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**STATUS OF HUMAN RIGHTS IN THE REPUBLIC OF CÔTE D'IVOIRE
FOR THE 47TH SESSION OF THE
UNIVERSAL PERIODIC REVIEW**

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Introduction

1. The European Centre for Law and Justice (ECLJ) is an international, non-governmental organization dedicated to promoting and protecting human rights around the world. The ECLJ also holds Special Consultative status before the United Nations Economic and Social Council. This report discusses the status of human rights in the Republic of Côte d’Ivoire (Côte d’Ivoire) for the 47th session of the Universal Periodic Review (UPR).

Background

2. Côte d’Ivoire is located in Western Africa on the border of the North Atlantic Ocean between Ghana and Liberia.¹ It has a population of approximately 21.5 million.² Of that, 41.24% identify as Muslim, 34.89% as Christian, 23.27% as ethnic religionists, and 0.60% as other.³ In its 2024 World Watch List, Open Doors ranked the Ivory Coast as the 76th worst place for Christians.⁴ This ranking stems from the fact that Christians can face violence and threats from their family members for converting to Christianity from Islam.⁵

3. Côte d’Ivoire’s previous review was held on May 7, 2019.⁶ It supported 222 of the 247 recommendations it received.⁷ Côte d’Ivoire received no recommendations regarding religious liberty despite the fact that Christians are persecuted in the country.⁸ With respect to human trafficking, it was recommended by Honduras, and supported by Côte d’Ivoire, that the government “[i]nvestigate all cases of trafficking in persons and child labour, and strengthen the awareness campaigns of the population and families on those matters.”⁹ Côte d’Ivoire also supported a recommendation from Zambia to “[s]et the same minimum age of marriage for men and women, in accordance with international standard.”¹⁰

¹ *National Profiles: Côte d’Ivoire*, ASS’N OF RELIGION DATA ARCHIVES, <https://www.thearda.com/world-religion/national-profiles?u=61c&u=23r> (last visited Feb. 23, 2024).

² *Id.*

³ *Id.*

⁴ OPEN DOORS, WWL 2024 TABLE OF SCORES AND RANKS 1 (2024), <https://www.opendoors.org/research-reports/wwl-documentation/WWL-2024-Table-of-scores-and-ranks.pdf>.

⁵ *Ivory Coast Chief and Villagers are Transformed by the Gospel – Thanks to You Supporting Brave Believers Like Koné*, OPEN DOORS, <https://www.opendoors.org.za/ivory-coast-chief-villagers-transformed/> (last visited Feb. 23, 2024) [hereinafter *Chief and Villagers Transformed by the Gospel*].

⁶ *Universal Periodic Review Second Cycle – Côte d’Ivoire*, OHCHR, <https://www.ohchr.org/en/hr-bodies/upr/ci-index> (last visited Feb. 23, 2024).

⁷ *Côte d’Ivoire Infographic*, OHCHR, https://www.ohchr.org/sites/default/files/lib-docs/HRBodies/UPR/Documents/Session33/CI/Infographic_C%3C%B4te_d%27Ivoire.pdf (last visited Feb. 23, 2024).

⁸ OHCHR, UPR of Côte d’Ivoire (3rd Cycle – 33rd Session): Thematic List of Recommendations, https://www.ohchr.org/sites/default/files/lib-docs/HRBodies/UPR/Documents/Session33/CI/UPR33_Cote_Ivoire_Thematic_Recommendations_E.docx.

