

Acceptance of the International Criminal Court in Côte d'Ivoire: Between the Hope for Justice and the Concern of 'Victor's Justice'

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Acceptance of the International Criminal Court in Côte d'Ivoire: Between the Hope for Justice and the Concern of 'Victor's Justice'

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1. Introduction

The arrest of Laurent Gbagbo in April 2011 marked the end of a decade of political instability in Côte d'Ivoire. In October 2000, Gbagbo was elected President of said country but was defeated in a presidential election in 2010 by the former Prime Minister Alassane Ouattara. Gbagbo rejected the results, and both he and Ouattara, took the presidential oath, sparking violence that claimed the lives of 3,000 people and displaced a further 5,000.³

After the violence, demands grew for the prosecution of human rights violations committed during the period of armed confrontation from 19 September 2002 until after the election in April 2011. Due to a lack of trust in the efficiency and impartiality of existing justice institutions, calls for the involvement of the International Criminal Court (ICC) increased. In October 2011, the ICC Prosecutor opened *proprio motu* investigations and issued an arrest warrant for Gbagbo. The post-election crisis officially ended with Gbagbo's arrest in 2011, although the political situation in Côte d'Ivoire was still not entirely settled.

The Ivorian government accepted the ICC's jurisdiction in 2003 (and reconfirmed this in 2010 and 2011). It ratified the Rome Statute in 2013 and therefore has a long engagement with the ICC. However, its relationship to the Court is not characterised by trust and acceptance. Rather, it is marked by changing levels and different aspects of acceptance and rejection, as can be seen in the government's current refusal to extradite a suspect to the ICC, highlighting its strong doubts about the ICC's legitimacy. But not just the Ivorian government's attitudes towards the ICC have changed over time, so have the expectations and opinions of the Ivorian public and civil society.

Looking at Côte d'Ivoire as a highly fractured post-conflict society, the objective of this chapter is to take into account the diversity of the various actors that were involved in the conflict and to identify shared concerns regarding the acceptance of the ICC beyond actor categories, as they are at risk to imply the existence of homogenous actor groups. For example, treating victims of the conflict as one actor group blurs their heterogeneity and suggests a sense of group belonging that does not always reflect social realities. To provide a sufficiently diverse insight

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³ BBC. Accessed 17 March 2017. <http://www.bbc.com/news/world-africa-13287216>.

into the acceptance of the ICC in Côte d'Ivoire, people with different experiences and who had different scales of agency during the conflict were interviewed. These included government and opposition politicians, victims and human rights activists. Most were members of more than one group.

This chapter is part of a larger research project at the International Nuremberg Principles Academy on the acceptance of international criminal justice (ICJ) in situation countries,⁴ in which acceptance is defined as:

'the agreement, either expressly or by conduct, to the principles of international criminal justice in one or more of its forms (laws, institutions, or processes). This includes a range of active features from recognizing to giving consent and expressing outright approval and belief'.⁵

Based on three months of field research conducted in Côte d'Ivoire in 2016, the objective of this chapter is intended to deepen the understanding of the attitudes towards the ICC in Côte d'Ivoire, the underlying dynamics and how they change over time. It relies on empirical research based on 54 interviews, public speeches and literature reviews. Using qualitative content analysis it focuses on the questions of which narratives and discourses regarding the ICC were dominant at the time the research was conducted, how the opinions about the ICC changed over time and what reasons and motives determine the level of acceptance or rejection of the ICC.

After the violence, human rights organisations such as Human Rights Watch (2011) and academics (Brechenmacher 2016; Koef 2013; Corey-Boulet 2012) opened the debate on the necessity of an ICC intervention in Côte d'Ivoire, however without considering if and how ICJ in general or the ICC in particular were accepted by various Ivorian actors. Echoing parts of the local population affected by the violence as well as transitional justice scholars, this chapter argues for a stronger involvement of the local population in peace-building processes and illustrates how the weak inclusion of the population led local reaction from enthusiasm to growing negativity towards the ICC.

2. The Post-Election Crisis 2010-2011 and Côte d'Ivoire's path to the ICC

After the presidential elections of 2010, which had been postponed for five years, Côte d'Ivoire faced a situation where two candidates claimed to be the rightfully elected president: the former President Laurent Gbagbo and the former Prime Minister Alassane Ouattara. While the Electoral Commission announced that Ouattara had won the election by 54 per cent of the votes, Gbagbo and his supporters (reinforced by African Union election observers) accused northern parts of Côte d'Ivoire of electoral irregularities. Despite attempts by the international community to

⁴ International Nuremberg Principles Academy. Accessed 17 March 2017. <http://www.nurembergacademy.org/resources/acceptance-online-platform/overview/>.

