



**Convention against Torture
and Other Cruel, Inhuman
or Degrading Treatment
or Punishment**

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Committee against Torture

**Initial report submitted by Côte d'Ivoire under
article 19 of the Convention pursuant to the
simplified reporting procedure, due in 1997***

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* The present document is being issued without formal editing.



I. Introduction

1. Côte d'Ivoire has been a party to the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment since 1995. Article 19 of the Convention requires States parties to submit to the Committee, through the Secretary-General of the United Nations, reports on the measures they have taken to give effect to their undertakings under this Convention, within one year after the entry into force of the Convention for the State party concerned.
2. With a view to the submission of its initial report, which was long overdue, Côte d'Ivoire has followed the simplified reporting procedure based on the list of issues adopted by the Committee at its fifty-ninth session held in Geneva from 7 November to 7 December 2016 ([CAT/C/CIV/QPR/1](#)).
3. As part of this process, a list containing 47 issues was submitted to Côte d'Ivoire by the Committee. This initial report contains the replies of Côte d'Ivoire to this list of issues.

II. Replies to the list of issues

Specific information on the implementation of articles 1–16 of the Convention, including with regard to the Committee's previous recommendations

Articles 1 and 4

4. The Constitution of Côte d'Ivoire of 8 November 2016 explicitly states that “slavery, trafficking in persons, forced labour, psychological or physical torture, inhuman, cruel, degrading and humiliating treatment, female genital mutilation and any other form of debasement of human beings are prohibited” (art. 5).
5. In accordance with these constitutional provisions, the Government of Côte d'Ivoire has enacted Act No. 2019-574 of 26 June 2019 on the Criminal Code, article 399 of which makes torture a separate offence (see annex 1).
6. It follows from the definition given in article 1 of the Convention that torture is to be understood only when the pain or suffering “is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity”. Thus, by contrast, there would be no torture, within the meaning of the Convention, if pain or suffering of the kind defined in article 1 were inflicted by a person who was not a public official, or by a person not acting in an official capacity, or by a person not acting at the instigation of or with the consent or acquiescence of a public official or other official.
7. In Côte d'Ivoire, the fact that the perpetrator or instigator of the acts in question is a public servant or official is not one of the constituent elements of the offence.
8. However, the definition in the Criminal Code is in full conformity with the Convention. The definition given by the Convention is extremely restrictive because torture is only ever committed by public officials, whereas acts of the same nature as those referred to in article 1 of the Convention, when committed by private individuals, are no less in violation of the right to respect for human dignity and the physical and mental integrity of the victim.
9. The definition in the Criminal Code is deliberately broader in scope, to cover all acts of torture, regardless of whether or not the perpetrators or instigators are public servants or officials.
10. This definition is in full conformity with the Convention, which provides that article 1 “is without prejudice to any international instrument or national legislation which does or may contain provisions of wider application”.

11. Furthermore, under article 399, third paragraph, of the Criminal Code, any person who commits an act of torture is liable to 5 to 10 years' imprisonment and a fine of 500,000 to 5,000,000 CFA francs (CFAF).

12. Under article 402 of the Code, the penalty provided for in the third paragraph of article 399 is doubled if the perpetrator is a public official or if he or she acted at the instigation of or with the consent of a public official. The same applies if the victim is the offender's spouse or partner, if the victim is a person under the age of 18, or if the victim suffers permanent disability or death as a result of the act.

13. Thus, when the act of torture is committed in the circumstances just described, it is punishable by criminal penalties, which are the most severe penalties under Ivorian law. As a result, the penalties provided for in Ivorian criminal law are indeed appropriate because they take account of the seriousness of acts of torture.

14. It should be noted that Côte d'Ivoire has adopted other legislative and regulatory measures to give full effect to the prohibition of torture. These include:

- Act No. 2021-894 of 21 December 2021 on measures to protect victims of domestic violence, rape and sexual violence other than domestic violence
- Act No. 2015-493 of 7 July 2015 on the suppression of terrorism
- Act No. 2019-574 of 26 June 2019 on the Criminal Code, which makes female genital mutilation and emotional or psychological violence, in addition to physical violence, punishable by law
- Act No. 2010-272 of 30 September 2010 prohibiting trafficking in children and the worst forms of child labour in Côte d'Ivoire
- Act No. 2016-1111 of 8 December 2016 on combating trafficking in persons
- Decree No. 2017-227 of 13 April 2017 establishing the powers, composition, organization and functioning of the National Committee to Combat Trafficking in Persons
- Order No. 2017-016 MEPS/CAB of 2 June 2017 establishing the list of light work permitted for children between the ages of 13 and 16 years
- Order No. 2017-017 MEPS/CAB of 2 June 2017 establishing the list of hazardous work prohibited for children
- Circular No. 018/MJ/CAB of 25 August 2016 concerning the functioning of prisons
- Circular No. 005/MJDH/CAB of 6 April 2017 concerning preventive detention
- Order No. 0111 MENET/CAB of 24 December 2014 on the Code of Conduct for staff of public and private organizations under the Ministry of National Education and Technical Education, which strictly prohibits all forms of physical, psychological and humiliating punishment of students (art. 5).

Measures taken to explicitly criminalize attempts to commit torture and acts constituting complicity or participation in torture and to define them as acts of torture

15. The Criminal Code explicitly criminalizes attempts, aiding and abetting and other forms of participation in offences defined under the Code.

16. With regard to attempts, article 28 of the Code provides for the effective punishment of attempted torture as an act of torture, as the attempt to commit any offence under the Code is considered to be the offence itself under Ivorian law.

17. With regard to aiding and abetting, it follows from the provisions of articles 30, 31 and 32 of the Criminal Code that an accomplice to an offence under the Code, or even to an attempted offence, is punished in the same way as the perpetrator of the offence.

18. With regard to participation, the definition of the perpetrator of the offence contained in article 29 of the Code allows all forms of participation in the offence other than aiding and abetting to be taken into account.

Information on criminal or legislative provisions covering all cases of torture and the associated penalties

19. Torture is clearly defined in Ivorian law as a separate offence, as explained above.
20. However, there are other criminal provisions covering cases of torture.
21. Torture is one of the material elements constituting crimes against humanity (Criminal Code, art. 137).
22. Pursuant to the provisions of the second point of article 139 (1) of the Criminal Code, “torture or inhuman treatment, including biological experiments”, and also “wilfully causing great suffering or serious injury to body or health” may also constitute war crimes, and more specifically serious offences, when these acts are directed against persons protected by the Geneva Conventions of 12 August 1949.
23. In the case of an armed conflict not of an international character, acts of torture “committed against persons taking no active part in the hostilities, including members of armed forces who have laid down their arms and those placed ‘hors de combat’ by sickness, wounds, detention or any other cause” also constitute war crimes, as is clear from the provisions of the second point of article 139 (3) of the Criminal Code.

Extent to which the Convention can be directly invoked by domestic courts

24. In accordance with article 123 of the Constitution, “international treaties and agreements which are duly ratified shall have, upon their publication, an authority superior to that of laws, subject to their application, in respect of each treaty or agreement, by the other party”.
25. In the monist constitutional system of Côte d’Ivoire, treaty provisions are directly incorporated into domestic legislation and can therefore be directly invoked before and applied by the national courts, without the need for specific domestic implementing measures.
26. It should be pointed out, however, that in Côte d’Ivoire, as in other countries, this direct justiciability and applicability of conventions is only possible in the case of so-called self-executing international rules, i.e. those that are sufficiently clear and precise to serve as a basis for resolving a particular case.

Specific examples of and statistical data on cases in which the provisions of the Convention have been invoked before the courts

27. Statistical data on cases in which the provisions of the Convention have been invoked before the courts are not available.
28. The unavailability of data is owing to the fact that judicial statistics are recent, whereas the Convention was ratified several decades ago, and also to the fact that invoking the Conventions is a matter for litigants, particularly lawyers, who make very limited use of international law.

Article 2¹

Reply to the questions raised in paragraph 2 of the list of issues

Enjoyment by detainees, in law and in practice, of all legal safeguards from the very outset of deprivation of liberty

29. The third paragraph of article 7 of the Constitution of 8 November 2016 enshrines, for the benefit of any person arrested or detained, the right to humane treatment that preserves

¹ The issues raised under article 2 could also touch on issues raised under other articles of the Convention, including article 16. As stated in paragraph 3 of the Committee’s general comment No. 2 (2007) on the implementation of article 2, the obligation to prevent torture in article 2 is wide-ranging. The obligations to prevent torture and other cruel, inhuman or degrading treatment or

his or her dignity and to be informed immediately of the reasons for the arrest or detention and of his or her rights, in a language that he or she can understand.

30. At the level below the Constitution, the State has ratified a number of international legal instruments providing legal safeguards for persons deprived of their liberty from the very outset of their deprivation of liberty.

31. The same applies to the International Covenant on Civil and Political Rights (art. 9 (2)) and the African Charter on Human and Peoples' Rights (art. 17 (1) (c)).

32. With regard more specifically to legislative measures, the rights that were granted to the accused person from the moment of arrest and placement in police custody have been strengthened with the new Code of Criminal Procedure established under Act No. 2018-975 of 27 December 2018.

33. When, for the purposes of the investigation, criminal investigation officers are required to hold a person against whom there is serious and corroborating evidence of involvement in an offence, they may place that person in police custody. Persons in police custody are entitled to the rights set out in articles 74, 75, 90, 91, 92, 93 and 94 of the Criminal Code.

34. In practice, however, these legal safeguards can be thwarted by illiteracy, destitution or ignorance on the part of those concerned of their rights.

35. In order to remedy this situation, the Ministry of Justice and Civil Liberties of Côte d'Ivoire reissued on several occasions a prisoner's guide, originally published in 2007 by Prisonniers sans frontières (Prisoners without borders). This guide has been distributed to both prison staff and inmates. The one that came out in 2015 was produced and distributed in 34 prisons and correctional facilities across the country, in partnership with the Ministry of Foreign Affairs of Germany, the Embassy of Switzerland, the Ministry of Justice and Human Rights of Côte d'Ivoire and Action by Christians for the Abolition of Torture (ACAT) in Côte d'Ivoire and the International Federation of Action by Christians for the Abolition of Torture (FIACAT).

36. An awareness-raising and educational film on prisoners' rights (2016–2017), entitled "The Prisoner's Journey", funded by the Open Society Initiative for West Africa, was shown in the above-mentioned 34 prisons and correctional facilities.

37. The right to appear promptly before a judge is effective in Côte d'Ivoire, both in the event of flagrante delicto (Code of Criminal Procedure, arts. 402–406) and the initiation of a pretrial investigation of a case brought before the investigating judge.

Compliance with legal time limits for police custody

38. The legal time limit for police custody under the first paragraph of article 72 of the Code of Criminal Procedure is 48 hours, with the obligation of the criminal investigation officer to inform the public prosecutor.

39. The second paragraph gives the public prosecutor sole responsibility for assessing the appropriateness of any extension for a further maximum period of 48 hours, under the strict conditions set out in articles 71, 72 and 73 of the Code.

40. The duration of police custody thus specified also applies to the National Surveillance Directorate and is not beyond the control of the public prosecutor or chief prosecutor, who may, of his or her own motion or at the request of any person, terminate the police custody measure if the criminal investigation officer has ordered it in disregard of the provisions of articles 71, 72, 73, 74 and 75 of the Code (see art. 76). Directorate officials are criminal investigation officers under the supervision of this authority.

punishment under article 16 (1) are indivisible, interdependent and interrelated. The obligation to prevent ill-treatment in practice overlaps with and is largely congruent with the obligation to prevent torture. In practice, the definitional threshold between ill-treatment and torture is often not clear. See also section V of the general comment.

41. It should be pointed out that certain special criminal provisions allow for longer periods of police custody. For example, in counter-terrorism matters, police custody lasts 96 hours and may be extended for a further 96 hours with the written authorization of the public prosecutor (Act No. 2015-493 of 7 July 2015 on the suppression of terrorism, art. 17). The duration of police custody in cases of trafficking and illicit use of narcotic drugs is 9 hours, renewable once (Act No. 2022-407 of 13 June 2022 on the fight against trafficking and illicit use of narcotic drugs, psychotropic substances and their precursors in Côte d'Ivoire, art. 25).

Measures to keep detention registers up to date

42. In accordance with the relevant provisions of the Code of Criminal Procedure, prisons are provided with a register of prisoners signed and initialled on every page by the public prosecutor or judge (Code, art. 729). In addition, no prison officer may, on pain of criminal prosecution, receive or detain a person unless an entry has been made in the prison register (Code, art. 730).

43. Furthermore, the sentence enforcement judge, the investigating judge, the juvenile court judge, the President of the Investigative Division and the public prosecutor visit prisons (Code, art. 732) and check detention monitoring registers. This task is also entrusted to the Inspectorate General of Judicial and Prison Services.

Legal aid available to the most disadvantaged people

44. The Constitution enshrines the right of every person to free and equal access to justice, to a fair trial and to a judgment handed down within a reasonable time determined by law, with the specification that the State is to promote the development of local justice (art. 6).

45. With a view to ensuring legal aid for the most disadvantaged, Côte d'Ivoire has passed Act No. 72-833 of 21 December 1972 on the Code of Civil, Commercial and Administrative Procedure, articles 27, 28, 29 and 30 of which are devoted to legal aid.

46. The procedures for the implementation of the Act, as regards legal aid, are specified in Decree No. 2016-781 of 12 October 2016 laying down the procedures for the implementation of Decree no. 72-833 of 21 December 1972 on the Code of Civil, Commercial and Administrative Procedure relating to legal aid, which repealed Decree No. 75-319 of 9 May 1975 on the same subject.

47. Under the Decree, a local office is set up in each court of first instance and a central office at the Chancellery to implement legal aid (art. 2).

48. The presidents of the criminal courts may also appoint a defence counsel to defendants prosecuted at the request of the public prosecutor's office or detained on remand if they so request and are found to be indigent (art. 35).

Reply to the question raised in paragraph 3 of the list of issues

49. Article 5 of the Constitution of Côte d'Ivoire of 8 November 2016 strictly prohibits slavery, trafficking in persons, forced labour, psychological or physical torture, inhuman, cruel, degrading and humiliating treatment, female genital mutilation and any other form of debasement of human beings.

50. In order to ensure compliance with the absolute prohibition of torture in all circumstances, torture has been established as a separate criminal offence (Code of Criminal Procedure, art. 399).

51. Torture is treated as a criminal offence in all circumstances, including during a state of emergency, since no legal provision contains an exception to the definition of torture in Ivorian law.

Replies to the questions raised in paragraph 4 of the list of issues

52. Article 139 of the Constitution unequivocally states that the judiciary is independent.

53. In order to give effect to this independence, article 140 of the Constitution provides that:

- Judges have security of tenure.
- Judges are protected against all forms of interference, pressure, intervention and manoeuvring.
- Judges who believe that their independence is threatened have the right to appeal to the Supreme Judicial Council.
- Judges are subject only to the authority of the law.

54. This independence is upheld by article 4 of Act No. 2022-194 of 11 March 2022 enacting the regulations governing the judicial authorities, and is strengthened by the fact that the Supreme Judicial Council, which examines all issues relating to the independence of the judiciary and the ethics of judges, “issues opinions on the appointment, transfer and promotion of judges” (Constitution, art. 146).

55. The Supreme Judicial Council is chaired by a person appointed from among current or retired senior judges. In the past, it was chaired by the President of the Republic.

56. Although subject to the principle of hierarchy, public prosecutors are free to make any oral observations at hearings that they consider appropriate for the good of justice (regulations governing the judicial authorities, art. 7).

57. As a result, in the Ivorian legal system, as in other legal systems, public prosecutors do not enjoy the same degree of independence as judges. However, the regulations governing the judicial authorities grant public prosecutors a freedom of speech that gives them a form of independence in court.