⁹ *Id.*

¹⁰ *Id.*

Legal Framework

Religious Freedom

4. The Constitution of Côte d’Ivoire states that “[n]o one may be privileged or discriminated against by reason of . . . their religion or belief.”¹¹ It also states that “[f]reedom of thought and freedom of expression, particularly, freedom of conscience, of philosophical and religious conviction or of worship are guaranteed to everyone. Everyone has the right to express and disseminate their ideas freely.”¹² However, it goes on to say that “[a]ny propaganda whose objective or outcome is to elevate one social group above another, or to encourage racial, tribal or religious, hatred is prohibited.”¹³

5. The Penal Code of Côte d’Ivoire explicitly states that “any person who, by assault, violence or threats, causes an individual to practice or refrain from practicing a religion, to belong or to cease to belong to a religious association” shall be punished with a fine of 50,000 to 500,000 francs.¹⁴ Elsewhere, the code defines religious discrimination as “any distinction, exclusion, restriction or preference based on religion which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life.”¹⁵ Engaging in religious discrimination is punishable by “imprisonment for five to ten years and a fine of 500,000 to 5,000,000 francs.”¹⁶ The penalty may be doubled if the offense is committed via public media, during the course of a political rally or demonstration, or committed by a public official.¹⁷

6. Moreover, Côte d’Ivoire is a party to the International Covenant on Civil and Political Rights (ICCPR).¹⁸ Under Article 18 of the ICCPR:

1. Everyone shall have the right to freedom of thought, conscience and religion. This right shall include freedom to have or to adopt a religion or belief of his choice, and freedom, either individually or in community with others and in public or private, to manifest his religion or belief in worship, observance, practice and teaching.

2. No one shall be subject to coercion which would impair his freedom to have or to adopt a religion or belief of his choice.¹⁹

¹¹ CONSTITUTION DE LA REPUBLIQUE DE COTE D’IVOIRE [CONSTITUTION] 2016, art. 4 (Côte d’Ivoire), available at https://www.constituteproject.org/constitution/Cote_DIvoire_2016.

¹² *Id.* art. 19.

¹³ *Id.*

¹⁴ See COTE D’IVOIRE: CODE PENAL [C. PEN.] art. 221 [hereinafter PENAL CODE], available at <https://sgbv-ihdrda.uwazi.io/en/entity/v88lr90dpjh?file=1625043312808ainf3x9qhk.pdf&page=1>.

¹⁵ *Id.* art. 226.

¹⁶ *Id.* art. 228.

¹⁷ *Id.*

¹⁸ *Ratification Status for Côte d’Ivoire*, OHCHR, https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/countries.aspx?CountryCode=CIV&Lang=EN (last visited Feb. 23, 2024).

¹⁹ International Covenant on Civil and Political Rights art. 18, adopted Dec. 16, 1966 U.N.T.S. 171, <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-civil-and-political-rights>.

Child Trafficking

7. Under Article 5 of the Constitution of Côte d’Ivoire: “Slavery, human trafficking, forced labor, physical or moral torture, inhumane, cruel, degrading and humiliating treatment . . . are prohibited.”²⁰

8. Law No. 2016-11 on the Fight Against Trafficking in Persons prescribes ten years imprisonment and a fine between five and ten million West African CFA francs for both sex and labor trafficking.²¹ The penalty is increased to between twenty and thirty years imprisonment and a fine between ten and fifty million West African CFA francs if the victim is a minor.²²

9. Additionally, under Article 8 of the ICCPR, “[n]o one shall be held in slavery; slavery and the slave-trade in all their forms shall be prohibited. No one shall be held in servitude.”²³

10. Moreover, Côte d’Ivoire is also a party to the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.²⁴ Under Article 9 sec. 1 of this Protocol:

States Parties shall establish comprehensive policies, programmes and other measures:

(a) To prevent and combat trafficking in persons; and

(b) To protect victims of trafficking in persons, especially women and children, from revictimization.²⁵

11. Further, Côte d’Ivoire is a party to the Convention on the Rights of the Child (CRC).²⁶ Under Article 35 of the CRC, “States Parties shall take all appropriate national, bilateral and multilateral measures to prevent the abduction of, the sale of or traffic in children for any purpose or in any form.”²⁷

²⁰ CONSTITUTION (Côte d’Ivoire) (2016) art. 5, *supra* note 11.

