

		Home	Contact Us	Email this Page	FOIA	Privacy Notice	Archive	Español	<input type="text" value="Search"/>
 U.S. DEPARTMENT of STATE									
About the State Dept.	Press and Public Affairs	Travel and Living Abroad	Countries and Regions	International Issues	History, Education and Culture	Business Center	Other Services		

[Bureau of Democracy, Human Rights, and Labor](#) > [Releases](#) > [Human Rights](#) > [2000](#) > [Africa](#)



U.S. DEPARTMENT of STATE

Cote D'Ivoire

Country Reports on Human Rights Practices - [2000](#)

Released by the Bureau of Democracy, Human Rights, and Labor

February 23, 2001

Prior to October presidential elections, Cote d'Ivoire had a military government. Brigadier General Robert Guei took power on December 24, 1999, following a bloodless coup d'etat, which forced the departure of then President Henri Konan Bedie. General Guei, who was Chief of Staff under Presidents Felix Houphouet-Boigny and Bedie, declared himself the new President, suspended the Constitution, dissolved the National Assembly, and formed the National Committee for Public Salvation (CNSP)--which consisted of himself, seven other military officers, one naval enlisted man, and one soldier who participated in the coup. Guei initially claimed no interest in retaining power and pledged to rewrite the Constitution, clean up government corruption, and hold fair and transparent elections during the year. In January Guei formed a transitional government made up of CNSP members as well as representatives of five political parties and civil society. In May Guei reshuffled the cabinet, effectively ridding the Government of most members of the Republican Rally (RDR), the party of rival presidential candidate and former Prime Minister Alassane Ouattara. On September 22, Guei again changed the cabinet, eliminating three additional members who were considered sympathetic to the RDR. The Constitutional and Electoral Consultative Commission (CCCE), which was created by the CNSP and included members of all major political parties, nongovernmental organizations (NGO's), and prominent members of civil society, drafted a new constitution; however, Guei made several substantive changes to the text, including inserting controversial language regarding the eligibility requirements to be president, before submitting the draft constitution to a referendum. On July 23 and 24, the citizens overwhelmingly approved the new Constitution in a referendum, and the Constitution was implemented on August 4. On October 26, after a flawed October 22 presidential election, which was marred by significant violence and irregularities, including a suspension of the vote count for several days, the Supreme Court declared Laurent Gbagbo the victor with 53 percent of the vote. Except for

the RDR, which decided not to accept ministerial posts, major political parties were represented in the new Government, which was made up of 24 ministers. An election for the National Assembly was held on December 10 and was marred by violence, irregularities, and a very low participation rate. The Ivoirian Popular Front (FPI) won 96 of the 225 seats; the Democratic Party of Cote d' Ivoire (PDCI), the former ruling party, won 77; independent candidates won 17; and 4 other parties won a combined 7 seats. Twenty-eight seats remained unfilled at year' s end. To protest the invalidation of the candidacy of party president Alassane Ouattara, the RDR boycotted and disrupted the legislative elections. The judiciary is subject to executive branch and other outside influence.

Security forces include the army, navy, and air force, all under the Ministry of Defense; the Republican Guard, a well-funded presidential security force; the national police (Surete Nationale); and the Gendarmerie, a branch of the armed forces with responsibility for general law enforcement, maintenance of public order, and internal security, including suppression of violent crime. The National Security Council, which was formed in 1996 and coordinated internal and external security policy, was dissolved by the Minister of State for Security in January following the December 1999 coup. Also in January, General Guei created a special military unit, the P.C. Crise, to assist in reestablishing order, to control crime, and to put an end to abuses committed by the military. In May General Guei officially disbanded the P.C. Crise and other quasi-military groups, including the Kamajors, Cosa Nostra, Cobra, and Red Brigade, that had formed within the military following the coup, and which had come to be known as the "parallel forces." However, some members of these groups continued to act as vigilante forces, and on September 20, the Government announced the formation of a new "P.C. Crise Marine." The civilian Directorate of General Intelligence (DRG) is responsible for countering internal threats. A security staff (L' Etat Major de la Securite) collects and distributes information about crime and coordinates the activities of the security forces in times of crisis. The Special Anticrime Police Brigade (SAVAC) and the Anti-Riot Brigade (BAE) continued their operations. Upon taking office, President Gbagbo combined the Ministries of Interior and Security; however, he decided against altering the structure of the security forces. While the Gbagbo and Guei Governments generally maintained effective control of the security forces, there were instances in which security forces acted independently of government authority, most notably during military mutinies in March and July, and surrounding the presidential and parliamentary elections in October and December respectively. In addition there are major divisions within the military based on ethnic, religious, and political loyalties. Security forces, particularly the "parallel forces," committed numerous human rights abuses.

The economy is largely market-based and heavily dependent on the commercial agricultural sector. Most of the rural population remains dependent on smallholder cash crop production. Principal exports are cocoa, coffee, and wood. In 1999 approximately 56 percent of the adult population was literate, but the rate among women (44 percent) is only two-thirds of the rate among men (66 percent). Recorded gross national product per capita in 1999 was about \$700. After several years of 6 to 7 percent annual economic growth following the 1994 currency devaluation, growth slowed to about 3 percent in 1999 and was an estimated negative 2 to 3 percent during the year. Income remains unevenly distributed, and government expenditures for basic education and health services were far below planned levels. Widespread corruption is rooted in a lack of transparent and accountable governance. The political manipulations of the Guei Government, which resulted in investor and consumer uncertainty, further impeded economic growth. The Guei and Gbagbo Governments only received limited assistance from international financial institutions during the year due to the coup, government corruption, mismanagement, and political unrest following recent elections.

