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## TABLE OF CONTENTS

1. Introduction.....	3
2. The serious deterioration since the September 2002 crisis .....	7
2.1. Violence fuelled by xenophobia.....	9
2.2. Recruitment of refugees .....	15
Amnesty International is particularly concerned by the many corroborating accounts that refer to the recruitment of children under the age of 18 by armed opposition groups and government forces. This is banned by several international instruments. The Convention on the Rights of Children, ratified by Côte d'Ivoire in 1991, gives children the right not to be separated from their parents (article 9); to be protected against all forms of physical and mental brutality (article 19) and to be protected against economic exploitation and engaging in work that constitutes a risk to health (article 32). On the issue of child recruitment, article 38 (3) of this Convention states: “the State should refrain from recruiting any child under 15 into the armed forces”, which is manifestly not the case, as members of the UN Panel of Experts who visited Nicla camp at the beginning of April 2003 spoke to a young boy aged 14 who had been wounded during a military operation.....	18
Côte d’Ivoire is also bound by the rules set out in International Labour Organization (ILO) Convention 182 on the worst forms of child labour. This Convention, ratified by Côte d'Ivoire on 7 February 2003, bans the forcible recruitment of children in armed conflicts, for prostitution and for all “work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children” (Art. 3-d). .....	18
2.3. Refugees caught in the crossfire.....	19
3. Involvement of the international community is essential.....	24
4. A solution is urgently needed.....	27
• Ratify the African Charter on the Rights and Welfare of the Child, which came into force on 29 November 1999.....	28

## NO ESCAPE

### Liberian refugees in Côte d'Ivoire

*“Many Liberians now feel that they would even prefer to be put out to sea on a boat than to remain in Côte d'Ivoire”<sup>1</sup>.*

#### 1. Introduction

At the beginning of April 2003, thousands of people who a few weeks ago sought refuge from the Côte d'Ivoire crisis by fleeing to Liberia, have crossed the border in the opposite direction after increasingly violent clashes in the region where they had sought asylum. These hasty and panic-stricken displacements illustrate the situation of tens of thousands of people (Liberian refugees, Côte d'Ivoire nationals and people from elsewhere in the sub-region), caught in the middle of two conflicts, one in western Côte d'Ivoire and one in eastern Liberia, and who do not know where to turn for effective protection.<sup>2</sup>

In this context of massive displacements of people, the situation of tens of thousands of Liberians, who had sought refuge in Côte d'Ivoire after the outbreak of an internal armed conflict in Liberia in 1989, is particularly dramatic for three reasons: they are no longer secure in Côte d'Ivoire, where they are the victims of atrocities committed by the various parties to the conflict, who loot their possessions and ill-treat them, and sometimes forcibly recruit them into their ranks, while at the same time accusing them of supporting their opponents; they cannot return to Liberia, where the situation gets worse every day; and no other neighboring country seems disposed to welcome them, because they are often perceived to be trouble-makers.

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<sup>1</sup> Statement made by a Liberian refugee to Amnesty International in Abidjan in March 2003.

<sup>2</sup> For a discussion of the concept of “*effective protection*” in the context of secondary movements of refugees and asylum seekers, see the summary of the conclusions, paragraph 15, of the Round Table of Experts held in Lisbon, 9 and 10 December 2002, and organized by UNHCR and the Migration Policy Institute.

This is especially so in Ghana and in Guinea, which temporarily closed its borders in February 2003 despite appeals made by the United Nations High Commission for Refugees (UNHCR). This practice violates the recognized international principle of *non-refoulement*, by which refugees should not be returned or expelled to a country where they risk falling victim to serious human rights abuses.<sup>3</sup>

This document focuses on these Liberian refugees, who are threatened by the situation in Côte d'Ivoire and who have nowhere to go. It includes accounts by many Liberian refugees met by an Amnesty International delegation in Abidjan, in March 2003. These accounts show why they feel they cannot escape from the situation they find themselves in. This is especially the case in the west of the country, where most of these refugees live, and where for months they have often been the victims of forced recruitment by armed opposition groups and government forces alike.

These accounts also illustrate the tragic situation of Liberian refugees living in Abidjan and in the regions under government control, where they are harassed, humiliated and sometimes arrested. Members of the security forces and certain sectors of the Côte d'Ivoire population, encouraged by xenophobic sectors of the media, consider them to be accomplices of the armed opposition groups that appeared in the west of the country at the end of November 2002.

Unable to remain safely in Côte d'Ivoire, tens of thousands of desperate Liberian refugees have returned to their own country, despite the war that is raging there. In addition to the Liberians, tens of thousands of Côte d'Ivoire nationals and people from other countries of the sub-region have also fled to Liberia. Figures published by the UNHCR in March 2003 showed that about 100,000 people had fled to Liberia since the beginning of the Côte d'Ivoire conflict.<sup>4</sup>

However, since the end of February 2003, the areas in eastern Liberia to which these people have fled, have been the scene of very violent clashes between government forces loyal to President Charles Taylor and armed Liberian opposition groups. The deterioration of the situation in this part of Liberia, which had up to then been spared the fighting, forced a significant number of people to return to Côte d'Ivoire, to the same region from which they had fled just a few weeks previously.

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<sup>3</sup> Article 33(1) of the 1951 UN Convention on the status of refugees states: "*No Contracting State shall expel or return ("refouler") a refugee in any manner whatsoever to the frontiers of territories where his life or freedom would be threatened on account of his race, religion, nationality, membership of a particular social group or political opinion.*"

<sup>4</sup> Among these people were about 40,000 Ivorians, 45,000 Liberians and 13,000 from other West African countries.

Amnesty International believes that these population movements represent *de facto refoulement*. Even if the Côte d'Ivoire and Liberian authorities do not directly expel these refugees and the civilian population fleeing these war zones, it is nevertheless the case that the conflict is forcing these people to go to regions where their security is under serious threat. It is therefore the international community's duty to take responsibility for finding a solution to this problem. The need for international solidarity, in situations where the States concerned find it difficult or are powerless to deal with the question of refugees on their territory, is clearly specified in the preamble to the 1951 United Nations Convention on the status of refugees (henceforth referred to as the 1951 UN Convention).<sup>5</sup>

The Liberian refugee problem is only one aspect of the terrible humanitarian crisis that has arisen in Côte d'Ivoire since the armed uprising of September 2002. The conflict has caused the massive displacement of civilians, who flee from areas where fighting is taking place. Hundreds of thousands of people (Côte d'Ivoire nationals as well as other people from the subregion, especially Burkina Faso, Mali and Guinea) have had to leave their homes to escape the atrocities committed by all parties to the conflict. The number of people displaced within Côte d'Ivoire itself is more than one and a half million according to the Côte d'Ivoire authorities.<sup>6</sup>



*A woman and her daughter fleeing fightings in the west of Côte d'Ivoire. © Georges Gobet/AFP/Getty Images*

<sup>5</sup> The preamble of this Convention states that “Considering that the grant of asylum may place unduly heavy burdens on certain countries, and that a satisfactory solution of a problem of which the United Nations has recognized the international scope and nature cannot therefore be achieved without international co-operation...”