²¹ Law No. 2016-111 on the Fight Against Trafficking in Persons, ANTISLAVERY IN DOMESTIC LEGISLATION, <https://antislaverylaw.ac.uk/country/cote-divoire/>.

²² *Id.*

²³ ICCPR, *supra* note 19.

²⁴ *Ratification Status for Côte d’Ivoire*, *supra* note 18.

²⁵ Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention Against Transnational Organized Crime art. 9, *adopted* Dec. 25, 2003, 2237 U.N.T.S. 319, https://treaties.un.org/pages/viewdetails.aspx?src=ind&mtdsg_no=xviii-12-a&chapter=18.

²⁶ *Ratification Status for Côte d’Ivoire*, *supra* note 18.

²⁷ Convention on the Rights of the Child art. 35, *adopted* Nov. 20, 1989, 1577 U.N.T.S. 3, <https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-rights-child>.

Child Marriage

12. No one below the age of eighteen may be married in Côte d’Ivoire.²⁸ Any marriage that is in violation of this restriction is considered invalid and must be annulled.²⁹ Other than the annulment there is no punishment for underage marriage either in the Law Relating to Marriage or the Penal Code.³⁰ However, there is a statutory rape law in the Penal Code for an adult with any minor 15 years or younger.³¹ This is punishable by life imprisonment.³²

13. Côte d’Ivoire is a party to both the CRC and the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW).³³ Article 1 of the CRC defines a child as “every human being below the age of eighteen years unless under the law applicable to the child, majority is attained earlier,”³⁴ and Article 16 of CEDAW prohibits child marriages.³⁵

Religious Freedom

14. Christians living in the poorer northern part of the country face the most persecution, which often comes from family members or community leaders.³⁶ While the laws that are in place to protect religious liberty are commendable, the selective enforcement of those laws leaves much to be desired for religious minorities throughout the country.³⁷ People find it difficult to convert to Christianity from a different religion; with parents interfering with baptisms, converts facing social ostracization, and female converts being prohibited from marrying outside of their family’s faith.³⁸ Additionally, some radical Muslim imams and sheikhs are known to preach hateful, anti-Christian messages.³⁹ Christian converts risk being harmed or socially ostracized by others and their own family when they perform such actions as sharing their faith with others, posting on social media about their faith, or refusing to renounce their faith.⁴⁰

15. One Christian woman, Awa, faced such persecution.⁴¹ Before converting to Christianity, she and her husband worshipped a tribal deity called Togosenbla.⁴² After the tragic loss of her daughter, Awa came to Christ and tried to leave behind tribal worship.⁴³ Upon telling her husband of her desire to convert, she was met with hostility and the threat. Her husband said, “[i]f you give your life to Christ, don’t come back in my house.”⁴⁴ When she formally

²⁸ Law Relating to Marriage, 2019 (n° 2019-570) (Côte d’Ivoire) art. 2, available at <https://sgbv-ihrda.uwazi.io/en/entity/mpcxpz6g8i?page=1>.

²⁹ *Id.* art 26.

³⁰ *See id.*; PENAL CODE, *supra* note 14.

³¹ PENAL CODE art. 403, *supra* note 14.

³² *Id.*

³³ *Ratification Status for Côte d’Ivoire*, *supra* note 18.

³⁴ CRC art. 9, *supra* note 27.

³⁵ Convention on the Elimination of All Forms of Discrimination Against Women art. 16, *adopted* Dec. 18, 1979, 1249 U.N.T.S. 13, <https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-elimination-all-forms-discrimination-against-women>.

³⁶ OPEN DOORS, IVORY COAST: FULL COUNTRY DOSSIER 6 (2022), <https://www.opendoors.org/en-US/research-reports/country-dossiers/Ivory-Coast-Full-Country-Dossier-February-2022.pdf> [hereinafter IVORY COAST DOSSIER].

