

COTE D'IVOIRE 2021 HUMAN RIGHTS REPORT

EXECUTIVE SUMMARY

Cote d'Ivoire is a democratic republic governed by a president. Elections in March for the 255 seats of the National Assembly, the more powerful of the country's two legislative bodies, were considered free and fair, and all major political parties participated. The president was re-elected for a third term in October 2020 under conditions generally considered free, although some international observers questioned the fairness of the overall electoral process. Some observers found the process to be satisfactory while others concluded it did not allow for genuine competition.

The National Police, which reports to the Ministry of the Interior and Security, and the National Gendarmerie, which reports to the Ministry of Defense, are responsible for domestic law enforcement. The Coordination Center for Operational Decisions, a mixed unit of police, gendarmerie, and Armed Forces of Cote d'Ivoire personnel, assisted police in providing security in some large cities. The Armed Forces of Cote d'Ivoire, which report to the Ministry of Defense, are responsible for national defense. The Directorate of Territorial Surveillance, under the Ministry of Security and Civil Protection, is responsible for countering internal threats. Civilian authorities at times did not maintain effective control over the security forces. There were reliable reports that members of the security forces committed some abuses.

Significant human rights issues included credible reports of: unlawful or arbitrary killings by government or on behalf of government; harsh and life-threatening prison conditions; arbitrary arrest or detentions; political prisoners or detainees; politically motivated reprisals against individuals in another country; serious problems with the independence of the judiciary; serious restrictions on free expression and media, including violence or threats of violence against journalists and the existence of criminal libel laws; serious government corruption; lack of investigation and accountability for gender-based violence, including but not limited to domestic and/or intimate partner violence, female genital mutilation and other harmful practices; and crimes involving violence or threats of violence

targeting lesbian, gay, bisexual, transgender, queer, or intersex persons.

Military police and the military tribunal are responsible for investigating and prosecuting alleged abuses perpetrated by members of the security services. The government took some steps to prosecute officials in the security services, as well as elsewhere in the government, who were accused of abuses, but victims of reported abuses alleged their perpetrators were not disciplined. The government also took steps to prosecute officials who were accused of committing corrupt acts and to recover assets stolen from the state.

Section 1. Respect for the Integrity of the Person

a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings

There was at least one report that the government or its agents committed potentially arbitrary or unlawful killings. In May media reported a late-night altercation between two gendarmes and a group of young persons in the town of Gonate, in which one of the gendarmes shot and killed Abdoulaye Fofana, age 20. Authorities arrested the two gendarmes shortly after the incident, and the commander of the National Gendarmerie stated that a military tribunal had opened an investigation into the killing. The commander also visited the victim's family to offer condolences.

Military police and the military tribunal are responsible for investigating and prosecuting alleged abuses, including killings, perpetrated by members of the security services.

In March the government prosecuted Amade Oueremi, a militia leader during the 2010-11 postelectoral crisis, for killings and other crimes allegedly committed in 2011 in the city of Duekoue. International organizations estimate that militias killed 300 to 800 persons in one day. During the crisis, Oueremi fought alongside forces loyal to President Ouattara against forces loyal to former president Laurent Gbagbo. After a 20-day trial, the court convicted Oueremi of crimes against humanity, murder, looting, and rape; sentenced him to life imprisonment; and

ordered he pay a substantial amount to his victims.

On June 17, former president Gbagbo returned to the country at government expense following his March 31 acquittal by the International Criminal Court on charges of crimes against humanity in the 2010-11 postelectoral crisis (which resulted in approximately 3,000 deaths and 500,000 displaced persons). Gbagbo met with President Ouattara in a cordial, if symbolic, meeting on July 27. Many private citizens, members of the government, opposition leaders, and religious leaders stated Gbagbo's return was a necessary step for national reconciliation. Groups representing victims of violence committed during the 2010-11 postelectoral crisis asserted the government's willingness to allow Gbagbo back in the country without legal accountability for his alleged role in that violence constituted acquiescence in impunity by the government.

b. Disappearance

In contrast with 2020, there were no reports of disappearances carried out by or on behalf of government authorities.

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

The constitution and law prohibit such practices. The government did not provide information regarding reports of abuse within prisons, or mechanisms to prevent or punish such abuses. Human rights organizations reported that detainees and prisoners were subject to violence and abuse, including beatings and extortion, by members of the security forces and prison officials and that the perpetrators of these acts went unpunished. Human rights organizations reported mistreatment of detainees between arrest and being booked into prison. Human rights organizations reported that some prisoners arrested for crimes allegedly committed during the presidential electoral period in 2020 were subject to abuse by security forces during their arrest and incarceration in 2020, including being denied medicine for chronic conditions, beatings, and electric shocks.

Prison authorities acknowledged abuse might happen and go unreported, since

prisoners fear reprisals.

Impunity was a problem in the security forces. Military police and the military tribunal investigated and prosecuted abuses.

Prison and Detention Center Conditions

Prison conditions were harsh and unhealthy due to gross overcrowding, inadequate sanitary conditions, insufficient and low-quality food, understaffing, and lack of proper medical care.

Physical Conditions: The government acknowledged prison overpopulation was a problem and that existing facilities, originally built to hold no more than 8,000 prisoners, were insufficient to hold the total prison population of more than 23,000 as of mid-August. In at least one prison, the inmates reportedly slept packed head-to-toe on the floor.

Prisons generally held men and women in separate prison wings. The government reported that juveniles were generally held separately from adults, except girls were sometimes held with women due to a lack of cell space. The children of female inmates sometimes lived with their mothers in prison. Additionally, prisons sometimes held pretrial detainees together with convicted prisoners. Human rights organizations reported that prisons did not provide special care for prisoners with disabilities. Some human rights organizations reported that prominent prisoners or those who had been politically active sometimes enjoyed slightly better living conditions than other prisoners.

Human rights organizations received reports of prisoner deaths due to malnutrition. The government reported that, as of mid-August, 156 prisoners had died in prison. The government did not provide further details on the causes of death but noted none resulted from prisoner-on-prisoner violence. A human rights organization reported that a prisoner arrested in October 2020 died in March after a severe deterioration in his health and transfer from prison to a local hospital.

Human rights organizations reported prisoners in some prisons did not get enough food to meet daily caloric needs. Human rights organizations reported that wealthier prisoners could buy food and other amenities, as well as hire staff to

wash and iron their clothes, while poorer inmates did not receive sufficient food on a regular basis. Families routinely supplemented the rations of relatives in prison if they had the means. Under certain circumstances the government allowed nongovernmental organizations (NGOs) to provide prisoners with food and nonfood items, including items to prevent the spread of COVID-19, such as masks, isolation tents, and hygiene kits.

According to the government, each prison facility had a medical clinic staffed with a nurse, doctor, or both available 24 hours a day. A human rights organization reported, however, that only the country's main prison had a doctor, while medical care in smaller prisons was provided by nurses, some without the necessary qualifications. The organization further reported prisoners did not always have access to these medical professionals. Some human rights organizations reported that no medical staff worked in some prisons at night. Inmates were required to inform prison guards if they needed medical attention, and guards escorted prisoners to the prison clinic. Inmates with severe medical conditions were transferred to outside hospitals. A human rights organization reported that guards did not always remain within earshot of prison cells at night, making it difficult for prisoners to inform them in the event of medical emergencies. Each prison clinic had a supply of pharmaceuticals, although human rights organizations reported that clinics often lacked necessary medicines, particularly for chronic diseases such as diabetes and hypertension, endemic diseases such as malaria, and other conditions like scabies and diarrhea. In these cases, inmates' families had to acquire the medication from an outside pharmacy.

Human rights organizations observed that prisoners sometimes slept without mattresses. Poor ventilation and high temperatures, exacerbated by overcrowding, remained problems in some prisons. While potable water generally was available in prisons and detention centers, water shortages were common. Overcrowding and lack of personal protective equipment, such as masks, prevented prisoners from adhering to physical distancing measures to protect against COVID-19.

Within detention facilities unsanitary conditions persisted, including detainees living near toilets.

Information on conditions at detention centers operated by the Directorate of

Territorial Surveillance (DST) was not readily available.

