

REPUBLIC OF CÔTE D'IVOIRE

Union- Discipline- Work



PERIODIC REPORT OF THE REPUBLIC OF CÔTE D'IVOIRE

(2016-2019)



MARCH 2021

CONTENTS

P.1 - INTRODUCTION

P.4 - PART ONE: STATUS OF IMPLEMENTATION OF THE COMMISSION'S RECOMMENDATIONS

P.4 - CHAPTER I - STATUS OF IMPLEMENTATION OF THE COMMISSION'S RECOMMENDATIONS FOLLOWING THE PRESENTATION OF THE SECOND PERIODIC REPORT COVERING THE PERIOD 2012-2015

P.44 - CHAPTER II - STATUS OF IMPLEMENTATION OF RECOMMENDATIONS OMITTED AFTER THE PRESENTATION OF THE INITIAL AND FIRST PERIODIC REPORTS IN 2012

P.54 - PART TWO: INSTITUTIONAL DEVELOPMENTS AND MEASURES FOR THE PROMOTION AND PROTECTION OF HUMAN RIGHTS UNDER THE CHARTER

P.54 - CHAPTER I - THE NORMATIVE AND INSTITUTIONAL FRAMEWORK

P.58 - CHAPTER II: MEASURES TAKEN BY CÔTE D'IVOIRE FOR THE PROMOTION AND PROTECTION OF CIVIL, POLITICAL, ECONOMIC, SOCIAL, CULTURAL AND ENVIRONMENTAL RIGHTS AND CHALLENGES AHEAD

P.82 - GENERAL CONCLUSION

ACRONYMS / ABBREVIATIONS

NA /AN	National Assembly / <i>Assemblée Nationale</i>
Art.	Article
ARV	Anti-retroviral
AFJCI	Association of Women Lawyers of Côte d'Ivoire / <i>Association des Femmes Juristes de Côte d'Ivoire</i>
BCG	Bilié Calmette-Guérin
CA	Court of Appeal
CADHA	African Coordination of Human Rights for the Armed Forces / <i>Coordination Africaine des Droits de l'Homme pour les Armées</i>
ACHPR /CADHP	African Commission on Human and Peoples' Rights / <i>Commission Africaine des Droits de l'Homme et des Peuples</i>
CARMMA	Campaign for Accelerated Reduction of Maternal and Child Mortality / <i>Campagne pour l'Accélération de la Réduction de la Mortalité Maternelle et Infantile</i>
CC	Constitutional Court / <i>Conseil Constitutionnel</i>
ODCC /CCDO	Operational Decisions Coordination Centre / <i>Centre de Coordination des Décisions Opérationnelles</i>
CDLM	Local Mining Development Committees / <i>Comités de Développement Locaux Miniers</i>
CEDAW /CEDEF	Convention on the Elimination of All Forms of Discrimination against Women / <i>Convention pour l'Élimination de toutes les formes de Discrimination à l'Égard des Femmes</i>
CEFFAL	Center for the Facilitation of Access to Housing Formalities / <i>Centre de Facilitation des Formalités d'Accès au Logement</i>
ESC /CES	Economic and Social Council / <i>Conseil Economique et Social</i>
ESECC/ CESEC	Economic, Social, Environmental and Cultural Council / <i>Conseil Economique, Social, Environnemental et Culturel</i>
CDRP	<i>Coalition pour la Démocratie, la Réconciliation et la Paix</i>
CGRAE	Caisse Générale de Retraite des Agents de l'Etat
CHU	University Hospital / <i>Centre Hospitalier Universitaire</i>
UHC	Universal Health Coverage / <i>Couverture Maladie Universelle</i>
CNCA	National Council for Audiovisual Communication / <i>Conseil National de la Communication Audiovisuelle</i>
NHRC /CNDH	National Human Rights Council / <i>Conseil National des Droits de l'Homme</i>
NCSD /CNDD	National Commission for Sustainable Development / <i>Commission Nationale du Développement Durable</i>
CNDH-CI	National Human Rights Commission of Côte d'Ivoire/ <i>Commission Nationale des Droits de l'Homme de Côte d'Ivoire</i>
CNO	North West Center / <i>Centre Nord-Ouest</i>
CNP	National Council of the Press / <i>Conseil National de la Presse</i>
CNPS	National Social Security Fund / <i>Caisse Nationale de Prévoyance Sociale</i>
COGES	Schools Management Committee / <i>Comité de Gestion des</i>

	<i>Etablissements Scolaires</i>
CC /CP	Criminal Code / <i>Code Pénal</i>
SC /CS	Supreme Court / <i>Cour Suprême</i>
UNSC /CSNU	United Nations Security Council / <i>Conseil de Sécurité des Nations Unies</i>
CSP	Superior Council of Advertising / <i>Conseil Supérieur de la Publicité</i>
DDEN	Departmental Directorate of National Education / <i>Direction Départementale de l'Éducation Nationale</i>
DGAMP	General Directorate of Maritime and Port Affairs / <i>Direction Générale des Affaires Maritimes et Portuaires</i>
DGT	Directorate General of Labour / <i>Direction Générale du Travail</i>
DGE	Directorate General of Employment / <i>Direction Générale de l'Emploi</i>
DGPS	Directorate General of Social Protection / <i>Direction Générale de la Protection Sociale</i>
IUD /DIU	Intra Uterine Device / <i>Dispositif Intra Utérin</i>
DPML	Directorate of Pharmacy, Medicine and Laboratories / <i>Direction de la Pharmacie du Médicament et des Laboratoires</i>
DREN	Regional Directorate of National Education / <i>Direction Régionale de l'Éducation Nationale</i>
DPT1 /DTC1	Diphtheria, Pertussis, Tetanus first dose / <i>Diphtérie, Tétanos, Coqueluche première dose</i>
EAE	Ecole Amie des Enfants
EDS	Ensemble pour la Démocratie et la Souveraineté
EDS-CI	Demographic Health Survey in Côte d'Ivoire / <i>Enquête Démographique de Santé en Côte d'Ivoire</i>
EPU	Universal Periodic Examination / <i>Examen Périodique Universel</i>
ESPC	Primary Health Care Facilities / <i>Etablissements Sanitaires de Premier Contact</i>
FACI	Armed Forces of Côte d'Ivoire / <i>Forces Armées de Côte d'Ivoire</i>
FCFA	African Financial Community Franc / <i>Franc de la Communauté Financière Africaine</i>
FDE	Water Development Fund / <i>Fonds de Développement de l'Eau</i>
FDFP	Vocational Training Development Fund / <i>Fonds de Développement de la Formation Professionnelle</i>
FPI	Front Populaire Ivoirien
FPM	Military Welfare Fund / <i>Fonds de Prévoyance Militaire</i>
FPPN	Military Provident Fund / <i>Fonds de Prévoyance de la Police Nationale</i>
FRAP	Police Search and Assault Force / <i>Force de Recherche et d'Assaut de la Police</i>
GANHRI	Global Alliance of National Human Rights Institutions / <i>Alliance Mondiale des Institutions Nationales pour la Promotion et la Protection des Droits de l'Homme</i>
GCON	Grand Chancellery of the National Order
GPS	Génération et Peuples Solidaires
GTPE	Working Group for the Protection of Children / <i>Groupe de Travail pour la</i>

	<i>Protection de l'Enfant</i>
HACA	High Authority for Communication and Audiovisual / <i>Haute Autorité de la Communication et de l'Audiovisuel</i>
HPP	Post-partum hemorrhage / <i>Hémorragies du Post Partum</i>
IEP	Primary Education Inspectorate / <i>Inspection de l'Enseignement Primaire</i>
IEPP	<i>Pre-school and Primary Education Inspectorate</i> / Inspection de l'Enseignement Préscolaire et Primaire
IGE	General State Inspectorate / <i>Inspection Générale d'État</i>
INFJ	National Institute of Judicial Training / <i>Institut National de Formation Judiciaire</i>
INHP	National Institute of Public Hygiene / <i>Institut National d'Hygiène Publique</i>
INIE	Ivorian Business Institute / <i>Institut Ivoirien de l'Entreprise</i>
INS	National Institute of Statistics / <i>Institut National de la Statistique</i>
INSP	<i>National Institute of Public Health</i> / <i>Institut National de la Santé Publique</i>
LIDHO	Ivorian Human Rights League / <i>Ligue Ivoirienne des Droits de l'Homme</i>
MAC	<i>Prison and Correctional Centre</i> / <i>Maison d'Arrêt et de Correction</i>
MAMA	<i>Abidjan Military Prison</i> / <i>Maison d'Arrêt Militaire d'Abidjan</i>
MD	Ministry of Defence / <i>Ministère de la Défense</i>
MENET	Ministry of National Education and Technical Training / <i>Ministère de l'Education Nationale et de l'Enseignement Technique</i>
MFA	Movement of the Forces of the Future / <i>Mouvement des Forces d'Avenir</i>
MFFE	Ministry for Women, the Family and Children / <i>Ministère de la Femme, de la Famille et de l'Enfant</i>
MIN COM	Ministry of Communication / <i>Ministère de la Communication</i>
MJDHLP	Ministry of Justice, Human Rights and Public Liberties / <i>Ministère de la Justice, des Droits de l'Homme et des Libertés Publiques</i>
LLIN	Long-Lasting Insecticidal Nets
MNP	National Mechanism for the Prevention of Torture / <i>Mécanisme National de Prévention de la Torture</i>
MR	Ombudsman / <i>Médiateur de la République</i>
MSLS	Ministry of Health and AIDS Control / <i>Ministère de la Santé et de la Lutte contre le Sida</i>
MUGEFCI	Mutuelle Générale des Fonctionnaires et Agents de l'Etat de Côte d'Ivoire
OCPV	Food Products Marketing Assistance Office / <i>Office d'Aide à la Commercialisation des Produits Vivriers</i>
MDG	Millennium Development Goals
ONMCI	National Medical Association of Côte d'Ivoire / <i>Ordre National des Médecins de Côte d'Ivoire</i>
OPCAT	Optional Protocol to the Convention against Torture
WFP	World Food Programme
PCV	Pneumococcal Vaccine
PDCI-RDA	Parti Démocratique de Côte d'Ivoire- Rassemblement Démocratique Africain
EPI	Expanded Programme on Immunization

PFS	Service Platform
GDP	Gross Domestic Product
PM	Prime Minister
NHDP /PNDS	National Health Development Plan / <i>Plan National de Développement Sanitaire</i>
PNE/NEP	Politique Nationale de l'Emploi / National Employment Policy
PNRO	National Programme for the Rationalization of Gold Mining / <i>Programme National de Rationalisation de l'Orpaillage</i>
PPEAV	<i>Programme for the Protection of Vulnerable Children and Adolescents</i> / Programme de Protection des Enfants et Adolescents Vulnérables
PPPE	Pedagogical Practices for the Protection of Children / <i>Pratiques Pédagogiques Protectrices des Enfants</i>
PPU	Presidential Emergency Programme / <i>Programme Présidentiel d'Urgence</i>
PR	President of the Republic
PRODIGE	Programme de Développement des Initiatives Génératrices d'Emplois/ Programme for the Development of Employment Generating Initiatives
PSAEF	Strategic Plan for Accelerating Girls' Education / <i>Plan Stratégique d'Accélération de l'Éducation des Filles</i>
PMCTC /PTME	Prevention of Mother-to-Child Transmission of HIV / <i>La Prévention de la Transmission Mère-Enfant du VIH</i>
PLWHA	People Living with HIV
RASS	Annual Health Status Report
RCI	Republic of Côte d'Ivoire
RHDP	Rassemblement des Houphouëtistes pour la Démocratie et la Paix Unifié
RDR	Rassemblement Des Républicains
GPHC/RGPH	General Population and Housing Census / <i>Recensement Général de la Population et de l'Habitat</i>
SAMU	Emergency Medical Service / <i>Service d'Aide Médicale d'Urgence</i>
SDMR	Surveillance of Maternal and Childhood Deaths / <i>Surveillance des Décès Maternels et de Riposte</i>
SEDH	Secretariat of State for Human Rights / <i>Secrétariat d'État chargé des Droits de l'Homme</i>
SGG	General Secretariat of the Government / <i>Secrétariat Général du Gouvernement</i>
SMIG	Guaranteed Interprofessional Minimum Wage
SNLVBG	National Strategy to Combat Gender-Based Violence / <i>Stratégie Nationale de Lutte contre les Violences Basées sur le Genre</i>
GER /TBS	Gross Enrolment Rate
MT	Military Tribunal
MCT	Mother-Child Transmission
AU	African Union
UDPCI	Union pour la Démocratie et la Paix en Côte d'Ivoire
UEMOA/	West African Economic and Monetary Union / <i>Union Économique et</i>

WAEMU	<i>Monétaire Ouest-Africaine</i>
VAA/AAV	<i>Anti Amaril Vaccine / Vaccin Anti Amaril</i>
VPO3	<i>Oral Polio Vaccine third dose ACE / Vaccin Anti Polio Oral troisième dose ACE</i>
VPI	<i>Inactivated Polio Vaccine / Vaccin antipoliomyélique inactivé</i>

INTRODUCTION

1. The Republic of Côte d'Ivoire (RCI) is situated on the Gulf of Guinea in West Africa. It is bordered to the northwest by Mali, to the northeast by Burkina Faso, to the east by Ghana, to the southwest by Liberia, to the west-northwest by Guinea and to the south by the Atlantic Ocean. It has a surface area of 322,462 km². Its official language is French.
2. According to the General Population and Housing Census (GPHC) conducted by the National Institute of Statistics (INS), as of 15 May 2014, Côte d'Ivoire had a population of 22,671,331, with a fertility rate of 3.46 children per woman and a literacy rate of 43.27%. Its density is 76.2 inhabitants/km². Life expectancy is 56.4 years with a population projected by the INS to reach 25,800,000 in 2019, of whom 51.7% are men and 48.3% are women.
3. There are more than sixty ethnic groups organized into four major linguistic families: the Krou, the Voltaic, the Mande and the Akan. In addition to these different national ethnic groups, there are communities from various states and continents. Côte d'Ivoire has 5.5 million non-nationals, i.e. about 24% of the total population. The cohabitation and the mixing of cultures are what make the country a place of cultural diversity par excellence.
4. The secular nature of the State has made it possible for various religions to flourish. The main ones are Islam, Christianity and Animism.
5. Economically, Côte d'Ivoire belongs to the West African Economic and Monetary Union (UEMOA) whose currency is the CFA franc. The Gross Domestic Product (GDP) of the Ivorian State in 2017 stood at 29,955 billion CFA francs (51.6 billion USD), with a real economic growth rate of 7.4 percent. Côte d'Ivoire's Gross National Income in 2017 was 29,061.3 billion CFA francs (\$114.5 billion 2017 PPP dollars) and its Gross National Income per capita reached 1,166,701.4 CFA francs (\$4,597.9 2017 PPP dollars).
6. The Ivorian economy is essentially based on agriculture. Nevertheless, the industrial and service sectors are gradually expanding. Both nationals and non-nationals are active in these different areas of activity.
7. Côte d'Ivoire is a unitary State with a presidential regime. After gaining independence on 7 August 1960, the country was ruled by a single party before the advent of a multiparty system in 1990. Today, it has a multitude of political parties, the main ones being the Parti Démocratique de Côte d'Ivoire (PDCI-RDA), Rassemblement des Républicains (RDR), Front Populaire Ivoirien (FPI), l'Union pour la Démocratie et la Paix en Côte d'Ivoire (UDPCI) and Mouvement des Forces d'Avenir (MFA).

8. New political parties and groups as well as political platforms have recently emerged:

- Ensemble pour la Démocratie et la Souveraineté (EDS);
- Rassemblement des Houphouëtistes pour la Démocratie et la Paix (RHDP)
- Coalition for Democracy, Reconciliation and Peace (CDRP);
- Générations et Peuples Solidaires (GPS).

9. In Côte d'Ivoire, the democratic principle of the separation of powers is respected. Its Constitution defines the organization and functioning of these powers. Thus, the President of the Republic is elected for a five-year term by direct universal suffrage. He can be re-elected only once. He chooses the Vice-President of the Republic¹, in agreement with the Parliament (Article 55 new of the Constitutional Law n°2020-348 of 19 March 2020).

10. The President of the Republic defines and conducts the policy of the nation, the implementation of which is entrusted to a government team headed by a Prime Minister, Head of Government.

11. The Ivorian Parliament is composed of two chambers: the National Assembly and the Senate (Article 85 of the Constitution). The members of the National Assembly, who serve a five-year term, are elected by direct universal suffrage (Article 86), as are two-thirds of the senators (Article 87). The remaining third is appointed by the President of the Republic (Article 87 paragraph 2).

12. With regard to the judiciary, Article 139 of the Constitution establishes its independence. The same provision also specifies that the President of the Republic, assisted by the Superior Council of the Magistracy, is its guarantor. From a functional point of view, *"justice is rendered throughout the country, in the name of the Ivorian people, by the Supreme Court, the Court of Auditors, the Courts of Appeal, the Courts of First Instance, the Administrative Courts and the Regional Chambers of Auditors"* (Article 143 of the Constitution).

13. In accordance with Article 62 of the African Charter on Human and Peoples' Rights, the State of Côte d'Ivoire is submitting its third periodic report covering the period 2016-2019. It should be recalled that at the end of its second passage on 28 June 2016, fifty-four (54) recommendations had been made to the State of Côte d'Ivoire.

14. Since the consideration of its second periodic report, Côte d'Ivoire has pursued its efforts to improve the human rights situation. To this end, it has not only brought

¹ New Article 55 of Constitutional Law n° 2020-348 of 19 March 2020 amending Law n° 2016-886 of 8 November 2016 establishing the Constitution of the Republic of Côte d'Ivoire

some of its national standards in line with international instruments, but has also adopted and implemented its international obligations through the development of national and sectoral policies.

15. Despite these achievements, a number of challenges still need to be met, including maintaining strong, sustainable and equitable growth that respects human rights, gender and the environment; and returning Côte d'Ivoire to the top group of countries in Africa and the world with the best human development indices.

16. With regard to methodological requirements and in order to comply with the Commission's recommendations, the drafting and validation of this report adopted a participatory and inclusive approach. Thus, an inter-ministerial committee was set up within the Secretariat of State to the Minister of Justice and Human Rights, responsible for human rights, to monitor the implementation of international human rights instruments². Consultations with civil society and the CNDH were also organized. They provided relevant information and responded to all the concerns submitted by the ACHPR to Côte d'Ivoire.

17. This report covering the period 2016-2019 is divided into two (2) parts:

- status of implementation of the Commission's recommendations (Part I);
- institutional developments and measures for the promotion and protection of human rights under the Charter (Part II).

² Decree 2017-303 of 17 May 2017 amending Decree n° 2001-365 of 27 June 2001 creating an interministerial committee to monitor the implementation of international human rights instruments

PART ONE:

STATUS OF IMPLEMENTATION OF THE COMMISSION'S RECOMMENDATIONS

18. The purpose of this section is to report on the implementation of the recommendations made to Côte d'Ivoire following the presentation of its second periodic report on 28 June 2016. It is structured around, on the one hand, the responses made to these recommendations (**Chapter I**) and, on the other hand, those taken to address the omissions noted (**Chapter II**).

CHAPTER I - STATUS OF IMPLEMENTATION OF THE COMMISSION'S RECOMMENDATIONS FOLLOWING THE PRESENTATION OF THE SECOND PERIODIC REPORT COVERING THE PERIOD 2012-2015

19. This chapter highlights the measures taken and progress made to implement the Commission's recommendations following the submission of Côte d'Ivoire's second periodic report under the Charter.

A- RECOMMENDATION I: RATIFY THE FOLLOWING HUMAN RIGHTS INSTRUMENTS

20. To facilitate and accelerate the ratification of the conventions by Member States, a meeting was held on 28 May 2019 in Abidjan, between a mission of the African Union (AU) Commission, led by Mr. PARAISO Souleymane Moussa, Counselor at the Embassy of Niger in Ethiopia, and the Ivorian side represented by S. E.M. YAO ALLOU Lambert, Director of Legal and Consular Affairs at the Ministry of Foreign Affairs and two (02) members of parliament, members of the General and Institutional Affairs Commission of the National Assembly of Côte d'Ivoire.

21. In this regard, the Ivorian Government is working on the establishment of a National Sectoral Committee on the challenges related to accession/ratification and the implementation of the AU Treaties, ensuring the involvement of all stakeholders, in particular the technical ministries and the Parliament. A document on the operability of this Committee is currently being validated

22. In the meantime, the ratification process for human rights instruments is as follows:

i.³The African Union Convention on the Elimination of Mercenarism in Africa

23. The State of Côte d'Ivoire signed the AU Convention for the Elimination of Mercenarism in Africa on 27 February 2004. The ratification process has not yet been initiated, but Côte d'Ivoire intends to proceed with it without delay.

