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CÔTE D'IVOIRE

Republic of Côte d'Ivoire

Head of state: **Alassane Ouattara**

Head of government: **Daniel Kablan Duncan**

Hundreds of detainees still awaited trial in connection with post-electoral violence in 2010 and 2011, and concerns remained about selective accountability for crimes committed during that period. Freedoms of expression and assembly were restricted and there was a wave of arbitrary arrests of political opponents prior to elections. The trial of Laurent Gbagbo and Laurent Blé Goudé at the ICC was scheduled to begin in 2016. Simone Gbagbo was not transferred to the ICC despite an outstanding arrest warrant.

BACKGROUND

The security situation remained stable despite attacks in early 2015 by armed groups and intercommunal clashes in the west. In June, the mandate of the UN Operation in Côte d'Ivoire (UNOCI) was extended for an additional year. In the same month, the National Assembly adopted a law against terrorism, giving the Prosecutor of the Court of First Instance in Abidjan jurisdiction to qualify crimes as acts of terrorism and to hold suspects in custody for up to eight days.

The 2014 report of the Dialogue, Truth and Reconciliation Commission (CDVR), established to shed light on post-electoral violence, had still not been made public by the end of the year. In March, the National Commission for Reconciliation and Compensation of Victims (CONARIV) was created to complete the work of the CDVR, in particular to register unidentified victims of the post-electoral violence. In December, President Ouattara committed to pardoning over 3,000 people detained since the electoral crisis, either totally or partially removing their sentences. At the end of the year, the list of those pardoned had not been made public.

Largely peaceful presidential elections were held in October. President Ouattara was re-elected for another five-year term on a turnout of 53%, with some opposition members boycotting the poll.

JUSTICE SYSTEM

More than 200 supporters of former President Gbagbo remained in detention on charges including public disorder and genocide linked to the conflict after the 2010 elections.

Among them were more than 30 prisoners extradited from Liberia in 2012 and 2014. In August, 20 military officers who had backed President Ouattara, including Chérif Ousmane and Lossény Fofana, were charged with crimes relating to post-electoral violence.

In March, 78 supporters and relatives of Laurent Gbagbo, including Simone and Michel Gbagbo and Geneviève Bro Grebé, were tried in the Abidjan Assize Court.

Eighteen people were acquitted, and some of those convicted received suspended prison sentences. Simone Gbagbo was sentenced to 20 years' imprisonment for undermining state security, participation in an insurrectionary movement, and public disorder. Geneviève Bro Grebé was sentenced to 10 years for similar crimes. At the end of the year the implementation of her sentence was suspended pending an appeal.

Amnesty International's trial observer noted that, contrary to the right to have a criminal conviction reviewed by a higher tribunal, Côte d'Ivoire's law restricts appeals to points of law before the Court of Cassation. The right to appeal in this case was further undermined by the Assize Court's failure to provide a full written judgment. He also noted that, although during the trial several of the accused raised allegations that they had been tortured in pre-trial detention, the Court did not appear to consider them.

ARBITRARY ARRESTS AND DETENTIONS

In May, Sébastien Dano Djédjé, Justin Koua and Hubert Oulaye, high-ranking members of the Ivorian Popular Front (FPI), were arrested.¹ They had organized a ceremony to

inaugurate Laurent Gbagbo as FPI President in Mama, his home town. Sébastien Dano Djédjé and Justin Koua were charged with violation of a court order, violence and assault on security forces, rebellion and public disorder. Hubert Oulaye was charged with killing UNOCI soldiers in 2012. Sébastien Dano Djédjé was provisionally released in December. The other two men were detained pending trial. The arresting officers allegedly beat Hubert Oulaye's 15-year-old granddaughter, who was suffering from malaria, at his home. In September, one guard accused of informing the family of Sébastien Dano Djédjé that he was sick was arrested and detained.

Between mid-September and October, more than 50 people, mostly members of the political opposition, were arrested. The majority were held on charges of public disorder after participating in unauthorized peaceful demonstrations.² Although some were later released, more than 20 remained detained at the end of the year. Many were ill-treated during arrest and were held in incommunicado detention for several weeks. In September, Samba David's house was ransacked and he was beaten with rifle butts. He was held incommunicado for two days without access to a lawyer or medical treatment. He was charged with public disorder, violation of a court order and complicity in the destruction of property, and sentenced to six months' imprisonment.

FREEDOMS OF EXPRESSION AND ASSEMBLY

The authorities banned at least 10 protest marches organized by NGOs and the main opposition party. Tear gas and batons were used to disperse protesters. At least 80 people were arrested in different parts of the country and charged with public disorder. At the end of 2015, they were still in detention awaiting trial.

In its March report, the UN Human Rights Committee expressed concern about freedom of the press. In July, Joseph Gnanhoua Titi, director of *Aujourd'hui*, a daily newspaper,

was arrested and charged with publishing false news and insulting the President. An article published earlier that month accused President Ouattara of embezzling foreign aid and money laundering. A week later, the charges against Joseph Gnanhoua Titi were dropped and he was released.

INTERNATIONAL JUSTICE

Despite the outstanding ICC arrest warrant for Simone Gbagbo for alleged crimes against humanity, President Ouattara stated in April that there would be no more transfers to the ICC. In the same month, the ICC joined the trials of Laurent Gbagbo and Charles Blé Goudé. In May, the ICC rejected Côte d'Ivoire's appeal against the admissibility of Simone Gbagbo's case before the ICC. In October, the ICC also rejected Laurent Gbagbo's request to hold the opening statements of his trial in Abidjan or Arusha. In the same month, it was announced that the trial of Laurent Gbagbo and Charles Blé Goudé would start in January 2016. Laurent Gbagbo's latest request for provisional release was also rejected.

PRISON CONDITIONS

The UN Human Rights Committee report in March conveyed concerns about prison conditions throughout the country. It noted in particular the large number of pre-trial detainees, the unsanitary conditions and lack of adequate medical facilities, the failure to detain children and adults separately, and the severe overcrowding in the Maison d'Arrêt et de Correction d'Abidjan (MACA) detention centre in Abidjan.

DEATH PENALTY

In March, Parliament unanimously approved two bills amending the Criminal Code and the Code of Criminal Procedure to exclude the death penalty, which had been abolished in the 2000 Constitution.

1. Côte d'Ivoire. L'arrestation d'opposants à l'approche de la présidentielle envoie un signal préoccupant ([News story](#), 7 May)