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## 2009 Human Rights Report: Cote d'Ivoire

BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR  
**2009 Country Reports on Human Rights Practices**  
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Cote d'Ivoire is a democratic republic with an estimated population of 21 million. Laurent Gbagbo, candidate of the Ivoirian People's Front (FPI), became the country's third president in 2000. The 2000 presidential election, which excluded two of the major political parties, the Democratic Party of Cote d'Ivoire (PDCI) and the Rally for Republicans (RDR), was marred by significant violence and irregularities.

In 2002 a failed coup attempt evolved into a rebellion, which split control of the country between the rebel New Forces (FN) in the north and the government in the south. The failure of subsequent peace accords resulted in the 2004 deployment of 6,000 peacekeepers under the UN Operation in Cote d'Ivoire (UNOCI), who joined the 4,000-member French Operation Licorne peacekeeping force already in the country. Approximately 7,200 UNOCI and 900 Licorne peacekeepers remained in the country to support the ongoing peace process. Civilian authorities generally maintained effective control of the security forces in government-controlled zones; however, FN military authorities generally did not maintain effective control of the security forces in FN-controlled zones.

In 2007 President Gbagbo and FN rebel leader Guillaume Soro signed the Ouagadougou Political Agreement (OPA), which mandated elections, determination of citizenship, disarmament of armed factions, and the reunification of the north and south. In 2008 the zone of confidence separating the north from the south was dismantled. Elections scheduled for November were postponed, and there was little progress on disarmament and other key tenets of the OPA during the year. On determination of citizenship, however, more than 6.5 million persons registered during the nine-month identification and voter registration process, which ended on June 30. With data collected during this process, the Independent Electoral Commission (CEI) prepared a provisional electoral list of registered voters.

The following human rights abuses were reported in areas under effective government control: restriction of citizens' right to change their government; arbitrary and unlawful killings, including summary executions; torture and other cruel, inhuman, or degrading treatment and punishment; rape of civilians; life-threatening prison and detention center conditions; official impunity; arbitrary arrest and detention; denial of fair public trial; arbitrary interference with privacy, family, home, and correspondence; police harassment and abuse of noncitizen Africans; use of excessive force and other abuses in internal conflicts; restrictions on freedoms of speech, press, peaceful assembly, association, and movement; official corruption; discrimination and violence against women, including female genital mutilation (FGM); child abuse and exploitation, including forced and hazardous labor; forced labor; and trafficking in persons.

In areas under the effective control of the FN, there were reports of extrajudicial killings; torture and other cruel, inhuman, or degrading treatment and punishment; rape of civilians; life-threatening prison and detention center conditions; impunity; arbitrary arrest and detention; denial of fair public trial; arbitrary interference with privacy, family, and home; use of excessive force and other abuses in internal conflicts; restrictions on freedom of movement; corruption and extortion; discrimination and violence against women, including FGM; and child abuse and exploitation.

### RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person, Including Freedom From:

#### a. Arbitrary or Unlawful Deprivation of Life

Security forces continued to commit extrajudicial killings with impunity, and progovernment militia groups were responsible for killings and harassment. Crimes often went unreported or underreported due to fear of reprisals.

On May 20, police opened fire on a taxi in the Koumassi neighborhood of Abidjan, killing the taxi driver, Konate Aboudramane, and a passenger, police officer Konan N'guessan. Police continued to investigate the incident at year's end.

Unlike in the previous year, there were no reports that security forces killed demonstrators.

Gendarme Drissa Dante, who shot and killed a 15-year-old girl in April 2008 while attempting to disperse an angry crowd, was set free on provisional liberty after spending a few weeks in detention. He was awaiting trial at year's end.

The government took no action against police who fired on protestors in Abidjan in April 2008, killing one demonstrator.

Information became available during the year that in December 2008 Abidjan police officer Amantchi Herve shot and killed a man who Herve believed was involved in the rape of his girlfriend; no action had been taken against Herve by year's

end.

Security forces frequently resorted to lethal force to combat widespread crime and often committed crimes with impunity. Such cases often occurred when security forces apprehended suspects or tried to extort money from taxi drivers and merchants at checkpoints and roadblocks.

During the year there were a number of killings attributed to members of the security operations command center (CECOS), a government anticrime organization whose personnel were accused of human rights violations, racketeering, extortion, and harassment. Members of CECOS reportedly carried out executions of suspected thieves in Abidjan, although the Ministry of Interior (MOI) stated that all victims were criminals killed in the course of police anticrime activities.

On April 22, the Abidjan military tribunal sentenced a CECOS member to 15 years in prison for his involvement in the killing of two prison escapees who were beaten to death in 2007. There were no developments in other CECOS-related killings from previous years.

During the year several extrajudicial killings attributed to the FN were reported in FN-controlled zones and in the former zone of confidence.

On February 24, the UNOCI Human Rights Office reported that two FN soldiers executed a man in Seguela. The soldiers claimed the man was a notorious criminal who resisted arrest. FN authorities arrested and detained the soldiers but released them 24 hours later. No further investigation regarding the incident HAD occurred by year's end.

On June 10, Ivo Issiaka, a 28-year-old Burkinabe national, died in custody at the gendarmerie headquarters in Vavoua and was buried by local FN authorities without a proper investigation or autopsy. An investigation conducted by the UNOCI Human Rights Office revealed that the victim had been beaten to death with machetes by FN soldiers.

The FN conducted no formal investigations into the following 2008 FN killings: the July killings of three men who allegedly stole from a village and attempted to escape, and the November killing of nine alleged insurgents during a military uprising in Seguela.

During the year the UNOCI Human Rights Office reported that a court prosecutor asked Bouake municipal authorities and morgue officials to retain the bodies of five persons executed by FN soldiers in 2007 as evidence for future investigations to determine the perpetrators and the circumstances of the deaths; however, no investigation had begun by year's end.

Members of the young patriots (a youth group with close ties to the ruling FPI party) who were responsible for summary executions in previous years continued to operate with impunity.

In Abidjan and the western part of the country, there were reports of atrocities, including killings by progovernment militia groups and armed bandits thought to be FN members.

#### b. Disappearance

Unlike in the previous year, there were no reports of politically motivated disappearances; however, there were unconfirmed press reports that security forces participated in kidnappings.

The government made little effort to assist the continuing French investigation into the 2004 disappearance of Franco-Canadian journalist Guy Andre Kieffer; however, on April 23, First Lady Simone Gbagbo testified in Abidjan before French judges investigating the case.

#### c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The constitution and law prohibit such practices; however, security forces, police, and FN soldiers beat and abused detainees and prisoners to punish them, extract confessions, or extort payments with impunity. Police officers forced detainees to perform degrading tasks under threat of physical harm and continued to harass and extort bribes from persons of northern origin or with northern names.

On March 23, three gendarmes severely beat a 40-year-old taxi driver for allegedly refusing them a taxi ride. The driver underwent surgery to his jaw and suffered injuries to his eyes, mouth, and head. Authorities promised to take disciplinary measures against the perpetrators, but they had not done so by year's end.

In September CECOS members arrested Seydou Kone, a teacher and RDR activist, for allegedly attempting to overthrow the government; Kone was subsequently detained incommunicado from September 12 to October 16 in the Abidjan correctional facility and penitentiary (MACA). According to Soungalo Coulibaly, RDR's secretary for human rights who visited Kone on October 16, Kone's body was scarred from the beatings he received while in detention. In December Coulibaly held a press conference to expose the abuse Kone received. No investigation had been conducted by year's end.