The Government' s human rights record was poor, and there were serious problems in a number of areas. Citizens did not fully have the right to change their Government. Members of the security forces committed hundreds of extrajudicial killings. Following a September 18 attack on General Guei' s residence, military forces and gendarmes arrested numerous soldiers; 3 or 4 were tortured to death, and 23 others were detained and tortured. The security forces beat and abused detainees and used force to disperse protesters. Prison conditions remained harsh and life threatening. The Government generally failed to bring perpetrators of these abuses to justice. The Government used arbitrary arrest and detention, and prolonged detention remained a problem. Journalists

and opposition members, in particular, were detained without trial for long periods. In January the CNSP released from custody all members of the Bedie Government that were arrested following the December 1999 coup; however, former Minister of State for Interior and Decentralization Emile Constant Bombet was detained again for 33 days. By February all of the army officers arrested and detained during and after the December 1999 coup were released without having been tried. The judiciary did not ensure due process and was subject to executive branch influence, particularly in political cases. Security forces infringed on citizens' privacy rights. The Guei Government restricted freedom of speech, the press, assembly, and movement. Despite some formal restrictions on freedom of association, the Guei and Gbagbo Governments generally respected this right in practice. At least 26 percent of the country's adult population, including many long residents of the country, remained politically disenfranchised noncitizens. Discrimination and violence against women, abuse of children, and female genital mutilation (FGM) remained serious problems. Muslims and practitioners of traditional indigenous religions were subject to discrimination. Violent ethnic tensions persisted, and societal discrimination based on ethnicity remained a problem. Child labor, forced child labor, and trafficking in persons, including children, continued; however, efforts to combat these problems within the country showed some success.

RESPECT FOR HUMAN RIGHTS

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

a. Political and Other Extrajudicial Killing

Security forces committed extrajudicial killings, including politically motivated killings. There were reports that government security forces killed three or four suspected coup plotters after an alleged assassination attempt on General Guei on September 18 (see Section 1.b.). For example, Sergeant Sansan Kambire was arrested shortly after the September 17 and 18 attack on General Guei's residence. His corpse was discovered in an Abidjan mortuary 3 days after his arrest. That same month, General Guei's personal guard tortured and killed Chief Sergeant Souleymane Diomande, also known as "La Granade," while he was detained at Akouedo military camp. Soldiers poured acid on Diomande and then beat him to death. Guei's guard also arrested and tortured to death Corporal Abdou Dramani Ouattara and an unidentified person from Burkina Faso for the September attack. In October the military prosecutor announced that, at the families' request, an investigation would be conducted into the deaths of the three soldiers; the investigation was ongoing at year's end.

Security forces frequently resorted to lethal force to combat widespread violent crime. The CNSP-created special crime fighting unit, P.C. Crise, and other unofficial quasi-militia forces that sprang up after the 1999 coup committed the majority of these killings. Members of the P.C. Crise, the Kamajors, Cosa Nostra, Cobra, and Red Brigade pursued suspected criminals and frequently executed them immediately after capture; occasionally they publicly displayed the bodies. According to government statements and media reports, the security forces had killed hundreds of criminals by year's end. Such killings by the P.C. Crise ended after Gbagbo assumed the Presidency and formed the P.C. Crise Marine.

On February 6, security forces shot several persons, including students and civil servants, while responding to a problem in a nightclub in Abidjan's Treichville neighborhood; two persons died. During a military mutiny on July 4 and 5, mutineers killed a woman in Abidjan's central business district of Plateau, allegedly because she refused to give up her car during a carjacking. The other reported deaths during this uprising occurred during clashes between mutineers and forces loyal to the Guei Government, in which 4 soldiers died and 10 civilians were wounded.

On October 16, a police officer shot a Nigerian woman, Confort Egiantey, while she was traveling on a public minibus. The officer was chasing the driver of another minibus that

had refused to stop for a police check. The police officer was arrested, and his trial was pending at year' s end. According to the Ivorian Movement for Human Rights (MIDH), during and for several days following the October presidential election, more than 500 persons were killed in clashes with security forces or during clashes with other protesters, by gunshot, drowning, or torture. In addition 860 persons, many of whom were FPI and RDR militants, were injured. Gendarmes also killed some protesters while they were in detention. In December the Malian High Council reported that more than 20 Malians were killed and 10 disappeared during the demonstrations and violence that followed the October presidential elections.

In December there was a press report that security forces had killed at least 10 Nigerians, allegedly for supporting the opposition.

The Gbagbo Government, which took power on October 26, had a mixed record in controlling the security forces. In October after the presidential elections and again in early December in the period prior to the parliamentary elections, gendarmes and police reacted violently against RDR political demonstrations. On October 25, 57 bodies of Muslims were discovered at a site in the Abidjan district of Yopougon. Gendarmes widely are believed to be responsible for these killings. Human Rights Watch (HRW) and other independent investigators published the testimony of alleged survivors who claim gendarmes had dragged them from their homes, marched them along a road where dozens of dead bodies lay, forced them into vans, and then shot dozens of them. Some survivors stated that they lay on the ground pretending to be dead until the gendarmes departed. After taking office, Gbagbo established an inquiry into the massacres at Yopougon; however, by year' s end, the Government had not published the findings of its investigation nor had it taken action against members of the security forces responsible for the mass abuse.