³⁷ *Id.* at 18.

³⁸ *Id.* at 6.

³⁹ *Id.* at 18.

⁴⁰ *Id.* at 21-22.

⁴¹ Tim Dustin, *Persecuted Christian in the Ivory Coast Endures Spiritual Warfare*, GLOBAL CHRISTIAN RELIEF (Sept. 26, 2023).

⁴² *Id.*

⁴³ *Id.*

⁴⁴ *Id.*

converted, Awa’s husband stopped providing for her—even when she was sick—and told her he would throw her out of his family unless she abandoned her faith in Christ.⁴⁵ When she still refused to recant, she was threatened by her brother-in-law and father-in-law who brandished knives.⁴⁶ Eventually, Awa and her children fled to Burkina Faso.⁴⁷ In a similar story, Koné, a wife and mother, faced insults, beatings, and death threats from her husband because of her Christian faith.⁴⁸

16. In Côte d’Ivoire, many Christians are not represented in government at the local levels.⁴⁹ This makes it difficult for Christians to have their interests represented and local jurisdictions often favor custom over national decrees.⁵⁰ Selective enforcement of noise laws on churches as well as repeated refusal of land grants for church construction also make Christian worship challenging.⁵¹

Child Trafficking

17. Human trafficking remains a significant issue in Côte d’Ivoire as it serves as a source, transit, and destination country for human trafficking.⁵² In particular, child trafficking for exploitation in the country’s cocoa industry is rampant.⁵³ While traffickers exploit domestic children, traffickers also target boys from nearby West African countries such as Burkina Faso.⁵⁴ Since 2012, authorities in Côte d’Ivoire arrested more than 1,000 child traffickers.⁵⁵

18. Since its last UPR, Côte d’Ivoire has made enormous strides to rescue children from exploitation. On October 27, 2022, the National Committee to Combat Trafficking in Persons implemented a National Referral Mechanism, Standard Operating Procedures, and a National Strategy and Action Plan to Combat Trafficking in Persons 2022 – 2025.⁵⁶ These measures will help and aid in the combating of human trafficking in Côte d’Ivoire.

19. Between December 5 through December 12, 2022, INTERPOL carried out an operation targeting human traffickers in Côte d’Ivoire, Benin, Togo, and Burkina Faso.⁵⁷ This operation resulted in the arrests of fifteen human traffickers and the rescue of ninety victims.⁵⁸ In Côte

⁴⁵ *Id.*

⁴⁶ *Id.*

⁴⁷ *Id.*

⁴⁸ *Chief and Villagers Transformed by the Gospel*, *supra* note 5.

⁴⁹ IVORY COAST DOSSIER, *supra* note 36 at 6.

⁵⁰ Côte d’Ivoire, GIRLS NOT BRIDES, <https://www.girlsnotbrides.org/learning-resources/child-marriage-atlas/atlas/c%C3%B4te-divoire/> (last visited Feb. 23, 2024) [hereinafter *Côte d’Ivoire Child Marriage*]

⁵¹ IVORY COAST DOSSIER *supra* note 36, at 18.

⁵² Côte d’Ivoire, ORGANIZED CRIME INDEX, https://ocindex.net/country/cote_d_ivoire, (last visited February 23, 2024).

⁵³ *Id.*

⁵⁴ *Id.*

⁵⁵ Azuka Osuokwo Idam, *The United States and Côte d’Ivoire Recently Launched the “Child Protection Compact Partnership Activities” Which is Aimed at Addressing Child Sex Trafficking and Forced Child Labor in Côte d’Ivoire*, AFRIK DIGEST (Sept. 24, 2023), <https://www.afrikdigest.com/child-protection-cote-divoire-and-the-united-states-of-america-join-forces/>.

