

Peace processes in Côte d'Ivoire: Democracy and challenges of consolidating peace after the post-electoral crisis¹

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Abstract

The attainment of full democracy remains elusive to even some of the greatest nations in the world. The West African country of Côte d'Ivoire, which experienced a violent post-electoral crisis (November 2010 to April 2011) within the midst of 19 years of political instability which started in 1993, also seeks to consolidate democratisation. The goal is not impossible to realise, but is dependent on the reconciliation of all stakeholders in the conflict and all sectors of society. This paper examines the reasons why the 2010 presidential elections led to violent conflict, which resulted in the deaths of civilians. It will also discuss the lessons which can be drawn from this crisis, and the strategies which should be implemented to achieve sustainable peace in Côte d'Ivoire.

Introduction

The term democracy has several definitions, but one of the most famous is 'a government of the people, by the people, for the people.'² Since this classical definition was shared, the characteristics of democracy have expanded considerably. In modern definitions, it has become common to associate democratic governments and countries with freedom of the press, free and transparent elections and respect for human rights, among others. Democracy emerged as the predominant

and most popular model of government at the end of the Cold War. Full democratic governance, however, remains elusive, not least of all because its attainment is an arduous process that can only come to fruition through paying careful attention to, and protection of gains made. The Economist Intelligence Unit's democracy index (2011) explains that, 'It is not easy to build a sturdy democracy. Even in long-established ones, democracy can corrode if not protected and nurtured'. In this index France, Italy and Portugal are placed in the 'flawed democracy' category while Denmark, Iceland and Norway are considered 'full democracies'.

Côte d'Ivoire falls in the index's 'authoritarian regimes' category, due in large part to the political instability the country has been experiencing since the death of its founding father Félix Houphouët-Boigny in 1993. The culmination of this instability was the electoral dispute between former President Laurent Gbagbo of the Ivorian Popular Front (FPI) and Alassane Ouattara, leader of the Democratic Party of Côte d'Ivoire – African Democratic Rally (RDR) after the second round of presidential elections held on 28 November 2010. The African Union (AU) and Economic Community of West African States (ECOWAS) tried in vain to find a solution, while encouraging Gbagbo to accept the election results and relinquish power. The United Nations (UN) and the international community (mainly, the United States of America (USA), the European Union (EU) and France) also failed to convince Gbagbo to leave office. The UN Security Council finally adopted Resolution 1975 based on Chapter VII (use of force by all means necessary to protect civilians) to address the situation.

1 An earlier version of this paper was presented at the International Association for Conflict Management (IACM) 25th Annual Conference which was held in Stellenbosch, South Africa from 11 to 14 July 2012.

2 Words uttered by President Abraham Lincoln in a speech he gave on 19 November 1863 at Gettysburg, United States of America.

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In spite of numerous mediation efforts and the decision of the Security Council, Gbagbo still refused to relinquish power. His stance resulted in armed conflict between pro-Ouattara *Forces Républicaines de la Côte d'Ivoire* (FRCI) and Gbagbo's *Forces de Défense et de Sécurité* (FDS) which began on 31 March 2011 in Abidjan. Following fierce resistance mounted by the FDS, Gbagbo was finally captured and arrested on 11 April 2011.

Côte d'Ivoire continues to experience challenges in achieving and sustaining democratic governance. Overcoming these requires not only open dialogue, but the involvement of all sectors of society, from different ethnic, cultural, religious and political backgrounds. This paper examines the reasons why Côte d'Ivoire's 2010 elections led to conflict. With the escalation of the crisis, what lessons can be learnt and what strategies should be implemented to consolidate peace in Côte d'Ivoire? The paper begins by summarising the evolution of the Ivorian political challenges up to the 2011 crisis. It will also present a review of available literature on elections in post-conflict countries to provide more background. It then discusses lessons drawn from the crisis and proposes strategies to ensure the consolidation of peace in Côte d'Ivoire.

The state of democracy in Côte d'Ivoire

During the reign of Côte d'Ivoire's first president Félix Houphouët-Boigny (1960–1993), democratic deficits were masked by a relative degree of social peace and an economic boom. As a leading producer of cocoa in the world, Côte d'Ivoire experienced exceptional economic growth which led to the country becoming a leading economy in West Africa during this period. The upturn allowed President Houphouët-Boigny to govern the country without facing any major socio-political problems for about 27 years. However, falling coffee and cocoa prices experienced between 1987 and 1993 led to a slowdown in economic growth and marked the end of the Ivorian miracle. Houphouët-Boigny's popularity diminished during this time.

Côte d'Ivoire only began to experience growth in 1994 with the rise in cocoa prices and the devaluation of the CFA franc, which favoured investments. However, the country still remained vulnerable and soon plunged back into social and economic crisis.

At the time of Houphouët-Boigny's death in 1993, he had just begun his seventh term in office. Since Ivorian politics was dominated by one party, the Côte d'Ivoire Democratic Party (PDCI), no candidate

had ever stood against him.³ It was only in 1990, after the La Baule speech⁴, that the wind of democratic change blowing through the African continent reached Côte d'Ivoire. Houphouët-Boigny sanctioned the move towards democracy by legalising Laurent Gbagbo's FPI, which had operated on a clandestine basis since its launch in 1982. During the elections which followed this move, the PDCI won with a Soviet-style 81.67%⁵ of the vote. Could this be attributed to massive fraud by the PDCI or inexperience on the part of the new party? It is difficult to say, as Côte d'Ivoire had just entered multi-party democracy, and had no experience of organising free and transparent elections.

On his death Houphouët-Boigny was succeeded by Henri Konan Bédié, formerly president of the National Assembly, and thus, according to Article 11 of the Constitution of 3 November 1960, the second most powerful man in the state apparatus. Although the constitution gave Bédié a degree of power, others, including Alassane Ouattara, former prime minister of Côte d'Ivoire and former director of the International Monetary Fund (IMF) for Africa, were positioning themselves as potential successors of the father of Ivorian independence.

Given that more than 12 months of the presidential term was still left (Houphouët-Boigny had recently been re-elected), new elections were announced in line with procedures outlined in the constitution.

