



Cote d'Ivoire

Country Reports on Human Rights Practices - [2001](#)

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

March 4, 2002

In October 2000, Laurent Gbagbo was elected as the country's third elected president, which ended an almost 10-month period of military rule. In July 2000, the citizens overwhelmingly approved a new Constitution in a referendum, which was implemented on August 4, 2000. On October 26, 2000, after a flawed October 22 presidential election, which was marred by significant violence and irregularities, including a suspension of the vote count for several days, the Supreme Court declared Gbagbo the victor with 53 percent of the vote. Except for the Republican Rally (RDR), the party of rival presidential candidate and former Prime Minister Alassane Ouattara, which decided not to accept ministerial posts, major political parties are represented in the Government, which was made up of 28 ministers. The December 2000 election for the National Assembly was marred by violence, irregularities, and a very low participation rate. To protest the invalidation of the candidacy of Ouattara, the RDR boycotted and disrupted the legislative elections. The Ivoirian Popular Front (FPI) won 96 of the 225 seats; the Democratic Party of Cote d'Ivoire (PDCI), the former ruling party, won 77; independent candidates won 17; and 4 other parties won a combined 7 seats. At year's end, 28 seats remained unfilled. In January by-elections, the parties won the following number of seats: The FPI, 96 seats; PDCI, 94; RDR (despite their boycott), 5; PIT (Workers' Party), 4; small parties, 2; independents, 22. Two seats from Kong, the home district of Ouattara, remained unfilled at year's end. The judiciary is subject to executive branch and other outside influence.

Security forces include the army, navy, and air force, all under the Ministry of Defense; the Republican Guard, a well-funded presidential security force; the national police (Surete Nationale); and the Gendarmerie, a branch of the armed forces with responsibility for general law enforcement, maintenance of public order, and internal security, including suppression of violent crime. The civilian Directorate of General Intelligence (DRG) is responsible for countering internal threats. A security staff (L'Etat Major de la Securite) collects and distributes information about crime and coordinates the activities of the security forces in times of crisis. The Special Anticrime Police Brigade (SAVAC) and the Anti-Riot Brigade (BAE) continued their operations. An October press report described a new 10-12 "secret police" unit or Presidential Investigations Unit established by President Gbagbo, under the control of Colonel Alain-Marc Gbogou. The Government reduced the number of groups operating under its control, and most "parallel forces" operating under the Guei regime were disbanded or absorbed into the legitimate security forces. For example, President Gbagbo dissolved the P.C. Crise Marine shortly after the October 2000 presidential elections. The Government generally maintained effective control of the security forces, and there were no reported instances in which security forces acted independently of government authority. There are major divisions within the military based on ethnic, religious, and political loyalties. Security forces committed numerous human rights abuses.

The economy is largely market-based and heavily dependent on the commercial agricultural sector. Most of the rural population remains dependent on smallholder cash crop production. Principal exports are cocoa, coffee, and wood. In 1999 an estimated 56 percent of the population of approximately 15.4 million was literate, but the rate among women (44 percent) is only two-thirds of the rate among men (66 percent). Recorded gross national product per capita in 2000 was approximately \$660 (485,000 CFA francs). After several years of 6 to 7 percent annual economic growth following the 1994 currency devaluation, growth slowed to approximately 3 percent in 1999 and was an estimated negative 2 to 3 percent in 2000. The decrease in political violence and the resumption of some foreign aid during the year helped reverse the negative economic growth rate; estimated economic growth rate for the year is a net zero. Income remained unevenly distributed, and government expenditures for basic education and health services remained far below planned levels. Widespread corruption remained rooted in a lack of transparent and accountable governance. Doubts about the future of the Gbagbo Government, particularly concerns about the susceptibility of the judiciary to outside influences and corruption, resulted in continued investor and consumer uncertainty, which impeded economic growth. Assistance from international financial institutions was limited during the year due to lingering questions about the Government's human rights record and economic mismanagement; however, such

assistance resumed in the final quarter of the year.

The Government's human rights record remained poor, and although there were improvements in a number of areas, serious problems continued in a number of areas. Members of the security forces committed more than 150 extrajudicial killings during the year, which was a significant decrease from in the previous year. Several persons allegedly disappeared after police dispersed a demonstration. Security forces frequently resorted to lethal force to combat widespread violent crime. Security forces regularly beat detainees and prisoners to punish them or to extract confessions. Police routinely harassed and abused noncitizen Africans. Following an alleged coup attempt on January 7-8, security forces and vigilante gangs harassed, beat, and detained foreigners. President Gbagbo blamed foreigners from Burkina Faso, and thousands fled the country. Prison conditions remained harsh and life threatening, in spite of some improvements. The Government generally failed to bring perpetrators of most abuses to justice. The Government continued arbitrary arrests and detention, and prolonged detention remained a problem. Numerous persons, including opposition members, journalists, and military officers in particular, were detained without trial for long periods. The judiciary did not ensure due process and was subject to executive branch influence, particularly in political cases. Security forces infringed on citizens' privacy rights. The Government restricted freedom of speech, the press, assembly, and movement. Police forcibly dispersed numerous demonstrations. Despite some formal restrictions on freedom of association, the Gbagbo Government generally respected this right in practice. The Government at times limited freedom of religion. At least 26 percent of the country's population, including many lifelong residents of the country, remain politically disenfranchised noncitizens. Discrimination and violence against women, abuse of children, and female genital mutilation (FGM) remained serious problems. Muslims and practitioners of traditional indigenous religions continued to be subject to discrimination. Violent ethnic tensions persisted, and societal discrimination based on ethnicity remained a problem. Child labor, forced child labor, and trafficking in persons, including children also persisted.

The Gbagbo Government organized a well-attended 10-week Forum of National Reconciliation, which ended on December 18; the Forum resulted in 14 resolutions that were intended to be considered by the President and the legislature. These resolutions covered a broad spectrum of issues, including four primary ones: Resolution 1 that the revised Constitution and presidential elections of 2000 be upheld; Resolution 4 that Alassane Ouattara's citizenship should be recognized by judicial action; Resolution 9 that all coup d'etats should be condemned; and Resolution 10 that the Government should issue general amnesty for all those responsible for the violence related to the coup d'etat. Former president Bedie, former Prime Minister Ouattara, and former junta leader Guei who had left Abidjan in self-imposed exile in 2000 all returned to the country to participate in the Forum. On December 18, President Gbagbo closed the Forum and promised to continue the reconciliation process through ongoing negotiations with the other three recognized political leaders. He also called for a review of the inquiry of the human rights violations of October 2000.

RESPECT FOR HUMAN RIGHTS

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

a. Arbitrary or Unlawful Deprivation of Life

Security forces committed more than 150 extrajudicial killings, including politically and ethnically motivated killings. Security forces frequently resorted to lethal force to combat widespread crime. The security forces accused of extrajudicial killings following the 2000 presidential and legislative elections were tried during the year; all were found not guilty.

On April 26, police Chief Sergeant Siaka shot and killed Sy Savane Aboubacar Junior, a student traveling in a car through the Abidjan suburb of Marcory; the policeman reportedly shot at the car when one of the passengers waved a pistol. According to the two other persons in the car, Siaka told the driver to park the car; as he was parking, Siaka reportedly shot into the car. The superintendent of the Marcory police station opened an investigation; however, no findings were released by year's end.

On March 16, an antiriot police patrol killed Army Corporal Any Djedje Toussaint in Cocody-II Plateaux. According to the patrol, Any Djedje was traveling with three other persons in a car that reportedly hit another car and fled the scene. Any Djedje and the others allegedly ignored the command to stop and shot at the patrol; the patrol shot back, killed Djedje, and arrested his three friends. On March 21, Minister of Defense Moise Lida Kouassi announced the creation of tripartite commission, including police officers, gendarmes, and military officers, to investigate Djedje's death. By year's end, the charges had been dropped.

Security forces frequently resorted to lethal force to combat widespread violent crime. Security forces committed 150 killings during the year, which was a significant decrease from in the previous year. According to government statements and media reports, the security forces killed hundreds of criminals in 2000. The

CNSP-created special crime fighting unit, P.C. Crise, and other unofficial quasi-militia forces that sprang up after the 1999 coup committed the majority of these killings. Members of the P.C. Crise, the Kamajors, Cosa Nostra, Cobra, and Red Brigade pursued suspected criminals and frequently executed them immediately after capture; occasionally they publicly displayed the bodies. President Gbagbo dissolved the P.C. Crise after he assumed the presidency in 2000; all other unofficial quasi-militia forces were disbanded prior to the October 2000 presidential elections.

According to the Ivoirian Movement for Human Rights (MIDH), during and following the October 2000 presidential elections, security forces killed more than 500 persons during clashes with protesters. Those who were killed were shot, drowned, or tortured; 860 persons, including many FPI and RDR militants, reportedly were injured. Gendarmes also killed some protesters while they were in detention. In December 2000, the Malian High Council reported that more than 20 Malians were killed and 10 disappeared during the demonstrations and violence that followed the 2000 presidential elections.

While the Government generally maintained effective control of the security forces, there were instances in which security forces acted independently of government authority. In October 2000, after the presidential elections, and again in early December 2000, in the period prior to the parliamentary elections, gendarmes and police reacted violently against RDR political demonstrations. In October 2000, 57 bodies, mostly of Muslims, were discovered in the Abidjan district of Yopougon. Human Rights Watch and other independent investigators published the testimony of alleged survivors, who claimed gendarmes dragged many of them from their homes, marched them along a road where dozens of dead bodies lay, forced them to load bodies into vans, and later shot most of them. Some survivors stated that they lay on the ground pretending to be dead until the gendarmes departed. After taking office, Gbagbo ordered an inquiry into the massacre at Yopougon. In April the inquiry conducted by an investigating judge led to the indictment of six gendarmes who were serving at the Abobo Gendarme Camp at the time of the massacre. In July and early August, the Government tried all eight gendarmes together in a 4-day military court hearing at a gendarme camp. The Government offered no protection to civilian witnesses. On July 24, security forces forcibly dispersed a sit-in demonstration in front of the gendarme camp prior to the beginning of the trial organized by the "Collective of the October-December Victims" (CVCI) (see Section 2.b.). On August 3, the judge acquitted all eight gendarmes due to lack of evidence. The Ivoirian Movement for Human rights (MIDH), the Ivoirian Human Rights League (LIDHO), and two international NGO's, Journalists Without Borders and the International Human Rights Federation, called for a new trial. The military prosecutor chose not to file an appeal. On December 18, in his closing remarks at the conclusion of the Forum for National Reconciliation, President Gbagbo pledged to reopen the investigation into what has become known as the Yopougon massacre.

Following the October 2000 presidential elections and subsequent demonstrations and violence, 18 bodies were found washed ashore in Abidjan's lagoon; the bodies had been shot numerous times. It remained unknown who was responsible for the killings, and a government investigation was ongoing at year's end.

The trial of a police officer who was arrested for shooting a Nigerian woman, Comfort Egiantey, while she was traveling on a public minibus in 2000 was pending at year's end.

There were no developments in the investigation into the killings of three soldiers who allegedly planned an assassination attempt on General Guei in September 2000. For example, Sergeant Sansan Kambire was arrested shortly after the September 2000 attack on General Guei's residence. His corpse was discovered in an Abidjan mortuary 3 days after his arrest. That same month, General Guei's personal guard tortured and killed Chief Sergeant Souleymane Diomande, also known as "La Granade," while he was detained at Akouedo military camp. Soldiers poured acid on Diomande and then beat him to death. Guei's guard also arrested and tortured to death Corporal Abdoudramani Ouattara and an unidentified person from Burkina Faso for the September attack. In October the military prosecutor announced that, at the families' request, an investigation would be conducted into the deaths of the three soldiers.

No action was taken during the year against the members of the security forces responsible for the following killings in 2000: The killing of Kaba Bakary, a 60-year-old Guinean; the December beating to death of RDR President Ouattara's private secretary, Abou Coulibaly; and the February killing of two persons at a nightclub. There was no further information during the year about a 2000 press report that security forces had killed at least 10 Nigerians, allegedly for supporting the opposition.

Trials still were pending at year's end against 15 trainee gendarmes arrested in 1999 for beating Camara Yaya to death. No action was taken against police personnel responsible for numerous killings during demonstrations that occurred between April and October 1999.

There was at least one incident in which unknown persons attacked journalists during the year. On June 20, two unknown men entered the house of Tape Koulou, a journalist, and shot and killed his sister and a friend of

the family (see Section 2.a.). A police investigation was pending at year's end.

There were numerous incidents of ethnic violence during the year, some of which resulted in deaths and injuries (see Section 5).

b. Disappearance

There were no confirmed reports of politically motivated disappearances during the year; however, CVCJ alleged that several of its members disappeared after police dispersed their demonstration on July 24 (see Section 2.b.).

Following the September 2000 alleged assassination attempt on General Guei, government security forces arrested numerous soldiers who were suspected of involvement in the assassination attempt and in coup plotting. Evidence and the testimony of 13 of the 23 released soldiers suggest that 3 or 4 of the soldiers who disappeared were tortured and killed (see Section 1.a.).

There were no developments in the disappearances of numerous persons in the period following the 2000 presidential elections. Newspapers frequently published the appeals of families looking for their children or relatives. There were numerous reports that parents visited hospitals and the morgues looking for their children after failing to find them in any of the gendarmerie camps or at the police school. The whereabouts of the son of the traditional chief of San Pedro still were unknown at year's end.

There were no developments in the cases of 10 Malians who disappeared or were arrested in December 2000 during the demonstrations and violence that followed the October 2000 presidential elections.

At least 30 persons disappeared during the year in ethnic conflicts, particularly in the west and the center of the country (see Section 5).

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

The Constitution prohibits such practices; however, in practice security forces regularly beat detainees and prisoners to punish them or to extract confessions. They frequently forced detainees to perform degrading and humiliating tasks, such as crawling, eating dirt, doing push-ups while under threat of physical harm, drinking urine or blood, and eating excrement. Jurists' union officials and journalists working for the opposition press reported that police continued to beat suspects to obtain confessions and that suspects were afraid to press charges against the police officers involved. According to local human rights groups, police and gendarmes beat and humiliate detainees or prisoners. Press photographs regularly show prisoners with swollen or bruised faces and bodies. In general government officers who are members of the security forces have not been held accountable for such abuses. Security forces continued to beat and harass journalists regularly (see Section 2.a.).

The law allows lawyers to assist their clients during the early stages of detention when abuse is most likely; however, in spite of this legislation, police officers and gendarmes continued to mistreat suspects and other persons summoned to police and gendarme stations, and in many recorded instances, the security forces did not allow lawyers access to their clients (see Section 1.d.). During the year, there were no credible reports that police verbally abused lawyers who tried to assist their clients.

