

2023 Country Report on Human Rights Practices: Côte d'Ivoire

EXECUTIVE SUMMARY

There were no significant changes in the human rights situation in Côte d'Ivoire during the year.

Significant human rights issues included credible reports of arbitrary or unlawful killings, including extrajudicial killings; torture or cruel, inhuman or degrading treatment or punishment by the government; harsh and life-threatening prison conditions; arbitrary arrest or detention; serious restrictions on freedom of expression and media freedom, including censorship; substantial interference with the freedom of peaceful assembly; serious government corruption; and violence against lesbian, gay, bisexual, transgender, queer, or intersex persons.

The government did not consistently take credible steps to identify and punish officials who may have committed human rights abuses.

Section 1.

Respect for the Integrity of the Person

A. ARBITRARY DEPRIVATION OF LIFE AND OTHER UNLAWFUL OR POLITICALLY MOTIVATED KILLINGS

There were two reports that the government or its agents committed potentially arbitrary or unlawful killings, including extrajudicial killings.

An international nongovernmental organization (NGO) reported in October the case of an artisanal gold miner who was arrested for carrying explosives. Police feared the explosives were potentially for terrorist activities and reportedly tortured the man to death during the interrogation.

One human rights organization reported the death of an illegal miner at the hands of law enforcement agents after agents discovered and attempted to clear an illegal site.

B. DISAPPEARANCE

There were no reports of disappearances by or on behalf of government authorities.

C. TORTURE AND OTHER CRUEL, INHUMAN, OR DEGRADING TREATMENT OR PUNISHMENT, AND OTHER RELATED ABUSES

The constitution and law prohibited such practices. The government did not report abuse within prisons and did not provide information regarding mechanisms to prevent or punish such abuses.

Human rights organizations reported that detainees and prisoners were routinely subject to violence and abuse, including beatings and extortion, by members of the security forces and prison officials.

Human rights organizations reported mistreatment of detainees between arrest and being booked into prison (see also section 1.a.).

Prison authorities acknowledged abuse might happen and go unreported, since prisoners feared reprisals.

Local NGOs reported that impunity was an occasional problem in the security forces. Local NGOs reported prison guards, who reported to the Ministry of Justice, as the branch of the security forces most often implicated in impunity.

Prison and Detention Center Conditions

Prison conditions were harsh and unhealthy due to gross overcrowding, inadequate sanitary conditions, understaffing, and lack of proper medical care.

Abusive Physical Conditions: The government acknowledged prison overpopulation remained a problem and reported that prisons originally built to hold 9,639 prisoners were insufficient to hold the total prison population of 25,928, as of mid-September. The main prison in the country, Central Prison of Abidjan (MACA), which was built to hold 1,500 prisoners, held 10,312 inmates during the year. Human rights organizations observed that prisoners sometimes had no room to lie down and sleep, and slept without mattresses, head-to-toe on the floor. Poor ventilation and high temperatures, exacerbated by overcrowding, remained problems in some prisons. The local NGO N’Gboado reported frequent cases of prisoner-on-prisoner violence, reinforced by the fact that some prisoners were involved in running the prison, while others were “prisoners-managers” who abused their power. N’Gboado reported on the “Baygon System,” where new prisoners were required to pay rent to longer-tenured prisoners to get access to decent cells; otherwise, the new prisoners might be forced to sleep in overcrowded cells. Human rights organizations also reported cases of sexual exploitation, including sex trafficking, in prisons.

Human rights organizations reported prisoners in some prisons did not get enough food to meet daily caloric needs. A human rights organization reported that in May, 12 percent of one prison’s inmates were suffering from beriberi due to severe malnutrition. The government stated there were zero prison deaths due to malnutrition. A human rights organization, however, received reports of 12 prisoner deaths due to malnutrition by March. While potable water generally was available in prisons and detention centers, water shortages were common. Unsanitary conditions persisted in detention facilities, including detainees living near toilets and using bottles or other makeshift bathroom facilities.

According to the government, each prison facility had a medical clinic staffed with a nurse, doctor, or both available 24 hours a day. N’Gboado reported prisoners did not always have access to medical professionals and that some prisons did not have medical staff working at night. N’Gboado also reported transfers to outside hospitals were often disallowed even if medically necessary because of burdensome transfer procedures and staffing shortages. Another human rights organization further reported guards did not always remain within earshot of prison cells at night, making it difficult for prisoners to inform them of medical emergencies. N’Gboado reported that clinics often lacked necessary medicines, particularly for chronic diseases such as diabetes and hypertension, and endemic diseases such as malaria.

A human rights organization also reported that government budgeting and procurement systems did not forecast effectively, so there were periods within the year where food and health supplies were virtually nonexistent.

Information on conditions at detention centers operated by the Directorate of Territorial Surveillance (DST) was not available.

Administration: Although inmates could submit complaints of abuse to prison directors, the government did not provide information on such complaints. The government reported as of

September there were no confirmed cases in which prison officials committed physical abuse against inmates under their supervision. Human rights organizations, however, reported that physical abuse of prisoners by prison guards had significantly dropped but that verbal abuse remained.

Independent Monitoring: The government generally permitted some local and international NGOs adequate access to prisons, but access to detention centers run by the DST was more restricted.

Improvements: A new prison opened in San Pedro to hold 500 inmates.

More prisoners received a second daily portion of porridge. Despite this improvement, one human rights organization reported many prisoners still received only one meal per day, often with low-quality ingredients.

Human rights organizations reported more prisoners had access to fresh air through formal programs to allow prisoners to stay outside their cells for certain periods of the day. A human rights organization reported the construction of a new health unit at MACA.

D. ARBITRARY ARREST OR DETENTION

The constitution and law prohibited arbitrary arrest and detention, but both reportedly occurred. Although detainees had the right to challenge in court the lawfulness of their detention, most detainees were unaware of this right.

Arrest Procedures and Treatment of Detainees

The law allowed the state to detain a suspect for up to 48 hours without charge, subject to renewal only once for an additional 48 hours. The law specified a maximum of 18 months of pretrial detention for misdemeanor charges, subject to judicial review every six months, and 24 months for felony charges, subject to judicial review every eight months.

