

OVERVIEW

Official register of survivors of conflict-related sexual violence (CRSV): register of victims of conflict, but not specific to CRSV.

Official number of CRSV survivors: 2,969.

Estimated real number of CRSV survivors: much higher than official number.

Domestic legal framework for administrative reparation programme: the draft, co-created with survivors, has not yet been passed into law.

Mechanism to implement administrative reparation framework: the National Commission for Reconciliation and Compensation of Victims (*Commission nationale pour la réconciliation et l'indemnisation des victimes des crises survenues en Côte d'Ivoire*, CONARIV) created a draft reparation framework and list of eligible conflict victims,

including CRSV survivors. However, the implementation of the national reparation programme rests with the Ministry for Solidarity.

Domestic avenues for reparation through courts: judicial reparation can be granted in criminal cases against private individuals, and victims can join court proceedings as civil parties, permitting them to claim damages against the accused (Penal Code, art. 99, Law No. 81-640 of July 1981, amendment 2017). Although these legal avenues exist, they have yet to serve as a path to reparation for CRSV survivors.

Approximate number of survivors having received any formal reparation for CRSV: 150.

Survivor perception regarding state of implementation of reparation: survivors have spent a decade or more, waiting for the political will to manifest meaningful steps towards reparation and justice.



NATURE AND SCOPE OF CRSV

CRSV was widespread and used by all parties during the decade long conflict in Côte d'Ivoire (2000-2011). CRSV, initially a tactic to control and humiliate politically engaged individuals and their relatives, later expanded to encompass all individuals, regardless of their political involvement. Perpetrators used these acts to break social and family ties and, in some instances, as part of military actions to expel or eliminate perceived enemies. These acts included rapes, gang rapes, sexual slavery, and other forms of sexual violence. Sexual violence with no clear military motivation was also extensive throughout the country, notably in widespread attacks by gangs and militia groups on public transport, roadways, private homes, and education institutions.

HARMS CAUSED TO SURVIVORS, FAMILIES AND COMMUNITIES

Survivors experienced, and will continue to experience, severe impacts from CRSV. These include severe physical (damage to reproductive organs, infertility, miscarriage, and HIV) and psychological consequences and are compounded by a lack of professional support as well as stigmatisation by family members and the community. Consequently, survivors are left with restricted employment opportunities, leading to a heightened sense of responsibility in caring for their dependents. This stigma and inability to care for oneself and one's family was cited as a central cause of distress. Children are pushed into the same experience of isolation, stigmatisation, and economic hardship as their parents. In many cases, these stresses are further compounded by the death or abandonment of a spouse or family. Economic hardship can therefore be considered a direct consequence of sexual violence.

SURVIVORS' PERSPECTIVES

Survivors sought reparations that would allow them to live their lives in a manner they deemed dignified, as the means to gain an adequate livelihood, access reliable medical care, support their children and family, and 'live well again' within their community.

Individual reparations

Survivors first spoke of their urgent, basic needs such as food, shelter, education for their children and before speaking of justice or community-oriented initiatives. Rather than a statement that the latter are less important, it is a plea to urgently address the denial of basic rights to life, education, and dignity.

Survivors prioritised direct financial support over service provision for fear that entrusting reparations to state services risked a repetition of past experiences where promised programmes delivered few tangible benefits. They welcomed the idea of a pension programme but did not wish to leave its administration to state officials. Survivors further reached consensus on the need for employment assistance, either in the form of financial aid to start a business or through an employment programme, as well as for assistance in ensuring children can be cared for and educated.

Survivors emphasised the importance of restoring their health as a central aspect of reparation, viewing the cessation of physical suffering as a prerequisite for moving forward from the past and for facilitating their reintegration into the workforce and community life. They expressed a need for direct financial assistance for medical purposes and for providing medical facilities with the necessary staff and resources to meet survivors' needs. Additionally, survivors also sought mental health support, including one-on-one counseling and participation in peer support groups.

“ If the state can help me [to earn money], at least I'll be able to look after my children, who will be able go to school. That would work well for me. We can't know what the state will do later. Today it might do something [to support us], but what about tomorrow? Would it really be a long term solution? But if they did something now, so that I could take care of myself and my children, that would work well for me.”

CRSV Survivor, Man, December 2021

Collective reparations

Survivors considered reweaving family and community bonds as imperative for repairing the harm of CRSV. Collective reparations should thus aim to help end cycles of revictimisation and support survivors in becoming full participants in the social, cultural, and economic life of their communities. Survivors support the idea of community outreach programmes and public education campaigns aimed at de-stigmatising sexual violence. They also expressed interest in forming support networks that could facilitate access to state services, NGOs, and other potential assistance. Survivors further request collective reparations in the form of improved state services.

Survivors also spoke of recognition and apology as important components of effective reparation, so long as it entailed sincere recognition by leaders from all conflict parties of their role in the wrongdoing. It was equally felt that some form of justice was imperative, however, consensus was not shared on the role of criminal justice in reparations nor on what might be considered a 'just' alternative, should prosecution prove impossible.

SURVIVORS' INITIATIVES

Survivors expressed eagerness to build networks, joining forces in advocating for reparation and better access to services. Widespread and well-organised conflict victims' associations have been active for more than a decade in Côte d'Ivoire. Whilst survivors play important roles within these associations with regards to mobilisation, involvement remains limited due to stigmatisation and associated risks in speaking out.¹ Survivors nonetheless seek opportunities to advocate for themselves, and, with the appropriate support and risk mitigation, this aspiration can become attainable.

