

Country/entity	Cote d'Ivoire
Region	Africa (excl MENA)
Agreement name	Linan-Marcoussis Agreement
Date	23 Jan 2003
Agreement status	Multiparty signed/agreed
Interim arrangement	Yes
Agreement/conflict level	Intrastate/intrastate conflict

Ivorian Civil War (2002 - 2011)

The Ivorian civil war broke out in 2002 over the disqualification of Alassane Ouattara from the predominantly Muslim north for the presidential elections due to his missing "Ivoirity". This concept, politically enforced by nationalist forces around President Laurent Gbagbo in the South of the country and in the capital Abidjan, demanded that both parents of a presidential candidate had to be born in Cote D'Ivoire. Despite several agreements and French military involvement the fighting continued until 2005, when a South African mediation attempt – and the qualification of the national football squad for the World Cup in 2006 – helped to end the fighting. The situation remained unstable even with a UN peacekeeping force in place. Renewed fighting broke out after the presidential elections in 2010 where Ouattara was allowed to run, but he lost the elections under unclear circumstances and perceptions of fraud. Finally, Gbagbo was arrested in April 2011 by French-backed forces supporting Ouattara.

Close

Ivorian Civil War (2002 - 2011)

Stage	Framework/substantive - comprehensive
Conflict nature	Government
Peace process	Cote D'Ivoire: peace process

Parties	For the FPI- Pascal AFFI NÄGUESSAN
	For the MFA- Innocent KOBENA ANAKY
	For the MJP- Gaspard DELI
	For the MPCl- Guillaume SORO
	For the MPIGO- Félix DOH
	For the PDCI-RDA- Henri KONAN BEDIE
	For the PIT- Francis WODIE
	For the RDR- Alassane Dramane OUATTARA
	For the UDCY Théodore MEL EG
Third parties	For the UDCPI- Paul AKOTO YAO
	The Chairman: Piere MAZEAUD
	UN, AU & ECOWAS facilitators [not signatories]
Description	This agreement is the outcome of a roundtable of Ivorian political forces and international third parties. Issues covered include governance structures and measures for addressing citizenship, elections, land tenure, media, DDR, and economic recovery.
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Agreement document	CI_030123_LinasMarcousisAgreement.pdf (opens in new tab) Download PDF
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Groups	
Children/youth	No specific mention.
Disabled persons	No specific mention.

Elderly/age	No specific mention.
Migrant workers	<p>Groups→Migrant workers→Substantive</p> <p>Page 4, Annex, Programme of the Government of National Reconciliation, I. Citizenship, identity, status of foreign nationals:</p> <p>...</p> <p>3) The Round Table finds that the foreign nationals residing in large numbers in Cote d'Ivoire have made a major contribution to national wealth and helped confer on Cote d'Ivoire its special position and responsibility within the sub-region, which has also benefited the countries of origin of these foreign nationals, and considers that the petty annoyances perpetrated by the administration and the police and security forces, which often disregard the law and human rights and which often affect foreign nationals, can be caused by wilful misapplication of identification provisions.</p> <p>a. The Government of National Reconciliation will therefore immediately eliminate the residence permit requirement under Article 8 paragraph 2 of Law 2002-03 of 3 January 2002 for nationals of ECOWAS countries and will carry out the immigration inspection needed by using means of identification not subject to fraudulent misuse.</p> <p>b. Moreover the Government of National Reconciliation will consider introducing legislative and regulatory provisions to improve the status of foreign nationals and protect their property and persons.</p> <p>c. The Round Table also calls on all ECOWAS Member States to ratify, in a timely manner, the existing protocols concerning free circulation of persons and goods, to practice strengthened co-operation in controlling migratory flows, to respect the fundamental rights of immigrants and to diversify areas of development. These actions can be implemented with the support of international development partners.</p>
Racial/ethnic/ national group	No specific mention.
Religious groups	No specific mention.
Indigenous people	No specific mention.
Other groups	No specific mention.
Refugees/displaced persons	No specific mention.
Social class	No specific mention.

Gender

Women, girls and gender	Page 5, Annex, Programme of the Government of National Reconciliation, I. Citizenship, identity, status of foreign nationals, 1: ...Therefore the Government of National Reconciliation will: ...b. submit, on an exceptional basis and within six months, a naturalization bill aimed at settling in a simple and accessible manner the cases of those persons deemed ineligible and considered to be in the country illegally (in particular cases concerning persons formerly covered by Articles 17 to 23 of Law 61-415 as repealed by Law 72-852 and persons residing in Cote d'Ivoire prior to 7 August 1960 who did not exercise their option within the prescribed deadline), and supplement the existing text by including in new Article 12 foreign men married to Ivorian women.
Men and boys	No specific mention.
LGBTI	No specific mention.
Family	No specific mention.

State definition

Nature of state (general)	Page 2: 3) The Round Table reiterates the need to maintain the territorial integrity of Cote d'Ivoire and respect for its institutions and to restore the authority of the State. It recalls its commitment to the principle of democratic accession to and exercise of power. To this end it agrees as follows:
State configuration	No specific mention.
Self determination	No specific mention.
Referendum	No specific mention.
State symbols	No specific mention.
Independence/secession	No specific mention.
Accession/unification	No specific mention.
Border delimitation	No specific mention.
Cross-border provision	No specific mention.