There continued to be reports that noncitizen Africans, mostly from neighboring countries, were subject to harassment and abuse by security forces and "self-defense" groups, including repeated document checks, security force extortion, and racketeering.

FN members tortured suspected government loyalists or allies of rival rebel leader Ibrahim Coulibaly in the zones under their control.

For example, Corporal Alpha Diabate, a close aide of FN Zone 8 commander Coulibaly Ousmane, was identified as the perpetrator responsible for torturing three cattle breeders in Odiene in May 2008. FN authorities had not taken any action against Diabate at year's end.

In February authorities released seven detainees in Bouna who were beaten and mistreated by FN soldiers for alleged involvement in December 2008 armed robberies.

Security forces raped women and girls.

For example, on January 11, two soldiers from a joint brigade composed of government security and defense forces (FDS) and FN soldiers raped a woman in Bouake. FN authorities arrested and detained the two soldiers.

On February 5, the UNOCI Human Rights Office reported that a police officer in San Pedro beat and raped a 16-year-old girl. Although the girl's mother filed an official complaint, it was withdrawn a few days later when the police officer offered 350,000 CFA (\$700) and several bottles of liquor to the girl's family to settle the affair.

FN members raped women and girls in the north.

For example, in June the UNOCI Human Rights Office reported that FN soldier, Ouattara Ahmed, and a civilian, Coulibaly Soumaila, allegedly raped a 10-year-old girl in Bouake. Police arrested and detained the two men, along with five other persons, in connection with the rape.

On October 8, FN soldier Ouani Mamadou allegedly broke into a residence, raped a housekeeper, and attempted to rape a 13-year-old girl living in the house, but the girl managed to escape. The girl's father filed charges with police but withdrew the complaint after being threatened by FN soldiers. UNOCI human rights officers raised the issue with local authorities; however, no further action had been taken at year's end.

No further developments were reported in the 2008 case in which FDS and FN soldiers raped a 13-year-old girl in Kounahiri.

Authorities continued to detain Diabate Adama, an FN member and one of two alleged rapists of two girls in Bouake and Danane in April 2008. He had not been tried at year's end.

CECOS members also sexually abused civilians. For example, on June 25, following the intervention of the human rights nongovernmental organization (NGO) Ivoirian Movement for Human Rights (MIDH), the Abidjan military prosecutor arrested and detained seven CECOS members who forced a couple to have sexual intercourse in a public street while they filmed the incident. The CECOS members, who uploaded footage of the incident to the Internet, were charged with theft, physical assault, and "offense against public decency." The CECOS members involved were awaiting trial at year's end.

In December UNOCI issued a press release stating that it had established a commission of inquiry to probe new allegations of sexual abuse involving UN peacekeepers in the country. The UNOCI spokesperson, who stated that UNOCI was taking measures to ensure that investigations were conducted, indicated that UNOCI personnel involved in the 2007 sexual exploitation and abuse case of minors were returned to their home countries, where they stood trial.

#### Prison and Detention Center Conditions

Conditions were poor and in some cases life threatening in the country's 33 prisons. In the 22 prisons that also served as detention centers, located in the area under government control in the south, overcrowding was a serious problem. For example, MACA, the country's main prison, was built for 1,500 persons but held approximately 5,200. Conditions in MACA were notoriously bad, especially for the poor; however, wealthier prisoners reportedly could "buy" extra cell space, food, and even staff to wash and iron their clothes. The government provided inadequate daily food rations, which resulted in cases of severe malnutrition if families of prisoners did not bring additional food. As of December 31, 187 prisoners had died in government-controlled prisons during the year, mostly due to malnutrition and disease. There were credible reports that prisoners frequently brutalized other prisoners for sleeping space and rations.

Male minors were held separately from adult men, but the physical barriers at MACA were inadequate to enforce complete separation. Some minors were detained with their adult accomplices. Pretrial detainees were held with convicted prisoners.

Prison conditions for women were particularly difficult, and health-care facilities were inadequate. There were continued reports that female prisoners engaged in sexual relations with wardens in exchange for food and privileges. Pregnant prisoners went to hospitals to give birth, but their children often lived with them in prison. The penitentiary accepted no responsibility for the care or feeding of the infants, although inmate mothers received help from local NGOs.

The government permitted access to prisons by the International Committee of the Red Cross (ICRC) and by local and international NGOs, including World Doctors, International Prisons' Friendship, Love Amour, Prisoners Without Borders, and the Ivoirian Islamic Medical Rescue Association.

Detention and prison conditions in FN zones were worse than in MACA, with detainees sometimes held in converted schools, movie theaters, or other buildings with poor air circulation and sanitary facilities. In August 2008, for example, UNOCI discovered a seven-foot-deep hole covered with iron bars that the FN was using as an illegal detention area. Nutrition and medical care were inadequate. Many detainees became ill, and some died from respiratory disease,

tuberculosis, or malaria due to lack of medical care and unhygienic conditions.

The FN sometimes denied prison access to the ICRC and the UNOCI human rights division local teams; the FN also sometimes denied visitation rights to domestic human rights groups.

With financial assistance from a foreign government, the NGO Prisoners Without Borders completed renovations on all 11 prisons located in FN-controlled zones in 2008. However, by year's end the FN had not yet relinquished control of these prisons to government authorities.

#### d. Arbitrary Arrest or Detention

The constitution and law prohibit arbitrary arrest and detention; however, both occurred frequently.

#### Role of the Police and Security Apparatus

Security forces under the Ministries of Defense and Interior include the army, navy, air force, republican guard, presidential security force, and the gendarmerie, a branch of the armed forces with responsibility for general law enforcement. Police forces, which are under the jurisdiction of the MOI, include paramilitary rapid intervention units such as the antiriot brigade, the republican security company, and the directorate for territorial security (DST), a plainclothes investigating unit. In 2005 the MOI formed CECOS to combat rising crime in Abidjan. A central security staff collected and distributed information regarding crime and coordinated the activities of the security forces.

Poor training and supervision of security forces, corruption, impunity, and investigations conducted by security forces that were abusers resulted in general lawlessness and public fear of pressing charges. Racketeering at roadblocks remained a serious problem. Security forces harassed, intimidated, abused, and confiscated the official documents of persons who refused to pay bribes. Security forces also frequently resorted to excessive and sometimes lethal force while conducting security operations and dispersing demonstrations. Police reportedly solicited sexual favors from prostitutes in exchange for not arresting them. There were credible reports that security forces in Abidjan rented their uniforms and weapons to persons wanting to engage in criminal activity. Security forces also occasionally failed to prevent violence.

The government sometimes took action against police officers who committed abuses; however, it generally did not investigate or punish effectively the perpetrators, nor did it consistently prosecute persons responsible for unlawful killings and disappearances in previous years.

#### Arrest Procedures and Treatment While in Detention

Officials must have warrants to conduct searches, although police sometimes used a general search warrant without a name or address. Detainees were not always informed promptly of charges against them, especially in cases concerning state security. Defendants do not have the right to a judicial determination of the legality of their detention. A bail system existed solely at the discretion of the judge trying the case. Detainees were generally allowed access to lawyers; however, in cases involving possible complicity with rebels or other matters of national security, detainees were frequently denied access to lawyers and family members. For more serious crimes, those who could not afford to pay for lawyers were provided lawyers by the state, but alleged offenders charged with less serious offenses were often without representation. Incommunicado detention was a problem, and a few persons held in this manner were tortured during the year (see section 1.c.).

A public prosecutor may order the detention of a suspect for 48 hours without bringing charges, and in special cases such as suspected actions against state security, the law permits an additional 48-hour period. According to local human rights groups, police often held persons for more than the 48-hour legal limit without bringing charges, and magistrates often were unable to verify that detainees, who were not charged, were released. A magistrate can order pretrial detention for up to four months by submitting a written justification each month to the minister of justice.

