Accords Monitoring Committee³, to the High Commissioner for Human Rights. The request was also made by the Côte d'Ivoire Prime Minister, Seydou Diarra, as well as by France, which has asked the United Nations High Commissioner for Human Rights to fully investigate events since the banned march of 25 March 2004.

In a United Nations press release, dated 2 April 2004, a spokesperson for the United Nations Secretary-General, Kofi Annan, said:

“Following requests from the Monitoring Committee, as well as President Laurent Gbagbo and Prime Minister Seydou Diarra, urging the United Nations to institute an international commission of inquiry to investigate the tragic events that occurred in Abidjan on 25 March 2004, the Secretary-General has asked the Office of the High Commissioner for Human Rights (OHCHR) to take the lead in the establishment of such a Commission, which will commence its work as soon as possible.”

The communiqué also stated that, “*The Secretary-General expects all Ivorian authorities and political forces to extend all the necessary cooperation to this Commission. In the meantime, he calls on all*

³ The Marcoussis Accords were signed in January 2003 in France by all Ivorian parties with the aim of promoting national reconciliation.

Ivorians to continue to exercise restraint and avoid any steps that could cause further deterioration of the situation in the country.”⁴

Amnesty International welcomes the decision to create a commission of inquiry into the events that followed the banned demonstration of 25 March 2004. However, above and beyond the tragic events that occurred a few days ago, the organization believes it indispensable to establish, as quickly as possible, the international commission of inquiry provided for in the Linas-Marcoussis Accords, to investigate the serious human rights violations committed by all parties to the conflict since the armed uprising of September 2002, which effectively divided the country in two.⁵ In addition, the new United Nations force, created in February 2004 by Resolution 1528, the first elements of which have just arrived in Côte d'Ivoire, should also play a decisive role in protecting human rights.⁶

In order to resolve the crisis that has shaken Côte d'Ivoire since the military insurrection of September 2002, it is essential to put an end to the impunity enjoyed by armed elements of all parties to the conflict. It is also necessary for the international community to recognize its responsibility to protect the civilian population of Côte d'Ivoire, which has been so harshly affected by the conflict.

⁴ United Nations press release, 2 April 2004, SG/SM/9240, AFR/881.

⁵ See the Amnesty International press release published on 26 January 2004: *Côte d'Ivoire: One year after Marcoussis, the victims are still waiting for justice*, (Index AI : AFR 31/001/2004).

⁶ On 27 February 2004, the Security Council adopted a resolution that established, under Chapter VII of the United Nations Charter, a United Nations Operation in Côte d'Ivoire (UNOCI) for an initial period of 12 months, beginning on 4 April 2004. UNOCI will have more than 6,000 men at its disposal and part of its mandate is “to contribute to the promotion and protection of human rights in Côte d'Ivoire with special attention to violence committed against women and girls, and to help investigate human rights violations with a view to ending impunity.”

A banned demonstration

The demonstration of Thursday 25 March 2004 in Abidjan was called by several political parties, including the *Parti Démocratique de Côte d'Ivoire* (PDCI), Côte d'Ivoire Democratic Party, led by the former president, Henri Konan Bédié, the *Rassemblement des Républicain* (RDR), Republican Assembly, led by Alassane Ouattara and the *Forces Nouvelles* (FN), New Forces, made up of the groups that staged the September 2002 uprising. These movements, and other signatories to the Marcoussis Accords, blame President Laurent Gbagbo for blocking the implementation of the peace agreement, an accusation rejected by the Côte d'Ivoire Head of State.

These groups decided to call a “*peaceful march*”, despite the presidential decree signed on 11 March 2004, which banned marches and demonstrations in public places until 30 April 2004.⁷ This decree stated that the Ivorian armed forces would be used to maintain public order. On 18 March 2004, one week before the demonstration, the commander of the *Garde Républicaine*, Republican Guard, and the commander of the *Groupe de Sécurité présidentielle*, Presidential Security Group, wrote to the Minister of Security, Martin Bléou, affirming that the march was being organized by “*MPCI rebels and their allies*”. The two senior military commanders stated that, as far as they were concerned, the MPCI was, “*a rebel movement and neither a party nor an NGO [that] had not yet disarmed and had not accepted the proclamation of the end of the war. Therefore, any demonstration by rebels in free areas is an act of destabilization*”. These two senior military figures added that they therefore considered the march to be “*a second attack against our country, Côte d'Ivoire*” and said they would “*take all the measures appropriate for combat in time of war; because this gathering is the first stage of an assault on the Palace that has always been the main objective of the rebels*”. The two commanders announced the establishment of a red zone around the presidential palace and said that “*any demonstrator who dares to enter it will be considered an enemy combatant and treated as such without warning*”.