Bédié, who had served as interim president between 7 December 1993 and 22 October 1995, finally took it upon himself to set a date for the presidential elections. After examining the paperwork of candidates filed with the Constitutional Council

3 Houphouët-Boigny remained in power for seven terms because of the one party system, but also because he was a member of the French Parliament (4 November 1945 to 1 February 1956) and a Minister (1 February 1956 to 20 May 1959) in France. These positions helped him to develop and maintain strong relations with France, which was very supportive and allowed him to avoid coups that some countries such as Mali experienced. He helped his country's economy by choosing, early in his presidency, liberalism and agriculture.

4 At the 1990 France-Afrique Summit held in La Baule, Brittany, President François Mitterrand exhorted African countries to initiate a process of democratisation. This position was mirrored by the Bretton Woods institutions which made it a *sine qua non* of lending money to those countries.

5 A Soviet-style win in an election is when the winner scores over 80% of the vote, as in the pre-*Perestroika* Soviet Union.

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which had the responsibility of validating candidates, four were deemed non-compliant with the law and rejected. Three candidates, Yadi Soumah, Dieudonné Zadi Agui and Philibert Kouassi were disqualified for a variety of reasons.

With a view to sidelining a formidable opponent, Alassane Ouattara, Bédié and his partisans developed the concept of 'Ivorianité'. Ouattara was accused of originating from Burkina Faso and thus not being a pure Ivorian. This ostensibly disqualified him from standing as a presidential candidate. In solidarity with Ouattara, a number of political parties boycotted the elections. Only Francis Wodié's party participated. Wodié lost to Bédié by an astonishing margin of 96% to 3%. Considering the way in which the elections were organised, they can hardly be characterised as transparent and democratic.⁶ Sidelining Ouattara using the concept of 'Ivorianité' ultimately lost Bédié the trust of the people, leading to trouble for his administration.

On 24 December 1999, soldiers returning from a mission in the Central African Republic staged a *coup d'état* because they had not received their bonuses. After wresting power from the government, the soldiers chose General Robert Gueï, former chief of the army, to head the National Committee of Public Salvation which was created to manage the transition before the election of a new president. Gueï had been fired from his position as chief of staff of the Armed Forces by President Bédié in October 1995 for refusing to repress demonstrations by the opposition parties FPI and RDR which boycotted the presidential election of 1995. As chairman of the National Committee of Public Salvation, Gueï took office as president of the Republic of Côte d'Ivoire and formed a government on 4 January 2000 which included the main opposition parties FPI, RDR and Francis Wodié's Ivorian Worker's Party.

General Gueï could have followed the example of many military men who have made a positive contribution

to democracy. The acts of such men contradict those who believe that since the military is not, by nature, a democratic institution, democracy and the army do not mix. However, in a number of countries, soldiers have brought bloody dictatorships to an end and organised free and transparent elections. For instance, General Charles de Gaulle was the father of France's Fifth Republic which was declared in 1958. In Mali, Lieutenant Colonel Amadou Toumani Touré brought President Moussa Traoré's 23-year dictatorship to a definitive conclusion, successfully leading a 14-month transitional government before a new president was democratically elected. General Lamine Cissé, Senegal's minister of the interior, commonly referred to as the mechanic of democracy in his country, successfully organised, alongside General Mamadou Niang, the 2000 presidential election which was won by President Abdoulaye Wade. There are more examples. In Côte d'Ivoire, the *coup d'état* organised by the army, while seemingly anti-democratic, could potentially have led to better things in that it did at least help to send Bédié, rejected by the people after only four years in power, on his way.

In 2000, Gueï organised presidential elections, which were won by Laurent Gbagbo in calamitous conditions. Gueï had attempted to retain power before being ousted by a series of demonstrations organised by Gbagbo and the FPI. Gueï's brief stint in power was characterised by numerous human rights abuses, most notably the internment of the national football team in a military camp after a three-zero defeat to Cameroon in the Africa Cup of Nations tournament, the introduction of a law barring opposition party leaders from leaving the country without permission and a ban on demonstrations. Perhaps most tellingly, a mass grave containing 57 bodies was discovered in Youpougon on 27 October 2011 (Le Patriote 2011).⁷

On 19 September 2002, shortly after Gbagbo's accession to power, an opposition politician named Guillaume Soro, the former leader of the Ivorian student movement, and a coalition of forces named the Patriotic Movement of Côte d'Ivoire (MPCI) which was believed

6 Four candidates, deemed non-compliant with the law, were rejected. Similarly, there was disagreement on important points like the complete revision of electoral rolls, voting of Ivorians abroad and sharing of the minutes to check compliance of results announced with all polling representatives. President Bédié's government's refusal to accept these transparency measures and the exclusion of some candidates suggested that the presidential election of 1995 was not transparent and democratic.

7 Youpougon is located in a suburb in Abidjan. The victims of the mass murder were supposedly RDR supporters. They are believed to have been demonstrating against General Gueï, who proclaimed himself winner of the 22 October 2000 presidential election, and against the announcement of Gbagbo as the winner of the election by the Constitutional Council at the time they were killed.

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Ivorian public health officers uncover mass graves in the Youpougon section of Abidjan

to have ties with Ouattara and Gueï attempted, but failed to occupy Abidjan (Kouassi 2010).

Not all rebellions defend just causes, but in Africa, they are often prompted by an absence of democracy and social justice, or a lack of respect for ethnic or religious minorities. For instance, in Côte d'Ivoire, the principal demands of rebels (*Forces Nouvelles*/New Forces) who had occupied the cities of Bouaké and Korogho were the departure of Gbagbo and Ivorian nationality for all the country's inhabitants, accompanied by the right to vote and the organisation of new elections. Even if the demands seemed unrealistic in certain regards, they mirrored the kind of calls for change often heard in countries in which democracy is lacking. In effect, had

