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Côte d'Ivoire:

Land tensions are a major obstacle to durable solutions

Several hundred thousand people were displaced within Côte d'Ivoire by the internal armed conflict that broke out in 2002, and by localised communal conflicts. Estimates of their numbers only covered people displaced in the south of the country, and not in areas of the centre and north which were under the control of Forces Nouvelles (FN) rebels.

While many have returned, there are no comprehensive mechanisms to monitor the scope and the sustainability of these movements. The international community has recognised that obstacles to durable solutions to internal displacement include continuing insecurity, rampant criminality, human rights abuses and, especially in the west, longstanding land disputes. Displacement patterns have further complicated claims to land and formal conflict resolution mechanisms, such as the 1998 rural land law, should be adapted to integrate the specific needs of internally displaced people (IDPs).

Most of the information available on durable solutions refers to the west, where tensions between communities are still high and where some attempted returns have not been sustainable. No information is, however, available on the hundreds of thousands of people who sought shelter in Abidjan.

Since the Ouagadougou Accord marked the end of the conflict in 2007, the most notable progress has occurred in the identification of the population and registration of voters. However, presidential elections have been put back once more to some time in 2010, and security issues and the reunification of the country have been lagging behind. Government and rebel administrations coexist in the north, and it is still not clear whether the benefits of implementing the Accord outweigh the interests of both parties to the conflict in maintaining the status quo.

Internal displacement in Côte d'Ivoire

- Areas affected by displacement
- Return movements
- Capital city
- Economic capital
- Province capital
- Town, village

0 50 100 Km

IDMC

December 2009



Source: IDMC

More maps are available on <http://www.internal-displacement.org>

Background and causes of displacement

Internal displacement in Côte d'Ivoire is a consequence of both the internal armed conflict that broke out in 2002 following a failed coup by disaffected soldiers and of localised communal conflicts.

In the armed conflict, the rebels of the Patriotic Movement of Côte d'Ivoire (*Mouvement Patriotique pour la Côte d'Ivoire*, or MPCI) gained control of much of the centre and the north of the country, while government forces held the south. Hundreds of thousands of civilians were displaced, with many seeking refuge in the southern city of Abidjan. Further displacements occurred later that year when two new rebel factions, later to merge with the MPCI and to become known as the New Forces (*Forces Nouvelles* or FN), emerged in western Côte d'Ivoire. The Ouagadougou Peace Accord signed in March 2007 under the auspices of the Economic Community of West African States (ECOWAS) brought the conflict to an end. However, in areas where the FN gained control, continuing power sharing between the government and the former rebels has hampered the effective reunification of the country (UNSC, 29 September 2009).

At the heart of the conflict lay tensions over access to land and its economic exploitation between locals, economic migrants from other areas of the country, and workers from other West African countries. These were exacerbated by politicians exploiting issues of ethnicity (CRISE, March 2007). From independence until the 1990s, Côte d'Ivoire was West Africa's most prosperous country.

A key to the economic development of the country was the availability of foreign labour, which was further encouraged by liberal policies on land ownership, under which the land belonged to those cultivating it. However, local tensions were not tackled in any sustainable way (UN Commission on Human Rights, 22 December 2004).

Although not written into law, ethnic discrimination became a common practice as ethnicity started to be used for political ends in the 1990s through the introduction of the concept of "*Ivoirité*". Constitutional amendments, designed to restrict the posts of president and vice-president of the country to those who had to be born of parents who were both Ivorian by origin, led to an environment where the citizenship of all of those who did not belong to the "core" ethnic groups was put into question (OSI, October 2009).

Latest developments

After several failed peace agreements, the Ouagadougou Peace Accord marked the end of the conflict. However, the process has since suffered from delays in its implementation, including the repeated postponement of national elections. The latest planned polling day, set for 29 November, has once more been rescheduled for some time in 2010, following delays in completing voter lists (AFP, 3 December 2009; Reuters, 29 November 2009; 11 November 2009). The UN acknowledged the progress made in publishing provisional voter lists, and restated its support for the organisation of the elections, but encouraged all parties to fix a new date as soon as possible (UN News, 24 November 2009).

