



## U.S. DEPARTMENT of STATE

### Cote d'Ivoire

#### Country Reports on Human Rights Practices - [2007](#)

Released by the Bureau of Democracy, Human Rights, and Labor

March 11, 2008

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. In 2000 the Supreme Court declared Gbagbo the victor with 53 percent of the vote. In 2002 exiled military members and coconspirators simultaneously attacked government ministers and military and security facilities in Abidjan, Bouake, and Korhogo. The failed coup attempt evolved into a rebellion, which split control of the country between the rebel New Forces (NF) in the north and the government in the south. The failure of subsequent peace accords resulted in the 2004 deployment of 6,000 peacekeepers under the UN Operation in Cote d'Ivoire (UNOCI), who joined the 4,000-member French Operation Licorne peacekeeping force already in the country. Approximately 8,000 UNOCI and 2,400 Licorne peacekeepers remained in the country at year's end to support the ongoing peace process. Civilian authorities in government- and NF-controlled zones generally did not maintain effective control of the security forces.

On March 4, President Gbagbo and NF rebel leader Guillaume Soro signed the Ouagadougou Political Agreement (OPA), which establishes a transitional government with Soro as prime minister. The OPA also calls for the disarmament of armed factions, reunification of the country, identification of Ivorians, and 2008 presidential elections. By year's end progress had been made on some provisions of the OPA: nearly 70 percent of the civil administration returned to the north, the "audiences foraines" process was underway to issue birth certificates to those who were never registered, and the "zone of confidence" (ZOC) was dismantled. Little progress was made in disarmament until December, when the two sides entered into two supplementary agreements in which they committed to beginning disarmament on December 22, to holding presidential elections in June 2008, and fully implementing the provisions of the OPA as rapidly as possible.

The government's human rights record, which improved slightly during the year, continued to be poor. Continuing political instability and uncertainty kept tensions high throughout the country. The following human rights abuses were reported: restriction of citizens' right to change their government; arbitrary and unlawful killings, including summary executions, by security forces, progovernment militias, and student groups; disappearances; torture and other cruel, inhuman, or degrading treatment and punishment by security forces, progovernment militias, and a student group; deplorable prison and detention center conditions; security force impunity; arbitrary arrest and detention; denial of a 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 of children; and child labor, including hazardous labor.

The NF's human rights record improved slightly during the year but continued to be poor. UNOCI reported the killing and disappearance of civilians in NF-held territories. The NF continued to arbitrarily arrest and detain persons and to conduct arbitrary ad hoc justice during the year. There were reports of extrajudicial killings and arrests of persons suspected of attempting to overthrow the government.

#### 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 continued to commit 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.

Security forces frequently resorted to lethal force to combat widespread crime and often committed crimes themselves with impunity. Rebel forces in the north also committed extrajudicial killings.

There continued to be credible reports of numerous cases in which the use of excessive force by security forces resulted in deaths. Such cases often occurred when security forces apprehended suspects or tried to extort money from taxi drivers and merchants.

In August security forces shot and killed Henri Beugre, a member of the Young Patriots, a youth group with close ties to the ruling FPI party, during a demonstration in Divo. During the demonstration, the Young Patriots attacked a police officer. The police officer allegedly responsible for killing Beugre had not been tried by year's end.

No action was taken against members of security forces or the Young Patriots responsible for summary executions during 2006.

In December 2006 the military prosecutor announced that the 19 remaining persons held in connection with the January 2006 attacks on two Akouedo military camps had been acquitted; the 19 were part of an original group of 60 charged with assassination and breach of state security.

There were no developments during the year in the investigation launched in July 2006 into the June 2005 deaths of three military officers: Major Colonel Bakassa Traore, who died after security forces arrested and beat him, and Colonel Jules Yao Yao and retired General Laurent M'Bahia Kouadio after they attended a dinner hosted by the French ambassador.

During the year there were a number of killings attributed to members of the Security Operations Command Center (CECOS), an anticrime organization whose personnel also were accused of human rights violations, racketeering, extortion, and harassment. There continued to be reports that members of CECOS carried out summary executions of thieves in Abidjan, although the interior ministry stated that all victims were criminals killed in the course of police anticrime activities.

On February 2, CECOS members shot and wounded Toulman Ibrahim as he and three other men tried to steal a taxi in the Marcory district of Abidjan. CECOS officers detained Ibrahim at the hospital where he had sought treatment for his wounds. He later died in police custody without having received medical care.

On February 21, four CECOS members shot and killed two unarmed prison escapees. Sergeant Mabe Kpokro was accused of firing at the prisoners at pointblank range after they had already been subdued. CECOS commander Guiai Bi Poin admitted that the killing was unjustified. On March 14, the military prosecutor charged the four officers with murder, abandonment of duty, and violating instructions. The officers were transferred to the military prison in Abidjan (MAMA) and were awaiting trial at year's end.

On July 11, CECOS members attacked dozens of taxis in Abidjan in retaliation for the wounding of a CECOS member two days earlier in a fight between CECOS members and taxi drivers. A bystander was killed, and three taxi drivers and two other bystanders were injured. The minister of transportation visited the victims' families after the incident to offer condolences. Although the mayors of Adjame and Attécoubé raised the issue with the government, no punitive action was taken against the officers by year's end.

By December 2006, 17 of the 61 persons arrested for attacking gendarmerie and police in Anyama in 2005 had been released, and 36 of the 44 persons who stood trial received heavy sentences. In June, following the signing of the amnesty law by the president, the 36 detainees were released.

On September 3, hundreds of members of the pro-FPI Union of Secondary School and University Students (FESCI) staged a violent protest in Abidjan against the government for the handling of the August 2006 violent confrontations between FESCI students and police, in which several demonstrators were injured.

There were no developments in other 2006 or 2005 security force killings.

There were fewer reports of the collaboration of government forces and irregular forces that created a climate of fear and impunity in previous years. There were also no reports that the government recruited Liberian mercenaries in the west.

During the year militia groups continued activities that contributed to a climate of fear and insecurity, particularly in the west. Although there were fewer reports of killings by militias than in the previous year, UNOCI reported cases of local militias patrolling streets. In late August young men in Guiglo, claiming to be acting on the orders of the local police commissioner, prevented the Beninese Peacekeeping Battalion from patrolling the streets. The police commissioner of Guiglo confirmed that the young men had organized themselves but denied that he had instructed them to block UNOCI patrols.

Unlike in the previous year, police and security forces in Abidjan did not use lethal force in neighborhood sweeps against citizens with northern origins and African immigrants in search of rebel sympathizers, infiltrators, and arms caches.

Rebel groups were responsible for indiscriminate killings of gendarmes, government officials, and suspected FPI sympathizers; however, there were fewer such reports than in previous years.

During the year extrajudicial killings attributed to the NF were reported in rebel-held zones and in the former ZOC, the area separating the national armed forces (FANCI) and NF troops in which UNOCI troops maintained peace.

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

In Abidjan and the western part of the country, there were reports of atrocities, including killings, rapes, and looting, by progovernment militias and others. In August UNOCI reported an upsurge in security incidents in the Diourouzon-Genieibly road in the Bangolo region. UNOCI reported that attacks were committed routinely by armed and disguised men. On August 3, a child was shot in the stomach, and, on August 5, a man was shot and killed.

On February 9, a gang of armed men attacked a group of traders on the Guiglo-Gbapleu road, killing four persons and injuring six.

There were fewer incidents than in the previous year of ethnic violence that resulted in deaths. Reports of conflict between local residents in the west and other--principally Ivorian--settlers continued.

On March 5, French peacekeeping troops in the western part of the former ZOC shot and killed a man in a bus after it did not stop at a checkpoint despite several requests from the peacekeepers. Of the seven persons in the bus, two others were wounded in the incident.

#### b. Disappearance

Unlike in the previous year, there were no reports of disappearances during the year. Several members of the opposition (particularly the RDR), journalists, and ordinary citizens remained missing at year's end.

There were no developments in the French investigation into the involvement of Ivorian officer Tony Oulai in the 2004 disappearance of Guy Andre Kieffer, a Franco-Canadian freelance journalist, and Oulai remained in French custody at year's end.