Police sometimes arrested individuals and held them without charge beyond the legal limit. While the law provided for informing detainees promptly of the charges against them, human rights organizations reported that this did not always occur, especially in cases concerning state security or involving the DST. Media and human rights organizations reported that the continued influx of refugees and asylum seekers from Burkina Faso and the threat of violent extremism in the country's northern areas led to increased suspicion of the Fulani (also known as the Peuhl), an ethnic group frequently stereotyped as affiliated with violent extremist organizations. Fulani were often the subject of harassment, arrest without cause, and extended detention with numerous administrative barriers to contact with family and counsel.

A bail system existed but was used solely at the discretion of the trial judge. Authorities generally allowed detainees access to lawyers, but in national security cases, authorities sometimes impeded access to legal representation and family visitation rights. The government sometimes provided lawyers to those who could not afford them, but other suspects had no lawyer unless they retained one themselves. Public defenders occasionally refused to accept indigent client cases because they reportedly had difficulty being reimbursed by the government, as prescribed by law, or because they were overwhelmed by their workload. Human rights organizations reported multiple instances in which detainees were transferred to detention facilities outside their presiding judge's jurisdiction, in violation of the law.

Arbitrary Arrest: The law did not permit arbitrary arrest, but authorities reportedly made such arrests on occasion. Human rights organizations reported that authorities arbitrarily detained persons without charge. Many of these detainees remained in custody briefly at either police or

gendarmerie stations before being released or transferred to prisons, but others were detained at these initial holding locations for longer than the legal 48-hour period, which was renewable once.

In September, press reported that six supporters of Michel Gbagbo, an opposition political candidate, were accused of “public disorder, possession of light weapons and contempt of law enforcement,” tried, and convicted to six months in prison. Local human rights groups stated there was no evidence of wrongdoing, and that the arrests appeared to be arbitrary and politically motivated.

Pretrial Detention: Prolonged pretrial detention was a major problem. In some cases, the length of detention equaled or exceeded the sentence for the alleged crime. Inadequate staffing in the Ministry of Justice, judicial inefficiency, and authorities’ lack of training or knowledge of legal updates contributed to lengthy pretrial detention. There were reports of pretrial detainees receiving convictions in absentia (see section 1.e., Trial Procedures).

E. DENIAL OF FAIR PUBLIC TRIAL

The constitution and law provided for an independent judiciary, and although the judiciary generally was independent in ordinary criminal cases, the government did not always respect judicial independence. Political actors frequently accused the government of weaponizing the judiciary against the political opposition. Local NGOs, however, cited no cases of interference with the judiciary during the year.

Trial Procedures

The constitution and law provided for the right to a fair and public trial, but the judiciary sometimes did not enforce this right. Although the law provided for the presumption of innocence and the right to be informed promptly and in detail of charges, the government did not always respect these requirements. The government reported standing criminal tribunals continued to significantly reduce the number of outstanding cases. Still, human rights organizations reported that a long backlog of cases remained the norm.

Although the judicial system provided for court-appointed attorneys for those who could not afford them, only limited free legal assistance was available. The government had a small legal defense fund to pay members of the bar who agreed to represent the indigent. Nonetheless, obtaining representation in rural areas was often impractical because most lawyers were based in the country’s two largest cities. Defendants had the right to adequate time and facilities to prepare a defense, although the government sometimes pursued rapid trials that did not respect such rights. Defendants could present their own witnesses and evidence and confront prosecution or plaintiff witnesses, although lack of a witness protection mechanism was a problem. Defendants could not be legally compelled to testify or confess guilt, although there were reports they sometimes were required to do so. Defendants had the right to be present at their trials, but courts could try absent defendants whom the courts believed did not have a valid excuse for their absence, and courts did so occasionally in high-profile cases. Those convicted had access to appeals courts, but higher courts rarely overturned verdicts.

The relative scarcity of trained magistrates (with approximately 700 in the country) and lawyers resulted in limited access to effective judicial proceedings, particularly outside of major cities.

Political Prisoners and Detainees

The government and human rights organizations reported no cases of political prisoners during the year.

F. TRANSNATIONAL REPRESSION

Misuse of International Law Enforcement Tools: In contrast to previous years, there were no credible reports the country attempted to misuse international law enforcement tools for politically motivated purposes as a reprisal against specific individuals located outside the country.

G. PROPERTY SEIZURE AND RESTITUTION

In June, a human rights organization reported 12 cases of evictions to make room for infrastructure projects. They reported that in most of these cases, the evicted did not receive assistance and compensation. The NGO Colombe Ivoire also reported alleged failures to provide notice or compensation to some individuals previously evicted due to the new Abidjan metro and bridge projects for more than three years. Evicted individuals were often obligated to leave their houses to live in insecure conditions. The organizations further reported that even when compensation was provided, either in the form of rehousing or cash payment, the government was slow to deliver the benefits. Colombe Ivoire reported three deaths of evicted individuals living in dangerous and unstable conditions after eviction.

In May, the government launched a campaign to prevent risks of flooding during the rainy season. They evicted persons from areas identified as high risk and destroyed properties in 17 areas of Abidjan. Media organizations reported the case of persons in Port-Bouët who were homeless and without compensation and support after these evictions.

H. ARBITRARY OR UNLAWFUL INTERFERENCE WITH PRIVACY, FAMILY, HOME, OR CORRESPONDENCE

The constitution and law prohibited such actions, but the government did not always respect these prohibitions. The law required warrants for security personnel to conduct searches, the prosecutor's agreement to retain any evidence seized in a search, and the presence of witnesses in a search, which could take place at any time. Legal counsel for civil rights activist Pulchérie Gbalet reported that police searched Gbalet's home without a warrant following her arrest in August 2022 for conspiracy with agents of a foreign power likely to harm the military and diplomatic situation of the country, dissemination of false news likely to harm the morale of the people and undermining public order. Pulchérie Gbalet was paroled in February after five months in prison.

Section 2.

Respect for Civil Liberties

A. FREEDOM OF EXPRESSION, INCLUDING FOR MEMBERS OF THE PRESS AND OTHER MEDIA

The constitution and law provided for freedom of expression, including for members of the press and other media, but the government restricted this right.

Freedom of Expression: The law prohibited incitement to violence, ethnic hatred, and rebellion, as well as insulting the head of state or other senior members of the government. Sometimes the government took steps to remove such content from social media. Other times the application of this law raised questions of political influence.

