

INFORMATION NOTE ON POST-ELECTION CRISIS IN THE IVORY COAST

(October-December 2010)

1. BACKGROUND

1. **December 24th, 1999:** Military coup d'etat against President Henri Konan Bedie
 2. **October 26th, 2000:** Election of Mr. Laurent Gbagbo as Ivory Coast's president
 3. **September 19th, 2002:** Attack of Ivory Coast by an armed rebellion that seized the north. The rebellion has its rear base in Burkina Faso.
 4. **From 2002 to 2005:** The process of crisis resolution is launched at the UN, France, South Africa, Ghana, Togo and Burkina subject to several agreements
 5. **2005:** Agreement policies in Ouagadougou signed by rebel and President Gbagbo
 6. **Global Contents of agreements:**
 - Reunification of the divided country
 - Creating an independent electoral commission to organize elections (Consisting of 80 IBD and RHDP)
 - Proclamation of final results by the Constitutional Council
 - Certification of the electoral and peace-keeping by the UN
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2. FACTS

1. **Organization of elections in a country still divided**
2. **1st round:** topped with respectively 32% and 39% for Alassane Ouattara and Laurent Gbagbo. It should be noted irregularities and elimination of Bédié's party
3. **2nd round**
 - Cancellation of the results of France due to trouble
 - Many irregularities noted in the north of the country under rebel control
 - Mr. Gbagbo' party LMP urged the cancellation of certain areas where people has been killed, wounded, intimidated, theft of ballot boxes, ballot stuffing, fraud and other PV
 - All theses actions were confirmed by the international observers in all the right polling placed in the SOUTH in the north under any irregularities (deaths, injuries, intimidation, theft of ballot boxes, ballot stuffing, fraud and other PV). See Comments of the EU, the AU, African experts,
 - Deadlock in the CIS, the principle is the consensus
 - After the legal deadline of 72 hours of declaration of result provision, IEC official statement by its President and in accordance

with the constitution referred the case to the Constitutional Council.

- The Constitutional Council receives and processes complaints and announcement of final results did its job and held by proclaiming Laurent Gbagbo, elected with 51.45% of the tracks.
- Surprisingly, the chairman the president sequestered in a hotel room (the hotel's Gold), comes without any other member of the Constitutional Council to declare as President with Mr. Ouattara winner in front of small group of journalists.
- Surprisingly Mr. Choi, the United Nations' representative to declare Mr. Ouattara winner and certify the results of the election on President of Radio ONUCI.
- "Choi Youn-jin goes beyond the Constitutional Council and does so in violation of the UN Charter which stipulates that each country is sovereign. In fact, the UN is not allowed to interfere in the internal affairs of states. Management and declaration of election results are part of sovereignty of states and not organizations. The UN is to support the CI process and certify the elections. "

3. THE FOUNDATIONS OF THE ELECTION OF MR. LAURENT

GBAGBO

1. The legality
2. Constitutional Council
3. Observers
4. The Ivorian people
5. The Ivorian army
6. Sovereignty

4. GRAVE BREACHES OF THE INTERNATIONAL COMMUNITY

1. Sequestration of Bakayoko
2. Choi's mistake
3. The certification of final results, not temporary
4. The United Nations Charter

5. OUATTARA AS A REBEL IN THE REPUBLIC

1. Father of the rebels' coup of 99 and 2002 rebellion
2. The media Coup d'etat
3. The forced Investiture
4. Plan for CI destruction
5. Intoxication and communication War: Rti, military, flight of Gbagbo ..

6. results Proclamation on illegal website (www.votci.net; www.presidentielle2010.co.nr; www.lesgrandesoreilles.com)
 7. Participation rate is 70% instead of the abnormal rate 85% declared by M. Bakayoko
 8. 7 out of 20 regions for Ouattara (participation up to 99% participation and 100% of victory
 9. Elections irregular throughout the north.
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5. WHY CI SHOULD BE SAVE AND ASSIST IN THIS ELECTION

CRISIS

1. Strategic and economic place of Ivory Coast in West Africa
2. Reinforcement and enhancement of democracy of rule of law
3. Extortion against populations
4. Al-Qaeda close to Ivory Coast

(see next page for more detailed explanation)

1. BACKGROUND OF THE POLITICAL CRISIS AND MILITARY IN IVORY COAST

On **December 24, 1999**, the Ivory Coast, a country of peace and prosperity in West Africa, suffers a coup that brought down the regime of President Henri Konan BEDIE. The coup saw the installation of a military regime headed by General Robert Guei and some supporters of Alassane Ouattara. The military junta organized a constitutional referendum that is praised by more than 80% of the population.

