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Côte d'Ivoire: COI Compilation

December 2020



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This report serves the specific purpose of collating legally relevant information on conditions in countries of origin pertinent to the assessment of claims for asylum. It is not intended to be a general report on human rights conditions. The report is prepared within a specified time frame on the basis of publicly available documents as well as information provided by experts. All sources are cited and fully referenced.

This report is not, and does not purport to be, either exhaustive with regard to conditions in the country surveyed, or conclusive as to the merits of any particular claim to refugee status or asylum. Every effort has been made to compile information from reliable sources; users should refer to the full text of documents cited and assess the credibility, relevance and timeliness of source material with reference to the specific research concerns arising from individual applications.

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1.1 Map



Map No. 4312 Rev. 3 UNITED NATIONS
December 2011

Department of Field Support
Cartographic Section

Source: [UN Cartographic Section, December 2011](#)

1.2 Political system

Since 7 August 1960 Côte d'Ivoire is an independent republic. (Encyclopaedia Britannica, last updated 9 September 2020, Introduction & Quick Facts)

The country is a presidential democracy in which the president has great executive powers. The state structure of Côte d'Ivoire is based on the French model. The constitution is based on the principle of the separation of powers between the executive, legislative and judicial branches. (AA, 24 January 2020)

The constitution of Côte d'Ivoire can be accessed in full via the following link:

- Law no. 2016-886 [Constitution of the Republic of Côte d'Ivoire] - Loi n° 2016-886 du 8 novembre 2016 portant Constitution de la République de Côte d'Ivoire, 8 November 2016 <https://www.presidence.ci/wp-content/uploads/2018/07/CONSTITUTION.pdf>

An English translation of the Ivorian constitution is provided by the Comparative Constitutions Project at the University of Texas at Austin and can be accessed via the following link:

- Constitute Project: Côte d'Ivoire 2016, undated https://www.constituteproject.org/constitution/Cote_DIvoire_2016?lang=en

1.2.1 Executive branch (president, prime minister, government)

Head of state is the president, who “appoints the prime minister and, with the prime minister’s recommendations, the Council of Ministers.” (Encyclopaedia Britannica, last updated 9 September 2020; Law n° 2016-886, 8 November 2016, Article 70)

The President of the Republic presides over the Council of Ministers, which deliberates on decisions determining the general policy of the State, on bills, statutes and regulatory decrees, and on appointments to senior State posts. (Law n° 2016-886, 8 November 2016, Article 71 [on 19 March 2020 the Constitution of Côte d'Ivoire was amended, please refer also to [section 2.5.1](#) for details])

The government is composed of the prime minister and the ministers (Law n° 2016-886, 8 November 2016, Article 81). The Prime Minister organises and coordinates the activities of the government (Law n° 2016-886, 8 November 2016, Article 82).

In September 2019 a new government was presented, composed of 49 members, including seven secretaries of state (RTI, 4 September 2019).

An August 2020 article by The Africa Report, an English-language monthly magazine created by Paris-based Groupe Jeune Afrique, mentions a “minor cabinet reshuffle” on 3 August 2020 (The Africa Report, 4 August 2020).

Please refer also to the website of the Government of Côte d'Ivoire for further information on government officials:

- Government of Côte d'Ivoire: Le gouvernement, undated <http://www.gouv.ci/legouvernement.php?recordID=25>

Regarding the dominance of the presidency, the Bertelsmann Stiftung, a German non-profit think tank, in a 2020 Côte d'Ivoire Country Report covering the period from 1 February 2017 to 31 January 2019 mentions the following:

“The constitution provides for a democratic regime, and no elite actor questions the legitimacy of democratic institutions per se. The extent to which the behavior of elites is

primarily shaped by these institutions can nevertheless be questioned. Given the dominance of the presidency, relatively little friction exists; however, this reduces the functional quality of other institutions such as parliament and more broadly speaking, horizontal and vertical accountability. Democracy has clearly become ‘the only game in town,’ but all elite actors stick to a narrow and legalistic interpretation of democracy as majority rule (with very few institutionalized accountability mechanisms) that may in fact have reduced the legitimacy of democratic institutions in the eyes of large segments of the population.” (Bertelsmann Stiftung, 29 April 2020, p. 11)

1.2.2 Legislative branch (parliament)

Legislative power is vested in a bicameral parliament, consisting of the National Assembly and the Senate (Law n° 2016-886, 8 November 2016, Article 85). The duration of the legislature is five years for each of the two houses (Law n° 2016-886, 8 November 2016, Article 89).

Parliament enacts legislation and approves taxes. It monitors the government’s action and assesses public policy (Law n° 2016-886, 8 November 2016, Article 93).

The National Assembly consists of 255 members (Assemblée nationale de Côte d'Ivoire, undated).

The second chamber, the senate, was introduced following the amendments to the constitution in 2016 (AA, 24 January 2020). It was inaugurated in April 2018 (Reuters, 12 April 2018) and consists of “99 members, of which 66 are indirectly elected by local and regional councils and 33 are appointed by the president.” (Encyclopaedia Britannica, last updated 9 September 2020)

Regarding the role of the country’s parliament and accountability of the government, the Bertelsmann Stiftung states the following:

“The most recent parliamentary elections (December 2016) reestablished a fully legitimate parliament, but the meager representation of the opposition reduced the possibility that parliament will become an effective institution of governmental oversight within the current legislative term (2016-2021). The elections could thus not reverse the structural annihilation of parliamentary oversight, a situation initially justified by the emergency situation in which the Ivorian state found itself in the post-2002 period. The president has repeatedly claimed that he wants to establish an accountable government, but whether state actors are subjected to law is a matter of debate.” (Bertelsmann Stiftung, 29 April 2020, p. 9)

1.2.3 Political parties

The constitution allows “multiparty competition” (Freedom House, 4 March 2020, section B1; Law n° 2016-886, 8 November 2016, Article 25) and citizens have “the ability to choose their government in free and fair periodic elections held by secret ballot and based on universal and equal suffrage.” (USDOS, 11 March 2020, section 3; Law n° 2016-886, 8 November 2016, Article 52)

As the country was characterised by “highly polarized and violent political competition” over the past two decades, “formal political party structures had little space to organize, and

consequently had no meaningful role in aggregating and moderating social interests. Parties are also substantially personalized and thus clientelistic.” (Bertelsmann Stiftung, 29 April 2020, p. 12)

According to the Africa Center for Strategic Studies (ACSS), “an academic institution within the U.S. Department of Defense established and funded by Congress for the study of security issues relating to Africa” (ACSS, undated), until 1990 the country “was a single-party state with only the Parti démocratique de Côte d’Ivoire (PDCI). This legacy and the continued personalization of Ivorian political parties have stunted their organizational development.” Regarding the younger history of political parties in Côte d’Ivoire, the report further notes:

“Since the death of President Houphouët Boigny in 1993, the same political figures and the same parties, either drawn from the PDCI [Parti Democratique de la Cote d'Ivoire] and its splinters, or from the opposition, have dominated the political scene. Henri Konan Bédié, now 86, who succeeded Boigny, took over the mantle of leading the PDCI in 1993. Ouattara, 78, who had been Bédié’s Prime Minister but was forced into exile following the adoption of Ivoirité¹, created the Rassemblement des républicains (RDR). Eventually, the RDR morphed into the RHDP [Rassemblement des houphouëtistes² pour la démocratie et la paix]. Likewise, Gbagbo, 75, a longtime member of the opposition during Boigny’s tenure, created the Front populaire Ivoirien (FPI). These personality-based parties continue to be weak because rather than representing an ideology, a set of policy priorities, or an approach to governance, they largely serve as platforms for their leaders. Their repeated alliances and splits, and their failure to allow their younger members to take up leadership positions, have inhibited their growth and renewal. This is a concern for a country whose median population is age 18.” (ACSS, 20 October 2020)

Concerning the formation of the RHDP, the International Crisis Group (ICG), an international NGO working to prevent deadly conflict, reports that beginning in 2018 Ouattara pressed forward with the merger “between his Rally of Republicans party [RDR] and five other parties that together with it formed an umbrella coalition called the Rally of Houphouetists for Democracy and Peace (RHDP).” (ICG, 26 May 2020)

In its country report on political rights and civil liberties, covering the year 2018, Freedom House notes that the ruling RHDP coalition has held “a virtual lock on national political power” in recent years. The report, however, further notes:

“[...] after months of growing tensions between President Ouattara and Bédié over the question of who the RHDP’s nominee should be for the 2020 presidential election, a significant faction of PDCI candidates defected and ran against the RHDP in the October 2018 municipal elections.” (Freedom House, 4 February 2019, section B1)

¹Please refer to [section 3.1](#) for further details regarding the concept of Ivoirité.

² The name makes reference to the country’s founding president, Félix Houphouët-Boigny.

ICG also mentions that in August 2018 the PDCI, run by former President Henri Konan Bédié, “seceded” and in January 2019 a political party was created, “which like the coalition it succeeded is called the RHDP” (ICG, 26 May 2020)

The Ivorian Popular Front (FPI) of former president Laurent Gbagbo (see [section 2.1.1](#)) has seats in parliament “but remains relatively weak and disorganized, with members split between two main factions.” One faction “is comprised of moderates who support Pascal Affi N’Guessan, who served as prime minister during Gbagbo’s presidency.” The other faction “is hardliners who insist on boycotting elections until Gbagbo’s release from the custody of the ICC [International Criminal Court], where he faces charges of crimes against humanity.” (Freedom House, 4 February 2019, section B2)

1.2.4 Judicial branch

According to Article 143 of the constitution the court structure is composed of the Supreme Court, Court of Auditors, Courts of Appeal, Courts of First Instance, administrative courts and Regional Audit Chambers. (Law n° 2016-886, 8 November 2016, Article 143)

In its country report “Cote d’Ivoire 2020” the Oxford Business Group provides the following overview on the country’s judicial system:

“The country’s judicial system is based on French civil law and customary law, with the Supreme Court being the highest body. One section of the Supreme Court deals with constitutional matters, including the eligibility of candidates in elections. The upper court is the High Court of Justice, which can judge members of government for alleged offences committed while in office. The lower courts include courts of appeals, courts of first instance, courts of assizes and justice of the peace courts. In rural areas in particular, traditional law also holds sway, with grand mediators adjudicating when customary laws cannot settle disputes.” (Oxford Business Group, undated)

Sophia Moestrup of the National Democratic Institute (NDI), an US-based organisation that works with partners in developing countries to increase the effectiveness of democratic institutions, provides the following information on the effects of the constitutional amendments in March 2020 on the judicial system (see also [section 2.5.1](#)):

“[...] the Supreme Court (Article 147) is dissolved and replaced by its constituent parts, the Court of Cassation (the highest appeals court) and the Council of State (the highest jurisdiction in administrative matters). The Court of Cassation and the Council of State become, with the Court of Auditors, the three institutional pillars of the judicial power.” (Moestrup, 23 March 2020)

According to the constitution the Constitutional Council is the organ regulating the functioning of public bodies (Law n° 2016-886, 8 November 2016, Article 126). Its president is appointed by the President of the Republic (Law n° 2016-886, 8 November 2016, Article 129). The Constitutional Council rules on the eligibility of candidates for the presidential and parliamentary elections. It also declares the final results of the presidential election. (Law n° 2016-886, 8 November 2016, Article 127)

1.2.5 National Chamber of Kings and Traditional Chiefs

The new constitution of 2016 created the National Chamber of Kings and Traditional Chiefs (Chambre National des Rois et des Chefs Traditionnels de Côte d'Ivoire CNRCT) "to give official recognition to their place in society along with a consultative role." According to an article by AFP "these local rulers operate in parallel with the country's political government, in a system that predates colonial rule." (AFP, 30 March 2020; Law n° 2016-886, 8 November 2016, Article 175)

Information on the website of the African Security Sector Network (ASSN), a pan-African network of experts and organisations working in the area of Security Sector Reform (SSR), describes the chamber as follows:

"One of the innovations of the new Third Ivorian Republic, which took place on November 30, 2016, will undoubtedly be the inclusion in the Constitution of the National Chamber of Traditional Kings and Chiefs of Côte d'Ivoire (CNRCT) as an integral part of the Institutional landscape of the Republic. This constitutional anchoring was the last fact of a process of 'formalization' of the customary powers which has accelerated from 2014. Indeed, on July 11, 2014, the National Assembly adopted an 'Act on the status of Kings and Traditional Chiefs'. This law revised the status of traditional kings and chiefs by replacing an anachronistic colonial decree dating from 1934, making them 'auxiliaries' of the Administration. The decree, however, continued to frame the relationship between a modern Ivorian State of recent birth (1960) and traditional powers well anterior to it." (ASSN, undated (a))

For the website of the CNRCT and a copy of the act on the status of Kings and Traditional Chiefs please see the following link:

- La Chambre National des Rois et des Chefs Traditionnels, Website, undated <http://cnrct.ci/>

1.2.6 Influence of security actors on political system

According to the ACSS, in 2011 "there were effectively two armies in Côte d'Ivoire." The formal army supported Laurent Gbagbo (see [section 2.1.1](#)), and the Forces nouvelles (FN), an alliance of northern groups, supported Alassane Ouattara (see [section 2.1.3](#)). The report describes:

"The Army was better equipped and trained while the FN, which was led by zone commanders ('comzones'), was made up of volunteers with little formal training. On assuming office, Ouattara launched a wide-ranging security sector reform (SSR) program that aimed to integrate these two forces, decrease their bloated ranks, and improve their professionalism through the creation of several professional military education institutions. The disarmament, demobilization, and reintegration process saw 70,000 people give up their weapons and opt for a return to civilian life. Overall, however, the SSR process has seen mixed results with a view that too many comzones, despite their lack of training, have been promoted to high-level positions." (ACSS, 20 October 2020)

The Bertelsmann Stiftung notes that former rebel commanders (see [section 1.4](#)) “have maintained control within the new security apparatus. The effective power wielded by these veto players can be seen in the lack of judicial procedures against war crimes committed by loyalist security personnel, and in sporadic but repeated mutinies.” (Bertelsmann Stiftung, 29 April 2020, p. 8)

According to Freedom House, “leaders within the military, especially former rebel commanders, are viewed as having significant political influence in the country.” (Freedom House, 4 March 2020, B3)

The US Department of State (USDOS) mentions that “civilian authorities at times did not maintain effective control over the security forces.” (USDOS, 11 March 2020, Executive Summary)

Freedom House refers to significant “problems of parallel command and control systems within the armed forces” and further elaborates:

“In 2016, the government instituted a law meant to reduce the size of the officer corps and refine the military’s command structure, but these changes have largely gone unimplemented. Additionally, after several years of relative calm, military mutinies in 2017 exposed the fragility of the civilian government’s control over the state armed forces. [...] Nonstate armed actors and former rebels enjoy significant influence, especially in the north and west.” (Freedom House, 4 March 2020, C1)

1.3 Demographics

1.3.1 Ethnicity

A report by the Institut National de la Statistique (INS) of Côte d’Ivoire dated September 2017 lists five main ethnic groups: Akan, Krou, Mandé du Sud, Mandé du Nord and Gur [Voltaic, voltaïque]. (INS, September 2017, p. 9; see also INS, June 2013, p. 3)

The presentation by the Directeur Général of the Institut National de la Statistique on the results of the census from 2014 provides numbers on the population (Ivoiriens) of the main ethnic groups Akan (about 6.5 million), Krou (about 1.9 million), Mandé du Sud (about 1.5 million), Mandé du Nord (about 3.2 million) and Gur (about 3.7 million). According to the presentation the total population of the country is made up of about 17.2 million Ivoiriens and 5.5 million Non-Ivoiriens. (INS, 5 August 2015, p. 35).

Minority Rights Group International (MRG), a London-based international NGO advocating for disadvantaged minorities and indigenous peoples, also lists five main ethnic groups in Côte d’Ivoire:

“the dominant Akan-speakers, who make up 28.8 per cent of the population, [living] mainly in the centre, east and south-east; Northern Manding [Mandé du Nord] (Mandé), mainly in the north-west; Voltaic peoples, including Senoufou in the north and Lobi in the central region; Krou in the south-west; and Southern Manding [Mandé du Sud] (Mandé) in the west. The Baoulé, an Akan subgroup, are the largest single ethnic group, constituting about 15 – 20 per cent of the population.” (MRG, last updated January 2018)

ASSN also provides information on the geographical location of the groups and notes that the Akan or Kwa are occupying the Center, East and Southeast. The Gur or Voltaic are occupying

most of the north. The Mandé du Nord are mainly composed of the Malinké ethnic groups spread over the north-west and north-east. And the Mandé du Sud are occupying a part of the West. The Krou are extending over most of the West and South-West.” (ASSN, undated (b))

However, while the country has five main ethnic groups there are more than 60 groups in the country altogether. (MRG, last updated, January 2018; GROWup, 2017, p. 1; INS, June 2013, p. 3; Encyclopaedia Britannica, last updated 9 September 2020)

An overview on the website of the Permanent Mission of Côte d’Ivoire to the UN (Mission Permanente de Côte d’Ivoire auprès de l’ONU) notes that the Mandé du Sud are subdivided into Dan or Yacouba, the Toura and Gouro. The Mandé du Nord consist of the Malinké and the Dioula. The Voltaic group consists of the Sénoufo around Korhogo, the Koulango in the Bondoukou-Bouna region and the Lobi located in Bouna. Subgroups of the Krou are the Wê (Guéré, Wobé), the Bété, the Bakwé, the Godié and the Dida and a subgroup also called Krou. The Akan group is divided into the Lagunaires [Lagoon peoples] and the Agni-Baoulé. (Mission Permanente de Côte d’Ivoire auprès de l’ONU, undated)

The EPR Atlas of the Geographical Research On War, Unified Platform (GROWup) by the ETH Zurich provides additional information on the main ethnic groups and their subgroups:

“The northwestern Mandé (Malinké, and Dioula) groups and the northeastern Voltaic (Senoufo, Lobi, Kulango and other) groups are combined into one single ethnic category of ‘northerners’, due to their common Muslim faith and because they have come to be seen this way by the groups from the southern half of the country. In fact, the term ‘Dioula’ is commonly used to refer to northerners in general. The southern Mandé peoples (for example, the Yacouba and Gouro) are culturally distinct from the northern groups. The southeast is generally populated by Akan peoples, of which the Baule [Baoulé] are the most important group in political terms. The country’s ‘founding father’, Félix Houphouët-Boigny, hails from this group which has long dominated Côte d’Ivoire’s political and social life. Other Akan groups are the Abron, Agni, and the Lagoon peoples, which are relevant above all in their distinction to the Baule. Therefore, they are combined into one single ethnic cluster. Finally, the Kru are composed of the Bété, Dida, Guéré and other sub-groups, of which the Bété are the largest and politically most relevant.” (GROWup, 2015, p. 1)

According to an entry in the online version of the Encyclopaedia Britannica the ethnic groups of Côte d’Ivoire have “ethnic affiliations with larger groups living outside the borders of the country”. The entry further elaborates:

“[...] the Baule, as well as other peoples living east of the Bandama River, are affiliated with the Akan in Ghana, as are the lagoon fishermen farther south. The forest people west of the Bandama are connected to the Kru [Krou] peoples of Liberia. In the interior the Kru group is subdivided into small groupings scattered over large areas of the forest. The savanna peoples may be divided into two main groups. The Mande group, which is particularly strong in Mali, is represented by the Malinke farmers and by the Dyula

[Dioula] traders. The Gur group, represented by the Senufo, Lobi, and Bobo, are widely scattered over the northeastern region and also live in neighbouring states.” (Encyclopaedia Britannica, last updated 9 September 2020)

According to MRG “a small proportion of the population is non-African, which includes French, Lebanese, Vietnamese, Spanish, US and Canadian residents.” (MRG, last updated January 2018)

Older entries in Encyclopaedia Britannica dated between 1998 and 2007 provide specific information on the Baoule [Baule] (Encyclopaedia Britannica, 19 January 2007a), Krou [Kru] (Encyclopaedia Britannica, last updated 9 February 2007a), Malinke [Maninka, Mandinka, Mandingo, or Manding] (Encyclopaedia Britannica, last updated 9 February 2007b), Dioula [Dyula, Diula, or Julia] (Encyclopaedia Britannica, last updated 14 December 2000), Senoufo [Senufo] (Encyclopaedia Britannica, last updated 9 February 2007c), Lobi (Encyclopaedia Britannica, last updated 20 July 1998) Bobo (Encyclopaedia Britannica, last updated 19 January 2007b) and Dan [Gio or Yakuba] (Encyclopaedia Britannica, last updated 9 February 2007d).

The already mentioned MRG report from January 2018 provides further detailed information on ethnic groups in Côte d’Ivoire:

- MRG - Minority Rights Group: World Directory of Minorities and Indigenous Peoples, Côte d’Ivoire, last updated January 2018
<https://minorityrights.org/country/cote-divoire/>

1.3.2 Religion

According to the presentation by the Directeur Général of the Institut National de la Statistique on the results of the census from 2014, the population of Côte d’Ivoire consists of about 17.2 million Ivoiriens and about 5.5 million Non-Ivoiriens. 33.9 percent of the population are Christians, 42,9 percent are Muslims, 3,6 percent Animists, 0,5 percent follow other religions and 19,1 did not provide information or are living without religion (“sans religion”). (INS, 5 August 2015, p. 36; see also CIA, last update 21 October 2020)

The CIA World Factbook, which also lists percentages for “other religion” and “none”, provides the following estimates, current as of 2014: “Muslim 42.9%, Catholic 17.2%, Evangelical 11.8%, Methodist 1.7%, other Christian 3.2%, animist 3.6%, other religion 0.5%, none 19.1%”. It also notes that “the majority of foreign migrant workers are Muslim (72.7%) and Christian (17.7%)” (CIA, last update 21 October 2020).

According to an entry in Encyclopaedia Britannica “Islam is followed by about two-fifths of the population, found primarily in the northwest and in Abidjan. About two-fifths of the population is Christian, mostly Roman Catholic or Evangelical. (Encyclopaedia Britannica, last update 9 September 2020)

According to the country overview by the German Corporation for International Cooperation (Deutsche Gesellschaft für Internationale Zusammenarbeit, GIZ) Côte d’Ivoire is characterised by the presence of Islam and Christianity in roughly equal proportions. Both religions are practiced in great diversity, due to social and cultural differences in the country and the

history of the ethnic groups. Nature religions and elements of traditional beliefs are also common and blend with the world religions. The Akan religion is one of the most common West African nature religions. Especially in the north of the country, a growing Islamisation of the population has been observed for decades. The numerically strong group of the Senoufo in the northeast of the Côte d'Ivoire has contributed to the fact that more believers turn to Islam. Christianity is historically more widely practiced in the South, as European missionaries first converted the population of the coastal regions in the 17th century. The Malinke-Dioula is the largest group among the country's Muslim population, which largely belongs to Sunni sect. The animistic religion is also traditionally practiced by a significant 15% of the population. (GIZ, last update September 2020)

Freedom House notes that a “north-south, Muslim-Christian schism has been a salient feature of Ivorian life for decades, and was exacerbated by the 2002–11 crisis.” It has since however receded. (Freedom House, 4 March 2020, section B4)

The ACSS in October 2020 however notes that “continued polarization between the mostly Muslim north and the largely Christian south continues to be at the heart of the rising tensions.” (ACSS, 20 October 2020)

1.4 Brief history

After Côte d'Ivoire became independent from France in 1960 President Félix Houphouët-Boigny of the PDCI ruled the country until his death in 1993 (BBC, 15 January 2019). According to a report by the Centre for International Governance Innovation (CIGI), a think tank supported by the Government of Canada, “during the first 20 years of his administration, Ivory Coast witnessed remarkable economic growth, recording consistent annual GDPs [gross domestic product] of more than seven percent” (CIGI, April 2011, p. 1).

In 1990 Houphouët-Boigny won the country's “first multiparty presidential election, beating Laurent Gbagbo of the Ivorian Popular Front” (BBC, 15 January 2019).

According to the CIGI, ethnicity was a major political factor in the 1990 elections. The report further notes:

“In the run-up to the elections, the Ivorian Popular Front accused the Democratic Party of Côte d'Ivoire of favouring the interests of the Baoulé, Houphouët-Boigny's tribe and one of Ivory Coast's largest ethnic groups. The Ivorian Popular Front also accused the Democratic Party of Côte d'Ivoire of representing the interests of foreigners and ethnic groups from the north” (CIGI, April 2011, pp. 3-4)

Henri Konan Bédié succeeded Houphouët-Boigny (CIGI, April 2011, p. 4). He was re-elected in October 1995 in an election that was boycotted by the RDR (founded by Ouattara in 1994) and the FPI, led by Laurent Gbagbo, “on the grounds that the electoral code excluded Ouattara from candidacy due to his ‘dubious’ Ivorian nationality” (Bertelsmann Stiftung, 29 April 2020, p. 5).

