

## COTE D'IVOIRE

Cote d'Ivoire is a democratic republic with an estimated population of 18 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 8,000 UNOCI and 1,800 Licorne peacekeepers remained in the country at year's end to support the ongoing peace process. Civilian authorities generally maintained effective control of the security forces in government-controlled zones. Authorities in FN-controlled zones generally did not maintain effective control of the security forces.

In 2007 President Gbagbo and FN rebel leader Guillaume Soro signed the Ouagadougou Political Agreement (OPA), which mandated elections and led to the dismantling of the zone of confidence (ZOC) dividing north and south. At year's end nearly 90 percent of civil administration had returned to the north, and mobile courts had distributed birth certificates to many of those persons who were never registered. However, implementation of other key tenets of the OPA--including disarmament of armed factions and determination of citizenship--remained incomplete. On November 11, the Permanent Consultation Framework for the OPA announced the postponement of the presidential election, scheduled for November 30. A new date had not been announced at year's end.

The government's human rights record improved slightly during the year but continued to be poor. The following human rights abuses were reported: restriction of citizens' right to change their government; arbitrary and unlawful killings, including summary executions by security forces and progovernment militias; torture and other cruel, inhuman, or degrading treatment and punishment by security forces; life-threatening prison and detention center conditions; security force 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.

The FN's human rights record improved slightly during the year but continued to be poor. There were reports of extrajudicial killings with impunity and torture. UNOCI reported the killing, disappearance, and rape of civilians in FN-held territories. The FN continued to arbitrarily arrest and detain persons and to conduct arbitrary ad hoc justice during the year. Conditions in FN prisons and detention centers were life-threatening.

#### **RESPECT FOR HUMAN RIGHTS**

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

a. Arbitrary or Unlawful Deprivation of Life

There were several reports that the government or its agents committed arbitrary or unlawful killings. Security forces continued to commit extrajudicial killings with impunity, and progovernment militia groups were responsible for killings, disappearances, and harassment. These crimes often went unreported or underreported due to fear of reprisals.

On April 1, police fired on protestors in Abidjan who were demonstrating against rising prices of basic products like rice and cooking oil, killing a 25-year-old man. No action was taken against the police.

On April 16, gendarme Drissa Dante shot and killed Camara Mouyama, a 15-year-old girl, as he and his colleague were trying to disperse an angry crowd that was threatening them. Two days after the incident, the military prosecutor put Dante and his colleague in prison, and an investigative judge was examining their case at year's end.

Security forces frequently resorted to lethal force to combat widespread crime and often committed crimes themselves 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 also were accused of other human rights violations, racketeering, extortion, and harassment. Members of CECOS reportedly carried out summary executions of suspected thieves in Abidjan, although the interior ministry stated that all victims were criminals killed in the course of police anticrime activities.

On February 27, CECOS member Sergeant Alain Yao Konan shot and killed Bamba Lassina, a 24-year-old gbaka (minibus) driver, as he tried to flee a police checkpoint in Yopougon. Judges tried and sentenced Konan to three years' imprisonment.

There were no developments in the separate 2007 CECOS killings of two prison escapees, an innocent bystander, or Toulman Ibrahim.

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

In January the UNOCI Human Rights Division and Ivoirian human rights organizations claimed the FN arrested five persons in their homes and executed them in the municipal cemetery of Bouake in December 2007. The FN denied any involvement in the killings and did not conduct an official investigation. The FN detained a few persons in connection with the case but released them after a few months without filing further charges.

In July a woman contacted the UN Police (UNPOL) office in Bouake to report her husband, an FN soldier, missing. FN authorities told UNPOL that the woman's husband and two other men had been arrested for stealing 25 million CFA (approximately \$50,000) from a village. FN authorities said FN soldiers killed the three men because they became violent and attempted to escape. The FN did not conduct an investigation into the incident.

On November 9, four FN soldiers stationed in Boundiali arrested two FN soldiers in Odienne for allegedly taking part in a highway robbery. According to the UNOCI Human Rights Office in Odienne, the FN soldiers making the arrest tied up the two men

and put them into the trunk of a car. The FN soldiers killed one of the men; the other escaped.

The FN killed nine alleged insurgents immediately following an FN military uprising in Seguela on November 24. According to UNOCI reports, the FN also arrested 73 persons in connection with the incident. The UNOCI Human Rights Office, which visited detainees at three FN detention centers, noted that most of the detainees had visible marks of torture and ill-treatment on their bodies. Although 42 of those arrested were eventually released, many alleged insurgents remained missing, including Doumbia Amara, who was abducted from his home in Seguela on November 24. The FN did not conduct an investigation into the incident.

