

COTE D'IVOIRE 2022 HUMAN RIGHTS REPORT

EXECUTIVE SUMMARY

Cote d'Ivoire is a democratic republic governed by a president. Elections in March 2021 for the 255 seats of the National Assembly, one 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 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 Directorate of Territorial Surveillance, under the Ministry of Interior and Security, is responsible for countering internal threats. Civilian authorities at times did not maintain effective control over the security forces. There were reports that members of the security forces committed some abuses.

Significant human rights issues included credible reports of: forced disappearance; torture or cruel, inhuman or degrading treatment or punishment by the government; harsh and life-threatening prison conditions; arbitrary arrest or detentions; political prisoners or detainees; serious problems with the independence of the judiciary; serious restrictions on free expression and media, including unjustified arrests or prosecutions of journalists and the enforcement of criminal libel laws; serious government corruption; substantial interference with the freedom of peaceful assembly; lack of investigation and accountability for gender-based violence, including but not limited to domestic and intimate partner violence and female genital mutilation/cutting; and violence against 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 government officials and those in the security services 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

In contrast to 2021, there were no reports that the government or its agents committed potentially arbitrary or unlawful killings.

b. Disappearance

Human rights organizations reported disappearances carried out by government authorities. In May media reported the arrest of Abdoulaye Fofana, the former aide-de-camp of Guillaume Soro, a former prime minister and prominent opposition figure living abroad in self-exile and sentenced in absentia to life imprisonment for conspiracy, attempted attack on the authority of the state, and disseminating false news. Media reported this arrest was under a warrant issued by the judiciary in 2021 for “disturbance of public order and illegal wearing of military costume” after Fofana released statements on social media calling for soldiers to support “mutiny.” A human rights organization reported that Fofana had been incarcerated since May 5, and both his condition and location were uncertain.

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

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 routinely subject to violence and abuse, including beatings and extortion, by members of the security forces and prison officials. Human rights organizations reported mistreatment of detainees between arrest and being booked into prison.

In April authorities responded to a strike launched by students in Bouaké to protest living and study conditions. In a statement, a prominent student organization alleged that officials retaliated against the strike and student demonstrations with arrests, beatings, tear gas shots, confiscation of personal belongings (laptops, motorcycles, and cell phones), and vandalism of student rooms. The government ultimately released the students on May 24, three weeks after the strike, and dropped the charges.

Prison authorities acknowledged abuse might happen and go unreported, since prisoners feared reprisals.

Local nongovernmental organizations (NGO) reported that impunity was an occasional problem in the security forces. Detainees have the right to refer impunity cases directly to a judge, bypassing law enforcement. N'Gboado, a local NGO, stated that most detainees and victims of impunity were not aware of this right and, as a result, there are very few impunity cases. The government stated that there were no impunity trials this year and that training specific to impunity was not part of the standard curriculum.

Prison and Detention Center Conditions

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

Abusive Physical Conditions: The government acknowledged prison overpopulation remained 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 25,000 as of mid-August. In at least one prison, the inmates reportedly slept head-to-toe on the floor. In August an activist close to Guillaume Soro reported prisoners in an Abidjan prison had been confined to their cells for nearly a day, deprived of both food and water. Human rights organizations observed that prisoners sometimes slept without mattresses. Poor

ventilation and high temperatures, exacerbated by overcrowding, remained problems in some prisons. One organization reported that one prison had more than 100 prisoners in a cell area of only 650 square feet.

Prisons generally held men and women in separate prison wings, although one human rights organization reported at least one case of men and women being held together (along with some juveniles), due to space and staffing constraints. 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 women 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 better living conditions than other prisoners. In June media reported the case of a prominent drug trafficker who bribed prison guards to receive an escort off prison grounds to conduct personal business and used the opportunity to escape.

There were reports of prisoner-on-prisoner violence. A human rights organization reported the case of a prisoner victim of physical violence by his inmate. N’Gboado reported on the “Baygon System,” where new prisoners must pay rent to longer-tenured prisoners to get access to decent cells; otherwise, the new prisoners may be forced to sleep in toilets.

The government reported that, as of mid-August, 28 prisoners had died in prisons during the year. The government did not provide further details on the causes of death but noted none resulted from prisoner-on-prisoner violence.