The DST is charged with collecting and analyzing information relating to national security. The DST has the authority to hold persons for up to four days without charges; however, human rights groups stated there were numerous cases of detentions exceeding the statutory limit.

In January the DST released Lieutenant Colonel Lancine Fofana, Lieutenant Colonel Moussa Cherif, and Commander Doulaye Sekongo, all of whom had been in detention since their arrest in October 2008. The DST had arrested and detained the officers for allegedly instigating unrest among lower-ranking soldiers, disturbing state security, and being linked to the disappearance of weapons.

On May 6, authorities released nine of the 11 persons arrested in January 2008 for alleged coup plotting against the state with former rebel and exiled military leader Ibrahim Coulibaly. French freelance journalist Jean-Paul Ney was among those released.

There were numerous reports that security forces arbitrarily arrested merchants and transporters, often in conjunction with harassment and requests for bribes.

Police and gendarmes detained persons in various military camps in Abidjan; however, there were fewer such reports than in the previous year.

Prolonged pretrial detention was a problem. Despite the legal limit of 10 months of pretrial detention in civil cases and 22 months in criminal cases, some pretrial detainees were held in detention for years. As of December 31, the national prison

administration reported that 31 percent of the 12,036 persons held in the 22 government-controlled prisons were pretrial detainees.

#### e. Denial of Fair Public Trial

The constitution and law provide for an independent judiciary; however, in practice the judiciary was subject to influence from the executive branch, the military, and other outside forces. Although the judiciary was independent in ordinary criminal cases, it followed the lead of the executive in national security or politically sensitive cases. There also were credible reports that judges were corrupt. It was common for judges receptive to bribery to distort the merits of a case. Judges also reportedly accepted bribes in the form of money and sexual favors (see section 4). The judiciary was slow and inefficient.

The formal judicial system is headed by a Supreme Court and includes a court of appeals, lower courts, and a constitutional council. The law grants the president the power to replace the head of the Supreme Court after a new parliament is convened.

#### Trial Procedures

The government did not always respect the presumption of innocence. The law provides for the right to public trial, although key evidence sometimes is given secretly. Juries are used only in trials at the court of assizes, which convenes as required to try criminal cases.

Defendants have the right to be present at their trial, but they may not present witnesses or evidence on their behalf or question any witnesses brought to testify against them. Defendants accused of felonies or capital crimes have the right to legal counsel. Other defendants may also seek legal counsel, but it is not obligatory. The judicial system provides for court-appointed attorneys; however, no free legal assistance was available, aside from infrequent instances in which members of the bar provided free advice to defendants for limited periods. Defendants may not access government-held evidence, although their attorneys have the legal right to do so. Courts may try defendants in their absence. Those convicted have the right of appeal, although higher courts rarely overturned verdicts.

In rural areas traditional institutions often administered justice at the village level, handling domestic disputes and minor land questions in accordance with customary law. Dispute resolution was by extended debate, with no known instance of physical punishment. The formal court system increasingly superseded these traditional mechanisms. The law specifically provides for a grand mediator, appointed by the president, to bridge traditional and modern methods of dispute resolution. Grand mediators did not operate during the year.

Military courts did not try civilians and provided the same rights as civil criminal courts. Although there were no appellate courts within the military court system, persons convicted by a military tribunal may petition the Supreme Court to set aside the tribunal's verdict and order a retrial.

Little information was available on the judicial system used by the FN in the northern and western regions.

#### Political Prisoners and Detainees

There were no reports of political prisoners or detainees.

#### Civil Judicial Procedures and Remedies

The constitution and law provide for an independent judiciary in civil matters; however, the judiciary was subject to corruption, outside influence, and favoritism based on family and ethnic ties (see section 4). Citizens can bring lawsuits seeking damages for, or cessation of, a human rights violation; however, they did so infrequently. The judiciary was slow and inefficient, and there were problems enforcing domestic court orders.

#### f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The constitution and law provide for these rights; however, the government did not respect these rights in practice, although there were fewer reports of violations than in previous years. Officials must have warrants to conduct searches, must have the prosecutor's agreement to retain any evidence seized in a search, and are required to have witnesses to a search, which may take place at any time; however, in practice police sometimes used a general search warrant without a name or address.

Security forces monitored private telephone conversations, but the extent of the practice was unknown. The government admitted that it listened to fixed line and cellular telephone calls. Authorities monitored letters and parcels at the post office for potential criminal activity, and they were believed to monitor private correspondence, although there was no evidence of this activity. Members of the government reportedly continued to use students as informants.

The FN continued to use confiscated property and vehicles of civil servants and those believed to be loyal to President Gbagbo; however, the FN vacated some of the property confiscated in previous years.

#### Section 2 Respect for Civil Liberties, Including:

##### a. Freedom of Speech and Press

The constitution and law provide for freedom of speech and of the press, but the government restricted these rights in practice. Following the 2002 rebellion, the government reduced press freedoms in the name of patriotism and national unity. Journalists continued to practice self-censorship for fear of retribution. Government officials aggressively used the court system to punish critics.

Individuals who criticized the government risked reprisal. For example, on March 20, the DST arrested and detained Anaky Kobena, president of the small opposition party Movement of the Forces of the Future, after a television interview in which he encouraged citizens to follow the example of the recent coup in Madagascar. The DST charged him with "attempts against state security." Authorities released him within 24 hours of his arrest.

In January 2008, President Gbagbo nominated an independent board of directors for the organization that publishes *Fraternite Matin*, the government's daily newspaper. Although *Fraternite Matin* had the largest circulation of any daily, it rarely criticized government policy. However, a number of private newspapers frequently criticized government policy, the president, and the ruling party. Most newspapers were politicized and sometimes resorted to fabricated stories to defame political opponents.

Security forces continued to harass journalists. Outspoken members of the press, particularly those working for opposition party newspapers, continued to suffer physical intimidation from groups aligned with the ruling FPI party.

On March 4, the independent *Le Nouveau Reveil* newspaper published a front-page article entitled "Gbagbo's Close Associates Pocket 4 Billion CFA in State Funds." The article, which highlighted First Lady Simone Gbagbo's ties to alleged embezzlers, resulted in death threats to the newspaper's publishers and mass destruction of that day's newspapers by organized groups of young vandals. No action was taken against progovernment youth groups who attacked, threatened, or harassed journalists.

On March 19, authorities arrested and jailed Nanankoua Gnamanthe, a journalist with the opposition newspaper *Le Nouveau Reveil*, for publishing an article comparing President Gbagbo and his close associates to "Ali Baba and the 40 thieves." Gnamanthe was freed without charges on March 31, after a court called for his release. However, the publication in which Gnamanthe's article appeared was fined 40 million CFA (approximately \$80,000) and suspended for eight months.

In March all charges against Denis Kah Zion, publisher of *Le Nouveau Reveil*, and his chief editor, Andre Silver Konan, were dropped. Their lawyer convinced a judge to dismiss the charges against them since the allowed time to bring them to trial had elapsed. Both journalists were briefly imprisoned for "contempt of the head of state" in 2007.

The government also harassed and imprisoned foreign journalists. On May 6, French freelance journalist Jean-Paul Ney, who had been arrested on charges of threatening national security in 2007, was released from prison, one day after Alain Joyandet, the French secretary of state for cooperation, met with President Gbagbo.