⁵ Buckley-Zistel, Susanne. 2016. 'After Nuremberg. Exploring Multiple Dimensions of the Acceptance of International Criminal Justice. An Introduction'. In *After Nuremberg. Exploring Multiple Dimensions of the Acceptance of International Criminal Justice*, edited by Susanne Buckley-Zistel, Friederike Mieth and Marjana Papa. Nuremberg: International Nuremberg Principles Academy, p. 1.

mediate the ensuing conflict between the two rivals, violence broke out. Rather than improving the violent tensions between the north and the south of the country⁶, as many of the Ivorian population had hoped, the elections led to a post-election crisis from 2010-11 in the course of which international crimes were committed, causing the death of about 3,000 people.⁷

At that time of the violence, the country was not yet a member state of the ICC, but had accepted its jurisdiction under Article 12 (3) of the Rome Statute in 2003,⁸ and the Presidency of Côte d'Ivoire reconfirmed this acceptance in December 2010 and May 2011. Human rights activists, mainly the Ivorian coalition for the ICC, argued that the perpetrators of human rights violations committed during the post-election crisis had to be punished.⁹ The organisations lobbied for the country to ratify the Rome Statute and become a member state to the ICC to enable investigations by the Court. After a constitutional review that allowed the ratification of the convention,¹⁰ the Rome Statute was ratified on 15 February 2013. The ICC opened its investigations on alleged crimes in the context of the post-election crisis in 2011 and, one year later, expanded its investigations on crimes allegedly committed since 19 September 2002.

The ICC intervention in Côte d'Ivoire came to the knowledge of the general public on 30 November 2011 when Gbagbo was handed over to the ICC. This was followed by the extradition of Charles Blé Goudé under an arrest warrant issued against him in 2013. Goudé and Gbagbo are both currently held at the Detention Centre in The Hague accused on four counts of crimes against humanity in the context of the post-electoral violence: murder, rape, other inhuman acts and attempted murder and persecution.¹¹ Despite the ICC Prosecutor's statement to open investigations on 'both pro- Gbagbo and pro- Ouattara forces',¹² to date no arrest warrant has been issued against pro-Ouattara forces, prompting allegations about the Court's partiality.

In 2012, the ICC also indicted Simone Gbagbo for crimes against humanity (including murder, rape, persecution and other inhuman acts). However, the former first lady has been in custody in Côte d'Ivoire since April 2011 and the government has refused the request of ICC judges to extradite her to The Hague due to the lack of process of the national courts since her arrest.¹³ President Ouattara has remained adamant that from now on, all trials related to the post-election crisis will take place in national courts. In March 2015, Simone Gbagbo was sentenced to 20 years on charges of conspiracy against the state, participation in an insurrectional

⁶ Human Rights Watch. Accessed 17 March 2017. <https://www.hrw.org/report/2011/10/05/they-killed-them-it-was-nothing/need-justice-cote-divoires-post-election-crimes>.

⁷ BBC. Accessed 17 March 2017. <http://www.bbc.com/news/world-africa-13287216>.

⁸ On 18 April 2003, the Ivorian Minister of Foreign Affairs signed on behalf of the state a declaration recognizing the jurisdiction of the ICC. That statement contends the country's commitment to 'cooperate with the Court without delay and without exception in accordance with Chapter IX of the Statute'.

⁹ Interview with Ali Ouattara, chairman of the Ivorian coalition for the ICC, Abidjan, 18, July, 2016.

¹⁰ The Constitutional review took place on 15 February 2013 and allowed the ratification of Rome Statute previously considered incompatible with the Constitution by the Ivorian Constitutional Council. In order to justify the ratification of the Treaty, the government Spokesman made the following statement: 'Although the Ivory Coast had signed the Treaty establishing the International Criminal Court, and that the Ivorian authorities had, on several occasions, recognized the authority of the latter, no legal instrument had been taken to ratify the Treaty'. This statement is quoted by a local online publishing press, available here: <http://news.abidjan.net/h/441824.html>, visited on 11 May 2016.

¹¹ International Criminal Court. Accessed 17 March 2017. <https://www.icc-cpi.int/cdi/gbagbo-goude/Documents/LaurentGbagboandBleGoudeEng.pdf>.

¹² International Criminal Court. Accessed 17 March 2017. <https://www.icc-cpi.int/cdi>.