Despite these warnings and a last-minute attempt at mediation by the Ghanaian President, John Kufuor, incumbent president of the *Communauté économique des États d'Afrique de l'Ouest* (CEDEAO), Economic Community of West Africa, who went to Abidjan on the eve of the demonstration, the political parties that convened the peaceful march maintained their call to demonstrate.

⁷ Decree 2004-210 of 11 March 2004 banning marches and demonstrations on the public highway and in public places.

Repression of an attempted peaceful march by the PDCI

On Thursday, 25 March, towards nine o' clock in the morning, the security forces forcibly prevented PDCI militants leaving the party headquarters to attend the march, which was planned to be peaceful. Several party militants told Amnesty International they were hit, jostled and targets for volleys of tear gas grenades.

"We were all dressed in white and we left the headquarters around 7.30 a.m. with a group of young militants. A squad of soldiers asked us to return to the offices. We refused. We were empty-handed and took our handkerchiefs out, but they threw tear gas grenades at us. Several militants got gas in their eyes and we gave them a shea butter-based ointment and lemon juice. We continued to be surrounded until the evening. When we left, young people in plain clothes threatened us from the other side of the street and said they were going to attack us. They had a threatening attitude and were armed with cudgels and stones. They called out, 'Marcoussistes, Oh, Oh Oh'. The security forces did nothing to disperse those young people."

Even before the PDCI militants met up at the party headquarters, one of them was attacked by soldiers on her arrival at the headquarters around 6.45 a.m. She told Amnesty International:

"I arrived at the party's car park. It was there that the soldiers hit me and broke my spectacles whilst some young people threatened to cut me into pieces. Since then, myself and about 40 other people, have not left the party headquarters, because we fear that the soldiers might place weapons in the headquarters in order to accuse us of insurrection."

This same PDCI militant told Amnesty International that on the next day, soldiers once again besieged the party headquarters:

"On Friday [26 March 2004], there were about 150 of us in the headquarters around 8.30 a.m. We sang the national anthem and the PDCI anthem. Some soldiers came in and told us: 'We don't like what you are doing. We have been ordered to kill you'. We protested and they left."

Security forces fire live rounds at demonstrators in Abobo and Yopougon

On the morning of Thursday, 25 March 2004, very many groups of people demonstrated in the streets, in response to calls from their respective political parties. Demonstrations took place in several districts of the urban periphery of Abidjan, including Abobo, Adjamé, Koumassi and Yopougon. Amnesty International is not in a position to determine, in each precise location, whether demonstrators resorted to violence, but all the information gathered indicates that, in very many cases, the demonstrators were unarmed and they began their march in the streets in a peaceful way. Demonstrators were stopped at barricades manned by the security forces, who made disproportionate use of firearms and tear gas, killing and wounding a significant number of people.

The security forces fired on demonstrators gathered in Abobo, in the PK 18⁸ neighbourhood, on the Anyama road, killing more than ten people, including Kouyaté Aboubakar, born 2 January 1978 in Bouaké (hit in the chest by bullets); Soumaoro Drissa, born 1 February 1986 in Vavoua (hit in the thigh and died from loss of blood); Siriki Souleymane Koné, criminology student; Bamba Daouda, apprentice driver, aged about 20; and Diallo Abou, aged 24.

About nine o' clock in the morning, in Yopougon, in the area of Wassakara, near the market place, the security forces ordered demonstrators to disperse. They proceeded to fire in the air and throw tear gas grenades, they then fired into the crowd of demonstrators. At least three people were killed, including Ayemou Kouakou Jacques, hit in the throat, and Coulibaly Mamadou, a student studying for a master in geology, hit in the lower stomach.