58. With regard to the total impartiality of judges and prosecutors, it should be noted that, in accordance with article 8 of the regulations governing the judicial authorities, “all judges and prosecutors, on being appointed to their first post and before taking up their duties, take the following oath: ‘I swear to perform my duties well and faithfully and to conduct myself in all matters as a worthy and loyal judge or prosecutor’”.

59. Article 58 of the regulations governing the judicial authorities establishes that “judges and prosecutors must be impartial and objective”. The second paragraph of article 62 of the regulations establishes that they “must act in all circumstances in such a way as to promote public trust in the integrity and impartiality of justice”.

60. The recruitment and training of judges and prosecutors are based on transparency, merit, fairness and qualification.

61. Competence is a prerequisite for the exercise of judicial functions in Côte d’Ivoire. Judges and prosecutors are recruited through a particularly competitive selection process that ensures the participation of all those who are eligible to apply.

62. In this regard, no one may be appointed as a judge or prosecutor unless he or she has first completed a professional training course provided by the agency responsible for the training of judges and prosecutors and passed the final examinations. Admission to the training course is determined by competitive examination or on the basis of qualifications (regulations, art. 17).

63. The competitive examination for judges and prosecutors is open to holders of a master’s degree in law or a two-year master’s degree in law and consists of two series of tests: an initial series relating to eligibility and a second series relating to final admission (regulations, art. 18).

64. However, the regulations governing the judicial authorities provide for two ways of being admitted on the basis of qualifications: firstly, being appointed as a legal trainee and secondly, being appointed as a judge or prosecutor at the second rank in the judicial hierarchy.

65. In both cases, the recruitment conditions are strictly regulated, guaranteeing a high standard of recruitment (regulations, arts. 20 and 21).

66. The promotion of judges and prosecutors is subject to strict performance conditions. Under article 28 of the regulations governing judges and prosecutors, a promotion commission is established to draw up and approve the promotion register and the lists of qualified candidates. There is a joint commission for judges, public prosecutors, central administration officials at the Ministry of Justice and judicial officials on secondment.

67. Removal from office is one of the disciplinary sanctions applicable to judges and prosecutors (regulations, art. 90).

Judicial reform undertaken in 2012

68. In 2012, the Ministry of Justice, Human Rights and Civil Liberties adopted a sectoral policy paper that was in line with the National Development Plan for 2012–2015.

69. The overall purpose of the policy paper was to ensure that the justice sector was in step with developments in democracy, the consolidation of the rule of law and the development of Ivorian society.

70. As part of the measures taken to operationalize the policy paper, a sectoral policy action plan for 2013–2015 was adopted by the Council of Ministers on 6 June 2013. The purpose of the plan was to: (i) revamp the judicial and prison systems; (ii) promote an independent and impartial justice system; (iii) facilitate equitable access to justice services for all; (iv) improve the quality of justice, particularly in relation to the treatment of vulnerable groups; (v) promote integrity in the justice sector.

71. Under this plan, significant progress was made in establishing justice services throughout the country and strengthening the technical and operational capacities of administration services for courts and prisons.

72. The Ministry of Justice and Human Rights adopted the second Sectoral Policy Action Plan 2016–2020, which is in line with the first strategic focus of the National Development Plan for 2016–2020, relating to the strengthening of the quality of institutions and governance, with the aim of ensuring that the public enjoys accessible, equitable and high-quality justice.

Replies to the questions raised in paragraph 5 of the list of issues

73. As part of its ongoing efforts to improve its regulatory and institutional framework for the promotion and protection of human rights, the Government adopted Act No. 2018-900 of 30 November 2018 on the establishment, powers, organization and functioning of the National Human Rights Council, and its implementing decree No. 2019-119 of 6 February 2019, determining the procedures for appointing members of the Council, which replaces the National Human Rights Commission of Côte d'Ivoire.

74. Under the new law, the number of functions that the Council is mandated to perform has increased from 12 to 14 (Act No. 2018-900, art. 2). The Council's duties include visiting places of detention, including in order to prevent acts of torture and cruel, inhuman or degrading treatment, and strengthening the protection of persons deprived of their liberty against such acts.

75. The Council also draws up an annual report on the state of human rights that it sends to the President of the Republic and all the institutions of the Republic. The report is also made public.

76. Under the Act of 30 November 2018 on the establishment, powers, organization and functioning of the National Human Rights Council, the Council was established as an independent administrative authority with legal personality and financial autonomy.

77. The Council comprises a central commission and a number of regional commissions. The central commission is made up of 12 members, who are drawn from associations, socio-professional bodies and groups of experts (art. 6). The regional commissions are operational units of the Council that were set up to ensure the accessibility of its services at the local level. The members of these commissions are not entitled to vote.

78. Thanks to the considerable efforts made by the Government of Côte d'Ivoire, the Council was accredited with category A status by the Global Alliance of National Human Rights Institutions in December 2020.

79. This accreditation was granted following an assessment of the conformity of the Council's institutional and legislative framework and the quality of its work, including the quality of its reports, its handling of complaints from the public, its relations with the Government, Parliament and other public and private bodies, its monitoring of places of deprivation of liberty, its interaction with civil society, and its cooperation with treaty mechanisms and bodies, networks of national human rights institutions and the Global Alliance of National Human Rights Institutions.

Replies to the questions raised in paragraph 6 of the list of issues

80. Under article 100 of the Criminal Code, an act is not considered to be an offence when the person carrying it out is acting on the orders of a legitimate authority. In such cases, it is the person giving the order, whether he or she is a superior or a military commander, who is responsible for the act carried out and liable for punishment insofar as the act does not exceed the bounds of the order given.

81. The third paragraph of article 100 establishes that the above provisions do not apply when the order is manifestly unlawful.

82. It follows from these provisions that, under Ivorian law, no person may invoke an order from a superior, including the military authorities, to justify the commission of an act constituting a criminal offence, where the order is manifestly unlawful.

83. Under the fourth paragraph of article 399 of the Criminal Code, "an order to commit an act of torture is manifestly unlawful".

84. Since an order to commit an act of torture is always illegal, Ivorian law prohibits the invocation of a superior's order to justify an act of torture.

85. The provision cited above has only recently been adopted (Act No. 2019-574 of 26 June 2019 on the Criminal Code), which makes it difficult to provide information on its practical implementation. However, as the provision is so unambiguously worded, its practical implementation should not give rise to any doubt.

86. Both the general disciplinary regulations governing the national armed forces (established by decree in 1996) and the Military Service Code (adopted by law in 2016) establish that military personnel may not perform acts that are crimes or offences or that are contrary to laws, customs or international conventions. It follows that if an order is contrary to these provisions (an illegal order), the subordinate is entitled to object to it.

87. Article 41 of the aforementioned regulations provides that, if a subordinate objects to an order, he or she must report this to the superior who gave the order. The subordinate may also refer the matter to the superior of the person who gave the order.

Replies to the questions raised in paragraph 7 of the list of issues

88. The Government adopted Act No. 98-757 of 23 December 1998 on the punishment of certain forms of violence against women in 1998. The Act was incorporated into the Criminal Code of 2019 (arts. 394–398) and was explicitly repealed by article 564 of the Criminal Code.

89. Under articles 394 ff. of the Criminal Code, genital mutilation, i.e. the infliction of various forms of harm to female genital organs, whether by total or partial removal, infibulation, desensitization or any other procedure, is a criminal offence. Anyone who commits genital mutilation is liable to a custodial sentence of between 1 and 5 years and a fine of between CFAF 200,000 and CFAF 2,000,000. This penalty may be doubled if the perpetrator belongs to the medical or paramedical profession.

90. These penalties may also be applied to the victim's father, mother and relations by blood or marriage, up to and including the fourth degree, who ordered the genital mutilation or who, knowing that it was about to be carried out, did not report it to a person capable of

preventing it. The penalties are also applicable to the perpetrator's spouses and relations by blood or marriage, up to and including the fourth degree.

91. Articles 381 to 387 of the Criminal Code establish penalties for assault, battery and other forms of intentional emotional violence. The applicable penalty depends on the seriousness of the offence.

92. Rape, including marital rape, is also an offence under the Criminal Code (arts. 403 ff.).

93. The Government of Côte d'Ivoire adopted Act No. 2021-894 of 21 December 2021 on measures to protect victims of domestic violence, rape and sexual violence other than domestic violence. The purpose of the Act is to strengthen protection against domestic violence, rape and sexual violence other than domestic violence.

94. Under this law, protective measures may be granted to any person who is:

- A victim of domestic violence likely to endanger the person's life
- Facing the threat of a forced marriage, whether civil, customary or religious
- A victim of rape or another form of sexual violence in the home
- The parent of a minor child who is the victim of rape or any other sexual, physical or emotional violence in his or her home

95. The decision is handed down by means of an order issued at the request of any interested party, including the public prosecutor. The protection order is issued as a matter of urgency, within 24 hours of the referral of the matter to the President of the Court.

96. The order of the President of the Court for protective measures is enforceable immediately and before it is registered, i.e. it can be enforced, for reasons of urgency, simply on presentation of the original written decision of the judge, without the need for a copy of an enforcement order to be served in advance.

97. Henceforth, the receipt of a complaint, the opening of an investigation and the initiation of public proceedings are no longer subject to the presentation of a medical certificate by the victim. This document may be obtained on the submission of an application by the criminal investigation officer, the public prosecutor or the investigating judge, at no cost to the victim, as these costs are borne by the Treasury.

98. In this connection, any victim who requests legal assistance is entitled to receive it.

99. The Government of Côte d'Ivoire adopted Act No. 2021-893 of 21 December 2021, amending Act No. 2019-574 of 26 June 2019 on the Criminal Code.

100. This Act specifically penalizes emotional or psychological violence, harassment, sexual harassment, the authorization of a civil, customary or religious marriage of a minor by a person with authority over him or her, as well as the various forms of violation of personal privacy.

Establishment of a national commission to combat gender-based violence

101. Under Decree No. 2000-133 of 23 February 2000, the National Committee to Combat Violence against Women and Children was established. It is effective and operational in the country's 31 regions and is responsible for:

- Proposing a policy on combating violence against women and children
- Assisting the Ministry in the implementation of proposed programmes to combat violence against women and children
- Ensuring the implementation of laws protecting women and children
- Coordinating the development, implementation and evaluation of counselling, preventive measures and integrated management of cases of violence against women and children
- Evaluating the impact of implemented programmes

102. The main measures carried out are:

- The development of a national strategy to combat gender-based violence
- The establishment of local mechanisms for responding to gender-based violence, i.e. community platforms and watch committees
- Capacity-building for stakeholders, using standardized tools
- The organization of pledging ceremonies for community leaders
- The launch of social and community mobilization activities involving advocacy and awareness-raising campaigns
- The coordination of holistic care for victims
- The establishment of a system for managing data on gender-based violence, in conjunction with the planning and statistics department of the Ministry of Justice and Human Rights

Number of complaints of gender-based violence and investigations, prosecutions, convictions and sentences

103. Information on the number of cases handled during the 2020–2021 judicial year is currently available. This information is summarized in the table below.

	<i>Complaints/investigations</i>	<i>Prosecutions</i>	<i>Convictions</i>
Rape	1 412	347	184
Indecent assault	98	97	93

Outcome of investigations into cases of sexual violence and rape allegedly committed during the 2010–2011 post-electoral crisis

<i>Year</i>	<i>Number of cases of gender-based violence handled</i>	<i>Rapes</i>	<i>Sexual assaults</i>	<i>Physical assaults</i>	<i>Forced marriages</i>	<i>Denials of resources, opportunities and service</i>	<i>Psychological and emotional violence</i>
2017	3 415	696	206	774	125	1 111	503
2016	3 061	599	117	728	102	914	601
2015	1 225	310	86	321	38	285	185
2014	582	292	34	136	6	86	28
2013	1 780	497	52	465	49	558	159
2012	2 646	578	151	662	0	833	422
2011	918	217	36	281	0	253	131
2010	711	159	22	82	0	366	82

Source: Ministry for Family Affairs, Women and Children.

104. The number of cases of sexual violence in the country has increased as a result of the post-electoral crisis of 2010–2011.

105. Between January and December 2011, 776 of the 1,976 cases of gender-based violence that received specialized treatment, or 39 per cent of the total, were cases of sexual violence.

106. Of the total number of cases of sexual violence, 656 were rapes. Of these, 33 per cent were gang rapes. In addition, 21 per cent of all offences of gender-based violence were committed by one or more persons carrying a weapon.

107. In specific terms, the greatest increase in access to services for survivors of gender-based violence was observed in the second quarter of 2011.

108. There were 332 cases of sexual violence (63 per cent of the total, 52 per cent of which were rapes). During periods of fighting, 81 per cent of the cases of gender-based violence attended to by service providers close to conflict areas involved rape, 58 per cent of which were perpetrated by persons carrying weapons.

109. The majority of the survivors are women or girls. However, 17 male rape victims received assistance in 2011. At least 38 per cent of survivors of sexual violence are children.

110. A total of 398 cases of gender-based violence against children were recorded between January and December 2011, including 231 cases of rape (58 per cent of the total), with peaks being recorded during periods of increased violence linked to the post-election crisis in the west of the country and in Abidjan.

111. The increase in the number of rapes, including the gang rape of civilians during the post-electoral crisis, was greatest in the areas most affected by the conflict, or in areas where inter-ethnic, intercommunity and political tensions are highest.

112. Violence was perpetrated during attacks on villages and checkpoints and during armed attacks on public transport vehicles² or private homes. It was committed by all the parties to the conflict.³ “These acts were politically or ethnically motivated and inflicted publicly or in front of family members by elements of armed groups or militias in order to humiliate men and women perceived as political opponents.”⁴

113. A significant proportion of perpetrators of sexual violence are civilians, strangers, neighbours or family members.

Reply to paragraph 8 of the list of issues

114. The practice of excision in Côte d’Ivoire is combated effectively through the application of the law.

115. The first sentences for excision in Côte d’Ivoire were handed down in 2012, when nine practitioners in Katiola, in the north of the country, were sentenced to 1 year’s imprisonment.

116. Previous cases of excisions had failed to get beyond the preliminary investigation stage, ending in out-of-court settlements. Since the conviction of the Katiola practitioners, however, the courts have held others accountable for their actions.

117. Indeed, in September 2016, two women were arrested in Gagnoa on suspicion of excision, and five members of a family in Zouan-Hounien, in the west of the country, were sentenced to 3 years in prison for the same crime.

118. Sentences were also handed down to:

- Five practitioners in Danané, on 16 July 2017
- Three practitioners, on 27 July 2017
- Two practitioners in Man, on 1 February 2018

119. Also of note is the annulment of the forced early marriage of Kouma Affoussiata, born in 2001, which took place on Thursday, 23 January 2014, when she was aged 14 and a sixth-grade student at the Lycée Moderne in Tengréla, 900 km north of Abidjan. The marriage had brought an immediate end to her school education. The annulment came after the principal of the Lycée drew attention to the Government’s campaigns to enrol girls in school.

120. A father who had forced his school-age daughter into marriage under the same conditions was imprisoned in Madinani, in the north of Côte d’Ivoire.

² Report of the Secretary-General on conflict-related sexual violence, 13 January 2012, [A/66/657-S/2012/33](#).

³ Ibid.

⁴ Ibid.

121. Similarly, the Bouaké court sentenced Amidou Touré to 1 year's imprisonment and a fine for marrying his daughter, Ramatou Touré, aged 11 and in the final year of primary school, to her older cousin.

Assistance and compensation for victims

122. In 2016 a total of 419 persons, including 331 victims of sexual abuse, received legal advice, and 40 victims received legal assistance under a project to improve access to rights and justice.