¹³ Human Rights Watch. Accessed 17 March 2017. <https://www.hrw.org/news/2016/05/30/cote-divoire-simone-gbagbo-trial-begins>.

movement and disturbing public order.¹⁴ The trial involving the charges of crimes against humanity opened in 2016.

While the trials of Gbagbo and Goudé are underway in The Hague, Ouattara has stated that he will 'no more send Ivoirians to the ICC'.¹⁵ At the same time, though, there have been two requests from the opposition political party in the country: first, that the ICC investigates crimes committed by the current leaders' supporters and by Ouattara himself and, second, the release of Gbagbo and Blé Goudé. The paradox of their request is summed up as follows:

'We are an independent State. The intervention of the ICC suggests that our independence is not complete. We do not need this Court, which is an imagination from Western countries to regulate politics in Africa and eliminate African nationalists. If the Court's objective is to render fair and impartial justice it should trial Ouattara's supporters and former rebel's leaders'.¹⁶

3. Perceptions of the ICC in Côte d'Ivoire

As this quotation suggests, narratives about the ICC are diverse and often reflect what can be labelled 'selective justice'. They criticise the ICC intervention in Côte d'Ivoire as one-sided and partial. This perception is often linked to the arrest of Laurent Gbagbo and the fact that President Ouattara, who is also suspected to have committed war crimes, has not yet been brought in front of the ICC. It is however important to note that within Ivorian society, particularly those who agreed to be interviewed for this research, there is huge division regarding the acceptance of the ICC. Their opinions thus divide into four areas: questioning the neutrality of the court; filling the institutional gap after the post-election crisis; selective justice; and the conception of the court as an imperialist institution.

3.1 Questioning the Neutrality of the Court

In the interviews, the neutrality of the ICC was described with reference to five steps. First, regarding its capability to undertake proceedings in a situation country without being biased towards any conflicting party. Second, the Court is considered neutral when it holds an impartial proceeding that helps to uncover the truth about major violations of human rights in Côte d'Ivoire, as was stated in the following interview:

'There may be value judgments on the Court and it will remain only value judgments but the functioning principle of the Court is to be neutral and undertake impartial trial for all persons suspected to committing international crimes in Côte d'Ivoire'.¹⁷

¹⁴ Amnesty International. Accessed 17 March 2017. <https://www.amnesty.org/en/latest/news/2016/05/cote-divoire-trial-of-simone-gbagbo-opens/>.

¹⁵ The Ivorian President made this statement on 4 February 2016 after meeting his French counterpart Hollande in Paris. Accessed 14 September 2016. <http://www.bbc.com/news/world-africa-35502013>.

Given that his decision is taken when ICC Prosecutor had announced that she will launch further investigations, that the Court may issue other arrests warrants, the president was suspected to protect his supporters from the Courts' proceedings.

¹⁶ Interview with Panel of FPI's Intellectuals, Abidjan, 21 August 2016.

¹⁷ Amon Dongo, Human rights Activist, Administrator of Ivorian Movement for Human rights interviewed in Abidjan, 30 June 2016.

Third, the Court is expected to focus on the victims' concerns and not place peace over justice. It is also seen as neutral when the trial concerning the violation for which the Court intervenes is fair. Although the neutrality of the Court was questioned in the interviews (especially regarding the allegation that the Court is an imperialist institution), there have also been statements that highlight the Court's capacity and importance for the establishment of a post-conflict situation: 'The stature of the Court and the safeguards of its Statute reinforce my belief that the ICC was the best mechanism that Côte d'Ivoire may adopt after the post-election crisis¹⁸'.

3.2 The Court as an Imperialistic Institution

According to the *Dictionnaire de la Langue Française: Encyclopédie et noms propres*, imperialism is defined as a 'policy through which a State tries to expand its political or economic domination to the detriment of other States'. Badie (1992, 54) described imperialism as a matter of 'capturing [the judicial] sovereignty of the dominated State by a dominant State'. This process is often set up through the establishment of international institutions within sovereign states.

