FREEDOM IN THE WORLD 2020

Côte d’Ivoire

PARTLY FREE

<table>
<thead>
<tr>
<th>Category</th>
<th>Score</th>
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<tbody>
<tr>
<td>Political Rights</td>
<td>19/40</td>
</tr>
<tr>
<td>Civil Liberties</td>
<td>32/60</td>
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LAST YEAR’S SCORE & STATUS

51/100  Partly Free

Global freedom statuses are calculated on a weighted scale. See the methodology.
Overview

Côte d’Ivoire continues to recover from an armed conflict that ended in 2011. While security concerns and interference by security forces can constrain freedoms of expression and association, these are generally upheld. However, splits in the ruling coalition and unrest within the armed forces threaten stability. Several root causes of the country’s violent conflict remain, including ethnic and regional tensions, land disputes, corruption, and impunity. Women are significantly underrepresented in politics.

Key Developments in 2019

- In January, the International Criminal Court (ICC) acquitted former president Laurent Gbagbo of crimes against humanity over violence that occurred during the 2010–11 postelection conflict; he was conditionally released into Belgium in February. In September, prosecutors filed an appeal against the verdict.
- In June, the government adopted a new criminal code that restricts the dissemination of “fake news,” criminalizes offending the president or vice president, and includes one- to three-year prison sentences for organizing unauthorized assemblies.
- A new law on marriage, approved in July, improved property rights for women and established a minimum age for marriage of 18, but also explicitly banned same-sex marriage.
- In late December, the government issued an arrest warrant against former National Assembly speaker and opposition leader Guillaume Soro, alleging embezzlement and involvement in a coup plot. Soro avoided arrest when his flight was diverted to Ghana and then to the Canary Islands; he remained abroad at year’s end.

Political Rights
A. Electoral Process

A1 0-4 pts

Was the current head of government or other chief national authority elected through free and fair elections?  

The president is directly elected to a five-year term, and will be subject to a two-term limit after the 2020 election. Alassane Ouattara won the 2015 presidential election in the first round.

Despite tensions and some government crackdowns on opposition rallies in the lead-up, the election itself was deemed credible by international and domestic observers, and was the first peaceful presidential election in Côte d’Ivoire in over two decades. Ouattara, who is currently serving his second term, previously claimed that the 2016 constitution permits him to run for a third in 2020.

The prime minister is the head of government, is appointed by the president, and is responsible for designating a cabinet, which is also approved by the president. Amadou Gon Coulibaly was appointed prime minister in early 2017, after the ruling coalition’s victory in the 2016 legislative polls.

A2 0-4 pts

Were the current national legislative representatives elected through free and fair elections?  

The bicameral parliament consists of a 255-seat lower house, the National Assembly, and a 99-seat Senate, which was envisaged by the 2016 constitution and seated in March 2018. National Assembly members are directly elected to five-year terms. Of the Senate’s 99 seats, 66 are indirectly elected by the National Assembly and members of various local councils, and 33 members are appointed by the president; all members serve five-year terms.
The members of the current National Assembly were directly elected in credible, largely peaceful polls held in 2016. The Rally of Houphouëtists for Democracy and Peace (RHDP) won 167 seats. Independent candidates took the majority of the remaining seats. In the 2018 Senate election, RHDP candidates won 50 of the 66 elected seats, and independent candidates took the remaining 16; the opposition boycotted the vote over allegations of bias by the Independent Electoral Commission (CEI), as well as over claims that the CEI’s establishment would help Ouattara consolidate power. (The opposition previously boycotted the referendum on the draft constitution that established the CEI.)

A3  0-4 pts

Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies?  

2/4

In 2016, the African Court on Human and People’s Rights ruled that the CEI was biased in favor of the government and ordered amendments to the electoral law. In 2018, President Ouattara conceded to the CEI’s reorganization. In July and August 2019, those amendments, which increased the number of civil society members in the CEI from four to six, were passed by the National Assembly and Senate respectively. While the African Union (AU) praised the reforms, civil society criticized them, warning that the government would still exert influence due to its continued ability to nominate members. Opposition parties were similarly critical, with two parties declining to nominate CEI members in September.

B. Political Pluralism and Participation

B1  0-4 pts

Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free

2/4
of undue obstacles to the rise and fall of these competing parties or groupings?