³ This refers to the numbering of the questionnaire formulated by the African Commission on Human and Peoples' Rights

ii. The OAU Convention Governing the Specific Aspects of Refugee Problems in Africa

24. It was signed by the State of Côte d'Ivoire on 10 September 1969 and ratified on 26 February 1998.

iii. Optional Protocol to the Convention against Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment

25. This protocol has not been signed or ratified. However, the ratification process is underway. In fact, at its session held on 11 October 2017, the Council of Ministers adopted a bill authorizing the President of the Republic to have the State of Côte d'Ivoire accede to the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT).

iv. Optional Protocol to the International Covenant on Economic, Social and Cultural Rights

26. The ratification process has not yet been initiated, but Côte d'Ivoire intends to proceed with it without delay.

v. The Second Optional Protocol to the International Covenant on Civil and Political Rights concerning the abolition of the death penalty

27. This protocol has not yet been ratified. However, Côte d'Ivoire intends to do so incessantly, especially since, at the 32nd session of the Human Rights Council held from 13 June to 8 July 2016 in Geneva (Switzerland), it pledged to "*actively support international initiatives for the abolition of the death penalty.*"

28. This commitment was reflected in the Constitution of 8 November 2016, which enshrines, in Article 3, the inviolability of the right to life and reaffirms the abolition of the death penalty, already contained in the Constitution of 1 August 2000: "*The right to life is inviolable. No one has the right to take another's life. The death penalty is abolished.*"

The State of Côte d'Ivoire also renewed its commitment to ratify the protocol on 7 May 2019 in Geneva during the 3rd cycle of the Universal Periodic Review (UPR).

vi. International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families

29. The process of ratification of this convention has not yet been initiated. However, the State of Côte d'Ivoire intends to proceed with it in the near future. Côte d'Ivoire, which is a country of immigration, has consistently demonstrated its willingness to ratify the said Convention, particularly during the three (03) cycles of the Universal Periodic Review (UPR)⁴.

⁴ 3 December 2009, 29 April 2014 and 7 May 2019.

B- RECOMMENDATION II: PROHIBITION OF TORTURE AND ILL-TREATMENT

i. Adopt a specific law on the criminalization of torture in accordance with the Convention against Torture (CAT) and the Robben Island Guidelines

30. With Law n° 2019-574 of 26 June 2019 on the Criminal Code, the State of Côte d'Ivoire has incorporated acts of torture and other cruel, inhuman or degrading treatment as a distinct offence. The said Code specifies the definition and applicable penalties. The Robben Island Guidelines, which reaffirm the absolute, universal and non-derogable condemnation of torture ("the prohibition of torture", "the prevention of torture" and "responding to the needs of victims") are therefore taken into account.

31. Similarly, Law n° 2018-975 of 27 December 2018 on the Code of Criminal Procedure strictly regulates police custody and pre-trial detention. In doing so, the said Code incorporates the guidelines on the conditions of arrest, police custody and pre-trial detention (Luanda Guidelines).

ii. Establish a National Mechanism for the Prevention of Torture in Police Stations, Detention Centers, and Other Private Places

32. As the State of Côte d'Ivoire has not yet ratified the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, it has not yet formally established a National Mechanism for the Prevention of Torture. However, in order to prevent torture and other cruel, inhuman or degrading treatment or punishment, the Ministry of Justice and Human Rights, through its Human Rights Department, regularly visits various places where people are deprived of their liberty throughout the country. As an illustration, visits were made:

- on 29 and 30 August 2018, in the Prisons and Correction Centres (MAC) and the Security Cells of the localities of Daloa, Bouaflé (centre-west) and Séguéla (north) ;
- from 26 to 29 March 2019 in the security cells of the 1st District Police Station and the Gendarmerie Brigade as well as in the Prisons and Correction Centres of Man (west) and Odienné (northwest);
- on 8 and 9 August 2019 in the security cells of the police stations and gendarmerie brigades, as well as in the prisons of Oumé and Gagnoa (center-west).

33. Par In addition, Law n° 2018-900 of 30 November 2018 on the creation, powers, organization and functioning of the National Human Rights Council (CNDH), mandates it to "visit places of detention in order to prevent the perpetration of acts of torture, cruel, inhuman or degrading treatment and to strengthen protection against such acts." This right to visit and monitor prisons is provided for without any

restrictions and above all without prior authorization in recognition of the independence of this autonomous administrative authority.

34. As part of its mandate, the CNDH regularly undertakes visits to evaluate the conditions of detention of detainees in the MACs of Côte d'Ivoire, the security cells and the Abidjan Military Detention Centre (MAMA).

a. Disseminate and train the relevant authorities on the Robben Island Guidelines with a view to popularizing them at the national level

35. The State of Côte d'Ivoire has taken steps to disseminate the Robben Island Guidelines to actors in the criminal justice system, such as judges, gendarmes and prison staff. As regards the initial and ongoing training of these various actors, modules such as "The prohibition of torture", "The prevention of torture" and "Responding to the needs of victims" are provided.

36. With regard to the National Police, more specifically, there are plans to introduce a module on the prevention of torture, incorporating the Robben Island guidelines, into the training curriculum in 2021.

37. Furthermore, training seminars on this theme, conducted by the African Coordination of Human Rights for the Armed Forces (CADHA), were organized for police personnel throughout the country. A total of ninety (90) people including seven (07) women and eighty-three (83) men participated in the training.

38. With regard to members of the armed forces, the General Staff of the Armed Forces, in partnership with CADHA and with the financial support of UNDP, organized, in 2018 and 2019, human rights awareness caravans called "Human Rights and Election 2020". To this end, the module entitled "Generalities on torture" was taught. The module entitled "The duties of the military" was also taught in connection with International Humanitarian Law, which prohibits the practice of torture in times of armed conflict.

39. This caravan took place in the four (04) military regions of Côte d'Ivoire (Abidjan, Bouaké, Korhogo and Daloa) and six (06) cities (San Pedro, Daloa, Gagnoa, Bouaké, Odienné and Korhogo). One hundred soldiers were trained, including twenty-nine (29) officers.

40. Overall, from 15 November 2011 to 31 December 2019, 20,591 members of the Armed Forces, the Security Forces and the Prefectural Corps as well as many community leaders, were trained and sensitized to the Robben Island Guidelines, as shown in the table below:

Tableau n°1: Summary of the different activities for the promotion, protection and defence of Human Rights and International Humanitarian Law from 2011 to 2018 (sources: CADHA)

N°	YEARS	NUMBER OF PEOPLE TRAINED AND SENSITIZED
01	2011	1367
02	2012	1412
03	2013	1377
04	2014	7158
05	2015	1025
06	2016	1882
07	2017	780
08	2018	2120
09	2019	3470
GENERAL TOTAL		20,591

41. In order to monitor more effectively cases of human rights violations attributed to elements of the Armed Forces of Côte d'Ivoire (FACI), a joint mechanism has been in place since 24 August 2015, dubbed the "Mechanism for Monitoring Cases of Human Rights Violations by the Armed Forces of Côte d'Ivoire." This mechanism was composed of UNOCI, FACI General Staff, and CNDHCI. Notwithstanding the departure of UNOCI, this mechanism continues to exist. Its objective is to train and sensitize law enforcement officials on the provisions relating to torture and ill-treatment, while taking into account the Robben Island guidelines.

C- RECOMMENDATION III: COMPLIANCE WITH THE LAW AND CONDITIONS OF DETENTION

i. Take appropriate measures regarding the autopsy of the body of GNONSIAN SERGE-JOËL

42. Following the death, during the night of 30 December 2013, in Duékoué, of GNONSIAN Serge-Joël Alex, his son, Mr. SIAN Mompeha Germain, having as counsel the professional civil law firm TOURÉ and PONGATHIE, Attorneys at the

Court, filed a complaint with the Guiglo Investigating Judge with the Constitution of a civil party, for acts of murder.

43. The examining magistrate immediately opened a judicial investigation for these facts constituting a crime under criminal law.

44. However, despite the summons served on the various persons concerned, neither the complainant nor the witnesses to the facts appeared before the investigating judge to make their contribution to the determination of the truth. The investigating judge had no choice but to acknowledge the failure of the persons summoned to appear, by a report dated 6 February 2019, and to close the investigation by an order of dismissal dated 15 June 2019.

ii. Take appropriate legislative and other measures for the effective management of the large number of persons in pre-trial detention

45. Starting from a pre-trial detention rate of about 40 percent in 2015, Côte d'Ivoire's rate in 2019 is 32.5 percent (6,231 pre-trial detainees out of a total of 19,102 detainees). To achieve this goal, the Ivorian authorities have taken a number of measures and undertaken a broad policy of reforming the Code of Criminal Procedure and the Criminal Code.

46. These measures are of two (02) types:

- legislative measures:

- ✓ Law n° 2018-975 of 27 December 2018 on the Code of Criminal Procedure, published on 13 March 2019 in the Official Journal, provides for:
 - the guilty plea (Articles 521 and seq. CPP) ;
 - judicial review (Articles 153 and 161) ;
 - the transaction (Articles 13 and 18) for small sentences;
 - the creation of criminal courts and criminal chambers of the Court of Appeals, replacing the Court of Assizes (Articles 262 and seq.);
 - the subordination of preventive detention to strict conditions with which the investigating judge is required to comply before pronouncing it (Articles 162 et seq.)

- ✓ For offences classified as "misdemeanours," the duration of preventive detention is in principle six (06) months (Article 166), renewable twice, each time for a further six (06) months, i.e. a maximum of eighteen (18) months. For offences classified as "crimes", the duration of preventive detention is in principle eight (08) months (Article 167), renewable twice, i.e. a maximum of twenty-four (24) months;

- ✓ Law n°2019-574 of 26 June 2019 establishing the Penal Code, published on 10 July 2019 in the Official Gazette, provides:

- des alternatives to imprisonment such as community service (Articles 36 and 55 to 58);
- the splitting of certain custodial sentences into firm and suspended prison sentences (Articles 130 and 131).
- the disappearance of minor offences such as vagrancy.

- Other measures:

47. They consist of two (02) circulars issued by the Keeper of the Seals, Minister of Justice and Human Rights, namely:

- ✓ circular n°005/MJDH/CAB of 6 April 2017 relating to preventive detention;
- ✓ circular n°006/MJDH/CAB of 15 June 2017 on the control of preventive detention by the General Inspectorate of Judicial and Penitentiary Services.

48. In it, magistrates are reminded of the need to apply the provisions of Article 153 of the Code of Criminal Procedure, which prescribe that "freedom is by right, detention is an exceptional measure", as well as those of Articles 166 and 167 of the same Code, which confine pre-trial detention to time limits beyond which it becomes irregular and/or unjustified.

iii. Revise the provisions of Article 138 of the CCP, which gives the judge the power to detain an individual for an indefinite period of time in order to ensure compliance with international standards

49. Article 138 of the Code of Criminal Procedure has been effectively revised. Thus, unlike the provisions of Article 138 paragraph 3 (Law n° 98-746 of 23 December 1998)⁵, the new provisions of Articles 166 and 167 of Law n° 2018-975 of 27 December 2018 on the Code of Criminal Procedure comply with international standards. Indeed, the period of pre-trial detention can no longer be renewed indefinitely, both in criminal and misdemeanour cases; it is now strictly monitored, and as such cannot exceed the maximum periods set by the 2018 law.

iv. Use the Commission's Guidelines on Conditions of Arrest, Police Custody and Pre-trial Detention in Africa (Luanda Guidelines) and General Comment N° 3 on the right to life during training for law enforcers, prison services, and other security companies

50. See response under Recommendation II.

⁵ However, the provisions of paragraphs 1 and 2 above do not apply to blood crimes, theft under the circumstances provided for in Articles 394, 395 and 396 of the Criminal Code, drug trafficking, indecent assault, escape, embezzlement of public funds, as well as crimes against property under the circumstances provided for in Article 110 of the Criminal Code».

v. Take appropriate measures to ensure access to legal aid programmes throughout the country

51. Access to legal aid has been improved through three key measures:

- Decree n° 2016-781 of 12 October 2016⁶, which decentralizes legal aid, through the creation of local offices at the nine courts of first instance in Côte d'Ivoire;
- the establishment of legal clinics in partnership with the Association of Women Lawyers of Côte d'Ivoire (AFJCI). These clinics, installed in twelve (12) localities of the country, operate as listening and orientation centers;
- the establishment of a dozen legal information centers (legal consultation sessions) in partnership with UNOCI, the European Union, UNICEF, UNDP and AFJCI.

52. In 2016, 419 people, including 331 victims of sexual abuse, received legal consultation. Forty of them received legal assistance under PALAJ.

D- RECOMMENDATION IV: REFUGEES AND STATELESS PERSONS

i. Take steps to implement the 1961 Convention on the Reduction of Statelessness and the 1954 Convention relating to the Status of Stateless Persons in order to resolve the issue of stateless persons once and for all

53. Following the ratification of these two conventions⁷, the measures adopted comprised:

- the Abidjan Declaration of 25 February 2015 on the eradication of statelessness by 2024;
- the adoption of the Côte d'Ivoire Action Plan for the eradication of statelessness by 2024, abbreviated as "PAN-CI.
- la the creation of a mechanism for the implementation and monitoring of this action plan.

54. Furthermore, consistent with the commitment of ECOWAS Member States, Côte d'Ivoire, in accordance with the provisions of Article 22 of the Abidjan Declaration, appointed on 16 September 2015, a "governmental focal point in charge of issues related to statelessness" in the person of Mr. KOREKI Paul, Technical Advisor to the Keeper of the Seals, Minister of Justice and Human Rights.

ii. Provide the number by gender of stateless persons in Côte d'Ivoire and take concrete measures to address the situation of these persons

⁶ See Articles 27 to 31 of the Decree

⁷ Decree n° 2013-650 of 13 September 2013 ratifying the 1954 Convention relating to the Status of Stateless Persons and Decree n° 2013-648 of 13 September 2013 ratifying the 1961 Convention on the Reduction of Statelessness.

- **Provide the number by gender of stateless persons in Côte d'Ivoire:**

55. A map of the gender-disaggregated number of stateless persons has been prepared by the National Institute of Statistics (INS). The table below shows, in addition to the number of stateless persons by gender, the distribution of persons at risk of statelessness based on their socio-demographic characteristics:

Table n°2: Distribution by gender of persons at risk of statelessness according to their socio-demographic characteristics

Socio-demographic characteristics	Headcount Risk of statelessness	% Risk of statelessness
Place of residence		
Urban	1,055,592	36,27
Rural	600,739	63,73
Gender		
Male	729,722	44,06%
Female	926,608	55,94%
Level of education		
None	808,828	66,50%
Preschool	9,723	0,80%
Primary	279,668	22,99%
Secondary and above	99,049	8,14%
Non-formal programme	18,978	1,56%
Age groups		
0-4 years old	440,084	26,57%
5-11 years old	335,971	20,28%
12-17 years old	188,424	11,38%
18-59 years old	624,372	37,70%
60 and over	67,479	4,07%
Marital status		
Single	368,007	41,81%
Common law unions	146,058	16,59%
Married	316,651	35,97%
Divorced/Separated	3,060	0,35%
Widowed	46,499	5,28%
Religion		
No religion	223,021	13,46%
Animists	111,316	6,72%
Muslims	803,623	48,52%
Christians	517,013	31,21%
Other religions	1,357	0,08%

Socio-demographic characteristics	Headcount Risk of statelessness	% Risk of statelessness
Disability status		
None	1,633,341	98,61%
Physical disability	6,571	0,40%
Visual disability	8,955	0,54%
Oral disability	2,018	0,12%
Hearing disability	2,308	0,14%
Mental disability	3,137	0,19%
Albinism	0	0,00%

- **Concrete measures to deal with the situation of such people:**

56. Pending the official adoption of Côte d'Ivoire's Action Plan for the Eradication of Statelessness by 2024, abbreviated as "PAN-CI," by the Government, various measures and actions are being implemented to eradicate statelessness in Côte d'Ivoire:

✓ **Law n° 2013-653 of 13 September 2013 on special provisions for the acquisition of Ivorian nationality by declaration:**

57. This law establishes an exceptional procedure to facilitate the acquisition of nationality for certain historical migrants who settled in Côte d'Ivoire before independence and their descendants. Thus, the provisions of this law apply to persons who fall into one of the following categories:

- *persons born in Côte d'Ivoire of foreign parents and aged under twenty-one on 20 December 1961;*
- *Persons who had their usual residence in Côte d'Ivoire without interruption prior to 7 August 1960 and their children born in Côte d'Ivoire;*
- *Persons born in Côte d'Ivoire between 20 December 1961 and 25 January 1973 to foreign parents, and their children.*

58. As of 31 October 2018, some 16,000 applicants have been issued a certificate of acquisition of Ivorian nationality, signed by the Minister of Justice. With this nationality acquisition operation that began in April 2014, about 100,000 Ivorian and non-Ivorian petitioners have sought legal identity.

✓ **The right to birth registration:**

59. Laws N° 2018-862 and N° 2018-863 of 19 November 2018 on civil status and the institution of a special procedure for declaring births, restoring identity, and transcribing birth certificates, respectively, aim to combat the risk of statelessness by facilitating birth registrations.

E- RECOMMENDATION V: RIGHT TO FREEDOM OF EXPRESSION AND ACCESS TO INFORMATION

i. Take appropriate measures to repeal Article 74 of Law n° 2004-643 of 14 December 2004 on the offence of insulting the Head of State

60. Article 74 was repealed by Article 184 of Law n° 2019-574 of 26 June 2019 on the Criminal Code, which reads: *"Whoever by gesture, word, yelling or threat, by writing, picture, drawing, print, document, notice board or poster or any other sound or visual means either in a public place or one open to the public, or through any means allowing visual or auditory contact with the public, directly provokes either theft, or the crimes of murder, looting, burning or destruction of buildings, or any of the offences provided for in Chapters 2 and 3 of this Title shall be punished: 1° in the event that such provocation is followed by an effect, by the same sentence as the perpetrators of the offence; 2° in the event that such provocation is not followed by an effect, by imprisonment for one to five years and a fine of 300,000 to 3,000,000 francs.»*

61. This provision removes the ambiguities of the former Article 74, which was open to various interpretations and was a source of judicial uncertainty and abuse.

ii. Take steps to repeal defamation laws, including the publication of false information

62. Law n° 2016-886 of November 8, 2016 enacting the Constitution of the Republic of Côte d'Ivoire enshrines in Article 19: *"Freedom of thought and freedom of expression, including freedom of conscience, philosophical opinion and religious belief or worship, are guaranteed to all. Each person has the right to freely express and disseminate his/her ideas (...)", with due respect for republican laws, the rights of others and public order, i.e. "These freedoms are exercised while respecting the law, the rights of others, national security and public order"».*

63. Since the exercise of freedom of expression, including the freedom to seek, receive and disseminate information and ideas of all kinds, is legitimately subject to such legal restrictions as may be necessary to protect the rights or reputations of others or to safeguard national security, public order, public health or morals, the recommended repeal raises certain difficulties.

64. However, in order to raise standards in this regard, this issue may be taken into account in future legislative reforms.

iii. Introducing practical measures to facilitate poor people's access to both analog and digital information on migration

65. In the context of the migration to Digital Terrestrial Television (DTT) and the ultimate extinction of the analog broadcasting system, the Government, at the Council of Ministers meeting of 8 May 2019, announced a measure to exempt from customs duties and taxes the material and equipment required to receive the Digital Terrestrial Television signal, with a view to facilitating their acquisition by households. Thus, for poor households, the cost of acquisition has been set at 6,000 CFA francs (entry level) and 10,000 CFA francs for others.

iv. Provide information on the measures taken with regard to the fate of the eleven (11) journalists who had been attacked in 2014, according to the report of the National Press Council.

66. It is true that in the discharge of their journalistic profession, eleven journalists⁸ have experienced varying degrees of hardship. Some were molested, beaten, their work equipment was confiscated, sometimes destroyed. Undoubtedly, all of them were prevented from exercising their profession. However, thanks to the mediation of the heads of the press organs concerned, solutions were found with the result that no complaints were filed with the courts.

F- RECOMMENDATION VI: RIGHT TO FREEDOM OF ASSEMBLY AND ASSOCIATION

i. Take the necessary measures to guarantee the right to freedom of association and assembly in accordance with the United Nations Declaration on Human Rights Defenders, the African Charter, the Kigali Declaration on Human Rights Defenders and other regional and international human rights instruments.

67. Côte d'Ivoire has adopted the following measures in this regard:

- the Constitution of 8 November 2016, which states in Article 20 that "freedom of association, assembly and peaceful demonstration are guaranteed by law" ;

- Law n° 2014-388 of June 20, 2014 on the promotion and protection of Human Rights Defenders, Articles 3, 4, 5 and 6 of which read as follows:

⁸ BELLARMIN Yao Kan (correspondant à Sikensi de Fraternité Matin), Laurent NAHOUNOU (Le Monde d'Abidjan), Jean Baptiste ESSIS (Le Temps), Fabrice TETE (Le Temps), Sylla AROUNA (Soir Info), Hervé KPODION (L'Inter), Sylvain DEBAHI (Le Quotidien d'Abidjan) and Benjamin KORE (Notre Voie), a reporting team (Le Nouveau Courrier), DJEDJE Julien (Le Nouveau Consommateur), Noël Konan (l'Eléphant Déchainé), Souvaine DOUDOU (L'Intelligent d'Abidjan), Bernard Yao YOBOUET (correspondent of the AIP of Haut-SASSANDRA), Didier DEPRY (Notre Voie)

Article 3:

« Les "Human rights defenders shall freely carry out their activities of promotion, defence and protection of human rights and fundamental freedoms throughout the national territory.