The security forces also attacked people who had already been wounded by gunfire. One witness told Amnesty International:

“ We were marching between 10 and 11 o' clock in Abobo, near where the night market is (near the Pétro-Ivoire station), when the security forces opened fire with their submachine guns. We were empty-handed, they started shooting, we ran away, one man was wounded in the legs and chest, we put him in a rickshaw, the children dragged the rickshaw to take him to a healer because all the clinics were closed. The soldiers opened fire once more and this man was consequently abandoned. The soldiers

⁸ The term PK means “kilometer number” and, in this case, indicates that the area is located at 18 km from the centre of Abidjan. There is another “PK 18” at Yopougon. See below the section devoted to “allegations of communal graves”.

clubbed him under my very eyes and put him in a 'cargo' [military vehicle] and we haven't seen him since."

In some cases, people returning home were arrested by young people stationed at roadblocks, including not far from Abobo university campus. Amnesty International received information on the death of a carpenter, Konaté Drissa. He was on his way to work but when he saw that his workshop was closed, he set out to walk home. He was beaten to death by young people stationed at a roadblock between the 15th police arrondissement in Abobo and the Mobil Station. Friends of the victim confided to Amnesty International:

"Konaté Drissa was arrested at the roadblock while he was returning home on foot. Young people asked to see his identity papers and when they saw he had a northern name, they hounded him and beat him to death. Passers-by put his body in a rickshaw and took him to the Houphouët-Boigny clinic in Abobo, which acts as a mortuary."

Information indicates that about ten other people were beaten up at the same roadblock.

Two police officers lynched in Abobo

Although in some cases, the demonstrators marched peacefully, in at least once case the crowd attacked a roadblock manned by security forces in the morning of Thursday 25 March and lynched two police officers: staff sergeant Sanhon Kouakou Michel from the 15th arrondissement police station and Sanhon Kouakou Michel from the 32nd arrondissement police station. Their bodies were then cut to pieces with machetes.

According to testimonies gathered by Amnesty International, at about nine o' clock in the morning, demonstrators attacked around ten police officers stationed in the district of d'Abobo-Avocatier. Some sources indicate that the police officers fired on the demonstrators before being attacked, while some of the surviving police officers claim to have only been armed with truncheons and Kalashnikovs without ammunition. According to these police officers, demonstrators threatened them and advanced on them, at which point they fled because they did not have the means to defend themselves. Surrounded in a small courtyard, the police officers, Ezonin Niamké and Sanhon Kouakou Michel were killed by their attackers, who apparently first disarmed them. Certain sources indicate that one of them was stabbed to death

and the other was hit by bullets fired with his own gun. Demonstrators then chopped the bodies in pieces with machetes.

Violence by the security forces against the wounded and their relatives

The security forces not only attacked demonstrators in a violent and indiscriminate way, but also the wounded and relatives seeking to take them to clinics.

Amnesty International has gathered corroborated information concerning the entry of security forces into the community hospital at Clouetcha, in Abobo. From early morning, several relatives of victims had transported their dead and wounded to this clinic. Suddenly, at about 2 p.m., members of the security forces burst into the clinic and threatened to kill the people who had accompanied the victims. One witness said:

“They commanded the hospital staff to put their white coats on and to stand to one side. The men in fatigues then fired on the wounded and those who were not wearing a white coat. Some tried to escape but others were led away by the security forces to an unknown destination.”

A woman who had taken her husband's brother, who had been shot, to the clinic, told Amnesty International:

“The gendarmes told the people to leave the wounded alone. They asked the staff to put their white coats on and wanted to search the clinic. I heard shots and I lay down among the dead and wounded and waited on the floor for them to go.”

In another case, Amnesty International gathered information about people who were forcibly taken from a national Red Cross vehicle, which was taking them to the *Centre hospitalier universitaire* (CHU), University Hospital, in Cocody. One of these people told Amnesty International:

“I was in the Red Cross car with my brother, who had received a bullet in the foot in front of our house. There were another four wounded. At the Samaké roundabout [in Abobo], we were stopped at a roadblock by the security forces. They ordered us to get out. The Red Cross workers apologized and said they were taking the wounded to the CHU at Cocody. The soldiers fired at my brother's foot, as he lay in the vehicle and they

fired at us. My brother was killed and I was wounded in the arm. I was able to get back into the car but my brother was left there. His body is in the Anyama mortuary."