**Political
institutions (new or
reformed)**

Governance→Political institutions (new or reformed)→Temporary new institutions
Page 2: 3) The Round Table reiterates the need to maintain the territorial integrity of Cote d'Ivoire and respect for its institutions and to restore the authority of the State. It recalls its commitment to the principle of democratic accession to and exercise of power. To this end it agrees as follows:

a- A Government of National Reconciliation will be set up immediately after the conclusion of the Paris Conference to ensure a return to peace and stability. It will be charged with strengthening the independence of the justice system, restoring the administration and public services and rebuilding the country. It will implement the appended Round Table program which includes, in particular, provisions in the constitutional, legislative and regulatory spheres.

...e- To discharge its duties the government will have executive powers in accordance with the delegation of authority provided for in the Constitution. The political parties represented in the National Assembly which took part in the Round Table undertake to guarantee the support of their Members of Parliament for the implementation of the government's programme.

Page 5, Annex, Programme of the Government of National Reconciliation, I. Citizenship, identity, status of foreign nationals: 2) To cope with the uncertainty and slow pace of the identification process and with the mistakes and abuses to which security checks can give rise, the Government of National Reconciliation will take further action with respect to registration and identification of individuals, in particular:

a. Suspension of the current identification process pending decrees implementing the Law and timely establishment of a National Identification Commission, headed by a judge and made up of representatives of the political parties, to be charged with supervising and overseeing the National Identification Office.

Page 6, Annex, Programme of the Government of National Reconciliation, III- Eligibility to the Presidency of the Republic:

1) The Round Table considers that Article 35 of the Constitution on the Election of the President of the Republic must avoid referring to concepts without legal content or deriving from legislation. The Government of National Reconciliation will therefore propose that the conditions governing eligibility to the Presidency of the Republic be laid down as follows:

"The President of the Republic is elected by universal suffrage to a five year term of office. He can be re-elected only once. The candidate must be in possession of civil and political rights and be at least thirty-five years of age. He must have only Ivorian citizenship and have a father or a mother born Ivorian."

Page 6, Annex, Programme of the Government of National Reconciliation, III- Eligibility to the Presidency of the Republic: 2) The Citizenship Code will be amended by adding to the conditions under which Ivorian citizenship can be revoked, under Article 53, the following words: "holding elective office abroad or serving as a member of a foreign government".

Page 6, Annex, Programme of the Government of National Reconciliation, III- Eligibility to the Presidency of the Republic: 3) The President of the Republic shall publish a report on his state of health once a year.

Elections

Page 2: 3) The Round Table reiterates the need to maintain the territorial integrity of Cote d'Ivoire and respect for its institutions and to restore the authority of the State. It recalls its commitment to the principle of democratic accession to and exercise of power. To this end it agrees as follows:

...b- It will prepare an electoral timetable with a view to holding credible and transparent elections and set dates for them.

c- The Government of National Reconciliation will be led by a consensus Prime Minister who will remain in office until the next Presidential election, in which he will not be able to stand as a candidate.

Page 5, Annex, Programme of the Government of National Reconciliation, II- Electoral system: 1) The Round Table considers that Law 2000-514 of 1 August 2000 on the Election Code raises no difficulties and reflects efforts to improve the text of the laws and that Law 2001-634 of 9 January 2001 creating the Independent Electoral Commission constitutes significant progress in ensuring the organization of transparent elections.

Page 6, Annex, Programme of the Government of National Reconciliation, II- Electoral system: 2) The Government of National Reconciliation:

- a. will ensure impartiality of the measures taken to identify voters and draw up voter lists;
- b. will submit several amendments to Law 2001-634 aimed at achieving better representation of the parties taking part in the Round Table within the central committee of the Independent Electoral Commission, including its Officers;
- c. will submit, within 6 months, a bill relating to the status of the opposition and to the public funding of political parties and election campaigns;
- d. will submit within one year a bill on illicit personal enrichment and will organize effective inspection of the personal asset disclosures filed by those elected;
- e. take all appropriate measures to ensure the independence of the justice system and the impartiality of the media with respect to both election disputes and election propaganda.

Electoral commission	<p>Page 5, Annex, Programme of the Government of National Reconciliation, II- Electoral system: 1) The Round Table considers that Law 2000-514 of 1 August 2000 on the Election Code raises no difficulties and reflects efforts to improve the text of the laws and that Law 2001-634 of 9 January 2001 creating the Independent Electoral Commission constitutes significant progress in ensuring the organization of transparent elections.</p> <p>Page 6, Annex, Programme of the Government of National Reconciliation, II- Electoral system: 2) The Government of National Reconciliation:</p> <ul style="list-style-type: none"> a. will ensure impartiality of the measures taken to identify voters and draw up voter lists; b. will submit several amendments to Law 2001-634 aimed at achieving better representation of the parties taking part in the Round Table within the central committee of the Independent Electoral Commission, including its Officers; c. will submit, within 6 months, a bill relating to the status of the opposition and to the public funding of political parties and election campaigns; d. will submit within one year a bill on illicit personal enrichment and will organize effective inspection of the personal asset disclosures filed by those elected; e. take all appropriate measures to ensure the independence of the justice system and the impartiality of the media with respect to both election disputes and election propaganda.
Political parties reform	<p>Governance→Political parties reform→Other political parties reform</p> <p>Page 6: Annex</p> <p>Programme of the Government of National Reconciliation.</p> <p>c) will submit, within 6 months, a bill relating to the status of the opposition and to the public funding of political parties and election campaigns;</p>
Civil society	No specific mention.
Traditional/ religious leaders	No specific mention.

