



*This is not an official translation of the peace agreement. The translation has been carried out by an independent translator on behalf of the UCDP*

## **Fourth Complementary Agreement of the Ouagadougou Political Agreement**

The Parties of the Ouagadougou Political Accord,

- Calling to attention the fact that the Ouagadougou Political Accord has been ratified by the CEDEAO, the African Union and the United Nations;
- Conscious of the necessity to finalize the peace process started by the Ouagadougou Political Accords and the preceding accords;
- Determined to fully honour their commitments made within the framework of the Ouagadougou Political Accord of 4 March, 2007 and of its complementary agreements and to carry out the reunification of the country in order to be able to proceed to elections in satisfactory conditions;
- Eager to assure the Republic of the Ivory Coast of free, transparent, fair and democratic elections, the proof of genuine national reconciliation and of lasting peace;
- Anxious to give back to the Ivory Coast its place in the West-African sub-region and among the nations;
- Acknowledging the role of arbitration allotted to the Facilitator by the Ouagadougou Political Accord and the UN Security Council resolution 1765 (2007);

Upon consultations under the protection of H.E. Blaise Compaoré, President of Burkina Faso, Facilitator of the Direct Inter Ivory Dialogue on 15 and 16 September, 2008 and on 13 and 14 October, 2008;

Have agreed on what follows:

### CHAPTER I

#### ON THE IDENTIFICATION AND ON THE ELECTORAL PROCESS

Article 1: The two Parties pledge to do all they can to make the identification operation a success and to ensure that the presidential and legislative elections take place in the very best conditions.

### CHAPTER II

#### ON THE DEFENCE AND SECURITY FORCES

Article 2: The two Parties agree that the law texts in relation to the New National Army will be drawn up and signed at the latest within a period of one month from the signing of the present Complementary Agreement. The actual setting up of the New National Army will come about at the latest one month after the investiture of the new President of the Republic.

While awaiting the setting up of the New National Army, the Centre of Integrated Command (Cci) will pursue its activities in accordance with the provisions of paragraphs 3.1.1., 3.1.2., 3.1.3. of the Ouagadougou Political Accord.

Article 3: In order to favour the organization of elections in satisfactory conditions the two Parties have agreed to re-launch, without delay, and under the command of the Cci and the monitoring of the Impartial Forces, the disarmament, the stocking of arms of the two ex-belligerent forces, as well as the demobilization of the ex-combatants of the New Forces. At all events these operations must be accomplished at the latest two months before the date determined for the presidential elections.

The collected arms will be stocked by the Cci under the monitoring of the Impartial Forces.

The New Forces will immediately pass on to the facilitator, for the Cci, the list of the 3,400 elements proposed to be committed to tasks of security for their immediate deployment within the National Police and the National *Gendarmerie* under the command of the Cci. At the end of the process of emerging from the crisis, they will be able to apply for a post at the competitive entrance examination of the National Police and of the National *Gendarmerie* on the basis of national recruitment criteria. The financial responsibility for them will be assumed by the State Budget.

The New Forces will also pass on to the Facilitator, for the Cci, the list of the quota of 600 elements stemming from the Pretoria Accord who will be immediately deployed within the National Police and the National *Gendarmerie* under the command of the Cci. At the end of the emerging from the crisis they will be integrated within the National Police and the National *Gendarmerie*. The financial responsibility for them will be assumed by the State Budget.

Article 4: In order to accelerate the demobilization of the ex-combatants of the New Forces, the Parties invite the Government to pay the demobilized ex-combatants an allowance or direct demobilization grant amounting to five hundred thousand (500,000) francs CFA as a concluding pay. At all events the demobilization of the ex-combatants of the Armed forces of the New Forces (Fafn) must be accomplished at the latest two months before the date determined for the presidential elections.

Article 5: Concerning the dismantling of the militias the two Parties agree to start their disarming, the stocking of their arms and their demobilization under the authority of the Cci and under the monitoring of the Impartial Forces, concomitantly with the demobilization of the ex-combatants of the Fafn. At all events, the dismantling of the militias must be accomplished at the latest two months before the date determined for the presidential elections.

Collected arms will be stocked by the Cci monitored by the Impartial Forces.

In order to accelerate the dismantling of the militias the Parties invite the Government to pay the demobilized militia men an allowance or direct demobilization grant amounting to five hundred thousand (500,000) francs CFA as a concluding pay.