⁵⁶ *Fight Against Trafficking in Persons: The Commitment of the Ivorian State Intensified*, THE MINISTRY OF SOLIDARITY AND THE FIGHT AGAINST POVERTY (Oct. 31, 2022), <https://solidarite.gouv.ci/actualite/actudetail/lutte-contre-la-traite-des-personnes-l-engagement-de-l-tat-ivoirien-intensifi274>.

⁵⁷ *15 Suspected Arrested in Operation Against Human Trafficking and Child Exploitation*, INTERPOL (Dec. 21, 2022), <https://www.interpol.int/en/News-and-Events/News/2022/West-Africa-56-minors-rescued-from-exploitation>

⁵⁸ *Id.*

d’Ivoire specifically, thirty-five victims, eight of whom were minors, were rescued from human traffickers.⁵⁹

20. In May 2021, five people were sentenced to twenty years in prison and an additional seventeen people were sentenced to five years in prison for trafficking children to be exploited on cocoa farms in Côte d’Ivoire.⁶⁰ These arrests resulted in sixty-eight children being rescued by authorities.⁶¹

21. In March 2021, Côte d’Ivoire began repatriating thirty-eight Burkinabe children who were rescued from being trafficked from their homes in Burkina Faso to be exploited in Côte d’Ivoire.⁶² The children were rescued by authorities as they were being trafficked to be exploited in a gold mine in Aboisso.⁶³

22. In February 2021, three individuals were arrested under suspicion of child trafficking.⁶⁴ Police found the individuals with three children from Burkina Faso.⁶⁵ These arrests came one week after police arrested another four individuals for trafficking nineteen children.⁶⁶

23. In order to help combat child trafficking in Côte d’Ivoire, the government established six regional police units in June 2020.⁶⁷ These regional police units are tasked specifically with combatting child trafficking and child labor.⁶⁸ These units have had an immediate impact in combatting human trafficking.⁶⁹ For example, in 2022, authorities arrested 392 human traffickers and rescued 2,116 children.⁷⁰ This was a dramatic increase from the prior year, when authorities rescued 1,353 children but only arrested twenty-five individuals.⁷¹

⁵⁹*Id.*

⁶⁰ Tancrede Chambraud, *Ivory Coast: 22 People Convicted of Child Trafficking on Cocoa Farms*, AFRICA NEWS (May 19, 2021), <https://www.africanews.com/2021/05/19/ivory-coast-22-people-convicted-of-child-trafficking-on-cocoa-farms/>.

⁶¹ *Id.*

⁶² *Ivory Coast to Repatriate 38 Trafficking Victims to Burkina Faso*, AFRICA GLOBAL VILLAGE (Mar. 29, 2021), <https://www.africaglobalvillage.com/ivory-coast-to-repatriate-38-trafficking-victims-to-burkina-faso/>.

⁶³ *Id.*

⁶⁴ Ange Aboa, *Ivory Coast Arrests Three Suspected Child Traffickers in Cocoa Belt*, REUTERS (Feb. 12, 2021), <https://www.reuters.com/article/cocoa-childlabour-ivorycoast/ivory-coast-arrests-three-suspected-child-traffickers-in-cocoa-belt-idUSL8N2KI3GR>.

⁶⁵ *Id.*

⁶⁶ *Id.*

⁶⁷ Sarah Johnson, *How Ivory Coast is Winning the Fight to Keep its Children Out of the Cocoa Fields*, THE GUARDIAN (Dec. 27, 2022).