Administration: Inmates may submit complaints of abuse to prison directors; however, the government did not provide information on such complaints. The government reported as of August no confirmed cases in which prison officials committed physical abuse against inmates under their supervision. Human rights organizations, however, reported alleged physical abuse and extortion of prisoners by prison officials and that many prison guards were poorly trained. Authorities generally permitted visitors in prisons on visiting days, although visitation restrictions and prohibitions implemented at some prisons due to COVID-19 affected this practice. Human rights organizations observed that, in detention centers operated by the DST, requests for access to prisoners by their lawyers and families were typically not formally refused but instead made virtually impossible by bureaucratic requirements.

Independent Monitoring: The government generally permitted some local and international NGOs adequate access to prisons, but access to detention centers run by the DST was more restricted. Some of these organizations reported having access to prisons only when they formally requested such access in advance.

d. Arbitrary Arrest or Detention

The constitution and law prohibit arbitrary arrest and detention, but both reportedly occurred. Human rights organizations reported that authorities arbitrarily detained persons, often without charge. Many of these detainees remained in custody briefly at either police or gendarmerie stations before being released or transferred to prisons, but others were detained at these initial holding locations for lengthy periods. The limit of 48 hours' detention without charge by police was sometimes not enforced. Although detainees have the right to challenge in court the lawfulness of their detention, most detainees were unaware of this right. Public defenders were often overwhelmed by their workloads.

Arrest Procedures and Treatment of Detainees

The law allows the state to detain a suspect for up to 48 hours without charge, subject to renewal only once for an additional 48 hours. The law specifies a maximum of 18 months of pretrial detention for misdemeanor charges, subject to

judicial review every six months, and 24 months for felony charges, subject to judicial review every eight months.

Police occasionally arrested individuals and held them without charge beyond the legal limit. While the law provides for informing detainees promptly of the charges against them, human rights organizations reported that this did not always occur, especially in cases concerning state security or involving the DST. A bail system exists but was used solely at the discretion of the trial judge. Authorities generally allowed detainees access to lawyers, but in national security cases, authorities sometimes did not allow access to lawyers and family members. The government sometimes provided lawyers to those who could not afford them, but other suspects had no lawyer unless they retained one themselves. Public defenders occasionally refused to accept indigent client cases they were asked to take because they reportedly had difficulty being reimbursed by the government as prescribed by law. Human rights organizations reported multiple instances in which detainees were transferred to detention facilities outside their presiding judge's jurisdiction, in violation of the law.

Arbitrary Arrest: The law does not permit arbitrary arrest, but authorities reportedly made such arrests occasionally.

In April a group of armed individuals attacked a military post in Abidjan. The attack was repelled, and security forces killed four of the attackers. In the aftermath of the attack, authorities arrested Guei Gerard and Aka Affia, a married couple. The public prosecutor alleged the couple admitted in statements to authorities they had sheltered some of the attackers prior to the attack. Human rights organizations stated the couple was arrested on April 24, transferred to the country's main prison on April 28, then to a military facility, and eventually back to the initial holding prison, where according to human rights organizations they remained without charge as of October.

Pretrial Detention: According to the government, more than 7,300 inmates were in pretrial detention as of mid-August, slightly more than 30 percent of the total inmate population. Prolonged pretrial detention was a major problem. In some cases, the length of detention equaled or exceeded the sentence for the alleged crime. Inadequate staffing in the judicial ministry, judicial inefficiency, and

authorities' lack of training or knowledge of legal updates contributed to lengthy pretrial detention. There were reports of pretrial detainees receiving convictions in absentia, with judicial authorities sometimes claiming the presence of the accused at their trial was not necessary, and at other times, not providing sufficient notice and time to arrange transportation to the trial.

e. Denial of Fair Public Trial

The constitution and law provide for an independent judiciary, and although the judiciary generally was independent in ordinary criminal cases, the government did not always respect judicial independence. Some human rights organizations reported interference by the executive branch in the judiciary and the government's refusal to implement several court decisions. The judiciary was subject to corruption and outside influence. Since former president Laurent Gbagbo's return to the country in June, the government has not enforced his 2018 conviction in absentia for alleged theft of funds from a state-controlled bank during the postelectoral crisis of 2010-11. The conviction resulted in a 20-year sentence.

Trial Procedures

The constitution and law provide for the right to a fair and public trial, but the judiciary sometimes did not enforce this right. Although the law provides for the presumption of innocence and the right to be informed promptly and in detail of the charges (with free interpretation as necessary from the moment charged through all appeals), the government did not always respect these requirements. The government reported standing criminal tribunals continued to significantly reduce the number of outstanding cases. Still, human rights organizations reported that a long backlog of cases remained the norm.

Although the judicial system provides for court-appointed attorneys for those who cannot afford them, only limited free legal assistance was available. The government had a small legal defense fund to pay members of the bar who agreed to represent the indigent. Nonetheless, obtaining representation in rural areas was often impractical because most lawyers were based in the country's two largest cities. Defendants have the right to adequate time and facilities to prepare a defense, although the government sometimes pursued rapid trials that did not

respect such rights. Defendants may present their own witnesses and evidence and confront prosecution or plaintiff witnesses. Lack of a witness protection mechanism was a problem. Defendants cannot be legally compelled to testify or confess guilt, although there were reports they sometimes were required to do so. Defendants have the right to be present at their trials, but courts may try absent defendants who do not have a valid excuse for their absence, and courts have done so occasionally in high-profile cases. Those convicted had access to appeals courts, but higher courts rarely overturned verdicts.

Military tribunals follow a different procedural code from civilian criminal courts. Human rights organizations did not report any trials of civilians by military tribunals.

The relative scarcity of trained magistrates and lawyers resulted in limited access to effective judicial proceedings, particularly outside of major cities, although the government reported an approximately 50 percent increase in the number of magistrates. In rural areas traditional institutions often administered justice at the village level, handling domestic disputes and minor land questions in accordance with customary law. Decisions made by traditional institutions were not legally binding, but they were largely adhered to, given the institutions' credibility at the local level.

Human rights organizations and political parties asserted that the government used the judicial system to marginalize various opposition figures. In May the government prosecuted Guillaume Soro, a prominent opposition figure living abroad in self-exile, and 19 of his supporters, some abroad, for acts committed in 2019. The government contended Soro and his supporters attempted to foment a coup. Charges included conspiracy, attempted attack on the authority of the state, and disseminating false news. At the end of the 34-day trial, the court found all 20 defendants guilty. Soro and an aide received sentences of life imprisonment; two of Soro's aides also in exile received 20-year prison sentences. The remaining defendants received lesser sentences, and three defendants were released for time served. Additionally, the court ordered the dissolution of Soro's political movement for "subversive acts" and imposed a substantial fine on the defendants. Soro's lawyers appealed both his sentence and the dissolution of his movement.

As of late August, the appeals remained pending.

Political Prisoners and Detainees

The government denied there were political prisoners, although it arrested multiple members of opposition parties at the end of 2019 and during 2020 on various criminal charges. Many of these persons were either released or prosecuted during the year. The government also released numerous persons arrested for crimes allegedly committed during the 2020 presidential electoral period. In December 2020 and in January, the government provisionally released several members of the opposition charged with sedition and terrorism in connection with their November 2020 professed establishment of a National Transitional Council (see section 3, Recent Elections). In January the government also released five members of Guillaume Soro's political movement arrested in August 2020 in connection with protests against President Ouattara's candidacy for a third term.

In May the public prosecutor announced that judges responsible for investigating persons detained for alleged crimes, some involving violence, committed during the presidential electoral period had ordered the provisional release of 100 of these detainees. Included in this group was Pulcherie Edith Gbalet, a civil society organization leader, and three of her colleagues, provisionally released in April. In August 2020, Gbalet and the three colleagues were arrested and charged with inciting riots in connection with their calls for demonstrations against President Ouattara's candidacy, as well as with disturbing public order, calling for insurrection, violence and assault, and destruction of public and private property. The government cited the accused's social media posts calling for protests, but no further evidence, to substantiate the charges. After her release, the government informed Gbalet that she would be tried, but as of October no trial date had been set. The government did not pursue charges against her three colleagues.

In early August President Ouattara announced in a televised speech the provisional release of an additional 69 persons detained for crimes allegedly committed during the presidential electoral period. He also announced the pardon of nine persons convicted of crimes committed during this period. As of late August, 37 individuals accused of committing crimes during the presidential electoral period

remained in pretrial detention.