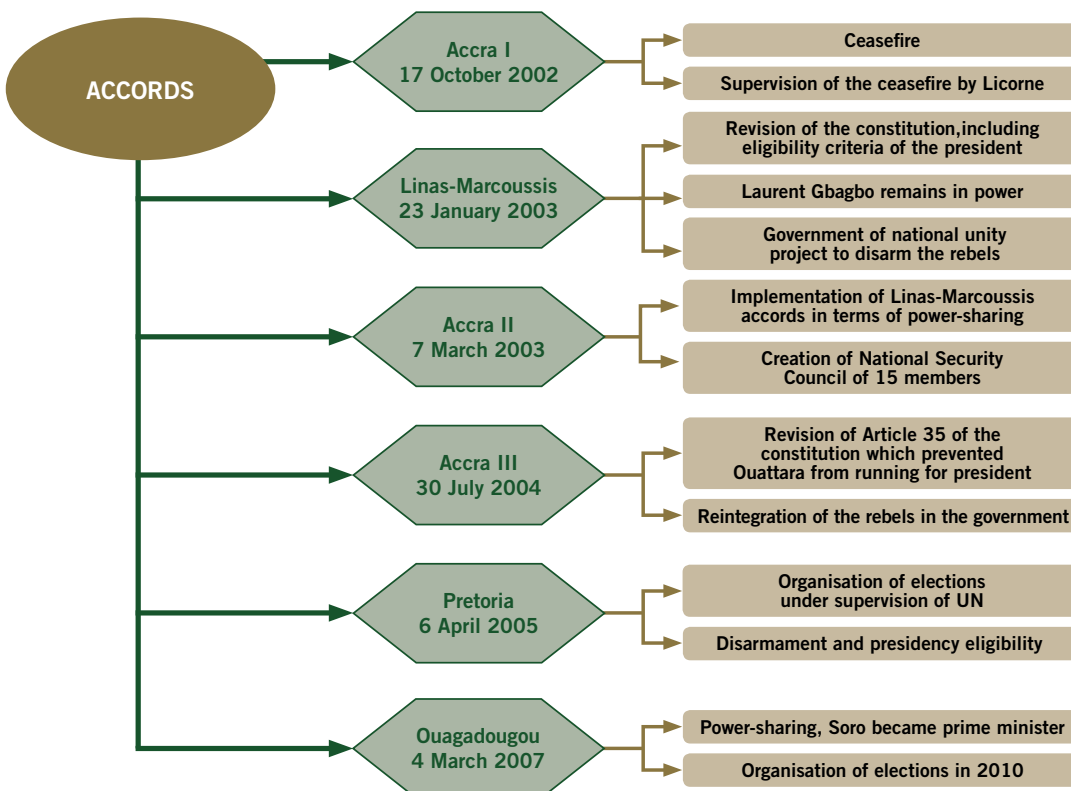
they been respected, the commitments made by the parties in numerous peace accords (Linass-Marcoussis, Ouagadougou, Accra) could have helped to support Côte d'Ivoire's democracy.

Although, since 2005 Gbagbo had postponed the presidential elections six times on the grounds of political instability, he agreed to change the constitution to enable Ouattara to stand as a candidate in 2010. He also agreed to share power with a prime minister. The debate between the two candidates in the second round of the 2010 presidential elections represents a significant moment in the country's political history. These positive developments could have served as a firm building block for Ivorian democracy had the country not descended into a bloody civil war after the elections, a situation triggered by an electoral dispute.

A review of the literature on post-conflict elections

This literature review aims to examine the role of elections in post-conflict situations and the difficulties encountered in organising elections in this context. In the first part of the review, emphasis is placed on the importance of elections in replacing bullets with ballots since voting can serve to legitimise power and, eventually, to end conflicts. The second part of the review focuses on the ambivalent character of

Management of conflict in Côte d'Ivoire from 2002 to 2010



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elections which, while capable of ending conflicts, can also have the effect of re-igniting them. Decisions about the way in which elections are administered can also play a decisive role in ensuring that election results are accepted by all candidates.

The role of elections in post-conflict situations

Elections support modern democracies. Their primary objective is to enable citizens to choose their representatives freely and to legitimise their power. Elections can be held without competition or conflict; they can be held even if there is only one candidate since the idea is to legitimise the position and authority of elected representatives. Often, elections are used to bring warring factions into the democratic fold and put an end to political conflict. This twin process is a necessary part of all political systems, one which even dictators have employed for their own ends. However, while elections are vital in both democratic and authoritarian political systems, it is necessary to understand their crucial role in post-conflict situations.

In terms of conflict resolution, elections play a central role in countries in transition. Power-sharing through negotiation sometimes generates positive results, but the disadvantage of this approach is that it does not last. The strategy is only used to manage transitions or diffuse latent conflicts, sooner or later the parties head for elections. Elections therefore provide one of the few possibilities of bringing an end to violent political conflicts. It should, however, be pointed out that while elections are necessary, they are not always sufficient. Indeed, in some cases, they cause problems. This issue will be elaborated upon in the section that follows.

Challenges of holding elections post-conflict

The literature on post-conflict elections provides many examples of successfully organised elections in countries emerging from conflict situations. In Mozambique for instance, the result of the 1994 elections which returned Joaquim Chissano's Mozambique Liberation Front (FRELIMO) party to power was accepted by the opposition Mozambican National Resistance (RENAMO) party. These transparent and democratic elections helped put an end to a 15-year civil war (1977–1992).

In El Salvador, the challenge of democratisation was addressed through the organisation of the country's first free elections, held during March and April 1994, which effectively brought to an end

70 years of military dictatorship characterised by incessant outbreaks of conflict. In South Africa, apartheid ended on 27 April 1994 through elections which were won by the world's most famous political prisoner, Nelson Mandela. These examples demonstrate that elections can be used to end conflicts and initiate the process of democracy-building.

However, even if democratic elections are more likely to prevent conflicts than provoke them, there are nevertheless risks involved. This idea is shared by Eiseman (2003:1) who explains that 'while electoral systems can prevent conflict by offering potential combatants the opportunity to compete for power or express grievances peacefully, they also carry the risk that the high stakes of an election cycle will prompt political actors to turn to violence in defence of their interests'. Elections can and have been known to result in disputes. The risk of elections contributing to the flare-up of conflict is higher when they are held in post-conflict situations, characterised as they are by mutual distrust. It is based on this perspective that Lyons (2002:6) problematises the excessive trust placed in elections. He explains that 'in some cases the vote is expected to do the impossible: elections cannot settle a military conflict that negotiations or victory have failed to end'. Contrary to the belief held by many people, elections are not a kind of magic wand that can miraculously end a war. According to Reilly (2006:1) '...while post-conflict elections have become an integral element of contemporary peace agreements, they can also themselves become the focus of increasing tensions and renewed violence'. In spite of the excessive faith often placed in them, the role of elections in conflict resolution remains problematic (Toulou 2008).

