

**Flygtningenævnets baggrundsmateriale**

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## **Amnesty International Report 2016/17 - The State of the World's Human Rights - Cote d'Ivoire**

The rights to freedom of expression, of association and of peaceful assembly were restricted; scores of opposition members were arrested. Dozens of detainees still awaited trial in connection with post-electoral violence in 2010 and 2011; concerns remained about selective accountability for crimes committed during that period. The trial of Laurent Gbagbo and Charles Blé Goudé opened at the ICC. Simone Gbagbo was not transferred to the ICC despite an outstanding arrest warrant; her trial before a national court began. The UN Environment Programme (UNEP) launched an audit of the environmental impact following the dumping of tons of toxic waste in 2006. Nineteen people including a child were killed in an attack by an armed group.

### **Background**

Opposition parties protested against the proposed Constitution introduced following a national referendum in October. The new Constitution lifted the age limitation for presidential candidates, removed a condition requiring both parents of a candidate to be Ivorian nationals and created a senate where one third of its members would be appointed by the President. In December, the coalition of the ruling party won legislative elections.

### **Freedoms of expression, association and assembly**

The authorities restricted the rights to freedom of expression, of association and of peaceful assembly under laws that criminalized peaceful protests and other peaceful expression. More than 70 people, mostly opposition members, were arrested and released hours or days later.

In July, Prospère Djandou, Jean Léopold Messihi and Ange Patrick Djoman Gbata were arrested while collecting signatures in support of the release of former President Laurent Gbagbo, and charged with public order offences. They were released two weeks later. In October, following a peaceful protest against the October referendum, at least 50 opposition members including Mamadou Koulibaly, former president of the National Assembly, were arbitrarily arrested in Abidjan, and detained for hours. Some were held in moving police vehicles, a practice known as “mobile detention”, driven for kilometres and forced to walk back home. Some were taken as far as Adzopé, about 100km from the centre of Abidjan.

### **Impunity**

In February, 24 military officers charged with the assassinations of President Robert Guéi, his family and bodyguard, Fabien Coulibaly, in 2002, were tried before the Military Tribunal. Three defendants, including General Bruno Dogbo Blé, former head of the Presidential Guard, and Commander Anselme Séka Yapo were sentenced to life imprisonment. Ten defendants were sentenced to 10 years' imprisonment each and the others were acquitted.

At least 146 supporters of former President Gbagbo who were arrested between 2011 and 2015 were still awaiting trial for crimes allegedly committed during the post-electoral violence of 2010. Approximately 87 of them had been in detention since 2011 or 2012.

Despite President Ouattara's commitment to ensure that justice would be applied equally under his presidency, only those suspected of being supporters of Laurent Gbagbo were tried for serious human rights violations committed during and after the 2010 election. Forces loyal to President Ouattara who committed serious violations, including the killing of more than 800 people in Duékoué in April 2011, and of 13 people at a camp for internally displaced people in Nahibly in July 2012, were not prosecuted. Some of them had been identified by victims' families; although the killings were investigated no one was prosecuted by the end of the year.

## **International justice**

The trial of former President Gbagbo and Charles Blé Goudé before the ICC began in January and was ongoing at the end of the year. In February, President Ouattara announced that no more Ivorian nationals would be sent to the ICC for prosecution because the national justice system was operational. In May, a national court began trying the former President's wife, Simone Gbagbo, for crimes against humanity, despite an outstanding ICC warrant for her arrest. Prior to this, in May 2015, the ICC rejected Côte d'Ivoire's appeal against the admissibility of her case before the Court.

## **Justice system**

David Samba, opposition figure and president of the NGO Coalition des Indignés de Côte d'Ivoire, was charged with threatening national security while he was already serving a six-month prison sentence for public disorder. He remained in detention, awaiting trial on the additional charges at the end of the year.

## **Prison conditions**

Prisoners remained held under harsh conditions and overcrowding at the Maison d'Arrêt et de Correction, Abidjan's main prison. In March, the prison authorities said that the prison, which had capacity for 1,500 inmates, held 3,694 people. Prisoners reported that they were forced to pay bribes of up to 20,000 CFA (US\$32) to prisoners who controlled internal security to avoid being placed in filthy cells with floors covered in urine and water. Families were forced to pay bribes to visit their relatives. Prisoners responsible for internal security also administered corporal punishment on other inmates, resulting in at least three deaths in 2015. The authorities did not take measures to protect prisoners from these and other abuses. Health care remained inadequate.

One prison guard and nine prisoners were killed in February during an exchange of fire when prisoners staged an uprising.

## **Corporate accountability**

In July, the UN Environment Programme (UNEP) undertook an environmental audit of the lasting impact of the 2006 dumping of over 540,000 litres of toxic waste in Abidjan. The waste was

produced by the multinational oil trading company Trafigura. The results were expected in early 2017. The authorities reported that there were 15 deaths while more than 100,000 people sought medical attention after the dumping including for serious health issues like respiratory problems. The authorities had still not assessed the long-term risks to individuals of exposure to the chemicals in the waste and had not monitored victims' health. Many victims had not received any compensation payments and compensation claims against the company continued.

## **Abuses by armed groups**

In March, armed men attacked three beachside hotels in Grand Bassam, killing 19 people including a child. The attack was claimed by al-Mourabitoune, an armed group based in northern Mali and affiliated to al-Qaida in the Islamic Maghreb (AQIM). More than 80 people were arrested in connection with the attack and, in August, two military officers were sentenced to 10 years' imprisonment each after being convicted of disobedience and criminal association.

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