Following the November 30 Supreme Court announcement of the disqualification of Alassane Ouattara for legislative elections, thousands of RDR supporters demonstrated in protest of the decision (see Section 3). According to the Government, approximately 13 persons were killed in violent clashes with the military and gendarmes, including a municipal treasury official whose throat was slashed by RDR demonstrators; the RDR estimated that there were 30 killings. MIDH reported that 37 persons had died, most by gunshot, along with several hundred persons injured.

By year' s end, the Government had taken no action against the gendarmes and police officers responsible for the deaths and abuses committed against FPI and RDR demonstrations after the October 22 presidential elections and in the period prior to and following the parliamentary elections on December 10.

On December 4, gendarmes shot and killed Kaba Bakary, a 60-year-old Guinean, in front of his family as he was getting ready for Muslim prayers. Reportedly he was shot because he was wearing a Muslim robe, which the gendarmes believed marked him as a supporter of the RDR. No action was taken against the gendarmes by year' s end.

On December 6, following RDR demonstrations, some presidential guards arrested RDR President Ouattara' s private secretary, Abou Coulibaly, as he was passing President Gbagbo' s residence in Cocody. When they found out that he was working for Ouattara, the presidential guards severely beat Coulibaly and took him to the Agban Gendarmerie camp where they continued to beat him. The security forces took him to a local medical clinic where he died from his injuries on December 7.

No action was taken against police personnel responsible for a number of killings during demonstrations that occurred between April and October 1999.

Trials still are pending at year' s end against 15 trainee gendarmes arrested in 199 for beating Camara Yaya to death.

Police have made no arrests in the December 1998 death in police custody of Jean Claude

Lama, a 16-year-old street child. The authorities continued to characterize the death as a suicide.

Following the October 22 presidential election and subsequent demonstrations and violence, 18 bodies were found that had washed ashore in Abidjan' s lagoon; the bodies had been shot numerous times. At year' s end, it remained unknown who was responsible for the killings, and a government investigation into the incident was ongoing.

Ethnic violence between Kroumen and settlers from Burkina Faso in the Southwest resulted in at least 13 deaths in September and another 5 deaths in early October (see Section 1.a.).

b. Disappearance

Following the September 18 alleged assassination attempt on General Guei, government security forces arrested numerous soldiers suspected of involvement in the assassination attempt and in coup plotting (see Section 1.d.). Evidence and the testimonies of 13 of the 23 released soldiers suggest that 3 or 4 of the soldiers that disappeared were tortured and killed (see Section 1.a.).

In the period following the October 22 presidential elections, scores of persons disappeared. Newspapers frequently published the appeals of families who were looking for their children or relatives. There were numerous reports that parents visited hospitals and the morgues looking for their children after failing to find them in any of the gendarmerie camps or at the police school. In November an independent newspaper, *Soir Info*, published an appeal from the chief of San Pedro to President Gbagbo to help him find his son.

In December the Malian High Council reported that more than 20 Malians were killed and 10 disappeared during the demonstrations and violence that followed the October presidential elections. It reported that most of the persons who had disappeared had been arrested by the police.

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

The new Constitution prohibits cruel and inhuman treatment, humiliating and degrading punishment, torture, physical violence, and other mistreatment; however, in practice security forces regularly beat detainees and prisoners to punish them or to extract confessions and frequently forced detainees to perform degrading and humiliating tasks, such as crawling, eating dirt, doing push-ups while under threat of physical harm, drinking urine or blood, and eating excrement. Jurists' union officials and journalists working for the opposition press reported that police continue to beat suspects to obtain confessions and that suspects are afraid to press charges against the police officers involved. According to local human rights groups, police and gendarmes beat and humiliate detainees or prisoners. Press photographs regularly showed detainees with swollen or bruised faces and bodies. In general government officers who are members of the security forces are not held accountable for abuses.

In December 1998, the Government enacted legislation allowing lawyers to assist their clients during the early stages of detention when abuse is most likely. In spite of this legislation, during the year, police officers and gendarmes continued to mistreat suspects and other persons summoned to police and gendarmerie stations, and on many instances, the security forces did not allow lawyers access to their clients (see Section 1.d.). Police also verbally abused lawyers who tried to assist their clients.

On January 11, in Abidjan' s Yopougn neighborhood, members of the police anti-riot brigade stopped a bus and forced the passengers out of the vehicle and beat and kicked several students who were on the bus, including a pregnant law student. Military personnel

intervened to stop the beatings. The police explained their actions to their commander by claiming that students on the previous bus that had passed their checkpoint had insulted them. No action was taken against the responsible police officers.

On January 18, members of the military beat citizens and ransacked residences in the city of Daoukro, the home town of former President Bedie, and surrounding villages. Many of the victims were Bedie's relatives or associates. On March 14, members of the military returned to Daoukro to beat citizens, including members of the Bedie family, and confiscated property that Bedie allegedly acquired illegally.

On February 1, police used tear gas to disperse striking workers at the Commune of Cocody City Hall, seriously injuring two of the strikers who were hospitalized as a result of their injuries (see Section 6.a.).

On February 4, "Dozos" (traditional northern hunters), who were hired by the Guei military Government to provide security, tied up and beat a university student after mistaking him for a crime suspect. The Government took no action against the Dozos responsible for the beating.

On February 6, members of the P.C. Crise beat singer Honore Djoman and then transported him to the Akouedo military camp where they continued to beat him. Reportedly the P.C. Crise members were hired to beat Djoman by a person with whom he had a business dispute. On February 7, members of the P.C. Crise severely beat security guard Alain Patrice Dago after being told about a dispute over money that Dago had with an acquaintance.