Human rights organizations reported prisoners in some prisons did not get enough food to meet daily caloric needs. Human rights organizations reported 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. The government declared it took steps to prevent deaths from malnutrition and improve the provision of food to prisoners. The government also stated there were zero prison deaths due to malnutrition. Human rights organizations, however, received reports of prisoner deaths due to malnutrition. While potable

water generally was available in prisons and detention centers, water shortages were common. Under certain circumstances the government allowed 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. Within detention facilities unsanitary conditions persisted, including detainees living near toilets and using bottles or other makeshift bathroom facilities.

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. N'Gboado reported prisoners did not always have access to medical professionals and that some prisons did not have medical staff working 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. N'Gboado also reported transfers to outside hospitals were often disallowed even if medically necessary because of burdensome transfer procedures and staffing shortages. Another human rights organization further reported 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 N'Gboado 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, prisoners' families had to acquire the medication from an outside pharmacy.

Information on conditions at detention centers operated by the Directorate of Territorial Surveillance (DST) was not available.

Administration: Although inmates may submit complaints of abuse to prison directors, 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, alleged routine physical abuse and extortion of prisoners by prison officials and reported that many prison guards were poorly trained. 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.

Improvements: Human rights organizations reported malnutrition was still a problem in prisons but not nearly to the extent of the previous year. This was, in part, a product of the fact that by June, the government lifted many COVID-19 restrictions on prison visits, enabling friends and family to visit and supplement prisoner food rations. Human rights organizations also reported the government acknowledged the problem of prison malnutrition and took steps to increase the supply of food in prisons and develop a cross-ministry task force to identify and resolve the logistical obstacles to food distribution that drove many of the food shortages in rural facilities. Despite these improvements, one human rights organization reported many prisoners still received only one meal per day, often with low-quality ingredients (with some reports of prisoners made sick by low-quality provisions).

In January President Ouattara pardoned nearly 2,500 prisoners. This decree slightly eased pressure on the overcrowded prison system and signaled a willingness to address overcrowding through measures beyond expanding prison infrastructure. Media reported this decree did not include prisoners of the post-electoral crisis of 2010-11.

d. Arbitrary Arrest or Detention

The constitution and law prohibit arbitrary arrest and detention, but both reportedly occurred. Although detainees have the right to challenge in court the lawfulness of their detention, most detainees were unaware of this right.

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 human rights organization observed that ethnic groups frequently stereotyped as posing a security risk, notably the Fulani (also known as the Peuhl), were more likely to be subject to extended detention without notice of charges, and to be held far from family or counsel.

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 because they reportedly had difficulty being reimbursed by the government, as prescribed by law, and because they were overwhelmed by their workload. 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 on occasion. Human rights organizations reported that authorities arbitrarily detained persons 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 longer than the legal 48-hour period, which is renewable once.

Media and human rights organizations reported the threat of violent extremism in the country's northern areas led to increased suspicion of the Fulani, an ethnic group frequently stereotyped as affiliated with violent extremist organizations.

Fulani were often the subject of harassment, arrest without cause, and extended detention with numerous administrative barriers to contact with family and counsel. One group of Fulani men reported that security forces in the north arrested them without cause, beat them, and held them without charges for up to two months.

Pretrial Detention: According to the government, more than 7,500 inmates were in pretrial detention as of mid-August, roughly 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 (see section 1.e., Trial Procedures).

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 2021, the government has not enforced his 2018 conviction in absentia and sentence of 20 years for alleged theft of funds from a state-controlled bank during the post-electoral crisis of 2010-11. In August President Ouattara announced a pardon for Gbagbo, stating the move was an important step to "strengthen social cohesion."

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, although 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 whom the courts believe 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.

The relative scarcity of trained magistrates and lawyers resulted in limited access to effective judicial proceedings, particularly outside of major cities.

Political Prisoners and Detainees

The government denied there were political prisoners, although it arrested multiple members of opposition parties on various criminal charges at the end of 2019 and during 2020. Many of these persons were released in 2021. The government also released numerous persons arrested for crimes allegedly committed during the 2010-2011 presidential electoral period. Amnesty International, however, reported political parties maintained lists of 107 political prisoners who were incarcerated following the series of opposition-party arrests in 2011, 2019, and 2020.

Transnational Repression

Misuse of International Law Enforcement Tools: There were credible reports that the country attempted to misuse international law enforcement tools for

politically motivated purposes as a reprisal against specific individuals located outside the country.