CIDDH, a local human rights organization, in March reported the case of Kajeem, a well-known singer who was the victim of death threats on social media after the release of his new album where he was accused of criticizing President Ouattara.

In February, press reported that five individuals were arrested during a political rally for holding a Russian flag. The government reported they were charged with conspiracy against state authority, incitement to attack state authority, and undermining public order. They were provisionally released in March and placed under judicial supervision.

Violence and Harassment: In contrast to previous years, there were no reports of journalists subjected to violence, harassment, or intimidation by authorities due to their reporting during the year.

Censorship or Content Restrictions for Members of the Press and Other Media, Including Online Media: There were public and private radio and television stations. The government influenced news coverage and program content on some of them. Both independent journalists and journalists affiliated with the state-owned media reported they regularly exercised self-censorship to avoid sanctions or reprisals from government officials. The government appointed some managers of government-affiliated outlets. The National Press Authority (ANP), the government's print media regulatory body, briefly suspended or reprimanded newspapers and journalists for statements it contended were false, libelous, or perceived to incite xenophobia and hate. Human rights organizations reported the threat of legal action had a chilling effect on media coverage of certain topics, and media often only published stories critical of the government after the same reporting had appeared in international publications.

In March, the ANP announced a six-issue suspension of *Le Temps*, a daily newspaper with close ties to former President Laurent Gbagbo and suspended for three months the writing privileges of Yacouba Gbané, an editor of the same newspaper. The ANP's decision followed the publication of an article criticizing the judiciary and magistrates after the arrest of a political opposition member. According to the ANP, the article violated the media code of ethics and sought to "damage the honor and reputation of the judicial body."

In August, the ANP suspended *Le Jour Plus*, a daily newspaper with close ties to the ruling Rally of the Houphouëtists for Democracy and Peace party, for seven issues for using "offensive and derogatory" language in an article about former President Laurent Gbagbo. The ANP also suspended the writing privileges of Sika Yapi Jean François, known as Yapi Coulibaly, for 15 days, citing disrespectful and hurtful terms that undermined Gbagbo's honor and credibility.

Libel/Slander Laws: Defamation deemed to threaten the national interest was punishable by criminal prosecution. In addition to government prosecution, individuals could bring criminal defamation cases against other individuals.

There were no reports of convictions or prosecutions under defamation laws during the year, although as noted previously, there were administrative actions against publications related to charges of defamation.

Internet Freedom

In December 2022, the parliament passed a new law on the legal status of audiovisual communication. This law stated that "the broadcasting of audiovisual content by any blogger, activist or influencer platform with more than 25,000 online subscribers must comply with the principles of audiovisual communication." The law also obliged service providers of video-sharing platforms to "put in place appropriate measures to protect minors against content likely to affect their physical, mental or moral development, and the general public against incitement to hatred, ethnic, social and religious discrimination, xenophobia."

In February, following the broadcast of a video on social media, which involved Lolo Beauté, an influencer accused of exposing herself, numerous viewers reported the video to the High Audiovisual Communications Authority (HACA). Based on the new law, the HACA stated that it

was “an affront to public decency and a serious violation of audiovisual principles” and sanctioned Lolo Beauté by a 30-day suspension of her Meta accounts. In June, she was arrested by the Cybercrime Platform, under the authority of the Ministry of Interior and Security, after a complaint by the Attorney General regarding the same act. She was charged with public indecency and placed under judicial supervision.

B. FREEDOMS OF PEACEFUL ASSEMBLY AND ASSOCIATION

The law provided for the freedoms of peaceful assembly and association, but the government sometimes restricted the right to peaceful assembly.

Freedom of Peaceful Assembly

The law provided for freedom of peaceful assembly, but the government did not always respect this right. The law required groups that wished to hold demonstrations or rallies in stadiums or other enclosed spaces to submit a written notice to the government at least three days before the proposed event. The organizers needed to receive the government’s authorization to proceed.

Some opposition political parties reported denials of their requests to hold political meetings and alleged inconsistent standards for granting public assembly permits. Several human rights organizations affirmed the routine unequal treatment of opposition political parties and reported that security personnel sometimes dispersed opposition political party gatherings with excessive force.

In February, soon after Damana Adia Médard and another member of the opposition close to former president Gbagbo were charged for their alleged involvement in a 2021 attack on a military base in Abidjan, social media networks called on followers to rally and protest the arrests across Abidjan. Thirty-one supporters, who accompanied Damana to the court, were arrested, charged with disturbing public order, and put in pretrial detention at MACA. On March 10, they were tried, and 26 of them were sentenced to two years in prison. Less than two weeks later, the government commuted their sentences, but the conviction remained on their records, depriving the group of civic rights including the right to vote and to run for office.

C. FREEDOM OF RELIGION

See the Department of State’s *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/>.

D. FREEDOM OF MOVEMENT AND THE RIGHT TO LEAVE THE COUNTRY

The constitution and law did not specifically provide for freedom of movement, foreign travel, emigration, or repatriation, but the government generally respected these rights.

In-country Movement: There were reports of impediments to internal travel. Although some roadblocks set up by security forces served legitimate security purposes, civil society organizations reported instances in which members of the security forces, deployed to the north of the country to interdict criminals and violent extremists, set up unofficial checkpoints and demanded bribes for travelers to pass.

E. PROTECTION OF REFUGEES

The government cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing protection and assistance to refugees, returning refugees, or asylum seekers, as well as other persons of concern.

Access to Asylum: Although there was no national asylum law, the country provided for asylum or refugee status, and the government established an administrative system for providing protection to refugees. Asylum seekers awaiting adjudication of their application enjoyed a full set of basic rights, including freedom of movement, health care, and education. Asylum seekers were not entitled to work until they received refugee status.

Continued instability and violent extremist attacks in neighboring Burkina Faso pushed thousands of Burkinabe residing in border villages to enter the country as asylum seekers. In September, the estimated Burkinabe refugee population was 35,295, of which 26,156 were registered by UNHCR as asylum seekers. To address a lack of shelters, provide relief to refugee host communities, and alleviate security concerns, the government in July established two refugee transit sites near Ouangolodogo in the Tchologo region (central north) and Bouna in the Bounkani region (northeast) for up to 15,000 total refugees along with latrines, water points, and electrical access. As of September, 5,588 refugees had moved into the transit sites. Human rights organizations reported that the rural north was known for having too few schools and class sizes of up to 100 students, which increased the urgency of reinforcing education facilities near the transit sites and host communities. UNHCR surveys showed that less than 10 percent of refugee children were enrolled in any form of schooling.