**Public
administration**

Page 2: 3) The Round Table reiterates the need to maintain the territorial integrity of Cote d'Ivoire and respect for its institutions and to restore the authority of the State. It recalls its commitment to the principle of democratic accession to and exercise of power. To this end it agrees as follows:

a- A Government of National Reconciliation will be set up immediately after the conclusion of the Paris Conference to ensure a return to peace and stability. It will be charged with strengthening the independence of the justice system, restoring the administration and public services and rebuilding the country. It will implement the appended Round Table program which includes, in particular, provisions in the constitutional, legislative and regulatory spheres.

Page 4, Annex, Programme of the Government of National Reconciliation, I. Citizenship, identity, status of foreign nationals: 1) The Round Table considers that Law 61-415 of 14 December 1961 on Ivorian citizenship, as amended

by Law 72-852 of 21 December 1972, which is based on complementarity between jus sanguinis and jus soli and makes broad provision for naturalization by certificate issued by the public authorities, is a generous and well-drafted text.

The Round Table considers on the other hand that there are many difficulties in implementing the law, as a result either of lack of awareness among populations or of administration and police and security force practices which disregard the law and human rights...

Page 5, Annex, Programme of the Government of National Reconciliation, I. Citizenship, identity, status of foreign nationals: 3) The Round Table finds that the foreign nationals residing in large numbers in Cote d'Ivoire have made a major contribution to national wealth and helped confer on Cote d'Ivoire its special position and responsibility within the sub-region, which has also benefited the countries of origin of these foreign nationals, and considers that the petty annoyances perpetrated by the administration and the police and security forces, which often disregard the law and human rights and which often affect foreign nationals, can be caused by wilful misapplication of identification provisions.

Constitution

Governance→Constitution→Constitution affirmation/renewal

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Power sharing

Political power sharing

Power sharing→Political power sharing→Executive coalition
State level

Page 2: 3) The Round Table reiterates the need to maintain the territorial integrity of Cote d'Ivoire and respect for its institutions and to restore the authority of the State. It recalls its commitment to the principle of democratic accession to and exercise of power. To this end it agrees as follows:

...c- The Government of National Reconciliation will be led by a consensus Prime Minister who will remain in office until the next Presidential election, in which he will not be able to stand as a candidate.

d- This Government will be made up of representatives appointed by each of the Ivorian delegations taking part in the Round Table. In assigning Ministries a balance will be struck among the parties throughout the term of office of the government.

Page 6, Annex, Programme of the Government of National Reconciliation, II- Electoral system: 2) The Government of National Reconciliation:

...b. will submit several amendments to Law 2001-634 aimed at achieving better representation of the parties taking part in the Round Table within the central committee of the Independent Electoral Commission, including its Officers;

Territorial power sharing

No specific mention.

Economic power sharing

No specific mention.

Military power sharing

No specific mention.

Human rights and equality

Human rights/RoL general

No specific mention.

Bill of rights/similar No specific mention.

Treaty incorporation

No specific mention.

Civil and political rights

No specific mention.

Socio-economic rights

No specific mention.

Rights related issues

Citizenship

Rights related issues→Citizenship→Citizen delimitation

Page 4, Annex, Programme of the Government of National Reconciliation, I. Citizenship, identity, status of foreign nationals: 1) The Round Table considers that Law 61-415 of 14 December 1961 on Ivorian citizenship, as amended by Law 72-852 of 21 December 1972, which is based on complementarity between jus sanguinis and jus soli and makes broad provision for naturalization by certificate issued by the public authorities, is a generous and well-drafted text.

The Round Table considers on the other hand that there are many difficulties in implementing the law, as a result either of lack of awareness among populations or of administration and police and security force practices which disregard the law and human rights.

The Round Table has observed a degree of legal difficulty in applying Articles 6 and 7 of the Citizenship Code. This difficulty is compounded by the fact that in practice the certificate of citizenship is valid for three months only and that the person holding it must prove his citizenship each time it is renewed by producing a number of documents. However, the Code has heretofore been applied.

Therefore the Government of National Reconciliation will:

- a. immediately promote increased recourse to existing naturalization procedures, based on better information and possibly co-operation projects implemented with the support of international development partners;
- b. submit, on an exceptional basis and within six months, a naturalization bill aimed at settling in a simple and accessible manner the cases of those persons deemed ineligible and considered to be in the country illegally (in particular cases concerning persons formerly covered by Articles 17 to 23 of Law 61-415 as repealed by Law 72-852 and persons residing in Cote d'Ivoire prior to 7 August 1960 who did not exercise their option within the prescribed deadline), and supplement the existing text by including in new Article 12 foreign men married to Ivorian women.

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- a. Suspension of the current identification process pending decrees implementing the Law and timely establishment of a National Identification Commission, headed by a judge and made up of representatives of the political parties, to be charged with supervising and overseeing the National Identification Office.
- b. Ensuring strict consistency of the Law on Identification with the Citizenship Code regarding proof of citizenship.

Page 5, Annex, Programme of the Government of National Reconciliation, I. Citizenship, identity, status of foreign nationals: 3) The Round Table finds that the foreign nationals residing in large numbers in Cote d'Ivoire have made a major contribution to national wealth and helped confer on Cote d'Ivoire its special position and responsibility within the sub-region, which has also benefited the countries of origin of these foreign nationals, and considers that the petty annoyances perpetrated by the administration and the police and security forces, which often disregard the law and human rights and which often affect foreign nationals, can be caused by wilful misapplication of identification provisions.