There were no developments in other 2006 or 2005 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 constitution and law prohibit such practices; however, security forces beat and abused detainees and prisoners to punish them or to extract confessions. Although there were no credible reports of rape and torture during the year, experts believed that security forces continued to rape and torture women and girls. Police officers forced detainees to perform degrading tasks under threat of physical harm. Police often detained persons overnight in police stations, where they beat them and forced them to pay bribes. Police continued to harass and extort bribes from persons of northern origin or with northern names.

There were no developments in the incidents of cruel and degrading treatment reported in 2006. There were fewer reports than in the previous year of violent actions and threats against political opposition figures and human rights activists. Unlike in the previous year, there were no reports that opposition leaders received death threats over the telephone and from armed men dressed in fatigues, and that armed men harassed family members.

Police and security forces used excessive or lethal force to disperse demonstrations.

Members of the security forces continued to harass journalists.

There were no verifiable reports that security forces raped women and girls during the year, demonstrating a decline from the wide-scale rapes that had occurred since the conflict broke out in 2002. Human rights groups issued extensive reports during the year detailing the sexual violence committed by rebel and government forces over the preceding five years. There were no developments in the cases from previous years in which security forces committed rape.

Unlike in the previous year, there were no reports that security forces conducted widespread neighborhood searches during which they beat and robbed residents. There continued to be reports, however, that noncitizen Africans, mostly from neighboring countries, were subject to harassment by security forces and "self-defense" committees, including repeated document checks, security force extortion, and racketeering.

There were no developments in cases reported in 2006.

Unlike in the previous year, there were no reports that loyalists of President Gbagbo's FPI party organized groups of Young Patriots or that youth groups aligned with the ruling FPI harassed and intimidated residents and merchants; however, some groups had arms or had ready access to arms supplied by the government. The presidency sponsored some of these groups and tolerated others, but it did not have complete control over them.

Unlike in the previous year, following the signing of the OPA, there were no reports that progovernment militias harassed and assaulted farmers who were migrants from other West African countries.

Unlike in the previous year, there were no reports that the progovernment militia Groupe de Patriotes pour la Paix (GPP), which was banned in 2003, conducted attacks.

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

There were fewer reports than in the previous year of incidents of interethnic violence that resulted in injuries.

#### Prison and Detention Center Conditions

Conditions were poor and in some cases life threatening in the country's 33 prisons. In the 22 prisons located in the area under control of the government, this situation was primarily due to inadequate budgets and overcrowding. For example, the country's main prison, MACA, was built for 1,500 persons but held 4,696 detainees as of December 31; the other 21 prisons in the government-controlled area collectively held 5,925 detainees despite their 3,371-person capacity. 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. The government spent approximately \$0.26 (120 FCFA) per prisoner on the daily food ration, which was not sufficient to prevent cases of severe malnutrition in prisoners who had no family or whose families did not bring them additional food. Inmates at some prisons grew vegetables to feed themselves with aid provided by the International Rescue Committee (IRC) and the European Union through the nongovernmental organization (NGO) Prisoners Without Borders. There were 205 deaths in the country's 22 prisons as of December 31. UNOCI reported that most deaths in prison were due to malnutrition. There were credible reports that prisoners frequently brutalized other prisoners for sleeping space and rations. There were press reports of prostitution and a flourishing drug trade in MACA. Several small national and international charities, such as the Ivorian Islamic Medical Rescue Association, continued to provide food, clothing, and legal and medical assistance to prisoners. The International Committee of the Red Cross (ICRC) helped feed prisoners with no family in the towns of Bondoukou, Bouafle, Dimbokro, Sassandra, and Divo, and also provided aid to renovate prison medical centers and prison cells. French NGO Prisoners Without Borders received funding from the European Union to renovate eight prisons. At the end of the year, only the renovation of the Divo prison had been completed, providing space to accommodate 50 additional prisoners.

Children often lived with their imprisoned mothers. At year's end, two children lived with their imprisoned mothers at MACA. Male minors were held separately from adult men, but the physical barriers at the main MACA prison were inadequate to enforce complete separation. At year's end, fewer minors were detained with adults than in the past. The International Catholic Office for Children (BICE) and Prisoners without Borders continued their efforts to assist imprisoned children by helping to locate their families and by maintaining a separate facility for them at the Divo prison. During the year BICE helped create eight separate detention centers for minors. Nine other prisons had separate cells for minors by year's end. Minors and adults continued to share cells in the five remaining prisons in the government-controlled areas. Pretrial detainees were held with convicted prisoners. At year's end, there were 3,031 pretrial detainees (about 28.5 percent of the prison population).

Prison conditions for women were particularly difficult, and healthcare facilities were inadequate. There were continued reports that female prisoners engaged in sexual relations with wardens to get food and privileges. There continued to be inadequate healthcare facilities for women. Pregnant prisoners went to hospitals to give birth, and their children often lived with them in prison. The penitentiary accepted no responsibility for the care or feeding of the infants, although inmate mothers received help from local NGOs.

In September the company Trafigura compensated 35 victims at MACA for illnesses they developed following their

exposure to the toxic waste that it had dumped near MACA and other parts of Abidjan in September 2006, causing the death of one prisoner.

The government permitted access to prisons by local and international NGOs, including the ICRC, World Doctors, International Prisons' Friendship, Love Amour, Prisoners Without Borders, and the Ivorian Islamic Medical Rescue Association.

The NF continued to maintain detention centers, and the ICRC and UNOCI human rights division local teams were granted full access to them. UNOCI reported in 2006 that the NF detained 295 persons, usually without due process. The NF allegedly freed prisoners to serve as combatants against the government.

Unlike in the previous year, there were no reports that rebels killed prisoners, although there continued to be credible reports that prisoners died in rebel jails. In July UNOCI found that 26 detainees had died over a month-long period in a prison in Daloa due to malnutrition, poor hygiene due to overcrowding, and disease. Although the prison only had a capacity of 400, it held 918 detainees.

#### d. Arbitrary Arrest or Detention

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

#### Role of the Police and Security Apparatus

Security forces under the ministries of defense and interior 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. There were reportedly major divisions within the military based on ethnic and political loyalties. Police forces, which are under the jurisdiction of the Ministry of Interior, include paramilitary rapid intervention units such as the Anti-Riot Brigade and the Republican Security Company, and the plainclothes investigating unit, Directorate for Territorial Security (DST). In 2005 the government formed CECOS to combat rising crime in Abidjan. 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.

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 remained a serious problem. There were fewer reports than in the previous year that security forces were seen forcing persons stopped at roadblocks to do push-ups while being beaten or subjected to other abuses. Police solicited sexual favors from prostitutes in exchange for not being arrested. Unlike in the previous year, there were no reports that police kidnapped private citizens and either killed them or released them, sometimes demanding a bribe for their release. Security forces often were accused of causing 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. In spite of a 2006 government campaign discouraging citizens from paying bribes to security forces at checkpoints, citizens who did not pay bribes continued to face the confiscation of their official documents, harassment, intimidation, or physical abuse.

The government sometimes took action against police officers who committed abuses; however, it generally 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 took steps to combat malfeasance, including the establishment of a telephone help line to report racketeering incidents.

On August 12, the military prosecutor caught 12 members of the security forces setting up roadblocks and extorting bribes of approximately \$69 (32,500 FCFA) from transport operators and drivers. The security forces detained drivers who refused to pay and their passengers and confiscated their identity documents. The 12 members of the security forces, who had been detained without charge, were released by year's end.

By the end of September, the military tribunal reported that 68 members of the security forces had been tried in court for criminal acts, including 13 for involuntary and voluntary killings; 24 for assault, and 31 for petty offenses and racketeering. There were four convictions: army officer Allui Djezou was sentenced to five years' imprisonment; navy officer Oka Koffi was given a suspended sentence of one month's imprisonment for assault and fined approximately \$226 (100,000 FCFA); army officer Kouame Alvis Olivier received a suspended sentence of six months' imprisonment and a fine of \$226 (100,000 FCFA) for involuntary manslaughter; gendarmerie officer Ali Ouattara was given a one-year prison sentence and a fine of \$226 (100,000 FCFA) for involuntary manslaughter and assault.