On February 21, police severely beat nurse Boua Keke after mistaking him for a suspect they were pursuing. No action was taken against the police officers.

On March 25 in Bouake, off-duty P.C. Crise member Salif Keita shot and injured a student, Aboudramane Coulibaly, whom he believed was going to assault a woman. Following Student Union statements criticizing the P.C. Crise, General Guei intervened within 48 hours to have Coulibaly transferred to an Abidjan hospital. Keita was tried by a military court and sentenced to 12 months in prison.

On March 28, gendarmes in Man mistakenly beat a fellow gendarme after mistaking him for a robbery suspect.

In May members of the military abused a judge who rendered a decision in a labor dispute with which they disagreed (see Section 1.e.).

During the July 4 to 5 military mutiny, soldiers seriously injured more than 10 civilians, including several who suffered gunshot wounds. Thirty-five mutineers were tried; however, they were not tried necessarily for their mistreatment of civilians.

On July 9, gendarmes arrested, beat, and tortured Soumbiala Doumbia, a student, following Doumbia's alleged attempt to kill a rival student leader. The Government took no action against the responsible gendarmes.

On September 25, members of the military beat students from the Federation of High School and University Students of Cote d'Ivoire (FESCI) on the university's Cocody campus; three of the students were injured seriously (see Section 2.a.). No action was taken against any members of the military.

During and immediately following the October presidential elections, security forces killed and injured hundreds of persons (see Sections 1.a. and 3). For example, on October 24, soldiers loyal to General Guei attempted to disperse an FPI demonstration to protest General Guei's decision to remain in power despite his defeat in the presidential election.

When police superintendent Tiagnere tried to prevent the soldiers' actions, the soldiers beat him, then drove him to an unknown location in the trunk of a car. He was discovered the following day with a broken leg and broken ribs.

On October 25, 13 of the 27 soldiers arrested for their alleged participation in an attack against General Guei's residence on September 8 stated that they had been tortured during their detention in Akouedo camp. On November 20, *le Patriote*, a pro-RDR newspaper, published an interview granted by 1 of the 27 soldiers. The soldier stated that soldiers loyal to Lieutenant Laurent Yapi Boka and General Guei tortured him and his friends during their detention in Akouedo military camp in late September and early October. He stated that soldiers wrapped them in barbed wire, then stomped on them with their heavy boots, in addition to beating them with iron bars.

In September soldiers tortured to death Sergeant Chief Souleymane Diomande while he was in detention (see Section 1.a.).

On November 26, in the Abidjan district of Adjame-Agban, gendarmes beat and left in a critical state a minibus driver, Mourlaye Bamba, when another driver refused to stop at a police checkpoint. The gendarmes also shot another minibus driver and union leader, Sangouyana Cisse, in the leg while his vehicle was stopped at a red light.

On December 5, gendarmes arrested and beat severely Jean Philippe Kabore, the son of RDR Secretary General Henriette Dagri Diabate, for allegedly transporting arms in his car. Kabore suffered a fractured skull and broken limbs. He was hospitalized for treatment and remained in detention in Abidjan's prison at year's end.

On December 4 and 5, gendarmes and police officers violently dispersed members of the RDR who were demonstrating to protest against the invalidation of Ouattara's candidacy in the presidential and legislative elections, which resulted in numerous injuries (see Sections 1.a., 2.b., and 3).

According to the Ivoirian Association for the Defense of Women's Rights (AIDF), during RDR demonstrations on December 4 and 5, gendarmes raped at least 10 female protestors at the police school. President Gbagbo requested that the Ministry of Interior and Security conduct an investigation. The Ministry concluded that "anti-demonstrators," not gendarmes or police officers, raped three women near the police school, but admitted that the rapes took place in the presence of gendarmes, after they had arrested the women.

On December 5, six police officers that were pursuing RDR demonstrations forced their way into Traore Fousseni's house. They destroyed furniture, beat him with truncheons, and stole all of his money. They also beat Traore's wives and brother-in-law. Reportedly they were beaten because they belonged to the "Dioula" ethnic group, which is represented highly among RDR members.

On December 5, BAE members responding to a fire in a mosque used tear gas and beat Muslims who had gathered to inspect the damage to the mosque (see Sections 1.d., 2.c., and 5).

On December 6, presidential guards beat to death Abou Coulibaby, RDR president Ouattara's private Secretary (see Section 1.a.).

On December 15, the Agence France Presse (AFP) published the testimonies of several persons whom gendarmes tortured during and after the December 4 and 5 RDR demonstrations. The victims withheld their names, but some stated that they were from the north, while others stated that they were from neighboring countries. All claimed that drunken policemen beat them every night with truncheons, whips, and boards with nails, or burnt them. One man stated that the policemen burnt his genitals. Security forces regularly beat and harassed journalists (see Section 2.a.). For example, on October 26, gendarmes beat Raphael Lakpe, the publisher of the pro-RDR *Le Populaire*,

and his bodyguard at the Koumassi Commando Camp (see Section 2.a.). On the same day, gendarmes also severely beat Bakary Nimaga, chief editor of the pro-RDR newspaper *Le Liberal* (see Section 2.a.).