According to some of the interviewees, the ICC is the prototype of such international institutions because, since its establishment, the ICC has almost exclusively prosecuted people from the 'global south', mostly from Africa. Gnagne Yadou Maurice, Professor at the Faculty of Medicine of the Félix Houphouët-Boigny University in Abidjan and opposition political leader, expresses his opinion about the ICC as follows:

'It is clear that President Laurent Gbagbo and Minister Charles Blé Goudé are in The Hague, before the ICC, as part of an imperialism and neo-colonization project of the African continent and its people'.¹⁹

This resonates in the words of another interviewee:

'This Court is an imagination of Westerners to the pressure on south nationalist leaders. Once a leader shows his will and commitment for the well-being of his people, Westerners see it as a threat to their interests and brandish the ICC'.²⁰

This opinion expressed by the opposition political parties during the fieldwork is not new within the Ivorian political landscape. Rather, it can be seen as part of the mobilisation strategy of pro-Gbagbo actors as argued by Piccolino (2012, 2):

'In this struggle, a particular nationalist discourse, which I call *souverainisme*, has played a central role. The Ivorian crisis has been portrayed by ideologues of the Gbagbo regime and by pro-government media as a 'war of second independence' against an all-powerful France and its Western and African allies'.

¹⁸ Interview with Amon Dongo, Executive Director for Ivorian Movement for Human Rights, Abidjan, 30 June 2016.

¹⁹ Gnagne Yadou. 2016. 'La CPI perpétue l'esclavage, le colonialisme et le néo-colonialisme', published online available on <http://www.ivoirebusiness.net/articles/pr-gnagne-yadou-maurice-la-cpi-perpetue-lesclavage-le-colonialisme-et-le-n%C3%A9ocolonialisme>, accessed on 10 October 2016.

²⁰ Interview with Abraham Diety, acting President of Youth from FPI, Man, 8 August 2016.

3.3 Selective Justice

For Kutu (2005), the confidence of citizens in justice institutions is one of the key factors determining whether or not they decide to call upon the court in case of disputes. The expectation is that a trial will assure a fair judgement, with a fair trial involving principles of impartial proceedings, trustworthiness and the autonomy of the court. In the case of the ICC's intervention in Côte d'Ivoire, many of the interviewees expressed their concern about the Court not acting in accordance with these principles, but rather applying selective justice. They provide three arguments to support this: they (1) perceive the ICC as a partial tribunal which (2) practises victor's justice and (3) they consider such justice as an obstacle to national reconciliation. Nevertheless, there are also voices, especially among human rights activists, who support the ICC as an institution that works against selective justice and impunity. The fact that the ICC prosecutes senior officials and former heads of states without taking into account their immunity while in office is lauded by representatives of the civil society:

'We do promote the ICC because long time, individuals, due to their status and official function within the nation escaped justice and unfortunately we witnessed crimes whose victims were abandoned. With the ICC, this handicap is no more possible. There is no more impunity for senior official. This is an important step in the struggle against impunity.'²¹

3.4 Filling an Institutional Gap

The principle of state sovereignty prevents third states from directly intervening judicially in this particular state (Combacau and Sur 2012, 237-239). In other words, jurisdiction is assigned to the national judicial system, establishing a judicial sovereignty. This function is supposed to be exercised without any interference from so-called 'third states', unless the state authorises them to do so. This accounts not just for states, but also for any inter- or multinational institution. Nevertheless, international law provides circumstances in which there is the possibility to accept international intervention, such as when a particular treaty is in place (Daillier et al. 2009, 243-245). Such is the case of the ICC: according to Article 1 of the Rome Statute, the ICC 'shall be complementary to national criminal jurisdictions'.²²

In accordance with this precondition, the ICC's intervention took place in Côte d'Ivoire after the post-election crisis due to the lack of competence of national justice institutions. The interviewees for this research also acknowledged, despite the harsh critique of the ICC as an imperialistic institution, that the intervention of the ICC in Côte d'Ivoire's situation was a necessity. Indeed, a majority of the civil society activists welcomes the ICC and consider the institution as a suitable instrument to fill the judicial institutional gap after the post-election crisis. This tendency is summed up as followed:

²¹ Interview with Neth Willy Alexandre, Secretary General of LIDHO, a Human rights civil society organization, Abidjan, 20, Jun, 2016.

²² International Criminal Court. Accessed 17 March 2017. https://www.icc-cpi.int/nr/rdonlyres/ea9aeff7-5752-4f84-be94-0a655eb30e16/0/rome_statute_english.pdf.

'When the country exited from the post-election crisis, its judiciary system was not capable to deal with gross violations which occurred during a decade of military conflict. The suspicion within the system and between it and nationals was huge. We therefore advised the Government to allow the ICC to investigate. This would fill the institutional gap and insure a fair proceeding'.²³

4. Decline of the Acceptance of ICC Jurisdiction?

As 'acceptance is a dynamic process rather than a static entity',²⁴ this section analyses changes of opinion about the International Criminal Court over time. This research suggests that the attitudes towards and the acceptance of the ICC and its jurisdiction have decreased over time for two reasons: disillusionment and frustration.