Private radio stations did not have complete control over their editorial content. National broadcast regulations prohibit the transmission of any political commentary. The government used the national audiovisual communication council (CNCA), controlled by the ruling party, to closely monitor Radio Nostalgie, reportedly because the major shareholders of the company were close to RDR president Alassane Ouattara.

The government did not interfere with UNOCI's radio station, UNOCI-FM. However, like the approximately 121 proximity and community radios in the country, UNOCI-FM's 19 proximity and community radio partners were subject to national regulations, which prohibit the transmission of politically related messages.

The government and the ruling FPI continued to exercise considerable influence over the official media's television program content and news coverage. During the year opposition leaders frequently complained that they were not granted equal television airtime on official media.

The media played a role in inflaming tensions, and newspapers backed by political parties occasionally published inflammatory editorials. The Ivorian Observatory on Press Freedom and Ethics and the National Press Commission, which enforced regulations regarding creation, ownership, and freedom of the press, regularly urged journalists to practice moderation.

The law authorizes the government to initiate criminal libel prosecutions against officials. In addition, the state may criminalize a civil libel suit at its discretion or at the request of the plaintiff. Criminal libel was punishable by three months to two years in prison.

In December 2008, after completing his one-year sentence in MACA, Antoine Assale Tiemoko, an NGO chairman charged with defamation for publishing a paper on judicial corruption, was released.

The FN broadcast its own programming from Bouake, which included radio and television shows that were heard in towns and villages around Bouake and, according to some reports, in the political capital, Yamoussoukro. In the western part of the country, the FN broadcast on a local radio station from Man. The FN continued to allow broadcasts of government television or radio programs in its zones. The FN also allowed distribution of all progovernment newspapers and most independent newspapers in its territory.

On December 1, the CNCA called for the closure of "unauthorized" FN radio and television stations, stating that some stations were not legally authorized to broadcast messages. Some FN stations chose to ignore the order and were still operating at year's end.

No action was taken against FN members who beat, harassed, and killed journalists in previous years.

#### Internet Freedom

There were no government restrictions on access to the Internet or reports that the government monitored e-mail or Internet chat rooms. Individuals and groups could engage in the peaceful expression of views via the Internet, including by e-mail. Citizens had access to the Internet at Internet cafes, but home access was prohibitively expensive for most persons. According to International Telecommunication Union statistics for 2008, approximately 3.21 percent of inhabitants used the Internet.

#### Academic Freedom and Cultural Events

The government restricted academic freedom. The Student Federation of Cote d'Ivoire (FESCI), the progovernment militant student group created in the early 1990s, generated a climate of fear and intimidation at universities and secondary schools and regularly stopped classes, forced students to attend meetings, and threatened professors who interfered in their activities. The government controlled most educational facilities, and a presidential decree required authorization for all meetings on campuses.

Many prominent scholars active in opposition politics retained their positions at state educational facilities; however, some teachers and professors suggested that they had been transferred, or feared that they could be transferred, to less desirable positions because of their political activities. According to student union statements, security forces continued to use students as informants to monitor political activities at the University of Abidjan.

Violent attacks by FESCI members against students and teachers continued during the year.

On January 7, approximately 60 FESCI members attacked members of the General Association of Students in Cote d'Ivoire, a rival student union, with truncheons, iron bars, and stones. Four association members were seriously injured. When two members of the local human rights group MIDH went to investigate, FESCI students sequestered and assaulted them before they were released.

On April 24, in Daloa, a rival group of students killed one FESCI member. In retaliation other FESCI members staged violent demonstrations and erected roadblocks in the city. Schools in the area were forced to close for three days.

In December competing FESCI factions clashed in several cities following a disputed FESCI election in which Augustin Mian, FESCI secretary general, was reelected for a second term. Credible reports indicated that both factions tried to intimidate students into supporting them.

In May 2008 international NGO Human Rights Watch presented a report entitled *The Best School: Student Violence, Impunity, and the Crisis in Cote d'Ivoire*, which documented numerous cases of violence, extortion, racketeering, torture, summary execution, and rape committed with total impunity by FESCI members. No action was taken against FESCI members responsible for violent incidents reported in previous years.

#### b. Freedom of Peaceful Assembly and Association

##### Freedom of Assembly

The law allows for freedom of assembly; however, the government sometimes restricted this right in practice. Groups that wished to hold demonstrations or rallies in stadiums or other enclosed spaces were required by law to submit a written notice of their desire to the Ministry of Security or the MOI three days before the proposed event. No law expressly authorizes the government to ban public meetings or events for which advance notice has been given in the required manner, but the government prohibited specific events deemed prejudicial to public order. Even if authorization for an event was granted, the government could later revoke it. In 2006 President Gbagbo renewed a ban on all forms of outdoor public demonstrations in Abidjan. The ban had not been lifted at year's end.

Police occasionally dispersed antigovernment demonstrations with force, resulting in injuries. There were no developments in cases from previous years in which police used force to disperse demonstrations.

##### Freedom of Association

The law provides for freedom of association, and the government generally respected this right; however, the law prohibits the formation of political parties along ethnic or religious lines, although both were key factors in some parties' membership.

#### c. Freedom of Religion

The constitution and law provide for freedom of religion, and the government generally respected this right in practice. Although the country's political conflict lay along ethnic rather than religious lines, political and religious affiliations tended to follow ethnic lines. Consequently, religious affiliation was an important marker of political alliance. There is no state religion; however, for historical reasons, government officials informally have favored Christianity, in particular the Catholic Church. For example, Catholic schools receive government subsidies.

Some Muslims believed that their religious or ethnic affiliation made them targets of discrimination by the government with regard to both employment and the renewal of national identity cards. As northern Muslims shared names, style of dress,

and customs with several predominantly Muslim neighboring countries, they sometimes were wrongly accused of attempting to obtain nationality cards illegally to vote or otherwise take advantage of citizenship.

The law requires religious groups desiring to operate in the country to register; however, registration was routinely granted.

#### Societal Abuses and Discrimination

Societal discrimination against Muslims and followers of indigenous religious beliefs continued. Other groups, particularly evangelical Christians, complained that local officials sometimes discriminated against them and perpetrated sectarian hostility. The ongoing political crisis caused some divisions along religious lines.

The country's Jewish community numbered less than 100 persons. There were no reports of anti-Semitic acts.

For a more detailed discussion, see the *2009 International Religious Freedom Report* at [www.state.gov/g/drl/rls/irf](http://www.state.gov/g/drl/rls/irf).

#### d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons

The constitution and law do not provide specifically for freedom of movement, foreign travel, emigration, or repatriation, and the government restricted freedom of movement during the year.

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

There were frequent restrictions on internal travel. A curfew remained in place, prohibiting citizens from entering and leaving Yamoussoukro and Abidjan city limits between midnight and 5:00 a.m. Security forces, local civilian "self-defense" committees, and water, forestry, and customs officials frequently erected and operated roadblocks on major roads where they regularly extorted money from travelers.

Persons living under FN authority continued to face harassment and extortion when trying to travel between towns and to and from the government-controlled south.

In February residents of Agbangnassou complained to the UNOCI Human Rights Office that FN soldiers were demanding "crossing fees" of 2,000 to 4,000 CFA (approximately \$4 to \$8) to travel to and from Bouake. The villagers complained that these fees prevented pregnant women and other vulnerable persons from traveling to receive medical care.

Security forces also victimized northerners when they tried to cross into the zone under government control. The cost of either paying one's way through the various barricades or hiring a "money runner" to do so was substantial. Government officials reported the round trip cost for citizens in the north to travel from Bouake and other cities to Yamoussoukro to cash paychecks to be between 20,000 to 30,000 CFA (\$40 to \$60). A money courier or informal banking service cost either 5,000 CFA (\$10) or a flat percentage of the amount transferred.

