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## Cote d'Ivoire

### Country Reports on Human Rights Practices - [2005](#)

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Cote d'Ivoire is a democratic republic with an estimated population of 18 million. Laurent Gbagbo, candidate of the Ivorian People's Front (FPI), became the country's third elected president in 2000. The election, which excluded two of the major parties, the Democratic Party of Cote d'Ivoire (PDCI) and the Rally for Republicans (RDR), was marred by significant violence and irregularities. The Supreme Court declared Gbagbo the victor with 53 percent of the vote. In September 2002 exiled military members and coconspirators simultaneously attacked government ministers and military/security facilities in Abidjan, Bouake, and Korhogo. The failed coup attempt evolved into a rebellion and split the country in two. Rebel "New Forces" (NF) retained control of the northern 60 percent of the country, while the government controlled the slightly smaller but more populous south.

In 2003 the political parties signed the French-brokered Linas-Marcoussis Accord (Marcoussis Accord), agreeing to a power-sharing government with rebel representatives. The government made little progress on the implementation of the Marcoussis Accord, and the NF suspended its participation in the Disarmament, Demobilization, and Reintegration (DDR) program. In February 2004 UN Resolution 1528 approved the UN Operation in Cote d'Ivoire (ONUCI) deployment of six thousand peacekeeping troops, joining the French Licorne force of four thousand. President Gbagbo and opposition political leaders signed subsequent peace accords, including Accra III (July 2004), the Pretoria Agreement (April 6, 2005), and Pretoria II (June 29, 2005), but the political process remained stalled. By the end of September, little work had been completed to prepare for the scheduled October 30 elections, and disarmament of the NF had not begun. On October 6, the African Union (AU) extended Gbagbo's term in office by up to one year and called for a new prime minister. On December 4, the AU designated Charles Konan Banny, a PDCI member and governor of the West African Central Bank, as the new prime minister. Civilian authorities in government- and NF-controlled zones generally did not maintain effective control of the security forces.

The government's human rights record remained poor. The continuing political instability and uncertainty leading up to the end of President Gbagbo's mandate increased tensions throughout the country. The following human rights problems were reported:

- restriction of citizens' right to change their government
- arbitrary and unlawful killings by security forces, progovernment militias, and student groups
- disappearances
- torture and other cruel, inhuman, or degrading treatment and punishment by security forces and progovernment militias and a student group
- deplorable prison and detention center conditions
- security force impunity
- arbitrary arrest and detention
- denial of fair public trial
- arbitrary interference with privacy, family, home, and correspondence
- police harassment and abuse of noncitizen Africans
- use of excessive force and other abuses in internal conflicts
- restrictions on freedoms of speech, press, peaceful assembly, association, and movement
- corruption
- discrimination and violence against women
- female genital mutilation (FGM)
- child abuse and exploitation
- trafficking in persons
- forced labor, including by children
- child labor, including hazardous labor

The NF's human rights record was extremely poor. Rebels in the north summarily executed persons, killed civilians, arbitrarily arrested and detained persons, and conducted arbitrary ad hoc justice. However, unlike in the previous year, the NF allowed citizens access to news aired in the south and improved freedom of movement. There were fewer reports of the enrollment of child soldiers, and many were released. Unlike in the previous year, no mass graves were found in rebel-held territory.

### RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person, Including Freedom From:

#### a. Arbitrary or Unlawful Deprivation of Life

Security forces committed extrajudicial killings, some of which were believed to be politically and ethnically motivated (see section 1.g.). There continued to be reports that government-linked "death squads" and irregular forces (Liberian fighters, Liberian refugees, and civilians with ethnic ties to Liberia) committed extrajudicial killings. Security forces frequently resorted to lethal force to combat widespread crime. Rebel forces in the north also committed extrajudicial killings (see section 1.g.).

There continued to be numerous reports of progovernment militia groups operating in Abidjan during the year.

There were credible reports of more than 200 cases in which security force use of excessive force resulted in deaths. Such cases often occurred when security forces apprehended suspects or tried to extort money from taxi drivers and merchants. For example, on January 13, security forces shot and killed two taxi drivers in Adjame for refusing to stop at a roadblock. The National Armed Forces (FANCI) published an apology and announced that an investigation would be opened; however, no action had been taken by year's end.

On February 17, forestry officials began implementing a government directive to forcefully evict persons illegally occupying the National Marahoue Park in Bouafle. More than one hundred villagers were arrested for trespassing and detained in Bouafle prison. Some of the arrestees had pepper sprinkled in their eyes, were made to walk over hot coals, and were beaten and forced to pay approximately \$200 (100 thousand CFA) for their release. On February 22, 12 persons died from their injuries, and on February 27, another detainee died. By year's end 32 officials had been brought before judicial authorities.

On February 24 and 25, police officers from the Criminal Investigation Department (CID) shot and killed 18 persons in revenge for the February 23 killing of a police officer by 4 armed robbers, 2 of whom were FANCI soldiers. Eyewitnesses told journalists that the police officers were hooded and 14 of the persons were summarily executed.

On June 28, security forces arrested and beat Colonel Jules Yao Yao, retired General Laurent M'Bahia Kouadio, and Major Colonel Bakassa Traore after they attended a dinner hosted by the French Ambassador. On July 3, Traore died possibly as a result of his injuries. FANCI's chief of staff charged that Traore died as a result of a preexisting medical condition.

During the year there were numerous killings committed by members of the Security Operations Command Center (CECOS), an anticrime organization formed in July and staffed by police, gendarmerie, and FANCI officers. Between August 12 and October 4, CECOS killed 14 suspected criminals. There also were reports that the summary execution of thieves in Abidjan increased after the formation of CECOS. CECOS personnel also were accused of human rights violations, racketeering, extortion, and harassment. On September 21, the commanding officer in charge of CECOS announced that 75 CECOS officers had been sent back to their original posts due to misconduct.

On July 24, unidentified armed men allegedly attacked gendarmerie and police in Anyama, a suburb of Abidjan inhabited by northerners and citizens from Mali, Burkina Faso, and Guinea; nine persons were killed, including five gendarmes. The fighting subsequently spread to Agboville, Azaguie, Bongonanou, and Dimbokro. Security forces arrested 61 persons, primarily noncitizens. Seventeen were eventually released while 44 awaited trial. The government prevented neutral observers from entering the area of conflict for several days, but the ONUC commander finally allowed to enter Anyamma and Agboville reported that he did not detect evidence of fighting. The media charged that the government had staged the incident to slander the rebels and incite hatred against foreigners, who often were accused of conspiring with the NF.

On March 29, the military tribunal sentenced Sebastien N'Dri to 10 years' imprisonment for the 2004 killing a French peacekeeper in Yamoussoukro.

On October 17, the French defense minister in Paris suspended General Henri Poncet, force commander of the Licorne from May 2004 until June, for allegedly covering up the death of Firmin Mahe, a detainee. On May 13, French Licorne forces allegedly attempted to apprehend Mahe near the village of Tah. Mahe reportedly shot and injured one of the soldiers, who subsequently suffocated Mahe and covered up the circumstances of his death.

There were no developments in the following 2004 killings by security forces: the January killing of a truck driver who protested the confiscation of his vehicle documents; the March killing of a driver near the market of Yopougon Wassakara; the August killing of a street vendor; and the October killing of a gardener by armed men in fatigues.

Unlike in the previous year, no journalists or demonstrators were killed by security forces; however, some sustained injuries from security force abuse (see sections 2.a. and 2.b.).

During the year the government released many of the bodies of more than 100 demonstrators who were killed in March 2004 as a result of security force use of lethal force. On the day of the mass funeral, the government buried the two police officers also killed during the demonstration, posthumously awarded a medal to each, and gave the officers' families \$14 thousand (8 million CFA). The parliamentary commission formed by the government to investigate the incident had not released its report at year's end.

There were no developments in the June 2004 lynching of communist party leader Abib Dodo by the Federation of Ivoirian Students (FESCI), the pro-Gbagbo student group created in the early 1990's.

There were no developments in other 2004 or 2003 security force killings.

In the western part of the country, there were reports of atrocities including killings, rapes, and looting, by progovernment militias and others

(see section 1.g.).

There were numerous reports of conflict between the local population and Burkinabe farmers, whom the locals expelled from their farms (see section 5).

There were numerous incidents of ethnic violence that resulted in deaths (see section 5).

#### b. Disappearance

There were reports of disappearances, although fewer than in previous years. Several members of the opposition, journalists, and ordinary citizens remained missing at year's end. There were unconfirmed reports that security forces abducted citizens and foreigners, forced them to work, and subsequently released them.

In October Amadou Dagnogo, the journalist who disappeared in 2004 in Bouake, an NF stronghold and the largest city in the north, reappeared in Man, a city in the western region. Dagnogo claimed that he escaped the NF and reached Man with the help of family and friends. The NF denied kidnapping the journalist and charged he was evading debtors.

There were no developments in the April 2004 disappearance of Guy Andre Kieffer, a Franco-Canadian freelance journalist. Michel Legre, the brother-in-law of the First Lady, was arrested and released in the case. On September 14, Kieffer's family accused government authorities of failing to actively investigate the case and appealed for information from citizens of the country.

During the year the government released the bodies of demonstrators killed during the March 2004 demonstration (see section 1.a.).

There were no developments in the 2003 disappearance of Nadine Victorier Coudard and her children; Coudard was politically active and had received numerous death threats.

Bionaho Mathias, a former member of the Union for Democracy and Peace in the country (UDPCI), and University of Cocody student activist Mahe Hippolyte reappeared during the year claiming that they had gone abroad to escape death squads. There were no developments in other 2003 disappearances.

Most of the persons reported missing in previous years remained missing at year's end.

#### c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The law prohibits such practices; however, security forces beat and abused detainees and prisoners to punish them or to extract confessions. There were also reports of rape and torture. Police officers forced detainees to perform degrading tasks under threat of physical harm. Police detained persons overnight in police stations where they often beat detainees and forced them to pay bribes (see sections 1.d., 1.f., and 2.d.). Police also harassed and extorted bribes from persons of northern origin or with northern names (see section 1.f.).