In March the military tribunal of Abidjan convicted army officer Mangoury Mandele Herve of the 2005 killing of Yapo Gislain in the Adjame district of Abidjan. Mangoury was sentenced to 18 years in prison, fined approximately \$567 (250,000 FCFA), and discharged from the military.

In April police officer Zie Guillaume was acquitted for lack of evidence on charges that he attempted to bribe the minister of security with \$240,000 (117 million FCFA).

The military tribunal reported that, as of October 2006, 56 members of the defense and security forces, including police officers, gendarmes, and military personnel, were being held at MAMA. Thirty-six of the 56 were arrested during the year and transferred to jail for murder, rape, corruption, violation of orders, theft, embezzlement, and other abuses.

#### 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 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 alleged 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 such as suspected actions against state security, 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.

DST was charged with collecting and analyzing information relating to national security. 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 fewer reports than in the previous year that security forces arbitrarily arrested merchants and transporters, often in conjunction with harassment and requests for bribes.

Police also arrested and detained journalists during the year.

Unlike in the previous year, security forces did not arrest RDR party members and officials and persons of northern origins thought to be close to the rebellion.

In March police arrested six traders and shopkeepers who were protesting the implementation of a standardized invoice system. One merchant, Abdul Ibrahim Redda, a naturalized Ivorian citizen of Lebanese origin, was deported without being tried. His family raised the issue with the UNOCI human rights division, which was pursuing the case with DST at year's end.

Police and gendarmes detained persons in various military camps in Abidjan; however, there were fewer such reports than in the previous year. Few of these detainees entered the civil justice system.

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. At year's end, the National Prison Administration reported that 25-30 percent of the 9,941 prisoners held in the 22 government-controlled prisons were pretrial detainees.

For example, at year's end, no trial had been held in the case of 11 persons arrested in January for allegedly attacking gendarmes, customs officials, and local police at the Noe border. At a public hearing in February, the military tribunal issued detention warrants to the accused, who were transferred to the military prison in Abidjan. Four of the 11 persons were released following the signing of the amnesty law in June; all four were Ivorian nationals. The remaining seven--Malian, Nigerien, and Burkinabe nationals--remained in detention awaiting trial at year's end.

Unlike in the previous year, human rights organizations did not report that, in rebel-controlled territory, the NF arbitrarily arrested, mistreated, ransomed, or detained persons thought to be loyal to President Gbagbo. There were, however, reports of extrajudicial killings and arrests at year's end of persons suspected of attempting to overthrow the government with the help of Sergeant Ibrahim Coulibaly. FANCI Sergeant Moussa Guire, whom the NF charged with spying in 2006, was released from detention in Bouake following the May issuance of the amnesty decree.

There were no developments in other cases from 2006.

#### Amnesty

On April 12, President Gbagbo signed an amnesty decree for any citizen, whether civilian or military, accused of crimes against state security. The amnesty did not apply to crimes against humanity or economic crimes. On June 26, the government released 64 persons, including 27 soldiers, who had been jailed in connection with the July 2005 attack on Anyama, Agboville, and Gohitafla.

#### e. Denial of Fair Public Trial

The constitution and law provide for an independent judiciary; however, in practice the judiciary was subject to influence from the executive branch, the military, and other outside forces. Although the judiciary was independent in ordinary criminal cases, it followed the lead of the executive in national security or politically sensitive cases. There also were 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 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.

#### 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, although higher courts rarely overturned verdicts and did not do so during the year. 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, aside from infrequent instances in which 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 superseded these traditional mechanisms. The law specifically provides for a grand mediator, appointed by the president, to bridge traditional and modern methods of dispute resolution.

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.

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. For example, on December 27, a violent clash between rival NF forces in Bouake culminated in the executions of Seydou Traore and several other persons who were allegedly plotting to overthrow the government with the help of exiled military leader Sergeant Ibrahim Coulibaly. Several NF officers suspected of complicity with Traore were arrested and charged with attempting to overthrow the government. They remained in detention in Bouake and Korhogo at year's end. UNOCI issued a public statement criticizing the summary executions and illegal and arbitrary arrests that resulted from the clash.

#### Political Prisoners and Detainees

There were no reports of political prisoners or detainees.

#### Civil Judicial Procedures and Remedies

The constitution and law provide for an independent judiciary in civil matters; however, the judiciary was subject to corruption, outside influence, and favoritism based on family and ethnic ties. Citizens can bring lawsuits seeking damages for, or cessation of, a human rights violation; however, they did so infrequently. The judiciary was slow and inefficient, and there were problems enforcing domestic court orders.

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

The constitution and law provide for these rights; however, the government did not respect these rights in practice, although there were fewer such reports than in previous years. Officials must have warrants to conduct searches, must have the prosecutor's agreement to retain any evidence seized in a search, and are required to have witnesses to a search, which may take place at any time; however, in practice police sometimes used a general search warrant without a name or address. Unlike in the previous year, there were no reports that police entered the homes of northern citizens and noncitizen Africans (or apprehended them at large), took them to local police stations, or extorted small amounts of money for alleged minor offenses.

Unlike in the previous year, there were no reports that security forces conducted warrantless searches of opposition party officials' residences, allegedly in search of weapons, conducted neighborhood searches in which they entered several homes at the same time, or harassed opposition forces.

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.

The NF continued to confiscate the property and vehicles of civil servants and those believed to be loyal to President Gbagbo, although it did so less often than in the previous year. The NF vacated some of the property that they had confiscated in previous years.

There were unverifiable allegations that the rebels in the northern towns of Bouake and Katiola continued to monitor mail, looking for potential government loyalist infiltrators.

## Section 2 Respect for Civil Liberties, Including:

### a. Freedom of Speech and Press

The constitution and law provide for freedom of speech and the press, but the government restricted these rights in practice. Journalists continued to practice self-censorship for fear of retribution. Government officials aggressively used the court system to punish critics.

On April 20, the trial of PDCI-affiliated former minister of animal production and fisheries, Kobenan Adjoumani, ended with the defendant receiving a two-month suspended sentence for defaming President Gbagbo in June 2005 by accusing him of masterminding the 2002 rebellion. Adjoumani's appeal was in progress at year's end.

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. Most newspapers were politicized and sometimes resorted to fabricated stories to defame political opponents.

The private radio stations did not have complete control over their editorial content. The government used the Audiovisual Communication Council (CNCA), which was controlled by the ruling party, to closely monitor Radio Nostalgie because the major shareholders of the company were close to RDR president Alassane Ouattara. National broadcast regulations prohibit the transmission of any political commentary.

Following the 2002 rebellion, the government reduced press freedoms in the name of patriotism and national unity. The government and the ruling FPI continued to exercise considerable influence over the official media's program content and news coverage. During the year opposition leaders frequently complained that the official media did not accord the opposition equal television airtime.

On February 27, police charged *Nouveau Reveil* newspaper publisher Denis Kah Zion and editor Andre Silver Konan with "contempt of the head of state" for a report the newspaper published entitled "Gbagbo's 100 crimes during his seven years in office." The National Press Commission, the CNCA, the Press Freedom and Ethics Monitoring Center (OLPED), and the Newspaper Publishers Association (GEPCI) issued a joint statement demanding the immediate release of Zion and Konan in accordance with article 68 of the press law banning the imprisonment of journalists for any offense.

On September 11, five journalists from opposition newspapers were arrested and charged with publishing articles about the 38 richest persons in the country, including members of the FPI. The journalists were released after 11 hours but awaited pretrial hearings at year's end.

On September 12, Colonel Denis Gieglobo ordered the arrest of UNOCI radio journalist Enoch Faye, who reported on barricades erected by various militias in Guiglo as well as an incident of the militias burning tires and firing shots into the air. Faye was released later that day.

The media played a role in inflaming tensions, and newspapers backed by political parties published inflammatory

editorials and created a climate of hostility toward perceived political opponents. The Ivorian Observatory on Press Freedom and Ethics and the National Press Commission, which enforced regulations regarding creation, ownership, and freedom of the press, regularly published press releases urging journalists to be more moderate.

