

OUAGADOUGOU PEACE AGREEMENT

4 March 2007

PREAMBULE

At the invitation of His Excellency Mr. Blaise COMPAORE, President of the Republic of Burkina Faso, Chairman of the Economic Community of West African States (ECOWAS), and acting under the mandate of this organization, two parties of the Republic of Côte d'Ivoire; one representing the President of the Republic and the other representing the Forces Nouvelles, met in Ouagadougou, Burkina Faso, from February 05th to March 03rd 2007.

This meeting was held as a follow up from the peace plan presented by President Laurent GBAGBO, who, on January 23rd 2007, seized the Chairman of ECOWAS and asked him to facilitate direct talks between the former belligerents of the armed conflict in Côte D'Ivoire.

President Blaise COMPAORE, after consultations with the Secretary General of the Forces Nouvelles, Mr. Guillaume SORO, the different stakeholders of the Ivorian political scene as well as with the Prime Minister, Mr. Charles Konan BANNY, agreed to act as a facilitator of the talks and recommended that their conclusions remain within the framework of the UN Resolution 1721 (2006) adopted by the Security Council on November 1st 2006.

During their discussions, the delegation of the Presidency of the Republic of Côte d'Ivoire, headed by Mr. Désiré TAGRO, Special Advisor of President Laurent GBAGBO, Spokesman of the Presidency of the Republic of Côte d'Ivoire, and the delegation of the Forces Nouvelles, headed by Mr. Louis-André Dacoury- Tabley, Deputy Secretary General of the Forces Nouvelles and Minister of Solidarity and the War victims, profoundly committed to the happy ending of the current crisis in Côte d'Ivoire, have reviewed the situation inside the country.

The participants to the talks have underlined and reaffirmed the urgent necessity to restore peace and stability in the country, to fight against the growing rate of insecurity, unemployment and poverty; to re- establish the State authority throughout the territory of Côte d'Ivoire, to ensure the freedom of circulation of persons and their properties all over the country.

Because of their important role in the implementation of the peace process, the two parties to the armed conflict in Côte d'Ivoire have agreed on the urgent need for them to work together in order to consolidate peace, promote a real national reconciliation and to restore a political and institutional normalization in the country through a permanent dialogue and mutual trust.

After having reviewed the difficulties encountered in the implementation of the Linas Marcoussis, Accra and Pretoria Agreements as well as the UN Resolutions on Côte d'Ivoire, the parties, signatories to this Agreement, before taking some important decisions, reaffirmed:

- their commitment to respecting the sovereignty , independence, territorial integrity and the unity of Côte d'Ivoire;
- their commitment to the Constitution of the Republic of Côte d'Ivoire;
- their commitment to the Linas-Marcoussis, Accra and Pretoria Agreements;
- their commitment to all the UN Resolutions on Côte d'Ivoire, particularly the Resolutions 1633 (2005) and 1721 (2006) of the UN Security Council;
- their determination to create conditions conducive to free, fair, open, transparent and democratic elections;
- their sincere and joint willingness to create the conditions for the normal functioning of the institutions of the Republic of Côte d'Ivoire and for the re-establishment of political, administrative and military normalization in Côte d'Ivoire.

In order to ensure a sustained implementation of the Agreements and the resolutions mentioned above, namely the UN Resolution 1721 (2006), the Ivorian parties, signatories to this Agreement, agreed on the following measures:

I. GENERAL IDENTIFICATION OF THE POPULATIONS

The parties, signatories to this Agreement, agree that the identification of the Ivorian and foreign populations living in Côte d'Ivoire is a major issue. The lack of a clear and coherent identification program, as well as the lack of unique administrative documents attesting of the identity and the nationality of the persons can be source of conflicts. Consequently, the parties, signatories to this Agreement have decided, with the following measures to correct such situation:

1.1. The re-launching of the “*audiences foraines*” for the establishment of “*jugements supplétifs*” of birth certificates.

