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Freedom Status: Partly Free

Aggregate Score: 51

Freedom Rating: 4.0

Political Rights: 4

Civil Liberties: 4

Ratings Change:

Côte d'Ivoire's political rights rating improved from 5 to 4 due to the circumstances surrounding the October presidential election, which was arguably the freest, fairest, and most peaceful in the country's history, and which demonstrated the political sphere's increasing autonomy from the military and international actors.

Quick Facts

Capital: Yamoussoukro

Population: 23,281,300

GDP/capita: \$1,514.90

Press Freedom Status: Partly Free

Net Freedom Status: N/A

OVERVIEW

In 2015, hopes mounted that Côte d'Ivoire was at long last turning the page from some 15 years of extreme political turbulence that had peaked in a 2010-11 postelection crisis that brought the country to the brink of disaster. In October, President Alassane Ouattara – leader of the Rally of the Republicans (RDR) party – won a second and final term in a landslide victory. Although the lead-up to the vote was marred by sporadic arrests of opposition supporters and dispersal of their rallies, the election was ultimately largely peaceful and found to be credible by domestic and international observers. Former president Laurent Gbagbo's Ivorian Popular Front (FPI) party remains deeply divided, and its hardliners boycotted the election.

Longstanding concerns about victor's justice and reconciliation persist. The Dialogue, Truth and Reconciliation Commission (CDVR), established in 2011, delivered its final report to Ouattara in December 2014, but the report had not yet been made public as of the end of 2015. The Ivorian

government refused to transfer Simone Gbagbo, Laurent Gbagbo's wife, to the International Criminal Court (ICC), where she faces four counts of crimes against humanity. She was instead prosecuted in Côte d'Ivoire for crimes against the state, receiving a 20-year prison sentence in March 2015. Meanwhile, the ICC moved forward with a joint case against Laurent Gbagbo and Charles Blé Goudé, a former youth minister and leader of a pro-Gbagbo militia; that trial is scheduled to begin in early 2016.

Pro-Ouattara forces have also been accused of committing war crimes during the 2010-11 crisis, and it emerged in the summer of 2015 that about 20 pro-Ouattara military officers had recently been charged in Côte d'Ivoire in connection with the violence. Previously, little had been done, either internationally or domestically, to bring pro-Ouattara forces to justice.

POLITICAL RIGHTS AND CIVIL LIBERTIES

Political Rights: 20 / 40 (+3)

A. Electoral Process: 7 / 12 (+1)

The constitution provides for the popular election of a president and a unicameral National Assembly composed of 255 members for five-year terms. Ouattara won the 2015 presidential election in the first round with nearly 84 percent of the vote, according to the Independent Electoral Commission (CEI). Pascal Affi N'Guessan of the FPI came in second, with 9.3 percent. Despite tensions and some government crackdowns on opposition rallies, the election was among the freest, fairest, and most peaceful in Côte d'Ivoire's history, and was found by international and domestic observers to be credible. According to the CEI, 54.6 percent of registered voters turned out.

The election was the first presidential poll since the 2010 vote, which had occurred after years of delays and triggered an internal conflict that left 3,000 dead and another one million displaced when Gbagbo, the incumbent, refused to concede the internationally recognized victory of Ouattara. Gbagbo was ultimately arrested with the assistance of French and UN troops, and Ouattara assumed office in April 2011.

Given large economic gains since taking office and a divided opposition, Ouattara was widely favored to win a second term despite concern over the possibility of electoral violence. As the election approached, tensions were fueled by disputes over the objectivity of the Independent Electoral Commission (CEI) and access to state media. Exacerbating matters, the government banned and dispersed several opposition protest rallies, arresting dozens of individuals, including opposition party officials. According to an October open letter signed by a coalition of human rights groups, at least three opposition protesters were detained in secret facilities for weeks before being sentenced to six months in prison on charges related to disturbing the public order. Three of the 10 presidential candidates withdrew, alleging rigging, and FPI hardliners called upon supporters to boycott the election. According to the CEI, 54.6 percent of registered voters turned out.

The first largely peaceful and fair parliamentary elections in more than a decade were held in December 2011. Ouattara's RDR party won 127 seats in the National Assembly, while the Democratic Party of Côte d'Ivoire-African Democratic Rally (PDCI-RDA) placed second with 77 seats. The FPI boycotted the vote, leveling claims of bias against the electoral commission, protesting the jailing of its senior leadership, and accusing state security forces of intimidation. The RDR also won a majority of contests in the April 2013 local and regional elections, followed by the PDCI-RDA. Several opposition parties again boycotted those elections.

B. Political Pluralism and Participation: 8 / 16 (+1)

The RDR and the PDCI-RDA form the country's dominant coalition, holding a virtual lock on national political power. The FPI remains weak and disorganized, marked by deep divisions and infighting since Gbagbo's arrest, with supporters split between hardliners who insist on Gbagbo's release, and moderates who support N'Guessan. Although Ouattara visited a Gbagbo stronghold in September and called for forgiveness, national reconciliation has continued to be a challenge, with divisions persisting over long-detained Gbagbo supporters and accusations of "victor's justice" by Ouattara's government. However, for at least the moderate wing of the FPI, there are signs of renewed willingness to participate more fully in the political process, after the party boycotted the 2011 parliamentary and 2013 local elections.

