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## Cote d'Ivoire

### Country Reports on Human Rights Practices - [2006](#)

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

In 2003 the political parties signed the French-brokered Linas Marcoussis Accord (Marcoussis Accord), agreeing to a power sharing government with rebel representatives. The government made little progress on the implementation of the Marcoussis Accord, and in March 2004 the NF suspended its participation in the Disarmament, Demobilization, and Reintegration (DDR) program. In February 2004 UN Resolution 1528 approved the UN Operation in Cote d'Ivoire (ONUCI) deployment of 6,000 peacekeeping troops, joining the 4,000-member French Operation Licorne peacekeeping force. ONUCI was created from an existing force of Economic Community of West African States (ECOWAS) troops that had been deployed since 2003 to separate the combatants in conjunction with Licorne. President Gbagbo and opposition political leaders signed subsequent peace accords, including Accra III (July 2004), the Pretoria Agreement (April 2005), and Pretoria II (June 2005), but the political process remained stalled. Neither presidential elections (scheduled for no later than October 31, 2005) nor parliamentary elections (scheduled for December 2005) were held due to the lack of political reconciliation and progress in the DDR program. UN Security Council (UNSC) resolution 1633, passed in October 2005, endorsed a proposal by the African Union (AU) to extend Gbagbo's term in office for up to one year and to appoint a new prime minister with enhanced executive powers. On December 4, the AU and ECOWAS designated Charles Konan Banny, a PDCI member and governor of the West African Central Bank, as the new prime minister.

Since October 2005 very little progress has been made toward holding elections or disarming and reunifying the country. On September 20, a meeting chaired by the UN Secretary General and attended by regional African leaders and all principal Ivorian political leaders except President Gbagbo resulted in a formal declaration that presidential elections could not be held before the end of the one-year extension of Gbagbo's mandate. Both ECOWAS and AU leaders met in October to discuss how to put the peace process on track. Their recommendations were closely followed by the UNSC, which adopted Resolution 1721 on November 1 to extend the mandates of President Gbagbo and Prime Minister Banny until October 31, 2007 and to enhance the authorities of both the prime minister's office and that of the UN High Representative for Elections.

Civilian authorities in government- and NF-controlled zones generally did not maintain effective control of the security forces.

The government's human rights record remained poor. Continuing political instability and uncertainty kept tensions high throughout the country. The following human rights abuses were reported: restriction of citizens' right to change their government; arbitrary and unlawful killings, including summary executions, by security forces, progovernment militias, and student groups; disappearances; torture and other cruel, inhuman, or degrading treatment and punishment by security forces, progovernment militias, and a student group; deplorable prison and detention center conditions; security force impunity; arbitrary arrest and detention; denial of a fair public trial; arbitrary interference with privacy, family, home, and correspondence; police harassment and abuse of noncitizen Africans; use of excessive force and other abuses in internal conflicts; restrictions on freedoms of speech, press, peaceful assembly, association, and movement; corruption; discrimination and violence against women; female genital mutilation (FGM); child abuse and exploitation; trafficking in persons; forced labor, including by children; and child labor, including hazardous labor.

The NF's human rights record continued to be poor. ONUCI reported the killing and disappearance of civilians in NF-held territories. The NF arbitrarily arrested and detained persons and conducted arbitrary ad hoc justice. ONUCI's human rights office reported fewer child soldiers in NF ranks and the release of many during the year.

## RESPECT FOR HUMAN RIGHTS

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

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

Security forces continued to commit extrajudicial killings with impunity, and progovernment militia groups were responsible for harassment, killings, and disappearances. These crimes often went unreported or underreported due to fear of reprisals.

Unlike in the previous year, there were no reports that government-linked "death squads" and irregular forces (Liberian fighters, Liberian refugees, and civilians with ethnic ties to Liberia) committed extrajudicial killings. Security forces frequently resorted to lethal force to combat widespread crime and often committed crimes themselves with impunity. Rebel forces in the north also committed extrajudicial killings (see section 1.g.).

There continued to be credible reports of numerous cases in which the use of excessive force by security forces resulted in deaths. Such cases often occurred when security forces apprehended suspects or tried to extort money from taxi drivers and merchants. For example, the UN reported that on January 2, several summary executions were committed by security forces and Jeunes Patriotes (Young Patriots), a youth group with close ties to the ruling FPI Party.

On the same day, an unidentified armed group attacked the military camp of Akouedo, located on the outskirts of Abidjan. According to an Ivorian military communique, two Akouedo camps were simultaneously attacked with light and heavy weaponry, and ten persons were killed during the attack, including three government soldiers and seven attackers. Paramilitary gendarmes subsequently detained between 15 and 30 Burkinabe men alleged to be responsible for the January 2 attack in a barracks in Abidjan. On January 6, the bodies of three of the Burkinabe detainees were found shot dead; observers suspected the involvement of persons working for the Security Operations Command Center (CECOS), an anticrime organization formed in July 2005 and staffed by police, gendarmerie, and National Armed Forces (FANCI) officers. Newspapers printed photographs of the detainees, most of whom were naked and bloodied.

Also on January 2, Kone Basseriba, a 46-year-old security guard at the Cocody headquarters of the opposition party Rally of Republicans (RDR), was detained by a group of persons armed with machetes in the Riviera section of Abidjan. Accusing Basseriba of involvement in the attack in Akouedo, the group beat him so severely that he later died from his injuries. The RDR accused the military of summarily executing Basseriba.

Of the 60 persons arrested during the attacks on the two Akouedo military camps on January 2, 21 were indicted by the military investigating judge on February 1 on charges including assassination and breach of state security. Those indicted included nine soldiers and 12 civilians who admitted their involvement in the Akouedo attacks before the military prosecutor. In December a military court discharged two soldiers from the army and sentenced them to five years' imprisonment for their role in the deaths. The remaining investigations were ongoing at year's end.

In July the military prosecutor launched an investigation into the June 2005 death of Major Colonel Bakassa Traore, who died after security forces arrested and beat him, Colonel Jules Yao Yao, and retired General Laurent M'Bahia Kouadio after they attended a dinner hosted by the French Ambassador. FANCI's chief of staff claimed that Traore died as a result of a preexisting medical condition, while relatives and colleagues alleged that his death was the result of his injuries. The results of the investigation had not been made public by year's end.

There were no developments in the January 2005 case in which security forces shot and killed two taxi drivers in Adjame for refusing to stop at a roadblock.

There were no developments in the February 2005 case in which the government brought 32 officials before judicial authorities for their role in a violent effort to evict persons illegally occupying the National Marahoue Park in Bouafle. More than 100 villagers were arrested with excessive force. Thirteen persons died from their injuries. No trial was held, and no sanctions were imposed on forestry officials involved in the incident.

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

For example, during the nights of February 10 and 11, in the Koumassi Bia Sud district in Abidjan, CECOS members shot and killed two cell phone vendors (see section 2.b.).

In April a CECOS member shot at a car in the Riviera district in Abidjan and killed one of the passengers, a local

singer known as Dally Luc. CECOS authorities admitted that the killing had been unjustified, and the CECOS member implicated was arrested and jailed. A trial had not been initiated by year's end.

At year's end 17 of the 61 persons arrested for attacking gendarmerie and police in Anyama in July 2005 had been released, and 36 of the 44 who stood trial received heavy sentences.

In late August a violent confrontation broke out between the police and members of the progovernment and pro-FPI Union of Secondary School and University Students (FESCI) at the Cocody campus of the University of Cote d'Ivoire. The clash erupted in the aftermath of an August 28 incident in which FESCI members at a bus station in the Adjame district of Abidjan beat a police cadet, reportedly for refusing to pay FESCI a bribe to be allowed to board a bus. On August 31, several police cadets attempted to confront FESCI members at a different bus stop in front of the Cocody campus. The cadets were restrained by regular police forces, but FESCI members then reportedly attacked those police forces. The police cadets opened fire, killing between one and three FESCI members, then entered the campus, and sought out and beat suspected FESCI members. On September 2, the government suspended the director of the National Police Academy, Bernard Lago Daleba, in response to the Cocody campus incident. The government opened an inquiry into the clashes, but a military trial of the police cadets had not begun by year's end.

There were no known developments in the parliamentary committee investigation into the 2004 killing by security forces of more than 100 demonstrators.

There were no developments in other 2005 or 2004 security force killings.

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

Abidjan police and security forces in search of rebel sympathizers, infiltrators, and arms caches continued to use lethal force in neighborhood sweeps against citizens with northern origins and African immigrants (see section 1.f.). Progovernment militias and rebels continued to use child soldiers, although to a lesser degree than in previous years (see section 5).

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

On June 29, seven persons were killed in Dieouzon Region, located in the "Zone of Confidence," the area separating FANCI and NF troops in which ONUC troops maintain peace. Similar to earlier attacks, local authorities accused the dozors of the killings. As in the past, the killings reportedly resulted from tensions over control of land.