No government action was taken against members of security forces or the Young Patriots (a youth group with close ties to the ruling FPI party) responsible for summary executions in previous years.

The police officer allegedly responsible for the 2007 killing of Young Patriot Henri Beugre received a new assignment after spending a few weeks in jail.

No investigations were conducted into numerous abuses committed by rebels in previous years, including summary executions and other killings.

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 members of the FN.

Reports of ethnic conflict between local residents in the west and other settlers (principally Ivoirians) continued (see section 5).

#### b. Disappearance

There were a few unconfirmed press reports of disappearances of members of the opposition and other citizens, who remained missing at year's end. There were also unconfirmed press reports that security forces participated in kidnappings.

The government made no effort to assist the French investigation into the 2004 disappearance of Franco-Canadian journalist Guy Andre Kieffer. In July First Lady Simone Gbagbo did not appear

in Paris before a French investigative judge to answer questions about the case, claiming she had not been informed of the subpoena.

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

The constitution and law prohibit such practices; however, security forces and FN soldiers and police beat and abused detainees and prisoners to punish them, extract confessions, or extort payments with near-total 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.

There were unconfirmed reports that security forces raped women and girls. There were no developments in the cases from previous years in which security forces committed rape.

The UN and the concerned troop-contributing country (TCC) concluded their investigations into allegations of sexual exploitation and abuse of minors in 2007 by UNOCI personnel stationed in Bouake. At year's end a joint UN-TCC report was under review for subsequent finalization and release.

On May 27, the BBC reported on allegations stemming from a separate incident in which 10 UNOCI peacekeepers sexually abused a 13-year-old Ivoirian girl near her home in 2007. The report was part of the BBC's coverage of the release of the Save the Children UK report *No One to Turn To* which revealed incidents of child sexual exploitation by humanitarian workers and peacekeepers. The UN and the concerned TCC conducted an investigation into the case. An official report was sent to the UN Secretariat in December but had not been made public by year's end.

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

In FN-controlled areas, FN military police operated with impunity in administering punishment without legally constituted executive or judicial oversight.

On December 9, FN soldiers reportedly arrested seven persons, including three civilians and four FN soldiers, and detained

them in Bouna prison for alleged involvement in armed robberies and the sale of stolen motorcycles. The FN soldiers reportedly beat the detainees and ordered them to run barefoot around the city. At least one detainee was reported to have been shot in the foot, and one of the civilians allegedly collapsed and died. At year's end the detainees remained in Bouna prison, and no formal investigation into the incident had been conducted.

There were confirmed reports that FN members raped women and girls in the north and that rebel soldiers tortured suspected government loyalists or allies of rival rebel leader Ibrahim Coulibaly in the zones under their control.

On January 2, two soldiers from a joint brigade made up of government Security and Defense Forces (FDS) and the FN raped a 13-year-old girl in Kounahiri. The government took no action against the alleged rapists, despite appeals to the local FDS-FN unit commander by the UNOCI Human Rights Division.

An April UNOCI report noted that two FN members raped two girls, ages 10 and 12, in Bouake and Danane. After UNOCI intervention, the FN apprehended one of the alleged rapists and detained him at the Bouake civilian prison, where he remained at year's end.

On May 10, FN soldiers arrested and tortured three cattle breeders at the house of a corporal responsible for the FN cattle unit in Odienne. The UNOCI Human Rights Division reported that the FN soldiers removed the trousers and shirts of the three men and tightly bound their hands. For three days, the men were beaten with military belts and kicked, leaving visible scars. During their detention, the soldiers gave them only a little food once a day and made them sleep on the bare floor. Following an intervention by the UNOCI Human Rights Office in Odienne, the three men, who had been detained for ten days, were released.

On August 31, five men (including two FN soldiers) physically assaulted and tortured a man accused of stealing a sheep in Bouake. The FN soldiers, reportedly armed with Kalashnikovs, forcibly entered the victim's house and beat him with truncheons, military belts, and the butts of their guns. They also allegedly inflicted burns on him with matches and threatened to kill him. No disciplinary action was taken against the perpetrators.

### Prison and Detention Center Conditions

Conditions were poor and in some cases life-threatening in the country's 33 prisons. In the 22 prisons, which also served as detention centers, located in the area under government control, this situation was primarily due to inadequate budgets and overcrowding. For example, the country's main prison, the Abidjan Correctional Facility and Penitentiary (MACA), was built for 1,500 persons but held more than 5,000 detainees. Conditions in MACA were notoriously bad, especially for the poor. Some 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 were insufficient to prevent cases of severe malnutrition in prisoners whose families did not bring them additional food. As of September 30, 161 prisoners had died in the country's 22 government-controlled prisons, 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. At year's end fewer minors were detained with adults than in the past.