In August 2021, Malian authorities executed an international arrest warrant issued by an Abidjan court in 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. In January Malian authorities released Mohamed shortly after the Economic Community of West African States (ECOWAS) imposed sanctions on 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 may bring cases alleging human rights abuses directly to the ECOWAS Court of Justice.

Previously, individuals and organizations could also bring such cases directly to the African Court of Human and Peoples’ Rights; however, in 2020 the government withdrew its recognition of the African Court of Human and Peoples’ Rights jurisdiction in matters brought by nonstate actors, which became effective in April. Despite the withdrawal of jurisdiction for nonstate actors, the government reported the African Commission on Human and Peoples’ Rights could still refer cases involving such nonstate actors to the African Court of Human and Peoples’ Rights.

Property Seizure and Restitution

During the year, human rights organizations reported at least five cases of large-scale evictions, which collectively affected more than 10,000 individuals.

Organizations reported the government pursued these evictions to make room for infrastructure projects and allegedly failed to provide notice or compensation to some evicted individuals. The organizations further reported that even when compensation was provided, either in the form of rehousing or cash payment, the government was slow to deliver the benefits. Evicted individuals were often obligated to leave their homes before receiving a single payment or benefit.

In February media reported that scrap metal dealers in Abobo, a large

neighborhood in Abidjan, erected barricades and burned tires to protest their eviction to make room for a public park and road. The government deployed police to quell the protest and in March launched a campaign to encourage scrap metal dealers to accept the relocation compensation offered by the government.

A representative of the NGO *Colombe Ivoire* reported it received notice from authorities in June that it would not be permitted to protest evictions in Abobo. The representative further stated that during the year, the organization submitted several requests to the government for authorization to demonstrate against evictions but did not receive a response.

In September construction for the new Abidjan metro rail network caused evictions and property damage, with only an estimated 10 percent of impacted households receiving compensation, according to *Colombe Ivoire*. The damage included four Evangelical churches, leading the Evangelical Federation of Cote d'Ivoire to hire lawyers and prepare formal evidence documenting the damage and lack of compensation.

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. Counsel for civil rights activist Pulchérie Gbalet reported that police searched Gbalet's home without a warrant following her arrest in August for conspiracy with agents of a foreign power likely to harm the military and diplomatic situation of the country (see section 2.a., Freedom of Expression), dissemination of false news likely to harm the morale of the people, and undermining public order.

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 January authorities detained El Hadj Mamadou Traoré, a member of Guillaume Soro's opposition party, after he made comments concerning the relationship between Mali and Cote d'Ivoire on his Facebook page. The government charged Traoré with "supporting terrorism and disseminating false information," alleging that French military aircraft violated Malian airspace with "the complicity" of Cote d'Ivoire amid ECOWAS's sanctions against the Malian government. Traoré was held in pretrial detention for six months and, following a guilty verdict in July, received a sentence of a year in prison. He was released on September 15.

On August 3, security forces detained at the airport for questioning for 24 hours Pulchérie Gbalet, President of Alternative Citoyenne Ivoirienne (Ivoirian Citizen Alternative), a civil society organization that has, for several years, served as a prominent voice of opposition to President Alassane Ouattara and his political party Rally of the Houphouetists for Democracy and Peace (RHDP). She had gone to Mali, reportedly at the invitation of a Malian civil society organization, to better understand the case of the 49 Ivoirian soldiers detained in Mali since July 10 on the grounds of being mercenaries. Gbalet leveraged the visit to discredit President Ouattara's efforts to gain the soldiers' release. Authorities arrested her on August 22 and charged her with conspiracy with agents of a foreign power likely to harm the military and diplomatic situation of the country, dissemination of false news likely to harm the morale of the people, and undermining public order. At year's end, Gbalet remained in Abidjan's main prison.

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

In July a court in Abidjan found investigative reporter Noël Kouadio Konan guilty of defamation for reporting that a local bank had assisted three thieves in stealing money from the accounts of former President Henri Konan Bédié. The court fined Konan 3 million CFA francs (\$4,880). Further, Konan and other activist groups alleged that police held Konan overnight for refusing to reveal his source for the allegation against the bank. Human rights organizations reported that the confinement of Konan for refusing to reveal his source likely constituted illegal harassment, since local law prohibits the use of confinement for certain press-related offenses. As of August, Konan was appealing the judgment.

Censorship or Content Restrictions for Members of the Press and Other Media, Including Online Media: There are public and private radio and television stations. The government influences news coverage and program content on some of them. 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 government appoints some managers of government-affiliated outlets. 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 the threat of legal action 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.