In July there were credible reports of repeated attacks by members of the progovernment militia Groupe de Patriotes pour la Paix (GPP) on residents of Yopougon, resulting in the death of at least one civilian and the injury of several others. Despite the government's 2003 announcement that the GPP had disbanded, FPI members readily acknowledged the group's continued existence and operations. In response to the attacks, the government offered GPP members food, lodging, and medical care.

There were no known developments in the case of the rebel soldier accused of killing a French peacekeeper in 2004. The office of the military prosecutor stated that the soldier remained in detention awaiting trial.

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

Neither ONUC nor French forces publicly released the results of their investigations into the killings of an undetermined number of Ivorian progovernment demonstrators by French forces during 2004 riots. The riots broke out following France's destruction of the Ivorian air force after FANCI bombed a Licorne base in Bouake. Radio France International (RFI) announced in January that the government had issued a warrant for the arrest of French General Henri Poncet for his role in the killings of the rioters, but the Ivorian minister of justice and the minister of defense denied this report. In September Amnesty International (AI) published a report criticizing French forces for using excessive force in 2004, specifically noting their lack of non-lethal weapons for crowd control. AI's report noted that the French acknowledged that most demonstrators had not been armed.

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

There were numerous reports of conflict between the local population and Burkinabe and Lobi farmers, whom the locals expelled from their farms (see section 5). Dozens of persons were reportedly killed in the clashes.

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

#### b. Disappearance

There were reports of disappearances, although fewer than in the previous year. Several members of the opposition (particularly the RDR), journalists, and ordinary citizens remained missing at year's end. Unlike in previous years, there were no reports that security forces abducted citizens and foreigners and forced them to work.

In January two men disappeared following their arrest by NF units in Korhogo. The two men were still missing at year's end. No charges were filed in the disappearances by year's end (see section 1.d.).

In February nearly two years after the 2004 disappearance of Guy Andre Kieffer, a Franco-Canadian freelance journalist, an Ivorian officer, Tony Oulai, was placed under formal investigation and remanded in custody to Paris to be prosecuted by French authorities for abduction and illegal detention. The trial had not begun by year's end.

On March 1, ONUCI received credible information that Kone Lacina Nanourougou, who disappeared in 2004 following his arrest by the NF, had been moved to Korhogo and handed over to Commander Martin Fofie Kouakou. Despite NF claims that Kone was released on June 25, his whereabouts were unknown at year's end.

There were no developments in other 2005 or 2004 disappearances.

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

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

##### Treatment or Punishment

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

On February 13, ONUCI reported that the gendarmerie commander in the western town of Zuenoula ordered his forces to detain and beat at least 16 persons employed by local bakeries to compel them to continue contributing bread to the "war effort." The victims were taken to the gendarmerie headquarters, forced to lie down, and then flogged with sticks. Officers reportedly forced the detainees to eat mud and perform manual labor before releasing them four hours later. As a result of the beatings of the 16 employees, the bakeries in Zuenoula were closed for three days.

There were credible reports that on January 21, members of CECOS arrested Malian immigrants Daouda Diallo and his nephew, Ouateni Diallo. CECOS accused Diallo of financing the rebellion and mobilizing local youth to oppose the establishment of barricades by the Young Patriots. Diallo was released on January 26, but his nephew reportedly died as a result of torture at the Gendarmerie Academy.

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

For example, on August 11, gendarmes allegedly attempted to extort bribes from taxi trade union activists in the Cocody district of Abidjan. When the Ivorian Movement for Human Rights (MIDH) used a hot line established by the military prosecutor for citizens to report such incidents, the gendarmes reportedly threatened to kill MIDH-member workers.

In September the president of the Rally for Young Republicans, Karamoko Yayoro, claimed that Republican Guard Commander Brunot Ble Dogbo threatened him with death if he organized street demonstrations against President Gbagbo's government. When the story made the headlines of several opposition newspapers, Yayoro filed a complaint against Ble Dogbo with ONUCI's Human Rights Division, which was reviewing the case at year's end.

Police and security forces used excessive or lethal force to disperse demonstrations (see section 2.b.).

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

There were credible reports that members of the security forces raped women and girls.

On March 5, members of the CECOS in Alepe allegedly raped a 15 year-old secondary school student after encouraging her to drink heavily with them at a local bar. A doctor at a local hospital found evidence of trauma when he conducted a physical examination of the girl the next day, and the girl's family lodged a complaint at the Alepe gendarmerie. Despite student demonstrations demanding that members of CECOS leave Alepe, the CECOS chief commander eventually claimed that his men were not at fault and that a physical examination of the girl did not indicate that a rape had occurred.

On September 13, Sergeant Gbessi Bah Melain was jailed for rape at the military prison in Abidjan.

There were no known developments in the June 2005 case in which a lance corporal was charged with raping a secondary school girl.

There were fewer reports than in the previous year that security forces conducted widespread neighborhood searches during which they beat and robbed residents (see section 1.f.).

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

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

There were no developments in cases dating to 2005.

Loyalists of President Gbagbo's FPI party organized youth patriot groups with thousands of members in Abidjan neighborhoods and in towns and cities throughout southern, central, and western regions. Gendarmerie and army officers led some groups in physical training. Belligerent patriot groups aligned with the ruling FPI rallied in neighborhoods, called for armed resistance, and harassed and intimidated residents and merchants. Youth groups who supported President Gbagbo attacked opposition newspapers, several ONUCI convoys, and persons under ONUCI protection during the year (see sections 2.a and 4).

There were persistent reports that some patriot groups had arms or had ready access to arms supplied by the government. The presidency sponsored some of these groups and tolerated others, but it did not have complete control over them.

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

In November the Republican Guard prevented ONUCI guards protecting NF Minister Louis-Andre Dacoury-Tabley from entering the prime minister's headquarters. The action prompted ONUCI to draft a written complaint to the UNSC.

There were no known developments in the September 2005 case in which NF Minister of Territorial Administration Colonel Issa Diakite, then under the protection of ONUCI, was attacked at the home of an associate by FESCI-aligned groups in Cocody.

The GPP, which was banned in 2003, continued to exist and carry out attacks despite a March 2005 announcement by FANCI Chief of Staff Mangou and the DDR commission that the group would be disbanded. The group was tolerated and tacitly encouraged by members of the ruling party elite, who argued that the GPP defended the country.

For example, on July 31, several persons were injured when the GPP attacked naval police agents who were organizing a peaceful demonstration in Plateau to demand the payment of bonuses and the dismissal of their director. Defense and security forces finally drove out the militiamen.

In the NF-held part of the country, rebel military police operated with impunity in administering justice without legally constituted executive or judicial oversight (see section 1.g.). Rebels often harassed and abused local citizens, often on the basis of ethnic or political background. There continued to be reports that rebel forces beat persons who supported

President Gbagbo and the ruling FPI. During the year the NF reportedly beat a journalist (see section 1.a.). There were reports that NF members raped women and girls in the north and that rebel soldiers arrested, tortured, or killed suspected government loyalists or allies of rival rebel leader Ibrahim Coulibaly in the zones under their control, regardless of their ethnic background (see section 1.g.).

On January 13, NF member Toure Aboubacar Sidik was reportedly subjected to a mock execution by other members of the NF after he requested ONUCI protection from those forces. He was later released and accompanied back to the Guepard Camp in Bouake.

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

#### Prison and Detention Center Conditions

Conditions were poor and in some cases life threatening in the country's 33 prisons. In the 22 prisons located in the area under control of the government, this situation was primarily due to inadequate budgets and overcrowding. For example, the country's main prison, MACA, was built for 1,500 persons but held 4,034 detainees as of September 30; the other 21 prisons in the government-controlled area collectively held 9,351 detainees despite their 3,371-person capacity. Conditions in MACA were notoriously bad, especially for the poor. Wealthy prisoners reportedly could "buy" extra cell space, food, and even staff to wash and iron their clothes. The government spent \$0.24 (120 FCFA) per prisoner on the daily food ration, which was not sufficient to prevent cases of severe malnutrition in prisoners whose families did not bring them additional food. Inmates at some prisons grew vegetables to feed themselves. ONUCI reported that most deaths in prison were due to malnutrition. There were credible reports that prisoners frequently brutalized other prisoners for sleeping space and rations. There were press reports of prostitution and a flourishing drug trade in MACA. Due to the worsening security situation, in December 2005, Doctors Without Borders discontinued supplementing the prison system's inadequate medical facilities and contributing to the prison budget. Several small national and international charities such as the Ivorian Islamic Medical Rescue Association continued to provide food, clothing, legal and medical assistance to prisoners. The International Committee of the Red Cross (ICRC) helped feed prisoners with no family in the towns of Bondoukou, Bouafle, Dimbokro, Sassandra, and Divo.

Pretrial detainees were held with convicted prisoners.

Male minors were held separately from adult men, but the physical barriers at the main MACA prison were inadequate to enforce complete separation. Minors were not held separately in detention centers. The International Catholic Office for Children continued its efforts to assist imprisoned children by helping to locate their families and by maintaining a separate facility for them at the Divo prison.