Death threats and extortion by the security forces (Thursday 25 March 2004)

Amnesty International has collected the testimonies of several people who were attacked by the security forces and were only released after having bribed the law enforcement officials.

A female resident of Abobo told Amnesty International how, on Thursday 25 March, men in fatigues forced their way into her home:

"On Thursday, one of my tenants went out to get some butter. When he saw a military vehicle outside, he ran back in. The soldiers said: 'Open the door, there are attackers in the yard'. They opened fire and broke down the door of my house. The soldiers said to us: 'We are after you northerners, we are going to kill you. You let your husbands go out to demonstrate but you say you are not demonstrators'. They came into my room. I was with my niece and a 20 month old baby and I was cleaning up. The children were terrified and I tried to calm them down. They hit me with the butt of a gun even though I had the baby in my arms. They wanted to take us all away. I refused and said that I preferred to die here than to finish up in a mass grave. A soldier who was not very calm said: 'Pay up'. He followed me into my room, I had two 5,000 CFA notes [about seven euros], I was going to give them to him but he threw himself on me and grabbed them. All my tenants, who are Nigerian Fulas, were robbed. One of my foreign tenants was shot, not far from where I was standing. They left after taking all our money."

Another woman told how she obtained the release of her son, aged about 20, who had been arrested by the security forces, by giving them all the money she had on her:

"I was eating at home with my son when soldiers came in and took my son away. I ran after them and begged them to let him go. A soldier said to me: 'How much have you got on you?' I had 20,000 CFA [about 30 euros]. He took it all and released him. I bought my son's life."

During the afternoon of Thursday 25 March, a civil servant, seeing that the town centre of Abidjan was calm, risked going out in his car. He was stopped at a roadblock manned by young soldiers “aged between 16 and 25” at Riviera III, a residential neighbourhood of Abidjan. Four days later, he told Amnesty International what happened:

“They asked to see my papers. They made me get out and said: ‘You are one of the marchers’. I protested and said that I was in my car. They robbed my watch and my mobile phone and made me sit at the side of the road. My parents called me on the mobile. A young soldier answered and threatened them on the phone. While I was sitting there, I saw a man on a bicycle being arrested by the soldiers. The man said he was on his way to work but the soldiers slapped him, saying: ‘Weren’t you told to take the day off today?’ Finally, a senior officer arrived. I recognized him by his badges and I asked him to help me. The officer wanted to let me go but the young soldiers said: ‘The hierarchy and badges are not for today. That is for peacetime. We are in charge today’. I was released after an hour and a half. I was not ill-treated but I did not get my watch back. Since then, I avoid going out.”

Nocturnal arrests in Abobo

All the information gathered by Amnesty International indicates that many people were arrested or killed in their homes, not during the demonstrations, but during the following nights. These nocturnal attacks sowed terror, especially among the inhabitants of Abobo. On Monday 29 March, four days after the demonstration, one of them told Amnesty International:

“We have not slept for four nights. We have to keep a look-out. When we hear men in fatigues arrive, we all get up and bang saucepans together. Every night, the militia plays the role of informer and tells the security forces in which houses the ‘attackers’ are. The militia wear black sports jackets and trouser fatigues. They are always accompanied by members of the security forces.”

About 9.25pm on the night of Thursday 25 to Friday 26 March, soldiers raided a yard opposite the 21st arrondissement of the Abobo police station. They were apparently looking for a young trade unionist. A witness told Amnesty International what happened:

“They began to open fire in the yard and shot at several people, including a pregnant woman. They fired at point-blank range on Abdou Raouf, a young Hausa from Niger, who later died from his wounds. Two other people were wounded.”

That same night, in the PK 18 neighbourhood of Abobo, soldiers entered a building between one and two o’ clock in the morning. A witness said:

“They broke everything. They riddled the walls with bullets without saying a word, and they arrested six people who lived in that same yard. The next day, we found two bodies just in front of our door, those of Coulibaly Moussa, and Kanaté Mamadou, a student. The latter’s body was riddled with bullets and his head was split open. He was barely recognizable and we would not have known it was him if we had not found him so close by.”