Durable Solutions: UNHCR reported it was almost impossible for refugees to be naturalized, except through marriage to a citizen.

Temporary Protection: The government provided temporary protection for individuals who did not qualify as refugees. Nationals of the Economic Community of West African States (ECOWAS) member states could remain in the country with a valid identification document (i.e., a national identity card or passport) from their country of origin. The government required non-ECOWAS African nationals and nationals of other countries to obtain a residency permit within 90 days of their asylum claim rejection or face deportation. To obtain a residency permit, the government required non-ECOWAS African nationals to submit their asylum rejection letter and pay a substantial fee. Residency permit requirements for other nationals were based on reciprocity between the country and the applicant's country of origin.

F. STATUS AND TREATMENT OF INTERNALLY DISPLACED PERSONS

Not applicable.

G. STATELESS PERSONS

The country hosted a very large stateless population. The government did not report the number of persons believed to be stateless. With birth registration a requirement for citizenship, all unregistered children were at risk of statelessness. UNHCR estimated 16,000 persons in the country were at "very high risk" of statelessness, out of an estimated 1.65 million persons living in the country without citizenship documents. This figure included an estimated 519,000 abandoned children and foundlings, (i.e., abandoned children of unknown parentage), who were at risk of statelessness because they could not prove their citizenship through their parents, as required by law. Such children were deprived of the opportunity to attend high school because even though school was compulsory until the age of 16, identity documents were required for enrollment in school above the elementary level. Adults without identity documents were unable to open bank accounts, travel abroad freely, purchase land, gain lawful employment, vote, or exercise other political rights, such as running for office.

Stateless persons reportedly faced additional difficulties, such as in accessing health services, marrying civilly, or receiving an inheritance. Social stigma and harassment could also accompany statelessness.

The government had policies to resolve the status of certain stateless persons. In 2020 the government launched the National Committee on Eligibility for Statelessness Status and formally established legal procedures for some individuals to petition the government for a formal determination of statelessness status, without prejudice to their ability to prove a nationality later. According to UNHCR, a determination of statelessness would pave the way for an individual to receive identity documents and access to other legal processes. Also, according to UNHCR, a rejected application for stateless status meant the adjudicating bodies believed the applicant was in fact entitled to a particular nationality.

Section 3.

Freedom to Participate in the Political Process

The law provided citizens the ability to choose their government in free and fair periodic elections held by secret ballot and based on universal and equal adult suffrage.

ELECTIONS AND POLITICAL PARTICIPATION

Abuses or Irregularities in Recent Elections: Elections in September for the 201 municipalities and the 31 regions were considered free and fair, and all major political parties participated for the first time in approximately 10 years. Civil society organizations such as COSCEL-CI and CIVIS reported that these elections were generally well-run, with some challenges. The President of the Independent Electoral Commission (CEI) acknowledged that unnamed politicians tried to bribe CEI staff into closing certain polling stations that would vote in favor of other candidates. The CEI announced on September 7 that it would rerun elections in the municipality of Kouibly (west) and the region of Guemon (west) due to interference that impeded vote tallying at 21 polling stations.

Political Parties and Political Participation: Although the law prohibited the formation of political parties along ethnic or religious lines, there historically were links between ethnic groups and specific political parties. Political opposition parties reported concerns that the ruling party abused government resources for campaign purposes. They also reported cases of government officials providing preferential treatment to ruling party members. For example, in July when candidates prepared paperwork for their official candidacy, they found that government employees delayed the release of documents proving tax compliance for opposition candidates (see also section 2.b., Freedom of Assembly).

Participation of Women and Members of Marginalized or Vulnerable Groups: The law required women to constitute at least 30 percent of each political party's candidates nationwide for the 2021 legislative elections, but there were no penalties, and this quota was not met. As of August, no political party had amended its statutes or internal regulations to account for the quota. A survey of political party members and leaders conducted by a democracy promotion organization indicated that women in political parties often reported being subject to online sexual harassment, threats, and physical violence.

The 2023 municipal and regional elections saw a record number – 34 percent – of women candidates, nearly doubling the percentage of candidates in the 2018 local elections. Some human rights organizations pointed out women “head of list” candidates, usually destined to become mayor or president of a regional council, accounted for only 5 percent of candidates in regional elections and 10 percent in municipal elections. Women led 21 municipalities (compared to 16 in the 2018 local elections) and two regions (compared to one in the 2018 local elections), both record highs. A leader of a prominent women's rights civil society group noted the progress but declared

there was much work left to be done as women were half of the population but led only 10 percent of municipalities.

Transgender persons reported difficulty obtaining identity and voting documents.

Section 4.

Corruption in Government

The law provided criminal penalties for corruption by officials, but the government did not consistently implement the law effectively, and some officials reportedly engaged frequently in corrupt practices with impunity. There were numerous reports of government corruption.

Corruption: Human rights organizations reported official corruption, particularly in the judiciary, police, and security forces, but they noted victims of such corruption often did not report it or assist in investigations because they believed the government would not act or they feared retaliation. Civil society groups and government officials reported the High Authority for Good Government and Ministry of Good Governance and the Fight against Corruption, the government's anticorruption authorities, were not always empowered to act independently or to take decisive action. The High Authority for Good Government could investigate alleged corruption but lacked the mandate to prosecute; it needed to refer cases to the Ministry of Justice. In May, the High Authority for Good Government launched Signalis, a new online platform to facilitate anonymous reporting and tracking of cases of corruption. The Ministry of Good Governance and the Fight Against Corruption launched Spacia in July 2022, another online platform for reporting corruption. CIVIS, a human rights organization, questioned the relevance of having two public entities and two reporting mechanisms with the same functions. In June, the country hosted the International Corruption Hunters Alliance for the first time in Africa.