Prison conditions for women remained particularly difficult, and their children often lived with them in prison. Female prisoners at MACA were segregated in a separate building under female guard. There were continued reports that female prisoners engaged in sexual relations with wardens to get food and privileges. There also were reports that female prisoners engaged in sexual relationships with male prisoners. There continued to be inadequate healthcare facilities for women. Pregnant prisoners went to hospitals to give birth and then returned to prison with their babies. The penitentiary accepted no responsibility for the care or feeding of the infants, although the inmate mothers received help from local Non-governmental organizations (NGOs).

In September, following the dumping of toxic wastes in several parts of Abidjan, which caused the death of 10 persons in Abidjan and which reportedly affected MACA, the Prison Administration belatedly acted to transfer 150 prisoners (minors, pregnant women and women living with their babies in jail) from MACA to various prisons. In spite of those measures, a 15-year-old prisoner died at MACA allegedly due to exposure to toxic waste fumes.

The government permitted access to prisons by local and international NGOs including the ICRC, World Doctors, International Prisons' Friendship, Love Amour, and the Ivorian Islamic Medical Rescue Association.

The NF maintained detention centers, and during the year the ICRC and ONUCI human rights division local teams were granted full access. ONUCI reported that the NF was detaining 295 persons, usually without due process. The NF allegedly freed prisoners to serve as combatants against the government.

There were credible reports that rebels killed prisoners or that prisoners died in jail, although less frequently due to improved conditions.

There were no developments in the 2005 case of New Zealander Brian Sands, who died from asphyxiation in NF custody in April 2005.

#### d. Arbitrary Arrest or Detention

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

## Role of the Police and Security Apparatus

Security forces under the ministries of defense and territorial administration include the army, navy, air force, republican guard, presidential security force, and the gendarmerie, a branch of the armed forces with responsibility for general law enforcement. The police forces are under the jurisdiction of the Ministry of Interior. There were reportedly major divisions within the military based on ethnic and political loyalties. Police forces include paramilitary rapid intervention units such as the Anti-Riot Brigade and the Republican Security Company, and the plain-clothes investigating unit, Directorate for Territorial Security (DST). In July 2005 the government formed CECOS to combat rising crime in Abidjan (see section 1.a.). A central security staff collected and distributed information regarding crime and coordinated the activities of the security forces. Security forces frequently resorted to excessive force (see sections 1.a., 1.c., and 2.b.).

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

The government sometimes took action against police officers who committed abuses; however, it generally did not investigate or punish effectively those who committed abuses, nor did it prosecute persons responsible in previous years for unlawful killings and disappearances. During the year the military prosecutor established a telephone help line to report racketeering incidents.

The government took steps to combat malfeasance in the ranks of the security forces. In January security minister Joseph Dja Ble visited the police academy, where he pledged to fight racketeering.

On August 23, police officer Zie Guillaume was arrested when he attempted to bribe the minister of security with \$240,000 (117 million FCFA) after allegedly attempting to enroll Police Academy candidates who had not completed the required exam. While awaiting trial in jail, Zie allegedly tried to bribe the military prosecutor to be granted bail. Prosecution of the case was ongoing at year's end, and Zie remained in detention at the Military Prison of Abidjan (MAMA).

During the year the government launched a television campaign urging citizens not to pay bribes to security forces at checkpoints. However, citizens who did not pay bribes continued to face the confiscation of their official documents, harassment, intimidation, or physical abuse.

In March the Abidjan military tribunal sentenced three gendarmes charged with racketeering to fines and prison sentences of up to one year.

In April CECOS Chief Commander Colonel Guiai Bi Poin reported that heavy punishments had been meted out to 19 CECOS members, eight of whom had participated in robberies. The officers were dismissed from the security forces.

The military tribunal reported that as of October, 56 members of the defense and security forces, including police officers, gendarmes, and military personnel, were being held at MAMA. Thirty-six of the 56 were arrested during the year and transferred to jail for murder, rape, corruption, violation of orders, theft, embezzlement, and other abuses. In March six of these persons were convicted of theft of citizens' money and were sentenced to five years in prison at MAMA.

## Arrest and Detention

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

written justification on a monthly basis for continued detention.

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

There were many instances during the year in which gendarmes or other security forces arbitrarily arrested persons. According to ONUCI, forest rangers continued to detain villagers and demand up to \$200 (100,000 FCFA) for their release (see section 1.a.). However, unlike in the previous year, there were no reports that forest rangers tortured villagers.

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

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

During the year security forces continued to arrest and usually release RDR party members and officials and persons of northern origins thought to be close to the rebellion (see section 2.b.).

Local and international human rights organizations continued to report that security forces frequently made arrests without warrants and frequently held persons beyond the statutory limits without bringing charges. There were credible reports that the police and gendarmes detained persons in various military camps in Abidjan. Few of these detainees entered the civil justice system. For example, security forces arrested and detained several hundred RDR members in the wake of the July 2005 violence in Anyama and Agboville; however, according to an RDR lawyer, only 61 of these persons were charged (see section 1.e.).

On February 21, several persons affiliated with General Mathias Doue, the former chief of the General Staff of the FANCI, including his nephew, two bodyguards, and the wife of a former bodyguard, were arrested and detained in the DST jail for allegedly having committed a breach of state security by recruiting assailants to attack the republic and being the organizers of the attack on the Akouedo camp on January 15. The arrests were widely believed to be a politically motivated attempt to intimidate the general's supporters into disclosing his whereabouts.

Many inmates continued to suffer long detention periods in MACA and other prisons while awaiting trial. Despite the legal limit of 10 months of pretrial detention in civil cases and 22 months in criminal cases, some pretrial detainees were held in detention for years.

In September the National Prison Administration reported that 26 percent of the 9,351 prisoners held in the 22 government controlled prisons were pretrial detainees.

ONUCI, AI, and other human rights organizations reported that in rebel-controlled territory, the NF also arbitrarily arrested, mistreated, ransomed, and detained many persons thought to be loyal to President Gbagbo or Sergeant Ibrahim Coulibaly. For example, on March 20, FANCI Sergeant Moussa Guire was arrested and accused of being a spy by the NF in Dioulabougou. Guire remained in detention in Bouake at year's end.

In January NF units in Korhogo arrested Ibrahim Kalil Coulibaly and his driver. The two men disappeared following the arrest and were still missing at year's end. No charges were filed regarding the disappearances by year's end.

On May 22, NF arrested 16 FPI officials on allegations of trafficking arms from the government-controlled zone. The prisoners were released following visits by the ICRC and ONUCI.

In July, 11 persons in Bouna, an NF-held city in the north, were arrested for inquiring into the cause of the lack of electricity supply in their areas. They were arrested, beaten, and detained before being released without charge several days later.

#### e. Denial of Fair Public Trial

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

The formal judicial system is headed by a Supreme Court and includes the court of appeals, lower courts, and a constitutional council. The law grants the president the power to replace the head of the Supreme Court after a new parliament is convened. In 2003 President Gbagbo appointed the seven members of the Constitutional Council,

without consultation with the government. President Gbagbo tasked the council with, among other things, the determination of candidate eligibility in presidential and legislative elections, the announcement of final election results, the conduct of a referendum, and the constitutionality of legislation. President Gbagbo named three advisors to the Constitutional Council for three-year terms, three other advisors to six-year terms, and a president. On September 27, three new advisors were sworn into the Constitutional Council for six-year terms, replacing the three members whose original three-year terms had expired. The council did not issue any significant rulings during the year.

#### Trial Procedures

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

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

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

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

Of the 61 persons arrested for attacking gendarmerie and police in Anyama and Agboville in July 2005, 17 were released and 44 were tried; 36 of the 44 were sentenced to between two and 15 years' imprisonment. Appeals submitted by defense attorneys and the NGO Lawyers Without Borders had not been heard by year's end.

#### Political Prisoners and Detainees

There were no reports of political prisoners or detainees.

#### Civil Judicial Procedures and Remedies

The constitution and law provide for an independent judiciary in civil matters; however, the judiciary was subject to corruption, outside influence, and favoritism based on family and ethnic ties. Citizens did not often access the court system to bring lawsuits seeking damages for, or cessation of, a human rights violation. The judiciary was slow and inefficient, and there were problems enforcing domestic court orders.

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

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

There were credible reports that security forces conducted warrantless searches of opposition party officials' residences, allegedly in search of weapons. During the year security forces continued to conduct neighborhood searches in which they entered several homes at the same time, usually at night looking for arms. There continued to be reports that security forces harassed opposition forces.

For example, on May 5, three police officers arrested Mariam Sangare-Traore, the wife of an RDR local leader for the district of Yopougon in Abidjan, alleging that she held forged Ivorian identity papers. Police released Traore later that day after verifying her parents' national identity papers.