On April 18, the MIDH charged that the Presidency, the building that houses the working offices of the President and his staff, had become a center of judicial investigation and torture (see Section 4). According to the MIDH, members of the Presidential Investigation Cell (CCER), a special service that has its headquarters at the Presidency in Plateau, reportedly insulted, kicked, beat, detained, and questioned numerous persons at the Presidency. The Presidency denied the allegations and invited a number of journalists to visit the basement of the building. The MIDH was not invited, but several journalists toured the building and reported no irregularities. On April 20 in Daloa, a police officer shot at a taxi driver who refused to stop for a routine police check; the passenger, student Lagou Romeo, was shot in the arm and did not receive any care or assistance from the police. His father filed a complaint with the superintendent of the Daloa police; however, no action was taken by year's end.

On April 23, a police officer and three other men attacked and seriously beat Dago Fabrice in Yopougon, after they reportedly mistook Dago and his brothers for suspected thieves. His brothers escaped on foot; Dago was detained but released after the officer determined that he was a student trying to get home. Dago sought medical care and filed a complaint against the police officer and the others who beat him. The complaint was pending at year's end.

On May 5 in Yopougon, an anti-riot police officer shot at a minibus after its driver failed to stop when signaled to do so; the driver was shot in the foot. Two anti-riot police officers transferred the injured driver to the Treichville hospital. As they left the hospital, onlookers and some minibus drivers attacked members of the security forces. A gendarme in plain clothes opened fire and shot Keita Youssouf, an 11-year-old passer-by, and Coulibaly Armand, a 19-year-old; both were taken to the hospital by the security forces; no charges were filed against the gendarme.

On May 21, a police officer in Koumassi reportedly shot into the air to force a taxi driver to stop; a bullet grazed the forehead of Kouassi Amino Adeliz, a child returning from school. Another policeman took the young girl to the Treichville hospital; her condition was not serious.

On May 25, according to a newspaper article, Amani Alainthe, superintendent of the Dabou police, and two other police officers seriously beat Adou Nikpi Norbert, who was unable to work for 25 days following the attack. Police officers accused Norbert of attacking them while they were on duty; 3 days after the beating, Norbert was arrested and detained again. On June 14, he was tried for verbally offending a magistrate and refusing arrest; he was found guilty and sentenced to 2 months in prison, a fine of \$40 (30,000 CFA francs), and damages of \$200 (150,000 CFA francs). He reportedly served his sentence and paid the fines. According to the same newspaper article, on May 25, the police beat eight other persons, including Konate Lassina, a secondary school teacher, and two girls.

On June 6, Police Superintendent Viviane Atsain and her officers beat Sylla Mory, a judge-trainee at the courthouse of Korhogo. Sylla Mory was detained for several hours at the police station of Marcory. The Trade Union Association of Magistrates (Association Syndicale de la Magistrature) protested the treatment of Sylla Mory and alleged that police intimidation of the judiciary had increased. On July 15, after she was interviewed by the Prefect of Police of Abidjan and the deputy public prosecutor, Atsain was arrested and jailed at the Abidjan House of Arrest and Corrections (MACA); Sylla Mory also filed a lawsuit against Atsain. In December Viviane Atsain was tried by a grand jury and removed from her duties as a criminal investigating officer for 5 years.

On June 22, CMI police officers used tear gas and beat employees at Blohorn Unilever; several employees were injured seriously (see Section 6.a.).

Security forces continued to beat and harass journalists regularly (see Section 2.a.).

Many unemployed and homeless detainees reported that authorities beat them while they were in detention.

Police and security forces continued to use excessive force to disperse demonstrations (see Section 2.b.).

Police routinely harassed and abused noncitizen Africans. Police entered the homes and businesses of citizens, noncitizen Africans, and other noncitizens, and extorted money from them (see Sections 1.f. and 2.d.). Foreigners continued to complain that the police often stopped them for identity checks and confiscated their documents, later to sell them back to the original owners. They reported that even when their residence permits were valid, police occasionally would take them to police stations, where they were beaten and detained overnight if they did not pay a bribe to the officers. In December 2000, a newspaper quoting some of the hundreds of Nigerians who returned to Nigeria to escape the anti-foreigner violence reported that security forces had tortured Nigerians. Anti-foreigner speech and violence, which was prevalent early in the year, decreased greatly in the later months of year coinciding with the 10-week Forum of National Reconciliation.

The police sometimes also abuse and harass citizens from the north or those with names that sound foreign. On March 13, the Ivorian Human Rights League (LIDHO) publicly denounced the practice of taking persons to police stations for document checks and demanding \$7 (5,000 CFA francs) from each person. Security forces searched the belongings of those who refused to pay and took their valuables before they were released. According to LIDHO, on February 28, security forces detained a 15-year-old girl in Yopougon, took her to the military camp in Yopougon, and stole \$4 (3,000 CFA francs) from her. The girl had to walk home at night after her release because she no longer had any money for transportation.

Unlike in the previous year under the Guei regime, military and other forces were not responsible for numerous robberies, carjackings, widespread looting, and acts of intimidation. Persons apprehended attempting such acts were prosecuted during the year. These abuses previously were widespread particularly during the military mutiny of July 2000. Mutineers robbed, looted, destroyed property, and terrified the citizenry. The mutineers targeted the cities of Abidjan, Bouake, Katiola, Korhogo, and Yamoussoukro in particular. Following the July mutiny, the Government arrested 114 soldiers and 6 officers for their actions during the uprising. The Government released 74 of the soldiers after questioning and tried the remaining 40; 35 soldiers were

convicted of participating in the mutiny and sentenced to prison terms; however, the length of these terms was unknown at year's end. Four of the six officers were awaiting trial at year's end; charges against the other two officers were dismissed following an investigation.

During the July 2000 military mutiny, soldiers seriously injured more than 10 civilians, including several who suffered gunshot wounds.

No action has been taken against gendarmes and police officers who violently dispersed members of the RDR in December 2000 during protests against the invalidation of Ouattara's candidacy in the legislative elections.

No action was taken against the members of the security forces responsible for torturing, raping, beating, or otherwise abusing the persons in the following cases from 2000: The December beating of Traore Foussemi, his wives, and his brother-in-law; the December beating of Muslims in a mosque; the December violent dispersal of an RDR demonstration against the invalidation of Ouattara's candidacy; the December severe beating of Jean Philippe Kabore, the son of RDR Secretary General Henriette Dagri Diabate; the December rape of at least 10 arrested female protestors during RDR protests; the December beating death by presidential guards of Abou Coulibaly, RDR president Ouattara's private Secretary; the December reported torture of several persons following RDR demonstrations; the November shooting of a minibus driver and union leader; the November severe beating of a minibus driver; the October killing and injuring of hundreds of persons following the presidential elections; the October beatings of Raphael Lakpe, the publisher of the pro-RDR newspaper *Le Populaire*, his bodyguard, and Bakary Nimaga, chief editor of the pro-RDR newspaper *Le Liberal*; the September torture of 13 soldiers who allegedly participated in the attack on General Guei's residence; the September beating of students from the Federation of Students' and Schoolchildren's Organization (FESCI) on the Cocody campus; the September forcible dispersal of an RDR meeting; the July beating and torture of Soumbiala Doumbia; the May abuse of a judge; the July beatings of civilians following a military mutiny; the July forcible dispersal of demonstrators supporting statements by the French Government on candidate participation in the presidential election; the March beating in Man of a gendarme who was mistaken for a robbery suspect; the February beating of nurse Boua Keke; the February beating of singer Honore Djoman; the February beating of a university student by "Dozos" (traditional northern hunters); the February case in which police used tear gas to disperse striking workers at the Commune of Cocody City Hall; the January beating of Daoukro residents; and the January beating and kicking of students on a bus.

No action was taken against the two police officers who shot and injured Mombé Roger Zemon, a driver for Sucrivoire, in Abidjan's Yopougon district in 1999. No action was taken against police officers who beat and detained Issa Traore, a member of the Truck Drivers and Truck Owners Trade Union in Abidjan's Adjame district in 1999.

Liberian refugees in the western part of the country reported that they faced harassment and threats from the local population and from supporters of Liberian President Charles Taylor during the year.

There were numerous incidents of ethnic violence during the year, some of which resulted in deaths and injuries (see Section 5).

Even though prison deaths have declined, harsh and life threatening conditions still result in fatalities during the year. There were reportedly 200 prisoner fatalities during the year. Problems include overcrowding, malnutrition, a high incidence of infectious disease, and lack of treatment facilities and medications in sufficient quantities. In May the MACA held 3,600 prisoners, although it was designed to hold only 1,500. Many prisoners escape every year, especially outside Abidjan. During the year, overcrowding decreased; however, living conditions worsened because many prison buildings are in a state of physical decay, and the Government lacks sufficient funds to upgrade or maintain the 33 prisons. There is a severe shortage of beds, and many prisoners sleep on the floor. The Government allocates each prisoner \$20 (120 CFA francs) per day for food; with the financial help of international NGO's, prisoners have created vegetable gardens around most prisons with to supplement their insufficient food ration. HIV/AIDS, diarrhea, and tuberculosis also reportedly are significant causes of death. On September 26, PANA News Service reported that cholera had killed 40 prisoners at the Man civilian prison. In September the prisoners from Man prison sent a petition of complaint to President Gbagbo criticizing the poor treatment, poor conditions, and the daily rations of corn porridge that allegedly caused diarrhea and led to the cholera outbreak, which resulted in 160 deaths during the year. In 2000 the Director of Penitentiary Administration stated that the death rate at the MACA had dropped due to improvements to the sanitation and health care systems. Improvements were financed jointly by the Government, Doctors Without Borders, and World Doctors. On June 5, the administration of the country's 33 prisons went on strike (see Section 6.a.).

Prison conditions for women and children remained especially difficult. Female prisoners are segregated from male prisoners and are housed in a separate building that uses female guards. That building can hold up to

120 residents, and as of May, there were 93 women, including 13 juveniles between the ages of 17 and 18. The women are divided into two groups: one cell is for smokers and one for nonsmokers. During the year, there were no reports that guards raped female prisoners; however, there still were reports that female prisoners engaged in sexual relations with their wardens in exchange for food and more privileges. There still are no health facilities for women. Pregnant prisoners go to hospitals to give birth and then return to prison with their babies. Among the 93 women in detention at MACA in May, some were pregnant (before being jailed) and some others were living in prison with their babies. The penitentiary administration accepts no responsibility for the care or feeding of the infants; the women receive help from local NGO's such as L'Amour en Action and the International Catholic Office for Children (BICE), a Catholic association that promotes children's rights. During the year, BICE removed more than 30 children from the prison and placed them with family members or foster families. BICE also provided female inmates with food, medical care, clothing, soap, and other necessities. BICE constructed a multipurpose room for pregnant women, mothers, and children.

Juvenile offenders are held separately from adults. At year's end, 170 juveniles ages 13 to 17, including 11 girls, were in detention. According to a report published in a local newspaper, in 2000: Approximately 2,500 children spent time in the country's 33 prisons; 1,747 children were treated in the prisons' health centers; and 424 children were treated for malaria, 227 for worms, 168 for wounds, 218 for chest infections, and 197 for diarrhea. During the year, BICE began teaching juvenile prisoners trades, such as sewing, carpentry, gardening, house painting, and drawing, in five workshops.

Pretrial detainees are held with convicted prisoners.

The Government permits access to prisons by local and international NGO's that seek to provide food and medical care, as well as spiritual and moral support to prisoners. In addition to BICE, humanitarian NGO's, including the International Committee of the Red Cross (ICRC), Prisoners Without Borders, Doctors Without Borders, World Doctors, and local NGO's such as Action Justice, French Speaking Countries Outreach (FSCO), and International Prisons' Friendship had access to the prisons in Abidjan and up country. However, none of these NGO's monitor human rights conditions in the prisons. The LIDHO and the MIDH, which monitor human rights conditions in prisons, do not have authorization to visit prisons without advance notice; LIDHO and MIDH usually must write to the prison warden if they want to visit inmates. Wardens rarely grant approval on the first request. However, LIDHO and MIDH did not visit the MACA during the year because the overcrowding problem temporarily was alleviated, and conditions had improved somewhat following the December 1999 release of all inmates in MACA and the intervention of numerous international and local humanitarian and religious NGO's.

d. Arbitrary Arrest, Detention, or Exile

The Constitution prohibits arbitrary arrest and detention; however, in practice arbitrary arrest and detention remained problems. Under the Code of Penal Procedure, a public prosecutor may order the detention of a suspect for only 48 hours without bringing charges. A magistrate may order detention for up to 4 months but also must provide the Minister of Justice with a written justification for continued detention on a monthly basis. However, the law often is violated. Police often hold persons for more than 48 hours without bringing charges. According to members of the jurists' union, this practice is common, and magistrates often are unable to verify that detainees who are not charged are in fact released.

Although it is prohibited by law, police restrict access to some prisoners. Despite the frequency of arbitrary arrest, there is no accurate total of suspects held. There have been no reports of lawyer harassment during the year. Unlike in the previous year, police did not verbally abuse lawyers who tried to assist their clients, and police treatment of lawyers and access to their clients improved during the year.

Defendants do not have the right to a judicial determination of the legality of their detention. A judge may release pretrial detainees on provisional liberty if the judge believes that the suspect is not likely to flee. Many inmates continue to suffer long detention periods in the MACA and other prisons while awaiting trial. In March 1,340 of 2,921 MACA inmates were awaiting trials. Despite the legal limit to 10 months of pretrial detention in civil cases and 22 months in criminal cases, some detainees have spent as many as 5 years in detention awaiting trial.

On February 1, 20 antiriot police arrested Mamadou Coulibaly, after an arrest warrant was issued for his son, Chief Sergeant Ibrahima Coulibaly, also known as I.B., a leading figure in the December 1999 coup. The antiriot police also arrested two of I.B.'s brothers, Moussa, Losseni, and one sister, and Amy Coulibaly, and they searched the family's house for evidence. The security forces wanted to question I.B. about the attack on General Guei's house in September 2000 and the aborted coup on January 7 and 8. The Government also accused him of desertion. I.B.'s family members were detained for several hours at the main police precinct in Bouake then released with no charges filed; they claimed that I.B.'s sister was beaten while in custody to

extract information from her. I.B. was out of the country at the time and remained abroad at year's end.

On February 2, Gagnoa gendarmes arrested and detained for 2 days at their camp Vado Coulibaly, the former director of the primary school in Kabia in the department of Gagnoa. The gendarmes accused him of hiding his cousin, Chief Sergeant I.B. Coulibaly; however, they released him when they realized he was not related to I.B. and did not know him.

On February 28, Constance Yai, former minister and women's rights activist, told Agence France Presse (AFP) that police harassed her family because she called for charges against security forces who allegedly raped several girls during the December 2000 demonstrations (see Section 5). Yai's son was arrested at Abidjan international airport, where police accused him of forging the picture on his passport. In February the police detained and questioned him.

On July 6, gendarmes and members of the research brigade, an investigative category of the gendarmes, summoned and questioned Ibrahima Doumbia, vice president of the MIDH, following the publication of a MIDH press release describing the CCER.

Foreigners complained that they were subject to police harassment; however, harassment and violence against foreigners decreased during the year. In particular foreigners complained that police took them to police stations where they beat and detained them overnight if they did not pay a bribe to the officers (see Sections 1.c. and 2.d.).