123. The Organisation des Femmes Actives de Côte d'Ivoire (Organization of Economically Active Women of Côte d'Ivoire) (OFACI), in cooperation with the International Federation for Human Rights Leagues (FIDH), has enabled 44 victims of sexual violence during the post-electoral crisis of 2010–2011 to lodge complaints and bring civil claims before the Special Unit for the Investigation, Prosecution and Combating of Terrorism established pursuant to Decree No. 2013-93 of 30 December 2013 on the unit's establishment, powers, composition and functioning.

- The reparations programme has taken gender equity into account.
- A compensation mechanism for victims or their beneficiaries was established on 7 June 2017 in the form of a special fund with an initial contribution of CFAF 10 billion to compensate victims of the crises in Côte d'Ivoire, including victims of sexual and gender-based violence, set up under a national reconciliation and social cohesion strategy for 2016–2020.
- Medical and social care has been provided to marginalized and vulnerable groups.

Measures adopted by the State to step up efforts to prevent harmful traditional practices

124. Emphasis has been placed on enhancing awareness-raising campaigns organized both by the Government and by non-governmental human rights organizations working to combat these practices:

- The following measures have been adopted to intensify the fight against female genital mutilation:
 - The marking of the International Day of Zero Tolerance for Female Genital Mutilation on 6 February each year.
 - The organization of pledging ceremonies for leaders.
 - The criminal prosecution of practitioners of excision and their accomplices.
 - The development of a national action plan to combat female genital mutilation.
 - The development of a national programme to combat the practice of excision.
 - The provision of technical and financial support to civil society organizations to combat genital mutilation.
- The following steps have been taken to combat early marriage:
 - The development of an accelerated plan to combat early marriage.
 - The organization of a national campaign to combat early marriage during the 16 Days of Activism against Gender-based Violence in 2017.
 - The organization of pledging ceremonies for leaders.
 - The establishment of a coalition of actors involved in the fight against child marriage.
 - The implementation of an action plan to combat child marriage that includes awareness-raising, training and education campaigns on domestic violence, sexual violence, the practice of excision, rape, sexual harassment, forced marriage, early marriage and the failure to register births.

- Awareness-raising on early marriage and excisions for community, religious and opinion leaders.
- The setting up of 67 gender-based violence platforms.
- Advocacy to bring legislation on marriage into line with international treaties, including the Convention on the Rights of the Child and the African Charter on the Rights and Welfare of the Child.
- The creation by the Government on 1 March 2019 of gender units in 29 police stations (six in the district of Abidjan and 23 in other areas of the country) to deal with cases of gender-based violence, namely rape, attempted rape, sexual assault or exploitation, forced prostitution, assault and battery, false imprisonment, harassment, denial of resources or opportunities, excision, forced or early marriage and widowhood rites. The units are located in annexes separate from the main building and run by an officer assisted by a junior officer, who are both trained in gender-based violence. Police stations that do not yet have gender units have designated officers acting as gender focal points. In total, 32 police stations and 3 gendarmerie stations have established gender units to deal with gender-based violence.

Replies to the questions raised in paragraph 9 (a) of the list of issues

125. Côte d'Ivoire ratified the Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others on 2 November 1999 and the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography on 19 September 2011.

126. These undertakings led to the adoption of laws and regulations, including:

- Act No. 2010-272 of 30 September 2010 prohibiting trafficking in children and the worst forms of child labour in Côte d'Ivoire
- Act No. 2016-1111 of 8 December 2016 on combating trafficking in persons
- Decree No. 2014-290 of 21 May 2014 concerning procedures for the implementation of Act No. 2010-272 of 30 September 2010 prohibiting trafficking in children and the worst forms of child labour
- Decree No. 2017-227 of 13 April 2017 establishing the powers, composition, organization and functioning of the National Committee for Combating Trafficking in Persons
- Order No. 2017-016 MEPS/CAB of 2 June 2017 establishing the list of light work permitted for children between the ages of 13 and 16 years
- Order No. 2017-017 MEPS/CAB of 2 June 2017 establishing the list of hazardous work prohibited for children
- Circular No. 005 of 18 March 2014 on the receipt by criminal investigation departments of complaints lodged by victims of sexual assault which states that police officers must not make the admissibility of a complaint conditional on the production of a medical certificate
- Circular No. 015-MJ/CAB of 13 July 2016 on combating rape
- Interministerial Circular No. 016/MJ/MEMIS/MPRD of 4 August 2016 on receiving complaints following incidents of gender-based violence

127. The application of Act No. 2010-272 of 30 September 2010 prohibiting trafficking in children and the worst forms of child labour in Côte d'Ivoire has resulted in prosecutions against child traffickers. In July 2013, nine traffickers holding citizenship of Burkina Faso were sentenced by the Bouaké Court of First Instance to 12 months' imprisonment, fines of CFAF 500,000 and five-year residence bans.

Replies to the questions raised in paragraph 9 (b) of the list of issues

128. The following measures have been adopted to guarantee victims' right to effective remedies and reparation:

- Circular No. 005 of 18 March 2014 on the receipt of complaints from victims of sexual assault in criminal investigation departments, which states that police officers must not make the admissibility of a complaint conditional on the production of a medical certificate
- Circular No. 015-MJ/CAB of 13 July 2016 on combating rape
- Interministerial Circular No. 016/MJ/MEMIS/MPRD of 4 August 2016 on receiving complaints following incidents of gender-based violence
- National programme and strategy to combat violence against women and children, in 2014
- Training of the defence and security forces in international humanitarian law
- Capacity-building for religious and community leaders, judicial police officers, civil society organizations, judges and court officers
- The integration of human rights modules into training curricula in education and training facilities
- The marking of the 16 Days of Activism against Gender-based Violence
- The creation of 67 platforms to combat gender-based violence
- The creation of the Reference Centre for Prevention and Assistance to Victims of Sexual Violence
- The opening of educational centres in Man, Korhogo and Bouaké

Psychosocial care for victims of conflict

- The Ministry of Solidarity, Social Cohesion and the Fight against Poverty has set up a Directorate for Children in Care and War Orphans, with the children receiving free treatment in health centres with which partnership agreements have been signed, as well as education, clothing and food and other necessities
- The introduction and extension throughout the country of legal aid by Decree No. 2016-781 of 12 October 2016 determining the mode of enforcement of Act No. 72-833 of 21 December 1972 on the Code of Civil, Commercial and Administrative Procedure

Replies to the questions raised in paragraph 9 (c) of the list of issues

129. Several bilateral anti-trafficking agreements have been signed between Côte d'Ivoire and Mali, Burkina Faso and Ghana. Since 2012, Côte d'Ivoire has held a number of bilateral meetings in order to strengthen its cooperation with bordering States. These include:

- The fourth follow-up meeting to the cooperation agreement between Côte d'Ivoire and Mali to combat cross-border trafficking in children, held in Abidjan from 29 to 31 October 2011
- The signing on 24 October 2012 of a joint declaration in Ouagadougou on strengthening cooperation between the two countries in the fight against cross-border trafficking in children
- The signing, in Abidjan on 17 October 2013, of a cooperation agreement between Côte d'Ivoire and Burkina Faso that creates a formal and permanent framework for consultation and cooperation in the fight against cross-border trafficking in children
- The signing of a cooperation agreement between Côte d'Ivoire and Ghana on combating cross-border trafficking and the worst forms of child labour, in Accra, on 3 November 2016

Article 3

Replies to the questions raised in paragraph 10 of the list of issues

130. Although it has ratified international agreements on refugee protection, including the Convention relating to the Status of Refugees and the Organization of African Unity Convention Governing the Specific Aspects of Refugee Problems in Africa, Côte d'Ivoire has not yet adopted national legislation on the matter.

131. To remedy this situation, a bill on the right of asylum in Côte d'Ivoire has been submitted to Parliament for adoption, and an extradition bill has been adopted by the Government and will soon be sent to Parliament for consideration.

132. In the meantime, two decrees have been issued to guarantee asylum:

- Order No. 46/MAE/AGH/DAH/SAARA of 1 February 2007 on the establishment, organization and functioning of the National Commission on Eligibility for Refugee Status
- Order No. 47 MAE/AGH/SDAH/SAARA of 1 February 2007 on the establishment, organization and functioning of the Refugee Status Appeals Commission

133. Furthermore, Côte d'Ivoire is one of the few countries to have enshrined the right of asylum in its Constitution, namely in article 23 of the Constitution of 8 November 2016.

134. Moreover, the Directorate for Aid and Assistance to Refugees and Stateless Persons of the Ministry of Foreign Affairs, in cooperation with the Office of the United Nations High Commissioner for Refugees, organizes a series of activities each year, including training and awareness-raising efforts for law enforcement officers, administrative authorities and the general public, with a view to guaranteeing the rights of refugees in Côte d'Ivoire.

135. Côte d'Ivoire has traditionally been host country for persons in danger in their countries of origin. In the 1990s, Côte d'Ivoire demonstrated its solidarity by welcoming almost 400,000 refugees from Liberia and around 45,000 from Sierra Leone, many of whom have remained in Côte d'Ivoire over the past three decades.

136. Côte d'Ivoire has never expelled a person whose life was threatened in his or her country of origin, in compliance with article 23 of the Constitution, which states that: "Any person persecuted on account of his or her political, religious or philosophical beliefs or ethnicity may enjoy the right of asylum on the territory of the Republic of Côte d'Ivoire, subject to compliance with the laws of the Republic."

137. The refugee status determination procedure comprises six stages:

- Asylum application
- Opening of the case
- Interviews
- Meeting of the National Commission on Eligibility for Refugee Status
- Notification of the decision
- Appeals

138. Côte d'Ivoire has not encountered any cases of persons awaiting expulsion, return or extradition to a country where they would be at risk of torture. Nevertheless, in accordance with the relevant provisions of the Convention relating to the Status of Refugees, a person with a well-founded fear of persecution, in particular torture or inhuman treatment, may apply for refugee status in Côte d'Ivoire.

139. In principle, a person with recognized refugee status in Côte d'Ivoire cannot be extradited to his or her country of origin or habitual residence unless he or she has committed serious crimes there. In such cases, it is up to the State requesting extradition to prove this in a fair trial.

Replies to the questions raised in paragraph 11 of the list of issues

140. The asylum bill has been adopted by the National Assembly. The Senate is scheduled to consider the bill for adoption in May 2023.

141. The bill establishes that refugees or asylum-seekers may not be turned back at the border, expelled or subjected to any other measure to force them to return to or remain in a country where their life, physical integrity or freedom would be threatened (art. 16).

142. It is also established that decisions to refuse asylum-seekers admission to the national territory and decisions to expel them “shall be notified to the persons concerned and shall not be enforceable until all remedies have been exhausted or the time limits for appeal and expulsion have expired” (art. 28 (2)).

Number of asylum applications received during the period under review and the number of successful applications

143. On the basis of two legal instruments, namely the Convention relating to the Status of Refugees and the Organization of African Unity Convention Governing the Specific Aspects of Refugee Problems in Africa, refugee status has been granted to 2,030 people.

144. The Directorate for Aid and Assistance to Refugees and Stateless Persons has approved 429 of the 787 asylum applications received since 2017. Forty-seven of the successful applications were approved because the persons concerned were at risk of being subjected to torture if returned to their country of origin.

*Number of persons returned, extradited or expelled during the period under review***Extradition requests from France**

<i>Number</i>	<i>Name</i>	<i>Gender</i>	<i>Date of birth</i>	<i>Country of origin</i>	<i>Extradition period</i>	<i>Comments</i>
01	Eric Jean-Claude Munier	M	3 March 1960	France	September 2014	Order No. 2014-501 of 12 September 2014
02	Michel de Bretagne	M	2 May 1938	France	December 2017	Order No. 2017-878 of 29 December 2017
03	Cocou Romaric Sossou	M	12 February 1980	Benin	May 2013	Order No. 2013-319 of 13 May 2013
04	Alain Beaumont	M	5 October 1945	France	August 2014	Order No. 2014-473 of 12 August 2014
05	Mamadou Meite	M	26 April 1990	Côte d’Ivoire	December 2022	Order No. 967-2022 of 15 December 2022
06	Idriss Cisse	M	23 February 1991	France/Côte d’Ivoire	December 2022	Order No. 2022-955 of 14 December 2022
07	Alain Désiré Victor Dagba	M	21 July 1951	France/Benin Côte d’Ivoire	December 2022	Order No. 2022-964 of 14 December 2022
08	Zakaria Djama Egueh	M	27 October 1988	Djibouti	March 2016	Order No. 2016-173 of 22 March 2016
09	Lionel Firterman Ahoton Obafemi	M	3 November 1981	Benin	April 2017	Order No. 2017-239 of 13 April 2017
10	Alain Kiniski	M	26 July 1965	France	December 2018	Order No. 2018-1011 of 31 December 2018
11	Jean-Marie Kouassi	M	13 February 1972	France/Côte d’Ivoire	October 2017	Order No. 2017-654 of 11 October 2017

<i>Number</i>	<i>Name</i>	<i>Gender</i>	<i>Date of birth</i>	<i>Country of origin</i>	<i>Extradition period</i>	<i>Comments</i>
12	Badji Vieux Ansou	M	9 September 1963	Senegal		Unsuccessful searches in Côte d'Ivoire
13	Oumar Diawara	M	15 September 1989	France	May 2022	Order No. 2022-299 of 3 May 2022

Extradition requests from other countries

<i>Number</i>	<i>Name</i>	<i>Gender</i>	<i>Date of birth</i>	<i>Country of origin</i>	<i>Request submitted by</i>	<i>Extradition period</i>	<i>Comments</i>
01	Raj Gopal Talreja	M	27 April 1988	India	India		
02	Messaoud Haddad	M	15 February 1955	Tunisia	Tunisia		
03	Ismaël Mohamad Bahsoun	M	1987	Lebanon	Lebanon		
04	Mohamed Hijazie	M	1 January 1980	Lebanon	Togo		
05	Marcel Sule	M	14 February 1979	Burkina Faso	Togo		
06	Saho Alfousain	M	2 February 1960	Gambia	Togo		
07	Yassin Hussein Ma'assarani	M	1974	Syrian Arab Republic	Syrian Arab Republic		
08	Adel Al-Salehi	M	1988	Syrian Arab Republic	Syrian Arab Republic		
09	Hasan Saleh Mousawi	M	Not available	Lebanon	Syrian Arab Republic		
10	Manhal Akram Mohammad Ali Al-Jumaili	M	1980	Iraq	Syrian Arab Republic		
11	Turan Oztoprak	M	1 February 1965	Türkiye	Türkiye		
12	Gülşen Çakmak	F	1 June 1988				
13	Hope Ekwueme	M	6 June 1967	Nigeria	Spain	August 2014	Order No. 2014-474 of 12 August 2014 (escaped)
14	Denis Fialko Yakovlavitch	M	1 November 1986	Russian Federation	Russian Federation		
15	Jean-Claude Lacote	M	4 September 1966	France	Belgium	January 2020	Order No. 2020-116 of 20 January 2020

<i>Number</i>	<i>Name</i>	<i>Gender</i>	<i>Date of birth</i>	<i>Country of origin</i>	<i>Request submitted by</i>	<i>Extradition period</i>	<i>Comments</i>
16	Ms. Lacote, née Hilde Van Acker	F	26 March 1963	Belgium	Belgium	January 2020	Order No. 2020-116 of 20 January 2020

Existing types of appeal mechanisms

145. The decisions of the Investigative Division with jurisdiction to hear extradition requests are unappealable. The Division must reject a request if it finds that the legal requirements have not been met or that there has been an obvious error, and extradition will be refused in such cases.

146. It is therefore not possible to appeal unfavourable decisions handed down by the Investigative Division.

147. However, at the administrative level, the Minister of Justice will, if necessary, submit a decree authorizing extradition to the President of the Republic for signature. To date, this measure has never been implemented.