At the end of 2008, approximately 70 percent of the private banks and government financial services had reopened in the north, thus making it unnecessary for many workers and retirees to travel to Bouake for banking operations. In the west the situation remained unchanged; private banks and government financial services had not yet resumed operation.

The law specifically prohibits forced exile, and no persons were forcibly exiled during the year.

#### Internally Displaced Persons (IDPs)

Since the signing of the OPA in 2007, important strides made toward peace promoted spontaneous and assisted returns of IDPs to their homes. As of November the UN Office for the Coordination of Humanitarian Affairs estimated that 88,986 IDPs displaced by the 2002 crisis had returned to their villages in the west; however, 31,000 IDPs continued to live with host families and to require assistance.

During the crisis progovernment and rebel forces did not generally target civilians, but ethnic conflict and fighting forced many persons to flee the zones of conflict, and others simply felt uncomfortable living on the side of the divided country where they initially found themselves. Roadblocks and toll collection points made it difficult for civilians to move throughout the country. IDPs continued to place heavy burdens on host communities, in part due to the prolonged nature of the crisis.

Government assistance, especially in the north and west where civil servants and infrastructure were only partially in place, did not meet the needs of these IDPs. International and local NGOs worked to fill the gap.

The Ministry of Foreign Affairs and the Ministry of Solidarity and War Victims worked closely with UN agencies on IDP matters to ensure that the country's plans for IDP resettlement conformed to UN internal displacement guidelines.

During the year UN agencies and local authorities continued to facilitate the small-scale return of IDPs to several locations in the west of the country. In December the International Organization for Migration estimated that 200 IDPs, mostly of Burkinabe origin, remained at the Guiglo Temporary Center for Assistance to Displaced People, despite its closure in July 2008. The government had not addressed this situation by year's end.

New population displacements continued in the western region, particularly in the area around Guiglo and in the former

zone of confidence, although on a much smaller scale than had occurred in previous years.

#### Protection of Refugees

The constitution and law provide for the granting of asylum or refugee status in accordance with the 1951 Convention relating to the Status of Refugees and its 1967 Protocol, and the government has established a system for providing protections to refugees. The government is a signatory to the 1969 Organization of African Unity Convention Governing Specific Aspects of the Refugee Problem in Africa, and the law provides for asylum status to be granted in accordance with this convention.

In practice the government provided protection against the expulsion or return of refugees to countries where their lives or freedom would be threatened on account of their race, religion, nationality, membership in a particular social group, or political opinion. The government granted refugee status and asylum.

The government also provided temporary protection for individuals who may not qualify as refugees under the 1951 Convention or the 1967 Protocol.

Defense and security officers occasionally did not honor identity documents issued to refugees by the government or by the UNHCR. There were fewer reports than in previous years that security forces destroyed refugees' identity documents or arbitrarily detained, verbally harassed, and beat refugees at checkpoints.

Liberians made up the majority of the country's refugees. Those who arrived in the country before the 2003 peace agreement in Liberia benefited from group eligibility and received temporary refugee cards. Liberians who arrived in the country after the peace agreement did not receive temporary cards. Under certain circumstances, some asylum seekers who were not granted refugee status by the government were provided refugee certificates by the UNHCR. The identity card law includes a provision for identity cards to be issued to non-Liberian individuals older than 14 whose refugee status has been granted by the National Eligibility Commission.

The government facilitated local integration for refugees in the most extreme situations by issuing resident permits to all refugees over the age of 14 to allow them to move freely in the country. The national office of identification, together with the UNHCR and the Ivorian refugee and the stateless persons aid and assistance office, continued to provide refugee identity cards to undocumented Liberian refugees, which allowed them to reside and work in the country legally for the duration of their refugee status. Refugees also had access to naturalization.

The government continued to assist the safe, voluntary return of refugees to their homes. As of June 30, the UNHCR found that 24,256 Liberian refugees and 555 refugees from other countries remained in the country.

#### Stateless Persons

In the absence of reliable data, the scale of statelessness in the country was unclear but unofficially estimated to be in the thousands. Citizenship is derived from one's parents rather than by birth within the country's territory, and birth registration was not universal. The country had habitual residents who were either legally stateless or effectively stateless, and the government did not effectively implement laws and policies to provide such persons the opportunity to gain nationality on a nondiscriminatory basis. During the year the UNHCR continued to work with the ministries of justice and interior to raise awareness of statelessness.

#### Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

The constitution and law provide for the right of citizens to change their government peacefully through democratic means; however, citizens were prevented from exercising this right in practice. President Gbagbo and the national assembly remained in office at year's end despite the expiration of their terms in 2005.

#### Elections and Political Participation

After a December 3-4 meeting, the permanent consultation framework (CPC) for the OPA formally announced the postponement of presidential elections, which had been scheduled for November 29. The CPC stated that additional time was necessary to correct irregularities in the provisional electoral list and distribute identification and voter cards. A new election date was not announced, and those who participated in the identification and voter registration process were awaiting the distribution of their identity cards and voter cards at year's end.

The country took several steps toward reconciliation during the year. The identification and voter registration process, which began in September 2008 and was initially scheduled to last 45 days, ended on June 30. More than 6.5 million persons participated in the process. With data collected during this process, the CEI prepared a provisional electoral list and posted it for nationwide consultation on November 22. The following day, local CEIs began processing challenges to this list. Although the dispute period was scheduled to end in December, the process continued at year's end.

In 2007, following several failed political accords, President Gbagbo and FN rebel leader Guillaume Soro signed the OPA, which established a transitional government with Soro as prime minister and called for presidential elections in 2008.

The 2000 election in which President Laurent Gbagbo came to power followed several postponements and a controversial Supreme Court decision disqualifying 14 of the 19 candidates, including RDR leader Ouattara and former president Bedie, president of the PDCI. As a result of the ruling, most international election observers declined to monitor the election. When preliminary results showed Gbagbo leading by a significant margin, a National Elections Commission official

announced the commission's dissolution and declared General Guei the victor with 56 percent of the vote. Mass demonstrations by Gbagbo supporters erupted, resulting in numerous deaths and injuries. The next day national radio and television reported that General Guei had stepped down and that Laurent Gbagbo had assumed the presidency.

The 2000 national assembly election was marred by violence, irregularities, and a very low participation rate. In addition, the election could not take place in 26 electoral districts in the north because RDR activists disrupted polling places, burned ballots, and threatened the security of election officials. Following legislative by-elections in 2001, 223 of the 225 seats of the national assembly were filled.

Women held 19 of 225 seats in the last elected national assembly, whose mandate expired at the end of 2005. The first vice president of the national assembly was a woman. Women held four of the 33 ministerial positions in Prime Minister Soro's cabinet. Of the 41 Supreme Court justices, four were women. Henriette Dagri Diabate served as secretary general of the RDR, the party's second-ranking position.

#### Section 4 Official Corruption and Government Transparency

The law provides criminal penalties for official corruption; however, the government did not implement the law effectively, and officials frequently engaged in corrupt practices with impunity. Corruption had the greatest impact on judicial proceedings; contract awards, customs and tax issues, and accountability of the security forces (see also section 1.e.).

The 23 cocoa and coffee industry officials arrested in June 2008 for allegedly embezzling 100 billion CFA (\$200 million), remained in MACA at year's end awaiting trial. In September four of the officials filed a formal complaint against the government with the Economic Community of West African States Court of Justice in Nigeria, claiming infringement of their right to a fair trial and violation of their civil liberties. Their case continued at year's end.

