



Côte d'Ivoire: An Election Delay for Dialogue

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What's new? Tensions surrounding the 31 October Ivorian presidential election have led to at least fourteen deaths since mid-August. They give rise to fears of a new episode of violence between the antagonistic political forces that have been vying for power for 25 years.

Why does it matter? This election was supposed to be an opportunity to end a longstanding crisis and hand over power to a new generation. Instead, this important West African country is heading toward a new impasse at a time when several other states in the region are also experiencing potentially destabilising crises.

What should be done? Briefly postponing the election would provide a chance to settle the confrontation through dialogue. The issues at stake are so contentious that it is unlikely peaceful and transparent polls can be held on 31 October.

I. Overview

In Côte d'Ivoire, tensions surrounding the presidential election of 31 October have raised fears of a violent confrontation between the three political forces that have been vying for power since 1995. These tensions have resulted in at least fourteen deaths since mid-August. The authorities' clampdown has temporarily restored calm to the country, but disputes between the government and the opposition mean that a peaceful race with a result accepted by all parties is unlikely to take place. This election was supposed to be an opportunity to end a longstanding crisis and hand over power to a new generation. Instead, two figures who have been at the heart of the crisis for a quarter-century will pit against each other: President Alassane Ouattara and an ex-president, Henri Konan Bédié. A third figure, Laurent Gbagbo, is excluded from the election but nonetheless very present; the dispute is partly about his exclusion. There is still time to prevent history from repeating itself and to postpone the election in order to allow the opposing sides to agree on basic electoral rules.

On 6 August, President Ouattara announced his candidacy for a third term, shaking a political scene still marked by the deep divisions of the 2010 election, which have remained entrenched despite an improved economy. The announcement was all the more ill received by the opposition since earlier in 2020, Ouattara had claimed that he would not stand for re-election because he wished to "hand over power to a new

generation”.¹ His candidacy came on top of existing disagreements over the independence of the Independent Electoral Commission (IEC) and the exclusion from the electoral process of former President Gbagbo and former Prime Minister Guillaume Soro due to contested legal proceedings. On 14 September, the Constitutional Council decided to validate Ouattara’s candidacy – which the opposition says is unconstitutional – while rejecting Gbagbo’s and 39 other candidacies of the 44 proposed. As a result, on 20 September the opposition called for “civil disobedience”.

It is difficult to imagine how, in such a climate of confrontation and mistrust, an election could take place smoothly on 31 October and how all parties could accept its results. Côte d'Ivoire should postpone the election, even for a short period, and organise a political dialogue to resolve the dispute. These objectives are ambitious, but they are the best way to stop the country from plunging into another episode of violence.

II. Back to the Future

The presidential election of 31 October could have been an opportunity for Côte d'Ivoire to end the series of crises that began with the death of President Félix Houphouët-Boigny in late 1993. Instead, the country is heading for a new confrontation between supporters of Alassane Ouattara, Henri Konan Bédié and Laurent Gbagbo, the three figures at the heart of the contestation for nearly three decades. Their conflicts have already led to a coup d'état in 1999, the country’s partitioning from 2002 to 2012 and an armed confrontation following the disputed 2010 election that left 3,000 dead by April 2011. As these antagonisms resurface, the presidential election is likely to trigger a new episode of violence in the interminable Ivorian crisis.

The decision announced on 6 August by Ouattara, 78, to seek a third term has upset a political scene still deeply divided after the 2010 post-electoral crisis.² On 5 March, he had proclaimed his intention to step down at the end of his second term and “hand over power to a new generation”.³ His decision was unanimously welcomed.⁴ But in July, his designated successor, Prime Minister Amadou Gon Coulibaly, died of a heart attack, leading him to change his mind. Believing himself to be faced with a case of “force majeure”, during the national holiday celebrations Ouattara announced that he would be a candidate to succeed himself.⁵ His candidacy was validated on 14 September by the Constitutional Council.⁶

¹ “Address of the President of the Republic of Côte d'Ivoire, His Excellency Mr Alassane Ouattara on the state of the nation”, Yamoussoukro, 5 March 2020.

² “Présidentielle ivoirienne : Alassane Ouattara revient sur sa décision et se porte candidat”, RFI, 6 August 2020.

³ “Côte d'Ivoire : Alassane Ouattara ne sera pas candidat à la présidentielle de 2020”, *Jeune Afrique*, 5 March 2020.