1.1.1. The “*audiences foraines*” will be re-launched throughout the national territory as soon as the new government deriving from the present Agreement is formed. In order to speed up the operation of the handing over of the “*jugements supplétifs*” of birth certificates, the judges in charge of the new jurisdictions created specifically for the “*audiences foraines*”, will be appointed through a presidential decree and will have all the necessary means in order to discharge their mission.

1.1.2. These exceptional operations of “*audiences foraines*” scheduled to last three (03) months will only deliver the “*jugements supplétifs*” serving as birth certificates for the persons born in Côte d’Ivoire and who have never been declared to the registry office.

1.1.3. The re-launching of the “*audience foraines*” will be coupled and sustained by a campaign of sensitization, information and mobilization involving the political stakeholders, the Army Chiefs of Staff and the civil Society. The purpose of this campaign is to invite the concerned populations to go before the jurisdictions in charge of the “*audiences foraines*” at their birth place to be issued a “*jugement supplétif*” serving as a birth certificate.

1.1.4. The parties, signatories to this Agreement, are committed to ensure the security of the operations of the “*audiences foraines*” throughout the national territory.

1.2. On the reconstitution of the lost or destroyed birth register along with the “*audiences Foraines*” for the establishment of “*jugements supplétifs*” of birth certificates:

The birth registers that were lost or destroyed in some registry offices will be reconstituted in accordance with the provisions of the Ordinance of January 17th 2007 and its decree of implementation to be taken without delay.

1.3. On the organization of the operation of the issuing of new ID (national identity cards and resident permits.):

The parties, signatories to this Agreement, agree on the organization of an exceptional operation of the establishment of new IDs according to the following modes:

1.3.1. Ordinary Identification

1.3.1.1. The Ivorian who are subject to a national identity card and are holders of a certificate of nationality and a birth certificate or a “*jugement supplétif*” of birth certificate, to be used as a birth certificate, are entitled to be issued the new national identity card.

1.3.1.2. The foreign Nationals, holders of a birth certificate or a “*jugement supplétif*” of birth certificate and a document from their consulate on which their nationality is mentioned are entitled to a new ID card consistent with their legal status in the country.

1.3.2. Identification on the basis of the new electoral roll

1.3.2.1. In order to accelerate the operations of identification and also taking into account the current situation of the administration in the country and the subsequent needs to end the crisis, the parties, signatories to this Agreement, agree to prioritize the identification based on the electoral roll.

1.3.2.2. At the end of the “*audiences foraines*”, the Independent Electoral Commission (IEC) will conduct, based on the electoral roll of 2000, an electoral census, with collection of biometrical data throughout the national territory. Are entitled to register on the electoral roll, the Ivorian aged 18 minimum, holders of a birth certificate or a “*jugement supplétif*” of birth certificate to be used as a birth certificate.

1.3.2.3. After their registration on the electoral roll, the citizens will be given a receipt on which their unique and personal identification number will be mentioned. It is upon the presentation of this receipt that their voting cards and their new national ID card will be issued to them.

1.3.2.4. After the process of validation of the electoral roll by the Independent Electoral Commission (IEC), a decree taken by a Council of Ministers shall authorized the issuing of the new ID cards to all the persons whose names will be on the final electoral roll. The later will serve as a common data base for the issuing of the new national ID card and the Voting card.

1.3.3. Standards of the new ID cards

1.3.3.1. The new ID cards will be forgery-proof, highly safe and will have a unique and personal identification number for each holder.

1.3.3.2. The making and issuing of the new ID card will be the responsibility of The National Office of Identification (NOI) under the supervision of the National Commission for the Supervision of the Identification (NCSI).

1.3.3.3. With the agreement of both parties and through a decree taken at the Council of Ministers, the Government will call in a technical agency to discharge the mission of the operation of identification.