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

On February 27, a group of FESCI members invaded the headquarters of *L'Intelligent d'Abidjan* newspaper, harassed the staff and journalists, and caused minor damage to the premises. The FESCI members claimed to be protesting an article published in the paper alleging that FESCI members had registered with opposition political party the Union for Peace and Democracy in Cote d'Ivoire (UDPCI).

On September 7, the bodyguards of army chief of staff General Philippe Mangou beat *Dialogue* newspaper journalist Jean-Charles Lago, who was attending a ceremony cosponsored by Mangou. When the general's staff realized that a journalist was present without invitation, the guards assaulted him.

Unlike in the previous year, there were no reports that the Young Patriots attacked journalists, destroyed issues of independent and opposition newspapers, or threatened newspaper vendors.

There were no developments in the 2006 cases of Young Patriot attacks on journalists, including the January attacks on an opposition reporter and cameraman, journalist David Mobio, and on Minister Delegate of Communications Martine Studer-Coffi.

There were no developments in the December 2006 case in which the managing director of opposition newspaper *Le Nouveau Reveil*, Denis Kah Zion, issued a public statement describing repeated death threats against his family and colleagues.

Unlike in the previous year, there were no reports that foreign journalists were subjected to government harassment and intimidation.

Unlike in the previous year, the opposition did not attack journalists whom they believed to be spying on them on behalf of the FPI.

No action was taken against progovernment youth groups who attacked, threatened, arrested, or harassed journalists in previous years.

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 three months to two years in prison.

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

In NF-held territory, rebels broadcast their own programming from Bouake, which included radio and television 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 broadcasts 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.

Unlike in the previous year, there were no reports that rebel forces beat and harassed journalists.

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

#### Internet Freedom

There were no government restrictions on access to the Internet or reports that the government monitored e-mail or Internet chatrooms. Individuals and groups could engage in the peaceful expression of views via the Internet, including by e-mail. Citizens had access to the Internet at Internet cafes, but home access was prohibitively expensive for most persons.

#### Academic Freedom and Cultural Events

The government restricted academic freedom. FESCI, the pro-Gbagbo student group created in the early 1990's, generated a climate of fear and intimidation at the universities and regularly stopped classes, forced students to attend meetings, and threatened professors who interfered in their activities. The government controlled most educational facilities, even at the post-secondary level, and 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 continued to use violent tactics to maintain its hold on student government, disrupt the work of officials appointed by opposition ministers, and intimidate other students. For example, on January 4, members of FESCI prevented Meite Adam, the interim director of the regional center in charge of campus management, from taking office at the University of Cocody. FESCI blocked the roads to the campus and threatened passers-by. The ministry of education transferred Adam's office to another location to prevent further showdowns with FESCI.

In late May FESCI threatened to attack private schools where professors taught while public institutions were on strike. Fearing violent reprisals, private institutions closed May 21-23. On May 21, members of FESCI ransacked the premises of Canadian University in retaliation for remaining open during the strike.

No action was taken against FESCI members responsible for similar incidents reported in previous years.

Unlike in previous years, FESCI members did not target the General Association of Students of Cote d'Ivoire, a rival student group founded in 2004 as an alternative form of student governance.

#### 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. In December 2006 President Gbagbo renewed a ban on all forms of outdoor public demonstrations in Abidjan. The ban had not been lifted at year's end.

Unlike in previous years, there were no reports that RDR members had difficulties associating freely, nor were there reports that security forces harassed and detained RDR members who tried to meet.

Police forcibly dispersed antigovernment demonstrations, which resulted in injuries.

On June 26, police used tear gas to disperse demonstrators protesting the government's decision to compensate each of the families of the 16 deceased victims of the 2006 toxic waste poisoning approximately \$224,862 (100 million FCFA) of the \$224.9 million (100 billion CFA) paid to the government by the company Trafigura in a settlement.

On June 15, members of the Anti-Terror Group militia destroyed property and attempted to disrupt a rally held by Minister of Solidarity and War Victims Louis Andre Dacourey Tabley to explain the Ouagadougou Political Agreement in the Yopougon district of Abidjan.

On September 17, CECOS wielded clubs and fired tear gas grenades to break up a demonstration in Abidjan by female vendors who were protesting the government's lack of enforcement of price controls on food and housing. CECOS Commander Goue claimed that force was necessary to break up the demonstration because some protesters were throwing stones at police.

There were no developments in the 2006 cases in which police used force to disperse demonstrations on Giscard d'Estaing Boulevard, at the house of the late General Robert Guei, or in front of the headquarters of Radio Television Ivoirienne (RTI).

##### Freedom of Association

The law provides for freedom of association, and the government generally respected this right; however, the law prohibits the formation of political parties along ethnic or religious lines, both of which were key factors in some parties' membership.

The GPP, which was banned in 2003, continued to exist but, unlike in the previous year, did not attack government installations and personnel.

#### c. Freedom of Religion

The constitution and law provide 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, many of whom were Muslim and from the north. Although the country's political conflict lay along ethnic rather than religious lines, political and religious affiliations tended to follow ethnic lines; consequently, some religious affiliation was an important marker of political alliance. Strong efforts by religious and civil society groups helped prevent the crisis from becoming a religious conflict. The targeting of Muslims suspected of rebel ties continued to diminish during the year.

In the past the government informally favored the Catholic Church and consequently gave Catholic Church leaders a much stronger voice in government affairs than their Islamic counterparts. Such preferential treatment led to feelings of disenfranchisement among some Muslims. There was no state religion; however, for historical as well as ethnic reasons, government officials informally favored Christianity, in particular the Catholic Church. Catholic schools received government subsidies, and Catholic Church leaders had a stronger voice in government affairs than their Islamic counterparts, which resulted in feelings of disenfranchisement among some Muslims.

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 predominantly Muslim neighboring countries, they sometimes were accused wrongly of attempting to obtain nationality cards illegally to vote or otherwise take advantage of citizenship. This created a hardship for a disproportionate number of Muslim citizens.

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

#### Societal Abuses and Discrimination

There were no reports of anti-Semitic acts.

For a more detailed discussion, see the [2007 International Religious Freedom Report](#).

#### d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons

The constitution and law do not provide specifically for freedom of movement, foreign travel, emigration, or repatriation, and the government restricted freedom of movement during the year. There were frequent restrictions on internal travel. A curfew remained in place, prohibiting citizens from entering and leaving Yamoussoukro and Abidjan city limits between 11:00 pm and 6:00 am. Security forces, local civilian "self-defense" committees, and water, forestry, and customs officials frequently erected and operated roadblocks on major roads, where they regularly extorted travelers and demanded that travelers produce identity and vehicle papers.

Unlike in previous years, there were no reports that police harassed opposition members at the airport and prevented foreigners from traveling overland between the north and the south.

Persons living under NF authority continued to face harassment and extortion when trying to travel between towns and to the government-controlled south, although this harassment diminished following the signing of the OPA and President Gbagbo's trips to the north in November and December. 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. Beginning in February, government banks and financial services reopened their services to the public in Bouake, and government workers and retirees in the north were able travel to Bouake to collect their wages and pensions. However, despite the announcement of redeployed government financial services in the west and the north, neither those services nor those of private banks had resumed by year's end. The cost of either paying one's way through the various barricades or hiring a money runner to do so was substantial. Government officials reported the roundtrip cost for citizens in the north to travel from Bouake and other cities to Yamoussoukro to cash paychecks to be between \$45 and \$67 (20,000 to 30,000 FCFA). A money courier or informal banking service cost either \$11 (5000 FCFA) or a flat percentage of the amount transferred.

The law specifically prohibits forced exile, and no persons were exiled forcibly during the year. Following the signing of an amnesty law in April, a number of persons returned from self-imposed exile due to death threats, including several members of the RDR, members of other opposition parties, and senior army officers, such as Colonel Jules Yao Yao.

#### Internally Displaced Persons (IDPs)

There were large numbers of IDPs in the country as a result of the 2002 crisis. The UN Office for the Coordination of Humanitarian Affairs estimated that as many as one million persons were displaced at the beginning of the crisis, of whom perhaps half (300,000 Burkinabe, 150,000 Malians, and 50,000 Guineans) were foreign nationals. The most recent IDP data from the UN Population Fund (UNPFA) estimated the total number of IDPs in the country to be 709,000. More than 90 percent of IDPs lived with host families, and almost 70 percent were located in Abidjan. However, other humanitarian organizations and donors noted that these statistics included IDPs who maintained access to their government salaries even after their displacement.