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 to get food and privileges. Pregnant prisoners went to hospitals to give birth, and 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 nongovernmental organizations (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.

Detainees continued to suffer from lack of food and medical care in government-controlled prisons. In August four prisoners died from malnutrition in the Daloa prison. Another Daloa inmate suffering from bullet wounds died on August 7, after authorities failed to refer him to the hospital for treatment.

No government action was taken in the 2007 case of 26 detainees who died in a government-controlled prison in Daloa due to malnutrition, poor hygiene, and disease.

On December 15, following violent clashes in MACA two days earlier, one prisoner was killed and scores injured when police launched a containment operation. Prison authorities claimed that the prisoner died from being stabbed by another inmate during the confrontation. No investigation was conducted into the incident.

The FN continued to maintain detention centers and prisons, and the ICRC and UNOCI Human Rights Division local teams were often granted access to them. The FN did not always allow these organizations to meet with detained or incarcerated individuals privately, however, and they occasionally denied visitation rights for some detainees.

Detention and prison conditions in FN zones were extremely poor, with detainees often housed in converted schools, movie theaters, or other buildings with poor air circulation and sanitary facilities. In August UNOCI discovered a two-meter-deep hole covered with iron bars that the FN was using as an illegal detention area. Despite numerous attempts by UNOCI to discuss the subject with the FN sector commander, the illegal detention hole continued to be used.

Prison conditions in FN zones were significantly worse than in MACA. Although Prisoners Without Borders renovated the Bouake and Korhogo prisons located in FN zones, by year's end these prisons were not yet fully operational. The FN did not have sufficient personnel to operate the two prisons, nor could they provide prisoners with proper food or health care. Many detainees became ill with respiratory diseases, tuberculosis, or malaria due to lack of medical care and unhygienic conditions.

Persons died in FN custody, and there continued to be credible reports that prisoners died in FN jails. The UNOCI Human Rights Office in Bouake reported that in early October, an FN element suspected of theft and illegal possession of firearms was found dead in his cell. Local authorities claimed he had hung himself.

#### 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 Ministry of Interior, include paramilitary rapid intervention units such as the Anti-Riot Brigade, the Republican Security Company, and the plainclothes investigating unit, Directorate for Territorial Security (DST). In 2005 the Ministry of Interior 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, the public's fear of pressing charges, and investigations conducted by security forces, who themselves were abusers, contributed to widespread impunity and lawlessness in the country. Racketeering at roadblocks remained a serious problem. There were fewer reports than in the previous year that security forces forced persons stopped at roadblocks to do push-ups while being beaten or subjected to other abuses.

In June the government launched a nationwide crackdown on racketeering at checkpoints, arresting some drivers who paid bribes to security forces--but not the police officers who took the bribes. Those who refused to pay bribes continued to face the confiscation of their official documents, harassment, intimidation, or physical abuse.

Police solicited sexual favors from prostitutes in exchange for not arresting them. Security forces often were accused of causing rising crime in Abidjan; for example, there were credible reports that they rented their uniforms and weapons to persons wanting to engage in criminal activity.

Security forces frequently resorted to excessive and sometimes lethal force while conducting security operations and dispersing demonstrations.

Security forces on occasion also failed to prevent violence.

The government sometimes took action against police officers who committed abuses; however, it generally did not investigate or

punish effectively those who committed abuses, nor did it prosecute persons responsible in previous years for unlawful killings and disappearances.

The government partnered with UNOCI during the year to provide human rights training to security forces in advance of elections planned for November but later postponed it.

#### Arrest and Detention

Under the law, officials must have warrants to conduct searches, although police sometimes used a general search warrant without a name or address. A bail system existed solely at the discretion of the judge trying the case. Detainees were generally allowed access to lawyers; however, in cases of accusations of complicity with the 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 given lawyers by the state, but alleged offenders charged with less serious offenses were often without representation.

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 members of the jurists' union, 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. Defendants do not have the right to a judicial determination of the legality of their detention. A magistrate can order pretrial detention for up to four months but also has to provide the minister of justice with a written justification on a monthly basis for continued detention.

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.

On January 17, security forces arrested 11 persons for alleged coup plotting. The individuals were linked to former rebel leader Ibrahim Coulibaly, whose supporters had allegedly attacked FN personnel in Bouake in December 2007, resulting in several deaths. The individuals denied participating in any coup plot and had not been tried at year's end.