As such, they have the right:

- to meet and assemble peacefully ;
- to form and join non-governmental organizations, associations or groups
- to communicate with persons, associations or governmental, non-governmental or intergovernmental organizations pursuing the same purposes;
- to have free access to information relating to human rights and fundamental freedoms and to preserve such information;
- to publish, communicate and disseminate freely their ideas and information on human rights and fundamental freedoms;
- to evaluate the respect for human rights and fundamental freedoms;
- to raise public awareness about the respect of human rights and fundamental freedoms.»

Article 4:

« Human rights defenders shall freely formulate criticisms and proposals regarding obstacles to the promotion, protection and realization of human rights and fundamental freedoms, which they shall submit to State bodies, agencies and institutions.»

Article 5:

« Human rights defenders may not be prosecuted, tracked down, arrested, detained or tried for opinions expressed and reports published in the course of their activities.

Human rights defenders may not, while engaged in their activities, be prosecuted, tracked down, arrested, detained or tried in criminal or correctional matters, without informing the Minister in charge of human rights, except in cases of flagrante delicto. ».

Article 6:

«The headquarters and homes of human rights defenders are inviolable. No search or arrest may be carried out there without the express authorization of the Public Prosecutor and after informing the Minister in charge of Human Rights, except in cases of flagrante delicto ».

- Decree n° 2017-121 of 22 February 2017 on the modalities of application of Law n° 2014-388 of 20 June 2014 on the promotion and protection of human rights defenders, which makes Côte d'Ivoire a pioneering State in this area in Africa.

68. They guarantee the right to freedom of association and assembly in accordance with the relevant international legal instruments mentioned, in that they allow:

- human rights defenders to freely carry out their activities for the promotion and defence of human rights;
- guarantee the inviolability of the headquarters and homes of human rights defenders;
- guarantee the immunity of human rights defenders in the exercise of their functions.

G- RECOMMENDATION VII: ECONOMIC, SOCIAL AND CULTURAL RIGHTS

• Right to health

i. Evaluate the effectiveness of the National Development Plan (2012-2015) and build on the lessons learned from the health component of the Plan in order to adequately address issues related to access to quality health care and services with a view to improving the standard of living of the population, in particular those living in rural areas.

69. At the end of the overall review of the 2012-2015 NDP, the Government identified improving the supply of health services as a priority.

70. As a matter of fact, the government has:

- rehabilitated and equipped forty-six (46) general hospitals in the urban area; built and equipped fifty-two (52) primary healthcare facilities (dispensaries and maternity wards); rehabilitated, equipped and brought up to standard one hundred and fifty (150) health centers in both the rural and urban areas and equipped the healthcare facilities with seven (07) medicalized ambulances, one hundred and six (106) transfer ambulances and three hundred and forty-seven (347) motorcycles;
- adopted a policy of free care for mothers and children, antiretroviral treatment for people living with HIV, caesarean sections and medicines, consultations and care for children aged 0 to 5 years, provision of delivery kits for women, medical tests for malaria and distribution of impregnated mosquito nets to the population.

71. These efforts have resulted in a notable improvement in the rate of utilization of health services, which rose from 31% in 2013 to 39% in 2014 and then to 48% in 2015⁹, and in a gain of more than two years in life expectancy, which stood at 54.3 years in 2015.

ii. Invest more in the training of quality physicians, nurses, pharmacists, and social workers in an effort to bridge the gap of qualified health care workers.

72. The government recruited 10,000 health workers to the Civil Service over the period 2015-2017, including doctors, pharmacists, dentists, nurses and midwives. These efforts have contributed to improving the healthcare personnel/population ratio, which stands at 01 doctor for 7235 inhabitants, 01 nurse for 2910 inhabitants and 01 midwife for 1990 women of childbearing age. These national figures are in line with international recommendations (1 doctor per 10,000 inhabitants, 1 nurse per 5,000 inhabitants and 1 midwife per 3,000 women of childbearing age).

⁹ Plan national de développement sanitaire 2016-2020 du Ministère de la Santé et de l'Hygiène Publique de la RCI

iii. Create attractive working conditions for qualified health workers in order to retain experienced and motivated staff in the health structures throughout the country.

73. Major efforts have been made to create attractive working conditions, including:

- The categorical index bonus of at least 100 points. For example, Decree n° 2013-415 of 6 June 2013 grants 400 additional index points to senior health staff and 150 additional index points to other technical health staff;
- Decree n° 2016-1141 of 21 December 2016 amending and supplementing the annex to Decree n° 2015-432 of 10 June 2015 on the classification of grades and jobs in the State administration and in national public institutions introduced an improvement in the career profile of health care personnel. Thus, it is possible to access the A5 grades after at least 7 years of presence in the A4 grade;
- the unblocking of salaries (frozen since 1989) and the introduction of indexed advances every two years;

74. In terms of the impact on salaries and wages, there has been a substantial increase. The salary variations observed are summarized in the table below:

Healthcare personnel	Gross salary unchanged from 2010 (A)	Gross salary at the end of 2018 following the measures (B)	Change (B) – (A)
University lecturers	673 260	1 002 388	329 128
Assistant Heads of Clinic	1 095 948	1 499 875	403 927
Doctors	414 514	851 537	437 023
Nurses	214 292	378 296	164 004
Midwives	214 292	378 296	164 004

Table 3: Changes in healthcare personnel salaries 2010-2018

iv. Increase the budget allocation for the health sector, in accordance with the Abuja Declaration (15%).

75. The budget allocated by the State of Côte d'Ivoire in 2018 to the Ministry of Health and Public Hygiene was 360,594,344,796 FCFA, or 5.3% of the general State budget. This is below the commitments made by the State of Côte d'Ivoire at the Abuja summit (Nigeria) in 2001. However, the State is still concerned about the objective set by the Abuja declaration and is striving to meet this challenge.

v. Reduce the maternal and infant mortality rate and improve access to general health services, particularly for women and children in rural areas

Child Mortality

76. The infant mortality rate was 62.8 deaths per 1000 births (2016).

77. To reduce this infant mortality rate, the following measures have been taken:

- la the implementation of an Expanded Programme of Immunization (EPI);
- BCG vaccination coverage (92% in 2018);
- Penta 3 vaccine coverage increased from 97.6% in 2017 to 98% in 2018;
- RR (Measles/Rubella) vaccination coverage increased from 90.7% in 2017 to 94% in 2018. This represents an increase of 3.6%. The 2018 national target of 93% is met;
- AAV (yellow fever vaccine) vaccination coverage increased to 92% in 2018;
- OPV3 vaccine coverage increased to 97% in 2018;
- PCV 13-3 vaccine coverage reached 97% in 2018;
- IPV vaccination coverage stands at 83% in 2018;
- 50% of children under one year of age who came for DTP vaccination received a long-acting insecticide-treated net (LLIN) in 2018. This proportion is a decline from 2017, which registered 56.2%.

78. In 2019, the vaccination coverage rate for the 3rd dose of the pentavalent vaccine that immunizes against diphtheria, tetanus, pertussis, hepatitis B, and Haemophilus influenzae B infection was 94% among children aged 0 to 11 months. The coverage rate for measles/rubella was 91% and the tetanus vaccination rate for pregnant women was 83%. All these measures are likely to curb infant mortality.

Maternal deaths

79. Regarding maternal deaths, in 2018 we recorded 753 maternal deaths in the routine MAGPI database, which is a routine ratio of 114.2 maternal deaths per 100,000 live births. The number of maternal deaths recorded in the MAGPI base is down by 15.6% compared to 2017.

80. To curb maternal deaths, the Minister of Health and Public Hygiene issued an order in August 2015 requiring the notification of maternal death cases and the creation of the National Maternal Death Surveillance and Response Committee (SDMR).

Accessibility to general health services:

81. According to the 2015 RASS cited by the 2016-2020 NHDP, more than 29% of the population live over 5 km from a health facility. The ESPC/Population Ratio is one (1) ESPC per 10,164 inhabitants in 2018 compared to 1 ESPC per 10,912 inhabitants in 2017. At the health district level, 62.8% reached the WHO standard in 2018. Efforts are therefore underway to bring the populations closer to the health centers and meet international standards.

vi. Adopt appropriate policies and measures to combat discrimination and stigmatization and to guarantee access to HIV/AIDS testing and treatment for

PLWHA, particularly vulnerable groups

82. In Côte d'Ivoire, the right of access to health is guaranteed for all, without distinction or discrimination, by the Constitution of 8 November 2016, which states in particular:

- Article 9: "(...) *Everyone has an equal right to access to health services*";
- Article 32: "*The State undertakes to guarantee the specific needs of vulnerable persons. It shall take the necessary measures to prevent the vulnerability of children, women, mothers, Older Persons and persons with disabilities. It undertakes to guarantee the access of vulnerable persons to health services, education, employment and culture, sports and leisure*".

83. More importantly:

- Law n° 2014-430 of 11 July 2014 on the system of prevention, protection and punishment in the fight against HIV and AIDS condemns discrimination on the basis of the HIV-positive status of individuals and applies fines for refusing to treat or care for people with AIDS.
- This law aims to strengthen the prevention of transmission and the protection of people living with HIV/AIDS. It also emphasizes their right to confidentiality, non-stigmatization and non-discrimination.
- Law n° 2015-532 of 20 July 2015 prohibits discrimination against people living with HIV/AIDS in terms of access to employment;
- The provision of antiretroviral treatment for people living with HIV, in the context of targeted free treatment.

84. There is therefore no discrimination or stigmatization of PLWHA and vulnerable groups in Côte d'Ivoire in terms of access to HIV/AIDS testing and treatment.

vii. Ensure that the private sector applies Law n° 2014-430 of 11 July 2014 on the system of prevention, protection and punishment in the fight against HIV/AIDS.

85. The Government of Côte d'Ivoire, in order to guarantee the application, particularly by the private sector, of Law n°2014-430 of 11 July 2014 on the system of prevention, protection and punishment in the fight against HIV/AIDS, established the National AIDS Control Programme (NACP) by Ministerial Decision N°976/MSLS/CAB of 4 September 2014. This Programme is defined as the national technical reference structure for all activities related to the national response to HIV, AIDS and sexually

transmitted infections.

viii. Include in its next report, gender-disaggregated information and data on the number of doctors, nurses, pharmacists and social workers in all hospitals and health facilities throughout the country and the doctor/patient ratio.

86. Côte d'Ivoire has made efforts to meet human resource standards in the health sector. Thus, the ratio of doctors/10,000 inhabitants increased from 0.9 in 2015 to 1.4 in 2017. However, gender-disaggregated data are being consolidated.

- Right to education

ix. Review the legislative and policy framework to ensure the effective implementation of the right to education, particularly for unregistered children enrolled in secondary and higher education.

- In Secondary Education:

87. Pursuant to Law n° 2015-635 of 17 September 2015 amending Law n° 95-696 of 7 September 1995 on education, Côte d'Ivoire has made school compulsory for children of both sexes between the ages of 6 and 16.

88. In addition, the Government allows all children, who do not have birth certificates, to use an administrative document to participate in the various primary and secondary school examinations.

89. At the elementary school level, if there is no supplementary birth certificate issued by a magistrate in a mobile court, or if the time frame is too short to obtain the supplementary certificate, the Regional Director or the Departmental Director authorizes the inspector of elementary education of the locality concerned to issue an administrative document to allow the child to take the sixth grade entrance examination. This situation affects some 1,200 children each year. The same provisions are applicable to students at the secondary level.

- In higher education:

90. This concern is not relevant to the Ministry of Higher Education, especially since the students who reach this level have identity papers or any other document identifying them by name.

x. Oversee and evaluate the policy framework on school pregnancy control in order to effectively address the problem and improve the enrolment and retention of girls in schools;

91. The policy to combat pregnancy in schools targets the goal of "zero pregnancy in schools". It is based on four (4) key points:

- The normative and institutional framework
- A more protective academic environment
- Prevention;
- Assistance to victims through multiple and appropriate responses.

a) Normative measures

92. The Ministry of National Education, Technical and Vocational Education and Training, in coordination with several technical ministries and NGOs, has issued several orders to protect young girls, maintain them in school and ensure that they return to school:

- Order n° 0112 MENET/CAB of 24 December 2014 setting up the Working Group for the Protection of the Child (GTPE);
- Order n° 0002/MENET/CAB of 20 January 2015, on the creation, organization and functioning of the Steering Committee of the Child-Friendly, Girl-Friendly School Process;
- Order n° 0041 MENEFP/DELIC of 13 April 2017 on the creation, organization, operation and powers of the *Clubs de Mères d'Élèves Filles en milieu scolaire* (CMEF);
- Order n° 0111/MENET/CAB of 24 December 2014, on the Code of Conduct for the personnel of the public and private structures of the Ministry of National Education and Technical Training (Order published in 9,000 copies and distributed for wide public dissemination).

b) Under the protective academic framework

93. To provide the best possible protection of girls' right to education and to effectively combat school pregnancy, the technical ministries in charge of national education have conducted several training and capacity building sessions for teaching staff:

- training of 150 child protection teachers from the 150 EAEs (Écoles Amies des Enfants) from 24 to 26 March 2015;
- Training of teachers from the Écoles Amies des Enfants of Abidjan 3, Abidjan 4, Dabou, Bondoukou, Bouna, Guiglo, in the detection and management of mild and moderate disabilities in schools from 25 September to 1 October 2016;
- training of child protection focal points of the 41 DREN and DDEN, 189 IEP and social workers from 17 to 26 October 2016 on the intersectoral child protection system;
- Capacity building workshop for all the DREN and DDEN on child protection in schools held on 3 June 2015 at the Hôtel Rocher in Yamoussoukro;
- Capacity building workshop for all IEPPs on child protection in schools organized on 9, 10 and 11 June 2015 at the Hôtel Rocher in Yamoussoukro;

- Training of the SMCs of the 300 protective schools on child protection (June-July 2015);
- Training of 6,280 primary school teachers in ECPP (from 2014 to 2015);
- capacity building workshop for WGIP members on gender-based violence in schools, 18-19 May 2016, Abidjan Cocody-Les Deux-Plateaux.

c) Preventive measures

94. Preventive measures have been taken by the Ministry of Education in an inclusive approach:

- the development of internal regulations in schools that include the fight against pregnancy in schools
- the establishment of early warning mechanisms in and around schools.

d) Assistance to child victims

95. Assistance is provided in several forms:

- psychosocial care of students:

- ✓ victim of incestuous abuse in Tiassalé (south-center);
- ✓ victim of an early marriage in 4th grade at the Collège Moderne de GBONGAHA, DREN d'Odienné (northwest), in September 2018.

- Notification to administrative authorities of cases of pregnancy by the School Protection Committees (1st quarter 2018-2019: 21 cases of pregnancy in Bocanda high school (center), including 17 cases in the 1st cycle and 4 cases in the 2nd cycle. The perpetrators: pupils (10), traders, small trades, unemployed, student, Fifth grader);

- the annulment of two forced marriages in Tiassalé (February 2017) in the DREN of Agboville (southeast) and in Apimandoum (April 2017) in the DREN of Bondoukou (northeast).

e) Law Enforcement

96. Whenever incidents of early pregnancy were brought to the attention of the competent authorities, criminal proceedings were initiated against the perpetrators. Thus, prosecutions were initiated:

- against a father on the run for incestuous pregnancy with his daughter, a sixth-grade student in Borotou (northwest) in March 2017;
- against a father who was having incestuous relations with his daughter in the 7th grade in Tiassalé (south-central) in March 2017.

f) Results

97. All of the above measures have led to a substantial increase in enrolment rates, including:

- the Net Enrolment Rate (NER) for girls increased from 77.10% in 2015 to 90.10% in 2018;
 - ✓ At the first cycle of secondary school from 29.90% to 39.60%;
 - ✓ At upper secondary school from 8.80% to 15%;
- the girls' junior high school completion rate increased from 34.6% in 2013-2014 to 54.6% in 2017-2018.

g) Challenges

98. To achieve the goal of "zero pregnancy" in schools that the State of Côte d'Ivoire has set for itself, there are still challenges to be addressed, including:

- Improving intersectoral collaboration between the various ministries in the fight against early pregnancy and child protection;
- Socio-cultural constraints, which continue to hinder the effectiveness of the fight against early pregnancy and child protection.

xi. Adopt a law and a national policy to combat violence in the university environment.

99. Pending the adoption of a national law to combat violence in the university environment, the government has launched a number of initiatives with the agreement of all stakeholders:

- The Alhassane Salif N'DIAYE Charter for Non-Violence in the University Environment, signed on 2 June 2013 at the Belle Côte Hotel (Abidjan) by Members of the Ivorian Students' Community;
- The elaboration of a Student's Honour Code.

- Right to employment

xii. Monitor and evaluate the legislative and structural framework to ensure the effective implementation of the right to employment, in particular for women, youth and people with disabilities, and reduce the level of poverty in the country.

a) Legislative and regulatory framework

100. The State of Côte d'Ivoire has established a normative framework to guarantee the effective implementation of the right to employment, in particular for women, young people and people with disabilities. These include:

- Law n°2016-886 of 8 November 2016 enacting the Constitution of the Republic of Côte d'Ivoire which, in its preamble, refers to the International Covenant on Economic, Social and Cultural Rights of 1966 which proclaims the Right to Employment;
- Law n°2015-532 of 20 July 2015 on the Labour Code¹⁰;
- Order n°2015-228 of 8 April 2015 on the creation of a National Youth Employment Agency;
- Decree n°2018-33 of 17 January 2018 on the practical procedures for the implementation of the qualification or work experience contract;
- Decree n°2018-456 of 9 May 2018 on the employment of people with disabilities in the private sector. On the basis of this provision, the State has been recruiting people with disabilities on an exceptional basis since 2015¹¹.

b) Structural framework

101. The Ministry of Employment and Social Protection is responsible for the effective implementation of the right to employment through the following departments:

- the Directorate General of Labour (DGT)
- the Directorate General of Employment (DGE)
- the Directorate General of Social Protection (DGPS).

102. In addition, a National Agency for Youth Employment was created by the above-mentioned Order.

103. Finally, a Secretariat of State to the Minister of Women, Family and Children, in charge of the Empowerment of Women was created on 4 September 2019.

c) Implementation, evaluation and poverty reduction actions

104. The National Development Plan (2016-2020) has included in its priority axes various actions to reduce the level of poverty in the country. These are:

- the Socio-professional Integration Project for Women in Soilless Market

¹⁰ Article 12.2 of the Labour Code: "The employer must reserve a quota of jobs for people with disabilities... »

¹¹ 300 people in 2015; 158 people in 2018; 200 people in 2019.

Gardening (tomato);

- the Socio-professional Integration Project for women in the manufacture and marketing of milk and soy yogurt;
- the Economic and Social Empowerment of Women Project, which focuses on entrepreneurship in the agricultural sector;
- the training and promotion programme for women's entrepreneurship through the financing of income-generating activities;
- the creation of the Women's Support Fund of Côte d'Ivoire (FAFCI), endowed with 14 billion CFA francs, which has enabled 200,000 women to engage in income-generating activities;
- the establishment of the "Women and Development" Fund, housed within the Ministry of Women, Family and Children, with an initial amount of 350,000,000 CFA francs for 1,085 women in 2014 which was increased to 500,000,000 CFA francs in 2017;
- the implementation of the Government's Social Programme (PSGouv 2019-2020), amounting to 727.5 billion FCFA, adopted by the Council of Ministers on 29 January 2019, part of which is devoted to women and youth;
- the implementation of the National Employment Policy 2016-2020. In terms of achievement at the end of December 2019, a total of 34,399 jobs have been created in terms of entrepreneurship for youth out of a target of 35,799.

105. All these actions have contributed to lowering the poverty rate from 44.4% (2015) to 39.45% (2018), a 15-point decline. As a result, about 4 million people have been freed from poverty.

- **Property rights**

xiii. Establish comprehensive policies, plans and programmes to facilitate the acquisition of land and housing for all its citizens, especially the poor and rural residents:

- a) On the establishment of policies, plans and programmes in the acquisition of land in the rural land estate**

106. The following actions have been carried out by the Government to facilitate the acquisition of land of the rural land estate:

- Law n° 2019-868 of 14 October 2019 amending Law n° 98-750 of 23 December 1998 on Rural Land Tenure, as amended by Laws N° 2004-412 of 14 August 2004 and N° 2013-655 of 13 September 2013. This amending law aims, inter alia, to review the deadlines for the conversion of the land certificate into a title deed, the deadlines for the establishment of customary rights and the deadlines for the consolidation of granted rights;
- Decree n° 2016-590 of 3 August 2016 establishing the Rural Land Agency, called AFOR, intended to further respond to the implementation of the 1998 law on rural land tenure;
- The issuance of four new Decrees in order to improve the performance of land security operations. These include:
 - ✓ Decree n° 2019-264 of 27 March 2019 on the organization and attributions of the Sub-Prefectural Rural Land Management Committees and the Village Rural Land Management Committees;
 - ✓ Decree n° 2019-266 of 27 March 2019 setting the terms of application to the Customary Rural Land Estate of Law n° 98-750 of 23 December 1998;
 - ✓ Decree n° 2019-265 of 27 March 2019 setting the procedure for consolidating the rights of provisional land concessionaires of the Rural Land Estate;
 - ✓ Decree n° 2019-263 of 27 March 2019 defining the procedure for demarcating village territories.

b) On women's access to land

107. Mindful of the gender issue, the Ivorian State has taken the following legislative measures to promote equal access to land between men and women:

- the 1998 law on rural land provides for equal access to rural land for men and women;
- the 2015 agricultural orientation law makes the state responsible for ensuring equitable access for all to the main production resources, including rural land. The government has taken action through the Rural Land Agency that it has set up.