During the crisis, progovernment and rebel forces did not generally target civilians, but ethnic conflict and fighting forced many persons to flee the zones of conflict, and others simply felt uncomfortable in the side of the divided country that they found themselves in initially. Roadblocks and toll collection points made it difficult for civilians to move in both sides of the country. These IDPs continued to place heavy burdens on host communities, especially given the prolonged nature of the crisis.

Since the signing of the OPA on March 4, important strides made toward peace promoted spontaneous and assisted returns of IDPs to their homes. The ZOC that separated the government-held south from the NF-held-north was dismantled, replaced by a "Green Line." The former ZOC in the west was patrolled by a mixed brigade of FANCI and NF forces. However, humanitarian assistance to support the IDP return process and to monitor their reintegration in villages and settlements near the cocoa/coffee plantations remained critical to its success.

Government assistance, especially in the north and west where civil servants and infrastructure were only partially in place, did not meet the needs of these IDPs. The government reported that approximately 70 percent of civil servants had returned to work in these areas by year's end. International and local NGOs were working to fill the gap.

The ministries of foreign affairs and solidarity and war victims worked closely with UN agencies on IDP issues. In January the government established a consultative interministerial committee chaired by the Ministry of Solidarity and War Victims to coordinate humanitarian action and IDP protection. The ministry drafted an IDP return program, which was included in the OPA and in the crisis recovery program launched by the prime minister's office in July. A more detailed version of this program was submitted to the interministerial committee for approval and funding, but it remained at the committee level and unimplemented at year's end.

In February and March the IDP Protection Cluster, a working group led by the UN High Commission on Refugees (UNHRC), continued a survey of 11,390 heads of households to complement a 2005 UNFPA survey and to develop durable solutions for displaced communities. The extended survey found that 10.2 percent of the population surveyed did not possess identification documents.

The Ministry of Solidarity and War Victims also registered IDPs in Abidjan who wanted to return to their homes. By mid-year approximately 3,000 names were on the list. In December the ministry attempted to return several hundred willing IDPs from Abidjan to Bouake but was unable to provide any assistance beyond transportation. As a result, the majority of these IDPs returned to Abidjan within a few days after reaching Bouake. Some of these returnees staged a brief hunger strike to protest the government's lack of support for them in Bouake. During the year the ministry worked closely with international humanitarian partners to ensure that the country's plans for IDP resettlement conformed to UN internal displacement guidelines.

During the year UN agencies and local authorities continued to facilitate the small-scale return of IDPs to several locations in the west of the country. An estimated 50,000 IDPs returned spontaneously and with the assistance of humanitarian organizations to their areas of origin. The displacement patterns often complicated the return of IDPs. At year's end approximately 1,012 IDPs, mostly of Burkinabe origin, remained in the Guiglo Temporary Center for Assistance to Displaced People (CATD). These displaced Burkinabe and other settlers living in the Guiglo CATD said that their plantations around the western town of Bolequin, south of the ZOC, were being occupied by indigenous Guere populations, who themselves had been displaced from their land in the ZOC at the beginning of the crisis. The government had not addressed this situation by year's end.

The original displacement patterns often complicated the return of IDPs. For example, in April the prefect of Bolequin moved approximately 1,200 to 1,300 willing IDPs from Zou out of a protected forest area south of Bolequin where they had settled after the war began. This facilitated move was intended to allow other IDPs to return to their home area. Since the move from the protected area, those IDPs were living with host families.

New population displacements continued on a regular basis in the western region, particularly in the area around Guiglo and in the former ZOC, although on a much smaller scale than had occurred in previous years. Persons who had settled on abandoned plantations during the crisis were themselves displaced by returning landowners. During the year confusion over land tenure caused significant tension in the region as ethnically different returning communities and those who were never displaced were required to negotiate a new and delicate balance of power. Although the origin of most disputes appeared to be economic, generally resulting from issues of land tenure and access to arable farmland, most of these conflicts also cut along ethnic lines. In October a joint delegation of several ministries determined during a trip to the western region of the country that degraded infrastructure and extreme poverty exacerbated tensions between returnees

and host communities. The delegation identified the lack of road access to the region as one of the major obstacles to IDP returns.

### Protection of Refugees

The constitution and law provide 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. The government is signatory to the 1969 Organization of African Unity Convention Governing Specific Aspects of Refugee Problems in Africa, and the law provides for asylum status to be granted in accordance with this convention.

In practice the government provided protection against "refoulement," the return of persons to a country where there is reason to believe they feared persecution. The government granted refugee status and asylum. The government also cooperated with the UNHCR and other humanitarian organizations in assisting refugees and maintained an office charged with aiding 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.

Individual security officers occasionally did not honor identity documents issued to refugees by the government or by the UNHCR. There were fewer reports than in previous years that security forces destroyed refugees' identity documents, arbitrarily detained, verbally harassed, and beat refugees at checkpoints; however, these abuses occurred. The identity card law includes a provision for identity cards to be issued 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 prima facie (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 the UNHCR.

The government began facilitating local integration for refugees in protracted situations. In December the National Office of Identification, together with the UNHCR and SAARA, the Ivorian Refugee and Stateless Persons Aid and Assistance Office, began a campaign to provide refugee identity cards to undocumented Liberian refugees. The identification cards provide the refugees legal residence and work rights for the duration of their refugee status. The government also supported the Liberian Embassy in making Liberian consular cards available in 2008. Liberian nationals holding the consular cards agreed to forego their refugee status in exchange for the right to remain in the country as citizens of the Economic Community of West African States (ECOWAS), with corresponding residence and work rights. Refugees also had access to naturalization in the country.

The government continued to assist the safe, voluntary return of refugees to their homes. More than 21,000 Liberian refugees returned to Liberia during the UNHCR's three-year voluntary repatriation operation, which ended June 30. Approximately 4,500 Liberian refugees returned during the year. A joint verification exercise conducted in August by the UNHCR and the government found that 24,000 Liberian and 450 other refugees still remained in the country.

Unlike in the previous year, there were no reports that refugees were raped.

### Stateless Persons

In the absence of reliable data, the scale of statelessness in the country was unclear but thought to be in the thousands. The country had habitual residents who were either legally stateless or de facto stateless, and the government had not effectively implemented laws and policies to provide such persons the opportunity to gain nationality on a nondiscriminatory basis. A series of public mobile court hearings ("audiences foraines") was begun in September to facilitate the issuance of birth certificates to unregistered individuals over age 13.

Citizenship is derived from one's parents rather than by birth within the country's territory, and birth registration was not universal. During the initial phase of the audiences foraines project in 2006, these mobile courts cited a failure to prove parentage in rejecting approximately 16 percent of the cases processed, leaving these 560,000 persons potentially stateless unless they could prove themselves nationals of another country.

During the year the UNHCR worked with the ministries of justice and human rights and interior to raise awareness of statelessness and the need to distinguish between identification of citizens as part of the current electoral process and identification for the purpose of protecting individual legal and civil rights. UNHCR advocated for the implementation of long-term and generalized registration procedures rather than election-specific measures.

A law enacted in 1998 governing land use stipulates that only Ivorian citizens are permitted to own land in rural areas.

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

The constitution and law provide 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

On March 4, President Gbagbo and NF rebel leader Guillaume Soro signed the OPA, which establishes a transitional government with Soro as prime minister and calls for presidential elections in 2008. Presidential and parliamentary elections previously scheduled for 2005 through UN resolutions were not held due to the lack of political reconciliation and progress in the disarmament, demobilization, and reintegration (DDR) program that did not begin until December 22.

The 2000 presidential elections followed several postponements and a controversial Supreme Court decision disqualifying 14 of the 19 candidates, including 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, 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. Preliminary results showed that Gbagbo was leading by a significant margin. However, in 2000 an Interior Ministry and National Elections Commission (CNE) official announced 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; the next day, national radio and television reported that General Guei had stepped down and that Laurent Gbagbo had assumed the presidency.

