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FREEDOM IN THE WORLD

Côte d'Ivoire

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OVERVIEW:

A long-delayed presidential election was finally held at the end of 2010, but the incumbent, Laurent Gbagbo, refused to relinquish power after losing to opponent Alassane Ouattara, leading to a protracted conflict in 2011 in which both claimed the presidency. The conflict left 3,000 dead and an estimated one million displaced until Ouattara finally assumed power in April 2011 and Gbagbo was arrested. A Truth and Reconciliation Commission was formed to investigate the committed atrocities, but lawlessness and impunity continued to pervade the country. Ouattara's Rally of the Republicans party captured the largest number of seats in the December 2011 parliamentary elections, the first held in over a decade.

Côte d'Ivoire gained independence from France in 1960, and its first president, Félix Houphouët-Boigny, ruled until his death in 1993, presiding over a period of economic prosperity. Henri Konan Bédié, then the speaker of the National Assembly, assumed power and won a fraudulent election in 1995. Bédié popularized the interpretation of "Ivoirité", emphasizing that only those from ethnic groups originating from the south of the country were "true" Ivoirians, to disqualify and discredit his opponent, Alassane Ouattara, for his alleged Burkinabe origins.

General Robert Guéï seized power in 1999 and declared himself the winner of an October 2000 presidential election after initial results showed that he was losing to opposition politician Laurent Gbagbo. Guéï was soon toppled by a popular uprising, and Gbagbo, who was eventually declared the winner, refused to call new polls. The postelection violence cost hundreds of civilian lives and deepened the divisions between north and south, as well as between Muslims and Christians. In the December 2000 legislative elections, Gbagbo's Ivorian Popular Front (FPI) won 96 seats, while Bédié's Democratic Party of Côte d'Ivoire–African Democratic Rally (PDCI-RDA) took 94, and smaller parties and independents won the remainder.

Civil war erupted in September 2002 when some 700 soldiers mounted a coup attempt, and government forces killed Guéï under unclear circumstances on the first day of fighting. Rebel forces quickly took control of the north and called for Gbagbo to step down. This call was echoed by other rebels in the west. By December 2002, the rebel factions had united to form the New Forces (FN), led by Guillaume Soro.

Gbagbo's government and the FN signed a French-brokered ceasefire in 2003, but it soon broke down. In April 2005, South African president Thabo Mbeki brokered a new peace accord that set general elections for the end of that year. However, because the requisite disarmament and poll preparations were not completed in time, the African Union postponed the elections, extended Gbagbo's term, and appointed an interim prime minister, economist Charles

2012 SCORES

STATUS

Not Free

FREEDOM RATING

6.0

CIVIL LIBERTIES

6

POLITICAL RIGHTS

6

Konan Banny. Similar delays prevented elections from taking place again in 2006. With the expiration of Gbagbo's extended mandate in October 2006, the UN Security Council passed a resolution transferring all political and military power to the prime minister until the next elections. Gbagbo refused to accept the move and called for the withdrawal of all foreign troops.

In March 2007, Gbagbo and Soro met in Burkina Faso and signed an entirely new peace deal, the Ouagadougou Political Accord (APO), according to which Soro was appointed interim prime minister until elections could be held. The situation began to slowly improve, and the "confidence zone" separating the two parts of the country was officially dismantled.

Despite the more peaceful climate, the elections envisioned in the APO were postponed five times over the next three years. Less than 12,000 of more than 30,000 FN troops and almost none of the pro-Gbagbo militia groups slated for formal disarmament actually went through the process. Some progress was made during this period on voter registration, particularly among previously disenfranchised groups in the north who were seen as foreigners by the southern ethnic groups who bought into the notion of "Ivoirité". Nonetheless, the registration effort was badly organized, cumbersome, and frequently contested by both sides of the political divide.

The first round of the long-awaited presidential election was finally held on October 31, 2010, and was deemed relatively free and fair by domestic and international observers. Gbagbo led with 38 percent of the vote, and Ouattara of the Rally of the Republicans (RDR) party placed second with 32 percent. Bédié of the PDCI-RDA, who came in third with 25 percent, threw his support behind Ouattara ahead of the November 28 runoff. The day of the runoff itself was relatively peaceful, and UN and European Union observers generally approved of the polling, but violence increased considerably during the period before the results were officially announced, with pro-Gbagbo militiamen directly attacking Ouattara's campaign headquarters on December 1.