Officials reportedly granted prisoners who were members of opposition parties the same protections as other prisoners, including access by international human rights organizations. In December 2020 the government allowed one opposition member imprisoned on charges of sedition and terrorism to travel internationally for medical treatment while in pretrial detention. The opposition member was released provisionally in January.

Politically Motivated Reprisal against Individuals Located Outside the Country

Misuse of International Law Enforcement Tools: There were credible reports the country attempted to misuse international law enforcement tools for politically motivated purposes as a reprisal against a specific individual located outside the country.

In August, Malian authorities executed an international arrest warrant issued by an Abidjan court in November 2020 and arrested Sess Soukou Mohamed (aka Ben Souk), an Ivoirian, in Bamako. The warrant was for “subversive acts.” A member of Guillaume Soro’s political movement, Mohamed had been convicted in absentia along with Soro by a court in June for plotting a coup (see section 1.e., Denial of Fair Public Trial). As of September, Mohamed remained incarcerated in Mali.

Civil Judicial Procedures and Remedies

Citizens may bring lawsuits seeking damages for, or cessation of, a human rights abuse, but they did so infrequently. Individuals and organizations can bring cases alleging human rights abuses directly to the Economic Community of West African States (ECOWAS) Court of Justice. Previously, individuals and organizations could also bring such cases directly to the African Court of Human and Peoples’ Rights (ACHPR); however, in 2020 the government withdrew its recognition of the ACHPR’s jurisdiction in matters brought by nonstate actors, effective in April. Despite the withdrawal of jurisdiction for nonstate actors, the government reported the African Commission on Human and Peoples’ Rights still

could refer cases involving such nonstate actors to the ACHPR.

Property Seizure and Restitution

In May media reported the government evicted an unspecified number of inhabitants of an Abidjan neighborhood and demolished property on the site, including residences and commercial buildings, in preparation for the construction of a new bridge. Prior to the eviction and demolition operation, the government reported it entered into contractual agreements with inhabitants to provide compensation for property destroyed or replacement housing at a different location. The government stated it would not move forward with a property's demolition until it confirmed the owners had received compensation. An evictee advocacy organization declared the government evicted some residents and demolished some properties without compensation. After protests and advocacy campaigns, the organization reported the government began to pay those not compensated, but a lower amount than originally agreed.

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

The constitution and law prohibit such actions, but the government did not always respect these prohibitions. The law requires warrants for security personnel to conduct searches, the prosecutor's agreement to retain any evidence seized in a search, and the presence of witnesses in a search, which may take place at any time.

Section 2. Respect for Civil Liberties

a. Freedom of Expression, Including for Members of the Press and Other Media

The constitution and law provide for freedom of expression, including for members of the press and other media, but the government restricted this right.

Freedom of Expression: The law prohibits incitement to violence, ethnic hatred, and rebellion, as well as insulting the head of state or other senior members of the government. Sometimes the government took steps to remove such content from

social media. Other times the application of this law raised questions of political influence.

In December 2020, during a concert in Abidjan, two popular singers questioned the impartiality of the public prosecutor's investigation into violence committed during the presidential election period. Authorities detained the singers, and a court convicted them the next day of propagating false information, contempt of court, and discrediting the judicial system. Both were given a one-year suspended sentence and ordered to pay a substantial fine.

Freedom of Expression for Members of the Press and Other Media, Including Online Media: The independent media were active and expressed a wide variety of views. The law bans “detention of journalists in police custody, preventive detention, and imprisonment of journalists for offenses committed by means of press or by other means of publication.” The law, however, provides for substantial fines for anyone found guilty of committing offenses by means of press or by other means of publication.

Virtually all press outlets were government-affiliated or were owned by politicians or other wealthy individuals. Government-affiliated media frequently reflected the political views of the government. Newspapers aligned politically with the opposition frequently published editorials condemning the government. Journalistic standards were flouted by regime- and opposition-aligned media outlets, sometimes leading to allegations of defamation and subsequent claims that opposition media were more likely to be charged with that offense.

The High Audiovisual Communications Authority oversees the regulation and operation of radio and television stations and is generally viewed as supportive of the government and more likely to impose sanctions on media close to the opposition. Opposition groups and civil society criticized the government's control over the main state-owned television station, claiming it gave far more coverage to the ruling party's political activities. There were numerous local and national independent radio stations. The law prohibits transmission of political commentary by community radio stations, or smaller, local-level radio stations that are independently run. The regulatory authority, however, allowed community radio stations to run political programs if they employed professional journalists.

These stations could also rebroadcast political content reported by other media outlets during official campaigning periods. The owners of these stations reported they often self-censored and avoided broadcasting political content, such as political debates and interviews with political leaders, because they feared being sanctioned or shut down by the communications authority.

Violence and Harassment: Journalists were sometimes subjected to violence, harassment, or intimidation by authorities due to their reporting.

In March while covering the funeral of the recently deceased prime minister in Seguela, journalist Jonas Baikheh attended a meeting at the ruling party's headquarters. Baikheh witnessed the head of a state-owned company fall ill and nearly collapse. Baikheh reported the event on his newspaper's website shortly after it occurred, which angered some ruling party supporters present. The supporters threatened to kill Baikheh if he did not leave the town by 6 p.m. that evening. Baikheh left the scene and hid before returning to Abidjan. Authorities took no action against the persons who threatened Baikheh.

Censorship or Content Restrictions: The government influenced news coverage and program content on television channels and public and private radio stations. Both independent journalists and journalists affiliated with the state-owned media stated they regularly exercised self-censorship to avoid sanctions or reprisals from government officials. The National Press Authority, the government's print media regulatory body, briefly suspended or reprimanded newspapers and journalists for statements it contended were false, libelous, or perceived to incite xenophobia and hate. Human rights organizations reported legal intimidation had a chilling effect on media coverage of certain topics, and media often only published stories critical of the government after the same reporting had appeared in international publications.

Libel/Slander Laws: Defamation deemed to threaten the national interest is punishable by criminal prosecution. In addition to government prosecution, individuals can bring criminal defamation cases against other individuals.

In July authorities arrested Alerte Zatte, a cyberactivist, for publishing a video on social media critical of Simone Gbagbo, the wife of former president Laurent

Gbagbo. In the video, Zatte accused Simone Gbagbo of hoping for Laurent Gbagbo's death and ordering allies to insult him on social media. Authorities detained Zatte at the airport while she was waiting to board a flight to France, where she resided. A court sentenced Zatte to six months in prison and levied a substantial fine for defamation.

Nongovernmental Impact: In June the minister of national reconciliation visited the headquarters of the Democratic Party of Cote d'Ivoire, one of the country's main opposition parties, as part of a series of meetings to encourage political dialogue. In response, four to five members of the party's youth wing knocked over microphones set up for a postmeeting press conference and demanded that journalists covering the event leave. According to media reports, the youth-wing members were protesting the party's normalization of relations with the government while several of the party's members remained in prison. When the journalists refused to leave, the youth-wing members attacked the journalists, injuring several and destroying some of their equipment. After the incident the party issued a statement apologizing to the journalists and the minister of national reconciliation.

Internet Freedom

There were no credible reports the government monitored private online communications without appropriate legal authority.

Academic Freedom and Cultural Events

There were no reports of government restrictions on academic freedom or cultural events, except that the latter were restricted, along with many other public activities, due to the COVID-19 pandemic.

b. Freedoms of Peaceful Assembly and Association

The law provides for the freedoms of peaceful assembly and association, but the government sometimes restricted the freedom of peaceful assembly.

Freedom of Peaceful Assembly

The law provides for freedom of peaceful assembly, but the government did not

always respect this right. The law requires groups that wish to hold demonstrations or rallies in stadiums or other enclosed spaces submit a written notice to the government at least three days before the proposed event. The organizers must receive the government's authorization to proceed.

Some opposition political parties reported denials of their requests to hold political meetings and alleged inconsistent standards for granting public assembly permits. Several human rights organizations affirmed the routine unequal treatment of opposition political parties and reported that security personnel sometimes dispersed opposition political party gatherings with excessive force.

On June 17, former president Gbagbo flew from Brussels to Abidjan, his first time back in the country since his 2011 extradition to The Hague (see section 1.a., Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings). In anticipation of his return, hundreds of Gbagbo's supporters amassed on the route to the airport that morning. Over the course of the day, security forces used tear gas to disperse the crowds that attempted to approach the airport and arrested some supporters. Gbagbo's spokesperson alleged security forces prevented groups of supporters traveling by bus from reaching Abidjan. The government stated it had not banned gatherings along the airport route but that supporters' attempts to reach the airport constituted a breach of public order.