On **October 26, 2000**, Laurent Gbagbo was elected president of the Republic of Côte d'Ivoire. He allows a determined fight to end the military regime whose leader Robert Guei was also a candidate for the 2002 election. Anxious to preserve social cohesion and national unity, Laurent Gbagbo is organizing a forum of national reconciliation involving all the forces of the country to break the political deadlock.

On **September 19, 2002**, Côte d'Ivoire suffered an attempted coup that fails. The leaders of the coup, repulsed, turn into a rebel army and occupy half of Côte d'Ivoire. North of the country falls under the control of rebels control since 2002 with leaders, most of which are close to Alassane Ouattara who, since 1993, wants to be president. Those men are the leader of the rebellion, Sergeant Ibrahim Coulibaly, Guillaume Soro, and several former bodyguards and aide of Mr. Alassane Ouattara.

To overcome the political and military crisis several peace negotiations were held under the aegis of France, ECOWAS, African Union, the United Nations with strong involvement of the former French colonial power: [Lome (2002)], [Linas Marcoussis, France (2003)], [Accra (2004)], [Pretoria (2005)].

In **March 2007**, the crisis led to the *Ouagadougou Political Agreement*, which are a compromise between the key players of the national crisis. These agreements have allowed the formation of a unity government where Mr Guillaume Soro, leader of the rebellion, was appointed Prime Minister. **An Independent Electoral Commission (IEC), composed of 31 commissioners from the major political forces and armed rebellion, was created. 80% of the members of this committee are of the political opposition and the rebel army.** In addition, **the agreement provides for the disarmament of rebel groups and self-defense before the elections as stipulated in UN resolution 1633. IEC was responsible for organizing the elections, to publish interim results, which will be forwarded to the**

Constitutional Council for determination, validation and final announcement.

2. POST-ELECTION CRISIS

On **October 29th 2010**, the first round of the presidential election is held without disarming the rebels in the north where the candidate of the PDCI, Konan BEDIE denounced cases of fraud after his elimination. The results of this first round gave 38% to President Laurent Gbagbo, Alassane Ouattara to 32% and 25% at Konan BEDIE. On

November 28th 2010, the second round of the presidential election is held. Irregularities capable of damaging the democratic process led to the invalidation of the results of some regions to vote on a consensus decision of the IEC. Thus, the results of the vote in France, for cases of disorder, were canceled.

In the North, more obvious irregularities that marred the fairness of the vote were observed and reported by several observers of the African Union and some African NGOs with expertise in the area of elections.

Ballot boxes were stuffed, scams PV, armed men near the rebellion certainly intimidated, kidnapped, abused verbally and physically up to kill the militants and supporters of President Laurent Gbagbo.

The Presidential Majority (PM) (in French LMP), party which supports the candidacy of President Laurent Gbagbo, has filed a motion to quash the results in the northern regions where the vote was not democratic with the IEC (Independent Election Commission) and the Constitutional Council.

During the centralization, consolidation and validation of results from different regions of the country, the Independent Electoral Commission (IEC) which deliberates on a consensual basis, found itself stuck having failed to obtain consensus on cases of fraud proved in the north of the country under rebel control. Having found no consensus on these cases of fraud, the IEC had exceeded the legal limit requirement of announcement of interim results that it was given. It therefore referred the case to the Constitutional Council to decide in accordance with the IEC and the Ivorian constitution.

The Constitutional Council, which has the authority of "res judicata", after reviewing the complaints about the irregularity of the election in the north (Korhogo, Bouake and Seguela) the grounds of fraud, ballot

stuffing, of intimidation, kidnappings, assaults, verbal, physical, and mortal assaults, invalidated the results of these localities. Proclaiming the final results, the Constitutional Council declared President Gbagbo winner of the presidential election with 51.45% of the votes against 48.55% for Mr. Alassane Ouattara.

To everyone's surprise, Mr. Youssouf BAKAYOKO probably under pressure and sequestration, gave, out of time, in the absence of all Commissioners, outside the headquarters of the IEC, in a hotel room (Golf Hotel) and in the presence of a small group of media, surprised themselves, the litigious results, forwarded the day before, to the Constitutional Council. Based on these results, which were not validated and consolidated by all IEC members, the IEC President declared Mr. Alassane Ouattara winner, with 54.10% of the vote against 45.9% incumbent President Laurent Gbagbo.