<sup>6</sup> At a meeting with an Amnesty International delegation, in Paris, 30 April 2003, Mme Ohouochi Clothilde Yapi, Côte d'Ivoire Minister of Solidarity, Social Security and the Disabled estimated that there were 1,500,000 displaced people in Côte d'Ivoire. This estimate, which does not include people who have found refuge in neighbouring countries, is based on figures collected by the Côte d'Ivoire authorities, particularly in the centres established to receive displaced people, and on estimates made by various international organizations.

Other people have returned to their own countries. Since the September 2002 uprising, about 50,000 Malians and 150,000 Burkina Faso nationals have fled to Mali and Burkina Faso where they have faced serious reintegration problems, despite the efforts made by the governments and civil society in those countries.

A major concerted effort by the international community is indispensable, especially in relation to fundraising for humanitarian action in the field, if this crisis, in which hundreds of thousand of people have lost everything, is to be resolved. However, the international community has been slow to react, despite the efforts of the UNHCR, the World Food Programme and UNICEF. The United Nations has launched several appeals for funds, but the sums collected so far are derisory in relation to the enormous needs created by what is one the most serious current humanitarian crises.<sup>7</sup>

Amnesty International therefore appeals to the international community to urgently find a comprehensive and long-term solution to the crisis that ensures the effective protection of Liberian refugees and others who cannot stay in the subregion. In view of the hostility and distrust felt towards Liberian refugees in the Côte d'Ivoire and several neighbouring countries, this solution should provide for the resettlement of many refugees elsewhere in the subregion, as clearly stated in March 2003 by the Secretary General of the United Nations, Kofi Annan.<sup>8</sup>

In addition, Amnesty International urges the Côte d'Ivoire government and armed Côte d'Ivoire opposition groups operating in the country to immediately cease their attacks on Liberian refugees. The organization reminds them that international law formally bans the forced recruitment of refugees, and requests all parties to the conflict to halt this recruitment - and in particular the recruitment of children under the age of 18 - immediately. Having signed the 1951 UN Convention, and to the 1969 Organization of African Unity (OAU) Convention (henceforth referred to as the 1969 OAU Convention) regulating aspects of the problem of refugees in Africa, as well as other international and regional human rights and humanitarian law treaties, the Côte d'Ivoire government must respect its international obligations and ensure the security and protection of all refugees on its territory.

Amnesty International believes that the issue of protecting refugees in this region has been neglected for too long. As the attempts made to evacuate refugees in Côte d'Ivoire and bordering countries have so far failed, it is the obligation of States

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<sup>7</sup> On 21 March 2003, a UN spokesperson, Kris Janowski, said that the Côte d'Ivoire crisis was “*probably the most urgent and complicated of the crises currently facing the UNHCR*”.

<sup>8</sup> See section 4.

outside the subregion to offer them protection by implementing a humanitarian evacuation programme that involves their transfer to other host countries.<sup>9</sup> The entire international community must realize the urgency of finding a comprehensive solution to this problem and ending the tragic displacement of these tens of thousands of Liberian refugees, who have nowhere to go and who are considered to be undesirable throughout the subregion.

## **2. The serious deterioration since the September 2002 crisis**

Since 1989, when the civil war broke out in Liberia, about one million Liberians have been forced, at one time or another, to flee to neighbouring countries, mainly Guinea, Sierra Leone and Côte d'Ivoire.<sup>10</sup> Although the reception and hospitality provided by these countries for so long has been remarkable, the situation of Liberian refugees has gradually deteriorated as insecurity and human rights abuses have spread beyond the borders of Liberia, into Sierra Leone, Guinea and Côte d'Ivoire.

Until the beginning of the current crisis in September 2002, Côte d'Ivoire adopted a very open attitude towards refugees. The tens of thousands of Liberians that have arrived in Côte d'Ivoire since 1989 have generally been well received. Rather than restricting them to camps, the Côte d'Ivoire government authorized refugees to live in villages, where there were sometimes communities from the same ethnic groups as themselves. In this way, a *Zone d'Accueil des Réfugiés* (ZAR - Refugee Reception Zone), was created along the Liberia-Côte d'Ivoire border.<sup>11</sup>

The situation of Liberian refugees in Côte d'Ivoire has seriously deteriorated since September 2002, when there was an armed uprising against President Laurent Gbagbo. At first, on the day following the uprising, and on the orders of the Côte d'Ivoire President, shanty towns were destroyed, affecting about one thousand Liberians living in Abidjan. Those affected were placed in transit centres rented by

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<sup>9</sup> This kind of humanitarian evacuation programme has only been put in place once before, in Kosovo in 1999.

<sup>10</sup> The conflict in Liberia officially ended in 1997 with the election of Charles Taylor as President, but Liberia slipped back into civil war in 1999 when a new armed opposition group, Liberians United for Reconciliation and Democracy (LURD) appeared.

<sup>11</sup> The only refugee camp in Côte d'Ivoire is at Nicla (near Guiglo, in the west of the country). It was established due to the security problems experienced in 1995. However, it should be noted that the concept of "reception zone" can sometimes be contrary to the right to freedom of movement guaranteed by article 26 of the 1951 UN Convention. Côte d'Ivoire, which ratified this Convention, made no reservations with regard to the freedom of movement of refugees on its territory.

the UNHCR. This destruction was not specifically aimed at Liberian refugees. It also affected thousands of other poor people: Côte d'Ivoire nationals, people from other countries in the subregion and refugees from the Central African Republic and Congo.<sup>12</sup>

The situation of Liberian refugees became even worse at the end of November 2002, after the appearance in the west of the country of two new armed opposition groups, the *Mouvement populaire ivoirien du Grand Ouest* (MPIGO - Western Côte d'Ivoire People's Movement) and the *Mouvement pour la paix et la Justice* (MPJ - Peace and Justice Movement). It was in this region that the immense majority of Liberian refugees had settled more than ten years previously.<sup>13</sup> The MPIGO and the MPJ took temporary or permanent control of some areas, not far from the border with Liberia, notably the towns of Danané and Man, which provoked a massive flight of the population. Since then, there have been constant conflicts in western Côte d'Ivoire despite the deployment of French and West African troops in the country and the signing of several cease-fires. This violence has mainly affected the civilian population, including the Liberian refugees living in the region.

Corroborating accounts collected by Amnesty International indicate that armed Liberian groups, some of which crossed the border into Côte d'Ivoire, fought with the two armed opposition groups and were responsible for serious atrocities against the civilian population. During a research mission in December 2002, Amnesty International gathered testimony from several people who had to flee from the town of Man after it was taken by a group of armed men coming from Danané, near the border with Liberia, on 28 November 2002. This group was composed of men speaking English and other subregion languages. One person stated:

*"The 'rebels' searched for the gendarmes who had hidden in the houses of civilians and killed them. They also killed people who had agreed to hide the gendarmes."*<sup>14</sup>

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<sup>12</sup> In a televised address, on 8 October 2002, President Gbagbo ordered a halt to the destruction of shanty towns and attacks on foreigners, but the Amnesty International delegation noted, in March 2003, that this destruction continued through to the beginning of 2003.