⁴ “Alassane Ouattara : un départ surprenant”, BBC, 19 March 2020.

⁵ “Allocution de S.E.M. Alassane Ouattara à l'occasion de la célébration de la fête nationale”, 6 August 2018.

⁶ “Présidentielle ivoirienne : la candidature de Ouattara validée, pas celle de Gbagbo”, RFI, 14 September 2020.

Former President Henri Konan Bédié, 86, also chose to run, despite pressure from many influential members of his Democratic Party of Côte d'Ivoire (PDCI) who had advised him to yield to the young guard under his wing.⁷

As for former President Laurent Gbagbo, 75, his candidacy was rejected by the Constitutional Council and he will not stand in the election. Acquitted of charges brought against him by the prosecutor of the International Criminal Court, he remains subject to a conviction in absentia and a twenty-year prison sentence handed down by an Abidjan court in 2018 for his alleged role in a 2010 bank robbery. His return to Côte d'Ivoire is impeded by this conviction, which his lawyers are appealing, and by the Ivorian administration's reluctance to issue him a passport. Nevertheless, even in exile, he remains an influential figure on the political scene, notably due to the support of 45 per cent of voters who selected him in the second round of the 2010 presidential election.⁸ He is also at the centre of the current dispute between the government and the opposition, since opponents consider the return of exiles to be a prerequisite for holding democratic elections.

President Ouattara's turnaround amplifies political tensions that have left at least fourteen dead in a month and a half.⁹ On 12 August, in Daoukro, in the centre of the country, clashes between supporters of the PDCI and the Rally of Houphouëtists for Democracy and Peace (RHDP), the presidential party, resulted in three deaths.¹⁰ In Divo, in the south, conflicts between pro-Gbagbo and pro-Ouattara supporters resulted in at least seven deaths on 21 August.¹¹ To contain the violence, authorities opted for a brutal crackdown. At least two members of the opposition died in 13 August clashes with security forces in Bonoua (south east) and Gagnoa (west).¹² Since 19 August, demonstrations have been banned in the country.

III. Forty Candidacies Rejected

No deaths have been recorded since 1 September, but the general atmosphere is marked by hardening rhetoric. The use of auxiliary troops by certain segments of the security apparatus is of particular concern. These armed young men were recruited from among Abidjan's petty criminals to frighten and attack opposition demonstrators, including with bladed weapons.¹³

The call for civil disobedience, launched on 20 September by former President Bédié and a majority of the opposition parties, is part of this escalation between two camps preparing for confrontation.¹⁴ These two camps are no longer in dialogue and

⁷ Crisis Group interview, Ivorian MP, London, October 2019.

⁸ Crisis Group interviews, political analysts and senior international officials, Dakar, November 2019.

⁹ "Côte d'Ivoire: Defusing Electoral Tensions Amid Polarised Politics", Crisis Group EU Watch List, 26 May 2020.

¹⁰ Crisis Group interview, academic, Abidjan, September 2020.

¹¹ "Côte d'Ivoire : Divo pleure ses morts et craint de nouvelles violences", *Jeune Afrique*, 29 August 2020.

¹² "Marche de l'opposition : Cinq morts, 104 blessés et plusieurs dégâts matériels", Abidjan.net, 15 August 2020.

¹³ "Cote D'Ivoire: Police allow machete-wielding men to attack protesters", Amnesty International, 18 August 2020.

¹⁴ "Côte d'Ivoire : Henri Konan Bédié appelle à la 'désobéissance civile'", *Le Point*, 21 September 2020.

do not agree on the basic rules of the electoral process. To date, no agreement has been reached on the legal framework for this election, which is nonetheless imminent. The independence and legitimacy of the IEC, the institution charged with organising the ballot, are contested by the opposition, as is the electoral register.

In 2000, the president's opponents minted the slogan "anyone but Ouattara" to discourage him from entering the presidential race. Today, he is once again the focus of opposition critics, while his supporters remain determined to stand by him at all costs in order to preserve the outcomes of his two terms in office, which they consider to be very positive. Although validated by the Constitutional Council, his candidacy is considered "illegal" or "an abuse of power" by the main opposition leaders, who are demanding his withdrawal from the race, a non-negotiable point according to the ruling party.¹⁵

Opponents invoke Article 55 of the constitution, which stipulates that the president "may only be re-elected once". The Constitutional Council, however, ruled that the adoption of a new Fundamental Law in 2016, one year after Ouattara's re-election, established a "third republic", resetting the clock to zero and allowing him to stand for election a third time.