Grounds for returns

148. Extradition can only be ordered if the person concerned is being prosecuted or has been convicted for one of the offences set out in the Extradition of Foreigners Act of 10 March 1927. The offence in question must also attract criminal penalties under the law of the requesting State. If the offence attracts penalties of deprivation of liberty under the law of the requesting State, the maximum penalty envisaged must not be less than 2 years' imprisonment. However, if the person has already been convicted, the penalty must not be less than 2 months' imprisonment.

149. The decisions made by Côte d'Ivoire to grant extraditions have therefore been made on the grounds of criminal prosecution.

Replies to the questions raised in paragraph 12 of the list of issues

150. The information requested can be found in the tables in paragraph 144 of this report.

151. In 2012, the extradition of a refugee for crimes was requested by his country of origin. At the request of the Service for Aid and Assistance to Refugees and Stateless Persons (now the Directorate for Aid and Assistance to Refugees and Stateless Persons), the investigating judge dismissed the case against the refugee for lack of evidence. As a result, the refugee was not extradited.

152. Côte d'Ivoire has ratified international agreements on refugee protection, including the Convention relating to the Status of Refugees and the Organization of African Unity Convention Governing the Specific Aspects of Refugee Problems in Africa, and is therefore careful to limit the use of diplomatic assurances and guarantees in the context of the extradition or refoulement of asylum-seekers.

Replies to the questions raised in paragraph 13 of the list of issues

153. Côte d'Ivoire has taken major steps towards combating statelessness in line with its international commitments. They include:

- Adoption of Act No. 2018-862 of 19 November 2018 on civil status. This law represents a major step forward in the fight against statelessness. Article 100 of the law establishes that: "Any foreigner residing in Côte d'Ivoire may submit a request to the diplomatic officials representing his or her country to be sent his or her vital records in the manner provided for under that country's domestic legislation. However, all births and deaths must also be reported to an officer of the Ivorian civil registry in the manner and under the conditions laid down by law. Foreigners who have been granted stateless or refugee status may apply to the department responsible

for their protection for a civil status document, under the conditions laid down in the instruments governing their status.”

- Adoption of Act No. 2018-863 of 19 November 2018 on the establishment of a special procedure for registering births, restoring identity and transcribing birth certificates.
- Issuance of Circular No. 007/MJDH/CAB of 4 October 2019 on the granting of certificates of nationality to foundlings of unknown parentage in Côte d’Ivoire.
- Adoption of the National Action Plan for the Eradication of Statelessness in Côte d’Ivoire by the Government Council on 7 January 2020.
- Signing on 2 September 2020 of interministerial orders No. 836/MAE/MJDH on the establishment, organization and operation of the National Commission on Eligibility for Stateless Status and No. 837/MAE/LDH on the establishment, organization and functioning of the National Commission for Appeals on Stateless Status.
- Development of a guide on statelessness determination procedures.
- Creation of a central office for naturalization.

154. To date, 49 out of 111 applications for stateless status have been referred to the National Commission on Eligibility for Stateless Status. From those 49 files, three applicants (two in Danané and one in Aboisso) have been granted stateless status.

Articles 5–9

Replies to the questions raised in paragraph 14 of the list of issues

155. The State of Côte d’Ivoire has jurisdiction over acts of torture committed in the following cases set out in article 5 of the Convention:

When the offences are committed in any territory under its jurisdiction or on board a ship or aircraft registered in that State

156. In accordance with article 19 of the Criminal Code, criminal law applies to any offence committed on the territory of the Republic, including:

- The land area delimited by the borders of the Republic
- Its territorial waters
- The airspace over the land territory and territorial waters
- Ships and aircraft registered in Côte d’Ivoire

157. The Code also gives Ivorian courts jurisdiction over offences committed by a crew member or passenger to the detriment of another crew member or passenger while on board a foreign ship or aircraft in Ivorian territorial waters or airspace in the following cases:

- When the Ivorian authorities have been asked to intervene
- When the offence has disturbed the peace
- When the perpetrator or victim of the offence is an Ivorian national

When the alleged offender is a national of that State

158. Article 703 (1) of the Code of Criminal Procedure establishes that “any national of Côte d’Ivoire who commits an act outside the territory of the Republic that is classified as a serious offence punishable by the law of Côte d’Ivoire may be prosecuted and tried by the courts of Côte d’Ivoire”.

159. The same is true for any act classified as an ordinary offence under Ivorian law if the act is punishable under the law of the country in which it is committed (art. 703 (2)).

160. These provisions apply even if the perpetrator did not acquire Ivorian nationality until after the act of which he or she is charged.

When the victim is a national of that State if that State considers it appropriate

161. Article 20 of the Criminal Code provides that criminal law applies to any ordinary or serious offence punishable by imprisonment committed outside the territory of the Republic when the victim is of Ivorian nationality at the time of the offence.

162. Article 390 of the Code of Criminal Procedure gives jurisdiction to the criminal court in the place where the offence was committed or attempted, or the place where the accused lives or was arrested, even if he or she was arrested for another reason.

Application of universal jurisdiction over acts of torture

163. Under the legislation in force in Côte d'Ivoire, acts of torture are not considered universal crimes, regardless of where they are committed or the nationality of the perpetrator or victim. However, measures are being taken to remedy this shortcoming (bill on extradition, arts. 7–10).

Replies to the questions raised in paragraph 15 of the list of issues

164. Côte d'Ivoire has concluded extradition agreements with several States, including:

- Burkina Faso, on 30 July 2014 in Ouagadougou
- The Kingdom of Morocco, on 20 January 2015 in Marrakech, ratifying the Convention on Extradition
- Mali, on 11 May 2018 in Abidjan, as one of five bilateral agreements (a convention on mutual judicial assistance in criminal matters, a convention on mutual judicial assistance in civil and commercial matters, a convention on extradition, a convention on the transfer of convicted persons and a memorandum on judicial cooperation)

165. Although these agreements do not specifically authorize extradition as a matter of course for the offences set out in article 4 of the Convention against Torture, those offences are included among the extraditable offences listed in the agreements.

Replies to the questions raised in paragraph 16 of the list of issues

166. The French Republic and the Republic of Côte d'Ivoire signed a judicial cooperation agreement (see Decree No. 62-136 of 23 January 1962 on the publication of treaties and cooperation agreements signed between France and Côte d'Ivoire on 24 April 1961, *Journal officiel*, 2 May 1962, p. 1,261) that was amended pursuant to the letters exchanged on 11 April 1986 and 13 July 1989. This agreement establishes mutual judicial assistance between the justice departments of the two countries (for example, in the relation to the extradition on 24 February 2006 of Youssouf Fofana, head of the “Gang des Barbares” (Gang of Barbarians) in the Paris suburb of Bagneux (Hauts-de-Seine department), in the context of the legal proceedings examining the kidnapping, torture and murder of Ilan Halimi).

167. The cooperation agreement of 24 April 1961 contains provisions on the taking of evidence (chap. I). The competent French court may issue a letter rogatory to any competent judicial authority in the destination State or, when the measure concerns a French national, to the French diplomatic or consular authorities.

168. Examples of judicial cooperation between the two States include the following cases:

- The disappearance of French-Canadian journalist Guy André Kieffer
- The kidnapping and subsequent death of Yves Lambelin, chief executive officer of the Société immobilière et financière de la côte africaine (SIFCA), along with Mr. Di Rippel, Mr. Pandiane and Mr. Adéossi at the Novotel hotel by militiamen and soldiers supporting Laurent Gbagbo during the post-election crisis
- The kidnapping and murder of Colonel Dosso Adama

169. In all these cases, the Ivorian and French judicial authorities worked together to gather evidence. On 11 October 2012, General Dogbo Blé, commanding officer of the Republican Guard, was found guilty of the murder of Colonel Dosso Adama by the Military Court of

Côte d'Ivoire and was sentenced to 15 years in military prison. The disappearance of French-Canadian journalist Guy André Kieffer remains under investigation.

170. Other legal instruments are listed below:

- General Agreement on Judicial Cooperation, signed in Antananarivo on 12 September 1961, ratified by Côte d'Ivoire under Decree No. 62-443 of 27 November 1962 (*Journal officiel*, 1962, p. 1,411)
- Treaty for Conciliation, Judicial Settlement and Arbitration between Switzerland and Côte d'Ivoire, concluded on 22 October 1962 and approved by the Federal Assembly on 27 June 1966; the instruments of ratification were exchanged on 20 March 1968 and it entered into force on 20 March 1968
- General Agreement on Judicial Cooperation between Burkina Faso and the Republic of Côte d'Ivoire, signed on 11 November 1964
- Signing of five bilateral agreements between Côte d'Ivoire and Mali in Abidjan on 11 May 2018, namely conventions on mutual legal assistance in criminal matters, mutual legal assistance in civil and commercial matters, extradition and the transfer of convicted persons, and a memorandum on judicial cooperation
- Agreement on Cooperation in Security Matters between the Government of the Republic of Côte d'Ivoire and the Government of the Kingdom of Morocco, signed in Marrakech on 20 January 2015
- Convention on the Transfer of Convicted Persons between the Government of the Republic of Côte d'Ivoire and the Government of the Kingdom of Morocco, signed in Marrakech on 20 January 2015
- Convention on Mutual Judicial Assistance in Criminal Matters between the Government of the Republic of Côte d'Ivoire and the Government of the Kingdom of Morocco, signed in Marrakech on 20 January 2015
- Convention on Extradition between the Government of the Republic of Côte d'Ivoire and the Government of the Kingdom of Morocco, signed in Marrakech on 20 January 2015
- Convention on Mutual Judicial Assistance in Civil and Commercial Matters between the Republic of Côte d'Ivoire and the Kingdom of Morocco, signed in Abidjan on 1 June 1999
- Memorandum of understanding on mutual legal assistance between the Republic of Côte d'Ivoire and the International Criminal Court, signed on Tuesday 28 June 2011

171. As part of judicial cooperation between Côte d'Ivoire and the International Criminal Court, the Prosecutor of the Court has opened an office in Abidjan and has worked closely with the Ivorian judicial authorities to gather information on allegations of crimes against humanity committed in Côte d'Ivoire during the post-election crisis.

172. Côte d'Ivoire has also agreed to several visits by special rapporteurs and independent experts, who have visited the country and produced reports on the human rights situation prior to June 2017.

Article 10

Replies to the questions raised in paragraph 17 of the list of issues

173. Law enforcement officers receive instruction on relevant provisions of the Convention as part of their initial training. The internal regulations governing the country's prisons prohibit the practice of torture on detainees. Joint border units also receive training on this issue within the framework of the Mano River Union.

Law enforcement officials

174. A human rights module is taught at the National Police Academy. Trainee police officers are therefore introduced to the provisions of the Convention during their initial training. Seminars and training sessions are also offered as part of the capacity-building of agents in the field.

On members of the armed forces

175. Since 2019, the General Staff of the Armed Forces has been training military personnel on human rights and international humanitarian law in partnership with the non-governmental organization (NGO) Coordination africaine des droits de l'homme pour les armées (African Committee on Human Rights for Armies) (CADHA) and with the financial support of the United Nations Development Programme. The training includes a module entitled "General information on torture". Military duties are taught in accordance with international humanitarian law, which prohibits the use of torture in times of war. CADHA is sending a mobile awareness-raising unit to all four military regions (Abidjan, Bouaké, Korhogo and Daloa). In 2020, the same form of awareness raising was organized for the personnel of the east security battalion (Bondoukou and Abengourou) and in the cities of Abidjan and Yamoussoukro.

176. A mechanism for monitoring human rights violations was established in the armed forces of Côte d'Ivoire on 24 August 2015 with the aim of training military personnel on disseminating and upholding human rights within the armed forces and of identifying violations with a view to formulating lasting solutions to them. The dissemination of relevant provisions of the Convention against Torture is at the heart of this initiative. Thanks to the results achieved under this mechanism, on 15 May 2017, Côte d'Ivoire was taken off the blacklist of countries whose militaries are continually accused of serious human rights violations, including violence against women. The Secretary-General of the United Nations confirmed the country's removal from the blacklist in a statement issued on 17 May 2018.

177. At the administrative level, Order No. 2018-515 of 30 May 2018 on administrative sanctions applicable to military personnel, ratified by Act No. 2018-861 of 19 November 2018, provides for the prompt and effective punishment of any military personnel found to have committed violations under the Convention.

178. At the judicial level, the Abidjan Military Tribunal is responsible for prosecuting military personnel who commit acts of torture. It is now possible to bring specific prosecutions on the basis of the provisions of the Criminal Code establishing torture as a separate crime (art. 399). The same applies to members of the gendarmerie.

Methodology to assess the effectiveness of training and educational programmes aimed at reducing the number of cases of torture and ill-treatment

179. The effectiveness of training and educational programmes aimed at reducing the number of cases of torture and ill-treatment can be assessed using the mechanism for monitoring human rights violations by the armed forces of Côte d'Ivoire.

180. In view of the proven effectiveness of the training and educational programmes aimed at reducing the number of cases of torture and ill-treatment committed by the armed forces of Côte d'Ivoire, plans have been made to extend the mechanism for monitoring human rights violations to the police force and the gendarmerie.

Replies to the questions raised in paragraph 18 of the list of issues

181. Training programmes, primarily introduced as part of a project on abuse in pretrial detention, have been put in place for the following officials of the criminal justice system:

- Judges and prosecutors
- Prison governors
- Social workers

182. These training programmes were put in place within the framework of that project in 2014, initially for the following jurisdictions: Abidjan, Grand-Bassam, Adzopé, Agboville, Sassandra, Soubré, Daloa, Bouaké, Abengourou and Toumodi. The project was extended to Man, Bouna and Aboisso during its second phase, thereby covering a further 13 courts and places of detention.

183. The Côte d'Ivoire office of Action by Christians for the Abolition of Torture and the President of the International Federation of Action by Christians for the Abolition of Torture have also developed a training module on the prevention of torture and ill-treatment. Since 2017, elements of this module have been taught at the human rights university run by the National Human Rights Council and as part of the master's degree in human rights at the Alassane Ouattara University in Bouaké. The police academy and the prison officer training school have also been involved in the training.

184. From 2010 to 2017, the Côte d'Ivoire office of Action by Christians for the Abolition of Torture hosted a programme aimed at raising awareness about human rights on Radio Nationale Catholique. A number of other awareness-raising activities on the prohibition of torture and ill-treatment are carried out by the same organization and its partners. The organization is both a member and the current chair of the Observatory of Places of Detention.

Training on the Manual on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Istanbul Protocol)

185. The Istanbul Protocol is covered in the training of prison guards and members of the security forces. The module designed for that purpose includes training on the Protocol.

Article 11

Replies to the questions raised in paragraph 19 of the list of issues

186. Côte d'Ivoire has a Code of Criminal Procedure established under Act No. 2018-975 of 27 December 2018, as amended by Act No. 2022-192 of 11 March 2022. The amendments were designed to bring Ivorian legislation into line with international standards. These reforms are helping to strengthen the framework for the activities that the criminal justice authorities carry out with a view to preventing cases of torture related to police custody and the treatment of arrested, detained or imprisoned persons.

187. The aim of Decree No. 2023-239 of 5 April 2023 on prison regulations and detention procedures was to bring the rules governing prisons and general conditions of detention into line with the provisions of the new Code of Criminal Procedure and international standards on detention.

The preliminary inquiry

188. Police custody may be ordered by a criminal investigation officer only if it constitutes the sole means of fulfilling at least one of seven objectives set out in article 71 of the Code of Criminal Procedure.

189. Police custody may not exceed 48 hours. The measure may be extended for a further 48 hours only with the authorization of the public prosecutor. At the end of this period, the person held in police custody must either be brought before the public prosecutor or released (art. 72).