<sup>13</sup> Of the 72,000 UNHCR-registered Liberian refugees in Côte d'Ivoire before the beginning of the current crisis, some 70,000 live in the west of the country, along the border with Liberia, and 2,000 live in Abidjan.

<sup>14</sup> See the document published by Amnesty International on 19 December 2002 entitled: *Without immediate international help, the country will descend into chaos*, (Index AI : AFR 31/010/2002).



Although Liberians were among these armed opposition groups, many Liberian refugees, who had been living in Côte d'Ivoire for a long time, were attacked by the same armed groups, which harassed, ill-treated or killed them, and looted their belongings. Moreover, these armed groups proceeded to recruit Liberian refugees, sometimes forcibly, including children under the age of 18. Many Liberian refugees therefore fled to areas held by the government.

Atrocities were committed by the MPIGO and the MJP against Liberian refugees, but the refugees were also accused by some sectors of the Côte d'Ivoire public, encouraged by xenophobic media, of helping the 'rebellion' in the west of the country. This accusation, which was based on the proven presence of Liberians in the armed opposition groups, did not prevent the government forces of President Gbagbo from also recruiting Liberian refugees, sometimes forcibly, contrary to international standards protecting refugees.

Harassed by armed opposition groups in the west of the country and accused by the supporters of Laurent Gbagbo of being accomplices of the armed opposition movement, the Liberian refugees in Côte d'Ivoire have had to face the triple challenge of trying to:

- Escape from the atrocities committed by the different parties to the conflict, in Abidjan and the west of the country,
- Avoid recruitment by the various armed groups,
- Seek effective and permanent protection from conflict in both Côte d'Ivoire and Liberia, while no country in the subregion seems to want to receive them, at least not a large number of them.

### **2.1. Violence fuelled by xenophobia**

The animosity displayed towards Liberian refugees has surfaced in a climate of xenophobia encouraged by some newspapers and some groups within the regime for years, in the name of "Ivoirité". Many Côte d'Ivoire citizens from the north of the country, who are known as 'Dioulas' as are citizens from other countries in the subregion especially Burkina Faso and Mali, have frequently been verbally and sometimes physically attacked during the last two years. The fact that Liberians are in the ranks of the two armed opposition groups that appeared in the west of the county in November 2002 has heightened this xenophobic attitude to Liberian refugees.

During a research mission in March 2003, Amnesty International noted that many people in government-held territory believe that all Liberians in Côte d'Ivoire are fighting on the side of the armed opposition groups in the west of the country, or sympathize with them. Politicians and some media have frequently declared that Liberians are fighting on the side of the rebel groups and this has fuelled anti-Liberian attitudes.

In March 2003, in Abidjan, Amnesty International gathered testimony from Liberian refugees who said they sensed this hostility whenever they went out in public.

Most Liberian refugees currently prefer not to leave the areas where they live: the camp at Nicla (near the village of Guiglo, in the west) or the eight transit centres rented for them by the UNHCR in Abidjan<sup>15</sup>.

In Abidjan, Amnesty International met Liberian refugees living in several transit centres in the city. In the Attoban centre, the delegation heard several accounts describing how members of the security forces and Côte d'Ivoire civilians regularly harass them.



*The Attoban Transit Center. ©AI*

Several of these refugees stated that the mere fact of speaking English in Abidjan could put them at risk of harassment or arrest. Lawson Beh described being attacked at the Deux Plateaux market in Abidjan on 19 February 2002:

*“When I spoke English at the market, young Ivorian men accused me of being an ‘aggressor’ and two of them beat me. Since this attack, my nine-year old girl does not dare leave the Attoban transit camp”.*

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<sup>15</sup> According to UNHCR figures, in March 2003, these transit centres housed refugees from Liberia, Sierra Leone, the Democratic Republic of Congo, Togo, the Central African Republic, Sudan and Rwanda. These centres also provided shelter for refugees made homeless by the destruction of their shanty towns in Abidjan.

Lawson Beh showed Amnesty representatives the scars on his left hand, arms and face. Darborne Jarbah, President of the Attoban women's committee confirmed this fear of the animosity displayed by the Côte d'Ivoire public, and said that parents will no longer let their children leave the transit centre because of the many arbitrary arrests and assaults.

The refugees are particularly targeted when they have to cross the many checkpoints that have been set up all over Abidjan. Amnesty International has heard many accounts from Liberians travelling in minibuses who have been humiliated and threatened when the vehicles in which they were travelling were stopped at checkpoints. Some refugees have been picked out, taken to one side and subjected to sarcastic comments and threats by soldiers, police officers and other passengers who accuse the Liberians of "*destabilizing the country*".

The story of Peter Mata, who was living at the Bonoumin transit centre, illustrates this type of practice:

*"On 25 December 2002, I left the centre as I had been invited to spend Christmas with friends in the city. At a checkpoint, the minibus I was travelling in with my family was stopped. I was taken aside because my UNHCR-issued identity card showed I was Liberian. I was made to undress, was beaten on the back, and had the sum of 25,000 CFA (about 38 euros) taken from me. My UNHCR card was then ripped up in front of me, I was given my clothing back, and sent on my way. Anti-Liberian insults were shouted at me the whole time."*

Amnesty International has heard several refugees state that their UNHCR refugee certificates were confiscated at identity checks, and that they do not afford any protection. A Liberian told the Amnesty International delegation in March 2003:

*"I am a graduate of the University of Liberia. When I arrived in Côte d'Ivoire, I went to a technical college in Abidjan for 3 years. Three weeks ago I was arrested and my student documents were taken away. My refugee identity card did not protect me at all."*

In addition, Liberian refugees are often the victims of rackets operated by the security forces, especially during identity checks. In March 2003, a refugee who, some time before, had left the transit camp where he was staying to buy some food for his baby, told Amnesty International how he was arrested by members of the security forces who hit him hard and forced him to give them money.

Similarly, on 25 September 2002, a Liberian refugee who had been living in Côte d'Ivoire for more than ten years was arrested when he went to the airport to meet two Liberian journalists who were visiting Abidjan for a few days. Two armed men took him away in a jeep, and hit and insulted him. They told him they would kill him if he did not give them 100,000 CFA (about 150 euros). He had 30,000 CFA (about 45 euros) and 25 dollars (about 22 euros) on him. He gave them all the money he had with him and they released him.