- a. The Government of National Reconciliation will therefore immediately eliminate the residence permit requirement under Article 8 paragraph 2 of Law 2002-03 of 3 January 2002 for nationals of ECOWAS countries and will carry out the immigration inspection needed by using means of identification not subject to fraudulent misuse.

b. Moreover the Government of National Reconciliation will consider introducing legislative and regulatory provisions to improve the status of foreign nationals and

Democracy	Page 2: 3) The Round Table reiterates the need to maintain the territorial integrity of Cote d'Ivoire and respect for its institutions and to restore the authority of the State. It recalls its commitment to the principle of democratic accession to and exercise of power.
Detention procedures	No specific mention.
Media and communication	<p>Rights related issues→Media and communication→Media roles</p> <p>Page 6, Annex, Programme of the Government of National Reconciliation, II- Electoral system: 2) The Government of National Reconciliation: ...e. take all appropriate measures to ensure the independence of the justice system and the impartiality of the media with respect to both election disputes and election propaganda.</p> <p>Page 7, Annex, Programme of the Government of National Reconciliation, V- Media: 1) The Round Table condemns the incitement to hatred and xenophobia propagated by certain media.</p> <p>Page 7, Annex, Programme of the Government of National Reconciliation, V- Media: 2) The Government of National Reconciliation will within one year overhaul the general regime governing the press so as to strengthen the role of the regulatory authorities, guarantee neutrality and impartiality of the State broadcasters and foster the financial independence of the media. These measures may receive the support of international development partners.</p> <p>Page 7, Annex, Programme of the Government of National Reconciliation, V- Media: 3) The Government of National Reconciliation will immediately restore free broadcasting of the international radio and television media.</p>
Mobility/access	<p>Page 5, Annex, Programme of the Government of National Reconciliation, I. Citizenship, identity, status of foreign nationals: 3) The Round Table finds that the foreign nationals residing in large numbers in Cote d'Ivoire have made a major contribution to national wealth and helped confer on Cote d'Ivoire its special position and responsibility within the sub-region, which has also benefited the countries of origin of these foreign nationals, and considers that the petty annoyances perpetrated by the administration and the police and security forces, which often disregard the law and human rights and which often affect foreign nationals, can be caused by wilful misapplication of identification provisions.</p> <p>...c. The Round Table also calls on all ECOWAS Member States to ratify, in a timely manner, the existing protocols concerning free circulation of persons and goods, to practice strengthened co-operation in controlling migratory flows, to respect the fundamental rights of immigrants and to diversify areas of development. These actions can be implemented with the support of international development partners.</p> <p>Page 8, Annex, Programme of the Government of National Reconciliation, VIII- Economic recovery and the need for social cohesion: 1) The Government of National Reconciliation will restore free circulation of persons and goods throughout the national territory and facilitate the resumption of educational, administrative, economic and social activity.</p>

Protection measures	<p>Rights related issues→Protection measures→Protection of groups</p> <p>Page 11, 18. The Conference expresses its concern at the deterioration in the humanitarian situation; it requests that greater resources be mobilized to ensure that humanitarian assistance reaches its intended recipients and that refugees and displaced persons are afforded protection. It expects that the United Nations High Commissioner for Refugees, the United Nations High Commissioner for Human Rights and ICRC will continue to work to this end.</p> <p>Rights related issues→Protection measures→Other</p> <p>Page 5, b. Moreover the Government of National Reconciliation will consider introducing legislative and regulatory provisions to improve the status of foreign nationals and protect their property and persons.</p>
Other	No specific mention.

Rights institutions

NHRI	<p>Rights institutions→NHRI→New or fundamentally revised NHRI</p> <p>Page 7, Annex, Programme of the Government of National Reconciliation, VI- Rights and freedoms of the individual: 1) The Government of National Reconciliation will immediately set up a National Human Rights Commission to ensure protection of rights and freedoms in Cote d'Ivoire. The Commission will be made up of delegates of all Round Table parties and be chaired by a person accepted by all.</p> <p>Page 7, Annex, Programme of the Government of National Reconciliation, VI- Rights and freedoms of the individual: VI- Rights and freedoms of the individual</p> <p>1) The Government of National Reconciliation will immediately set up a National Human Rights Commission to ensure protection of rights and freedoms in Cote d'Ivoire. The Commission will be made up of delegates of all Round Table parties and be chaired by a person accepted by all.</p>
Regional or international human rights institutions	<p>Rights institutions→Regional or international human rights institutions→Body tasked</p> <p>Page 7, Annex, Programme of the Government of National Reconciliation, VI- Rights and freedoms of the individual: 2) The Government of National Reconciliation will call for the establishment of an international board of enquiry to investigate and establish the facts throughout the national territory in order to identify cases of serious violations of human rights and international humanitarian law since 19 September 2002.</p> <p>Page 7, Annex, Programme of the Government of National Reconciliation, VI- Rights and freedoms of the individual: 3) Based on the report by the international board of enquiry, the Government of National Reconciliation will determine which cases should be brought to justice in order to put an end to impunity. The Round Table particularly condemns the actions of the "death squads" and those giving them orders as well as those carrying out summary executions throughout the country, and considers that those guilty of and those aiding and abetting these acts must be brought to justice before an international criminal jurisdiction.</p>

Justice sector reform

Criminal justice and emergency law No specific mention.