II. ON THE ELECTORAL PROCESS

Determine to restore, without delay, a lasting peace and a political and institutional normalization in the Côte d'Ivoire, the parties, signatories to this Agreement, reaffirm their commitment to prepare, at the end of the operation of identification, free, fair, open and transparent presidential elections, in accordance with the Linas-Marcoussis, Accra and Pretoria agreements. To achieve this commitment the parties, signatories to this Agreement decide as follows:

2.1. On the Registration on the voter's roll

2.1.1. The parties agree that the registration on the voter's roll will be discharged by the National Institute of Statistics (NIS) and the technical agency appointed by the Government to conduct the operation of identification. These two structures will discharge their mission under the responsibility and supervision of the Independent Electoral Commission (IEC).

2.1.2. All Ivorian citizens who are old enough to vote can register on the electoral roll. To register, they must be in possession of the following administrative documents:

One birth certificate or one "*jugement supplétif*" of birth certificate, to be used as a birth certificate

2.1.3. A decree taken at the Council of Ministers will indicate the modes of registration on the electoral roll, in accordance with the provisions of the electoral code.

2.2. On the publishing of the final electoral roll

2.2.1. The final electoral roll, validated by the Independent Electoral Commission (IEC), will be published in accordance with the provisions of article 11, indent. 2 of the electoral Code, or through any other way agreed upon by the two parties.

2.3. On the establishment and distribution of the voting cards

2.3.1. After its publishing, the final electoral roll will lead to making of the voting cards under the responsibility and supervision of the Independent Electoral Commission (IEC).

2.3.2. The distribution of the voting cards will be discharged by the Independent Electoral Commission (IEC) through its different dismemberments, two weeks the latest, before the date of the elections, in accordance with article 5 of the electoral Code.

2.3.3. The voter who fails to withdraw his /her voting card in the period indicated in the above paragraph, will, nonetheless, be authorized to vote with his/her new national ID card, if he/she is regularly registered on the electoral roll.

2.4. On the collaboration between the structures in charge of the electoral process.

2.4.1. The Independent Electoral Commission (IEC), the National Institute of Statistics and the technical agency that will be appointed by the Government will work together to ensure the transparency and efficacy of the operations for the making of the voting cards.

2.4.2. A decree taken at the Council of Ministers will precise the modes of this collaboration.

II. ON THE DEFENSE AND SECURITY FORCES OF COTE D'IVOIRE

The parties, signatories to this Agreement, aware of the fact that the national army must be the symbol of the unity and cohesion of the nation and the guarantor of the stability of the institutions on which the Republic stands, are committed to engage in a restructuring and revision of the two armed forces, in view of setting up new defense and security forces committed to the values of integrity and republican morality.

A special mechanism to achieve this important project will be adopted by ordinance to fix the general framework of organization, composition and functioning of the new defense and security forces. Consequently, the two parties, signatories to this Agreement, decide to proceed with the unification of the two forces in presence through the creation of an integrated operational structure.

3.1. On the setting up of an Integrated Command Center (ICC)

3.1.1. In the spirit of the joint management of matters related to the Defense and Security, the two former belligerent parties agree to create an Integrated Command Center whose mission will be to unify the forces of the combatants in presence and to implement the new measures of restructuring of the Defense and Security Forces of Côte D'Ivoire.

3.1.2. The Integrated Command Center will adopt its organization chart and will be under the joint command of the Chief of Staff of the National Defense and Security Forces of Côte d'Ivoire (FANCI) and the Chief of Staff of the New Forces (FAFN). It will be made up, with parity of representation, of officers appointed by the two (02) Chiefs of Staff.

3.1.3. The Integrated Command Center will discharge the following major duties:

- participation in the elaboration of the defense and security plan for the country;
- the implementation of the National Program of Disarmament, Demobilization and Reintegration, under the supervision of the impartial forces;
- The operation and implementation of military and security tasks related to the peace process;
- Ensure the security of the “*audiences foraines*”, the operations of identification as well as the security of the electoral process;
- The setting up of military and paramilitary units;
- The coordination of measures to ensure the protection, safety, and free circulation of persons and their properties throughout the entire national territory.