In April the National Press Authority (ANP), a state-run regulatory body, announced a 15-day suspension of *Le Temps*, a daily newspaper with close ties to former President Laurent Gbagbo, and suspended for one month the writing privileges of Simplicie Allard, an editor of the same newspaper. The ANP's decision followed the publication of an article on Gbagbo's recent visit to the western regions. According to the ANP, the article violated the media code of ethics and sought to advocate for "violence, disrespect for the Head of State, and incitement of hatred." The ANP further stated that the article's "failings" were likely to "harm peace and social cohesion."

In July following the broadcast of a controversial episode of television series *Allô Caviar*, numerous viewers reported the series and the network to the High

Audiovisual Communications Authority (HACA) for a violation of “the fundamental values of the Republic, the family, and morality.” The episode involved a woman in a relationship leading to her pregnancy by a taxi driver. The HACA ultimately found a breach of the “fundamental values of the Republic, the family, and morality” and notified the broadcasting network.

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

In April media reported the government investigated and conducted criminal hearings for an individual alleged to have created and shared over social media a video that insulted the mother of soccer player Didier Drogba. The court sentenced the individual to six months of confinement with five months suspended and a fine of five million CFA francs (\$8,130).

Internet Freedom

There were no credible reports the government restricted or disrupted access to the internet or censored content online. Further, there were no credible reports the government monitored private online communications without appropriate legal authority.

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 to 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.

In March press reported that authorities arrested six members of the Coordination of Public Service and Administration Modernization Unions, a group representing the interests of several public-service unions. Authorities arrested the members following their involvement in a March strike to demand better living and working conditions. A human rights organization reported that following the arrest, authorities denied the members their right to an attorney and that the government ultimately released the members, who were thereafter punished by their employers through reassignment to positions in remote areas of the country.

Human rights organizations further reported cases of officers denying the right to protest even after NGOs provided advance notice of intent to peacefully protest and received government authorization. They reported cases of participants arriving at the designated protest location only to have security forces state the protest could not take place because the organizers had not received government authorization.

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, 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. 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.

Continued instability and violent extremist attacks in neighboring Burkina Faso pushed thousands of Burkinabe residing in border villages to enter the country as refugees. At the end of the year, the estimated Burkinabe refugee population was 4,000.

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

Temporary Protection: The government 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.

f. Status and Treatment of Internally Displaced Persons

In April international organizations and the government estimated there were no longer any internally displaced persons (IDPs) in the country, down from 16,700 after the 2020 election.

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 by law. Such children were deprived of the opportunity to attend high school because even though school was compulsory until the age of 16, identity documents were required for enrollment in school above the elementary level. As adults without identity documents, they would be unable to open bank accounts, travel abroad freely, purchase land, gain lawful employment, 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 had 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, without prejudice to their ability to prove a nationality later. 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 meant the adjudicating bodies believed the applicant was in fact entitled to a particular nationality.

The government commissions tasked with adjudicating claims of statelessness had offered the stateless status to three out of 152 cases as of September.

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.

In June 2021, former president Laurent Gbagbo returned to the country at government expense following his March 2021 acquittal by the International Criminal Court (ICC) on charges of crimes against humanity in the 2010-11 post-electoral crisis, which resulted in approximately 3,000 deaths and 500,000 displaced persons. Gbagbo created a new opposition party, the African Peoples' Party of Cote d'Ivoire (PPA-CI), which was legally recognized by the Ministry of Interior and Security. In July a meeting took place among President Ouattara and former Presidents Gbagbo and Henri Konan Bédié, leader of the primary opposition party, the Democratic Party of Cote d'Ivoire-African Democratic Rally (PDCI-RDA). Many private citizens, members of the government, opposition leaders, and religious leaders emphasized the importance of continued dialogue among the sitting and former presidents as a necessary step for national reconciliation. Twenty-one political parties and 26 civil society organizations signed a resolution stating, among other things, they would not condone violence as a means of gaining power and would establish a reparations process for the victims of 2020 electoral violence. Groups representing victims of violence committed during the 2010-11 post-electoral crisis considered the government's willingness to allow Gbagbo back in the country without legal accountability for his alleged role in that violence constituted government acquiescence to impunity.