108. The various measures taken have enabled 460 women to obtain individual land certificates, i. e. a ratio of about 10%.

c) With regard to the implementation of policies, plans and programmes for the acquisition of housing, in particular for the benefit of the poor and the inhabitants of rural areas

109. The implementation of the National Development Plan (NDP 2012-2015) has led to the opening of 71 social housing construction sites throughout the country and the creation of 3,060 hectares of mobilized reserves, dedicated to the social and economic housing programme. This contributes to the access of less affluent populations to property ownership.

xiv. Accelerate the completion of the 400,000 housing units that the Government is building to offset the housing deficit

110. The annual structural housing deficit is 400,000. To contain the housing crisis, Côte d'Ivoire has set itself the objective of building 150,000 housing units annually. To achieve this, the State has set up the Centre for Facilitation of Access to Housing (CEFFAL). Unfortunately, this objective has not been reached. Only 12,000 housing units have been built, due essentially to the poor performance of local property developers.

111. Measures are underway to accelerate the social housing construction programme, including

- the PSGouv has selected the sites of Bingerville and Yopougon (Cité Ado) for 2019, to create habitable conditions for buyers;
- the Government has called on international developers with the technology, know-how and financial resources to do so.

112. The Government hopes to achieve the "large-scale" construction of social housing for the well-being of the poor.

H- RECOMMENDATION VIII: THE RIGHTS OF WOMEN AND CHILDREN

i. Accelerate the adoption of a law on the quota system in order to guarantee women equal opportunities for access to public jobs and other decision-making structures

113. La Côte d'Ivoire adopted Law n° 2019-870 of 14 October 2019 promoting the representation of women in elected assemblies. This law institutes progressive measures, including a 30% quota for better representation of women in the National Assembly, the Senate, and regional, municipal and district councils.

114. This law imposes, for single-member or list elections, "a minimum quota of 30% of women out of the total number of candidates presented for the election of parliamentarians, senators, regional, district and municipal Councillors.

115. In addition, the said law grants "additional public funding to any party or political group with a list that has at least 50% women candidates in these elections".

116. In addition, this law compels all lists "to respect gender alternation so that if two candidates of the same sex are registered, the third must be of another sex in order to allow a greater number of women to participate in the political life of the Nation.

117. For access to public positions, the Civil Service Statute establishes equal access through competitive examination. Consequently, there is currently no quota system for women.

ii. Create effective information, education and communication tools to provide information and services to women on their reproductive and health rights

118. To enable women to have information on their reproductive and health rights, the government has developed a number of strategies, plans and programmes:

- the Ministry of Women, the Family and Children has set up the Information Systems Department, which centralizes all information on women, children and the family;
- la the creation and implementation of the MFFE website (<http://www.famille.gouv.ci/public/>) with assistance tools, in particular a toll-free number for gender-based violence that answers 800 00 800;
- the adoption of a programme to manage post-partum hemorrhage (PPH).

119. To achieve its objective towards women on their reproductive rights and health, the Government pursued the following priority actions in 2017:

- the policy of targeted free health care for women and children under 5 years of age (the cost of essential medicines delivered amounts to 29.5 billion F CFA) (source DPML);
- the distribution of 11,957 units of caesarean kits, which represents 85% satisfaction;
- the supply of contraceptives and the training of 151 providers in family planning services, in particular for the insertion and removal of intrauterine devices (IUDs) and implants
- Equipping 116 health facilities with reproductive health products. To date, 71 percent of health facilities offer at least three modern methods of contraception;
- Improving the quality of healthcare and community care with the opening in 2017 of the National Center for Early Detection of Breast and Cervical Cancers and the Mother and Child Hospital in Bingerville;
- Prevention of Mother-to-Child Transmission of HIV (PMTCT), the proportion of health facilities offering PMTCT services increased from 79% in 2016 to 84% in 2017. In 2017, 95% of HIV-positive pregnant women received ARV treatment to prevent HIV transmission to their child. The rate

of mother-to-child transmission (MTCT) of HIV declined from 5.2% in 2015 to 2.9% in 2017, reflecting the improved supply and quality of PMTCT services that should continue toward the elimination of mother-to-child transmission of HIV.

- In the fight against malaria, 12 million bed nets were distributed in 2017 according to the UNS report. The usage rate among pregnant women is 53.4% (MICS 2016 survey).
- Training of 274 health providers in the "HELPING MOTHERS AND BABY SURVIVE (HMBS)" technique for effective and quality management of 29 emergency obstetric cases. The HMBS technique has reduced the systematic referral of postpartum haemorrhage and new-born respiratory distress cases by more than 25%;
- the reduction of maternal and neonatal mortality. To this end, the Ministry of Health and Public Hygiene produced its 1st National Maternal Death Surveillance Report in 2017. During this year, 93 health providers from referral facilities and Management Teams in 18 health districts were trained in Maternal Death Review and Response. This brings the number of health districts whose personnel have been trained in MDS to 72 out of 86, or 84% of the health districts. The national mechanism for Maternal Mortality Surveillance and Response (MDSR) has been improved;
- the promotion of maternal, neonatal and child health. In this context, 270 women with obstetric fistulas were operated on free of charge;
- Community mobilization through the creation of 48 new "Schools for Husbands" (EdM), to encourage the involvement of men in the promotion of women's rights to reproductive health/FP, with 425 model husbands and 49 supervisors (IDE) trained.

iii. Adopt diversified and proactive strategies at the national and community levels to eradicate traditional practices related to female genital mutilation and early and forced marriages, including empowering women with information, skills and support networks, sensitizing and mobilizing parents and community members on the dangers of the practice

120. Côte d'Ivoire has adopted several strategies to combat traditional practices related to female genital mutilation and early and forced marriages, including:

- The National Strategy to Fight GBV officially launched on 5 September 2014;
- The sensitization of community leaders, religious guides, opinion leaders, men and boys on the issues of early marriage and FGM (community mobilization);
- the creation of the National Committee for the Fight against Conflict-Related Sexual Violence in 2016 (chaired by the President of the Republic with a Pool of Experts composed of all the Chiefs of the Major Commands);
- The implementation of an Integrated Data Management System on GBV (GBV

IMS)

- The creation of 64 platforms to fight against gender-based violence. These platforms have allowed 81% of rape survivors to be treated within 72 hours;
- the creation of gender monitoring offices in police stations and gendarmerie brigades: On 1 March 2019, the government equipped 29 police stations (six in the Abidjan District and 23 within the country) with gender desks for the management of Gender-Based Violence (GBV), namely rape, attempted rape, sexual assault or exploitation, forced prostitution, assault and battery, kidnapping, harassment, denial of resources or opportunity, female circumcision, forced or early marriage and widowhood rites.
- The establishment of GBV focal points in the courts and courts of appeal.
- 345 GBV victims have received legal assistance through legal clinics run by the Association of Female Lawyers of Côte d'Ivoire (AFJCI);
- 199 rape victims received medical treatment within 72 hours from social action structures that now have the capacity to prevent and respond to violence against women and children;
- the implementation of the SNLVBG and the Accelerated Plan to Combat Early Marriage;
- the launch, on 22 March 2018, of the Strategic Plan to Accelerate Girls' Education (PSAEF);
- the implementation of a strategic literacy plan whose main current beneficiaries are women (90%).

iv. Revise the legal texts relating to the rights of children and women in order to harmonize them with the Maputo Protocol and other international human rights standards.

121. In order to bring Ivorian legislation into line with regional and international standards relating to children and women, Côte d'Ivoire has embarked on a wide-ranging reform of its legislation, including:

- the adoption of Law n° 2019-574 of 26 June 2019 on the Criminal Code, which recognizes marital rape in its Article 388;
- the adoption of Law n° 2019-570 of 26 June 2019 on marriage, which enshrines equality between spouses and collegial management of the family; "the law on nationality" which grants equal treatment to men and women in

case of marriage with a foreigner;

- the adoption of Law n° 2019-571 of 26 June 2019 on filiation, which seeks to ensure that the legal framework of filiation is in line with Côte d'Ivoire's international commitments. This law contains innovations, the most important of which are the equality of rights of children, the admission of a new case for the initiation of an action for the denial of paternity, the simplification and clarification of the procedure for the recognition of a child born out of wedlock and the abolition of the time limit for instituting an action to establish natural paternity;
- the adoption of Law n° 2019-572 of 26 June 2019, on minority, which provides greater protection for minors, giving priority to their interests, particularly in matters of filiation, in order to ensure their well-being and development;
- the adoption of Law n° 2019-573 of 26 June 2019 relating to inheritance which improves the inheritance rights of the surviving spouse.

v. Provide information on measures taken to protect the rights of children in conflict with the law

122. In Côte d'Ivoire, the terminology referring to "*children in conflict with the law*" has evolved. It is now referred to as "*children in social disruption*".

123. Côte d'Ivoire has strengthened its system for protecting the rights of children in social disruption through the following measures:

- the adoption of Decree n°2016-1103 of 7 December 2016, creating the Multisectoral Committee to combat the children in social disruption phenomenon;
- the establishment of the Programme for the Protection of Vulnerable Children and Adolescents (PPEAV);
- the detection, care, reintegration and monitoring of 1,000 children in social disruption
- close collaboration with NGOs that take care of children in social disruption with the PPEAV;
- the opening of resocialization centers in M'Bahiakro (center) and Dabou (south).

124. In addition, the Government has initiated a national programme for the resocialization of 3,000 children under the PsGouv 2019-2020 social programme. This resocialization programme will provide dignity, education and create conditions for the integration and development of children in difficult situations and/or in social disruption.

This programme, supported by technical and financial partners and charitable structures, has made it possible to rehabilitate a transit center in Agboville and to create reception centers in Soubré (southwest), Bouaké (center) and Ferkessédougou (northeast) and care for children who are socially disrupted or victims of trafficking, in order to give them a new start in life.

vi. Provide sufficient resources to accelerate the prosecution and finalization of cases involving gender-based violence, including the rehabilitation of victims

126. To accelerate the prosecution and finalization of gender-based violence cases, the Government has taken two types of measures:

a) Financial resources

127. Côte d'Ivoire has set up a special fund endowed with 10 billion CFA francs to compensate and rehabilitate victims of the crises that broke out in Côte d'Ivoire, including GBV victims.

b) Human resources

- The creation of GBV focal points in courts and appeal courts. These focal points work in collaboration with legal clinics to provide assistance to GBV victims. These legal clinics are run by the Association of Female Lawyers of Côte d'Ivoire and are located in twelve (12) localities around the country: Abidjan (Plateau, Abobo and Yopougon), San Pedro (southeast), Guiglo (west), Man (west), Bouaké (center), Korhogo (center-north), Daloa (center-west), Abengourou (east), Boundiali (center-north) and Bondoukou (northeast).
- As a result of the decentralization of legal aid through Decree n° 2016-781 of 12 October 2016, offices are open in the 9 courts of first instance;
- The Project in support of improved access to rights and justice (PALAJ) has opened a dozen legal information centers with legal consultation sessions. It aims to bring justice closer to the people through capacity building of individuals and vulnerable groups on human rights including GBV victims. In 2016, a total of 419 people, including 331 victims of sexual abuse, received legal counselling and 40 victims received legal assistance through PALAJ.

vii. Strengthen and institutionalize a mandatory gender-sensitive course for all members of the security services and health service personnel to ensure that they are fully capable of dealing with all forms of violence against women and children.

128. The training module at the gendarmerie school was instituted since 27 July 2015, date on which the National Gendarmerie of Côte d'Ivoire opened its doors to

women.

129. For its part, the School of Customs has been providing this same training through CADHA since 2019.

130. The Police Academy, like the other defence and security forces, also receives this same training.

viii. Provide comprehensive information on the procedures and processes for the amicable settlement of gender-based violence cases and the impact of these settlements on the victim, her family, and her community.

131. There are no institutionalized procedures for settling cases of gender-based violence. Moreover, settlements are prohibited in cases of gender-based violence, including rape.

ix. Pursue efforts with stakeholders and partners to combat child labour and child trafficking, with a focus on unaccompanied children.

132. To effectively combat child labour and child trafficking, Côte d'Ivoire has adopted the following legislative and regulatory measures:

- Law n° 2016-1111 of 8 December 2016 on combating trafficking in human beings;
- Decree n° 2014-290 of 21 May 2014 on the implementation of Law n° 2010-272 of 30 September 2010 prohibiting trafficking and the worst forms of child labour;
- Decree n° 2017-227 of 13 April 2017 setting the powers, composition, organization and functioning of the National Committee to Combat Trafficking in Human Beings;
- Decree n° 2017-227 of 13 April 2017 setting the powers, composition, organization and operation of the National Committee to Combat Trafficking in Human Beings;
- Order n°2017- 016 MEPS/CAB of 2 June 2017 determining the list of light works authorized to children between 13 and 16 years old;
- Order n° 2017-017 MEPS/CAB of 2 June 2017 prescribing the list of hazardous works prohibited to children.

133. The opening of a reception center for children in distress who are victims of trafficking and exploitation in Soubré, inaugurated by the First Lady on 7 June 2018.

I- RECOMMENDATION IX: OLDER PERSONS

Adopt legislative measures, policies and support programmes to protect the rights of older persons and ensure their effective implementation

134. The State of Côte d'Ivoire has taken two types of measures to protect the older population.

(a) Textual measures

135. These are as follows:

- the Constitution of 8 November 2016 provides in Article 32: *"The State undertakes to guarantee the specific needs of vulnerable persons. It shall take the necessary measures to prevent the vulnerability of children, women, mothers, older persons and people with disabilities. It undertakes to guarantee the access of vulnerable persons to health services, education, employment, culture, sports and leisure."*

- Decree n° 2016-506 of 13 July 2016 on the organization of the Ministry of Employment and Social Protection, establishes an office responsible for coordinating responses concerning older persons: Sub-Directorate for the Protection and Promotion of Older Persons, under the Directorate of Social Action;

b) Support policies and programmes

136. These are as follows:

- the implementation of specific gerontology programmes and/or modules, for the past few years, at the National Institute of Social Training (INFS) in charge of training social workers and at the National Institute of Youth and Sports (INJS);
- the implementation of the project called "National Project for Assistance to Older Persons" which contributes to the increased protection of the rights of older persons;
- the setting up of geriatric services and/or units, notably in the University Hospitals (CHU) and various national health programmes (e.g.: National Programme for the Fight against Metabolic and Non-Transmissible Diseases) which care for older persons with chronic diseases;

J- RECOMMENDATION X: MINING AND ENVIRONMENT

i. Adopt the necessary legislative and other measures to mitigate/eradicate the negative impact of industrial, artisanal and semi-industrial mining operations on the environment, the safety and health of people living in neighbouring communities, and related risks

137. Measures to effectively address the negative impact of mining are twofold:

a) Legislative and regulatory measures

138. These measures are:

- Law n° 96-766 of 3 October 1996, on the Environmental Code, particularly Articles 10, 12, 39 and 40, which promote the sustainable use of the soil and subsoil;
- Law n° 88-651 of 7 July 1988 on the protection of public health and the environment against the effects of toxic and nuclear industrial waste and harmful substances (e.g. cyanide, mercury);
- Decree n° 91-662 of 9 October 1991, creating a public administrative institution called the Ivorian Anti-Pollution Center (CIAPOL) and specifying its powers, organization and operation;
- Decree n° 96-894 of 8 November 1996 defining the rules and procedures applicable to studies on the environmental impact of development projects;
- Decree n° 2005-03 of 6 January 2005 concerning environmental audit in its Articles 2, 5, 17 et seq.;
- Law n° 2014-138 of 24 March 2014 on the Mining Code in its Articles 28, 57, 137, 139, 140, 141, 142, 144, 145, 146 and 147;
- Order n° 139/PM/CAB of 31 March 2014 on the legal and institutional framework of the PNRO (National Programme for the Rationalization of Gold Mining);
- Order n° 004/MMG/CAB of 22 October 2018 establishing the Brigade for combating infringements to the Mining Code (Brigade de répression des infractions au Code minier) (BRICM).

b) Mitigation/eradication measures

139. These are as follows:

- In connection with the fight against illicit gold washing, 1305 illicit sites were closed and more than 5,000 illegal gold panners were arrested between 2014-2019.
- In addition, 68 Local Technical Committees (LTCs) have been set up to monitor illegal gold panning activities at the departmental level.
- The creation of training schools in the small-scale mining sector to considerably reduce the scourge of illicit gold panning in the localities of Buyo (southwest), Bouaflé (center) and Odiénné (northwest).
- BRICM was created within the framework of the National Programme for the Rationalization of Gold Mining. Moreover, it contributes to the fight against the illicit exploitation of other mining and quarrying substances.

ii. Provide sufficient information in the next report on:

- **The implementation of the new 2014 Mining Code, including the process of negotiating and granting permits, the responsible body and its members, the number of permits granted to companies/enterprises/individuals, artisanal and semi-artisanal miners, and the process of distribution of resource revenues.**

a) The lead agency and its members

140. The body responsible for conducting the procedure until its completion is the Inter-Ministerial Mining Commission (CIM) set up by Order n° 116/MIM/DGMG of 27 February 2018. It has nine (9) members representing:

- the Ministry of Mines;
- the General Directorate of Customs;
- the Ministry of Territorial Administration;
- the Ministry of Economy and Finance;
- the Ministry of Agriculture;
- the Ministry of the Environment;
- the Ministry of Budget;
- the Ministry of Water and Forestry.

141. The Commission gives its opinion on each application. Approved applications are forwarded to the Council of Ministers for final decision (issuance of a Decree).

b) Permit granting process (Article 36 of Law n°2014-138 of 24 March 2014 on the Mining Code)

142. With regard to the process itself, applications for exploration, exploitation and mining and quarrying permits are subject to a cadastral survey to verify the availability of the requested perimeters and ensure transparency in the allocation of mining and quarrying permits and authorizations. Applications that are considered admissible are analyzed on the merits by the technical departments concerned. In addition, these applications are examined by the Inter-Ministerial Mining Commission (CIM) during its meetings. The Commission issues an opinion on each application. Approved permit applications are forwarded for final decision.

c) The number of permits granted to companies/enterprises/individuals, artisanal and semi-artisanal miners

143. As of 31 December 2019, the breakdown of the mining permits (exploration and exploitation permits) is as follows (details of the breakdown are attached):

- eighteen (18) exploitation permits have been granted;

- one hundred and sixty-eight (168) exploration permits have been granted.

For industrial quarries, semi-industrial and artisanal mining, two hundred and twenty (220) permits have been granted and distributed as follows:

- fifty-two (52) industrial quarrying permits;
- thirteen (13) permits for the extraction of industrial quarry substances;
- forty-two (42) quarry and industrial sand lagoon mining permits;
- two (02) permits for the exploitation of industrial quarries of loose materials;
- seventy-two (72) semi-industrial gold exploitation permits;
- five (05) semi-industrial mining permits for Diamond
- five (05) semi-industrial mining permits for Colombo-Tantalite
- two (02) semi-industrial mining permits for Manganese
- twenty-two (22) artisanal mining permits for Gold
- seven (07) artisanal mining permits for Diamond.

d) The resource revenue distribution process (Law n°2014-138 on the Mining Code in its Articles 121 to 126)

144. The holder of the mining permit is required to draw up a community development plan in consultation with the local communities. Regarding the sharing of the proceeds from the mining sector, 0.5% of the non-taxable turnover of industrial mining companies is paid to the Local Mining Development Committees (CDLM) of the localities hosting the operating mining sites in the case of large industrialists.

In 2019, ten (10) Local Mining Development Committees were in operation. The level of investments made by mining companies amounted to 3.932 billion Francs.

With regard to the contribution of companies operating in the small-scale mining sector, i.e. semi-industrial mines, a memorandum of understanding is signed with the populations of the localities where these mines are located for their social development under the supervision of the Sub-Prefect for the economic and social development component.

- **The role and functions of the National Commission on Sustainable Development (CNDD) and the National Environment Agency and the level of public participation in their work:**

a- Role and missions of the CNDD

145. The role of the National Commission on Sustainable Development (CNDD), set up by Decree n° 2015-268 of 22 April 2015, is to promote the Sustainable Development Goals (SDGs) in Côte d'Ivoire.

146. The CNDD is mandated to:

- facilitate the consultation of governmental bodies, economic actors of civil society in order to establish Sustainable Development in Côte d'Ivoire;
- participate in drawing up policies and strategies in the field of Sustainable

- Development;
- work for a broad participation of the public in the development and the implementation of policies and strategies as regards Sustainable Development;
- give its opinions on any draft legislative and regulatory text, policy document or strategy related to sustainable development issues
- participate in the preparation of international negotiations on Sustainable Development and help implement the resulting agreements;
- Participate in discussions and initiatives that contribute to anchoring Sustainable Development within society;
- ensure the production and registration of Sustainable Development reports.