One of the most serious incidents of the victimization of Liberian refugees in Abidjan took place in the early hours of 26 February 2002 in the village of Akouédo, near Abidjan. A witness told Amnesty International representatives what happened:

*“Between 3.30 and 5.30 a.m. on 26 February 2003, government forces carried out a raid in our area in Akouédo village where a large number of Liberian refugees are living, as well as nationals of other countries. The raid concentrated on the Christian Fellowship Church and nearby buildings. Gendarmes and soldiers carrying out the raid said they believed the church was being used to hide arms and rebels. Refugees were beaten with cassava sticks, insulted and threatened with death.. Liberian refugees and nationals of Burkina Faso were made to fight each other while the gendarmes, police and soldiers watched and jeered.”*

Some Liberian refugees who have been arrested at checkpoints by the security forces have only just escaped with their lives. One of them gave the following account to Amnesty International in March 2003:

*“On 15 January 2003, I was travelling with another Liberian on a bus. At a checkpoint, I showed my refugee card and passport. Even so, they made us stand to one side. Ivoirians on the bus who had no identity papers with them were allowed to pass. This was around 5.45 p.m. Around 6.30 another bus came by. I overheard a conversation between officers with one saying that they should “just kill us.” I begged and pleaded with them to let us go. The other Liberian spoke some French. Finally at almost 7 p.m. (curfew time) they let us go. A bus came, we jumped on, and at the other end, we ran all the way home because we were afraid of the security forces who often ‘shoot on sight’.”*

Even though this document focuses on the fate of Liberians in Côte d'Ivoire, because they represent the immense majority of refugees living in the country and

they are recruited, willingly or forcibly, by the various armed forces who are fighting each other in the west of the country, it is important to highlight the fact that other people, some of whom have UNHCR refugee status, have been victims of police raids. Amnesty International was told of the drowning of a Congolese refugee, Tatungerou Wilfried, who was trying to escape from an attack led by the security forces in October or November 2002. Another refugee described what happened:

*“Tatungerou Wilfried was at the fishing port of Abidjan, looking for work. Suddenly there was a raid, carried out by security forces. Tatungerou and a Burkinabé jumped in the river to escape. But Tatungerou couldn't swim. The police wouldn't let anyone help him. He drowned. The UNHCR claimed his body.”*

Many refugees also told Amnesty International that they find it difficult to get access to medical treatment and that they had been turned away from some hospitals. A Liberian refugee at the transit centre run by the International Migrations Organization (IMO) told the Amnesty International delegation:

*“I was turned away from Cocody hospital on 4 November 2002, even though I was obviously suffering from a painful stomach ailment. Hospital staff said they did not want to treat ‘aggressors’.”*

One of the transit camp managers explained the climate of harassment experienced by Liberian refugees in Abidjan in the following terms:

*“The security forces, who are the ones who should be providing protection and security, are often the source of the problem. We report all of these cases to the UNHCR, who say they will raise their concerns with the authorities, but nothing happens”.*

The serious violations committed by the Côte d'Ivoire security forces against refugees registered with UNHCR and the official national agency, the *Service d'aide et d'assistance aux réfugiés et aux apatrides* (SAARA - Refugee and Stateless Persons Department) which is part of the Ministry of Foreign Affairs, are in serious breach of the 1951 UN Convention and the 1969 OAU Convention, both of which set out the duty of State parties to protect refugees.

In the west of the country, the fighting and xenophobia have made life unbearable for Liberian refugees. In March 2003, the UNHCR told an Amnesty International delegation that the population of the Niela camp had doubled from 4,000

to 8,000, because of the influx of refugees. Most of these refugees had fled from the areas around Man and Danané after those towns were taken by the MPIGO and the MJP. The security of refugees at Nicla remains precarious. Amnesty International has gathered disquieting accounts that corroborate each other about the recruitment of refugees in the camp, including children aged under 18, by armed elements fighting on the side of the government forces of President Gbabgo<sup>16</sup>. These accounts also report the death or wounding of a large number of Liberian refugees in combat. In certain cases, these refugees were fighting on different sides. In other cases, they were civilian victims of conflict.

This situation has particularly affected children. Families of Liberian refugees have been separated while escaping and the children, who have personally witnessed the fighting and harassment, now live in fear. For example, at Attoban transit centre, Amnesty International met a nine-year old girl who had found refuge in Abidjan with members of her family in November 2002. She said they had had to flee from the west of the country because of 'all the killing and fighting'.

Another result of the situation is that Liberian children cannot go to school either in the west of the country or in Abidjan and there is no hope of that changing in the near future. The collapse of many educational structures affects not only the Liberian refugees but most of the hundreds of thousands of refugees and people displaced by the conflict in Côte d'Ivoire. This problem is also of serious concern in the areas held by the three armed opposition groups. Since the September 2002 uprising, all the schools in the area have been closed. The teachers, who no longer receive their salaries, have fled while they can and the children have been left to their own devices.

In December 2002, during a research mission in the north of the country, held by the *Mouvement patriotique de Côte d'Ivoire* (MPCI - Côte d'Ivoire Patriotic Movement), an Amnesty International delegation gathered several accounts from teachers who were in despair at the situation and were all alone in their abandoned schools. The Amnesty International delegates also met some young boys in Korhogo, a town in the north of the country, who had become shoeshine boys or had been recruited by the MPCI but who secretly expressed their wish to go back to school.<sup>17</sup>

Amnesty International fears that if nothing is done, these children risk being denied another year of their education in 2003-2004. The organization appeals to all

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<sup>16</sup> See section 2.2.

<sup>17</sup> See the document published by Amnesty International on 19 December 2002 entitled: *Without immediate international help, the country will descend into chaos*, (Index AI : AFR 31/010/2002).

parties to the conflict as well as to the international community, especially UNICEF and UNESCO, to mobilize support so that all the children living in Côte d'Ivoire or who have fled to neighbouring countries can begin studying again as quickly as possible. In general, it is important to highlight that the denial of economic, social and cultural rights, such as the right to education, may seriously breach international standards for the protection of refugees and expose young people to the risks of being recruited by armed groups.

## **2.2. Recruitment of refugees**

As described above, corroborating information indicates that Liberian refugees, including children under 18, have been recruited, often forcibly, by armed opposition groups and by the government forces of President Gbagbo.

With regard to the recruitment carried out by armed opposition groups, some refugees seem to have been forced to fight after being threatened with violence, while others have joined up voluntarily, hoping to use this as a form of self-protection.

In addition, in March 2003, Amnesty International gathered a significant number of statements on the recruitment organized by members of the security forces, especially in the Niela camp and in the Abidjan transit centres. A Liberian refugee said that members of the Côte d'Ivoire security forces threatened refugees who hesitated when asked to join up.

*“Gendarmes and soldiers came to recruit at our camp. They threatened us and told us that if we did not join up, we must be rebels and that they would treat us like rebels. Because of these threats, many people decided to join the government forces. Those who refused were prevented from leaving and the government is holding them as hostages”.*

Some refugees have tried to escape such recruitment. During its research mission in March 2003, Amnesty International heard the stories of three Liberian refugees, whose identity the organization prefers to maintain secret for security reasons but who escaped being forcibly recruited in January 2003. All three of them found refuge in Ghana.