Regarding Bédié's presidency France 24 in September 2020 notes the following:

“His presidency was marked by the embrace of Ivoirité - a xenophobic ideology used to discriminate against those of Burkinabe and Malian origins. Under the guise of Ivoirité,

Bédié barred Ouattara, whose father was rumoured to be from Burkina Faso, from taking part in the 1995 presidential election.” (France 24, 25 September 2020)

In December 1999 Henri Konan Bédié was overthrown in a military coup (BBC, 15 January 2019). Regarding the elections in October 2000 the Bertelsmann Stiftung notes the following:

“Initial hopes for a more thorough political democratization were soon disappointed when it became clear that coup leader General Robert Guei would stand in the 2000 elections and that opposition party FPI adopted former president Henri Bédié’s concept of ‘Ivoirité,’ leading again to the exclusion of Ouattara. The candidacy of Henri Konan Bédié (PDCI) was also rejected. A popular uprising thwarted the rigged election of October 2000, and Laurent Gbagbo (FPI) was declared the winner over the protests of the RDR supporters.” (Bertelsmann Stiftung, 29 April 2020, p. 5)

According to a June 2018 report by the International Peace Institute (IPI), an independent non-profit lobby group based in New York, “the presidential elections of October 2000 were marked by chaos and violence”. The report further notes:

“Laurent Gbagbo won the elections with 59.4 percent of the vote, but Guéi declared himself the winner despite winning only 37 percent. This triggered massive protests by supporters of Gbagbo’s Ivorian Popular Front and a shift in allegiance by the security forces toward Gbagbo. Guéi had to flee the country. Gbagbo became president in the context of an election he himself qualified as ‘calamitous’ and amid instability and violence. In January 2001, a failed coup d’état took place, partly due to the lack of representation of northerners in his government, which remained a constant until he lost the elections in November 2010.” (IPI, 26 June 2018, p. 4)

In March 2001 Gbagbo and Ouattara met and agreed to “work towards reconciliation” and in August 2002 the RDR of Outtara was “given four ministerial posts in new government”. However, in September 2002, a “mutiny in Abidjan by soldiers unhappy at being demobilised” grew into full-scale rebellion (BBC, 15 January 2019).

IPI mentions the following regarding the situation after the failed coup by “soldiers of the Ivorian armed forces [who] tried to topple then-President Laurent Gbagbo” in September 2002:

“Although the insurgents did not succeed, their movement developed into a rebellion. The rebels, who later coalesced under the name Forces Nouvelles, took control of the northern half of the country, splitting Côte d’Ivoire in two: the government-run south and the rebel-held north. Their demands included inclusive elections, recognition of issues of citizenship and nationality, and the resignation of the head of state.” (IPI, 26 June 2018, p. 2)

The Bertelsmann Stiftung summarises the period between 2002 and 2007 as follows:

“The mutineers swiftly took control of the entire northern half of the country, often welcomed by a local population that had felt marginalized by the previous administrations. France eventually stepped up its military presence in Côte d’Ivoire, agreeing to police the cease-fire line following a truce agreement on October 19, 2002.

The main political parties and rebel groups reached a first political settlement during negotiations in France in January 2003 but implementation of the terms of the peace accords, including disarmament, territorial reintegration and a menu of significant political reforms, was halting. A new peace agreement brokered by Burkina Faso President Blaise Compaoré in early 2007 allowed for a power-sharing government with rebel leader Guillaume Soro as prime minister.” (Bertelsmann Stiftung, 29 April 2020, p. 5)

1.4.1 2010-2011 electoral crisis and political violence

Following the peace agreement between president Gbagbo and Ouattara’s ally Guillaume Soro in 2007 elections were finally held in 2010. (KAS, April 2019, p. 2)

Of the 14 candidates contesting, Gbagbo won the first round ahead of Ouattara but could not reach the required 50 percent threshold. “Gbagbo, Ouattara and Bédié garnered 38 percent, 32 percent and 25 percent respectively.” (CIGI, April 2011, p. 7; see also Government of Côte d'Ivoire, 6 November 2010)

The IPI report mentions the following regarding events after the second round of voting on 28 November 2010:

“On December 2, 2010 [...] the chair of the Independent Electoral Commission, from his office in the Golf Hotel, declared Alassane Ouattara the winner of the elections with 54.1 percent of the vote to Gbagbo’s 45.9 percent. [...] However, the president of the Constitutional Council declared this announcement to be ‘null and void,’ and on December 3rd he proclaimed ‘the final results’ of the presidential elections, announcing that Gbagbo won with 51.4 percent of the vote versus 48.6 percent for Ouattara.” (IPI, 26 June 2018, p. 15)

The Bertelsmann Stiftung notes that “hopes that this election would represent a first but decisive step toward solving the conflict were dashed. The results of the elections were contested, and both Gbagbo and Ouattara declared themselves to be the winner.” (Bertelsmann Stiftung, 29 April 2020, p. 5)

On 4 December 2010 “Gbagbo took the oath of office before the Constitutional Council in Abidjan, while Ouattara took his in writing from the Golf Hotel [...] Both started to form separate administrations in Abidjan, and the stalemate was complete”. (IPI, 26 June 2018, p. 15)

Human Rights Watch (HRW) reports the following regarding the events in December 2010:

“Frustration over the power and control of RTI [Radiodiffision Télévision Ivoirienne] led Guillaume Soro, Ouattara's prime minister and the longtime leader of Forces Nouvelles, to call on his supporters to take over the station's building during a December 16 march. The protesters were quickly dispersed, however, as security forces first fired tear gas and then opened fire with live rounds, killing at least 20 and wounding scores more. Fighting broke out the same day between Forces Nouvelles soldiers supporting Ouattara and

Gbagbo's security forces in the area of the Golf Hotel, as well as in the western and central parts of the country.” (HRW, 24 December 2010)

The IPI report notes that “the security situation degraded quickly as each side mobilized its respective supporters: the army pledged its support to Gbagbo, and the Forces Nouvelles renamed itself the Republican Forces of Côte d’Ivoire in support of Ouattara” (IPI, 26 June 2018, p. 18). IPI further reports:

“Month by month, the security situation worsened as pro-Gbagbo forces increasingly used heavy weapons against civilians in various neighborhoods of the capital city and other parts of the country.” (IPI, 26 June 2018, p. 19)

HRW summarises the period between December 2010 and April 2011 as follows:

“From December 2010 to late February 2011 the post-election violence was primarily perpetrated by security forces and allied militia loyal to Gbagbo, which sought to maintain power by systematically targeting real or perceived Ouattara supporters. [...] In early March forces loyal to Ouattara - composed primarily of soldiers who fought with his prime minister, Guillaume Soro, during the 2002 to 2003 conflict and its aftermath - launched a military offensive to remove Gbagbo from power. Once the crisis escalated to armed conflict, it was marked by war crimes and likely crimes against humanity by both sides. [...] After taking over the west, the Republican Forces advanced to Abidjan in several days as most Gbagbo fighters laid down their weapons and fled. However, intense fighting engulfed Abidjan in early April [2011], before Gbagbo’s April 11 capture.” (HRW, 22 January 2012)

According to the Bertelsmann Stiftung “the conflict was eventually solved by the military victory of the rebel forces in conjunction with international (mainly UN and French) troops over loyalist forces. Ouattara finally took effective power in May 2011”. (Bertelsmann Stiftung, 29 April 2020, p. 5)

Gbagbo was arrested and charged by the International Criminal Court (ICC) in The Hague “with crimes against humanity in connection with violence following a disputed 2010 election that left 3,000 dead and 500,000 displaced. [...] He was the first former head of state to go on trial at the ICC.” (BBC News, 15 January 2019; see also BBC News, 30 November 2011)

2 Current political situation

According to an article by African Arguments, a project run by the British Royal African Society, 44 candidates registered to take part in Côte d'Ivoire's October 2020 presidential election. The electoral commission rejected 40 of those, "including former president Laurent Gbagbo and influential former rebel chief and prime minister Guillaume Soro." (African Arguments, 27 October 2020)

Both "had been stripped of their civic rights due to convictions in Ivorian courts." (ACSS, 20 October 2020; see also [section 2.1.1](#) and [section 2.1.2](#))

The opposition questioned "the impartiality of the Ivoirien election commission and constitutional council, which validated Ouattara's third term bid while rejecting 40 out of 44 rival applicants, including some of the president's main challengers." (TNH, 28 October 2020)

The candidates allowed to run in the October 2020 election are Alassane Ouattara, Henri Konan Bédié, Pascal Affi N'Guessan, and Kouadio Konan Bertin. (ACSS, 20 October 2020)

However, Henri Konan Bédié and Pascal Affi N'Guessan have "called on supporters to boycott the vote." (African Arguments, 27 October 2020)

2.1 Major political actors

2.1.1 *Laurent Gbagbo*

Laurent Gbagbo of the political party FPI is 75 years old and was president of the country between 2000 and 2010. According to the Nordic Africa Institute "he was prone to populist, xenophobic and anti-French rhetoric" while being president. (The Nordic Africa Institute, October 2020, p. 5; see also France 24, 26 September 2020)

In January 2019 The Guardian notes the following:

"A former university professor turned activist, Gbagbo spent much of the 1980s in exile in France. After returning, he lost the 1990 presidential vote and spent six months in prison in 1992 for his role in student protests. He came to power in 2000 in a flawed vote that he himself described as 'calamitous', but he then put off holding another election for a decade. In the 2010 race, Gbagbo came top in the first round with 38% of the vote before losing to Ouattara in the runoff." (The Guardian, 15 January 2019)

On 11 April 2011 Gbagbo was arrested and in November 2011 he came into International Criminal Court (ICC) custody (HRW, 29 November 2011; BBC News, 30 November 2011).

In January 2019 the ICC in The Hague acquitted Gbagbo, who "had been charged with crimes against humanity in connection with violence" following the elections in 2010. The prosecutors had "charged him with four counts of crimes against humanity, murder, rape and other forms of sexual violence, persecution and 'other inhuman acts'." (BBC, 15 January 2019) The ICC prosecutor has appealed the acquittal. However, Gbagbo "remains subject to a 2018 conviction in absentia and a twenty-year sentence issued by an Ivorian national court for 'robbery' of the central bank following his electoral defeat in 2010." (ICG, 26 May 2020)

In October 2020 BBC reports that Gbagbo was one of nearly 40 potential candidates for the October 2020 elections who was turned down by the electoral commission. Gbagbo is still waiting for an appeal into the decision by ICC to acquit him on charges of crimes against humanity (BBC News, 29 October 2020).

In September 2020 France 24 notes the following:

“Ivory Coast should allow former president Laurent Gbagbo, who has been barred from running in next month's key presidential election, to vote in the poll, the African Court on Human and Peoples' Rights said Friday [25 September 2020]. The court, established by African Union members in 2004, asked Ivory Coast to ‘take all necessary steps to immediately remove all obstacles’ preventing Gbagbo from being added to the electoral roll. Ivory Coast withdrew its recognition of the court's jurisdiction in April this year.” (France 24, 26 September 2020)

In October 2020 the Nordic Africa Institute, a research, documentation and information centre on modern Africa based in Sweden, mentions that, although ineligible, Gbagbo “is likely to influence the elections from afar as he still holds considerable sway over his party, the FPI.” (The Nordic Africa Institute, October 2020, p. 5)

In December 2020 France 24 reports that Côte d’Ivoire issued a passport to Gbagbo “allowing him to return from exile in Belgium before the end of the year following his acquittal on war crimes charges at the International Criminal Court, his lawyer said on Friday.” (France 24, 4 December 2020)

2.1.2 Guillaume Soro

Guillaume Soro is aged 48 and was a rebel leader in the civil war (The Nordic Africa Institute, October 2020, p. 5).

According to a December 2019 article by France 24, Soro “led the rebels who failed to oust then-president Laurent Gbagbo in 2002”. In the civil war following the 2010 election, however, his forces “installed President Alassane Ouattara”. (France 24, 26 December 2019)

He led the rebel group New Forces (Forces Nouvelles), who defeated Gbagbo militarily. (BBC News, 29 October 2020)

Between 2007 and 2012 Soro was Prime Minister and between 2012 and 2019 President of the National Assembly. (The Nordic Africa Institute, October 2020, p. 5; ACSS, 20 October 2020)

At the end of October 2019, after the announcement of his presidential candidacy, Guillaume Soro launched his citizen movement, Générations et peuples solidaires (GPS). According to Soro it has more than 400,000 supporters countrywide. (Jeune Afrique, 22 October 2020; see also RFI, 13 September 2020)

In late 2019, “as Guillaume Soro was returning to Abidjan to start his campaign for the 2020 presidential election after several months outside the country, prosecutors issued a statement announcing an arrest warrant against him. He was charged with attempts to undermine the authority of the state and territorial integrity.” (AI, 8 April 2020)

According to the ACSS, “the charge that he threatened the safety of the state, which was accompanied by the arrest of 17 of his partisans, including one of his brothers, is seen as politically motivated.” (ACSS, 20 October 2020)

In April 2020 Reuters reports the following:

“Guillaume Soro, the former rebel leader running for president in Ivory Coast, was convicted in absentia on Tuesday of embezzlement and sentenced to 20 years in prison, a verdict likely to exclude him from October’s election. The verdict was announced after a trial that lasted only a few hours and was boycotted by Soro’s lawyers, who say the charges were cooked up to prevent their client from being a candidate. [...] Soro is

believed to retain the loyalty of many former rebel commanders who now hold senior positions in the army and was seen a potentially viable presidential candidate who could attract support from young voters.” (Reuters, 28 April 2020)

In May 2020 ICG notes that Guillaume Soro’s “situation came before the African Court on Human and Peoples’ Rights” and further mentions:

“Just days before the Ivorian court convicted him, the human rights court requested suspension of his arrest warrant, arguing that it risked ‘seriously compromising’ his ‘political rights and freedoms’. The latter court also asked for the release of his nineteen collaborators held since December. In reaction, Côte d’Ivoire withdrew from the court. Then, on 5 May, Public Prosecutor Richard Adou announced that fourteen members of the military, including two senior officers, had been arrested in April as part of an ongoing investigation into Soro’s alleged coup attempt.” (ICG, 26 May 2020)

In October 2020 the ACSS notes that Soro “is considered an example of how the Ouattara administration has sought to sideline those it perceives as the most credible candidates. [...] Soro remains in exile in France, with a pending arrest warrant preventing his return to Côte d’Ivoire.” (ACSS, 20 October 2020)

2.1.3 Alassane Ouattara

Alassane Ouattara of the Rally of Houphouëtists for Democracy and Peace (Rassemblement des houphouëtistes pour la démocratie et la paix, RHDP) is aged 78 and has been president since 2011. (BBC News, 29 October 2020)

Between 1990 and 1993 he was prime minister “under Côte d’Ivoire’s first president Félix Houphouët-Boigny” (The Nordic Africa Institute, October 2020, p. 5).

Before his political career he worked as economist at the International Monetary Fund (IMF) and “served as the Governor of the Central Bank of West African States” (France 24, 25 September 2020).

His candidacy for a third presidential term (see [section 2.5.2](#)) “is the cause of heated debate and serious concern in Côte d’Ivoire, as well as among external observers.” (The Nordic Africa Institute, October 2020, pp. 3-4)

Regarding the situation before the October 2020 elections France 24 notes the following:

“Since Ouattara entered office in 2011 following a post-electoral crisis that claimed at least 3,000 lives, the country’s GDP has grown by an average of 8 percent annually (although the poverty rate remains high, at 46.3 percent). Under his watch, the government introduced universal health coverage, built new roads and massively expanded access to electricity. [...] In 2015, Ouattara won a landslide victory with 84 percent of the vote. This time around it will be harder.” (France 24, 25 September 2020)

His “main support base is concentrated among ethnic groups in northern Côte d’Ivoire and in southern areas with a large migrant population, such as parts of Abidjan.” (The Nordic Africa Institute, October 2020, p. 4)

Unlike 2015, Ouattara “does not have the support of Henri Konan Bédié (who is arguably now his greatest challenger [in the October elections]) and faces anger over the exclusion of Gbagbo and Soro from the [election] race.” (France 24, 25 September 2020)

2.2 Presidential candidates besides Alassane Ouattara

2.2.1 *Henri Konan Bédié*

Henri Konan Bédié is aged 86 and has been president of Côte d'Ivoire between 1993 and 1999. He was deposed in a coup. His political party is the Democratic Party of Ivory Coast (Parti Démocratique de la Côte d'Ivoire, PDCI). (BBC News, 29 October 2020)

According to DW, "in 1999, he [Henri Konan Bédié] forbade Ouattara to participate in the elections and was overthrown in a coup the same year. In 2010, he then supported Ouattara in the presidential elections to oust Laurent Gbagbo, who was president at the time." (DW, 16 October 2020)

Bédié broke with the presidential coalition in 2018 (Jeune Afrique, undated). Bédié is Ouattara's main challenger and "also the figure around which other opposition parties are likely to unite should the election go to a second-round" (France 24, 25 September 2020).

France 24 in September 2020 provides the following profile of Henri Konan Bédié:

"To detractors that say he is too old to run, he insists: 'Age is an asset'. Bédié served as President of Ivory Coast from 1993 to 1999. His presidency was marked by the embrace of Ivoirité – a xenophobic ideology used to discriminate against those of Burkinabe and Malian origins. Under the guise of Ivoirité, Bédié barred Ouattara, whose father was rumoured to be from Burkina Faso, from taking part in the 1995 presidential election. After being ousted in a coup in 1999 – the first in the country's history – he went into exile in France before returning to Ivory Coast in 2002 during the outbreak of the civil war. After coming third in the 2010 presidential election, Bédié urged PDCI supporters to back Ouattara in the second round in an ultimately successful bid to oust Laurent Gbagbo from power. In 2015 his party supported Ouattara again, this time from the outset, helping the RHDP win a landslide. A number of PDCI members gained ministerial positions in government and continue to hold them, even after the alliance fell apart in 2018. In the run up to the 2020 election, there are signs that Bédié has been successful in building new alliances. [...] Bédié has called for the return of all exiles and the release of all remaining political prisoners from the 2010-11 post-electoral crisis. He has also promised, paradoxically, to lower tax rates and boost public spending." (France 24, 25 September 2020)

Bédié "has his stronghold among the Akan people of eastern Côte d'Ivoire" (The Nordic Africa Institute, October 2020, p. 4).

Although Bédié has been allowed to stand in the October elections, he has called on his supporters "to carry out a campaign of 'civil disobedience'" (BBC News, 29 October 2020) "in response to Ouattara's 'violation' of the constitution." (France 24, 25 September 2020; see [section 2.5.2](#))

For further background information on the political relationship between Bédié and Ouattara since the 1990s please see the following article by The Africa Report:

- The Africa Report: Côte d'Ivoire: Ouattara and Bédié in the shadow of Houphouët-Boigny, 1 October 2020
<https://www.theafricareport.com/44113/cote-divoire-ouattara-and-bedie-in-the-shadow-of-houphouet-boigny/>

2.2.2 *Pascal Affi N'Guessan*

Pascal Affi N'Guessan is aged 67 and served as prime minister under then president Gbagbo between 2000 and 2003. (BBC, 3 November 2020)

Since Laurent Gbagbo's transfer to the ICC in 2011, the Ivorian Popular Front (Front populaire ivoirien, FPI) has split into two factions. Pascal Affi N'Guessan heads one of the wings of the party founded by Gbagbo with whom he has long had strained relations. (Jeune Afrique, 2 August 2020)

In September 2020 France 24 notes the following:

“Gbagbo loyalists created the so-called ‘Gbagbo or Nothing’ faction and boycotted previous elections, refusing to recognise Affi N'Guessan as a legitimate replacement for the party's founder. N'Guessan has said he would welcome the return of Gbagbo from exile but argues that until that day comes, he should lead the FPI into elections.” (France 24, 25 September 2020)

In the 2015 presidential election Affi N'Guessan came in second with 9.29% of the votes. (Jeune Afrique, 2 August 2020)

According to a report by the Nordic Africa Institute, “Pascal Affi N'Guessan draws most of his support from the Krou ethnic group in the southwest.” (The Nordic Africa Institute, October 2020, p. 4)

After the October election N'Guessan was arrested on 6 November 2020 (HRW, 2 December 2020). Please refer to [section 4.3](#) for further details.

2.2.3 *Kouadio Konan Bertin*

Kouadio Konan Bertin is aged 51 and was youth leader in the former ruling Democratic Party of Ivory Coast (Parti Démocratique de la Côte d'Ivoire, PDCI). He is also known as KKB (BBC, 3 November 2020), and was a candidate in the 2015 presidential election. (RFI, 5 October 2020)

According to an article by the French public radio service Radio France Internationale (RFI), “the PDCI has already designated the 86-year-old former head of state, Henri Konan Bédié, as its official candidate [in October 2020 elections]. KKB says he intends to represent the nation's young people.” (RFI, 5 October 2020)

In September 2020 France 24 notes the following:

“The [...] former MP [member of parliament] is now standing as the election's only independent candidate. Forty percent of the Ivorian population is under the age of 15. KKB is pitching himself as a fresh-faced alternative to the other three candidates who have an average age of 77 and who have long-dominated Ivorian politics. His campaign slogans include ‘Reform, reconciliation, redistribution’ and ‘Together create the conditions of true change’.” (France 24, 25 September 2020)

In October 2020 RFI mentions that Kouadio Konan Bertin “is currently a municipal councillor in Port Bouët, a suburb of Abidjan. In advancing a policy aimed at increasing social justice, KKB has promised a state guaranteed interest-free loan to finance higher studies.” (RFI, 5 October 2020)

In the presidential election of 2015 he won 3.1 percent of the vote. (France 24, 25 September 2020)

In the October 2020 elections he received 1.99 percent of the votes. Unlike the rest of the oppositional candidates he had refused to boycott the election. In December 2020 he was appointed Minister of Reconciliation (RFI, 15 December 2020).

2.3 2018 Municipal and regional elections

Municipal and regional elections were held on 13 October 2018 (GardaWorld, 15 October 2018; Television Ivoirienne 1, 18 October 2018; Abidjan.net, 18 October 2018).

In October 2018 Reuters reports that the “alliance struck in 2005 between President Alassane Ouattara's RDR [Rally of the Republicans] and former President Henri Konan Bedie's PDCI [Democratic Party of Ivory Coast]” collapsed over quarrels “whose candidate should be in pole position” for the presidential elections 2020. (Reuters, 12 October 2018)

In October 2018 BBC Monitoring Africa summarises a report by state-owned Television Ivoirienne 1. The article provides the following information regarding the results of the municipal and regional elections:

“The chairperson of Ivory Coast's Independent Electoral Commission (CEI), Youssouf Bakayoko, declared that candidates of the electoral alliance of the ruling RHDP [Rally of Houphouetists for Democracy and Peace] party won the highest number of seats in both the municipal and regional elections held on 13 October, Ivorian state-owned RTI 1 [Television Ivoirienne 1] reported on 17 October. The CEI chairperson said 2,038,466 people voted out of 4,397,006 who were registered for the Ivorian regional elections. This represented a turnout rate of 46.36 percent. Out of the 30 elected positions, the ruling alliance of the RHDP won 18 seats followed by the PDCI RDA [Democratic Party of Cote d'Ivoire - African Democratic Rally], with six seats. In the municipal elections, the ruling alliance won 92 seats out of the 200 which were at stake. It was followed by independent candidates with 56 seats. The number of registered voters in this election was 4,321,837, but only 1,564,671 voters turned out to vote. This represented a turnout rate of 36.2 percent. The chairperson of CEI also disclosed that the elections would be repeated in two localities of the country.” (Television Ivoirienne 1, 18 October 2018; see also Abidjan.net, 18 October 2018, and Robinson, 6 November 2018)

HRW mentions “pockets of violence between rival political factions leaving several people dead” in local elections held in October 2018 (HRW, 17 January 2019).