To a certain degree, examples from countries where conflicts have taken place demonstrate that elections constitute a real risk. Amongst these examples, Angola (1992), Burundi (1993), Liberia (1997), Kenya (2007) and Côte d'Ivoire (2010) are most often referred to. Conflict returned to all these countries after disputed results. In Angola, the elections failed to resolve any issues. Jonas Savimbi, the losing candidate, knew that if he accepted the result the chances of achieving peace would be improved but that his personal interests would be adversely affected. He therefore decided to take up arms again so that he could continue to wield at least some degree of power. Part of the failure in Angola can be attributed to the decision not to totally demilitarise the conflicting parties before the elections (Eiseman 2003). The international community was aware of this and had recommended, in vain as it

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turned out, that the National Union for the Total Independence of Angola (UNITA) and the People's Movement for the Liberation of Angola (MPLA) should be entirely disarmed before the elections.

Based on this review of the literature, which illustrates the advantages and disadvantages of holding elections in post-conflict situations, it is now known that elections are not only a solution but can be a problem and, as such, can represent a danger for peace and even democracy. Even when elections do not present a problem, they are not guaranteed to end conflicts. Such a result depends primarily on other factors, such as the desire of former participants in the conflict to cooperate and the way in which war-related problems that the elections are incapable of resolving are dealt with. Similarly, these criteria for the success of post-conflict elections are characterised by difficulties which can sometimes provoke a return to war. What, then, are the obstacles that sometimes prevent elections from playing an effective role in ending conflicts?

Problems include the way in which elections are organised and administered, the transformation of militias into political parties and electoral schedules, or, in other words, the period of time between the end of the conflict and the elections. These factors of success or failure have given rise to the phrase 'democratic dilemma' (Reilly 2002:25). When organising elections post-conflict, the choice of ballot is important (Brahm 2005). There are a number of ways in which elections can be organised, including majority vote, proportional representation and mixed proportional representation. The majority vote 'winner takes all'⁸ method, as practiced in the USA for instance, is unsuitable for post-conflict countries because one side ends up with all the power, to the detriment of the other parties. As most conflicts are generated by power struggles, if an armed group agrees to demilitarise, compensating one party with a degree of representation, on condition that the winner of the elections is not adversely affected, would go a long way to avoiding further conflict.

8 'Winner takes all' or 'first past the post' systems are highly problematic for segmented societies as they can easily turn ethnic and religious conflicts into a zero-sum competition; those (ethnic-religious) groups that lose will feel excluded from the political process and all the benefits it offers. As a consequence, the risk of violence and even civil war will be high (Kühne 2010).

In order to avoid such a scenario, a variant of the proportional representation method – mixed or otherwise – is often applied. This system not only guarantees a clear winner, but also ensures that minorities are represented as well. Multi-party assemblies make dialogue easier, thereby reducing the level of conflict between various political or armed groups. The disadvantage of this kind of ballot, however, is that it sometimes produces a small majority which is often obtained after long and difficult negotiations, with failure to reach this majority resulting in instability.

While the way in which elections are organised is important, the choice of electoral commission is as important (Reilly 2002). A number of approaches can be utilised to manage elections, with organisational responsibility assumed either by the ministry of the interior (or minister of home affairs) an independent electoral commission, or a mixed commission.

In many democratic countries, the minister of the interior organises elections. However, in post-conflict countries, it is not recommended to give the minister of the interior the responsibility of organising elections as this means that, in effect, such elections are run under the aegis of the government in power. Governments running elections in which they themselves are standing poses a serious problem of credibility. In order to avoid rousing suspicions amongst former participants in the conflict it is, therefore, important to ensure that the system administering the elections is impartial. The question still remains though, are mixed electoral commissions any more credible, seeing as they are made up of representatives of political parties? In effect, they imply a high risk of failure that could bring about divisions and lack of trust. The problems around the 1990 elections in Indonesia and the electoral dispute in Florida during the 2000 US elections demonstrate the limits of this system.

The electoral arrangement most suited to post-conflict countries is the use of an independent electoral commission. This system has the advantage of not being subject to state control and therefore does not encourage fraud. Ideally, the system provides all political parties involved with the opportunity to take part in the elections. In order to be efficient, the body organising the elections must be independent, impartial and credible and should also be accepted by the majority of political parties involved.

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Political parties themselves present a major challenge in terms of organising ballots. The vocation of political parties is to take part in elections. Indeed, elections without political parties have no credibility. In post-conflict countries, the election terrain is occupied not only by political parties, but also by armed groups aiming to take part in elections. In order to fulfil an electoral function, these groups must first transform themselves into political parties. This is where things become difficult. The period between the signing of a ceasefire agreement and the organisation of elections is often too short for armed groups to demilitarise and swap their uniforms for attire more suited to politics. Donors and the international community are keen to organise elections at a time when recently founded political parties only have a toehold in the democratic process. It is no easy task to create political parties with credible programmes in a post-conflict situation (Reilly 2002). As Reilly observes, political parties reflect the same divisions that existed during the war and tend to perpetuate them in the new democratic process. Kumar (1998:7) emphasises the prerequisites for successful elections when he declares that, 'most war-torn countries lack the political climate, social and economic stability, institutional infrastructure and even political will to mount successful elections'.



Henri Konan Bédié, former President of Côte d'Ivoire and 2010 presidential candidate casts his vote

In light of diverse ideas about how elections should be organised in order to hold a credible vote, the difficulties described above, as well as a host of other emerging problems characteristic of all post-conflict countries, must be resolved.

The reality is that elections can either contribute to the democratisation of post-conflict countries, or cause them to descend once more into a state of war. The Ivorian conflict illustrates this due to the fact that there was a resurgence of violence in 2011 because of Gbagbo's refusal to relinquish power to

Ouattara after his defeat in the presidential election. After much prevarication, a military solution was finally employed.