Authorities arrested numerous persons following the attempted coup on January 7 and 8. On January 19 and 24, security forces arrested Amara Sidibe, deputy mayor of Anyama, and Amidou Sylla, mayor of Anyama, in connection with the attempted coup on January 7 and 8. They were accused of subversion, and Sidibe was accused of hiding guns at his home. After the search produced no guns, he was accused of having provided 30 trucks to the coup plotters to leave the country. On February 1, Sidibe and Sylla, who are members of the Ouattara's RDR political party, were released; the charges later were dropped.

On September 13, lawyers representing 75 persons arrested following the January 7-8 coup attempt demanded the release, on provisional liberty, of their clients. According to the lawyers, the investigating judges completed their investigation in July and did not find any charges or serious evidence against their clients. The 75 persons still in detention include 42 army officers, 1 commander of the gendarmerie, and 32 civilians, including 1 Burkinabe and 2 Malians.

Political party leaders frequently were arrested, detained, or questioned without being charged. On August 27, airport police arrested and detained for several hours former Minister Morifere Bamba, leader of the opposition Party for the Progress and Socialism (PPS), as he prepared to leave for Paris. The police seized Bamba's diplomatic passport, plane ticket, cellular phones, luggage, and other documents; however, they allowed him to return home. His lawyers wrote an open letter of protest to the President; the next day, the authorities allowed him to leave for Paris with his documents and belongings.

Since December 2000, hundreds of RDR supporters have been arrested and detained without trial; however, by year's end, all but one RDR supporter had been released.

On January 12 in Abidjan, gendarmes arrested and questioned French national Marc Nouvian, the brother-in-law of RDR president Alassane Ouattara. The gendarmes searched his house and office for arms; he was released the same night after the French Embassy intervened.

On January 31, 10 gendarmes arrested former Minister Jean Jacques Bechio, an advisor for diplomatic affairs to Alassane Ouattara, at his home in Abidjan. The gendarmes searched his house and, according to the gendarmes, seized several military weapons; Bechio said he had some collectors' arms at home but no military weapons. The gendarmes also arrested five members of his household staff for suspected coup plotting. Bechio told Amnesty International and the press that after his arrest a special service took him to the Presidency and tortured him on the second floor of the Presidency. Bechio also confirmed that he was detained briefly at the Presidency before being transferred to MACA. On February 15, Bechio and his staff were charged with attacks against the security of the State, attacks against the authority of the State, organization of armed groups to destabilize the country, and illegal possession of weapons; they were transferred to the MACA pending trial. He later was released but remained on parole at year's end. On February 1, four gendarmes searched the house of Bechio's mother and seized an old hunting gun.

On February 6, RDR spokesperson Camarah Yerefe, also known as "H," went on a hunger strike in the MACA to protest the detention without trial since December 4, 2000, of himself and other RDR supporters. In July he

was tried, found not guilty, and released from prison.

On February 14, security forces detained RDR Secretary General Henriette Diabate and brought her before a judge investigating the violent December 2000 demonstrations. The investigating judge questioned Diabate for several hours, charged her with attacks against the security of the State, complicity in the destruction of property, detention without authorization of fourth category weapons (military type weapons and tear gas), and rebellion, and then released her. On February 24, the judge again summoned and questioned her for 4 hours about the December 2000 events. She was released after the hearing. On April 12, she was summoned a third time and questioned about the same events. In July all charges against her were dropped.

On February 20, the senior investigating judge questioned for several hours Odje Tiacore, RDR Youth Section President, about the December 2000 demonstrations. A journalist had accused Tiacore of inciting persons to violence during a December 4 meeting at the soccer stadium.

On March 8, the senior investigating judge summoned and questioned several persons about the December 2000 demonstrations, including Aly Keita, RDR Deputy Spokesperson, and Thierry Legre, president of a pro-RDR organization; no charges were filed against them.

During the electoral campaign in March, the police arrested and later transferred to MACA prison a student named Diarrassouba, a campus campaign director for RDR leader and newspaper editor Hamed Bakayako. Diarrassouba was accused of attempted murder by a friend of Charles Ble Goude, the president of FESCI, a student organization associated with the FPI at the time. In April Diarrassouba and several RDR leaders were released without charge.

On April 10, Sibi Kamagate and Omar Diarrassouba were arrested and transferred to MACA after protesting the outcome of a FESCI election. In June they reportedly still were in detention in the MACA; no further information was available on their status at year's end.

On August 9, three armed men kidnaped Ben Sylla, RDR youth section leader, and police detained him for 2 days at the main police precinct in Abidjan. According to the RDR, the police beat and tortured Sylla and searched his house for documents linking him to the RDR. Police reportedly told Sylla that they had received information implicating him and three army officers in a coup plot.

On September 2, airport police arrested Hamed Bakayoko, supporter of the RDR president and president and director general of Radio Nostalgie, as he was leaving for Dakar, Senegal, to attend a corporate board meeting. The police seized his passport as well as his personal belongings and documents. The Territorial Surveillance Police (DST) detained him more than 7 hours. The next day, the DST in Abidjan's Cocody district summoned and questioned Bakayoko for 6 hours. His belongings were returned and he was released.

During the year, several RDR members arrested in 2000 were released from the MACA on provisional liberty: On April 26, RDR spokesperson Ally Coulibaly and RDR national secretary Kafana Kone were released following 145 days of detention; on April 28, Camarah Yerefe was released; on May 2, Henriette Diabate's son, Jean Philippe Kabore, driver Coulibaly Seydou, and other 3 RDR members were released; on May 29, Jean Jacques Bechio was released; however, 39 RDR members still were in jail in Abidjan and in the north at year's end. Most RDR detainees were released gradually after more than 4 months of detention, without any charges being filed against them. Some were tried and acquitted, while others were released without charge. At year's end, only one RDR member still was in prison; most were released in early October as a condition of RDR participation in the Forum for National Reconciliation.

On April 29, airport police arrested Louis Andre Dacoury Tabley, a former leader of the FPI and owner of Le Front, a local newspaper critical of the Government, who was arriving from Burkina Faso; police also seized his passport and identity cards. He was questioned and then released. On August 28, airport police arrested Tabley again as he prepared to board a flight for Burkina Faso. The police seized his identity card, other documents, and videotapes of an interview he gave on national TV. On September 4, the airport police summoned and questioned him for 2 hours about his trip. The police returned his property and documents and released him. On each occasion, he was detained and questioned for several hours and then released; no charges were filed.

Security forces arrested several members of the former Guei Government as they attempted to leave the country. On September 4, airport police arrested General Abdoulaye Coulibaly, a former member of the CNSP (Guei Government), as he was leaving for France and Canada. According to the police and Ministries of Interior and Defense, the General had a forged military authorization to leave the country. Coulibaly may face trial for carrying a travel authorization with a forged signature. By year's end, General Coulibaly still had not

been allowed to travel outside the country because, according to the DST, the Ministerial signature on his travel documents was not authorized; previously, they said it was forged. The DST have retained his official documents; however, no legal action has been taken, and no charges have been filed. During the first week of September, airport police detained General Lansana Palenfo, another former member of the CNSP. He also lacked the proper Ministry of Defense authorization to leave the country, according to the airport police. His children, who were on their way back to school in Europe, were denied new passports.

Journalists frequently were arrested, detained, or questioned for short periods of time without being charged (see Section 2.a.).

Unlike in the previous year, members of the military did not enter businesses unannounced and use threats to force local and expatriate businessmen to accompany them for questioning.

In November 2000, police arrested Quartermaster General Lassana Palenfo and Air Force Brigadier General Abdoulaye Coulibaly and charged them with orchestrating an assassination plot against General Guei in September 2000. Their trial began on February 21; during the trial, military prosecutors continued to introduce new evidence in order to keep the two generals incarcerated (see Section 1.e.). On March 13, the judge found Palenfo guilty, with extenuating circumstances, and sentenced him to 1-year imprisonment; Coulibaly was acquitted. Palenfo appealed the judgement but refused to ask for a presidential pardon. On July 31, the Supreme Court annulled the verdict, and Palenfo was released August 1. Other soldiers arrested in September 2000 for suspected involvement in the attempted assassination of Guei also were tried during the year; 11 soldiers received 10-year prison sentences, and the remaining 22 were acquitted.

Security forces arrested former Minister of State for the Interior and eventual PDCI presidential candidate, Emile Constant Bombet, following the December 2000 overthrow of Bedie and detained him for 1 month without charge. He was rearrested in February 2000 and held for 33 days for allegedly having organized gatherings that endangered national security and for his alleged involvement in embezzling state funds set aside for organizing presidential and legislative elections in 1995. In September 2000, the same day that Bombet was invested as the PDCI presidential candidate, the prosecutor reopened his case for further investigation. All charges were dropped in July, and there was no trial. There were no developments in the December 2000 detention of an imam who attempted to intervene to prevent beatings by BAE members of Muslims (see Section 2.c.) and the July 2000 arrest of a student leader.

During and following the December 1999 coup, the mutineers arrested approximately 150 ministers, military officers, and other officials known as supporters of the Bedie Government; however, formal charges were not filed. Many of these officials subsequently were released and rearrested during the next several months following the coup. All of those persons detained were released by year's end.

In December 1999, the Bedie Government issued a warrant for Ouattara's arrest for the alleged falsification of documents and their use. The warrant was annulled in early 2000. Newspaper accounts speculated that Bedie ordered the warrant issued to intimidate Ouattara and to prevent him from returning to the country.

The Constitution specifically prohibits forced exile, and no persons were forcibly exiled during the year.

e. Denial of Fair Public Trial

The Constitution provides for an independent judiciary; however, in practice the judiciary is subject to executive branch, military, and other outside influences. Although the judiciary is independent in ordinary criminal cases, it follows the lead of the executive in national security or politically sensitive cases. Judges serve at the discretion of the executive, and there were credible reports that they submit to political pressure. On June 6, Police Superintendent Atsain beat and detained Sylla Mory, a judge-trainee at the Courthouse of Korhogo (see Section 1.c.).

The formal judicial system is headed by a Supreme Court and includes the Court of Appeals and lower courts. The Constitutional Chamber, whose main responsibility is to determine presidential candidate eligibility, is part of the Supreme Court. At year's end, Kone Tia remained president of the Supreme Court. The Constitution grants the President of the Republic the power to replace the head of the court once a new parliament is in place.

Military courts do not try civilians. Although there are 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.

In rural areas, traditional institutions often administer justice at the village level, handling domestic disputes and minor land questions in accordance with customary law. Dispute resolution is by extended debate, with no known instance of resort to physical punishment. The formal court system increasingly is superseding these traditional mechanisms. A Grand Mediator settles disputes that cannot be resolved by traditional means. The Constitution specifically provided for the office of Grand Mediator, which is designed to bridge traditional and modern methods of dispute resolution. The President names the Grand Mediator, and Mathieu Ekra has been Grand Mediator since his nomination by the Bedie Government.

The law provides for the right to public trial, although key evidence sometimes is given secretly. The presumption of innocence and the right of defendants to be present at their trials often are not respected. Those convicted have the right of appeal, although higher courts rarely overturn verdicts. Defendants accused of felonies or capital crimes have the right to legal counsel, and the judicial system provides for court-appointed attorneys; however, no free legal assistance is available, except infrequently when members of the bar provide pro bono advice to defendants for limited time periods. In April 1999, the bar began operating a telephone hotline for free legal advice from volunteer attorneys. In November 1999, the president of the bar announced that the bar would not continue to provide free legal assistance to poor accused persons who are tried by a civil or criminal court if the Government did not furnish lawyers' transportation and lodging expenses. The bar has more than 200 members normally available to give free legal advice; however, lawyers are no longer providing free legal assistance to poor defendants since their expenses are not paid. In practice many defendants cannot afford private counsel, and court-appointed attorneys are not available readily. Unlike in the previous year, security forces allowed lawyers' access to their clients during the year (see Section 1.d.).

In previous years, members of the military interfered with court cases and attempted to intimidate judges. They also intervened directly in labor disputes, sometimes arresting and intimidating parties. There were no reports of the military attempting to influence court cases during the year.

On February 21, the trial of Quartermaster General Palenfo and Air Force Brigadier General Abdoulaye Coulibaly began at the gendarme camp in Agban; the military prosecutor requested 20 years' imprisonment for each of the two generals for allegedly organizing the September 2000 attempted assassination of General Guei. President Gbagbo's Government considers the two generals to be pro-RDR, and military prosecutors repeatedly introduced new charges to keep them incarcerated. On March 13, the court found Palenfo guilty of complicity in the attempt against the security of the State, with extenuating circumstances, and sentenced him to 1 year's imprisonment; General Coulibaly was acquitted. A total of 42 military officers were tried for involvement in the assassination attempt: 9 were sentenced to 10 years' imprisonment; the court acquitted the other 33. General Palenfo appealed the verdict but refused to ask for a presidential pardon. On July 31, the judicial chamber of the Supreme Court annulled Palenfo's guilty verdict, and he was released the following afternoon. General Coulibaly was released from Agban camp on August 1.

On June 26, Belgian NGO Genocide Prevention entered more than 150 complaints in a Brussels court against President Gbagbo, former President Guei, Minister of Defense Moise Lida Kouassi, and Minister of Interior Emile Boga Doudou for crimes against humanity. Belgian law extends universal competence to Belgian courts in matters of crimes against humanity. The charges were filed on behalf of victims of the October and December 2000 violence and their relatives. Previously the LIDHO and international NGO's publicly demanded a new trial for the eight gendarmes acquitted in the Yopougon massacre trial (see Section 1.a.).

In late July, a short and procedurally flawed military trial was held on a gendarme compound with no protection offered to witnesses (see Section 1.a.). A number of prosecution witnesses reportedly feared reprisals and failed to appear at the trial. The judge acquitted all eight accused gendarmes, citing insufficient evidence. Several NGO's publicly demanded a new trial. The military prosecutor, who had requested life sentences for the accused, did not file an appeal.

The Constitution granted immunity to all CNSP members and all participants in the December 1999 coup d'etat for all acts committed in connection with the coup, which implicitly included all criminal activity such as looting, robbery, carjacking, and intimidation that occurred during the coup.

In January 2000, the Guei Government granted amnesty for all offenses committed during the September and October 1999 political demonstrations. This amnesty included all of the RDR leaders who had been tried and convicted under the previous regime's antivandalism law, which held leaders of a group responsible for any violence committed by one of its members during a demonstration. All of the RDR prisoners had been released from prison in December 1999 by the mutineers leading the December 1999 coup (see Section 1.d.).

There were no reports of political prisoners; however, there were several political detainees (see Section 1.d.).

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

Correspondence

The Code of Penal Procedure specifies that a law officer or investigative magistrate may conduct searches of persons, vehicles, homes, or any other nonpublic place, with authorization of the appropriate judicial or administrative authority, if there is reason to believe that there is evidence on the premises concerning a crime. The official must have the prosecutor's agreement to retain any evidence seized in the search and is required to have witnesses to the search, which may take place at any time of day or night.