3.2. on the National Program of Disarmament, Demobilization and Reintegration.

3.2.1. The parties, signatories to this Agreement, agree to proceed, without delay, with the disarmament of the forces in presence in accordance with the recommendations of the Linas-Marcoussis Agreement and with the provisions of the following military agreements:

- The Joint Plan of Operations of the DDR (JPO) signed on January 9th 2004 and updated during the seminar on the disarmament organized from May 2nd to the 6th 2005 in Yamoussoukro under the aegis of the South African mediation;
- The conclusions of the working session held in Yamoussoukro on Saturday May 14th 2005 between the Chiefs of Staff of the FANCI and the FAFN.

3.2.2. The parties, signatories to this Agreement agree to accelerate the dismantling and disarmament of the militias.

3.2.3. The parties, signatories to this Agreement, agree to accelerate the process of grouping of the combatants on the 17 sites identified beforehand and implement the chronogram of the updated National Plan of Disarmament, Demobilization and Reintegration (NPDDR).

3.3. The Civic Service

3.3.1. The two parties, signatories to this Agreement, agree that the Civic Service, which aim is to coach and train all the youth of Côte d'Ivoire in order to give them the necessary employment training, will also receive all the young persons who, for cause of war, have been trained to the use of weapons. The purpose of the Civic Service is to coach and train them for future military and civil jobs.

3.3.2. The organization and functioning of the Civic Service will be defined by a decree taken at a Council of Ministers.

III. ON THE RESTORATION OF THE STATE AUTHORITY AND THE REDEPLOYMENT OF THE ADMINISTRATION THROUGHOUT THE NATIONAL TERRITORY.

4.1. Firmly determined to achieve the political and institutional normalization in Côte d'Ivoire, the parties, signatories to this Agreement, are committed to restore the authority of the State and the redeployment of the administration and all the public services throughout the national territory.

4.2. The redeployment of the administration and the public services will be conducted through all the concerned ministries, under the authority of the Prime Minister, right after the removal of the zone of confidence and the establishment of the observation points. All the public services, including the basic social services such as those related to education, health, water and cleansing are concerned with the redeployment of the administration.

4.3. The appointment of those who will be in charge of the main administrative services will be done after consultation of the two parties.

4.4. The police and gendarmerie Forces, including the 600 elements trained in accordance with the Pretoria Agreement, will discharge the mission of safety of the deployed corps of prefects and technical services.

V. THE INSTITUTIONAL FRAMEWORK OF EXECUTION

5.1. The two parties, signatories to this agreement, exercising a real administrative and military control on either side of the zone of confidence, conscious of their high responsibilities in the functioning of the State and determined to reach a political and institutional normalization based upon the concerted exercise of the political power and conduct of the national reconciliation, have decided to set up an institutional framework of execution.

5.2. The Government of transition will work in a spirit of permanent consultation, of complementarity and openness to the other political forces in Côte d'Ivoire, with a view to reaching the reunification of the country, the disarmament and the organisation of open, transparent and democratic elections, as recommended by the various agreements and resolutions related to current crisis.

VI. PROVISIONS AIMED AT CONSOLIDATING THE NATIONAL RECONCILIATION, PEACE, THE SECURITY AND FREE MOVEMENT OF PEOPLE AND GOODS

In order to consolidate peace, national reconciliation and the free movement of people and goods, The parties, signatories to this agreement agree on the following:

6.1. On the embargo on the importation of arms

6.1.1. The two parties, signatories to this agreement, agree to ask the United Nations Security Council, with the support of the facilitator and ECOWAS, for the lifting of the embargo put on arms against Côte d'Ivoire within a period of 3 months after the organization of the presidential election.

6.1.2. They also agree to ask the United Nations Security Council, with the support of the facilitator and ECOWAS, for an immediate special authorisation to import light armaments necessary to the maintenance of law and order and public safety, under the supervision of the Integrated Command Centre (ICC) mentioned in paragraph 3.1 above.