Lessons learnt from Côte d'Ivoire's post-electoral crisis

There are a number of factors that contributed to the outbreak of violence following the announcement of the presidential election results in 2010. These are outlined and discussed in the sections that follow.

Failure to disarm the rebels leading to election-related violence

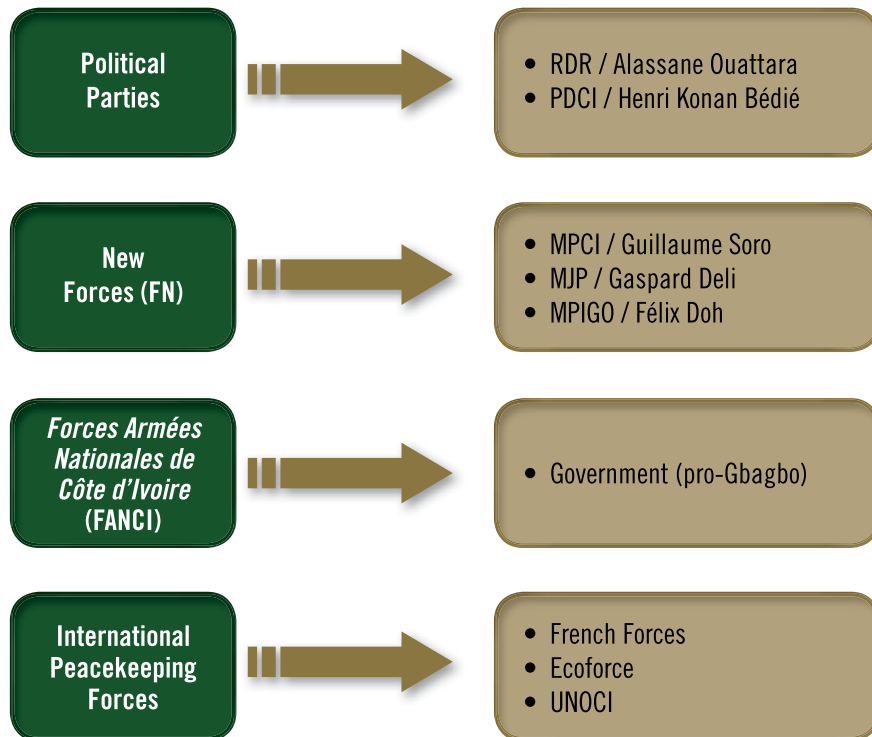
The elections in 2010 were poorly organised to the degree that they were held without the rebels having been disarmed. Disarmament of rebels, which should have been done in January 2003 when the Linas-Marcoussis agreement was signed, had not been completed. In a democratic election, citizens vote freely without fear or intimidation. However, it is reported that when the elections were held in Côte d'Ivoire, the New Forces, a rebel movement led by Guillaume Soro, controlled the north of the country. It is also difficult to say that the electorate in that region were able to express their choice without threat or fear of reprisals if they voted against the candidate supported by the New Forces, Ouattara. According to Straus (2011), pro-Ouattara forces occupying the north of the country imprisoned and beat up civilians who had voted for Gbagbo. In the west, in areas reputedly aligned to Gbagbo, the UN observed the same kind of problems.

Organisation of the elections

Côte d'Ivoire's Independent Electoral Commission (IEC) was set up by Electoral Law No. 2004-642 of 14 December 2004, which amended Law No. 2001-634 of 9 October 2001. Its function was to draw up lists of voters and organise transparent, democratic elections. The IEC is an administrative authority which, in terms laid out by the law, is independent. However, it was known from the outset that the body's supposed independence was compromised by its composition. The IEC was independent from the ministry of the interior, often suspected of having been aligned to Gbagbo, but it was not independent from the political parties, since all those parties, as well as the militias of the New Forces were represented in the IEC at both local and national level. The IEC's neutral and objective stance may have been undermined by party coalitions, a situation which had the capacity to create challenges. This was the case when the IEC was unable to announce the results

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Actors in the Ivorian conflict



of the election within three days of the second round. The Commission should then have passed the baton to the Constitutional Council;⁹ the crisis of legitimacy began when it failed to do so.

The Constitutional Council and the Independent Electoral Commission's dispute over legitimacy

After the IEC declared that Ouattara had won the presidential elections with 54.1% of the vote to Gbagbo's 48.9%, the Constitutional Council refused to validate the result and announced the victory of 'Laurent Gbagbo with 51.45% [over] Ouattara with 48.55%' (Onana 2011:333). At that point, it is worth asking whether the IEC or the Constitutional Council should have declared the results at all. In any case, an electoral crisis followed, leading to a two week-long conflict during which 3,000 people lost their lives and several thousands more were left homeless (Larcher 2011). In effect, this confusion of roles

demonstrates that communication between different institutions, or between such institutions and other bodies, is necessary in a democracy to prevent problems that negatively affect the efficient running of a country.

The refusal to recount the votes

In order to resolve the electoral dispute that arose from the IEC and Constitutional Court's poor handling of the announcement of the election results, recounts should have been organised and conducted in disputed areas. Partial voting in areas in which balloting irregularities were suspected should also have been organised. Such an option, successfully carried out in Afghanistan and Haiti,¹⁰ would potentially have resulted in the avoidance of conflict.

Instead of recounting the votes, the pro-Ouattara FRCI decided to remove Gbagbo from power by force. The operation was actively supported by the United Nations Operation in Côte d'Ivoire (UNOCI) and French Forces (Operation Licorne) based on UN Security Council Resolution 175. This resolution, passed by the Security Council under the aegis of France, authorised

⁹ The Constitutional Council is an institution established by Ivorian Law No. 94-438 of 16 August 1994. Its role is to ensure that major elections and referendums are held regularly, and without incident. It decides on the conformity of laws with the constitution and certain regulations before they come into force. Ideally the IEC announces preliminary results and the Constitutional Council validates, but if the IEC is unable to announce them within three days, the Constitutional Council must take its place for final validation of preliminary results.

