INTERNATIONAL FELLOWSHIP OF RECONCILIATION (IFOR)  
and  
CONSCIENCE AND PEACE TAX INTERNATIONAL (CPTI)  

Submission to the 111th Session of the Human Rights Committee for the attention of the Country Report Task Force on COTE D'IVOIRE  

(Military service, conscientious objection and related issues)  


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POPULATION (November 2013, estimated\(^1\))  
22,401,000  

MILITARY RECRUITMENT: obligatory military service was instituted by the Law on Military Recruitment 1961/210 (modified by Law 1962/230),\(^2\) and legal provision since remained in force. The current situation is however unclear.  
MINIMUM AGE\(^3\): 18  

CONSCIENTIOUS OBJECTION: never recognised.  

MALES reaching “militarily significant age” in 2010\(^4\):  
247,411  

ARMED FORCES: “target” active strength, November 2013\(^5\):  
40,000  
as a percentage of the number of men reaching “military age”  
16.2%  

MILITARY EXPENDITURE US $ equivalent, 2012\(^6\):  
$435m  
Per capita  
$19  
As % of GDP  
1.7%  

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\(^1\) Source: The Military Balance 2014 (International Institute of Strategic Studies, London), which bases its estimate on “demographic statistics taken from the US Census Bureau”.  
\(^3\) Source: Child Soldiers International (formerly Coalition to Stop the Use of Child Soldiers), Louder than words: an agenda for action to end state use of child soldiers, London, September 2012.  
\(^6\) Stockholm International Peace Research Institute (SIPRI), April 2014
“The Law on Military Recruitment 1961/210 (modified by Law 1962/230) required all men of 21 years of age to complete six months of military service” However Decree No.89-769, of 21st June 1989, authorised the conscription of all men born in 1970, effectively lowering the age limit to 18, and apparently increased the duration of military service to two years. 

It is not clear how comprehensively the military recruitment legislation was enforced even before the outbreak of armed conflict in 2002. In the initial stages of the conflict many persons under the age of 18 attached themselves to all the protagonists, but there is no evidence that any were forcibly recruited into government armed forces. Nor is there any indication of whether the government continued to attempt to impose conscription in the areas it controlled. By 2006, however, the Secretary-General's report concluded “that there was at that time no tangible evidence of children participating in the regular armed forces”. Whatever the de facto use of child soldiers during the conflict, there is no indication that recruitment of persons aged under 18 has ever been permitted under Ivorian law. The Cote d'Ivoire acceded to the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict on 12th March 2012, but has not yet produced its initial report.

 Currently, the army is being re-formed “with personnel from both sides of the conflict, a task that poses obvious challenges,” For this purpose, military training and advice have been exempted from the UN arms embargo, which was first established in 2004. The usual post-conflict situation is that there are many more ex-combatants than are needed for the new “peace-time” armed forces. It is doubtful whether, even if still legally in force, the provisions enabling compulsory recruitment are needed at present.

Cote d'Ivoire has never acknowledged the right of conscientious objection to military service, and no actual cases have ever been reported. An interesting statement was however quoted from a reply made by the London Embassy to an enquiry by WRI on 17th February 1965: “If the UN should recognise conscientious objection as a human right the Ivory Coast, which has subscribed to the Universal Declaration of Human Rights and has proclaimed it in her Constitution, will certainly respect the right as such. There can, however, be no question of her taking the initiative in bringing this problem before the Human Rights Commission...”. It was more than two decades later that the Commission on Human Rights first passed a substantive resolution on the subject of conscientious objection to military service, but much progress has since been made there and subsequently in the Human Rights Council, which in Operative Paragraph 1 of Resolution 24/17, adopted on 27th September 2013, “Recognizes that the right to conscientious objection to military service can be derived from the right to freedom of thought, conscience and religion or belief”, thus endorsing the language of General Comment 22 of the Human Rights Committee, and arguably fulfilling the long-forgotten condition set by the Cote d'Ivoire.

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9 Coalition to Stop the Use of Child Soldiers, Child Soldiers Global Report 2008
10 The Military Balance 2014 op cit, p430.
12 CCPR/C/21/Rev.1/Add.4, 27th September 1993, para 11.
Suggestion for List of Issues

Is legislation authorising obligatory military service, still in force in the State Party? If so, and in the light of the growing international recognition of the right of conscientious objection to such service, has the State Party made, or does it contemplate, any provisions to excuse