On May 8, security forces in the district of Yopougon Niangon entered the homes of RDR members to search for weapons that the RDR had allegedly distributed to its followers. When no weapons were found, the security forces went to the neighborhood mosque, where they arrested and questioned eight men for 14 hours before releasing them without charge.

On July 19, a gendarmerie commando unit reportedly conducted an illegal search of the Abobo mayor's office at city hall, which was the officially designated site for the public identification hearings (audiences foraines) being held as part of the voter registration effort. The gendarmes were reportedly searching for illicit arms.

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

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

The NF continued to confiscate the property and vehicles of civil servants and those believed to be loyal to President Gbagbo or of persons who had abandoned their houses following the rebellion. However, the minister of solidarity and war victims, who was also the deputy secretary general of the Patriotic Movement of Cote d'Ivoire, the principal political arm of the NF, created a commission in charge of returning confiscated properties to those who could prove ownership. The minister also urged victims to return to their homes.

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

## Section 2 Respect for Civil Liberties, Including:

### a. Freedom of Speech and Press

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

At year's end the trial had not yet begun in the defamation complaint brought by President Gbagbo in July 2005 against PDCI affiliated former minister of animal production and fisheries, Kobenan Adjoumani, who in June 2005 accused the president of masterminding the 2002 rebellion.

The only remaining government-owned daily newspaper, *Fraternite Matin*, which had the greatest circulation of any daily, rarely criticized government policy. There were a number of private newspapers that frequently criticized government policy, the president, and the ruling party. Newspapers often ceased publication and were supplanted by others due to strong competition, a limited audience, and financial constraints. Most newspapers were politicized and sometimes resorted to fabricated stories to defame political opponents. The law requires the "right of response" in the same newspaper, thus newspapers often printed responses in opposition to earlier articles, although often not with the prominence accorded to the original story.

Because of low literacy rates, radio was the most important medium of mass communication. Newspapers and television were relatively expensive. The government-owned broadcast media company, Ivorian Radio and Television (RTI) owned two major radio stations; only the primary government radio station broadcast nationwide. Neither station criticized the government.

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

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

In November a series of events contributed to the development of

an environment hostile to media. On November 26, President Gbagbo signed a decree to dismiss the director of *Fraternite Matin* and replaced him with a known supporter after the newspaper reported on a meeting between the president and prime minister regarding the implementation of UNSC Resolution 1721. On November 27, government soldiers reportedly accompanied by members of President Gbagbo's entourage went to the RTI station to order that a "seditious" statement by the prime minister that had been broadcast earlier that evening not be rebroadcast and that further messages contradicting the president be banned. The army seized the tape of the broadcast. On November 28, the president fired the director of RTI and dissolved its entire board of directors, which had been appointed by NF

leader and current Minister of State for Reconstruction and Reintegration Guillaume Soro when he was Minister of Communication, for broadcasting Prime Minister Banny's statement.

The media played a critical role in inflaming tensions, and newspapers backed by political parties published inflammatory editorials and created a climate of hostility toward perceived political opponents. The Ivorian Observatory on Press Freedom and Ethics and the National Press Commission, which enforced regulations regarding creation, ownership, and freedom of the press, regularly published press releases urging journalists to be more moderate.

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

For example, on January 14, a group of Young Patriots attacked Frank Konate and Basile Zoma, a reporter and cameraman for opposition daily newspaper 24 Heures, who were forced to stop at a roadblock erected by the group. A leading member of the Young Patriots prevented the group from carrying out their threats to douse the car with petrol and set it ablaze.

On January 16, members of Young Patriots who were invading the RTI in Abidjan attacked journalist David Mobio as he was presenting the 1:00 pm news. Mobio did not require hospitalization and did not file charges.

On January 16, Young Patriots and FESCI students, led by the army chief of staff General Philippe Mangou, forcefully took control of the RTI television studio and installed journalist Ben Zahui to manage the television station. On January 19, Minister Delegate of Communications Martine Studer-Coffi reported being assaulted by Young Patriots and Zahui at RTI headquarters. She later lodged a complaint with RTI against Zahui. In February the RTI internal trial committee found Zahui guilty of verbal, but not physical, assault and ruled that he be suspended without pay for three months and that he apologize publicly to Studer Coffi. On January 24, the CNCA strongly condemned the events at RTI headquarters.

On December 21, the managing director of opposition newspaper Le Nouveau Reveil, Denis Kah Zion, issued a public statement describing repeated death threats against his family and colleagues. Kah Zion reported that the police station in Cocody provided four officers to protect his family for several days in December.

There also continued to be reports that foreign journalists were subjected to government harassment and intimidation.

There were no developments in the 2005 cases of Honore Sepe, a journalist for the opposition newspaper Le Front who was briefly detained and interrogated regarding his association with the NF, or of Brahim Golle, a journalist for the opposition newspaper Dernieres Nouvelles, who was beaten by uniformed men.

On some occasions, the opposition also attacked journalists whom they accused of spying on them on behalf of the FPI. For example, on October 15, a journalist working for pro-Gbagbo newspaper Le Verdict Populaire was attacked by participants in a rally held by the opposition political party Rally of Houphouetists for Democracy and for Peace (RHDP).

The Young Patriots continued to attack journalists, destroy issues of independent and opposition newspapers, and to threaten newspaper vendors.

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

On May 12, the CNCA authorized RFI to resume FM and satellite broadcasting following its July 2005 suspension, in which the CNCA alleged that the station had been unprofessional in its coverage of Colonel Bakassa Traore's death.

The law authorizes the government to initiate criminal libel prosecutions against officials. In addition the state may criminalize a civil libel suit at its discretion or at the request of the plaintiff. Criminal libel was punishable by three months to two years in prison.

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

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

In the rebel-held zones, rebel forces also beat and harassed journalists.

For example, on February 9, an independent journalist alleged he was beaten by NF security personnel after leaving an interview with the NF spokesman in the compound of the NF general secretariat in Bouake.

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

#### Internet Freedom

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

#### Academic Freedom and Cultural Events

The government restricted academic freedom. FESCI, the pro Gbagbo student group created in the early 1990's, generated a climate of fear and intimidation at the universities and regularly stopped classes, forced students to attend meetings, and threatened professors who interfered in their activities. The government controlled most educational facilities, even at the post-secondary level, and a presidential decree required authorization for all meetings on campuses.

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

FESCI continued to use violent tactics to maintain its hold on student government, disrupt the work of officials appointed by opposition ministers, and intimidate other students. For example, on April 27, members of FESCI disrupted exams at the Catholic University of West Africa (UCAO) in Abidjan, resulting in the injury of several UCAO students.

On July 14, FESCI members stormed the RTI television station following the broadcast of a statement by the Collective of Teachers' Unions concerning the boycott of the school examinations at the end of the academic year. Several RTI employees were injured, the administrative building was ransacked, and six vehicles were damaged.

FESCI members continued to target the General Association of Students of Cote d'Ivoire, a rival student group founded in 2004 as an alternative form of student governance.

No action was taken against FESCI members responsible for an alleged incident of kidnapping and rape in 2005 or for similar incidents reported in previous years.

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

##### Freedom of Assembly

The law allows for freedom of assembly; however, the government sometimes restricted this right in practice. Groups that wished to hold demonstrations or rallies in stadiums or other enclosed spaces were required by law to submit a written notice of their intent to the Ministry of Security or the Ministry of Interior three days before the proposed event. No law expressly authorizes the government to ban public meetings or events for which advance notice has been given in the required manner, but the government prohibited specific events deemed prejudicial to the public order. Even if authorization for an event was granted, the government could later revoke it. On December 13, President Gbagbo renewed a ban on all forms of outdoor public demonstrations in Abidjan until June 15, 2007.

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

On July 2, members of the Young Patriots attacked a delegation of RDR activists in Bolequin as they prepared to hold a meeting on mobile courts, and several RDR members were injured. Although the activists had informed the prefect and military authorities of the meeting and requested protection, authorities did not attempt to assist or protect them.

Police forcibly dispersed antigovernment demonstrations, which resulted in injuries.

On February 12, youths erected roadblocks at the Giscard d'Estaing Boulevard to protest the killings of Arthur Vincent Dahie and Moustapha Tounkara, two cellular phone vendors. Dahie and Tounkara, were reportedly killed by a brigade of CECOS on patrol. The police used tear gas to disperse the protesters. CECOS Chief Commander, Colonel Guai Bi Poin, declined to investigate the matter.

On June 2, police allegedly used belts and tear gas to disperse members of the Union for Democracy and Peace youth wing associated with the late General Robert Guei who had gathered at the general's house.

On July 15, FESCI staged a violent protest in front of RTI headquarters to demand that their message be broadcast live. Three of the approximately 200 protestors were injured when security forces opened fire.

There were no known developments in the July 2005 case in which progovernment supporters and FESCI students attacked participants in a press conference organized by youth opposition leaders at the PDCI headquarters.