4.1 Disillusionment

According to Koller (2003) and Fernandez (2014), the establishment of the ICC through the adoption of the Rome Statute raised many hopes in Côte d'Ivoire that justice would follow. The greatest hope will most likely remain the one evoked by Kofi Annan in 1998 as soon as the Statute was adopted: 'The establishment of the International Criminal Court is a gift of hope to future generations, and a giant step forward in the march towards universal human rights and the rule of law'.²⁵ The former UN Secretary-General expressed his belief in fair, impartial and universal justice; the effectiveness of the Court would therefore be recognised by all and would entail almost unanimous support and acceptance. This hope is the basis for the acceptance of the ICC, but the actual steps that the ICC took in Côte d'Ivoire after the end of the post-electoral crisis contradicts their initial faith in the Court, provoking disillusionment among the population. As expressed by a victim: 'Any judicial process is a waste of time for us and does not serve the cause of peace'.²⁶ This refers to the length of the trials as well as allegations of bias regarding the selection of the accused. As a consequence, members of civil society are especially disillusioned:

'We officially exited from a decade of military confrontation that caused serious violation to human rights. We did and I agreed that the ICC intervenes to help Ivoirians uncover the truth about what appended. The Court has launched a judiciary process but it is only interested in crimes committed by the former ruling leaders. Finally, I am disappointed and disillusioned. The ICC gives us an unfinished and bitter taste of what international criminal justice can be.'²⁷

²³ Interview with Ali Ouattara, Chairman of Ivorian Coalition for the ICC, Abidjan, 18 July 2016.

²⁴ Friederike Mieth. 2016. Acceptance of International Criminal Justice. A Review. *In After Nuremberg. Exploring Multiple Dimensions of the Acceptance of International Criminal Justice*, edited by Susanne Buckley-Zistel, Friederike Mieth and Marjana Papa. Nuremberg: International Nuremberg Principles Academy, p. 19.

²⁵ Accessed 25 January 2017. <http://www.un.org/press/en/1998/19980720.I2890.html>.

²⁶ Interview with Guea Solange, a victim association leader, Flandapleu, 30 July 2016.

²⁷ Interview with Guéi Paul, a former student leader in Abidjan, 17 June 2016.

4.2 Frustration

While disillusionment describes the experience of former expectations being unfulfilled but still open to adjustment, frustration reflects another level of rejection. As well as being disillusioned, many interviewees are frustrated, and willingness to adjust hopes and expectations towards the ICC is declining. Frustration also derives from the fact that the agenda of the Court was not clear to the interviewees. The frustration with regard to the Court's agenda is expressed as follows:

'If the Court wants to convince the ordinary citizen, its method or agenda is bad. The Court launched its proceedings in Côte d'Ivoire five years ago. Since then, three arrest warrants had been issued and they are all against one protagonist of the conflict. This is not good. Laurent Gbagbo's supporters will never hear this speech. The Court must go quickly to convince. The credibility of the institution is at stake.'²⁸

Due to their level of frustration, many of the interviewees who expressed their acceptance of the Court earlier now perceive it as an institution that carries out selective and victor's justice.

When asked to explain their frustration, interviewees presented two arguments. They first perceived the ICC as interfering in national politics to a degree that they did not expect. Second, the fact that not all members of the Security Council have ratified the Rome Statute leads to a more sceptical perception of the ICC. They believed that the membership at the ICC of permanent members of the Security Council and thus being perceived as major powers would strengthen the credibility of the ICC at domestic level. According to a cross analysis of the Rome Statute and the United Nations Charter (Haupais 2016), there might be a political strategy behind the missions of the ICC and of the Security Council. Therefore, the non-ratification by some permanent members of the Security Council raises the question of hidden agendas favouring the great powers (Aptel 2007). This is an assumption that is strongly supported throughout the interviews.

5. Alternative Models to Punitive Justice and African Dignity

Interviewees mentioned a number of reasons for their ambivalent acceptance of ICJ which can be organised in two categories: national reconciliation, and African dignity.

5.1 National Reconciliation and Healing

Many interviewees expressed a wish for a national reconciliation process to address the persistent conflict in Côte d'Ivoire. It was argued that the ICC as an organ of punitive justice is not able to contribute to reconciling the divided society. In contrast, some interviewees stated the opposite; that fair trials and justice as well as truth finding may actually contribute to a reconciliation process.²⁹ The latter view was particularly strong amongst members of civil

²⁸ Doctor Arthur Banga is a lecturer at the Department of History, University Felix Houphouët-Boigny, Abidjan. The interview took place in Abidjan, 21 August 2016.