Amnesty International has obtained the names of three of the four people taken from this building and who have not been heard of since: Koné Abdoulaye, known as Diaby, and Soumahoro Mustafa, a taxi driver, born in 1970. The latter who was asleep when the security forces got into the house, was wounded by gunfire before being taken away. Four days after these “disappearances”, the relatives of Soumahoro Mustafa told Amnesty International: *“We have looked everywhere for our relative, in the mortuaries of Treichville, Cocody and Anyama, but we can’t find him anywhere.”*

Allegations about communal graves

Amnesty International gathered several eye witness accounts about two communal graves in the days that followed the 25 March 2004 demonstration. This information is very difficult to check because the two areas were immediately sealed off by the security forces, and independent observers found it very difficult to gain access to the alleged locations of the communal graves. Amnesty International is publishing these accounts in the form they were gathered so that the facts can be investigated in detail by the future international commission of inquiry.

The organization talked to three people who saw several dozen bodies on the outskirts of the village of N’Dotré, near PK 18, Yopougon. Two of these people saw the bodies in the middle of the night:

“We fled from our homes during the night of Thursday to Friday to hide in the bush. We came out about one o’ clock in the morning and saw a lot of bodies. There were five bodies to one side and the others were piled up on top of each other. The soldiers came back in the early morning. They opened fire and we took refuge in the bush. When we came out of the bush, the bodies were no longer there.”

Amnesty International also talked to a third person, who was alerted in the early morning of Friday 26 March, and who went to the site where this incident had taken place :

“An old man who was trembling came to tell me and a friend that he had seen bodies in the bush on the outskirts of the village of N’Dotré. We went there at seven o’ clock in the morning and saw dozens of bodies, all young men or adults. Some were dressed in boubou, others had shorts or trousers on. I saw bodies that had bullet holes in the neck.”

It has not been possible to check these very serious allegations because the area of N’Dotré was quickly sealed off by the security forces, who prevented access to independent observers, journalists and representatives of the United Nations Mission to Côte d’Ivoire (MINUCI).

Other information received by Amnesty International mentions suspect traces of blood at the entrance to the Akouedo waste reception centre, where two vehicles arrived on the night of Thursday 25 to Friday 26 March. Soldiers travelling in the vehicles dug a hole into which they tipped the contents of their vehicles. Amnesty International interviewed three eye witnesses about these facts. One of them said:

“In the night of Thursday to Friday, at about 7pm, I was out with two friends in a little restaurant when the Akouedo village ‘griot’ arrived with a megaphone. He told us that the commander of the former Akouedo camp had decreed a curfew. We decided to go home, but then we heard shots coming from a ‘cargo’ which was coming fast in the direction of the public waste dump, where it stopped. Another vehicle was following it. The soldiers asked the person in charge of the dump to make a tractor available. They took the tractor and went towards to the dump, followed by the military ‘cargo’. Other soldiers went towards the houses adjoining the dump. They fired into the air and told people to go home. They then dug a hole with the aid of the tractor, and tipped the contents of one of the

vehicles into the hole, which they buried and covered with earth and household waste. The next day, we saw traces of blood on the ground in these places.”

These very serious allegations require exhaustive, independent and impartial investigation. Those persons conducting the investigation must have at their disposal all the necessary resources, including medical and legal experts, and they must be given all due assistance by the security forces.

Above and beyond these facts, one thing seems certain – the security forces and men in fatigues killed a large number of people. One witness interviewed by Amnesty International gave an idea of the extent of the killing. A man who set out to look for his brother, who had been killed on Thursday 25 March 2004, told Amnesty International:

“We went from mortuary to mortuary in search of the body. We went to the Hophouët-Boigny hospital in Abobo and they told us that those who had died in the last few days had been transported to the Anyama mortuary because there was no more room at Abobo. I found my brother there. There were a lot of bodies laid out on the floor, in a state of decomposition, waiting to be recognized by their relatives, although that was going to be difficult. The place was full, but bodies were still being brought to that mortuary. My brother was lucky because he was protected in a compartment. Many of the bodies were laid out on the floor without any protection.”

