



FREEDOM IN THE WORLD 2021

Côte d'Ivoire

PARTLY FREE

44

/100

<u>Political Rights</u>	16 /40
<u>Civil Liberties</u>	28 /60

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. Several root causes of the country's violent conflict remain, including ethnic and regional tensions, land disputes, corruption, and impunity. While civil liberties were better protected in recent years, an outbreak of election-related violence in 2020 brought significant setbacks. Women are significantly underrepresented in politics.

Key Developments in 2020

- At least 22,000 people contracted and 130 people died from COVID-19 in Côte d'Ivoire during the year. The government declared a state of emergency in response to the pandemic, and took advantage of the crisis to change the electoral code by emergency decree.
- In July, former prime minister and presidential candidate Amadou Gon Coulibaly died suddenly, prompting President Ouattara, a member of the same party, to step in as the presidential candidate despite having assured the opposition that he would not run for a third term. Ouattara won the election in October though it was neither free nor fair, was marred by violence, and was boycotted by the opposition.
- In November, security forces raided the homes of multiple opposition party leaders, arrested and detained over 20 people on charges of conspiracy and sedition, and held some incommunicado for several days.
- From August through November, opposition supporters, progovernment supporters, and militias armed with machetes and guns clashed on the streets in several towns and cities, claiming over 80 lives and prompting more than 3,000 people to flee the country.

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?

2/4

The October 2020 presidential election was neither free nor fair. Former prime minister and presidential candidate of the Rally of the Houphouëtists for Democracy and Peace (RHDP) Amadou Gon Coulibaly died unexpectedly in July 2020. President Alassane Ouattara, who had spent two five-year presidential terms in office, reversed his previous decision not to run and was nominated in August by the RDHP, which claimed Ouattara was eligible for two more terms because the 2016 Constitution's two-term limit was adopted after Ouattara's second election; some critics charged that Ouattara had moved forward with the new constitution to enable his third term. His nomination was met by major protests from opposition parties.

The Constitutional Council rejected 40 of the 44 candidates for the presidential election and validated the candidacy of only four individuals: Alassane Ouattara, Henri Konan Bédié, Pascal Affi N'Guessan, and Bertin Konan Kouadio. Rejected candidates were unable to appeal the Council's decisions, and the government ignored a ruling from African Court of Human and People's Rights (ACHPR) to allow prominent opposition leader Guillaume Soro and former president Laurent Gbagbo to run. Several leading opposition parties, including those of Soro and Gbagbo, refused to participate in the polls and called for a boycott of and protests against the election. The government banned all public demonstrations throughout the election period, and those that occurred were met with violence. The campaign period itself was marred by instances of violence between progovernment and antigovernment supporters, resulting in dozens of deaths.

The opposition boycotted the October election outright, while many would-be voters were prevented from casting ballots due to security concerns. Ouattara won the poll with 94 percent of the vote, according to the government, which put turnout at 54 percent. These numbers were contested by independent observers from the Electoral Institute for Sustainable Democracy in Africa (EISA), which reported that only 54 percent of polling stations opened and only 41 percent of voter cards were distributed before the vote. The group also said the electoral roll had issues with the comprehensiveness of its data, and included a large number of deceased individuals, and that the election commission lacked transparency and heavily favored the ruling party in administering the election.

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. In July 2020 after the death of Coulibaly, Hamed Bakayoko was appointed prime minister.

Score Change: The score declined from 3 to 2 because the incumbent president was elected in a contest that featured restrictions on the opposition that resulted in a boycott, and was marred by state and nonstate violence throughout the campaign period and after.

A2 0-4 pts

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

2/4

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 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?

1/4

In 2016, the ACHPR ruled that the CEI was biased in favor of the government and ordered amendments to the electoral law. President Ouattara conceded to the CEI's reorganization, increasing the number of civil society members in the CEI from four to six by parliamentary amendment in 2019. Civil society criticized the reforms, warning that the government would still exert influence due to its continued ability to nominate members, and changes that could make the body more independent were only partially implemented. Recent allegations of irregularities in CEI appointment and other procedures and related changes in staff, as well as

opposition boycotts of staffing processes for district-level posts, have left the CEI mostly run by members of the ruling party.

In April 2020, the government amended the electoral code by emergency executive ordinance—enabled because of the COVID-19 pandemic’s state of emergency measures—without consultation with the election’s participants. The updated electoral roll was opaque and regionally unbalanced, and the CEI refused to report detailed data and submit to an independent audit.

Score Change: The score declined from 2 to 1 because changes to the country’s electoral code were made by executive decree, and because the election commission operates opaquely, in the general absence of oversight by opposition-appointed members.

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

2/4

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.

B2 0-4 pts

Is there a realistic opportunity for the opposition to increase its support or gain

power through elections?**2/4**

The Ivorian Popular Front of former president Gbagbo holds seats in parliament, but it is relatively weak, has strong internal divisions, and is disorganized. The Ivorian Popular Front (FPI) has been split into two factions; one that is directly attached to Gbagbo and another that is more moderate. Each faction put forward a candidate in the 2020 presidential elections, though only the moderate faction's N'Guessan was allowed to run.

In August 2020, the Constitutional Council rejected the candidacy of 40 of the 44 parties and individuals who submitted a nomination for the presidential election, including Soro and former president Laurent Gbagbo. International observer missions noted there was no appeals process for the rejected candidates to have their candidacy recognized, and that the election was not genuinely competitive. The government ignored the ACHPR's ruling to accept Soro's and Gbagbo's candidacies.