Article 6: Concerning the quotas of integration of elements of the Fafn within the New National Army, the two Parties have decided, with reference to the suggestions contained in the arbitration of the Facilitator from 5 January, 2008, to settle the matter in the following way:

- The New Forces will start by an identification and profiling of their ex-combatants who have laid down their arms, and will send their definitive list to the Facilitator;
- They will then send to the Government a list of 5000 ex-combatants fit for integration into the New National Army;
- The Government will give a decision on the file of the 5,000 ex-combatants from the New Forces and will make the appropriate decisions for their integration within the New National Army within a period which will not exceed two years;
- While awaiting their integration in the New National Army, the ex-combatants of the Fafn will be regrouped under the command of the headquarters of the New Forces supported by the Impartial Forces for a joint basic training in the military camps of Bouaké, Korogho, Man and Séguela, at the ratio of one camp per city. The financial responsibility will be assumed by the State;

Article 7: Concerning the issue of the military ranks of the Fafn soldiers who have belonged to the Forces of Defence and Security (Fds) the two Parties agree to settle it in the following way:

- The two officers who were generals in the New Forces will be given the rank of brigadier general by presidential decree to be counted from the date of the adoption of the law of amnesty of 12 April, 2007;
- All officers, non commissioned officers or privates who had retired at the moment of the breaking out of the crisis will keep the benefit of retirement pensions subject to presenting necessary documents. Those who reached the age limit of their rank after the beginning of the crisis up to this day will have their right to retirement after adjustment in accordance with their ranks;

- All officers, non commissioned officers or privates who have belonged to the Forces of Defence and Security (Fds) and who are still in active service will benefit from the reconstitution of their careers based on the principle of adjustment of their ranks with similar ranks of the Fds, from the back pay of their earnings and will be reintegrated within the New National Army to be counted from the date of the adoption of the law of amnesty of 12 April, 2007. Those of them who so wish may claim their right to retirement or to be admitted within other State corps, at posts corresponding to the ranks to which they had been promoted;
- The non commissioned officers and privates who had been promoted to officers will keep their operational ranks (O.R.) and will be admitted to claim their rights to retirement at the end of the coming out of the crisis. An Ordinance from the President of the Republic, the terms of which are annexed, will be passed to this purpose, and will specify the conditions of this nomination and the forms of the retirement on a pension;
- The soldiers recruited for category 2001/A to be trained and integrated in the Army and who are for the moment in the troops of the Fafn will be engaged from the moment of the law of amnesty of 12 April, 2007 within the Fds and integrated in the New National Army.

### CHAPTER III

#### ON THE RESTORATION OF THE AUTHORITY OF THE STATE AND ON THE REDEPLOYMENT OF THE ADMINISTRATION UPON THE WHOLE NATIONAL TERRITORY

Article 8: Acknowledging the fact that the non-reunification of the country and the very low rate of progress achieved in the institutional and political normalization constitute serious obstacles for the arrangement of fair, transparent and democratic elections, the two Parties agree that:

- The agents of the civil service of the State will be appointed in the Centre-North – West (Cno) zone by their respective ministers and will come into function at the latest on 15 January, 2009;
- The magistrates of the courts and courts of appeal, nominated in the zone Cno will take up their functions at the latest on 15 January, 2009. Their collaborators will be appointed by their responsible minister and will come into service at the latest on 15 January, 2009;
- In order to favour the re-opening of the courts in the Cno Zone and to secure the whole electoral process, the two Parties agree that the Fds and the Fafn will put at the disposal of the Cci elements from the National Police and the National *Gendarmerie*, including officers of the judiciary police, in accordance with the provisions of Article 5 of the Third Complementary Agreement of 28 November, 2007;
- The Regional Prefects, the *Département* Prefects and the sub-prefects appointed in the Zone Cno will exercise full powers at the latest on 15 January, 2009. To that effect a ceremony of transfer of responsibilities with the Zone Commander and the District Commands will be organized.

Article 9: The redeployment of the fiscal and customs administration upon the whole national territory, and particularly in the Zone Cno, will start immediately after the signing of the present Agreement, under the monitoring of the special Envoy of the Facilitator.

The Impartial Forces will contribute to the security of the administrative staff which is thus deployed.

## CHAPTER IV

### ON THE FINANCING OF THE PROCESS LEADING OUT OF THE CRISIS

Article 10: Conscious of the fact that the financing of the process leading out of the crisis is mainly the responsibility of the Ivory Coast citizens themselves, the two Parties have decided upon the immediate implementation of the redeployment of the fiscal and customs administration in the Cno Zone through the unification of the State coffers in order to permit the State to have the use of the fiscal revenues which are presently lost and the recovering of which could make possible the financing of certain operations of the peace process. The unification of the State coffers should come into effect at the latest on 15 January, 2009.

Article 11: The Government will make available financial resources necessary for the implementation of the operations provided for in the Third Complementary Agreement.

Article 12: The two Parties have agreed to turn to technical and financial partners of the Ivory Coast for a rapid disbursement of the various contributions made known at the meetings of the Commission of Evaluation and Accompaniment (Cea) and at the consultation meetings held with the backers.

## CHAPTER V

### FINAL PROVISIONS

Article 13: The present Agreement prolongs and completes the previous agreements. In case of a contradiction between its provisions and those of the other complementary agreements of the Ouagadougou Political Accord, its provisions will prevail.

Article 14: The present Complementary Agreement will come into effect upon its signing by the Parties and the Facilitator.

Ouagadougou, 22 December, 2008

Laurent Gbagbo

President of the Republic of the Ivory Coast

Guillaume Kigbafori Soro, Secretary General of the New Forces

Blaise Compaoré

President of Burkina Faso, Facilitator of the direct dialogue.

*Source: Official Portal of the Ivory Coast Government – [www.ci](http://www.ci)*