

## **Towards an enduring peace in Cote d'Ivoire**

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*Odein Ajumogobia is Nigeria's Minister of Foreign Affairs and Chairman of the Council of Ministers of ECOWAS.* Cote d'Ivoire is at a critical juncture in its history: faced with a complex and multi-dimensional predicament. The present crisis of leadership and succession single handedly precipitated by Mr. Laurent Gbagbo its erstwhile President unless curtailed, will inevitably lead to anarchy and chaos, or worse, a full blown civil war with the attendant impunity, violence, inconceivable humanitarian challenges and unprecedented civilian casualties.

As the impasse deepens with each passing day and the direct threat to regional peace and security becomes more imminent, the Economic Community of West African States (ECOWAS) requires unequivocal international support through an appropriate United Nations Security Council resolution to sanction the use of force. This is the only way to legitimize the use of external force to effectively contain the increasingly volatile internal situation and ensure an enduring peace in Cote d'Ivoire and the West African sub region.

It is clear that Mr. Laurent Gbagbo is determined to defy and treat the entire international community with absolute disdain. In the interest of global peace and security and in order to preserve and deepened the growing democratic culture in Africa, he cannot, he must not be allowed to prevail. (...)

### **The threat of legitimate force**

The challenge now facing the ECOWAS and indeed the entire international community is how the crisis might be resolved without allowing the situation to degenerate into anarchy, violence and war. The ECOWAS Authority resolution to consider the use of 'legitimate force' has perhaps not unexpectedly provoked some dissent. A growing number of commentators have observed that the ECOWAS has gone beyond its authority and should rather limit itself to a broad range of sanctions.

The use of 'legitimate force' is however not exclusively about military warfare in the conventional sense and therefore does not necessary connote an "invasion" by troops. Legitimate force can include, for example, a naval blockade to enforce sanctions which might be imposed against Mr. Gbagbo.

Mr. Gbagbo must be made to understand that there is a very real prospect of overwhelming military capability bearing down on him and his cohorts. It is only then that he will give serious consideration to the demands that he step down immediately. The deployment of armed force for this purpose can only however be 'legitimate' pursuant to an appropriate UNSC Resolution.

That was indeed the purport of the rather misunderstood resolution of the ECOWAS Heads of State led by President Jonathan of Nigeria sanctioning the use of legitimate force as a last resort. I strongly suggest that that timely communiqué of the ECOWAS leaders prevented carnage in Cote d'Ivoire, and created the limited space that still exists for the relatively peaceful resolution of the conundrum which the legal, political and diplomatic situation in Cote d'Ivoire presents.

### **UN security council resolution**

(...) A United Nations Security Council resolution to authorise military force as a last option, would complement ECOWAS' own commitment to dialogue and diplomacy, and would also reinforce the need to take steps now to protect the civilian population and stem the growing number of civilian casualties and deaths.

The death of scores of civilians and the rumours of mass graves, the engagement of mercenaries and the rumoured supply of armaments, and the increasing harassment of UN peacekeepers are all pointers that this is the time to employ all the tools of preventive diplomacy which must include the mobilization of armed forces under the auspices of the UN, if necessary to contain the threat to regional peace and security.

### **Peace enforcement measures**

The UN Secretary General has already complained about 'egregious human rights violation' in the Cote d'Ivoire. He has also cited Laurent Gbagbo's refusal to grant the UN access to alleged grave sites, even though the UNOCI 'had been instructed to do everything possible to gain access to the affected areas both for purposes of prevention and to investigate and record the violations so that Mr. Gbagbo and others responsible will be held accountable. The peacekeeping mandate of the UNOCI has now however become inadequate to guarantee peace and security in the country.

It is time to look at the prospect of applying legitimate force - peace enforcement measures within the framework of Chapter VII of the UN Charter. In other words, the direct involvement of the UN Security Council in this regard has become an imperative in order for ECOWAS and the International community to be able to consolidate the peace efforts so far made, and to prevent the complete reversal of processes in which the International Community has so substantially invested. (...)

