

Flygtningenævnets baggrundsmateriale

Bilagsnr.:	69
Land:	Elfenbenskysten
Kilde:	Freedom House
Titel:	"Freedom in the World 2007"
Udgivet:	1. juni 2007
Optaget på baggrundsmaterialet:	4. februar 2008



Freedom in the World - Cote d'Ivoire (2007)

Population:
19,700,000

Capital:
Yamoussoukro
(official), Abidjan
(de facto)

Political Rights Score: 7
Civil Liberties Score: 6
Status: Not Free

Ratings Change

Cote d'Ivoire's political rights rating declined from 6 to 7 because the legislature continued to function without a mandate as a result of President Gbagbo's further postponement of presidential elections.

Overview

Cote d'Ivoire remained split between the government-controlled south and the rebel-held north in 2006. Persistent deadlock between the two sides over disarmament and voter registration issues caused the further postponement of the presidential election, which had already been delayed from October 2005. Legislative elections, initially set for December 2005, were also postponed, leaving the legislature without a mandate. Separately, a Dutch-based company in August 2006 dumped toxic waste in Abidjan, leading to the resignation of President Laurent Gbagbo's cabinet.

Cote d'Ivoire gained independence from France in 1960, and President Felix Houphouet-Boigny ruled until his death in 1993. Henri Konan Bedie, then the speaker of the National Assembly, assumed power and won a fraudulent election in 1995 with 95 percent of the vote. Alassane Ouattara, the opposition's most formidable candidate, was barred from the contest, demonstrations were banned, and the media were intimidated.

General Robert Guei seized power in December 1999 and stood for a presidential election in October 2000. When initial results showed he was losing to Laurent Gbagbo, Guei sacked the electoral commission, detained its officers, and declared himself the winner. Tens of thousands of people took to the streets in a popular uprising that toppled Guei from power. Clashes followed between supporters of Gbagbo's Ivorian Popular Front (FPI), who claimed electoral victory, and Ouattara's Rally of Republicans (RDR), who called for new elections. Supported by security forces, Gbagbo refused to call new polls. The political violence, in which hundreds of civilians died, led to a deepening division between the largely Muslim north and mainly Christian south, although the conflict was not strictly rooted in a north-south, Muslim-Christian divide. Gbagbo was eventually declared the winner of the election, with 59 percent of the ballots, compared with 33 percent for Guei.

The FPI won 96 seats in the December 2000 legislative elections, while 4 went to the Democratic Party of Cote d'Ivoire and 5 to the RDR. Smaller parties and independents took 24 seats, and 2 seats in Ouattara's district went unfilled.

Civil war erupted in September 2002 when some 700 soldiers attempted to stage a

coup by simultaneously attacking a number of cities throughout the country. Under unknown circumstances, government forces killed Guei in Abidjan on the first day of fighting. Clashes intensified between forces loyal to the government and the disgruntled soldiers who formed an insurgency group called the Patriotic Movement of Cote d'Ivoire (MPCI). The MPCI quickly seized the northern part of the country and called for Gbagbo to step down. Other groups in the west, angered by the killing of Guei, echoed the calls for Gbagbo's resignation. By December 2002, these groups had united to form the New Forces led by Guillaume Soro.

Gbagbo's government and the New Forces in January 2003 signed a ceasefire brokered by France that called for a broad-based coalition government to rule until elections were held. However, that accord broke down. Following the deaths of nine French peacekeepers in a government bombing campaign against the New Forces movement in November 2004, France destroyed the Ivorian air force and—with the backing of the African Union (AU)—persuaded the UN Security Council to impose a strict arms embargo on the country. Some 4,000 French and 6,000 UN peacekeepers are monitoring the ceasefire line across the middle of the country.

South African president Thabo Mbeki in April 2005 brokered a new peace accord that set presidential and legislative elections for October and December of that year, respectively, but disarmament and preparations for the polls were not completed in time. As a result, the AU extended Gbagbo's term in office for another year and called for a new prime minister with a mandate to disarm the warring parties and prepare for the upcoming elections. Mbeki and other AU mediators appointed economist Charles Konan Banny to the post. An International Working Group (IWG) was established under the auspices of the AU to oversee the peace process.

In response to a UN statement that the National Assembly's mandate did not extend beyond 2005, angry members of progovernment militia groups, including the Young Patriots, began targeting UN forces and outposts near the Liberian border in January 2006, driving UN troops to relocate. Violence swelled over the next few days when Young Patriot members took over the state-run media outlets and mobilized thousands of Ivoirians who burned tires, blocked roads, and intensified attacks against UN representatives throughout the country.