According to an ONUCI human rights report, 22 detainees claimed they were tortured while being transferred from Duekoue Prison to Daloa Prison (see section 1.d.).

Violent actions and threats against political opposition figures continued during the year. There were numerous reports that opposition leaders received death threats over the telephone and from armed men dressed in fatigues, and that armed men harassed family members.

Unlike in previous years, police and security forces did not use lethal force to disperse demonstrations (see sections 1.a. and 2.b.).

Members of the security forces continued to beat and harass journalists (see section 2.a.).

Security forces also raped women and girls. On June 21, a lance corporal was charged with raping a secondary school girl.

On February 28, members of the security forces ransacked 20 mini-buses and injured 4 drivers for failing to pay a daily bribe.

During the year there were several reports that security forces conducted widespread neighborhood searches during which they beat and robbed residents (see section 1.f.).

Security forces remained on heightened alert for potential rebel infiltrators or active sympathizers, erected numerous roadblocks, and searched Abidjan neighborhoods, frequently during the nightly curfew. Individuals associated with opposition parties or rebellion leaders or believed to be sympathizers were subjected to increased harassment and abuse (see sections 1.d. and 1.g.).

Noncitizen Africans, mostly from neighboring countries, complained that they were subject to increased harassment by security forces, including repeated document checks, increased security force extortion and racketeering, violence, and frequent neighborhood searches (see sections 1.f. and 2.d.).

There were no developments in the following 2004 cases of security force abuse: the January robbing and torture of 17 drivers who had placed posters on their vehicles about police racketeering; the March beating of a mini bus driver who refused to give money to a police officer; the April beating by 4 police officers of another police officer who they mistook for being an RDR member; and the May beating of a UDPCI member by plainclothes security forces.

There were no developments in 2003 cases of security force abuse.

Youth groups who supported President Gbagbo attacked opposition newspapers and several ONUCI convoys during the year (see sections 2.a and 4). For example, on September 6, NF Minister of Territorial Administration Colonel Issa Diakite escaped a lynching by FESCI students and supporters in Cocody. Diakite, accompanied by his ONUCI security detail, was visiting a friend when the students attacked the home and destroyed vehicles before CECOS intervened.

There were no new developments in the investigations into the November 2004 attacks by progovernment youths on opposition newspaper headquarters and the homes of opposition party leaders.

On February 8, four men bearing Kalashnikov rifles carjacked Daniel Brechat, the French chairman of the Small and Medium Enterprises Chamber of Commerce. The men drove Brechat to Riviera, a suburb of Abidjan, where they burned and beat him while berating him for his French nationality. Brechat escaped and survived after being shot in the stomach. There were no developments in the investigation at year's end.

In the rebel-held part of the country, rebel military police operated with impunity in administering justice without legally constituted executive or judicial oversight (see section 1.g.). Rebels often harassed and abused local citizens with impunity, often on the basis of ethnic or political background. There continued to be reports that rebel forces beat persons who supported President Gbagbo and the ruling FPI. NF members raped women and girls in the north, and there continued to be reports that rebel soldiers arrested, tortured, or killed suspected government loyalists or allies of rival rebel Ibrahim Coulibaly in the zones under their control, regardless of their ethnic background (see section 1.g.).

Incidents of ethnic violence resulted in injuries, especially in the west and the southwest (see section 5).

#### Prison and Detention Center Conditions

Conditions were poor and in some cases life threatening in the country's 33 prisons, largely because of inadequate budgets and overcrowding. For example, the country's main prison, MACA, was built for 1,500 but held approximately 3,400 detainees. Each prisoner had an average of 47 square inches of sleeping space. Conditions in MACA were notoriously bad, especially for the poor. Wealthy prisoners reportedly could "buy" extra cell space, food, and even staff to wash and iron their clothes. There were credible reports that prisoners frequently brutalized other prisoners for sleeping space and rations. However, there were no reports that guards brutalized prisoners. Doctors Without Borders (MSF) supplemented the prison system's inadequate medical facilities and contributed to the prison budget. Several small national and international charities also helped some prisoners. There were press reports of a flourishing drug trade and prostitution in MACA. Families frequently supplemented the food ration, and at some prisons inmates grew vegetables to feed themselves. The International Committee of the Red Cross (ICRC) helped feed prisoners with no family.

Unlike in the previous year, there were no reports that prisoners died during prison riots; in 2004 at least 7 prisoners died and 30 were injured in riots to protest a lengthy water shortage. UN officials investigating the riot had not provided a death toll by year's end.

There also were no reports that prisoners were killed while trying to escape; in 2004 security forces shot and killed 19 prisoners and injured 66 others who were attempting to escape.

Male minors were held separately from adult men, but the physical barriers at the main MACA prison were inadequate to enforce complete separation. Prison conditions for women and children remained particularly difficult. Female prisoners were segregated in a separate building under female guard. There were continued reports that female prisoners engaged in sexual relations with wardens to get food and privileges. There were no health facilities for women. Pregnant prisoners went to hospitals to give birth and then returned to prison with their babies. The penitentiary accepted no responsibility for the care or feeding of the infants, although the women received help from local NGOs.

During the year the International Catholic Office for Children (BICE) helped conduct physiological tests to determine the ages of 323 children. The BICE helped locate the families of 597 jailed children to facilitate their return upon release. The BICE also built a separate facility to hold children at the Divo Prison.

Pretrial detainees were held with convicted prisoners. A 2004 study by Notre Voie reported that of 3,400 prisoners held in MACA, 30 percent were pretrial detainees and were held with convicted prisoners (see section 1.e.).

The government permitted access to prisons by local and international NGOs including the ICRC, MSF, World Doctors, and International Prisons' Friendship.

The rebels maintained detention centers, and during the year the ICRC and the ONUCI human rights division local team were granted full access.

There were credible reports that rebels killed prisoners or that prisoners died in jail, although less frequently due to improved conditions (see section 1.g.).

On March 11, foreign citizen Brian Sands was arrested and detained in Bouake Prison before being moved to Korhogo Prison. The NF alleged Sands was found with global positioning equipment and telephone numbers of government officials and international mercenary companies. In April Sands died in Korhogo Prison. The UN human rights officer announced that the April 8 autopsy revealed Sands had died from asphyxiation. There was no investigation at year's end.

#### d. Arbitrary Arrest or Detention

The law prohibits arbitrary arrest and detention; however, both occurred frequently.

#### Role of the Police and Security Apparatus

Security forces under the ministries of defense and territorial administration include the army, navy, air force, republican guard, presidential security force, and the Gendarmerie, a branch of the armed forces with responsibility for general law enforcement. The police forces are under the jurisdiction of the Ministry of Interior. There were major divisions within the military based on ethnic and political loyalties. Police forces include paramilitary rapid intervention units such as the Anti-Riot Brigade and the Republican Security Company, and the plain-clothes investigating unit, Directorate for Territorial Security (DST). In July the government formed CECOS to combat rising crime in Abidjan (see section 1.a.). A central security staff collected and distributed information regarding crime and coordinated the activities of the security forces. Security forces frequently resorted to excessive force (see sections 1.a., 1.c., and 2.b.).

Poor training and supervision of security forces, corruption, the public's fear of pressing charges, and investigations conducted by security forces who themselves were abusers contributed to widespread impunity and lawlessness in the country. Racketeering at roadblocks was a serious problem, and security forces were often seen forcing people stopped at roadblocks to do push-ups while being beaten or subjected to other abuses. Police received sexual favors from prostitutes in exchange for not being arrested. There also were credible reports that police kidnapped private citizens and either killed them or released them, sometimes requiring a bribe be paid for their release. Security forces were often accused of being the cause of rising crime in Abidjan, and there were credible reports that security forces rented their uniforms and weapons to persons wanting to engage in criminal activity. Security forces on occasion also failed to prevent violence (see section 2.b.). Security forces faced no sanctions for confiscating or destroying noncitizens' identification papers.

The government in general did not investigate or punish effectively those who committed abuses, nor did it prosecute persons responsible in previous years for unlawful killings and disappearances. During the year the Military Prosecutor established a telephone help line to report racketeering incidents.

There were credible reports of a few disciplinary or legal actions against police officers for misconduct, mistreating suspects and arrestees, and killing persons during the year (see section 1.a.). For example, on January 17, three FANCI soldiers were arrested and transferred to MACA after being apprehended during an armed robbery attempt.

During the year the government launched a television campaign urging citizens not to bribe security forces at checkpoints. During a January seminar in Grand Bassam, FANCI Chief of Staff Philippe Mangou told transport owners to refrain from paying bribes to security forces. However, citizens who did not pay bribes often faced the confiscation of their official documents or harassment, intimidation, and physical abuse. On March 2, drivers from private transportation companies across the city of Abidjan launched a three-day strike to protest the harassment and physical violence inflicted on them by security forces (see section 2.b.).

There were at least four arrests of military personnel for racketeering. No further information was available.

#### Arrest and Detention

Under the law, officials must have warrants to conduct searches, although police sometimes used a general search warrant without a name or address. A bail system existed solely at the discretion of the judge trying the case. Detainees were generally allowed access to lawyers; however, in cases of accusations of complicity with the rebels or other matters of national security, detainees were frequently denied access to their lawyers and family members. For more serious crimes, those who could not afford to pay for lawyers were given lawyers by the state, but less serious offenders were often without representation. A public prosecutor may order the detention of a suspect for 48 hours without bringing charges, and in special cases, the law permits an additional 48-hour period. According to members of the jurists' union, police often held persons for more than the 48-hour legal limit without bringing charges, and magistrates often were unable to verify that detainees who were not charged were released. Defendants do not have the right to a judicial determination of the legality of their detention. A magistrate could order pretrial detention for up to four months but also had to provide the minister of justice with a written justification on a monthly basis for continued detention.

The DST was charged with collecting and analyzing information relating to national security. The DST has the authority to hold persons for up to four days without charges; however, human rights groups stated there were numerous cases of detentions exceeding the statutory limit.