Police frequently used excessive force to disperse demonstrations. On July 31, military riot police used tear gas, rifle butts, and truncheons against demonstrators supporting statements by the French Government on candidate participation in the presidential election (see Section 2.b.). The demonstrators were prevented from gathering at the French Embassy, and many were beaten, forced to do push-ups, eat cement, and crawl through downtown streets in Abidjan. Security forces also beat a journalist covering the event (see Section 2.a.). There were 47 reported injuries, of which 17 were serious. On September 9, gendarmes used tear gas to disperse a crowd gathered in the Abidjan neighborhood of Yopougon to attend an RDR meeting (see Section 2.b.). Upon learning that the meeting had been canceled by the CNSP the previous evening, some of the crowd threw stones at the gendarmes, who responded with tear gas. Police also frequently used violence to restrain and disperse demonstrators.

Police routinely harassed and abused noncitizen Africans (see Section 5). On occasion police entered the homes and businesses of citizens, noncitizens Africans, and other noncitizens, and extorted money from them (see Sections 1.f. and 2.d.). In October and December, foreigners complained publicly that the police often stopped them for identity checks and confiscated their documents to later sell them back to the original owners. They reported that even when their residence permits were valid, police would take them to police stations where they were beaten and detained overnight if they did not pay a bribe to the officers. In December a newspaper quoting some of the hundreds of Nigerians who returned to Nigeria to escape the anti-foreigner violence reported that security forces had tortured Nigerians.

Many unemployed and homeless detainees reported that authorities beat them while they were in detention.

Military and other forces were responsible for numerous robberies, carjackings, widespread looting, and acts of intimidation. These abuses were widespread particularly during the military mutiny of July 4 and 5. Mutineers robbed, looted, destroyed property, and terrified the citizenry. The mutineers targeted the cities of Abidjan, Bouake, Katiola, Korhogo, and Yamoussoukro in particular. Following the July mutiny, the Government arrested 114 soldiers and 6 officers for their actions during the uprising. The Government released 74 of the soldiers after questioning and tried the remaining 40; 35 soldiers were convicted of participating in the mutiny. Four of the six officers were awaiting trial at year's end; charges against the other two officers were dismissed following an investigation.

No action was taken against the two police officers who shot and injured Mombé Roger Zemon, a driver for Sucrivoire, in Abidjan's Yopougon district in 1999. No action was taken against police officers who beat and detained Issa Traore, a 30-year-old member of the Truck Drivers and Truck Owners Trade Union in Abidjan's Adjame district in 1999.

Even though prison deaths have declined, harsh and life-threatening conditions still result in hundreds of fatalities each year. Problems include overcrowding, malnutrition, a high incidence of infectious disease, and lack of treatment facilities and medications. HIV/AIDS, diarrhea, and tuberculosis also reportedly are significant causes of death. In 1999 there were 537 inmate deaths in the nation's prison system, of which 122 deaths occurred at the Abidjan House of Arrest and Corrections (MACA), including 27 deaths of inmates who were trampled on December 23, 1999.

The Director of Penitentiary Administration stated that the death rate at the MACA had dropped by 60 percent since October 1998 and was expected to remain low due to improvements made in 1999 to the sanitation system. Improvements were financed jointly by Doctors Without Borders and the Government. Doctors Without Borders reported that

the death rate in prisons had fallen approximately 90 percent from 1997.

During the December 1999 coup, the mutineers released all 6,693 inmates of the MACA. The unforeseen outcome of this action was improved conditions due to less overcrowding; however, by November the MACA population numbered approximately 3,800 inmates. The MACA was designed to hold only 1,500 inmates. On December 31, President Gbagbo announced a presidential pardon for 2,500 prisoners nationwide. It was unclear how many of those pardons went to MACA prisoners.

In July the government newspaper *Fraternité Matin* stated that prison conditions for women especially were difficult. In 1998 the prison separated female and male prisoners and began using female guards for female prisoners and male guards for male prisoners. Female prisoners are housed in a separate building that can hold up to 120 residents, and as of May, there were 78 women detained there. There still are no health facilities for women. There continued to be credible reports of children born in prison or living in prison with their mothers; as of May, there were 13 children living with their mothers in prison. During the year, there were no reports that guards raped female prisoners. Nevertheless, there still were reports that female prisoners engaged in sexual relations with their wardens in exchange for food and more privileges.

Since 1998 the Government has permitted the International Catholic Office for Children (BICE) to improve conditions at the MACA for women and their children. During the year, BICE removed 34 children from the prison and placed them with family members or foster families. BICE also provided female inmates with food, medical care, clothing, soap, and other necessities. BICE constructed a multi-purpose room for pregnant women, mothers, and children.

Juvenile offenders are held separately from adults. At year's end, 170 to 18-year olds, including 14 girls, were in detention.

The Government permits access to prisons by local and international NGO's that seek to provide food and medical care to prisoners. In addition to BICE, humanitarian NGO's, including the International Committee of the Red Cross (ICRC), Prisoners Without Borders, and Doctors Without Borders had access to the prisons and visited them during the year to provide food and medical care to prisoners. However, none of these NGO's specifically monitored human rights conditions in the prisons. The Ivoirian Human Rights League (LIDHO), which monitors human rights conditions in prisons, does not have authorization to visit prisons without advance notice. LIDHO usually must write to the prison warden if it wants to visit inmates. Wardens rarely grant approval on the first request. LIDHO stated publicly that they did not visit the MACA during the year because the overcrowding problem temporarily was alleviated and conditions had improved somewhat following the December 1999 release of all inmates in MACA. However, during the year, LIDHO did visit Abidjan's military prison, the MAMA.