190. Persons held in police custody must be informed immediately by the criminal investigation officer of the measure taken against them, including its duration and any possible extension, the nature of the act that they are accused of and the alleged date of occurrence. They must also be informed of their right to have a person with whom they have a relationship notified of the measure that has been taken. This right may only be restricted by a written instruction or any other written means by the public prosecutor (art. 74).

191. Persons in police custody also have the right to a medical examination if they or their family so request (art. 76).

192. The legality of the means used by criminal investigation officers during the preliminary inquiry is monitored by the public prosecutor (art. 52). To ensure that the period of custody is not exceeded, the public prosecutor carries out unannounced visits to police holding cells.

193. If the criminal investigation officer fails to comply with the rules outlined above, the public prosecutor or the prosecutor general may release the person from custody, acting either ex officio or at the request of any other person (art. 76).

194. The Directorate of Human Rights of the Ministry of Justice and Human Rights also regularly visits places of deprivation of liberty throughout the country. Following these visits, reports on the conditions of police custody are prepared for the attention of the regulating authority. The same ministry also regularly provides civil society organizations with permits to monitor places of deprivation of liberty, including police holding cells.

Pretrial phase: judicial supervision and pretrial detention

195. According to article 153 of the Code of Criminal Procedure: “liberty is a right, judicial supervision and pretrial detention exceptional measures”.

196. Judicial supervision has been introduced as a legal mechanism and an alternative to detention (arts. 154–161).

197. Pretrial detention is subject to strict conditions that must be observed by the investigating judge, as set out in articles 162 and 163 of the Code of Criminal Procedure.

198. For ordinary offences, pretrial detention lasts 6 months (art. 166) and may be renewed twice, first by the investigating judge and then by the Indictment Division. Including renewals, pretrial detention for ordinary offences must therefore not exceed 18 months, after which the accused person is to be released. The violation of these rules may result in the annulment of the proceedings or in certain acts being declared void, without prejudice to any disciplinary proceedings that may be instituted against the investigating judge.

199. For serious offences, pretrial detention lasts eight months (art. 167) and may be renewed on the same basis as for ordinary offences. Including renewals, pretrial detention for serious offences must therefore not exceed 24 months, after which the accused person is to be released. The violation of these rules may result in the annulment of the proceedings or in certain acts being declared void, without prejudice to any disciplinary proceedings that may be instituted against the investigating judge.

Frequency with which rules, instructions and methods are reviewed

200. The interrogation rules, instructions, methods and practices and arrangements for the custody of persons subjected to arrest, detention or imprisonment stem directly from the legislation in force. It is not therefore possible to indicate the frequency with which they are reviewed.

Respective roles played by the police, the gendarmerie and the Forces républicaines de Côte d’Ivoire in the deprivation of liberty.

The army

201. The army has the power to order measures of deprivation of liberty, including custody, pretrial detention and the imprisonment of a convicted person with a custodial sentence. Detention after conviction by a military court is no different from detention under ordinary law. The sentence is enforced in accordance with the provisions of article 187 of the Code of Military Procedure.

202. Police custody is authorized for serious offences or cases of flagrante delicto for a period of 48 hours, renewable once for a further 24 hours, i.e. a maximum period of 72 hours (Code of Military Procedure, art. 55). Persons are to be placed in holding cells at a gendarmerie or police station or at a military prison. At the end of the period of custody, they are to be either brought before a military prosecutor or released.

203. A pretrial detention order may be issued once the accused person has appeared before a prosecutor, pending any further action to be taken in relation to his or her case. This measure may not exceed 10 days (art. 82). If this order is not confirmed within this period, the person is to be released. If the order is confirmed, the accused person may be held for a maximum of 60 days (art. 84 (3)). Once that period has expired, he or she is to be released. The time during which the accused person is detained is used to prepare the hearing.

204. Once a prosecution order has been issued, the public prosecutor may decide to initiate a judicial investigation. In such cases, the detention order is to take the form of a committal warrant issued by the investigating judge (art. 83 (b)). Pretrial detention lasts until the accused person is brought before a court with jurisdiction to hear the case (art. 76 (2)), unless he or she is released on bail, a decision that may be taken at any time, ex officio, at the person's request or at the request of the public prosecutor.

The gendarmerie

205. During investigations, only members of the gendarmerie who are members of the criminal investigation police have the authority to order a measure involving deprivation of liberty (police custody). As outlined above, such measures are strictly regulated by the Code of Criminal Procedure.

The police

206. During the preliminary inquiry phase, officers of the criminal investigation department of the National Police may, where necessary, place accused persons in police custody under the conditions outlined above. Persons in the hands of the armed forces who are charged with committing an offence are to be handed over to the police, gendarmerie or judicial authorities.

Replies to the questions raised in paragraph 20 of the list of issues

207. Côte d'Ivoire has been a party to the Optional Protocol to the Convention since 1 March 2023. A process is under way to establish a national preventive mechanism within the time frame set out in the Optional Protocol.

208. However, there are already measures in place to ensure effective monitoring and inspection of all places of detention.

209. Act No. 2018-900 of 30 November 2018, on the establishment, powers, organization and functioning of the National Human Rights Council, gives the Council the power to "visit places of detention, in particular to prevent the commission of acts of torture and cruel, inhuman or degrading treatment and to strengthen protection against such acts". The Council also has the power to "carry out non-judicial inquiries, conduct all necessary investigations into complaints and denunciations referred to it and draw up a report containing measures that it proposes to the Government".

210. Temporary lock-up facilities are regularly inspected and monitored by the public prosecutor and the director of the criminal investigation police of the jurisdiction in question as well as his or her deputies (Code of Criminal Procedure, art. 52).

211. The Inspectorate General of Judicial and Prison Services also plays a key role in inspecting pretrial detention facilities, as provided for in Circular No. 006/MJDH/CAB of 15 June 2017, on the inspection of pretrial detention facilities.

212. In line with its duties regarding the protection of human rights, the Directorate of Human Rights of the Ministry of Justice and Human Rights conducts regular visits of the country's prisons. Capacity-building activities, including on the legal provisions relating to the prohibition of torture, are systematically carried out for prison directors and officers during these visits. The visits also allow the Directorate to verify the effectiveness of two relevant circulars issued by the Minister of Justice and Human Rights, namely:

- Circular No. 005/MJ/CAB of 6 April 2017 of the Ministry of Justice, on pretrial detention, the aim of which was to accelerate the processing of backlogged cases by investigations offices

- Circular No. 016/MJ/CAB of 15 June 2017, on the inspection of pretrial detention facilities, which encouraged judges and prison governors to increase inspection of pretrial detention facilities using monitoring report cards and to ensure that the percentage of pretrial detainees in such facilities does not exceed 33 per cent

Regular and unannounced visits to places of detention by representatives of national and international NGOs and by the International Committee of the Red Cross (ICRC)

213. During the national crisis, the United Nations Operation in Côte d'Ivoire, through the Human Rights Division and the United Nations police, worked with the Ivorian authorities to systematize visits to temporary lock-ups at police and National Gendarmerie stations as well as detention and correctional facilities across the country.

214. Civil society organizations may visit prisons provided that they obtain prior authorization from the Prison Service in accordance with article 13 of Decree No. 69-189 of 14 May 1969, which regulates prisons and sets out the conditions for the enforcement of custodial sentences.

215. International NGOs such as Prisonniers sans frontières and Amnesty International and national NGOs such as Action by Christians for the Abolition of Torture and Soutien aux Prisonniers de Côte d'Ivoire (Support for Prisoners of Côte d'Ivoire), and ICRC, are permitted to visit places of detention without prior authorization.

Possibilities for visiting the National Surveillance Directorate headquarters

216. As head of the criminal investigation police, the public prosecutor may visit, in person or through his or her deputies, the National Surveillance Directorate headquarters at any time like any other police or gendarmerie unit.

217. As the National Surveillance Directorate is a joint service, its intelligence operations are governed by the rules of the Ministry of the Interior. However, in terms of criminal procedure, and specifically the activities of the criminal investigation police, it remains subject to the provisions of the Code of Criminal Procedure. The Code applies to all criminal offences committed on Ivorian territory. Accordingly, the provisions of the Code must be applied when certain criminal investigation activities are to be carried out by criminal investigation police officers of the National Surveillance Directorate.

Replies to the questions raised in paragraph 21 of the list of issues

218. Due process has been observed in the conduct of legal proceedings against the persons in question. Their places of detention are known. They are not, and have never been, subject to unofficial detention.

Captain Anselme Séka-Séka

219. On Tuesday, 4 August 2015, after several postponements, the Abidjan military court sentenced Captain Anselme Séka Yapo, the former head of security to Ms. Simone Gbagbo, the former first spouse, to 20 years in prison for killing the driver of Joël N'Guessan, the former Minister for Human Rights, during the 2011 post-election crisis.

Captain Jean Noël Abéhi

220. Captain Jean Noël Abéhi was arrested in February 2013 in Accra, Ghana, and extradited to Abidjan. He was already serving a 5-year prison sentence for desertion. On Thursday, 11 January 2018, he was sentenced by the military court to 10 years' imprisonment for plotting against the authority of the State and attempting to attack the authority of the State.

Mr. Amadé Ourémi

221. Mr. Amadé Ourémi, whose real name is Amadé Wirmi, was arrested on 18 May 2013 in Duékoué. He was transferred by helicopter to Abidjan and detained at the Dimbokro detention and correctional facility. He was indicted for war crimes committed during the 2010–2011 post-election crisis (in particular, the massacre that took place in the Carrefour

district during the capture of Duékoué in late March 2011) and, following the destruction of the Nahibly internally displaced persons camp in July 2012, for trafficking offences (including poaching and the trafficking of cocoa, timber, diamonds, ivory and cannabis). He was tried by the Abidjan Criminal Court on 24 charges, including genocide, mass murder, rape, inhuman and degrading treatment and acts committed in 2011 in the town of Duékoué. On Thursday, 15 April 2021, the former warlord Amadé Wirmi was found guilty of the charges against him and sentenced to life in prison.

Replies to the questions raised in paragraph 22 of the list of issues

222. The measures taken by the State to reduce prison overcrowding are described in the Criminal Code and the Code of Criminal Procedure, which provide for alternatives to incarceration.

Community service (Criminal Code, art. 36 and arts. 55–58)

223. Community service constitutes a primary penalty on the same level as custodial sentences and fines, as set out in article 36 of the Criminal Code. This punishment can be imposed in the case of offences and minor offences (Criminal Code, art. 55). Decree No. 2021-241 of 26 May 2021 sets out the conditions for enforcing this punishment.

Plea bargaining (Code of Criminal Procedure, arts. 521 ff.)

224. Under article 521 (1) of the Code of Criminal Procedure, “the public prosecutor may, ex officio or at the request of the defendant assisted by counsel, resort to the procedure for a court appearance on prior acknowledgement of guilt when the acts with which the defendant has been charged constitute an offence punishable by a prison sentence of up to 5 years and the defendant acknowledges having committed them”.

225. In this context, when a prison sentence is proposed, “its duration may not exceed 1 year nor constitute more than half of the prison sentence incurred”. In addition, the public prosecutor may propose suspending the prison sentence in full or in part (art. 522).

Court supervision (Code of Criminal Procedure, arts. 154 ff.)

226. Article 153 of the Code of Criminal Procedure provides that “liberty is a right, and court supervision and pretrial detention are exceptional measures”. Court supervision is an alternative to detention as, although it is a measure that restricts a person’s liberty, it is carried out without depriving the person of liberty through imprisonment.

Settlement (Code of Criminal Procedure, art. 13)

227. Settlement consists of the payment of a fine proposed by the public prosecutor, within the constraints of the financial penalties provided for in law for the offence in question, and which has been accepted by the offender. If there is a victim of the offence, the public prosecutor is required to notify the victim of the proposed settlement and obtain the victim’s views in advance. The settlement is recorded in the form of a document containing the irrevocable agreement of the parties. The document is then signed by the parties, at which point the case is closed.

Enforcement of some custodial sentences in separate instalments of prison sentences and suspended sentences (Criminal Code, arts. 130 and 131)

228. Article 130 of the Criminal Code provides that, “in the event that a crime or ordinary offence is punished by a prison sentence of less than or equal to 5 years and a fine, or only one of these two penalties, and the offender had not, at the time of committing the offence, been sentenced to prison for a crime or offence in which the decision was final and had not been expunged, a judge may order that the execution of the prison sentence and the fine, or only one of these two penalties, be suspended in whole or in part for a period of 5 years”.

Collective pardons (Criminal Code, art. 132)

229. According to article 132 of the Criminal Code, “a pardon granted by decree of the President of the Republic is the total or partial, or definitive or conditional, exemption from enforcement of a sentence or security measure in which the decision handed down was final, with the exception of commitment to a care home or special confiscation measures”.

230. The regular granting of pardons by the President of the Republic also significantly reduces the prison population each time such measures are taken.

231. Regarding other measures taken to reduce the prison population, it should be noted that, pursuant to article 6 (2) of the Constitution, which provides that “all people have the right to a fair trial and to receive a judgment within a reasonable time determined by law”, criminal prosecution procedures have been reformed through the creation of the Criminal Court and the Criminal Division of the Court of Appeal to replace the Assize Court (Code of Criminal Procedure, arts. 262 ff.).

232. This reform significantly changed the way in which criminal offences are tried with the aim of accelerating the process, simplifying criminal trial proceedings and increasing public awareness.

233. The reform also allows parties (such as defendants, civil parties and the Public Prosecutor’s Office) to appeal against decisions handed down in criminal cases so that the factual and legal grounds may be re-examined (arts. 362 ff.).