147. In addition, the CNDD's operation is reinforced by the creation of Sustainable Development Committees (CDD) in all public and private organizations, constituting its "operational arms".

b- Role and missions of the ANDE

148. The role of the National Environment Agency (ANDE), a public administrative body set up by Decree n° 97-393 of 9 July 1997, is responsible for ensuring that environmental considerations are taken into account in the implementation of development policies, plans, programmes and projects in Côte d'Ivoire.

149. ANDE's missions are to:

- coordinate the implementation of environmental development projects;
- monitor and evaluate the projects of the national environmental action plan (PNAE);
- constitute and manage a portfolio of environmental investment projects;
- participate, alongside the Minister of Economy and Finance, in the search for funding for the NEAP;
- ensure that environmental concerns are taken into account in development projects and programmes;
- see to the setting up and management of a national environmental information system;
- implement the impact study procedure and evaluate the environmental impact of macro-economic policies;
- implement the international conventions on the environment to which Côte d'Ivoire is a party;
- establish an ongoing relationship with NGO networks.

e) On the level of public participation in the work of the CNDD and ANDE:

- CNDD and public participation

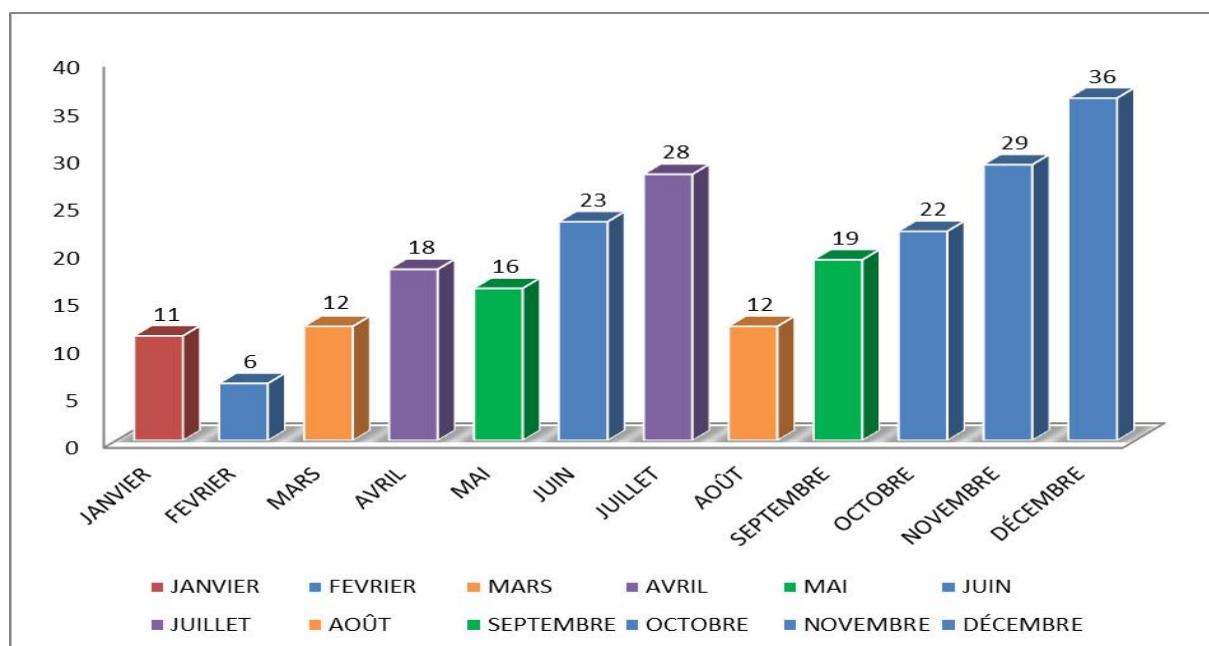
150. The CNDD considers the population to be key actors and stakeholders in its activities. Consequently, the populations are involved in the decision-making process through their participation in meetings, organized workshops or even interviews. The CNDD also compiles their suggestions and advice, and takes into account their opinions on the process or the activity for appropriate actions.

- ANDE and the participation of the population

151. According to the National Environment Agency (ANDE), public inquiry is the procedure that takes into account the populations' opinions and comments regarding the implementation of the environmental and social impact assessment of development projects. Thus, in 2019, public inquiries "show that a total of two hundred and thirty-two (232) people were consulted in order to take their views into account in ANDE's work in the field (232 report):

s

Chart 1



✓ **The procedures adopted for the compensation of landowners:**

152. No industrial company may exploit a parcel of land containing ore without first compensating the rightful occupant of the land (the landowner) or the person occupying the land (the person who has cultivated the land), as provided for in Article 127 of the Mining Code.

- In the case of crops, if they are to be destroyed, compensation payable to the person occupying the land is governed by interministerial order number 453/MINADER/MIS/MIRAH/MEF/MCLU/MMG/MEER/MPEER/SEPMBPE of 1

August 2018 establishing the compensation scale for the destruction or proposed destruction of crops and other investments in rural areas and the slaughter of livestock. In the mining sector, industrial companies generally exceed the rates provided for, and once a consensus has been reached between the industrial companies and the person occupying the land, the new rates are set by a prefectural Decree.

○ .

○ In the case of land rendered unfit for cultivation, industrial companies, as part of their operations, must also proceed to compensate the legitimate occupant of the land, i.e. the landowner, through negotiations. Once the negotiations have been concluded, the compensation rate is also determined by a prefectural Decree.

✓ **Precautionary measures taken and how these measures comply with human rights standards:**

153. The individual company is given sixty days' notice to comply with its obligations. If the formal notice is not complied with, the operating permit is withdrawn in accordance with Article 43 of the Mining Code.

154. In addition, other administrative sanctions may be imposed as indicated in Article 187 of the Mining Code, including

- the annulment of the authorization or the mining title;
- posting of the conviction at the place of infringement and in the administrative centres of the departments and sub-prefectures for three months.

K- RECOMMENDATION XI: HUMAN RIGHTS INSTITUTIONS

i. Take measures to ensure that the National Human Rights Commission of Côte d'Ivoire complies with the Paris Principles with respect to financial autonomy

155. In its efforts to comply with the Paris Principles, Côte d'Ivoire has adopted legislative and regulatory measures:

- Regarding the legislative measure, Law n° 2012-1132 of 13 December 2012 governing the National Human Rights Commission of Côte d'Ivoire, abbreviated as CNDH-CI, has been repealed. Côte d'Ivoire has adopted Law n° 2018-900 of 3° November 2018, on the creation, powers, organization and functioning of the National Human Rights Council (CNDH). This law reinforces the status of the national institution for the promotion and protection of human rights by introducing major innovations to align it with the Paris Principles. These include:

- ✓ budget management autonomy;
 - ✓ enhanced independence (the CNDH is now an independent administrative authority);
 - ✓ the right of unrestricted access to places of detention and deprivation of liberty.
 - ✓ the existence of its own headquarters.
- With regard to the regulatory measure, implementing Decree n° 2019-119 of 6 February 2019, defining the modalities for appointing members of the National Council for Human Rights established the rules for appointing members of the National Institution with a view to strengthening their organic and functional independence.

156. With these major reforms, the CNDH has moved from B status to A status in the Global Alliance of National Institutions for the Promotion and Protection of Human Rights (GANHRI).

ii. Provide the National Human Rights Commission with sufficient financial resources for the efficient discharge of its human rights promotion and protection mandate.

157. Law n° 2018-900 of 30 November 2018 elevated the CNDH to an independent administrative authority. This entity, in accordance with its new status, enjoys financial autonomy as provided for in Articles 31, 32, 33,34 and 36 of the above-mentioned law.

158. Under these provisions, the CNDH's budget is drawn up by that institution, whose President is the authorizing officer. The Court of Audit exercises only a posteriori control.

CHAPTER II - STATUS OF IMPLEMENTATION OF RECOMMENDATIONS OMITTED AFTER THE PRESENTATION OF THE INITIAL AND FIRST PERIODIC REPORTS IN 2012

A- RECOMMENDATION XII: IMPLEMENTATION OF COMMISSION DECISIONS

i. Strongly recommends that the Republic of Côte d'Ivoire amend the provisions of Articles 35 and 65 of its Constitution (2000) in conformity with the provisions of Articles 2 and 13 of the Charter.

159. The African Commission on Human and Peoples' Rights, upon referral by the New York-based non-governmental organization Open Society Justice Initiative, expressed concern about the alleged denial of nationality to the Dioula populations of

the north and recommended that Articles 35 and 65 of the 2000 Constitution be amended to align it with the provisions of Articles 2 and 13 of the Charter.

160. To implement this recommendation, Côte d'Ivoire adopted Law n° 2016-886 of 8 November 2016 enacting the Constitution of the Republic of Côte d'Ivoire, which repealed Law n° 2000-513 of 1 August 2000 laying down the Constitution of the Republic of Côte d'Ivoire, including the disputed Articles 35 and 65. These provisions have been replaced by Article 55 of the new Constitution which institutes more open conditions for candidacy to the Presidency. Henceforth, to qualify for the Presidency of the Republic, the candidate must be "exclusively of Ivorian nationality, born of an Ivorian father or mother". This wording is more in line with the provisions of Articles 2 and 13 of the African Charter on Human and Peoples' Rights.

ii. Recommends that the Republic of Côte d'Ivoire implement, by the quickest legislative and administrative means, the measures necessary for the recognition of the Dioulas' Ivorian nationality of origin through a simplified declaration procedure; to allow the other victims to benefit from the acquisition of nationality by the most favorable means provided for by the successive legislations adopted since the creation of nationality by applying the principles of retroactivity and acquired rights and privileges; to provide for independent, equitable and impartial judicial remedies to hear nationality disputes.

- a. The most rapid legislative and administrative means, the measures necessary for the recognition of the Dioulas' Ivorian nationality of origin through a simplified declaration procedure; to allow the other victims to benefit from an acquisition of nationality by the most favorable means provided for by the successive legislations adopted since the creation of nationality by applying the principles of retroactivity and acquired rights and privileges.

161. To implement this recommendation, the State resorted to Law n°2013-653 of 13 September 2013 on special provisions for the acquisition of Ivorian nationality by declaration and its Decree n°2013-848 of 19 December 2013. This law facilitates the acquisition of nationality by certain historical migrants who settled in Côte d'Ivoire before independence and their descendants. These are people:

- born in Côte d'Ivoire to foreign parents and aged under twenty-one as of 20 December 1961;
- who continuously resided in Côte d'Ivoire prior to 7 August 1960 and their children born in Côte d'Ivoire;
- born in Côte d'Ivoire between 20 December 1961 and 25 January 1973 to foreign parents, and their children.

162. As of October 31, 2018, the Minister of Justice has issued a certificate of Ivorian nationality to 16,000 applicants. Moreover, on the grounds of this law, 100,000 petitioners have applied for a certificate of nationality since April 2014.

b) Concerning the existence of independent, fair and impartial judicial-type remedies to hear nationality disputes:

- Types of common law remedies:

163. In Ivorian positive law, there are independent, fair and impartial judicial-type remedies to hear nationality disputes.

164. When the President of the Court of First Instance, a delegated magistrate or the judge of the section refuses to issue the certificate of nationality, he or she must render a reasoned decision of rejection. This decision of rejection is subject to appeal before the Minister of Justice.

165. If the Minister of Justice finds that the individual is entitled to nationality, there are two (2) possibilities:

- either the Minister of Justice himself issues the certificate of Ivorian nationality;
- or he may order the judge to issue the said certificate of Ivorian nationality (*New Art. 100. (Law n°72-852 of 21 December 1972): When the competent judge refuses to issue a certificate of nationality, the person concerned may refer the matter to the Minister of Justice who shall, if necessary, decide to proceed with the issuance).*

166. On the other hand, if the Minister of Justice rejects the said appeal, the individual applicant has three (3) possibilities:

- either, he or she may appeal to the Council of State against the decision of the Minister of Justice;
- or, he can bring an action before the civil court to obtain a ruling that he has Ivorian nationality. This action is directed against the Public Prosecutor;
- or he can resort to naturalization.

167. When the applicant has been issued a certificate of Ivorian nationality and the Minister of Justice considers that this certificate has been erroneously issued, the Public Prosecutor may summon this person to appear before the competent civil court to contest his or her nationality and be told that he or she does not have Ivorian

nationality.

- Specific types of appeal

168. Under Law n° 2013-653 of 13 September 2013, bearing special provisions on the acquisition of Ivorian nationality by declaration, the legislator has provided for an appeal, to hear nationality disputes. Indeed, in case of rejection of his/her application, the interested party has, under the terms of Article 7 of the law of 13 September 2013, a period of two months to exercise an ex gratia appeal before the Minister of Justice.

169. In the event of rejection of an informal appeal, the person concerned may submit a hierarchical appeal to the President of the Republic. The President of the Republic has discretionary power in this matter.

iii. Recommends further that the Republic of Côte d'Ivoire establish or improve, as the case may be, an efficient and non-discriminatory birth registration system that establishes the birth certificate as proof of nationality before the age of majority; institute access to documents relating to nationality as a right for citizens and, for the competent authorities, a duty entailing sanctions in case of unjustified or discriminatory failure to comply; and share the burden of proof between the applicant and the State in the event of a dispute over habitual residence or a claim to nationality with alternative methods of proof to the written document.

a- On the establishment of a non-discriminatory system of birth registration that establishes the birth certificate as proof of nationality before the age of majority; the institution of access to documents relating to nationality as a right for citizens and, for the competent authorities, a duty entailing sanctions in case of unjustified or discriminatory failure to comply;

170. In response to the inadequacies of the regulations on birth registration, two legislative measures have been taken by the State of Côte d'Ivoire:

- The adoption of Law n° 2018-862 of 19 November 2018 on civil status. This law aims to:
 - ✓ modernize civil status in order to better secure registers and bring civil status services closer to the people;
 - ✓ facilitate both the procedure for declaring civil status events and the issuance of civil status certificates;
 - ✓ institute new mechanisms for registering births, which will henceforth be effected from birth in maternity hospitals and village health centers;

- ✓ strengthen the system of collecting and keeping civil status events (birth, marriage, death, etc.).
- Law n° 2018-863 of 19 November 2018, on the special procedure for declaring birth, reinstating identity, and transcribing birth certificates. This law has three main purposes:
 - ✓ it institutes a special procedure for declaring births, for persons born in Côte d'Ivoire without a civil status record or supplementary birth certificate judgment;
 - ✓ this law also aims to regularize the situation of persons using a false birth certificate or a birth certificate other than their own;
 - ✓ finally, it regularizes the situation of birth certificate holders whose two registers have been destroyed or deteriorated.

171. These two laws thus institute a modern, efficient and non-discriminatory birth registration system that takes into account all persons born in Côte d'Ivoire before their promulgation. However, given the nationality attribution system which is based on the right of blood, the proof of nationality by the sole fact of the birth certificate has not been retained. These two laws translate the firm and irrevocable commitment of Côte d'Ivoire to provide its citizens or not with a birth certificate, an indispensable document for the establishment of the certificate of nationality.

b. Sharing the burden of proof between the applicant and the State in the event of a dispute over habitual residence or a claim to nationality with alternative methods of proof to the written document: proof of nationality before the courts in Law n° 72-852 of 21 December 1972

172. The burden of proof of nationality is indeed shared before the courts of law with regard to nationality disputes. This is sufficiently clear from Article 89 of 21 December 1972, which provides: "*The burden of proof, in matters of nationality, lies with the person who, by way of action or exception, claims to have Ivorian nationality or not. However, the burden of proof shall be on the person who, by the same means, challenges the Ivorian nationality of an individual holding a certificate of Ivorian nationality issued in accordance with Articles 97 et seq.*"

iv. Recommends in particular that the Republic of Côte d'Ivoire align its nationality legislation with the provisions of Articles 2 and 5 of the Charter, the relevant provisions of the African Charter on the Rights and Welfare of the Child and the United Nations Conventions on statelessness, in strict compliance with the relevant international guidelines on the matter.

173. Nationality is the legal bond that attaches an individual to one or more States. Côte d'Ivoire has opted for the right of blood as the main form of acquiring nationality, with the advent of Law n° 72-852 of 21 December 1972, which abolished the right of soil. Côte d'Ivoire is a State with a large immigrant population, since more than 24% of its population originating from other countries. However, many people born to foreign parents have neither Ivorian nor any other nationality.

174. The country has more than 1,600,000 stateless persons. Thus, to enable these people to have Ivorian nationality, Côte d'Ivoire, through Decrees N° 2013-650 and N° 2013-648, ratified on 13 September 2013, two international instruments on statelessness:

- a. the Convention of 22 April 1954 relating to the Status of Stateless Persons. This convention defines the framework for the protection of stateless persons and proclaims that the stateless person has rights at least equal to those of foreigners;
- b. the Convention on the Reduction of Statelessness adopted on 30 August 1961. This convention emphasizes the rules of attribution and non-withdrawal of nationality, in order to avert statelessness, and requires States to grant nationality to children born on their territory or to foreigners who would otherwise be stateless.

175. These two international legal instruments are now part of the normative corpus of Côte d'Ivoire, by virtue of Article 3 of the Nationality Code, which states that the provisions relating to nationality contained in duly ratified and published international treaties or agreements apply, even if they are contrary to the domestic legislation of Côte d'Ivoire, and of Article 123 of the Constitution, which states that duly ratified conventions shall, upon their publication, take precedence over the law..

176. Aligning Ivorian legislation with supra-national texts on statelessness will enable persons in a situation of statelessness to enjoy the rights and freedoms provided for in Articles 2 and 5 of the Charter, and will specifically allow children to enjoy the relevant provisions of the African Charter on the Rights and Welfare of the Child.

v. Recommends that the Republic of Côte d'Ivoire return the land or compensate the victims who have been expropriated by the application of the rural land legislation and implement prompt and effective measures for the effective application of the new reforms.

- **Measures to restitute land or compensate victims expropriated by the application of Rural Land Legislation:**

177. Several legislative and regulatory measures have been taken to regulate access to rural land. These include:

- Law n° 98-750 of 23 December 1998 on the Rural Land Estate as amended by Laws N° 2004-412 of 14 August 2004, N° 2013-655 of 13 September 2013 and N° 2019-868 of 14 October 2019;
- Decree n° 2016-590 of 3 August 2016 establishing the Rural Land Agency, called AFOR, intended to further respond to the implementation of the 1998 law on rural land tenure;
- Decree n° 2019-264 of 27 March 2019 on the organization and powers of the Sub-Prefectural Rural Land Management Committees and the Village Rural Land Management Committees;
- Decree n° 2019-266 of 27 March 2019 setting the terms and conditions for the application of Law n° 98-750 of 23 December 1998 to customary rural land tenure;
- Decree n° 2019-265 of 27 March 2019 establishing the procedure for consolidating the rights of provisional land concessionaires under the Rural Land Tenure System;
- Decree n° 2019-263 of 27 March 2019 defining the procedure for demarcating village territories;
- Law n° 98-750 of 23 December 1998 relating to the rural land tenure;
- Law n° 2015-537 of the 20 July 2015 on agricultural orientation.

178. The above-mentioned legislative texts governing rural land tenure recognize the right of any national or foreign natural or legal person to free access to rural land, even if such access is reserved for natural persons of Ivorian nationality, the State and public authorities. The application of this law has not therefore entailed any form of expropriation, particularly with regard to persons of foreign nationality. The transitional provisions of the 1998 law, in particular Article 26, recognize the right of ownership held prior to the promulgation of this law by persons not included among those to whom access to property is now reserved. Article 26 of the 1998 law, as amended by Law n° 2004-412 of 14 August 2004, also recognizes the transferability of property rights obtained prior to the entry into force of the 1998 law. The Ivorian Constitution of 8 November 2016 provides in its Article 12 paragraph 1 in fine that "acquired rights are guaranteed".

179. Pursuant to these and other subsequent laws, no foreign legal or natural person has been affected by expropriation.

180. Furthermore, following the post-electoral conflict, the government took all necessary measures to ensure that any person who was illegally dispossessed of his/her property could recover it as soon as proof of ownership was established. To this end, the Commission for the Restitution of Illegally Occupied¹², Public and Private Property was set up after the post-electoral crisis, providing any expropriated person with the opportunity to obtain compensation.

a. Implement prompt and effective measures for the effective implementation of new reforms

181. To implement policies, plans and programmes in the acquisition of land in the rural land estate, the following actions have been carried out to facilitate their acquisition:

- ✓ Law n° 2019-868 of 14 October 2019 amending Law n° 98-750 of 23 December 1998 on Rural Land Tenure, as amended by Laws N° 2004-412 of 14 August 2004 and N° 2013-655 of 13 September 2013, was adopted. This amending law aims, inter alia, to revise the deadlines for the conversion of the land certificate into a title deed, the deadlines for the establishment of customary rights and the deadlines for the consolidation of granted rights;
- ✓ The establishment and rapid installation of the Rural Land Agency (AFOR);
- ✓ The execution of projects financed to accelerate the implementation of the law on rural land tenure, by issuing, at no cost to the population, land certificates and contracts between the beneficiaries of the land certificates and farmers of the rural land concerned.