There were many instances during the year in which gendarmes or other security forces arbitrarily arrested persons. According to ONUCI, since January, dozens of villagers were detained, subjected to racketeering, and tortured by forest rangers for trespassing. Rangers often demanded up to \$200 for their release (see section 1.a.).

Security forces continued to arbitrarily arrest merchants and transporters, often in conjunction with harassment and requests for bribes.

Police also detained journalists during the year (see section 2.a.).

During the year security forces continued to arrest and usually release RDR party members and officials and persons of northern origins thought to be close to the rebellion (see section 2.b.). For example, on April 4, the Republican Guard rounded up hundreds of persons in the Dioulabougou district of Yamoussoukro, an area largely populated by northerners. After the Guard checked their papers, the detainees were released.

Security forces arrested 22 persons, who subsequently alleged they had been tortured during a prison transfer (see section 1.c.).

Local and international human rights organizations continued to report that security forces frequently made arrests without warrants and frequently held persons beyond the statutory limits without bringing charges. There were credible reports that the police and gendarmes detained persons in various military camps in Abidjan. Few of these detainees entered the civil justice system. For example, security forces arrested and detained more than 100 RDR members in the wake of the July violence in Anyama and Agboville (see section 1.a).

Approximately 30 percent of the country's prison population was in pretrial detention, according to the Ministry of Justice. Many inmates continued to suffer long detention periods in MACA and other prisons while awaiting trial. Despite the legal limit of 10 months of pretrial detention in civil cases and 22 months in criminal cases, some pretrial detainees were held in detention for years.

Amnesty International (AI) and other human rights organizations reported that in rebel-controlled territory, the NF also arbitrarily arrested, mistreated, ransomed, and detained many persons thought to be loyal to President Gbagbo or Sergeant Ibrahim Coulibaly. For example, on March 30, the NF arrested and detained Kouakou Brou, vice president of the General Council of Sakassou, and two of his associates on allegations that they had helped armed elements infiltrate the zone under their control. The detainees were not released until they paid two thousand dollars (one million CFA).

#### e. Denial of Fair Public Trial

The law provides for an independent judiciary; however, in practice the judiciary was subject to executive branch, military, and other outside influences. Although the judiciary was independent in ordinary criminal cases, it followed the lead of the executive in national security or politically sensitive cases. There were also credible reports that judges were subject to corruption. The judiciary was slow and inefficient.

The formal judicial system is headed by a Supreme Court and includes the court of appeals, lower courts, and a constitutional council. The law grants the president the power to replace the head of the Supreme Court after a new parliament is convened. In August 2003 President Gbagbo appointed the seven members of the Constitutional Council, without consultation with the government. President Gbagbo tasked the council with, among other things, the determination of candidate eligibility in presidential and legislative elections, the announcement of final election results, the conduct of a referendum, and the constitutionality of legislation. President Gbagbo named three advisors to the Constitutional Council for three-year terms, three other advisors to six-year terms, and a president.

#### Trial Procedures

The law provides for the right to public trial, although key evidence sometimes was given secretly. The government did not always respect the presumption of innocence. Those convicted have the right of appeal, and although higher courts rarely overturned verdicts, it has occurred. Defendants accused of felonies or capital crimes have the right to legal counsel. The judicial system provides for court-appointed attorneys; however, no free legal assistance was available, except infrequently when members of the bar provided pro bono advice to defendants for limited periods.

In rural areas, traditional institutions often administered justice at the village level, handling domestic disputes and minor land questions in accordance with customary law. Dispute resolution was by extended debate, with no known instance of resort to physical punishment. The formal court system increasingly was superseding these traditional mechanisms. The law specifically provides for a grand mediator to bridge traditional and modern methods of dispute resolution. The president appoints the grand mediator.

Military courts did not try civilians. Although there were no appellate courts within the military court system, persons convicted by a military tribunal may petition the Supreme Court to set aside the tribunal's verdict and order a retrial.

#### Political Prisoners

There were no reports of political prisoners.

There was little available information on the judicial system used by the NF in the northern and western regions; however, there continued to be credible reports of summary executions for various crimes in the NF-controlled zone.

#### f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The law provides for these rights; however, the events of 2002 triggered a widespread suspension of privacy rights. Officials must have warrants to conduct searches, must have the prosecutor's agreement to retain any evidence seized in the search, and are required to have witnesses to the search, which may take place at any time; however, in practice police sometimes used a general search warrant without a name or address. Police frequently entered the homes of northern citizens and noncitizen Africans (or apprehended them at large), took them to local police stations, and extorted small amounts of money for alleged minor offenses.

There were credible reports that security forces conducted warrantless searches of opposition party officials' residences, allegedly in search of weapons. During the year security forces continued to conduct neighborhood searches where they would enter several homes at the same time, usually at night looking for arms. On May 10, three members of the security forces entered and searched the home of opposition journalist Honore Sepe without a warrant (see section 2.a.). On July 28, eight gendarmes conducted a warrantless search of the home of RDR member Adama Bictogo.

No action was taken against security forces who in 2004 looted and searched houses in Anyama, beat and threatened residents, confiscated and destroyed identity documents, and stole money from residents.

No action was taken against security forces who forcibly entered residences in previous years.

Security forces monitored private telephone conversations, but the extent of the practice was unknown. The government admitted that it listened to fixed line and cellular telephone calls. Authorities monitored letters and parcels at the post office for potential criminal activity, and they were believed to monitor private correspondence, although there was no evidence of this. Members of the government reportedly continued to use students as informants.

Rebels continued to confiscate the property and vehicles of civil servants and those believed to be loyal to President Gbagbo or of persons who had abandoned their houses following the rebellion. There were credible reports that the NF threatened those who attempted to reclaim their property. However, unlike in the previous year, there were no reports that NF military looted and occupied missionary houses in Bouna, Tiebessou, and Bouake.

Rebels in the northern towns of Bouake and Katiola continued to monitor mail, looking for potential government loyalist infiltrators.

Unlike in previous years, there were no confirmed reports that rebels forcibly conscripted citizens into their ranks.

#### g. Use of Excessive Force and Other Abuses in Internal Conflicts

Unlike in previous years, there were no reports that progovernment death squads operated during the year; however, security forces committed extrajudicial killings with impunity, and progovernment militia groups were responsible for harassment, killings, and disappearances. These crimes often went unreported or underreported due to fear of reprisals.

The collaboration of government forces and irregular forces created a climate of fear and impunity. Unlike in 2004 there were reported executions of suspected rebels and rebel sympathizers by security forces during the year. Abidjan police and security forces in search of rebel sympathizers, infiltrators, and arms caches continued to use lethal force in neighborhood sweeps against citizens with northern origins and African immigrants (see sections 1.a and 1.f.). Progovernment militias and rebels continued to use child soldiers (see section 5).

There continued to be reports that the government recruited Liberian mercenaries in the west. There also were credible reports describing serious abuses committed by armed forces working in complicity or in coordination with youth groups in the central and western parts of the country. As in the previous year, local villagers from ethnic groups close to the government allegedly provided the names of foreigners, RDR members, northerners, and other suspected rebel supporters to security forces.

Self-defense committees manned checkpoints with the assent of security forces, and there were reports that they beat and killed Burkinabe and other northerners accused of being rebels.

There were no developments in the January 2004 machete killings of five adults and three children by unidentified armed men in the village of Kahin; the victims included workers from Burkina Faso and Guinea.

No action was taken against prominent loyalist leaders in Abidjan such as Young Patriots leader Charles Ble Goude, Women Patriots leader Genevieve Bro Grebe, and others who in 2004 helped orchestrate the attacks on unarmed UN personnel and vehicles, opposition newspapers, opposition party headquarters, the homes of opposition party members, and the homes, businesses, and schools of French citizens and other expatriates. The violence, which was triggered in part by the retaliation of Licorne peacekeeping troops for the bombing of the French military base in Bouake, resulted in numerous civilian deaths and injuries.

There were no developments in the following 2003 security force killings: the January killing of Mamadou Ganame; the February killing of well-known television sitcom actor and RDR activist Yerefe Camara; the February killing of Islamic preacher Mory Fanny Crisse; and the April killing of former student leader Maurovlaye Kener.

No investigations were conducted into the numerous abuses committed by Liberian fighters in 2003, including mass killings, rapes, and torture.

Rebel groups were also responsible for indiscriminate killings. ONUCI's human rights division described numerous extrajudicial killings by rebels. The rebels in the west targeted, beat, and sometimes killed gendarmes, government officials, and suspected FPI sympathizers and committed sexual violence against girls and women, including rape and sexual slavery. The NF and their allies, the *dozos* (traditional hunters), were responsible for killings and disappearances. There were fewer reports of such incidents than in the previous year, although rebel arrests of suspected loyalist infiltrators increased during the year.

Unlike in the previous year, no mass graves were discovered in rebel-held areas. No investigations were conducted into the three mass graves in rebel-held territory discovered in 2004 by UN personnel.

The rebel soldier accused of killing a French peacekeeper in 2004 remained in detention awaiting trial.

No investigations were conducted into numerous abuses committed by rebels in 2004 and 2003, including summary executions, killings, rape, beatings, and looting.

## Section 2 Respect for Civil Liberties, Including:

### a. Freedom of Speech and Press

The law provides for freedom of speech and the press, but the government restricted these rights in practice. Journalists continued to practice self-censorship.

On July 22, President Gbagbo filed a defamation complaint against PDCI Minister Kobenan Adjoumani, who in June accused the president of masterminding the 2002 rebellion. The trial had not begun by year's end.

The Young Patriots, a pro-Gbagbo militia group, continued to destroy opposition newspapers and threaten vendors in several regions. The media continued to play a critical role in inflaming tensions. Newspapers backed by political parties continued to publish hate messages and created a climate of hostility. The Ivoirian Observatory on Press Freedom and Ethics (OLPED) and the National Press Commission (CNP), which enforced regulations regarding creation, ownership, and freedom of the press, regularly published press releases urging journalists to be more moderate.