Despite moderate political improvements early in the year, when leading members of the major coalitions met numerous times to discuss prospects for peace, the likelihood of a presidential election being held by October 2006—the end of Gbagbo's extended mandate—became increasingly dim as the year progressed. As a prerequisite for the election, both sides initially agreed to disarm and accepted a timetable for registering voters. In July, public hearings for the identification of voters who had formerly been disenfranchised began in both the north and the south. However, in Abidjan much of the progress was blocked by Young Patriot forces that erected street barricades and intimidated potential registrants. Such tactics resulted in the killing of six potential applicants in the southern city of Divo. By August, Gbagbo effectively terminated the voter registration process when he announced that the mobile courts handing out identity papers did not have the authority to do so and that any voter with such papers would be refused the right to vote on election day. In the same month, disarmament was also suspended indefinitely after nearly 1,000 progovernment soldiers registered but failed to hand in enough weapons.

By September, it was apparent that the election would not take place in October; the African Union (AU) and the IWG proposed that the voting be further deferred and that control of the armed forces be transferred to the prime minister. In early November, the UN Security Council passed a resolution supporting this proposal, giving Banny all necessary authority to implement the peace plan. Gbagbo has since refused to relinquish power calling the resolution's requirement for strengthening the prime minister's mandate "an attack on the sovereignty of my country." Gbagbo has also called for the removal of French and UN troops from the country and the dissolution of the IWG, arguing that the UN-led peace process had failed completely. No formal compromise has yet been reached, and the future of the peace process remains uncertain. This impasse between the prime minister and the president has led to a number of antigovernment protests and demonstrations throughout the country, a few of which have turned violent.

Separately, in late August 2006, the Netherlands-based company Trafigura Beheer B.V. dumped some 400 tons of petrochemical waste containing hydrogen sulphide, a toxic substance, in and around Abidjan after other, safer means of disposal were deemed too expensive. The action contravened the 1989 Basel Convention, which, among other things, was designed to protect poorer countries from hazardous waste disposal. The toxic dump in Cote d'Ivoire resulted in seven confirmed deaths, over 80,000 people seeking medical treatment, and the arrest of a number of officials, including two French employees of the Dutch company. In addition, the cabinet of the prime minister resigned in protest immediately following the incident; although, in practice this move was purely symbolic as Prime Minister Banny reappointed most of his cabinet members a few weeks later, with the exception of the ministers of transport and the environment. In the course of the government's investigation into the affair, a number of high-ranking officials were also suspended, including the general manager of the Abidjan port and the head of customs, both of whom had been victims of mob attacks in Abidjan following the dumping. In late November, in an apparent demonstration of his continued power over Banny, Gbagbo ordered the reinstatement of these, and other, civil servants in connection with the toxic waste scandal; the general manager of the Abidjan port, one of the men reinstated, allegedly has close ties to Gbagbo himself and is a primary financier of the militant Young Patriot group.

Cote d'Ivoire is by far the world's leading producer of cocoa, and the country was once a beacon of stability and economic progress in West Africa. However, the civil war has ravaged the economy. The country retains strong political, economic, and military ties to France, which has maintained a military garrison near Abidjan for years, mainly to protect French nationals who live in Cote d'Ivoire. Many French, however, fled after the war erupted.

Political Rights and Civil Liberties

Cote d'Ivoire is not an electoral democracy. The 1995 presidential election was neither free nor fair and was boycotted by all the major opposition parties. Voting in the October 2000 presidential election appeared to be carried out fairly, but only 5 of 19 potential candidates were allowed to contest the vote. President Laurent Gbagbo's FPI won an overwhelming number of seats in the December 2000 legislative elections.

The constitution provides for the election of a president by popular vote every five years. However, a date for the next presidential election—already postponed by more than a year—has not been set. The president traditionally appoints the prime

minister; however, Charles Konan Banny, the current prime minister, was appointed by AU mediators during the course of peace negotiations at the end of 2005. The 225 members of the unicameral National Assembly are elected in single district and multidistrict elections by direct popular vote to serve five-year terms. The legislature's latest electoral mandate expired at the end of 2005.

Major political parties include the ruling FPI, the Democratic Party of Cote d'Ivoire–African Democratic Rally, and the RDR.

Corruption is a serious problem in Cote d'Ivoire. Profits from cocoa, cotton, and weapons, as well as informal taxes, have made resolving the Ivorian conflict a less attractive option for many in power, including members of the military and rebel forces. Corruption did not noticeably improve in 2006. Cote d'Ivoire was ranked 151 out of 163 countries surveyed in Transparency International's 2006 Corruption Perceptions Index.

Despite constitutional protections for press freedom, it is generally not respected in practice and deteriorated slightly in 2006. State-owned newspapers and the state-run broadcasting system are for the most part unreservedly progovernment. Several private radio stations and a cable television service operate, but only the state broadcasting system reaches a national audience. In the north, the circulation of newspapers printed in Abidjan is heavily restricted and local radio and television stations remain under the tight control of the rebel authorities. Despite the reconciliation process, most Ivorian media remain partisan and provocative.