Abdul Ibrahim Redda, a naturalized Ivoirian citizen of Lebanese origin who was deported in 2007 without being tried, was allowed to return to the country.

There were fewer reports than in the previous year 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. Few of these detainees entered the civil justice system.

Many inmates continued to suffer long detention periods in MACA and other prisons while awaiting trial. 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 September 30, the National Prison Administration reported that of the 11,143 persons held in the 22 government-controlled prisons, 30 percent were pretrial detainees.

#### Amnesty

No amnesty decrees were issued during the year.

#### 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 open to bribery to distort the merits of a case. Judges also reportedly accepted bribes in the form of money and sexual favors. The judiciary was slow and inefficient.

The formal judicial system is headed by a Supreme Court and includes the 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 law provides for the right to public trial, although key evidence sometimes was given secretly. Juries are used only in trials at the Court of Assizes, which meets on an ad hoc basis to try criminal cases. The Court of Assizes, which had not met since 2002 due to a lack of funds to pay salaries, resumed operations on September 2.

The government did not always respect the presumption of innocence. Those convicted have the right of appeal, although higher courts rarely overturned verdicts. 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 pro bono advice to defendants for limited periods.

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 may not access government-held evidence, though their attorneys have the legal right to do so. Courts may try defendants in their absence.

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 resort to 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. 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.

There was little available information on the judicial system used by the FN in the northern and western regions. There were no developments in the case of the 2007 executions of Seydou Traore and several other persons who were allegedly plotting to overthrow the government with the help of exiled military leader Sergeant Ibrahim Coulibaly.

### 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. 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. 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 they had 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.

On January 23, President Gbagbo signed a decree nominating new and independent boards of directors for the organizations that publish the government's daily newspaper, *Fraternite Matin*, and control the national radio and television network, Radiodiffusion Television Ivoirienne. The positions had been vacant since 2006 when President Gbagbo dismissed the previous boards of directors and appointed two acting directors who were allied to his FPI party.

*Fraternite Matin*, which had the greatest circulation of any daily, rarely criticized government policy. There were a number of private newspapers that frequently criticized government policy, the president, and the ruling party. Most newspapers were politicized and sometimes resorted to fabricated stories to defame political opponents.

On January 5, officials charged Antoine Assale Tiemoko, the chairman of a small NGO, with defamation for publishing a paper on judicial corruption in the country. He was sentenced to one year's imprisonment and paid a fine of 600,000 CFA (approximately \$1,200). At year's end Tiemoko was still in MACA serving his sentence.

On December 13, police arrested Ebenezer Viwami, editor of *Alerte Info*, an independent news agency based in Abidjan, for allegedly publishing false information on a riot at the central prison in Abidjan which occurred the same day. Viwami was released without charge on December 18.

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 because the major shareholders of the company were

close to RDR president Alassane Ouattara. The CNCA also banned Radio France International (RFI) from operating in the country for three months during the year, stating that its broadcasts were biased because RFI lacked an in-country correspondent. The CNCA lifted the ban after a permanent RFI correspondent arrived in Abidjan in May.

The government did not interfere with UNOCI's radio station, ONUCI-FM. However, like the approximately 121 proximity/community radios in Cote d'Ivoire, ONUCI-FM's 19 proximity/community radio partners are 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 the official media did not accord the opposition equal television airtime.

There were no new developments in the 2007 cases of newspaper publisher Denis Kah Zion or editor Andre Silver Konan, who both remained in prison for "contempt of the head of state" at year's end.

The media played a role in inflaming tensions, and newspapers backed by political parties published inflammatory editorials and created a climate of hostility toward political opponents. The Ivoirian Observatory on Press Freedom and Ethics and the National Press Commission, which enforced regulations regarding creation, ownership, and freedom of the press, regularly published press releases urging journalists to be more moderate.

Members of the security forces continued to harass and beat 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.

The government harassed and imprisoned foreign journalists.

In January French freelance journalist Jean-Paul Ney was arrested on charges of threatening national security after video footage he allegedly shot of coup preparations by exiled army sergeant Ibrahim Coulibaly surfaced on the Internet. On September 23, Ney allegedly attempted suicide while

incarcerated. His trial had not begun by year's end, and he remained in prison in Abidjan.

In July members of the president's Republican Guard harassed and brutalized RFI correspondent Norbert Navarro to prevent him from covering a cabinet meeting at the presidential palace. The prime minister's office negotiated with the guards and secured his release.

No action was taken against progovernment youth groups who attacked, threatened, arrested, or harassed journalists in previous years. There were no reports during the year that the Young Patriots attacked journalists, destroyed issues of independent and opposition newspapers, or threatened newspaper vendors.