The only remaining government-owned daily newspaper, *Fraternite Matin*, which had the greatest circulation of any daily, rarely criticized government policy. There were a number of private newspapers that frequently criticized government policy, the president, and the ruling party. Newspapers often ceased publication and were supplanted by others due to strong competition, a limited audience, and financial constraints. Many newspapers were politicized, sometimes resorting to fabricated stories to defame political opponents. The law requires the "right of response" in the same newspaper, thus newspapers often printed articles in opposition to an earlier article.

Members of the security forces continued to harass and beat journalists. Outspoken members of the press continued to receive death threats and suffer physical intimidation from groups aligned with the ruling FPI party.

On July 26, following the violence in Anyama and Agboville (see section 1.a.), unidentified persons attacked the headquarters of Edipresse, the national newspaper distribution company, in the Adjame district of Abidjan. The attackers destroyed several copies of the opposition newspapers *Le Patriote*, *Le Front*, and *Dernieres Heures*, and demanded that Edipresse stop delivering newspapers that supported the rebellion. The same day, citing security concerns and threats received by their drivers, Edipresse announced the suspension of the distribution of these papers in several western towns. By year's end the papers had resumed circulation.

On July 27, in retaliation, pro-opposition youth destroyed copies of pro-Gbagbo *Notre Voie* and *Les Echos du Matin* in the Abidjan districts of Port Bouet and Marcory.

Because of low literacy rates, radio was the most important medium of mass communication. Newspapers and television were relatively expensive. The government-owned broadcast media company RTI owned two major radio stations; only the primary government radio station broadcast nationwide. Neither station criticized the government. However, political coverage was somewhat more balanced than in the previous year. ONUCI Radio FM, which was established in 2004 in accordance with a UN resolution, continued to broadcast balanced political coverage mixed with music and programs. By year's end listeners could listen to ONUCI FM in nine towns. There were approximately 50 community radio stations authorized under government regulations. They had limited broadcast range and were allowed no foreign language programming, no advertising, and only public announcements limited to the local area. Some of the stations did not broadcast for lack of resources. The private radio stations, except for Radio Nostalgie, had complete control over their editorial content. The government monitored Radio Nostalgie closely because the major shareholders of the company were close to RDR president Alassane Ouattara. National broadcast regulations forbade the transmission of any political commentary.

Four major international radio stations operated for most of the year: Radio France Internationale (RFI), the British Broadcasting Company, Voice of America, and Africa No. 1.

On July 15, the National Audiovisual Communication Council (CNCA) suspended RFI from broadcasting on the FM band and alleged that the station had been "unprofessional" in its coverage of Colonel Bakassa Traore's death (see section 1.a.). CNCA, which also accused RFI of broadcasting a secret UN report incriminating local authorities in the Duekoue killings (see section 5), fined the station \$17 thousand (9 million CFA) and ordered RFI to apologize. Despite the ban, RFI could be heard at year's end on short wave radio in the government- and NF-controlled zones.

On July 27, following the violence in Anyama and Agboville (see section 1.a.), Young Patriot leader Charles Ble Goude briefly took over RTI to broadcast a message of hate and intimidation targeted at the opposition. On the same day, republican guard members ordered Yacouba Kebe, the director general of RTI, to stop broadcasting opposition images and statements. In response Kebe suspended coverage of all political activities for several weeks and issued a statement condemning Ble Goude's actions.

The government owned and operated two television stations (RTI 1 and RTI 2) that broadcast domestically produced programs. Neither station criticized the government.

There were two satellite television broadcasters: One French (Canal Horizon/TV5) and one South African (DS TV).

Members of the security forces continued to harass and beat journalists with impunity. Outspoken members of the press continued to receive death threats and suffer physical intimidation from groups aligned with the ruling FPI party.

On May 10, three men entered the home of Honore Sepe, a journalist for the opposition newspaper *Le Front*. Sepe was briefly detained and interrogated regarding his association with the NF.

On August 4, men in uniforms attacked and beat Brahim Golle, a journalist for the pro-opposition newspaper *Dernieres Nouvelles*. The attack was allegedly in retaliation for an article Golle wrote about the death of a republican guard member. Golle was treated at a hospital and later released.

The Young Patriots continued to destroy independent and opposition newspapers in several regions of the country and to threaten newspaper vendors.

Several journalists continued to receive threats during the year from unknown persons. For example, after a February interview with the Ivorian ambassador to the UN and an NF representative, RTI journalist Habiba Dembele received death threats for providing the NF perspective.

There also were several reports during the year that foreign journalists were subjected to government harassment and intimidation. The French-based newspaper *Liberation* published an article asserting that Ivorian intelligence agents often apprehended special correspondents coming from Paris and questioned them regarding their contacts before allowing them to leave the airport.

Since the killing of journalist Jean Helene in 2003 and the disappearance of Guy-Andre Kieffer (see section 1.b.) in 2004, many western journalists relocated to other parts of West Africa. In 2004 France 2 channel transferred to Dakar, and RFI closed its office in Abidjan.

On January 22, a military court found police Master Sergeant Dago Sery Theodore guilty of the 2003 murder of French journalist Christian Baldensperger (aka Jean Helene), an RFI reporter and French citizen. Theodore was sentenced to 17 years' imprisonment. Sery appealed the judgment, but on February 24, the Supreme Court upheld the military tribunal's sentence.

No action was taken against progovernment youth groups who attacked, threatened, arrested, or harassed journalists in 2004 and 2003.

No action was taken against French Licorne forces responsible for the November 2004 killing of Antoine Masse, an English teacher and correspondent.

Since the 2002 rebellion, the government continued to reduce press freedoms in the name of patriotism and national unity. The government and the ruling FPI exercised considerable influence over the official media's program content and news coverage, using them to promote government policies and criticize the opposition. NF leader and Minister of Communications Soro frequently complained that the government did not fairly accord television airtime to opposition party members, including himself.

The 2002 rebellion triggered significant self-censorship and a deterioration of press freedom. The law authorizes the government to initiate criminal libel prosecutions against officials. In addition, the state may criminalize a civil libel suit at its discretion or at the request of the plaintiff. Criminal libel was punishable by from three months to two years in prison.

While there was self-censorship in the press, independent daily newspapers and opposition party dailies frequently examined and called into question the government's policies and decisions.

In rebel-held territory, rebels broadcast their own programming from Bouake, which included radio shows that were heard in towns and villages around Bouake and, according to some reports, in the political capital, Yamoussoukro. In the western part of the country, rebels also broadcast on a local radio station around Man. The NF continued to allow broadcast of government television or radio programs in their zones. The NF also allowed distribution of all progovernment newspapers and most independent newspapers in their territory. However, at checkpoints in Yamoussoukro, FANCI soldiers frequently prevented opposition newspapers from entering the NF zone.

In the rebel-held zones, rebel forces also beat and harassed journalists; however, unlike in previous years, there were no reports that rebel forces killed journalists.

On April 14, in Bouake, the NF arrested four journalists from progovernment newspapers and their driver. The NF then transported the journalists to a cemetery, where they used their cameras and video recorders to record a mock execution of the journalists before releasing them.

No action was taken against rebel forces who beat, harassed, and killed journalists in 2004 and 2003.

The government limited academic freedom through its proprietary control of most educational facilities, even at the post-secondary level. A

presidential decree required authorization for all meetings on campuses.

Many prominent scholars active in opposition politics retained their positions at state educational facilities; however, some teachers and professors suggested that they had been transferred, or feared that they could be transferred, to less desirable positions because of their political activities. According to student union statements, security forces continued to use students as informants to monitor political activities at the University of Abidjan.

FESCI, the pro-Gbagbo student group created in the early 1990's, used increasingly violent tactics to maintain its hold on student government, disrupt the work of officials appointed by opposition ministers, and intimidate other students. FESCI members continued to target AGEECI, a rival student group founded in June 2004 as an alternative form of student governance. In May FESCI elections were postponed when police found students armed with machetes and ready to fight for their secretary general candidate.

On June 15, FESCI students kidnapped Mohamed Timite, a member of AGEECI, from the Cocody university campus. The same day, FESCI kidnapped three graduate students who were posting signs inviting students to attend an AGEECI meeting. The students were taken to FESCI headquarters in Cocody, where they claimed they were tortured. FESCI alleged that the students were distributing prorebel leaflets. Under pressure from the European Union and ONUCI, local police negotiated the release of the students the following day. No action was taken against the FESCI students by year's end.

On June 23, FESCI members kidnapped and allegedly raped Nathalie Soro, after she distributed leaflets inviting students to a memorial service for a student believed to have been killed by FESCI members in 2004. Soro was released the same day. No action was taken against the FESCI students. Soro had not filed a complaint by year's end.

Also on June 24, two AGEECI students were kidnapped from a bus station in Adjame, where they were distributing invitations to a conference in July. The students were taken to Cocody, where they claimed to have been beaten and tortured before being released.

The weekend of June 25, Armand Kouakou Kouassi, former FESCI secretary general of Bouake I University, was found shot and killed in the Yopougon area of Abidjan. Many attributed Kouassi's death to an internal dispute among FESCI leaders.

On June 30, the minister of human rights published a statement condemning the violence in the country's universities.

No action was taken against FESCI members responsible for 2004 and 2003 attacks on school administrators, teachers, and students, and for vandalizing school property.

#### b. Freedom of Peaceful Assembly and Association

##### Freedom of Assembly

The law allows for freedom of assembly; however, the government sometimes restricted this right in practice. Groups that wished to hold demonstrations or rallies in stadiums or other enclosed spaces were required by law to submit a written notice of their intent to the Ministry of Security or the Ministry of Interior three days before the proposed event. No law expressly authorizes the government to ban public meetings or events for which advance notice has been given in the required manner, but the government prohibited specific events deemed prejudicial to the public order. Even if authorization for an event was granted, the government could later revoke it. President Gbagbo continued to ban demonstrations in the streets. The ban remained in place at year's end.

RDR members occasionally had difficulties associating freely, and there were reports that security forces harassed and detained RDR members who tried to meet.

On October 30, police used tear gas after an opposition demonstration to deter several hundred protestors from marching to the presidential palace. A few protestors were slightly injured. Police seldom forcibly dispersed progovernment demonstrations.