#### Section 5 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

A number of international and domestic human rights groups, including the Ivoirian League for Human Rights (LIDHO) and the MIDH, generally operated without government restriction, investigating and publishing their findings on human rights cases. Government officials were somewhat cooperative and responsive to their views. The government occasionally met with some of these groups.

During the year UNOCI, LIDHO, MIDH, Action for the Defense of Human Rights (APDH), and other independent human rights groups gathered evidence and testimony on human rights cases, published information in reports and in independent local daily newspapers, and criticized government security forces.

FESCI continued to threaten and harass human rights groups. The government took no action against the student group for the destruction of LIDHO and APDH headquarters in 2007. No cases were opened against perpetrators who threatened and harassed members of human rights organizations in previous years.

During the year the government regularly permitted the World Food Program, the ICRC, and other international organizations to conduct humanitarian operations. Eleven UN agencies, including the International Labor Organization and the World Health Organization, were resident and active throughout the year. There were no reports that the government restricted their access to certain areas deemed sensitive or denigrated their work.

#### Section 6 Discrimination, Societal Abuses, and Trafficking in Persons

The law prohibits discrimination based on race, ethnicity, national origin, gender, or religion; however, the government did not effectively enforce the law.

##### Women

The law prohibits rape and provides for prison terms of five to 20 years; however, the government did not enforce this law in practice, and rape was a widespread problem. The law does not specifically penalize spousal rape. Claims were most frequently brought against child rapists. A life sentence can be imposed in cases of gang rape if the rapists are related to or hold positions of authority over the victim or if the victim is under 15 years of age. For example, since 2007 the Court of Abidjan had received an average of 16 cases of child rape per month.

Women's advocacy groups continued to protest the indifference of authorities to female victims of violence, including rape. Women who reported rape or domestic violence to the police were often ignored. Many female victims were convinced by their relatives and police to seek an amicable resolution with the rapist rather than pursue a legal case. The Ministry of Family and Social Affairs sought justice on behalf of rape victims; however, families often preferred to settle out of court. During the year 12 persons were officially convicted and sentenced for rape.

There were continued reports of unidentified highway bandits raping and sexually assaulting women in the western part of the country, especially along the roads from Duekoue to Bangolo, Man to Biankouma, and Man to Toulepleu.

On January 12, a group of unidentified individuals armed with Kalashnikovs attacked passengers traveling on the Duekoue-Bangola road. They raped two women and injured a cyclist before fleeing.

On June 3, three alleged former members of a militia group broke into a residence, raped three women, and injured one man with a machete before stealing 140,000 CFA (\$280) and some personal belongings. An investigation continued at

year's end.

The law does not specifically outlaw domestic violence, which continued to be a serious and widespread problem throughout the country. However, penalties for assault provide for prison terms of one to 20 years, depending on the extent of the offense. Government enforcement of domestic violence complaints remained minimal, however, partially because the courts and police viewed domestic violence as a problem to be addressed within the family. The exception was if serious bodily harm was inflicted or the victim lodged a complaint, in which case criminal proceedings could be initiated. Many victims' parents often urged withdrawal of a complaint because of the fear of social stigma on the family.

During the year the Ministry of Family and Social Affairs continued to provide limited assistance to victims of domestic violence and rape. The ministry's support included providing government-operated counseling centers with computers, printers, and other equipment for record keeping. Ministry officials visited a few victims in their homes to attempt to reconcile troubled couples and to remove domestic servants from homes in which they had been sexually abused.

The Committee to Fight Violence Against Women and Children (CNLV) did not operate a shelter or a hotline for abused women. Instead, committee members gave out their personal cell phone numbers on weekly radio programs. The committee also monitored abusive situations through frequent home visits. Young girls who feared becoming victims of abuse, FGM, or forced marriage could appeal to the committee. The committee often stopped abuse by threatening legal action against offending parents or husbands.

The government continued to hold awareness-raising seminars on sexual violence for judicial and security personnel. As a result of the seminars, some security forces reportedly modified their behavior to provide victims with greater privacy, and courts began recording in private the testimony of rape victims who were minors. Judges also increased the provision of statistics and information on cases to enable the CNLV to follow up with victims.

Other cases of societal violence against women included FGM, dowry deaths, levirat (forcing a widow to marry her dead husband's brother), and sororat (forcing a woman to marry her dead sister's husband).

Prostitution is legal between consenting adults in private, and the practice was reported to be increasing due to worsening economic conditions. Soliciting and pandering are illegal. There were credible reports that police demanded bribes or sexual favors for allowing prostitution.

The law prohibits sexual harassment and prescribes penalties of between one and three years' imprisonment and a fine ranging between 360,000 and one million CFA (\$720 to \$2,000). However, the government rarely enforced the law, and such harassment was widespread and routinely accepted as a cultural norm.

Couples and individuals had the right to decide the number, spacing, and timing of their children, and to have the information and means to do so free from discrimination, coercion, and violence. In urban areas, access to contraception, skilled attendance during childbirth, including essential obstetric and postpartum care, was available to those women who could afford it. Pregnant women diagnosed with sexually transmitted infections, including HIV, were treated.

According to the poverty reduction strategy report issued by the Ministry of Planning in May, 12 percent of the poor had no access to a health center, and 26 percent had no access to a general hospital where information and skilled health care were provided. Transportation and costs of services were significant barriers for some women to have access to health centers and hospitals. The report also stated that 54 percent of the poor had to walk to a health center, 14 percent to a general hospital. Furthermore, threats or perceived threats of violence from husbands or family members were also an inhibiting factor for some women's access to family planning services located in the health centers.

A joint report by LIDHO and the International Rescue Committee published in March noted that police roadblocks sometimes prevented pregnant women from giving birth in health centers, resulting in women giving birth at home without professional assistance. The report also mentioned that some health center professionals defrauded pregnant women under the guise of providing services that were never rendered.

The law prohibits discrimination on the basis of gender; however, women experienced economic discrimination in access to employment, credit, and owning or managing businesses. Women occupied a subordinate role in society. Government policy encouraged full participation by women in social and economic life; however, there was considerable resistance among employers in the formal sector to hiring women, who were considered less dependable because of their potential for becoming pregnant. Some women also encountered difficulty in obtaining loans, as they could not meet the lending criteria established by banks, such as a title to a house and production of a profitable cash crop.

NGOs supervised efforts to create economic cooperatives to provide poor women access to small loans from the government or private microfinance banks. Women in the formal sector usually were paid at the same rate as men; however, because the tax code did not recognize women as heads of households, female workers were required to pay income tax at a higher rate than their male counterparts. Women's organizations continued to campaign for tax reform to enable single mothers, whose children have been recognized by their fathers, to receive deductions for their children. Inheritance law also discriminated against women.

Women's advocacy organizations continued to sponsor campaigns against forced marriage, marriage of minors, patterns of inheritance that excluded women, and other practices considered harmful to women and girls. For example, polygyny is illegal, although it remained a common cultural practice. Women's organizations also campaigned against legal provisions that discriminated against women. The coalition of women leaders and the Ministry of Family and Social Affairs continued their efforts to promote greater participation of women in political decision making and in presenting themselves as candidates in legislative and municipal elections.

## Children

Citizenship is derived from one's parents: at least one parent must be a citizen for a child to be considered Ivorian at birth. The law provides parents a three-month period to register their child's birth for a fee of 500 CFA (approximately \$1). The government registered all births when parents submitted documentation from a health clinic or hospital attesting that a birth had occurred. However, persons without proper identification documents could not register births. The government did not deny public services such as education or health care to children without documents; however, some schools required parents to present children's identity documents before they could be enrolled.