The 2000 National Assembly election was marred by violence, irregularities, and a very low participation rate. 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 four seats, very small parties two seats, independent candidates 22 seats, and the RDR five seats, in spite of its boycott of all of the legislative elections. 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.

With the signing of the OPA, the country began to take steps toward reconciliation. President Gbagbo remained in office despite the expiration of his term in October 2005. On March 29, NF Secretary General Guillaume Soro was appointed prime minister. In July civil administrators began to return to the north; by year's end, nearly 70 percent of the civil administration was in place throughout the country. In September the government initiated the nationwide public mobile identity hearings to issue birth certificates to unregistered citizens and noncitizens over age 13. The birth certificates were intended to be used to register to vote. In addition, the OPA permits those on the registered voters list from 2000 to register to vote in the upcoming elections.

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 in 2004 the NF suspended its participation in the DDR program. On December 22, the government and NF launched a DDR program.

There were no developments in the December 2006 demonstrations by youth members of the opposition that resulted in the deaths of three members of the opposition and injuries to several members of the security forces.

Women held 19 of 225 seats in the last elected National Assembly, which was suspended at the end of 2005. The first vice president of the National Assembly was a woman. Women held four of the 33 ministerial positions in Prime Minister Soro's cabinet. Of the 41 Supreme Court justices, four were women. Henriette Dagri Diabate served as secretary general of the RDR, the party's second ranking position.

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

#### Government Corruption and Transparency

Government corruption and lack of transparency remained serious problems during the year. It was common for judges open to bribery to distort the merits of a case. Judges reportedly accepted bribes in the form of money and sexual favors. Corruption had the greatest impact on judicial proceedings, contract awards, customs and tax issues, and accountability of the security forces.

In March the Ministry of Good Governance created in September 2006 by then-prime minister Charles Konan Banny was returned to its previous designation as a governmental agency below cabinet level when Prime Minister Soro came to office.

In April former police officer Zie Guillaume was acquitted for lack of evidence of attempting to bribe the minister of security in August 2006 with \$240,000 (117 million FCFA) after allegedly attempting to enroll Police Academy candidates who had not completed the required exam.

#### 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 the Ivorian League for Human Rights (LIDHO) and the Ivorian Movement for Human Rights (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 UNOCI, LIDHO, MIDH, Action for the Defense of Human Rights, and other human rights groups gathered evidence and testimony, published in independent local daily newspapers, and often criticized government security forces.

Unlike in the previous year, members of MIDH did not receive death threats from progovernment groups. However, FESCI continued to threaten and harass human rights groups. For example, on May 21, FESCI members vandalized and nearly destroyed the Abidjan headquarters of LIDHO and the Association for the Protection of Human Rights in retaliation for the organizations' support for striking university teachers.

Progovernment militia groups continued to target and harass UNOCI. For example, on September 25, 50 members of a former militia group, the Union for the Resistance of the Great West (URPGO), invaded a UNOCI camp in Duekoue. The militia members claimed that they had not received the money promised them by the government for disbanding and threatened to obstruct the public identification hearings scheduled to begin in the region. No injuries were reported in the attack, and the police intervened to disperse the crowd.

No investigations were conducted into incidents from previous years of threats and harassment of MIDH members.

Progovernment militia, unhindered by government security forces, blocked UN and French peacekeeping forces from conducting activities in government-controlled areas, although there were fewer such reports than in the previous year. For example, on January 12, progovernment demonstrators from the Young Patriots group attacked and vandalized a UN vehicle carrying UN soldiers in the Yopougon district of Abidjan.

There were no developments in the January 2006 attacks against the International Working Group during which progovernment demonstrators attacked vehicles belonging to Prime Minister Banny, a French Embassy official, and the UN.

During the year the government regularly permitted the World Food Program (WFP), the ICRC, and other international organizations to conduct humanitarian operations. Eleven UN agencies, including the International Labor Organization (ILO) and the World Health Organization, were resident and active throughout the year. Unlike in the previous year, there were no reports that the government restricted their access to certain areas deemed sensitive or denigrated their work.

#### 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 prohibits rape and provides for prison terms of five 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 rapists are related to or hold positions 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. Many female victims were convinced by their relatives and police to seek an amicable resolution with the rapist rather than pursue a legal case. The Ministry of Family and Social Affairs, the Association of Women Lawyers, and MIDH continued to seek justice on behalf of rape victims but did not handle many cases during the year because of the reluctance of victims to file formal complaints. During the year the MIDH continued a project called SOS Rape that began in 2005 to provide rape victims with legal, social, psychological, and medical assistance.

The law does not define domestic violence, which continued to be a serious problem throughout the country. Female victims of domestic violence suffered severe social stigma and, as a result, often did not report or discuss domestic violence. The courts and police viewed domestic violence as a problem to be addressed within the family unless serious bodily harm was inflicted or the victim lodged a complaint, in which case criminal proceedings could be initiated. However, a victim's own parents often urged withdrawal of a complaint because of the effect of social stigma on the family.

During the year the Ministry of Family and Social Affairs continued to provide limited assistance to victims of domestic violence and rape. The ministry's support included providing government-run counseling centers with computers, printers, and other equipment for record-keeping and visiting a few victims in their homes to attempt to reconcile troubled couples and to remove domestic servants from homes in which they had been sexually abused. There were four counseling centers in Abidjan, and the Ministry of Family and Social Affairs opened new counseling centers in Yamoussoukro, Bouafle, Daloa, Duekoue, and Tabou during the year. In 2005-06 the centers assisted approximately 547 victims of violence. The lack of women's shelters impeded the ministry from removing victims from abusive homes.

The National Committee in Charge of Fighting against Violence against Women and Children, under the Ministry of Family and Social Affairs, maintained 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 home 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. With the assistance of the IRC, the committee trained 100 religious leaders in Divo and Abidjan to identify the various forms of violence against women and children and to assist the victims.

Prostitution is legal between consenting adults in private, and the practice appeared to be increasing due to economic conditions. Soliciting and pandering are illegal, and the police sometimes enforced the law. Women from nearby countries sometimes were trafficked into the country, including for forced prostitution.

The law prohibits sexual harassment; however, such harassment was widespread and routinely accepted as a cultural norm. The penalties for sexual harassment are between one and three years' imprisonment and a fine ranging between \$810 and \$2,250 (360,000 and one million CFA). The government did not initiate any investigations or prosecutions during the year.

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 in the formal sector 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. NGOs supervised efforts to create economic cooperatives to provide poor women access to small loans from the government or private microfinance banks. Women in the formal sector usually were paid at the same rate as men; however, because the tax code did not recognize women as heads of households, female workers were required to pay income tax at a higher rate than their male counterparts. Women's organizations continued to campaign for tax reform to enable single mothers whose children have been recognized by their fathers to receive deductions for their children. Inheritance law also discriminated against women.

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 provisions that discriminated against women. The Coalition of Women Leaders continued its efforts to promote greater participation of women in political decision-making and in presenting themselves as candidates in legislative and municipal elections.

#### Children

The law provides parents a three-month period to register their child's birth for a fee of approximately \$1.13 (500 CFA).

The Ministries of Public Health and of Labor, Public Administration, and Social Security sought to safeguard the welfare of children, and the government also encouraged the formation of NGOs to promote children's interests, such as the National Organization for Children and Family.

Primary education was not compulsory and usually ended when children reached 13 years of age; however, it was tuition-free. In principle students did not have to pay for books or fees; however, some still did so or rented books from stalls on the street because the government did not provide for school fees and books for every school. Ministry of Education statistics for the 2005-06 school year indicated a schooling rate of 55 percent, with 59 percent of boys and 51 percent of girls attending school.

During the year the schooling rate improved but remained lower in the zone controlled by the NF. Progress in the peace process allowed the reopening of schools that were closed, the redeployment of teachers, and the return of displaced families to the north. According to the NGO Ecole pour Tous, the lower enrollment rate was due both to lack of government teachers working in NF-controlled zones and to the migration of families out of these areas.

The WFP continued to work with the government to establish a countrywide system of school canteens that provided subsidized lunches for \$.05 (25 FCFA).