Elections and Political Participation

Recent Elections: Elections in March 2021 for the 255 seats of the National Assembly, one 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 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. In September the Independent Electoral Commission (CEI) organized National Assembly and Senatorial by-elections to replace four deceased members. The campaign and voting occurred without incident or reports of violence and the CEI announced uncontested results.

During the year, authorities intervened in several local elections to respond to the eruption of conflict and violence. In February the regional authority suspended the ballot count in a mayoral race following conflict between representatives of the two leading parties, PDCI and RHDP. Media and civil society organizations reported that RHDP supporters allegedly seized the ballot box and destroyed ballots when the RHDP candidate appeared to trail significantly behind the PDCI candidate. Although the law requires the national voter registry to be updated annually, it was not revised in 2021. The next registration period was expected to take place from November 19 to December 10.

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 requests to hold political meetings and alleged inconsistent standards for granting public assembly permits.

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. The law requires women constitute at least 30 percent of each political party's candidates nationwide for legislative elections, but there are no penalties, and this quota was not met. As of August, no political party has amended its statutes or internal regulations to account for the quota. A survey of political party members and leaders conducted by a democracy promotion organization indicated that women in political parties often report being subject to sexual harassment, threats, and physical violence.

Members of the transgender community reported difficulty obtaining identity and voting documents.

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 2021 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.

Throughout the year, the government took several steps to increase anticorruption enforcement. In January President Ouattara announced that audits conducted during the year on the management of public companies revealed some "irregularities" including shortcomings in procurement procedures, unjustified expenses, excessive donations, and payment of bribes, among others. The president tasked the government and the state audit department with putting in place appropriate mechanisms to correct those irregularities but did not release the audits. In July the government announced the launch of a new online platform called SPACIA to facilitate anonymous reporting and tracking of cases of corruption.

Corruption: In February the government announced that 70 civil servants had been prosecuted as a result of investigations that spanned numerous government offices in the security, transport, health, and justice sectors.

In April the government launched an audit of the logging sector, following the discovery of a vast network of illegal logging and bribery in protected forests. In May police announced the arrest of two students suspected of fraud and extortion, for paying approximately 137 million CFA francs (\$223,000) for admission into the National School of Administration, the school charged with training future civil servants. Also in May, media reported that the head of criminal police in San Pedro, the second largest port city, had been arrested on suspicion of colluding with a drug trafficking network led by foreign nationals.

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.

During the year, the International Federation of Human Rights (FIDH, an International NGO which brings together a group of prominent local human rights organizations) published a report that argued, among other things, that the government failed in many respects to deliver accountability for the human rights abuses committed during the electoral crises of 2010/11 and 2020. The report attributed the failure to: 1) fleeting law enforcement engagement in initiatives to investigate and prosecute actors; and 2) political interference in judicial matters including decisions in prosecution and sentencing. It further cited the government's decision to withdraw jurisdiction from the African Court on Human and Peoples Rights as evidence of possible backsliding on human rights enforcement, in view of the role of the African Court on Human and Peoples Rights serving as a "key element" in African regional justice.

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 post-electoral 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 survivor, or if the survivor is younger than 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 survivor input and dissuaded survivors 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 survivors were not legally required to have a certified, post-rape medical examination to press charges, human rights organizations reported that the certificate and other documentation, such as a survivor's psychological evaluation or a crime scene report, were frequently treated as essential to successful prosecutions. During the year, the government began to implement legislation that guaranteed the cost of any certified post-rape examination would be covered by the government. Prior to the passage of this legislation, the certified examination was prohibitively expensive for most rape survivors at a cost of 50,000 CFA francs (\$81). Human rights organizations reported that despite this legislative progress, many doctors were not aware of the change and demanded proof that the examination be provided to survivors without charge. Human rights organizations further reported that police often did not know to refer rape survivors to a medical practitioner for an examination, while many medical practitioners were not trained how to examine survivors for signs of gender-based violence or prepare the certificate. Human rights organizations reported that the only government-run survivor shelter, located in Abidjan, had limited beds and would not house victims

for more than three days.

Dignity and Rights for the Children of Côte d'Ivoire (DDE-CI), a human rights organization, and local press reported on the alleged rape and assault of a child aged nine in Abidjan. The survivor and her family filed a complaint with local police who arrested the alleged perpetrator. When the case was later transferred to a task force dedicated to handling crimes against children, the task force recommended the survivor accept a settlement in lieu of supporting referral of the case to the prosecutor for criminal prosecution. Authorities ultimately released the suspect after he agreed to pay 250,000 CFA francs (\$407) to the young girl's father.