The Ivorian constitution permits multiparty competition, and recent presidential and legislative elections have been contested by a large number of parties and independent candidates. The ruling RHDP, dominated by Ouattara’s Rally of the Republicans (RDR), holds a virtual lock on political power, but has faced increased competition in recent years. In 2018, the Democratic Party of Côte d’Ivoire (PDCI) of former president Henri Konan Bédié split with the coalition after disagreement over the RHDP’s 2020 presidential nominee; a faction of PDCI candidates ran against the RHDP in the 2018 municipal elections. In February 2019, former rebel commander and former premier Guillaume Soro resigned as National Assembly speaker. He later formed the Generations and People in Solidarity (GPS) party, and declared his presidential candidacy in October.

High-ranking opposition members faced apparent government reprisals in 2019, however. In January, legislator Alain Lobognon, a Soro ally, was convicted of disclosing “fake news” when he claimed that police planned on imprisoning another opposition politician over corruption; he was given a suspended six-month sentence after an appeal later in the year. In September, PDCI vice president and cocoa magnate Jacques Mangoua was arrested after weapons were discovered at his residence; Mangoua was given a five-year prison sentence in October. His family and the PDCI denounced the arrest as politically motivated.

In late December, the government issued an arrest warrant for Soro, accusing him of embezzlement and spearheading an attempted coup. Soro avoided arrest when his flight to Côte d’Ivoire was diverted to Ghana; he later flew to the Canary Islands after Ghanaian authorities denied him permission to disembark. However, 17 supporters, including 5 legislators, were arrested in Côte d’Ivoire.

Is there a realistic opportunity for the opposition to increase its support or gain power through elections?
The Ivorian Popular Front (FPI) of former president Gbagbo holds seats in parliament but is relatively weak and disorganized. The FPI has been split between two factions; one called for election boycotts while Gbagbo was in ICC custody, while the other was relatively moderate.

While the RHDP posted the strongest performance in the 2018 municipal elections, the PDCI won control of a handful of key municipalities, including the business district of Abidjan.

**B3 0.4 pts**

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<th>Are the people’s political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapoliical means?</th>
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Recent elections have been generally free from extensive voter intimidation or harassment. However, leaders within the military, especially former rebel commanders, are viewed as having significant political influence in the country.

Tensions ahead of the 2018 municipal polls contributed to unease among voters, with the split between the RHDP and PDCI prompting concerns that the polls would be accompanied by violence. Separately, there were some reports of candidates handing out cash to voters.

**B4 0.4 pts**

<table>
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<th>Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities?</th>
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Citizenship has been a source of tension since the 1990s, when Ivorian nationalists adopted former president Bédié’s concept of “Ivoirité” to exclude perceived foreigners, including Ouattara, from the political process. A law relaxing some conditions for citizenship went into effect in 2014 but its application remains uneven. Hundreds of thousands of individuals, mostly northerners, lack documentation.
Women are poorly represented in the parliament, holding 12 percent of seats in the National Assembly and 19 percent in the Senate at year’s end. After Ouattara’s September 2019 cabinet reshuffle, a total of 8 women were part of a 49-seat cabinet.

A north-south, Muslim-Christian schism has been a salient feature of Ivorian life for decades, and was exacerbated by the 2002–11 crisis. However, the schism has since receded, and the current coalition government includes Muslims and Christians.

**C. Functioning of Government**

**C1  0-4 pts**

| Do the freely elected head of government and national legislative representatives determine the policies of the government? | 2/4 |

Though defense and security forces are nominally under civilian control, problems of parallel command and control systems within the armed forces, known as the Republican Forces of Côte d’Ivoire (FRCI), remain significant. In 2016, the government instituted a law meant to reduce the size of the officer corps and refine the military’s command structure, but these changes have largely gone unimplemented.

Additionally, after several years of relative calm, military mutinies in 2017 exposed the fragility of the civilian government’s control over the state armed forces. Civilian control was tested again in September 2019, when special forces members scuffled with Abidjan police in an effort to free an arrested colleague; this incident ended without violence, however.

Nonstate armed actors and former rebels enjoy significant influence, especially in the north and west.