On July 27, progovernment supporters and FESCI students armed with clubs and iron rods attacked participants in a press conference organized by opposition youth leaders at the PDCI headquarters. Two persons were seriously injured, and a dozen were wounded. FESCI members also beat the third deputy mayor of Adjame, an RDR supporter, and Stephane Koudou, an opposition journalist. FESCI also detained several persons at the nearby FESCI-run university dormitory. Security forces on the scene observed the abuses but took no action.

No action was taken against government forces responsible for using lethal force to suppress a March 2004 opposition march and for subsequently seeking out and killing opposition supporters who participated in the march.

No action was taken against Young Patriots demonstrators, who in June 2004 attacked French citizens and ONUCI peacekeepers and destroyed vehicles; approximately 40 French citizens were injured.

##### Freedom of Association

The law provides for freedom of association, and the government generally respected this right. The government allowed the formation of political parties, trade unions, professional associations, and student and religious groups, all of which were numerous.

The law prohibits the formation of political parties along ethnic or religious lines; however, in practice ethnicity and religion were key factors in some parties' membership (see sections 2.c. and 5).

Loyalists of President Gbagbo's FPI party had youth patriot groups with thousands of members in Abidjan neighborhoods and in towns and cities throughout southern, central, and western regions. The common factors with these groups were that they were linked to President Gbagbo and the FPI, were anti-French, anti-"foreigner" and anti-Marcoussis Accord. Gendarme and army officers led some groups in physical training. Belligerent patriot groups rallied in neighborhoods, called for "armed resistance," and hassled and intimidated residents and merchants. There were persistent reports that some patriot groups had arms or had ready access to arms. The presidency sponsored some of these groups and tolerated others, but it did not have complete control over them.

There continued to be reports that progovernment militias harassed and assaulted farmers, many of whom were migrants from other West African countries.

On March 8, FANCI Chief of Staff Mangou and the DDR commission disbanded the Patriotic Grouping for Peace (GPP), an organization that continued to operate although banned by the government in 2003 for its violent activities. On February 3, two persons were killed and several were wounded during clashes between GPP members and cadets from the nearby police academy.

#### c. Freedom of Religion

The law provides for freedom of religion, and the government generally respected this right. However, after 2002 the government targeted persons perceived to be perpetrators or supporters of the rebellion, who often were Muslim. Strong efforts by religious and civil society groups have helped prevent the crisis from becoming a religious conflict. The targeting of Muslims suspected of rebel ties diminished somewhat during the year.

There was no state religion; however, for historical as well as ethnic reasons, the government informally favored Christianity, in particular the Roman Catholic Church. Catholic Church leaders had a stronger voice in government affairs than their Islamic counterparts, which led to feelings of disenfranchisement among some Muslims.

The law requires religious groups desiring to operate in the country to register; however, registration was granted routinely.

Although nontraditional religious groups, like all public secular associations, were required to register with the government, no penalties were imposed on groups that failed to register.

#### Societal Abuses and Discrimination

Members of the country's largely Christianized or Islamic urban elites, which effectively controlled the state, generally were disinclined to accord to traditional indigenous religions the social status accorded to Christianity and Islam.

Some Muslims believed that their religious or ethnic affiliation made them targets of discrimination by the government with regard to both employment and the renewal of national identity cards. As northern Muslims shared names, style of dress, and customs with several of the country's predominantly Muslim neighboring countries, they sometimes were accused wrongly of attempting to obtain nationality cards illegally to vote or otherwise take advantage of citizenship (see section 5). This created a hardship for a disproportionate number of Muslim citizens.

During the year the government took positive steps to promote interfaith understanding. Government officials, including the president and his religious advisers, appeared at major religious celebrations and events organized by a wide variety of faiths and groups. The government often invited leaders of various religious communities, including the Mediation Committee for National Reconciliation, to attend official ceremonies and to sit on deliberative and advisory committees.

There were no reports of anti-Semitic acts.

For a more detailed discussion, see the 2005 [International Religious Freedom Report](#).

#### d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

The law does not provide specifically for these rights, and the government restricted freedom of movement during the year. The government generally did not restrict internal travel; however, in August authorities continued to prohibit citizens from entering and leaving Yamoussoukro and Abidjan city limits between 11:00 p.m. to 6:00 a.m. Security forces and water, forestry, and customs officials frequently erected and operated roadblocks on major roads, where they demanded that motorists or passengers produce identity and vehicle papers and regularly extorted small amounts of money or goods for contrived or minor infractions. Extortion was particularly high for those intending to travel north from government-controlled areas to NF territory.

During the year security forces or local civilian "self defense committees" erected numerous roadblocks and harassed and extorted travelers, commercial traffic and truckers, foreigners, refugees, and others, including ONUCI; however, there were fewer such reports by year's end (see sections 1.a. and 1.d.).

Police harassed opposition members at the airport and sometimes prevented foreigners from traveling between the north and the south. For example, on October 26, police briefly detained rebel leaders Louis Dacoury-Tabley and Amadou Kone at the airport.

On July 15 and on August 29, the president signed new drafts of laws on nationality and naturalization in an effort to address the concerns of the opposition parties. However, the legislation

Persons living under NF authority regularly faced harassment and extortion when trying to travel between towns and to the government-controlled south. Local military authorities regularly sold passes required of travelers. Security and defense forces also victimized northerners when they tried to cross into the zone under government control. Due to the closure of banks in the north at the onset of the crisis, northerners were forced to cross into the south and back to conduct all banking business, including collecting remittances (upon which many northerners depend). Government workers in the north must also travel into the south to collect their salaries. The cost of either paying the way through the various barricades or hiring a money runner to do so was substantial.

The law specifically prohibits forced exile, and no persons were exiled forcibly during the year. However, due to the numerous death threats, several members of the RDR, including the president of the party, former prime minister Alassane Ouattara, as well as members of other opposition parties, remained in self-imposed exile.

#### Internally Displaced Persons (IDPs)

During the year there were large numbers of IDPs in the country as a result of the 2002 crisis. Ethnic conflict during the year resulted in additional IDPs (see section 5). Progovernment and rebel forces did not generally target civilians, but ethnic conflict and fighting forced many people to flee the zones of conflict, and others simply felt uncomfortable in the side of the divided country that they found themselves in initially. Road blocks and toll collection points made it difficult for civilians to move in both sides of the country. The government's November 2004 bombing of Bouake resulted in a sharp increase in IDPs, and a UN Population Fund survey estimated that there were over 900 thousand IDPs in Abidjan alone. These IDPs were invisible but placed heavy burdens on host communities, especially given the prolonged nature of the crisis. Government assistance, especially in the north where civil servants and infrastructure were not in place, did not meet the needs of these IDPs. International and local NGOs were working to fill the gap. In October the government appointed an IDP point of contact within the Ministry of Foreign Affairs to address some of these problems.

The Center for Assistance to Temporarily Displaced Persons (CATD), located in Nicla village near Guiglo, hosted 6,741 persons, 95 percent of whom were Burkinabe who in 2002 fled the fighting near Blolequin, west of Guiglo. Due to the ethnic tensions between the local Guere population and persons of Burkinabe descent (many were born in the country but never sought or received citizenship), these IDPs have been unable to return to their villages or fields. The IDPs claimed that their plantations were being occupied by indigenous Guere persons, who themselves had been displaced from their land. The international community, with the approval of the government, provided assistance to these IDPs, but little or no effort was made to solve the underlying ethnic tensions, based mainly on land tenure issues, that prevented them from going home. It was generally acknowledged that the conditions in the camp were poor compared with the six thousand Liberian refugees in the nearby Nicla refugee camp ("Peacetown"), since the refugee camp was maintained according to stricter UN High Commissioner for Refugees (UNHCR) standards for housing, water, sanitation, health services, education, etc.

On April 26, Guere youths in villages surrounding Guiglo attempted to attack the CATD (see section 5).

After ethnic clashes in May and June, an estimated 7,500 IDPs, mostly ethnic Gueres, moved into the Catholic mission in the western town of Duekoue, and an additional 2,500 sought refuge elsewhere (see section 5). By September many had returned but 2,700 still remained. At year's end, the government tried to evict the IDPs; however, the eviction was postponed after an international outcry. At year's end only 200 IDPs remained.

#### Protection of Refugees

The law provides for the granting of asylum or refugee status in accordance with the 1951 UN Convention relating to the Status of Refugees and its 1967 protocol, and the government has established a system for providing protections to refugees. In practice, the government provided protection against *refoulement*, the return of persons to a country where they feared persecution. The government granted refugee status and asylum. A law that went into effect in May 2004 provides refugees with legal status, including the right to work. The government also cooperated with the UNHCR and other humanitarian organizations in assisting refugees and maintained an office charged with assisting refugees and other stateless persons.

The government also provided temporary protection for individuals who may not qualify as refugees under the 1951 Convention/1967 protocol.

Various West African governments complained that their citizens were harassed in the country. The UN and other international organizations documented such abuses against foreigners, which included arbitrary arrest, beating, and theft (see sections 1.a, 1.c., 1.d., and 1.f.). These complaints diminished somewhat during the year, and there were no large-scale departures by foreigners due to harassment.

Individual security officers often did not honor identity documents issued to refugees either by the government or by the UNHCR. There were frequent and credible reports that security forces destroyed refugees' identity documents, arbitrarily detained, verbally harassed, and occasionally beat refugees at checkpoints. The identity card law included provision for the issuance of identity cards to non-Liberian individuals over 14 years of age whose refugee status has been granted by the National Eligibility Commission. Liberians who arrived in the country before the 2003 peace agreement in Liberia benefited from group determination and received temporary refugee cards. Liberians who arrived in the country after the peace agreement did not receive temporary cards. Under certain circumstances, some asylum seekers who were not granted refugee status by the government were provided refugee certificates by UNHCR.

### Section 3 Respect for Political Rights: the Right of Citizens to Change Their Government

The law provides for the right of citizens to change their government peacefully through democratic means. However, significant violence and irregularities marred the last presidential and legislative elections held in 2000.