A human rights organization reported several cases of high-profile individuals inciting rape, including the case of an actor announcing on a television program that he performed "lack cats", a behavior that consists of breaking into a woman's room at night and forcing nonconsensual sexual intercourse, on his cousin. The actor further stated this was a common and normal practice. The human rights organization reported that several complaints concerning this event were pending with the HACA.

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. A human rights organization indicated that up to the end of June, it received no formal reports filed concerning FGM/C, but another organization indicated tracking cases of FGM/C became more difficult as perpetrators modified their methods to evade tracking and prosecution. The organization reported that FGM/C was now frequently performed at birth.

Other Forms of Gender-based Violence: 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. The

Ivorian Network for the Defense of Children's and Women's Rights (RIDDEF) and DDE-CI stated these cases were rare but reported some cases of forced marriage during the year (see section 6, Children, Child, Early, and Forced Marriage). The government did not provide information regarding the prevalence of, 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).

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 World Health Organization (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, authorities often did not know to refer survivors 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 United Nations Population Fund, 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. RIDDEF, a local human rights organization, reported tracking nearly 5,000 pregnancies in schools during the 2021-2022 school year.

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's enforcement of the law remained inconsistent.

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 and human rights organizations reported on several localized interethnic, referred to as intercommunal in the country, conflicts during the year. In August clashes erupted in the Agneby-Tiassa and Mé regions between the Abbey and Malinké populations over territory and the distribution of narcotics. A human rights organization reported that over several days of conflict, at least four persons were killed, 44 stores and homes were burned, nearly a dozen persons were injured, and two persons were arrested.

Media and human rights organizations published numerous reports during the year on the growing tensions in the northern part of the country between Fulani ethnic group members and non-Fulani farmers. According to reports, farmers had grown frustrated with Fulani herders permitting their herds to graze on farmers' crops and often were compelled to purchase fences to protect their property. This resentment was exacerbated by the widespread belief that the Fulani were affiliated with violent extremist organizations. As a result, Fulani reported being subject to denunciation to authorities as well as arbitrary arrest and detention. Further, Fulani herders who were believed to permit their herd illicitly to graze on crops were often reported to Dozos, a fraternity of traditional hunters. According to reports, Dozos were more likely to treat Fulani suspects unfairly and subject them to beatings.

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 nearly all maternity hospitals and vaccination centers. Failure to register births could result in denial of educational and other public services. According to UNICEF, in 2021 an estimated one million children in the country were without birth certificates, down from 1.6 million in 2020.

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 to pay for school supplies. 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. A UNICEF research report during the year indicated the COVID-19 pandemic created an "increased precariousness" among populations that were already vulnerable to economic and social "shocks." It reported that increasingly, children in these vulnerable households were leaving the school system.

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 to do other domestic work, and due to reported sexual harassment of girl students when traveling to school and, once at school, by teachers and other staff. A human rights organization reported that in some school locations, the lack of water and bathroom facilities for women and girls along with a high rate of pregnancy served as limitations on female enrolment beyond early grade levels (see section 6, Women, Reproductive Rights).

Child Abuse: 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. According to 2016 MICS-5 survey data, nearly nine out of 10 children, including more than 70 percent of children aged one to two and over 90 percent of those aged two to three, were subjected to violent discipline from an early age. Human rights organizations also reported a rise in physical and emotional violence due to the emergence of violent youth gangs in communities and schools as well as a growing culture of online harassment.

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, 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 at 18. The law prohibits marriage for individuals younger than 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 child marriage persisted.

According to UNICEF, the most recent data available in 2017 showed that 27 percent of girls were married by age 18 and 7 percent were married by age 15. A prominent human rights organization with national reach reported that as of June, it received reports of 115 rapes or attempted rapes and 72 involved girls younger than age 15. It further reported receiving 18 reports of forced marriage, 11 of which concerned girls younger than 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

sexual exploitation. The minimum age for consensual sex is 18. Consensual sex with a person younger than age 15 is classified as rape. For victims between the age of 15 to 18, consent may be raised as a defense to a charge of rape. Authorities did not effectively enforce the law.