CIVIS reported cases of building permit corruption in the construction sector. In June, a building collapsed in Abidjan, killed eight persons, and injured nine more. CIVIS reported the building did not meet legal requirements. In a press release, the Ministry of Construction, Housing, and Urban Planning stated the unauthorized construction site had been subject to numerous inspections since 2021. In 2021, the Minister of Construction said that 80 percent of new construction happened without a permit. TLPCI, a local NGO, noted few prosecutions had been initiated on these cases.

In September, investigative journalist, independent Deputy, and city Mayor Assale Tiemoko reported alleged cases of bad governance within the National Office of Sport, which managed sport infrastructure in the country. This article followed a controversial flood in September at the Ebimpe Stadium during a soccer game, a few months prior to the African Cup of Nations. The government allocated 20 billion CFA francs (\$32 million) to renew the stadium's infrastructure in 2021, work that was not done according to international quality standards. The article reported cases of overbilling, awarding contracts to persons close to the Chief Financial Officer and CEO of the National Office of Sport, and awarding the contract for lawn restoration to a company with no expertise in this area. The Head of the National Office of Sport was removed from her position.

For additional information concerning corruption in the country, please see the Department's State's Investment Climate Statement for the country, and the Department of State's International Narcotics Control Strategy Report, which includes information on financial crimes.

Section 5.

Governmental Posture Towards International and Nongovernmental Monitoring and Investigation of Alleged Abuses of Human Rights

Several international and domestic human rights groups operated in the country, investigating and publishing their findings on human rights cases. Government officials met with some of those groups, sometimes at very senior levels. While the government was somewhat cooperative and responsive to their views, depending on the topic or case, it was at other times defensive regarding more sensitive topics.

Government Human Rights Bodies: The Ministry of Justice and Human Rights was responsible for implementing the government's policy on human rights. The National Council for Human Rights, an advisory body that consulted on, evaluated, and created proposals to promote and defend human rights, was partially dependent on funding from the government, and human rights organizations questioned its independence and effectiveness. The human rights council had 31 regional commissions and seven thematically focused departments. The civilian-controlled Special Investigative Cell within the Ministry of Justice and Human Rights investigated persons suspected of human rights abuses committed during the postelectoral crisis of 2010-11.

Section 6.

Discrimination and Societal Abuses

WOMEN

Rape and Domestic Violence: The law prohibited rape of men and women and provided for prison terms of five to 20 years for perpetrators. The law provided for a rebuttable presumption of consent in marital rape cases. The court could impose a life sentence in cases of gang rape if the rapists were related to or held positions of authority over the survivor, or if the survivor was younger than 18. The law did not specifically address domestic violence and intimate partner violence or mandate special penalties for these acts. Authorities did not consistently enforce these laws effectively.

Human rights organizations reported family members and community leaders often informally mediated rape accusations without survivor input and dissuaded survivors from reporting to police to avoid bringing shame or other negative consequences to the family, particularly if the perpetrator was related. Families often accepted payment as compensation. Police reportedly often had a blame-the-victim mentality. Media and NGOs reported that rape of schoolgirls by teachers was a problem, but the government did not provide information on charges filed.

Although rape survivors were not legally required to have a certified, postrape medical examination to press charges, human rights organizations reported that the certificate and other documentation, such as a survivor's psychological evaluation or a crime scene report, were frequently treated as essential for successful prosecutions. During the year, the government continued implementation of legislation that guaranteed the cost of any certified postrape examination would be covered by the government. Prior to the passage of this legislation, the certified examination was prohibitively expensive for most rape survivors at a cost of 50,000 CFA francs (\$83). Human rights organizations reported that despite this legislative progress, many doctors were not aware of the change and demanded proof that the examination be provided to survivors without charge.

Human rights organizations further reported that police often did not know to refer rape survivors to a medical practitioner for an examination, while many medical practitioners were not trained how to examine survivors for signs of gender-based violence or prepare the certificate. Human rights organizations reported that the only government-run survivor shelter, located in Abidjan, had limited beds and would not house victims for more than three days.

The government previously committed to deploying gender-based violence support agents in all police stations. Human rights groups noted that in many cases the support agents were either not

present or poorly trained. The Ministry of Women, Family, and Children launched an awareness campaign regarding gender-based violence in partnership with 42 local NGOs during the year.

Female Genital Mutilation/Cutting (FGM/C): The law specifically outlawed FGM/C and provided penalties for practitioners of up to five years' imprisonment and substantial fines. Double penalties applied to medical practitioners, including doctors, nurses, and medical technicians. Nevertheless, FGM/C remained a problem. A human rights organization indicated that up to the end of August, it received no formal reports filed concerning FGM/C, but they shared that tracking cases of FGM/C became more difficult as perpetrators modified their methods to evade tracking and prosecution. During the year, the organization reported that FGM/C was sometimes performed at birth. The government reported two investigations that were ongoing during the year, as well as two guilty convictions for perpetrators of FGM/C.

Other Forms of Gender-based Violence or Harassment: Societal violence against women included traditional practices that were illegal, such as dowry deaths, the killing of brides concerning dowry disputes, levirate (forcing a widow to marry her dead husband's brother), and sororate (forcing a woman to marry her dead sister's husband). Multiple human rights organizations stated these cases were rare. The government did not provide information regarding the prevalence of, or rate of prosecution for, such violence or forced activity.

The law prohibited sexual harassment. Nevertheless, the government rarely, if ever, enforced the law, and harassment was widespread and routinely tolerated.

Discrimination: The law provided the same legal status and rights for women and men in labor law, although there were restrictions on women's employment. The law established the right of widows to inherit property upon the deaths of their husbands equally with any children. Human rights organizations reported many religious and traditional authorities rejected laws intended to reduce gender-related inequality in household decision making. There were legal restrictions on women's employment in certain occupations and industries, including in mining, construction, and factories, but no known limitations on working hours based on gender. The government indicated that if a woman wanted to carry out any of the work on the "prohibited list," she needed to contact an inspector at the Ministry of Labor. According to government data and World Bank analysis, women workers in the country earned on average two-thirds of the wages of men workers. Even with the same age and levels of education, women were two times less likely to work a salaried job than men and earned 30 percent less from their salaries compared to men.

While women in the public sector generally received the same pay and paid the same taxes as men, wage inequality remained common in the nonpublic formal sector and informal sector. Additionally, reports of reticence to hire women persisted.