GardaWorld, a Canadian private security firm, reports the following on the “tense municipal and regional elections” held on 13 October 2018:

“In the Plateau district of Abidjan, clashes erupted in front of the Independent Electoral Commission (CEI), prompting security forces to disperse the crowd with tear gas. In Abidjan's Marcory district, clashes erupted between youths and security forces. Protests also erupted on Sunday [14 October 2018] evening (local time) in the Plateau district to denounce alleged fraud. Tensions were also high in provincial cities. The CEI building in Diabo (center) was reportedly ransacked by youths denouncing electoral fraud. In Tiébissou (center), youths reportedly erected roadblocks. One person was killed in Lakota (south) and two were killed in Séguéla (center) amid clashes between supporters. In Divo

and Bonoua (south), violence erupted between rival supporters. The results for these elections, for which voter turnout was reportedly low, should be released on Monday. Further violence is possible following the release.” (GardaWorld, 15 October 2018; see also ACLED, 23 October 2018)

In October 2018 AFP reports the following:

“[...] a man [...] was killed during fighting between supporters of Samy Merhy, the independent mayor of Lakota town, and those of his challenger from the ruling RHDP coalition. Scuffles and clashes took place in several localities in the area, where campaigning was carried out in a very tense atmosphere. Elsewhere the Alerte-Info agency reported two people injured in Divo, 50 kilometres (30 miles) from Lakota, during similar clashes. In other incidents voting urns were smashed [and] torched in Bonoua, east of the commercial capital Abidjan.” (AFP, 13 October 2018)

According to the USDOS the elections “were marred by allegations of fraud, intimidation, harassment, vote buying, and violence resulting in four deaths.” (USDOS, 11 March 2020, section 3)

Special elections in December 2018

GardaWorld on 16 December 2018 notes the following:

“Re-runs were held in two regions and six municipalities after the Supreme Court annulled the results of the October 13 vote due to violence, notably in the municipalities of Grand-Bassam, Port-Bouët, Bingerville, Lakota, Rubino, and Booko as well as the regions of Lôh-Djiboua and Guémon”. (GardaWorld, 17 December 2018)

The USDOS also mentions the re-runs “in December 2018 in eight localities” and further notes that “observers also judged these elections were marred by violence and allegations of fraud despite the significant presence of security forces.” (USDOS, 11 March 2020, section 3)

According to the results of the by-election announced by the Independent Electoral Commission (Commission Électorale Indépendante, CEI), the RHDP won three of the six municipalities and one of the two regions where the ballot was reconducted. The municipalities of Rubino, Booko and Grand-Bassam were won by the ruling political coalition against one municipality by the Democratic Party of Côte d'Ivoire (PDCI) and two by independents. The region Lôh-Djiboua remained in the hands of the RHDP while the region Guémon returned to an independent. (AGIVOR, 18 December 2018)

According to ICG, “incidents of violence were reported in Port-Bouët and Grand-Bassam communes.” In clashes between RHDP and PDCI supporters in Grand-Bassam on 21 December 2018 over election results, at least one person was injured. (ICG, January 2019)

The Study and Research Group on Democracy and Economic and Social Development (Groupe d'études et de recherche sur la démocratie et le développement économique et social, GERDDDES) also mentions acts of violence during the local by-elections of 16 December 2018. GERDDDES had deployed six observation missions during the elections. The NGO noted that the communes of Grand-Bassam and Port-Bouët were the scene of several acts of vandalism and intimidation. (AGIVOR, 21 December 2018; see also Le Pays, 18 December 2018)

2.4 2019 Events

2.4.1 Overhaul of Election Commission

In 2014 the NGO Actions for Protecting Human Rights (Actions pour la Protection des Droits Humains) filed a lawsuit with the African Court on Human and People's Rights against the government regarding the unbalanced composition of the members of the Independent Electoral Commission (Commission électorale indépendante, CEI). (The Conversation, 1 November 2020)

The International Justice Resource Center (IJRC), a non-profit human rights organisation based in San Francisco, reports the following regarding the judgement of African Court on Human and People's Rights:

"In its November 18, 2016 judgment, the African Court held that Côte d'Ivoire's electoral body lacked the necessary independence and impartiality, thereby violating citizens' rights to political participation and equal protection, because the body was composed of eight representatives of the ruling party and only four representatives of the political opposition and made decisions by simple majority. [...] The Court ordered the State to amend the relevant law to comply with its international obligations." (IJRC, 7 December 2016)

According to HRW, in July and August 2019 the National Assembly and Senate "enacted reforms to modify the composition of the election commission", as required by the 2016 judgment. The organisation further notes:

"Opposition and some civil society organizations strongly criticized the reforms, arguing that the government's role in nominating members of the commission means it will still be subject to executive influence. Two of the largest opposition parties in September [2019] refused to nominate members of the commission." (HRW, 14 January 2020, see also Jeune Afrique, 25 September 2019)

A May 2020 report by ICG describes the following regarding the Independent Electoral Commission:

"Three of the commission's seats are allocated to political parties close to President Ouattara, one is appointed by the president and another by the minister of interior, six go to members of civil society who are meant to be independent (though opposition politicians have doubts as to their independence) and four are apportioned to opposition parties. The government granted an additional opposition seat on 4 March [2020] to address the opposition's complaints of commission bias. This gesture has, however, still not persuaded the PDCI to join. The appointment of a commission president from the north of the country, the ruling party's stronghold, is also perceived by the opposition as a further sign of the institution's bias." (ICG, 26 May 2020)

A report by Jessica Moody, a freelance political risk consultant, published by the Centre for Democracy and Development, notes the following regarding a new decision by the African Court on Human and Peoples' Rights in July 2020:

“[The court] ruled in mid-July [2020] that the composition of the local electoral commissions, which collate and tally results that go to the national CEI, was almost entirely unfairly advantageous for the RHDP. The CEI has since said it plans to reform the local electoral commissions, though this seems unlikely to be effectively completed before the vote and may even foment more confusion.” (Moody, October 2020, p. 10; see also Abidjan.net, 15 July 2020 and ACSS, 20 October 2020)

On 23 October 2020 the government “opened the door to a possible reform of the electoral commission (CEI) which the opposition considers ‘subservient’ to the regime of President Alassane Ouattara.” The opposition however rejected the offered concessions. (AFP, 23 October 2020)

2.5 October 2020 election

2.5.1 *Constitutional amendments 2020*

On 5 March 2020 President Ouattara proposed a revision of the Constitution in his address to parliament (Government of Côte d'Ivoire, 6 March 2020). The revision “involves three major changes in the executive, legislative and judicial powers” (Agence Ecofin, 18 March 2020).

By amending article 55 the Vice-President will be appointed by the president in agreement with Parliament (Government of Côte d'Ivoire, 6 March 2020). The Vice-President is thus no longer elected at the same time as the President but appointed by the latter in agreement with Parliament (DW, 9 March 2020).

Article 90 is amended to ensure parliamentary continuity. If it is impossible to organise parliamentary elections within the time limits prescribed by the Constitution, the Parliament remains in office until the next elections are organised. (Government of Côte d'Ivoire, 6 March 2020)

At the judicial level the revision provides for the abolition of the Supreme Court and establishes the Court of Cassation and the Council of State as institutions of the Republic (DW, 9 March 2020).

Sophia Moestrup of the National Democratic Institute (NDI), notes that “the Court of Cassation and the Council of State become, with the Court of Auditors, the three institutional pillars of the judicial power.” (Moestrup, 23 March 2020; see also Agence Ecofin, 18 March 2020)

According to the government, this is a response to the concern for institutional rationalisation, with regard to better functioning of judicial institutions. (Government of Côte d'Ivoire, 6 March 2020)

Agence Ecofin, an information agency specialising in public management and the African economy, further notes:

“In addition to these institutional reforms, this revision makes other changes relating to the adjustment, the correction of omissions in the text and the clarification or reformulation of certain provisions. These include, in particular, the operating relationship between the Senate and the National Assembly, which from now on will successively receive bills or proposals for the adoption of an identical text.” (Agence Ecofin, 18 March 2020)

The opposition “rejected the amendment to the country's fundamental law, denouncing it as ‘tinkering’ with the constitution in favour of the government.” (African Press Agency, 17 March 2020)

The article by Agence Ecofin further mentions:

“This constitutional revision was not accepted by the opposition parliamentary groups. In a public statement, these groups pointed out that, given the scope of the changes made to the text, it is in fact ‘a new Constitution and not a constitutional revision,’ calling for a referendum. Accusing President Alassane Ouattara, whose government took the initiative for this revision, the opposition parliamentarians considered that by ‘opting for the parliamentary route, the President of the Republic has chosen passage en force. [...]’” (Agence Ecofin, 18 March 2020)

Please refer also to the mentioned article by Sophia Moestrup for further details regarding the amendments:

- Moestrup, Sophia: Côte d'Ivoire – President Ouattara prepares to transfer power, 23 March 2020 (available at Presidential Power Blog)
<https://presidential-power.net/?p=10985>

Ivorian legislators and senators on 17 March 2020 adopted the draft law amending the constitution with 246 votes in favour and 2 votes against. Members of the opposition did not take part in the vote. (African Press Agency, 17 March 2020)

On 19 March 2020 Alassane Ouattara signed law n°2020-348 (see Law n°2020-348, 19 March 2020), modifying law n° 2016-886 of 8 November 2016 on the Constitution of the Republic of Côte d'Ivoire. (Government of Côte d'Ivoire, 20 March 2020; see also *Fraternité Matin*, 19 March 2020)

2.5.2 Third term bid by Alassane Ouattara

On 5 March 2020 President Alassane Ouattara declared “he would not stand for re-election in October” 2020 and that he decided “to transfer power to a new generation”. (Reuters, 5 March 2020)

Quartz Africa, a business-focused English-language international news organisation, notes that after the announcement, “many Ivorians and democracy watchers around Africa breathed a collective sigh of relief.” The article further notes:

“Ouattara’s mixed messages on whether he would seek re-election or not had created substantial uncertainty. In the months prior to his declaration, Ouattara repeatedly suggested the 2016 constitution allowed him to run again, a view disputed by the opposition and large sections of the country’s population.” (Quartz Africa, 13 March 2020)

On 12 March 2020 Ouattara named his close ally, “Prime Minister Amadou Gon Coulibaly as the ruling RHDP party’s candidate for the October presidential election. [...] Addressing a large gathering of the RHDP [...], Ouattara said the vast majority of the party supported Gon Coulibaly’s candidacy.” (Reuters, 13 March 2020)

According to Reuters, in May 2020 the presidency said that Prime Minister Amadou Gon Coulibaly “will stay in France for a few weeks of medical rest after undergoing a heart exam”. In 2012 he had a heart surgery. According to the article “his doctor recommended he be monitored”. (Reuters, 5 May 2020)

On 8 July 2020 “Amadou Gon Coulibaly died suddenly” at age 61. He “fell unwell during a ministerial meeting at the presidential palace in Abidjan and was rushed to a hospital where he passed away. [...] He had only returned to the Ivory Coast last week from France, where he had spent two months receiving medical treatment for a heart condition.” (DW, 8 July 2020)

According to an article by France 24 he died of a heart attack (France 24, 25 September 2020).

In August 2020 Ouattara said “he would seek re-election in October, formally accepting the ruling party’s nomination to be its candidate [...] ‘I have decided to respond favourably to the call of my fellow citizens,’ Ouattara said in a televised speech. ‘Given my previous promise, this decision represents a real sacrifice for me.’” (Reuters, 6 August 2020)

France 24 notes that “Ouattara’s bid for a third term in office has been rife with controversy.” The article goes on to elaborate:

“Opponents and legal experts point out that the Ivorian constitution limits the presidency to two terms. The government maintains that because the constitution was reformed in 2016, the term count should be re-set to zero. For years, Ouattara had suggested that he would not run again. The 78-year-old had made repeated promises to hand power over to ‘a young generation’. [...] The announcement triggered protests across the country leading to at least 15 deaths in subsequent clashes between demonstrators and the police.” (France 24, 25 September 2020)

The Nordic Africa Institute in October 2020 reports the following:

“The sudden death of Amadou Gon Coulibaly has allowed Ouattara to appeal to extraordinary circumstances in his third-term bid; but the groundwork for this move was laid by the 2016 constitutional amendments. Ouattara has consistently argued that the new constitution represents the creation of a new Ivorian republic, thereby allowing him two additional presidential terms.” (The Nordic Africa Institute, October 2020, pp. 3-4)

In September 2020 RFI notes that Côte d'Ivoire's Constitutional Council allowed President Alassane Ouattara “to seek a controversial third term”. The article further notes that the “constitutional council also barred former president Laurent Gbagbo and ex-prime minister Guillaume Soro from standing in next month's election.” (RFI, 15 September 2020; see also D+C Development and Cooperation, 4 December 2020)

Jessica Moody notes in her October 2020 report that “Ouattara's candidacy is not just infuriating to the opposition because it is perceived to be a violation of the constitution, but also because it would pave the way for more years of what they see as encroaching authoritarianism that excludes their supporters from access to well paid jobs and development.” (Moody, October 2020, S. 10)

In December 2020 HRW notes that “President Alassane Ouattara was re-elected for a third term with a reported 94 percent of the vote in the controversial election, which the main opposition parties boycotted.” (HRW, 2 December 2020)

2.5.3 Protests/violence

The following section provides information on protests and violence in chronological order. This compilation of information by different sources should however not be regarded as exhaustive.

Please refer also to [section 3.4](#) and [section 4.2](#) for further information on violent events.

Pre-election violence and protests

In August 2020 Article 19, an international human rights NGO promoting freedom of expression and freedom of information worldwide, notes that after Ouattara announced he would run for a third time “the opposition and civil society subsequently called for demonstrations” (Article 19, 25 August 2020). ICG notes that the move sparked small-scale protests in Abidjan between 7 and 10 August 2020 (ICG, September 2020).

In reaction to protests in different parts of the country the government banned public demonstrations. A demonstration planned to be held on 13 August 2020 was banned. (Article 19, 25 August 2020)

Despite the ban on demonstrations the protests in Abidjan and elsewhere intensified on 12 and 13 August. (ICG, September 2020)

On 16 August 2020 Kenyan newspaper The Standard notes that according to Security Minister Vagondo Diomande “five people have been killed and over 100 injured in three days of street clashes following President Alassane Ouattara’s decision to seek a third term”. The Minister added that there had been “a total of 68 arrests for crimes including disturbing public order, inciting violence and destroying property, during the three days of violence.” (The Standard, 16 August 2020; see also ICG, September 2020)

The government on “19 August 2020 announced a ban on demonstrations until 15 September 2020” (Article 19, 25 August 2020).

In August 2020 RFI mentions that “at least two people were killed in ethnic clashes”. The article further notes that “young opposition supporters on Saturday [22 August 2020] took to the streets to voice loud and violent protest in several major cities, especially the southern cocoa growing hub of Divo”. (RFI, 23 August 2020)

The West African Network for Peacebuilding (WANEP) is a West African NGO whose mission is to enable and facilitate the development of cooperation mechanisms between individuals and civil society organisations involved in the framework of peace-building in Africa. The organisation summarises the situation in the country on 7 September 2020 as follows:

“In Cote d’Ivoire, the rising political disagreement and violence as a result of the announcement of President Alassane Ouattara to run for another term in the October 2020 presidential elections is heightening polarization and potential relapse of instability in Cote d’Ivoire. [...] This is amidst complaints by opposition parties and groups that have led to recent violent demonstrations in Gagnoa and Daoukro resulting in the death of five persons which included four security personnel.” (WANEP, 7 September 2020, p. 2)

According to AFP, on 14 September 2020 protesters torched a bus in Abidjan's Yopougon district, "after scuffles broke out earlier in the day between security forces and youths." The article also mentions that "in the centre-west city of Bangolo, demonstrators set fire to a mining truck and other vehicles" the same day. According to witnesses, security forces dispersed them with tear gas. Protesters also set up barricades "on several roads in the west" of the country, before security forces took them down. (AFP, 14 September 2020; see also Reuters, 14 September 2020)

On 15 September 2020 the Constitutional Council "rejected 40 candidates for upcoming presidential elections, validating the contested bid of head of state Alassane Ouattara". An article by France 24 notes the following regarding ensuing protests:

"Protests broke out in several cities, including in southeastern Bonoua, the hometown of Gbagbo's wife Simone, where some 300 mainly young people marched against Ouattara's candidacy in defiance of a ban on demonstrations. Local residents told AFP by telephone that the protesters set up barricades on the motorway to neighbouring Ghana before police broke them up. Anti-Ouattara demonstrations drawing hundreds of protesters were also staged in the main western cities of Guiglo, Bangolo, Facobly and Duekoue. Simultaneously the Ivorian authorities announced that a ban on 'marches and sit-ins' was prolonged to September 30. [...] Clashes broke out in several Ivorian cities on Monday ahead of the announcement by the Constitutional Council, while on Tuesday, the police presence in Abidjan was beefed up and security forces reinforcements were sent out to other regions." (France 24, 15 September 2020)

On 10 October 2020 "thousands of opposition supporters have rallied in Abidjan to protest against Ivorian President Alassane Ouattara's plan to seek a third term". According to Al Jazeera "some 20,000 people made their way into a stadium". (Al Jazeera, 10 October 2020) ICG notes that "after opposition Popular Ivorian Front presidential candidate Pascal Affi N'Guessan and Democratic Party of Côte d'Ivoire (PDCI) candidate Henri Konan Bédié [on] 15 Oct[ober] called for 'active boycott' of [the] vote and urged supporters to disrupt electoral operations, violence broke out in several regions." (ICG, November 2020)

On 16 October 2020 an article by AFP notes the following:

"Ethnic clashes left at least two dead in an Ivory Coast opposition stronghold two weeks ahead of presidential polls, witnesses said Sunday, fuelling fears of a conflict on a scale of the one that engulfed the West African state a decade ago. The clashes broke out Friday in and around the city of Bongouanou, a fiefdom of opposition candidate Pascal Affi N'Guessan 200 kilometres (120 miles) north of the economic hub Abidjan, the witnesses said. A trader from the local Agni ethnic group considered pro-opposition was shot and hacked to death [...]. At least one ethnic Dioula [...] was also killed in the area, according to several witnesses and a hospital source. An AFP journalist reported that in Bongouanou itself many shops and restaurants were looted and set on fire, and several cars were torched." (AFP, 18 October 2020)

According to opposition candidate Pascal Affi N'Guessan, his home in Bongouanou was burned down. (France 24, 19 October 2020; see also Reuters 17 October 2020)

According to BBC it is not clear who was behind the attack on his residence. According to a teacher “one of the town’s schools was also destroyed”. (BBC News, 19 October 2020)
On 20 October 2020 The Africa Report provides the following overview on the situation in Côte d’Ivoire:

“After violence on Monday in Abidjan and in some Ivorian cities, ECOWAS [Economic Community of West African States] has called on opponents Henri Konan Bédié and Pascal Affi Nguessan to ‘reconsider their call to civil disobedience’. [...]

With less than two weeks to go before the presidential election, tensions have risen sharply in some parts of the country such as Bonoua, Divo, Dabou, and Kotobi (near Bongouanou), where the gendarmerie was ransacked. Several schools in Abidjan shut down in confusion. The Student and School Federation of Côte d’Ivoire (Fesci) had previously issued a 72-hour strike notice before finally suspending its strike action. The Abidjan clashes were confined to a few neighbourhoods and did not result in any casualties. In Bonoua, on the other hand, one young man lost his life when he was hit by a bullet. Clashes occurred between demonstrators who had blocked the main road and law enforcement officials. On Saturday [17 October 2020], three people died in inter-communal violence in Bongouanou, the stronghold of Pascal Affi N’Guessan, 200 kilometres north of Abidjan. A curfew was imposed and mediations were organised, allowing a relative return to calm. However, on Monday [19 October 2020], some access to the city remained blocked by roadblocks. ‘The situation is still very tense. If nothing is done, it will be difficult to organise an election here. Every time there are political tensions at the national level, they turn into conflicts between communities at the local level,’ said one elected official. The protest against Ouattara’s third term in office has already resulted in about 20 deaths. The distribution of voter cards by the Independent Electoral Commission (IEC) was disrupted in 16 localities, forcing the authorities to relocate it to the gendarmerie compound.” (The Africa Report, 20 October 2020)

Between 19 and 21 October 2020 “a clash between supporters of the ruling party and supporters of the opposition parties in Dabou” left 16 people dead and 67 injured (AI, 16 November 2020). According to the mayor of the town killings “were carried out by men armed with assault rifles and machetes” (Reuters, 22 October 2020a).

According to DW, the clashes involved Adjoukrous and Malinkés. The situation has since calmed down, however “fear and mistrust persist in Dabou and its environs.” (DW, 27 October 2020)

ICG notes that the ethnic Adjoukrou tribesmen are “deemed close to opposition” (ICG, November 2020).

Violence on election day

On election day RFI notes that “at least 30 people have been killed in pre-election clashes since August” 2020. (RFI, 31 October 2020)

According to AFP “protesters blocked the main route between Abidjan and the north of the country early on Saturday [31 October 2020] near the central town of Djebonoua”. The article further mentions:

“Groups of youths set up makeshift barricades in some neighbourhoods in and around Daoukro, stronghold of opposition leader Bedie, an AFP correspondent at the scene said. Electoral material had still not arrived at Daoukro polling stations. Voting papers were also burned in Brobo, near the central town of Bouake, a local electoral official said.” (AFP, 31 October 2020)

According to another article by AFP “scattered unrest, vandalised voting material and some closed polling stations were reported mostly in opposition strongholds during Saturday's election.” The article provides further details:

“At least five people died in clashes on Saturday in central Tiebissou and Oume and in Tehiri village, security and medical sources said, though a local mayor of Tiebissou said a total of four were killed just in his town. Protests degenerated into clashes between ethnic communities who back rival political factions in Tiebissou, Oume, Yopougon, a poor Abidjan district, and in the western town of Gboguhe, according to witnesses. According to the office of Tiebissou's mayor, a member of Ouattara's party, some of the 27 injured in the town had gunshot and stab wounds.” (AFP, 2 November 2020)

According to DW, one person “was killed in the pro-Bedie town of Niable, a government official said on condition of anonymity.” (DW, 1 November 2020)

According to the opposition “whole swathes of the country had not participated in the vote or had been prevented from doing so.” (Reuters, 31 October 2020)

The day after the election Henri Konan Bedie and Pascal Affi N'Guessan said “that about 30 people had died since Saturday, without providing details.” (Reuters, 1 November 2020)

The electoral commission reported that “30 to 40 polling stations out of more than 22,000 nationwide were vandalized.” The commission, however, “did not say how many polling stations were forced to close.” (DW, 1 November 2020)

Post-election events

According to US international broadcaster Voice of America (VOA), “violent clashes erupted in Ivory Coast after Saturday's presidential elections, reportedly killing at least 12 people and injuring many more. That has prompted thousands of people to flee to neighboring countries”, namely to Liberia, Ghana and Togo. (VOA, 3 November 2020)

According to UNHCR spokesperson Boris Cheshirkov “as of 2 November, more than 3,200 Ivorians had become refugees, mainly women and children from Côte d'Ivoire's west and southwest regions.” (UN News, 3 November 2020)

On 1 November 2020 at least six people were killed in the town of Toumodi, near Yamoussoukro, “including a family of four whose home was set ablaze on Sunday [1 November 2020], as tensions erupted into violence”. (RFI, 5 November 2020)

On 9 November 2020 after the country's top court validated Ouattara's re-election three people were killed and 41 wounded in intercommunal clashes in Daoukro. According to a local government administrator “one person had been decapitated and another burned as protesters barricaded roads.” (France 24, 9 November 2020)

A further three “people were killed in central Elibou during clashes between security forces and protesters blocking a highway, local residents said. Officials did not immediately confirm those deaths however.” (AFP, 9 November 2020; see also HRW, 2 December 2020)

On 10 November 2020 three people were killed and over 30 wounded “in the south-central town of M’Batto after protests by the area’s many opposition supporters led to a standoff with residents loyal to President Alassane Ouattara”. A local police source said that “the death toll we can provide on these community clashes is three killed by machetes and gunshot wounds and around 34 wounded” (Reuters, 10 November 2020)

The following day Al Jazeera cites a police spokesman “confirming the total of three killed and 26 wounded” in violence in the central-eastern town of M’Batto. The article further mentions that “another nine people died in violence in two other towns” on 10 November 2020. (Al Jazeera, 11 November 2020)

UNHCR notes that as of 10 November 2020, “over 8,000 Ivorian refugees have now fled into neighbouring countries amid political tensions in Côte d’Ivoire, up from 3,200 in just one week.” (UNHCR, 10 November 2020)

As of 27 November 2020 “a total of 17,434 Ivorians have fled Cote d’Ivoire”, mainly to Liberia. UNHCR however mentions that “government reports indicate that some IDPs may have started to return home.” (UNHCR, 27 November 2020, p. 1)

In December UNHCR mentions that „as of 10 December, a total of 21,818 Ivorians have fled Cote d’Ivoire.” (UNHCR, 11 December 2020, p. 1)

3 Inter-communal violence

3.1 Concept of Ivoirité

According to HRW, “in the political vacuum left by Houphouët-Boigny’s death in 1993, politicians increasingly looked to build support through ethnic blocs.” (see also [section 1.4](#)) The report further describes:

“Several politicians employed the rhetoric of ‘Ivoirité,’ or ‘Ivorianness’ - an ultranationalist discourse focusing on Ivorian identity that marginalized immigrants and northern Ivorians, groups that tended to support then-Prime Minister Ouattara. While the discourse was predominantly about politics and nationality - used to bar Ouattara from contesting the 1995 and 2000 elections - it also related to land issues, challenging non-Ivorians’ ability to have significant property rights.” (HRW, 10 October 2013, p. 15)

Regarding land rights an academic paper by Drissa Kone on the concept of “Ivoirité” further describes:

“Property ownership and land rights are vital to the livelihood of most West Africans. In this case, the dispossessed were mainly Muslim, either from the northern part of Ivory Coast or from the neighboring countries of Mali and Burkina Faso. Therefore, it was easy to portray the discrimination as a strategy against the so-called ‘Dioula’ northerners, who also happened to constitute the bulk of Ouattara’s supporters. This politicization of identity based on national origin has become a divisive force that has torn the social fabric of this once prosperous country [...]” (Kone, September 2020, p. 224)

Regarding further consequences of “Ivoirité” for the population from the north GrowUp mentions the following:

“Because of the blurry boundaries between ‘original’ Ivoirians from the north, second- or third-generation immigrants from northern neighboring countries and more recent immigrants, and the ethno-linguistic connections between them, northerners had increasingly become equated with foreigners. Being ‘Dioula’, Muslim, and RDR partisan became completely intermixed in the perception of other Ivoirians. As a consequence, with the institutionalization of the concept of Ivoirité, millions of ordinary Ivoirians from the north became excluded from the ‘national community’ and from citizenship.” (GrowUp, 2015, p. 452)

An article by France 24 dated October 2010 summarises the effects of “Ivoirité”:

“Populist politicians stoked the issue of ‘Ivorianness,’ pitting southerners against the ‘foreigners’ from the north. While some northerners were children of immigrants from neighboring countries who were attracted by the cocoa-fuelled Ivorian economic miracle, others were just northern Ivorian with foreign-sounding names. Driven by the row over who could claim Ivorian citizenship, the civil war resulted in the breakup of the once famously multicultural West African nation into the government-run south and the rebel-run north. The notion of ‘Ivorianness’ has long been a source of tension between communities, one that the founder of the nation, Felix Houphouët-Boigny, always warned against.” (France 24, 28 October 2010)

The paper by Kone Drissa provides further details on the history of “Ivoirité” on pages 222 to 225:

- Kone, Drissa: The Concept Of “Ivoirité”: An Identity Based Concept And Its Impact On Socio-Political Life In Ivory Coast, published in: Akofena n°002 Vol.1, September 2020
<http://revue-akofena.org/wp-content/uploads/2020/08/16-T02-21-pp.-217-228.pdf>

3.2 Violence in 2010 and 2011

For further information on the 2010/2011 conflict please refer also to [section 1.4.1](#) of this compilation.