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.

The FN broadcast their own programming into FN-held territory 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 their zones. The FN also allowed distribution of all progovernment newspapers and most independent newspapers in their territory.

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 chatrooms. 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.

## 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 against students and teachers continued during the year.

On February 8, the UNOCI Human Rights Office conducted a field mission to the Oume region in response to clashes between FESCI and students attending the Lycee Scientifique. UNOCI reported that 15 students suffered head and back injuries as a result of the clashes, which occurred on February 6. During its mission, UNOCI documented several cases presented by seven human rights clubs indicating that FESCI members on schools campuses had threatened and forcibly collected money from other students.

On May 7, 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.

On October 13, 12 members of FESCI allegedly attacked and severely beat a 34-year-old university professor in Abidjan. Because no action was taken against the perpetrators, teachers went on strike to protest alleged FESCI abuses for one week beginning October 27.

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 intent to the Ministry of Security or the Ministry of Interior 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.

There were no reports that security forces harassed and detained RDR members who tried to meet.

Police forcibly dispersed antigovernment demonstrations, which resulted in injuries. On March 31, riot police injured 10 persons demonstrating against the rising prices of basic products such as rice and cooking oil.

There were no developments in cases from previous years in which police used force to disperse demonstrations.

Six persons were injured, two of them seriously, and 44 arrested when FN soldiers forcibly stopped a demonstration by redeployed civil servants in Korhogo who were protesting against the nonpayment of their resettlement allowances. The civil servants launched a 96-hour strike on October 21.

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, both of which were, however, 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. 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. The targeting of Muslims suspected of rebel ties continued to diminish during the year.

There is no state religion; however, for historical reasons, government officials informally have favored Christianity, in particular the Catholic Church. Catholic schools receive government subsidies, for example.

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 accused wrongly of attempting to obtain nationality cards illegally to vote or otherwise take advantage of citizenship. This created a hardship for many Muslim citizens.

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

#### Societal Abuses and Discrimination

The Jewish community in Cote d'Ivoire numbered less than 100 persons. There were no reports of anti-Semitic acts.

For a more detailed discussion, see the *2008 International Religious Freedom Report* at [www.state.gov/g/drl/irf.rpt](http://www.state.gov/g/drl/irf.rpt).

#### 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. 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. 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 roundtrip 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 (\$40-60). A money courier or informal banking service cost either 5000 CFA (\$10) or a flat percentage of the amount transferred.

By year's end 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 exiled forcibly during the year.

#### Internally Displaced Persons (IDPs)

There were large numbers of IDPs in the country as a result of the 2002 crisis. The most recent IDP data from the UN Population Fund estimated the total number of IDPs in the country to be 709,000. More than 90 percent of IDPs lived with host families, and almost 70 percent were located in Abidjan. However, other humanitarian organizations and donors noted that these statistics included IDPs who maintained access to their government salaries even after their displacement.

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, especially given the prolonged nature of the crisis.

Since the signing of the OPA in March 2007, important strides made toward peace promoted spontaneous and assisted returns of

IDPs to their homes. At year's end the UN Office for the Coordination of Humanitarian Affairs estimated that approximately 76,000 IDPs had returned to their villages in the west and 45,000 were still living with host families and continued to require assistance.

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 issues 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. As of September 4, the International Office for Migration estimated that 150 IDPs, mostly of Burkinabe origin, remained at the Guiglo Temporary Center for Assistance to Displaced People, despite its closure on July 31. The government had not addressed this situation by year's end.

New population displacements continued on a regular basis in the western region, particularly in the area around Guiglo and in the former ZOC, 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 UN 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 signatory to the 1969 Organization of African Unity Convention Governing Specific Aspects of Refugee Problems 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. The government granted refugee status and asylum. The government also cooperated with the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in assisting refugees and maintained an office charged with aiding refugees and stateless persons.

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

Many of the country's refugees are Liberians. Individual 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; however, these abuses occurred.

Liberians 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 began facilitating local integration for refugees in protracted situations. The National Office of Identification, together with the UNHCR and the Ivoirian Refugee and Stateless Persons Aid and Assistance Office, continued to provide refugee identity cards to undocumented Liberian refugees, which allowed them to legally reside and work in the country 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. At year's end UNHCR found that 24,256 Liberian refugees and 555 refugees from other countries still remained in the country.

#### Stateless Persons

In the absence of reliable data, the scale of statelessness in the country was unclear but thought to be in the thousands. The country had habitual residents who were either legally stateless or de facto stateless, and the government had not effectively implemented laws and policies to provide such persons the opportunity to gain nationality on a nondiscriminatory basis.