In practice police sometimes used a general search warrant without a name or address. On occasion police entered the homes of noncitizen Africans (or apprehended them at large), took them to local police stations, and extorted small amounts of money for alleged minor offenses (see Section 1.c.). Police and gendarmes entered the homes of members of the opposition throughout the country, often without a warrant, to look for guns that these persons allegedly were hiding to destabilize the country (see Section 1.d.). Police also searched the homes and offices of journalists (see Section 2.a.).

On February 24 in Bouake, five uniformed men searched the house of Konan Yao, RDR Deputy National Secretary for the center region (see Section 1.d.). They found no weapons in Yao's house or the houses of his mother and grandmother. Also in February, uniformed men also searched for weapons in the house of Yacouba Sylla, RDR representative in Sakassou.

On January 13, unknown persons searched and ransacked the home of Patrice Guehi, publisher of *Le Patriote* newspaper (see Section 2.a.).

Airport and special territorial police seized the luggage and personal documents of several opposition leaders at the airport (see Section 1.d.).

Unlike in the previous year, there were no reports that gendarmes searched mosques and the homes of imams.

Unlike in the previous year, gendarmes and members of the military did not make frequent visits, sometimes heavily armed and in armored vehicles or in boats, to the residence of RDR presidential candidate Alassane Ouattara, whose house is located on the Ebrie Lagoon. Ouattara left the country in early December 2000 and chose to remain in France; however, he returned in October after President Gbagbo invited him to participate in the Forum for National Reconciliation and guaranteed his security.

Security forces reportedly monitored some private telephone conversations, but the extent of the practice was unknown. There were reports that the luggage of several prominent persons was subject to search and seizure at the airport; identity papers, travel and business documents, computer disks, and videotapes were seized without legal warrants during the year. In 2000 General Guei claimed to have a copy of a taped telephone conversation between RDR Deputy Secretary Amadou Gon Coulibaly and a student union member, which Guei claimed revealed the RDR's intention to endanger national security. Government authorities monitored letters and parcels at the post office for potential criminal activity; they are believed widely to monitor private correspondence, although no evidence of this has been produced.

Members of the Government reportedly continued to use students as informants. For example, in August Ouattara Billon, a student in Abidjan, stated that several influential government members and high army officers had recruited him. They reportedly requested that he accuse RDR spokesperson Ally Coulibaly of asking him to pick up weapons at Coulibaly's house in Niemene for a coup in Abidjan. On August 24, gendarmes entered and searched the house of RDR spokesperson Ally Coulibaly for weapons. Coulibaly was absent from his home in Niemene village at the time. The gendarmes found three traditional hunting guns in the house. Billon told his father and leaders of the RDR about the plot. Members of Government denied being involved in a plot against the RDR.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The Constitution provides for freedom of expression, and private newspapers frequently criticize government policies; however, in practice the Government restricted this right. Although the arrest, prosecution, and imprisonment of journalists decreased significantly during the year, members of the security forces continued to beat and harass journalists during year. Journalists no longer practiced self censorship. Outspoken members of the press continued to receive death threats and physical intimidation from groups aligned with the ruling FPI party.

The two government-owned daily newspapers, *Fraternite Matin* and *Ivoir' Soir*, offer little criticism of government policy. In July the Government announced the planned privatization of these two newspapers; the Minister of Communication and New Information Technologies stated that state newspapers are out of fashion in democratic societies. No further action was taken by year's end. There are a number of private newspapers: more than 20 dailies, 30 weeklies, 5 semimonthlies, and 10 monthlies. Given the strong competition among newspapers and their promoters, as well as the readers' limited financial resources, every week some newspapers disappear, and others take their place. While these newspapers voiced their disapproval of government or presidential actions frequently and sometimes loudly, the Government did not tolerate what it considered insults or attacks on the honor of the country's highest officials; however, no legal action was taken against journalists during the year.

On November 22, the National Press Commission (CNP) was installed officially; its function is to enforce regulations relating to the creation, ownership, and freedom of the press.

The law authorizes the Government to initiate criminal libel prosecutions against persons who insult the President, the Prime Minister, or foreign chiefs of state or government or their diplomatic representatives, who defame institutions of the State, or who undermine the reputation of the nation. In addition the State may criminalize a civil libel suit at its discretion and at the request of the plaintiff. Criminal libel is punishable by 3 months to 2 years in prison. The Gbagbo Government has not used this law against journalists; however, in the previous year, the Guei Government used the libel law against a number of journalists. The Government and the Union of Journalists of Cote d'Ivoire began work on new legislation that will decriminalize the press law. The proposed legislation was not passed by year's end.

On May 14, the court of Abidjan sentenced in absentia Patrice Guehi, publisher of *Le Patriote*, and Sindou Meite, chief editor, to 3 months' imprisonment and fines of \$140 (100,000 CFA francs) for libel. Their lawyer requested a retrial; he argued that his clients never had been summoned to court and that he only learned of the trial and sentence through the newspapers. No further information was available at year's end. In June 2000, *Le Patriote* had published an article asserting that the Ivoirian Public Treasury under former President Bedie had transferred \$140,000 (100 million CFA francs) into a Swiss bank account in the name of the president of human rights NGO LIDHO.

Security forces continued to search the offices of journalists. On February 7, 30 gendarmes, police officers, and civilians searched the premises of printing company *Roto Presse Ivoire* for guns; no guns were found. The company prints *Le Jour* newspaper, a daily regarded as mildly sympathetic to the RDR. Biamari Coulibaly, manager of the printing company and administrative and financial director of *Le Jour*, left the country after receiving a number of death threats; he later returned to the country.

On April 12, the National Press Commission (CNP) suspended the operating license of *Paalga*, the newspaper of the Burkinabe community living in the country. The CNP said the newspaper was run by a Burkinabe publisher, who did not employ any professional journalists and had not complied with the legal deposit requirement, including samples of articles and government forms; the publisher maintained that he had complied with the provisions of the press law. RSF protested the suspension and argued that nothing justified it. On May 3, the CNP lifted the suspension and ordered *Paalga* to comply with the provisions of the press law; they complied as requested and were allowed to resume publishing.

Security forces continued to beat and harass journalists regularly. For example, on March 15 five policemen beat Franck Konate, a journalist for the pro-PDCI newspaper *L'Aurore*, who was investigating the shooting of a thief by five policemen near the commando camp in Koumassi. The policemen beat the journalist and left him in a critical condition reportedly because newspapers often characterize policemen as racketeers. By year's end, no action was taken against the policemen.

On April 7, police attacked and beat journalist Cesar Ekrokie of the ruling party newspaper *Notre Voie*. The police released the journalist; however, they kept his press card and refused to let him near the house of a political personality he wanted to interview.

On September 7, GMI security forces beat Doua Gouly, a journalist for the official daily newspaper *Fraternite Matin*, and confiscated his cellular phone in Abidjan. Gouly had gone to the headquarters of a taxi insurance company to cover a dispute among the associates of the company. The professional journalists' association protested to the Ministry of Interior and Security and asked for an open investigation and an end to such practices; however, no investigation was initiated by year's end.

The Government arrested numerous journalists during the year.

On January 15, gendarmes and members of the research brigade, an investigative arm of the gendarmes, detained and questioned for 1 hour D. Al Seni, Kore Emmanuel, Charles Sanga, and Yves M'Abiet, four journalists for *Le Patriote*, and Patrice Guehi following the publication of their articles on January 10 about the January 7-8 coup attempt. Unknown persons also searched and ransacked Guehi's house during the night of January 13.

On January 17 in Abidjan, security forces in Abidjan arrested AFP journalist Ouattara Muhamed Junior and accused him of being involved in the January 7-8 coup attempt. AFP protested his arrest and explained that Ouattara had spoken with arrested coup suspects because he was covering the coup attempt for the AFP. Following the intervention of the AFP, the Association of Journalists Without Borders (RSF), and of the Union of Ivorian Journalists (UNJCI), Ouattara was released without charge on January 22.

On June 25, police arrested and detained for several hours three journalists who went to the courthouse jail to see if executive board members from a taxi insurance company were being detained as reported.

In October 2000, 50 FPI members detained Raphael Lakpe, the publisher of *Le Populaire*, a pro-RDR newspaper. They then handed Lakpe over to gendarmes who took Lakpe and his bodyguard to the Koumassi Camp Commando where the gendarmes beat them with their belts, made them swim in dirty water, and insulted them for supporting Ouattara. Lakpe was released, but no action was taken against the responsible gendarmes.

No action was taken against members of the military who severely beat Joachim Beugre, a journalist and the political affairs editor for the Abidjan daily *Le Jour* in September 2000. The beating occurred immediately following a meeting between Beugre and General Guei, during which Guei warned Beugre about an article that had appeared in *Le Jour* the previous day that called into question Guei's parentage and his eligibility to participate in the 2000 presidential election. After forcing Beugre to show them where he lived, the soldiers beat him and left him on the side of an Abidjan road near the presidency. Beugre remained hospitalized for several days after the incident. In response private newspapers did not publish on September 21, 2000, and on September 22, 2000, journalists marched from the headquarters of the journalists' union to the presidency. Immediately after the march, General Guei met with the journalists and told them to concentrate on constructive criticism rather than on news that was false or could divide the country. Minister Sama also warned the media to stop publishing stories about the military, on the grounds that such articles created divisions in the military. On September 9, a presidential press aide called two journalists from the daily *Le Patriote* to the Presidency to discuss that newspaper's running of the same story for which *Le Jour* journalist Beugre was beaten. The press aide questioned the journalists, who then were released unharmed several days after their initial detention.

In August 2000, the public prosecutor had gendarmes detain *Notre Voie* journalist Freedom Neruda and publisher Eugene Allou and bring them in for questioning. Gendarmes released the journalists after 1 day of questioning but warned them not to leave the country. Under the Gbagbo Government, Freedom Neruda was named an ambassador, and Eugene Allou became Chief of Cabinet.

In June 2000, following rumors of a coup on June 24, the Director of the Cabinet for the Ministry of the Interior questioned Asse Alefe, the Director of Publication of *Le National*, and his assistant, Traore Bouraima, for several hours on their role in the coup rumors. The public prosecutor's office also questioned the two; they were released but told to remain available to the courts. They never were charged.

On June 20, two unknown men entered the house of Tape Koulou, the founder of the extremist daily *Le National*, and shot and killed his elder sister, Tape Ziadou Madeleine, and a friend of the family, Takore Clovis Desire. A third person also was injured. During the incident, Tape Koulou was in France covering the visit of President Gbagbo. The police opened an investigation, which was pending at year's end. Journalists Without Borders asked the Ivorian Government to identify the culprits and bring them to justice to prevent such actions from occurring again.

Radical elements close to the FPI continued to harass and threaten journalists who criticized government officials. Foreign journalists also have complained to the Gbagbo Government of similar threats.

Because literacy rates are very low, and because newspapers and television are relatively expensive, radio is the most important medium of mass communication. The government-owned broadcast media company, RTI, owns two major radio stations; only the primary government radio station is broadcast nationwide. Neither station offers criticism of the Government; both government-owned stations frequently criticize opposition parties and persons critical of the Government. There also are four major private international radio stations: Radio France Internationale (RFI), the British Broadcasting Company (BBC), Africa Number One, and Radio Nostalgie. They broadcast on FM in Abidjan only, except for RFI, which broadcasts via relay antennas to the

north and center of the country. The RFI and BBC stations only retransmit internationally produced programming. The Africa Number One station, which is 51 percent domestically owned, broadcasts 6 hours a day of domestically produced programming; the rest of the time it retransmits programming from Africa Number One's headquarters in Libreville, Gabon. Radio Nostalgie is 51 percent owned by Radio Nostalgie France, but it is considered a local radio station. The RFI, BBC, and Africa Number One stations all broadcast news and political commentary about the country. The private stations, except for Radio Nostalgie, have complete control over their editorial content. The Government monitors Radio Nostalgie very closely because the major shareholders of the company are close to RDR president Alasane Ouattara. National broadcast regulations forbid the transmission of any political commentary, and Radio Nostalgie's operations were suspended temporarily several times during the year for allegedly violating that regulation. In May the Government announced that five new private TV stations and eight new private radio stations would begin broadcasts in the country, but by year's end, no further action had been announced. In July the Government granted an FM radio frequency to Voice of America (VOA), which is expected to begin retransmission operations in 2002.

In October the Government shut down Radio Youpougon for 8 days and fined the station \$750 (551,250 CFA francs); the penalty was imposed because the station broadcast a press conference held by former President Bedie following his return from self-imposed exile in France.

Radio station license applications are adjudicated by a commission under the Ministry of Communication and New Information Technologies, which has accepted applications and awarded licenses only once, in 1993. On that occasion, the commission denied 7 of 12 applications on a variety of grounds, including, in one case, affiliation with a major opposition political party.

In 1998 the Government authorized 43 community radio stations with very limited broadcast strength, no foreign-language programming, no commercial advertising, and public announcements limited to the local area. While the number of authorized community stations now stands at 52, only 27 stations were broadcasting at year's end. In August 2000, Edmond Zeghehi Bouazo, then-President of the National Council of Audiovisual Communication, met with the promoters of community and commercial radio stations to remind them of programming restrictions and the prohibition on political content in programming. Roman Catholic Church groups operate four community radio stations: Radio Espoir in Abidjan, Radio Paix Sanwi in Aboisso, Radio Notre Dame in Yamoussoukro, and Radio Dix-Huit Montagnes in Man. On February 2, the Catholic Church began operating a national radio station, and the Protestant denominations started operating Radio-Vie. The religious stations broadcast a mix of religious services, debates, and sacred music. The Muslim associations received a broadcast license in 1999, and a Muslim station called Al Bayane began broadcasting on November 11.

There are two television stations that broadcast domestically produced programs. Both are owned and operated by the Government. Only one broadcasts nationwide. Neither station criticizes the Government, but they frequently criticize the opposition or persons who opposes the Government's actions. The only private television broadcaster, Canal Horizon, is foreign owned and operated via satellite from South Africa; it broadcasts no domestically produced programs. The Government has not accepted any applications to establish a privately owned domestic television station.

The Government continued to exercise considerable influence over the official media's program content, news coverage, and other matters, using these media to promote government policies and criticize the opposition. Much of the news programming during the year was devoted to the activities of the President and the Government. After President Gbagbo took office, he indicated that the official media would no longer be pressured to devote programming to his and the Government's activities; however, many official media outlets continue to devote a large part of their news reports to the President and the Government's activities.

The National Council of Audiovisual Communication (NCAC), established in 1991 and formally organized in 1995, is responsible for regulating media access during the 2-week formal political campaign period prior to national elections and for resolving complaints about unfair media access. Following the December 1999 coup, the previously PDCI-dominated NCAC was taken over by the military Government. It continues to operate under the Government, with new members appointed by President Gbagbo. Because domestic television is controlled by the Government, the NCAC is unable to fulfill its mandate at times.