The Congressional Research Service (CRS), the public policy research agency of the United States Congress, in a 20 April 2011 report states the following regarding the 2010/2011 conflict:

“Increasingly, as the violence grew, presumed ethnicity was used by parties to the conflict as an indicator of putative political affiliation, and as the basis for attacks on civilian individuals and communities by militant supporters of the two presidential claimants. Election-related clashes also spurred inter-communal violence with varied roots in political, ethnic, religious and land rivalry, particularly in the far west.” (CRS, 20 April 2011)

Regarding violence in the conflict in 2010 and 2011 HRW in October 2013 notes that “the most serious crimes occurred in two areas”, in Abidjan and in “western Côte d’Ivoire, beset by longstanding communal tension” (HRW, 10 October 2013, p. 23). A report published in October 2011 provides further details on crimes in the region (see HRW, 5 October 2011).

In May 2011 the United Nations Operation in Côte d’Ivoire (UNOCI) reports that “at least 1,012 persons, including 103 women and 42 children, were killed in post-election violence in the regions of Moyen Cavally and Dix-Huit Montagnes” in western Côte d’Ivoire. (UNOCI, 26 May 2011)

Regarding the situation between December 2010 and April 2011, the report further notes:

“[...] violations were committed following incidents linked to communal violence and clashes between the Defence and Security Forces (FDS), militias and mercenaries, on the one hand, and the Republican Forces of Côte d’Ivoire (FRCI) and dozos [traditional hunters], on the other.” (UNOCI, 26 May 2011)

UNOCI also notes that “certain civilians also committed acts of looting and reprisals” (UNOCI, 26 May 2011).

3.3 Conflict over access to land

According to the Bertelsmann Stiftung report covering the period between 1 February 2017 and 31 January 2019, “insecure access to land within the ethnically mixed neighborhoods in many parts of the country [...] has been identified since the 1990s as a major root cause of social conflict.” However, “such violent clashes have stopped since 2011, with the exception of isolated episodes in the west and northeast.” (Bertelsmann Stiftung, 29 April 2020, p. 13)

In a previously published Country Report covering the period between 1 February 2015 and 31 January 2017 the organisation notes the following:

“While open violence has stopped (except for some isolated incidents along the border with Liberia and recurrent inter-communal clashes in the northeast between Fulani herders (allogeneic) and Lobi (indigenous) farmers), Côte d’Ivoire remains a divided society where one segment of the population tried to use its political dominance to establish a populist-nationalistic regime based on the idea of citizenship restricted to southerners and Christians.” (Bertelsmann Stiftung, 2018)

HRW in its World Report covering 2017 notes that “recurring disputes over land ownership remain an important source of intercommunal tension, particularly in western Côte d’Ivoire.” The organisation further mentions “clashes between rival groups for control of territory” in October and November 2017 and “violent intercommunal clashes between pastoralists and farmers in Bouna in March 2016”. (HRW, 18 January 2018)

For information on conflicts involving ethnic groups (covering incidents until June 2018) please refer to pages 17 to 19 of the June 2019 report by the European Asylum Support Office (EASO), an agency of the European Union providing support to EU member states regarding asylum-related issues:

- EASO – European Asylum Support Office: Côte d’Ivoire - Country Focus - EASO COI Report, June 2019
https://www.ecoi.net/en/file/local/2009965/2019_EASO_COI_Cotedivoire_EN.pdf

In April 2020 the Internal Displacement Monitoring Centre (IDMC) mentions the following regarding land disputes in 2017 and 2018:

“In the protected forest of Goin-Débé, there was also a land dispute over the illegal planting of cocoa that forced thousands to flee in 2017. Land disputes also led to clashes between the indigenous Toura and the Burkinabè Giande’ community in the Biankouma department, displacing 700 people in 2018.” (IDMC, April 2020, p. 1)

IDMC further mentions violent events in May, September and October 2019. According to the report the incidents “were largely linked to inter-communal violence and land disputes in Béoumi (Vallée du Bandama) and clashes between Korékipra and Brokoua villages along the Issia Daloa axis” (IDMC, April 2020, p. 2). IDMC further describes:

“Inter-communal clashes in Béoumi in Vallée du Bandama forced about 300 people to flee their homes in mid-May [2019]. The Malinké and Baoulé communities have had a long-standing disagreement over transport routes and land. This culminated in armed skirmishes in which nine people were killed and 94 injured. National authorities immediately began mediation and disarmament efforts.” (IDMC, April 2020, p. 1)

Regarding the mentioned clashes in Béoumi in May 2019, an article by Jeune Afrique cites Jean-Marc Kouassi, the mayor of Béoumi. According to Kouassi, it started with a violent altercation between a taxi driver and a public transport vehicle driver, from the different

communities. After the ethnic Baoulé was rushed to the city hospital, rumours of his death quickly spread to town. (Jeune Afrique, 17 May 2019)

Jeune Afrique notes that 14 people were killed, a hundred wounded and 500 displaced in the resulting inter-communal clashes of May 2019 (Jeune Afrique, 3 June 2019).

In May 2019 Africanews notes that nine people were killed and at least 84 injured in Beoumi following three days of ethnic violence between Baoulé and Dioula or Malinké populations. (Africanews, 19 May 2019; see also Agence Anadolu, 18 May 2019 and Afric Telegraph, 18 May 2019)

Eighteen people were arrested, mostly young men from the Baoulé and Malinké communities of Béoumi. (Jeune Afrique, 24 May 2019)

Regarding the background of the May 2019 conflict Jeune Afrique notes that demographic pressure, climate change and the scarcity of resources are disrupting people's way of life. The drought has pushed hundreds of Malinké herders to the south, where living together with Baoulé farmers is not always easy. The crisis related to cashew nuts, which feed thousands of people in this region, has forced some young people in Béoumi to seek new sources of income in sectors of activity traditionally reserved for Malinké. This new competition is causing friction between communities. (Jeune Afrique, 3 June 2019)

In February 2020 the United Nations World Food Programme (WFP) mentions that "recurring disputes over land ownership remain an important source of inter-communal tension in western Côte d'Ivoire." The organisation elaborates:

"Two inter-communal conflicts occurred during the month of February [2020], in Kabacouma (Biankouma) between indigenous Yacouba and Allogens Lobi and Burkinabés, which left three people dead, several seriously injured, and caused internal displacements, and significant material damages." (WFP, February 2020, p. 2; see also Akody, 26 February 2020)

3.4 Violence related to October 2020 presidential elections

In October 2020 The New Humanitarian (TNH), an independent news agency focusing on crises and advocating for improving humanitarian response, cites Drissa Traoré, an Ivoirien lawyer and secretary general of the Paris-based International Federation for Human Rights (FIDH), according to whom "political parties have the bulk of their supporters coming from the same ethnic groups as the leaders [...] When these parties are opposed, the situation exacerbates community tensions." (TNH, 28 October 2020)

Similarly, the French independent online journal Mediapart in an October 2020 article cites Arthur Banga, an expert in security issues in Côte d'Ivoire. According to Banga the political sphere is tied to the community sphere: "If you take an ethnic group, you will have 70% adhering to the same religion and supporting the same political party." The article goes on to provide an overview of political figures the different ethnic groups support. The Baoulé, historically present in the centre and east of the country are traditionally close to the PDCI, the party led by Henri Konan Bédié. In the west, the Bété population tends to favour Laurent Gbagbo. In the Senoufo region of Ferkessédougou, near the Burkinabe border, there is a general preference for Guillaume Soro, while the Agni territories in the centre show more

support for Pascal Affi N'Guessan. The Malinke or Dioula often favour president Alassane Ouattara and the RHDP. According to Banga, this is only a small part of the picture, however. Specific political movements are also attributed to the Adioukrous, Gouros, Dan, Guérés, Abrons, Koulangos, etc. (Mediapart, 27 October 2020)

In October 2020 TNH further cites a political analyst, Sylvain N'Guessan, noting the following:

“[...] the recent inter-communal violence demonstrates that long-standing ethnic and social divisions in Côte d'Ivoire have not been adequately addressed. With Ouattara in power, many Ivoiriens from Gbagbo's base in the west of the country have felt excluded from government jobs and an associated system of patronage that they say benefits northern ethnic groups. 'Community tensions remain because lasting solutions to the Ivoirien socio-political crisis have not been found,' N'Guessan said.” (TNH, 28 October 2020)

According to AFP, in August and September 2020 “about 15 people were killed in inter-communal violence [...] in several cities across the country after Ouattara announced his intention to run for a third term.” (AFP, 17 October 2020)

AFP further notes that “the weeks before the election saw clashes, mainly between local ethnic groups close to the opposition and Dioula communities [...]” (AFP, 2 November 2020). In another article the news agency notes that “ethnic splits are often inseparable from the country's political and regional divisions” and goes on to describe:

“Ouattara, who has been in power for a decade, is a Muslim from the north which is mostly Dioula. His main rivals hail mostly from the south. The scene has played out a familiar pattern since August [2020] when Ouattara announced he would run again: his opponents rally before clashes erupt between local ethnic communities and the Dioula, who are seen as close to the president.” (AFP, 28 October 2020)

In August 2020 in Daoukro city four people were killed and at least 90 people injured in “clashes between ethnic Malinké supporters of Ouattara and Baoulé supporters of former President Bédié's Democratic Party of Côte d'Ivoire (PDCI)” (ICG, September 2020).

Reuters notes that on 22 and 23 August 2020, “several shops and a timber truck were torched during ethnic violence between Ouattara supporters and opposition in the southern city of Divo, a cocoa-growing hub, according to images shared on social media” (Reuters, 24 August 2020). France 24 notes that clashes in Divo involved “the local Dida tribe and Dioula people from northern Ivory Coast who back Ouattara.” The article goes on to quote a witness:

“‘It was very violent. The young men were armed with machetes and clubs. A lot of people were hurt and I saw a young man being beaten. He lost consciousness and had to be taken away,’ said one witness who asked not to be named.” (France 24, 23 August 2020)

In October 2020 AFP notes that “deadly clashes have broken out in four towns in the southeast, Daoukro, Divo, Bongouanou and Dabou, leaving around 30 dead.” (AFP, 28 October 2020)

In November 2020 DW reports on violence linked to the October 2020 elections and mentions that “violence in places like Daoukro (Bedie’s hometown), Toumodi, Dabou, Divo, and elsewhere took on a communal hue, pitting one community against another.” The article describes:

“Accusations about who started it flew back and forth. Still, a pattern emerged: it would almost always be the ‘local community’ that was pitted against ‘the Dioula,’ generally believed to be from the north of the country or beyond and generally believed to be firmly behind Ouattara and his political movement. This guilt-by-association thinking fed into acts of local score-settling, and it may have cost the lives of at least 80 people, sometimes in truly gruesome ways.” (DW, 12 November 2020)

According to Reuters in mid-October at least 10 people were killed in Dabou in southern Ivory Coast. (Reuters, 22 October 2020 (b); see also Mediapart, 27 October 2020)

According to Agence de Presse Sénégalaise (APS) “the senior commander of the Ivorian gendarmerie, Major General Alexandre Apalo Touré” called for “calm and restraint” following the inter-communal conflict in Dabou. Touré met with the involved communities, the Malinke and the Adjoukrou. (APS, 22 October 2020)

On 18 October 2020 AFP notes that “ethnic clashes left at least two dead in an Ivory Coast opposition stronghold two weeks ahead of presidential polls” and further mentions:

“The clashes broke out Friday in and around the city of Bongouanou, a fiefdom of opposition candidate Pascal Affi N’Guessan 200 kilometres (120 miles) north of the economic hub Abidjan, the witnesses said. A trader from the local Agni ethnic group considered pro-opposition was shot and hacked to death, a family member told AFP. At least one ethnic Dioula - a northern Muslim group who generally back President Alassane Ouattara - was also killed in the area, according to several witnesses and a hospital source. An AFP journalist reported that in Bongouanou itself many shops and restaurants were looted and set on fire, and several cars were torched. Affi N’Guessan, a former prime minister, told AFP on Saturday that his house in Bongouanou was burned down. On Sunday, groups of Agni youths criss-crossed the town, brandishing machetes, knives, iron bars and other weapons including slingshots, many drunk on palm wine. Hundreds of residents could be seen fleeing the area on foot, wearing backpacks or carrying sacks of belongings on their heads.” (AFP, 18 October 2020; see also Africa Times, 19 October 2020)

HRW reports on intercommunal violence in the town of Oumé on 31 October 2020, where one person was killed and dozens injured:

“Witnesses said opposition supporters from the Gouro ethnic group destroyed voting material as it was being transported to polling places and sought to prevent voting in locations across the city. This led to confrontations between opposition supporters, largely Gouro, and pro-government youth, largely Malinké. Witnesses said that both sides were armed with machetes, clubs, and, in some cases, hunting rifles.” (HRW, 2 December 2020)

HRW further mentions clashes between Baoulé and Dioula ethnic groups on 31 October and 1 November 2020 in the town of Toumodi:

“On the day of the vote, opposition supporters, largely drawn from the Baoulé ethnic group, erected barricades to prevent voting and clashed with government supporters from Dioula ethnic groups. Despite an attempted mediation by the local authorities, the day after the vote, witnesses said, young men attacked Toumodikro, a predominately Baoulé neighborhood. Men armed with machetes, clubs, and hunting rifles set alight homes and shops, with a family of four burned alive in their home. A community leader said that dozens of residences had been burned during the violence, leaving hundreds of people to find shelter in local churches or neighboring villages. A local ruling party representative also said that Baoulé youth had set fire to garages belonging to Dioula and to a local market.” (HRW, 2 December 2020; see also RFI, 5 November 2020)

France 24 reports that at least six people were killed on 9 November 2020 in “clashes over Ivory Coast President Alassane Ouattara's re-election”. The article goes on to elaborate:

“New clashes between rival ethnic communities broke out on Monday [9 November 2020] in central eastern Daoukro, the fiefdom of opposition chief Henri Konan Bedie, officials said. Deadly violence also erupted there in the lead up to the October 31 election. ‘Inter-community clashes in Daoukro left three dead and 41 wounded on Monday,’ local government administrator Solange Aka told AFP. She said one person had been decapitated and another burned as protesters barricaded roads. Regional council president Adam Kolia Traore confirmed the toll. Three more people were killed in central Elibou during clashes between security forces and protesters blocking a highway, local residents said. Officials did not immediately confirm those deaths however. Much of the violence has descended into fighting between local ethnic groups allied with the opposition and Dioula communities seen as close to Ouattara, himself a Muslim from the north.” (France 24, 9 November 2020)

In November 2020 Reuters reports on the situation in the town of M’Batto in central Côte d’Ivoire, which was affected by election-related fighting:

“Before last month’s presidential election, M’Batto in central Ivory Coast was a small, peaceful town where ethnic groups intermarried and churches and mosques existed side by side without friction, residents say. Two weeks on and the streets are littered with empty shotgun cartridges, shops have been burned down and at least six people are dead, killed in ethnic clashes that some fear could herald a repeat of Ivory Coast’s civil wars in 2002 and 2010-2011. The Oct. 31 election, which was boycotted by the opposition, opened up old wounds around the question of identity in Ivory Coast between mostly northern Dioula migrants and the Agni southerners who see themselves as original settlers. The landslide win of President Alassane Ouattara for a controversial third term made tensions worse.” (Reuters, 13 November 2020)

Please also see [section 2.5.3](#) for further information regarding violence related to the October 2020 elections.

4 Freedom of speech/freedom of assembly

Please note that this chapter does not include information on media freedom and the situation of journalists.

Please refer also to [section 2.5.3](#) for further information regarding the treatment of protesters and opposition supporters.

4.1 Legal framework and changes

The constitution guarantees freedom of thought and expression. According to Article 19 everyone has the right to express and disseminate their ideas freely. The article however also provides that these freedoms are exercised subject to respect for the law, for the rights of others, for national security and for public order. Any propaganda to elevate one social group above another, or to encourage racial, tribal or religious, hatred is prohibited. (Law n° 2016-886, 8 November 2016, Article 19)

Article 20 guarantees the freedoms of association, assembly and peaceful demonstration. (Law n° 2016-886, 8 November 2016, Article 20)

On 26 June 2019, Cote d'Ivoire adopted a new Penal Code retaining "provisions which violate human rights, including the crimes of offending the head of state, [and] publishing false news". According to Amnesty International (AI), the code "also created additional overly broad offences which may further undermine the rights to freedom of expression and peaceful assembly, such as 'uttering offensive' online and 'publishing data which may undermine public order'." (AI, 8 April 2020; see also Law no. 2019-574, 26 June 2019, Articles 264, 183, 367 and 369)

HRW in its country report covering 2019 similarly notes that "some provisions of the new laws [...] could be used to restrict freedom of assembly and expression." (HRW, 14 January 2020)

The USDOS in its country report covering 2019 notes the following regarding demonstrations:

"The law requires groups that wish to hold demonstrations or rallies in stadiums or other enclosed spaces to submit a written notice to the government at least three days before the proposed event. The organizers must receive the government's authorization in order to proceed." (USDOS, 11 March 2020, section 2b)

Article 196 of the penal code provides for the punishment of persons who make incomplete or inaccurate declarations with the aim of deceiving about the nature of a planned demonstration and those persons calling on people to take part in the demonstration. (Law no. 2019-574, 26 June 2019, Article 196). Articles 197 to 199 provide for the punishment of organisers and participants of undeclared or prohibited demonstrations. (Law no. 2019-574, 26 June 2019, Articles 197 to 199)

The international human rights NGO Article 19 mentions the introduction of a decree on 23 March 2020, "proclaiming the state of emergency, as part of the response to the coronavirus pandemic." The decree also included a ban of demonstrations and was subsequently extended till 15 May 2020 (Article 19, 23 October 2020b; see also Decree no. 2020-351, 23 March 2020).

In Directives published in August, September and October 2020 measures to suspend public demonstrations and other protests until 1 November 2020, are announced. (Directive no.

804/MATED/MSPC, 19 August 2020; Directive no. 913/MATED/MSPC, 30 September 2020; Directive no. 990/MATED/MSPC, 14 October 2020; see also Article 19, 23 October 2020a) According to an article by online news portal Koaci the measures were again extended until 15 December 2020. (KOACI, 3 December 2020)

4.2 Treatment of protestors

Amnesty International notes that “between 13 August and 25 October [2020], at least 41 people were arrested in Abidjan, Korogho, Toumodi and Alepe while protesting or after calling on people to protest.” (AI, 16 November 2020)

In December 2020 HRW cites government figures stating that “clashes between opposition demonstrators and government supporters, and between opposition members and the security forces, resulted in 34 deaths before election day.” (HRW, 2 December 2020)

In September 2020 CIVICUS Monitor, an international non-profit organisation focussing on strengthening civil society worldwide, provides the following information regarding protests and arrests in August 2020:

“From 11th to 13th August 2020, protests broke out in several cities and localities against President Ouattara’s announcement of his intention to run for a third term. [...] At least 69 people were arrested for ‘disturbance to public order’, ‘incitement to revolt’, ‘violence against law enforcement agencies’ and ‘destruction of property of others’. [...] On 13th August 2020, barricades were erected and tyres burnt in several neighbourhoods in Côte d’Ivoire’s capital Abidjan. Clashes between police officers and protesters were reported in Yopougon and other suburbs, with security forces reportedly using tear gas and protesters responding by throwing stones. Riot police were deployed in great numbers in the affluent suburb of Cocody, and a group of women allied to the Générations et Peuples Solidaires (GPS) movement of Guillaume Soro were reportedly detained. The group was singing the national hymn and held up the Ivorian flag. At least 14 people were detained in Abidjan.” (CIVICUS Monitor, 16 September 2020)

According to testimonies obtained during the August protests by Amnesty International “police officers in Abidjan apparently allowed groups of men, some of whom were armed with machetes and heavy sticks, to attack protesters demonstrating against President Alassane Ouattara’s decision to run for a third term in office.” (AI, 18 August 2020)

In September 2020 CIVICUS Monitor goes on to provide further information regarding protests and arrests in August 2020:

“Despite the ban on protests on public roads, opposition protests erupted on 21st and 22nd August 2020 to demonstrate against Ouattara’s third term bid. Women leaders of the opposition called for ‘a day of action of women’. In Abidjan, security forces used tear gas to disperse protesters in the suburb of Yopougon, while a considerable number of security personnel were deployed in Cocody to discourage protesters from demonstrating. Henriette Lorougnon, vice-president of political party Front populaire ivoirien (FPI) of Laurent Gbagbo, claimed during a press conference that about 20 people were arrested.[...]”

On 15th August 2020, civil society activist and coordinator for the NGO Alternatives citoyenne ivoirienne (ACI) Pulchérie Edith Gbalet and two of her colleagues - Djehi Bi Cyrille and Gbaou Gedeon Junior - were detained by armed men at a hotel in Abidjan where Gbalet was staying. They were placed under arrest and are being prosecuted for 'undermining public order', 'participation in an insurrectionary movement', 'undermining state authority', 'wilful destruction of public goods' and 'provocation to a gathering'. Pulchérie Edith Gbalet had called for protests against a possible third term for president Ouattara." (CIVICUS Monitor, 16 September 2020; see also AI, 16 November 2020)

Earlier in the year, on 11 March 2020 police arrested at least 10 protesters during a demonstration organised by the group "Tournons la page". They were protesting against the adoption of the constitutional revision by Parliament. They were detained for six hours before being released without charge. (CIVICUS Monitor, October 2020, pp. 18-19)

In its country report covering 2019 HRW notes that "the arrest of several opposition or civil society figures for organizing anti-government protests raised concerns of a closing of civic space ahead of the 2020 presidential elections." (HRW, 14 January 2020)

In its report on the human rights situation covering the year 2019 Amnesty International provides the following information on arrests in connection with protests:

"Journalist Konan Yao Hubert was arrested by officers of the gendarmerie on 4 August [2019], the day after a march he organized. It was a protest in the village of N'dakouassikro (Djékanou prefecture) against the opening of a gold-mining site. The gendarmes refused to show him a warrant and tried to handcuff him. He reportedly injured a gendarme as he resisted arrest. He was charged with 'incitement and disturbance of public order' and 'assault and battery of gendarmes on duty'." (AI, 8 April 2020)

On 12 March 2020 Konan Yao Hubert was sentenced to five years imprisonment and a fine (CIVICUS Monitor, October 2020, p. 17).

AI goes on to provide further information on arrests in connection with protests in 2019:

"Five members of the Coalition of the Indignants of Côte d'Ivoire (Coalition des Indignés de Côte d'Ivoire) and one journalist were arrested on 23 July in front of the Independent Election Commission headquarters ahead of a protest. They were questioned without a lawyer and released the next day without charge.

On 1 July, activist Valentin Kouassi was arrested by the police and detained at an unknown location without access to his lawyers following a rally he organized on 23 June in the southern town of Adzopé. He was charged with public disorder, released under judicial supervision, and prohibited from participating in meetings and from expressing his political views in public or on social media.