In July security forces prevented a protest organized by local NGOs decrying the country's high cost of living. The NGOs had announced their intent to peacefully protest several days earlier. When participants arrived at the designated protest location, security forces stated the protest could not take place because the organizers had not received government authorization. According to one of the organizers, security forces arrested several protesters.

c. Freedom of Religion

See the Department of State's *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/>.

d. Freedom of Movement and the Right to Leave the Country

The constitution and law do not specifically provide for freedom of movement,

foreign travel, emigration, or repatriation, but the government generally respected these rights.

In-country Movement: There were reports of impediments to internal travel. Although some roadblocks set up by security forces served legitimate security purposes, extortion of bribes was sometimes reported. Civil society organizations reported instances in which members of the security forces, deployed to the north of the country to interdict criminals and violent extremists, set up unofficial checkpoints in forests and other unpopulated areas and demanded bribes for travelers to pass.

e. Status and Treatment of Internally Displaced Persons

In April international organizations and the government estimated there were 900 internally displaced persons (IDPs), down from 16,700 after the 2020 election. International organizations reported that the vast majority of IDPs who fled their homes because of feared or experienced violence associated with the 2020 presidential election had returned home voluntarily in the months following the election. The government actively coordinated with international organizations to register and deliver services to the IDPs.

f. Protection of Refugees

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

Access to Asylum: Although there is no national asylum law, the country provides for asylum or refugee status, and the government has established an administrative system for providing protection to refugees. Asylum seekers awaiting adjudication of their application enjoy a full set of basic rights, including freedom of movement, health care, and education. Asylum seekers are not entitled to work until they receive refugee status.

Durable Solutions: UNHCR reported it is almost impossible for refugees to be naturalized, except through marriage to a citizen. UNHCR was aware of only one

case of nonmarital naturalization: a resident living in the country for more than 20 years who was granted nationality through a presidential decree.

Temporary Protection: The government also provided temporary protection for individuals who did not qualify as refugees. Nationals of ECOWAS member states may remain in the country with a valid identification document (i.e., a national identity card or passport) from their country of origin. Non-ECOWAS African nationals and nationals of other countries must obtain a residency permit within 90 days of their asylum claim rejection or face deportation. To obtain a residency permit, non-ECOWAS African nationals must submit their asylum rejection letter and pay a substantial fee. Residency permit requirements for other nationals are based on reciprocity between the country and the applicant's country of origin.

g. Stateless Persons

The government did not report the number of persons believed to be stateless. With birth registration a requirement for citizenship, all unregistered children were at risk of statelessness. UNHCR estimated 16,000 persons in the country were at "very high risk" of statelessness, out of an estimated 1.65 million persons living in the country without citizenship documents. This figure included an estimated 519,000 abandoned children and foundlings (i.e., abandoned children of unknown parentage), who were at risk of statelessness because they could not prove their citizenship through their parents, as required under the law. Such children were deprived of the opportunity to attend high school (which is legally compulsory until the age of 16, but also requires the presentation of identity documents as part of the enrollment process), and, as adults, would be unable to open a bank account, travel abroad freely, purchase land, gain lawful employment, or vote or exercise other political rights, such as running for office.

Stateless persons reportedly faced numerous significant additional difficulties, such as in accessing health services, marrying civilly, or receiving an inheritance. Social stigma and harassment can also accompany statelessness.

The government has policies to resolve the status of certain stateless persons. In 2020 the government formally established legal procedures for some individuals to petition the government for a formal determination of statelessness status.

According to UNHCR a determination of statelessness would pave the way for an individual to receive identity documents and access to other legal processes. Also, according to UNHCR, a rejected application for stateless status means the adjudicating bodies believe the applicant is in fact entitled to a particular nationality.

In February the government inaugurated the governmental commissions tasked with adjudicating claims of statelessness and began training the adjudicators of these bodies. As of October, the commissions had not begun to adjudicate cases.

Section 3. Freedom to Participate in the Political Process

The law provides citizens the ability to choose their government in free and fair periodic elections held by secret ballot and based on universal and equal adult suffrage.

Elections and Political Participation

Recent Elections: On March 6, the country held elections for the 255 seats in the National Assembly, the more powerful of the parliament's two legislative bodies. All major political parties and some independents participated in the elections; two major opposition parties ran in a coalition. The elections resulted in a 54/46 percent split between the ruling coalition and the opposition, with the ruling party winning 137 of the 255 seats.

The period before the elections was marked by generally peaceful campaigning with both ruling party and opposition leaders enthusiastically calling on their supporters to vote. Civil society organizations and media noted sporadic minor incidents during the campaign, including vandalism of candidate campaign posters and the alleged assault of an opposition candidate by ruling party supporters.

Election day itself also unfolded in a generally peaceful manner but with minor election-related irregularities, including sporadic incidents of voter material destruction, acts of violence and intimidation against voting officials or voters, biometric tablet failures, voting officials' refusing to admit accredited observers to polling sites, and confrontations between supporters of opposing candidates. After the vote ended, several opposition leaders suggested the possibility of fraud, but

they ultimately followed the legal process for challenging contested election results. On March 9, the Independent Electoral Commission (CEI) announced provisional results, which the Constitutional Council validated on March 25 in all but four races. In the four races (whose results could not have altered the balance of power), the Constitutional Council annulled the results and ordered a revote.

International and local observers considered the elections generally free, fair, and transparent. In a preliminary statement issued two days after the elections, the International Election Observation Mission of the Electoral Institute for Sustainable Democracy in Africa and The Carter Center deemed the elections “an inclusive election in a generally peaceful atmosphere.” Indigo, a local NGO that deployed 500 observers across the country, described the elections as “peaceful” despite minor incidents.

The country held a presidential election in October 2020. In contrast to the March legislative elections, the period before the presidential election was marked by intense political maneuvering by the regime and opposition, acrimonious and divisive rhetoric, protests, and largely civilian-on-civilian violence.

The opposition vociferously contested President Ouattara’s decision to seek a third term following the July 2020 death of the ruling coalition’s candidate. Although the opposition argued that President Ouattara was precluded from running due to a term limit, the Constitutional Council, which the constitution empowers to validate presidential candidacies, validated Ouattara’s candidacy in September 2020 on the grounds that it would be his first term under the 2016 Constitution. The Council also validated the candidacies of three prominent opposition figures but rejected those of 40 other contenders, specifying in each case which eligibility criteria the contender failed to meet. Before and after the election, opposition leaders repeatedly alleged the Council was inherently biased toward the ruling coalition. UN, ECOWAS, and African Union officials visited the country several times during the electoral period to encourage a tension-calming dialogue between the government and the opposition but did not recommend a revision of the Council’s decision on candidacies.

Among those barred from competition were prominent opposition figures Guillaume Soro and former president Laurent Gbagbo, both rejected due to

domestic criminal convictions. Following the Constitutional Council's announcement, the ACHPR issued two separate rulings in September 2020 ordering the government to permit Soro and Gbagbo to run for election. The government did not respond directly to either ruling but indicated in public statements that it did not consider the ACHPR's rulings binding in view of its April 2020 announcement that it was withdrawing from the optional protocol that allowed nonstate actors to petition the court.

Election-related protests and violence escalated immediately before the election, particularly in mid-October 2020 after the opposition launched a campaign of "civil disobedience" and an "active boycott" designed to prevent the election from occurring unless the government conceded to opposition demands. In addition to violent clashes between civilians, many criminal acts occurred during the campaign. Media reported multiple incidents of vandalism, including the burning of CEI field offices, theft and destruction of voter cards, and construction of crude roadblocks by opposition-aligned youth to obstruct major roads.

Scattered, disruptive, and occasionally deadly unrest continued on election day in several locations in the central and southern parts of the country. Reported incidents included theft and destruction of electoral materials, civilian-on-civilian clashes, ransacked polling stations, and roadblocks around polling stations, which suppressed voter participation. The CEI confirmed that 21 percent of polling stations were not operational on election day, October 31, due to disruptions. International election observers reported the same but also noted that, in some cases, polling sites did not open because election officials failed to deploy necessary voter equipment and materials. At polling sites that did open, voting generally took place without incident although observers noted scattered minor irregularities, such as sites opening late or closing early and election officials struggling, without apparent malicious intent, to tabulate results accurately. The government reported that between August and November 2020, 85 persons had been killed and 484 injured, including several members of the security forces, in election-related violence.