Primary education was not compulsory and usually ended when children reached 13 years of age; however, it was tuition-free. In principle students did not have to pay for books or fees; however, some still did so or rented books from street stalls because the government did not cover school fees and books for every student. Students who failed secondary school entrance exams did not qualify for free secondary education, and many families could not afford to pay for schooling.

Parental preference for educating boys rather than girls persisted, particularly in rural areas.

Teachers sometimes demanded sexual favors from students in exchange for money or good grades. The penalty for statutory rape or attempted rape of a child under the age of 16 is a prison sentence of one to three years and a fine of 100,000 to one million CFA (\$200 to \$2,000).

Children were victims of physical and sexual violence and abuse. Children accused of practicing witchcraft were placed in the care of pastors, who sometimes used violence to exorcize them. Although the ministries of family, labor, and justice worked to fight child abuse, a lack of coordination among ministries and inadequate resources hindered government efforts.

FGM was a serious problem. The law specifically forbids FGM and provides penalties for practitioners of up to five years' imprisonment and fines of 360,000 to two million CFA (\$720 to \$4,000). Double penalties apply to medical practitioners. An estimated 60 percent of women had been subjected to the procedure. FGM was practiced most frequently among rural populations in the north and west and to a lesser extent in the center and south. FGM usually was performed on girls before or at puberty as a rite of passage. Local NGOs continued public awareness programs to prevent FGM and worked to persuade FGM practitioners to stop the practice. No arrests related to FGM were made during the year.

The law prohibits the marriage of men under the age of 20, women under the age of 18, and persons under the age of 21 without the consent of their parents. The law specifically penalizes anyone who forces a minor under 18 years of age to enter a religious or customary matrimonial union. However, in conservative communities--particularly those in the north--traditional marriages were commonly performed with girls as young as 14 years of age.

Children engaged in prostitution for survival without third-party involvement, although the extent of the problem was unknown. Under the law, using, recruiting, or offering children for prostitution, or for pornographic films, pictures, or events is illegal, and violators can receive sentences ranging from one month to two years' imprisonment as well as fines of 30,000 to 300,000 CFA (\$66 to \$660). Statutory rape of a minor carries a punishment of one to three years in prison and a fine of 360,000 to 1,000,000 CFA (\$790 to \$2,200).

There were no reports during the year that progovernment militias or rebel forces recruited and used children as soldiers on either a voluntary or a forced basis. In 2007 the UN secretary-general's special representative on children in armed conflict removed the names of four progovernment militias and the FN from the annexes of the secretary general's *Report on Children in Armed Conflict*.

There were thousands of children living on the streets. NGOs dedicated to helping street children found it difficult to estimate the extent of the problem and determine whether these children had access to government services.

## Trafficking in Persons

The constitution and law do not prohibit trafficking in persons, and, despite governmental antitrafficking efforts, trafficking in persons remained a problem. No nationwide study had been conducted on the phenomenon, and the extent of the problem was unknown. There was no reliable estimate on the number of children intercepted or repatriated during the year.

The country was a source and destination country for trafficking in women and children, and internal trafficking was also a serious problem. Women and children were trafficked from Nigeria, Niger, Mali, Burkina Faso, Ghana, Togo, Benin, Guinea-Bissau, and Mauritania for the purposes of sexual exploitation and forced commercial, agricultural, and domestic servitude. Women and children were also trafficked from the country to other African, European, and Middle Eastern countries for sexual exploitation and agricultural and domestic labor.

The informal labor sectors were not regulated under existing labor laws; as a result, domestics, most nonindustrial farm laborers, and those who worked in the country's broad range of street shops and restaurants remained outside formal government protection. Internal trafficking of girls nine to 15 years old to work as domestic servants in Abidjan and elsewhere in the more prosperous south remained a problem. Traffickers of local children often were relatives or friends of the victim's parents. Traffickers sometimes falsely promised parents that the children would learn a trade, but they often ended on the streets as vendors or working as domestic servants.

Due to the economic crisis, many parents allowed their children to be exploited to minimize the financial burden on the

family. Because security forces were trained to search buses for trafficked children, traffickers continued to adapt their methods, including transporting a small number of children at a time by bicycle, train, or on foot, rather than attempting to move large groups of children into the country by bus.

Organized trafficking rings promised Nigerian women and girls that they would have jobs in restaurants and beauty salons in Abidjan; however, many of these victims were forced to work in brothels.

Children were trafficked into the country from neighboring countries to work in the informal sector in exchange for finder's fees. They were also trafficked to or within the country to work full or part time in the agricultural sector.

Traffickers can be prosecuted under laws prohibiting kidnapping, forced labor, and mistreatment; however, there was minimal law enforcement in government-held territories, and traffickers rarely were prosecuted.

The government cooperated with international investigations of trafficking.

The National Committee for the Fight Against Trafficking and Child Exploitation, which includes representatives from numerous government ministries and several national and international organizations and NGOs, is responsible for coordinating the government's implementation of the multilateral cooperative agreement; however, the committee did not meet during the year. The government continued to conducting awareness campaigns to educate local government officials, community leaders, and members of the 38 antitrafficking village committees established in 2007 and 2008 as part of the child trafficking monitoring system.

The Department of State's annual *Trafficking in Persons Report* can be found at [www.state.gov/g/tip](http://www.state.gov/g/tip).

#### Persons with Disabilities

The law requires 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 work spaces for access and use by persons with disabilities. However, wheelchair-accessible facilities for persons with disabilities were not common, and there were few training and job assistance programs for persons with disabilities. The law also prohibits acts of violence against persons with disabilities and the abandonment of such persons; however, there were no reports that the government enforced these laws during the year.

There were no reports during the year that persons with disabilities were specific targets of abuse, but they encountered serious discrimination in employment and education. As promised in 2008, the government created 300 civil service jobs for persons with disabilities; however, persons with disabilities who were eligible for these jobs demonstrated in June after some government employers refused to employ them.

The government financially supported special schools, associations, and artisans' cooperatives for persons with disabilities, but many persons with physical disabilities begged on urban streets and in commercial zones for lack of other economic opportunities. Persons with mental disabilities often lived on the street.

The Ministry of Family and Social Affairs and the Federation of the Handicapped were responsible for protecting the rights of persons with disabilities.

#### National/Racial/Ethnic Minorities

The country's population was ethnically diverse, and ethnic groups sometimes practiced societal discrimination against others on the basis of ethnicity. At least 25 percent of the population was foreign. Outdated or inadequate land ownership laws resulted in conflicts with ethnic and xenophobic overtones. There were reported clashes, usually over land tenure, between the native populations and other groups.

Police routinely abused and harassed noncitizen Africans residing in the country and occasionally harassed Lebanese merchants. Harassment by officials reflected the common belief that foreigners were responsible for high crime rates and instances of identity card fraud. Harassment of northerners, which increased markedly after the 2002 rebellion, generally continued to decline from the previous year. However, when local independent electoral commissions began examining challenges to the provisional electoral list in December, harassment of northerners suddenly increased. Following denunciations from progovernment members, CECOS arrested hundreds of northerners and suspected immigrants living in the south and west, claiming suspects were using forged government documents to be included on the provisional voters' list.

Ethnic tensions in the west and southwest continued to lead to violence. In the west, and in Duekoue and Bangolo in particular, there continued to be violent clashes between the native population and members of the foreign community, particularly Burkinabe farmers.

Several incidents of ethnic violence resulted in deaths and injuries.