On December 2, the Electoral Commission, backed by the United Nations, formally announced that Ouattara had won with 54 percent of the vote. The Constitutional Council, which was filled with Gbagbo loyalists, quickly annulled the results from largely pro-Ouattara northern districts, alleging widespread fraud, and announced that Gbagbo had in fact won with 51 percent. By December 4, both Gbagbo and Ouattara had been sworn in as president in separate, conflicting ceremonies.

This standoff led to a protracted conflict involving former FN rebels and other volunteer pro-Ouattara fighters on one side, and Gbagbo's security forces and Young Patriots and other militia groups on the other, leading to the death of approximately 3,000 civilians and the displacement of up to one million between December 2010 and April 2011. After months of fighting, Ouattara launched a military offensive throughout the country in March, with the support of French and UN troops backed by a Security Council resolution, which ended in the successful seizure of the presidential palace and the arrest of former president Laurent Gbagbo.

According to the United Nations, forces on both sides of the conflict were guilty of committing atrocities during the conflict. However, it is widely believed that pro-Ouattara forces are responsible for the single largest massacre of the period in which up to 1,000 people are believed to have been murdered in a single day in March in the western town of Duékoué. Ouattara's government has since instituted a Truth and Reconciliation Commission and has agreed to allow the International Criminal Court (ICC) to investigate those most responsible. However, although Gbagbo was transferred to the Hague on four charges of crimes against humanity and appeared before the court for the first time in December 2011, the national courts had yet to press charges against any pro-Ouattara forces by year's end.

While the situation on the ground is slowly stabilizing with significant financial backing from the likes of the International Monetary Fund, the African Development Bank, and the French and United States governments, serious problems remain. One of the main problems is Ouattara's security forces, the Republican Forces of Côte d'Ivoire (FRCI), who are largely disorganized and able to roam the country committing crimes with impunity. FRCI troops are

currently an amalgamation of former FN rebels and former Gbagbo troops, many of whom still wear different uniforms and have little trust in one another.

UN troops and members of Ouattara's security force were enlisted to help ensure a peaceful parliamentary election on December 11, 2011. While international observers judged them to have been carried out in a largely peaceful and fair manner, turnout was significantly lower than for the previous year's presidential election. Gbagbo's party, the FPI, instituted a boycott, accusing the Electoral Commission of bias and Ouattara's security forces of intimidation. Ouattara's RDR party took just over 42 percent of the seats, while the PDCI-RDA captured nearly 29 percent.

POLITICAL RIGHTS AND CIVIL LIBERTIES:

Côte d'Ivoire is not an electoral democracy. While December 2011 saw the first largely peaceful and fair parliamentary elections in over a decade, President Alassane Ouattara governed by decree until the legislative elections were held. The constitution provides for the popular election of a president and a 225-seat unicameral National Assembly for five-year terms. In 2011, Ouattara reappointed former rebel leader Guillaume Soro as prime minister, who had resigned in December 2010 in protest of Gbagbo's refusal to step down. Soro and other former rebel leaders, to whom Ouattara is greatly indebted, appear to have significant influence over his policy decisions.

Ouattara's RDR party dominates the political scene, followed by the PDCI-RDA. Gbagbo's FPI party is in ruins and continued to demand a complete overhaul of the Electoral Commission.

Corruption is a serious problem, and perpetrators rarely face prosecution or public exposure. Under Gbagbo, earnings from informal taxes and the sale of cocoa, cotton, and weapons gave many of those in power, including members of the military and rebel forces, an incentive to obstruct peace and political normalization. In August 2011, Ouattara instructed his ministers to sign an antigraft code of ethics in order to eliminate corruption, largely to improve the country's prospects of foreign investment.

Despite constitutional protections, press freedom is generally not respected in practice. Violence against journalists increased in 2011. Both sides of the conflict directly targeted journalists who criticized them or were in any way affiliated with the opposition, forcing many to stop working or to flee the country. After Gbagbo's arrest, media outlets loyal to the former leader were shut down, and the pro-Gbagbo, state-owned Radio-Télévision Ivoirienne was replaced by the pro-Ouattara Télévision Côte d'Ivoire, leading to a monopoly over the flow of information until opposition papers were able to resume printing in May.

