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AMNESTY INTERNATIONAL REPORT 2017/18

**THE STATE OF THE WORLD'S
HUMAN RIGHTS**



**AMNESTY
INTERNATIONAL**



André Okombi Salissa, former member of the National Assembly and president of CADD, was arrested and detained at the General Directorate of Territorial Surveillance after spending almost a year in hiding.

Also in January, Noël Mienanzambi Boyi, president of the Association for the Culture of Peace and Non-Violence and a broadcaster for a community radio station, was arrested in Kinkala, the main town in Pool. The authorities claimed that he was transporting medicine and food to Reverend Ntumi, and charged him with “complicity in undermining state security”. Local NGOs said that he was arrested after he agreed to organize mediation between the authorities and Reverend Ntumi on the government’s request. They also alleged that he was tortured in various detention centres before being transferred to Brazzaville central prison in June where he remained at the end of the year.

TORTURE AND OTHER ILL-TREATMENT

Several cases of torture and other ill-treatment by security services were reported. No investigations or judicial proceedings into these allegations were conducted by the authorities.

On 24 January, Modeste Boukadia, president of the opposition Congolese Circle of Democrats and Republicans, was admitted to Clinique Guénin in Pointe Noire city as a result of injuries he sustained when prison guards beat him at Pointe Noire prison in November 2016. The beating resulted in two fractured bones, and caused him to have high blood pressure and a heart condition.

INTERNALLY DISPLACED PEOPLE

Following fighting between government forces and the Ninjas armed group, around a third of residents in Pool fled their homes. An estimated 81,000 people were IDPs; 59,000 of them were registered displaced in 2017. IDPs were in dire need of shelter, food, water, basic health services and adequate sanitation. They were forced to live with families in host communities, on church

grounds, in public buildings, or in overcrowded makeshift sites.

REFUGEES AND ASYLUM-SEEKERS

The refugee status of around 10,000 Rwandan refugees expired on 31 December, under the Cessation Clause for Rwandan refugees, on the grounds that Rwanda was a safe country. Some of the refugees may be permitted to choose between voluntary repatriation and residency in their host countries, or otherwise retain their refugee status if they fulfill certain criteria.

RIGHT TO FOOD

According to the UN, 138,000 people in Pool required humanitarian assistance, and over 50% of families were food insecure.

Global Acute Malnutrition – the measurement of the nutritional status of those in long-term refugee situations – affected between 17.3 and 20.4% of IDP children aged under five who fled from Pool.

CÔTE D’IVOIRE

Republic of Côte d’Ivoire

Head of state: **Alassane Dramane Ouattara**

Head of government: **Amadou Gon Coulibaly (replaced Daniel Kablan Duncan in January)**

Around 200 detainees, loyal to former President Laurent Gbagbo, awaited trial in connection with post-electoral violence in 2010 and 2011. Killings in the context of mutinies and clashes between demobilized soldiers and security forces were uninvestigated. The rights to freedom of expression, association and peaceful assembly were restricted; some protests were prohibited. Simone Gbagbo, wife of former President Gbagbo, was acquitted of crimes against humanity and war crimes. The ICC tried Laurent Gbagbo and Charles Blé Goudé.

BACKGROUND

The UN Operation in Côte d’Ivoire (UNOCI) concluded its mission in June, 13 years after

its establishment by the UN Security Council. The UN Independent Expert praised Côte d'Ivoire's gradual progress towards national reconciliation and stability which, he warned, was fragile given the unrest in January.

The government launched an investigation, supported by UN investigators, into the discovery of an arms cache in a house owned by a close aide of the President of the National Assembly.

In July, there were several attacks by armed groups. Three soldiers were killed when armed men attacked a military camp in Korhogo in the north.

FREEDOM OF EXPRESSION

Legislation which contained provisions that curtailed the right to freedom of expression, including in relation to defamation, offending the President and disseminating false news, was adopted.

In February, six journalists were detained for two days in the city of Abidjan, accused of divulging false information on army mutinies. They were not charged but continued to be summoned by authorities for questioning.

In August, two *Le Quotidien* journalists were arrested over an article they wrote about the National Assembly President's finances.

FREEDOMS OF ASSOCIATION AND ASSEMBLY

In February, the police used tear gas and rubber bullets to repress a peaceful protest by cocoa planters and National Agricultural Union members in Abidjan.

In July, demobilized soldiers held peaceful protests in Bouaké city calling on the government to deliver on promises made after protests in May (see below). Amadou Ouattara, Mégbè Diomandé and Lassina Doumbia, members of "Cellule 39" (an association of demobilized soldiers), were arrested and charged with public disorder and organizing an unauthorized protest.