Students who failed 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 in 2005 that almost one-third of the female primary and secondary school dropout rate of 66 percent was attributable to student pregnancies.

Teachers sometimes gave good grades and money to students in exchange for sexual favors. The penalty for statutory rape or attempted rape of a child under the age of 16 was a prison sentence of one to three years and a fine of \$225 to \$2,250 (100,000 to one million FCFA), but there were no arrests or convictions under this law during the year.

The Ministry of Health and Public Hygiene continued to operate 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; however, many doctors and nurses left the zones under control of the NF after 2002. During the year many of the health care professionals who had left the NF zones returned to their posts. Girls and boys had equal access to health care.

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 brothers and sisters.

FGM was a serious problem. The law specifically forbids FGM and provides penalties for practitioners of up to five years' imprisonment and fines of approximately \$720 to \$4,000 (360,000 to two million FCFA). Double penalties apply to medical practitioners. 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 girls before or at puberty as a rite of passage, with techniques and hygiene that did not meet modern medical standards. Local NGOs, such as the Djigui Foundation, Animation Rurale de Korhogo, and the National Organization for Child, Woman, and Family, established public awareness programs to prevent FGM and continued to work to persuade FGM practitioners to turn in their instruments. Unlike in the previous year, no arrests related to FGM were made.

There were no developments in the March 2006 case in which the NF arrested and later released without charge a mother and the FGM practitioners who had conducted the surgery on the woman's three-year-old daughter, who later required medical attention.

The law prohibits and provides criminal penalties for forced or early marriage; however, it occurred throughout the country, particularly in rural areas. The law prohibits the marriage of men under the age of 20, women under the age of 18, and persons under the age of 21 without the consent of their parents. However, in conservative communities--particularly those in the north--traditional marriages were commonly performed with girls as young as 14. The law specifically penalizes anyone who forces a minor under 18 years of age to enter a religious or customary matrimonial union. There is no data on child marriage because these marriages are formalized in traditional ceremonies rather than through legal registration.

Unlike in previous years, there were no reports that progovernment militias and rebel forces recruited and used children as soldiers on either a voluntary or a forced basis.

There were many thousands of children living on the streets, including approximately 5,000 in Abidjan; even NGOs dedicated to the problem found it difficult to estimate its extent. Some children were employed as domestics and were

subject to sexual abuse, harassment, and other mistreatment by their employers. Because of the political-military crisis, many families, including displaced families, relied on their children to work as street vendors. Many street children were reluctant to stay in training centers operated by NGOs, where they earned no money and were subject to strict discipline.

#### Trafficking in Persons

The constitution and law do not prohibit trafficking in persons, and, although the government continued its antitrafficking efforts, trafficking in persons remained a problem.

The country was a source and destination country for trafficking in women and children. Women and children were trafficked from Mali, Burkina Faso, Ghana, Togo, and Benin for the purposes of sexual exploitation and forced commercial, agricultural, and domestic servitude. The full extent and nature of the problem was unknown despite efforts to document the trafficking of persons in the country. There was no reliable estimate on the number of children intercepted or repatriated during the year. Trafficking in persons appeared to decrease during the year due to increased police checkpoints and fewer economic opportunities in the country.

The country's cities and farms provided ample opportunities for traffickers to find potential victims, especially children and women. The informal labor sectors were not regulated under existing labor laws; as a result, domestics, most nonindustrial farm laborers, and those who worked in the country's broad range of street shops and restaurants remained outside formal government protection. Internal trafficking of girls ages nine to 15 to work as household domestics in Abidjan and elsewhere in the more prosperous south remained a problem. Traffickers of local children often were 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 to minimize the financial burden on the family. Because security forces were trained to search buses for trafficked children, traffickers continued to adapt their methods, such as by relocating a small number of children at a time by bicycle or train or on foot rather than moving large groups of children into the country by bus.

Women principally were trafficked to the country from Nigeria and Ghana. A local NGO estimated in 2006 that 58 percent of the female prostitutes in Abidjan were citizens of other countries. Organized trafficking rings promised Nigerian women and girls that they would have jobs in restaurants and beauty salons in Abidjan; however, many of these victims ended up in brothels.

Women and children were trafficked from the country to African, European, and Middle Eastern countries for sexual exploitation and agricultural and domestic labor.

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 local cocoa sector continued, and the government, the ILO, the Institute of Tropical Agriculture, and the international chocolate industry continued to document the problem and search for ways to handle the issue. A 2002 survey conducted by the International Institute of Tropical Agriculture revealed that most children in the cocoa sector worked on the family farm (approximately 70 percent) or beside their parents. Of the 625,000 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, cited their or their family's agreement to leave their respective countries to work on farms in the country to earn money or to pursue a better life.

The 2002 research suggested that perhaps 5,000 to 10,000 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 3,000 of whom were from Burkina Faso. The survey found another 12,000 children working part-time on cocoa farms who had no family ties with the farmer. The research also showed that approximately 109,000 child laborers worked in hazardous conditions on cocoa farms in the country in the worst forms of child labor. During the year the government's interministerial task force issued a preliminary report on child labor in the cocoa sector that confirmed these findings and reported that 97 percent of children working in cocoa fields were the children, grandchildren, or other close relatives of the farmer or operator. The task force's preliminary report generally affirmed the conclusions of the 2002 study. The newer study found that 22 percent of children living in cocoa-growing regions were engaged in cocoa farming and that a substantial majority of such children (87 percent) were engaged in at least one form of the worst forms of child labor as defined by ILO Convention 182. Eighty-four percent of children working in cocoa, for example, carried loads that were considered too heavy for them. The 2002 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. Compared to previous years, there were significantly fewer reports of children from neighboring countries being imported for fieldwork on plantations under abusive conditions.

Traffickers can be prosecuted under laws prohibiting kidnapping, forced labor, and mistreatment; however, there was minimal law enforcement in government-held territories, and only four traffickers were arrested, prosecuted, and sentenced

to prison terms during the year. An additional 17 traffickers were arrested and placed into the custody of local or their home country's law enforcement authorities. For example, in September a Nigerian couple was arrested, tried, and sentenced to one year in prison for trafficking six minor girls from Nigeria for sexual exploitation. With the assistance of UNOCI and the International Organization for Migration (IOM), the National Committee for the Fight against Violence against Women repatriated the girls to Nigeria.

The government cooperated with international investigations of trafficking. In February the local police, Interpol, and the IOM worked together to rescue 25 Filipino women who had been trafficked to the country to be sexually exploited. The government's cooperation led to the arrest and sentencing of the traffickers as well as the voluntary repatriation of four of the victims.

The National Committee for the Fight Against Trafficking and Child Exploitation was created in July 2006 to coordinate the government's implementation of the multilateral cooperative agreement signed in 2005 by 10 West African Countries. The committee, which met at least three times during the year, coordinated the government's antitrafficking efforts and included representatives from the ministries of family and social affairs, security, labor, foreign affairs, economy and finance, and health and public hygiene. In February the committee finalized standard operating procedures for NGOs, security forces, and government institutions aiding trafficked children. During the year the government continued to establish village-level watch committees in the south and northeast of the country as part of the child trafficking monitoring system component of the agreement. Members of the committee reported, however, that it lacked sufficient resources--such as vehicles to visit the field--to be effective.

The government worked with NGOs and international organizations to combat trafficking in persons. The National Committee for the Fight Against Child Trafficking continued its work during the year and included representatives from numerous government ministries; representatives from several national and international organizations and NGOs, such as UNICEF, the ILO, Save the Children, the International Cocoa Foundation, the German Cooperation Agency, the Network of African Women Ministers and Parliamentarians – Cote d'Ivoire (REFAMP-CI); and the BICE. The development agencies of two foreign governments, in cooperation with NGOs, industry-sponsored consortiums, and the Ministry of Labor continued a campaign against the worst forms of child labor in cocoa-growing belts.

#### 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; however, there were no reports that the government enforced these laws during the year.

On September 4, several protesters were injured when police used excessive force to disrupt a demonstration by members of the National Federation of the Handicapped of Cote d'Ivoire (FAH-CI) in front of the Ministry of Family and Social Affairs. The group assembled to protest the government's failure to recruit persons with disabilities into the civil service and to pay the state subsidy allocated to persons with disabilities.