The armed forces are increasingly under civilian control, making the military, so-called volunteers, and miscellaneous militia members less of a presence during the 2015 balloting than during previous elections.

A new nationality law allowing both male and female foreigners who marry Ivorian nationals to acquire citizenship went into effect in April 2014. Citizenship has been a perennial source of conflict since Ivorian nationalists adopted former president Henri Bédié's concept of "Ivoirité" to exclude perceived foreigners (including Ouattara) from the political process.

C. Functioning of Government: 5 / 12 (+1)

With security forces increasingly under civilian control and the influence of international actors in domestic politics reduced compared to previous years, Côte d'Ivoire's acute crisis phase continues to recede. More than any time since 1999, the president and national assembly make their own policy.

Corruption remains endemic, with Côte d'Ivoire ranked 107 out of 168 countries and territories surveyed in Transparency International's 2015 Corruption Perceptions Index. Perpetrators seldom face prosecution or public exposure despite the government's official "zero tolerance" policy. According to a July Human Rights Watch report, despite the government making some progress in dismantling illegal checkpoints and thereby reducing extortion in and around Abidjan and on major roads, an anti-racket unit created in 2011 has made little impact outside those regions, and prosecutions for checkpoint extortion are rare. Some small steps have been taken to curb corruption in other arenas of the public sector. For example, in September the Ministry for Public Service announced that it had identified 2,286 public-sector workers who had not passed the requisite entrance exam, many of whom had likely bribed their way into their positions. Also in September, the High Authority on Good Governance (HABG), a body launched in 2014, invited high-level functionaries to disclose their assets. There has been some criticism that the HABG – which is ostensibly charged with fighting corruption – is too underfunded to prove effective, and its independence remains to be seen.

In 2013, the National Assembly passed an access to information law. In March 2014, the government announced that it would launch a Commission on Access to Information to monitor the application of the law.

Civil Liberties: 30 / 40 (+2)

D. Freedom of Expression and Belief: 11 / 16 (+1)

Freedoms of speech and of the press are protected by the constitution and by the country's laws, though there are prohibitions on speech that incites violence, hatred, or rebellion. These prohibitions are enforced by the media regulatory body, the Conseil National de la Presse (CNP), which frequently fines or reprimands journalists and suspends outlets for allegedly spreading incendiary or false information. In October 2015, the CNP issued three-day suspensions to three

pro-Gbagbo newspapers for promoting a boycott of the presidential election. Journalists have been jailed for insulting Ouattara on two separate occasions since he was elected. In the most recent incident, Joseph Gnanhoua Titi, the editor of *Aujourd'hui*, a pro-Gbagbo daily, was arrested in July 2015 after his newspaper published an article linking Ouattara to the embezzlement of aid funds, among other misdeeds. Titi was held for six days before the charges against him were dismissed. Nonetheless, conditions for the press have improved since the end of the 2010-11 conflict, and incidents of violence and intimidation against journalists are rare.

There were no credible reports that the government restricted access to the internet or illegally monitored online communications. About 21 percent of the population had access to the medium in 2015.

Legal guarantees of religious freedom are typically upheld, though political and religious identities tend to overlap with ethnicity and geography. Religious and traditional organizations have been instrumental in leading the postconflict reconciliation process at the local level. A north-south, Christian-Muslim schism has been a salient feature of Ivorian life since the civil war started in 2002, and was brought to a head in the crisis of 2010-11. However, the schism has receded since then, and the current government is a center-north coalition that includes Muslims and Christians. Ouattara has done much to address citizenship and identity problems that had plagued Muslims with family origins in Burkina Faso.

Academic freedom suffered severely during the 2010-11 conflict, as public universities throughout the country were closed, occupied by armed forces, and used as military bases and training grounds. They reopened to students in 2012, but have been slow to recover from the effects of the closure, facing infrastructure and staff shortages.

E. Associational and Organizational Rights: 7 / 12

The constitution protects the right to free assembly, but this right is often denied in practice and is subject to politicization, as reflected in the banning and aggressive dispersal of certain opposition protests in the lead-up to the 2015 presidential election. Peaceful protests often escalate into violence, as was the case with a teachers' strike in April.

Freedom of association is constitutionally protected. Although this right has often been denied in practice, especially around political rallies, both domestic and international nongovernmental organizations (NGOs) generally operate freely. The right to organize and join labor unions is constitutionally guaranteed, and workers have the right to bargain collectively. In 2015, employees of several key sectors – including prison guards, teachers, and members of the military – went on strike.

F. Rule of Law: 6 / 16

The judiciary is not independent, and judges are highly susceptible to external interference and bribes. The country's courts became fully functional early in 2014, but, according to an April 2015 report on capacity-building and technical cooperation with Côte d'Ivoire commissioned by the UN Human Rights Council, the effectiveness of the justice system is hampered by a lack of judges. Prisons are severely overcrowded, and prolonged pre-trial detention is a serious problem for both adults and minors, with some detainees spending years in prison without trial. Incarcerated adults and minors are not always separated. In March, the National Assembly voted to revise the criminal code to abolish the death penalty, bringing it in line with the country's 2000 constitution, which prohibited the death penalty.