#### Freedom of Association

The law provides for freedom of association, and the government generally respected this right; however, the law prohibits the formation of political parties along ethnic or religious lines, both of which were key factors in some parties' membership (see sections 2.c. and 5).

The GPP, which was banned in 2003, continued to exist and attack government installations and personnel (see section 1.c.).

#### c. Freedom of Religion

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

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

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

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

#### Societal Abuses and Discrimination

Members of the country's largely Christian or Islamic urban elites, who effectively controlled the government, generally were disinclined to accord to traditional indigenous religions the same social status as accorded to Christianity and Islam.

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

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

There were no reports of anti-Semitic acts.

For a more detailed discussion, see the [2006 International Religious Freedom Report](http://www.state.gov/g/drl/rls/hrrpt/2006/78730.htm).

#### d. Freedom of Movement within the Country, Foreign

## Travel, Emigration, and Repatriation

The constitution and law do not provide specifically for these rights, and the government restricted freedom of movement during the year. There were frequent restrictions on internal travel. A curfew remained in place prohibiting citizens from entering and leaving Yamoussoukro and Abidjan city limits between 11:00 p.m. and 6:00 a.m. Security forces, local civilian "self-defense" committees, and water, forestry, and customs officials frequently erected and operated roadblocks on major roads, where they demanded that motorists or passengers produce identity and vehicle papers and regularly extorted travelers, commercial traffic and truckers, foreigners, refugees, and others (see sections 1.a. and 1.d.).

From January 16 to 20, pro-Gbagbo youth militias erected roadblocks throughout Abidjan and attacked UN installations in Abidjan and in other parts of the government-controlled zone in protest against an International Working Group (IWG) announcement that the mandate of the National Assembly had expired. Security forces took no action to remove the roadblocks or to protect UN installations.

On August 21, the Young Patriots blocked the vehicle of NF Minister of Solidarity and War Victims Louis-Andre Dacoury Tabley, who was traveling to Daloa on ministry business. The NF issued a statement protesting the incident and accusing the government's defense and security forces of failing to perform their duties.

Police harassed opposition members at the airport and sometimes prevented foreigners from traveling overland between the north and the south.

Persons living under NF authority regularly faced harassment and extortion when trying to travel between towns and to the government-controlled south. Local military authorities regularly sold passes required of travelers. Security and defense forces also victimized northerners when they tried to cross into the zone under government control. Due to the closure of banks in the north at the onset of the crisis, northerners were forced to cross into the south and back to conduct all banking business, including collecting remittances (upon which many northerners depend). Government workers in the north also had to travel into the south to collect their salaries. The cost of either paying their way through the various barricades or hiring a money runner to do so was substantial. Government officials reported the roundtrip cost for citizens in the north to travel from Bouake and other cities to Yamoussoukro to cash paychecks to be between \$40 and \$60 (20,000 to 30,000 FCFA). A money courier or informal banking service cost either \$10 (5000 FCFA) to a flat percentage of the amount transferred.

On March 16, the NF cited security concerns when it prevented Laurent Dono Fologo, president of the Social and Economic Council, and his entourage of over 300 persons from driving through the NF-controlled zone to attend the funeral of Fologo's brother in Korhogo.

The law specifically prohibits forced exile, and no persons were exiled forcibly during the year. However, due to numerous death threats, a number of persons remained in self-imposed exile, including several members of the RDR, members of other opposition parties, and senior army officers such as General Mathias Doue and Colonel Jules Yao Yao.

## Internally Displaced Persons (IDPs)

During the year there were large numbers of IDPs in the country as a result of the 2002 crisis. The UN Office for the Coordination of Humanitarian Affairs estimated that as many as one million persons were displaced at the beginning of the crisis, of whom perhaps half (300,000 Burkinabe, 150,000 Malians, and 50,000 Guineans) were foreign nationals. The UN Population Fund (UNPFA) conducted a survey in late 2005 that estimated the total number of IDPs in five government held areas to be 750,000. The survey concluded that more than 90 percent of IDPs lived with host families, and almost 70 percent were located in Abidjan. However, other humanitarian organizations and donors noted that these statistics included IDPs who maintained access to their government salaries even after their displacement.

Progovernment and rebel forces did not generally target civilians, but ethnic conflict and fighting forced many persons to flee the zones of conflict, and others simply felt uncomfortable in the side of the divided country that they found themselves in initially. Roadblocks and toll collection points made it difficult for civilians to move in both sides of the country. These IDPs were invisible but placed heavy burdens on host communities, especially given the prolonged nature of the crisis. Government assistance, especially in the north where civil servants and infrastructure were not in place, did not meet the needs of these IDPs. International and local NGOs were working to fill the gap.

In October 2005 the government appointed a point of contact within the Ministry of Foreign Affairs to address IDP problems; however, the government did not provide funding for the appointee's office and abolished the position during the year. In the middle of the year, the Ministry of Solidarity and War Victims took the lead on IDP issues at the national level. The ministry drafted an IDP return program that was presented at a roundtable with international humanitarian agencies at the end of August. Observers noted that the ministry did not have either the funding or the expertise to carry out the proposed plan, which consisted of projects to raise awareness of problems facing IDPs, to analyze conditions for returning IDPs to their place of origin, and to reintegrate returned IDPs. Most humanitarian

agencies agreed during a protection conference in October that the situation remained too precarious to promote the safe return of displaced populations.

The ministries of foreign affairs and solidarity and war victims worked closely with UN agencies on IDP issues. In December the Ministry of Foreign Affairs and the UN High Commissioner for Refugees (UNHCR) signed agreements to cooperate on IDP issues.

In August the UN established an IDP protection cluster, a working group led by the UNHCR to address IDP protection issues. In December the IDP Protection Cluster initiated a profiling operation in Abidjan and Grand-Bassam to complement the 2005 UNFPA survey and to develop durable solutions for displaced communities.

During the year an estimated 40,000 IDPs returned to their areas of origin, some without external assistance. UN agencies and local authorities also facilitated the small-scale return of IDPs to several locations in the west of the country with varying degrees of success. The displacement patterns often complicated the return of IDPs. For example, the displaced Burkinabe and other settlers living in the Guiglo IDP camp said that their plantations around the western town of Blolequin, south of the Zone of Confidence, were being occupied by indigenous Guere populations, who themselves had been displaced from their land in the Zone of Confidence at the beginning of the crisis. The government had not addressed this situation by year's end.

In January groups from the north conducted a series of attacks on several small villages in the region of Tabou, the traditional home of the Kroumen. The third attack resulted in the displacement of 153 persons and the deaths of between nine and 13 persons, most of whom were Koulango and Baoule. In February these IDPs returned to their villages but found them occupied by armed men reportedly from the Lobi ethnic group. In February the minister of national reconciliation and relations with institutions visited the Tabou area and gave approximately \$2,000 (1 million FCFA) to the Kroumen community and approximately \$800 (400,000 FCFA) to the 153 persons who fled.

New population displacements continued on a regular basis in the western region, particularly in the area around Guiglo and in the Zone of Confidence, although on a much smaller scale than had occurred in previous years. Although the origin of most disputes appeared to be economic, generally resulting from issues of land tenure and access to arable farmland, most of these conflicts also cut along ethnic lines.

In late 2005 the government attempted to forcibly expel approximately 200 IDPs from a Catholic mission in the western town of Duekoue to compel them to return to their villages. Some of the IDPs cited security concerns and refused to return. The subprefect of Guehieby, located in the Zone of Confidence, used limited local funds to rent private homes for the IDP families, and families were forced to share overcrowded houses or take up residence in abandoned houses. The Catholic Mission permitted a number of IDPs to remain until alternative arrangements were made.

#### Protection of Refugees

The constitution and law provides for the granting of asylum or refugee status in accordance with the 1951 UN Convention relating to the Status of Refugees and its 1967 protocol, and the government has established a system for providing protections to refugees. The government is signatory to the 1969 Organization of African Unity Convention governing specific aspects of refugee problems in Africa, and the law provides for asylum status to be granted in accordance with this convention.

In practice the government provided protection against refoulement, the return of persons to a country where they feared persecution. The government granted refugee status and asylum. A law that went into effect in 2004 provides refugees with legal status, including the right to work. The government also cooperated with the UNHCR and other humanitarian organizations in assisting refugees and maintained an office charged with aiding refugees and other stateless persons.

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

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

Individual security officers occasionally did not honor identity documents issued to refugees either by the government or by the UNHCR. There were fewer reports than in the previous year that security forces destroyed refugees' identity documents, arbitrarily detained, verbally harassed, and beat refugees at checkpoints. During the year the national agency in charge of refugees and stateless persons conducted a series of information sessions on refugee identification papers for members of the armed forces. The identity card law includes a provision for identity cards to be issued to non-Liberian individuals over 14 years of age whose refugee status has been granted by the National

Eligibility Commission. Liberians who arrived in the country before the 2003 peace agreement in Liberia benefited from *prima facie* (group determination) and received temporary refugee cards. Liberians who arrived in the country after the peace agreement did not receive temporary cards. Under certain circumstances, some asylum seekers who were not granted refugee status by the government were provided refugee certificates by the UNHCR.