¹⁰ Charles Blé Goudé, politically close to Laurent Gbagbo, advocates this approach in his book, *Côte d'Ivoire: traquenard electoral*. Considering the source, this point of view is not, perhaps, very objective. Nevertheless, it is preferable to war.

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UNOCI to 'use all necessary means to carry out its mandate to protect civilians under imminent threat of physical violence, within its capabilities and its areas of deployment, including to prevent the use of heavy weapons against the civilian population' (United Nations 2011). With the support of the international community, the FRCI launched an offensive on Abidjan on 30 March 2011 and succeeded in arresting President Gbagbo on 11 April 2011 after 10 days of intense fighting and four months of electoral disputes.

African regional and sub-regional organisations, the AU and ECOWAS, all attempted in vain to mediate in the conflict in Côte d'Ivoire. The AU, as reiterated in Resolution 1975, condemned, through the Peace and Security Council meeting of 10 March 2011 held in Addis Ababa, Ethiopia, 'the decision of Mr Gbagbo not to accept the overall political solution proposed by the High-Level Panel put in place by the African Union, and urged him to immediately step aside' (United Nations 2011). In their turn, ECOWAS members, following a meeting in March 2011 in Abuja, Nigeria indicated that they supported the use of force against President Gbagbo. However, for ECOWAS the responsibility to act fell on the UN. It is for this reason that ECOWAS urged the UN to strengthen its mandate in Côte d'Ivoire.

If some defended the use of force, others preferred continuing the search for political solutions. Former President of South Africa Thabo Mbeki supported this stance. In an opinion piece, Mbeki (2011) criticised the UN for refusing to organise a recount within the framework of an international commission as suggested by Gbagbo. Furthermore, Dimitri Medvedev, former President of Russia and the country's current Prime Minister, observed that the UN resolution spoke only of the use of force against heavy arms and failed to indicate which side it would support. Medvedev accused the international community of siding with Ouattara, an accusation shored up by evidence that France provided unquestioned support for Ouattara throughout the conflict and was involved in Gbagbo's arrest (Banégas 2011).

Strategies to ensure the consolidation of peace and democracy in Côte d'Ivoire

Re-establishing the authority of the state, consolidating state institutions, establishing the rule of law, rebuilding the army and combating unemployment are the kind of strategies which should help to consolidate peace and democracy in Côte d'Ivoire.

Re-establish the authority of the state

For democracy to become a reality in Côte d'Ivoire, the authority of the state must be re-established throughout the country. The main problem with fragile, reconstituted states is that they experience challenges when trying to assert their authority because during conflict situations, parallel powers develop which are intent on consolidating their gains, even after the war has ended (Banégas 2011). While elections provide legitimacy and render the post-conflict state a legal one, authority is not guaranteed. The state must reclaim that influence. A strategy of re-conquest aimed at consolidating peace in a secure democracy should primarily be applied in two areas: the army and the regions.

The military must be subject to, without reserve, the democratically elected government. The army must display impeccable loyalty and a strong attachment to the values of the state. This pre-supposes that the army should be reformed and well trained. It must also be correctly administered, with promotions based on merit, competence and an acceptance of national values. A depoliticised, detribalised army would be one focused on its primary mission of safeguarding national security.

Thus, the government would be able to count on the army to support it throughout the country while at the same time guaranteeing national security. There must be no 'no-go areas' in Côte d'Ivoire. All citizens have a right to feel safe in their own country. In 2012, the west of the country was unstable, as evidenced by the 8 June killing of seven Nigerian peacekeepers attached to the UN by forces from neighbouring Liberia (Le Nouvel Observateur 2012). If, however, the state succeeds, with the aid of security forces, to re-establish 'the monopoly of legitimate violence' (Weber 1963:125), it will be able to consolidate peace and preserve democracy, a process which is dependent on the consolidation of state institutions.

Consolidate and maintain state institutions

The continued existence of democracy and peace largely depends on consolidating and maintaining state institutions. These institutions require substantial funds in order to properly fulfil their missions and operate in such a way as to gain credibility in the eyes of citizens. On their own, elections do not make institutions credible. Institutions are consolidated by what they achieve and the positive image that they project.

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Côte d'Ivoire's President Ouattara must do his utmost to ensure that the image reflected by his institutions is a positive one, ensuring that the government and country are run in an exemplary fashion. The best way to win the trust and respect of the people is by producing tangible results in terms of continuous improvement in the economic and social conditions of Ivorians. The National Assembly must serve as a platform for discussion between the government and the opposition. It should be a forum in which the views of the minorities represented can be aired. Far from being a simple recording chamber, the Ivorian parliament would do well to play a role as an oversight body. Consequently, legislation must exclusively serve the needs of the people and not those of interest groups, ethnic groups or aristocratic clans. In 2012, the National Assembly was made up of 127 deputies from the ruling RDR and 77 deputies from the PDCI, an ally of the RDR. The absence of Gbagbo's FPI, which was boycotting the Assembly, should not prevent it serving all Ivorians. The quality of the law and its impartiality confer on the parliament an uncontested credibility of the kind needed by countries like Côte d'Ivoire which are emerging from conflict.

Consolidation of the Ivorian legal system is necessary as a matter of urgency because without a strong and just legal system, democracy and peace would be



President Ouattara inaugurated in Côte d'Ivoire

undermined by corruption, nepotism and generalised impunity. Judging violent crimes perpetrated by the two factions is a process that must be prioritised by the judiciary in Côte d'Ivoire, because these crimes cannot be left to the attention of an international authority such as the International Criminal Court (ICC).

The Constitutional Council, which mishandled the electoral crisis by first declaring Gbagbo the victor before backtracking and awarding the win to Ouattara, needs to be reformed. The men and women making up its numbers must be seen to be credible and impartial if the body's bruised reputation is to be restored. Nevertheless, open dialogue among these institutions and a system of checks and balances based on respect for individual prerogatives would provide a guarantee for the continued survival of the Ivorian democratic system.