A human rights organization reported that as of August, it had recorded five cases of rape during the year where officers and prosecutors either refused to receive a valid rape complaint (which would have called for investigating and pursuing charges), or reclassified the facts constituting rape as indecent assault. The organization further reported that one case of reclassification involved a survivor who was only age eight. 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 several programs to reduce the number of homeless children, with particular emphasis on skill development that targeted unemployed youth vulnerable to recruitment by violent extremist organizations. The Ministry of Women, Family and Children also launched a program called “Zero Children on the Street,” which began in July with the transfer of 200 homeless children in Abidjan to an education center where the children received both medical treatment and education. 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. According to a report from UNICEF during the year, the COVID-19 pandemic afforded numerous opportunities to fund and implement initiatives that supported family reintegration and facilitated contact between families and displaced children. It also reported the pandemic appeared to encourage displaced youth to seek out civil society programming and other opportunities that enabled organizations to provide vital youth-support services.

Antisemitism

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

Trafficking in Persons

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

Acts of Violence, Criminalization, and Other Abuses Based on Sexual Orientation, Gender Identity or Expression, or Sex Characteristics

Criminalization: Homosexuality is not criminalized, but public heterosexual and same-sex intimate activity was subject to prosecution as public indecency that carries a penalty of up to two years' imprisonment. Human rights organizations expressed concern this law could be disproportionately applied against lesbian, gay, bisexual, transgender, queer, and intersex (LGBTQI+) persons. Fondygender, a local NGO, said that they noticed a decrease in the unfair application of this law against members of the LGBTQI+ community this year.

Violence against LGBTQI+ Persons: Authorities were at times slow and ineffective in their response to societal violence targeting the 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. FIDH related in a report several cases of rapes against LGBTQI+ persons including the cases of gay men subjected to "corrective rape" in the city of Bouaké. The Director of the Judicial Clinic of Bouaké reported that heterosexual men sometimes rape gay men to inflict pain on them and change their behavior. Fondygender, however, said that authorities are more understanding and better at handling complaints from the LGBTQI+ community than in previous years.

Discrimination: The law provides for various political, socioeconomic, and safety protections to everyone and prohibits discrimination based on several specific

categories, but not sexual orientation. In April the acting National Assembly President commented on a widely debated, but ultimately defeated, legislative proposal to treat “sexual orientation” as a basis for discrimination, stating: “In the end, it was clearly understood that this was not an endorsement by parliamentarians of homosexuality, since this practice does not conform with our cultural or moral values and is contrary to the legislation in force concerning the definition of marriage.”

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.

Availability of Legal Gender Recognition: The law does not provide a method for individuals to update their gender markers on personal identity documents.

Involuntary or Coercive Medical or Psychological Practices Specifically Targeting LGBTQI+ Individuals: There were no reports of medical or psychological practices specially targeting LGBTQI+ community this year.

Restrictions of Freedom of Expression, Association, or Peaceful Assembly: There were no reports on a restriction of freedom of expression, or peaceful assembly. An LGBTQI+ organization reported that authorities cooperated in securing an event they organized during the year. LGBTQI+ organizations reported facing restrictions on the ability to be legally registered.

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.

According to UNICEF, the number of children and adolescents with disabilities was estimated at more than 50,000. 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. In some instances, support materials were financed by private donations. The government took some steps to integrate children with disabilities into ordinary public schools, but these schools often lacked the resources to accommodate them. According to UNICEF data from 2017, the proportion of children living with a disability who were outside the school system was 42.2 percent for primary school, 60.4 percent for junior high school, and 76.5 percent for upper secondary education. 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 2021 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. During the year, the CEI hosted a workshop on “strengthening the political and civic participation of persons with disabilities in the electoral process.” The CEI was drafting revisions to the electoral code to facilitate the participation of persons living with disabilities in the electoral process during registration and voting. According to disability rights organizations, these revisions reflected reforms advocated by NGOs and were expected to include efforts to increase physical accessibility of voting locations and accommodate individuals who were blind or deaf.

Other Societal Violence or Discrimination

According to 2021 UN estimates, there were approximately 400,000 adults and children living with HIV in the country. 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, however, persisted. According to polling from 2016, nearly 50 percent of adults (age 15 to 49) said they would not buy fresh vegetables from a shopkeeper known to be HIV positive, while more than 30 percent said they did not think children with HIV should be able to attend school with children who are HIV negative.

A human rights organization reported that the government relaunched the Human Rights, HIV, and Tuberculosis Technical Working Group, which aims to monitor alleged violations of the rights of individuals with HIV.

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 may 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. The government did not provide figures on pending antiunion discrimination complaints.