During the year the UNHCR assisted the voluntary repatriation of refugees at the Guiglo camp, which was scheduled to remain open until June 2007. The UNHCR closed the transit center for Liberian refugees in Tabou in preparation to end its official repatriation process in June 2007.

There were reports that refugees were raped, but little additional information was available.

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

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

#### Elections and Political Participation

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

As a result of the Supreme Court rulings, most international election observers declined to monitor the election. The nationwide participation rate was 37 percent, and some polling places, especially in the north, closed early because of the lack of voters. Preliminary results showed that Gbagbo was leading by a significant margin. However, in October 2000, Daniel Cheick Bamba, an interior ministry and national elections commission (CNE) official, announced on national radio and television that the CNE had been dissolved and declared General Guei the victor with 56 percent of the vote. Thousands of Gbagbo supporters protested, demanding a full vote count. Mass demonstrations resulted in numerous deaths and injuries, and the next day, national radio and television reported that General Guei had stepped down and that Laurent Gbagbo had assumed the presidency.

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

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

Citizens' ability to elect subnational governments was limited.

The country remained divided at year's end. Despite the numerous peace accords signed since 2003, little progress was made towards either elections or disarmament and reunification of the country. President Gbagbo remained in office despite the expiration of his term in October, and Charles Konan Banny remained as interim prime minister after having been designated by the AU and ECOWAS in December 2005.

The youth wings of political parties were allowed to organize and were active. Activity of the Young FPI (JFPI) was ongoing; however, youth patriot groups who were not formally affiliated with the FPI conducted most activities during the year (see section 2.b.). Many of the members of the JFPI were likely members of some of these patriot groups. During the year militia groups such as the Young Patriots drew smaller crowds at demonstrations in Abidjan and elsewhere than when the rebellion broke out (see section 2.b.). For the first time since March 2004, when security forces violently repressed a demonstration by the unarmed opposition, the youth wings of the PDCI and RDR became more active.

On January 17, Young Patriots, FESCI students, and FPI members attacked the UN camp in Guiglo to protest the declaration by the IWG that the mandate of the National Assembly would expire in December. Besieged peacekeepers were forced to flee. Four to five protesters were killed, and the camp was looted and destroyed. The protests continued for four days during which protesters attacked UN headquarters in the Sebroko area of Abidjan, as well as offices, camps, and personnel in Daloa and San Pedro. On January 20, after a request from their leaders to leave the streets, the Young Patriots dismantled the roadblocks.

On October 15, the RHDP opposition alliance held a rally at an Abidjan stadium that reportedly drew between 5,000 and 10,000 persons.

In December youth members of the opposition held demonstrations in Abidjan and other parts of the country to protest the president's decree replacing the managing directors of RTI and Fraternite Matin and reinstating the managing directors of the port and the customs service and the governor of the district of Abidjan. Three members of the opposition were killed and several injured by security forces.

Women held 19 of 225 seats in the last elected National Assembly, which was suspended at the end of 2005. The first vice president of the National Assembly was a woman. Women held five of the 36 ministerial positions in Prime Minister Banny's cabinet. Of the 41 Supreme Court justices, four were women. Henriette Dagri Diabate served as Secretary General of the RDR, the party's second ranking position.

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

#### Government Corruption and Transparency

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

On August 23, police officer Zie Guillaume was arrested when he attempted to bribe the minister of security with \$240,000 (117 million FCFA) after allegedly attempting to enroll Police Academy candidates who had not completed the required exam (see section 1.d.).

The prime minister dissolved the cabinet following reports that corruption and mismanagement within the port authorities and customs agency had contributed to the dumping of toxic wastes in several areas of Abidjan, resulting in the deaths of 10 persons. When he formed a new cabinet in September, he replaced the transportation minister and created a new Ministry of Good Governance to address corruption issues.

#### Section 4 Governmental Attitude Regarding International and Non-governmental Investigation of Alleged Violations of Human Rights

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

The government took no action against Young Patriots leader Charles Ble Goude when the UNSC sanctioned him in February for his role in promoting ongoing tensions in the country. The government also took no action against prominent loyalist leaders in Abidjan such as Women Patriots leader Genevieve Bro Grebe and others who in 2004 helped orchestrate attacks on unarmed UN personnel and vehicles, opposition newspapers, opposition party headquarters, the homes of opposition party members, and the homes, businesses, and schools of French citizens and other expatriates. The violence, which was triggered in part by the retaliation of French Operation Licorne peacekeeping troops for the government's bombing of the French military base in Bouake, resulted in numerous civilian deaths and injuries.

During the year ONUCI, LIDHO, MIDH, Action for the Defense of Human Rights, and other human rights groups gathered evidence and testimony, published in independent local daily newspapers, and often criticized government security forces.

During the year members of MIDH continued to receive death threats, and progovernment militia groups targeted and harassed ONUCI.

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

During the year progovernment militia, unhindered by government security forces, frequently blocked UN and French peacekeeping forces from conducting activities in government-controlled areas. The IWG frequently protested such interference, which did not abate.

For example, during demonstrations in January against the IWG (see section 2.a), progovernment demonstrators attacked the vehicle of Prime Minister Banny, smashing several windows. A French Embassy official reported being attacked in his vehicle in the same vicinity during that incident. In a related incident, demonstrators destroyed a UN vehicle in the parking lot of the Hotel Ivoire. Pierre Schori, the UN Secretary General's Special Representative in Cote d'Ivoire, protested the attacks on ONUCI staff, buildings, and vehicles, and deplored the restrictions on the freedom of

movement of UN employees.

Beginning in October, UN troops operated patrols to reinforce security along the country's border with Liberia.

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

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

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

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

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

### Women

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

The law prohibits rape and provides for prison terms of five to 10 years, and the government enforced this law. Claims were most frequently brought against child rapists. A life sentence can be imposed in cases of gang rape if the rapists are related to or hold positions of authority over the victim, or if the victim is under 15 years of age. The law does not specifically penalize spousal rape. Rape was a problem, although its extent was unknown because the government did not collect statistics on rape or other physical abuse of women. Women's advocacy groups continued to protest the indifference of authorities to female victims of violence; however, women who reported rape or domestic violence to the police were often ignored. Many female victims were convinced by their relatives and police to seek an amicable resolution with the rapist rather than pursue a legal case. The Ministry of Human Rights, the Association of Women Lawyers, and MIDH continued to seek justice on behalf of rape victims but had not made much progress by year's end because of the reluctance of victims to file formal complaints. During the year the MIDH conducted a project called SOS Rape to provide rape victims with legal, social, psychological, and medical assistance.

During the year the Ministry of Women, Family, and Children's Affairs continued to provide limited assistance to victims of domestic violence. The ministry's support included providing government run counseling centers with computers, printers, and other equipment for record-keeping and visiting a few victims in their homes to attempt to reconcile troubled couples and to remove domestic servants from homes in which they had been sexually abused.

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

FGM was a serious problem. The law specifically forbids FGM and provides penalties for practitioners of up to five years' imprisonment and fines of approximately \$720 to \$4,000 (360,000 to two million FCFA). Double penalties apply to medical practitioners. The incidence of FGM did not continue to decrease from the previous year, and an estimated 60 percent of women had undergone the procedure. FGM was practiced most frequently among rural populations in the north and west and to a lesser extent in the center and south. FGM usually was performed on girls before or at puberty as a rite of passage, with techniques and hygiene that did not meet modern medical standards. Local NGOs, such as the Djigui Foundation, Animation Rurale de Korhogo, and the National Organization for Child, Woman, and Family, continued to work to persuade FGM practitioners to turn in their instruments. Unlike in the previous year, arrests related to FGM were made. For example, on March 8, a three-year-old girl required medical attention after undergoing FGM. The NF arrested and detained the girl's mother and the FGM practitioners at the police station in Marabadiassa. They were later released without charge.

Prostitution is not illegal as long as it occurs between consenting adults in private, and the practice appeared to be increasing due to economic difficulty. Soliciting and pandering are illegal, and the police sometimes enforced the law.

Women from nearby countries sometimes were trafficked into the country, including for forced prostitution (see section 5, Trafficking).

The law prohibits sexual harassment; however, such harassment was widespread and routinely accepted as a cultural norm. The government did not initiate any investigations or prosecutions during the year. The penalties for sexual harassment are between one and three years' imprisonment and a fine ranging between \$720 and \$2,000 (360,000 and one million CFA).