Establish the rule of law and protect minorities

The rule of law is one of the pillars of democracy. In a genuine democracy the state, and the men and women who represent it, must be subject, in exactly the same way as its citizens, to the laws of the country. To consolidate peace in Côte d'Ivoire, the state must not only respect the laws, but also ensure that they are respected. Arbitrary actions and impunity must gradually fade and pave the way for political freedom, freedom of association and freedom of the press to blossom. All citizens must be free to express their opinions while still respecting the country's laws. Religious, ethnic and social minorities must be protected by the state in order to prevent intimidation and killings which can undermine the stability and peace that the country now needs.¹¹ Furthermore, instead of viewing them as adversaries, the state must work with non-governmental organisations (NGOs) focused on the protection and promotion of human rights.

The following conditions must be met in order to protect and promote the human rights of citizens in this post-conflict country:

- Prisons must be emptied of inmates being held without trial (prisoners must either be liberated or judged, but there must be no preventive detention in excess of the authorised time limit).

¹¹ According to Charles Blé Goudé, the Guérés (an ethnic group living in the west of Côte d'Ivoire) have had much of their land expropriated by Ouattara's men.

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- Legal conditions of detention must be met (the Minister of Justice stated on television that 30 out of 33 of the country's prisons had been rehabilitated). This is a positive development, although action now needs to be taken to address the lack of financial resources for prisons.
- Journalists should not be detained for carrying out their work legitimately.
- No politicians should be detained for voicing their opinions. The Ivorian government has sent Simone Gbagbo, Laurent Gbagbo's wife, and a number of former leaders of the FPI to prison. Laurent Gbagbo himself is standing trial before the International Criminal Court (ICC). Should these individuals be considered political prisoners, or simply as individuals awaiting trial? The government would do well to clarify its position by either judging or releasing them.

Prioritise efforts to establish a new army

Creating a new army which is solid and efficient should now be viewed as an absolute priority in terms of reconstructing post-conflict Côte d'Ivoire. This will be no easy task, but the UN and other organisations supporting the reconstruction of post-conflict countries should no longer suggest that former combatants from all divisions should serve in the same army. Such a strategy should not be applied in Côte d'Ivoire because it is very challenging to create a homogeneous force made up of members of armed groups which used to be enemies. It would be dangerous to include in the same army the pro-Gbagbo faction (the FDS) and the pro-Ouattara rebels (the ComZones and the New Forces, now called the FRCI). It would also be a mistake to leave a number of demobilised men under the charge of their former leader in the same geographical area where they used to operate as the chances that they would return to combat are high. In addition, the changing positions of Guillaume Soro as prime minister, warlord, and then president of the National Assembly are of concern because in the event of a disagreement between the executive and the legislature, there is little that would stop him from mobilising those forces.

Another aspect of military reconstruction worth discussing is the reintegration of former combatants. Key questions include: will a good former combatant make a good soldier? Does he have the discipline of a

soldier? The profile of the ex-combatant suggests that this is not the case. Priority for joining the new army should be given to non-combatants and soldiers in the regular army to ensure that the new army is built on solid foundations. The former rebels of the New Forces should be disarmed in order to guarantee that their weapons are not used by new groups coming together in an uncontrolled fashion and harming collective security. After this process of disarmament, some ex-combatants could be incorporated into other projects, including agriculture and commerce, to ensure that they do not regret having left their militia groups, since unemployment could force them to take up arms once more.

Address unemployment, install social justice and promote good governance

To ensure that the reconstruction of the Ivorian economy serves the cause of peace and to address the underlying reasons for the conflict, the issue of unemployment must be dealt with, social justice installed and good governance promoted.

Even if it is difficult to demonstrate an explicit link between unemployment and war, and thereby establish the existence of a deep, underlying cause of internal conflicts, it is clearly a major aggravating factor. A consequence of unemployment is poverty and the fragmentation of societal values. In this regard, it is easy to move from poverty to rebellion, especially in an unstable post-conflict situation. By awarding the 2006 Nobel Peace Prize to Muhammed Yunus, an economist whose work focused on the provision of micro-credit to help poor people better their material conditions, the Nobel Peace Prize Committee recognised the importance of addressing poverty in the process of promoting sustainable peace. When giving the award, the Committee declared that 'lasting peace cannot be achieved unless large population groups find ways in which to break out of poverty' (Moore 2006).

Due to the crisis in Côte d'Ivoire, the unemployment rate rose from 6.2% in 2002 to 15.7% in 2008 (Government of Côte d'Ivoire 2009). Consolidating peace will thus depend on boosting employment, addressing poverty and ensuring that young people are not tempted to join rebel movements which claim, erroneously, to bring hope to the nation.

A lack of social justice and good governance is at the root of several internal conflicts in Africa. Often, an elite or particular ethnic group appropriates the nation's wealth, to the detriment of all other citizens.

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To consolidate peace and prevent the emergence of rebel movements, President Ouattara's government should address this issue by means of a wealth distribution strategy in which ethnicity, clan membership and regional identity have no part to play. Côte d'Ivoire should provide all its citizens with a level playing field. Clearly, such measures would, if the intention behind them was sincere, alleviate political, ethnic and social tensions and favour the consolidation of peace. Furthermore, the promotion of good governance is essential if peace is to be strengthened. Côte d'Ivoire must take responsibility for the people and their representatives for the overall running of the country. Transparency and efficiency of public administration in the service of the people are important factors in gaining the trust of citizens and ensuring that they provide unquestioning support for the state's social projects.

Achieving social transformation after conflict

The conflict in Côte d'Ivoire undoubtedly changed relations between citizens. The violence perpetrated, especially the rapes, torture and massacres have left an indelible mark. Those who lost loved ones find it hard to forgive and forget. Some are overwhelmed by a sense of hatred and a desire for revenge. Rape and torture victims have been left permanently traumatised and find it difficult to re-establish themselves within a society which, despite their status as victims, rejects them. This situation means that a section of Ivorian society is caught up in a spiral of latent tensions, which makes the task of learning to live together and trusting other people all the more difficult. Consequently, citizens must undergo a positive transformation. Although on the whole undesirable, conflicts can be useful if the lessons they provide are taken to heart.