The statement of another Liberian made to Amnesty International in March 2003 shows that some members of the government forces do not deny the fact that Liberian refugees are in their ranks:

*'I was at a restaurant when a soldier came in. The owner of the restaurant pointed me out saying that I was a Liberian. The soldier actually shouted at the owner, telling him that Liberians were helping the army and that he should be grateful to Liberians.'*

Amnesty International believes it to be inadmissible that a government responsible for the protection of refugees should recruit Liberian refugees into the ranks of its own armed forces, whatever the circumstances, and even if this recruitment has not been explicitly achieved by force or threats. It seems that some refugees joined the government forces as a way of proving they supported the Côte d'Ivoire government, because they saw this as a means of protecting themselves from the atrocities committed by the security forces or because they were attracted by promises of receiving a wage. Whatever the reasons, Amnesty International believes that in current circumstances, no recruitment of refugees can be considered to be voluntary. This is also the opinion of the UNHCR, whose spokesperson, Kris Janowski, declared, on 10 January 2003 that: *"These people are terrified, they are nervous about what's going on, so a completely voluntary decision under these circumstances is virtually impossible."*

This kind of recruitment violates all rules protecting refugees, notably international humanitarian law and human rights. The 1969 OAU Convention and some of the conclusions of the UNHCR Executive Committee state that granting asylum is a peaceful and humanitarian act. In 2002, the UNHCR Executive Committee adopted a conclusion indicating very precisely that *"all actors, including refugees themselves, have the obligation of co-operating to ensure that the peaceful and humanitarian character of such camps and settlements is maintained."*<sup>18</sup> The responsibility for ensuring the civilian and humanitarian character of asylum falls initially on the government of the host country itself or its agents, and involves not willingly or forcibly recruiting refugees who have sought shelter on their territory. Naturally, refugees must consequently *"abstain from any activity likely to detract from the exclusively civilian and humanitarian character of the camps and settlements"* and governments must do everything *"within their capacity to ensure*

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<sup>18</sup> See the Conclusions of the UNHCR Executive Committee on the civilian and humanitarian nature of asylum (No. 94 (LIII) – 2002)



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*that the civilian and humanitarian character of such camps and settlements is maintained.*<sup>19</sup>

In January 2003, the UNHCR wrote officially to the Côte d'Ivoire government requesting it to stop recruiting Liberian refugees into the armed forces, whether such recruitment was conducted forcibly or otherwise. Despite this protest, the Côte d'Ivoire government seems to have continued recruiting Liberian refugees. In March 2003, a spokesperson for the French forces charged with maintaining the cease-fire publicly stated that French soldiers had '*intercepted*' and disarmed more than a hundred Liberians fighting for the Côte d'Ivoire government, some of whom were refugees.

The recruitment of refugees by all parties to the conflict was criticized on 14 April 2003 by the European Union and the United States, in a Joint Declaration that stated: "*The International Community has observed the growing and very disturbing practice of forced recruitment of refugees and other civilians to fuel the civil conflicts in Liberia and Côte d'Ivoire. Many civilians have been forcibly recruited by some actors, involved in the conflicts in both Liberia and Côte d' Ivoire, to fight in these civil conflicts.*" The document added: "*the forcible recruitment of refugees and other civilians compromises the neutrality, the status of non-combatants and security of entire communities of refugees and civilians*".<sup>20</sup>

The fact that Liberians, whether willingly or under compulsion are fighting both with the government forces and with the armed opposition groups in the west of the country certainly feeds the climate of xenophobia prevailing in the country. The UNHCR, working with SAARA, the government agency for the protection of refugees, recently launched an information campaign aimed at dissuading Liberians from joining either side of the conflict. However, the recruitment of refugees continues, especially in Nicla camp, which is in an area under government control. This was shown in great detail by a report of a UN Panel of Experts, published on 24 April 2003. The authors of the report, whose research mission included Liberia and Côte d'Ivoire wrote that "*the government of Côte d'Ivoire, mid-December 2002, began to recruit Liberians resident in Côte d'Ivoire for a militia that was identified by*

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<sup>19</sup> Conclusions of the UNHCR Executive Committee, Armed or military attacks on refugee camps and installations, (No. 48 (XXXVIII) - 1987). Article 3(2) of the 1969 OAU Convention makes it an obligation for State parties "*to prohibit refugees residing in their respective territories from attacking any State Member of the OAU, by any activity likely to cause tension between Member States, and in particular by use of arms*".

<sup>20</sup> Joint Declaration by the European Union and the United States on the humanitarian situation, and in particular on the practice of forced recruitment in Liberia, 14 April 2003.

*the radio call sign L (LIMA), the first letter of Liberia. Many of these recruits came from the refugee camp of Nicla and were offered 10,000 CFA (about 15 euros) to join the ranks of the army. There has also been harassment and violence against those who oppose recruitment. Liberians are predominantly involved in the recruitment although LIMA does have Ivorian liaison officers”.*<sup>21</sup>

In a section entitled: “*Nicla: no peace camp*”, this report describes the visit of members of the Panel of Experts to the camp at the beginning of April 2003. They “*found many traumatized and frightened refugees*” and caught sight of the LIMA Chief of Staff. According to the statements taken, recruitment at the camp began on 7 December 2002 and is continuing on a daily basis. Despite this official denunciation by a UN group of experts, forced recruitment at the Nicla camp has not stopped, as Ruud Lubbers publicly noted during his recent visit to the camp on 11 May 2003.<sup>22</sup>

Amnesty International is particularly concerned by the many corroborating accounts that refer to the recruitment of children under the age of 18 by armed opposition groups and government forces. This is banned by several international instruments. The Convention on the Rights of Children, ratified by Côte d'Ivoire in 1991, gives children the right not to be separated from their parents (article 9); to be protected against all forms of physical and mental brutality (article 19) and to be protected against economic exploitation and engaging in work that constitutes a risk to health (article 32). On the issue of child recruitment, article 38 (3) of this Convention states: “*the State should refrain from recruiting any child under 15 into the armed forces*”, which is manifestly not the case, as members of the UN Panel of Experts who visited Nicla camp at the beginning of April 2003 spoke to a young boy aged 14 who had been wounded during a military operation.

Côte d'Ivoire is also bound by the rules set out in International Labour Organization (ILO) Convention 182 on the worst forms of child labour. This Convention, ratified by Côte d'Ivoire on 7 February 2003, bans the forcible recruitment of children in armed conflicts, for prostitution and for all “*work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children*” (Art. 3-d)<sup>23</sup>.

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<sup>21</sup> Report of a Panel of Experts appointed by Security Council Resolution 1458 (2003), paragraph 57, (S/2003/498), 24 April 2003.

<sup>22</sup> During his visit to Nicla, on 11 May 2003, M. Lubbers stated that refugees were being armed and sent into combat. He added: “*We cannot accept the militarization of refugee camps*”.

<sup>23</sup> The African Charter on the Rights and Welfare of the Child came into force on 29 November 1999, but Côte d'Ivoire has not yet ratified it. The Charter specifically bans the recruitment and use of child soldiers under the age of 18 in international or internal conflicts.

Compliance with these instruments is all the more important when the involvement of children in an armed conflict has catastrophic effects on their physical and mental integrity. Children are more likely to be killed because of their inexperience, imprudence and lack of training. It is, therefore, imperative that all parties to the conflict in Côte d'Ivoire observe the absolute ban on the recruitment of refugees, especially children under the age of 18.

### **2.3. Refugees caught in the crossfire**

Being caught in the middle of the fighting, accused of supporting the different parties to the conflict in the west of the country, and often forcibly recruited by the various armed forces, explains the despair felt by some Liberian refugees who have tried to leave the country at any price.