At least 40 students were arrested in September after FESCI (Fédération estudiantine et scolaire de Côte d'Ivoire) organized protests across the country against police violence and increased university fees.

One student said the police arrested her with her friends in her room, and beat her. Some of those arrested had thrown stones at the police, but others were peaceful. All were charged with disruption of public order and provisionally released after 20 days.

IMPUNITY

People suspected of supporting former President Gbagbo were tried for human rights violations committed during and after the 2010 election. In contrast, none of President Ouattara's supporters were arrested or tried in connection with human rights violations.

In May Simone Gbagbo was acquitted of crimes against humanity and war crimes by the Assize Court of Abidjan. Victims of human rights violations were denied their legal right to participate in the hearing. New lawyers, appointed by the head of the bar after her lawyers withdrew in 2016, also pulled out in March saying the Court was irregularly constituted because a judge was appointed after the trial had begun.

Around 200 supporters of Laurent Gbagbo, arrested since 2011 for crimes allegedly committed during the post-electoral violence, were still detained awaiting trial. Two of them – Assi Jean Kouatchi and Bonfils Todé – died in custody in 2017.

Some detainees were provisionally released and awaited trial. They included Antoinette Meho, a member of civil society organization Solidarité Wé, released in May. She was charged with undermining state security. In December Hubert Oulaye, a former minister who was provisionally released in June, and Maurice Djire, were sentenced to 20 years in prison for the murder of, and complicity in the murder of, UN soldiers in 2012. Despite defence lawyers' requests, the court did not provide testimonies from two prosecution witnesses during their trial.

In July, Adou Assoa, another former minister was sentenced to four years' imprisonment for public disorder but cleared of charges of undermining state security.

David Samba, opposition activist and president of the NGO Coalition des Indignés de Côte d'Ivoire, completed his six-month

sentence for public disorder in March 2016. Prior to completing that sentence, he was charged with a new offence of undermining state security in relation to an attempted uprising in Dabou in 2015 and was held pending trial at the end of the year.

MUTINIES

At least 10 people were killed and dozens wounded in mutinies and clashes between the security forces and demobilized soldiers. Four people were killed between 12 and 14 May during a mutiny in Bouaké which spread to other cities. It was led by soldiers who had been integrated into the army in 2011 and were demanding the payment of bonuses. On 13 May a group of mutineers went to the office of “Cellule 39” and shot at them, in response to “Cellule 39” condemning the mutiny. Issoufou Diawara was killed after he was shot in the back, and several were wounded. The violence ended when the government agreed to meet the mutineers’ payment demands.

On 22 May, four demobilized soldiers were killed in clashes with police when they held protests calling for an agreement equivalent to the one obtained by the mutineers. They said they were unarmed when police fired on them. (The demobilized soldiers were former members of armed groups who fought on the side of President Ouattara during the 2010-2011 election violence.)

There was no indication that suspected perpetrators, including security forces, would be brought to justice for human rights violations by the end of the year.

INTERNATIONAL JUSTICE

The ICC trial of Laurent Gbagbo and Charles Blé Goudé for crimes against humanity, including murder and rape during the post-electoral violence, continued. In July, the ICC Appeals Chamber ordered the Trial Chamber to review its ruling to deny Laurent Gbagbo’s provisional release.

CORPORATE ACCOUNTABILITY

The UN Environment Programme (UNEP) delayed until 2018 the publication of its assessment of lasting pollution at the 18 sites

where 540,000 litres of toxic waste were dumped in Abidjan in 2006. The waste had been produced by the company Trafigura. The authorities had still not assessed the long-term health risks to individuals of exposure to the chemicals in the waste or monitored victims’ health. Compensation claims against the company continued although many had not received payments.

CROATIA

Republic of Croatia

Head of state: **Kolinda Grabar-Kitarović**

Head of government: **Andrej Plenković**

Discrimination against ethnic and sexual minorities persisted. Refugees and migrants entering irregularly were returned without access to an effective asylum process. Croatia accepted less than a 10th of the refugees and asylum-seekers it had committed to relocate and resettle under EU schemes. Access to abortion remained restricted.

CRIMES UNDER INTERNATIONAL LAW

Of the over 6,000 people who went missing during the 1991-1995 war, the fate and whereabouts of more than 1,500 remained unclarified. The International Commission on Missing Persons reported that Croatia failed to make significant steps towards fulfilling the rights to truth, justice and reparation for victims, including by failing to account for over 900 unidentified mortal remains in its mortuaries.

DISCRIMINATION

Discrimination against ethnic and sexual minorities remained widespread.

Civil society organizations criticized new government proposals for a national strategy and action plan to fight discrimination that were presented in March. The policies subsequently adopted by the government in December failed to reflect and adequately address human rights violations faced by Serbs, Roma and sexual minorities.