International election observers differed in their overall assessments of the election. The African Union stated the election "was held in an overall satisfactory manner." The International Election Observation Mission of the Electoral Institute

for Sustainable Democracy in Africa and The Carter Center found that officials “generally adhered to voting procedures in the majority of the polling stations visited,” but criticized the political climate in which the election took place as “not allowing for a genuinely competitive election.” The Constitutional Council certified that President Ouattara had won re-election with 94.27 percent of the vote, a percentage due in part to the opposition’s boycott, and President Ouattara was sworn in for a third term in December 2020.

Earlier in November the opposition asserted that President Ouattara was no longer president and announced the establishment of a National Transitional Council. Via social media from France, Guillaume Soro claimed in his capacity as a member of the transitional council that President Ouattara no longer had the constitutional power to command the armed forces and called for them to overthrow him. The government subsequently announced charges of sedition and terrorism against 20 senior opposition figures involved in the Council’s professed creation. In mid-November 2020, the government issued an international arrest warrant for Soro and three of his aides, requesting their extradition from France.

Although the law requires the national voter registry to be updated annually, it was last revised in June and July 2020. During the 2020 registration, CEI staff generally appeared well prepared to execute that process, although some opposition parties reported their members’ difficulty obtaining documents required to prove their eligibility to vote. The government extended the registration period twice and, midway through the registration process, extended the validity of existing national identity cards so that holders could register and vote in the presidential election without having to obtain new biometric identity cards.

Political Parties and Political Participation: Although the law prohibits the formation of political parties along ethnic or religious lines, there have historically been links between ethnic groups and specific political parties.

Some opposition parties reported denials of their requests to hold political meetings and alleged inconsistent standards for granting public assembly permits.

Opposition parties frequently criticized the legality and impartiality of the CEI. In September 2020 the Ivorian Popular Front, the only party previously represented in

the CEI that the broader opposition accepted as an authentic opposition party, suspended its participation due to its overall objection to the electoral process. In December 2020 the government led a round of political dialogue that led the opposition to reverse its stance and decide to compete in the legislative elections. Accordingly, in January the Democratic Party of Cote d'Ivoire, the country's largest unified opposition party, officially took the seat that had been reserved for it on the CEI, which it had previously refused to do without reforms at the CEI.

Participation of Women and Members of Minority Groups: No laws limit the participation of women and members of minority groups in the political process, and they did participate. Of 255 National Assembly members, 32 were women after the March elections, up from 29 previously. Of 99 Senate members, 19 were women, including 11 of 33 appointed by President Ouattara in 2019 and eight of 66 elected in 2018. The law requires women constitute at least 30 percent of each political party's candidates nationwide for legislative elections, however, there are no penalties if the quota is not met. In the March national legislative elections, female candidates accounted for an average of 15 percent of candidate slates.

Members of the transgender community reported difficulty obtaining identity and voting documents. Election observers reported assistance to voters with disabilities (see section 6, Persons with Disabilities).

Section 4. Corruption and Lack of Transparency in Government

The law provides criminal penalties for corruption by officials, but the government did not implement the law effectively, and officials reportedly engaged frequently in corrupt practices with impunity. Human rights organizations reported official corruption, particularly in the judiciary, police, and security forces, but they noted victims of such corruption often did not report it or assist in investigations because they believed the government would not act or they feared retaliation. Civil society groups and government officials reported the High Authority for Good Government (HABG), the government's anticorruption authority, was not empowered to act independently or to take decisive action. The HABG can investigate alleged corruption but lacks the mandate to prosecute; it must refer

cases to the public prosecutor. In July the government created a special unit within the Abidjan public prosecutor's office dedicated to investigating complex economic and financial crimes, including those involving government officials.

Corruption: As of August, the government reported it had initiated three proceedings against magistrates for suspected influence peddling and abuse of power.

In June authorities arrested the director general of the Land Management Agency for alleged embezzlement and money laundering. In July the government announced it had launched audits of approximately 40 state-owned enterprises and suspended at least seven officials of state-owned enterprises pending the outcome of audits. Also in July the HABG announced that 473 persons were either under investigation, indicted, or sentenced for corrupt acts, such as money laundering and embezzlement of public funds. Human rights organizations reported government authorities awarded many contracts to persons or businesses without following procurement rules and often with little notice. In August 2020 the government's public procurement regulatory authority launched an audit program to investigate more than 200 sole-source public procurements that occurred between 2014 and 2017. Although the regulatory authority completed the audits it did not release them.

Section 5. Governmental Posture Towards International and Nongovernmental Investigation of Alleged Abuses of Human Rights

Several international and domestic human rights groups operated in the country, investigating and publishing their findings on human rights cases. Government officials met with some of those groups, sometimes at very senior levels. While the government was somewhat cooperative and responsive to their views, depending on the topic or case, it was at other times defensive regarding more sensitive topics.

Government Human Rights Bodies: The Ministry of Justice and Human Rights is responsible for implementing the government's policy on human rights. The National Council for Human Rights, an advisory body that consults on, evaluates,

and creates proposals to promote and defend human rights, is partially dependent on funding from the government, and human rights organizations questioned its independence and effectiveness. The human rights council had 31 regional commissions and seven thematically focused departments. The civilian-controlled Special Investigative Cell within the Ministry of Justice and Human Rights investigates persons suspected of human rights abuses committed during the postelectoral crisis of 2010-11.

Section 6. Discrimination and Societal Abuses

Women

Rape and Domestic Violence: The law prohibits rape of men and women and provides for prison terms of five to 20 years for perpetrators. The law provides for a rebuttable presumption of consent in marital rape cases. The court may impose a life sentence in cases of gang rape if the rapists are related to or hold positions of authority over the victim, or if the victim is younger than age 18. The law does not specifically address domestic violence and intimate partner violence or mandate special penalties for these acts. Authorities did not enforce these laws effectively.

Human rights organizations reported family members and community leaders often informally mediated rape accusations without victim input and dissuaded victims from reporting to police to avoid bringing shame or other negative consequences to the family, particularly if the perpetrator was related. Families often accepted payment as compensation. Police reportedly often had a blame-the-victim mentality. Media and NGOs reported that rape of schoolgirls by teachers was a problem, but the government did not provide information on charges filed.

Although rape victims were not legally required to have a certified, postrape medical examination to press charges, human rights organizations reported that the certificate and other documentation (such as a victim's psychological evaluation or a crime scene report) were frequently treated as essential to successful prosecutions. At a cost of 50,000 CFA francs (\$91), the certified examination was prohibitively expensive for most rape victims. Police often did not know to refer rape victims to a medical practitioner for an examination, while many medical practitioners were not trained how to examine victims for signs of sexual and

gender-based violence or prepare the certificate. Human rights organizations reported that the only government-run victim shelter in the country (located in Abidjan) had limited beds and would not house victims for more than three days.

In April media reported on the alleged assault and rape of a woman in Abidjan. The alleged assailant and the victim initially met and corresponded online. When they met in person, police reported the accused served the victim a drugged drink, raped her, and stole her belongings. The victim was transported to a local hospital the next day where she died shortly thereafter, apparently due to an overdose from the drug the accused allegedly gave her. Authorities arrested the accused a week later and announced he had confessed to drugging and raping the victim. After the victim's death, the case gained increasing social media attention, and at least 30 women came forward to report the accused had raped them under similar circumstances.

Female Genital Mutilation/Cutting (FGM/C): The law specifically forbids FGM/C and provides penalties for practitioners of up to five years' imprisonment and substantial fines. Double penalties apply to medical practitioners, including doctors, nurses, and medical technicians. Nevertheless, FGM/C remained a problem. The most recent 2016 Multiple Indicator Cluster Survey indicated that the rate of FGM/C nationwide was 37 percent, with prevalence varying by region.

In June media reported on the genital cutting of eight adolescent girls in Zouan Hounien, a village in the western part of the country. Authorities arrested the alleged assailant and referred the victims to a government-run social center.