⁶⁸ *Id.*

⁶⁹ *Id.*

⁷⁰ *Id.*

⁷¹ *Id.*

Child Marriage

24. As with religious freedom, child marriage prohibitions are also unacceptably ineffective in Côte d’Ivoire. Despite appropriate legislation prohibiting the marriage of anyone under eighteen, 27% of girls in Côte d’Ivoire are married before the age of eighteen.⁷² That is just over one out of every four. While this number is troubling on its own, roughly 7% of Ivorian girls are married before the age of fifteen.⁷³

25. Child marriage rates are highest in the north, where 52% of women between the ages of 20-49 were reported to be married before they turned eighteen.⁷⁴ In the western regions of the country, 48% of women between the ages of 20-49 were married before they turned eighteen.⁷⁵ These numbers may also be much higher due to the lack of reporting. Notably only half of all births in Côte d’Ivoire are registered, therefore, determining the exact age of many Ivorian girls is difficult.⁷⁶

26. Reports of young girls experiencing not just early marriage, but forced early marriage, are also coming out of Côte d’Ivoire. As recently as May of 2023, a thirteen-year-old girl was kidnapped by her two uncles.⁷⁷ The girl was forcibly taken out of a neighboring country, with the intention of bringing her to the prospective husband’s home in Côte d’Ivoire.⁷⁸ Thankfully, the kidnapping was interrupted and prevented, but the arranged marriage and kidnapping were planned by both the girl’s uncles and grandfather.⁷⁹ Not every young girl is so fortunate though. Another Ivorian girl named Salamatou was forced to marry at just thirteen to a man four times her age.⁸⁰ By age twenty she already had five children with her husband who was sixty.⁸¹ She was forced to remain home, suspend her education, and was expected to be sexually available for her husband.⁸²

27. Child marriage in Côte d’Ivoire is driven by a number of factors.⁸³ One of the most salient of these is the apathy with which the Ivorian government has enforced anti-child marriage laws, coupled with the deeply-rooted traditional beliefs in the practice.⁸⁴ Child marriage is historically promoted by community and religious leaders, and attempts to notify officials of illegal child marriages are often futile.⁸⁵ Further, many communities have greater respect for their traditional customs than for national laws.⁸⁶ Other factors like poverty, lack of

⁷² Côte d’Ivoire Child Marriage, *supra* note 50.

⁷³ *Id.*

⁷⁴ *Id.*

⁷⁵ *Id.*

⁷⁶ *Id.*

⁷⁷ Sakchi Khandelwal, *A Cry for Freedom: Child Marriage and Africa’s Youth Boom*, BNN BREAKING (Oct. 31, 2023).

⁷⁸ *Id.*

⁷⁹ *Id.*

⁸⁰ Michelle Nunn & Sheryl Sandberg, *Ending Child Marriage: Restoring Choice Through Economic Security*, Ms. (Oct. 29, 2022).

⁸¹ *Id.*

⁸² *Id.*

⁸³ Côte d’Ivoire Child Marriage, *supra* note 50.

⁸⁴ *Child Marriage in Côte d’Ivoire*, SAVE THE CHILDREN 3 (2017), <https://resourcecentre.savethechildren.net/pdf/child-marriage-cote-d-ivoire.pdf/>.

⁸⁵ *Id.*

⁸⁶ *Id.*

education for girls, and gender inequality also contribute to the high rate of child marriage.⁸⁷ Unfortunately, Côte d’Ivoire currently lacks a strategic plan to combat child marriages.⁸⁸

Recommendations

28. Côte d’Ivoire should recognize the plight of Christians and other religious minorities facing persecution for their beliefs. It should take greater steps to ensure religious freedom, particularly in the northern parts of the country, and should take steps to enforce the laws already in place guaranteeing religious liberty.

29. Côte d’Ivoire must commit to protecting those most vulnerable from being trafficked and exploited. Since its last UPR, Côte d’Ivoire has implemented positive measures to combat trafficking and these measures seem to be working. We want to encourage Côte d’Ivoire to continue these measures and continue its efforts to eliminate child trafficking.

30. Côte d’Ivoire should protect Ivorian women and girls from the tragedy of forced and early marriages by enforcing the laws already in place as well as taking greater steps to educate its citizens and remove this harmful practice from common use.

⁸⁷ *Id.*

⁸⁸ Jordan Oh, *Child Marriage in The Ivory Coast*, THE BORGAN PROJECT (July 21, 2022).