The most notable progress in the implementation of the Ouagadougou Accord has been in identifying and registering voters, while issues of security and the reunification of the country have lagged behind (UNSC, 29 September 2009). The deployment of mixed brigades, composed of both government and FN defence and security forces with police duties, is still unequal across the country and they are constrained by a lack of capacities and resources to carry out their tasks properly. Moreover, different levels of pay have been recorded for FN personnel and Ivorian police and gendarmerie (UNSC, 29 September 2009). Some progress on security issues was achieved through the passing of a decree assigning military ranks to some 400 of the estimated 5,000 former rebels who would integrate the national army (MISNA, 18 November 2009; UNSC, 29 September 2009).

The current situation in the centre-north of the country has been described as “a careful coexistence of two parallel structures whose standing is uncertain” (K. Heitz, October 2009). Government administrators have been redeployed, but the joint military Integrated Command Centre has not made mixed security units operational. Though the redeployment of government customs and tax personnel has started, FN continues to collect taxes (UNSC, 9 October 2009).

It is still not clear whether the benefits of implementing the Ouagadougou Accord outweigh the “existing incentives for the conflict’s protagonists to maintain the situation of neither peace nor war” (Conciliation Resources, 2008). The reunification of the country would endanger economic interests that both parties have managed to secure to date, and ensuring

continued control of resources such as cocoa and diamonds offers significantly higher rewards than disarmament, demobilisation and reintegration. Although the UN again renewed its arms embargo in October 2009, both the government and FN have continued to rearm; despite an international ban, Ivorian “conflict diamonds” continue to flow into the formal trade as illegal mining has continued to grow in some of the areas under FN control over 2008 and 2009 (UNSC, 9 October 2009; PAC, October 2009).

IDP numbers

Given the patterns of displacement, with almost all people being hosted by friends and family, and the extreme scarcity of information from the centre-north, reliable statistics about the number of internally displaced people (IDPs) across the country are difficult to obtain. A UNFPA-funded survey, carried out by the national statistics agency ENSEA in late 2005 and published in March 2006, put the total number of IDPs in five government-held regions at almost 710,000. Since then, however, an undetermined number of people have returned to their areas of origin or previous residence, including displaced civil servants who have been redeployed, and the current IDP figure may be much lower. In the absence of proper country-wide return monitoring mechanisms, however, it is very difficult to advance a concrete estimate.

In mid-2009, the UN’s Office for the Coordination of Humanitarian Affairs (OCHA) used a figure of approximately 42,000 IDPs in the west of the country where monitoring mechanisms are in place (OCHA, 21 July 2009). In 2008 a profiling study in Abidjan estimated that

there were 300,000 to 440,000 IDPs there (Tufts-IDMC, September 2008), but it is not known how many have returned home or managed to integrate locally or resettle elsewhere.

Meanwhile, short-term displacement continues, mainly as a consequence of inter-communal land disputes (OCHA, 21 July 2009 and June 2009).

Return movements

Generally, return movements have been only partially documented and there is no reliable data on the total number of returnees. There is even less data on IDPs who have integrated in the place to which they were displaced or resettled in another area. By 31 July 2009, some 80,000 IDPs had returned to their areas of origin or habitual residence in the west (UNSC, 29 September 2009). The highest numbers of returnees were registered in the areas of Bangolo, Guiglo and Bloléquin (OCHA, 26 August 2009).

Return movements have mostly been spontaneous (OCHA, February 2009), but some IDPs have received support to return. A review of the return and reintegration programme carried out by the International Rescue Committee (IRC) and CARE International has underlined the importance of reintegration support and activities enhancing social cohesion for returns to be sustainable (OCHA, 21 July 2009). In August 2009, the Ministry of Reconstruction and Reinsertion announced that new vocational training and loan programmes would be implemented to support returnees. Starting in the central areas of the countries, these programmes would be extended to the west

in a second phase (Xinhua, 26 August 2009).

Obstacles to return

Conflicts over access to land and land ownership, rampant criminality, human rights abuses and prevalent impunity for perpetrators all constitute obstacles to the attainment of durable solutions (OCHA, 21 July 2009).

Ongoing land disputes in the west, linked to national policies on land use and subsequent migration flows, have been exacerbated by the 2002 armed conflict and the resulting displacement. In many cases, while people were displaced many of the plots they had planted were either sold or leased by others. With return movements ongoing, land disputes are multiplying over the existing customary rights to the land.