Threats and attacks on journalists

Before the march even started, some security force officers made verbal threats to foreign journalists, including those of a French television channel, France 2, in an attempt to intimidate them and dissuade them from covering the demonstration. Throughout the day of 25 March 2004, several Ivorian newspaper and public television journalists were insulted, physically attacked or briefly stopped for questioning.

Three teams of journalists from Ivorian Radio and Television (RTI), the state television company, were victims of verbal violence and death threats. One of these reporters told Amnesty International:

“Our team was stopped at a roadblock manned by the security forces. They asked to see our identity cards. They forced us to get out of the car, confiscated the keys, took our notebooks and camera and threatened to make us lie down in the mud and do push-ups. Not far from us, we saw members of the security forces make young people lie down in the mud and hit them with branches. One of them told us: ‘If we shoot you, it won’t matter’. We were finally released thanks to the intervention of an officer, but they destroyed all the films we had taken.”

A member of another state television team described to Amnesty International how he and two colleagues were attacked after filming an attack on peaceful demonstrators by members of the security forces:

“We were interviewing the marchers when the security forces came and politely asked the demonstrators to leave. When they refused, saying that they were demonstrating empty-handed, the security forces immediately threw tear gas grenades from where they were stood, just 50 cm. from us. The cameraman was in the process of focusing the camera. When the security forces saw that we were filming them, they threw tear gas grenades at our car. I protested, saying that I thought the acronym RTI, a symbol of the state, would be sufficient protection. But they chased us, snatched the camera and took us to the police station and to the police headquarters where we were held for a while before they released us.”

Liah Ignace, a journalist working for the daily paper, *Le Nouveau réveil*, was the victim of verbal and physical attacks and of extortion by the security forces. He told Amnesty International:

"I was stopped by three CRS police officers and a soldier on Thursday morning as I was walking to my car to go and cover the demonstration. When they saw my press card, the soldier got irritated and said: 'It's you at the Nouveau réveil that are setting fire to the country'. They held me for several hours. The soldier took me to one side and demanded money. I said that I didn't have any so he forced me into the position they call 'le pied avant' (head stand)'. I had to put my arms on the ground and put my feet up in the air against a tree. I fell down very quickly because I couldn't hold the position. The soldier demanded money again and I gave him all I had on me, which was 955 CFA (about one euro and 50 cents). The soldier then said to me: 'You see, you had money all the time but you wasted our time.' They then released me."

A team of journalists from the daily paper, *Le Patriote*, considered very close to the RDR, suffered severe physical violence. One of the journalists, Al Séni, told Amnesty International:

"I was working with a team in Abobo, when clashes between the security forces and demonstrators forced us to seek refuge in the Total station. The security forces were firing without mercy, it looked like a battlefield. We lay down on the ground but the soldiers came into the station and found us. When they realized we were journalists with Le Patriote, they went wild. One of them tripped me up and ordered us to lie down on the ground. Then they walked all over us. The soldiers called to their friends: 'Come here, there are some journalists here'. They hit us with the butts of their rifles and two of them took aim at us and threatened to kill us. But another reasoned with them. They took us away in a jeep to the police headquarters. At every roadblock, they shouted out: 'Here are journalists from Le Patriote' and at every roadblock, blows rained down on us. When we arrived at the police headquarters, we said to ourselves: 'Phew', because we thought we had reached the end of our ordeal. But they forced us to crawl around on the ground in the yard and beat us with iron bars. A female police officer asked them to calm down and even tried to protect us. They ended up hitting her as well. We were taken to the cells where there were a lot of wounded people, bleeding, who were receiving no medical

care at all. We were questioned by a superintendent who made us sit on the floor and who treated us as 'attackers'. We were finally released at about 2.30 p.m."