Legal guarantees of religious freedom are typically upheld. However, the north-south political divide corresponds roughly with the distribution of the Muslim and Christian populations. While individuals were not targeted during the conflict because of their religion, religious services and houses of worship were used to single people out for attack.

Academic freedom was already severely limited under Gbagbo, with progovernment student organizations, such as the Student Federation of Côte d'Ivoire (FESCI), engaging in systematic intimidation on campuses. In 2011, universities throughout the country were closed and occupied by military forces from both sides that used them for military bases and training grounds. Students either left or joined the militias as volunteer fighters. In May, the militias were ordered to vacate university campuses. Many professors recommended that the 2010-2011 academic year be cancelled entirely.

The constitution protects the right to free assembly, but it is often denied in practice. Under Ouattara, security forces targeted former Gbagbo supporters, or even those who share the same ethnic group as his supporters, forcing them to stay under ground or in exile. While it is unlikely that Ouattara ordered these attacks, they went unpunished. An initial coordinated effort by FPI party members and Gbagbo supporters to demonstrate in October 2011 was prevented by the government for fear of violence, but a second attempt near

the end of the month was permitted and was carried out peacefully. Freedom of association improved in 2011, with international nongovernmental organizations (NGOs) able to operate more freely than they were under the Gbagbo administration, particularly as the violence dissipated. Domestic NGOs also began to speak out and operate regularly and were not directly targeted.

The right to organize and join labor unions is constitutionally guaranteed, and workers have the right to bargain collectively. While these rights were not directly attacked in 2011, unions suffered greatly during the crisis, becoming disorganized and largely ineffectual.

The judiciary is not independent. Judges are political appointees without tenure and are highly susceptible to external interference and bribes. While there were hopes that this situation would change under Ouattara, national, regional and military courts that began to prosecute crimes committed during the crisis targeted Gbagbo supporters exclusively. Nonetheless, the government officially launched a Truth and Reconciliation Commission in September, and Ouattara agreed to allow the International Criminal Court to begin investigating the most egregious crimes in October.

The security situation markedly deteriorated in 2011. There was a rapid surge in the proliferation of small arms throughout the country, seriously setting back any progress that had been made on disarmament in previous years. The situation was particularly dire in the west, where members of ethnic groups who supported Gbagbo fled to Liberia and are afraid to return for fear of persecution and attack by the FRCI. Untrained civilian youth were also heavily recruited to join the fighting, and many have now been incorporated into the FRCI. The United Nations extended the mandate of its approximately 8,000 peacekeeping troops and sent an additional 2,000 troops in March to support the ousting of former president Gbagbo.

Côte d'Ivoire's cocoa and other industries have historically depended on workers from neighboring countries, particularly in the west, but conflicts between immigrant groups and longer-term residents have played a significant part in the current conflict. Gbagbo's repeated use of xenophobic language, and the reciprocal violence against the ethnic groups that supported Gbagbo, were driving forces behind the 2011 conflict.

Economic freedom and employment also suffered as a result of the conflict, with businesses across the country, including those in the cocoa and chocolate industries, forced to close. Even after the conflict, in an effort to clean up Abidjan, government forces forcibly removed numerous small businesses in Abidjan and bulldozed houses. While many of these were built illegally, others had permits that the government disregarded.

In the past, Côte d'Ivoire has made symbolic efforts to combat child trafficking, but tens of thousands of children from all over the region are believed to be working on Ivorian plantations; virtually no attention was paid to this issue in 2011.

Despite official support for their constitutional rights, women suffer widespread legal and economic discrimination. Rape was reportedly common during the 2002 civil war, and was again a major problem during the 2011 conflict. The law does not specifically criminalize domestic violence, which is a widespread problem. Women are also heavily underrepresented in government and decision-making positions, filling just 11 percent of seats in the National Assembly following the December 2011 elections.

RATINGS CHANGE:

Côte d'Ivoire's political rights rating improved from a 7 to a 6 as a result of Alassane Ouattara, the president-elect, finally assuming office in April 2011 after deposing former President Laurent Gbagbo, who refused to relinquish power after losing the presidential election in November 2010.

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