On 18 February, academic Joël Dadé and Professor Johnson Kouassi, leader of the National Coordination of Lecturers-Researchers and Researchers (Coordination nationale

des enseignants chercheurs et chercheurs, CNEC), were arrested in connection with a December 2018 strike at Félix Houphouët-Boigny University. They were charged with disrupting public order, violence and insults. Their cases were dismissed and they were released on 4 March.” (AI, 8 April 2020)

“Peaceful demonstrations were dispersed with the use of excessive force by security forces. On 4 October, security forces killed one person and injured several others when they opened fire on protesters in Djébonoua against the arrest of an opposition politician.” (AI, 8 April 2020)

4.3 Treatment of opposition supporters

On 16 November 2020 AI mentions that “on 3 November, 21 people were arbitrarily arrested at veteran opposition leader Henri Konan Bédié’s house, five of whom are still in detention.” The organisation further describes:

“They include Maurice Guikahué, deputy leader of Côte d’Ivoire Democratic Party (PDCI in French), senators Seri Bi N’Guessan, Bassy Koffi Bernard, and Henri Konan Bédié’s chief of staff Narcisse N’dri Kouadio. They are facing 16 charges, including ‘attack and conspiracy against state authority’.” (AI, 16 November 2020; see also OHCHR, 9 November 2020)

The UN High Commissioner for Human Rights, Michelle Bachelet, in November 2020 “expressed serious concerns about the arrests of several opposition leaders”. The Office of the United Nations High Commissioner for Human Rights (OHCHR) further mentions “worrying reports that unidentified individuals fired shots at some opposition figures’ residences.” (OHCHR, 9 November 2020)

In December 2020 HRW mentions that since the 31 October election “authorities have arrested a dozen opposition party members, who rejected the results and said they had formed a National Transitional Council to organize new elections.” HRW provides the following details:

“On November 3, police arrested 11 opposition members at Bédié’s Abidjan house. Eight of them were transferred that night to the National Surveillance Directorate (Direction de la Surveillance du Territoire, DST), a domestic intelligence agency that is not an authorized detention site under Ivorian law. They were detained and questioned there for three nights without access to a lawyer or communication with family members. Three opposition parliament members among those arrested were held in police custody but also questioned at the DST without access to a lawyer. All 11 were brought before an investigating judge on November 6. Nine have since been released on conditional bail, while two prominent members of Bédié’s political party, Maurice Kakou Guikahué and N’dri Pierre Narcisse, remain detained at Abidjan’s central prison (Maison d’Arrêt et de Correction d’Abidjan, MACA).” (HRW, 2 December 2020)

On 11 November 2020 France 24 reports on talks between President Alassane Ouattara and Henri Konan Bédié (France 24, 11 November 2020). According to the International Federation for Human Rights (FIDH) “the dialogue initiated between President Ouattara and the

opposition Henri Konan Bédié was suspended on 20 November by the opposition because of the continued detention of important opposition representatives.” (FIDH, 26 November 2020)

AI notes that “opposition leader Pascal Affi N’Guessan was arrested and detained incommunicado from the evening of the 6 to 9 of November, during which period neither his family nor his lawyer had access to him.” AI further notes:

“N’Guessan said he did not see the light of day for 60 hours. There are 30 charges against him including ‘attack and conspiracy against the state authority, murder and act of terrorism.’ His lawyer only managed to see N’Guessan during his appearance in front of the judge on 9 November. Since then, neither the lawyer nor N’Guessan’s family was able to communicate with him. N’Guessan’s whereabouts cannot be confirmed.” (AI, 16 November 2020; see also BBC News, 7 November 2020)

In December 2020 HRW mentions that N’Guessan was “held incommunicado at the DST and questioned without access to his lawyer”. On 9 November he was brought before an investigating judge and denied bail. HRW cites information provided by Aimée Zebeyoux, Côte d’Ivoire’s secretary of state for human rights:

“Zebeyoux said that N’Guessan had refused his right to be assisted by his lawyer during questioning, which N’Guessan’s lawyer denied in an interview with Human Rights Watch. N’Guessan and the 11 opposition members arrested on November 3 have been charged with terrorism, attacks against the authority of the state, and murder, among other charges. Adou, the chief prosecutor, said on November 2 that the charges relate to the opposition parties’ call for ‘civil disobedience’ prior to and during the election and the announcement of a National Transitional Council. Opposition lawyers said the charges against them were politically motivated, while Ivorian human rights groups said that executive interference in political cases means that they have little chance of a fair trial.” (HRW, 2 December 2020)

In September 2020, KOACI reports the arrest in the Northern town of Korhogo of Justin Koua, spokesperson for the Front Populaire Ivoirien (FPI) that supports Laurent Gbagbo. After being taken into police custody, KOACI states that he was charged for disturbing public order and complicity in the destruction of public and private property during August and September 2020 and was taken into pretrial detention. (KOACI, 19 September 2020)

In its report on the human rights situation covering the year 2019 Amnesty International provides the following information on arrests of opposition supporters or activists:

“Between 23 and 31 December, at least 17 relatives and supporters of Guillaume Soro were arrested and detained. 13 of them, including five parliamentarians, were charged with ‘publishing false news, undermining public order and the authority of the state’, following a press conference they held on the rerouting of the flight of Guillaume Soro. The brother of Guillaume Soro, Rigobert Soro, was subjected to enforced disappearance for 12 days before being brought to the Prosecutor’s office.

Nathalie Yamb, a member of the opposition party Lider, was deported to Switzerland on 2 December for having participated in ‘activities undermining national interest’. She was detained for 10 hours, did not have adequate access to a lawyer, was not handed the expulsion order and could not collect her papers and medication. She is Swiss and Cameroonian.” (AI, 8 April 2020)

The USDOS further mentions the sentencing of an opposition member of parliament:

“In January [2019] an opposition member of parliament was charged with the dissemination of false information and incitement to revolt via a tweet and was sentenced to one year in jail and a fine of 300,000 CFA francs (\$500). In February an appeals court changed the verdict to a six-month suspended sentence.” (USDOS, 11 March 2020, section 2a)

The USDOS report adds that “numerous opposition political parties reported denials of their requests to hold political meetings and alleged inconsistent standards for granting public assembly permissions.” (USDOS, 11 March 2020, section 2b)

In August 2019 AI notes that “Professor Bamba Moriféré, President of the opposition party Rassemblement du Peuple pour la Côte d'Ivoire (RPCI in French), was arrested on 7 July [2019] in Abidjan and taken to the police before being released hours later.” AI further describes:

“He was one of the main organizers of a 6 July rally which gathered opposition and civil society activists to denounce the fact that biometric national identity cards are not free, and a draft law reforming the Independent Electoral Commission. On 11 July he was again questioned by the police and accused of ‘incitement to insurrection, xenophobia and public disorder’.” (AI, 6 August 2019; see also USDOS, 11 March 2020, section 3)

AI also reports on the arrest of a young opposition member on 1 July 2019:

“Valentin Kouassi, [...] was arrested by the police and brought to an unknown location without access to his lawyers following a rally he organized on 23 June in the southern town of Adzopé. He was released later, put under judicial supervision, charged with public disorder and prohibited from expressing himself in public on current affairs, on social media and to participating in meetings.” (AI, 6 August 2019)

For further information on the situation of opposition supporters please also see section 2 of a report on a fact-finding mission to Côte d'Ivoire between 25 November and 7 December 2019 published by the Office Français de Protection des Réfugiés et Apatrides (OFPRA), a French government office responsible for processing applications for refugee or statelessness status:

- OFPRA – Office Français de Protection des Réfugiés et Apatrides: Rapport de mission en République de Côte d'Ivoire du 25 novembre au 7 décembre 2019, 7 December 2019
https://www.ofpra.gouv.fr/sites/default/files/atoms/files/ofpra_cnda_cote_divoire_rapport_de_mission_en_republique_de_cote_divoire_du_25_novembre_au_7_decembre_2019.pdf

5 Situation of women

Article 35 of the constitution stipulates that the state and public communities ensure the promotion, development and protection of women. (Law n° 2016-886, 8 November 2016, Article 35)

Article 4 of the constitution prohibits discrimination and articles 36 and 37 promote equality of women and men in political and public life and in the labour market. (Law n° 2016-886, 8 November 2016, Articles 4, 36 and 37; see also CEDAW, 30 July 2019, p. 5)

According to Freedom House, “women are generally afforded equal freedom of movement, though risks of insecurity and sexual violence hinder this in practice.” (Freedom House, 4 March 2020, G1)

Côte d’Ivoire ratified the Protocol to the African Charter on Human and Peoples’ Rights on the Rights of Women in Africa (Maputo Protocol) on 5 October 2011 (AU, 16 October 2019; see also OECD, December 2018, p. 3). The country ratified the Convention on the Elimination of All Forms of Discrimination against Women in 1995 and in 2012 the country also ratified the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women (UN Treaty Body Database, undated; see also CEDAW, 30 July 2019, p. 2).

The law provides women with the same rights as men to acquire, change and retain nationality (Law no. 61-415, 14 December 1961 and Law no. 2013-654, 13 September 2013; see also OECD, December 2018, p. 8).

The OECD notes that “there is no legal discrimination regarding citizenship rights and these rights do not appear to be restricted in practice.” (OECD, December 2018, p. 8)

CEDAW in July 2019 however mentions “that certain provisions of the Nationality Code discriminate against women, for example, on the transfer of nationality to spouses or children in certain cases.” (CEDAW, 30 July 2019, p. 10)

According to the Côte d’Ivoire Country Report by the Bertelsmann Stiftung covering the period from 1 February 2017 to 31 January 2019, Côte d’Ivoire’s society is “based on traditional gender roles”. The Organisation further notes that “women are treated worse than men in all aspects of life.” (Bertelsmann Stiftung, 29 April 2020, p. 20):

5.1 Marriage, inheritance, divorce, adultery, abortion

Marriage

According to Article 2 of the new marriage law of 26 June 2019 a man and a woman under the age of 18 may not enter into a marriage (Law no. 2019-570, 26 June 2019, Article 2).

Under the previous law (Law no. 64-375 of 7 October 1964), the marriage of girls below the age of 18 years was permitted on an exceptional basis (CEDAW, 30 July 2019, p. 14; see also Jeune Afrique, 12 April 2019).

HRW, however, notes that “child marriage is still common.” (HRW, 14 January 2020; see also CEDAW, 30 July 2019, p. 14)

In July 2019 CEDAW “notes with concern that [...] a high percentage of marriages are not formally registered, leaving women without economic protection upon dissolution of the

union". CEDAW is also concerned regarding "the absence of an explicit prohibition of polygamous, levirate and sororate marriages in the legislation of the State party and the insufficient protection of women's rights in such marriages" (CEDAW, 30 July 2019, p. 14).

Article 7 of the marriage law prohibits marriage with the brother-in-law, when the marriage through which two persons became related was divorced. However, Article 7 also provides for the possibility of lifting the prohibition of marriage to the brother-in-law if the partner of the original marriage through which the two persons became related is deceased. (Law no. 2019-570, 26 June 2019, Article 7).

In its country report covering 2019 the USDOS notes that "societal violence against women included traditional practices, such as dowry deaths (the killing of brides over dowry disputes), levirate (forcing a widow to marry her dead husband's brother), and sororate (forcing a woman to marry her dead sister's husband)." (USDOS, 11 March 2020, section 6)

The report on a fact-finding mission to Côte d'Ivoire between 25 November and 7 December 2019 by OFPRA cites information provided by the NGO Fondation Djigui La Grande Esperance, which works towards ending harmful traditional practices and is based in Abidjan. According to the organisation, most "forced marriages" are rather "arranged marriages", constitute "a common practice" and are considered "normal marriages" in rural areas. (OFPRA, 7 December 2019, p. 98)

Please refer to section 12.1 of the report by OFPRA for further information regarding forced marriage:

- OFPRA – Office Français de Protection des Réfugiés et Apatrides: Rapport de mission en République de Côte d'Ivoire du 25 novembre au 7 décembre 2019, 7 December 2019
https://www.ofpra.gouv.fr/sites/default/files/atoms/files/ofpra_cnda_cote_divoire_rapport_de_mission_en_republique_de_cote_divoire_du_25_novembre_au_7_decembre_2019.pdf

Inheritance

Law no. 2019-573 of 26 June 2019 covers issues related to inheritance (Law no. 2019-573, 26 June 2019).

According to HRW, "the legislature in July [2019] passed new laws on marriage and inheritance that establish co-ownership of marital property." (HRW, 14 January 2020; see also Ivoire-Juriste, 1 April 2019)

According to Article 82 of the marriage law the joint property other than the earnings and income of the spouses is administered by either spouse. (Law no. 2019-570, 26 June 2019, Article 82; see also Jeune Afrique, 12 April 2019)

Article 26 of the law on inheritance gives a widow the right to one quarter of the husband's estate. The children receive the remaining three-quarters. (Law no. 2019-573, 26 June 2019, Article 26)

According to HRW, under the old law, widows often received nothing." (HRW, 14 January 2020; see also Ivoire-Juriste, 1 April 2019)

Regarding the reform of the marriage law, HRW in July 2019 notes the following:

“The bill is part of a legislative overhaul in Côte d’Ivoire that includes new measures to make sure widows don’t lose their inheritance rights in favor of their husband’s male relatives; provide additional protections against domestic violence; and set the minimum age for marriage at 18. It does fall short in some areas. It won’t extend to customary and religious marriages that are not registered and doesn’t provide legal rights to long-time cohabiters. Women in these relationships could still lose their property when their union ends or their husband dies.” (HRW, 24 July 2019)

In December 2018 SIGI notes that “discriminatory practices often infringe upon women’s rights to inheritance” and goes on to elaborate the issue of inheritance under customary law:

“Customary law in Eastern Côte d’Ivoire is based on matrilineal inheritance systems, by which the male heir inherits from his mother (FAO, n. d.). In Western Côte d’Ivoire, customary law is based on patrilineal inheritance systems, by which women through marriage integrate the husband’s lineage and do not inherit (FAO, n. d.).” (OECD, December 2018, p. 3)

Divorce

Regarding divorce the Social Institutions & Gender Index of December 2018 provides the following summary of relevant provisions in the law on divorce and judicial separation (Law no. 64-376, 7 October 1964):

“The law provides men and women with the same rights as men to initiate divorce and the same requirements to finalise a divorce or annulment [...]. Women have the same rights as men to be the legal guardians of their children after divorce and have the same rights and responsibilities with regards to their children after divorce [...].” (OECD, December 2018, p. 3)

The USDOS notes that according to NGOs women are experiencing discrimination in divorce. (USDOS, 11 March 2020, section 6)

Regarding Islamic religious marriages, the OFPRA report cites Fondation Djigui La Grande Esperance, noting that in case of a forced marriage, the woman has the possibility to divorce, however, the imam cannot dissolve the marriage through his own initiative. The request must come from the spouses. Also, if a man catches his wife cheating on him, his testimony alone is not enough for the imam to dissolve the marriage. At least two witnesses are needed, and the quality of the witnesses will be checked. (OFPRA, 7 December 2019, p. 100)

No further information regarding discrimination in divorce could be found.

Adultery

Article 456 of the penal code punishes adultery by the husband or the wife with imprisonment between two months and one year. (Law no. 2019-574, 26 June 2019, Article 456)

Abortion

Abortion is illegal in Côte d'Ivoire (Law no. 2019-574, 26 June 2019, Article 425). A woman who requests abortion is punishable of an imprisonment of six months to two years and a fine of 50,000 to 500,000 CFA francs (about 93 to 933 USD) (Law no. 2019-574, 26 June 2019, Article 426). An abortion is legal if the woman's life is in danger (Law no. 2019-574, 26 June 2019, Article 427).

5.2 Access to public life and political participation

The Social Institutions & Gender Index published in December 2018 by OECD notes that “the law provides married and unmarried women with the same rights as married and unmarried men to vote”. According to the report, “there is no legal discrimination regarding voting rights and there is no information to suggest that these rights are limited in practice.” (OECD, December 2018, p. 8)

On 8 April 2020 an ordinance revising the electoral code was adopted (Government of Côte d'Ivoire, 8 April 2020; Ordinance no. 2020-356, 8 April 2020). Article 3 of the law also stipulates that Ivoirians of both sexes are allowed to vote (Ordinance no. 2020-356, 8 April 2020, Article 3).

The constitution provides women with the same rights as men to hold public and political office in the legislature, executive and judiciary (OECD, December 2018, p. 8). Article 36 of the Constitution stipulates that the state shall promote women's participation in political life. (Law n° 2016-886, 8 November 2016, Article 36). Article 37 stipulates that the state encourages the promotion of women to decision-making positions in public institutions and administrations (Law n° 2016-886, 8 November 2016, Article 37).

According to the USDOS, “no laws limit the participation of women and members of minorities in the political process, and they did participate. Of 253 National Assembly (lower legislative body) members, 29 were women. Of 99 Senate (upper legislative body) members, 19 were women, including 11 of 33 appointed by President Ouattara on April 3 [2019] and eight of 66 elected in 2018.” (USDOS, 11 March 2020, section 3)

As of the end of 2019 women were “holding 12 percent of seats in the National Assembly and 19 percent in the Senate”. In September 2019 the government cabinet was reshuffled and included eight women (Freedom House, 4 March 2020, B4).

In July 2019 CEDAW notes that women are underrepresented “in decision-making positions in the State party, in particular in executive and legislative bodies at the national, regional and municipal levels, in the civil service, the foreign services, the judiciary and the police service”. (CEDAW, 30 July 2019, p. 10)

CEDAW in July 2019 however mentions a draft law that would provide for a minimum of 30 per cent representation of women on the electoral lists of political parties. (CEDAW, 30 July 2019, p. 9; see also USDOS, 11 March 2020, section 3)

Article 3 of Law no. 2019-870 of 14 October 2019 to encourage the representation of women in elected assemblies provides for a minimum of 30 percent of women representation out of the total number of candidates presented in an election. (Law no. 2019-870, 14 October 2019, Article 3)

On 25 November 2020 a decree specifying the terms of application of the October 2019 law was presented in the Council of Ministers. According to government speaker Sidi Tiémoko Touré, the decree obliges political parties and groups to present a minimum of 30 percent women out of the total number of candidates presented in elections for deputies, senators, regional councillors, district councillors and municipal councillors. It also provides for additional public funding for any political party or political grouping whose number of women candidates reaches at least 50% of the total number of candidates presented. (Fraternité Matin, 25 November 2020)

In July 2019 CEDAW lists the following concerns regarding the draft law:

“The limited scope of the draft quota, and the fact that it would apply to candidates and not elected positions, that it is limited to 30 per cent and that it provides incentives rather than sanctions;

The limited impact of awareness-raising campaigns and the lack of information on existing capacity-building programmes for women electoral candidates.” (CEDAW, 30 July 2019, p. 10)

In August 2020 France 24 publishes an article on “a handful of women” who intended to stand for president in the October 2020 election. The article provides the following information on political representation of women in Côte d’Ivoire:

“Politics in the Ivory Coast is a largely masculine affair. [...] While a new law introduced in 2019 stipulates that at least 30 percent of candidates fielded by parties for parliamentary and regional elections must be women, there is still a long way to go. ‘Who is in power? Who governs?’ asks Rachel Gogoua, president of the Group of Female Organisations for Gender Equality (GOFEHF), which lobbied for the quota. ‘The president is a man. The prime minister is a man. The minister of finance, the president of the National Assembly, the president of the Independent Electoral Commission: They are all men.[’] Only 15 percent of government ministers are women – in the National Assembly, this percentage drops to just 12 percent. But Gogoua does not believe that traditional cultural or societal barriers facing women are to blame. ‘Men don’t put women in political positions under the pretext that women themselves don’t want to be candidates,’ she said. In reality, she believes it boils down to economics and male fragility. ‘Women are poorer than men. They don’t have the resources to finance their campaigns,’ she said. ‘There is also resistance from men in the cities. Men in suits and ties think women are coming to take their place. But such places shouldn’t be reserved for anyone. Women, like men, are part of society. They must both contribute to the development of this country. Everyone has their place.’ Until now, the most influential woman in Ivorian politics has been Simone

Gbagbo, who served as First Lady between 2000-2011. She has since divorced her husband.” (France 24, 30 August 2020)

The country report of the Bertelsmann Stiftung covering the period from 1 February 2017 to 31 January 2019, mentions a “significantly lower female literacy rate of 36.8% (in contrast to 50.7% for men; 43.9% combined)”, and further describes:

“Female enrollment in the education system faces still many challenges, although the situation has improved over the last years (the ratio of female to male enrollment at the primary level is 0.9%, and 0.7% at the secondary level). Women also form only 41.1% of the labor force, even if the percentage has continuously risen over the last decade (from 37.3% in 2007).” (Bertelsmann Stiftung, 29 April 2020, pp. 20-21)

According to the USDOS, the “law provides for the same legal status and rights for women as for men in labor law.” (USDOS, 11 March 2020, section 6)

In July 2019 CEDAW mentions “the adoption of Law No. 2015-532 of 20 July 2015 on the Labour Code and other measures taken by the State party to increase gender equality in employment.” (CEDAW, 30 July 2019, p. 11; see also Law no. 2015-532, 20 July 2015)

The Committee however notes the following concerns:

“(a) The prevalence of violations against women and girls working in the informal sector and in domestic work, particularly with regard to sexual harassment in the workplace and violations of the principle of equal remuneration for work of equal value, the guarantee of the minimum salary, paid leave, maternity and paternity leave and the respect of maximum working hours (for domestic workers), the lack of implementation of relevant national legislation, and the concentration of women in the informal labour market and their exclusion from labour and social protection; (b) The absence of information on the number of labour inspections, the nature of the violations recorded and the penalties imposed.” (CEDAW, 30 July 2019, pp. 11-12)

Article 6 of the constitution guarantees the right of everyone to free and equal access to justice. It further stipulates that everyone has the right to a fair trial. (Law n° 2016-886, 8 November 2016, Article 6)

In July 2019 CEDAW mentions legislative measures taken by Côte d’Ivoire to increase access of women to justice. The Committee however notes the lack of implementation of the legislative measures and the lack of regular impact assessments. CEDAW is further concerned regarding the “lack of measures taken to ensure that women are aware of relevant legislation and processes, including their right to legal aid.” (CEDAW, 30 July 2019, p. 5)

Freedom House also mentions that “women suffer significant legal and economic discrimination” (Freedom House, 4 March 2020, G3).

5.3 Sexual and gender based violence

In November 2020 the Ivoirian online news portal Abidjan.net publishes an article by Coulibaly Pélibien Ghislain, the president of the Network of Men Committed to Gender Equality in Côte d'Ivoire (Réseau des Hommes Engagés pour l’Egalité de Genre en Côte d’Ivoire, RHEEG-CI). The article cites data provided by the Ministry of Women, Family and Children. 3,193 cases of

gender-based violence were reported in 2019. Between January and June 2020, the article mentions 2,352 cases. (Abidjan.net, 25 November 2020)

According to Freedom House “sexual and gender-based violence are widespread.” (Freedom House, 4 March 2020, section G3)

In its country report covering 2019, the USDOS notes the following:

“Survivors stressed that although sexual and gender-based violence was an ‘everyday reality,’ deeply ingrained taboos discouraged them from speaking out. Survivors were ostracized and advocates for survivors reported being threatened. Fear of challenging male authority figures silenced most victims.” (USDOS, 11 March 2020, section 6)

Regarding sexual violence and rape, the Social Institutions & Gender Index (SIGI) published in December 2018, provides the following overview:

“Sexual violence and rape are prevalent in Côte d’Ivoire and marked by an impunity of perpetrators, due to several factors, including the collapse of judicial institutions as a result of the diverse crises between 2002 and 2011 and the absence of police forces and courts in certain regions.” (OECD, December 2018, p. 5)

The SIGI profile mentions that no law specifically addresses violence against women (OECD, December 2018, p. 3). CEDAW in July 2019 “notes with concern [...] the lack of a comprehensive law covering all forms of gender-based violence against women” (CEDAW, 30 July 2019, p. 8).

The country’s National Strategy for Combating Gender-based Violence, adopted in 2014, contains the following priorities: prevention, justice and fighting impunity, reforming the security forces, multi-sectoral assistance to survivors, coordination and data collection. (MINAS, February 2020, pp. 52-53; see also OECD, December 2018, p. 3)

In July 2019 CEDAW notes the following concerns regarding gender-based violence:

“[...] the lack of coordination among the different actors intervening in the sphere of gender-based violence against women, such as the judiciary, relevant ministries, the national coordination group on the fight against gender-based violence, gender desks at police stations and decentralized platforms against gender-based violence.” (CEDAW, 30 July 2019, p. 8)

The previous country report of the USDOS, covering the year 2018 notes that “the Ministry of Women, Child Protection, and Social Affairs assisted victims of domestic violence and rape, including counseling at government-operated centers.” (USDOS, 13 March 2019, section 6) The USDOS country report covering the year 2019 no longer contains this information.