State of emergency provisions No specific mention.

Judiciary and courts Page 2: 3) The Round Table reiterates the need to maintain the territorial integrity of Cote d'Ivoire and respect for its institutions and to restore the authority of the State. It recalls its commitment to the principle of democratic accession to and exercise of power. To this end it agrees as follows:
a- A Government of National Reconciliation will be set up immediately after the conclusion of the Paris Conference to ensure a return to peace and stability. It will be charged with strengthening the independence of the justice system, restoring the administration and public services and rebuilding the country. It will implement the appended Round Table program which includes, in particular, provisions in the constitutional, legislative and regulatory spheres.

Page 5, Annex, Programme of the Government of National Reconciliation, I. Citizenship, identity, status of foreign nationals: 2) To cope with the uncertainty and slow pace of the identification process and with the mistakes and abuses to which security checks can give rise, the Government of National Reconciliation will take further action with respect to registration and identification of individuals, in particular:
a. Suspension of the current identification process pending decrees implementing the Law and timely establishment of a National Identification Commission, headed by a judge and made up of representatives of the political parties, to be charged with supervising and overseeing the National Identification Office.

Page 6, Annex, Programme of the Government of National Reconciliation, II- Electoral system: 2) The Government of National Reconciliation:
...e. take all appropriate measures to ensure the independence of the justice system and the impartiality of the media with respect to both election disputes and election propaganda.

Prisons and detention No specific mention.

Traditional Laws No specific mention.

Socio-economic reconstruction

Development or socio-economic reconstruction	<p>Socio-economic reconstruction→Development or socio-economic reconstruction→Socio-economic development</p> <p>Page 4, Annex, Programme of the Government of National Reconciliation, I. Citizenship, identity, status of foreign nationals: 1)...Therefore the Government of National Reconciliation will:</p> <p>a. immediately promote increased recourse to existing naturalization procedures, based on better information and possibly co-operation projects implemented with the support of international development partners;</p> <p>Page 5, Annex, Programme of the Government of National Reconciliation, I. Citizenship, identity, status of foreign nationals: 3) The Round Table finds that the foreign nationals residing in large numbers in Cote d'Ivoire have made a major contribution to national wealth and helped confer on Cote d'Ivoire its special position and responsibility within the sub-region, which has also benefited the countries of origin of these foreign nationals, and considers that the petty annoyances perpetrated by the administration and the police and security forces, which often disregard the law and human rights and which often affect foreign nationals, can be caused by wilful misapplication of identification provisions.</p> <p>...c. The Round Table also calls on all ECOWAS Member States to ratify, in a timely manner, the existing protocols concerning free circulation of persons and goods, to practice strengthened co-operation in controlling migratory flows, to respect the fundamental rights of immigrants and to diversify areas of development. These actions can be implemented with the support of international development partners.</p> <p>Page 8, Annex, Programme of the Government of National Reconciliation, VIII- Economic recovery and the need for social cohesion: 1) The Government of National Reconciliation will restore free circulation of persons and goods throughout the national territory and facilitate the resumption of educational, administrative, economic and social activity.</p> <p>Page 8, Annex, Programme of the Government of National Reconciliation, VIII- Economic recovery and the need for social cohesion: 2) It will prepare, in a timely fashion, a plan for infrastructure reconstruction and development, national economic recovery and strengthening of social cohesion.</p>
National economic plan	<p>Page 8, Annex, Programme of the Government of National Reconciliation, VIII- Economic recovery and the need for social cohesion: 2) It will prepare, in a timely fashion, a plan for infrastructure reconstruction and development, national economic recovery and strengthening of social cohesion.</p>
Natural resources	<p>No specific mention.</p>

International funds Page 5, Annex, Programme of the Government of National Reconciliation, I. Citizenship, identity, status of foreign nationals: 3) The Round Table finds that the foreign nationals residing in large numbers in Cote d'Ivoire have made a major contribution to national wealth and helped confer on Cote d'Ivoire its special position and responsibility within the sub-region, which has also benefited the countries of origin of these foreign nationals, and considers that the petty annoyances perpetrated by the administration and the police and security forces, which often disregard the law and human rights and which often affect foreign nationals, can be caused by wilful misapplication of identification provisions.

...c. The Round Table also calls on all ECOWAS Member States to ratify, in a timely manner, the existing protocols concerning free circulation of persons and goods, to practice strengthened co-operation in controlling migratory flows, to respect the fundamental rights of immigrants and to diversify areas of development. These actions can be implemented with the support of international development partners.

Page 7, Annex, Programme of the Government of National Reconciliation, V- Media: 2) The Government of National Reconciliation will within one year overhaul the general regime governing the press so as to strengthen the role of the regulatory authorities, guarantee neutrality and impartiality of the State broadcasters and foster the financial independence of the media. These measures may receive the support of international development partners.

Page 8, Annex, Programme of the Government of National Reconciliation, VII Regrouping, disarming and demobilizing: 4) The Government of National Reconciliation shall ensure the social reintegration of military personnel of every origin with the help of Disarmament - Demobilization - Repatriation - Resettlement - Reintegration (DDRRR) type programmes which can be implemented with the support of international development partners.

Page 8, Annex, Programme of the Government of National Reconciliation, VII Regrouping, disarming and demobilizing: 6) The Government of National Reconciliation will carry out an audit of its armed forces and determine, in a difficult economic context, the level of sacrifice which it can accept in order to meet its obligations with respect to national defence. It will on that basis restructure the armed forces and request, for this purpose, outside assistance.