6.2. On the zone of confidence

6.2.1. The two parties, signatories to this agreement, in order to allow the free movement of people and goods, agree to ask the impartial forces Licorne and ONUCI, for the removal of the zone of confidence, in accordance with paragraph A.4. of the document on "the management of the zone of confidence" referred to as "Code 14"

6.2.2. On a transitory basis, an imaginary line called the green line, going from the east to the west along the median line of the zone of confidence, will be established and lined with points of observation point placed on the main axes of infiltration. The observation points will be occupied by the impartial forces and reduced by half every two months until they are totally removed.

6.2.3. Mixed units including, on an equity basis, members of the "Forces Nouvelles" and members of the National Defence and Security Forces of Côte d'Ivoire and charged with the responsibility of discharging the mission of police and security, will be deployed in the zone of confidence. These units will disappear when the Army is reformed and restructured.

6.3. On the law of amnesty

In order to facilitate forgiveness and national reconciliation and restore social cohesion and solidarity amongst Ivorians, the two parties, signatories to this agreement, agree to extend the scope of the law of amnesty adopted in 2003. To this effect, they have decided to adopt, by ordinance, a new law of amnesty covering the crimes and offences related to national security, in connection, with the military, political and social troubles that broke out in the country and were committed between 17 September 2000 and the date of enforcement of this Agreement, except for economic offences, war crimes and crimes against humanity.

6.4. On sanctions

The parties, signatories to this agreement agree to refer to the African Union, through ECOWAS, to ask the United Nation Security Council to immediately lift the individual sanctions against some stakeholders of the Ivorian crisis.

6.5. On the programme of aid to the return of war displaced persons.

With the prospect of national reconciliation and political and institutional normalisation, The parties, signatories to this agreement agree to set up, as soon as possible, a programme of aid to the return of war displaced persons. The programme aims at facilitating the social reintegration of persons and families that abandoned their homes or assets because of the war. The two (02) parties agree on providing the concerned Technical Ministry with the means of implementing the programme.

6.6. On the code of Good conduct

In view of the necessity to appease and moralise public life, create a new political environment in Côte d'Ivoire and avoid any kind of biased and demagogic misinterpretation of the present Agreement, the Parties signatories to this agreement are committed to observing a code of good conduct.

6.6.1. the Parties, signatories to this agreement are committed to organize a wide campaign of information and sensitization of the populations living in Côte d'Ivoire, in order to lead them to fully welcome and support the peace and national reconciliation process.

6.6.2 The Parties, signatories to this agreement are committed to refrain from any type of propaganda, mostly through the media, able to jeopardize the spirit of national cohesion and unity. They appeal to the national and international press to support, in a constructive manner, the consolidation of peace and of the spirit of tolerance.

6.6.3 The Parties, signatories to this agreement, are committed to cultivate in their interaction, a spirit of permanent dialogue based upon mutual trust to refrain from any belligerent and outrageous attitude and to ask their respective members to adopt behaviours characterised by respect and reservation

6.6.4 The Parties, signatories to this agreement, agree to join their effort with a view to reinforcing the republican code of ethics within their respective forces, in the respect of dignity and basic human rights. They are committed to leading their respective forces to work together in good mutual understanding.

6.6.5 The Parties, signatories to this agreement, are committed to refrain from the use of the civil society and unions in a way that is abusive and contrary to the spirit of this agreement.

VII. ON THE MECHANISMS OF FOLLOW UP AND CONSULTATION

In order to ensure the follow up of this Agreement and the continuation of Direct talks, The Parties, signatories to this agreement, agree to set up a permanent consultation framework (PCF), as well as an Evaluation and Monitoring. (EMC)

7.1- the Permanent Consultation Framework (PCF)

The Permanent Consultation Framework is an organ of supervision and permanent dialogue aimed at reinforcing national cohesion. evaluation and organ of supervision and permanent dialogue aimed at reinforcing national cohesion.