#### Elections and Political Participation

The 2000 presidential elections followed several postponements and a controversial supreme court decision disqualifying 14 of the 19 candidates, including all of the PDCI and RDR candidates. RDR leader Ouattara was excluded from running in the presidential and legislative elections following the Supreme Court's ruling that he had not demonstrated conclusively that he was of Ivorian parentage. The court also disqualified former president Bedie, who also was president of the PDCI party, because he did not submit the required medical certificate.

As a result of the supreme court rulings, most international election observers declined to monitor the election. The nationwide participation rate was 33 percent, and some polling places, especially in the north, closed early because of the lack of voters. Preliminary results showed that Gbagbo was leading by a significant margin. However, on October 24, 2000, Daniel Cheick Bamba, an interior ministry and national elections commission (CNE) official, announced on national radio and television that the CNE had been dissolved and declared General Guei the victor with 56 percent of the vote. Thousands of Gbagbo supporters protested, demanding a full vote count. Mass demonstrations resulted in numerous deaths and injuries, and on October 25, 2000, national radio and television reported that General Guei had stepped down.

The 2000 National Assembly election was marred by violence, irregularities, and a very low participation rate. Largely because of the RDR boycott of the elections to protest the invalidation of Ouattara's candidacy, the participation rate in the legislative election was only 33 percent. In addition, the election could not take place in 26 electoral districts in the north because RDR activists disrupted polling places, burned ballots, and threatened the security of election officials.

Following the legislative by-elections in 2001, 223 of the 225 seats of the National Assembly were filled: the FPI won 96 seats, the PDCI 94 seats, the Ivorian Worker's Party 4 seats, very small parties 2 seats, independent candidates 22 seats, and the RDR (in spite of its boycott of all of the legislative elections) 5 seats. The two seats from Kong, where Ouattara planned to run, remained unfilled as the RDR, the only party running in that electoral district, boycotted the elections.

Citizens' ability to elect subnational governments was limited.

The country remained divided at year's end. President Gbagbo and opposition political leaders signed subsequent peace accords, but the political process remained stalled. By the end of September, NF disarmament had not begun, and little work had been completed to prepare for the scheduled October 30 elections. By year's end Prime Minister Diarra had been unable to accomplish any of his major duties, which included reestablishment of the territorial integrity of the country, NF disarmament, and preparation of a schedule for free and fair elections. On October 6, the AU extended Gbagbo's term in office until October 31, 2006, created an International Working Group to monitor the peace process, and required that a new prime minister be designated. On December 6, the AU designated Charles Konan Banny as the new prime minister. By year's end he had created a new cabinet composed of 29 ministers and 2 junior ministers.

The youth wings of political parties were allowed to organize and were active. The youth wing of the governing FPI party (JFPI) was less of a political force than in previous years. JFPI activity was ongoing; however, youth patriot groups conducted most activities during the year (see section 2.b.). Many of the members of the JFPI were likely members of some of these patriot groups. During the year militia groups such as the Young Patriots drew large crowds at demonstrations in Abidjan and elsewhere (see section 2.b.). The youth wings of the PDCI and RDR have kept a relatively low profile since security forces violently repressed a G7 March 2004 demonstration, resulting in the deaths of an estimated 120 opposition members.

#### Government Corruption and Transparency

Government corruption and lack of transparency remained a serious problem during the year. It was common for judges open to financial influence to distort the merits of a case. Corruption had the greatest impact on judicial proceedings, contract awards, customs, and tax issues.

Women held 19 of 225 seats in the National Assembly. The first vice president of the National Assembly was a woman. Women held 4 of the 31 ministerial positions in the cabinet. Of the 41 supreme court justices, 4 were women. Henriette Dagri Diabate served as Secretary General of the RDR, the party's second ranking position.

In the National Assembly, 44 out of 223 members of parliament were Muslim.

### Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

A number of domestic and international human rights groups, including LIDHO and MIDH, generally operated without government restriction, investigating and publishing their findings on human rights cases. Government officials were somewhat cooperative and responsive to their views. The government occasionally met with some of these groups.

During the year ONUCI, LIDHO, MIDH, APDH, and other human rights groups gathered evidence and testimony, published in independent local daily newspapers and often criticized state security forces.

During the year members of MIDH received death threats, and progovernment militia groups targeted and harassed the ONUCI. For example, a January e-mail to MIDH headquarters threatened to kill MIDH members in retaliation for the NGO's alleged preoccupation with conditions in rebel-controlled areas.

No investigations were conducted into 2004 and 2003 incidents of threats and harassment of MIDH members.

During the year progovernment militia, unhindered by government security forces, blocked ONUCI members from conducting their activities in government-controlled areas. For example, following July rebel attacks in Anyama and Agboville (see section 1.a.), ONUCI and other international NGOs attempted to send personnel to investigate. However, progovernment militias blocked ONUCI from entering the area and destroyed two ONUCI vehicles.

On August 11, the Young Patriots in Gagnoa attacked an ONUCI convoy attempting to visit prisoners in Gagnoa prison. The convoy was again attacked on its return, forcing ONUCI members to take refuge in Gagnoa's prefecture. Members of the Young Patriots accused ONUCI of attempting to liberate rebel prisoners.

On August 12, UN Secretary-General Koffi Annan expressed "regret that the movements of the UN peacekeeping mission in the country were being impeded" and called on citizens to refrain from any action that may undermine the peace process.

There were no reports that the government suppressed international human rights groups or denied them visas; however, on occasion the government restricted their access to certain areas deemed sensitive and often denigrated their work.

During the year the government regularly permitted access to the World Food Program (WFP), the ICRC, and other international humanitarian organizations. Eleven UN agencies, including the International Labor Organization (ILO) and the World Health Organization (WHO), were resident and active throughout the year.

Local newspapers covered reports by several international human rights organizations that were critical of both the government's and the rebels' human rights records.

In October the Chairman of the UN's Cote d'Ivoire Sanctions Committee visited the country and met with all parties involved in the political crisis. At year's end a report was forthcoming.

#### Section 5 Discrimination, Societal Abuses, and Trafficking in Persons

The law prohibits discrimination based on race, ethnicity, national origin, sex, or religion; however, the government did not effectively enforce the law.

##### Women

The law does not prohibit domestic violence, and it was a problem. Female victims of domestic violence suffered severe social stigma and as a result often did not discuss domestic violence. The courts and police viewed domestic violence as a family problem unless serious bodily harm was inflicted or the victim lodged a complaint, in which case they could initiate criminal proceedings. However, a victim's own parents often urged withdrawal of a complaint because of the shame that affected the entire family.

The law prohibits rape and provides for prison terms of 5 to 10 years, and the government enforced this law. Claims were most frequently brought against child rapists. A life sentence can be imposed in cases of gang rape if the rapist is a relative or holds a position of authority over the victim, or if the victim is under 15 years of age. The law does not specifically penalize spousal rape. Rape was a problem, although its extent was unknown because the government did not collect statistics on rape or other physical abuse of women. Women's advocacy groups continued to protest the indifference of authorities to female victims of violence; however, women who reported rape or domestic violence to the police were often ignored. The Ministry of Human Rights, the Association of Women Lawyers, MIDH, and the Ivorian Movement of Human Rights continued to seek justice on behalf of rape victims but had not made much progress by year's end.

During the year the Ministry of Women, Family, and Children equipped counseling centers set up in 2004 with computers, printers, and other equipment for record keeping. Between January and July the ministry also assisted approximately 200 victims of domestic violence, and ministry officials visited 56 victims in their homes. In 2004 the ministry opened counseling centers for battered women and children in Yopougon, Treichville, and Abobo districts.

The National Committee in Charge of Fighting against Violence against Women and Children, under the Ministry of Women, Family and Children's Affairs, had a hot line for abused women, helped provide shelters for victims of abuse, and counseled abusive husbands. The Committee also monitored abusive situations through frequent visits. Young girls who feared becoming victims of abuse, FGM, or forced marriage could appeal to the committee, which arranged for shelter in facilities run by the government or NGOs. The Committee often stopped abuse by threatening legal action against offending parents or husbands.

FGM was a serious problem. The law specifically forbids FGM and provides penalties for practitioners of up to 5 years' imprisonment and fines of approximately \$690 to \$3,800 (360 thousand to 2 million CFA francs). Double penalties apply to medical practitioners. There was a decreasing incidence of FGM; however, an estimated 60 percent of women had undergone the procedure. FGM was practiced most frequently among rural populations in the north and west and to a lesser extent in the center and south. FGM usually was performed on young girls or at puberty as a rite of passage, with techniques and hygiene that did not meet modern medical standards. During the year more than 30 practitioners in Abobo District turned in their instruments and promised to stop performing FGM as a result of a campaign by a local NGO, the National Organization for Child, Woman, and Family. However, unlike in the previous year, no practitioners were arrested. In August a group of 68 girls from the north participated in an excision ceremony and celebration in the Abobo district of Abidjan. The government took no action to arrest the practitioners.

Prostitution is not illegal as long as it occurs between consenting adults in private, and there appeared to be an increase in the practice. Soliciting and pandering are illegal, and the police sometimes enforced the law. Women from nearby countries sometimes were trafficked into the country, including for prostitution (see section 5, Trafficking).

The law prohibits sexual harassment. The penalties for sexual harassment are one to three years imprisonment and a fine ranging between \$670 and \$1,870 (360 thousand and 1 million CFA).

The law prohibits discrimination on the basis of gender; however, women occupied a subordinate role in society. Government policy encouraged full participation by women in social and economic life; however, there was considerable resistance among employers to hiring women, who were considered less dependable because of their potential for pregnancy. Some women also encountered difficulty in obtaining loans, as they could not meet the lending criteria established by banks, such as a title to a house and production of a profitable cash crop. Women in the formal sector usually were paid at the same rate as men (see section 6.e.); however, because the tax code did not recognize women as heads of households, female workers frequently paid income tax at a higher rate than their male counterparts.

Women's advocacy organizations continued to sponsor campaigns against forced marriage, marriage of minors, patterns of inheritance that excluded women, and other practices considered harmful to women and girls. Women's organizations also campaigned against the legal texts and procedures that discriminated against women. The Coalition of Women Leaders continued its efforts to promote greater participation of women in decision-making.