Page 8, Annex, Programme of the Government of National Reconciliation, VIII- Economic recovery and the need for social cohesion: 3) The Round Table recommends to international institutions and international development partners that they provide support for the process of rebuilding Cote d'Ivoire.

Business No specific mention.

Taxation No specific mention.

Banks No specific mention.

Land, property and environment

Land reform/rights Land, property and environment→Land reform/rights→Land reform and management
Page 6, Annex, Programme of the Government of National Reconciliation, IV- Land tenure regime: 1) The Round Table considers that Law 98-750 of 23 December 1998 on Rural Land Tenure, adopted unanimously by the National Assembly, constitutes a reference in a field that is legally difficult and economically crucial.

Page 6, Annex, Programme of the Government of National Reconciliation, IV- Land tenure regime: 2) Nevertheless the Government of National Reconciliation:

a. will support the progressive implementation of this regime by carrying out a campaign to explain it to rural populations in such a way as to work toward true security of tenure.

Land, property and environment→Land reform/rights→Other land rights

Page 6, Annex, Programme of the Government of National Reconciliation, IV- Land tenure regime: 2) Nevertheless the Government of National Reconciliation:

... b. will submit an amendment to better protect acquired rights under Article 26 of the law on heirs of landowners holding rights predating the enactment of the law but not fulfilling the conditions of ownership set out in Article 1.

**Pastoralist/
nomadism rights** No specific mention.

Cultural heritage No specific mention.

Environment No specific mention.

**Water or riparian
rights or access** No specific mention.

Security sector

**Security
Guarantees** Page 3: 5. The Round Table calls on the French government, ECOWAS and the international community to provide for the security of the persons who took part in it and if need be for that of the members of the Government of National Reconciliation until such time as the latter is in a position to fully perform this task.

Ceasefire Security sector→Ceasefire→Ceasefire provision
Page 2: 2) The Round Table welcomes the cease-fire made possible and guaranteed by the deployment of ECOWAS forces supported by French forces, and demands strict compliance with it. The Round Table calls on all parties immediately to put a stop to all exactions and consecrate the peace. It calls for the immediate release of all political prisoners.

Police

Page 4, Annex, Programme of the Government of National Reconciliation, I. Citizenship, identity, status of foreign nationals: 1) The Round Table considers that Law 61-415 of 14 December 1961 on Ivorian citizenship, as amended

by Law 72-852 of 21 December 1972, which is based on complementarity between jus sanguinis and jus soli and makes broad provision for naturalization by certificate issued by the public authorities, is a generous and well-drafted text.

The Round Table considers on the other hand that there are many difficulties in implementing the law, as a result either of lack of awareness among populations or of administration and police and security force practices which disregard the law and human rights...

Page 5, Annex, Programme of the Government of National Reconciliation, I. Citizenship, identity, status of foreign nationals: 3) The Round Table finds that the foreign nationals residing in large numbers in Cote d'Ivoire have made a major contribution to national wealth and helped confer on Cote d'Ivoire its special position and responsibility within the sub-region, which has also benefited the countries of origin of these foreign nationals, and considers that the petty annoyances perpetrated by the administration and the police and security forces, which often disregard the law and human rights and which often affect foreign nationals, can be caused by wilful misapplication of identification provisions.

Armed forces

Page 8, Annex, Programme of the Government of National Reconciliation, VII Regrouping, disarming and demobilizing: 4) The Government of National Reconciliation shall ensure the social reintegration of military personnel of every origin with the help of Disarmament - Demobilization - Repatriation - Resettlement - Reintegration (DDRRR) type programmes which can be implemented with the support of international development partners.

Page 8, Annex, Programme of the Government of National Reconciliation, VII Regrouping, disarming and demobilizing: 6) The Government of National Reconciliation will carry out an audit of its armed forces and determine, in a difficult economic context, the level of sacrifice which it can accept in order to meet its obligations with respect to national defence. It will on that basis restructure the armed forces and request, for this purpose, outside assistance.

DDR

Security sector→DDR→DDR programmes

Page 3: 3) The Round Table reiterates the need to maintain the territorial integrity of Cote d'Ivoire and respect for its institutions and to restore the authority of the State. It recalls its commitment to the principle of democratic accession to and exercise of power. To this end it agrees as follows:

...g. In order to contribute to restoring security of persons and property throughout the national territory, the Government of National Reconciliation will organise the regrouping and subsequent disarming of all forces. It will ensure that no mercenaries remain within the country's borders.

Page 7, Annex, Programme of the Government of National Reconciliation, VII Regrouping, disarming and demobilizing: 1) Immediately after assuming office, the Government of National Reconciliation will undertake the process of concomitant regrouping of the forces on the ground, under the supervision of ECOWAS and French forces.

Page 7, Annex, Programme of the Government of National Reconciliation, VII Regrouping, disarming and demobilizing: 2) In a second phase it will set out the measures to be taken with respect to disarming and demobilizing these forces, also under ECOWAS and French force supervision.

Page 8, Annex, Programme of the Government of National Reconciliation, VII Regrouping, disarming and demobilizing: 3) All recruits enlisted after 19 September will be immediately demobilized.

Page 8, Annex, Programme of the Government of National Reconciliation, VII Regrouping, disarming and demobilizing: 4) The Government of National Reconciliation shall ensure the social reintegration of military personnel of every origin with the help of Disarmament - Demobilization - Repatriation - Resettlement - Reintegration (DDRRR) type programmes which can be implemented with the support of international development partners.