After Gbagbo took office, there were no reports that NGO's had difficulty gaining access to prisons.

On October 27, after five days of protests and fighting following the October 22 presidential election, a mass grave containing 57 persons was discovered at Yopougon, northwest of Abidjan. International and local human rights groups immediately called for an inquiry, and President Gbagbo agreed to international investigations.

d. Arbitrary Arrest, Detention, or Exile

The new Constitution prohibits arbitrary arrest and detention; however, in practice arbitrary arrest and detention remained problems. Under the Code of Penal Procedure, a public prosecutor may order the detention of a suspect for only 48 hours without bringing charges. A magistrate may order detention for up to 4 months but also must provide the Minister of Justice with a written justification for continued detention on a monthly basis.

However, the law often is violated. Police and the CNSP have held persons for more than 48 hours without bringing charges. According to members of a jurists' union, this practice is common and magistrates often are unable to verify that detainees who are not charged are released.

Defendants do not have the right to a judicial determination of the legality of their detention. A judge may release pretrial detainees on provisional liberty if the judge believes that the suspect is not likely to flee. Inmates continue to suffer long detention periods while awaiting trial in the MACA. On July 7, Ministry of Justice figures indicated that of the 2,975 inmates in the MACA, 1,063 (36 percent) were awaiting trial and 1,912 (64 percent) had been tried and were serving their sentences. In the 32 regional prisons outside of Abidjan, out of 9,059 inmates, only 1,787 (20 percent) were awaiting trial, while 5,275 (80 percent) were serving their sentences. In spite of a 1998 law that limits pretrial detention to 10 months in civil cases and 22 months in criminal cases, some detainees have spent as many as 5 years in detention awaiting trial.

On February 1, members of the military briefly detained the players of the Ivorian National Soccer Team as they returned from the African Cup of Nations in Ghana. Soldiers transported the team to the Zambakro Military Camp, confiscated the players' cell phones and passports, and detained them for 48 hours. General Guei stated that the team, which had performed disappointingly in the tournament, needed to learn a lesson in patriotism, civics, and sportsmanship. He threatened the players with military service the next time they lacked patriotism.

On February 3, in the town of Toumodi, members of the military fire brigade detained Judge Aka Allou and forced him to release from custody their colleague Kouanda Ismalia. Kouanda had been convicted of breach of trust and was serving his sentence at the time. Following strong protests from two magistrates' unions, the Guei Government intervened and ordered the military firemen to release Judge Allou and return Ismaili to prison.

Between February and June, the Guei Government arrested approximately a dozen former ministers and high government officials considered close to former President Bedie as part of the anti-corruption fight known as "Operation Clean Hands" (see Section 3). For some officials, it was their second time being arrested since the coup. Authorities released all of the former government members by the end of July due to lack of evidence. Among those arrested were former Minister of State for the Interior and eventual PDCI presidential candidate Emile Constant Bombet. Security forces had arrested Bombet following the December 23 overthrow of Bedie and had detained him for 1 month without charge. He was rearrested in February and held for 33 days for allegedly having organized gatherings that endangered national security and for his alleged involvement in embezzling state funds set aside for organizing presidential and legislative elections in 1995. On September 6, the same day that Bombet was invested as the PDCI presidential candidate, the prosecutor reopened his case for further investigation. At year's end, Bombet was awaiting trial but no longer was in detention.

On July 9, gendarmes arrested and tortured a student leader (see Section 1.c.).

On July 12, gendarmes arrested three members and one suspected member of the RDR on suspicion of involvement in the July 4 and 5 military mutiny. For 6 hours, gendarmes questioned Amadou Gon Coulibaly, Deputy Secretary General of the RDR; Ally Coulibaly, RDR National Secretary for Communication; Amadou Sangafowa, RDR Deputy National Secretary for Organization; and Mamadou Coulibaly, Amadou Gon Coulibaly's uncle, about the mutiny and then released them after 48 hours in detention. The Government never disclosed the evidence linking the four to involvement in the July 4 and 5 events.

On July 21, the CNSP briefly detained and questioned National Islamic Council (CNI) President El Hadj Idriss Kone Koudouss (see Section 2.c.). The CNSP warned Koudouss not to advise Muslims to vote against the Constitution in the July 23 referendum, as they accused him of doing in a previous sermon. The CNSP noted that such types of sermons

could be considered inciting violence and rebellion. Koudouss was released after the warning.

On July 28, the military tribunal detained and questioned Professor Morifere Bamba, the former Minister of Health in the transitional regime and leader of the Party for Progress and Socialism (PPS). He was accused of cooperating with the July 4 and 5 mutineers. In August he was released for lack of any evidence.

In August authorities placed Zemogo Fofana, RDR National Secretary for External Relations and mayor of Boundiali, under house arrest. The Government accused Fofana of recruiting mercenaries to overthrow Guei and disrupt presidential elections. Authorities released Fofana within a week and allowed him to return to his home in Boundiali after the October 22 elections.

On August 24, the gendarmes detained and questioned El Hadj Koudouss, four other prominent imams from the CNI, and one Islamic youth leader (see Section 2.c.). The Government accused them of procuring arms, in cooperation with RDR presidential candidate Ouattara, in order to destabilize the country. The gendarmes released all six after questioning. According to the imams, this was the fifth time that leaders of the CNI had been called in for questioning since the coup.