*Information on prisoners awaiting trial, prisoners serving their sentences and the occupancy rate of detention facilities***Prison population as at 31 December 2019**

	<i>Persons awaiting trial</i>			<i>Convicted persons</i>			<i>Total detainees</i>		
	<i>Men</i>	<i>Women</i>	<i>Total</i>	<i>Men</i>	<i>Women</i>	<i>Total</i>	<i>Men</i>	<i>Women</i>	<i>Total</i>
Adults	5 864	223	6 087	13 915	285	14 200	19 779	508	20 287
Minors	612	14	626	79	0	79	691	14	705
Total	6 476	237	6 713	13 994	285	14 279	20 470	522	20 992

Prison population density by detention centre in 2019

	<i>Average number of detainees</i>							<i>Cell occupancy rate per 3m²</i>	<i>Comments</i>
	<i>Cell sleeping area (m²)</i>	<i>Accommodation capacity (if 3m² per inmate)</i>	<i>Persons awaiting trial</i>	<i>Convicted persons</i>	<i>Civil imprisonment</i>	<i>Total average number of detainees</i>			
Abengourou	475	158	78	471	2	551	3.5	+	
Abidjan	9 740	3 247	2 429	4 409	2	6 840	2.1	+	
Aboisso	369	123	112	166	0	278	2.3	+	
Adzopé	428	143	138	154	2	294	2.1	+	
Agboville	120	40	58	123	0	181	4.5	+	
Bondoukou	303	101	107	194	0	301	3.0	+	
Bongouanou	334	111	76	97	0	173	1.6	+	
Bouaflé	378	126	76	226	1	303	2.4	+	
Bouaké	404	135	253	483	0	736	5.5	+	
Bouaké prison camp	2 220	740	12	1 760	0	1 772	2.4	+	
Bouna	248	83	83	88	0	171	2.1	+	
Boundiali	203	68	47	100	0	147	2.2	+	
Dabou	278	93	94	204	0	298	3.2	+	

	Cell sleeping area (m ²)	Accommodation capacity (if 3m ² per inmate)	Average number of detainees			Total average number of detainees	Cell occupancy rate per 3m ²	Comments
			Persons awaiting trial	Convicted persons	Civil imprisonment			
Daloa	764	255	491	747	1	1 239	4.9	+
Danané	241	80	152	201	0	353	4.4	+
Dimbokro	480	160	48	410	0	458	2.9	+
Saliakro prison farm		0	0	8	0	8	//	
Divo	354	118	109	145	1	255	2.2	+
Gagnoa	405	135	156	315	0	471	3.5	+
Grand-Bassam	491	164	71	121	0	192	1.2	+
Katiola	410	139	60	140	0	200	1.4	+
Korhogo	251	84	167	359	0	526	6.3	+
Lakota	266	89	24	81	0	105	1.2	+
Man	750	250	758	552	0	1 310	5.2	+
M'Bahiakro	163	54	5	12	0	17	0.3	-
Odienné	375	125	22	61	0	83	0.7	-
Oumé	138	46	9	42	0	51	1.1	+
Sassandra	248	83	270	247	1	518	6.3	+
Séguéla	190	63	69	189	1	259	4.1	+
Soubré	384	128	127	409	2	538	4.2	+
Tabou	350	117	76	75	0	151	1.3	+
Touba	83	28	39	75	0	114	4.1	+
Tiassalé	161	54	79	127	0	206	3.8	+
Toumodi	305	102	81	212	0	293	2.9	+
Total	22 307	7 438	6 376	13 003	13	19 392	2.6	+

(+) over capacity (-) under capacity

Measures taken to put an end to prolonged pretrial detention

234. Various measures have been taken by the Government of Côte d'Ivoire to put an end to prolonged pretrial detention and ultimately reduce prison overcrowding. The Code of Criminal Procedure provides for:

- New procedural mechanisms strengthening the rights of parties during proceedings
- Alternatives to imprisonment
- Simplification of criminal proceedings
- Reduction of procedural time limits
- Enhanced oversight of police custody and pretrial detention
- The creation of Criminal Courts and Criminal Courts of Appeal to replace the Assize Court and reduce processing times for criminal cases

235. In addition to the above, the Minister of Justice and Human Rights issued the following two circulars on 6 April and 15 June 2017:

- Circular No. 005/MJDH/CAB of 6 April 2017 on pretrial detention and
- Circular No. 006/MJDH/CAB of 15 June 2017 on the inspection of pretrial detention by the Inspectorate General of Judicial and Prison Services

236. These circulars were issued to remind judges of the need to apply the provisions of article 137 of the Code of Criminal Procedure, which states that "liberty is a right and

detention is an exceptional measure”, and the provisions of article 138 of the Code, which sets out the time limits beyond which pretrial detention becomes irregular and unjustified. In these circulars, judges with the power to make decisions on deprivation of liberty were asked to no longer use detention systematically and to resort to it in exceptional cases only. They were also encouraged to strictly respect the time limits for pretrial detention set out in articles 138 to 140 of the Code and to release, *ex officio*, detainees whose detention has exceeded legal time limits.

237. As at 8 November 2022, the total number of detainees in Cote d’Ivoire stood at 26,089, disaggregated as follows:

- 8,692 pretrial detainees, of whom 7,490 were men, 294 were women, 891 were boys and 17 were girls, representing 33.31 per cent of the total number of detainees
- 17,397 tried and convicted detainees, including 16,976 men, 329 women, 89 boys and 3 girls, representing 69.69 per cent of the total number of detainees

238. The 34 prisons in Côte d’Ivoire have the capacity to accommodate 9,139 detainees. Comparing this capacity with the current number of detainees results in an occupancy rate of 185.46 per cent.

Replies to the questions raised in paragraph 23 of the list of issues

239. The Ministry of Justice and Human Rights has a Directorate for the Judicial Protection of Children and Young People, which is responsible for:

- Proposing reforms to policies on the judicial protection of children and young people
- Administering the probation system and educational support
- Carrying out activities for the social, educational and vocational integration of at-risk juvenile offenders

240. In addition, in the context of the Debt Reduction and Development Contract, the Government has earmarked substantial funds for the improvement of living conditions for minors (boys and girls) in prisons in Côte d’Ivoire.

241. Furthermore, given the specific needs and the vulnerability of minors, articles 33, 34, 35 and 36 of Decree No. 69-189 of 14 May 1969, which regulates detention facilities and sets out the conditions for the enforcement of custodial sentences, ensure that minors are given favourable treatment by establishing a special system with a strong focus on education and the practice of sports and organized leisure activities.

242. To meet the specific needs of women, and in line with the legislation in force in Côte d’Ivoire, measures are being taken to ensure that women are separated from men in prisons. Persons with disabilities serve sentences and are remanded in custody under the same conditions as men and women without disabilities.

Policy regarding the use of solitary confinement and the application of means of restraint to prisoners

243. Solitary confinement or confinement to a cell is a measure that can be taken either by the prison governor, the sentence enforcement judge or the Minister of Justice to punish detainees who break prison rules. It is provided for in articles 52, 53, 54 and 55 of Decree No. 69-189 of 14 May 1969. The duration of this measure varies depending on the official handing it down: a prison governor (10 days), a sentence enforcement judge (1 month) or the Minister of Justice (2 months).

244. In practice, most detention and correctional facilities do not have a room designed for the enforcement of this punishment. In prisons where they do exist, the facilities do not meet safety and hygiene standards, so prison governors rarely resort to this punitive measure.

245. Article 56 of the above-mentioned decree provides that “restraints of any kind must not be used as a means of punishment. They may, however, be used, for security reasons, as a means of coercion against a detainee who is dangerous or likely to escape; these means

must not be used for longer than the period of time required. Usage must be reported to the divisional judge or the public prosecutor”.

246. This measure is rarely implemented. If a detainee is to be chained, the measure must be mandated by a court order on the grounds that the detainee poses danger to himself or herself or his or her fellow detainees. In hospitals, dangerous detainees may be handcuffed to their beds to prevent them from escaping.

Detainees transferred to health centres and psychiatric hospitals

247. Investigations carried out in psychiatric care facilities reveal that the use of solitary confinement and means of restraint is very limited and reserved for extreme cases.

Measures taken to address concerns about the poor quality of food and unsanitary conditions in places of detention

248. In 2015, a technical team from the Ministry of Justice and Human Rights and the Ministry of Health, in cooperation with ICRC, reflected on how to improve food in places of detention.

249. Following up on their work, the Minister of Justice signed Order No. 01/MJDHLP/DAP of 9 July 2015, which set out the daily rations of food and hygiene and personal care products to be provided to civilian detainees. This decree stipulates the nutrients that must be included in minimum daily food rations, as well as the minimum amount that a detainee must consume to stay healthy. In addition, the decree increased the daily amount allocated per detainee from CFAF 350 to CFAF 2,400.

Measures taken to ensure the availability of medical services in health facilities

250. All prisons have an infirmary staffed by health workers. However, these infirmaries do not have all the medical equipment required for a primary care facility.

251. The Ministry of Justice and Human Rights and the Ministry of Health, Public Hygiene and Universal Health Coverage have set up a platform to study and seek solutions to the health-related issues faced by prison governors in their day-to-day management of the detainees' health.

252. In addition, in accordance with the memorandum of understanding signed between the Government of Côte d'Ivoire and ICRC, a joint team (comprising representatives of the Ministry of Justice and Human Rights, the Ministry of Health, Public Hygiene and Universal Health Coverage and ICRC) has been set up to examine health-related issues in prisons. This team has carried out several missions to detention and correctional facilities in Abidjan, Man and Bouaké and the Bouaké prison camp. Its recommendations provided at the end of each mission have led to significant improvements in health at these prisons.

Measures taken to ensure that men are separated from women, untried prisoners from convicted prisoners and adults from minors

253. Male detainees are separated from female detainees at all prisons.

254. In most Ivorian prisons, convicted prisoners and untried prisoners occupy the same cells owing to shortages in available infrastructure.

255. The separation of adults and minors is not enforced in all prisons. Of the country's 35 prisons, only 4 have juvenile observation centres, where male juvenile detainees are placed.

256. In prisons without a juvenile observation centre, one or more special cells are set up to accommodate male juvenile detainees. They are monitored and closely supervised by prison officers day and night to prevent any pressure from adult detainees.

257. Female juvenile detainees live alongside women detainees. They are similarly monitored and closely supervised by prison officers assigned to guard the women's section of the prison.

258. The new juvenile observation centre built in Bingerville will rectify these problems by also accommodating minors held at the existing juvenile observation centre at the Abidjan Detention and Correctional Centre. Once the minors in custody at the juvenile observation centre at the Abidjan Detention and Correctional Centre have been transferred, the space will be used to accommodate women detainees as well as female juvenile detainees. The women's section will be used as a space especially for juvenile detainees remanded in custody.

Replies to the questions raised in paragraph 24 of the list of issues

259. Detention centres and correctional facilities are not exempt from the challenges of living in society. There are, therefore, occasionally conflicts between detainees. There are no statistics on this subject as yet, so we are unable to provide information on the frequency of violence or cases of negligence by prison staff or on complaints made in this regard.

Replies to the questions raised in paragraph 25 of the list of issues

260. The statistical data are as follows:

- 2017: 95 deaths out of a total of 17,027 detainees, representing a mortality rate of 0.4 per cent
- 2018: 191 deaths out of a total of 18,177 detainees, representing a mortality rate of 1 per cent
- 2019: 217 deaths out of a total of 21,004 detainees, representing a mortality rate of 1 per cent
- 2020: 329 deaths out of a total of 22,606 detainees, representing a mortality rate of 1.4 per cent
- 2021: 235 deaths out of a total of 23,306 detainees, representing a mortality rate of 1 per cent
- January 2022 to 8 November 2022: 219 deaths out of a total of 26,089 detainees, representing a mortality rate of 0.4 per cent

261. The detainees all died following illness, and most deaths occurred in public health facilities. In each case, the attending physician issued a death certificate stating the cause of death. Therefore, in the absence of any suspicious deaths, no thorough and impartial investigations have been carried out.

Results of investigations into these deaths

262. In each case of death, the attending physician issued a death certificate stating the cause of death. None of these death certificates have indicated that the death was suspicious, and therefore no thorough and impartial investigations have been required.

Articles 12 and 13

Replies to the questions raised in paragraph 26 of the list of issues

263. The relevant cases are those relating to criminal prosecutions and convictions for criminal offences involving acts of the kind referred to here and which have already been covered (see paras. 219, 220 and 221).

Investigations, disciplinary and criminal proceedings, convictions and the criminal or disciplinary sanctions applied, with examples of relevant cases and/or judicial decisions

264. As explained in the previous paragraph, the criminal investigations, proceedings and convictions that have taken place do not relate specifically to acts of torture or cruel, inhuman and degrading treatment.

Measures taken to protect victims, witnesses and judicial officials from reprisals

265. Côte d'Ivoire has adopted Act No. 2018-570 of 13 June 2018, on the protection of witnesses, victims, whistle-blowers, experts and other individuals concerned. This law has three objectives:

- To minimize risks to victims, witnesses and other people involved in the achievement of justice
- To avoid infringement of their privacy and dignity and that of their loved ones
- To reduce trauma caused by their participation in the search for justice

266. Under this law, special protection is afforded to witnesses, victims, whistle-blowers, experts and anyone else whose life, physical integrity or assets, or those of their relatives or the property of the legal entity that they represent, are in danger as a consequence of their cooperation or willingness to cooperate in judicial or extrajudicial truth-seeking proceedings.

267. Persons requiring protection may benefit from financial assistance through the protection programme for as long as deemed necessary in view of their protection needs and living expenses.

268. The application of protection measures is contingent on the consent of the person requiring protection. These measures shall not be prejudicial to, or inconsistent with, the rights of the person in question and the requirement for a fair and impartial trial.

Replies to the questions raised in paragraph 27 of the list of issues

269. Some structural and legislative reforms have been implemented and others are ongoing. This includes the Military Planning Act and the Military Code Act. The different forces have resumed their traditional roles.

270. The Military Planning Act dates from 13 January 2016 and covers the years 2016–2020. A Military Planning Act for the years 2021–2025 is to be proposed for adoption. The aim of this law is to downsize the military staff. The initial target was to reduce numbers by 4,400, and by the end of the period 2017–2019, that target had been exceeded, with 4,449 departures. It is also aimed at reforming the institutional framework. The following laws have been adopted:

- The Military Code Act (Act No. 2016-1109 of 14 November 2016)
- The Defence Administration Act (Act No. 2016-414 of 15 June 2016)

271. Regarding those responsible for crimes committed during the post-election crisis, Bruno Dogbo Blé (the former commander of the Republican Guard) was sentenced to 20 years' imprisonment and stripped of his rank as general. A similar sentence was handed down to Captain Anselme Séka Yapo. Long prison sentences were handed down to several other soldiers, and military discharges were systematically handed down.

Replies to the questions raised in paragraph 28 of the list of issues

272. The report by the United Nations Operation in Côte d'Ivoire (UNOCI) contains a wealth of information and, above all, recommendations. It should be noted that almost all these recommendations have been implemented. For example:

- The national security forces, which have been provided with adequate training and logistical support, have been permanently deployed throughout the country in order to defend and protect persons and property.
- The necessary steps have been taken to end the security activities previously carried out by *dozos* (traditional hunters).
- Measures have been taken, through the revision of instruments governing rural landownership and the creation of the Rural Land Agency, to expedite the implementation of the act on rural landownership, with the aim of significantly increasing the issuance of deeds securing rights to rural land.
- A general census of *dozos* has already been conducted.

- Thorough investigations have been carried out into all human rights abuses, including those committed by *dozos*. At least 16 *dozos* arrested by the law enforcement authorities between 2011 and 2012 have been tried. Seven of them were convicted in 2012.
- The judicial authorities have been provided with the resources they need to effectively combat impunity.
- The necessary steps have also been taken to ensure that members of the armed forces of Côte d'Ivoire, representatives of administrative, political and traditional authorities and civilians who are alleged to have solicited the services of *dozos* are held criminally and civilly liable and punished.

Clarification of the status of dozos

273. It is true that, despite the interministerial circular of 5 June 2012, residual or isolated cases have been observed. They have certainly not been seen on a systematic basis. Indeed, *dozos* may have committed human rights violations when they took charge of ensuring the security of persons and property following the failure of the State security apparatus to do so after the post-election crisis.

274. However, the normalization of the sociopolitical situation, the Government's determination to combat racketeering through the establishment of the Anti-Racketeering Unit and the creation of a *dozo* association, whose members are known by the Ministry of the Interior and Security, have led *dozos* to leave public spaces and return to their regions of origin, where they now carry out their traditional activities.

275. While some *dozos* may be present elsewhere, they are not conducting sovereign security missions, especially as most of them have now resumed legal activities. The ban laid down by the interministerial circular has thus been effective.

Replies to the questions raised in paragraph 29 of the list of issues

276. Côte d'Ivoire has set up a body to prosecute persons who are suspected of being involved in the commission of these offences in order to ensure that the offences are punished.

277. A Special Investigation Unit was established by Order No. 020/MEMJ/DSJRH/MEF of 24 June 2011 and tasked with conducting judicial investigations into acts committed during the post-election crisis.

278. In December 2013, this Unit was replaced by the Special Investigation and Inquiry Unit established by Decree No. 2013-915 of 30 December 2013 on the establishment, powers, composition and functioning of the Special Investigation and Inquiry Unit. This special unit has prosecuted scores of civilian and military officials for serious violations of human rights and international humanitarian law that constitute international crimes and were committed during the 2010–2011 crisis.

279. In order to try the crimes prosecuted and investigated by the Special Investigation and Inquiry Unit, judges from various courts of appeal of Côte d'Ivoire received training, organized by UNOCI in Yamoussoukro, on the constituent elements of international crimes.

280. Côte d'Ivoire ratified the Rome Statute on 15 February 2013. The definitions of the various crimes provided for in the Rome Statute have been incorporated into Ivorian criminal law since 2015.