Other Harmful Traditional Practices: Societal violence against women included traditional practices that are illegal, such as dowry deaths (the killing of brides over dowry disputes), levirate (forcing a widow to marry her dead husband's brother), and sororate (forcing a woman to marry her dead sister's husband). Human rights organizations stated these cases were rare. The government did not provide information regarding the prevalence or rate of prosecution for such violence or forced activity.

Sexual Harassment: The law prohibits sexual harassment and prescribes penalties of one to three years' imprisonment and fines. Nevertheless, the

government rarely, if ever, enforced the law, and harassment was widespread and routinely tolerated.

Reproductive Rights: There were no reports of coerced abortion or involuntary sterilization on the part of government authorities.

As a result of FGM/C, scarring was common. Scarring could lead to obstructed labor during childbirth, an obstetric complication that was a common cause of maternal deaths, especially in the absence of Caesarean section capability (see the Female Genital Mutilation (FGM/C) subsection for additional information).

According to the World Health Organization (WHO), in 2010-19, 44 percent of women of reproductive age had their need for family planning satisfied with modern methods. The UN Population Fund (UNFPA) estimated 82 percent of all women had the autonomy to decide whether to use contraception. Barriers to modern methods of contraception included cost (the government only partially subsidized the cost of some methods of contraception), distance to points of purchase such as pharmacies and clinics, and low or unreliable stocks of certain types of contraception. Other barriers to use included misinformation, and conflicting moral and religious beliefs, including providers opposed to providing modern methods of contraception to adolescent girls.

According to the WHO, 74 percent of births in 2010-19 were attended by skilled health personnel. Barriers to births attended by skilled health personnel included distance to modern health facilities, cost of prenatal consultations and other birth-related supplies and vaccinations, and low provider capacity. Government policy required emergency health-care services to be available and free to all, but care was not available in all regions, particularly rural areas, and was often expensive. According to WHO estimates, in 2010-18, the adolescent birth rate was 123 per 1,000 girls ages 15 to 19.

Health services for survivors of sexual violence existed, but costs of such services were often prohibitive for victims, authorities often did not know to refer victims to medical practitioners, and many medical practitioners were not trained in treatment of survivors of sexual violence. Emergency contraception was not

always available as part of the clinical management of rape cases.

According to the WHO, UNICEF, the UNFPA, the World Bank, and the UN Population Division, in 2017 (the latest year for which data are available), the maternal mortality rate was 617 deaths per 100,000 live births, down from 658 deaths per 100,000 live births in 2015. Factors contributing to the high maternal mortality rate chiefly related to lack of access to quality care. Additionally, local NGOs reported women often had to pay for prenatal consultations and other birth-related supplies and vaccinations, which dissuaded them from using modern facilities and increased the likelihood of maternal mortality.

Stigma surrounding menstruation and lack of access to menstruation hygiene caused some girls not to attend school during menstruation. The Ministry of Education authorized pregnant adolescent girls to attend school, but not all schools adhered to this policy. Additionally, pregnant adolescent girls faced stigma that sometimes caused them to stop their studies.

Discrimination: The law provides the same legal status and rights for women and men in labor law, although there were restrictions on women's employment (see section 7.d., Discrimination with Respect to Employment and Occupation). The law establishes the right of widows to inherit property upon the deaths of their husbands equally with any children. Human rights organizations reported many religious and traditional authorities rejected laws intended to reduce gender-related inequality in household decision making.

Systemic Racial or Ethnic Violence and Discrimination

The law prohibits xenophobia, racism, and tribalism, including discrimination against persons based on their ethnic origin. The government effectively enforced the law.

The country has more than 60 ethnic groups; human rights organizations reported ethnic discrimination was a problem. Authorities considered approximately 25 percent of the population foreign, although many within this category were second or third generation residents. Land ownership laws remained unclear and

unimplemented, resulting in conflicts between native populations and other groups.

Media reported on several interethnic (referred to as intercommunal in the country) conflicts during the year. In February clashes erupted between two ethnic groups, the Agnis and Malinke, in Abongoua over the planned relocation of a makeshift Malinke market by local authorities. The clashes resulted in injuries and property damage. The government reported nine interethnic conflicts involving violence in the first quarter of the year.

In May following the publication on social media of a video falsely depicting citizens being mistreated in Niger, violence broke out against Nigerien nationals in several neighborhoods in Abidjan. The government reported that attackers killed one Nigerien, wounded approximately 40 others, and looted approximately 50 businesses. According to the government, authorities arrested 38 persons in connection with the attacks, including a cyberactivist who posted the video on her social media account. Media reported a court convicted the cyberactivist of inciting unrest and calling for murder. The court sentenced her to five years in prison and a substantial fine. President Ouattara denounced the attacks and the minister of defense met with a government delegation from Niger in the aftermath of the attacks.

During the 2020 presidential election period, numerous interethnic clashes occurred, resulting in at least 25 deaths.

Children

Birth Registration: The law confers citizenship at birth if at least one parent was a citizen when the child was born.

The law provides parents a three-month period to register their child's birth for a nominal fee. In some parts of the country, the three-month window conflicts with important cultural practices around the naming of children, making birth registration difficult for many families. To register births after the first three months, families must also pay a fine. For older children, authorities may require a doctor's age assessment and other documents. The government requires health-care workers in maternity wards and at immunization sites to complete birth registration forms automatically when providing services. According to UNICEF,

birth registration services were available in 89 percent of maternity hospitals and 98 percent of vaccination centers.

Education: Primary schooling is obligatory, free, and open to all. To enter secondary school, children must pass an exam for which identity documents are required. As a result, children without documents could not continue their studies after primary school (see section 2.g, Stateless Persons). Education was ostensibly free and compulsory for children ages six to 16, but families generally reported being asked to pay school fees, either to receive their children's records or pay for school supplies. In September the government stopped requiring families to pay fees imposed by school management committees and began to pay those fees directly to schools, although some schools reported they had not received the payments promised by the government. Parents also often contributed to teachers' salaries and living stipends, particularly in rural areas. Parents of children not in compliance with the law on mandatory education were reportedly subject to substantial fines or two to six months in jail, but this was seldom, if ever, enforced, and many children did not attend or have access to school.

Girls participated in education at lower rates than boys, particularly in rural areas. Although girls initially enrolled at a higher rate, their participation dropped below boys' rates because of a cultural tendency to keep girls at home to care for younger siblings or do other domestic work, and due to reported sexual harassment of female students when traveling to school and, once at school, by teachers and other staff.

Child Abuse: Consensual sex with a child younger than age 15 is classified as rape. For victims between the age of 15 to 18, consent can be raised as a defense to a charge of rape. A March 2020 government study on violence against children and youth younger than age 18 found that 19 percent of girls and 11 percent of boys had been victims of sexual violence and that 47 percent of girls and 61 percent of boys had been victims of physical violence.

In May media reported on the alleged rape of an Abidjan girl, age 12, by her teacher. Shortly after media reported the incident, the minister of women, families, and children visited the alleged victim and worked with authorities to document and investigate the case. Authorities arrested the teacher and transferred him to the

country's main prison. To assist child victims of violence and abuse, the government strengthened the child protection network in areas such as case management, the implementation of evidence-based prevention programs, and data collection and analysis.

Responsibility for combating child abuse lies with the Ministries of Employment and Social Protection; Justice and Human Rights; Women, Families, and Children; Solidarity, Social Cohesion, and the Fight against Poverty; and National Education. International organizations and civil society groups reported that lack of coordination among the ministries hampered their effectiveness.

Child, Early, and Forced Marriage: The law sets the minimum age for marriage for women and men at 18. The law prohibits marriage for men and women below age 18 without parental consent. The law specifically penalizes anyone who forces a minor younger than age 18 to enter a religious or customary matrimonial union. Nevertheless, reports of traditional marriages involving at least one minor spouse persisted.

In 2017 (most recent data available) according to UNICEF, 27 percent of girls were married by age 18 and 7 percent by age 15.

Sexual Exploitation of Children: The law prohibits the use, recruitment, or offering of minors for commercial sex or use in pornographic films, pictures, or events. The law does not specifically address grooming children for commercial sex. The minimum age for consensual sex is 18. Authorities did not effectively enforce the law.

The country is a source, transit, and destination country for children subjected to trafficking in persons, including sex trafficking.

Also see the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

Displaced Children: Human rights organizations reported thousands of children countrywide were homeless and were frequently subject to harassment by authorities. The government implemented a program to reduce the number of homeless minors. Officials in the Ministry of Youth operated several centers in a

few cities where at-risk youth could live and receive training. A Ministry of Justice center provided reintegration training and support for former juvenile offenders.