Rape

Article 403 of the penal code defines rape as vaginal, anal, oral or any kind of penetration for sexual purposes imposed on another person without his or her consent. Rape is also defined

as any acts of vaginal, anal, oral or any kind of penetration for sexual purposes committed on a minor under fifteen years of age, even with his or her consent. (Law no. 2019-574, 26 June 2019, Article 403)

Articles 403 and 404 of the penal code punish rape with imprisonment between five and 20 years. If the victim dies the punishment is life imprisonment. (Law no. 2019-574, 26 June 2019, Article 403 and 404). A life sentence may be imposed in cases of gang rape or by persons with positions of authority over the victim, or if the victim is a minor. (Law no. 2019-574, 26 June 2019, Article 404; see also USDOS, 11 March 2020, section 6)

According to the USDOS, the law does not specifically penalise spousal rape. (USDOS, 11 March 2020, section 6)

Article 403 of the penal code notes that rape is constituted regardless of the nature of the relationship between the perpetrator and the victim. However, if they are married, the presumption of consent of the spouses to the sexual act shall apply until proven otherwise. (Law no. 2019-574, 26 June 2019, Article 403)

HRW notes that the June 2019 penal code “creates a presumption of consent to sex between married couples, which could prevent victims of marital rape from pursuing successful prosecutions.” (HRW, 14 January 2020; see also Law no. 2019-574, 26 June 2019)

The USDOS notes that rape victims “were no longer required to obtain a medical certificate, which could cost up to 50,000 CFA francs (\$850), to move a legal complaint forward.” The USDOS however adds that there “was no information on how many cases moved forward without the certificate; it often served as a victim’s primary form of evidence.” (USDOS, 11 March 2020, section 6)

In July 2019 CEDAW is concerned regarding “the costs for victims of gender-based violence against women associated with obtaining a medical certificate”. (CEDAW, 30 July 2019, p. 8)

Freedom House notes that impunity for perpetrators remains a problem, and when sexual and gender-based violence is prosecuted, “rape is routinely reclassified as indecent assault.” (Freedom House, 4 March 2020, section G3)

Regarding rape the USDOS in its country report covering 2019 notes the following:

“The government did not provide information on the percentage of rape cases tried as rape versus the lesser charge of indecent assault, which carries a prison term of six months to five years. Media and NGOs reported rape of schoolgirls by teachers was a problem, but few perpetrators had charges filed against them. The government made some efforts to enforce the law, but local and international human rights groups reported rape remained widespread. A local NGO that aims to protect the rights of persons with disabilities reported a man who raped and ultimately killed a pregnant handicapped woman in April was sentenced to a 20-year jail term. Relatives, police, and traditional leaders often discouraged rape survivors from pursuing criminal cases, with their families often accepting payment for compensation.” (USDOS, 11 March 2020, section 6)

Regarding rape, the SIGI profile provides the following overview:

“Cases of rape that have been registered occurred mainly in familial or educational settings, within the context of the crisis or in isolated places. Gang rape has reportedly risen. Reports show that there is a judicial practice consisting of registering a case as rape (a crime) and then qualifying it as sexual assault or indecent behaviour (an offence), thus charges are pressed in a correctional court and not in a criminal court. Police forces reportedly ask victims for a medical certificate, which is in most cases impossible for victims to deliver. Victims of sexual violence and rape seldom report the crimes to the authorities as it is considered a source of dishonour and humiliation for the victim, family and community. Amicable settlements outside of court are preferred by victims and their families to address cases of rape.” (OECD, December 2018, p. 5)

Sexual Harassment

Article 418 of the penal code punishes sexual harassment with imprisonment between one and three years and a fine of 360,000 to 1,000,000 CFA francs (about 672 to 1,800 USD). (Law no. 2019-574, 26 June 2019, Article 418)

The USDOS further notes that the government “rarely, if ever,” enforced provisions regarding sexual harassment and it “was widespread and routinely tolerated.” (USDOS, 11 March 2020, section 6)

Domestic violence

According to the USDOS, domestic violence “was a serious and widespread problem”. The report further mentions:

“Victims seldom reported domestic violence due to cultural barriers and because police often ignored women who reported rape or domestic violence.” (USDOS, 11 March 2020, section 6)

According to the SIGI profile dated December 2018, “domestic violence is pervasive in Côte d’Ivoire, [in] particular sexual, psychological and economic violence. However, it is considered an intimate problem and is therefore rarely reported.” (OECD, December 2018, p. 4)

According to the Fondation Djigui La Grande Esperance, cited in the OFPRA report, reporting of domestic violence and subsequent trials are rare. The organisation notes that when a wife reports a husband to the police, she will be rejected by the community. According to the organisation it is very rare for a victim to go to the police. (OFPRA, 7 December 2019, p. 101) Please refer to section 12.2 of the report by OFPRA for further information regarding domestic violence:

- OFPRA – Office Français de Protection des Réfugiés et Apatrides: Rapport de mission en République de Côte d’Ivoire du 25 novembre au 7 décembre 2019, 7 December 2019 https://www.ofpra.gouv.fr/sites/default/files/atoms/files/ofpra_cnda_cote_divoire_rapport_de_mission_en_republique_de_cote_divoire_du_25_novembre_au_7_decembre_2019.pdf

Conflict related sexual violence

The UN Secretary-General in June 2020 notes the following regarding conflict-related sexual violence in the country:

“The monitoring and reporting of conflict-related sexual violence continues to be carried out by a national committee consisting of members of the security forces, the national human rights commission and civil society organizations, with support from the United Nations. In the lead-up to the 2020 presidential elections, this committee is taking measures to prevent renewed patterns of political violence, including sexual violence, by putting in place early warning mechanisms. Training and capacity-building to help the security forces deter and detect sexual violence has taken place, specialized gender desks have been established within the national police, and justice sector officials have been trained on relevant legal frameworks prohibiting sexual violence. Despite the publication of a presidential ordinance in 2018, granting amnesty to individuals prosecuted or sentenced for offences relating to the 2010–2011 post-electoral crisis, institutional counterparts affirm that perpetrators of crimes of international concern will not benefit from immunity.” (UN Security Council, 3 June 2020, pp. 21-22)

The UN Secretary-General further notes that “the Government has provided general compensation to many victims of the [2010/2011] post-electoral violence, [but] no cases of sexual violence committed in this context have progressed to trial and none of the survivors have received reparations.” (UN Security Council, 3 June 2020, p. 22)

5.3.1 Female genital mutilation (FGM)

The Constitution of Côte d’Ivoire specifically prohibits FGM in Article 5 (Law n° 2016-886, 8 November 2016, Article 5).

Article 394 of the penal code punishes FGM (the attack on the integrity of the female genital organ, by total or partial ablation, infibulation, desensitisation or any other procedure) with imprisonment between one and five years and a fine of 200,000 to 2,000,000 CFA francs (about 373 to 3,700 USD). The punishment is doubled if the perpetrator is a medical or paramedical professional. If the victim dies, the punishment is imprisonment between five to twenty years. Attempted FGM is also punishable. (Law no. 2019-574, 26 June 2019, Article 394; see also AGIVOR, 14 February 2020)

Parents and relatives who, knowing that a genital mutilation is imminent, but do not report it to authorities, are also punished with imprisonment between one and five years and a fine of 200,000 to 2,000,000 CFA francs (about 373 to 3,700 USD). (Law no. 2019-574, 26 June 2019, Article 397).

In its March 2020 country report on FGM, 28 Too Many, an NGO based in the UK, providing research and training with the aim of ending female genital mutilation (FGM) worldwide, refers to Law no. 98-757 of 23 December 1998 on the punishment of certain forms of violence against women. The organisation notes that the law “specifically prohibits and punishes the practice of FGM”. According to 28 Too Many “this is the main law relevant to FGM in Côte d’Ivoire.” (28 Too Many, March 2020, p. 4)

Article 2 of Law no. 98-757 of 23 December 1998 punishes FGM with imprisonment between one and five years and a fine of 360,000 to 2,000,000 CFA francs (about 672 to 3,700 USD). (Law no. 98-757, 23 December 1998)

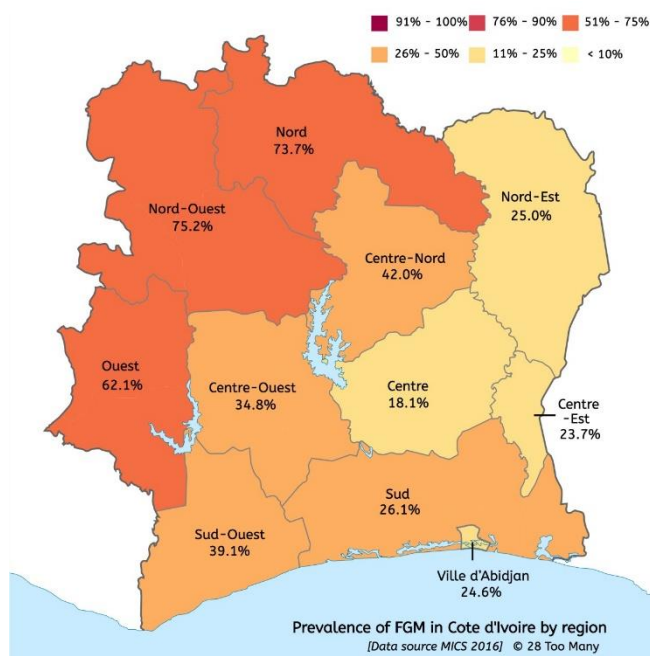
28 Too Many cites MICS and DHS³ survey data obtained between 2006 and 2016 and notes the following on the prevalence of FGM (see also INS, September 2017, p. 145 and INS, June 2013, p. 329):

“The MICS 2006 recorded the prevalence of FGM in women aged 15–49 as 36.4%. In 2011/12, the DHS estimated prevalence to be 38.2%. The most recent MICS survey (2016) gives an FGM prevalence of 36.7% among women aged 15–49. The data suggests, therefore, that the overall prevalence of FGM in Côte d’Ivoire has not changed significantly during recent years.” (28 Too Many, March 2020, p. 3)

28 Too Many further notes, however, that “the prevalence for women aged 45–49 is 41.5%, while for the youngest age group [15 to 19 years] this has fallen to 27.4%. The data demonstrates a trend towards lower prevalences among younger women.” (28 Too Many, March 2020, p. 3; see INS, September 2017, p. 145)

In 2016, the prevalence in the North-East region was 75.2 percent and in Abidjan 24.6 percent (INS, September 2017, p. 145).

The following map based on data from the MICS 2016 published by 28 Too Many provides information on the regional prevalence of FGM:



Source: [28 Too Many, March 2020, p. 2](#)

³ Demographic and Health Surveys (DHS) funded by the U.S. Agency for International Development (USAID) and Multiple Indicator Cluster Surveys (MICS) in cooperation with UNICEF. The surveys were realised by the Institut National de la Statistique (INS).

FGM is practiced at a very early age in Côte d'Ivoire. According to data published by the National Institute for Statistics (Institut National de la Statistique, INS) in June 2013, 53 percent of the affected women reported having been excised before the age of five years. 19 percent had FGM performed when they were between five and nine years old, and more than a quarter of women (26 percent) had FGM performed later (INS, June 2013, p. 331). The MICS 2016 survey does not provide data on the age at excision. (INS, September 2017).

The MICS 2016 also provides data on the practice of FGM by ethnic and religious groups. The Mandé du Nord are the ethnic group with the highest prevalence (60.7 percent), while the lowest prevalence is listed at 2.7 percent among the Akan. (INS, September 2017, p. 145)

28 Too Many notes that „these figures should be interpreted with caution due to the relatively small numbers of women surveyed.” (28 Too Many, March 2020, p. 2)

According to the MICS 2016 data, 61.5 percent of the Muslim women aged 15 to 49 years have undergone FGM, while 48.5 percent of the animist women and women without religion („sans religion”) and 11.8 percent of Christian women have undergone FGM. (INS, September 2017, p. 145)

In its March 2020 report 28 Too Many notes that “a few prosecutions for FGM have taken place in Côte d'Ivoire,” however further mentions:

“[...] but case details are limited and information about whether sentences were carried out is not publicly available. Evidence suggests that convictions are rare and FGM continues in communities that claim it is their custom and they are unaware of it being against the law.” (28 Too Many, March 2020, p. 4)

According to an article by Le Monde Afrique in July 2012 nine women were sentenced to one year in prison and a fine for the excision of about 30 girls in Katiola. According to the article this was the first trial of female excisers in the country (Le Monde Afrique, 19 July 2012).

Regarding arrests and measures by the authorities, the COI unit of the Office of the Commissioner General for Refugees and Stateless Persons of Belgium (CGRS-CEDOCA) mentions that in September 2016, two excisers were arrested in Gagnoa (Central-West) after excising an eleven-year-old girl. In July 2017, the Danané Court of First Instance sentenced a woman and four men (an exciser and her three brothers) to three years in prison and a fine (500,000 CFA francs for the exciser [about 933 USD] and 170,000 CFA francs [about 317 USD] for her brothers). In February 2018, a panel of specialists noted that only twelve cases of imprisonment have been recorded throughout Côte d'Ivoire to date. (CGRS-CEDOCA, 24 October 2019, p. 29)

According to the USDOS country report, “in August [2018] authorities made several arrests after discovering that a group of girls had been subjected to the procedure. The government successfully prosecuted some FGM/C [Female Genital Mutilation/Cutting] cases during the year.” (USDOS, 13 March 2019, section 6)

In July 2019 CEDAW is concerned about “the limited number of investigations, prosecutions, convictions and the lenient sentences imposed under Law No. 98-757 of 23 December 1998

criminalizing female genital mutilation” and “the lack of rehabilitation services for victims of female genital mutilation.” (CEDAW, 30 July 2019, p. 8)

CEDAW also notes that women human rights defenders combating female genital mutilation are often subjected to intimidation, harassment and threats.” (CEDAW, 30 July 2019, p. 10)

According to the USDOS in the year 2019 FGM “remained a serious problem.” (USDOS, 11 March 2020, section 6)

6 Situation of children

6.1.1 Access to education

The Brookings Institution, a think tank based in Washington, D.C., notes in a February 2019 article that “despite the heavy toll that years of conflict have taken on the education system, in recent years the country has embarked on a series of ambitious education reforms, including a 2015 law that made school attendance compulsory for all children ages 6-16”. (Brookings Institution, 13 February 2019; see Law n° 2015-635, 17 September 2015, Article 1 and UIS, undated)

According to the USDOS, although education is “ostensibly free and compulsory for children ages six to 16, [...] families generally reported being asked to pay school fees, either to receive their children’s records or pay for school supplies.” The report further notes:

“Parents of children not in compliance with the law were reportedly subject to fines up to 500,000 CFA francs (\$850) or jail time of two to six months, but this was seldom, if ever, enforced, and many children did not attend or have access to school. In principle students do not have to pay for books or fees, but families usually paid because the government did not often cover these expenses. Schools expected parents to contribute to the teachers’ salaries and living stipends, particularly in rural areas.” (USDOS, 11 March 2020, section 6)

The US Department of Labor (USDOL) in September 2020 provides the following information:

“Identity documents are required for students to take entrance exams for secondary school, posing a barrier to continued education beyond primary level. A shortage of teachers, poor school infrastructure, lack of transportation systems in rural areas, inadequate sanitation facilities, and violence have negatively impacted children's ability to attend school. Research also suggests that some students are physically and sexually abused at school, which may deter some students from attending school.” (USDOL, 30 September 2020)

In its concluding observations dated July 2019 the UN Committee on the Rights of the Child (CRC) notes the following regarding its concerns:

“The Committee is deeply concerned about persistent de facto discrimination, inter alia, against girls, children living in rural areas and children living in poverty, particularly with regard to literacy, access to education, vocational training, health care and sanitation, as well as development measures.” (CRC, 12 July 2019, p. 4)

The CRC further notes that “sexual violence against both girls and boys, and gender-based violence particularly against girls, including in educational settings, is prevalent and that only a small number of cases is being reported, investigated and prosecuted [...]” (CRC, 12 July 2019, p. 7).

In its country report on human rights practices the USDOS notes that “educational participation of girls was lower than that of boys, particularly in rural areas.” The report further describes:

“Although girls enrolled at a higher rate, their participation rates dropped below that of boys because of the tendency to keep girls at home to do domestic work or care for younger siblings and due to widespread sexual harassment of female students by teachers and other staff. In April [2019] a new gender unit within the Ministry of National Education was created to focus on improving education and training for girls and women.” (USDOS, 11 March 2020, section 6)

Regarding challenges the country’s education sector is facing, the Brookings Institution in February 2019 notes the following:

“While in the past two decades there has been progress expanding access to primary education, learning levels remain low, and many children do not acquire basic competency in reading, writing, and arithmetic. Other serious challenges include significant levels of repetition and dropping out, reaching out-of-school children who have been left behind, and recruiting and retaining enough trained teachers, especially in rural areas.” (Brookings Institution, 13 February 2019)

The Brookings Institution further notes that “the quality of education, and in particular learning outcomes, remains a serious challenge, especially in rural cocoa-growing areas.” (Brookings Institution, 13 February 2019)

According to the data provided by the UNESCO Institute for Statistics (UIS) 199,358 children and 1,068,560 adolescents were out-of-school as of 2019. The net enrolment rate in 2019 for pre-primary education was 7.7 percent, for primary education 94.3 percent, and for secondary education 48.2 percent (UIS, undated, Participation in Education).

As of 2018 the number of the illiterate population aged 15 to 24 years was 2,153,690, while the number of the illiterate population aged 15 and older was 7,690,587 (UIS, undated, Illiterate Population).

UIS further notes that the government expenditure on education as percent of total government expenditure was 18.3 percent in 2018. (UIS, undated, Education Expenditures)

For further data on education please see the following link:

- UIS - UNESCO Institute for Statistics: Côte d’Ivoire, undated
<http://uis.unesco.org/en/country/ci#slideoutsearch>

For the relevant laws on education please see the following links:

- Law n° 2015-635 - Loi 2015-635 du 17 septembre 2015 portant modification de la loi n° 95-696 du 7 septembre 1995 relative à l’enseignement, 17 September 2015 (available on ILO)
<https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/104175/126972/F-86456363/CIV-104175.pdf>

- Law n° 95-696 - Loi n° 95-696 du 7 septembre 1995 relative à l'enseignement, 7. September 1995 (available on ILO)
<https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/104174/126970/F1041034762/CIV-104174.pdf>

For Côte d'Ivoire's Education Sector Plan 2016-2025 dated April 2017 please see:

- Ministère d'État, Ministère de l'Emploi, des Affaires Sociales et de la Formation Professionnelle: Plan Sectoriel Education/Formation 2016 – 2025, April 2017
https://www.globalpartnership.org/sites/default/files/plan_sectoriel_de_leducation_-_cote_divoire.pdf

6.1.2 Vulnerability to violence

A report by the Ministry of Women, Family and Children (Ministère de la Femme, de la Famille et de l'Enfant, MFFE) dated March 2020 notes that “violence against children and youth, including child sexual abuse and severe physical violence, remains a significant issue in Côte d'Ivoire”. The report further notes:

“The Ministry of Women, Family and Children (MFFE) is the lead ministry for child protection. In 2010 MFFE undertook a mapping of the national child protection system which led to the development of the National Child Protection Policy and its budgeted Action Plan. MFFE also developed a National Strategy on Gender-Based Violence. These are the key strategic documents to guide programming of the Government and civil society on prevention and response to violence in Cote d'Ivoire.” (MFFE, March 2020, p. 29)

Article 421 of the penal code punishes violence against and neglect of children (Law no. 2019-574, 10 July 2019, Article 421) and Article 422 punishes the abandonment of children. (Law no. 2019-574, 10 July 2019, Article 422)

In its concluding observations dated July 2019, CRC notes “the establishment of the National Committee to Combat Violence against Women and Children” in February 2000, however lists the following concerns regarding violence against children:

“(a) The prevalence and tolerance of violence against children is high and domestic violence is not explicitly prohibited in the State party's legislation; (b) The National Policy on the Protection of the Child does not protect the rights of child victims of violence or abuse, there is a lack of consideration of the situation of children with disabilities and Government structures and non-governmental organizations are insufficiently resourced to provide assistance to child victims; (c) A comprehensive national system of standardized data collection, analysis and dissemination has not yet been established.” (CRC, 12 July 2019, p. 6)

The CRC is further concerned that “sexual violence against both girls and boys, and gender-based violence particularly against girls, including in educational settings, is prevalent and that only a small number of cases is being reported, investigated and prosecuted”. The Committee notes that “child victims of sexual violence often lack access to justice due to the

inaccessibility of medical examiners, the costs of medical certificates, social stigma and recourse to non-judicial settlements”. (CRC, 12 July 2019, p. 7)

According to a November 2019 article published on Abidjan.net, the NGO Group of women’s organisations for the equality of men and women (Groupe des organisations féminines pour l'égalité Hommes-Femmes, GOFEHF), at a meeting in Abidjan denounced the recurrence of sexual violence in Côte d'Ivoire, indicating that in 2019 up to 21 cases of rape of minors were documented. The NGO estimates that the impunity for the perpetrators of rape exacerbates this phenomenon. (Abidjan.net, 30 November 2019)

Articles 403 and 404 of the penal code cover rape. The crime is punished with life imprisonment if the victim is a minor (Law n° 2019-574, 26 June 2019, Article 404).

Any acts of vaginal, anal, oral or other kind of penetration for sexual purposes committed on a minor under fifteen years of age, even with his or her consent, is defined as rape. (Law no. 2019-574, 26 June 2019, Article 403)

Regarding prosecution of child rape cases the USDOS notes the following:

“Authorities often reclassified claims of child rape as indecent assault, which increased the likelihood of a timely trial and conviction, although penalties were less severe. Judges exercised discretion in deciding whether to reclassify a claim from child rape to indecent assault, and they may only do so when there is no clear medical proof or testimony to support rape charges.” (USDOS, 11 March 2020, section 6)

According to the USDOS “the government did not provide information about the rate of prosecution or conviction during the year.” The USDOS adds that according to international organisations and civil society groups the responsible ministries were ineffective combating child abuse due to lack of coordination among the ministries. (USDOS, 11 March 2020, section 6)

According to the CRC “protection and assistance available for child victims of violence is limited and mainly provided by non-governmental organizations.” (CRC, 12 July 2019, p. 7)

CRC is also concerned regarding “the limited information on protection schemes available to children, particularly girls, who are victims of or at risk of becoming victims of female genital mutilation and/or child marriage.” (CRC, 12 July 2019, p. 8)

CRC further lists the following concerns:

“The prevalence of cases of female genital mutilation and of child marriages; [...] the limited number of convictions of those practising female genital mutilation and the lack of statistics on the number of convictions regarding child marriage [...] and the limited geographic scope of measures to implement strategies and plans against female genital mutilation and child marriage” (CRC, 12 July 2019, pp. 7-8)

According to the USDOS “a law passed in July [2019] equalizes the age of majority for women and men to get married at age 18”. USDOS summarises legal provisions regarding early and forced marriage (see also Law no. 2019-570, 26 June 2019, Article 2 and Law n° 2019-574, 26 June 2019, Article 439):

“The law prohibits the marriage of men and women younger than age 18 without parental consent. The law specifically penalizes anyone who forces a minor younger than age 18 to enter a religious or customary matrimonial union. Nevertheless, reports of traditional marriages involving at least one minor spouse persisted. In 2017 according to UNICEF, 27 percent of girls were married by age 18 and 7 percent by age 15.” (USDOS, 11 March 2020, section 6)

For further information regarding FGM please refer to [section 5.3.1](#) of this compilation.

For further information regarding child marriage and the new marriage law please also see [section 5.1](#) and the following country profile by Girls not Brides, a global partnership of more than 1,300 civil society organisations from over 100 countries committed to ending child marriage:

- Girls not Brides: Côte d’Ivoire, undated
<https://www.girlsnotbrides.org/child-marriage/cote-divoire/>

The concluding observations of the CRC also address the situation of children with albinism (CRC, 12 July 2019, p. 8; see also BEDA-CI, 15 April 2019) and children deprived of a family environment (CRC, 12 July 2019, p. 9). CRC further mentions children in street situations, so-called “microbes” (CRC, 12 July 2019, p. 13; see also EASO, June 2019, pp. 53-57). USDOS also addresses the situation of stateless children (see also UNHCR, 6 November 2015) and displaced children (see USDOS, 11 March 2020, sections 2g and 6).

In November 2014 the International Catholic Child Bureau (BICE), a catholic NGO focussing on child protection, notes that in Côte d’Ivoire, “children with disabilities are particularly vulnerable and often neglected.” According to traditional beliefs, handicapped children are suspected of witchcraft. (BICE, 24 November 2014)

Humanium in October 2017 also mentions the discrimination of children with disabilities. According to the article, such children are labelled as children of misfortune, child sorcerers or snake children. Disability is a taboo and according to traditional believes is almost considered a curse. (Humanium, 19 October 2017)

Regarding corporal punishment of children please refer to the following December 2019 report by the Global Initiative to End All Corporal Punishment of Children:

- Global Initiative to End All Corporal Punishment of Children: Corporal punishment of children in Côte d’Ivoire, December 2019
<http://www.endcorporalpunishment.org/wp-content/uploads/country-reports/CoteDIvoire.pdf>

6.1.3 *Child labour/child trafficking*

According to a Multiple Indicator Cluster Survey conducted in 2016 and published in 2017, 21.5 percent of children aged 5 to 17 were engaged in hazardous work (INS, September 2017, p. 136). The survey also contains further detailed data on child labour (see INS, September 2017, pp. 133-136).

According to the USDOL report covering 2019, “children in Côte d'Ivoire engage in the worst forms of child labor, including in the harvesting of cocoa and coffee, sometimes as a result of human trafficking.” (USDOL, 30 September 2020, section I)

“Despite efforts by the government and international industries in recent years to counter the phenomenon, child labor is a frequent problem, particularly in the cocoa industry”, Freedom House reports (Freedom House, 4 March 2020, section G4).

A 2018 report by the anti-slavery organisation Walk Free Foundation “estimates that more than 890,000 children aged between 10 and 17 years worked in cocoa agriculture in Cote d’Ivoire in 2016” (Walk Free Foundation, 2018, p. 28).

In July 2019 the CRC lists its concerns regarding child labour in its concluding observations as follows:

“The consistently high number of children involved in child labour, including the worst forms of child labour, particularly children undertaking hazardous work in mining sites and in the agricultural sector, as well as girl domestic workers and talibé [students in Quranic schools] children [...]” (CRC, 12 July 2019, p. 12)

In June 2019 Reuters cites Patricia Sylvie Yao, the executive secretary of the Committee on the Fight Against Trafficking, Exploitation, and Child Labor. Yao said that “thousands of children also work in mines or as domestic servants”. According to the first lady of Côte d'Ivoire, Dominique Ouattara, “Ivory Coast has rescued 8,000 victims of child labor since 2012, but more needs to be done to strengthen police capacity” (Reuters, 26 June 2019).

According to a report by the International Cocoa Initiative (ICI), the organisation visited 1,443 cocoa-growing households in 263 communities between 17 March and 15 May 2020 to identify cases of child labour in Côte d’Ivoire during the COVID-19 crisis. According to ICI, the findings “show that the percentage of children identified in child labour was higher during this two month period, at 19.4%, compared to 16% in the same months in the same communities in previous years. This corresponds to a 21.5% increase in child labour identification.” (ICI, 17 July 2020, p. 1)

Regarding trafficking, the USDOS in its country report on human trafficking covering 2019 provides the following profile:

“[...] human traffickers exploit domestic and foreign victims in Cote d’Ivoire, and traffickers exploit victims from Cote d’Ivoire abroad. The majority of identified victims are children; [...] Traffickers exploit some Ivorian women and girls to forced labor in domestic service and restaurants and in sex trafficking. Traffickers also exploit Ivorian boys in forced labor in the agricultural and service industries, especially cocoa production. West African boys, including Burkinabes, may be forced into labor in agriculture (on cocoa, coffee, pineapple, cashew, and rubber plantations and in animal herding) and in mining, carpentry, construction, and begging in Cote d’Ivoire.” (USDOS, 25 June 2020)

USDOL notes that the country “has ratified all key international conventions concerning child labor” and “the government's laws and regulations [on child labour] are in line with relevant international standards” (USDOL, 30 September 2020, section II).