Measures taken to investigate the mass graves in Yopougon and Nahibly

The mass grave in Yopougon

281. The case of the Yopougon mass grave, which emerged during the violence that followed the presidential election of 22 October 2000, gave rise to judicial proceedings, culminating in a trial. The trial of the eight gendarmes accused of murder and assassination ended on 4 August 2001 with the acquittal of the seven non-commissioned officers and their commander owing to a lack of evidence.

The mass grave in Nahibly

282. The Special Investigation and Inquiry Unit has prosecuted scores of civilian and military officials for serious violations of human rights and international humanitarian law that constitute international crimes and were committed during the 2010–2011 crisis.

Replies to the questions raised in paragraph 30 of the list of issues

283. A joint mechanism, known as the mechanism for monitoring human rights violations committed by the armed forces of Côte d'Ivoire, has been in place since 24 August 2015, with the aim of improving the monitoring of cases involving human rights violations attributed to members of the armed forces of Côte d'Ivoire. This mechanism was previously made up of UNOCI, the General Staff of the armed forces and the National Human Rights Commission of Côte d'Ivoire. It remains in place despite the departure of UNOCI. Its objective is to train and raise awareness among law enforcement officers of provisions relating to torture and ill-treatment, taking into account the Guidelines and Measures for the Prohibition and Prevention of Torture, Cruel, Inhuman or Degrading Treatment or Punishment in Africa (Robben Island Guidelines).

284. Whenever such allegations are brought to its attention, the mechanism, which is represented in the country's four military regions, conducts investigations and, where appropriate, brings prosecutions, followed by convictions (dismissals, imprisonment, etc.).

Replies to the questions raised in paragraph 31 of the list of issues

285. Investigations and prosecution are carried out under the laws in force in Côte d'Ivoire. The competent prosecutors' offices investigate all those involved in human rights violations.

286. Accordingly, two former area commanders, Chérif Ousmane and Losséni Fofana, who were based in Bouaké (centre) and Man (west), respectively, were charged by investigating judges in July 2015. Investigations into other cases remain ongoing.

287. Also with regard to the members of the Forces républicaines de Côte d'Ivoire, Pre-Trial Chamber III of the International Criminal Court authorized the Office of the Prosecutor of the Court to open investigations into the situation in Côte d'Ivoire, with respect to crimes within the Court's jurisdiction that had allegedly been committed since 28 November 2010 and crimes that could be committed in the future in the context of this situation.

288. On 22 February 2012, Pre-Trial Chamber III decided to extend that authorization to cover crimes within the Court's jurisdiction that had allegedly been committed between 19 September 2002 and 28 November 2010, looking at acts committed by the pro-Gbagbo and the pro-Ouattara forces.

Replies to the questions raised in paragraph 32 of the list of issues

289. The Abidjan Military Tribunal has not heard any cases involving acts allegedly committed by members of the Forces républicaines de Côte d'Ivoire during the eviction of inhabitants of the Niégré protected forest (Sassandra), which was initiated by the Forest Development Corporation in June 2013. Allegations of rape, ill-treatment, the death of three persons, acts of extortion and the destruction of property were made.

290. As a result, no investigations into these incidents, which are said to have been committed by the Forces républicaines de Côte d'Ivoire, have been conducted to date.

Allegations of acts of extortion and physical violence against inhabitants of protected forests

291. The Government of Côte d'Ivoire was not aware of the allegations received by the Committee concerning acts of extortion and physical violence carried out by State agents against inhabitants of protected forests.

292. However, the Government is paying special attention to the issue of displacement from protected forests, including the Mont Péko forest. In the specific case of the Mont Péko protected forest, assistance for the persons concerned is managed within the framework of

the cooperation treaty between Côte d'Ivoire and Burkina Faso, which are the countries from which most of the inhabitants of the protected forest originate.

Replies to the questions raised in paragraph 33 of the list of issues

293. The Special Investigation and Inquiry Unit was established by Decree No. 2013-915 of 30 December 2013 to replace the Special Investigation Unit. It is responsible for conducting investigations and judicial proceedings pertaining to crimes committed during the post-election crisis. It is led by the Abidjan Public Prosecutor and staffed by three seconded investigating judges, criminal investigation officers and an administrative secretariat.

294. Article 16 of the Decree establishes that the operating expenses of the Special Investigation and Inquiry Unit are to be covered by the State budget. Article 17 provides that an administrator appointed by order of the Minister of Economic Affairs and Finance is to be responsible for the management and accounting of the Unit's funds.

295. On 20 July 2016, the Council of Ministers adopted Decree No. 2016-543 on the establishment, powers, composition and functioning of the Special Investigation, Inquiry and Counter-Terrorism Unit. This Decree was adopted in response to the need to adapt the security and judicial system to the complex new threat posed by terrorism.

The allegations that the Unit is not independent

296. A distinction needs to be made between the public prosecutor and the investigating judges who make up the Unit.

297. In the Ivorian judicial system, as in the French system, the public prosecutor is not independent because he or she reports to the Minister of Justice.

298. Investigating judges, on the other hand, carry out their duties completely independently, in accordance with the Ivorian Constitution and the regulations governing judges, which establish that judges are independent.

Replies to the questions raised in paragraph 34 of the list of issues

299. The Government does not intend to set up an independent and impartial body to investigate allegations of acts of torture and ill-treatment by members of the security forces and prison personnel.

300. These acts fall under the ordinary jurisdiction of the existing criminal courts, which are able to deal effectively with allegations and acts of this nature.

Measures taken to establish an effective complaints mechanism for persons deprived of their liberty

301. The Government set up the mechanism for monitoring human rights violations committed by the armed forces of Côte d'Ivoire in 2015. Its objectives are to train military personnel in order to raise awareness of and ensure respect for human rights within the armed forces and to identify violations with a view to finding lasting solutions. The relevant provisions of the Convention against Torture are at the heart of these efforts.

302. At the administrative level, Act No. 2018-861 of 19 November 2018 ratifying Order No. 2018-515 of 30 May 2018 on the administrative sanctions applicable to military personnel is the most recent measure adopted. It provides for the prompt and effective punishment of military personnel who are alleged to have acted in violation of the Convention.

303. At the judicial level, the Abidjan Military Tribunal is responsible for prosecuting military personnel who are reported to have committed acts of torture. It is now possible to bring specific prosecutions on the basis of the relevant provisions of the Criminal Code, which define torture in terms similar to those used in the Convention (Criminal Code, art. 399, Act No. 2019-574 of 26 June 2019, *Journal officiel*, special issue No. 9 of 10 July 2019). This procedure also applies to members of the gendarmerie.

Article 14

Replies to the questions raised in paragraph 35 of the list of issues

304. The disaggregated statistical data requested are not available.

305. However, the provision of reparations for the harm suffered during the post-election crisis has been a key focus in efforts to promote national reconciliation and strengthen social cohesion. The Government's determination to ensure that the provision of reparations is an essential part of efforts to strengthen the country's social fabric has led it to take a number of actions, including the initiation of a reparation process that has benefited a large number of victims, without discrimination. Details of this reparation process are provided in the annex.

Ongoing reparation programmes

306. The Government has a Ministry for Solidarity and the Fight against Poverty, whose missions include the following:

- Identifying and assessing the harm suffered by victims of crises, emergencies and natural disasters
- Proposing and implementing measures of reparation for harm caused by crises, emergencies and natural disasters
- Proposing measures and procedures for providing reparations
- Providing reparations and compensation for the harm suffered by victims of crises in Côte d'Ivoire
- Mobilizing financial and other resources in order to care for and provide reparations to victims of crises, emergencies and natural disasters

Replies to the questions raised in paragraph 36 of the list of issues

307. The measures taken include:

- The establishment of a fund to provide compensation to the beneficiaries of victims of crises and medical and psychological care for injured persons
- The establishment of the National Solidarity Fund to reduce inequalities in access to basic social infrastructure and finance recovery efforts
- The establishment of inclusive mechanisms bringing together technical development partners, civil society organizations and victims' associations
- The social and occupational reintegration of refugees and/or exiles into the civil service
- The development of a training manual on the culture of peace, social cohesion and the prevention and peaceful management of conflicts, which will be used to train administrative authorities, traditional chiefs, young people and women

308. The Ministry for Solidarity and the Fight against Poverty is also responsible for implementing the support policy for war orphans and children in care, as defined by Act No. 2014-137 of 24 March 2014 on the status of war orphans and Act No. 2015-539 of 20 July 2015 on the status of children in care.

The scope of the mandate of the National Commission for Reconciliation and Compensation of Victims and the National Programme for Social Cohesion

309. The National Commission for Reconciliation and Compensation of Victims was established pursuant to an order of 24 March 2015. It has been tasked with completing the work of the Dialogue, Truth and Reconciliation Commission by seeking out and identifying victims and beneficiaries of victims of the crises in Côte d'Ivoire who have not yet been registered and, secondly, by making relevant proposals for the reparation of the harm caused by the crimes committed against persons and property during those crises.

310. The National Commission's work comprises two stages:

- Drawing up the list of victims:
 - During this stage, unregistered victims submit a claim for compensation or restitution, together with supporting documents, to the National Commission. Once the list of victims of the crises in Côte d'Ivoire has been drawn up, a report containing the list and proposals for reparations are sent to the President of the Republic for validation.
- Compensation of victims and restitution of property:
 - The National Commission works closely with the National Programme for Social Cohesion as part of its efforts to fulfil its mission of compensating victims. The National Programme is responsible for providing reparations for the harm suffered by means of the victims' compensation fund set up to that end. It does so on the basis of the consolidated list of victims as validated by the President of the Republic. Compensation has been paid to the beneficiaries of deceased victims following a move by the Government to make CFAF 10 billion available for this purpose.

311. In addition, the Government has set up 22 regional commissions of the Solidarity and Social Cohesion Observatory, which was created by Decree No. 2008-62 of 28 February 2008. The Observatory carries out monitoring activities, issues alerts and provides decision-making support. It operates under the supervision of the Ministry for Solidarity and the Fight against Poverty and provides the Government and other stakeholders with strategic information in order to assist them in their decision-making. It contributes to conflict prevention, assesses solidarity and social cohesion, coordinates the activities of community early warning mechanisms and monitors national solidarity and social cohesion indicators at regional level.

312. Côte d'Ivoire has also taken the following steps:

- The establishment of the National Chamber of Traditional Kings and Chiefs
- The organization of intercommunity and social and security dialogues in villages with a history of conflict or potentially at risk
- The construction of multi-ethnic mediation and arbitration centres
- The provision of compensation to 4,800 victims and/or their beneficiaries, including sick persons
- The organization of intercommunity dialogue days to strengthen social cohesion (5 in 2015, 8 in 2016, 11 in 2017 and 5 in 2018)
- The adoption, on 7 June 2017, of a national reconciliation and social cohesion strategy for 2016–2020
- The issuance of Order No. 2018-669 of 6 August 2018 granting amnesty to more than 800 prisoners, with a view to promoting and consolidating social cohesion and national reconciliation
- The establishment of a political dialogue with opposition parties and civil society organizations

The publication of the final report of the Dialogue, Truth and Reconciliation Commission

313. The final report of the Dialogue, Truth and Reconciliation Commission was submitted to the President of the Republic on 10 November 2014. It was published on 26 October 2016 and is available on the Government's official website. The report was widely distributed to all diplomatic missions and national institutions.

Replies to the questions raised in paragraph 37 of the list of issues

314. Côte d'Ivoire has established the National Programme on Community Reintegration and Rehabilitation, the Disarmament, Demobilization and Reintegration Authority and the

Coordination, Monitoring and Reintegration Unit, which was created in 2016 by the National Security Council.

315. The disarmament, demobilization and reintegration process has now been completed. The outcomes are as follows:

- 39,279 weapons collected
- 3,277,087 munitions collected
- 1,954 persons undergoing social rehabilitation
- 2,723 persons receiving vocational guidance
- 57,514 persons reintegrated

316. A total of 63,639 have benefited from this process. An estimated 5,867 demobilized persons are awaiting social rehabilitation support. This means that the process has reached 92 per cent of the 69,506 persons targeted.

Article 15

Replies to the questions raised in paragraph 38 of the list of issues

317. Article 90 of the Code of Criminal Procedure sets out the basic principle that any person against whom there is serious and consistent evidence of participation in the commission of an offence, or who has been the victim of an offence, or who is called upon to assist in establishing the truth, may arrange to be assisted by counsel during the investigations.

318. Judges or officials responsible for initiating proceedings must notify him or her of this right. Article 76-4 indicates that the assistance provided by counsel involves noting any irregularity that the counsel deems likely to prejudice his or her client's rights and ensuring that it is placed on record. The proceedings may be declared null and void if the irregularity found has undermined or fundamentally altered the search for the truth. Accordingly, evidence obtained through torture is inadmissible under Ivorian law.

Examples of cases that have been dismissed by the courts owing to the introduction of evidence or testimony obtained through torture

319. In 2009, the Abidjan Court of Appeal heard a case in which the defendant contested the statements attributed to him in the investigation report. During his trial, he had already retracted his initial statements, declaring that they had been obtained through violence inflicted upon him by police officers. The Court of Appeal accepted these claims and thus decided to dismiss the proceedings against him altogether.

Article 16

Replies to the questions raised in paragraph 39 of the list of issues

320. Acts of torture are defined in article 399 of the Criminal Code.

321. Inhuman treatment and degrading treatment are defined in articles 400 and 401 of the Criminal Code, respectively.

Replies to the questions raised in paragraph 40 of the list of issues

322. Act No. 2014-388 of 20 June 2014 on the promotion and protection of human rights defenders sets out the rights (arts. 3–9) and duties (arts. 10–13) of human rights defenders, in addition to the obligations of the State as the guarantor of respect for human rights and fundamental freedoms (arts. 14–18).

323. The Act specifies the persons, institutions and bodies constituting human rights defenders (art. 1). It also sets out specific protection measures for human rights defenders who “express opinions and publish reports as part of their activities”, by establishing the

requirement for the Minister for Human Rights to be informed prior to their investigation, prosecution, arrest, detention or trial for a crime or ordinary offence, except in cases of flagrante delicto (art. 5). Women human rights defenders also enjoy specific protection under the Act (art. 9).

324. The following measures have been taken in application of the Act on the promotion and protection of human rights defenders:

- Decree No. 2017-121 of 22 February 2017 on the procedures for implementation of Act No. 2014-388 of 20 June 2014 on the promotion and protection of human rights defenders
- Decree No. 2021-617 of 20 October 2021 amending Decree No. 2017-121 of 22 February 2017
- Interministerial Order No. 972/MJDH/MEMD/MIS of 10 November 2021 establishing the mechanism for the protection of human rights defenders
- Order No. 089/MJDH/DDH of 16 March 2022 appointing the members of the Committee for the Protection of Human Rights Defenders

325. The above-mentioned Committee has been fully operational since 24 March 2022, which was the date on which it was officially established.

Replies to the questions raised in paragraph 41 of the list of issues

326. The right to physical integrity is protected by article 5 of the Ivorian Constitution, which states that “slavery, trafficking in persons, forced labour, psychological or physical torture, inhuman, cruel, degrading and humiliating treatment, female genital mutilation and any other form of debasement of human beings are prohibited”.

327. This provision applies to all persons in Ivorian territory, without any discrimination or intimidation based on sexual orientation.

328. More specifically, article 226 of the Criminal Code makes as an offence “any distinction, exclusion, restriction or preference based on national or ethnic origin, race, colour, descent, sex, family status, pregnancy, physical appearance, vulnerability resulting from apparent or known economic status, surname, place of residence, state of health, disability, customs, age, political, religious or philosophical opinions or union activities, 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 and cultural or any other field of public life”.