Citizenship is derived from one's parents rather than by birth within the country's territory, and birth registration was not universal.

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 term in 2005.

During the year implementation of the OPA faltered on several key areas, including election preparations. On November 10, the Permanent Consultation Framework for the OPA met and confirmed that the presidential election scheduled for November 30 would not take place. The CEI had not announced a new date for the election at year's end.

#### Elections and Political Participation

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 Supreme Court rulings, most international election observers declined to monitor the election. Preliminary results showed Gbagbo leading by a significant margin. However, an interior ministry and National Elections Commission (CNE) official announced the CNE'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.

Citizens' ability to elect National Assembly representatives was limited.

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 the 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.

Presidential and parliamentary elections previously scheduled for 2005 based on UN resolutions were not held due to the lack of political reconciliation and progress in the disarmament, demobilization, and reintegration program.

In March 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.

With the signing of the OPA, the country began to take steps toward reconciliation. On April 23, 37 political parties signed the Ivoirian Political Party Code of Conduct. By year's end nearly 90 percent of the civil administration displaced from the north during the conflict had redeployed, although many still were limited by the FN in their ability to exercise administrative authority, and the government had completed nationwide public identity hearings to issue birth certificates to unregistered citizens and noncitizens older than 13.

On September 15, the government began the identification process for all persons, except citizens of the Economic Community of West African States countries, older than 16 living in the country and the voter registration process for persons older than 18. The president of the Independent Electoral Commission (CEI) stated that the identification and voter registration process was to last 45 days.

Members of FESCI reportedly broke into several registration centers, assaulted enrollment agents, and stole equipment. On October 23, the CEI suspended the registration process for five days.

Despite these difficulties, more than two million voters were registered in Abidjan alone in less than three months. Due to technical, logistical, and financial difficulties, the process remained ongoing at year's end.

#### Government Corruption and 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.).

In June the government arrested 23 cocoa and coffee industry officials in connection with the alleged embezzlement of 100 billion CFA (approximately \$200 million) in state funds. From October 20 to 24, the public prosecutor conducted hearings with five ministers in connection with the case. The accused officials were being held in MACA at year's end, awaiting trial.

A criminal trial on the 2006 toxic waste spill which killed 16 persons and poisoned several thousand in Abidjan was held September 29 to October 22. Twelve persons were charged, but only nine were tried since three disappeared after being released on bail. Two persons were found guilty: the head of the transportation company that dumped the waste throughout Abidjan and the head of the shipping company that contracted for the waste to be removed from the port. Under an agreement between the government and the freight company, Probo Koala, which was responsible for treating the waste, no senior member of the freight company was required to stand trial.

The Ivoirian government also received a 100-billion-CFA (approximately \$200 million) settlement, which it distributed to victims through the Humanitarian Cell in the Office of the Presidency. The cell established a list of 100,000 victims entitled to compensation, based on lists provided by hospitals.

#### Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

A number of domestic and international human rights groups, including the Ivoirian League for Human Rights (LIDHO) and the Ivoirian Movement for Human Rights (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 human rights groups gathered evidence and testimony on human rights cases, published information in independent local daily newspapers, and criticized government security forces.

On May 5 and July 16, a group of assailants ransacked LIDHO's headquarters, stealing computer equipment containing nearly all of the organization's files, documents, and information on cases. Although a formal complaint was filed, the police did not conduct an investigation. LIDHO filed a complaint with a judge; however, at year's end, the case was still pending.

FESCI continued to threaten and harass human rights groups; however, the government took no action against the student group for the destruction of LIDHO and APDH headquarters in May 2007.

No investigations were conducted into threats and harassment of members of human rights organizations in previous years.

Progovernment militia, unhindered by government security forces, blocked UN and French peacekeeping forces from conducting activities in government-controlled areas, although there were fewer such reports than in the previous year. There were no developments in the 2007 case of Young Patriots attacking and vandalizing a UN vehicle or in the 2006 case of progovernment demonstrators attacking vehicles belonging to then-prime minister Banny, a French embassy official, and the UN.

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 (ILO) 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.

On May 25-27, the deputy UN high commissioner for human rights visited the country and highlighted progress on respect for human rights.

After seven years of attempts to get a functional and independent human rights commission off the ground, the country launched its National Commission for Human Rights in July. The commission is made up of 44 members, 10 of whom are from political parties that were signatories to the 2003 Linas-Marcoussis Agreement. The commission received a small budget and had few resources.