²⁹ These diverse opinions recall the dilemma of transitional justice and its entanglements of global interventions in local situations in post-conflict societies (Jeangène Vilmer, 2011).

society, primarily of victims' organisations. According to a civil society activist, the intervention of the ICC will help heal the nation:

'Justice is precisely the social reconciliation mechanism adopted by the legislature. It is around this notion of law that the component of our society agreed. I think it is precisely because we always wanted to resolve problems outside the law that crimes persisted in our society. Unfortunately, the recent Côte d'Ivoire political history is here to support my point. Remember the various crimes from 1990 up to 2011 and I will recall the year 2000. In 2000 a mass grave was discovered in our country. Do we know the truth about this breach of human rights? Gradually, as we spanned the crimes by amnesties, the number of crimes has increased. Therefore we, human rights activists agree that today impunity is the crime of tomorrow. So, if we want to heal our nation, we should all agree on justice and especially that the ICC intervenes'.³⁰

In contrast to the majority of civil society activists, for the victims and victims' associations interviewed, the ICC cannot help to heal the nation, as a victim's association leader states:

'We are women from Flandapleu. We suffered and lost our children and husbands during the crisis. The sole wish we have is reconciliation. For this purpose, we are ready to forgive. We have no interest in any legal process, especially that of the ICC'.³¹

5.2 African Dignity

African dignity postulates the idea that the continent must make its voice heard and is respected by international institutions. It is in the pursuit of this objective that the African states have massively adhered to the Rome Statute, with a certain enthusiasm described by Mégret (2014, 31). According to the Ivorian political opposition, which evokes the idea of African dignity and recognises the jurisdiction of the Court to begin with, its initial acceptance was based on the approach of African dignity. However, the withdrawal of their confidence from the Court in the post-electoral political context is based on the same notion. This argument is summarised by Dr. Essis (2016), a lecturer in the Department of Political Science at the Faculty of Law of the University of Félix Houphouët-Boigny in Abidjan. According to him, the ICC is in an

'Inquisitorial logic [which] reveals a judicial persecution of the anti-imperialist Africans as well as a politico-judicial collusion between it and the African elites acquired for the cause of Western imperialism.'

This argument echoes those of African presidents in what Vilmer (2014, 13) calls the 'sling' against the ICC. For the Ivorian opposition, the ICC practises a policy of 'double standards' with Africans and in Côte d'Ivoire, so that African dignity would make a withdrawal of the initial acceptance of the ICC necessary. In the interviews conducted the same argument has been stated for different purposes. Justifying this change, intellectuals from the opponent political party stated:

³⁰ Interview with Neth Willy Abraham.

³¹ Interview with Guea Solange, a victim association leader, Flandapleu, 30 July 2016.

'Our initial acceptance of the ICC was part of our adherence to a universal civilisation in the fight against impunity. Now that the ICC shows its true face, we can no longer accept it as a credible jurisdiction. Furthermore, as Africans, we share the dominant opinion of African Union, which is to withdraw from the ICC.'³²

6. Conclusion

Undertaking this research in the context of the ongoing ICC proceedings in Côte d'Ivoire revealed two attitudes. Some interviewees were concerned that their thoughts and political opinions may become known by the opposition. Others saw the research as an opportunity to express their opinion on the ICC, hoping to gain some influence on its proceedings. Unfortunately, the current ruling party was reluctant to take part in the research so that opinions are not reflected in this study. The strongest reply was from a victims' representative who stated that even though the ICC claims to work mainly for the victims of violent conflicts, he felt that victims, in particular, were 'left out'.

Regarding the insights gleaned in this study, even though there was initial support for the ICC intervention and trust in its ability to fairly prosecute atrocities committed after the 2010 elections, this disappeared after lengthy processes in The Hague and reflections on the Court's role in Africa. An important point of contention was the allegation that the ICC is selective in those it indicts since so far only three people have been charged and they all belong to one party to the conflict. The current government has so far not been held responsible for its actions during the post-election crises, leading to frustration amongst political opponents. Since trials are still ongoing it will be interesting to show how they develop, what verdicts the Court issues, and how this is perceived and accepted by various interest groups in Côte d'Ivoire.

³² Interview with Panel of members of the Front Populaire Ivoirien, an opponent political party, Abidjan, 21 August 2016.

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