Adults with disabilities were not specific targets of abuse, but they encountered serious discrimination in employment and education. Although the government had a program to recruit persons with disabilities for government service, FAH-CI announced in December 2006 that only 435 persons with disabilities had been recruited into the civil service since the program began. The government financially 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 for lack of other economic opportunities. Persons with mental disabilities often lived on the street.

The Ministry of Family and Social Affairs 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, and all ethnic groups sometimes practiced societal discrimination on the basis of ethnicity. At least one-quarter of the population was foreign. Outdated or inadequate land ownership laws resulted in conflicts with ethnic and xenophobic overtones.

National identification remained at the heart of efforts to resolve the ongoing political crisis. Between 300,000 and three million persons were believed to be undocumented Ivorians and therefore unable to participate fully in Ivorian politics and society. In the OPA the government and the NF agreed to allow the mobile courts to issue birth certificates that indicate the nationality of a person's parents. The hearings to establish identity were launched on September 25 and continued at year's end.

Some resident ethnic groups included many noncitizens, while others included few noncitizens. Members of northern ethnic groups that were represented domestically and in neighboring countries often were required to document their citizenship.

Police routinely abused and harassed noncitizen Africans residing in the country. Harassment by officials reflected the common belief that foreigners were responsible for high crime rates and instances of identity card fraud. Harassment of northerners, which increased markedly after the 2002 rebellion, continued to decline from the previous year.

The French and the Burkinabe continued to minimize their public exposure to protect themselves from harassment by security forces at checkpoints. Unlike in the previous year, there were no reports of harassment of French citizens. There were reports during the year that some harassment shifted to Lebanese merchants.

There were reported clashes, usually over land tenure, between the native Guere populations and other groups. For example, on May 30, three Guineans near Duekoue were killed by three persons believed to be Ivorian following a land dispute between the native Guere and the nonnatives.

Unlike in the previous year, there were no reports of ethnic tensions in Alepe. However, ethnic tensions in the west and southwest continued to lead to violence. In the west, and in Duekoue and Bangolo in particular, there continued to be violent clashes between the native We population and members of the foreign community, particularly Burkinabe farmers.

On August 30, 11 persons were convicted and sentenced to 20 years in prison for conducting the 2005 attack in which 145 people were killed in the villages of Petit Duekoue and Guitrozon in a dispute over land rights. The 10 other persons charged in the massacre were acquitted.

On January 21, a group of ethnic Bete youth in the village of Zaguiguia beat to death businessman Sangare Adama, whose body was found in a well. A criminal investigation was ongoing at year's end.

#### Other Societal Abuses and Discrimination

The law did not provide for the protection of homosexuals or persons living with HIV/AIDS from societal and other forms of discrimination. Societal stigmatization of these groups was widespread, and the government did not act to counter it during the year.

#### Incitement to Acts of Discrimination

Unlike in previous years, progovernment newspapers, militias, and youth groups did not use the media to promote hatred against northerners, the French, or foreigners. Charles Ble Goude, leader of the Young Patriots, used less violent rhetoric after sanctions were imposed on him in February 2006 and he and other youth leaders promoted national reconciliation during the year.

### 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.

Only a small percentage of the workforce was organized, and most laborers worked in the informal sector, which included small farms, small roadside and street side shops, and urban workshops. However, large industrial farms and some trades were organized, and there was an agricultural workers union. Of the 15 percent of workers in the formal sector, approximately 60 percent were unionized.

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

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

The law allows unions in the formal sector, which comprised 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. During 2006 and 2007, paramedics, physicians, and teachers at the primary, secondary and university levels conducted strikes for a variety of grievances. 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 and maintain.

In September doctors began a nationwide, indefinite strike protesting a court decision to appoint an acting manager as the head of their union. On September 18, the government designated the strike illegal and unjustified and instructed the Ministry of Labor to take the necessary steps to penalize the doctors. The government also announced that strikes would not be tolerated and that illegal strikes would be sanctioned and prosecuted, depending on the effect on the public. The government stated that it would no longer tolerate any strike or disruption of work likely to jeopardize the peace process.

On February 19, police arrested five secondary school teachers for inciting teachers to revolt and creating an unlawful association. The teachers were held in police custody for 12 days. After being questioned by the public prosecutor and jailed at MACA for another two weeks, the teachers were released without charge.

There were no developments related to the August 2006 strike by the medical corps of the Cocody University Teaching Hospital after a gendarme used his gun to threaten the hospital staff.

There are no export processing zones.

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

The law prohibits forced or compulsory labor, including by children, and the government made efforts to enforce the law during the year. However, there were reports such practices occurred.

Instances of forced labor occur in the informal labor sectors which were not regulated under existing labor laws. Thus, domestics, most nonindustrial farm laborers, and those who worked in the country's broad range of street shops and restaurants remained outside formal government protection.

Compulsory labor by children occurred.

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

There were laws against forced labor and the exploitation of children in the workplace; however, child labor remained a problem. In most instances the legal minimum working age is 14; however, the Ministry of Civil Service, Employment, and Administrative Reform enforced this provision effectively only in the civil service and in large multinational companies. The law limits the hours worked by young workers, defined as those younger than 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 as young as nine began work as domestics, often within their extended family networks. There were reliable reports of children laboring in "sweatshop" conditions in small workshops. Children also worked in hazardous conditions in family-operated, small-scale gold and diamond mines.

Children continued to work under hazardous conditions on cocoa farms. During the year the government published a preliminary diagnostic plan that found that 22 percent of children in a test area within the cocoa-growing regions were involved in cocoa production, and a majority of them (over 80 percent) were subjected to at least one form of the worst forms of child labor, overwhelmingly carrying heavy loads. Other studies showed that children engaged in a number of tasks that were likely to harm their health and safety, including clearing fields, applying pesticides, carrying heavy loads, and using machetes. While a small percentage of the children working on cocoa farms had no family ties to the farmers, the vast majority worked on family farms or with their parents.

During the year government militias and rebels continued to use child soldiers; however, there were no reports during the year that either group recruited new child soldiers.

The Ministry of Labor is responsible for enforcing child labor laws and made progress during the year to address the worst forms of child labor. While enforcement of child labor laws continued to be hindered by financial constraints and other factors, there were indications that government efforts, along with those of its international partners, had a positive effect towards decreasing the worst forms of child labor.

The Ministry of Labor and the prime minister's Child Labor Task Force supported and collaborated with NGOs and international partners to combat the worst forms of child labor. The government applied lessons learned from its 2004 pilot program addressing child labor in the cocoa industry to extend the program to three additional regions: Agnibilekro (East), Soubre (West), and Tiassale (South). In September the Council of Ministers adopted a National Action Plan on Trafficking and Child Labor, and in April experts validated a bill relating to the Prohibition of Child Trafficking and the Worst Forms of

Child Labor. The Ministry of Labor, the Child Labor Task Force, and other government ministries worked to implement a national action plan to combat the worst forms of child labor. The Ministry of Family and Social Affairs continued to conduct awareness campaigns targeting children at risk and agricultural regions that employ child labor, working in coordination with several international NGOs. The government did not undertake child labor inspections due to lack of funding.

During the year NGOs conducted ongoing campaigns to sensitize farm families about child labor based on the list developed by the government of prohibited worst forms of child labor.

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 the sexual abuse of children.

#### e. Acceptable Conditions of Work

Minimum wages varied according to occupation, with the lowest set at approximately \$78 (36,607 FCFA) 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 among classes of workers, such as local and foreign workers. For example, in 2006 the sanitary services company Ash International, which went out of business during the year, paid wages as low as \$27 (12,000 FCFA) per month to female employees who swept the streets of Abidjan. According to their labor federation, labor inspectors ignored this violation of the law.

The shipbuilding company Carena continued to discriminate between European engineers, who were paid on average \$17,985 (eight million FCFA) a month, and their African colleagues, who received approximately \$1,798 (800,000 FCFA) 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 did not actively enforce the law during the year.

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 have 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 both the formal and informal sectors 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 were not enforced.



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