Networks of community organisations and civil society organisations (CSOs) have worked with survivors over the long term, and exists both at the local and national level and are well placed to assist in building survivor-led initiatives. However, to do so, they require financial support and capacity building in areas such as risk management and psychosocial support.

OPPORTUNITIES

Whilst significant challenges remain, there is nonetheless a foundation in place for building towards effective reparation. The government has committed to delivering reparation to victims of the conflict, including CRSV survivors. Furthermore, there is an established national framework for implementing reparation; a draft law and list of eligible victims; state officials mandated to implement reparation, and state services that – though stretched and underfunded – reach all regions. Given this foundation, approaching authorities as potential allies may create opportunities to identify shared interests and join forces in removing common obstacles.

“ [Reparation means] putting back together the things that have been destroyed in one's life.”
CRSV Survivor, Bouaké, November 2021

Côte d'Ivoire has a well-organised and active civil society, providing opportunities for advocacy efforts to bring the issue of reparation back into public debate. At the local level, victims' associations as well as local community centres and NGOs often have longstanding and trusting relationships with CRSV survivors. These community actors are well placed to help identify CRSV survivors, support their engagement with reparation programmes and wider support services whilst taking the lead in improving communication and coordination with service providers as well as providing discreet, accessible, and long-term support to survivors.

KEY CHALLENGES

- Claiming one's right to reparation in Côte d'Ivoire requires time, financial resources, and detailed knowledge of bureaucratic processes. Survivors must navigate complex application and verification processes whilst spending money and time applying for documentation and travel to Abidjan.

1. The Ivorian Human Rights Movement (Mouvement Ivoirien des Droits Humains, MIDH), the Ivorian Human Rights League (Ligue Ivoirienne des droits de l'homme, LIDHO) and the Ivorian chapter of the International Human Rights Federation (Fédération internationale pour les droits humains, FIDH) work directly with CRSV survivors to bring forward criminal and civil lawsuits on their behalf.

- With no law to define and guarantee reparation as a right, reparations depend on the goodwill of the executive government, resulting in the national reparation programme appearing to be delivered as a benefit rather than as a right.
- Problems with the CONARIV registration process resulted in many CRSV survivors being excluded. Likewise, verification requirements necessary to prove claims of CRSV are burdensome and, in many instances, impossible for survivors to meet.² Moreover, there is no review process for those deemed ineligible by CONARIV or who did not register, and there is no accessible way to seek information on whether one's claim was approved or rejected.
- Poor coordination and communication amongst service providers, state authorities and civil society actors undermine the efficacy of public services in Côte d'Ivoire and have contributed to stalling the reparation programme.
- Poverty, isolation from family and community, and stigmatisation of survivors in their communities and by service providers compound bureaucratic and political barriers.

“ There is no one there for us, we have no state. It has forgotten us. For us, it is like the state does not even exist here in Côte d'Ivoire.”

CRSV Survivor, Man, December 2021

2. The CONARIV report lists possible proof of sexual violence as: “A medical certificate, a patient file indicating psychological or medical treatment, a statement from a religious or community leader.” CONARIV, ‘Rapport d'activités’ (Republic of Côte d'Ivoire, March 2016), p. 21.



COVICI staff members leaving a GSF workshop, Abidjan, Côte d'Ivoire, November 2021.

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RECOMMENDATIONS

TO STATE ACTORS

- Approach reparation as a right and not a benefit.
- Draft and pass a reparation law, in consultation with survivors.
- Establish special reparative measures for persons who were children at the time of the CRSV.
- Design programmes and services to meet the needs of diverse survivors, including improving services available to male survivors.
- Establish additional reparation enrolment opportunities.
- Clarify and simplify the verification process used to determine eligibility for reparation and communicate eligibility status to registered victims.
- Match planned reparation programmes with realistic budgets and timelines.
- Make communication transparent, accessible, and inclusive, and strengthen coordination within and between ministries and states services.
- Map, engage and equip civil society and state partners in the implementation of reparation programmes. This includes partnering with local victims' organisations and networks. Engage local partners as a network of focal points throughout the country available to support survivors in accessing reparation.
- Take meaningful action towards bringing those responsible for conflict-era crimes to justice.

TO THE CIVIL SOCIETY

- Seek out strategic opportunities for bringing the issue of reparation into public discourse.

- Form strategic alliances with government offices and actors on shared objectives.
- Lead civic education and outreach initiatives, with particular focus on accessing reparation and to addressing the stigma surrounding sexual violence.
- Help bridge coordination and communication gaps amongst support services.
- Help strengthen the community-level structures that provide safe spaces and moral support to survivors.
- Empower survivors to become advocates through facilitating access to opportunities and platforms on which survivors can speak out and be heard by decision-makers in relation to matters affecting them.

TO INTERNATIONAL ACTORS

- Support the provision of interim reparation and assistance.
- Create incentives for the government of Côte d'Ivoire to meet its responsibility and commitments to CRSV survivors.
- Ensure funding proposals seeking donor funds for the justice sector or other relevant sectors include meaningful measures for CRSV survivors.
- Commit to long-term support for survivors, extending beyond regular budgetary cycles.
- Support democratic institutions and legislation necessary for securing the right to reparation, as well as strengthening justice and human rights institutions and initiatives more broadly.
- Ensure high standards in working with CRSV survivors, focusing on security, inclusivity, equity, and non-discrimination.



This country briefing is an excerpt from the Côte d'Ivoire Study on the status of and opportunities for reparations for survivors of conflict-related violence. To read the full report, please scan this QR code.

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