Mr. Youn-Jin Choi, UN representative, to the great surprise, declared that it was up to him to declare and certify the results of presidential elections on the radio channel UNOCI. He gave Mr. Ouattara as winner on the basis of the provisional results and after the closing date of the declaration of the President of IEC given in a hotel under pressure. ***It is worth noting that by law one can only certify what is definitive and not what is temporary.***

The United Nations official in Ivory Coast by doing so places himself well above the Ivorian Constitutional Council and does so in violation of the Charter No. 2 United Nations, which stipulates that ***each country is sovereign***. The UN is not allowed to meddle or interfere in the internal affairs of States. Management and declaration of election results are part of sovereignty of States. The UN is in Côte d'Ivoire to support the process and certify the organization of elections and not announce the results.

3. THE LEGITIMACY OF THE RE-ELECTION OF PRESIDENT Laurent Gbagbo

The electoral process is administratively led by the Independent Electoral Commission (IEC) and then validated and legitimized by the Constitutional Council. The Independent Electoral Commission (IEC) is the national administrative body responsible for organizing elections in Ivory Coast. Composed of commissioners from the major national political forces and armed rebels controlling the north, the IEC, before the provisional proclamation by its president chairman, in the presence of all the commissioners, centralizes, consolidates and validates on a consensual basis, the results from different regions of the country. Such

results are then forwarded to the Constitutional Council for approval. If after three days, the IEC, for various reasons could not announce the provisional results, it transmits them to the Constitutional Council to consider and ultimately make a final announcement of results. The constitutional council has seven days to proclaim the final results.

The Constitutional Council, on the basis of the different elements brought to them through the record of action for annulment by the LMP, invalidated the results of some northern cities (Korhogo, Katiola Dabakala, Bouake, Seguela) under rebel control, where cases of major frauds were proven. Such frauds have been confirmed by the observation mission of the African Union and several organizations of African civil society during the elections, witnessed in hundreds of polling stations in the North, ballot stuffing, intimidation, assaults and kidnappings representatives of PML (LMP) in polls, etc.

Observation missions such as the European Union (EU) during the second round, were able to conduct their observation work only mainly in the south of Cote d'Ivoire. On nearly 19,854 polling stations on the national territory, the EU observers visited 90 offices, with a near absence in the north where massive fraud was discovered. The EU mission, however, simply concluded that the election went well overall with some irregularities in the north.

At the announcement of final results by the Constitutional Council, there has been jubilation in the economic capital, Abidjan and in several major cities within the country. This shows that President Gbagbo has a legitimate popular with an electorate that goes beyond ethnic and religious cleavages.

The Ivorian army in all its components, gave its support to President Laurent Gbagbo. The heads of different bodies have indicated their presence at his inauguration at the Presidential Palace and continue to call for the defense of republican institutions.

Sovereignty is a value dear to all people including people of Côte d'Ivoire. All nations in the world, just as the French and American people, are entitled to the respect of their sovereignty, which must be defended at all costs. Since the arrival of President Laurent Gbagbo to power, acts intended to affirm the sovereignty of the Ivory Coast have been posed and he continues to fight for the country's liberation from the bowels full of draconian neo-colonialism in which the Former colonial power continues to keep African states in the 21st century.

4. ASSESSMENT OF THE ERRORS OF THE INTERNATIONAL COMMUNITY ON THE POST-ELECTION CRISIS IN CÔTE D'IVOIRE

The proclamation of the results by Mr. BAKAYOKO seems to have been made under pressure. The day before this statement, Mr. Bakayoko indicated on satellite radio Ivorian television that the IEC had within itself, obvious difficulties to consolidate the results, but recommended to the Ivorian people, patience and that everything would be done legally. He said that he forwarded the case to the Constitutional Council. The next day, to the amazement of Ivorian nation, Bakayoko proclaims numbers giving Mr Ouattara winner at the Hotel du Golf, in the presence of some journalists surprised by this announcement, without them being able to ask any question. This proclamation is null and of voided effect because Mr. BAKAYOKO did so without the presence of all the members of the IEC and out of time.