For example, on February 15, in the village of Tongbakro, Baoule farmers and Peulh cattle breeders clashed over the destruction of Baoule crops by Peulh-owned cattle. One cattle breeder died from gunshot wounds he received during the incident.

On March 12 and 13, youth groups in the western villages of Keibly and Diboke attacked returning former IDPs of Baoule ethnic origin to oppose their resettlement in the area. The UNOCI Human Rights Office reported that 18 persons were

injured in the incident. One person was reported missing.

There were no further developments in the September 2008 land dispute violence between villagers from Abouabou and Gonzagueville, which resulted in seven deaths and numerous injuries.

There were no developments in the 2007 killing of businessman Sangare Adama.

In July 2008 the government adopted a new law on xenophobia, racism, and tribalism, making these forms of intolerance punishable by five to ten years' imprisonment.

#### Societal Abuses, Discrimination, and Acts of Violence Based on Sexual Orientation and Gender Identity

Societal stigmatization of the lesbian, gay, bisexual, and transgender (LGBT) community was widespread, and the government did not act to counter it during the year. There were few LGBT organizations in the country. Arc en Ciel, the primary NGO representing the LGBT community, operated freely; however, the government required the organization to amend its by-laws to include non-LGBT members before the organization's status was officially approved.

There was no official discrimination based on sexual orientation in employment, housing, statelessness, or access to education or health care. However, gay men have been subjected to beatings, imprisonment, verbal abuse, humiliation, and extortion by police, gendarmes, and members of the armed forces.

#### Other Societal Violence or Discrimination

The law does not provide for the protection of persons living with HIV/AIDS from societal and other forms of discrimination. Societal stigmatization of persons living with HIV/AIDS was widespread.

#### Section 7 Worker Rights

##### a. The Right of Association

The law allows all citizens, except members of the police and military services, to form or join unions of their choice without excessive requirements, and workers exercised these rights in practice.

Only a small percentage of the workforce was organized, and most laborers worked in the informal sector, which included small farms, small roadside and street shops, and urban workshops. However, large industrial farms and some trades were organized, and there was an agricultural workers union. Of the 15 percent of workers in the formal sector, approximately 60 percent were unionized.

The law allows unions in the formal sector, which comprised approximately 1.5 million workers or 15 percent of the workforce, to conduct their activities without interference, and the government protected this right in practice.

The law provides for the right to strike, and workers generally exercised this right. However, the law requires a protracted series of negotiations and a six-day notification period before a strike may take place, making legal strikes difficult to organize and maintain.

##### b. The Right to Organize and Bargain Collectively

The law provides for collective bargaining and grants all citizens, except members of the police and military services, the right to bargain collectively. Collective bargaining agreements were in effect in many major business enterprises and sectors of the civil service.

The law does not prohibit antiunion discrimination by employers or others against union members or organizers; however, the Ministry of Labor (MOL) did not report any complaints of antiunion discrimination and employer interference in union functions during the year. There were also no reports of workers fired for union activities who were not reinstated. Under the labor law, workers could not be fired for union activities, and this law was enforced.

There are no export processing zones.

##### c. Prohibition of Forced or Compulsory Labor

The law prohibits forced or compulsory labor, including by children, and the government made efforts to enforce the law during the year. However, such practices occurred.

Instances of forced labor occurred in the informal labor sectors, which were not regulated under existing labor laws. Thus, domestics, most nonindustrial farm laborers, and those who worked in street shops and restaurants remained outside formal government protection. Forced adult labor occurred in small-scale and commercial production of agricultural products. There were reports of forced adult labor practices in rubber production, primarily in the form of long hours and low-paid work for workers who lived in conditions of effective indenture.

Forced child labor occurred (see section 7.d.).

##### d. Prohibition of Child Labor and Minimum Age for Employment

There were laws against forced labor and the exploitation of children in the workplace; however, child labor remained a widespread problem. In most instances, the legal minimum working age is 14; however, the Ministry of Civil Service, Employment, and Administrative Reform enforced this provision effectively only in the civil service and in large multinational companies. Children are not allowed to work between 7:00 p.m. and 6:00 a.m. They routinely worked on family farms or as vendors, shoe shiners, errand boys, domestic helpers, street restaurant vendors, and car watchers and washers in the informal sector in cities. Some girls as young as age nine worked as domestic servants, often within their extended family networks.

Children continued to work under hazardous conditions on cocoa farms. A Tulane University survey published during the year found that 24.1 percent of children between the ages of 5 and 17 within the cocoa-growing regions had worked on a cocoa farm in the previous 12 months. The survey showed that a number of these children were involved in or exposed to hazardous conditions, including operating tools (93.9 percent) and carrying heavy loads (79.8 percent). Of the children working on cocoa farms, 50.6 percent reported that they had been injured while working in agriculture. A small percentage of the children working on cocoa farms had no family ties to the farmers; however, most worked on family farms or with their parents.

In July the government launched a new program addressing child labor in cocoa-growing areas. The program focuses on decreasing poverty and thereby decreasing child labor by ensuring that each village has a primary school, health clinic, and income-generating activities to supplement cocoa income. The program included sensitization of parents to the importance of children attending school. It also raised parents' awareness of the dangers associated with child labor and the need to end the involvement of children in dangerous chores. By year's end the government had begun implementing the program in 10 cocoa villages and selected 21 additional villages for participation in the program.

The MOL is responsible for enforcing child labor laws and made progress during the year to address the worst forms of child labor. While enforcement of child labor laws continued to be hindered by financial constraints and other factors, there were indications that government efforts, along with those of its international partners, had a positive effect towards decreasing the worst forms of child labor.

The MOL and the prime minister's Child Labor Task Force supported and collaborated with NGOs and international partners to combat the worst forms of child labor. The task force continued to implement a national action plan to combat child labor and trafficking. Nine government ministries were involved in the effort. The Ministry of Family and Social Affairs conducted awareness campaigns targeting children at risk and agricultural regions that employ child labor, working in coordination with several international NGOs.

During the year NGOs conducted ongoing campaigns to sensitize farm families about child labor based on the list developed by the government of prohibited worst forms of child labor. The association of domestic worker placement in the country worked to prevent the exploitation of children in domestic work. Other NGOs campaigned against child trafficking, child labor, and the sexual abuse of children.

#### e. Acceptable Conditions of Work

Minimum wages varied according to occupation, with the lowest set at 36,607 CFA (\$73) per month for the industrial sector; this wage did not provide a decent standard of living for a worker and family. A slightly higher minimum wage rate applied for construction work. The government enforced the minimum wage rates only for salaried workers employed by the government or registered with the social security office.

Labor federations attempted to fight for just treatment under the law for workers when companies failed to meet minimum salary requirements or discriminated among classes of workers, such as local and foreign workers.

No government action was taken to rectify the large salary discrepancies between expatriate non-African employees and their African colleagues who were employed by the same company. The standard legal workweek was 40 hours. The law requires overtime pay for additional hours and provides for at least one 24-hour rest period per week. The government did not enforce the law actively. The law does not prohibit compulsory overtime. The law provides for occupational safety and health standards in the formal sector; however, in the large informal sector of the economy, the government enforced occupational health and safety regulations erratically, if at all. Labor inspectors frequently accepted bribes. Workers in the formal sector have the right to remove themselves from dangerous work without jeopardy to continued employment by utilizing the MOL's inspection system to document dangerous working conditions. However, workers in both the formal and informal sectors could not absent themselves from such labor without risking the loss of their employment.

Several million foreign workers, mostly from neighboring countries, typically worked in the informal labor sector, where labor laws were not enforced. Neither foreign migrant workers nor citizen workers working in the informal labor sector were covered under current labor laws.

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