On September 8, members of the security forces arrested Amadou Kone, computer engineer with the National Geographic Information and Teledetection Center. The Government accused him of revealing to the RDR strategic information and endangering national security. This information was the early partial results of the July 23 and 24 referendum, which Kone helped the RDR attain by installing a computerized information system in their offices. Kone was released from custody on September 13, and charges against him were dropped for lack of evidence.

Following the September 18 assassination attempt on General Guei, government security forces arrested numerous soldiers suspected of involvement in the attempt; one of the soldiers remained unaccounted for at year' s end (see Sections 1.a. and 1.b.).

On September 24, uniformed men arrested Alphonse Douaty, FPI National Secretary for the Mountains Region, at his home. According to his family, the men who arrested Douaty stated that they were taking him to General Guei who wanted to discuss Douaty' s opposition to the General' s presidential candidacy. Douaty was released on September 26.

On November 8, police arrested Quartermaster General Lassana Palenfo and Air Force Brigadier General Abdoulaye Coulibaly and charged them with orchestrating an assassination plot against General Guei in September. Their hearing for the attempted assassination began on November 14 and continued at year' s end; during the hearing, military prosecutors continued to introduce new evidence in order to keep the two generals incarcerated (see Section 1.e.).

On December 5, police detained an imam who attempted to intervene to prevent beatings by BAE members of Muslims (see Sections 1.c., 2.c., and 5.). The police also entered two mosques and detained persons inside. On December 6, some presidential guards arrested and beat Abou Coulibaly outside of President Gbagbo' s residence; he later died from his injuries (see Sections 1.a. and 1.c.).

During the year, members of the military regularly entered businesses unannounced and used threats to force local and expatriate businessmen to accompany them for questioning. The military members claimed to be searching for property that was stolen from the Government during the Bedie regime or looking for evidence of economic crimes; military members extorted payments frequently for these alleged crimes. This abuse decreased under the Gbagbo Government.

Foreigners complained that they were subject to police harassment; in particular that police would take them to police stations where they were beaten and detained overnight if they did not pay a bribe to the officers (see Sections 1.c. and 2.d.).

During and following the December 1999 coup, the mutineers arrested approximately 150 ministers, military officers, and other officials known as supporters of the Bedie Government; however, formal charges were not filed. Many of these officials subsequently were released and rearrested during the next several months following the coup.

During student strikes in May 1999, police arrested student leaders Kouame Kouakou and Drigone Faye in Bouake on charges of inciting violence and destruction of property under the 1992 Antivandalism Law. Charles Ble Goude, the secretary general of FESCI, was arrested on August 17 and also was charged with inciting violence and destruction of property. None of the students were charged with a crime, and all three students were released by October 1999.

In December 1999, the Bedie Government issued a warrant for Ouattara' s arrest for the alleged falsification of documents and their use. Newspaper accounts speculated that Bedie ordered the warrant issued to intimidate Ouattara and to prevent him from returning to the country.

Journalists frequently were arrested, detained, or questioned for short periods of time without being charged, as were political party and religious leaders (see Sections 2.a., 2.c., and 3).

Although it is prohibited by law, police restrict access to some prisoners. For example, gendarmes did not allow the lawyers of four RDR suspects arrested on July 12 to speak with their clients during their detention. Despite the frequency of arbitrary arrest, there is no accurate total of suspects held. There have been no reports of lawyer harassment during the year. Police also verbally abused lawyers who tried to assist their clients.

Article 12 of the new Constitution specifically prohibits forced exile; however, the Guei Government prevented former President Bedie' s return to the country. General Guei denied a request from the PDCI to allow Bedie' s return in August to take part in their convention and possibly the presidential race.

e. Denial of Fair Public Trial

The new Constitution provides for an independent judiciary; however, in practice the judiciary is subject to executive branch, military, and other outside influences. Although the judiciary is independent in ordinary criminal cases, it follows the lead of the executive in national security or politically sensitive cases. Judges serve at the discretion of the executive, and there were credible reports that they submit to political pressure.

The formal judicial system is headed by a Supreme Court and includes the Court of Appeals and lower courts. In July the Government named a new Supreme Court President and a new Constitutional Chamber to the Supreme Court. The Constitutional Chamber, whose main responsibility is to determine presidential candidate eligibility, was hand-picked by General Guei and was headed by Kone Tia, Guei' s former legal advisor. At year' s end, Kone Tia remained president of the Supreme Court. The Constitution grants the President of the Republic the power to replace the head of the court once a new parliament is in place, and Gbagbo is expected to do so in early 2001.

Military courts do not try civilians. Although there are no appellate courts within the military court system, persons convicted by a military tribunal may petition the Supreme Court to set aside the tribunal' s verdict and order a retrial.

In rural areas, traditional institutions often administer justice at the village level, handling

domestic disputes and minor land questions in accordance with customary law. Dispute resolution is by extended debate, with no known instance of resort to physical punishment. The formal court system increasingly is superseding these traditional mechanisms. In 1996 a Grand Mediator was appointed to settle disputes that cannot be resolved by traditional means. The new Constitution specifically provided for the office of Grand Mediator, which is designed to bridge traditional and modern methods of dispute resolution. The President names the Grand Mediator, and Mathieu Ekra has been Grand Mediator since the Bedie Government.