In the absence of a system of restitution or compensation for land, the 1998 Rural Land Law is currently the only legal framework available to settle disputes in rural areas. The law is designed to recognise and formalise customary rights. Although the aim of the 1998 law is to reduce tensions over land ownership resulting from the uncertainty of customary transactions, the formalisation of customary rights in the context of displacement complicates land disputes and increases the risk of discord (IDMC, October 2009, p.5). Therefore, certain legal provisions and procedures need to be adapted to the specific situation of IDPs. For instance, absence from the land may compromise the legitimacy of their claims, and the notification systems foreseen by the law may fail to inform them of ongoing disputes or upcoming hearings.

Numerous land disputes are also arising in protected forests - "*forêts classées*" - where many internally displaced people had plantations. As the 1998 Rural Land Law only applies to the rural land domain and not to the protected forests, there is no specific legislative framework to resolve such disputes. Moreover, many customary transactions between local *autochtones* and migrants in these forests were illegal since the forest code prohibits all private transactions. The return of displaced people to plantations in these areas has been opposed by local populations and given rise to unpredictable ad hoc arrangements (IDMC, October 2009, p.28).

Access to land is also central to restoring livelihoods. A joint assessment has shown the close link between households' food purchasing power, which has deteriorated since the conflict broke out in 2002, and the high rates of food insecurity in rural areas in Côte d'Ivoire (FAO/WFP/Govt of Côte d'Ivoire, October 2009). Higher rates of severe food insecurity were recorded in the western regions of Moyen Cavally and Dix-huit Montagnes, which were most affected by the conflict and where land disputes are most common (FAO/WFP/GoCdI, October 2009). The most vulnerable households are those dedicated to subsistence farming and cattle-breeding and those where the head of household has a lower level of education. Displacement and insecurity have helped to worsen household poverty levels.

Although the country has remained relatively peaceful, there are a number of threats to stability and therefore to sustainable solutions to the internal displacement situation. The presence of militia groups has led to difficulties in re-

establishing the rule of law in the western regions. Around the towns of Bangolo, Duékoué, Guiglo and Toulepleu, self-defence groups created in 2002 to support government efforts to repel the rebels are still active (UNSC, 9 October 2009). Land disputes between local communities supported by these militias and new and old migrant groups are frequent in these areas, especially in the forest of Mont Péko to the east of Bangolo. Violent criminal acts including armed robbery and highway banditry are common in the region, and perpetrators enjoy near-total impunity (HRW, April 2009).

Meanwhile the protection and respect of human rights remain precarious. Despite the partial redeployment of the justice administration to the north, FN elements continue to commit serious human rights violations, including killings, acts of torture and ill-treatment, arbitrary arrests and detention (UNSC, 29 September 2009). Government forces, however, are also accused of racketeering and violence against civilians (FIDH, April 2009). Acts of violence by youth groups leading to the destruction of property and threats to the physical security of people have also continued in government-controlled areas (UNSC, 29 September 2009; Le Patriote, 17 August 2009). The Student Federation of Côte d'Ivoire (FESCI) has been responsible for politically and criminally motivated violence since 2002 (HRW, May 2008).

The international community has recognised both the persistence of physical insecurity and sexual and gender-based violence and lack of legal redress as the main obstacles for the safe and sustainable return of internally displaced people (OCHA, 21 July 2009). The enjoyment of

rights of women and girls in particular has deteriorated since 2002, and sexual and gender-based violence has persisted. The Resolution 1612 Monitoring Reports highlighted some 34 cases of children being raped between January and April 2009, half of them in the west (OCHA, 21 July 2009). Here, victims have reportedly been targeted on the basis of their nationality or ethnic group. Health care and legal services to assist victims are limited, while those responsible are rarely brought to justice (HRW, April 2009; IRIN, 4 December 2009).

National and international responses

The Guiding Principles on Internal Displacement have not been incorporated to date into national legislation. Elements of a national legal framework upholding the rights of IDPs, including a bill defining compensation mechanisms for war victims including IDPs, were still awaiting signature in December 2009, years after they were initially drafted. Moreover, Côte d'Ivoire was not among the countries in the African Union to deliberate on a legislative framework for the protection and assistance of IDPs in Africa, and has not signed the newly-adopted AU convention (IRIN, 26 October 2009). The declared overarching goal of the government's IDP plan is the return of all displaced people to their original homes. The Ouagadougou Accord focuses on the drafting of a national strategy to facilitate the return of IDPs, and remains silent on the right to integrate in the place of displacement or resettle in another part of the country, as prescribed in the Guiding Principles. Some IDPs have benefited from government support to return home or resettle.