Unable to decide where to go, one Liberian refugee told the Amnesty International delegation in March 2003:

*“Many Liberians now feel that they would even prefer to be put out to sea on a boat than to remain in Côte d’Ivoire”.*

That explains why many of them living in the west of the country decided to flee to Liberia, despite the war there. It is estimated that, since the beginning of the Côte d'Ivoire crisis, about 45,000 Liberian refugees have returned to their own country. Many of them had to make the return journey when the fighting intensified in eastern Liberia at the end of February 2003. These desperate flights between Côte d'Ivoire and Liberia have also involved tens of thousands of Côte d'Ivoire nationals and people from other countries in the subregion. Amnesty International believes that these displacements between Côte d'Ivoire and Liberia can be regarded as *de facto refoulement*, as these people are forced by circumstance to go back to a region where they risk being the victims of serious human rights violations.

A Liberian refugee explained to Amnesty International delegates in March 2003 why tens of thousands of compatriots had '*decided*' to return to Liberia when the conflict broke out in western Côte d'Ivoire:

*“Liberians increasingly feel that they would rather take their chances, and possibly die in Liberia, than stay among friends who have become strangers and be killed in Côte d’Ivoire.”*

Refugees should not, under any circumstances, have to make such an illusory “choice”. Groups of people who have “decided” to flee the conflict in western Côte d'Ivoire by seeking refuge in Liberia have been tragically caught up in the war that has reached eastern Liberia, an area until then spared from the fighting. At the end of February 2003, a new armed group, the *Movement for Democracy in Liberia* (MODEL) appeared in this region of Liberia, in the counties of Grand Gedeh, River Gee and Sinoe. This armed group launched attacks in Grand Gedeh, in particular on the towns of Toe Town and Zwedru. At the beginning of April 2003, this unrest pushed thousands of people coming from Côte d'Ivoire back over the border into the chaotic situation of that country.

The conflict in Liberia, which began in 1999, between the government forces of President Charles Taylor, and the armed opposition group, *Liberians United for Reconciliation and Democracy* (LURD), has caused great loss of civilian life and material damage. Atrocities have been committed by both government forces and armed opposition groups. Tens of thousands of people, including refugees and displaced people, have been killed and tortured. Others have been kidnapped and either recruited or used to transport looted goods. Since a new wave of fighting began at the beginning of 2003, an increasing incidence of forced recruitment, including of children under the age of 18, has been reported. In addition, refugee and displaced persons' camps have been deliberately attacked.<sup>24</sup>

The deterioration of the situation in eastern Liberia explains the return to Côte d'Ivoire of thousands of people who had fled from the same region a few weeks previously. For security reasons, the UNHCR has not been able to visit certain areas of the west of the country and it is therefore impossible to say exactly how many people have returned to Côte d'Ivoire since the beginning of April 2003. However, on 10 April 2003, the UNHCR reported that every day, between 50 and 60 civilians (nationals of Liberia, Côte d'Ivoire, Burkina Faso and Mali) were fleeing from Liberia towards the region of Tabou, a town in south-west Côte d'Ivoire. Some of the people returning to Côte d'Ivoire during the first week of April 2003, explained that they had

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<sup>24</sup> For more information on the violation of human rights in Liberia, please refer to the following Amnesty International documents. *Recommendations to the International Group on Liberia*, New York, 28 February 2003, AI Index AFR 34/004/2003; *Liberia : State of emergency signifies a greater need for international involvement in human rights protection*, 9 April 2002, AI Index AFR 34/004/02 and *Liberia : Civilians face human rights abuses at home and across borders*, 1 October 2002, AI Index AFR 34/020/02.

returned because the conflict had spread to areas where they were living and because of the general shortage of food supplies in Liberia. However, these people encountered the same difficult living conditions and hostility from large sectors of the population in Côte d'Ivoire.

In a press release on 10 April 2003, Ruud Lubbers, the UN High Commissioner for Refugees, summarized the situation of these people (Liberian refugees, Côte d'Ivoire nationals and others from countries of the subregion who have fled to Côte d'Ivoire) perfectly when he stated that they were “*caught between the devil and the deep blue sea*”. This observation makes it even more imperative for the international community to find a lasting solution that will enable these tens of thousands of people to benefit from effective protection. This solution should include an urgent evacuation plan that involves moving people outside the subregion.<sup>25</sup>

The deterioration of the situation in Liberia has also made it more difficult for humanitarian organizations to operate. On 28 February 2003, three members of a Protestant organization, *Adventist Development and Relief Agency* (ADRA), working in partnership with UNHCR, were kidnapped in Liberia during fighting around Toe Town, in Grand Gedeh. All three of them were killed. At the end of March 2003, four employees of the World Food Programme were kidnapped by armed men at Zwedru, in Grand Gedeh, not far from the Côte d'Ivoire border. A few days later, three of them were released but the fourth is still missing.<sup>26</sup> At the beginning of April 2003, the lack of security forced UNHCR to withdraw most of its staff from eastern Liberia (fighting was raging around its transit centres).<sup>27</sup>

These recent events illustrate the difficult situation of the Liberian refugees, caught between fighting in western Côte d'Ivoire and eastern Liberia. It is therefore urgent to transfer them to safer areas. The UNHCR has tried to move Liberian refugees away from the border and has called on the Côte d'Ivoire government to establish new and safer sites for them, far from the areas of combat in the west of the country and outside Abidjan, where they are the victims of atrocities and

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<sup>25</sup> See section 4.

<sup>26</sup> In a declaration made on 16 April 2003, Carolyn McAskie, deputy UN emergency relief co-ordinator said: “*The United Nations remains concerned about the condition of more than one hundred humanitarian staff who have not been heard from since violence erupted around Zwedru on 27 March 2003*”, Press release IHA/776, 16 April 2003.

<sup>27</sup> On 29 April 2003, the UNHCR announced that it was gradually re-establishing a presence in eastern Liberia after tension diminished in this region.

harassment.<sup>28</sup> This has not been possible so far because the local communities living near the proposed sites have refused to allow Liberian refugees to be settled in their area.

This was illustrated in January 2003, when the UNHCR was looking for a reception site for more than 5,000 Liberian refugees at the Nicla camp, in the west of the country. The safety of the refugees was threatened as fighting spread nearer and nearer to the camp and by the increasing incidence of forced recruitment, including of children under the age of 18. Recruitment is conducted by armed elements fighting on the side of government forces. The Côte d'Ivoire government had agreed to transfer these refugees to Grand Lahou, a coastal town to the west of Abidjan, subject to the agreement of the local community. The local people said they were concerned for their own safety and refused to agree to the plan. At the time of writing (end of May 2003), the UNHCR has still not found a reception site to which it can evacuate the Liberian refugees at Nicla, not even those under the greatest threat.

In mid-January, the refusal of the local Côte d'Ivoire authorities to welcome Liberian refugees led the UNHCR to use minibuses and canoes to transfer a thousand refugees to Liberia from the UNHCR premises at Tabou, in the south-west of the country, where the situation was extremely tense. On 10 January 2003, four refugees were beaten on the UNHCR premises, apparently by inhabitants who accused them of being part of armed opposition groups.