The security situation was stable but subject to volatility in 2015. Reports of illegal detentions, extortion, sexual violence, and forced disappearance at the hands of the Republican Forces of Côte

d'Ivoire (FRCI) and other security forces continued, though they decreased since the height of the political crisis. Opposition groups also accused security forces of torture and extrajudicial killings, but those allegations were not independently verified. The police and gendarmerie remain underequipped and are not considered fully operational in all cities. In Abidjan, youths that fought in the 2010-11 conflict have regrouped into machete-wielding gangs known as "enfant microbes," which continue to be implicated in armed robberies and assaults in the city. This has led some citizens to form vigilante "self-defense" groups. In January, panic spread after a nationwide wave of child kidnappings and what appeared to be ritual killings.

In March, an ICC trial chamber joined the cases concerning Laurent Gbagbo and Charles Blé Goudé, both of whom stand accused of crimes against humanity relating to the 2010 post-electoral crisis. Although the ICC has said it is investigating pro-Ouattara actors, it has filed charges only against pro-Gbagbo defendants so far.

A collective trial against Simone Gbagbo and around 80 others closely associated with Laurent Gbagbo began in December 2014. In March 2015, Simone Gbagbo was sentenced to 20 years in prison by an Abidjan court. The trial was widely criticized due to the perceived weakness of the evidence, together with the fact that she was sentenced not for human rights violations, but for undermining state security. Simone Gbagbo has been charged with crimes against humanity by the ICC. In December 2014, the ICC ruled that Côte d'Ivoire was required to transfer her, but the Ivorian government has thus far refused to comply.

The work of the Special Investigative and Examination Cell, created in 2011 to investigate crimes committed during and after the postelection crisis, has suffered from inconsistent support. After years of delay and understaffing, the group's work appeared to be gathering steam in early 2015. In June, however, human rights groups raised alarm at rumors of the imminent closure of two of the cell's major investigations. Prosecutors have complained that the government has prevented them from initiating investigations against pro-Ouattara forces.

It emerged in the summer of 2015 that the Ivoirian government had charged about 20 former pro-Ouattara rebels in connection to the 2010-11 violence, a step that drew praise from human rights organizations.

In December 2014, the CDVR submitted its report to Ouattara, but the report has not yet been made public. The CDVR has been widely criticized for failing to achieve its broader goals of reconciliation. Although it collected over 72,000 testimonies, media coverage of the testimonials was spotty, and they were not broadcast nationally. This has further minimized the commission's impact. In March 2015, the government created the National Commission for Reconciliation and Compensation for Victims (CONARIV), conceived as the successor to the CDVR, and tasked it with overseeing a reparations program.

Members of the LGBT community face societal prejudice as well as violence and harassment by state security forces. The beginning of 2014 saw a wave of homophobic attacks that human rights groups described as unprecedented. In July 2015, the vice president of the National Human Rights Commission reported that the commission was investigating the 2014 incidents and that a police chief had been fired for ignoring the attacks.

G. Personal Autonomy and Individual Rights: 7 / 16 (+1)

Freedom of movement has improved in Abidjan and along some major roads. However, according to the July Human Rights Watch report, illegal roadblocks and acts of extortion by state security forces remain a serious problem elsewhere, and the government's efforts to combat these practices have been undermined by inconsistent financial support and a failure to investigate and prosecute perpetrators. In the west and north of the country, highway robbery is a persistent problem.

Property rights are weak and poorly regulated, especially in the west of the country, and remain an ongoing source of conflict between migrants and "natives" who claim customary rights to land use and inheritance. Citizens have the right to own and establish private businesses, and in general economic opportunities for migrants have continued to improve compared to previous years, but obstacles abound. Côte d'Ivoire was ranked 142 out of 189 countries in the World Bank's 2016 *Doing Business* survey. According to the survey, while registering property has become easier in Côte d'Ivoire, obtaining construction permits and navigating the tax code remain serious challenges.

Despite constitutional protections, women suffer significant legal and economic discrimination, and sexual and gender-based violence are widespread. Rape was common during the 2011 crisis, and remains a serious issue. Impunity for perpetrators remains a problem, and when it is prosecuted, rape is routinely reclassified as indecent assault. In March 2015, the Ministry of Justice, Human Rights, and Public Liberties instructed law enforcement officials that costly medical certificates are no longer required to open a rape investigation. In July, four women were integrated into the gendarmerie, the last of Côte d'Ivoire's security forces to exclude women.

Child labor and trafficking, particularly in the cocoa industry, is a serious problem that appears to be growing in Côte d'Ivoire, according to a July 2015 report by Tulane University. In June, Ivoirian police raided plantations in the country's western cocoa belt, freeing 48 children being held in slavery and making 22 arrests on child trafficking or exploitation charges.

Scoring Key: X / Y (Z)

X = Score Received

Y = Best Possible Score

Z = Change from Previous Year

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