International Child Abductions: The country is not a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. See the Department of State's *Annual Report on International Parental Child Abduction* at <https://travel.state.gov/content/travel/en/International-Parental-Child-Abduction/for-providers/legal-reports-and-data/reported-cases.html>.

Anti-Semitism

The country's Jewish community numbered fewer than 150 persons, including foreign residents and local converts. There were no reports of anti-Semitic acts.

Trafficking in Persons

See the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

Persons with Disabilities

Although the constitution contains protections for them, persons with disabilities cannot easily access education, health services, public buildings, and transportation on an equal basis with others. Although the law requires measures to provide persons with disabilities access to transportation and buildings and designated parking spots, human rights organizations reported these provisions were frequently not implemented around the country.

The law requires the government to educate and train persons with physical, mental, visual, auditory, and cerebral motor disabilities; hire them or help them find jobs; design houses and public facilities for wheelchair access; and adapt machines, tools, and workspaces for access and use by persons with disabilities, as well as to provide them access to the judicial system. The law prohibits acts of violence against persons with disabilities and the abandonment of such persons.

These laws were not effectively enforced.

Persons with disabilities reportedly encountered serious discrimination in employment and education. Prisons and detention centers reportedly provided no accommodations for persons with disabilities.

The government financially supported some separate schools, training programs, associations, and artisans' cooperatives for persons with disabilities, located primarily in Abidjan, but human rights organizations reported these schools functioned primarily as literacy centers and did not offer the same educational materials and programs as other schools. It was difficult for children with disabilities to obtain an adequate education if their families did not have sufficient resources. The government took some steps to integrate children with disabilities into ordinary public schools, but these schools often lacked the resources to accommodate them. In some instances, provisions were financed by private donations. The government made efforts to recruit persons with disabilities for select government positions; however, a human rights organization reported that some governmental officials still discriminated against these persons once hired. Homelessness among persons with mental disabilities was reportedly common.

Political campaigns did not include braille or sign language, undercutting civic participation by persons with vision and hearing disabilities. The CEI did not provide any formal accommodations for persons with disabilities at polling sites for the March national legislative elections, although observers reported CEI staff and fellow voters assisting persons with disabilities during voting, including assisting them climb stairs to access polling sites.

HIV and AIDS Social Stigma

There were no credible reports of official discrimination based on HIV and AIDS status, and the government respected the confidentiality of individuals' HIV and AIDS status. The government respected patient rights, and a statement of these rights was posted or available at health facilities. The law expressly condemns all forms of discrimination against persons with HIV and provides for their access to care and treatment. The law also prescribes punishment for refusal of care or

discrimination based on HIV and AIDS status. Social stigma persisted.

The Ministry of Health and Public Hygiene managed a program within the National AIDS Control Program to assist vulnerable populations at high risk of acquiring HIV and AIDS (including but not limited to men who have sex with men, persons in commercial sex, transgender persons, persons who inject drugs, prisoners, and migrants). The Ministry of Women, Families, and Children oversaw a program that directed educational, psychosocial, nutritional, and economic support to orphans and other vulnerable children, including those infected or affected by HIV.

Acts of Violence, Criminalization, and Other Abuses Based on Sexual Orientation and Gender Identity

Authorities were at times slow and ineffective in their response to societal violence targeting the lesbian, gay, bisexual, transgender, queer, and intersex (LGBTQI+) community. Further, LGBTQI+ persons often did not report violence committed or threatened against them, including assault or homicide, because they did not believe authorities would take their complaints seriously.

Homosexuality is not criminalized, but public heterosexual and same-sex intimate activity is subject to conviction as a form of public indecency that carries a penalty of up to two years' imprisonment. Human rights organizations expressed concern this law could be disproportionately applied against LGBTQI+ persons. The law provides for various political, socioeconomic, and safety protections to all citizens and prohibits discrimination based on several specific categories, but not sexual orientation.

LGBTQI+ community members reported being evicted from their homes by landlords or by their own families. Familial rejection of LGBTQI+ youth often caused them to become homeless and drop out of school. Members of the LGBTQI+ community reported discrimination in access to health care. Human rights organizations reported regular discrimination in employment, with employers refusing to hire, firing, or not promoting LGBTQI+ community

members once learning of their LGBTQI+ identity.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The law, including related regulations and statutory instruments, provides for the right of workers, except members of police and military services, to form or join unions of their choice, provides for the right to conduct legal strikes and bargain collectively, and prohibits antiunion discrimination by employers or others against union members or organizers. The law prohibits firing workers for union activities and provides for the reinstatement of dismissed workers within eight days of winning a wrongful dismissal claim. The law allows unions to conduct their activities without interference. Worker organizations were independent of the government and political parties. Under the law, for a trade union to be considered representative at the business or establishment level, the union must win at least 30 percent of valid ballots cast representing at least 15 percent of registered electors. For broader organizations the trade union must have the support in one or more enterprises together employing at least 15 percent of the employees working in the occupational and geographical sector concerned. Foreigners are required to obtain residency status, which takes three years, before they may hold union office.

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. Workers must maintain a minimum coverage in services whose interruption may: endanger lives, security, or health; create a national crisis that threatens the lives of the population; or affect the operation of equipment. Additionally, if authorities deem a strike to be a threat to public order, the president has broad powers to compel strikers to return to work under threat of sanctions. Illegally striking workers may be subjected to criminal penalties, including forced labor. The president also may require that strikes in essential services go to arbitration, although the law does not describe what constitutes essential services.

Although all workers can unionize, formal unions existed only in the formal sector. Collective bargaining agreements were negotiated only in the formal sector, and

many major businesses and civil service sectors had them. Some worker organizations in the informal sector attached themselves to formal sector trade unions to better protect their rights. The law allows employers to refuse to negotiate, but there were no reports of this by unions to the Ministry of Employment and Social Protection.

The government effectively enforced the law in the formal sector. There were no complaints pending with the Ministry of Employment and Social Protection of antiunion discrimination or employer interference in union functions.

Prison guards at several of the country's prisons went on strike for three days in August, demanding increased housing allowances, payment of clothing allowances in arrears, and a COVID-19 salary premium, among other demands. The prison workers' union also used the strike to denounce overcrowding in the country's prisons. Media reported prison guards at the country's main prison threatened to release prisoners unless their demands were met. Police and gendarmes deployed to the prison to contain protesting guards, arresting several, and to prevent prisoners from using the strike to escape. Media reported the strike ended after three days when the Ministry of Justice agreed to a timeline to respond to the guard union's demands.

Health-care workers threatened to strike several times, including in October, over the alleged nonpayment of promised COVID-19 hazard pay. Unions called off the planned October strike after productive negotiations with the government. Unions sometimes suggested, without proof, that funds set aside by the government for these payments had been embezzled. Government officials responded that any delays in payments were due to administrative procedures only.

b. Prohibition of Forced or Compulsory Labor

The law prohibits all forms of human trafficking, including for the purposes of forced labor or slavery. The law grants government officials the broad power to requisition labor for "national economic and social promotion," in violation of international standards. Judges may propose that defendants convicted of certain crimes perform physical labor for the benefit of the state as an alternative to

incarceration, but the defendant must accept the terms of such a sentence.

The government did not effectively enforce the law. Penalties were criminal and commensurate with those for comparable crimes such as kidnapping but were seldom and inconsistently applied. The government did not provide enough resources or conduct enough inspections to enforce compliance. Forced and compulsory labor, including for children, continued to occur in small-scale and commercial production of agricultural products, particularly on cocoa, coffee, pineapple, cashew, and rubber plantations, and in the informal labor sector, such as in domestic work, nonindustrial farm labor, artisanal mines, street shops, and restaurants.

Also see the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

c. Prohibition of Child Labor and Minimum Age for Employment

The law prohibits the worst forms of child labor. The minimum age for employment is 16 years, although the minimum age for apprenticeships is 14. The minimum age for hazardous work is 18 years. Minors younger than 18 may not work at night. The Ministry of Employment and Social Protection, Ministry of Interior and Security, and Ministry of Justice are responsible for enforcing the law through inspections, investigations, penalties, and court sanctions. The National Monitoring Committee to Combat the Trafficking, Exploitation, and Labor of Children, chaired by the president's wife, and the Interministerial Committee for the Fight against Trafficking, Exploitation, and Child Labor are responsible for assessing government and donor actions on child labor.