Errors in the evaluation of Mr. Choi, led him to act outside of his prerogatives. His mission in Ivory Coast is not to proclaim and validate the results of the presidential election but to certify the process and holding elections after the proclamation of the Constitutional Council. In the electoral process, the task of Mr. Choi is to certify the final results and not the provisional ones, such as those of the IEC. The position of Mr. Choi has discredited the United Nations in the peace process in Ivory Coast. The UN Charter provides for the equality of all its member states and respect for the institutions of each nation. The United Nations cannot, in any way undermine the institutions of a Member State to the risks of interfering in the internal affairs of the Ivory Coast.

The international press and the former colonial power were firmly enshrined in a media campaign to denigrate the Ivorian authorities and legitimate institutions. The French president, has also praised his "friend" Alassane Ouattara, as president of Côte d'Ivoire. In this strategy, Mr. Sarkozy intends to lead the other powers like the United States in recognition of Ouattara as president, at the risk of international isolation of President Laurent Gbagbo.

5. OUATTARA Alassane OUT OF LAWS AND THE REPUBLIC OF IVORY COAST

Alassane Ouattara is since 1993 in a logic of conquest of the presidential power by all means including force. He exploited in his favor, the theory of ethno-religious division invented by his ally of today, Henri Konan BEDIE. In 1999, during a lecture to his supporters in Paris, Mr. Ouattara stubbornly maintained that the Ivorian authorities' refusal to

accept his candidacy for the presidential election in Ivory Coast was justified by his Nordic origin and religious affiliation to Islam.

Mr. Ouattara has supported the coup of 1999 made by the military junta against its ally present Konan BEDIE. In 2002, by his declarations, he showed its collusion with the rebel movement occupying the north. Some of the leaders of this rebellion have publicly stated to have benefited from financial support every month over FCFA 25 Million. After an intense disinformation campaign and a war of communication vis-à-vis of the Ivorian people and institutions, Mr. Ouattara himself, proclaimed by the IEC results giving the winner on websites that his people have created. (See www.votci.net; www.presidentielle2010.co.nr; www.lesgrandesoreilles.com, and others).

The participation rate given by the IEC and all institutions and observers is around 70%. Results declared under pressure by Bakayoko amounted up to give a turnout of around 85%, which seems abnormal. In northern areas, the turnout is over 95% and the results of Mr. Ouattara to 99% or 100%, which won only 7 regions out of 19.

Mr Ouattara has been sworn in as the new head of state in a hotel in Abidjan and has created a government in violation of the laws of Ivory Coast. It is one more imposture that confirms the logic of destabilization of the Ivory Coast in which he committed. If we are not careful, by his fault, it will install the disorder and chaos in this country, still flagship of West Africa. He even put together a shadow government with some members of the opposition.

The presidential election has confirmed the sociological partition of the Ivory Coast. His divisive speech delivered in Paris in 1999 "they keep me from being a candidate in Ivory Coast because I'm northern and Muslim" illustrates his electorate that remains confined in the north and among Muslims. There continues to be suspicion that begins to move among the Ivorian people, who once lived in harmony and where the secular state was a reality.

6.NÉCESSITÉ HELP THE IVORY COAST FOR OUT OF THE POST-ELECTION CRISIS

The Ivory Coast is the most economically viable country in francophone West Africa. It represents 40% of GDP and money supply in the sub-region. The political and economic decline of this country will plunge the entire West African sub-region in a turbulent indescribable.

It will exacerbate tensions, social, religious, ethnic and economic sub-region. The waves of immigration of people from this region to the developed countries of the West will further increase. Like Somalia, chaos in Ivory Coast, would lead to the emergence of a terrorist sanctuary in Sub-Saharan Africa.

Côte d'Ivoire is a country that possesses enormous energy and mineral resources. Support to the strengthening of democracy and republican institutions is an essential criterion for out of underdevelopment. President Laurent Gbagbo, since his time in the opposition to his accession to power in 2000, has significantly contributed to strengthening the State of law, individual freedoms and democracy in Ivory Coast. However, this momentum must be supported by all states of right by excellence, to continue the dynamic of democratization and full development of the country.

The Ivory Coast became a country where religion was invited into politics. In places of worship, the pronouncements of religious leaders in the political fact became more pronounced. Speeches become more radical on both sides. However, Al Qaeda in the Maghreb is at the gates of Mali. There is a risk of hijacking by the terrorist organization of the northern areas of the country if the post-election crisis continues with a call to support the Muslims of Ivory Coast in this crisis.