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Letter dated 2 May 2006 from the Permanent Representative of Côte d'Ivoire to the United Nations addressed to the President of the Security Council

I have the honour to draw your attention to the human rights violations committed by French troops of the Licorne against members of the Ivorian Defence and Security Forces (FDS), on which I reported on 12 April 2006 to the Security Council Committee established pursuant to resolution 1572 (2004) concerning Côte d'Ivoire.

Regarding the incident that occurred between our FDS forces and the French Licorne forces on 26 February 2006 in Zouan-Hounien, I reported on the cruel and degrading treatment inflicted on seven of our soldiers, allegedly for entering the zone of confidence. They were arrested, stripped, bound, and left sitting in the sun for nearly eight hours, from 10 a.m. to 6 p.m., and the only sustenance they received from their torturers was some warm water.

It should be recalled that, under the terms of the various resolutions creating the United Nations Operation in Côte d'Ivoire (UNOCI), one of the main tasks of the Blue Helmets is to ensure that they observe human rights in all their activities, the ultimate objective being to help restore peace and stability and strengthen the rule of law in my country.

As you can see, the events referred to in my report are extremely serious. If there is no reaction from the Council, one of whose chief concerns has been to combat impunity, this is likely to encourage further such incidents, which obstruct the peace process. Furthermore, such silence could give the impression that the condemnation of human rights violations depends on the nationality of the presumed perpetrators.

You will find herewith for your information a copy of the map that the Secretary-General annexed to his eighth report on Côte d'Ivoire (S/2006/222). The map shows clearly that the department of Zouan-Hounien (which includes the town of Bouénneu) lies squarely within the zone under government control, pursuant to Code 14, article 3, which stipulates that "if a town is intersected by one of the boundaries of the zone of confidence, it falls outside the zone", and that the radius of the circle arc shall be set at 2 kilometres from the last houses of the town.

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A copy of my statement of 12 April 2006 is also enclosed herewith (see annex).

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(*Signed*) Philippe **Djangoné-Bi**
Ambassador
Permanent Representative

Annex to the letter dated 2 May 2006 from the Permanent Representative of Côte d'Ivoire to the United Nations addressed to the President of the Security Council

Statement made on 12 April 2006 by Mr. Philippe Djangoné-Bi to the Security Council Committee established pursuant to resolution 1572 (2004) concerning Côte d'Ivoire, following allegations of misconduct by members of the National Armed Forces of Côte d'Ivoire

I wish at the outset to thank you for allowing me to come before the Committee to respond to your request for clarification from the authorities of Côte d'Ivoire on the following points:

1. The incident between the Defence and Security Forces (FDS)[a] and the Licorne;

2. The incident between the FDS and the population of Bouénneu;

3. The alleged incitement to hatred and violence by some of the media.

The incident between the Ivorian FDS and the Licorne forces occurred as a result of the signal lack of communication between the different troops whose mission should be always to search for compromise and therefore peace in general. What really happened?

Everything began on Saturday, 25 February 2006, with an aerial display by the Licorne in the skies over the town of Zouan-Hounien, situated at the northern boundary of the government zone. These manoeuvres, which began in the afternoon, ended at midnight. After that, all was calm and no incident was reported until the morning of Sunday, 26 February.

At 9 a.m. on Sunday, 26 February, the Licorne resumed its aerial manoeuvres. With a view to enquiring about the reason for the manoeuvres, an Ivorian officer, chief of the security detachment for this buffer town and its suburbs, including the village of Bouénneu, went to the post of the United Nations Operation in Côte d'Ivoire (UNOCI) situated one kilometre further north. It should be noted that a detachment from Bangladesh is in charge of the post. The Ivorian officer got no information.

At 9:30 p.m., the Licorne ended its manoeuvres. However, information began coming in that there had been a siege of the village of Bouénneu, located about 800 metres from the town of Zouan-Hounien in the government zone, where the sub-prefect was an FDS officer.

An FDS detachment immediately went to Bouénneu to demand that the Licorne withdraw from the village because it had failed to give advance notice to the FDS authorities responsible for the sector. The Licorne patrol, having apparently strayed off course, complied.

On Monday, 27 February 2006, the aerial manoeuvres by the Licorne intensified. The townspeople and the FDS were in a quandary and became concerned, remembering that members of the Licorne had in the past been

[a] The defence and security forces (FDS) comprise the military forces of the National Armed Forces of Côte d'Ivoire (FANCI) and the paramilitary forces of the police and customs officials, tactically combined to defend the territorial integrity of Côte d'Ivoire.

responsible, as confirmed by their own authorities, for the murder by suffocation of an unarmed Ivorian civilian, precisely in the western part of the country (the Mahé case).