The law prohibits discrimination on the basis of gender; however, women occupied a subordinate role in society. Government policy encouraged full participation by women in social and economic life; however, there was considerable resistance among employers in the formal sector to hiring women, who were considered less dependable because of their potential for pregnancy. Some women also encountered difficulty in obtaining loans, as they could not meet the lending criteria established by banks, such as a title to a house and production of a profitable cash crop. NGOs supervised efforts to create economic cooperatives to provide poor women access to small loans from the government or private microfinance banks. Women in the formal sector usually were paid at the same rate as men (see section 6.e.); however, because the tax code did not recognize women as heads of households, female workers frequently were required to pay income tax at a higher rate than their male counterparts when they could not prove that they were family heads. Women's organizations began a campaign against the practice during the year, but the government had not revised the tax code by year's end. Inheritance law also discriminated against women.

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

#### Children

The ministries of public health and of employment, public service, and social security sought to safeguard the welfare of children, and the government also encouraged the formation of NGOs to promote children's interests, such as the National Organization for Children and Family.

The government strongly encouraged children to attend school in the government-controlled south; however, primary education was not compulsory. Primary education was tuition-free but usually ended at age 13. In principle students did not have to pay for books or fees; however, some still did so or rented books from stalls on the street because the government did not provide for school fees and books for every school. Poverty led many children between the ages of 12 and 14 to leave school. Research in 2002 showed that 67 percent of children six to 17 years old attended school, including 73 percent of boys and 61 percent of girls. However, Ministry of Education statistics for the 2004-2005 school year indicated that the de facto partition of the country had resulted in a drop in the schooling rate to 54.3 percent in primary school, with 52.1 percent of boys and 43.5 percent of girls attending school.

The schooling rate was much lower in the zone controlled by the NF. According to the NGO Ecole pour Tous, the lower enrollment rate was due both to lack of government teachers working in NF controlled zones and to the migration of families out of these areas.

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

Students who failed the secondary school entrance exams did not qualify for free secondary education, and many families could not afford to pay for schooling. Parental preference for educating boys rather than girls persisted, particularly in rural areas. The minister of national education stated in 2005 that almost one-third of the female primary and secondary school dropout rate of 66 percent was attributable to pregnancies.

For the first time since 2004, the government allowed exams to be administered in September in the rebel-controlled north, thereby permitting thousands of students in that region to seek advanced study.

Teachers sometimes gave good grades and money to students in exchange for sexual favors. The penalty for statutory rape or attempted rape of either a child aged 15 years or younger was a prison sentence of one to three years and a fine of \$200 to \$2,000 (100,000 to one million FCFA).

The Ministry of Health and Public Hygiene continued to operate a nationwide network of clinics for children, infants, and prenatal care staffed with nurses and doctors who served the local residents, whether citizens or non-citizens, free or at low cost; however, many doctors and nurses left the zones under control of the NF after September 2002. Girls and boys had equal access to health care.

A 2004 NGO survey of 500 schoolchildren in Abidjan and its suburbs found that 27 percent of children had been

victims of sexual abuse; 74 percent of the victims were girls and 26 percent boys. Approximately 33 percent had been raped, 15 percent had been the victims of attempted rape; 42 percent had been fondled, and 11 percent were victims of sexual harassment. When the sexual abuse occurred in the family, 54 percent of the assailants were male cousins, 11 percent were female cousins, five percent were guardians, and three percent were brothers and sisters.

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

The law prohibits and provides criminal penalties for forced or early marriage; however, it occurred throughout the country, particularly in rural areas. The law prohibits the marriage of men under the age of 20, women under the age of 18, and persons under the age of 21 without the consent of their parents. However, traditional marriages were commonly performed with girls as young as 14 in the conservative communities in the north. The law specifically penalizes anyone who forces a minor under 18 years of age to enter a religious or customary matrimonial union. There is no data on child marriage because these marriages are done traditionally and are not registered.

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

Both progovernment militias and rebel forces continued to recruit and use children as soldiers, both on a voluntary and a forced basis.

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

There were many thousands of street children in the country, including approximately 5,000 in Abidjan; even NGOs dedicated to the problem found it difficult to estimate its extent. Some children were employed as domestics and were subject to sexual abuse, harassment, and other mistreatment by their employers (see section 6.d.). Because of the political-military crisis, many families, including displaced families, relied on their children to work as street vendors and bring money home. A forum of 15 NGOs worked with street children in training centers that were similar to halfway houses. The NGOs paid the children a small subsistence sum while teaching them vocational and budgeting skills. Many street children, however, were reluctant to stay in training centers where they earned no money and were subject to strict discipline.

#### Trafficking in Persons

The constitution and law do not prohibit trafficking in persons, and although the government continued its antitrafficking efforts, trafficking in persons remained a problem. With the continuing crisis and the difficulty in identifying trafficked children, UN agencies and international humanitarian agencies such as the UN Children's Fund (UNICEF) concentrated on child soldiers and children displaced because of the war. The government, other UN and international agencies such as ILO, International Cocoa Foundation (ICI), and the German Cooperation Agency (GTZ) continued efforts to combat trafficking in persons.

The country was a source and destination country for trafficking in women and children. Women and children were trafficked from Mali, Burkina Faso, Ghana, Togo, and Benin for the purposes of prostitution, sexual exploitation, and forced commercial, agricultural, and domestic servitude. The full extent and nature of the problem was unknown despite efforts to document the trafficking of persons in the country. There was no reliable estimate on the number of children intercepted or repatriated during the year. Trafficking in persons appeared to decrease during the year due to increased police checkpoints and fewer economic opportunities in the country. Unlike in the previous year, officials at the country's border with Ghana near Aboisso did not report an increase in the number of unaccompanied child travelers.

The country's cities and farms provided ample opportunities for traffickers, especially of children and women. The informal labor sectors were not regulated under existing labor laws; as a result domestics, most nonindustrial farm laborers, and those who worked in the country's broad range of street shops and restaurants remained outside formal government protection. Internal trafficking of girls ages nine to 15 to work as household domestics in Abidjan, and elsewhere in the more prosperous south, remained a problem. Traffickers of local children often were relatives or friends of the victim's parents. Traffickers sometimes promised parents that the children would learn a trade, but they often ended up on the streets as vendors or working as domestic servants. Due to the economic crisis, many parents allowed their children to be exploited to minimize the financial burden on the family. Because security forces were trained to search buses for trafficked children, traffickers changed their methods during the year. Instead of moving large groups of children into the country by bus, traffickers relocated between one and three children at a time by bicycle or train or on foot.

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

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

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

The controversy over child labor in the local cocoa sector continued, and the government, the ILO, the Institute of Tropical Agriculture, and the Chocolate Manufacturers Association continued to document the problem and search for ways to handle the issue. A 2002 survey conducted by the International Institute of Tropical Agriculture revealed that most children in the cocoa sector worked on the family's farm (approximately 70 percent) or beside their parents. Of the 625,000 working children, 96.7 percent had a kinship relation to the farmer. Others, most frequently the children of extended family members or persons well known to them, cited their or their family's agreement to leave their respective countries to work on farms in the country to earn money or to pursue a better life.

The research suggested that perhaps 5,000 to 10,000 children were trafficked to or within the country to work full- or part time in the cocoa sector. It also showed an estimated 5,100 children employed as full-time permanent workers, approximately 3,000 of whom were from Burkina Faso. The survey found another 12,000 children working part-time on cocoa farms who had no family ties with the farmer. The research showed that approximately 109,000 child laborers worked in hazardous conditions on cocoa farms in the country in what the study described as the worst forms of child labor. The studies estimated that 59 percent were from Burkina Faso, 24 percent were citizens, and the others were from Mali or other countries to the north. Compared with previous years, there were significantly fewer reports of children from neighboring countries being imported for fieldwork on plantations under abusive conditions.

Traffickers can be prosecuted under laws prohibiting kidnapping, forced labor, and mistreatment; however, there was minimal law enforcement in government-held territories, and only five traffickers were arrested, prosecuted, and sentenced to prison terms during the year. The National Committee for the Fight Against Trafficking and Child Exploitation coordinated the government's antitrafficking efforts; it included representatives from the ministries of family and social affairs, security, labor, foreign affairs, economy and finance, and health and public hygiene.

The government cooperated with international investigations of trafficking. The ministries of employment and of family and social affairs continued to work with authorities in neighboring countries to prevent cross-border child trafficking and to repatriate children. In July 2005 the Ministry of Family and Social Affairs held a ministerial meeting on trafficking in persons that was attended by 10 West African countries that signed a multilateral accord to fight trafficking collectively. In July the government set up a committee with national reach to coordinate its implementation of the multilateral cooperative agreement, which includes a provision to establish a child trafficking monitoring system.

The government worked with NGOs and international organizations to combat trafficking in persons. The National Committee for the Fight Against Child Trafficking continued its work during the year and included representatives from numerous government ministries; representatives from several national and international organizations and NGOs, such as UNICEF, ILO, Save the Children, and the Network of African Women Ministers and Parliamentarians - Cote d'Ivoire (REFAMP CI); and the BICE. In Abgville, in the heart of the cocoa-producing zone, Winrock International continued its project Alternatives to Child Labor through Improved Education. The project offers agricultural classes for farmers' children to provide them with practical cocoa-farming skills in the context of their continuing education. The development agencies of two foreign governments, in cooperation with NGOs and industry-sponsored consortiums, continued a campaign against the worst forms of child labor in cocoa-growing belts.