In a press release, on 14 January 2003, the UNHCR explained the reasons for this urgent repatriation of Liberian refugees to Liberia, the only remaining solution given the impossibility of finding refuge elsewhere in Côte d'Ivoire, or in the neighbouring countries. The UNHCR explained that:

*“The planned emergency repatriation is UNHCR's last resort after failed attempts to evacuate refugees from conflict-ridden western Côte d'Ivoire. A proposed relocation site in the south fell through recently, while regional countries have yet to respond to UNHCR's appeal to grant temporary asylum to these desperate refugees”.*

Amnesty International understands the dilemma faced by the UNHCR in January 2003. It had to deal with Liberian refugees who had no choice other than to return to their own country as their safety could no longer be guaranteed in Côte

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<sup>28</sup> Article 2(6) of the 1969 OAU Convention states that “For reasons of security, countries of asylum shall, as far as possible, settle refugees at a reasonable distance from the frontier of their country of origin”.

d'Ivoire. However, it reminds UNHCR that, in principle, the concept of “*urgent repatriation*” has no legal foundation in international law and that the return of Liberian refugees to their own country could be interpreted as de facto *refoulement*, because civilians were forced to go back to regions where their safety was greatly threatened. As repeated and urgent appeals made by UNHCR have not met with any response so far, the seriousness of the situation should lead the international community to take its share of the responsibility for solving the problem and of ensuring the protection of the refugees.

In addition, those not wanting or able to “*flee*” to Liberia, who have tried to find refuge in safer areas of Côte d'Ivoire held by the government, have often been prevented from doing so. During its research mission in March 2003, Amnesty International gathered information indicating that the Côte d'Ivoire authorities and local communities have blocked efforts made by some Liberian refugees to flee to the east of the country to escape from the fighting. For example, Ismaïl Dorbor, who was staying at Tabou, near to the Liberian border, tried to travel to Abidjan at the beginning of December 2002. However, he was arrested at a road block, apparently established by members of local pro-government armed groups calling themselves “*Jeunes patriotes*” (Young Patriots). Ismaïl Dorbor was prevented from continuing his journey and was held for three days before being told to return to Tabou. He has since returned to Liberia. It is not known what happened to him thereafter. Amnesty International has learned of many similar cases.

The issue of the violation of the right to free movement of Liberian refugees was raised by UNHCR in a letter to the Côte d'Ivoire authorities in January 2003. The UNHCR urged “*the authorities to stop recruiting refugees into loyalist forces and to order the groups of young Ivoirians stationed at many checkpoints to allow Liberians to leave the country*”. In the same letter, the UNHCR added: “*Many have reported being stopped at checkpoints. We also ask Ivoirians to no longer treat Liberians as potential rebels. Liberian refugees have already fled from a terrible conflict in their own country. They are now trapped in the middle of another conflict and are extremely vulnerable. They need protection and security.*”<sup>29</sup>

Amnesty International is also concerned about the difficulties encountered by Liberian refugees in finding refuge in other countries in the subregion. It is especially concerned by the temporary closure of the border with Guinea in February 2003 to non-Guinean nationals.

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<sup>29</sup> UNHCR press release, Geneva, 10 January 2003. N.B. Amnesty International translation.

For the communities living in western Côte d'Ivoire who are trying to escape from the conflict zones, the nearest destinations are the two neighbouring countries to the west, Liberia and Guinea. Other countries are very difficult to reach. Given the intensification of the civil war and the serious human rights violations in Liberia, it is particularly important that the border with Guinea remains open. The decision to close the border to refugees was a violation of that country's duty to protect refugees from *refoulement*.

*Non-refoulement* is the corner-stone of international law on the protection of refugees. Given the chaotic situation in western Côte d'Ivoire and Liberia, Amnesty International calls on all countries, especially those who share a border with these two countries, to keep their borders open in order to avoid Liberian or Côte d'Ivoire refugees being victims of de facto *refoulement*. Amnesty International also calls on all countries, including those outside the subregion, to provide protection to these people in the form of emergency assistance programmes and humanitarian evacuation to other host countries.

### **3. Involvement of the international community is essential**

With this situation in which tens of thousands of people (Liberians and also citizens of Côte d'Ivoire, Burkina Faso, Mali and other countries in the subregion) are fleeing back and forth in search of effective protection, it is essential that the international community mobilizes to find a lasting solution to this very serious humanitarian problem.

Since the beginning of the Côte d'Ivoire crisis, the government in Abidjan, United Nations organizations such as the UNHCR and the WFP, and some NGOs have multiplied their humanitarian efforts, but the needs are enormous. On 30 April 2003, United Nations humanitarian agencies appealed for US\$ 85.8 million from donor countries "*to immediately meet the immense humanitarian needs*" of about three million vulnerable people affected by the crisis in Côte d'Ivoire and neighbouring countries (Liberia and Guinea, and to a lesser extent, Burkina Faso, Mali and Ghana). To deal with the refugee problem in Liberia alone, the UN Office for the Co-ordination of Humanitarian Affairs (OCHA) appealed for US\$ 42 million for 2003, but the response of international donors has so far been derisory. At the beginning of April 2003, less than two per cent of this sum had been donated,



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illustrating the indifference of countries to the terrible humanitarian situation affecting this region.<sup>30</sup>

The case of the Liberian refugees is particularly dramatic because they are generally considered to be potential trouble-makers by many of the countries in the subregion. Consequently, when they try to escape from combat zones or need to be urgently evacuated, the doors close on them in Côte d'Ivoire itself and in several neighbouring countries. This animosity towards them was clearly highlighted by Kofi Annan, UN Secretary General, in a report presented to the UN Security Council in March 2003:

*“A persisting concern is the situation of Liberian refugees in the country. As a result of the fighting and in the wake of growing hostility against Liberian nationals, many of them have been forced to abandon their homes for safer locations, and are now dependent on aid after years of leading self-sufficient lives. The UNHCR plan to relocate them to alternative sites identified by the government in Grand Bereby and Bondokou was rejected by local communities. UNHCR is particularly concerned that the image of Liberian refugees as a disruptive influence and a security threat is widely shared in the subregion, and requests to neighbouring countries to accept them have not yielded the desired results. It is therefore important for the international community to support efforts by UNHCR to find asylum for the Liberian refugees outside the subregion, and to relocate inside the country those who do not wish to be evacuated.”<sup>31</sup>*

The difficulty of finding asylum is also due to the fact that some countries in the region, especially Guinea, have already received hundreds of thousands of refugees from Liberia and Sierra Leone in recent years.

Recent political developments underline how unstable the region is and the urgency of massive humanitarian aid for the communities caught between the parties in conflict. The situation continues to evolve, with the appearance of new forces in the field and bitter struggles for the control of the region, causing fresh waves of

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<sup>30</sup> On 25 February 2003, UNICEF launched an international alert about the gravity of the crisis in Côte d'Ivoire, regretting that “public opinion” was not very interested in this “regional crisis, which requires a regional humanitarian response”. The organization deplored the fact that: “in an international context where attention is dominated by the possibility of a conflict in Iraq, it is very difficult to interest public opinion in the crisis that is affecting Côte d'Ivoire and the whole region.” N.B. Amnesty International translation.