Such acts of violence against journalists have, in recent years, become a recurrent feature of the Côte d'Ivoire security force's attitude. Foreign and Ivorian journalists have been threatened and held for questioning for short periods of time. The most serious incident took place in October 2003 when, a Radio France Internationale (RFI) journalist, Jean Hélène, was shot in cold blood by an Ivorian police sergeant. The latter was sentenced to 17 years imprisonment with no remission, but Amnesty International publicly expressed concern at the military court's recognition of "*mitigating circumstances*", that is to say that the crime was provoked by a xenophobic hate campaign against independent Ivorian and foreign journalists. Since the armed September 2002 uprising, attacks on freedom of expression and information have taken other forms, such as the jamming by the authorities of foreign radio stations, including RFI, BBC and Africa No. 1. These three radio stations could not be picked up in Abidjan in the days following the 25 March 2004 demonstration. All of this indicates that the security forces were taking measures to prevent journalists from carrying out their work so that the security forces could commit atrocities far from prying eyes.

CONCLUSION

An independent and exhaustive investigation into the very serious allegations described in this report must be carried out. Considering the extremely tense climate that currently prevails in Côte d'Ivoire, only an international commission of inquiry will be capable of carrying out such an investigation.

After having denied that the Ivorian security forces conducted nocturnal raids, and having been denounced by several human rights organizations, including Amnesty International⁹ - the Ivorian authorities have now recognized the seriousness of these events. They do nonetheless attribute the responsibility for these actions to "*parallel forces in uniform*", without specifying who they might be. For example, on 1 April 2004, the Minister for Security, Martin Bléou, declared that: "*Several trustworthy accounts reveal that individuals in fatigues, armed with automatic pistols and/or Kalashnikov rifles, have been circulating during the night (...) and spreading terror in certain neighbourhoods by committing all kinds of physical abuse against*

⁹ See the Amnesty International press release published on 26 March 2003: *Côte d'Ivoire: The excessive use of force to repress banned demonstration*, Index AI: AFR 31/003/2004

the public". The Minister specified that, since the December 1999 military coup (which brought General Gueï to power), "*fatigues are no longer the distinctive mark of only defence and security forces*".

Amnesty International notes this statement but specifies that all the accounts it has gathered indicate the presence of security forces and armoured vehicles or lorries on both the day of the demonstration and in the raids conducted during the following nights. The organization also notes that the majority of victims are Dioulas who have been regularly targeted by the Côte d'Ivoire security forces, especially since the massacre at Yopougon on 26 October 2000. It will be up to the future commission of inquiry that the United Nations is in the process of establishing to throw light on these facts.

Above and beyond the tragic events in Abidjan following the 25 March 2004 banned demonstration, Amnesty International believes that it is absolutely necessary to establish the international commission of inquiry provided for in the Linas-Marcoussis Accords, so that the victims of the very serious human rights abuses committed since the beginning of the crisis in September 2002 can benefit from justice and redress. The organization has conducted three field investigations since the start of this armed uprising that *de facto* divided the country in two, and has also published several documents denouncing the serious human rights abuses committed by all parties to the conflict. The organization has notably reported on the massacre of about 60 gendarmes and some of their sons at Bouaké in October 2002 by elements of the *Mouvement patriotique de Côte d'Ivoire* (MPCI), Côte d'Ivoire Patriotic Movement, which has since renamed itself *Forces Nouvelles*, New Forces. Amnesty International has also denounced the massacres of Côte d'Ivoire civilians and foreign nationals from the sub-region, carried out by government security forces, including at Daloa in October 2002 and Monoko-Zohi in November 2002. Since then, the organization has repeatedly called for an impartial, independent and exhaustive investigation into these very serious allegations and for those responsible to be brought to justice.

Amnesty International has made this request at meetings with the main Côte d'Ivoire leaders. At an audience granted to an Amnesty International delegation 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, Amnesty International also met representatives of the MPCI, who declared themselves ready to cooperate in an exhaustive inquiry into all atrocities committed during the conflict.

This cycle of impunity, a prime cause of the present Côte d'Ivoire crisis, has thus not been put to an end, and despite a certain amount of progress in the national reconciliation process, civilians continue to suffer 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 report refers notably to "*the 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*"¹⁰. 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 Jean Hélène's murderer, the Radio France Internationale journalist, the government has failed to open an inquiry into the allegations of very serious human rights abuses committed by the security forces and militia groups close to the government.