Counting Laurent Gbagbo's, the Constitutional Council invalidated 40 of the 44 other candidacies that were submitted to it, including those of two dissidents from the presidential camp, one of Gbagbo's former ministers and former Prime Minister Guillaume Soro. The latter's political group, Generations and People in Solidarity (GPS), is in direct competition with the RHDP in the country's north, where it finds most of its voters. The Council's decision reinforced the opposition's belief that the government is manipulating institutions to help Ouattara drive out his political rivals. In the opposition's view, no institution is truly independent of the executive branch; it demands the Council's dissolution, along with political prisoners' release and other concessions.¹⁶ At first, the government rejected these demands.¹⁷ On 23 September, it conceded one of them, granting parole to ten individuals close to Soro who had been detained since last December.¹⁸ The opposition duly noted the gesture, but deplored the continued detention of at least ten other figures close to Soro, including two members of parliament.¹⁹

This tense climate has brought to the surface unresolved issues that have drawn out the Ivorian crisis, highlighting the failure of various reconciliation processes

¹⁵ Crisis Group interview, political leader, Abidjan, September 2020.

¹⁶ In a "declaration of the political groups and parties of the opposition, trade unions and civil society, following the decision of the Constitutional Council relative to the presidential election of 31 October 2020", signed by Henri Konan Bédié, the main opposition parties of the country "demand", in addition to the dissolution of the Constitutional Council, "the withdrawal of Alassane Ouattara's candidacy", "an international review of the electoral register", "the release of all political prisoners, both civilian and military" and "the safe return of all exiles ... including President Gbagbo, Prime Minister Guillaume Soro, Minister Charles Blé Goudé and Mayor Noël Akossi Benjo".

¹⁷ "Côte d'Ivoire – Hamed Bakayoko : 'La revanche n'est pas un projet de société'", *Jeune Afrique*, 24 September 2020.

¹⁸ "Libération de pro-Soro en CDI", *Le Pays*, 24 September 2014.

¹⁹ "La coïncidence de la présence de Ibn Chambas avec la libération de certains pro-Soro doit nous interpeller", *Afrique Soir*, 25 September 2020; and "Côte d'Ivoire : Libération sous conditions des pro-Soro, le RACI relève neuf détenus dont son président et demande un effort supplémentaire de la part des autorités", *Koaci*, 26 September 2020.

launched since the National Reconciliation Forum of October 2001, during Gbagbo's presidency. None of these reconciliation phases, including that carried out during Ouattara's first term, has made it possible to adjudicate the war crimes committed on both sides. Nor has any process led to transformation of the country's political culture, which remains trapped in an institutional framework giving the head of state and his entourage a disproportionate slice of executive power and often condemning the opposition to exclusion or exile.

This system is also supported "by a significant fraction of the electoral base of each political party".²⁰ As a result, the presidential race is seen as a matter of political survival, a zero-sum game which must be won at all costs, rather than as an opportunity to propose a program.²¹ Opponents see themselves not as rivals but as enemies, sometimes mortal ones. No presidential election since 1995 has resulted in a peaceful transfer of power.

IV. A Postponement for Dialogue

Only a few days remain for these antagonistic political forces to agree to postpone an election that cannot unfold peacefully under present conditions. Whether in public or private, several Ivorian and African political and civil society representatives, as well as members of the international community, consider that a postponement is necessary to prevent serious violence arising from the current confrontational mindset.²² This postponement should make it possible to organise a broad dialogue aimed at settling some of the disputes, notably concerning the composition of the IEC, the review of the electoral register, conditions for the return of political exiles, and the fate of their followers who are still imprisoned.

For this dialogue to be fruitful, the opposition should agree to scale back the long list of demands it made public on 20 September. A revision and rebalancing of the IEC – especially its local commissions, which the opposition believes to be predominantly composed of people close to the government – seems more realistic than outright dissolution, for instance. For its part, the government should take further steps to release political prisoners by freeing all followers of Guillaume Soro and other political leaders who are still in detention, including several parliamentary deputies.

The return to Côte d'Ivoire of Soro and Laurent Gbagbo, in accordance with the decisions of the African Court of Human and Peoples' Rights (ACHPR), would calm

²⁰ Crisis Group interview, civil society leader, Abidjan, September 2020.

²¹ Crisis Group interview, academic, Abidjan, September 2020.