At 9 a.m., the FDS sectoral command sent out a patrol in order to clarify the situation. The patrol was intercepted by the Licorne. The Ivorian soldiers, seven of them, were disarmed, stripped, bound, and then left sitting in the sun from 10 a.m. to 6 p.m. The only sustenance they were given was some warm water.

Seeing that their comrades did not return, the Ivorian military sent a second patrol, led by an officer. It was not easy for them to approach the Licorne troops. In fact, the officer and his detachment were able to make contact with a French officer, a Licorne captain, only after they had put their hands up and laid down their weapons. There was a tense exchange between them, because the FDS men wanted to leave with their comrades. The French officer, clearly nervous, ordered the FDS detachment to return to its base if it did not want to meet the same fate as the others he was holding. The Ivorian patrol withdrew, without giving in to the provocation.

Around 5.15 p.m., the French officer and his men came to where the Ivorian detachment had taken up position, without the seven detained soldiers. Their equipment, however, was returned in visibly bad condition. The Ivorian soldiers, seeing the damaged equipment and the fact that their comrades were not there, expressed their displeasure and demanded their release.

Sometime later, another Licorne detachment showed up at the FDS base together with the seven soldiers detained since ten in the morning. The FDS men saw this as an opportune moment to detain the French soldiers now in turn. Shortly after 6 p.m., the FDS and the Licorne troops separated.

On Wednesday, 1 March 2006, when it appeared that calm had been restored 48 hours earlier, another Licorne detachment, to everyone’s surprise, burst into Zouan-Hounien and positioned itself in the FDS base.

The first FDS soldiers were overpowered and bound. The others were ordered to take off their uniforms and move away from their weapons. Panicked by this new show of force by the Licorne, the people fled the town.

Thirty minutes later, the Licorne troops withdrew with a promise to return, because according to them Zouan-Hounien lay inside the zone of confidence. From then on, calm reigned in the town and its surroundings, a calm punctuated by several organized efforts by the military and civilian authorities, to explain and placate.

Allow me to proceed to the second point in your letter, alleging that atrocities were committed against the civilian populations of Bouénneu by elements of the Defence and Security Forces.

Yes, these incidents, which are on the whole regrettable and have been exaggerated by a certain gutter press, did indeed occur but on an extremely small scale. More importantly, they did not involve the use of firearms.

After the clandestine occupation of the village by the Licorne, soldiers from the FDS detachment in charge of the security of the village apparently failed to correctly assess the silence and, especially the apathy, of the population, which was supposed to provide them with additional information. It should be noted that the

crisis brought the two sides — the FDS and the population — much closer together; thus, the dispute could be said to be "a quarrel between friends".

The scuffles between soldiers and villagers, particularly youth, led to a pitched battle, resulting in casualties among villagers and soldiers alike.

On hearing about them, the Military Governor, the prefect of the region and the sub-prefect of Zouan-Houien, reported to the site and calmed everyone down. This unfortunate behaviour by the military towards a population it was supposed to be protecting was condemned not only by the military hierarchy, which immediately dismissed and arrested those involved, but also by the President of the Republic, the Governor of National Reconciliation and all political parties.

Today, peace missions led by the highest-ranking military and political authorities heard the population's grievances against the Defence and Security Forces, which apparently did not do enough to protect them when nearby villages were attacked by assailants, confirming our "quarrel between friends" hypothesis.

To bring closure to this unfortunate incident, a pardon and reconciliation ceremony was held on Saturday, 8 April 2006 between the villagers and the soldiers, in the presence of the top military and civilian authorities of the region and a UNOCI delegation (cf. *Fraternité matin* of 12 April 2006 and *Notre voie* of 12 April 2006).

The third point in my statement will concern what your letter refers to as an incitement to hatred, violence and intolerance by some of the media.

In the absence of hard and irrefutable evidence to substantiate this claim, it is difficult to give credence to it. In any event, I can assure you that every effort is being made to finalize the peace process, which should result in credible general elections. Systematic campaigns for peace and national reconciliation are being conducted at all levels, including by the Office of the President of the Republic, the Government, political parties, non-governmental organizations and civil society.

You will thus find among the documents that we have distributed to you copies of pages from an appointment book with entries by the President of the Republic, which has been circulated free of charge to all citizens in all sectors of society. In it you will see some powerful slogans in support of peace, for example, "renounce violence"; "bring together brothers and sisters, sons and daughters of the same nation"; "gather the Ivorians around unity and reconciliation"; "raise awareness of our country's assets and thus the true stakes of peace". These are the goals of this campaign, in the hope that the strong values it conveys will help to calm the rancour and bring each of us, each one in turn, to take another step towards peace.