Beginning in August 2000, when the presidential campaign began, government television provided almost exclusive coverage of General Guei's activities and excluded coverage of the other candidates and their activities. While the political parties and print journalists complained about this practice, the content of the programming did not change; government television only occasionally provided time to other candidates. In October 2000, Edmond Zeghehi Bouazo, president of the NCAC, announced that each of the five candidates in the October 2000 presidential elections would be granted 5 minutes per day on the radio as well as on television between October 9 and October 21. All of the radio channels broadcast the messages of the

candidates simultaneously. However, during the campaign, the FPI complained that Guei was granted more than the allotted 5 minutes on television daily; he and his wife's activities were broadcast at length.

Unlike in the previous year, there were no reports that international journalists were subject to government harassment and intimidation. The Government does not restrict access to or distribution of other electronic media. There are 12 domestic Internet service providers, of which 4 are major providers. All 12 are privately owned and relatively expensive. The licensing requirements imposed by the Government telecommunications regulatory body, ATCI, reportedly are not unduly restrictive.

There is no known law specifically concerning academic freedom, although academics have cited laws of French origin concerning the operations of universities to support their claims of academic freedom. In practice the Government tolerates much academic freedom, but it inhibits political expression through its proprietary control of most educational facilities, even at the post-secondary level.

Many prominent scholars active in opposition politics have retained their positions at state educational facilities; however, some teachers and professors suggest that they have been transferred or fear that they may 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.

In the first half of the year, members of FESCI repeatedly attacked teachers, and there were numerous violent conflicts between FESCI rival groups, which resulted in the mutilation or death of several students. Following a request by the Union of University Teachers and Researchers (SYNARES), the Minister of Higher Education sent the security forces to monitor the campuses; on April 6, SYNARES initiated a strike on to protest the climate of insecurity on campuses. In May the Minister signed a decree requiring authorization for all meetings on campuses.

There were numerous student protests at the end of the year (see Section 2.b.). In July police forcibly dispersed a demonstration by school faculty (see Section 6.a.).

b. Freedom of Peaceful Assembly and Association

The Constitution allows for freedom of assembly; however, the Government restricted this right in practice. Groups that wished to hold demonstrations or rallies were required by law to submit a written notice of their intent to do so to the Ministry of Security or the Ministry of Interior 3 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. In practice the Government prohibits specific events deemed prejudicial to public order; even if authorization is granted, it later can be revoked. Police forcibly dispersed numerous demonstrations during the year.

In April 2000, the military Government repealed the 1992 Antivandalism Law that held organizers of a march or demonstration responsible if any of the participants engaged in violence. The LIDHO, a leading civil rights NGO, and all major opposition parties criticized the law as unduly vague and as one that imposed punishment on some persons for the crimes of others.

Police forcibly dispersed numerous demonstrations during the year, including demonstrations for which a written notice had been sent to the Ministry of Interior and Security and to local administrative authorities.

On March 19 in Plateau, security forces used tear gas to disperse forcibly a student demonstration against a recruitment test at the National Training Institute for Health Agents (INFAS). Nine demonstrators were injured seriously, and two demonstrators in charge of the Health Students' Association, nurses Koko Samuel and Lanani Mohamed, were arrested and detained for several days.

On March 19, police used tear gas to disperse forcibly students demonstrating in front of a private management school (ESAM) in Vridi, Abidjan. The students were demanding the reopening of their school and the settlement of a conflict between school officials and teachers. A few students were arrested and detained briefly.

On March 19, hundreds of university students demonstrated in front of the office of the Director of Cabinet of the Minister of Higher Education in the Plateau district of Abidjan to demand the payment of 6 months' scholarship arrears and the assignment of rooms in Bouake campus dormitories. The police violently dispersed the demonstration by beating students with truncheons and firing tear gas; however, no persons were injured seriously.

On May 2, the police violently dispersed employees of OMEIFRA, a company that employs watchmen, with tear gas and truncheons, who were demonstrating to demand back pay. The manager of the company reportedly called in the police because the employees had started to destroy the company's equipment.

In July police forcibly dispersed a demonstration by school faculty (see Section 6.a.).

On July 19, police used tear gas and truncheons to disperse approximately 100 students. The students had organized a sit-in in front of the Presidency in the Plateau district of Abidjan to demand scholarships.

On July 19, security forces dispersed forcibly 15 highway construction managers who were protesting the nonpayment of \$270 million (1,906 billion CFA francs) that the State allegedly owed them.

On July 24, prior to the opening of the trial of the 8 gendarmes charged with murder in the case of the Yopougon massacre (see Section 1.a. and 1.e.), approximately 100 members of the CVCI held a sit-in demonstration in front of the gendarmerie camp of Agban. Although the CVCI reportedly had written to the Ministry of Interior and Security to inform them of their intent to stage a peaceful sit-in, the security forces, including police officers and four vehicles full of gendarmes, violently beat the demonstrators with belts, guns, and truncheons. Several demonstrators were injured badly, and those who could not run were arrested. Many of the arrested persons still are missing, and the total number of missing persons is unknown. Only Bah Mamadou, who was injured, arrested, and handed over to police, was released on July 27.

On August 23, security forces in Baouake used tear gas and truncheons to disperse demonstrators from the FESCI; the authorities arrested 20 students and injured seriously 10 others. The students were demanding an increase in the number of scholarships and a list of scholarship recipients. Following the incident, other students attacked 4 banks and damaged more than 30 cars.

No action has been taken against gendarmes and police officers who violently dispersed members of the RDR in December 2000 during protests against the invalidation of Ouattara's candidacy in the legislative elections. No action was taken against the members of the security forces who used excessive force to disperse demonstrations on September 9 and July 31, 2000.

In 2000, prior to the October 2000 elections, the Guei Government restricted freedom of assembly. The Government banned mass political meetings and demonstrations for several months, and the Ministry of the Interior forbade Ouattara and the RDR from holding a press conference announcing their party platform for the elections. In June and September 2000, the major political parties and General Guei generally ignored the electoral code's ban on campaigning until 15 days before the election. In September 2000, following the postponement of the presidential election until October 2000, Minister of the Interior Grena Mouassi banned all election meetings until the official opening of the campaign; the definition of meeting changed several times. For example, groups who supported Guei's candidacy were allowed to meet, assemble, and put up public posters. Police forcibly disrupted some demonstrations surrounding the 2000 presidential elections. Following his inauguration, gendarmes loyal to the Gbagbo violently suppressed RDR street demonstrations held to demand new presidential elections. Following the November 2000 Supreme Court announcement of the disqualification of Ouattara for legislative elections, thousands of RDR supporters demonstrated in protest of the decision (see Sections 1.a., 1.b., 1.c., 1.d., and 3).

The Constitution provides for freedom of association and allows the formation of political parties, and the Government generally respects this right in practice.

The Constitution states that all parties must respect the laws of the Republic, including the requirement that all organizations be registered with the Ministry of Interior before commencing activities. In order to obtain registration, political parties must provide information on their founding members and produce internal statutes and political platforms consistent with the Constitution. At year's end, there were approximately 108 legally recognized political parties, 7 of which were represented in the National Assembly (see Section 3). There were no reports that the Government denied registration to any group.

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

c. Freedom of Religion

The Constitution provides for freedom of religion; however, the Government at times limited this right in practice. There is no state religion; however, for historical as well as ethnic reasons, the Government informally favors Christianity, in particular the Roman Catholic Church. Catholic Church leaders had a much stronger

voice in Government affairs than their Islamic counterparts, which led to feelings of disenfranchisement among the Muslim population. In November 2000, the Gbagbo Government announced steps to bring religious groups into the national dialog and included religious representatives in a national forum to promote reconciliation.

The Government establishes requirements for religious groups

under the law. All religious groups wishing to operate in the country must submit to the Ministry of the Interior a file including the group's bylaws, the names of the founding members, the date of founding (or date that the founder received the revelation of his or her calling), the minutes of the general assembly, the names of members of the administrative board, and other information. The Interior Ministry investigates the backgrounds of the founding members to ascertain that the group has no politically subversive purpose. However, in practice the Government's regulation of religious groups generally has not been unduly restrictive since 1990, when the Government legalized opposition political parties. Although nontraditional religious groups, like all public secular associations, are required to register with the Government, no penalties are imposed on a group that fails to register. In practice registration can bring advantages of public recognition, invitation to official ceremonies and events, publicity, gifts, and school subsidies. No religious group has complained of arbitrary registration procedures or recognition. The Government does not register traditional indigenous religious groups.

The Catholic Church operates community radio stations. The Government authorized Muslims to operate a similar station in 1999; in November in Abidjan, a Muslim radio station began operations (see Section 2.a.).

The Government does not prohibit links to foreign coreligionists but informally discourages connections with politically radical fundamentalist movements, such as Islamic groups based in Iran and Libya.

In December, in his closing speech of the Forum for National Reconciliation, President Gbagbo again announced that he would hold a forum of religious groups to include a review of the relationship between the Government and Religion, as well as promoting intra-faith reconciliation; however, there were no further developments by year's end.

Some Muslims believe that their religious or ethnic affiliation makes them targets of discrimination by the Government with regard to both employment and the renewal of national identity cards (see Section 5). Due to the tense political situation in the country and the ethnic divisions along which political party lines are drawn, northern Muslims sometimes are scrutinized more closely in the identity card process. As these northern Muslims share names, style of dress, and customs with several of the country's predominantly Muslim neighboring countries, they sometimes are accused wrongly of attempting to obtain nationality cards illegally in order to vote or otherwise take advantage of citizenship. This creates a hardship for a disproportionate number of Muslim citizens.

The Government's treatment of Muslims improved during the year; however, some tensions between the Government and the Muslim community persisted. Unlike in the previous year, there were no reports that security forces detained, questioned, or beat Muslims or that security forces questioned Islamic leaders on suspicions that they were plotting civil unrest.

Unlike in the previous year, there were no reports of violent clashes among security forces, RDR militants, and militants from the FPI.

Citing the killings of hundreds of Muslims during the October and December 2000 demonstrations, National Islamic Council (CNI) President Koudouss accused the authorities and the armed forces of having planned a genocide, adding that Muslims would not feel "reconciled" until the Government apologized to the Muslim community. There was no government apology during the year; the Government chose instead to refer to all those who lost their lives in the violence surrounding the presidential elections of 2000 as "heroes of democracy."

In December 2000, gendarmes killed a 60-year-old Guinean man in front of his family as he was preparing for Muslim prayers; he was shot reportedly because he was wearing a Moslem robe, which the gendarmes believed marked him as a supporter of the RDR. In addition to the killings, security forces and rival political groups allegedly damaged or destroyed four mosques and four churches. Furthermore, following the RDR's December 2000 demonstration, security forces arrested imams and approximately 200 Muslim worshippers in several mosques in the Abidjan's Abobo district. Security forces beat Imam Bakary and others, stripped them of their clothes, and detained them for several days in Abidjan's police and gendarme camps. The Minister of State for Interior and Decentralization publicly accused the imams of hiding arms in their mosques. The Government released the imams and their worshippers by the end of 2000, following mediation by the

Mediation Committee on National Reconciliation.

In December 2000, after youths set fire to a mosque in Abidjan's Abobo district, the antiriot brigade used tear gas against and beat Muslims who had gathered to inspect the damage. When Imam Bassama Sylla attempted to intervene, the police stripped and detained him. Police also entered at least two other mosques in Abobo and detained persons inside. In addition to searching the homes of Islamic leaders, security forces also summoned Islamic leaders for questioning on several occasions based on suspicions that they were plotting civil unrest with the RDR.

In July 2000, the military government briefly detained and questioned CNI President Imam El Hadj Idriss Koudouss for encouraging Muslims to vote against the new Constitution, which he argued reinforces the concept of "Ivoirity," a doctrine that discriminates against Ivoirians of mixed or foreign origins. Imam Koudouss also claimed that harassment of Muslims has increased since former President Bedie introduced "Ivoirity" in 1994. The CNSP noted that sermons such as Koudouss's could be considered inciting violence and rebellion. Koudouss was released after the warning.

In August 2000, the gendarmes detained and questioned Imam Koudouss, four other prominent imams from the CNI, and one Islamic youth leader. The Government accused them of procuring arms, in cooperation with RDR presidential candidate Ouattara, in order to destabilize the country. The gendarmes released all six after questioning. According to the imams, this was the fifth time that leaders of the CNI had been called in for questioning since the coup. Muslims say that such acts by the Government are an attempt to make the Muslim community a "scapegoat" for the country's problems. There were no additional detentions of CNI members during the year.

According to official sources, the violence resulting from the demonstrations in 2000 and the attempted coup in January resulted in the deaths of 303 persons; another 1,546 persons were injured, 65 persons disappeared, and there were another 76 unidentified bodies. Leaders of the CNI noted that many of the victims were Muslims, and they requested a meeting with President Gbagbo. Imam Koudouss stated that many Muslims were dragged out of their houses and mosques, arrested in the streets, and killed because they were Muslims. He asked to meet with the President in order to receive an official apology from the Government for the abuses against the Muslim community; at year's end, according to Koudouss, the CNI had not received a response.

In April 2000, local governments closed some Harrist churches to prevent an escalation of intrareligious violence; all the churches reopened during the year (see Section 5). The Bingerville church had been closed in April 1999 following an appeals court decision, but a decision from the judicial chamber of the Supreme Court reopened it in December 1999.

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

The Constitution does not provide specifically for these rights, and the Government on occasion restricted them in practice. The Government generally does not restrict internal travel. However, police, gendarmes, and water, forestry, and customs officials commonly erect and operate roadblocks on major roads, where they demand that passing motorists or passengers produce identity and vehicle papers and regularly extort small amounts of money or goods for contrived or minor infractions. For example, on April 20 in Daloa, a police officer shot at a taxi driver who refused to stop for a routine police check (see Section 1.c.). On January 7 and 8, the Government imposed a curfew during the coup attempt.

Citizens normally may travel abroad and emigrate freely and have the right of voluntary repatriation. However, airport police and the special police in charge of monitoring the territory severely restricted political party leaders from traveling outside of the country. In April, August, and September, five members of the opposition, or persons considered by the Government as close to the opposition, were stopped at the airport and prevented from traveling. No official ban had been issued, and they were not given a reason for being prevented from traveling (see Section 1.d.). On September 5, following the strong protest raised by the RDR and several human rights NGO's, the Ministry of Interior stated that it had not banned the travel of any political personalities. According to the Ministry, if Bakayoko, Dacoury Tabley, and Bamba had been prevented from traveling, it was an administrative error. The DST returned all three men's travel documents and property and allowed them to travel.

There are no known cases of revocation of citizenship. The citizenship issue was debated extensively during the year, and many citizens challenged the citizenship of other Ivoirians. The public debate over Alassane Ouattara's citizenship, electoral eligibility, and his reinstatement in his political and citizenship rights continued at year's end. In November 2000, the Supreme Court's Constitutional Chamber declared him ineligible for the legislative seat in his ancestral home of Kong (see Section 3).