182. In addition, the following implementing Decrees were issued to improve and secure land operations:

- ✓ Decree n° 2016-590 of 3 August 2016, creating the Rural Land Agency, known as AFOR;
- ✓ Decree n° 2019-263 of 27 March 2019 defining the procedure for the delimitation of village territories;

¹² Cette commission a, au mois d'avril 2018, enregistré au total 1 805 cas de plaintes dont 1.265 ont été réglées, soit un pourcentage de 70,08%. Sur les 540 dossiers restants, plus de la moitié sont en cours de traitement et le reste jugé irrecevable, pour insuffisance de preuves.

- ✓ Decree n° 2019-264 of 27 March 2019 on the organization and attributions of the Sub-Prefectural Rural Land Management Committees and Village Rural Land Management Committees;
- ✓ Decree n° 2019-265 of 27 March 2019 establishing the procedure for consolidating the rights of provisional land concessionaires of the Rural Land Estate;
- ✓ Decree n° 2019-266 of 27 March 2019 establishing the terms and conditions for the application of Law n° 98-750 of 23 December 1998 to customary rural land tenure.

183. This entire legislation has facilitated access to rural land ownership for men, women and young people alike. In terms of impact, a total of 5,550 land certificates have been issued to date, representing a growth rate of more than 1,000%. More specifically, the number of individual land certificates issued to women is 460, i.e. a ratio of about 10%.

B- RECOMMENDATION XIII: STATE OBLIGATIONS TO IMPLEMENT THE COMMISSION'S RECOMMENDATIONS

i. Translate the African Charter into all local languages and disseminate it extensively to the general population for its appropriation.

184. Côte d'Ivoire has translated its Constitution into ten (10) national languages and broadcast it on national and local radio stations. Similarly, human rights awareness campaigns are regularly carried out in local languages.

185. On the strength of this experience, Côte d'Ivoire intends to translate the African Charter into local languages and disseminate it widely for its acceptance by the population.

ii. Provide the Commission with specific, precise and detailed responses on the measures taken to implement the recommendations made in the Commission's Concluding Observations on its Initial and Combined Periodic Reports, in particular with regard to:

a. Implementation of the National Action Plan on UN Security Council Resolution 1325 on Women, Peace and Security:

186. On this point, Côte d'Ivoire has adopted a number of measures.

187. Indeed, it was the first African country to adopt a National Action Plan for the implementation of UNSCR 1325 for the period 2008-2012. This plan was evaluated in 2012. A second national plan for 2019-2023 was developed by the government, with

the participation of civil society, and with the technical and financial support of the Canadian Embassy.

188. Women's participation in the decision-making process in 2018 was as follows: Parliament (11%), Government (18%), Economic, Social, Environmental and Cultural Council (30%), Heads of Diplomatic Missions (13%), Regional Councillors (11.33%), Municipal Councillors (14.97%), Senate (11%), Kings and Traditional Chiefs: 8 women out of 8,000, i.e. (0.1%).

189. There has been significant progress materialized by the adoption of Law n° 2019-870 of 14 October 2019 promoting the representation of women in elected assemblies by instituting measures, including a quota of 30%.

190. The other points of Resolution 1325 have already been answered in points 113 to 117 of this report.

b. The implementation of the policy on the repatriation of Ivorian refugees:

191. The Ivorian Government has set up a system for the voluntary repatriation of Ivorian refugees and a mechanism for the reintegration of refugees returning voluntarily. Indeed, in light of the stability regained since 2012, various tripartite agreements have been signed between the Ivorian Government, host countries and UNHCR (United Nations Refugee Agency).

192. Thus, 90% of the 300,000 Ivorian refugees returned to their country between 2011 and 2019. Only about 30,000 are still in exile, by choice.

c. The enactment of special legislation on torture, in accordance with international standards:

193. Law n° 2019-574 of 26 June 2019 on the Criminal Code, published in the Official Gazette on 10 July 2019, criminalizes torture and other cruel, inhuman or degrading treatment or punishment as stand-alone offences in Articles 399 to 402, in accordance with the Convention against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment and the Robben Island Guidelines.

d. Fulfil its obligations under Article 62 of the African Charter by implementing these recommendations:

194. By submitting this third periodic and combined report (2016 - 2019), Côte d'Ivoire is honouring its reporting obligations to the Commission and committing itself to Article 62 of the Charter.

PART TWO:

INSTITUTIONAL DEVELOPMENTS AND MEASURES FOR THE PROMOTION AND PROTECTION OF HUMAN RIGHTS UNDER THE CHARTER

P.54 - CHAPTER I - THE NORMATIVE AND INSTITUTIONAL FRAMEWORK

195. Since Côte d'Ivoire submitted its initial and combined report to the Commission in 2012, the normative and institutional framework for the promotion and protection of human rights has evolved significantly.

CHAPTER I - THE NORMATIVE AND INSTITUTIONAL FRAMEWORK

A. NORMATIVE MEASURES

196. At the normative level, between 2016 and 2019, Côte d'Ivoire adopted several constitutional, legislative and regulatory texts relating to human rights in order to comply with its international commitments. These include, in particular:

- Law n°2016-886 of 8 November 2016 on the Constitution, which introduces the following innovations:

- ✓ the recognition of civil society "as one of the components of the expression of democracy and as an actor of development" (Article 26);
- ✓ the right to a healthy environment (Article 27);
- ✓ the specific needs of vulnerable persons (Article 32);
- ✓ the creation of the Commission on Access to Information of Public Interest and Public Documents (CAIDP) (Article 18);
- ✓ the creation of the Senate, which constitutes the Upper House of Parliament (Article 85 to 100);
- ✓ reinforcing the missions of the Economic, Social, Environmental and

Cultural Council (Article 163).

- The national legal framework was strengthened with the ratification of various international human rights instruments during the reporting period, including:

- ✓ the Rome Statute, establishing the International Criminal Court, ratified on 15 February 2015. The provisions of this Statute were introduced into national legislation by Law n° 2015-134 of 9 March 2015, amending and supplementing Law n° 81-640 of 31 July 1981, establishing the Criminal Code;
- ✓ Convention N° 150 on the Administration of Labour, adopted on 26 June 1978 in Geneva, Switzerland, ratified by Decree n° 2016-922 of 30 December 2016;
- ✓ Convention N° 155 on Occupational Safety and Health, adopted on 22 June 1981 in Geneva, Switzerland, ratified by Decree n° 2016-923 of 30 December 2016;
- ✓ Convention N° 160 on labour statistics, adopted on 25 June 1985 in Geneva, Switzerland, ratified by Decree n° 2016-924 of 30 December 2016.

- The legislative and regulatory framework has also been strengthened by laws and decrees for the enhanced promotion and protection of Human Rights. These include:

- ✓ Law n° 2016-1111 of 8 December 2016 on the fight against trafficking in persons and Decree n° 2017-227 of 13 April 2017 setting the attributions, composition, organization and functioning of the National Committee for the Fight against Trafficking in Persons;
- ✓ Law n° 2018-570 of 13 June 2018 on the protection of witnesses, victims, whistleblowers, experts and other persons concerned;
- ✓ Law n° 2018-862 of 19 November 2018, on civil status, which aims at modernizing civil status for the improved security of registers and bringing civil status services closer to the people;
- ✓ Law n° 2018-863 of 19 November 2018, which institutes a special procedure for declaring births, rehabilitating identity, and transcribing birth certificates;
- ✓ Law n° 2018-975 of 27 December 2018 on the Code of Criminal Procedure, which meets international standards of fair justice, justice rendered within reasonable time, respect for the rights of the defence, respect for the rights of the victim, and which introduces alternatives to detention;
- ✓ Law n° 2018-977 of 27 December 2018 setting the attributions, composition, organization and functioning of the Court of Cassation which will further protect the freedoms of citizens;
- ✓ Law n° 2018-978 of 27 December 2018 setting the attributions, composition, organization and functioning of the Council of State, which is much more capable of punishing infringements of private rights by public persons and of protecting the rights of citizens more effectively;
- ✓ Law n° 2018-979 of 27 December 2018, defining the powers, composition, organization and functioning of the Court of Auditors, which will be the highest

court of law in the area of public finance control. With this institution, good governance will become more deeply anchored in the mores;

- ✓ Law n° 2019-570 of 26 June 2019 on marriage which contributes to further balancing the relationship between spouses, in accordance with the principles of non-discrimination, equal rights and responsibility of spouses in marriage;
- ✓ Law n° 2019-571 of 26 June 2019 on filiation, which aims to ensure that filiation is aligned with Côte d'Ivoire's international commitments by establishing parental authority in place of paternal power, and recognizing the rights of the "adulterous" child with the aim of promoting equal rights for the child without distinction. To this end, the right of the mother to add her name to that of the father on the names and surnames of their children has been recognized;
- ✓ Law n° 2019-572 of 26 June 2019, on minority, which provides greater protection for minors, giving priority to their interests;
- ✓ Law n° 2019-573 of 26 June 2019, relating to inheritance, which improves the inheritance rights of the surviving spouse, who now receives a quarter of the estate of the deceased's children and parents relating to inheritance, which provides, inter alia, for an improvement in the inheritance rights of the surviving spouse, who in conjunction with the children and parents of the deceased, now receives a quarter of the estate;
- ✓ Law n° 2019-574 of 26 June 2019, on the new Criminal Code with new incriminations and the removal of minor offences to comply with international commitments;
- ✓ Law n° 2019-870 of 14 October 2019 promoting the representation of women in elected assemblies;
- ✓ Law n° 2019-987 of 27 November 2019, relating to adoption, which amends the current adoption procedure with a view to further guaranteeing the interests of the child;
- ✓ Law n° 2018-900 of 30 November 2018, creating the National Human Rights Council (CNDH), to replace the less protective and less independent National Human Rights Commission of Côte d'Ivoire (CNDHCI); and
- ✓ The Decree of 20 March 2019, amending Decree n° 2017-123 of 22 February 2017, setting the amount and terms of collection of contributions due under the general basic scheme and the medical assistance scheme of the Universal Health Coverage (UHC) set for 1 July 2019, and the commencement of benefits on 1 October 2019.

B- INSTITUTIONAL AND POLITICAL MEASURES

197. Concerned with the promotion and protection of human rights, Côte d'Ivoire has

set up new institutions and strengthened the capacities of those already in existence. These are:

- The Senate

198. The Senate is the Upper House of Parliament which now participates in the legislative process (Articles 85 to 100 of the Constitution);

- The Supreme Court

199. The Supreme Court of Côte d'Ivoire is the highest court in the country. It ensures that the law is enforced by the administrative and judicial courts. It resolves conflicts of jurisdiction between these two jurisdictions. At the end of the current reforms, the Court of Cassation¹³ will become the highest court in the judicial order and the Council of State¹⁴ the highest court in the administrative order. In addition to these courts, there will be the Court of Auditors¹⁵, which will oversee the regularity of the accounts of the State, of public entities and of companies in which the State has a stake. A court of conflicts will be established to settle conflicts of jurisdiction between the two orders of jurisdiction in replacement of the Supreme Court.

- The Ombudsman of the Republic (Article 165 of the Constitution):

200. The Ombudsman of the Republic of Côte d'Ivoire is an independent administrative authority, entrusted with a public service mission, more precisely to mediate between the Administration and the citizens, but also between the citizens themselves. He/she is the gratuitous intercessor between the Administration and the citizens. As such, he/she is accessible free of charge to any citizen wishing to assert his/her rights with the Administration.

- The National Press Authority (ANP)

201. This institution was set up by Law n° 2017-867 of 27 December 2017 on the legal regime. It is an Independent Administrative Authority whose mission is to regulate the print media sector in Côte d'Ivoire. The ANP is in charge, inter alia, of:

- ✓ ensuring that press companies and journalists comply with the obligations set out in the law on the legal regime of the press;
- ✓ ensuring compliance with the ethics and deontology of journalism;
- ✓ punishing abuses and breaches of the press.

- The High Authority for Audiovisual Communication (HACA)

202. This is an independent administrative authority entrusted with the following missions:

¹³ Law n°2018-977 of 27 December 2018 determining the attributions, composition, organization and functioning of the Court of Cassation

¹⁴ Law n°2018-978 of 27 December 2018 determining the attributions, composition, organization and functioning of the Council of State

¹⁵ Law n°2018-979 of December 27, 2018 determining the attributions, composition, organization and functioning of the Court of Auditors

- ✓ guarantee and ensure the freedom and protection of audiovisual communication;
- ✓ ensure compliance with the ethics and deontology of information;
- ✓ guarantee access, equitable treatment of the institutions of the Republic, political parties, associations, and citizens to official information and communication organs;
- ✓ promote and guarantee pluralism in the audiovisual space.

203. The HACA is mandated to regulate media action during the election campaign. Thus, in accordance with Article 30 of the Electoral Code, the HACA is mandated to ensure that the principle of equal access to the print, radio and television media is adhered to and strictly enforced in accordance with the terms and conditions defined by ministerial order.

204. These two independent administrative authorities play a role in regulating the media and ensuring the freedom of expression and opinion guaranteed by the Ivorian constitution.

- The High Authority for Good Governance (HABG)

205. Created by Order n° 2013-660 of 20 September 2013 on the prevention and fight against corruption and related offences, and amended by Order n° 2015-176 of 24 March 2015. It is responsible for developing and implementing the national anti-corruption strategy.

206. Pursuant to the aforementioned order, *"the High Authority for Good Governance sends to the President of the Republic an annual evaluation report on activities related to the prevention and fight against corruption. A copy of this report is also sent to the National Assembly, the Court of Auditors, the Constitutional Council, the Economic and Social Council and the Ombudsman of the Republic"*.

- The National Council for Human Rights (CNDH)

207. Pursuing efforts to improve the normative and institutional framework for the promotion and protection of human rights, the State of Côte d'Ivoire adopted Law n° 2018-900 of 30 November 2018 on the creation, attribution, organization and functioning of the National Council for Human Rights (CNDH), as well as its implementing Decree n° 2019-119 of 6 February 2019 determining the modalities for appointing members of the National Council for Human Rights. These texts introduce major innovations that have enabled this Institution to attain A status.

208. On 30 December 2015, Côte d'Ivoire adopted Law n° 2015-902 of 30 December 2015 on the National Development Plan (NDP) for the period 2016-2020. This constitutes the framework for all national policies relating to development and specifically to the improvement of human rights.

CHAPTER II: MEASURES TAKEN BY CÔTE D'IVOIRE FOR THE PROMOTION

AND PROTECTION OF CIVIL, POLITICAL, ECONOMIC, SOCIAL, CULTURAL AND ENVIRONMENTAL RIGHTS AND CHALLENGES AHEAD

209. To implement the Charter, Côte d'Ivoire has taken constitutional, legislative and regulatory measures that cover civil and political rights (first generation rights), economic, social and cultural rights (second generation rights) and environmental rights (third generation rights). Nevertheless, citizens also have certain duties to the state and the international community. There are challenges to be met in order to allow the entire population to enjoy their fundamental rights and freedoms.

A- CIVIL AND POLITICAL RIGHTS

1. Non-discrimination, equality before the law and the right of peoples to equality (Articles 2, 3 and 19 of the Charter)

210. In Côte d'Ivoire, the equality of all citizens and non-discrimination are fundamental principles set out in the preamble to the Constitution. Similarly, Article 4 of the Constitution reiterates the above principles in the following terms: "*All Ivoirians are born and shall remain free and equal in law. No one shall be privileged or discriminated against by reason of race, ethnicity, clan, tribe, colour of skin, sex, region, social origin, religion or belief, opinion, wealth, difference in culture or language, social situation or physical or mental condition*".

211. To clearly mark the adherence of the State of Côte d'Ivoire to the principle of equality and non-discrimination, the legislator, in Law n° 2019-574 of 26 June 2019 on the Criminal Code, in its Articles 226.4° and 5° and 228 to 233, prohibits and punishes racism, xenophobia, tribalism and racial or religious discrimination.

212. In relation to this principle, Law n° 2014-430 of 11 July 2014 on the prevention, protection and repression regime in the fight against HIV and AIDS condemns discrimination on the basis of the HIV-positive status of individuals and applies fines in the event of refusal to treat or care for people with AIDS.

2. The rights to life, liberty, security of the person and to be protected from torture, cruel, inhuman or degrading treatment or punishment (Articles 4, 5 and 6 of the Charter)

213. These rights are enshrined in Articles 2, 3, 5, 7, 13, 14, 19, 20 and 21 of the Constitution. This fundamental law strengthens individual rights and freedoms because the number of Articles devoted to them increases from 22 to 26. Indeed:

- with regard to the right to life, security and the right to be protected from torture, cruel, inhuman or degrading treatment or punishment, the Constitution enshrines, in Articles 2 and 3, "*the inviolability of the right to life*" and reaffirms "*the abolition of the death penalty*", in these terms: "*The right to life is inviolable. No one has the right to take another's life. The death penalty is abolished*". Similarly, Article 5 provides that "*slavery, trafficking in human beings, forced labour, physical or moral torture, inhuman, cruel, degrading and humiliating treatment, physical violence, female genital mutilation and all other forms of degradation of the human being are prohibited*";

- acts of torture and cruel, inhuman or degrading treatment are established as stand-alone offences by the new Criminal Code enacted by the law of 26 June 2019 (in its Articles 399 to 402);
- regarding the right to freedom of assembly, Article 20 reaffirms that "the freedoms of association, assembly and peaceful demonstration are guaranteed by law";
- Similarly, Article 19 recognizes the freedoms of thought and opinion. One of the notable changes is the recognition of civil society as one of the components of the expression of democracy and as an actor in development (Article 26);
- The Ivorian Constitution also imposes duties on the State in Articles 28 and 29.

214. Thus, under Article 28 of the Constitution, *"the State undertakes to respect the Constitution, human rights and public freedoms. It shall ensure that they are known and disseminated among the population. The State shall take the necessary measures to integrate the Constitution, human rights and public freedoms into school and university curricula, as well as in the training of the defence and security forces, and of administrative officials"*. Article 29 provides that *" the State guarantees the right to a democratic opposition. On matters of national interest, the President of the Republic may seek the opinion of the opposition parties and political groups"*.

215. With regard to security, it is the responsibility of the State to ensure the maintenance of public order with the aim of protecting institutions, persons and property. The citizens' security is protected in compliance with the exercise of fundamental rights.

216. The State of Côte d'Ivoire provides security through its competent services, namely the police, the gendarmerie and the army.

217. The indicator of the State's compliance with this obligation is the security index. According to the National Security Council (CNS), this index has successively fallen from 3.4 in 2012; to 1.2 in 2015; 2.39 in 2017; 1.4 at the end of 2018 and 1.1 in April 2019 on a scale of 5.

3. The right to a fair trial (art. 7 of the Charter)

218. In Côte d'Ivoire, there are two types of fair trial guarantees: general guarantees and specific guarantees.

- **The general guarantees derive from free and equal access to justice, which is inseparable from its corollaries, the independence and impartiality of justice.**

219. First, Article 6 of the Constitution provides: *"The right of every person to free and equal access to justice is protected and guaranteed. Every person has the right to a fair trial and to a judgment rendered within a reasonable time determined by law. The State shall promote the development of local justice"*.

220. Secondly, the principle of independence, which is the foundation of the rule of law, guarantees the right of those subject to trial to a fair trial. This principle is enshrined in the Constitution of 8 November 2016 by Articles 139 and 140, which respectively provide: "*The judiciary is independent*" (of the executive and legislative branches) (Art. 139) and "*(...) The judge obeys only the authority of the law*" (Art. 140).

221. Finally, impartiality is guaranteed by legal mechanisms available to the defendant, in particular recusal (Articles 672 to 679 of the Code of Criminal Procedure and 128 to 132 of the Code of Civil, Commercial and Administrative Procedure), and reasonable suspicion (Article 667 of the Code of Criminal Procedure).

- **The specific guarantees of the right to a fair trial are linked to respect for the rights of the defence and the presumption of innocence.**

222. Respect for the rights of the defence stems from the right of the accused to be assisted by a defence counsel of his or her choice (Article 74, paragraph 3, and 90 of the Code of Criminal Procedure) and by an interpreter (Article 123 of the Code of Criminal Procedure), in particular as early as the preliminary investigation in criminal matters.

223. As for the presumption of innocence, it is enshrined as an intangible principle by Article 7 in fine of the Constitution of 8 November 2016: "*(...) Every accused person is presumed innocent until proven guilty following a fair trial, offering all the guarantees necessary for his defence*".

224. This principle was incorporated into the new Code of Criminal Procedure of 27 December 2018 (Article 2).

225. Fairness is also guaranteed by the principle of the "double" degree of jurisdiction (courts, courts of appeal) and by the principle of collegiality instituted in trial panels of the courts, the courts of appeal and in the higher courts (Court of Cassation and Council of State).

4. Freedom of faith (Art. 8 of the Charter)

226. In the Preamble to its Constitution, the People of Côte d'Ivoire:

- affirms its desire to build a fraternal, united, peaceful and prosperous Nation that takes into account its ethnic, cultural and religious diversity;
- proclaims that it is convinced that political, ethnic and religious tolerance as well as forgiveness and dialogue between cultures are fundamental elements of pluralism contributing to the consolidation of our unity, the strengthening of the national reconciliation process and social cohesion;
- affirms its attachment to the respect of cultural, spiritual and moral values;
- reminds everyone, in all circumstances, of its irreversible commitment to defend and preserve the republican form of government and the secular nature of the State;

227. In accordance with these solemn commitments, the Constitution provides in Article 4: *"All Ivoirians are born and remain free and equal in law. No one may be privileged or discriminated against by reason of (...), religion or belief (...)"*.