Article 5 of the Constitution prohibits human trafficking and forced labour (Law n° 2016-886, 8 November 2016, Article 5).

Articles 441 to 443 of the penal code cover slavery and the exploitation of enslaved persons and provide for punishments of between five- and 15-years imprisonment. If the victim is a minor under 10 years of age the punishment is a life sentence. (Law no. 2019-574, 26 June 2019, Articles 441 to 443)

Law No.2016-111 on the Fight Against Trafficking in Persons criminalises sex trafficking and labour trafficking and prescribes penalties between ten- and 20-years’ imprisonment and a fine of 10 million to 50 million CFA francs (about 18.700 to 93.300 USD) for child trafficking. (Law n° 2016-1111, 8 December 2016, Article 6)

Article 8 provides for life imprisonment, if the trafficking involved torture, inhumane treatment or resulted in the death of the victim (Law n° 2016-1111, 8 December 2016, Article 8).

Law n° 2010-272 of September 2010 prohibits child trafficking and the worst forms of child labour (Law n° 2010-272, 30 September 2010, Article 1).

According to the trafficking report of the USDOS covering the year 2019 “the 2010 law remained the primary law used to prosecute child trafficking, and it criminalized child sex trafficking and labor trafficking with 10 to 20 years’ imprisonment and a fine of five million to 20 million FCFA (\$8,590 to \$34,360)”. (USDOS, 25 June 2020)

However, Article 33 of Law n° 2010-272 provides for life imprisonment, if the trafficking results in the death of the victim, and Article 25 provides for a fine between five million and 50 million CFA francs (about 9.300 to 93.000 USD) for persons who have custody of the child or encourage prostitution. (Law n° 2010-272, 30 September 2010, Article 33)

According to the USDOS, “judges convicted most traffickers under the illegal mining and pimping articles in the penal code rather than under the 2016 anti-trafficking law.” (USDOS, 25 June 2020; see Law n° 2019-574, 26 June 2019, Articles 340, 358 and 359)

The USDOS further notes that “the government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses; however, official corruption and complicity in trafficking remained concerns.” (USDOS, 25 June 2020)

According to a June 2019 Reuters article “Ivory Coast has launched a new strategy to end child labor in cocoa farming and other sectors by raising women’s incomes and building schools. [...] The new action plan, the country’s third, will run from 2019-2021 at a cost of 76 billion CFA Francs (\$132 million).” (Reuters, 26 June 2019)

According to the USDOL, the action plan is coordinated by the National Monitoring Committee on Actions to Combat Trafficking, Exploitation, and Child Labor (CNS) and the Interministerial Committee on the Fight Against Trafficking, Exploitation, and Child Labor and it “aims to significantly reduce the number of children engaged in the worst forms of child labor by building on best practices and improving on lessons learned from the implementation of previous national action plans.” (USDOL, 30 September 2020, section V)

USDOL however adds that although “the government has established policies related to child labor [...] policy gaps exist that hinder efforts to address child labor, including funding and mainstreaming child labor issues into relevant policies.” (USDOL, 30 September 2020, section V)

According to a June 2019 Reuters article, the government “launched its first national action plan against child labor in 2012, but the problem remains widespread in poor farming communities.” (Reuters, 26 June 2019)

Regarding the enforcement of the child labour laws the USDOL report notes the following:

“Research indicates that despite an increase in the number of violations identified and prosecutions initiated, the Anti-Trafficking Unit lacks the resources and personnel to adequately enforce criminal child labor laws throughout the country. The government did not provide any additional details regarding the conviction of individual defendants nor the imposition of penalties. There were some high profile arrests in 2019.” (USDOL, 30 September 2020, section III)

In July 2019 the CRC is concerned regarding the “limited information on convictions of perpetrators of child labour.” (CRC, 12 July 2019, p. 12)

In January 2020 the police rescued 137 children from forced labour and sex work (VOA, 14 January 2020, Thomson Reuters Foundation, 13 January 2020). Police surrounded the eastern town of Aboisso “and searched vehicles, cocoa plantations and nearby villages for children who were being forced to work or transported for purposes of trafficking, the government said” (Thomson Reuters Foundation, 13 January 2020).

According to officials “the children ranged from age six to 17 and were brought into Ivory Coast from Benin, Ghana, Niger, Nigeria, and Togo. The victims are in care of a charity in Aboisso while authorities search for their parents.” (VOA, 14 January 2020)

Twelve traffickers were arrested. The operation “was the first since at least 2017 and followed the launch six months ago of a new national action plan against child labour”. (Thomson Reuters Foundation, 13 January 2020)

According to the June 2020 USDOS trafficking in persons report, the government increased its efforts to identify and protect victims. The report further describes:

“During the reporting period [April 2019 to March 2020], the government reported victim identification statistics combining human trafficking, child labor, and broader child exploitation cases. The government identified 1,004 potential trafficking victims and child exploitation victims during the reporting period, a significant increase from 45 trafficking victims and 53 victims of child labor or child trafficking during the previous reporting period. Of these, the government identified 352 children, 652 adults, 312 Ivoirians, and 692 foreign trafficking victims. Of the 692 foreign victims, 300 were Beninese, 32 Burkinabe, 56 Nigerians, and 184 Togolese, while the remaining 120 were from Mali, Senegal, Niger, Ghana, Guinea-Bissau, Morocco, France, Cameroon, and Liberia. The government identified 137 children and 32 adults in forced labor in the cocoa sector and 14 Ivoirian child forced labor victims in weaving. Traffickers exploited at least 402 of the identified victims in sex trafficking.” (USDOS, 25 June 2020)

Freedom House notes in its Freedom in the World report covering 2019 that “government programs for victims of trafficking - often children - are inadequate.” (Freedom House, 4 March 2020, section G4)

The USDOL notes that “despite an increase in activities, the scope of existing programs is insufficient to fully address the extent of the child labor problem in Côte d'Ivoire” and adds:

“The government primarily relies on NGOs to provide social services to victims of child labor and child trafficking. The Government of Côte d'Ivoire lacks funding and resources for social services. In June 2019, the World Bank project, Productive Social Safety Net, was approved for \$100 million in additional funding.” (USDOL, 30 September 2020, section VI)

In June 2020 the United Nations Office on Drugs and Crime (UNODC) mentions the following regarding the impact of COVID-19 on the provision of essential services for victims of trafficking:

“Since the outbreak of COVID-19 in Cote d’Ivoire, the Government declared a State of Emergency, suspended all gatherings and installed a curfew by presidential decree to protect the population and stop the spread of the virus. The COVID-19 pandemic has impacted on the capacity of state authorities and non-governmental organizations to provide essential services to victims of trafficking, who are particularly exposed to contracting the virus, less equipped to prevent it, and have less access to healthcare. Essential operations to support victims of trafficking such as providing legal assistance and health care services have become a challenge, due to countries adjusting their priorities during the pandemic.” (UNODC, 23 June 2020)

7 Situation of individuals with disabilities

According to Article 4 of the constitution of 2016 no one may be privileged or discriminated against because of their physical or mental state (Law n° 2016-886, 8 November 2016, Article 4). Article 32 provides for the state to take necessary measures to prevent the vulnerability of persons with disabilities (Law n° 2016-886, 8 November 2016, Article 32) and Article 33 stipulates state protection and integration of persons with disabilities (Law n° 2016-886, 8 November 2016, Article 33).

Article 421 of the penal code punishes violence against and neglect of persons with disabilities (Law no. 2019-574, 10 July 2019, Article 421) and Article 422 punishes the abandonment of such persons (Law no. 2019-574, 10 July 2019, Article 422).

The USDOS mentions the following regarding the situation of persons with disabilities under the law:

“The law requires the government to educate and train persons with physical, mental, visual, auditory, and cerebral motor disabilities; hire them or help them find jobs; design houses and public facilities for wheelchair access; and adapt machines, tools, and work spaces for access and use by persons with disabilities as well as to provide them access to the judicial system.” (USDOS, 11 March 2020, section 6; see Law no. 98-594, 10 November 1998; Law no. 2015-532, 20 July 2015, Articles 12.1. to 12.3., and Decree no. 2018-456, 9 May 2018)

The above-mentioned legal provisions regarding persons with disabilities are found in Law no. 98-594 of 10 November 1998 regarding people with disabilities, in the labour code (Law no. 2015-532) of 20 July 2015 and in Decree no. 2018-456 of 9 May 2018 on the employment of persons with disabilities in the private sector.

In February 2020 the African Press Agency reports that the Federation of Associations for the Social Promotion of the Disabled of Côte d'Ivoire (Fédération des associations des personnes handicapées de Côte d'Ivoire, FAHCI) called on President Alassane Ouattara to establish a national observatory for persons with disabilities. The institution should promote the rights of people with disabilities in the country. Raphaël Dogo, the president of FAHCI also presented the Ivorian legislative and regulatory framework for people with disabilities. According to him, these texts are little known and little followed in the country. (African Press Agency, 26 February 2020)

According to the USDOS, laws regarding people with disabilities “were not effectively enforced” (USDOS, 11 March 2020, section 6)

In July 2019 the UN Human Rights Council (HRC) notes, that “with regard to vulnerable persons, the country had developed the National Social Protection Strategy (2017–2020) and a policy to promote the employment of persons living with a disability.” (HRC, 3 July 2019 p. 4)

In its state report to the HRC dated February 2019, the government notes that it “has developed a national strategy and programme to facilitate the employment of persons with disabilities. It has also taken specific steps to protect the rights of persons with albinism.” In 2015 and November 2018 the Government authorised the recruitment of 458 persons with disabilities to the public service on the basis of special regulations. The government also mentions the adoption of a May 2018 decree concerning the employment of persons with disabilities in the private sector.” (HRC, 19 February 2019, p. 11; see also Decree no. 2018-456, 9 May 2018)

In its submission to the HRC dated April 2019 the Federation of Organisations of Disabled Persons of Côte d'Ivoire (Confédération des Organisations des Personnes Handicapées de Côte d'Ivoire, COPHCI) mentions that several decrees implementing the Law No. 98-594 of 10 November 1998, facilitating education and employment for individuals with disabilities, are still awaiting signature. The lack of reliable statistical data on persons with disabilities hinders the government and its international partners regarding their decision-making in favour of persons with disabilities. The non-ratification of the Optional Protocol to the United Nations Convention on the Rights of Persons with Disabilities prevents organisations defending the rights of persons with disabilities from referring violations of the provisions of the Convention by the State Party of Côte d'Ivoire to the Committee on the Rights of Persons with Disabilities. (COPHCI, April 2019, pp. 4-5; see also UN Treaty Body Database, undated) COPHCI mentions that most people with disabilities in Côte d'Ivoire are still unemployed. Recruitment of persons with disabilities to the civil service is still arbitrary and left to the goodwill of the state. Companies are still reluctant to employ persons with disabilities because they cannot on their own make the appropriate changes to make the workplace accessible. (COPHCI, April 2019, pp 3-4)

The USDOS notes that “persons with disabilities reportedly encountered serious discrimination in employment and education. Prisons and detention centers provided no accommodations for persons with disabilities.” The report further mentions:

“Vision- and hearing-impaired persons were also discriminated against in civic participation, since political campaigns did not include provisions for them, either in braille or sign language. A human rights organization brought this to the attention of the CEI [Independent Election Commission, Commission Electorale Indépendante] but received no substantive response.

[...] Although the law requires measures to ensure persons with disabilities’ access to transportation and buildings and designated parking spots, human rights organizations reported these were lacking around the country.

The government financially supported some separate schools, training programs, associations, and artisans’ cooperatives for persons with disabilities, located primarily in Abidjan, but human rights organizations reported these schools functioned more as literacy centers that did not offer the same educational materials and programs as other schools. Many persons with disabilities begged on urban streets and in commercial zones for lack of other economic opportunities. It was difficult for children with disabilities to

obtain an adequate education if their families did not have sufficient resources. Although public schools did not bar persons with disabilities from attending, such schools lacked the resources to accommodate students with disabilities. Homelessness among persons with mental disabilities was reportedly common.” (USDOS, 11 March 2020, section 6)

“Electoral staff and fellow voters at polling sites were observed assisting voters with disabilities, such as those who were unable to walk up the stairs.” (USDOS, 11 March 2020, section 3)

On 3 December 2020, the International Day of Persons with Disabilities, RFI publishes an article mentioning that people with disabilities are hidden by their families out of a sense of shame. Beyond prejudice, a disability poses very serious financial problems for often poor families. Children who cannot move around on their own cannot go to school and are condemned to poverty and dependence. (RFI, 3 December 2020)

The Ivorian newspaper *Fraternité Matin* in September 2020 notes that the national association of the deaf (*Association nationale des sourdes de Côte d'Ivoire, Anaso-ci*) called on the government for assistance to improve the living conditions of deaf people. The organisation wants to raise awareness among the population on the importance of sign languages for the full realisation of the fundamental rights of deaf people. (*Fraternité Matin*, 25 September 2020)

No further information regarding the situation of persons with mental disabilities could be found.

8 Situation of individuals of diverse sexual orientations or gender identities (SOGI)

In its World Report covering 2019, HRW notes that “consensual sexual relations between consenting individuals of the same sex are not criminalized in Côte d’Ivoire” (HRW, 14 January 2020).

Freedom House also mentions that “same-sex activity is not criminalized in Côte d’Ivoire”, however, “no law prohibits discrimination based on sexual orientation.” (Freedom House, 4 March 2020, section F4)

According to HRW, the new penal code of June 2019 “removed references to acts between members of the same sex as an aggravating factor in cases of public indecency.” (HRW, 14 January 2020)

Articles 416 and 417 of the penal code cover public indecency (Outrage public à la pudeur). Article 416 punishes public indecency by imprisonment of three months to two years and a fine of 50,000 to 500,000 CFA francs (about 93 to 933 USD). If the offense is committed against a minor or in the presence of a minor, the penalties may be doubled. (Law no. 2019-574, 26 June 2019, Article 416; see also USDOS, 11 March 2020, section 6)

AI notes that under the UN Universal Periodic Review in May 2019 “Côte d’Ivoire explicitly rejected recommendations aiming to protect LGBTI [lesbian, gay, bisexual transgender and intersex] individuals against violence” (AI, 8 April 2020).

Aimée Zebeyoux, Minister of State for Human Rights at the Ministry of Justice and Human Rights, “indicated” on 10 May 2019 “that the position of Côte d’Ivoire remained unchanged since the second cycle of the universal periodic review. Consequently, no measures had been taken or were envisaged to promote public acceptance of lesbian, gay, bisexual, transgender or intersex persons in Côte d’Ivoire.” The Minister nevertheless “clarified that Ivorian legislation did not criminalize the sexual orientation of persons living in Côte d’Ivoire.” (HRC, 3 July 2019, p. 8)

In its report dated December 2019, the International Lesbian, Gay, Bisexual, Trans and Intersex Association (ILGA) notes that two homosexuals were sentenced to 18 months imprisonment at the end of 2016 (ILGA, December 2019, p. 31). No further cases of prosecution are mentioned by the organisation.

According to Freedom House “LGBT+ people face societal prejudice as well as harassment by state security forces.” (Freedom House, 4 March 2020, section F4)

According to the Bertelsmann Foundation, minorities, such as people with LGBTQ sexual orientation “face discrimination and lack legal protection.” (Bertelsmann Stiftung, 29 April 2020, p. 21)

The USDOS cites reports by human rights organisations, saying that changes in criminal law “did not prevent tacit discrimination based on sexual orientation or gender identity.” (USDOS, 11 March 2020, section 6)

HRW notes that “incidents of discrimination against lesbian, gay, bisexual, and transgender (LGBT) persons - including physical assaults - are common.” (HRW, 14 January 2020)

The USDOS further mentions that “human rights organizations reported the LGBTI community continued to face discrimination based on sexual orientation, as well as acts of violence against members of that community.” The report goes on to describe:

“Law enforcement authorities were at times slow and ineffective in their response to societal violence targeting the LGBTI community. Reports continued that LGBTI community members were evicted from their homes by landlords or their families. Security forces sometimes tried to humiliate members of the transgender community by forcing them to undress in public. Members of the LGBTI community reported discrimination in access to health care, including instances in which doctors refused to give treatment and pharmacists told them to follow religion and learn to change.” (USDOS, 11 March 2020, section 6)

“Members of the transgender community reported difficulty obtaining identity and voting documents.” (USDOS, 11 March 2020, section 3)

In its previous human rights report covering the year 2018 the USDOS describes a similar situation, the report however, also contains the following information regarding the situation of the LGBTI community:

“Two members of the transgender community were killed in Abidjan, one in February and the other in May; in one case a person was arrested, then released, and for the other, no one had been arrested by year’s end. Members of the LGBTI community reported that police rarely investigated violence against LGBTI persons. Human rights organizations reported that LGBTI persons who were attacked seldom reported the crime to police, due to fear of revenge and further abuse, as well as discrimination upon revealing their sexual orientation. Paying the authorities was often required for them to conduct investigations. [...] Human rights groups [...] reported several instances of LGBTI persons being beaten or blackmailed by neighborhood thugs. [...]

The few LGBTI organizations in the country operated freely but with caution to avoid attracting the attention of persons who might attack or otherwise abuse its members. New NGOs promoting human rights for members of the LGBTI community were founded, including two new transgender groups based in Abidjan and a group in northern part of the country. These groups advocated on behalf of victims and collaborated with local human rights group to prod the police to investigate cases of violence against members of the LGBTI community. They also organized discussions with community and religious leaders to explain how rejecting LGBTI family members could do great harm.” (USDOS, 13 March 2019, section 6)

The OFPRA report on a fact-finding mission to Côte d’Ivoire between 25 November and 7 December 2019 cites information provided by LGBTI rights defenders representing local initiatives. OFPRA notes that the interviews with individuals and local initiatives revealed that they could not provide a comprehensive view of the situation across the country. One interviewed organisation operates an alert system for members by phone and on social networks. Another organisation mentioned that it recorded nine aggressions (“agressions”) in Bouaké between June and November 2019. A further interviewee separately mentioned the

documentation of seven cases of violence without specifying the location. OFPRA notes that transgender persons are particularly vulnerable and provides information on two cases in Abidjan, an attack on a young transgender person and another case regarding multiple assaults on a transgender person. The report does not specify when these incidents happened exactly. (OFPRA, 7 December 2019, p. 105)

Please refer to section 13 of the report by OFPRA for further details:

- OFPRA – Office Français de Protection des Réfugiés et Apatrides: Rapport de mission en République de Côte d’Ivoire du 25 novembre au 7 décembre 2019, 7 December 2019
https://www.ofpra.gouv.fr/sites/default/files/atoms/files/ofpra_cnda_cote_divoire_rapport_de_mission_en_republique_de_cote_divoire_du_25_novembre_au_7_decembre_2019.pdf

9 Rule of law

In its country overview of the Côte d'Ivoire the German Corporation for International Cooperation (Deutsche Gesellschaft für Internationale Zusammenarbeit, GIZ) explains that the country is affected by corruption and nepotism. Moreover, national laws are usually only superficially valid. For example, there are groups carrying out vigilante justice that are difficult to control. Among them are the Dozos, originally hunters from the northern areas of Côte d'Ivoire, who fought among the rebels and who sometimes and especially in the north replace government justice. Ethnic conflicts and lawlessness prevail in some regions of the country. (GIZ, last updated September 2020)

9.1 Impunity/accountability for crimes

Several sources mention impunity in relation to crimes committed surrounding the election process. They especially point to a climate of impunity following the election violence of 2010-2011, where most perpetrators of abuses from both sides have not been held accountable (AI, 8 April 2020; GCR2P, 15 November 2020; Freedom House, 4 March 2020, section F3). According to Freedom House, the few prosecutions that did take place mostly concerned individuals associated with former president Laurent Gbagbo (Freedom House, 4 March 2020, section F3). In August 2018 President Ouattara issued an amnesty for 800 individuals, among them military officers and political leaders, for their involvement in crimes during the post-electoral violence 2010-2011 (FIDH/LIDHO/MIDH, 15 November 2018). The Social Institutions & Gender Index for Côte d'Ivoire published by the Organisation for Economic Co-operation and Development (OECD) in December 2018 mentions impunity specifically for sexual violence and rape:

“Sexual violence and rape are prevalent in Côte d'Ivoire and marked by an impunity of perpetrators, due to several factors, including the collapse of judicial institutions as a result of the diverse crises between 2002 and 2011 and the absence of police forces and courts in certain regions [...]” (OECD, December 2018, p. 5)

Human Rights Watch in its annual report of January 2020 goes into further detail regarding the lack of accountability for crimes committed during 2010-11 post-election crisis:

“The government, however, failed to tackle the root causes of past political violence, notably entrenched impunity, a politicized judiciary, and longstanding political and ethnic tensions. The International Criminal Court (ICC)'s January 2019 acquittal of former President Laurent Gbagbo and his youth minister and militia leader Charles Blé Goudé, and the halting of domestic prosecutions, further entrenched impunity for crimes committed after the 2010-11 elections, which left thousands dead. [...]”

In the year after President Ouattara's August 2018 amnesty for crimes committed during the 2010-11 post-election violence, there was little progress in domestic investigations by the Special Investigative and Examination Cell. The cell, established in 2011, had in previous years charged more than two dozen senior military officers and political leaders with crimes against humanity or war crimes. The Ivorian government stated in February that the amnesty law does not preclude Ivorian judges from investigating the worst crimes committed during the crisis, noting that it does not apply to individuals who are

‘members of the military and armed groups.’ On November 6 [2019], Ivorian judges confirmed charges against Blé Goudé in Côte d’Ivoire for alleged crimes during the 2010-11 post-election crisis, including murder, rape, and torture. Other than the Blé Goudé’s case, however, the Special Cell has frozen its investigations, making it unlikely that alleged perpetrators will ever face trial.

On April 4, three human rights groups, two Ivorian and one international, filed a Supreme Court complaint contesting President Ouattara’s authority to issue the amnesty, arguing that it violated Côte d’Ivoire international human rights treaty obligations. At time of writing, the case had not yet been decided. Neither Côte d’Ivoire’s Special Cell nor the ICC have investigated crimes committed during election-related violence in 2000, or the 2002-2003 armed conflict. A government reparations program continued to give victims of the 2002-2011 conflicts financial payments, medical treatment, and other forms of assistance.” (HRW, 14 January 2020)

The International Center for Transitional Justice (ICTJ), a non-profit-organisation advising countries in transition processes and promoting accountability for human rights abuses, in a January 2019 article similarly describes measures being taken to end post-electoral impunity of 2010-2011, also mentioning the special investigative unit (Cellule Special d’Enquête et Instruction) and investigations by the International Criminal Court. It explains, however, that there is a pact among the Ivorian political elite to prevent accountability, instead victims are asked to forgive and so far, “only very limited measures of reparations have been delivered to a small number of victims”:

“The Ouattara administration had assured all Ivorians equal treatment by promising accountability for past crimes, reparations for victims, and an end to impunity, including for crimes committed by the forces that supported Ouattara during the conflict. The Cellule Special d’Enquête et Instruction (Special Investigative Unit) was charged with investigating the post-election violations. But, to date, Côte d’Ivoire has failed to bring to justice alleged perpetrators of international crimes and other serious violations. In the only trial for gross human rights abuses, the prosecutor refused to include two emblematic co-accused perpetrators, and the trial ultimately resulted in acquittal of Simone Gbagbo due to the inability of the prosecutor to provide sufficient evidence. For almost two years, there has been no news about the pending appeal in this case. The failure to successfully indict perpetrators aligned with Ouattara has left the country divided. [...]