Intelligence services

No specific mention.

Parastatal/rebel and opposition group forces

Page 7, Annex, Programme of the Government of National Reconciliation, VII Regrouping, disarming and demobilizing: 1) Immediately after assuming office, the Government of National Reconciliation will undertake the process of concomitant regrouping of the forces on the ground, under the supervision of ECOWAS and French forces.

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**Withdrawal of
foreign forces**

Page 3: 3) The Round Table reiterates the need to maintain the territorial integrity of Cote d'Ivoire and respect for its institutions and to restore the authority of the State. It recalls its commitment to the principle of democratic accession to and exercise of power. To this end it agrees as follows:

... g. In order to contribute to restoring security of persons and property throughout the national territory, the Government of National Reconciliation will organise the regrouping and subsequent disarming of all forces. It will ensure that no mercenaries remain within the country's borders.

Corruption

Page 5, Annex, Programme of the Government of National Reconciliation, I. Citizenship, identity, status of foreign nationals: 2) To cope with the uncertainty and slow pace of the identification process and with the mistakes and abuses to which security checks can give rise, the Government of National Reconciliation will take further action with respect to registration and identification of individuals, in particular:

- a. Suspension of the current identification process pending decrees implementing the Law and timely establishment of a National Identification Commission, headed by a judge and made up of representatives of the political parties, to be charged with supervising and overseeing the National Identification Office.
- b. Ensuring strict consistency of the Law on Identification with the Citizenship Code regarding proof of citizenship.

Page 5, Annex, Programme of the Government of National Reconciliation, I. Citizenship, identity, status of foreign nationals: 3) The Round Table finds that the foreign nationals residing in large numbers in Cote d'Ivoire have made a major contribution to national wealth and helped confer on Cote d'Ivoire its special position and responsibility within the sub-region, which has also benefited the countries of origin of these foreign nationals, and considers that the petty annoyances perpetrated by the administration and the police and security forces, which often disregard the law and human rights and which often affect foreign nationals, can be caused by wilful misapplication of identification provisions.

- a. The Government of National Reconciliation will therefore immediately eliminate the residence permit requirement under Article 8 paragraph 2 of Law 2002-03 of 3 January 2002 for nationals of ECOWAS countries and will carry out the immigration inspection needed by using means of identification not subject to fraudulent misuse.
- b. Moreover the Government of National Reconciliation will consider introducing legislative and regulatory provisions to improve the status of foreign nationals and protect their property and persons.
- c. The Round Table also calls on all ECOWAS Member States to ratify, in a timely manner, the existing protocols concerning free circulation of persons and goods, to practice strengthened co-operation in controlling migratory flows, to respect the fundamental rights of immigrants and to diversify areas of development. These actions can be implemented with the support of international development partners.

Page 6, Annex, Programme of the Government of National Reconciliation, II- Electoral system: 2) The Government of National Reconciliation:

- a. will ensure impartiality of the measures taken to identify voters and draw up voter lists;
- b. will submit several amendments to Law 2001-634 aimed at achieving better representation of the parties taking part in the Round Table within the central committee of the Independent Electoral Commission, including its Officers;
- c. will submit, within 6 months, a bill relating to the status of the opposition and to the public funding of political parties and election campaigns;
- d. will submit within one year a bill on illicit personal enrichment and will organize effective inspection of the personal asset disclosures filed by those elected;

Crime/organised crime

No specific mention.

Drugs No specific mention.

Terrorism No specific mention.

Transitional justice

Transitional justice general No specific mention.

Amnesty/pardon Transitional justice→Amnesty/pardon→Amnesty/pardon proper
Page 3: 3) The Round Table reiterates the need to maintain the territorial integrity of Cote d'Ivoire and respect for its institutions and to restore the authority of the State. It recalls its commitment to the principle of democratic accession to and exercise of power. To this end it agrees as follows:
...i. The Government of National Reconciliation will take the necessary steps to ensure release and amnesty for all military personnel being held on charges of threatening State security and will extend this measure to soldiers living in exile.

Page 8, Annex, Programme of the Government of National Reconciliation, VII Regrouping, disarming and demobilizing: 5) The Government of National Reconciliation will take the necessary steps to ensure the release and amnesty of all military personnel detained on charges of threatening State security and will extend the benefit of these measures to soldiers living in exile. The amnesty law will under no circumstances mean that those having committed serious economic violations and serious violations of human rights and international humanitarian law will go unpunished.

Courts Transitional justice→Courts→International courts
Page 7, Annex, Programme of the Government of National Reconciliation, VI- Rights and freedoms of the individual: 3) Based on the report by the international board of enquiry, the Government of National Reconciliation will determine which cases should be brought to justice in order to put an end to impunity. The Round Table particularly condemns the actions of the "death squads" and those giving them orders as well as those carrying out summary executions throughout the country, and considers that those guilty of and those aiding and abetting these acts must be brought to justice before an international criminal jurisdiction.