#### Children

The Ministries of Public Health and of Employment, Public Service, and Social Security sought to safeguard the welfare of children, and the government also encouraged the formation of NGOs such as the Abidjan Legal Center for the Defense of Children.

The government strongly encouraged children to attend school in the government-controlled south; however, primary education was not compulsory. Primary education was tuition free but usually ended at age 13. In principle students did not have to pay for books or fees; however, in practice some still did so or rented books from stalls on the street. Students also paid for some school supplies, including photocopying paper. In at least one school, students had to bring their own bench to sit on. Many children between the ages of 12 and 14 left school due to poverty. Research in 2002 showed that 67 percent of children 6 to 17 years old attended school, including 73 percent of boys and 61 percent of girls. The WFP has worked with the government to establish a countrywide system of school canteens that provided lunches for \$.04 (25 CFA francs).

Students who failed the secondary school entrance exams did not qualify for free secondary education, and many families could not afford to pay for schooling. Parental preference for educating boys rather than girls persisted, particularly in rural areas. The minister of national education stated that almost one-third of the female primary and secondary school dropout rate of 66 percent was attributable to pregnancies.

Teachers sometimes gave good grades and money to students in exchange for sexual favors. The penalty for statutory rape or attempted rape of either a girl or a boy aged 15 years or younger was a 1- to 3-year prison sentence and a fine of \$190 to \$1,900 (100 thousand to 1 million CFA francs).

The Ministry of Health operated a nationwide network of clinics for children, infants, and prenatal care staffed with nurses and doctors who served the local residents, whether citizens or noncitizens, free or at low cost. The Health Ministry also conducted a nationwide vaccination program for measles, yellow fever, meningitis, and other diseases and publicized "well baby" contests. Despite the division of the country, Rotary Clubs sponsored a polio vaccination campaign throughout the country.

A 2004 NGO survey of 500 schoolchildren in Abidjan and its suburbs found that 27 percent of children had been victims of sexual abuse; 74 percent of the victims were girls and 26 percent boys. Approximately 33 percent had been raped, 15 percent had been the victims of attempted rape; 42 percent had been fondled, and 11 percent were victims of sexual harassment. When the sexual abuse occurred in the family, 54 percent of the assailants were male cousins, 11 percent were female cousins, 5 percent were guardians, and 3 percent were the brothers and sisters.

FGM was commonly performed on girls (see section 5, Women).

The law prohibits, and provides criminal penalties for, forced or early marriage; however it occurred.

There were reports of trafficking in children (see section 5, Trafficking).

Progovernment militias continued to recruit children, both on a voluntary and a forced basis. On February 28, the UN arrested and handed over to FANCI members of a progovernment militia that attacked the rebel outpost of Lougouale. Many of the attackers were children.

Child labor remained a problem (see sections 5, Trafficking, and 6.d.).

There were an estimated 215 thousand street children in the country, including 50 thousand in Abidjan. Some children were employed as domestics and were subject to sexual abuse, harassment, and other mistreatment by their employers (see section 6.d.). Because of the political-military crisis, many families, including displaced families, relied on their children to work as street vendors and bring money home. A forum of 15 NGOs worked with approximately 8 thousand street children in training centers, similar to halfway houses. The NGOs paid the children a small subsistence sum while teaching them vocational and budgeting skills. Many street children, however, were reluctant to stay in training centers where they earned no money and were subject to strict discipline.

Citing security concerns, the government since 2004 has refused to pay teachers or to administer exams in the rebel-controlled north. Thousands of the approximately 93 thousand primary and secondary school students affected by the government's decision dropped out of school, discouraged by the government's refusal to recognize their efforts. In October the NF announced that it would administer the exams but had not done so by year's end.

UNICEF has reported that in the NF-controlled territory, most hospitals had been closed for three years, there were very few doctors and nurses, and virtually no routine vaccinations. In November the government, with the assistance of UNDP and the Rotary Club, held a nationwide vaccination campaign.

Progovernment militias and rebel forces continued to use child soldiers. During the year 4 militia groups in the Guiglo area submitted to UNICEF a list of 150 children for DDR. On February 28, UN forces captured approximately 70 rebel attackers, including many child soldiers, during fighting in Logouale, a town in rebel-held territory in the western region. On June 13, in Man, UNICEF and a local NGO demobilized 57 children, including 3 girls, who had received military training and were ready for battle. The children, who were aged 10 to 16 and included 3 girls, were placed in an interim care facility where they received psychological assistance and job training. During the year in Bouake, UNICEF also demobilized 137 children, including 83 girls.

#### Trafficking in Persons

The law does not prohibit trafficking in persons, and although the government continued its antitrafficking efforts, trafficking in persons remained a problem. With the continuing crisis, the government, UN agencies, and international humanitarian agencies concentrated on child soldiers and children displaced because of the war, and it was difficult to distinguish trafficked children. Traffickers can be prosecuted under laws prohibiting kidnapping, forced labor, and mistreatment; however, there was minimal law enforcement in government-held territories, and the government did not prosecute traffickers during the year. The National Committee for the Fight Against Trafficking and Child Exploitation coordinated the government's antitrafficking efforts. It included representatives from several ministries, including the Ministries of Family, Women, and Children, Foreign Affairs, Economy and Finance, and Health.

The government cooperated with international investigations of trafficking, and on July 27, the government signed a multilateral anti-trafficking-in-children and repatriation accord with nine neighboring countries. The ministries of employment and of family, women, and children's affairs continued working with Malian authorities to prevent cross-border child trafficking and to repatriate Malian children from the country.

The country was a source and destination country for trafficking in women and children from Mali, Burkina Faso, Ghana, Togo, and Benin for the purpose of forced commercial agriculture and domestic servitude. The full extent and nature of the problem was unknown despite efforts to document and trafficking of persons in the country. There was no reliable estimate of the number of children intercepted or repatriated during the year. Trafficking in persons decreased during the year due to increased checkpoints and fewer economic opportunities in the country. However, officials at the country's border with Ghana near Aboisso turned back more busloads of children traveling without adults than in the previous year.

The country's cities and farms provided ample opportunities for traffickers, especially of children and women. The informal labor sectors were not regulated under existing labor laws, so domestics, most nonindustrial farm laborers, and those who worked in the country's wide network of street shops and restaurants remained outside government protection. Internal trafficking of girls ages 9 to 15 to work as household domestics in Abidjan, and elsewhere in the more prosperous south, remained a problem. Traffickers of local children were often relatives or friends of the victim's parents. Traffickers sometimes promised parents that the children would learn a trade, but they often ended up on the streets as vendors or working as domestic servants. Due to the economic crisis, many parents allowed their children to be exploited.

Women principally were trafficked to the country from Nigeria, Ghana, and Liberia. A local NGO estimated that 58 percent of the female prostitutes in Abidjan were not citizens. Organized trafficking rings promised Nigerian women and girls that they would have jobs in restaurants and beauty salons in Abidjan; however, many ended up in brothels.

Women and children were trafficked from the country to African, European, and Middle Eastern countries, sometimes for prostitution.

The regular trafficking of children into the country from neighboring countries to work in the informal sector in exchange for finder's fees generally was accepted. Children were trafficked into the country from Mali, Burkina Faso, Ghana, Togo, Benin, and Mauritania for indentured or domestic servitude, farm labor, and sexual exploitation.

The controversy over child labor in the cocoa sector in the country continued, and the government, the ILO, the Institute of Tropical Agriculture, and the Chocolate Manufacturers Association continued to document the problem and search for ways to solve the problem. The latest survey, released in 2002, revealed that most children in the cocoa sector worked on the family's farm (approximately 70 percent) or beside their parents. Of the 625 thousand working children, 96.7 percent had a kinship relation to the farmer. Others, most frequently the

children of extended family members or persons well known to them, indicated their or their family's agreement to leave their respective countries to work on farms in the country to earn money or in search of a better life.

The research suggested that perhaps 5 thousand to 10 thousand children were trafficked to or within the country to work full- or part-time in the cocoa sector. It also showed an estimated 5,100 children employed as full-time permanent workers, approximately 3 thousand of whom were from Burkina Faso. The survey found another 12 thousand children working part time on cocoa farms who had no family ties with the farmer. The research showed that approximately 109 thousand child laborers worked in hazardous conditions on cocoa farms in the country in what the study described as the worst forms of child labor. The studies estimated that 59 percent were from Burkina Faso, 24 percent were citizens, and the others were from Mali or other countries to the north. During the year compared with previous years, there were significantly fewer reports of children from neighboring countries being imported for fieldwork on plantations under abusive conditions.

The government worked with NGOs and international organizations to combat trafficking in persons. The National Committee for the Fight Against Child Trafficking, which included representatives from numerous government ministries; representatives from several national and international organizations and NGOs, such as UNICEF, ILO, Save the Children, REFAMP-CI (network of women ministers and parliamentarians); and the BICE continued its work during the year. The government and the ILO continued to implement the West African Project Against Abusive Child Labor in Commercial Agriculture (WACAP) to increase farmers' awareness, improve schooling for children, and provide better social services to families. Between June and October WACAP educated over 21 thousand people. In Abgville, in the heart of the cocoa zone, Winrock International continued its project Alternatives to Child Labor through Improved Education.

#### Persons with Disabilities

The law requires the government to educate and train persons with physical, mental, visual, auditory, and cerebral motor disabilities, to hire them or help them find jobs, to design houses and public facilities for wheelchair access, and to adapt machines, tools, and work spaces for access and use by persons with disabilities; however, wheelchair accessible facilities for persons with disabilities were not common, and there were few training and job assistance programs for persons with disabilities. The law also prohibits acts of violence against persons with disabilities and the abandonment of such persons.

On November 7, more than 200 members of the National Federation of the Handicapped of Cote d'Ivoire (FAH-CI) organized a sit-in in front of the Ministry of Solidarity, Social Security, and the Handicapped to protest the government's failure to recruit persons with disabilities during the last 3 years. The head of FAH-CI was subsequently fired, and the dispute was ongoing at year's end. In 1996 the government announced a program to recruit persons with disabilities for government service, but no such persons had been since 2003.