By making impunity for one side depend on the impunity of the other, the Ivorian political elite has reached a convenient pact that shields all responsible from accountability. Failing to deliver justice, the Ivorian authorities have repeatedly promised to pursue social cohesion and reparations—both important elements in rebuilding post-conflict societies. However, proof of making good of these promises has been highly questionable. Most importantly, the authorities’ approach has been based on solidarity, rather than on an acknowledgment of the human rights violations and addressing the causes and the consequences of those violations. It has instead placed the burden on the victims to forgive, while their rights continue to be ignored. The reparations process has

also been marred by series of blunders, and, so far, only very limited measures of reparations have been delivered to a small number of victims who were selected without transparent criteria.” (ICTJ, 30 January 2019)

France 24 reports in December 2019 that Charles Blé Goudé, who had been acquitted of crimes against humanity by the International Criminal Court (ICC), subsequently received a prison sentence in absentia of twenty years by an Ivorian court. The charges are said to be murder, rape and torture committed in 2010-2011 when he mobilised the masses for former President Laurent Gbagbo. (France24, 31 December 2019)

Amnesty International, following the most recent election violence in October 2020, explains that impunity has led to killings and other human right violations in the country:

“Authorities in Côte d’Ivoire must investigate the killing of dozens of people with rifles, guns and machetes since the presidential election, Amnesty International said today. [...] ‘We are urging the Ivorian authorities to investigate the bloody violence and bring perpetrators to justice. The impunity that has long reigned in Côte d’Ivoire provides fertile ground for people to commit killings and other human rights violations with no fear of being held to account,’ said Samira Daoud, Amnesty International West and Central Africa Director.” (AI, 16 November 2020)

The following sources contain information on the prevailing impunity for state actors:

In its Transformation Index report (covering 1 February 2017 until 31 January 2019) Bertelsmann Stiftung calls the accountability of the Ivorian state actors “a matter of debate”:

“The president has repeatedly claimed that he wants to establish an accountable government, but whether state actors are subjected to law is a matter of debate. The strongest effective check on government likely remains the extra-constitutional veto players in the security apparatus. The judiciary can only insufficiently balance the hegemony of the executive.” (Bertelsmann Stiftung, 29 April 2020, p. 9)

Regarding state officials acting with impunity, the March 2020 USDOS report mentions judiciary, police and security forces being involved in corrupt practices:

“The law provides criminal penalties for corruption by officials, but the government did not implement the law effectively, and officials frequently engaged in corrupt practices with impunity. Human rights organizations reported significant official corruption, with corruption in the judiciary, police, and security forces being areas of particular concern. Many members of the security forces, including senior army officers, continued to engage in racketeering and extortion to profit from the illicit exploitation of natural resources.” (USDOS, 11 March 2020, section 4)

According to Freedom House, “[s]ecurity officials are susceptible to bribery and are rarely held accountable for misconduct (Freedom House, 4 March 2020, section F2) while Human Rights Watch more broadly notes that “[m]embers of the army, police, or gendarmerie were rarely punished for corruption and other more serious offenses” (HRW, 14 January 2020).

In its report on the human rights situation covering 2019, Amnesty International notes that “[s]ecurity forces used excessive force with impunity against peaceful protesters” (AI, 8 April 2020). In an August 2020 press release AI describes how police in Abidjan enlisted an armed mob to attack protesters demonstrating against President Ouattara:

“According to exclusive testimony obtained by Amnesty International, police officers in Abidjan apparently allowed groups of men, some of whom were armed with machetes and heavy sticks, to attack protesters demonstrating against President Alassane Ouattara’s decision to run for a third term in office. In a rare interview, a police officer who was on duty on 13 August in Yopougon district of Abidjan told Amnesty International he was alarmed to hear his colleagues talk about how the armed men had ‘helped’ police disperse protesters last week. Two minivans (Gbakas) ferrying dozens of young men, some armed, were driven to two protest locations where the officer was present. At one location, a couple of men on a motorbike escorting the Gbakas approached the police officer-in-charge and after a brief conversation, the group of young men went into the neighbourhood unhindered and begun chasing after and dispersing protesters.” (AI, 18 August 2020)

The French-German publicly owned television channel ARTE in September 2020 features a report on efforts to curb police corruption in the country. According to the report, the police take bribes and extort money from citizens, a behaviour that is said to be a legacy of 20 years of conflict in Côte d'Ivoire. At roadblocks all over the country the police collect money from truck, bus and car drivers. Since all traffic of goods takes place via roads, police officers can make a lot of money this way. A simple identity check can easily end up with demands for money. In the best case it is only small sums of money, in the worst case, violence comes into play, sometimes even leading to manslaughter. The corrupt officers are called "mange-mille", because they like to take 1,000 CFA-Franc bills from the people, which is about EUR 1.50. The report focuses on the military court in Abidjan, the only one of its kind in the whole country. Here, the judges fight with modest means against the common impunity of police and military personnel. At the court there is a complaints office for victims of offences committed by officials such as protection racketeering on the open road, police violence and trade with forged papers. During the proceedings, witnesses rarely comply with their summons and the taking of evidence is insufficient. According to a prosecutor, the victim's testimony is often the only available evidence. However, the witnesses rarely have the courage to come to court and testify, so the prosecution has a hard time getting the court to convict. (ARTE, 18. September 2020)

In its country report covering the human rights situation in 2019, Human Rights Watch mentions similar extortion practices by security forces detailed by ARTE above and describes the case of an activist, who tried to shed light on these practices, was convicted for public order offenses and received an even harsher sentence upon appeal:

“Members of the security forces continued to engage in racketeering and extortion, particularly at checkpoints on secondary roads. Online activist Soro Tangboho was arrested in November 2018 for live streaming police officers whom, he claimed, were extorting money from motorists. He was convicted on June 7 for public order offenses;

his initial one-year sentence was increased to two after a July 31 appeal. Members of the army, police, or gendarmerie were rarely punished for corruption and other more serious offenses.” (HRW, 14 January 2020)

The following sources point to prevailing impunity for non-state actors:

The News website of the United Nations informs in an article of October 2020 about intercommunal clashes in pre-election violence leading to 20 deaths in the East and Southeast of the country. According to the article, unidentified individuals attacked opposition protesters with knives and machetes with impunity. (UN News, 27 October 2020)

The French independent online journal Mediapart in October 2020 publishes a report that describes in greater detail one case related to the above-mentioned intercommunal election violence. The report recounts the events in a village near the town of Dabou, about 45 kilometres west of Abidjan, where armed men ransacked and torched a school as well as adjacent buildings. Most students and teachers managed to flee before the attack, but a student was found dead later, with fatal wounds caused by a gun and a machete. Villagers of the Adiokru ethnic group hesitantly made members of the Dioula and supporters of President Ouattara responsible for the attack. Following this attack, in the village of Mangrotou a mosque was ransacked and houses were burned down. A villager made members of the Adiokru responsible and said that the police refused to help who argued that this was just a political spat. (Mediapart, 27 October 2020)

In an opinion piece published by the news website Connection Ivoirienne, author Venance Konan in light of the violence following the presidential election of October 2020 writes about longstanding impunity for lynchings of suspected criminals, crimes of murder and rape carried out by political partisans as well as killings of suspected “sorcerers”, adding that the “list of crimes going unpunished in this country is endless”. (Connection Ivoirienne, 3 December 2020)

Abidjan.net reports in November 2019 that the NGO Group of women’s organisations for the equality of men and women (Groupe des organisations féminines pour l'égalité Hommes-Femmes, GOFEHF) at a meeting in Abidjan denounced the recurrence of sexual violence in Côte d'Ivoire, indicating that in 2019 up to 21 cases of rape of minors were documented. The NGO estimates that the impunity for the perpetrators of rape exacerbates this phenomenon. (Abidjan.net, 30 November 2019)

Jeune Afrique mentions in a February 2018 article by Abidjan-based journalist André Silver Konan, that in the years 2016 and 2017 there were four cases of lynchings targeting members of the security forces, adding that at the time of the publishing of the article, no one had been charged with these murders. Konan goes on to mention that these crimes are related to impunity. Some members of the security forces are involved in racketeering schemes on the roads and there has been little effort to combat this phenomenon. Moreover, people take the law into their own hands because they lack confidence in institutions. According to a civil society activist, only on few occasions investigations come to successful conclusions. People

turn to criminal acts more easily if they are sure that they do not risk prosecution. In the four years up to the publishing of the article there are said to have been eight cases of intercommunal violence in the country leading to dozens of deaths, without anyone being charged. (Jeune Afrique, 21 February 2018)

9.2 Arbitrary arrest and detention

The UDSOS report on human right practices in 2019 outlines the legal provisions regarding arrest and pretrial detention in Côte d'Ivoire, declaring the Directorate of Territorial Surveillance – a department under the Ministry of Security and Civil Protection in charge of countering external threats (USDOS, 11 March 2020, Executive Summary) - as well as other authorities responsible for carrying out arbitrary arrests and detaining individuals longer than the legally prescribed pretrial period of 48 hours:

“The constitution and law prohibit arbitrary arrest and detention, but both reportedly occurred. The DST [Directorate of Territorial Surveillance] and other authorities arbitrarily arrested and detained persons, often without charge. They held many of these detainees briefly before releasing them or transferring them to prisons and other detention centers, but they detained others for lengthy periods. The limit of 48 hours pretrial detention by police was generally not enforced. Although detainees have the right to challenge in court the lawfulness of their detention and to obtain release if found to have been unlawfully detained, this rarely occurred. Most detainees were unaware of this right and had limited access to public defenders. In December 2018 the government introduced a new penal procedural code, which contains, among other things, the state’s right to detain a suspect for up to 48 hours without charge, subject to renewal by an appeals court magistrate. An investigating magistrate can request pretrial detention for up to four months at a time by submitting a written justification to the national prosecutor. First-time offenders charged with minor offenses may be held for a maximum of five days after their initial hearing before the investigative magistrate. Repeat misdemeanor offenders and those accused of felonies may be held for six and 18 months, respectively.

Police often arrested individuals and held them without charge beyond the legal limit. While the law provides for informing detainees promptly of the charges against them, this did not always occur, especially in cases concerning state security or involving the DST. A bail system exists but was reportedly used solely at the discretion of the trial judge. Authorities generally allowed detainees to have access to lawyers, but in cases involving national security, authorities did not allow access to lawyers and family members. For other serious crimes, the government provided lawyers to those who could not afford them, but offenders charged with less serious offenses often had no lawyer. Attorneys often refused to accept indigent client cases they were asked to take because they reportedly had difficulty being reimbursed by the government as prescribed by law. Observers reported multiple instances in which detainees were transferred to detention facilities outside their presiding judge’s jurisdiction, in violation of the law. The vast majority of the country’s attorneys reside in Abidjan; detained persons outside the city had particular difficulty obtaining legal representation.

Arbitrary Arrest: The law does not sanction arbitrary arrest, but authorities reportedly used the practice. [...]

Pretrial Detention: According to officials, 6,695 inmates were in pretrial detention, more than 30 percent of the total inmate population. Prolonged pretrial detention was a major problem. In some cases the length of detention equaled or exceeded the sentence for the alleged crime. Inadequate staffing in the judicial ministry, judicial inefficiency, and lack of training contributed to lengthy pretrial detention. There were reports of pretrial detainees receiving convictions in absentia, with prison authorities claiming their presence was not necessary, and sometimes detainees were not given sufficient notice and time to arrange transportation.” (USDOS, 11 March 2020, section 1d)

The above-mentioned criminal procedure code can be accessed in full via the following link:

- Law no. 2018-975 (Criminal Procedure Code) - Loi n° 2018-975 portant Code de Procédure pénale, 27 December 2018 (published in the Journal Officiel 13 March 2019)
<http://www.caidp.ci/uploads/997a8149124ebaffe41282e96908d822.pdf>

In its report on the human rights situation covering 2019, Amnesty International notes that “[p]olitical activists, journalists and human rights defenders were arbitrarily arrested and detained” (AI, 8 April 2020). The March 2020 Freedom House report states that “[p]rolonged pretrial detention is a serious problem for both adults and minors, with some detainees spending years in prison without trial” (Freedom House, 4 March 2020, section F2).

The following cases of arbitrary arrest and detention that could be found are in connection to political activism.

Human Rights Watch in December 2020 reports the arbitrary arrests of Pascal Affi N’Guessan as well as of 11 further opposition members in November 2020 and adds that their lawyers call the charges brought against them “politically motivated”:

“On November 3, police arrested 11 opposition members at Bédié’s Abidjan house. Eight of them were transferred that night to the National Surveillance Directorate (Direction de la Surveillance du Territoire, DST), a domestic intelligence agency that is not an authorized detention site under Ivorian law. They were detained and questioned there for three nights without access to a lawyer or communication with family members. Three opposition parliament members among those arrested were held in police custody but also questioned at the DST without access to a lawyer. All 11 were brought before an investigating judge on November 6. Nine have since been released on conditional bail, while two prominent members of Bédié’s political party, Maurice Kakou Guikahué and N’dri Pierre Narcisse, remain detained at Abidjan’s central prison (Maison d’Arrêt et de Correction d’Abidjan, MACA). Pascal Affi N’Guessan, an opposition spokesperson and former prime minister, was arrested the night of November 6, and, his lawyer said, held incommunicado at the DST and questioned without access to his lawyer. He was brought before an investigating judge on November 9, and denied bail. [...]

N’Guessan and the 11 opposition members arrested on November 3 have been charged with terrorism, attacks against the authority of the state, and murder, among other charges. Adou, the chief prosecutor, said on November 2 that the charges relate to the opposition parties’ call for ‘civil disobedience’ prior to and during the election and the announcement of a National Transitional Council. Opposition lawyers said the charges against them were politically motivated, while Ivorian human rights groups said that executive interference in political cases means that they have little chance of a fair trial. The Ivorian government should refrain from interfering in political cases, Human Rights Watch said, and the Ivorian judiciary should release anyone arbitrarily arrested on the basis of their political affiliation.” (HRW, 2 December 2020)

The Inter-Parliamentary Union (IPU), a global organization of national parliaments to promote peace, democracy and sustainable development in a report of November 2020 addresses the cases of five Ivorian parliamentarians of the opposition who were subjected to arbitrary arrest and in December 2019, four of them being subsequently detained for nine months:

“In December 2019, the Committee received a new complaint about nine members of the National Assembly, including Mr. Lobognon, who had allegedly been arbitrarily arrested with Mr. Loukimane Camara, Mr. Kando Soumahoro, Mr. Yao Soumaïla and Mr. Soro Kanigui on 23 December 2019. The five members of parliament have been charged with causing public disorder, challenging the authority of the State and spreading fake news, bringing discredit to state institutions and their operation, all of which amount to an attack on state authority. [...]

The Governing Council of the Inter-Parliamentary Union [...] Notes the provisional release under judicial supervision of Mr. Loukimane Camara, Mr. Soro Kanigui, Mr. Soumaïla Yao and Mr. Kando Soumahoro; considers nevertheless that the restrictive conditions attached to their release are in no way justified; considers, rather, that such conditions reinforce the complainants' allegations that the proceedings against these members of parliament are politically motivated and are part of the continued political and judicial harassment to which they have been subjected since 2019; underscores that these members of parliament remained in detention for nine months with no legal prospect of a fair trial being held.” (IPU, 3 November 2020, pp. 2-3)

The UDSOS report on human right practices in 2019 refers to a case of arbitrary arrest of an opposition politician based on trumped-up charges:

“In September [2019] security forces arrested a prominent opposition political party official on charges of harboring at his secondary residence an illegal weapons cache comprising machetes and bullets, although the official himself had informed the security forces of their presence and the cache did not include firearms, nor was the official living at the residence where the cache was found. The official was convicted and sentenced to five years in prison within five days of his arrest, a remarkably short time.” (USDOS, 11 March 2020, section 1d)

The International Federation for Human Rights (FIDH) and the World Organisation Against Torture (OMCT) in a press release of September 2020 denounce the arbitrary arrest of

Pulchérie Gbalet, the president of the Alternative citoyenne ivoirienne (ACI), an NGO platform campaigning for human rights, together with further fellow activists on the sidelines of a protest against a third term of President Ouattara. (FIDH/OMCT, 1 September 2020, see also ARTICLE 19, 25 August 2020). The Ivorian news website KOACI further describes the circumstances of the arrest of Ms Gbalet, noting that she was taken away by unidentified men to an unidentified location (KOACI, 17 August 2020). The online news portal Abidjan.net reports in mid-November 2020, that Ms Gbalet has been in pretrial detention since 15 August 2020 and that her scheduled court hearing did not take place (Abidjan.net, 17 November 2020). ARTICLE 19, an international human rights NGO promoting freedom of expression and freedom of information worldwide, in an article of August 2020 mentions that Gbalet stands accused of ‘inciting revolt and calling for insurrection’, while five more women arrested during protests are accused of ‘disturbing public order, inciting revolt, violence against law enforcement officials and destruction of other people’s property’ (ARTICLE 19, 25 August 2020).

Amnesty International paints a similar picture regarding politically motivated arbitrary arrests and prison sentences in the five years before the publication of the article:

“Authorities in Côte d’Ivoire must end arbitrary arrests and harassment of people for perceived critical views and dissent, and immediately and unconditionally release those detained, Amnesty International said as next year’s presidential elections approaches. [...]

‘The Ivorian authorities’ use of repressive laws amid a crackdown on the right to freedom of expression has resulted in the arbitrary detention of scores of people simply for peacefully exercising their human rights,’ said François Patuel, Amnesty International’s West Africa Researcher. [...]

There has been at least 17 cases of arbitrary detention of journalists and bloggers in the last five years while the National Council of the Press has repeatedly sanctioned newspapers with suspensions and hefty fines. It has particularly targeted publications expressing perceived critical views about the authorities and close to opposition groups. [...] ‘Arbitrary arrests and judicial harassment of activists and opposition leaders are part of a sustained attack on dissenting voices in Côte d’Ivoire,’ said François Patuel. [...]

On 8 November 2018, online activist Soro Tangboho also known as Carton Noir was arbitrarily arrested in the northern town of Korhogo. He was subjected to torture and other ill-treatment for having streamed live on Facebook police officers who were, according to him, extorting money from motorists. He was beaten in the premises of the police station where he spent two nights before being transferred to the DST.” (AI, 11 February 2019)

For more detailed information on the treatment of protesters please refer to [section 4.2](#)

For more detailed information on the treatment of opposition supporters please refer to [section 4.3](#)

9.3 Independence of the judiciary

Articles 139-162 of the Ivorian constitution deal with the judicial system. Articles 139-142 lay down the independence of the judiciary. (Law n° 2016-886, 8 November 2016, Articles 139-142)

According to Freedom House “[t]he judiciary is not independent, and judges are highly susceptible to external interference and bribes (Freedom House, 4 March 2020, section F1). Human Rights Watch in its report of January 2020 describes the judiciary as “politicized”, adding that the “justice system lacks independence and judges regularly experience pressure from the executive. Judges report that the risk of interference is greatest in political cases, but can occur in any civil or criminal trial” (HRW, 14 January 2020). In its country overview of the Côte d’Ivoire the German Corporation for International Cooperation (Deutsche Gesellschaft für Internationale Zusammenarbeit, GIZ) notes that in cases that are sensitive to security policy, the judiciary follows the government's instructions. Overall, the judicial system is described to be slow and inefficient and arbitrary arrests are said to occur frequently. The system lacks the traditions of a politically independent judiciary. According to GIZ, a separation of powers exists on paper, yet although an institutionally differentiated judicial system is in place, the dominance of the executive branch is not questioned. GIZ adds that lawyers are still corrupt, and security forces and militias operate in a climate of relative impunity. (GIZ, last updated September 2020)

Overseas Security Advisory Council (OSAC), a joint venture between the Department of State and the U.S. private sector to exchange information about security issues overseas, in its 2020 Crime & Safety Report on Côte d’Ivoire notes the following regarding the judicial system:

“The judicial system is equally under-resourced and ill-equipped to process its current case load and to incarcerate convicted criminals in accordance with international standards. Government corruption remains a serious problem in Côte d’Ivoire, and has an impact on judicial proceedings, contract awards, customs, and tax issues.” (OSAC, 13 March 2020)

The UDSOS report on human right practices in 2019 makes the following comments regarding the legal basis for the work of the judiciary branch and how it deals with cases in practice:

“The constitution and law provide for an independent judiciary, and although the judiciary generally was independent in ordinary criminal cases, the government often did not respect judicial independence. Civilian indictments against pro-Ouattara elements for crimes committed during the 2010-11 postelectoral crisis continued to be lacking. There were also numerous reports of judicial corruption, as bribery or intimidation-influenced rulings. In January two unions of magistrates denounced ‘threats, intimidation, and interference’ by the country’s executive and legislative bodies, urging the government ‘to enforce the principle of separation of powers enshrined in the Ivorian constitution.’ [...]

The constitution and law provide for an independent judiciary in civil matters, but the judiciary was subject to corruption, outside influence, and favoritism based on family and ethnicities. Citizens may bring lawsuits seeking damages for, or cessation of, a human

rights violation, but they did so infrequently. [...] The judiciary was slow and inefficient, and there were problems in enforcing domestic court orders.” (USDOS, 11 March 2020, section 1e)

“The law provides criminal penalties for corruption by officials, but the government did not implement the law effectively, and officials frequently engaged in corrupt practices with impunity. Human rights organizations reported significant official corruption, with corruption in the judiciary, police, and security forces being areas of particular concern.” (USDOS, 11 March 2020, section 4)

Bertelsmann Stiftung in its report covering 1 February 2017 until 31 January 2019 similarly describes government influence on and corruption within the judiciary branch, pointing out that the lack of independence is especially evident when it comes to the prosecution of political actors and their allies:

“Formally, the judiciary is institutionally distinct, but its decisions and doctrine have always been subordinated to the government of the day. Both the constitutional and the regular branch are vulnerable to executive intervention, lack adequate resources and are riddled with corruption. Prior to the civil war, a series of major judicial reforms were announced (installation of a Supreme Court of Appeal and of an Audit Office), but only the Court of Audit has been implemented yet. This new institution suffers from the lack of political will to fully implement its mandate. The independence of the Constitutional Court was decisively compromised by its controversial position in the electoral crisis of November 2010. The judiciary’s lack of independence has been confirmed by the legal treatment of war crimes. While several hundred officials of the Gbagbo administration had been put on trial and finally convicted by the end of 2014, only a few cases were opened which accused former pro-Ouattara militias, with none leading to convictions, although the involvement of pro-Ouattara forces in criminal acts had been demonstrated by a U.N.-led expert mission in 2011. Human Rights Organizations have also criticized the lack of professional expertise in the judicial sector, leading to the acquittal of some prominent accused individuals because of procedural errors.” (Bertelsmann Stiftung, 29 April 2020, p. 10)

The French Office for the Protection of Refugees and Stateless Persons (Office Français de Protection des Réfugiés et Apatrides, OFPRA) together with participants from the National Court for Asylum Law (Cour nationale du droit d’asile, CNDA) in November and December 2019 organised a fact-finding mission to Côte d’Ivoire, carrying out interviews with members of political parties and civil society. Regarding the judicial system, OFPRA quotes a diplomatic source as saying that judges are corrupt and take money in order to set people free. While the legal texts are complete and showcase respect for basic rights, in reality the citizens do not have any confidence in the justice system, the administration or the police and people have to pay for everything. The diplomatic source further deplored the permeability between the executive and the judiciary, adding that the minister may phone a judge with instructions and that there is a permanent direct line between the minister and the Abidjan prosecutor. While the diplomatic source was not aware of any threats against judges, it believed that their speech was restricted, adding that judges know what happens to anyone who resists pressure

from the executive. The source further described pressure being exerted when it comes to politically sensitive issues. If a judge has a desire for independence or speaks to the press, he is sanctioned and removed without delay. In 2018, a judge was thus excluded from the corps after having made a public statement concerning the ‘brutal transfer’ of one of his colleagues. A human rights defender on the other hand indicated a case in which a judge was pressured and threatened. (OFPRA, 7 December 2019, pp. 65-66)

Amnesty International in an appeal of January 2020 calls on the authorities to “uphold the independence of the judiciary and refrain from using the criminal justice to persecute opposition leaders and critics” (AI, 10 January 2020). The Nordic Africa Institute, a research institute in Uppsala, Sweden, in October 2020 publishes a report on the risk of election violence, explaining that President Ouattara has a strategy of using the judiciary to rid himself of political opponents, adding that “this course has already resulted in the sentencing of three central players in Ivorian politics”. (The Nordic Africa Institute, October 2020, p. 4)

The Global Centre for the Responsibility to Protect (GCR2P), an international initiative for advocacy against and research into crimes against humanity in an overview of developments in Côte d'Ivoire of November 2020 mentions that shortly after the election several opposition candidates who announced the establishment of a National Transitional Council were arrested and charged with terrorism :

“Ahead of the election, the main opposition candidates – former President Henri Konan Bédié and Pascal Affi N’Guessan – called for a boycott and a civil disobedience campaign. After the vote, N’Guessan, who served as Prime Minister under former President Laurent Gbagbo, announced the creation of a ‘National Transitional Council,’ chaired by Bédié and tasked with preparing ‘the framework for the organization of a fair, transparent and inclusive presidential election.’ [...] On 6 November a prosecutor announced that opposition candidates will face charges of terrorism for establishing a breakaway government. Several opposition leaders, including N’Guessan, were arrested the following day.” (GCR2P, 15 November 2020, p. 19)

While the USDOS report mentions that “[i]ndividuals and organizations may appeal adverse domestic decisions to regional human rights bodies such as the African Court of Human and Peoples’ Rights” (USDOS, 11 March 2020, section 1e), several sources report that in April 2020 the Ivorian government revoked the decision to allow citizens to bring cases before the African Court on Human and Peoples' Rights (ACHPR) headquartered in Tanzania (OMCT et al., 30 April 2020; CIVICUS Monitor, 16 September 2020; The Africa Report, 4 May 2020). This means that individuals and civil society organisations will no longer have the option to appeal directly to the ACHPR for grave violations of rights, if unable to obtain justice from domestic courts (OMCT et al., 30 April 2020; CIVICUS Monitor, 16 September 2020). According to the World Organisation Against Torture (OMCT), the ACHPR has so far dealt with 31 cases brought forward by individuals or civil society organisations from Côte d'Ivoire, representing 11 % of its overall caseload. The source cites Yacouba Doumbia, president of the Ivorian Movement for Human Rights (MIDH), who argues that in a country in which the judicial system has been strongly criticised over the past years, the withdrawal from the ACHPR signifies blocking citizens from accessing supranational legal measures, which in turn risks direct confrontation as the only outlet. (OMCT et al., 30 April 2020)

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