#### Section 5 Discrimination, Societal Abuses, and Trafficking in Persons

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

##### Women

The law prohibits rape and provides for prison terms of five to 10 years; however, the government did not enforce this law in practice. 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. The law does not specifically penalize spousal rape. Rape was a problem. Since January 2007, for example, the Court of Abidjan has 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. 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, but as of September 30, only nine persons had officially been convicted and sentenced for rape. Twenty-one additional persons accused of rape were sentenced for "immoral offense."

There were increased reports of unidentified highway bandits raping and sexually assaulting women in the western part of the country, especially along the Duekoue-Bangola road.

On August 28, three unidentified individuals armed with Kalashnikovs raped a woman in the Zohode encampment in Binao village.

On September 18, four assailants armed with AK-47 machine guns broke into the home of a trader in Duekoue, shot him in the arm, and raped his two daughters.

The law does not specifically outlaw domestic violence, which continued to be a serious problem throughout the country. However, penalties for assault provided 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' own parents often urged withdrawal of a complaint because of the effect of social stigma on the family. As of September, the National Committee to Fight Violence Against Women and Children (CNLV) had handled 19 cases of battered wives and 10 cases of forced and early marriage during the year.

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 and visiting 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 CNLV did not operate a shelter or a hotline for abused women. Instead, committee members gave out their own 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.

In May, June, and July, the government held awareness-raising seminars on sexual violence for more than 1,000 judges and security personnel. In August the government conducted similar seminars for traditional kings, chiefs, and religious leaders. As a result of the seminars, some security forces reportedly modified their behavior to provide victims with greater privacy, and courts began recording the testimony of rape victims who are minors in private. 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; however, the government rarely enforced the law and such harassment was widespread and routinely accepted as a cultural norm. The penalties for sexual harassment are between one and three years' imprisonment and a fine ranging between 360,000 and one million CFA (approximately \$720-2,000). During the year the government initiated one case against a prospective employer who sexually harassed a runner-up in the 2008 Miss Cote d'Ivoire pageant. He was tried and sentenced to one month in prison.

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. 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

The ministries of public health, public administration, and social security sought to safeguard the welfare of children, and the government also encouraged the formation of NGOs to promote children's interests.

The law provides parents a three-month period to register their child's birth for a fee of approximately 500 CFA (approximately \$1.00). The government registered all births, as long as parents submitted documentation from a health clinic or hospital attesting that a birth had occurred. People without proper identification documents, however, could not register births, as identification is required to do so.

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. According to a study published by the National Institute for Statistics in March 2007, the national schooling rate for primary school children in 2006 was 55 percent, with a 59 percent attendance rate for boys and a 51 percent rate for girls.

Teachers sometimes demanded sexual favors from students in exchange for money. The penalty for statutory rape or attempted rape of a child under the age of 16 was a prison sentence of one to three years and a fine of 100,000 to one million CFA (approximately \$200 to \$2,000), but there were no arrests or convictions under this law during the year.

FGM was a serious problem. The law specifically forbids FGM and provides penalties for practitioners of up to five years' imprisonment and fines of approximately 360,000 to two million CFA (approximately \$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, such as the Djigui Foundation, Animation Rurale de Korhogo, and the National Organization for Child, Woman, and Family, 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.

There were no developments in the 2006 case in which the FN arrested and later released without charge a mother and the FGM "cutters" who had mutilated, or partially removed, the genitalia of the woman's three-year-old daughter, who later required medical attention.

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. However, in conservative communities--particularly those in the north--traditional marriages were commonly performed with girls as young as 14. The law specifically penalizes anyone who forces a minor under 18 years of age to enter a religious or customary matrimonial union.

Children engaged in prostitution for survival without third-party involvement. No nationwide study has been conducted on the phenomenon, and the extent of the problem was unknown.

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 December 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 many thousands of children living on the streets, including approximately 5,000 in Abidjan. NGOs dedicated to helping street children found it difficult to estimate the extent of the problem and whether or not these children had access to government services.

### Trafficking in Persons

The constitution and law do not prohibit trafficking in persons, and, despite government antitrafficking efforts, trafficking in persons remained a problem.

The country was a source and destination country for trafficking in women and children. 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 full extent and nature of trafficking in persons in the country was unknown despite efforts to document the problem. There was no reliable estimate on the number of children intercepted or repatriated during the year.