Adults with disabilities were not specific targets of abuse, but they encountered serious difficulties in employment and education. The government supported special schools, associations, and artisans' cooperatives for persons with disabilities, but many persons with physical disabilities begged on urban streets and in commercial zones. Persons with mental disabilities often lived in the streets.

Traditional practices, beliefs, and superstitions varied, but infanticide in cases of serious birth defects was less common than in previous years. Many parents no longer believed that children with disabilities were sorcerers or the signs of a curse.

The Ministry of Solidarity, Social Security, and the Handicapped and the Federation of the Handicapped were responsible for protecting the rights of persons with disabilities.

#### National/Racial/Ethnic Minorities

The country's population was ethnically diverse. Citizens born in the country derived from five major families of ethnic groups. The Akan family comprised more than 42 percent; the largest Akan ethnic group, and the largest ethnic group in the country, was the Baoule. Approximately 18 percent of citizens belonged to the northern Mande family, of which the Malinke were the largest group. Approximately 11 percent of citizens belonged to the Krou family, of which the Bete were the largest group. The Voltaic family accounted for 18 percent of the population, and the Senoufo were the largest Voltaic group. Approximately 10 percent belonged to the southern Mande family, of which the Yacouba were the largest group. Major ethnic groups generally had their own primary languages, and their nonurban populations tended to be concentrated regionally.

All ethnic groups sometimes practiced societal discrimination on the basis of ethnicity. Urban neighborhoods had identifiable ethnic characteristics, and major political parties tended to have identifiable ethnic and regional bases, although interethnic marriage increasingly was common in urban areas.

At least 26 percent of the population was foreign, and of that group, 95 percent were other Africans. There were more than 5 million West African immigrants living in the country. Most of the Africans were from neighboring countries, with half from Burkina Faso. Birth in the country did not automatically confer citizenship. Outdated or inadequate land ownership laws resulted in conflicts with an ethnic and anti-foreigner aspect.

In December 2004 the National Assembly made changes to the nationality code and adopted a Special Law on Naturalization, legislation that was envisioned by the Marcoussis Accord to resolve the dispute over which persons born of foreign parents before 1972 should be entitled to citizenship and to simplify procedures to obtain citizenship for this group and for foreigners married to citizens. The legislation that was eventually passed resolved the citizenship question for those born before 1960 but not for those born between 1960 and 1972. On July 15 and on August 29, the president signed new drafts of laws on nationality and naturalization in an effort to address the concerns of the opposition parties; however, the legislation remained a contentious issue.

Some ethnic groups included many noncitizens, while other ethnic groups included few noncitizens. There were societal and political

tensions between these two sets of ethnic groups. This cleavage corresponded to some extent to regional differences. Members of northern ethnic groups that were found in neighboring countries as well as in the country often were required to document their citizenship, whereas members of formerly or presently politically powerful ethnic groups of the west, south, and center reportedly were not required to do so. Police routinely abused and harassed noncitizen Africans residing in the country (see section 1.f.). Official harassment reflected the frequently encountered belief that foreigners were responsible for high crime rates, as well as a concern for identity card fraud. Harassment of northerners increased markedly after the 2002 rebellion.

On November 29, local government officials, accompanied by police officers, oversaw the bulldozing of the homes of more than 10 thousand people living in the Akwaba and Moussakro shantytowns of Abidjan. Most of the people were of Burkinabe origin. The government cited security concerns as the reason for the demolition.

Following the violence in 2003 after the signing of the Marcoussis Accord, many private French citizens left the country. Several thousand French citizens were evacuated in the wake of the November 2004 violence targeting French persons. The French and the Burkinabe continued to keep a low profile as harassment against them by security forces at checkpoints continued during the year (see section 2.d.).

Since the outbreak of the armed rebellion in 2002, clashes have regularly occurred between the native Guere populations and the Burkinabe and have led to the death of at least 10 persons on both sides. The native populations accused the Burkinabe of being assailants and the rebels' accomplices. However, according to French military sources, the repeated attacks against the non-natives (citizens and foreigners alike) were only aimed at stealing the latter's crops or money.

Ethnic tensions led to fighting and deaths, especially in the western areas of the country. During the year We and Yacouba ethnic groups in the west continued fighting, and hundreds reportedly were killed. In the west and in Duekoue in particular, there were violent clashes between the native We population and members of the foreign community, particularly Burkinabe farmers.

On April 25 and 26, ethnic disturbances erupted in the town of Guiglo, in the western region, following the apparent killing of a man from the local Guere tribe. FANCI soldiers prevented a mob attack on Guiglo's IDP center, which housed mainly ethnic Burkinabe. The crowd, composed of mostly indigenous youths, then rampaged through the town, destroying homes, shops, and vehicles, and killing one nonindigenous resident; seven persons were injured. No action was taken against the perpetrators at year's end.

Between April 29 and May 2, violent clashes in and around Duekoue, in the western region, between ethnic Guere and Dioula left approximately 30 dead. Clashes in June resulted in 9 more deaths, numerous injuries, and the displacement of more than 10 thousand persons, who took shelter in a Catholic mission. On July 7, the FANCI chief of staff installed a military governor and military prefects in the Moyen-Cavally region to reinforce security.

#### Incitement to Acts of Discrimination

Progovernment newspapers and militias, often led by Charles Ble Goude of the Young Patriots, continued to promote hatred against northerners, loosely described as "assailants", the French, and foreigners, especially those from Mali and Burkina Faso.

#### Section 6 Worker Rights

##### a. The Right of Association

The law allows all citizens, except members of the police and military services, to form or join unions of their choice without excessive requirements, and workers exercised these rights in practice. Registration of a new union required three months and was granted routinely.

Only a small percentage of the workforce was organized, and most laborers worked in the informal sector that included small farms, small roadside and street side shops, and urban workshops. However, large industrial farms and some trades were organized. There was an agricultural workers union.

The law does not prohibit antiunion discrimination by employer or others against union members and organizers.

##### b. The Right to Organize and Bargain Collectively

The law allows unions in the formal sector (approximately 1.5 million workers or 15 percent of the workforce) to conduct their activities without interference, and the government protected this right in practice. The law provides for collective bargaining and grants all citizens, except members of the police and military services, the right to bargain collectively. Collective bargaining agreements were in effect in many major business enterprises and sectors of the civil service. The law provides for the right to strike, and workers generally exercised this right in practice. However, the law requires a protracted series of negotiations and a six-day notification period before a strike may take place, making legal strikes difficult to organize. There are no export processing zones.

##### c. Prohibition of Forced or Compulsory Labor

The law prohibits forced or compulsory labor, including by children. The government made efforts to enforce the law. However, there were reports such practices occurred (see section 5).

Compulsory labor by children occurred (see section 6.d.)

#### d. Prohibition of Child Labor and Minimum Age for Employment

There were laws against forced labor and the exploitation of children in the work place; however, child labor remained a problem. In most instances, the legal minimum working age is 14; however, the Ministry of Employment and Civil Service enforced this provision effectively only in the civil service and in large multinational companies. Labor law limits the hours of young workers, defined as those under 18. However, children often worked on family farms, and some children routinely acted as vendors, shoe shiners, errand boys, domestic helpers, street restaurant vendors, and car watchers and washers in the informal sector in cities. Some girls began work as domestic workers as early as nine years of age, often within their extended family. There were reliable reports of children laboring in "sweatshop" conditions in small workshops. Children also worked in family operated artisanal gold and diamond mines.

According to a 2003 study, 28 percent of all children worked, with 20 percent working full time. About 23 percent of the children ages 10 to 14 and 55 percent of the children ages 5 to 17 carried out an "economic activity." According to a 2002 study, approximately 109 thousand child laborers worked in hazardous conditions on cocoa farms in what has been described as the worst forms of child labor (see section 5); some of these children were forced or indentured workers but 70 percent worked on family farms or with their parents.

The government continued its 2004 pilot program to certify that cocoa was produced free of child labor and that children in cocoa producing areas attended school. The Cocoa Task Force also continued its work in conjunction with the Chocolate Manufacturers Association to develop a list of benchmarks and deadlines to be achieved by 2008.

The Association of Domestic Worker Placement in Cote d'Ivoire worked to prevent the exploitation of children in domestic work. Other NGOs campaigned against child trafficking, child labor, and sexual abuse of children.

The National Management Committee for the International Program for the Elimination of Child Labor of the International Bureau of Labor was created in 2004 and spearheaded national efforts to fight child labor.

#### e. Acceptable Conditions of Work

Minimum wages varied according to occupation, with the lowest set at approximately \$73 (36,607 CFA francs) per month for the industrial sector; this wage did not provide a decent standard of living for a worker and family. A slightly higher minimum wage rate applied for construction workers. The government enforced the minimum wage rates only for salaried workers employed by the government or registered with the social security office.

Labor federations attempted to fight for just treatment under the law for workers when companies failed to meet minimum salary requirements or discriminated between classes of workers, such as local and foreign workers. For example, the sanitary services company ASH continued to pay wages as low as \$23 (12 thousand CFA francs) a month to female employees who swept the streets of Abidjan. According to their labor federation, labor inspectors continued to ignore this violation of the law. The shipbuilding company Carena continued to discriminate between European engineers who were paid on average \$15,600 (8 million CFA francs) a month and their African colleagues who received approximately \$1,500 (800 thousand CFA francs) a month. Government labor and employment authorities did not take action in these cases.

The standard legal workweek was 40 hours. The law requires overtime pay for additional hours and provides for at least one 24-hour rest period per week. The law did not prohibit compulsory overtime. The government enforced the law in the formal sector only.

The law provides for occupational safety and health standards in the formal sector; however, in the large informal sector of the economy, the government enforced occupational health and safety regulations erratically, if at all. Labor inspectors frequently accepted bribes. Workers in the formal sector had the right to remove themselves from dangerous work without jeopardy to continued employment by utilizing the Ministry of Labor's inspection system to document dangerous working conditions. However, workers in the informal sector ordinarily could not absent themselves from such labor without risking the loss of their employment.

Several million foreign workers, mostly from neighboring countries, typically worked in the informal labor sector, where labor laws did not apply.

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