329. Given that violations of a person’s physical or mental integrity are also criminalized under Ivorian law, “crimes and acts of violence and intimidation based on sexual orientation” or otherwise are and will be “promptly and properly investigated and prosecuted”.

Replies to the questions raised in paragraph 42 of the list of issues

330. Abuse of persons with albinism, or any other person, is never taken lightly in Côte d’Ivoire. The following examples are quite instructive in this respect:

- In Pinhou, in Bangolo, a child was killed and his body was found in a tree trunk. The perpetrators of this act were arrested, tried and convicted.
- In 2013, in Toumodi, a 14-year-old child escaped an attempted kidnapping. The guilty party, a woman involved in politics, was arrested, tried and sentenced to 5 years’ imprisonment.
- In 2016, a case of ritualized sexual violence was recorded. A 5-year-old child with albinism was raped by an adult man in N’zeczessou in the sub-prefecture of Bocanda. The guilty party was arrested, tried and sentenced to 15 years’ imprisonment by Bouaké Court.

331. These cases, among others, demonstrate the Government’s determination to punish the perpetrators of criminal acts against persons with albinism. Taking into account the

particular characteristics of persons with albinism, the Government has taken a number of measures to ensure their full development. These include the following:

- The National Social Protection Strategy 2017–2020
- The Policy for the Protection of the Rights of Persons with Albinism
- The Recruitment Support Programme for Persons with Disabilities (vulnerable persons)
- Employment promotion for persons with disabilities
- The Labour Code, articles 12.1, 12.2 and 12.3 of which provide a framework for the employment of persons with disabilities (Act No. 2015-532 of 20 July 2015 on the Labour Code)
- The recruitment of 11 persons with albinism to the civil service in 2016 on the basis of special regulations
- The organization of awareness-raising campaigns on the rights of persons with albinism
- The establishment of the 142 helpline for reporting all abuses and violations of the rights of persons with disabilities
- A database on persons with albinism at the Directorate for the Advancement of Persons with Disabilities of the Ministry of Employment and Social Protection
- Media campaigns to raise awareness of the rights of persons with albinism
- The organization of a national beauty contest entitled “Miss Albinos”
- The production of programmes by the national television broadcaster (Radiodiffusion télévision ivoirienne (RTI)) featuring persons with albinism playing positive social roles

Replies to the questions raised in paragraph 43 of the list of issues

332. The measures taken to eradicate the worst forms of child labour have resulted in the reorganization of the institutional framework and the amendment and strengthening of legal provisions to combat child trafficking, exploitation and labour.

333. Two national committees have been specially set up to combat the problem in the agricultural sector and in all other sectors of the economy. These are the National Committee for the Oversight of Actions to Combat Child Trafficking, Exploitation and Labour, chaired by the First Lady of Côte d’Ivoire, Ms. Dominique Ouattara, and the Interministerial Committee to Combat Child Trafficking, Exploitation and Labour, chaired by the Minister of Employment and Social Protection, with the Minister of Women, the Family and Children serving as Vice-Chair.

334. These two committees have worked in synergy with each other to implement the National Action Plan adopted on 28 March 2012. The various measures taken are listed below:

Strengthening the legal and regulatory framework

335. In order to create a more protective legal environment for children, the Government of Côte d’Ivoire has adopted:

- Act No. 2010-272 of 30 September 2010 prohibiting trafficking in children and the worst forms of child labour in Côte d’Ivoire
- Act No. 2015-635 of 17 September 2015, amending Education Act No. 95-696 of 7 September 1995, which establishes that education is compulsory for all children aged between 6 and 16 years in Côte d’Ivoire
- Decree No. 2011-203 of 3 August 2011 on the ratification and publication of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, adopted in New York on 25 May 2000

- Decree No. 2011-220 of 7 September 2011 on the ratification and publication of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, adopted in New York on 25 May 2000
- Decree No. 2011-365 of 3 November 2011, establishing the Interministerial Committee to Combat Child Trafficking, Exploitation and Labour
- Decree No. 2011-366 of 3 November 2011, establishing the National Committee for the Oversight of Actions to Combat Child Trafficking, Exploitation and Labour
- Order No. 009 MEMEASS/CAB of 19 January 2012, amending Order No. 2250 of 14 March 2005, amending the list of hazardous work prohibited for children under 18 years
- Decree No. 2013-857 of 19 December 2013, officially establishing a children's parliament in Côte d'Ivoire to promote children's participation in the search for solutions for all forms of violations of their rights
- Decree No. 2014-290 of 21 May 2014 concerning procedures for the implementation of Act No. 2010-272 of 30 September 2010 on the prohibition of child trafficking and the worst forms of child labour
- Order No. 0112 ENET/CAB of 24 December 2014 on the establishment, organization and functioning of the Working Group on the protection of children in the school environment
- Order No. 2017-016 MEPS/CAB of 2 June 2017 establishing a list of light work permitted for children between the ages of 13 and 16 years
- Order No. 2017-017 MEPS/CAB of 2 June 2017 establishing the list of hazardous work prohibited for children

Raising public awareness

336. The aim of the awareness-raising campaigns was to raise national awareness in order to encourage people to participate in the national effort to combat the worst forms of child labour. In this connection, the National Committee for the Oversight of Actions to Combat Child Trafficking, Exploitation and Labour, in collaboration with the Interministerial Committee to Combat Child Trafficking, Exploitation and Labour, has conducted national awareness-raising campaigns using posters and the media, as well as local campaigns in cocoa-growing areas.

Launch of a website dedicated to combating child labour in Côte d'Ivoire

337. In order to share information on the measures taken by all those involved in combating the worst forms of child labour in Côte d'Ivoire, the National Safety Council has set up the website www.travaildesenfants.org. This website is a tool for communication, information-sharing and awareness-raising at the national and international levels.

Capacity-building for child protection professionals in combating the worst forms of child labour

338. Over 2,890 actors have been trained, including:
- Prefects, to ensure that local remediation measures are implemented everywhere in the country
 - Judges and justice officials, to ensure the effective implementation of the law on the prohibition of trafficking and the worst forms of child labour
 - Labour inspectors, to ensure more effective inspections relating to child labour
 - Social workers, to ensure that child victims of trafficking and the worst forms of child labour receive appropriate care
 - Media and communications professionals, to raise public awareness on an ongoing basis

- Mayors and regional councillors, to ensure that greater account is taken of the worst forms of child labour in local development policies

Strengthening bilateral cooperation in combating cross-border child trafficking

339. As trafficking in children transcends borders, States need to put in place ongoing cooperation and consultation strategies to prevent and eradicate the problem. Since 2012, Côte d'Ivoire has held a number of bilateral meetings in order to strengthen its cooperation with bordering States. These include:

- The fourth follow-up meeting on the cooperation agreement between Côte d'Ivoire and Mali on combating cross-border trafficking in children (signed on 1 September 2000 in Bouaké), held from 29 to 31 October 2011 in Abidjan, under the auspices of the first ladies of the two countries, Ms. Toure Lobbo Traore and Ms. Dominique Ouattara
- The signing, on 24 October 2012, of the Joint Ouagadougou Declaration by the first ladies of Côte d'Ivoire and Burkina Faso, Ms. Dominique Ouattara and Ms. Chantal Compaore, under which the two dignitaries signalled their shared commitment to strengthening cooperation between their two countries in the fight against cross-border trafficking in children
- The signing, in Abidjan on 17 October 2013, of a cooperation agreement between Côte d'Ivoire and Burkina Faso, establishing a formal and permanent framework for consultation and cooperation between the two countries in the fight against cross-border trafficking in children
- The cooperation agreement between Côte d'Ivoire and Ghana on combating cross-border trafficking and the worst forms of child labour, signed on 3 November 2016, in Accra

Protection of children

340. The following measures have been taken:

- In order to reduce children's vulnerability to exploitation and the worst forms of child labour, their access to education has been strengthened by building local school infrastructure and improving working conditions for pupils and teachers. Between 2011 and 2015, 17,829 primary school classrooms and 155 middle schools were built, including 6,668 classrooms in the cocoa-growing area. This led to a significant increase in the school attendance rate – from 59 per cent in 2008/09 to 71 per cent in 2013/14 – for children aged between 5 and 17 years in cocoa-producing households.
- Institutional mechanisms for caring for children who are victims or at risk were strengthened.
- The National Child Protection Policy Document, which was officially presented at the launch of Children's Week on 10 June 2014 in Abidjan, was adopted. The implementation of the policy has led to the establishment of pilot coordination mechanisms in six regions and 10 local child protection platforms. A total of 4,042 trafficked children were removed and cared for by social services between 2012 and 2014.
- Children's Week is organized to jointly commemorate the World Day against Child Labour, held on 12 June each year, and the Day of the African Child, held on 16 June each year.
- A free telephone helpline for children in distress (116) was launched on 20 November 2013 in the Directorate for the Protection of the Child of the Ministry of Solidarity, the Family, Women and Children, making it possible for cases of child abuse to be reported and for appropriate emergency responses to be provided to victims.
- The socioeconomic conditions of vulnerable groups have been improved.

341. As part of the national recovery strategy, particular emphasis is placed on improving the living conditions of vulnerable communities and strengthening their economic capacities

(improving cocoa productivity, supporting women's empowerment by financing income-generating activities and building or rehabilitating basic social infrastructure).

Suppressing the problem

342. The following measures have been taken:

- The operational capacities of the National Police and the National Gendarmerie have been strengthened by establishing focal points in police stations and gendarmerie brigades who are trained in child protection in general and combating child labour in particular.
- Equipment has been provided to the subdirectorates of the police division responsible for combating child trafficking and juvenile delinquency.
- Training has been provided to the National Police and the National Gendarmerie.
- Police operations to combat trafficking and the worst forms of child labour have been conducted, resulting in 29 people being brought before the Ivorian courts between 2012 and 2014. Of these, 23 were tried, with 18 receiving a custodial sentence and 5 a suspended sentence. In 2015, 22 people were arrested and brought before the courts in Tabou and Sassandra.
- Legal action has been taken against child traffickers. For example, in July 2013, nine traffickers who were nationals of Burkina Faso were sentenced by the Bouaké Court of First Instance to 12 months' imprisonment, fines of CFAF 500,000 (US\$ 1,000) and five-year residency bans.

Other issues

Replies to the questions raised in paragraph 44 of the list of issues

343. The Government of Côte d'Ivoire adopted Act No. 2015-493 of 7 July 2015 on the suppression of terrorism. This law has been supplemented by another law: Act No. 2016-992 of 14 November 2016 on combating money-laundering and the financing of terrorism.

344. On an organizational level, Côte d'Ivoire has extended the remit of the Special Investigation and Inquiry Unit to include judicial investigations relating to acts of terrorism following a decree issued on 10 February 2016. This unit is now known as the Special Investigation, Inquiry and Counter-Terrorism Unit.

345. In terms of planning, in order to guard against the rise of extremists and prevent the emergence of intolerant forms of religion, the Government has included action plan No. 6.04.1.4.2, entitled "Improving people's knowledge of the contribution of religion to strengthening social cohesion", in its recent National Development Plan.

346. This measure is accompanied by two activities carried out by the Ministry of the Interior and Security:

- Strengthening public knowledge of prevention techniques and the risks of religious radicalism
- Raising public awareness of the importance of secularism in peacebuilding

347. The Government also began building the International Counter-Terrorism Academy in Jacquville on 10 June 2021. The Academy occupies a surface area of 1,100 ha and provides strategic, operational and tactical training to all persons involved in the fight against terrorism.

348. On the ground, the Government is strengthening patrols in order to secure strategic points near the border with Burkina Faso. Law enforcement and security equipment has been reinforced with the acquisition of new aircraft for border surveillance. Given that extreme poverty often serves as a breeding ground for extremism, the Government has set up a special CFAF 2 billion fund to finance youth projects in the Bagoué, Tchologo and Bounkani regions.

349. As part of the efforts made to combat the risk of terrorism, the Government has decided, in addition to the security measures already in place to maintain peace and security, to implement a programme to promote the integration of young people in the northern border areas.

350. This special programme, the overall cost of which is CFAF 8,602,216,030, will ultimately provide training and integration opportunities to 19,812 young people. As a result, 1,800 young people will be recruited to participate in the labour-intensive public works programme. A further 3,350 will benefit from additional training leading to qualifications, apprenticeships and driving licences.

351. In order to protect and relieve the burden on people living in the Bounkani and Tchologo regions, which are epicentres of terrorism, the Government has decided that, in addition to taking security measures, it will provide these communities with basic social infrastructure (education, health care, electricity, drinking water, road maintenance services, a civil service, etc.).

Compatibility of the measures taken with the State's obligations under international law

352. The following measures have been taken by the Government of Côte d'Ivoire:

- Incitement to commit a terrorist act or acts is established as an offence in Act No. 2015-493 of 7 July 2015 on the suppression of terrorism (art. 6).
- In addition to establishing incitement as an offence, which helps to prevent it, the Government has taken security measures to maintain peace and security and promote the integration of young people in areas where people are most exposed to such incitement. People living in these areas also benefit from basic social infrastructure.
- To date, Côte d'Ivoire has never granted asylum to a person in respect of whom there are serious grounds for believing that he or she has engaged in such incitement.
- Articles 19 and 20 of the Act on the suppression of terrorism relate to cooperation and call for the broadest possible mutual assistance to be granted to States parties to treaties on fighting terrorism and organized crime and to any other counter-terrorism treaty to which Côte d'Ivoire is a party.
- In its efforts to combat terrorism, Côte d'Ivoire also cooperates with the countries with which it shares a border.
- The Government of Côte d'Ivoire has taken steps to modernize its civil registry, improve identity checks, especially at the Félix Houphouët-Boigny International Airport in Abidjan, and step up controls and procedures to facilitate the detection of terrorists, prevent them from entering the country and guarantee the safety of passengers.
- The Government of Côte d'Ivoire is working to improve people's knowledge of the role that religion plays in strengthening social cohesion by enhancing their knowledge of preventive techniques and the risks of religious radicalism and raising awareness of the importance of secularism in peacebuilding.
- The measures taken by the Government of Côte d'Ivoire are all in line with its international obligations, as shown by the procedures for conducting prosecutions, investigations and trials set out in articles 11 to 18 of the Act on the suppression of terrorism.

Training given to law enforcement officers and the number and types of convictions handed down under counter-terrorism legislation and the remedies available to persons subjected to antiterrorist measures

353. A number of in-service training courses have been organized for criminal investigation officers. These courses addressed the prohibition of torture and cruel, inhuman or degrading treatment. Initially, it was a matter of reviewing prosecutions and conditions of police custody. The participants were also advised to make use of digital evidence, including from cameras, mobiles and the like, and to refrain from any use of violence.

354. When investigating terrorist cases, criminal investigation officers engage with suspects in a manner that will gain their trust so that they will answer their questions calmly. For example, they may play music from the suspects' homeland, talk to them about their origins, and so on.

355. To date, only one conviction has been secured by Abidjan Criminal Court under counter-terrorism legislation. This related to the terrorist attack in Grand-Bassam on 13 March 2016.

356. There are forms of appeals available under ordinary law which give sentenced persons the possibility of appealing.

Complaints of non-observance of international standards

357. No complaints of non-observance of international standards have been brought to the attention of the competent authorities.

Replies to the questions raised in paragraph 45 of the list of issues

358. The Government of Côte d'Ivoire is taking time to consider this point.

Replies to the questions raised in paragraph 46 of the list of issues

359. Côte d'Ivoire ratified the Optional Protocol to the Convention on 1 March 2023.

General information regarding other measures and developments relating to the implementation of the Convention in the State party

Replies to the questions raised in paragraph 47 of the list of issues

360. The relevant legislative, administrative and judicial measures taken by the State to implement the Convention have been sufficiently described above.