It is composed as follows:

- Mr. Laurent GBAGBO, President of the Republic
- Mr. Guillaume K. SORO, Secretary General of the Forces Nouvelles
- Mr. Alassane Dramane OUATTARA, President of the RDR
- Mr. Henri Konan BEDIE, President of the PDCI;
- Mr. Blaise COMPAORE, current Chairman of ECOWAS in his quality of facilitator

Except for President Laurent GBAGBO and President Blaise COMPAORE, current Chairman of ECOWAS, the other members of the PCF hold the rank of President of institutions. The PCF has the competence for examining any issue related to this Agreement.

7.2 The Evaluation and Monitoring Committee

7.3 Is in charge of the periodic evaluation of the implementation of the measures stipulated in this Agreement. It can also make suggestions related to the practical and necessary measures for the implementation of this Agreement.

It is composed as follows :

- Chairman : the Facilitator or his Representative
- Members : three (03) representatives for each one of the two (02) Parties signatories to this agreement.

The two Parties will jointly make the decision of extending the EMC to other members of the Ivorian political forces.

Besides, the Facilitator can call upon any other observer, representatives from countries and international or African organizations if he finds it necessary.

The EMC is chaired by the Facilitator or his representative. They meet at least once a month in ordinary session and, if need be, in extraordinary session, at the invitation of its Chairman.

In order to discharge its mission, the EMC will be accountable to the PCF for the implementation of the Agreement and will send notification to the Representative of the UN Secretary General.

VIII. DIVERSE AND FINAL PROVISIONS

8.1. Should there be a different in interpretation of any part of this Agreement, the parties, signatories to this Agreement, agree that they will consult the facilitator for a ruling.

8.2. The Parties, signatories to this Agreement, agree to ask for more African military troops to take part in the peace keeping mission of the impartial Forces in Côte d'Ivoire

8.3. The chronogram attached to the present Agreement is a full part of it. The Parties agree to execute the operations provided for in accordance with the present chronogram.

8.4 The present Agreement will enter into force immediately upon signature by the Parties. The Parties agree to ask the Facilitator, in his quality of current Chairman of ECOWAS, to seize, through the African Union, the United Nations Security Council to ratify the present Agreement.

Ouagadougou, 04 March 2007

Have signed

Laurent GBAGBO,

President of the Republic of Côte d'Ivoire

Guillaume Kigbafori SORO

Secretary General of the Forces Nouvelles

Republic of Côte d'Ivoire

Blaise COMPAORE

President of Burkina Faso

Current Chairman of ECOWAS, Facilitator.

ANNEX

CHRONOGRAM OF IMPLEMENTATION OF THE OUAGADOUGOU AGREEMENT

- 1- Signature of the Ouagadougou political Agreement day 1
- 2- Setting up of the Integrated Command Center starting two weeks from day1
- 3- Setting up of the Institutional framework of implementation 4 weeks after the signature of the Agreement
- 4- Formation of the Government: 5 weeks after the signature of the Agreement
- 5- Removal of the zone of confidence, setting up of the mixed units: starting 1 week after the formation of the government
- 6- Dismantling of the militias, commencing 2 weeks after the formation of the government and completed within 2 weeks.
- 7- Grouping (grouping per unit of former belligerents on the grouping and arm stockage sites under the supervision of the Impartial Forces)
 - Redeployment of the public administration
 - Beginning of the "*Audiences Foraines*" commencing two weeks after the formation of the government and completed within three months.
- 8- Registration on the electoral roll and identification: commencing 1 month after the beginning of the "*audiences foraines*".
- 9- Unification of the forces in presence and enlistment for the Civic Service, starting 15 days after the beginning of the enlistment.
- 10- Drawing up and distribution of the new national Identity Cards and voting cards according to the electoral roll: starting upon the official adoption of the final electoral roll
- 11- End of the DDR process and organization of the elections