Unlike in the previous year, Nigerian authorities did not complain during the year about the harassment of Nigerian citizens; however, foreigners of several other nationalities continued to leave the country (see Section 5). In December 2000, the Nigerian Government announced that it had begun repatriating its citizens who were subjected to repeated harassment by Ivoirian authorities (see Section 1.c.). Approximately 300 Nigerians stated that Ivoirian authorities regularly tore up their identity cards and stole goods. The Nigerians also accused the police of encouraging groups of youths to steal from them. Police would take them to police stations where they were beaten and detained overnight if they did not pay a bribe to the officers.

Thousands of persons were displaced internally during the year as a result of ethnic violence (see Section 5).

The country has not enacted legislation to provide refugee or asylum status in accordance with the provisions of the 1951 U.N. Convention Relating to the Status of Refugees and its 1967 Protocol. The only domestic statute in force is the 1990 immigration law, which includes refugees without specifying a separate legal status for them. Nevertheless, the Government respects the right to first asylum and does not deny recognition to refugees, either by law or custom. Following the end of the Liberian civil war, an estimated 150,000 to 200,000 refugees returned to Liberia either under U.N. auspices or independently; however, in May more than 5,000 Liberian refugees arrived in the western part of the country. At year's end, there were approximately 120,000 Liberian refugees in the country, 2,000 from Sierra Leone, and less than 1,000 from the Great Lakes region of Africa, including Rwanda and Burundi.

The Government cooperates with the U.N. High Commissioner for Refugees (UNHCR) in health, education, and food distribution programs for refugees. Approximately 6,000 refugees arrived in the country from Liberia and Guinea during the year; however, unlike in the previous year, overcrowding was not a severe problem due to an increase in funding and the allocation of additional land for refugee camps. The UNHCR announced plans to close three field offices in the western part of the country; however, the Government protested the decision, and the UNHCR decided to retain two field offices: one in Guiglo and one in Tabou.

There were no reports of the forced return of persons to a country where they feared persecution.

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

The Constitution provides for the right of citizens to change their government peacefully through democratic means. The Constitution and Electoral Code provide for presidential elections every 5 years and legislative elections every 5 years by a single and secret ballot. The Constitution also continues the tradition of a strong presidency. Presidential elections held in October 2000, and legislative elections held in December 2000, were marred by significant violence and irregularities.

The Constitution of the Second Republic was implemented formally on August 4, 2000. The Constitution was drafted by the CNSP-created Constitutional and Electoral Consultative Commission (CCCE), which was made up of members of major political parties and civil society; however, the CNSP and General Guei made changes to the CCCE's text prior to submitting the draft Constitution to a referendum. The Constitution was adopted in a referendum held on July 23 and 24, 2000, by 86 percent of those voting. A quasi-independent commission that included representatives from some government ministries, civil society, and political parties supervised the referendum.

The presidential elections followed several postponements and a controversial Supreme Court decision on October 6, 2000, disqualifying 14 of the 19 candidates, including all of the PDCI and RDR candidates. The Constitution includes language that is considered more restrictive than the Electoral Code of the previous Constitution on the subject of parentage and eligibility requirements for candidates. Ouattara was excluded from running in the presidential and legislative elections following the Supreme Court's October 6, 2000, and November 30, 2000, rulings that he had not demonstrated conclusively that he was of Ivoirian parentage. Furthermore, the Court maintained that Ouattara had considered himself a citizen of Upper Volta (Burkina Faso) earlier in his career. Emile Constant Bombet, PDCI candidate and former Minister of State for Interior and Decentralization, was disqualified because he faced outstanding charges of abuse of office from when he was Minister. Former President Bedie was disqualified for not submitting a proper medical certificate.

Following the Supreme Court decision, most international election observers decided not to participate in the election. As a result, there were only 75 observers nationwide, 29 of whom were European Union observers who originally were there assessing the overall security situation. The nationwide participation rate was 33 percent, and some polling places, especially in the north, closed early because of the lack of voters. Preliminary results showed that Gbagbo was leading by a significant margin. However, during the afternoon of October 23, 2000, soldiers and gendarmes entered the National Elections Commission (CNE) to stop the count. They expelled journalists and disrupted television and radio broadcasting. On October 24, 2000, Daniel Cheick Bamba, an Interior Ministry and CNE official, announced on national radio and television that the CNE

had been dissolved and declared General Guei the victor with 56 percent of the vote. Thousands of Gbagbo supporters began protesting almost immediately, demanding a proper vote count. Mass demonstrations continued until October 26, 2000, and resulted in numerous deaths and injuries (see Sections 1.a. and 1.c.). On October 25, 2000, national radio and television reported that Guei had stepped down.

When Gbagbo was inaugurated on October 26, 2000, gendarmes loyal to him violently suppressed RDR street demonstrations held to demand new presidential elections. On December 4 and 5, 2000, gendarmes and police officers also violently dispersed members of the RDR who were demonstrating to protest against the invalidation of Ouattara's candidacy in the legislative elections (see Sections 1.c. and 2.b.).

The National Assembly election took place on December 10, 2000, and was marred by violence, irregularities, and a very low participation rate. The FPI won 96 out of 225 seats in the National Assembly; the PDCI, the former ruling party, won 77 seats; independent candidates won 17 seats; and 4 other parties won 7 seats. Largely because of the RDR boycott of the elections to protest against the invalidation of Ouattara's candidacy, the participation rate in the legislative election was only 33.12 percent. In addition the election could not take place in 26 electoral districts in the north because RDR activists disrupted polling places, burned ballots, and threatened the security of elections officials.

The legislative by-elections were held on January 7 in Agnibilekrou and on January 14 in the northern regions where the elections had been boycotted and disrupted by the RDR. Following the legislative by-elections, 223 of the 225 seats of the National Assembly were filled: the FPI won 96 seats, the PDCI 94 seats, the PIT 4 seats, very small parties 2 seats, independent candidates 22 seats, and the RDR (in spite its boycott of all of the legislative elections) 5 seats. The two seats from Kong, where Ouattara planned to run, remained unfilled as the RDR, the only party running in that electoral district, boycotted the elections.

Before the adoption of the new Electoral Code, the number of registered voters in districts of the National Assembly, each of which elects one representative, varied by as much as a factor of 10; these inequalities systematically favored the ruling party. In August 2000, the Guei Government announced a fairer redistribution of constituencies. Before the December 2000 legislative elections, the Gbagbo Government completed the redistribution of electoral constituencies based on with the 1998 national census.

Since assuming power in October 2000, Gbagbo has sought to include representatives from all political parties in his Government. Except for the RDR, which decided not to accept ministerial posts, most major political parties were represented in the Government, which is made up of 28 ministers including the Prime Minister; in January the Government added 4 ministerial positions. At year's end, 19 ministers were members of the FPI; 5 ministers were members of the PDCI, the former ruling party; 2 ministers were members of the PIT, a minor left-wing party; and 2 were nominally independent but in fact were members of the UDPCI, General Guei's party.

Citizens' ability to elect sub-national governments is limited. The State remains highly centralized. Sub-national government entities exist on several levels, and include 19 regions, 58 departments, 230 sub-prefectures, and 196 communities. However, at all levels except for communities, which are headed by mayors elected for 5-year terms, and traditional chieftancies, which are headed by elected chiefs, all sub-national government officials are appointed by the central Government. Sub-national governments generally must rely on the central Government for much of their revenue, but mayors have autonomy to hire and fire community administrative personnel.

The percentage of women in government and politics does not correspond to their percentage of the population; however, there are no legal impediments to women assuming political leadership roles. Women hold 6 of the 26 ministerial positions in Gbagbo's Cabinet. There are 5 women on the Supreme Court, out of 29 justices. At year's end, there were 19 women in the National Assembly, out of 225 seats. One woman was elected as first vice president of the national assembly. Henriette Dagri Diabate serves as Secretary General of the RDR; she is the first woman to lead a political party.

There are no legal impediments to the exercise of political rights by any of the more than 60 ethnic groups in the country. President Gbagbo has improved ethnic and regional balance in the Government by including members from 13 different ethnic groups: 11 members of Gbagbo's cabinet were from the Krou group (Bete, Dida, Guere, and Wobe); 3 were from the Southern Mande group (Gban, Gouro, and Yacouba) in the western provinces from which Gbagbo comes; and 3 ministers from the north (Northern Mande and Senoufo). The remainder were mainly from the center, the east, and the south (Baoule, Agni, Attie, Ebrie, and Abbey). Three Ministers in Gbagbo's Cabinet were Muslims.

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 LIDHO and the MIDH, generally operate without government restriction, investigating and publishing their findings on human rights cases. Government officials are generally cooperative and responsive to their views. However, on at least one occasion, authorities investigated an NGO for allegedly publishing false information; no charges were filed.

The MIDH continued to gather evidence and testimony on several events during the year. A judge did not recognize MIDH as a legitimate body to represent persons who tried to file complaints against the gendarmes allegedly responsible for the Yopougon massacre (see Section 1.a.). However, the MIDH has assisted the October and December 2000 violence victims and their relatives in filing in a Belgian court 150 counts of charges of genocide and crimes against humanity against General Guei, President Gbagbo, and Gbagbo's Interior and Military Ministers (see Section 1.e.). At year's end, the case was scheduled to begin in February 2002.

The MIDH investigated the December 2000 demonstrations following Ouattara's disqualification from the legislative elections (see Sections 1.a., 1.c., 2.b., and 3). The MIDH stated that the Government had been accommodating to their investigation. However, on April 18, the MIDH published an open letter to the President criticizing the existence of a parallel police force at the Presidency and alleging the use of the Presidency office in Plateau as a center of judicial investigation and torture (see Sections 1.c. and 1.d.). On April 23, the Presidency denied the charge and invited a select group of journalists to visit the basement of the Presidency; however, the MIDH was not invited. Gendarmes in charge of investigating allegations of illegal activities at the Presidency opened a procedure against the MIDH for publishing false information and summoned MIDH vice president Ibrahim Doumbia and various witnesses to a hearing in July. RDR diplomatic advisor Jean Bechio testified that he had been confined and mistreated in the Presidency. At year's end, the gendarmes had finished their investigation; however, the file had not been given to the public prosecutor by year's end.

The Government cooperated with international inquiries into its human rights practices.

President Gbagbo invited the U.N. and several international human rights groups, including Human Rights Watch and the International Federation of Human Rights, to conduct independent investigations into the mass grave at Yopougon (see Sections 1.a. and 1.e.). Several investigations were conducted, and each implicated the gendarmes (see Sections 1.a., 1.e., and 5). All international reports were published in the local press, but the Government characterized the reports as "an attempt by foreigners to sully the image of Cote d'Ivoire."

Section 5 Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status

The Constitution and the law prohibit discrimination based on race, ethnicity, national origin, sex, or religion; however, in practice women occupy a subordinate role in society. Ethnic discrimination and division are problems.

Women

Representatives of the Ivorian Association for the Defense of Women (AIDF) state that spousal abuse (usually wife beating) occurs frequently and often leads to divorce. A 1998 AIDF survey found that many women refused to discuss their experience of domestic violence; of women who completed the AIDF interview process, nearly 90 percent had been beaten or struck on at least one occasion. Doctors state that they rarely see the victims of domestic violence. A severe social stigma is attached to female victims of domestic violence, who are shamed for their presumed bad behavior and need of correction. Neighbors often intervene in a domestic quarrel to protect a woman who is the known object of physical abuse. The courts and police view domestic violence as a family problem unless serious bodily harm is inflicted, or the victim lodges a complaint, in which case they may initiate criminal proceedings. However, a victim's own parents often urge withdrawal of a complaint because of the shame that attaches to the entire family. The Government does not collect statistics on rape or other physical abuse of women. The Government has no clear policy regarding spousal abuse beyond what is contained in the civil code. The law forbids and provides criminal penalties for forced or early marriage and sexual harassment, but says nothing about spousal abuse.

Women's advocacy groups have protested the indifference of authorities to female victims of violence and called attention to domestic violence and FGM. The groups also reported that women who are the victims of rape or domestic violence often are ignored when they attempt to bring the violence to the attention of the police. In July 1999, the AIDF launched a petition drive to pressure the authorities to enact and enforce laws against domestic violence, especially spousal abuse; 18,000 signatures had been collected by the end of 1999. In 2000 AIDF opened a house for battered girls and wives, which reportedly received approximately 18 battered women per week. In December 2000, AIDF president Constance Yai accused security forces and FPI militants of raping 8 or 9 women during the December 2000 confrontations between members of the RDR and

security forces (see Section 1.d.). Yai asked the Government to identify and punish the rapists. The Minister of Interior and Security declared on December 28, 2000, that only 3 women had been raped, and contrary to Yai's accusations, that the rapes did occur on the grounds of the police academy. Aided by another women's NGO, the Republican Sisters, AIDF continues to seek justice on behalf of the rape victims. The AIDF also opposes forced marriage and defends the rights of female domestic workers. In July 2000, AIDF established a national committee with members of national and international institutions in Abidjan to fight violence against women. The committee's objective is to define programs and actions to reduce social inequalities and to make recommendations on combating violence against women. In March Henriette Lagou, Yai's replacement as Minister of Family, Women, and Children's Affairs, reported that women looking for help with family problems, such as forced marriage and domestic violence, approached the committee every day; a few committee members visited the families to mediate. If discussions are not successful, the committee refers the matter to the police and the justice system. The committee could not respond to urgent calls from the countryside because it did not have transportation.

FGM, which is condemned widely by international health experts as damaging to both physical and psychological health, is a serious problem. The law specifically forbids FGM and makes those who perform it subject to criminal penalties of imprisonment for up to 5 years and a fine of roughly \$650 to \$3,500 (360,000 to 2 million CFA francs); double penalties apply for medical practitioners. FGM is practiced particularly among the rural populations in the north and west and to a lesser extent in the center. The procedure usually is performed on young girls or at puberty as part of a rite of passage. It is almost always done far from modern medical facilities, and techniques and hygiene do not meet modern medical standards. According to the World Health Organization and the AIDF, as many as 60 percent of women have undergone FGM. The practice is becoming less popular, but in places it has continued. On June 11, FGM was performed on approximately 100 girls in Silakro, in the northern department of Touba, despite the village nurse's strong opposition. Approximately the same number of girls underwent FGM in the western department of Guiglo during the year. In June Yai visited the regions where FGM still is practiced and reminded practitioners and parents of the dangers of the practice and its illegality. In the summer, the Manh-Boya theater troupe campaigned against FGM in Abidjan using dance and theater.

As a result of the active campaign against FGM undertaken by the Government and NGO's, several practitioners were arrested in the north for performing excisions. In previous years, arrests were made only following the death of the FGM victim. In January one woman still was serving a sentence at the MACA for having performed FGM.

The Constitution and the law prohibit discrimination on the basis of sex; however, women occupy a subordinate role in society. Government policy encourages full participation by women in social and economic life; however, there is considerable informal resistance among employers to hiring women, whom they consider less dependable because of their potential pregnancy. The percentage of women in some professions and in the managerial sector as a whole does not correspond to their percentage of the population. Some women also encounter difficulty in obtaining loans, as they cannot meet the lending criteria mandated by banks. These criteria include such elements as title to a house and production of profitable cash crops, specifically coffee and cocoa. Women in the formal sector are paid on an equal scale with men (see Section 6.e.). In rural areas, women and men divide the labor, with men clearing the land and attending to cash crops like cocoa and coffee, while women grow vegetables and other staples and perform most menial household tasks.