Media reported on several strikes during the year, many of them large scale. This included a strike of court clerks in January, of postal workers in July, mobile-money outlet workers in July, as well as multiple student strikes in April and August. Workers and students frequently protested their working conditions and, in some cases, such as the postal worker strike in July, reported unpaid wages of several months and irregular wage payment over several years.

In August the Minister of Public Service signed a new, five-year (2022-2027) social truce with eight trade unions. In the agreement, the government provided assurances that it would improve the working conditions of civil servants and committed to spending an additional 227 billion CFA francs (\$369 million) per year to implement the agreement. In return, and so long as the government followed the stipulated time frame for implementation of the planned improvements, the trade unions would cease protesting and striking for improvements. The government praised this truce and related union contributions to “maintaining social peace”; however, some union leaders and activists expressed concern that their right to strike and freedom of association were increasingly “trampled” by certain government actors and business leaders. They indicated that particularly in the private sector, employees choosing to strike would frequently be subject to illegal retaliation including termination of employment. They further reported cases of employers replacing striking employees with contractors or individuals in a union not affiliated with the striking union. The government rarely applied penalties against violators of the right to strike and freedom of association.

b. Prohibition of Forced or Compulsory Labor

The law prohibits and criminalizes most forms of forced or compulsory labor. 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 consistently enforce the law. Penalties were criminal 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

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. According to government data and World Bank analysis, women workers in the country earned on average two-thirds of the wages of men workers. Even with the same age and levels of education, women were two times less likely to work a salaried job than men and earned 30 percent less from their salaries compared to men.

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 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 Hour Laws: The law provided a minimum wage for all sectors. 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. In August in his annual address to the nation, President Ouattara announced an increase in the Guaranteed Minimum Interprofessional Wage, an increase in private sector pensions by 5 percent, an increase of 20,000 CFA francs (\$33) per month for the civil servant housing allowance, and an increase in the family allowance from 2,500 CFA francs (\$4) to 7,500 CFA francs (\$12) per child per month. The president announced these changes in response to concerns regarding the purchasing power of Ivoirians at a time of rapid inflation. Further during the year, the government implemented an initiative to enable self-employed workers to register for social security and

receive a pension. This initiative covered some of the most held positions in the country including transporters, miners, traders, farmers, and artists.

Sectors in which alleged violations of wage, hour, and overtime laws were common included domestic work, residential and commercial security, and day labor.

Occupational Safety and Health (OSH): The law establishes occupational safety and health (OSH) 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.

Wage, Hour, and OSH Enforcement: 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. 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.

The government did not effectively enforce OSH laws. 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. Penalties were sometimes applied against violators.

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. During the year, media reported on several accidents resulting in death that occurred on the site of infrastructure projects, including the collapse of scaffolding.

Informal Sector: The government and the World Bank estimated 80 to 90 percent of the total labor force worked in the informal economy where labor standards were not enforced. Employment law theoretically extends to the informal sector and part time workers, but it is poorly enforced due to the lack of official structures and records. Employees in the informal manufacturing sector often worked without adequate protective gear. The Ministry of Employment and Social Protection developed a 2019-21 strategic plan for conducting labor inspections in the informal sector that was later extended to 2023. 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 barber/cosmetology services.

During the year, the government announced that a special task force to combat the fast-growing illegal gold-mining sector had shut down more than 800 illegal sites and arrested more than 600 individuals between July 2021 and May. Civil society organizations reported that informal gold mining thrives in parallel to the formal

sector, grounded in the exploitation of poor individuals and protected by a complex chain of bribery beginning with local tribal leaders and rising to police, customs, and local government officials. Many illegal sites existed on or adjacent to legally approved sites, frequently leading to conflict when the illegal site was discovered by proprietors of the legal site. One human rights organization reported the death of an illegal miner at the hands of law enforcement agents after agents discovered and attempted to clear an illegal site. Human rights organizations reported the exploitative nature of the informal gold-mining sector but indicated these sites were often among the better employment opportunities for a poor, underemployed population.

Laws providing for universal primary health care and unemployment benefited some self-employed workers who met eligibility requirements, but many informal workers could not qualify. The Solidarity Fund for COVID-19 provided some assistance to urban, poor informal workers. The government's social insurance program allows self-employed persons to contribute on a voluntary basis, but existing schemes covered only formal employees and less than 10 percent of the working population. Informal workers were generally unable to access the social insurance program or pay the required monthly contributions.