Reproductive Rights: There were no reports of coerced abortion or involuntary sterilization on the part of government authorities.

As a result of FGM/C, scarring was common. Scarring could lead to obstructed labor during childbirth, an obstetric complication that was a common cause of maternal deaths, especially in the absence of caesarean section capability (see the Female Genital Mutilation (FGM/C) subsection for additional information).

Barriers to modern methods of contraception included: cost (the government only partially subsidized the cost of some methods of contraception), distance to points of purchase such as pharmacies and clinics, and low or unreliable stocks of certain types of contraception. Other barriers to use included misinformation, and conflicting moral and religious beliefs, including providers opposed to providing modern methods of contraception to adolescent girls.

Barriers to births attended by skilled health personnel included distance to modern health facilities, cost of prenatal consultations and other birth-related supplies and vaccinations, and low provider capacity. Government policy required emergency health-care services to be available and free to all, but care was not available in all regions, particularly rural areas, and was often expensive.

According to WHO estimates, in 2010-18, the adolescent birth rate was 123 per 1,000 girls ages 15 to 19.

Health services for survivors of sexual violence existed, but costs of such services were often prohibitive, authorities often did not know to refer survivors to medical practitioners, and many medical practitioners were not trained in treatment of survivors of sexual violence. Emergency contraception and postexposure prophylaxis were not always available as part of the clinical management of rape cases.

According to the WHO, UNICEF, the United Nations Population Fund, the World Bank, and the UN Population Division, in 2017 (the latest year for which data were available), the maternal mortality rate was 617 deaths per 100,000 live births, down from 658 deaths per 100,000 live births in 2015. Factors contributing to the high maternal mortality rate chiefly related to lack of access to quality care. Additionally, local NGOs reported women often had to pay for prenatal consultations and other birth-related supplies and vaccinations, which dissuaded them from using modern facilities and increased the likelihood of maternal mortality.

Stigma surrounding menstruation and lack of access to menstruation hygiene caused some girls not to attend school during menstruation. The Ministry of Education authorized pregnant adolescent girls to attend school, but not all schools adhered to this policy. Additionally, pregnant adolescent girls faced stigma that sometimes caused them to stop their studies. RIDDEF, a local human rights organization, reported tracking nearly 5,000 pregnancies in schools during the 2022-2023 school year.

SYSTEMIC RACIAL OR ETHNIC VIOLENCE AND DISCRIMINATION

The law prohibited xenophobia, racism, and tribalism, including discrimination against persons based on their ethnic origin. The government's enforcement of the law remained inconsistent.

The country had more than 60 ethnic groups; human rights organizations reported ethnic discrimination was a problem. Authorities considered approximately 25 percent of the population foreign, although many within this category were second- or third-generation residents. Land ownership laws remained unclear and unimplemented, resulting in conflicts between native populations and other groups.

Media and human rights organizations published numerous reports during the year on the growing tensions in the northern part of the country between Fulani ethnic group members and non-Fulani farmers. This tension was exacerbated by the growing refugee population fleeing violence in Burkina Faso. The refugees were approximately 80 percent ethnic Fulani, according to UNHCR. Farmers grew frustrated with Fulani herders permitting their herds to graze on farmers' crops and often were compelled to purchase fences to protect their property, according to reports. As a result, Fulani reported being subject to denunciation to authorities as well as arbitrary arrest and detention. Further, Fulani herders who were believed to have permitted their herds illicitly to graze on crops were often reported to Dozos, a fraternity of traditional hunters. According to reports, Dozos were more likely to treat Fulani suspects unfairly and subject them to beatings.

The constitution provided for equal access to public or private employment and prohibited any discrimination in access to or in the pursuit of employment based on sex, ethnicity, or political, religious, or philosophical opinions.

The government did not effectively enforce the law. Penalties were commensurate with those for comparable crimes, but seldom applied. Human rights organizations continued to report discrimination with respect to gender, nationality, disability, and sexual orientation and gender identity (see section 6, Acts of Violence, Criminalization, and Other Abuses Based on Sexual Orientation and Gender Identity). The government did not provide information on employment discrimination reported or actions taken to address discrimination.

The law did not stipulate equal pay for equal work, and wage discrimination occurred. For example, there were no reports authorities took action to rectify the large salary discrepancies between foreign non-African employees and their African (i.e., both foreign African residents and citizens) colleagues employed by the same companies.

While the law provided the same protections for migrant workers as it did for citizens, most faced discrimination in terms of wages and treatment.

CHILDREN

Birth Registration: The law provided parents a three-month period to register their child's birth for a nominal fee. In some parts of the country, the three-month window conflicted with important cultural practices around the naming of children, making birth registration difficult for many families. To register births after the first three months, registrars required families to pay an additional fee and the registration required approval by a judge, which was difficult to obtain in view of the severely stretched justice system (see Section 1.e). For older children, authorities could require a doctor's age assessment and other documents. The government required health-care workers in maternity wards and at immunization sites to complete birth registration forms automatically when providing services. According to an international organization, birth registration services were available in nearly all maternity hospitals and vaccination centers. Failure to register births could result in denial of educational and other public services. According to a UNICEF report, early in the year an estimated 44 percent of children younger than age one in the country did not have a birth certificate.

Education: Primary schooling was obligatory, and open to all. To enter secondary school, the government required children to pass an exam for which identity documents were required. As a result, children without documents could not continue their studies after primary school, (see section 2.g. Stateless Persons). Parents of children not in compliance with the law on mandatory education were reportedly subject to substantial fines or two to six months in jail, but this was seldom, if ever, enforced, and many children did not attend or have access to school.

Girls participated in education at lower rates than boys, particularly in rural areas. Although girls initially enrolled at a higher rate, their participation dropped below boys' rates because of a cultural tendency to keep girls at home to care for younger siblings or to do other domestic work, and due to reported sexual harassment of girl students when traveling to school and, once at school, by teachers and other staff. A human rights organization reported that in some school locations, the lack of water and bathroom facilities for women and girls along with a high rate of pregnancy limited girls' enrolment beyond early grade levels (see section 6, Women, Reproductive Rights).

Child Abuse: There were laws prohibiting child abuse. The government generally enforced these laws effectively. The government reported 183 investigations into child abuse by September, with 162 convictions and 16 acquittals.