Women's advocacy organizations continued to sponsor campaigns against forced marriage, marriage of minors, patterns of inheritance that exclude women, and other practices considered harmful to women and girls.

Children

The Ministries of Public Health and of Employment, Public Service, and Social Security seek to safeguard the welfare of children, and the Government also has encouraged the formation of NGO's such as the Abidjan Legal Center for the Defense of Children.

The Government strongly encourages children to attend school; however, primary education is not compulsory. Primary education is free but usually ends at age 13. Poverty causes many children to leave the formal school system when they are between the ages of 12 and 14 if they fail secondary school entrance exams. Students who pass entrance exams may elect to go to free public secondary schools. Secondary school entrance is restricted by the difficulty of the exam, which changes each year, and the Government's ability to provide sufficient spaces for all who would like to attend. Many children leave school after only a few years. According to government statistics, 57 percent of school age children attended primary school in the 2000-2001 academic year. According to UNICEF statistics, in 2000 62 percent of girls of primary school age reportedly were enrolled in school in 2000, compared to 58 percent in 1996. This improvement in percentage

of girls attending school can be attributed to various initiatives undertaken in the past 10 years by the Government and such international organizations as UNICEF and the African Development Bank. For example, the African Development Bank purchased textbooks for girls in northern areas of the country, and UNICEF carried out a similar project in the northeast. The World Food Program has worked with the Government to establish a countrywide system of school canteens that provide lunches for \$0.03 (25 CFA francs). There were no new statistics on the number or percentage of boys enrolled in school.

There still is a parental preference for educating boys rather than girls, which is noticeable throughout the country but is more pronounced in rural areas; however, the primary school enrollment rate for girls is increasing in the northern part of the country. The Minister of National Education stated that almost one-third of the primary and secondary school dropout rate of 66 percent was attributable to pregnancies, and that many of the sexual partners of female students were teachers, to whom girls sometimes granted sexual favors in return for good grades or money. In 1998 in an effort to combat low enrollment rates for girls, the Government instituted new measures against the statutory rape of students by teachers.

The penalty for statutory rape or attempted rape of either a girl or a boy aged 15 years or younger is a 1- to 3-year prison sentence and a fine of \$140 to \$1,400 (100,000 to million CFA francs).

There are large populations of street children in the cities. The *Fraternite Matin* newspaper reported in 2000 that the number of street children in the country was 200,000, of which 50,000 were in Abidjan. Some children are employed as domestics and are subject to sexual abuse, harassment, and other forms of mistreatment by their employers, according to the AIDF, the BICE, the Ministry of Family, Women, and Children's Affairs, and press reports (see Section 6.d.).

In 1996 the Government announced a series of measures aimed at reducing the population of street children. These steps include holding parents legally and financially responsible for their abandoned children and the development of training centers where children can learn a trade; however, parents are not made accountable in practice. A training center opened in Dabou in July 1999; however, the Ministry of Family, Women, and Children's Affairs reports that many street children apparently are reluctant to stay in a center where they earn no money and are subject to strict discipline. A forum of approximately 15 NGO's, such as Children of Africa and the BICE, work with approximately 8,000 street children. NGO centers, including those run by BICE, are similar to half-way houses, paying the children a small amount of money while teaching them vocational and budgeting skills. NGO centers are more flexible and individualized in their approach and have had more success with the children.

FGM is performed commonly on girls (see Section 5, Women).

Children regularly are trafficked into the country from neighboring countries and sold into forced labor (see Sections 6.c., 6.d., and 6.f.). However, the Government is cooperating with neighboring countries, international organizations, and NGO's, to combat trafficking in persons. The country's cities and farms still provide ample opportunities for traffickers, especially of children and women. The informal labor sectors are not regulated under current labor laws, so domestics, most non-industrial farm laborers and those who work in the country's vast network of street shops and restaurants remain outside most government protection.

Child labor, including forced child labor, is a problem (see Sections 6.d. and 6.f.).

Persons With Disabilities

The law requires the Government to educate and train persons with 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. The law covers persons with physical, mental, visual, auditory, and cerebral motor disabilities. The Government is working to put these regulations into effect; however, the law had not been implemented fully by year's end. Wheelchair accessible facilities for persons with disabilities are not common, and there are few training and job assistance programs for persons with disabilities.

Laws also exist that prohibit the abandonment of persons with mental or physical disabilities and enjoin acts of violence directed at them.

Traditional practices, beliefs, and superstitions vary, but infanticide in cases of serious birth disabilities is less common than in the past. Adults with disabilities are not specific targets of abuse, but they encounter serious difficulties in employment and education. The Government supports special schools, associations, and artisans' cooperatives for persons with disabilities, but many persons with physical disabilities still beg on

urban streets and in commercial zones.

Religious Minorities

Relations between the various religious communities generally are amicable; however, there is some societal discrimination against Muslims and followers of traditional indigenous religions.

The country's Islamic communities are subject to a great deal of societal discrimination. Some non-Muslims have opposed construction of mosques, such as the new mosque in Abidjan's Plateau district, because the Islamic duty to give alms daily may attract beggars to neighborhoods containing mosques. Some non-Muslims also object to having to hear the muezzins' calls to prayer. Some persons consider all Muslims as foreigners or fundamentalists, and they often are referred to as "destabilizing forces." Muslim citizens often are treated as foreigners by their fellow citizens, including government officials, because most Muslims are members of northern ethnic groups that also are found in other African countries from which there has been substantial immigration into the country. Many Muslims are northerners and tended to support the RDR and opposed the ruling FPI.

Unlike in the previous year, there were no reports of violent clashes among security forces, RDR militants, and militants from the FPI.

Followers of traditional indigenous religions are subject to societal discrimination. Many leaders of religions, such as Christianity or Islam, look down on practitioners of traditional indigenous religions as pagans, practitioners of black magic or human sacrifice. Some Christians or Muslims refuse to associate with practitioners of traditional indigenous religions. The practices of traditional indigenous religions often are shrouded by secrecy, and include exclusive initiation rites, oaths of silence, and taboos against writing down orally transmitted history. However, there have been no reports of human sacrifice in the country since well before independence. Although the purported practice of black magic or witchcraft continues to be feared widely, it generally is discouraged by traditional indigenous religions, aspects of which commonly purport to offer protection from witchcraft. Traditional indigenous religions commonly involve belief in one supreme deity as well as lesser deities or spirits that are to be praised or appeased, some of whom in some religions may be believed to inhabit or otherwise be associated with particular places, natural objects, or man-made images. However, many practitioners of traditional indigenous religions are unaware of societal discrimination and have not complained.

Conflicts between and within religious groups have surfaced occasionally. In the past, members of the Limoudim of Rabbi Jesus, a small Christian group of unknown origin, have criticized and sometimes attacked other Christian groups for allegedly failing to follow the teachings of Jesus; however, there were no reports of such attacks during the year. In January 1998, a conflict over land erupted between Catholics and Assembly of God members in Abidjan's Yopougon district. The same area was the scene of a land conflict between Baptists and their neighbors in August 1998; however, there were no reports of such conflicts during the year.

The Celestial Christians are divided because of a leadership struggle, as are the Harrists, who have fought on occasion. In March 2000, due to the internal struggle in the Harrist Church, clergy leader Barthelemy Akre Yasse struck from the church rolls Harrist National Committee president Felix Tchotche Mel for insubordination. This battle for church leadership at the national level led to violent confrontations between church members at the local level. In April 2000, local governments, in order to prevent further violence, closed some Harrist churches. All the churches reopened during the year, although the leadership struggle continues.

National/Racial/Ethnic Minorities

The country's population is ethnically diverse. The citizenry--not including the large noncitizen part of the population--is made up of five major families of ethnic groups. The Akan family comprised more than 42 percent of the citizenry; the largest Akan ethnic group, and the largest ethnic group in the country, is the Baoule. Approximately 18 percent of citizens belong to the Northern Mande family, of which the Malinke are the largest group. Approximately 11 percent of citizens belong to the Krou family, of which the Bete are the largest group. The Voltaic family accounts for another 18 percent of the population, and the Senoufou are the largest Voltaic group. Approximately 10 percent belong to the Southern Mande family, of which the Yacouba are the largest group. Major ethnic groups generally have their own primary languages, and their nonurban populations tend to be concentrated regionally. President Gbagbo's Cabinet included three Muslim northerners, most significantly the Minister of State for Foreign Affairs. During the year, one northerner left the cabinet to become President of the National Assembly, but another northerner was appointed.

All ethnic groups sometimes practice societal discrimination on the basis of ethnicity. Urban neighborhoods still

have identifiable ethnic characteristics, and major political parties tend to have identifiable ethnic and regional bases, although interethnic marriage increasingly is common in urban areas.

At least 26 percent of the population is foreign, and of that group, 95 percent are other Africans. Most of the Africans are from neighboring countries such as Mali and Burkina Faso and may not claim citizenship legally. Birth in Ivoirian national territory does not confer citizenship. The ethnic composition of the whole population, including these noncitizens, is quite different from that of the citizenry alone, in that about three of every four noncitizens originated from either Burkina Faso, Mali, or Guinea.

Some ethnic groups include many noncitizens, and their share of the electorate would be increased by enfranchising noncitizens. Other ethnic groups include few noncitizens, and their share of the electorate would be decreased by enfranchising noncitizens. There are societal and political tensions between these two sets of ethnic groups. This cleavage corresponds to some extent to regional differences; ethnic groups that include many noncitizens are found chiefly in the north. Members of northern ethnic groups that are found in neighboring countries as well as in the country often are required to document their citizenship, whereas members of historically or currently politically powerful ethnic groups of the south and west reportedly do not have this problem. Police routinely abuse and harass noncitizen Africans residing in the country (see Section 1.c.). Official harassment reflects the frequently encountered conviction that foreigners are responsible for high crime rates, as well as concern for national identity and identity card fraud.

The new Constitution includes a more restrictive presidential eligibility clause that not only limits presidential candidates to those who can prove that both parents were born citizens in the country, but also states that a candidate never can have benefited from the use of another nationality. Because of this restriction, Alassane Ouattara was found legally ineligible for both presidential and legislative elections in 2000 (see Section 3).

Differences between members of ethnic groups are a major source of political tensions, and since 1997 repeatedly have erupted into violence. Many members of the Baoule group, which long has inhabited the east-central region, have settled in towns and on previously uncultivated land in other areas, especially in more westerly regions. However, the new law does not transfer a land title from the traditional owner to the user simply by virtue of use.

Tensions continued in the west and the center of the country between ethnic Beoule Ivoirian natives and settlers from Burkina Faso and Mali, many of whom were born in Cote d'Ivoire or have lived in the country up to 30 years. In May violence in Bolequin between the Guere population and settlers from Burkina Faso resulted in the death of at least 6 persons; 19 persons were shot and injured and 30 persons disappeared.

In February fighting broke out between native Ivoirian Baoule and Malian Bozo fishermen in the area of Taabo, northwest of Abidjan, following a dispute between a Baoule man and a Malian, 12 persons were injured seriously, including one who was shot. The Baoule fishermen, who resented the presence of the Malians, burned two Bozo settlements. A government representative helped to restore calm and no arrests were made.

On March 25, four persons were killed in ethnic fighting between Dioula from the north and native Yacouba in the western town of Zouan-Hounien. A Guinean, a Malian, and two unidentified persons were killed. Several houses and cars were burned, and 773 persons, including foreigners and Dioula, were forced to leave Zouan-Hounien and seek refuge in Danane, the nearest large town. The March 25 municipal elections were canceled in Zouan-Hounien, and the authorities gradually restored calm. In April and May the persons who sought refuge in Danane gradually were able to return to Zouan-Hounien. When the National Electoral Committee deemed that calm had been restored, it organized and held new municipal elections in the town on June 10 (see Section 3).

In May six persons were killed in ethnic violence between Ivoirian Guere and settlers from Burkina Faso in Bolequin, in the western part of the country. Additionally 30 persons disappeared, 19 persons were shot and injured, and 2,097 persons were displaced. On May 17, approximately 20 persons from the Guere ethnic group were arrested for killing a Burkinabe in a fight over land ownership and 15 were handed over to authorities in Man. The brothers of the Burkinabe retaliated and killed one Guere; one gendarme was killed when security forces tried to restore order. In July the 15 Guere were released, and the 2 groups agreed to try to live together in peace.

On July 29, native Baoule attacked Malian Bozo fishermen in Bouafle and killed two Bozos. More than 3,635 Bozos left Bouafle to seek assistance from the Malian Consul in Yamoussoukro. On September 13, the Malian Press Agency (AMAP) reported that 48 Bozos returned to Mali, following violent conflicts between Bozos and young Ivoirians in Beoumi, Sakassou, Tiebissou, and Bouafle. According to AMAP, the conflicts resulted in the death of several Malians; Le Patriote reported that 5 persons were killed. Additionally the Baoule injured many Bozos and burned 23 of their settlements during the conflict. The conflict between the Malian fishermen and

the young Baoule and Gouro from Sakassou, Beoumi, Tiebissou, and Bouafle concerns control of the fishing activity on Lake Kossou. Malians have fished the waters for the past 30 years without competition; however, many young Ivoirians have returned to their villages as a result of high unemployment in the cities.

Unlike in the previous year, there were no further reports of violence between native Kroumen and settlers and migrant laborers from Burkina Faso. In 2000 violent conflicts between Kroumen and settlers from Burkina Faso in the southwest resulted in numerous deaths. The fighting drove approximately 2,500 persons from their homes, including citizen Baoules and Kroumen who were caught in the battles. Approximately 12,000 Burkinabe were forced to return to Burkina Faso as a result of land battles in 2000. Some of those who left had returned, but the majority remained in Burkina Faso.

Section 6 Worker Rights

a. The Right of Association

The Constitution and the Labor Code grant all citizens, except members of the police and military services, the right to form or join unions. Registration of a new union requires 3 months. The three largest labor federations are the General Union of Workers of Cote d'Ivoire (UGTCI), and the Federation of Autonomous Trade Unions of Cote d'Ivoire, and Dignite; there also are two other registered labor federations not affiliated with the Government, including the Dignite labor federation. Unions legally are free to join federations other than the UGTCI, although in the past the Government pressured unions to join the UGTCI. Only a small percentage of the workforce is organized, and most laborers work in the informal sector that includes small farms and a multitude of small roadside businesses and shops; however, large industrial farms and some trades are organized.

The right to strike is provided by the Constitution and by statute. The Labor Code requires a protracted series of negotiations and a 6-day notification period before a strike may take place, making legal strikes difficult to organize. Since the 1999 coup, the CNSP and the Labor Ministry arbitrated more than 80 labor-related conflicts. Due in large part to the weak economy, working conditions did not improve during the year and, in many cases, continued to decrease. There continued to be strikes in the private and government sectors over working conditions; however, the strikes generally were tolerated and did not result in violence.