The law provides for the right to public trial, although key evidence sometimes is given secretly. The presumption of innocence and the right of defendants to be present at their trials often are not respected. Those convicted have the right of appeal, although higher courts rarely overturn verdicts. Defendants accused of felonies or capital crimes have the right to legal counsel, and the judicial system provides for court-appointed attorneys; however, no free legal assistance is available, except infrequently when members of the bar provide pro bono advice to defendants for limited time periods. In April the bar began operating a telephone hotline for free legal advice from volunteer attorneys. On November 28, the president of the bar announced that the bar would not continue to provide free legal assistance to poor clients if their transportation and lodging expenses were not furnished by the Government. The bar has 200 members that help give free legal advice. In practice many defendants cannot afford private counsel and court-appointed attorneys are not available readily. In many instances, security forces did not allow lawyers' access to their clients (see Section 1.d.).

Members of the military interfered with court cases and attempted to intimidate judges. They also intervened directly in labor disputes, sometimes arresting and intimidating parties. From May 20 to 22, judges stopped working to protest the treatment they were receiving from members of the military. Since the coup, the military had been attempting to influence court cases and in May verbally harassed and threatened Judge Olivier Kouadio after he rendered a decision in a labor dispute with which the military disagreed (see Section 6.b.). There are no reports of the military attempting to influence court cases under the Gbagbo Government.

On November 8, police arrested CNSP members Quartermaster General Lassana Palenfo and Air Force Brigadier General Abdoulaye Coulibaly and charged them with orchestrating an assassination plot against General Guei in September. Their hearing for the attempted assassination began on November 14 and continued at year's end. During the hearing, military prosecutors continued to introduce new evidence and charges in order to keep the two generals incarcerated; however, there was no trial (see Section 1.d.).

The new Constitution granted immunity to all CNSP members and all participants in the December 1999 coup d'etat for all acts committed in connection with the coup, which implicitly included all criminal activity such as looting, robbery, carjacking, and intimidation that occurred during the coup.

On January 26, the Guei Government granted amnesty for all offenses committed during the September 27 and October 27, 1999 political demonstrations. This amnesty included all of the RDR leaders who had been tried and convicted under the previous regime's antivandalism law, which held leaders of a group responsible for any violence committed by one of its members during a demonstration. All of the RDR prisoners were released from prison on December 24, 1999, by the mutineers leading the December 1999 coup (see Section 1.d.).

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

The Code of Penal Procedure specifies that a police official or investigative magistrate may conduct searches of homes without a judicial warrant if there is reason to believe that there is evidence on the premises concerning a crime. The official must have the prosecutor's agreement to retain any evidence seized in the search and is required to have witnesses to

the search, which may not take place between 9:00 p.m. and 4:00 a.m. in order to prevent the police and gendarmes from entering a home in the middle of night under the auspice of a search warrant.

In practice police sometimes used a general search warrant without a name or address. On occasion police have entered the homes of noncitizen Africans (or apprehended them at large), taken them to local police stations, and extorted small amounts of money for alleged minor offenses. In the months following the December coup, soldiers frequently extorted money from citizens and foreigners and sold their services to private individuals, in some instances beating or abusing others on behalf of those citizens (see Section 1.c.). On February 23, General Guei reprimanded three members of the military, Sargent Albert Ble Ibo, Kouadio Paul Oura, and Konan Alla, who had been using their positions to enter homes and extort money from residents, to a military court to face sanctions. On February 15, another soldier, Mathurin Kouakou, and a police officer, Sargent Jean-Claude Ano, were removed from their posts and reprimanded for similar acts; in March they were convicted of extortion and given a suspended sentence of 2 months imprisonment and fined \$43 (FCFA 30,000).

In January and March, members of the military beat citizens and ransacked homes in Daoukro, the hometown of former President Bedie, and in surrounding villages (see Section 1.c.).

On March 20, three soldiers searched the offices of Attorney Mathurin Dirabou without a warrant. The soldiers entered the office, pulled all of the lawyer's files from his drawers, and left without questioning anyone. Dirabou, who at the time was handling former Minister of State for the Interior Emile Constant Bombet's defense for alleged embezzlement, noted that a similar search had occurred on a previous occasion. Following a protest by the Abidjan Bar, the three soldiers apologized to Dirabou and stated that their actions were unrelated to the attorney's defense of Bombet but were motivated personally due to a relative's dispute with Dirabou.

Police and gendarmes searched 17 mosques for arms prior to the October 22 presidential election.

On August 27, approximately 25 gendarmes searched a mosque in Abidjan's Riviera 2 neighborhood, which is headed by one of the leaders of the NIC, Imam Sekou Sylla. Gendarmes also mistakenly searched the house of one of the imam's neighbors. The gendarmes had intended to search the imam's home, allegedly to look for arms that they suspected the Muslim community was hiding for the RDR. The gendarmes did not have warrants to conduct the search.

On the night of August 28, gendarmes in the western town of Zouan-Hounien searched the home of Mouatapha Diably, the RDR Coordinator for the Department of Danane. Diably also was accused of storing arms for the RDR; the gendarmes did not have a warrant for the search.

Following the September 18 alleged assassination attempt at General Guei's home in Abidjan (see Section 1.a.), gendarmes searched the homes of numerous members of the military who were suspected of taking part in or plotting the attack. This included the homes of the Minister of State for Security, General Lassana Palenfo, and the Minister of State for Transport, General Abdoulaye Coulibaly. The search of Palenfo's home occurred while he was out of the country attending the Olympic Games in Sydney. The RDR party headquarters in the Adjame district of Abidjan also were searched and ransacked. The evidentiary basis for the searches was unclear and had not been made public by year's end.

On September 26, security forces searched the home of Zemogo Fofana, the RDR's National Secretary for External Relations, in the northern city of Boundiali. Although the purpose of the search was unclear, it is believed that the security forces were searching for