It is this impunity, which benefits those who have been committing atrocities for years now, that has led Côte d'Ivoire to the edge of an abyss. It seems difficult to imagine that the different Côte d'Ivoire parties will be able to find a path to reconciliation and respect for the rule of law if those responsible for the atrocities committed by both Government security forces and the armed elements that conducted the September 2002 armed uprising are not brought to justice. As long as justice and truth are suppressed in the name of political, or even ethnic, expediency, Côte d'Ivoire, already shaken by a crisis that is unprecedented in its history, faces a grim future.

With a view to ending the impunity that engenders a continuous cycle of massacres in Côte d'Ivoire, Amnesty International makes the following recommendations to all parties to the conflict and to the international community:

Recommendations

¹⁰ The Secretary-General's report to the Security Council on the United Nations Mission in Côte d'Ivoire, 6 January 2004, S/2004/3.

Amnesty International requests:

President Laurent Gbagbo to take measures to

- Release all prisoners of conscience detained for peacefully exercising their right to peacefully demonstrate;
- Remind the security forces of their duty to respect the principle of the proportionate use of force, as set out in the United Nations Basic Principles on the Use of Force and Firearms by Law Enforcement Officials;
- Promote favourable conditions for the future international inquiry to be established by the United Nations, in accordance with international standards such as those set out in the United Nations Principles on the Effective Prevention and Investigation of Extra-legal, Arbitrary and Summary Executions;
- Ensure that all victims and their families receive redress, including compensation and rehabilitation measures;
- Ensure that the movement of observers, especially UN representatives, of non-governmental organizations, especially those that defend human rights, of journalists and of other civil society representatives, is not unduly hindered;
- Ratify, as soon as possible, the statute of the International Criminal Court, without invoking article 124 of the ICC statute, which allows states to decline the ICC's competence for war crimes committed by one of its nationals, during a seven-year period starting from the 1 July 2002.

The Forces nouvelles, New Forces, who control the northern half of the country, to take measures to

- Promote favourable conditions for the immediate opening of a detailed and impartial international inquiry, in accordance with international standards such as the United Nations Principles on the Effective Prevention and Investigation of Extra-legal, Arbitrary and Summary Executions. This inquiry should do everything to shed light on the atrocities for which armed elements of the former Mouvement patriotique de Côte d'Ivoire (MPCI) are found responsible, including the massacre of dozens of gendarmes and their children in Bouaké, in October 2002. This inquiry must be exhaustive in order to

apportion responsibility for this massacre and to reply to all the questions raised about the fate of each victim;

- Immediately remove those involved in atrocities from all positions of responsibility so they are unable to commit new ones;
- Exercise strict control over their troops and ensure that other atrocities, including ill-treatment, torture and summary executions, are not committed by members of the *Forces Nouvelles* on any part of the Côte d'Ivoire territory.

The international community, especially the foreign troops placed under the mandate of the United Nations, including the French and ECOWAS forces, to take measures to

- Establish, as soon as possible, the international commission of inquiry requested by all Côte d'Ivoire parties and ensure that the persons conducting the investigation have at their disposal all the necessary resources to accomplish their mission, in accordance with the United Nations Principles on the Effective Prevention and Investigation of Extra-legal, Arbitrary and Summary Executions; where sufficient proof is collected against individuals, they must be tried in the country where they are found, in accordance with the highest international standards or they must be extradited to another country capable and willing to try them in accordance with such standards or they should be referred to the International Criminal Court.
- Ensure protection of the civilian population, as provided for in Resolutions 1464 and 1528 of the United Nations Security Council, adopted on 5 February 2003 and 27 February 2004 respectively.
- Fully comply with their mandate to protect human rights and “*to contribute to the promotion and protection of human rights in Côte d'Ivoire, paying special attention to violence committed against women and girls, and to help investigate human rights violations with a view to ending impunity*”, as set out in Resolution 1528.
- Apply pressure so that all those responsible for serious human rights abuses are brought to justice, as provided for in the Linas-Marcoussis Accords, signed by all the Côte d'Ivoire parties to the conflict in January 2003, and Resolution 1464 of the United Nations Security Council, adopted on 5 February 2003.

Côte d'Ivoire : Indiscriminate and disproportionate repression of a banned demonstration

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