The Labor Ministry arbitrated more than 20 labor conflicts during the year, in spite of the social truce asked for by the Government. Employees may appeal decisions made by labor inspectors to labor courts.

In June the Government started paying full salaries to the primary, secondary, and university teachers hired under a 1991 law that cut starting salaries to half the amounts of those hired previously. These payments put an end to a 10-year struggle of strikes and negotiations, led by the teachers' unions, against the Governments of four successive presidents.

On June 5, the administration of the country's 33 prisons went on strike to demand an improvement of prison guards' living and working conditions (see Section 1.c.). The guards locked the prison doors during the strike; visitors were not allowed inside the prison, and prisoners were not allowed to leave for scheduled trials during the strike. The guards complained about low pay, inadequate weapons, and a lack of vehicles to transport prisoners to court for trial.

In 2000 the union of employees of the company Blohorn-Unilever attempted to negotiate a reduction in the substantial difference in salary between foreign workers (especially European) and those hired locally. Complaining of what workers called "Salary Apartheid," union leaders called a 72-hour strike after talks failed. The strike ended when management promised to "look into the issue;" however, no improvements were made by year's end.

The police intervened directly in labor disputes, sometimes arresting and intimidating parties (see Section 1.c.).

On June 22, police officers used tear gas and beat employees at Blohorn-Unilever company in Vridi, an industrial area in Abidjan. Several employees were injured seriously, and 18 of them, including several department heads, were arrested. According to the employees, the beatings followed an incident on a bus between a Blohorn employee and a member of the mobile police squad. The management of Blohorn filed a complaint with the police station; however, no action was taken by year's end.

On July 17, police in Abidjan used tear gas and truncheons to disperse a demonstration by elementary school teachers, who were demanding payment of their overdue salary from the 2000-2001 school year. On August 30, the school teachers organized another march in Abidjan to demand payment before the start of the 2001-

2002 school year; as of August 30, only 454 of 1,991 school teachers had received any salary for the previous school year. The Minister of Labor, Civil Service, and Administrative Reforms promised to pay them at the end of October; however, by year's end, they had not been paid, and a strike was planned for 2002.

There were no developments in the trial of a gendarme who had shot a striking minibus driver in November 2000.

Unions are free to join international bodies.

b. The Right to Organize and Bargain Collectively

The law protects persons working in the formal sector (approximately 1.5 million workers) from employer interference in their right to organize and administer unions; however, this number includes only approximately 15 percent of the workforce. The Constitution provides for collective bargaining, and the Labor Code grants all citizens, except members of the police and military services, the right to bargain collectively. Collective bargaining agreements are in effect in many major business enterprises and sectors of the civil service. In most cases in which wages are not established in direct negotiations between unions and employers, salaries are set by job categories by the Ministry of Employment and Civil Service (see Section 6.e.).

Labor inspectors have the responsibility to enforce a law that prohibits antiunion discrimination. There have been no known prosecutions or convictions under this law, nor have there been reports of antiunion discrimination.

There were no export processing zones.

c. Prohibition of Forced or Compulsory Labor

The law prohibits forced labor or compulsory labor; however, the International Labor Organization's Committee of Experts in its 2000 annual report questioned a decree that places certain categories of prisoners at the disposal of private enterprises for work assignments without their apparent consent. Legislation exists allowing inmates to work outside of prison walls; however, because of a lack of funds to hire warden guards to supervise the inmates, the law often is not invoked. In 2000 the NGO Doctors without Borders funded a project in which inmates were hired to improve the sanitation system in their prison. Although it did not finance the project, the Government did permit the prisoners to receive a salary from the NGO for their work.

The law does not prohibit trafficking in persons, and there were credible reports that it occurs (see Section 6.f.).

The law prohibits forced and bonded child labor; however, the Government did not acknowledge the problem until recently and does not enforce the prohibition effectively (see Section 6.f.). Children regularly are trafficked into the country from neighboring countries and sold into forced labor on agricultural farms and plantations, where they are subject to widespread abuse.

d. Status of Child Labor Practices and Minimum Age for Employment

In most instances, the legal minimum working age is 14; however, the Ministry of Employment and Civil Service enforces this provision effectively only in the civil service and in large multinational companies. Labor law limits the hours of young workers, defined as those under the age of 18. However, children often work on family farms, and some children routinely act as vendors, shoe shiners, errand boys, car watchers, and washers of car windows in the informal sector in cities. There are reliable reports of some use of children in "sweatshop" conditions in small workshops. Children also work in family-operated artisanal gold and diamond mines.

Although the Government prohibits forced and bonded child labor, it does not enforce this prohibition effectively. Children regularly are trafficked into the country from neighboring countries and sold into forced labor (see Section 6.f.).

e. Acceptable Conditions of Work

The Government administratively determines monthly minimum wage rates, which last were adjusted in 1996. President Gbagbo promised an overall pay raise; however, no such raises were granted by year's end.

Minimum wages vary according to occupation, with the lowest set at approximately \$52 (36,607 CFA francs) per month for the industrial sector, which is insufficient to provide a decent standard of living for a worker and family. A slightly higher minimum wage rate applies for construction workers. The Government enforces the minimum wage rates only for salaried workers employed by the Government or registered with the social security office. The majority of the labor force works in agriculture or in the informal sector where the minimum wage does not apply. According to a Labor Ministry survey, workers in the agricultural and fishing sector receive an average of \$1,040 (726,453 CFA francs) a year.

In June the Government started paying full salaries to the primary, secondary, and university teachers hired under a 1991 law that cut starting salaries to half the amounts of those hired previously (see Section 6.a.).

Labor federations such as Dignite are working to provide some relief to workers when companies fail to meet minimum salary requirements. For example, the sanitary services company ASH continues to pay wages as low as \$15.50 (12,000 CFA francs) a month to female employees who work sweeping the streets of Abidjan. According to Dignite, labor inspectors continue to ignore this clear violation of the law. The shipbuilding company Carena discriminates between European engineers who are paid \$11,400 (8 million CFA francs) a month, compared with their African colleagues who receive \$114 (80,000 CFA francs) a month. Government labor and employment authorities have not been able to stop the discrimination.

Through the Ministry of Employment and the Civil Service, the Government enforces a comprehensive Labor Code that governs the terms and conditions of service for wage earners and salaried workers and provides for occupational safety and health standards. Those employed in the formal sector generally are protected against unjust compensation, excessive hours, and arbitrary discharge from employment. The standard legal workweek is 40 hours. The law requires overtime payment on a graduated scale for additional hours. The Labor Code provides for at least one 24-hour rest period per week.

Government labor inspectors can order employers to improve substandard conditions, and a labor court can levy fines if the employer fails to comply with the Labor Code. However, in the large informal sector of the economy involving both urban and rural workers, the Government's occupational health and safety regulations are enforced erratically, if at all. The practice of labor inspectors accepting bribes is a growing problem, and observers believe that it is widespread. Workers in the formal sector have the right under the Labor Code to remove themselves from dangerous work situations without jeopardy to continued employment by utilizing the Ministry of Labor's inspection system to document dangerous working conditions. However, workers in the informal sector ordinarily cannot remove themselves from such labor without risking the loss of their employment.

Foreign workers typically are found in the informal labor sector, where labor laws do not apply.

f. Trafficking in Persons

The law does not prohibit trafficking in persons, and there were credible reports that it occurs; however, the Government prosecutes traffickers under existing laws against the kidnaping of children. The country is a source and destination country for women and children.

Women and children are trafficked to African, European, and Middle Eastern countries. Children are trafficked to the country from Mali, Burkina Faso, Ghana, Togo, Benin, and Mauritania for indentured or domestic servitude, farm labor, and sexual exploitation. Women principally are trafficked to the country from Nigeria, Ghana, Liberia, and Asian countries. The extent of the problem was unknown. The country's cities and farms still provide ample opportunities for traffickers, especially of children and women. The informal labor sectors are not regulated under current labor laws, so domestics, most nonindustrial farm laborers and those who work in the country's vast network of street shops and restaurants remain outside most government protection.

Media reports continue to expose the widespread practice of importing and indenturing Malian boys for field work on Ivoirian farms and plantations under abusive conditions. For example, children recruited by Malians in the border town of Sikasso are promised easy and lucrative jobs in Cote d'Ivoire, transported across the border, and then sold to other Malians who disperse them throughout the farms and plantations of the central and western regions. Many are under 12 years of age, are placed in indentured servitude for \$140 (100,000 CFA francs), work 12-hour days under grueling conditions for \$135 to \$189 (95,000 to 125,000 CFA francs) per year, and locked at night in crowded sheds, with their clothing confiscated. The Governments of Mali and Cote d'Ivoire confirmed these reports in a joint February 2000 press conference with UNICEF. The Government of Mali and UNICEF took steps to halt this trafficking and repatriate the children in Mali; more than 420 Malian children were returned to their families during the year; 300 of the repatriated children had been working on small farms. It is estimated that thousands of Malian children work on Ivoirian cocoa and coffee plantations. The number is difficult to estimate because many Malian adults also worked on Ivoirian farms and

plantations in the same area under difficult conditions, and no thorough survey has been conducted; however, the international NGO Save the Children estimated that approximately 15,000 trafficked children are working on plantations in the country.

During the year, the Minister of Employment and the Ministry of Family, Women, and Children's Affairs continued working with Malian authorities to prevent cross-border child trafficking. In August the Ivoirian Minister of Family, Women, and Children's Affairs and the Malian Minister for Women, Family, and Children's Promotion met in Sikasso, Mali, to discuss trafficking issues. The Ministers figure refuted the earlier estimates that 15,000 Malian children were working on plantations in Cote d'Ivoire. In August 2000, the Governments of Cote d'Ivoire and Mali signed the Bouake agreement, which recognized the need to increase the repatriation of Malian children from Cote d'Ivoire. During the year, the Malian Government opened a rest and transit center in Sikasso for children being repatriated from Cote d'Ivoire.

Children also are trafficked into the country from countries other than Mali. During the year, there were reports of children, some as young as 6 years of age, being trafficked from Benin to work as agricultural laborers and maids. Burkina Faso, Ghana, Togo, and Mauritania are other sources of child labor. The Government discussed a labor agreement with the Governments of Togo, Burkina Faso, and Mali but had not signed an accord by year's end.

Generally it is accepted that children are regularly trafficked into the country from neighboring countries and put to work in the informal sector in exchange for finder's fees.

In May the Minister of Interior and Security handed over to the Guinean Ambassador 32 young persons, including 19 children aged 2 to 19 years and 13 persons aged 21 years and older, for repatriation. The Government said they were removed from a bus during a routine identity check, detained briefly, and then repatriated to Guinea. The Government said they were trying to enter the country clandestinely, but the Guinean Ambassador said they were coming to be reunited with their families.

In May 54 persons from Burkina Faso, between the ages of 12 and 20, were arrested at the Cote d'Ivoire-Burkina Faso border as they were being trafficked into the country to work on farms of Burkinabe farmers in southwestern Soubre and San Pedro. Their 15 escorts, also Burkinabe, were arrested and handed over to the Korhogo police; there was no additional information by year's end. The children were repatriated to Burkina Faso by the Ivoirian Government and the Embassy of Burkina Faso.

In May a convoy containing 12 children coming from Burkina Faso was stopped in Ferkessedougou in northern Cote d'Ivoire. The children and their two escorts, also Burkinabe, were handed over to the Bouake police; there was no additional information by year's end. The children were repatriated.

In May in southwestern Lakota, 26 young persons were arrested as they traveled from Guinea to work in the forest region. Their two escorts were handed over to police and the children were repatriated; there was no additional information by year's end.

In May gendarmes removed five children between the ages of 16 and 17 from a bus traveling from Burkina Faso to Cote d'Ivoire. Their Burkinabe escorts, Bounkoungnon Nanga, Zongo Balibi, Koula Zana and Bonda Benewende, were arrested for trafficking. In June they were tried and sentenced to 2 months in prison and fined \$75 (50,000 CFA francs). The children were taken to the Burkinabe Consul's office in Bouake for repatriation.

In June a convoy of 146 Burkinabe between the ages of 10 and 26 was stopped at the border and handed over to the Ouangolodougou police. Except for the adults among them, those detained were students planning to vacation in Cote d'Ivoire. They were handed over to the Burkinabe Ambassador in Abidjan for repatriation; however, the Burkinabe authorities complained that the fight against child trafficking should not lead to abuses. Following this incident, Burkinabe authorities decided that all Burkinabe children traveling to Cote d'Ivoire should have proper authorization papers.

In June seven children from Burkina Faso, between the ages of 14 and 20, were arrested as they traveled with their escort to work on a 10-acre pineapple plantation belonging to a man from Burkina Faso. The owner of the plantation and the escort were arrested and detained in Aboisso, and the children were repatriated. There were no reports of a trial during the year.

In June 17 children from Ghana, Burkina Faso, and Cote d'Ivoire (Bouna) between the ages of 7 and 22, were arrested in Bondoukou department as they traveled from Bouna to work in various places in the western and southern areas of the country. The children's escort, a Ghanaian woman, also was arrested; there were no

reports of trial during the year. The children were turned over to the chiefs of communities in Bouna to be sent back to their families.

In June security forces stopped 26 children from Benin as they were transiting northern Cote d'Ivoire toward the forest regions. Two escorts from Benin were arrested and jailed in Bondoukou; there were no reports of trial during the year. The children were repatriated.

In July six Mauritanian children between the ages of 13 and 17 were stopped while entering northern Cote d'Ivoire. They were sent back across the Malian border and returned to Mauritania; their escort escaped.

In September the court in Abengourou, which is located in the southern cocoa region, convicted of child trafficking Magate Magouaffou, a citizen of Togo. Magouaffou was sentenced to 3 years' imprisonment and ordered to leave the country for 5 years after his release in 2004. He was accused of trafficking three 10-year-old children from Togo work on Ivoirian farms. While trying to find farmers who wanted them, he forced them to work for him without pay. At year's end, no information was available on regarding the whereabouts of the children.

In February 2000, Ivoirian authorities working with the Malian Consul in Bouake repatriated 19 Malian men and children who were working as forced labor on a plantation in the western region of Bangolo. The youngest was 13 years of age, although 14 of them were under the age of 20. The police filed criminal charges against the farm owner and the traffickers in February 2000, but at year's end, their trial had not begun.

The Government is cooperating with neighboring countries, international organizations, and NGO's to combat trafficking in persons. In July a national committee for the fight against child trafficking was created. The committee includes representatives from the Ministries of Foreign Affairs, Interior, Security and Decentralization, Justice, Labor, Agriculture, Communication, Social Affairs and National Solidarity, and Family, Women, and Children's Affairs. Representatives from several national and international organizations and NGO's, such as UNICEF, REFAMP-CI (network of women ministers and parliamentarians), and the BICE, also are part of the committee.

UNICEF reported that approximately 20 traffickers were arrested and detained during the year; however, there were limited reports of trials by year's end.