**C2  0-4 pts**

| Are safeguards against official corruption strong and effective? | 1/4 |
Corruption and bribery remain endemic, and particularly affect the judiciary, police, and government contracting operations. Petty bribery also hampers citizens’ access to services ranging from obtaining a birth certificate to clearing goods through customs. A public anticorruption body, the High Authority for Good Governance (HABG), was established in 2013, but is considered ineffective. Perpetrators at all levels seldom face prosecution.

**C3  o-4 pts**

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<th>Does the government operate with openness and transparency?</th>
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The government generally awards contracts in a nontransparent manner. Access to up-to-date information from government ministries is difficult for ordinary citizens to acquire, although some ministries do publish information online. In 2013, the National Assembly passed an access to information law, but enforcement has been inconsistent. The HABG requires public officials to submit asset declarations, but this is not well enforced.

**Civil Liberties**

**D. Freedom of Expression and Belief**

**D1  o-4 pts**

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<th>Are there free and independent media?</th>
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Conditions for the press have improved since the end of the 2010–11 conflict, and incidents of serious violence against journalists are rare. However, journalists face intimidation and occasional violence by security forces in connection with their work.
Most national media sources, especially newspapers, exhibit partisanship in their news coverage, consistently favoring either the government or the opposition.

In May 2019, GPS leader Soro filed a criminal defamation complaint against Sidi Tehra, director of weekly newspaper *L’Essor Ivoirien*, over an article claiming that Soro was distributing arms in the north. A hearing was scheduled for late May, but was postponed; the matter remained pending at year’s end. In June, Côte d’Ivoire adopted a new criminal code restricting dissemination of “fake news” and criminalizing “offense to the president or vice president.”

**D2** 0-4 pts

| Are individuals free to practice and express their religious faith or nonbelief in public and private? | 3/4 |

Legal guarantees of religious freedom are typically upheld. Relations between Muslims and Christians were exacerbated by the 2002–11 crisis, but tensions have largely receded. In May 2019, police closed Danané’s great mosque, after the supporters of two imams vying for its leadership clashed.

**D3** 0-4 pts

| Is there academic freedom, and is the educational system free from extensive political indoctrination? | 3/4 |

Public universities were closed and used as military bases during the 2010–11 conflict, and now suffer from a lack of adequate resources and facilities. However, academic freedom is usually upheld. Classes were disrupted when teachers and university lecturers launched a nationwide strike over salaries, bonuses, and housing aid in late January 2019; the strike was suspended in March when unions held talks with the government.

**D4** 0-4 pts

| Are individuals free to express their personal views on political or other | 3/4 |
People are generally free to engage in political discussion and debate without fear of harassment or detention. However, the legacy of violent conflict can serve to restrain public debate of some topics.

E. Associational and Organizational Rights

**E1 0-4 pts**

Is there freedom of assembly?

While the constitution protects the right to free assembly, the government has attempted to restrict or forcibly disperse peaceful gatherings; violence between demonstrators and police has erupted. Freedom of assembly was also restricted by June 2019 criminal code revisions, which include one- to three-year prison sentences for organizing “undeclared or prohibited” assemblies.

Despite risks and restrictions, several notable protests and demonstrations took place during 2019, with police using force to respond. Ivorian students rallied for the resumption of classes in Abidjan in March, as a nationwide teachers’ strike continued. Police used tear gas and water cannons to disperse a late-March student rally in the city. In July, the government detained five activists who visited the CEI to meet with officials, and were released within two days. Local authorities previously denied their request to hold a sit-in protest over bias accusations. In early October, police fired on protesters demonstrating against the arrest and conviction of PDCI vice president Mangoua in the city of Bouaké; one person was killed in unclear circumstances, and several were injured. Supporters of GPS leader Soro protested his diversion to Ghana in a December rally in Abidjan; police used tear gas to disperse them.

**E2 0-4 pts**
Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work?

Domestic and international nongovernmental organizations (NGOs) are generally free to operate. However, poor security conditions—especially in north and west—are a constraint for some organizations.

E3  0-4 pts

Is there freedom for trade unions and similar professional or labor organizations?

The right to organize and join labor unions is constitutionally guaranteed. Workers have the right to bargain collectively. Côte d’Ivoire typically has various professional strikes every year, though sometimes strikes have become violent. Teachers and university lecturers held a nationwide strike over salaries, bonuses, and housing aid from January through March 2019.

F. Rule of Law

F1  0-4 pts

Is there an independent judiciary?