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 ages nine to 15 to work as household domestics 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 promised parents that the children would learn a trade, but they often ended up 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, such as by relocating a small number of children at a time by bicycle or train or on foot rather than moving 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 cocoa 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 was created in 2006 to coordinate the government's implementation of the multilateral cooperative agreement signed in 2005 by 10 West African countries. The committee included representatives from numerous government ministries and representatives from several national and international organizations and NGOs, including the UN Children's Fund, the ILO, Save the Children, the International Cocoa Foundation, the German Cooperation Agency, the Network of African Women Ministers and Parliamentarians-Cote d'Ivoire, and the International Catholic Child Bureau. The national committee met at least three times during the year, and the government continued to establish village-level watch committees as part of the child trafficking monitoring system component of the 2005 agreement.

#### Persons with Disabilities

The law requires the government to educate and train persons with physical, mental, visual, auditory, and cerebral motor disabilities, to hire them or help them find jobs, to design houses and public facilities for wheelchair access, and to 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.

No arrests were made in the September 2007 case of several members of the National Federation of the Handicapped of Cote d'Ivoire who were beaten for protesting the government's failure to recruit more persons with disabilities in the civil service.

There were no reports during the year that adults with disabilities were specific targets of abuse, but they encountered serious discrimination in employment and education. During the year the government recruited 300 persons with disabilities for civil service jobs and announced that it would continue to recruit 100 disabled persons every year thereafter. 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 one-quarter 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 Guere populations and other groups.

Police routinely abused and harassed noncitizen Africans residing in the country. 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, continued to decline from the previous year.

Resident French and Burkinabe nationals continued to minimize their public exposure to protect themselves from harassment by security forces at checkpoints. There were no reports of harassment of French citizens. There were reports during the year that some harassment shifted to Lebanese merchants.

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 We population and members of the foreign community, particularly Burkinabe farmers.

Several incidents of ethnic violence resulted in deaths.

On September 2, a land dispute between villagers from Abouabou and Gonzagueville turned violent, leaving seven dead and eight others with serious injuries, including one victim whose hand was hacked off with a machete. Abidjan police arrested three persons in relation to the incident.

On September 3 and 5, eight persons were killed, 21 wounded, and 400 displaced in two violent confrontations between the Lobi and Koulangou communities in the eastern part of the country. A group of 60 Lobi attacked the Koulangou with machetes, 12-caliber rifles, and knives, and then burned down their homes in retaliation for the death of a Lobi. No arrests were made. Village leaders from the two communities settled the dispute at a reconciliation meeting on September 13, in which the Lobis made a symbolic donation of 70,000 CFA (approximately \$140) and food items to the Koulangous.

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

On July 31, the government adopted a new law on xenophobia, racism, and tribalism, making these forms of intolerance punishable by imprisonment.

#### Other Societal Abuses and Discrimination

The law did not provide for the protection of homosexuals from societal and other forms of discrimination. Societal stigmatization of homosexuals was widespread, and the government did not act to counter it during the year.

The law did 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. The Ministry of Health provided nationwide access to free HIV testing and antiretroviral treatment, and the Ministry of Education incorporated lesson plans and classroom activities to reduce social stigma and vulnerability into the curriculum for all students, including students in the former FN-held zones.

#### Section 6 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-side 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. The Ministry of Labor 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 de facto indenture.

Forced child labor occurred.

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 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. The law limits the hours worked by young workers, defined as those younger than 18. However, children often worked on family farms, and some children routinely acted 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 nine began work as domestics, often within their extended family networks. There were reliable reports of children laboring in sweatshop conditions in small workshops.

Children continued to work under hazardous conditions on cocoa farms. The national survey published during the year revealed that 89 percent of children in the test areas within the cocoa-growing regions were involved in cocoa production. The survey showed that a number of these children were involved or exposed to hazardous conditions, including cutting trees (5.5 percent), burning fields (16.2 percent), carrying heavy loads (53.2 percent), applying fertilizer (8.4 percent), applying pesticides (4.6 percent), and the chemical treatment of fields/plants (11.5 percent). While a small percentage of the children working on cocoa farms had no family ties to the farmers, most worked on family farms or with their parents.

There were no reports during the year that either government militias or the FN recruited new child soldiers. All Ivoirian groups were taken off the UN secretary-general's global list of

child recruiters, according to the 2007 annual UN report on children and armed conflict issued during the year.

The Ministry of Labor 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 Ministry of Labor 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 Cote d'Ivoire 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 approximately 36,607 CFA (\$73.21) 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 workers. 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. For example, in 2006 the sanitary services company Ash International, which went out of business during the year, paid wages as low as 12,000 CFA (\$24) per month to female employees who swept the streets of Abidjan. According

to their labor federation, labor inspectors ignored this violation of the law.

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 law did not prohibit compulsory overtime. The government did not actively enforce the law.

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 Ministry of Labor'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 Ivoirian workers working in the informal labor sector are covered under current labor laws.