This campaign by the President of the Republic is also promoted by the national radio and television station and the written press and through posters. The national radio and television stations feature spots throughout their broadcasts, at their own expense, calling on political parties and other organizations to refrain from incitement to hatred or exclusionary speeches, as such material will not be aired. The Radiodiffusion Télévision ivoirienne (RTI) broadcast over the Internet (www.telediaspora.net, www.rti.ci) should leave no doubt as to the security of the position.

Furthermore, the audiovisual press in our country is monitored by a highly professional oversight entity (National Council of Audiovisual Communication) (CNCA). Where, then, is the sanctions committee finding these hatred speeches that it refers to in its letter?

The President of the Republic of Côte d'Ivoire, the Prime Minister and the Government of National Reconciliation, on whose behalf I am addressing you, are not ashamed to tell the world to its face that in Côte d'Ivoire, the peace process launched with the help of the international community is most definitely irreversible. The dirty war that shrouded our country in gloom, with, alas, the support of outside interests, as acknowledged in a United Nations report, will soon be but a bad memory.

With your permission, and in the light of the above account of the facts as they occurred in the western part of my country, I now wish to draw your attention to some observations for your further consideration.

First observation

The incident between FDS and Licorne appears, in our view, to have been intentionally provoked by the Licorne, which decided to carry out manoeuvres in a section where UNOCI forces, namely, a detachment from Bangladesh with which FDS is on good terms, are already stationed.

It is worth noting that there are practically no incidents between FDS and UNOCI, which are respectful of our national sovereignty. Thus, for the sake of peace, and in view of the reality on the ground, it is high time to grant the request made to the United Nations on numerous occasions for a single command of all the international forces in Côte d'Ivoire in order to avoid repeated incidents between FDS and Licorne.

Does our common Organization, the United Nations, find it acceptable that a party to a conflict, namely, the above-mentioned incident, should also serve on the committee in charge of resolving it? Is it possible to be judge and party to the dispute at the same time?

Second observation

The demarcation of the various zones of competence has been determined by a code known as "Code 14" familiar to all military staff present in the country: UNOCI, Forces nouvelles, FDS and the Licorne.

Article 3 of this Code provides that "if a town is intersected by the boundary of a zone of confidence, the said town falls outside the zone. The radius of the arc shall be set at 2 kilometres from the last houses of the town". The location of the village of Bouénneu in relation to Zouan-Hounien poses no problem. Bouénneu is unquestionably in the government zone, as you can see on the map of the area. Even if it were not, the question should be settled through dialogue and not by violence or attacks on our national sovereignty.

Third observation

Following the above-mentioned incident, a tripartite meeting (UNOCI, FDS, Licorne) was held on 2 March 2006. The facts we presented in our report and the

remarks made by the participants were not disputed by the representatives of the Licorne, who hid behind resolution 1633 (2005), as if it absolved them from having a good working relationship with our national armed forces.

Like the other resolutions on Côte d'Ivoire, resolution 1633 (2005) reaffirms "its strong commitment to the sovereignty, independence, territorial integrity and unity of Côte d'Ivoire". How, then, can it be acceptable for elements of the Defence and Security Forces to be arrested, disarmed, stripped and subjected to inhuman and degrading treatment in their own country?

Furthermore, what good does it do to implement this resolution — a resolution that no one disputes — if, in its application on the ground, there is no organization respected by all, no consensus, no courtesy or mutual respect?

Fourth observation

Côte d'Ivoire is on the right track to ending the crisis for once and for all, thanks to the concrete decisions taken every day by President Gbagbo and the consensus Prime Minister Charles Konan Banny, who, from now on, will function as a team. Indeed, the Minister for Foreign Affairs of the Government of National Reconciliation deliberately emphasized this in his statement before the Security Council on 29 March 2006.

We are therefore surprised that incitement to hatred, violence and intolerance is still being mentioned without any indication of the facts or the exact dates on which it supposedly occurred. This is clearly a distortion of reality and we have no idea what its purpose could be.

The Ivorians are tired of this useless crisis. Many initiatives have been taken and all are aimed at being able to organize credible, fair and transparent elections.

The efforts undertaken by the international community through our common Organization, the United Nations, have enabled my country to carry on, despite this crisis, as a model for the subregion.

I appeal, once again, for your assistance and your understanding so that we do not yield to the wishes of those who have a hidden interest in seeing the crisis in our country prolonged indefinitely.

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Department of Peacekeeping Operations
Cartographic Section