### **Threat to foreign nationals**

The threat by Laurent Gbagbo's agents that the nationals of countries seeking to "invade" the Cote d'Ivoire would be made to suffer in the Cote d'Ivoire cannot be ignored and must be taken

seriously. In this regard, it must be emphatically stated in the proposed resolution of the UN Security Council that the international community will not condone the harassment of, or violence against any immigrants or other foreigners living in Cote d'Ivoire which has a considerably large immigrant population. This should by itself be a trigger for armed intervention. Mr. Gbagbo must also not attempt to endanger the lives of peace-loving Ivoriens living inside Cote d'Ivoire.

The political crisis in the Cote d'Ivoire is likely to disrupt the trend towards democracy in the sub region and create a dangerous precedent for a continent in which twenty presidential elections are to hold within the next eighteen months. Consequently, the impunity of Mr. Gbagbo must be regarded as a challenge to the entire international community. It is indeed a test for democracy in the West African sub - region in particular and the larger African continent beyond.

### **Beyond Chapter VII of the UN Charter**

While the consent and approval of the UN Security Council will be necessary for the use of force against a sovereign state, it is equally well known that the rule of unanimity can also militate against evolving the necessary consensus of opinion. Consequently, there is the need to build an effective international public opinion for such use of limited force, as may be contemplated in the Cote d'Ivoire. International public opinion has the potential to assist in building the necessary platform within the UN Security Council in order to transcend all parochial or other interests in Cote d'Ivoire. Already Russia, at the level of the UN Security Council, and Ghana, at the ECOWAS regional level, have shown inclinations not to support a military incursion of any kind in Cote d'Ivoire.

This is unfortunate. I do believe that peace enforcement by the UN Security Council in Cote d'Ivoire is now the required response to the impunity that we are witnessing in Cote d'Ivoire. The International Community has universally and unequivocally rejected the nominal constitutional mandate of Mr. Laurent Gbagbo. We cannot therefore leave Mr. Alassane Ouattara to enforce the legitimate and internationally recognized mandate given to him by the people of Cote d'Ivoire. That would be to sanction civil war, against the very ethos of the United Nations.

### **International responsibility to protect**

Democracy in its different forms is fast becoming a shared value in Africa and much of the world. On one level, the ECOWAS needs international support to protect the democratic expression of the people of Cote d'Ivoire through the ballot box. On this level the United Nations' International Responsibility to Protect may need a re-definition to accommodate situations whereby leaders use the sheer force of arms to thwart the popular will of the people. International Responsibility to Protect would then go beyond considerations of genocide and other currently recognized violations of fundamental humanitarian rights.

On a more cogent level however, the crisis in the Cote d'Ivoire goes beyond election results and the dispute between Laurent Gbagbo and Alassane Ouattara on the definition of who is a citizen of the Cote d'Ivoire that is eligible for presidential election. Both leaders have a large following that operate along ethnic lines. Both leaders have the control of armed forces: Gbagbo the apparently divided national army and Ouattara the Nouvelle Forces formerly commanded by his newly appointed Prime Minister Guillaume Soro. The threat to the peace and security of Cote d'Ivoire and the entire sub-region is therefore at risk on account of the impunity of one man and his cohorts.

### **Preventive diplomacy**

Mr. Laurent Gbagbo's preparedness to court a gradually emerging civil war is in itself alarming. It is alarming because of the foreseeable humanitarian crisis that will ensue. It is alarming because economic resources that should be deployed to development efforts will be wasted on the battle fields of a needless fratricidal war. It is also alarming for the precedent it will set amongst fledgling democracies across the African continent.

It is in view of this that the ECOWAS, in general, and the Government and people of Nigeria, call upon on all peace-loving nations of the world to underscore the need for preventive diplomacy in all its ramifications including the mobilization of force. Cote d'Ivoire needs international help. ECOWAS under the leadership of President Jonathan has taken a firm and principled stand against impunity in governance. What is needed now is unequivocal international support to be able to enforce peace in Cote d'Ivoire.

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