The emergence of conflict demonstrates that the old order was not entirely acceptable and that it should be replaced at the conclusion of the conflict with a new one that is beneficial to everyone. Conflicts often reveal the shortcomings of society and provide an opportunity to ensure that they are corrected. To prevent Côte d'Ivoire's social fabric unravelling further, the country must be rebuilt, the state must attend to survivors of the violence, a Truth and Reconciliation Commission (TRC) based on traditional methods of conflict resolution must be set up and the promotion of peaceful values in schools and communities must be prioritised.

Introducing a Truth and Reconciliation Commission

If peace is to be consolidated in Côte d'Ivoire, a TRC must be set up. Efforts to strengthen the social bonds between Ivorians must be implemented as a matter of urgency. Perpetrators need to confess to their crimes and repent, while survivors need to hear the regrets and excuses of the guilty parties. The TRC is not intended to replace the justice system in any way, but to carry out a social and psychological function, the objective of which is to encourage a rapprochement between the two sides and contribute to the foundation of a new society based on mutual understanding, tolerance and solidarity.

It is President Ouattara's responsibility to bring all citizens together and to heal the rift between the north and south of the country. A major reconciliation campaign is needed to achieve this. Indeed, the president has demonstrated his commitment to the process by passing Order No. 2011-167 of 13 July 2011, which sets up a Truth and Reconciliation Dialogue Commission. The Commission is composed of 11 members who were selected based on geographical representation of populations in the north, south, east and west. The president of the Commission is former Prime Minister Charles Konnan Banny. According to Article 5 of the statutes, the mission of the Commission, which has a two-year mandate, is to work, entirely independently, for reconciliation and to strengthen social cohesion between all communities in Côte d'Ivoire.

More than a year after it was founded on 13 July 2011, the Commission has limited itself to meeting victims and denouncing the random arrests of a number of Gbagbo's supporters who decided to return to the country to participate in the reconciliation process. The Truth and Reconciliation Dialogue Commission has even bigger issues to address: the consequences of Gbagbo's arrest; temptation by those closest to President Ouattara to take revenge; and the possibility that some survivors of the conflict will refuse to pardon their former oppressors.

As long as Gbagbo and his allies languish in jail with no date set for their trial, reconciliation will be impossible. Having been first charged for economic crimes by the Ivorian courts on 18 August 2011, Gbagbo should be tried by those courts. However, on 30 November 2011, the government finally took the decision to send him to the ICC following four charges of crimes against humanity, including murder

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and rape that were brought against him between 16 December 2010 and 12 April 2011. Judging or releasing Laurent Gbagbo in a timely manner would aid reconciliation and the consolidation of peace, paving the way for survivors to move on. Although people may find it hard to forgive, they must do everything in their power to avoid handing down their resentments to future generations. On the contrary, they must learn the lessons of the past and thereby ensure that these things never happen again. The history of Ivorian wars must be taught in schools in order to consolidate peace in the long-term.

Utilising the media to promote peace

Various forms of media are used both for propaganda purposes in conflict situations and to provide superficial coverage of conflicts by concentrating exclusively on their sensational aspects, including number of fatalities, incidents of torture and rape, ethnic wars and other aspects. In this regard, it is difficult to forget the role played by *Radio Télévision Libre des Mille Collines* (RTLM) and the journal *Kangura* in encouraging the deterioration of relations between Hutu and Tutsi which led to the massacre of the latter in Rwanda (De Vulpian 2004). In Senegal, the founder of the political party *Mouvement des Forces Démocratiques de la Casamance* (MFDC), Abbé Diamacoune Senghor, was a journalist who made programmes about the Diola people who, he claimed, were neglected by the Senegalese authorities. His programmes were very successful. When he set up the MFDC, he had little trouble attracting members.

Most people in Côte d'Ivoire remember the pro-Gbagbo propaganda broadcast by *Radio Télévision Ivoirienne* (RTI) against 'strangers' which led to the killing of foreigners. Charles Blé Goudé, leader of the group *Coordination des Jeunes Patriotes*, declared on 25 February 2011: 'I give you this order, which must be applied in all areas. [...] When you return to your quarters, [...] you must occupy control points to monitor the comings and goings in your neighbourhoods and denounce every stranger who enters' (Human Rights Watch 2011). Following this order, several West African immigrants and Ivorians from the north were attacked because they were suspected of supporting Alassane Ouattara. These attacks resulted in the killing of at least 32 West African immigrants and northern Ivorians, 14 of them were beaten to death or burned alive (Ibid).

It would be wrong to attribute a completely negative role to the press in terms of the search for peace. The first contemporary example of conflict resolution through the media occurred in 1977 (Rolt 2005) when Walter Cronkite, an American journalist working for CBS, asked the Egyptian President, Anwar Sadat, whether he would visit Jerusalem and meet the Israeli Prime Minister, Menachem Begin. Sadat said that he would. Later, Cronkite asked Begin whether he would be willing to meet the Egyptian president. Again, the answer was yes. By asking both leaders live on television, Cronkite helped to launch a dialogue which culminated in Sadat's historic visit to Jerusalem, the first Camp David peace negotiations, and the signature of a peace treaty between Egypt and Israel.

According to Arrous (2001:25) 'in Sierra Leone, Mali and Uganda, there are concrete examples of newspapers and radio stations which promote the reasoned examination and peaceful resolution of contradictions within their societies by means of the courage, moral probity and professional rigour of their journalists'. The media's capacity to aggravate conflict or consolidate peace is acknowledged.

Conclusion

The elections did not have the desired results; they did not put an end to the war or consolidate democracy in Côte d'Ivoire. The long-running conflict was not resolved through negotiation but through conflict, culminating in the arrest of Gbagbo after days of confrontation. The conflict in Côte d'Ivoire has had disastrous consequences, from which it will take the country many years to recover and begin the journey to once again becoming the economic powerhouse of West Africa. Ivorian democracy must be reinvented. Current leaders will have to live up to the challenging task of reconciling all the country's factions in order to consolidate peace. The legislative elections held in December 2011 served as a test for current President Ouattara's regime in terms of improvements to the democratic process. However, the boycott imposed by a section of the FPI loyal to Gbagbo, the fact that Gbagbo has been handed over to the ICC, and the slow progress made by the Truth and Reconciliation Dialogue Commission in encouraging national healing could prove to be major obstacles to reconciliation and improving democracy in Côte d'Ivoire.

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