Journalists in 2006 continued to face harassment and threats. In January, to bolster support for attacks on the United Nations, progovernment Young Patriot forces took control of the state-owned radio and television stations and broadcast messages that drew thousands of demonstrators onto the streets. During the occupation of the media outlets, which was aided by security personnel and a number of senior broadcast officials, demonstrators threatened to kill or rape journalists who were unwilling to cooperate. Many other journalists were harassed, attacked, and threatened amid the wider violence that month, particularly in Abidjan. In November, Gbagbo moved the state-run media closer toward complete government control when he fired the director general of the national state-run television station, Ivorian Radio Television (RTI), and replaced him with Brou Amessan, who had served as the government's news anchor during the Young Patriot's takeover of the station. This move came during a period of heightened tension between Gbagbo and his prime minister after RTI aired one of the prime minister's press releases that condemned Gbagbo's order to reinstate the previously dismissed civil servants accused of involvement in the toxic waste dump scandal.

In December 2004, the National Assembly passed a new law removing criminal penalties for press offenses, such as defamation and publishing false information, and replaced them with stiff fines. This legislative change was applied in September 2006, when a private daily, *Le Jour Plus*, was fined \$29,000 by an Abidjan court for publishing an article accusing the president's wife of involvement in the toxic waste incident. In an otherwise disappointing environment for the media, international press coverage in Cote d'Ivoire improved in May 2006 when the National Council for Broadcast Communication allowed Radio France Internationale (RFI) to resume FM transmission after suspending it in July 2005 for

being "unbalanced." Internet access, though used infrequently, is unrestricted by the government.

Religious freedom is guaranteed but is not respected in practice. The government openly favors Christianity, and Muslims, who predominate in the rebel-held north, have been targeted as a result of the civil war. However, direct attacks on Muslims have decreased in recent years. Efforts by religious and civil society groups have helped ease tensions between Christians and Muslims.

The government, which owns most of the educational facilities in the country, inhibits academic freedom by requiring authorization for all political meetings held on college campuses. According to the UN news organization IRIN, the progovernment Student Federation of Cote d'Ivoire (FESCI) operating on the University of Abidjan campus regularly intimidates students through the use of strong-arm tactics including physical violence, sexual harassment, and occasionally even rape in its efforts to control political thought, student and staff activities, and campus commerce. In July 2005, when a rival student union attempted to hold a meeting on campus, the FESCI attacked their members and temporarily closed the campus.

The constitution protects the right to freely assemble and demonstrate; however, this right is often denied in practice. In recent years, a number of opposition demonstrations have been violently dispersed by progovernment forces leaving many dead. However, in 2006, while progovernment law enforcers actively continued to suppress opposition activity, a number of peaceful antigovernment demonstrations were successfully staged, notably in response to Gbagbo's decision to reappoint the civil servants accused of involvement in the toxic waste dump scandal. Human rights groups generally operate freely in Cote d'Ivoire, although rights defenders sometimes face death threats and harassment. Labor union formation and membership are legally protected, although only a small percentage of the workforce is organized. Workers have the right to bargain collectively.

Cote d'Ivoire does not have an independent judiciary. Judges are political appointees without tenure and are highly susceptible to external interference. In many rural areas, traditional courts still prevail, especially in the handling of minor matters and family law. In the rebel-held north, no functioning judiciary exists, a situation that leads to frequent arbitrary arrests and the imposition of prison sentences with no legal foundation. Security forces generally operate with impunity, and prison conditions are harsh.

Human rights groups have accused officials of deliberately encouraging a culture of violent xenophobia in Cote d'Ivoire, whose economy has long attracted workers from neighboring countries. Conflict between newer immigrants and longer term residents has contributed significantly to deepening and complicating the country's current political crisis. More than one-quarter of the country's population is estimated to consist of expatriates from other African countries. For decades, immigrants from Burkina Faso, Mali, Niger, and Guinea have provided cheap labor for local landowners, which helped turn Cote d'Ivoire into the world's leading cocoa producer. However, competition over land rights, economic decline, and the civil war have inflamed ethnic tensions, particularly in the western region.

Freedom of movement is curtailed throughout the country, but especially between the south and the rebel-held north. In response to the attacks on UN forces in

January 2006, the UN Security Council imposed financial and travel sanctions for 12 months on two prominent members of the Young Patriots responsible for the attacks, including the group's leader Charles Ble Goude. In the same resolution, the Security Council imposed identical sanctions on Martin Kouakou Fofie, a commander of the New Forces in the north, for the perpetration of human rights violations, including the recruitment of child soldiers and sexual abuse, by forces under his command.

Child labor and child trafficking are problems, although Cote d'Ivoire has made efforts to stem both practices. Tens of thousands of West African children are believed to be working on Ivorian plantations under hazardous conditions.

Women suffer widespread discrimination, despite official encouragement for respect for their constitutional rights. Equal pay for equal work is offered in the small formal business sector, but women have few chances to obtain, or advance in, wage employment. In rural areas that rely on subsistence agriculture, education and job opportunities for women are even more scarce. Female genital mutilation is still practiced, although it has been a crime since 1998. Violence against women is reportedly common. Human Rights Watch has reported that both the government and rebels have been responsible for sexual violence against women and girls that is rooted in ethnic discrimination and a climate of impunity.