From 2007 until February 2009, the Ministry of Solidarity and War Victims, the government focal point on IDP issues, implemented a project to assist returns with the support of the Swedish government and UNDP. Over 2,400 internally displaced heads of households reportedly benefited both from logistical and material assistance for their return. Some additional funding to support IDPs' return or resettlement was released by the Ministry of Reconstruction and Reinsertion in August 2009 (Fraternité Matin, 20 April 2009; Xinhua, 26 August 2009).

Confusion over the roles and responsibilities of different government bodies has hampered the national response. An inter-ministerial committee set up in 2007 (GoCdI, 20 March 2007) to coordinate the protection of and assistance to the country's IDPs has consistently suffered from a lack of high-level participation. In April 2009, the Minister of Solidarity and War Victims publicly voiced its frustration over the lack of engagement of the rest of the government and the limited financial commitment in support of IDPs (Fraternité Matin, 20 April 2009). The National Human Rights Commission, created in 2005 but effectively established between 2007 and 2008 (GoCdI, 3 September 2009; USDoS, 25 February 2009), could also play a role in protecting and promoting the rights of IDPs but has received a limited budget and has few resources (USDoS, 25 February 2009).

The medium-term social objectives of the government, described in its Poverty Reduction Strategy Paper (PRSP), include efforts to promote national reconciliation and social cohesion and the full reunification of the country as well as general

economic development (IMF, 20 May 2009). Côte d'Ivoire has turned to the Heavily Indebted Poor Countries Initiative of the International Monetary Fund and the World Bank for debt relief assistance. A number of creditor countries have also agreed to cancel the country's debt as part of the Initiative, and the government should now have more room for spending on pro-poor policies and post-conflict needs (Norwegian MFA, 27 November 2009; IMF, 27 March 2009).

In line with the PRSP, international donors have prioritised development assistance around four main pillars: strengthening good governance, upgrading infrastructure and basic services, developing agriculture and promoting exports, and developing the private sector and improving the business climate (WB, 31 July 2009). Meanwhile, the humanitarian community has decided to focus in 2009 on IDP protection and resettlement in the west, and nutrition and food security in the north (OCHA, 21 July 2009). Other early recovery and development needs would be addressed by other bodies and funding mechanisms, such as the two trust funds set up by UNDP (one for the elections and the other for the larger government programme on crisis recovery) in an effort to encourage external funding (OCHA, 3 July 2008).

No humanitarian appeal has been launched for 2010, and OCHA will gradually phase out through the year. In order to bridge the gap between decreasing humanitarian funding and development funding, the UN Humanitarian Coordinator has set up a local transitional fund. The government and the international community have tried to include guarantees for the sustainable return, resettlement and reintegration of IDPs in the UN Development Assistance Framework (UNDAF) for the period from 2009 to 2013, to “consolidate peace and contribute to durable and equitable economic recovery” (UN, 3 July 2008). The UNDAF, the first UN joint planning exercise in Côte d'Ivoire since the crisis, recognises that challenges such as the sustainable return of IDPs will not be resolved unless the causes of their displacement are addressed. Foremost among these are access to formal legal identity and access to land. At the same time, comprehensive mapping of return movements and assessment of both returnees' needs and IDP's intentions should be undertaken.

Note: This is a summary of IDMC's new internal displacement profile on Côte d'Ivoire. The full profile is available online [here](#).

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About the Internal Displacement Monitoring Centre

The Internal Displacement Monitoring Centre, established in 1998 by the Norwegian Refugee Council, is the leading international body monitoring conflict-induced internal displacement worldwide.

Through its work, the Centre contributes to improving national and international capacities to protect and assist the millions of people around the globe who have been displaced within their own country as a result of conflicts or human rights violations.

At the request of the United Nations, the Geneva-based Centre runs an online database providing comprehensive information and analysis on internal displacement in some 50 countries.

Based on its monitoring and data collection activities, the Centre advocates for durable solutions to the plight of the internally displaced in line with international standards.

The Internal Displacement Monitoring Centre also carries out training activities to enhance the capacity of local actors to respond to the needs of internally displaced people. In its work, the Centre cooperates with and provides support to local and national civil society initiatives.

For more information, visit the Internal Displacement Monitoring Centre website and the database at www.internal-displacement.org.

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