To assist child victims of violence and abuse, the government strengthened the child protection network in areas such as case management, the implementation of evidence-based prevention programs, data collection, and analysis.

Responsibility for combating child abuse rested with the Ministries of Employment and Social Protection; Justice and Human Rights; Women, Families, and Children; Solidarity, Social Cohesion, and the Fight against Poverty; and National Education. International organizations and civil society groups reported that lack of coordination among the ministries hampered their effectiveness.

Child, Early, and Forced Marriage: The law established the minimum age for marriage at 18. The law prohibited marriage for individuals younger than age 18 without parental consent. The law specifically penalized anyone who forced a child younger than age 18 to enter a religious or customary matrimonial union. Nevertheless, reports of child marriage persisted. The government

did not enforce the law effectively, especially in rural areas where traditional customs often trumped formal laws.

Sexual Exploitation of Children: The law prohibited the use, recruitment, or offering of children for commercial sex or use in pornographic films, pictures, or events. The law did not specifically address grooming children for commercial sexual exploitation. The minimum age for consensual sex was 18. Consensual sex with a person younger than age 15 was classified as rape. For victims between the age of 15 to 18, consent could be raised as a defense to a charge of rape. Authorities did not effectively enforce the law.

The country was a source, transit, and destination country for children subjected to trafficking in persons, including sex trafficking.

ANTISEMITISM

The country's Jewish community numbered fewer than 150 persons, including foreign residents and local converts. There were no reports of antisemitic incidents.

TRAFFICKING IN PERSONS

See the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

ACTS OF VIOLENCE, CRIMINALIZATION, AND OTHER ABUSES BASED ON SEXUAL ORIENTATION, GENDER IDENTITY OR EXPRESSION, OR SEX CHARACTERISTICS

Criminalization: Same-sex sexual conduct was not criminalized, but public intimate activity (heterosexual or homosexual) was subject to prosecution as public indecency, which carried a penalty of up to two years' imprisonment. Human rights organizations reported this law had been disproportionately applied against lesbian, gay, bisexual, transgender, queer, and intersex (LGBTQI+) persons in the past, but the unfair application continued to decrease.

Violence and Harassment: Authorities were sometimes slow and ineffective in their response to nonstate violence against members of the LGBTQI+ community. Further, LGBTQI+ persons often did not report violence committed or threatened against them, including assault or homicide, because they did not believe authorities would take their complaints seriously. The NGO Fondygender, however, stated that authorities were more understanding and better at handling complaints from the LGBTQI+ community than in previous years.

There were reported cases of violence against the LGBTQI+ community during the year, including the deaths of three individuals. Human rights organizations reported that police did not take these cases seriously and often blamed the victim. A local LGBTQI+ organization reported the case of a transgender man who was beaten in Abobo, a municipality of Abidjan, as he was walking with another man because of his gender identity and perceived sexual orientation. A video of the attack circulated on social media.

Discrimination: The law did not prohibit discrimination by state and nonstate actors based on sexual orientation, gender identity or expression, or sex characteristics.

LGBTQI+ persons reported discrimination in seeking health care, housing, education, and employment. LGBTQI+ persons reported being evicted from their homes by landlords or by their own families. Familial rejection of LGBTQI+ youth often left them homeless and compelled them

to leave school. Employers often refused to hire, refused to promote, or even fired LGBTQI+ persons upon learning of their LGBTQI+ identity.

Availability of Legal Gender Recognition: The law did not permit legal gender recognition.

Involuntary or Coercive Medical or Psychological Practices: There were some reports of involuntary or coercive practices specifically targeting LGBTQI+ persons. A local LGBTQI+ organization reported the case of an LGBTQI+ person who attempted suicide after his family decided to send him to a prayer camp.

Restrictions of Freedom of Expression, Association, or Peaceful Assembly: There were some reports of restrictions on the freedoms of association and of expression. LGBTQI+ organizations reported some restrictions on the ability to be legally registered and on the ability to distribute pamphlets and magazines.

PERSONS WITH DISABILITIES

Although the constitution contained protections for them, persons with disabilities could not easily access education, health services, public buildings, and transportation on an equal basis with others. The law required measures to provide persons with disabilities access to transportation and buildings and designated parking spots, but human rights organizations reported these provisions were frequently not implemented around the country.

The law required the government to educate and train persons with physical, mental, visual, auditory, and cerebral motor disabilities; hire them or help them find jobs; design houses and public facilities for wheelchair access; and adapt machines, tools, and workspaces for access and use by persons with disabilities, as well as to provide them access to the judicial system. The law prohibited acts of violence against persons with disabilities and the abandonment of such persons. These laws were not effectively enforced.

The law included provisions to promote access to employment for persons with disabilities; it stipulated employers had to reserve a quota of jobs for qualified applicants with disabilities but did not provide penalties for noncompliance with this provision. Persons with disabilities reportedly encountered serious discrimination in employment and education. Prisons and detention centers reportedly provided no accommodations for persons with disabilities.

The government financially supported some separate schools, training programs, associations, and artisans' cooperatives for persons with disabilities, located primarily in Abidjan, but human rights organizations reported these schools functioned primarily as literacy centers and did not offer the same educational materials and programs as other schools. It was difficult for children with disabilities to obtain an adequate education if their families did not have sufficient resources. In some instances, private donations financed support materials. The government took some steps to integrate children with disabilities into ordinary public schools, but these schools often lacked the resources to accommodate them. The government made efforts to recruit persons with disabilities for select government positions; however, a human rights organization reported that some government officials still discriminated against these persons once hired. Homelessness among persons with mental disabilities was reportedly common.

Political campaigns did not include braille or sign language, undercutting civic participation by persons with vision and hearing disabilities. The CEI did not provide any formal accommodations for persons with disabilities at polling sites for the September local elections, although observers reported CEI staff and fellow voters assisted persons with disabilities during voting, including assisting them climb stairs to access polling sites.