Mechanism	<p>Page 7, Annex, Programme of the Government of National Reconciliation, VI- Rights and freedoms of the individual: 2) The Government of National Reconciliation will call for the establishment of an international board of enquiry to investigate and establish the facts throughout the national territory in order to identify cases of serious violations of human rights and international humanitarian law since 19 September 2002.</p> <p>Page 7, Annex, Programme of the Government of National Reconciliation, VI- Rights and freedoms of the individual: 3) Based on the report by the international board of enquiry, the Government of National Reconciliation will determine which cases should be brought to justice in order to put an end to impunity. The Round Table particularly condemns the actions of the "death squads" and those giving them orders as well as those carrying out summary executions throughout the country, and considers that those guilty of and those aiding and abetting these acts must be brought to justice before an international criminal jurisdiction.</p>
Prisoner release	<p>Page 2: 2) The Round Table welcomes the cease-fire made possible and guaranteed by the deployment of ECOWAS forces supported by French forces, and demands strict compliance with it. The Round Table calls on all parties immediately to put a stop to all exactions and consecrate the peace. It calls for the immediate release of all political prisoners.</p> <p>Page 3: 3) The Round Table reiterates the need to maintain the territorial integrity of Cote d'Ivoire and respect for its institutions and to restore the authority of the State. It recalls its commitment to the principle of democratic accession to and exercise of power. To this end it agrees as follows: ...i. The Government of National Reconciliation will take the necessary steps to ensure release and amnesty for all military personnel being held on charges of threatening State security and will extend this measure to soldiers living in exile.</p> <p>Page 8, Annex, Programme of the Government of National Reconciliation, VII Regrouping, disarming and demobilizing: 5) The Government of National Reconciliation will take the necessary steps to ensure the release and amnesty of all military personnel detained on charges of threatening State security and will extend the benefit of these measures to soldiers living in exile. The amnesty law will under no circumstances mean that those having committed serious economic violations and serious violations of human rights and international humanitarian law will go unpunished.</p>
Vetting	No specific mention.
Victims	<p>Page 7, Annex, Programme of the Government of National Reconciliation, VI- Rights and freedoms of the individual: 4) The Government of National Reconciliation will endeavour to facilitate humanitarian operations to aid the victims of the conflict throughout the country. Based on the report of the National Human Rights Commission, it will take steps to compensate and rehabilitate victims.</p>
Missing persons	No specific mention.

Reparations Transitional justice→Reparations→Material reparations
Page 7, Annex, Programme of the Government of National Reconciliation, VI- Rights and freedoms of the individual: 4) The Government of National Reconciliation will endeavour to facilitate humanitarian operations to aid the victims of the conflict throughout the country. Based on the report of the National Human Rights Commission, it will take steps to compensate and rehabilitate victims.

Reconciliation [Summary] The entire agreement establishes a 'Government of National Reconciliation' in Cote d'Ivoire.

Page 2: 3) The Round Table reiterates the need to maintain the territorial integrity of Cote d'Ivoire and respect for its institutions and to restore the authority of the State. It recalls its commitment to the principle of democratic accession to and exercise of power. To this end it agrees as follows:
...c- The Government of National Reconciliation will be led by a consensus Prime Minister who will remain in office until the next Presidential election, in which he will not be able to stand as a candidate.

Implementation

UN signatory No specific mention.

Other international signatory The Chairman, Pierre Mazeaud

Referendum for agreement No specific mention.

International mission/force/similar

Page 2: 2) The Round Table welcomes the cease-fire made possible and guaranteed by the deployment of ECOWAS forces supported by French forces, and demands strict compliance with it. The Round Table calls on all parties immediately to put a stop to all exactions and consecrate the peace. It calls for the immediate release of all political prisoners.

Page 3: 3) The Round Table reiterates the need to maintain the territorial integrity of Cote d'Ivoire and respect for its institutions and to restore the authority of the State. It recalls its commitment to the principle of democratic accession to and exercise of power. To this end it agrees as follows:

...f- The Government of National Reconciliation will, immediately upon taking office, attend to rebuilding an army committed to the values of integrity and republican morality. The government will restructure the defence and security forces and may, for this purpose, receive the counsel of outside advisers and in particular the assistance offered by France.

...h. The Government of National Reconciliation will seek the help of ECOWAS, France and the United Nations to arrange for their forces to guarantee these operations.

Page 7, Annex, Programme of the Government of National Reconciliation, VII Regrouping, disarming and demobilizing: 1) Immediately after assuming office, the Government of National Reconciliation will undertake the process of concomitant regrouping of the forces on the ground, under the supervision of ECOWAS and French forces.

Page 7, Annex, Programme of the Government of National Reconciliation, VII Regrouping, disarming and demobilizing: 2) In a second phase it will set out the measures to be taken with respect to disarming and demobilizing these forces, also under ECOWAS and French force supervision.

Enforcement mechanism

Page 3: 4) The Round Table decides to set up a committee to monitor the implementation of the Paris Agreements on Cote d'Ivoire in charge of ensuring the compliance with commitments made. This committee will report to national, regional and international authorities all cases of obstruction of the Agreements and failure to apply them, to ensure that appropriate remedies are implemented.

The Round Table recommends to the Conference of Heads of State that the monitoring committee be set up in Abidjan and made up of representatives of the countries and organizations called on to guarantee implementation of the Paris Agreements, and in particular:

- . the representative of the European Union,
- . the representative of the Commission of the African Union,
- . the representative of the Executive Secretariat of ECOWAS,
- . the Special Representative of the Secretary-General who will coordinate UN bodies,
- . the representative of the International Francophone Organization,
- . the representatives of the IMF and the World Bank,
- . a representative of the G8 countries,
- . the representative of France.

Related cases

No specific mention.

Source

UN Peacemaker: <http://peacemaker.un.org/>