²² According to the weekly *Jeune Afrique*, the French leadership suggested postponing the election to Ouattara during lunch at the Elysée Palace on 4 September. "Côte d'Ivoire-France : dans le secret du déjeuner tendu entre Macron et Ouattara", *Jeune Afrique*, 7 September 2020. Paris has not denied the story. Charles Blé Goudé, a former minister close to Gbagbo, has also proposed postponing the election to hold "national meetings". "Blé Goudé : 'je lance un appel pour un report du scrutin électoral'", *Le Point*, 11 September 2020. This option is also supported by others, including Senegalese human rights defender Alioune Tine and Ivorian political analyst Arsène Bado. "Présidentielle : Alioune Tine appelle à une mission d'urgence à Abidjan", *Afrique sur 7*, 18 September 2020; and "Nous sommes dans une logique de confrontation dont il faut sortir", *Jeune Afrique*, 22 September 2020.

the political atmosphere. In particular, Soro's return would temper the animosity between his supporters and Ouattara's in the north, preventing new fractures from forming in the country.²³ More broadly, this dialogue should make it possible to rebalance the electoral process by guaranteeing everyone a real chance at winning.

The duration of the delay will have to be determined by the various participants in the dialogue, but to avoid a power vacuum it should not last longer than 13 December 2020, the date on which the president-elect must take the oath of office. The dialogue between the parties should incorporate political currents that are not involved in the election at present, notably those represented by Gbagbo and Soro. Finally, for the three Ivorian figures who have been fighting each other since 1995, this dialogue should present an opportunity to seriously consider handing over power to a new generation of women and men, who would no doubt be better placed to oversee reconciliation and institutional reform in the decade ahead. The new generation has largely been a spectator in the last three decades of Ivorian crises, and it is less riven by the individual quarrels that have accumulated among the followers of Ouattara, Bédié and Gbagbo.

As many Ivorian figures find it difficult to accept Western arbiters 60 years after independence, African diplomats are better placed to support these dialogue efforts. The format of the joint mission comprising the Economic Community of West African States, the African Union and the UN, which was to take place in Abidjan from 21 to 25 September, was modified at the request of Ivorian authorities.²⁴ In the end, only the UN's representatives visited Côte d'Ivoire. It would be good for Ivorian authorities to reconsider their position and rapidly accept a delegation bringing together all three institutions. Other African actors could also intervene: leaders of neighbouring countries, heads of state who have voluntarily stepped down, or heads of international institutions such as the International Organisation of La Francophonie. Their goal would be to convince the protagonists in the Ivorian crisis to agree on postponing the election and organising a national dialogue.

If nothing changes and the balloting proceeds in the current climate of mistrust, the winner will almost inevitably suffer from a lack of legitimacy in the eyes of his opponents and much of the population. Many in the opposition are likely to boycott the voting, since almost all of them reject the current rules. The winner will hardly be able to present himself as the president of all Ivorians and will inherit a country that is extremely difficult to govern. While he might be tempted to tighten security measures and sideline major political figures and movements to consolidate his own

²³ In a ruling dated 15 September, the ACHPR ordered the state "to take all necessary measures to immediately remove all obstacles preventing Guillaume Soro from exercising his right to be elected and notably elected during the presidential race of October 2020". In a judgement dated 25 September, the ACHPR rejected the exclusion of Laurent Gbagbo from the 31 October Ivorian presidential election. The Court ordered the Ivorian state to "take all necessary measures to immediately remove all obstacles" preventing Gbagbo from participating in the election.

²⁴ Initially, it was to be led by the Economic Community of West African States' Political Commissioner Francis Béhanzin, the AU High Representative for Mali and the Sahel Pierre Buyoya and the Special Representative of the UN Secretary-General and Head of the UN Office for West Africa and the Sahel Mohammed Ibn Chambas. The original goal of this mission was to meet the main Ivorian political actors and bring them to the dialogue table. Crisis Group correspondence, senior African officials, 10 and 18 September 2020.

power, he would run the risk, sooner or later, of provoking political and ethnic violence. He will also have to contend with the impact of renewed crisis on the security forces, which remain reactive to political tensions, their unity fragile.

V. Conclusion

Postponing the election, even for a short period, building a dialogue and transferring power to a new generation of political leaders are certainly ambitious objectives, but they are warranted by the high stakes. As it stands, there is a significant likelihood that this election will lead to a serious crisis. It is up to all Ivorian political actors, supported by African leaders and institutions, to do everything possible to avoid it.

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