228. With regard to the right to education, Article 10 of the Constitution states: *"Institutions, the private secular sector and religious communities may also contribute to the education of children, under the conditions determined by law"*.

229. Similarly, Article 14 of the Constitution provides that *"any discrimination in access to or in the exercise of employment on the basis of sex, ethnicity or political, religious or philosophical opinions is prohibited"*.

230. The Constitution also provides in Article 19: *"Freedom of thought and expression, in particular freedom of conscience, philosophical opinion and religious belief or worship, are guaranteed to all. Everyone has the right to freely express and disseminate his/her ideas. These freedoms are enjoyed in compliance with the law, the rights of others, national security and public order. Any propaganda having the aim or effect of giving precedence to one social group over another, or of encouraging racial, tribal or religious hatred, is prohibited"*.

231. Moreover, Articles 221 to 223 and 226-5, 228 and 229 of the Criminal Code, punishes all *"attacks on freedom of worship and religious discrimination"*. To guarantee the free and plural expression of religious convictions, the Ministry in charge of Security and Civil Protection has created a Department of Religious Affairs.

232. The secular nature of the State has allowed various religions to flourish. The main ones are Islam, Christianity and animism. It is therefore common for members of the same family to practice different religions freely.

5. Freedom of expression and communication (Article 9 of the Charter)

233. The Constitution enshrines this right in Article 19, which reads as follows *"Freedom of thought and expression, including freedom of conscience, philosophical opinion and religious belief or worship, are guaranteed to all. Everyone has the right to freely express and disseminate his/her ideas. These freedoms shall be exercised with due regard for the law, the rights of others, national security and public order"*.

234. This freedom is illustrated by the liberalization of the audiovisual landscape and the diversity of media coverage. Indeed, there are:

- eight (08) national television channels, six (06) of which are State-owned and two (02) private (RTI 1, RTI 2, La 3, Radiodiffusion-Télévision ivoirienne, RTI Sport TV, RTI Music TV, A+ Ivoire and NCI);
- two hundred and forty-four (244) radio stations broadcasting in frequency modulation (FM) within the national territory classified in eight (08) categories:
 - ✓ private non-commercial radio stations (so-called proximity radio stations), numbering fifty-two (52);
 - ✓ rural radios;
 - ✓ faith-based radio stations;
 - ✓ private commercial radio stations;
 - ✓ school radio stations;

- ✓ foreign radio stations;
- ✓ institutional radio stations;
- ✓ and state-owned radio stations.

235. The major radio stations are: *Radiodiffusion-Télévision ivoirienne, RFI, Bengueshow, Nostalgie -CI, Hit Radio Côte d'Ivoire, Abidjan.net FM, Radio Jam, Fréquence 2, Radio Fréquence Vie (89. 4 FM), Radio des Églises évangéliques de Côte d'Ivoire, Radio Côte d'Ivoire, RFI 1 Afrique, Radio Man Catholique, Radio Notre-Dame (Yamoussoukro) Catholique, Radio Paix Sanwi (in Aboisso Catholique), Radio Yopougon (local radio), Radio Alobhé, BINGERVILLE 100. 8 FM (all of Abidjan and its suburbs) (communal radio), Radio ATM Port-Bouët (communal radio), City FM (private legal entities), Treichville Radio Abidjan 1 (all of Abidjan and its suburbs) (private legal entities, located in Cocody), Cocody FM (private legal entities, Cocody), Radio Espoir 102. 8FM, Zenith FM, Radio Amitié Radio Anyama, ONUCI FM, Radio Nationale Catholique "La Voix de l'Évangile" 102.5FM, Radio Phénix Bouaké "La génération émergente" (private commercial radio) 100.1 FM - All the Gbéké region, Radio Nationale Islamique "Radio Al Bayane" 95. 7 FM including about ten radio stations broadcasting in Abidjan (Radio Yopougon (communal radio), Radio ATM Port-Bouët (communal radio), City FM (private legal entities, Treichville), Radio Abidjan 1 (ex RFS) (private legal entities, Cocody), Abidjan.net FM, Cocody FM (private legal entities, Cocody, Radio Alobhé BINGERVILLE, 100.8 FM (communal radio), Radio Espoir, Zénith FM, Radio Amitié and Radio Anyama).*

- Seventy-eight (78) print media outlets.

236. The most present are: *L'Agora, Allo Police, Le Canard d'Abidjan, La Matinale, L'Inter, Fraternité Matin, Notre Voie, Le Nouveau Réveil, Soir Info, Le Patriote, Gbich, Le Jour, Ivoir'Soir, 24 heures, Douze, Le Démocrate, La Nouvelle République, Le Temps, L'Intelligent d'Abidjan, Le Sport, L'Événement, Le Matin d'Abidjan, Déclic Magazine, Prestige Magazine, Flash Afrik, Guido, Spécial Auto, Mouso, Femme d'Afrique, Top Visages, Life, Mimosas, Média Mag, LG Infos, L'Éléphant Déchaîné, l'Infodrome and www.libremagazine.net*

237. Independent administrative authorities have been established to regulate media activity. These are:

- the National Press Authority, abbreviated as ANP, replacing the National Press Council (CNP)
- the High Authority for Audiovisual Communication (HACA)
- the Commission for Access to Information of Public Interest and to Public Documents (CAIDP).

238. To promote freedom of communication, the Government is committed to striving for constant improvement in the social welfare of journalists and communication professionals, as well as for the strengthening of capacities of business leaders, journalists and professionals in the sector. In this regard, the Government has, in 5 years, mobilized within the framework of the Press Support and Development Fund (FSDP), as public aid, the sum of CFAF 3.9 billion, including 2.29 billion in grants and

subsidies in support of training and studies and 1.7 billion as a guarantee fund for the press sector and press enterprises. In terms of noteworthy results, from 2011 to 2019, Côte d'Ivoire has moved up 88 places in the Reporters Without Borders world ranking, from 159th to 71st place in the defence of press freedom and protection of journalists.

6. Freedom of association and assembly (Articles 10 and 11 of the Charter)

239. The Government of Côte d'Ivoire reaffirms its deep commitment to the freedoms of association, assembly, and peaceful demonstration, as reflected in the constitutional provisions (Articles 20, 26, and 29).

7. The right to freedom of movement and residence, to leave a country and to seek asylum (Article 12 of the Charter)

240. The right of every Ivorian citizen to move and settle freely in any part of the national territory and the right to freely leave and return to one's country (Article 21) and not to be forced into exile (Article 22) are enshrined in the Ivorian Constitution.

241. Similarly and obviously, *"Any person persecuted because of his/her political, religious, philosophical beliefs or ethnicity, can benefit from the right of asylum on the territory of the Republic of Côte d'Ivoire, on condition that he complies with the laws of the Republic"*. (Article 23 of the Constitution).

242. In addition, Côte d'Ivoire is party to conventions and treaties governing the rights of refugees. These are:

- the 1954 Geneva Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness
- the 1951 Geneva Convention and its 1967 Protocol relating to the Status of Refugees and the 1969 OAU Convention Governing the Specific Aspects of Refugee Problems in Africa.

243. It should be noted that Côte d'Ivoire acceded to the so-called Abidjan Declaration of 25 February 2015, which sets out 25 specific measures aimed at curbing the phenomenon of statelessness by 2024, through the domestication of all favorable provisions set out in international treaties.

8. The rights to freedom of movement within the territory, to leave and return to one's country, the right to asylum and the prohibition of collective expulsion (Art. 12 of the Charter)

244. Côte d'Ivoire is committed to this principle. It places no restrictions or obstructions on the movement of its citizens and foreigners on its territory. By way of illustration, large communities of allochthones from the north and center are settled in the central-western part of the country, just as those from this area are found in the south-eastern part and in other parts of the country.

9. The right to participate in the conduct of public affairs (art. 13 of the Charter)

245. Under the provisions of Article 25 of the constitution, *"political parties and groups shall form and carry out their activities freely on condition that they respect the laws of the Republic and the principles of national sovereignty and democracy.*

They are equal in law and subject to the same obligations. Political parties and groups contribute to the expression of suffrage.

Political parties and groups created on a regional, confessional, tribal, ethnic or racial basis are prohibited.

Legally constituted political parties and groups benefit from public financing, under the conditions defined by law. Political parties and groups are formed and carry out their activities".

246. Article 52 of the Constitution provides that *"all Ivorian nationals of both sexes who are at least eighteen years old and enjoy their civil and political rights are eligible to vote, under the conditions determined by law".*

247. The right to participate in the management of public affairs has been strengthened with the Constitution of November 8, 2016, which promotes gender in the access to elective office, in its Articles 36 and 37. On this basis, Côte d'Ivoire adopted Law n° 2019-870 of 14 October 2019 promoting the representation of women in elected assemblies.

248. It follows from all the above that no Ivorian citizen is excluded from the enjoyment of this right because of his/her ethnicity, sex, religion, race or social status.

10. The right to property (Article 14 of the Charter)

249. Article 11 of the Constitution of Côte d'Ivoire provides that *"the right to property is guaranteed to all. No one shall be deprived of his/her property except in the public interest and subject to fair and prior compensation".*

11. The right of peoples to self-determination (Article 20 of the Charter)

250. Côte d'Ivoire has been a unitary nation since its independence in 1960. None of its sixty or so ethnic groups has expressed any desire for self-determination. Its wealth lies in the diversity of its peoples.

12. The right to peace and security at both the national and international levels (Article 23 of the Charter)

251. At the national level, the provisions of Articles 4, 5, 6 and 8 of the Constitution impose duties on the State to ensure the protection of the home, the family, children, and vulnerable persons against all kinds of persecution, attacks on dignity, prosecution, arbitrary arrest and detention.

252. The obligation of the State to maintain law and order, which is carried out by the police, the gendarmerie and the army, contributes to peace and security both within and outside its territory.

253. At the international level, and in order to strengthen peace, solidarity and friendly relations, the States Parties to the present Charter undertake to prohibit any person enjoying the right of asylum from engaging in any subversive activity directed against his/her country of origin or against any other country, or from using its territory as a base for subversive or terrorist activities directed against the people of any other State party to the present Charter (Article 12 of the Charter)

254. To this end, the Ivorian Criminal Code incriminates all actions of destabilization, sedition and terrorism emanating from any exile using Côte d'Ivoire as a rear base (Articles 19, 20 and 21 of the Criminal Code).

255. Furthermore, on the basis of the principles of solidarity and friendly relations between the States Parties to the Charter, with a view to preserving security and peace, Côte d'Ivoire has concluded several agreements:

- ✓ - extradition agreements with several States Parties:
- ✓ Burkina Faso, on 30 July 2014, in Ouagadougou;
- ✓ A decree ratifying the Convention on Extradition, between the Government of the Republic of Côte d'Ivoire and the Government of the Kingdom of Morocco, signed on 20 January 2015, in Marrakech;
- ✓ Mali, on 11 May 2018 in Abidjan on five bilateral agreements. These include a convention on mutual legal assistance in criminal matters, a convention on mutual legal assistance in civil and commercial matters, a convention on extradition, a convention on the transfer of sentenced persons, and a memorandum on judicial cooperation.

- judicial cooperation agreements:

- ✓ A decree ratifying the Agreement between the Government of the Republic of Côte d'Ivoire and the Government of the Kingdom of Morocco on Cooperation in Security, signed on 20 January 2015 in Marrakech, Morocco;
- ✓ A decree ratifying the Convention on the Transfer of Sentenced Persons, between the Government of the Republic of Côte d'Ivoire and the Government of the Kingdom of Morocco, signed on 20 January 2015, in Marrakech;
- ✓ A decree ratifying the Convention between the Government of the Republic of Côte d'Ivoire and the Government of the Kingdom of Morocco on Mutual Legal Assistance in Criminal Matters, signed in Marrakech, on 20 January 2015; and
- ✓ A decree ratifying the Convention between the Republic of Côte d'Ivoire and the Kingdom of Morocco on Mutual Legal Assistance in Civil and Commercial Matters, signed in Abidjan on 1 June 1999.

13. Independence of the courts, establishment and improvement of national institutions for the promotion and protection of rights and freedoms (Article 26 of the Charter)

256. The independence of the courts advocated by Article 26 of the Charter is also enshrined in Articles 139 and 140 of the Ivorian Constitution. Article 139 refers to the independence of the judiciary and Article 140 specifies that the judge is subject only to the authority of the law.

257. Under the provisions of Article 140 paragraph 3 of the Constitution, *"the Judge obeys only the authority of the law"*. The Constitution thus gives the judge sufficient autonomy to interpret and enforce the law. This autonomy is reinforced by the fact that, according to the provisions of Article 146 of the Constitution, *"the Superior Council of the Judiciary gives its assent to the appointment, transfer and promotion of judges"*. This is not a simple opinion but an assent, that is to say a binding opinion, an opinion that is binding on the authority to which it is addressed. It is worth noting that the Supreme Council of the Judiciary is now presided over by a person chosen from among current or retired senior judges, enshrined in Article 140 paragraph 1 of the Constitution, also contributes to the independence of the courts. The same applies to the provisions of paragraph 2 of Article 140, which states that *"the judge is protected against all forms of interference, pressure, interventions or manoeuvres that may adversely affect the accomplishment of his/her mission"*. It also states that *"when he/she considers that his/her independence is threatened, the Judge has the right to refer the matter to the Superior Council of the Judiciary"*.

258. Pursuing its efforts in the promotion and protection of human rights, the State of Côte d'Ivoire adopted Law n° 2018-900 of 30 November 2018, which established the National Council for Human Rights (CNDH), an independent administrative authority, henceforth enjoying financial autonomy and greater independence in the discharge of its missions for the promotion and protection of human rights, in place of the National Human Rights Commission Côte d'Ivoire (CNDH-CI).

259. In addition to this, Decree n° 2019-119 of 6 February 2019, which sets the rules for the appointment of members of this national institution for human rights promotion and protection, which further strengthens the organic and functional independence of the National Council for Human Rights, allowing it to enjoy the A status.

14. The exercise of rights and freedoms with due respect for the rights of others, collective security, morality and the common interest (Article 27 of the Charter)

260. The Government, through the legislative and regulatory measures described above (224 to 228 of this report), provides a framework for the exercise of these rights.

B- ECONOMIC, SOCIAL, CULTURAL AND ENVIRONMENTAL RIGHTS

261. This section is based on the right to work, the right to social security, the right to health, the right to education, cultural rights, the rights of vulnerable persons, the right to housing and the right to a healthy environment during the period covered by our report.

1. The right to decent work under fair and satisfactory conditions and to

equal pay for equal work (Article 15 of the Charter)

262. Article 15 of the Constitution of 8 November 2016 provides that "*Every citizen has the right to decent working conditions (...)*".

263. Similarly, Article 5 of the Constitution prohibits slavery, human trafficking and forced labour.

264. This prohibition is repeated in Article 3 of the Labour Code (Law n° 2015-732 of 20/07/2015), which states that "*forced or compulsory labour is absolutely prohibited ...*"

265. In addition, Côte d'Ivoire has ratified several conventions relating to decent work and prohibiting forced labour:

- Convention N° 150 on the Administration of Labour, adopted on 26 June 1978 in Geneva, Switzerland (Decree n° 2016-922 of 30 December 2016);
- Convention N° 155 on Occupational Safety and Health, adopted on 22 June 1981 in Geneva, Switzerland (Decree n° 2016-923 of 30 December 2016);
- Convention N° 160 on Labour Statistics, adopted on 25 June 1985 in Geneva, Switzerland (Decree n° 2016-924 of 30 December 2016);
- Convention N° 171 on Night Work, adopted on 26 June 1990 in Geneva (1 April 2016);
- Convention N° 187 on the Promotional Framework for Occupational Safety and Health, adopted on 15 June 2006 in Geneva (1 April 2016).

266. Moreover, with regard to children, it has ratified:

- Convention 138 of 26 June 1973 on the Minimum Age for Admission to Employment;
- Convention 182 of 17 June 1999 on the Worst Forms of Child Labour. These provisions contribute to the promotion of decent work in Côte d'Ivoire.

267. Similarly, it has strengthened its national normative framework through the adoption of several legislative and regulatory texts. These include:

- Law n° 2015-532 of 20 July 2015 on the Labour Code;
- Law n° 2016-1111 of 8 December 2016 on the fight against trafficking in persons;
- Decree n° 2014-290 of 21 May 2014 on the terms and conditions of application of Law n° 2010-272 of 30 September 2010 prohibiting trafficking and the worst forms of child labour;
- Order n° 2017-016 MEPS/CAB of 2 June 2017 determining the list of light works authorized for children between the ages of 13 and 16;

- Order n° 2017-017 MEPS/CAB of 2 June 2017 determining the list of hazardous works prohibited for children.

268. In Côte d'Ivoire, the equality of all citizens and non-discrimination are fundamental principles set out in the preamble and Article 4 of the Constitution.

269. Accordingly, the State of Côte d'Ivoire has taken steps to enforce equal pay for equal work or work of equal value. This provision is strictly observed in the civil service. However, some disparities exist in the private sector, even though the Labour Code¹⁶ in its Article 31.2 provides that "*under the conditions stipulated in this title, every employer is required to ensure, for the same work or for work of equal value, that employees receive equal pay, regardless of their sex, age, national origin, race, religion, political and religious opinions, social origin, or membership or non-membership of a trade union*". By way of illustration, mention should be made of the fact that the revaluation of the Guaranteed Inter-professional Minimum Wage (SMIG), which increased from 36,607 CFA francs to 60,000 CFA francs (a 60 percent revaluation rate), is not always applied, especially to domestic staff, agricultural jobs and security companies. The government is aware of this situation and is working to resolve it through its labour inspection services deployed throughout the country.

2. The right of access to employment

The right of access to employment is enshrined in Article 14 of the Ivorian Constitution, which states: "*Every person has the right to freely choose his/her profession or job. Access to public or private jobs is equal for all, based on qualities and skills. Any discrimination in access to or in the exercise of employment based on sex, ethnicity or political, religious or philosophical opinions is prohibited*".

271. The Labour Code prohibits discrimination in hiring (art. 23.3).

272. The Government has adopted a National Employment Policy Document (PNE) 2016-2020. To implement it, the Government has strengthened existing structures and created new ones. The strengthened structures include:

- the Agency for Employment Studies and Promotion (AGEPE);
- the National Solidarity Fund (FNS)
- the National Agency for Professional Training (AGEFOP)
- the Fund for the Development of Vocational Training (FDFP);
- the Employment Observatory;
- the regional councils, whose mandates extend to job creation, and the Chamber of Commerce and Industry.

273. The new structures created to address the dysfunctions noted and optimize access to employment include:

- the Services Platform-Côte d'Ivoire (PFS-CI);

¹⁶ Law n°2015-532 of 20 July 2015 on the Labour Code

- the Programme for the Development of Job Generating Initiatives (PRODIGE)
- the Youth Employment Project, which was recently created after the dissolution of the Agency for Employment Studies and Promotion (AGEPE) and the National Youth Fund (FNJ).

274. Thus, in 2019, the Government's Social Policy (PSGouv2019-2020) facilitated the access of 73,489 young people to professional opportunities out of the planned 77,004, i.e., a 95.4% achievement rate. Nationwide, 2,715,241 jobs were created between 2016 and 2019.

3. The right to social security

275. The Government adopted Law n° 2014-131 of 24 March 2014 instituting Universal Health Coverage (UHC). After the pilot implementation phase, UHC entered its active and generalized phase on 1 October 2019. As of 31 December 2019, some 2,979,469 beneficiaries were registered, of which 1,888,820 were actually enrolled.

276. The UHC covers the entire Ivorian population, especially the most destitute/vulnerable, regardless of the private insurance subscribed by individuals.

277. The government is however mindful of the efforts that need to be made to

- enable the population to participate in the UHC
- improve the national health system
- make the UHC effective for the well-being of the population.

4. The right to health (Article 16 of the Charter)

278. Committed to the right to health, Côte d'Ivoire has enshrined it in its Constitution, Article 9 paragraph 2 of which provides that "*everyone is equally entitled to access to health services*". Similarly, Côte d'Ivoire is a signatory to the 17 Sustainable Development Goals (SDGs) for 2030, the third of which is entitled "*Good health and well-being*", to enable everyone to live in good health and to promote the well-being of everyone at all ages".

279. Also, to promote the right to health as defined by Article 16 of the Charter, the Ivorian government has taken several measures and undertaken several actions in the area of maternal and child health, including:

- As part of the targeted free health care in 2019, the Government distributed 545,727 delivery kits, 77,983 caesarean kits and 1,218,435 various products against malaria;
- In terms of vaccination coverage, the Government implemented in 2019, the Expanded Programme of Immunization (EPI), which allowed:
 - ✓ children, to achieve vaccination coverage rates above 91% for the 3rd dose of the pentavalent vaccine and measles/rubella;
 - ✓ pregnant women, to achieve 83% tetanus vaccination coverage.