OTHER SOCIETAL VIOLENCE OR DISCRIMINATION

According to 2021 UN estimates, there were approximately 400,000 adults and children living with HIV in the country. There were no credible reports of official discrimination based on HIV and AIDS status, and the government respected the confidentiality of individuals' HIV and AIDS status. The government respected patient rights, and a statement of these rights was posted or available at health facilities. The law expressly condemned all forms of discrimination against persons with HIV and provided for their access to care and treatment. The law also prescribed punishment for refusal of care or discrimination based on HIV and AIDS status. Social stigma, however, persisted.

The law specifically prohibited workplace discrimination based on HIV and AIDS status but did not address other communicable diseases. The government did not effectively enforce the law. Penalties were commensurate with those for comparable crimes, but seldom applied.

Section 7.

Worker Rights

A. FREEDOM OF ASSOCIATION AND THE RIGHT TO COLLECTIVE BARGAINING

The law, including related regulations and statutory instruments, provided for the right of workers, except members of police and military services, to form or join unions of their choice, provided for the right to conduct legal strikes and bargain collectively, and prohibited antiunion discrimination by employers or others against union members or organizers. The law prohibited firing workers for union activities and provided for the reinstatement of dismissed workers within eight days of winning a wrongful dismissal claim. The law allowed unions to conduct their activities without interference. Worker organizations were independent of the government and political parties.

Authorities required the union win at least 30 percent of valid ballots cast representing at least 15 percent of registered electors. For broader organizations, the government required the trade union have the support in one or more enterprises together employing at least 15 percent of the employees working in the occupational and geographical sector concerned. Foreigners were required to obtain residency status, which took three years, before they could hold union office.

The law required a protracted series of negotiations and a six-day notification period before a strike could take place, making legal strikes difficult to organize and maintain. Authorities required workers maintain a minimum coverage in services whose interruption could: endanger lives, security, or health; create a national crisis that threaten the lives of the population; or affect the operation of equipment. Additionally, if authorities deemed a strike to be a threat to public order, the president had broad powers to compel strikers to return to work under threat of sanctions. Illegally striking workers could be subjected to criminal penalties, including forced labor. The president also could require that strikes in essential services go to arbitration, although the law did not describe what constituted essential services.

Although all workers could unionize, formal unions existed only in the formal sector. Collective bargaining agreements were negotiated only in the formal sector, and many major businesses and civil service sectors had them. Some worker organizations in the informal sector attached themselves to formal sector trade unions to better protect their rights. The law allowed employers to refuse to negotiate, but there were no reports of this by unions to the Ministry of Employment and Social Protection.

In August 2022 the Minister of Public Service signed a new, five-year (2022-2027) social truce with eight trade unions. In the agreement, the government provided assurances that it would improve the working conditions of civil servants and committed to spending an additional 227 billion CFA francs (\$375 million) per year to implement the agreement. In return, and so long as the

government followed the stipulated time frame for implementation of the planned improvements, the trade unions would cease protesting and striking for improvements. The government praised this truce and related union contributions to “maintaining social peace”; however, some union leaders and activists expressed concern that their right to strike and freedom of association were increasingly “trampled” by certain government actors and business leaders. They indicated that, particularly in the private sector, employees choosing to strike would frequently be subject to illegal retaliation including termination of employment. They further reported cases of employers replacing striking employees with contractors or individuals in a union not affiliated with the striking union. The government rarely applied penalties against violators of the right to strike and freedom of association.

B. PROHIBITION OF FORCED OR COMPULSORY LABOR

See the Department of State’s *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

C. PROHIBITION OF CHILD LABOR AND MINIMUM AGE FOR EMPLOYMENT

See the Department of Labor’s *Findings on the Worst Forms of Child Labor* at <https://www.dol.gov/agencies/ilab/resources/reports/child-labor/findings> .

D. DISCRIMINATION (SEE SECTION 6)

E. ACCEPTABLE CONDITIONS OF WORK

Wage and Hour Laws: The law provided a minimum wage for all sectors. The minimum wage varied by sector but exceeded the government’s estimated poverty level in all sectors. The standard legal workweek was 40 hours. The law required overtime pay for additional hours and provided for at least one 24-consecutive-hour rest period per week. The law provided workers the right to refuse employer requests to work overtime without threat of termination.

Sectors in which alleged violations of wage, hour, and overtime laws were common included domestic work, residential and commercial security, and day labor.

Occupational Safety and Health: The law established occupational safety and health (OSH) standards that applied to both the formal and informal sector. The law provided for the establishment of committees of occupational, safety, and health representatives responsible for verifying protection and worker health at workplaces. Such committees were to be composed of union members. The chair of a committee could report unhealthy and unsafe working conditions to the labor inspector without penalty. By law all workers had the right to remove themselves from situations that endangered their health or safety without jeopardy to their employment. They could utilize the inspection system of the Ministry of Employment and Social Protection to document dangerous working conditions. Authorities effectively protected employees in this situation working in the formal sector.

Wage, Hour, and OSH Enforcement: The government did not effectively enforce minimum wage and overtime laws. The Ministry of Employment and Social Protection enforced wage and hour protections only for salaried workers employed by the government or registered with the social security office. Labor unions contributed to effective implementation of the minimum salary requirements in the formal sector. Penalties were commensurate with those for similar crimes but were seldom applied. Human rights organizations reported numerous complaints against employers, such as improper dismissals, excessive hours, uncertain contracts, failure to pay the minimum

wage, and the failure to pay employee salaries. The failure to enroll workers in the country's social security program and pay into it the amount the employer deducted from the worker's salary was also a problem. Resources and inspections were not sufficient to enforce compliance. Administrative judicial procedures were subject to lengthy delays and appeals.

The government did not effectively enforce OSH laws. The number of labor inspectors was not sufficient to enforce compliance with the law, and inspectors lacked specialized training. Inspectors had the authority to make unannounced inspections, but they were not authorized to assess penalties. Penalties were commensurate with those for similar crimes, but labor inspectors reportedly accepted bribes to ignore violations. Penalties were sometimes applied against violators.

Human rights organizations reported that working conditions at illegal gold-mining sites were poor and dangerous due to the unregulated use of chemicals and large detonations that could result in deadly mudslides. Other sectors in which violations and accidents were common included construction and agriculture.

The government and the World Bank estimated 80 to 90 percent of the total labor force worked in the informal economy where labor standards were not enforced. Employment law theoretically extended to the informal sector and part time workers, but it was poorly enforced due to the lack of official structures and records.