#### Persons with Disabilities

The law requires the government to educate and train persons with physical, mental, visual, auditory, and cerebral motor disabilities, to hire them or help them find jobs, to design houses and public facilities for wheelchair access, and to adapt machines, tools, and work spaces for access and use by persons with disabilities; however, wheelchair accessible facilities for persons with disabilities were not common, and there were few training and job assistance programs for persons with disabilities. The law also prohibits acts of violence against persons with disabilities and the abandonment of such persons; however, there were no reports that the government enforced these laws during the year.

There were no developments during the year in the November 2005 case in which more than 200 members of the National Federation of the Handicapped of Cote d'Ivoire (FAH-CI) organized a sit-in in front of the Ministry of Solidarity, Social Security, and the Handicapped to protest the government's failure to recruit persons with disabilities during the last three years. The head of FAH-CI was subsequently fired. Although the government in 1996 announced a program to recruit persons with disabilities for government service, FAH-CI announced in December that only 435 persons with disabilities had been recruited into the civil service since the program began.

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

Traditional practices, beliefs, and superstitions varied, but infanticide in cases of serious birth defects continued to

decline from the previous year. Many parents no longer believed that children with disabilities were sorcerers or the signs of a curse.

The Ministry of Family and Social Affairs and the Federation of the Handicapped were responsible for protecting the rights of persons with disabilities.

One person with disabilities, the vice president of the Movement of Forces of the Future, was appointed minister of human rights in September.

#### National/Racial/Ethnic Minorities

The country's population was ethnically diverse. Citizens born in the country derived from five major families of ethnic groups: the Akan; the northern Mande; the Krou; the Voltaic; and the southern Mande. Major ethnic groups generally had their own primary languages, and their nonurban populations tended to be concentrated regionally.

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

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

National identification remained at the heart of the ongoing political crisis. In May Prime Minister Banny initiated a program to register the approximately 2.5 to three million undocumented Ivorians and foreigners born in the country. However, this effort aroused fierce protests by pro-Gbagbo militias and President Gbagbo's FPI party, which alleged that the procedures being used were vulnerable to fraud. The prime minister's office amended the procedures by adopting guidelines to separate the registration of birth certificates from the registration of certificates of nationality. Only the birth certificates continued to be delivered on the spot during the mobile court fairs.

In 2004 the National Assembly made changes to the nationality code and adopted a Special Law on Naturalization, legislation that was envisioned by the Linas-Marcoussis Accord to resolve the dispute over which persons born of foreign parents before 1972 should be entitled to citizenship and to simplify procedures to obtain citizenship for this group and for foreigners married to citizens. The legislation that was eventually passed resolved the citizenship question for those born before 1960 but not for those born between 1960 and 1972. In July and August 2005 the president signed new drafts of laws on nationality and naturalization in an effort to address the concerns of the opposition parties; however, nationality and citizenship remained contentious issues.

Some resident ethnic groups included many noncitizens, while others included few noncitizens. Societal and political tensions between these two sets of ethnic groups resulted in a cleavage corresponding to some extent to regional differences. Members of northern ethnic groups that were found both domestically and in neighboring countries often were required to document their citizenship, whereas members of formerly or presently politically powerful ethnic groups of the west, south, and center reportedly were not required to do so.

Police routinely abused and harassed noncitizen Africans residing in the country (see section 1.f.). Harassment by officials reflected the common belief that foreigners were responsible for high crime rates and instances of identity card fraud. Harassment of northerners, which increased markedly after the 2002 rebellion, declined from 2005 levels.

Unlike in the previous year, there were no reports that police bulldozed the homes of persons living in shantytowns in Abidjan.

The French and the Burkinabe continued to minimize their public exposure as harassment against them by security forces at checkpoints continued during the year (see section 2.d.).

Unlike in previous years, there were no reported clashes between the native Guere populations and the Burkinabe; however, there were clashes between the Guere and other groups.

Ethnic tensions led to fighting and deaths, especially in Alepe, in the southeast, and in the western areas of the country. Unlike in the previous year, there were no reports that fighting continued between the We and Yacouba ethnic groups in the west. In the west, and in Duekoue and Bangolo in particular, there continued to be violent clashes between the native We population and members of the foreign community, particularly Burkinabe farmers.

At year's end the government had taken no action against perpetrators of violent clashes in 2005.

## Other Societal Abuses and Discrimination

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

## Incitement to Acts of Discrimination

Progovernment newspapers, militias, and youth groups, often encouraged by leaders of the Young Patriots and FESCI, continued to use the media, including radio programs and newspaper columns, to promote hatred against northerners, loosely described as "assailants," the French, and foreigners, especially those from Mali and Burkina Faso. Charles Ble Goude, leader of the Young Patriots, used less violent rhetoric after sanctions were imposed on him in February.

## Section 6 Worker Rights

### a. The Right of Association

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

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

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

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

The law allows unions in the formal sector, which comprised approximately 1.5 million workers or 15 percent of the workforce, to conduct their activities without interference, and the government protected this right in practice. The law provides for collective bargaining and grants all citizens, except members of the police and military services, the right to bargain collectively. Collective bargaining agreements were in effect in many major business enterprises and sectors of the civil service. The law provides for the right to strike, and workers generally exercised this right. During 2005 and 2006, cocoa farmers, police trainees, customs workers, bank employees, air traffic controllers, and teachers at both the primary and higher education levels conducted strikes against a variety of grievances. However, the law requires a protracted series of negotiations and a six-day notification period before a strike may take place, making legal strikes difficult to organize and maintain.

In August the medical corps of the Cocody University Teaching Hospital began a three-day strike after a gendarme used his gun to threaten the hospital staff to treat his family member before patients who had been waiting longer. During the strike, which was considered illegal because the staff did not provide six days' prior notice, the hospital maintained a skeleton staff and asked the government to ensure their protection. The Ministry of Health negotiated with employees to convince them to return to work. However, the government did not provide physical protection to the staff as it had agreed, and no action was taken against the gendarme.

There are no export processing zones.

### c. Prohibition of Forced or Compulsory Labor

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

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

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

There were laws against forced labor and the exploitation of children in the workplace; however, child labor remained a problem. In most instances the legal minimum working age is 14; however, the Ministry of Civil Service, Employment, and Administrative Reform enforced this provision effectively only in the civil service and in large multinational companies. The law limits the hours worked by young workers, defined as those younger than 18 years old. However, children often worked on family farms, and some children routinely acted as vendors, shoe shiners,

errand boys, domestic helpers, street restaurant vendors, and car watchers and washers in the informal sector in cities. Some girls as young as nine years old began work as domestics, often within their extended family networks. There were reliable reports of children laboring in "sweatshop" conditions in small workshops. Children also worked in family-operated, small-scale gold and diamond mines.

According to a 2003 study, 28 percent of all children worked, with 20 percent working full-time. About 23 percent of the children ages 10 to 14 and 55 percent of the children ages five to 17 carried out an economic activity. According to a 2002 study conducted by the Sustainable Tree Crop Program and the International Institute of Tropical Agriculture, approximately 109,000 child laborers worked in hazardous conditions on cocoa farms (see section 5); some of these children were forced or indentured workers, but 70 percent worked on family farms or with their parents.

Government militias and rebels continued to use child soldiers (see section 5.)

The government continued its 2004 pilot program to certify that cocoa was produced free of child labor and that children in cocoa producing areas attended school. The Ministry of Labor also continued the work of the prime minister's Task Force on Child Labor and worked in conjunction with the World Chocolate Foundation to develop a list of benchmarks and deadlines to be achieved by 2008.

As part of a national action plan adopted in 2005 to eliminate child labor and trafficking, the Ministry of Civil Service, Employment, and Administrative Reform, in coordination with other ministries, developed a list of prohibited worst forms of child labor, which was published in the official registry in March 2005. During the year NGOs used this list in ongoing campaigns to sensitize farm families about the worst forms of child labor.

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

#### e. Acceptable Conditions of Work

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

Labor federations attempted to fight for just treatment under the law for workers when companies failed to meet minimum salary requirements or discriminated among classes of workers, such as local and foreign workers. For example, the sanitary services company Ash International continued to pay wages as low as \$24 (12,000 FCFA) per month to female employees who swept the streets of Abidjan. According to their labor federation, labor inspectors continued to ignore this violation of the law.

The shipbuilding company Carena continued to discriminate between European engineers who were paid on average \$15,600 (eight million FCFA) a month and their African colleagues who received approximately \$1,500 (800,000 FCFA) a month. Government labor and employment authorities did not take action in these cases.

The standard legal workweek was 40 hours. The law requires overtime pay for additional hours and provides for at least one 24-hour rest period per week. The law did not prohibit compulsory overtime. The government did not actively enforce the law during the year.

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

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