The opposition largely boycotted the October 2020 presidential elections. After election day, security forces arrested and detained opposition figures, and some were prevented from contacting a lawyer or their families. Opposition leaders including N'Guessan and dozens of opposition party members were detained at the house of Henri Konan Bédié, allegedly for "conspiracy" and "sedition." N'Guessan was detained and held incommunicado for over 60 hours. Between August and October, police arrested over 40 political dissidents, mainly for their participation in protests.

B3 0-4 pts

Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means?

1/4

Individuals faced intimidation, threats, and physical violence when participating in the 2020 presidential election. Opposition parties boycotted the polls and staged multiple marches, sit-ins, and demonstrations leading up to election day in October, despite the government's ban on all protests from August through October. Security forces used violence to disperse protesters, killing several demonstrators during the campaigning period. Members of leading civil society institutions, like academics, suggested that participating in public debate about the elections would be seen as protest by their superiors.

Supporters of the opposition faced threats from the police and the military, who further failed to keep citizens safe during and after election day. More than 50 people were killed by militia members who attacked citizens with impunity. Opposition and government supporters clashed on the streets with machetes, clubs, and hunting rifles in Abidjan and at least eight other towns.

Score Change: The score declined from 2 to 1 because voters faced intimidation from police forces, the military, and heads of academic institutions who supported the president, reducing people's ability to make independent political choices.

B4 0-4 pts

Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities?

2/4

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 in the parliament, holding 12 percent of seats in the National Assembly and 19 percent in the Senate at year's end.

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 government coalition includes Muslims and Christians. Political parties are not ethnically homogenous—Côte d'Ivoire comprises people from more than 60 ethnicities—though each tends to be dominated by specific ethnic groups.

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

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.

C2 0-4 pts

Are safeguards against official corruption strong and effective?	1/4
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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 0-4 pts

Does the government operate with openness and transparency?	1/4
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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 0-4 pts

Are there free and independent media?

2/4

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. Many journalists were arrested, detained, and beaten by police while covering protests and violence during and after the 2020 election period.

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, and individuals are free to practice their faith in public and private. 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?

2/4

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. 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 that March when unions held talks with the government.

Academics faced threats and intimidation if they addressed or critiqued the ruling party and other politically sensitive topics during the 2020 election cycle. Legal scholars were unable to organize a public debate on the constitutionality of President Ouattara's third term, as many feared their participation would be considered a form of illegal protest. Individuals at institutions with leadership that support the ruling party engaged in self-censorship.

Score Change: The score declined from 3 to 2 due to a widespread perception among professors and students that debating sensitive political topics involving the 2020 election would be met with retaliation from the government.

D4 0-4 pts

Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution?

2/4

Though people are free to engage in political discussion and debate, politics and the ruling party became dangerous topics during the 2020 election cycle. During and after the elections, militias and unknown actors attacked opposition supporters demonstrating and meeting during the opposition's boycott of the election. Security forces largely overlooked the violence against opposition supporters, which discouraged individuals from openly expressing their political views.

Score Change: The score declined from 3 to 2 because Ivorians engaged in self-censorship due to concerns about harassment or retaliation by the government and militia forces during the election period.

E. Associational and Organizational Rights

E1 0-4 pts

Is there freedom of assembly?

1/4

Freedom of assembly was restricted by June 2019 criminal code revisions, which include one- to three-year prison sentences for organizing “undeclared or prohibited” assemblies and a vague definition of “public order” that can be broadly interpreted by authorities.

President Ouattara banned public demonstrations and protests throughout the 2020 election period. Police violently dispersed protests and other acts of civil disobedience that stemmed from the opposition’s election boycott. Armed militias brutally attacked unarmed protesters throughout the election period with impunity. Progovernment groups and opposition supporters frequently clashed. Over 50 people were killed because of violence at public demonstrations.

Score Change: The score declined from 2 to 1 because police forces allowed armed militias to attack peaceful protesters who opposed President Ouattara’s reelection.

E2 0-4 pts

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

2/4

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.

In 2020, authorities arrested many activists, including several well-known leaders of the Alternative Citoyenne Ivoirienne (ACI), on a range of illegitimate charges, from “undermining public order” to “undermining national defense.” Those arrested had been critical of Ouattara’s candidacy for president.

Score Change: The score declined from 3 to 2 because the government targeted leaders and members of governance-oriented NGOs with arrest and detention during the election cycle.

E3 0-4 pts

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

3/4

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?	1/4
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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. The judiciary was fully mobilized to support President Ouattara's third term.

F2 0-4 pts

Does due process prevail in civil and criminal matters?	1/4
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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.

F3 0-4 pts

Is there protection from the illegitimate use of physical force and freedom from war and insurgencies?	2/4
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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. The country's prisons are severely overcrowded, and incarcerated adults and minors are not always separated.

Concerns about impunity, victor'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 2018, Ouattara pardoned 800 people accused or convicted of committing violent acts during the 2010–11 conflict, including former first lady Simone Gbagbo, ostensibly to foster reconciliation. In January 2019, the International Criminal Court acquitted former president Gbagbo of crimes against humanity during the 2010–11 conflict, and Gbagbo was conditionally released.

In November 2020, the United Nations reported that over 3,000 people fled Côte d'Ivoire because of postelection violence.

F4 0-4 pts

Do laws, policies, and practices guarantee equal treatment of various segments of the population?

2/4

Same-sex relations are not criminalized in Côte d'Ivoire, but LGBT+ people can face prosecution under criminal code language amended in 2019 that references “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?

2/4

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. Migrants may be discriminated over land issues even though they have legal documents of their property title.

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?

1/4

Women suffer significant legal and economic discrimination, and sexual and gender-based violence are widespread. Legal protections from gender-based violence are weak and are often ignored. 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, 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
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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

44/100 Partly Free

Other Years

2020

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