- Under the heading of access to health care for the population, the improvement of health infrastructure remains a priority for the Government to achieve this goal. Thus:
 - ✓ from 2012 to 2016, some 300 first contact facilities were built throughout the country;
 - ✓ in public health pharmacies, the availability rate of medicines reached 90% in 2017, compared to 23% in 2011;
 - ✓ in 2017, 68% of the population now lives within 5 km of a health center, compared to 44% in 2012.

280. All these results achieved by the sector have a positive impact on the lives of the population.

5. The right to education, to the cultural life of the community, to the promotion and protection of morals and traditional values (Article 17 of the Charter)

281. With a view to achieving its development, the State of Côte d'Ivoire has made the development of human capital a major concern. Deeply committed to the right to education, the State of Côte d'Ivoire recognized it through two (2) constitutional provisions¹⁷ in line with Article 17.1 of the Charter. These 2 provisions stipulate that:

- Everyone has the right to education and vocational training" (Article 9);
- School is compulsory for children of both sexes, under the conditions determined by law" (Article 10).

282. The State and the public authorities are responsible for the education of children. They create the conditions conducive to such education.

283. The State shall ensure the promotion and development of general public education, technical education and vocational training, as well as the expansion of all branches of education, in accordance with international standards of quality and in relation to the needs of the labour market.

284. Institutions, the private secular sector and religious communities may also contribute to the education of children, under the conditions determined by law (Article 10).

285. In order to achieve this objective, one of the major thrusts of the 2016-2020 NDP is to create the conditions for quality human resources, in line with Côte d'Ivoire's development needs.

- Pre-school, primary and secondary education

286. Since 2015, Côte d'Ivoire has made school compulsory for children of both sexes aged 6 to 16, through Law n° 2015-635 of 17 September 2015 amending Law

¹⁷ Articles 9 and 10 of the Constitution of 8 November 2016.

n° 95-696 of 7 September 1995 on education. Thanks to this measure, there has been an increase:

Table n°7: Evolution of boys' and girls' enrolment in primary and secondary schools.

	BOYS AND GIRLS ENROLLMENT		
	2015	2018	Evolution rate
Primary	3.370.558	3.900.222	5%
Secondary	1.479.005	1.923.763	23.12%

Table n°8: Evolution of gross and net enrolment rates of girls in primary and secondary school.

	GROSS ENROLMENT RATE FOR GIRLS		NET ENROLMENT RATE FOR GIRLS	
	2014-2015	2017-2018	2014-2015	2017-2018
Primary	92.50 %	99.93 %	77.10 %	90.10 %
Secondary 1 st cycle	46.30 %	61.36 %	29.90 %	39.60 %
Secondary 2 nd cycle	19.50%	30.30%	8.80%	15%

Table n° 9: Evolution of primary and secondary class sizes from 2014 to 2019.

	NUMBER OF CLASSES		
	2014	2019	Rate of change
Primary	62,347	95,866	35%
Secondary	25,709	37,077	30.66%

✓ the number of schools by building:

- 553 schools opened, including 187 local secondary schools between 2011 and 2019,
- 03 high schools of excellence including 02 for girls and 01 mixed opened respectively in Adzopé, Séguéla and Grand-Bassam to accommodate 1,000 students each, with boarding facilities and a project to build seven (07) new high schools for girls with boarding facilities in 7 cities around the country.

✓ the number of teachers

287. As of 31 December 2019, some 10,300 teachers including 5,300 for preschool and primary, 3,000 for middle school and 2,000 for high school have been recruited to reduce the shortage of teachers observed at all levels. After their training, they were assigned to schools throughout the country, based on identified shortages. Efforts are underway to address the shortage of teachers, especially in science subjects at the secondary level (mathematics, physics, etc.).

288. Results on school success rates, **CF. Link to 2018-2019 school statistics tables**¹⁸.

- Higher education and scientific research

289. The Higher Education Statistical Yearbook (ASES) highlights the following 2018-2019 statistical data:

- ✓ 403 institutions including seven (7) public universities compared to 217 institutions including five (5) public universities in 2014;
- ✓ 33 private universities compared to 27 in 2014;
- ✓ 35 public “*grandes écoles*” compared to 32 in 2014;
- ✓ 328 private “*grandes écoles*” compared to only 153 in 2014.

290. Student enrolment is estimated at 253,955 in 2019 compared to 235,902 in 2018 and 176,504 in 2014.

291. Efforts are continuing to adjust the intake capacity to the demand, on the one hand, and to improve the quality of the teaching with a sufficient number of qualified and motivated teachers and adapted didactic tools, on the other hand; the objective being to train students in the best conditions and to meet the socio-professional insertion needs of graduates.

6. The right to take part in the cultural life of the community (Article 17. 2 of the Charter)

292. This right is enshrined in Article 24 of the Constitution of 8 November 2016, which stipulates: *"The State shall ensure equal access to culture for all citizens. Freedom of artistic and literary creation is guaranteed. Artistic, scientific and technical works are protected by law. The State shall promote and protect the cultural heritage as well as the habits and customs that do not conflict with public order and morality."*

293. In practice, Côte d'Ivoire guarantees “*access to culture*” for all through Law n° 2014-425 of 14 July 2014 setting the National Cultural Policy of Côte d'Ivoire, which actively affirms its cultural personality, while remaining attentive and receptive to external contributions.

294. At the national level, the said law aims, in particular, to:

- protect and promote the rich diversity of Ivorian cultural expressions;

¹⁸ https://www.men-dpes.org/static/docs/poche/poche_20182019_fr.pdf

- achieve national cultural integration and foster social cohesion and dialogue between peoples;
- encourage artistic creation and production;
- encourage the decentralization of cultural life, particularly the installation of cultural infrastructure throughout the country;
- promote free access of all citizens to the arts, culture and arts education.

295. At the international level, it seeks to "*encourage understanding between peoples through cultural exchanges that enhance the rich diversity of our cultural expressions*" and to "*harmonize Ivorian policy with the provisions of African and global conventions on culture*".

296. Similarly, the State of Côte d'Ivoire, through Law n° 2014-428 of 14 July 2014 on the Status of Traditional Kings and Chiefs (Article 175 of the Constitution), has given the National Chamber of Traditional Kings and Chiefs the responsibility "*of valorizing -the habits and customs of promoting the ideals of peace, development and social cohesion.*"

297. This section reports on the implementation of the right to decent work, the right to health, the right to education and the right to culture. In addition, the measures taken to protect the family are mentioned, as well as the specific rights of women, children and people living with disabilities.

7. The right of the family, women, older persons or people with disabilities to specific protective measures (Article 18 of the Charter)

- On family law

298. Article 31 of the Constitution protects the family in the following terms: "The family is the basic unit of society. The State guarantees its protection. Parental authority is exercised by the father and mother or, in their absence, by any other person in accordance with the law.

299. To implement the National Family Policy, the Government has taken concrete measures including:

- the rehabilitation in 2016 of the 4C Zone Educational Center to care for children in conflict with their families;
- the implementation of the PRODUCTIVE SOCIAL NETS project or programme which aims to reduce household vulnerability. The Productive Social Nets project consists mainly of granting direct cash transfers of around 144,000 CFA francs per year to poor households throughout the country in order to improve their living conditions in terms of food, health and education. In 2018,

50,000 households benefited. This number increased, in 2019, to 127,000 households, spread over 21 regions and 1,547 villages.

300. The Family Policy places on the State the obligation to promote access to housing for the population, especially the most disadvantaged. This is reflected in Article 38 of the Constitution, which states that *"the State shall promote access to housing for citizens under the conditions established by law"*. The measures taken by the State in this regard have already been set out in points 109 to 112.

- On women's rights

301. The State has a duty to ensure the elimination of all discrimination against women and to protect the rights of women and children in accordance with its international commitments. To this end, Côte d'Ivoire has ratified the main international human rights instruments prohibiting all forms of discrimination against women, including the Convention on the Elimination of All Forms of Discrimination against Women (ratified on 18 December 1995), the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women, known as the Maputo Protocol (ratified in October 2011).

302. Law n°2016-886 of 8 November 2016 enacting the Constitution of Côte d'Ivoire reinforces women's rights (Articles 35, 36, and 37) by laying down the principle of the promotion, protection of women and gender parity in all areas: economic, social and political.

303. To this end Law n° 2019-870 of 14 October 2019, promoting the representation of women in elected assemblies was adopted. This law institutes progressive measures, including a 30% quota for increased representation of women in the National Assembly, the Senate, as well as in regional, municipal and district councils.

304. This law also requires that all lists must alternate between the sexes, so that if two candidates of the same sex are registered, the third must be of another sex, in order to allow a greater number of women to participate in the political life of the nation. Thus, this text imposes, for single-member or list elections, "a minimum quota of 30% of women out of the total number of candidates presented for the election of parliamentarians, senators, regional, district and municipal Councillors"). Moreover, the said text grants "additional public funding to any party or political group whose list contains at least 50% women candidates in these elections".

305. All these measures are meant to reduce gender disparities in public and private employment and to achieve the empowerment of women as essential instruments of development. Within this framework, the Compendium of Women's Skills of Côte d'Ivoire (COCOFCI) has identified more than 10,000 women in Côte d'Ivoire and the Diaspora.

306. In addition, a National Observatory for Equity and Gender (ONEG) monitors this policy.

307. In order to implement all these measures, the Ministry for Women, the Family and Children has been strengthened in its missions.

- Older persons and people with disabilities are also entitled to specific protection measures in line with their physical or moral needs:

308. The protection of vulnerable persons including older persons and people with disabilities is guaranteed by Article 32 of the Constitution of 8 November 2016.

- For older persons:

309. For the development of older persons, various measures have been taken by the Government:

- ✓ the establishment, by Decree n° 2016-506 of 13 July 2016, on the organization of the Ministry of Employment and Social Protection, of an office in charge of coordinating responses concerning older persons, with the Sub-Directorate for the Protection and Promotion of older persons, under the Directorate of Social Action;
- ✓ the implementation, in recent years, of specific gerontology programmes and/or modules at the National Institute of Social Training (INFS) in charge of training social workers and at the National Institute of Youth and Sports (INJS);
- ✓ strengthening social protection for the vulnerable segments of society, particularly the older persons in strategic axis 2 of the National Development Plan 2016-2020 (the acceleration of human capital development and the promotion of social welfare);
- ✓ the validation of a policy for the protection of older persons

310. The Government has also set up a project called the "National Project for Assistance to older persons" which helps reinforce the protection of their rights.

- ✓ For people with disabilities, Côte d'Ivoire intends to institute a policy to accelerate the development of human capital and social welfare.

311. The Government's political will to ensure the well-being of people with disabilities is reflected in the following measures:

- ✓ incentives in the Labour Code stipulating hiring quotas;
- ✓ the preparation of a project for the employability of people with disabilities launched in 2017 is underway;
- ✓ the creation of a Technical Commission for Vocational Guidance and Reclassification of people with disabilities (COTOREP public sector and COTOREP private sector);

- ✓ the creation of the Ivorian National Institute for the Promotion of the Blind (INIPA);
- ✓ the recruitment of 300 people with disabilities in the civil service in 2015;
- ✓ the recruitment of 158 people with disabilities in the civil service in 2018 with a proportion of 53 women, i.e. 33.54%;
- ✓ the recruitment of 200 people with disabilities in 2019, i.e. 114 with motor disabilities (57%), 30 with hearing disabilities (15%), 30 with visual disabilities (15%) and 27 with developmental disabilities (13%);
- ✓ the creation of a compendium of the skills of people with disabilities to enhance their visibility and facilitate their integration;
- ✓ the creation of a compendium of skills for people with disabilities to increase their visibility and facilitate their integration;
- ✓ The creation of a toll-free number (N°142) to report all infringements and violations of the rights of people with disabilities;
- ✓ -The socio-economic integration of people with disabilities through the Agency for Professional Training (AGEFOP) and "Côte d'Ivoire Entreprise";
- ✓ Socio-professional integration of vulnerable groups in Côte d'Ivoire (2016-2020).

8. The right of peoples to dispose freely of their natural resources and wealth (Article 21 of the Charter)

312. Mining and natural resources are becoming scarce and are the target of the voracious appetite of multinationals. To preserve its national resources, the State of Côte d'Ivoire affirms, in the preamble to its Constitution, its sovereignty over its resources by expressing the commitment of the People of Côte d'Ivoire to *"safeguard [its] sovereignty over national resources and to ensure their equitable management for the well-being of all"*.

313. This is a consequence of the peoples' right to self-determination. To this end, the measures outlined in recommendation X of this report have been taken to enable the State to freely dispose of its natural wealth and resources in the interest of its people and to ensure harmonious development.

9. Right of peoples to economic, social and cultural development (Article 22 of the Charter)

314. In the preamble of the Constitution of 8 November 2016, the Ivorian State affirms its attachment to upholding cultural values and expresses its commitment to defending and preserving its cultural heritage. Also, Article 34 of this Constitution provides that the State and public communities take all necessary measures to ensure the participation of youth in the social, economic, cultural, sports and political development of the country.

315. In addition, the Economic and Social Council, established in 1960, was reinforced by the said Constitution to become the Economic, Social, Environmental and Cultural Council (CESEC), whose main mission is to advise the Government on economic, social, environmental and cultural matters.

316. To this end, CESEC submits reports to the Government, initiates studies such as: "the fight against a new phenomenon of juvenile delinquency: children in conflict with the law or microbes" (in 2016).

10. Right of peoples to a healthy environment (Article 24 of the Charter)

317. The right to a healthy environment is guaranteed by the Ivorian Constitution. Moreover, the constitutional provision does not confine itself to this proclamation of principle. It prohibits the transit and illegal import of toxic waste as follows: "*The right to a healthy environment is recognized for everyone throughout the national territory. The illegal transit, import or storage and dumping of toxic waste on the national territory shall be considered as crimes*" (Article 27). Moreover, Articles 1, 2 and 3 of Law n° 88-651 of 7 July 1988, on the protection of public health and the environment against the effects of toxic and nuclear industrial waste and harmful substances, severely punish these crimes with sentences of fifteen to twenty years and a fine of 100 million to 500 million francs.

318. To demonstrate its commitment to this right, the State of Côte d'Ivoire has created a Ministry of Environment and Sustainable Development, whose mission is to plan, monitor and coordinate environmental policy and the implementation of sustainable development policy.

319. To this end, the Ministry relies on the following main structures:

- OIPR, responsible for the management of fauna and flora, and the implementation of the sustainable development policy in all the parks and reserves of Côte d'Ivoire;
- CIAPOL, the Ivorian Anti-Pollution Center, whose mission is the systematic analysis of water and waste and the evaluation of pollution;
- the National Environment Agency (ANDE) ensures that environmental issues are taken into account in the implementation of development policies, plans, programmes and projects by conducting awareness campaigns and environmental audits.

11. Promotion, teaching and education in human rights (Article 25 of the Charter)

320. Like Article 25 of the Charter, Article 28 of the Ivorian Constitution enshrines the right to the promotion, teaching and education of human rights in the following terms: "The State undertakes to respect the Constitution, human rights and public freedoms. It shall ensure that they are known and disseminated among the population. The State shall take the necessary measures to integrate the Constitution, human rights and civil liberties into school and university curricula, as well as into the training of the defence and security forces and government officials.

321. This obligation is fulfilled by the State of Côte d'Ivoire, which has included EDHC in its educational programmes at both school and university levels. In addition,

human rights education is included in the training curricula for law enforcement and security agents.

322. All these human rights are provided for and guaranteed by the Constitution. But citizens do not have only rights. Under the Constitution of 8 November 2016, they also have duties towards the family, society, the State and the International Community.

323. Thus, it is the obligation of the father and mother to exercise parental authority, to participate in the education of their children by enrolling them in schools and vocational training institutions (Articles 9, 10 and 31 of the Constitution and Law n° 2019-572 of 26 June 2019 on minority).

324. Citizens also have a duty to defend the territorial integrity of the Nation, to respect the Constitution, the laws and regulations of the Republic of Côte d'Ivoire, as well as public property, which they must protect (Articles 39, 44 and 47). Similarly, they must fulfil their fiscal obligations and ensure the preservation of the environment (Articles 40 and 43).

325. In addition, every citizen invested with a public mandate must carry out his/her mission with competence, conscience and loyalty (Article 45).

326. In view of the above, it should be noted that considerable efforts have been made by the State of Côte d'Ivoire to ensure the promotion and protection of human rights as guaranteed by the Charter, even though challenges still lie ahead.

C- CHALLENGES TO BE MET

327. The challenges to be met to ensure the full enjoyment of human rights and fundamental freedoms by all persons under the jurisdiction of the State of Côte d'Ivoire are manifold:

1. Strengthening cooperation with the international and regional human rights protection system

328. To achieve this, the State of Côte d'Ivoire is currently considering the ratification of the following relevant human rights instruments:

- the African Union Convention on the Elimination of Mercenarism in Africa;
- the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment;
- the Second Optional Protocol to the International Covenant on Civil and Political Rights concerning the abolition of the death penalty;
- the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights;

- the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

329. Furthermore, the State of Côte d'Ivoire undertakes to submit all outstanding reports to the treaty bodies, specifically to the Commission;

2. Strengthening the Judicial and Penitentiary System

330. A series of reforms have been undertaken to align the Ivorian judicial system with the regional and international instruments to which Côte d'Ivoire is a party. In the same vein, the following efforts are being considered:

- facilitating access to justice for users by improving the national territorial coverage of the judicial system;
- the fight against impunity;
- the revision of the method of compensation for damages suffered by victims of human rights violations;
- the improvement of the prison penitentiary system by:
 - ✓ aligning prisons with international standards;
 - ✓ reducing the prison population;
 - ✓ implementing the Mandela Rules.

3. The promotion of human rights and dignity

331. To achieve this objective, various measures are envisaged:

- the creation of an inclusive and decentralized national framework to follow-up the recommendations of the treaty bodies and special procedures;
- the adoption of specific human rights training modules such as:
 - ✓ the rights of vulnerable persons;
 - ✓ prevention of torture, cruel, inhuman, and degrading treatment and abuse;
 - ✓ freedom of expression, demonstration, and opinion and civil liberties.

4. Stronger affirmation of the rights of specific groups.

332. This concern calls for the following measures:

- achieving the goal of zero pregnancy in schools;
- achieving the goal of compulsory schooling for children aged 6 to 16 in order to avoid the phenomena of:
 - ✓ children in social disruption;
 - ✓ child trafficking in plantations; and

- ✓ juvenile delinquency, in general.
- The development and reasonable equipment of infrastructure for people with disabilities to:
 - ✓ enable them to live independently;
 - ✓ facilitate their access to roads, transportation, buildings, including schools, housing, medical facilities, and workplaces.
- Pursue efforts to achieve gender parity in all economic, social, and political spheres (especially reaching the 30% quota for women in elected positions).

5. Effective implementation of economic, social and cultural rights (ESCR) and environmental rights

333. Côte d'Ivoire is deeply concerned about the well-being of its people. Thus, to ensure their development, it intends to pursue:

- the fight against poverty that should help:
 - ✓ improve the health system and attain the target of 15% of the national budget as adopted by the Abuja Declaration for the health sector;
 - ✓ facilitate access to housing, especially by the poorest populations, by reducing the housing deficits;
 - ✓ ensure equitable access to drinking water for all;
 - ✓ provide broader social protection for all.
- The mobilization of sufficient financial, material, human, and technical resources with the support of the international community to fight:
 - ✓ against human rights violations, on the one hand; and
 - ✓ on the other hand, to implement the various rights for the well-being of the populations.
- The effective control of pollution in all its forms and anarchic installations that are a source of:
 - ✓ insalubrity;
 - ✓ disorder;
 - ✓ and insecurity.

6. Strengthening the promotion of good citizenship

334. In response to the incivility of young people causing damage to public property and their lack of involvement in the management of public affairs, the State of Côte d'Ivoire has decided:

- to ensure that the population respects its duties towards the State, society and the international community through its strong participation in:
 - ✓ the construction of the rule of law;
 - ✓ social cohesion;
 - ✓ peacebuilding.

- to achieve a balance between the enjoyment of the rights and fundamental freedoms of the people, civil society, and political parties, and respect for the foundations of the Republic, the laws, institutions, and public property.

335. Following the recommendations of the 3rd Universal Periodic Review (UPR), Côte d'Ivoire intends to address these challenges within the framework of a strategic and operational action plan, in cooperation with the development partners and the Commission.

GENERAL CONCLUSION

336. Côte d'Ivoire is resolutely committed to promoting and protecting human rights, in general, and to implementing the relevant provisions of the African Charter on Human and Peoples' Rights, in particular.

337. To this end, Côte d'Ivoire intends to pursue its constructive dialogue and cooperation with all human rights mechanisms, in a spirit of transparency and sincerity.

338. As such, Côte d'Ivoire will maintain its commitment to fully implement the rights and freedoms recognized and guaranteed in the Charter.

339. In this respect, it is fully aware that it can count on the support of the Commission and its development partners.

340. Such support will undoubtedly help strengthen Côte d'Ivoire's efforts to promote and protect all civil, political, economic, social, cultural and environmental rights. The challenges to be met are colossal. They are reflected in the NDP 2020-2024, which aspires to achieve the emergence of Côte d'Ivoire, and which will be based, on the one hand, on strong, inclusive and equitable economic growth and, on the other hand, on consolidating the rule of law as a means of peace building.