<sup>31</sup> Report of the Secretary General on Côte d'Ivoire presented to the Security Council on 26 March 2003, S/2002/374, paragraph 53.

displaced people. Since the end of April 2003, events seem to have come to a head in western Côte d'Ivoire:

- On 26 April 2003, the Côte d'Ivoire and Liberian Presidents, Laurent Gbagbo and Charles Taylor respectively, agreed, at a meeting in Kara (north Togo) on the need for a joint deployment of Côte d'Ivoire, Liberian, French and West African forces along the southern section of their common border. On 23 May 2003, a “*joint operation*” involving regular Côte d'Ivoire forces (FANCI), armed opposition groups called “*new forces*”, French forces from Operation Licorne and ECOWAS forces began a “*mission to restore security and stability to western Côte d'Ivoire*”.
- It seems that an internal conflict is taking place within the armed opposition groups for control of the west of the country. The MPCI, which controls the northern half of the country, seems to want to take control of western Côte d'Ivoire and force out Liberian and Sierra Leone elements such as the MPIGO and the MPJ, who are responsible for much looting and many atrocities in the region. It is in this context that, on 28 April 2003, the death of Félix Doh, leader of the MPIGO, was announced. The exact circumstances of his death are not known. Some versions talk of his death in combat, others say he was killed in an internal settling of accounts within the Côte d'Ivoire armed opposition groups.
- Finally, on 4 May 2003, a new cease-fire came into force between the Côte d'Ivoire armed forces and the MPCI. However, as with previous cease-fires, which were very quickly violated, this one has not so far been respected, despite the solemn promises of the signatories who presented this cease-fire as a “*definitive truce throughout the national territory*”.
- As set out in a resolution adopted on 13 May 2003, the UN Security Council decided to send a UN Mission to Côte d'Ivoire (MINUCI), initially sending 26 military officers to contact French and West African peacekeeping forces deployed in the country, as well as Côte d'Ivoire troops. Fifty additional officers may be progressively deployed later “*when the Secretary General (of the UN, Kofi Annan) determines that there is a need and that security conditions permit*”.<sup>32</sup>
- Since mid-May 2003, about 15,000 people, mainly Liberians, have fled towards Côte d'Ivoire after the capture of the coastal town of Harper by elements of the armed Liberian opposition group, MODEL.

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<sup>32</sup> See Security Council Resolution 1479 creating MINUCI.

#### **4. A solution is urgently needed**

In this extremely tense and unpredictable situation, Amnesty International believes it is urgent for the international community to commit itself with determination to finding a general and lasting solution for these Liberian refugees fleeing back and forth between the zones of conflict in western Côte d'Ivoire and eastern Liberia. While continuing to appeal to the countries which share a border with Côte d'Ivoire and Liberia to keep their borders open to people fleeing from their countries and to refugees fleeing their host countries, the organization reminds the international community of its responsibility to help and support Côte d'Ivoire and the subregion's governments so that they can deal with these massive displacements of populations.

As the UN Secretary General Kofi Annan has clearly said, such a solution must include the resettlement of a significant number of refugees outside the subregion because there is no effective protection for them within the subregion, where they are permanently in danger.<sup>33</sup> The efforts made to get the countries of the subregion involved have failed.

In these circumstances, Amnesty International calls on the States Parties to the 1951 UN Convention to establish an urgent humanitarian evacuation programme. This conforms to the principles of international co-operation that recognize the international nature and scope of the duty to protect refugees. The implementation of this programme clearly needs to be based on a coherent group of criteria that includes guarantees to protect the rights of the refugees. These guarantees should include respect for fundamental human rights; acknowledge that humanitarian evacuation must be voluntary and accepted with full knowledge of the facts; respect the right of families to stay together; maintain the right to ask for and benefit from asylum, and comply with the principle of *non-refoulement*. This approach is imperative because many refugees from the subregion have been the victims of repeated cycles of displacement in the course of the last decade.

Among the urgent measures that must be taken, Amnesty International presents the following recommendations. Most of them do not concern only Liberian refugees but also all those, including Côte d'Ivoire nationals, who have fled to neighbouring countries, and displaced people within Côte d'Ivoire.

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<sup>33</sup> In their report published on 24 April 2003, the Panel of Experts nominated by Security Council Resolution 1458 (2003) also recommended that the international community supports UNHCR's efforts to find asylum for Liberian refugees outside the subregion (S/2003/498), 24 April 2003.

The Côte d'Ivoire government must:

- Refrain from violating the rights of refugees and displaced persons and cease all ill-treatment, extortion and intimidation of these people;
- Immediately stop recruiting refugees, including children under the age of 18, and publicly and unequivocally declare that such practices should end;
- Open independent and impartial inquiries into all allegations of atrocities of which refugees and displaced people have been victims, and bring to justice those presumed responsible for such acts, and ensure that the victims are compensated;
- Organize a public awareness campaign to counter the anti-Liberian attitudes encouraged by some sectors of the media, and point out that Liberian refugees do not represent any danger to the country and that their rights, as defined in the 1951 UN Convention and other international and regional instruments relating to the protection of refugees, must be respected.
- Ensure that new, safe and protected sites are provided for Liberian refugees in regions of Côte d'Ivoire not affected by the conflict, in particular through the UNHCR
- Ratify the African Charter on the Rights and Welfare of the Child, which came into force on 29 November 1999.

The armed opposition groups must:

- Refrain from violating the rights of refugees and displaced persons and cease all ill-treatment, extortion and intimidation of these people;
- Immediately stop recruiting refugees, including children under the age of 18, and publicly and unequivocally declare that such practices should end;
- Identify those responsible for atrocities and remove them from all posts of responsibility.

The countries in the subregion, especially those near to Côte d'Ivoire and Liberia must:

- Keep their borders open and welcome refugees from Liberia, Côte d'Ivoire and other countries in the subregion who are fleeing from the conflicts in Côte d'Ivoire and Liberia;
- Take measures to ensure the safety and protection of people entering their countries, in accordance with international standards relevant to this issue.

The UNHCR must:

- Find, in co-operation with the subregion's countries and with the aid of the international community, host countries where the Liberian refugees can enjoy effective protection; this should include an emergency evacuation and resettlement programme;
- Take all necessary measures to ensure that refugees are not forced to make "*impossible choices*" that would lead them to flee a conflict zone only to enter another conflict zone, which is tantamount to de facto *refoulement*;
- Organize a public awareness campaign to counter the anti-Liberian attitudes encouraged by some sectors of the media, and point out that Liberian refugees do not represent any danger to the country and that their rights, as defined in the 1951 UN Convention and other international and regional instruments relating to the protection of refugees, must be respected.

The international community must urgently:

- Provide financial support for the work of United Nations agencies, which are facing a very serious humanitarian crisis affecting hundreds of thousands of civilians in the countries of the subregion, in particular Côte d'Ivoire, Liberia, Mali, Burkina Faso, Guinea and Ghana;
- Formulate an action plan so that adequate resources are provided to the UNHCR and to the governments of neighbouring host countries, and that lasting solutions are found in the subregion and elsewhere, especially by means of a humanitarian evacuation programme and, in particular, the urgent resettlement of refugees outside the subregion;
- Ensure that asylum seekers coming from Côte d'Ivoire and Liberia benefit from equitable procedures to determine whether their requests for protection are well-founded.