The judiciary is not independent, and judges are highly susceptible to external interference and bribes. Processes governing the assignment of cases to judges are opaque.

F2  0-4 pts

Does due process prevail in civil and criminal matters?

1/4
The constitution guarantees equal access to justice and due process for all citizens, but these guarantees are poorly upheld in practice. The state struggles to provide attorneys to defendants who cannot afford legal counsel. Security officials are susceptible to bribery and are rarely held accountable for misconduct. Prolonged pretrial detention is a serious problem for both adults and minors, with some detainees spending years in prison without trial. In late 2018, the lower house adopted a new Code of Criminal Procedure that included a circuit of criminal courts to address the backlog; the code remained pending at the end of 2019.

**F3 0-4 pts**

| Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? | 2/4 |

Physical violence against civilians in the form of extortion, banditry, and sexual violence, sometimes perpetrated by members of the state armed forces, remain common. Disputes over land use and ownership between migrants, and those who claim customary land rights, sometimes turn violent. In May 2019, interethnic clashes occurred between Baoulé and Malinké communities near the town of Béoumi, resulting in 14 deaths.

The country’s prisons are severely overcrowded, and incarcerated adults and minors are not always separated.

Concerns about impunity, victim’s justice, and reconciliation have persisted after the close of the 2010–11 conflict. To date, only a handful of individuals have been put on trial for crimes committed during that period, and most prosecutions have focused on figures associated with Gbagbo. In a 2018 move he said was meant to foster reconciliation, Ouattara pardoned 800 people accused or convicted of committing violent acts during the 2010–11 conflict, including former first lady Simone Gbagbo.

In January 2019, the ICC acquitted former president Gbagbo of crimes against humanity during the 2010–11 conflict, and Gbagbo was conditionally released in Belgium in February; prosecutors filed an appeal in September. The ICC has said it is
investigating pro-Ouattara actors for crimes committed by former rebels, but it has only filed charges against pro-Gbagbo defendants so far.

**F4  0-4 pts**

| Do laws, policies, and practices guarantee equal treatment of various segments of the population? | 2/4 |

Same-sex activity is not criminalized in Côte d’Ivoire, but LGBT+ people have faced prosecution under criminal code language banning acts of “public indecency.” This language was removed in June 2019, but the new code contains references to “unnatural acts” and “moral sensitivity.” No law prohibits discrimination based on sexual orientation. LGBT+ people face societal prejudice as well as harassment by state security forces.

Intercommunal tensions over land rights frequently involve migrants from neighboring countries, who sometimes experience violent intimidation.

**G. Personal Autonomy and Individual Rights**

**G1  0-4 pts**

| Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? | 2/4 |

Freedom of movement has improved since 2011. However, irregular checkpoints and acts of extortion continue in some areas, particularly in the west and north, and near gold and diamond-producing regions. The government’s efforts to combat these practices have been undermined by inconsistent financial support and a failure to investigate and prosecute perpetrators. Women are generally afforded equal freedom of movement, though risks of insecurity and sexual violence hinder this in practice.
**G2** 0-4 pts

Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors?

Citizens have the right to own and establish private businesses, and the country has attracted significant investment since 2011. However, property and land rights remain weak, especially in the west, where conflict over land tenure remains a significant source of tension. Under a new marriage law passed in July 2019, women are legally entitled to use inherited property as collateral for loans.

**G3** 0-4 pts

Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance?

Women suffer significant legal and economic discrimination, and sexual and gender-based violence are widespread. Impunity for perpetrators also remains a problem, and when it is prosecuted, rape is routinely reclassified as indecent assault. Costly medical certificates are often essential for convictions, yet are beyond the means of victims who are impoverished.

Child marriage is historically widespread, though the July 2019 marriage law set the minimum age for marriage at 18 for both sexes. Customary and religious marriages, which are more common outside urban areas, were not affected by the law. The July 2019 law also banned same-sex marriage.

**G4** 0-4 pts

Do individuals enjoy equality of opportunity and freedom from economic exploitation?

2/4
Despite efforts by the government and international industries in recent years to counter the phenomenon, child labor is a frequent problem, particularly in the cocoa industry. Human trafficking is prohibited by the new constitution, but government programs for victims of trafficking—often children—are inadequate.

On Côte d’Ivoire
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Country Facts

Global Freedom Score
51/100  Partly Free

Other Years

2019

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