The *List of Light Work Authorized for Children between 13 and 16 Years of Age*, an order issued by the Ministry of Employment and Social Protection in 2017, introduces and defines the concept of "socializing work," unpaid work that teaches children to be productive members of the society. The list states that a child cannot perform any work before 7 a.m. or after 7 p.m. or during regular school hours, that light work should not exceed 14 hours a week, and that it should not involve more than two hours on a school day or more than four hours a day during vacation. In late 2016 basic education became compulsory for children ages six to

16, increasing school attendance rates and reducing the number of children looking for work.

The government took steps to address the worst forms of child labor. The Department of the Fight against Child Labor within the Ministry of Employment and Social Protection, along with the two antitrafficking committees, led enforcement efforts. The government continued to implement the 2019-21 *National Action Plan for the Fight against the Worst Forms of Child Labor*. The plan called for efforts to improve access to education and health care for children and income-generating activities for their families, as well as nationwide surveys, awareness campaigns, and other projects with local NGOs to highlight the dangers associated with child labor. The government engaged in partnerships with the International Labor Organization, UNICEF, and the International Cocoa Initiative to implement these measures. The budget for the plan, although higher than the previous plan's, was not fully funded by the government and international partners. The government did not make available the amount of the shortfall.

The government established six special police units in 2020 across the country to investigate child labor and child trafficking cases, and these units carried out enforcement operations. Each unit had 10-20 officers with two motorcycles, a four-wheel drive vehicle, computers, and office materials.

In February media reported police arrested four alleged traffickers and rescued 19 children suspected of being transported to work on cocoa plantations. The police operation took place while the children, reportedly all Burkinabe, were being transported from the northern town of Korhogo to the southeastern town of Aboisso.

The government did not effectively enforce the law. Child labor occurred, particularly in artisanal gold mines, on farms (generally small plots), and in domestic work. Periodic, standardized data collection efforts remained weak. Efforts to counter child labor in sectors besides the cocoa industry, such as palm oil, cotton, rubber, and artisanal gold mining, also remained weak. Within agriculture the worst forms of child labor were particularly prevalent in the cocoa and coffee sectors. Inspections carried out during the year did not result in fines for child labor crimes. Penalties were commensurate with penalties for

comparable crimes but were seldom applied. The number of inspectors and resources for enforcement were insufficient to enforce the law.

In urban areas children often worked as vendors, vehicle windshield cleaners, and parking attendants. In rural areas children were involved in handicrafts such as cloth weaving, agriculture, artisanal gold mining, and forestry. Those who worked in the gold-mining sector often used dangerous chemicals harmful to human health. Nationally, some children worked in housing construction and carpentry, with dangerous tools. Others worked as seamstresses, tailors, hairdressers, mechanics, welders, and in local public transport as apprentices, but under informal conditions that lacked occupational safety regulations. Some girls were exploited in sex trafficking. Others worked as cleaners in local restaurants and stores and as babysitters and housekeepers in private homes. A study released in July 2020 found that child labor in the cocoa sector had increased during the COVID-19 pandemic. A follow-up study released in November found child labor rates from July to September 2020 returned to pre-COVID-19 levels.

To help prevent child trafficking, the government regulated the travel of minors into and out of the country, requiring children and parents to provide documentation of family ties, including at least a birth certificate.

Also see the Department of Labor's *Findings on the Worst Forms of Child Labor* at <https://www.dol.gov/agencies/ilab/resources/reports/child-labor/findings>.

d. Discrimination with Respect to Employment and Occupation

The constitution provides for equal access to public or private employment and prohibits any discrimination in access to or in the pursuit of employment based on sex, ethnicity, or political, religious, or philosophical opinions.

The law does not prohibit discrimination based on sexual orientation. The law specifically prohibits workplace discrimination based on HIV and AIDS status but does not address other communicable diseases. The law includes provisions to promote access to employment for persons with disabilities: it stipulates employers must reserve a quota of jobs for qualified applicants with disabilities but

does not provide penalties for noncompliance with this provision.

The government did not effectively enforce the law. Penalties were commensurate with those for comparable crimes, but seldom applied. Human rights organizations continued to report discrimination with respect to gender, nationality, disability, and sexual orientation and gender identity (see section 6, Acts of Violence, Criminalization, and Other Abuses Based on Sexual Orientation and Gender Identity). The government did not provide information on employment discrimination reported or actions taken to address discrimination.

The law does not stipulate equal pay for equal work, and wage discrimination occurred. For example, there were no reports authorities took action to rectify the large salary discrepancies between foreign non-African employees and their African (i.e., both foreign African residents and citizens) colleagues employed by the same companies.

There were legal restrictions on women's employment in certain occupations and industries, including in mining, construction, and factories, but no known limitations on working hours based on gender. The government indicated that if a woman wanted to carry out any of the work on the "prohibited list," she needed to contact an inspector at the Ministry of Labor.

While women in the public sector generally received the same pay and paid the same taxes as men, wage inequality remained common in the nonpublic formal sector and informal sector. Additionally, reports of a reticence to hire women persisted.

While the law provides the same protections for migrant workers as it does for citizens, most faced discrimination in terms of wages and treatment.

e. Acceptable Conditions of Work

Wage and Hours: The minimum wage varied by sector but exceeded the government's estimated poverty level in all sectors. The standard legal workweek is 40 hours. The law requires overtime pay for additional hours and provides for at least one 24-consecutive-hour rest period per week. The law provides workers the

right to refuse employer requests to work overtime without threat of termination.

The government did not effectively enforce minimum wage and overtime laws. The Ministry of Employment and Social Protection enforced wage and hour protections only for salaried workers employed by the government or registered with the social security office. Labor unions contributed to effective implementation of the minimum salary requirements in the formal sector. Penalties were commensurate with those for similar crimes but were seldom applied.

Sectors in which alleged violations of wage, hour, and overtime laws were common included domestic work, residential and commercial security, and day labor. Human rights organizations reported numerous complaints against employers, such as improper dismissals, excessive hours, uncertain contracts, failure to pay the minimum wage, and the failure to pay employee salaries. The failure to enroll workers in the country's social security program and pay into it the amount the employer deducted from the worker's salary was also a problem. Resources and inspections were not sufficient to enforce compliance. Administrative judicial procedures were subject to lengthy delays and appeals.

Occupational Safety and Health: The law establishes occupational safety and health standards that apply to both the formal and informal sector. The law provides for the establishment of committees of occupational, safety, and health representatives responsible for verifying protection and worker health at workplaces. Such committees are to be composed of union members. The chair of a committee could report unhealthy and unsafe working conditions to the labor inspector without penalty. By law all workers have the right to remove themselves from situations that endanger their health or safety without jeopardy to their employment. They may utilize the inspection system of the Ministry of Employment and Social Protection to document dangerous working conditions. Authorities effectively protected employees in this situation working in the formal sector.

The government did not effectively enforce the law. The number of labor inspectors was not sufficient to enforce compliance with the law, and inspectors lacked specialized training. Inspectors do have the authority to make unannounced

inspections, but they are not authorized to assess penalties. Penalties were commensurate with those for similar crimes, but labor inspectors reportedly accepted bribes to ignore violations.

Human rights organizations reported that working conditions at illegal gold-mining sites were poor and dangerous due to the unregulated use of chemicals and large detonations that can result in deadly mudslides. Other sectors in which violations and accidents were common included construction and agriculture.

Based on statistics provided by the country's social security fund, the government reported an average 6,000 occupational accidents and five deaths annually in the private formal sector between 2017 and 2019. The government did not provide data on accidents in the public sector or the informal sector.

Informal Sector: Based on 2019 data, the government estimated 90 percent of the total labor force worked in the informal economy, in which labor standards were generally not enforced. The law does not cover several million foreign migrant workers or workers in the informal sector, who accounted for 70 percent of the nonagricultural economy. Employees in the informal manufacturing sector often worked without adequate protective gear. The government, through the Ministry of Employment and Social Protection, developed a 2019-21 strategic plan for conducting labor inspections in the informal sector. In 2020, with support from the French government and the International Labor Organization, the government piloted a program to conduct inspections in several industries in the informal sector, including building construction, carpentry, and hair.