



# International Convention on the Elimination of All Forms of Racial Discrimination

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## Committee on the Elimination of Racial Discrimination

### List of issues prior to the submission of the fifteenth to seventeenth periodic reports of Côte d'Ivoire\*

1. The State party is invited to submit in writing, in no more than 21,200 words and no later than 13 December 2025, the information requested below. The replies to the present list of issues will constitute the fifteenth to seventeenth periodic reports of the State party, submitted under article 9 of the Convention.

#### General information

2. Please provide information on any significant developments concerning the legal and institutional framework for the promotion and protection of human rights in general and more specifically for the prevention and repression of racial discrimination that have taken place since the adoption of the Committee's previous concluding observations.<sup>1</sup> Please provide information on measures taken to ensure the effective implementation of the recommendations in the Committee's previous concluding observations. Please provide data on the measures taken by the State party to implement the decisions taken by the Committee under its early warning and urgent action procedure, namely decisions 1 (62) of 21 March 2003<sup>2</sup> and 1 (78) of 4 March 2011,<sup>3</sup> on the situation of displaced persons in Côte d'Ivoire. Please provide information on the follow-up to requests from the special procedures and their recommendations in the field of racial discrimination. Please also specify whether the interministerial committee to monitor the implementation of international human rights instruments includes a mechanism for monitoring the implementation of Views on urgent action procedures.

#### The Convention in domestic law and the institutional and policy framework for its implementation (arts. 1, 2, 4, 6 and 7)

3. The second paragraph of article 6 of the former Constitution of 1960 expressly stated that "any particularist propaganda of a racial or ethnic nature, or any manifestation of racial discrimination, shall be punishable by law". This provision was not included in the new Constitution, article 10 of which states that "any propaganda whose aim or effect is to make one social group prevail over another, or to encourage racial or religious hatred, is prohibited". This new wording now extends to religious hatred and prohibits discrimination, without making it punishable.

4. Please indicate what steps have been taken to establish a comprehensive normative framework to combat discrimination, encompassing the grounds of race, colour, descent and national or ethnic origin and including both direct and indirect forms of discrimination, in accordance with the definition of racial discrimination given in article 1 (1) of the Convention.

\* Adopted by the Committee at its 114th session (25 November-13 December 2024).

<sup>1</sup> CERD/C/62/CO/1.

<sup>2</sup> CERD/C/62/Dec/1.

<sup>3</sup> Available on the Committee's web page, at <https://www.ohchr.org/en/treaty-bodies/cerd/decisions-statements-and-letters>.



5. Please provide information on the place of the Convention in the hierarchy of legal norms in Côte d'Ivoire, as well as on the possibility for individuals to invoke its provisions before national courts and for the courts and other dispute settlement bodies to apply it directly, and on the number of complaints filed and prosecutions carried out for acts of racial discrimination.

6. Please provide information relating to the extent to which domestic law provides for differential treatment based on citizenship or immigration, taking into consideration article 1 (2) and (3) of the Convention, as well as general recommendation No. 30 (2004) on discrimination against non-citizens.

7. Please provide statistics on the demographic composition of the population based on self-identification, disaggregated by ethnic origin and languages spoken, and on non-citizens, migrants, refugees, asylum-seekers, internally displaced persons and stateless persons. Please provide economic and social indicators, disaggregated by ethnicity, sex, gender, disability and age, in particular concerning minority groups and Indigenous Peoples living in the territory of the State party, in the light of the fifth general population and housing census, conducted in 2021, the results of which were published in October 2022.<sup>4</sup>

8. Please provide information on groups and individuals benefiting from special and concrete measures taken in the social, economic, cultural and other fields in accordance with article 2 (2) of the Convention, and on the results achieved.

9. Please describe the legal framework and general policies aimed at eliminating racial discrimination and implementing the provisions of article 2 of the Convention. Provide specific and detailed information on the legislative, judicial, administrative or other measures taken to give effect to the State party's undertakings under this article, in particular the adoption of legislative or regulatory texts establishing the respective areas of competence of the National Human Rights Council and the Office of the Ombudsman, the procedure for bringing cases before them and the force of their decisions, including appropriate measures to inform the public of the remedies available to victims of acts of discrimination or xenophobia.

10. Please provide information on the National Human Rights Council's compliance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles), in particular with regard to its independence and financial autonomy, and on its mandate to monitor and evaluate progress in the implementation of the Convention in an independent and transparent manner. Please detail the measures taken to allocate sufficient human, financial and technical resources to enable it to fully and effectively carry out its mandate.

11. Please describe how the Office of the Ombudsman, as part of its mission to preserve social cohesion, assesses the application of the Convention. Please also provide clarification on how Ordinance No. 2020-306 of 4 March 2020 amending articles 5, 15, 16 and 17 of Act No. 2019-708 of 5 August 2019 recomposing the Independent Electoral Commission complies with the provisions of the Convention, particularly from the point of view of the Commission's composition.

12. In the light of the adoption of Act No. 2019-574 of 26 June 2019 on the Criminal Code and Act No. 2021-893 of 21 December 2021, which amends inter alia articles 226, 227 and 228 of the Code, please provide clarifications and details on the laws, regulations, policies and programmes implementing the provisions of article 4 of the Convention, so as to:

- (a) Eliminate all incitement to or acts of racial discrimination;
- (b) Publicly condemn all racist propaganda;
- (c) Prohibit and outlaw any organization based on a racist ideology;
- (d) Criminalize the dissemination of racial hate speech, acts of racially motivated violence and incitement to commit such acts;

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<sup>4</sup> Côte d'Ivoire, Ministry of Planning and Development, "Recensement général de la population et de l'habitat 2021: Résultats globaux définitifs - synthèse".

(e) Criminalize participation in prohibited organizations or activities, as well as the provision of funds or any other assistance for racially-motivated activities.

13. Provide information and statistical data on complaints registered before the courts or any other national institution for acts of racial discrimination, hate speech and hate crimes, including on the Internet and in the media, as well as on the number of investigations, prosecutions and convictions of perpetrators, including the Ivorian defence and security forces, and on reparations awarded to victims.

14. With reference to paragraph 4 of the Committee's general recommendation No. 31 (2005) on the prevention of racial discrimination in the administration and functioning of the criminal justice system, please indicate whether racial motivation is considered an aggravating circumstance under domestic criminal law.

15. Please provide information on measures taken to combat incitement to violence through hate speech, including in social media, giving details of the normative and institutional framework in place. In this respect, provide information on specific cases that have been followed up by the competent authorities, in particular the High Authority for Audiovisual Communication.

**Situation of groups of victims or groups particularly exposed to racial discrimination (art. 5)**

16. Please provide information on the measures taken to implement, on an equal footing, the rights and freedoms referred to in article 5 of the Convention (civil, political, economic, social and cultural rights), especially the measures adopted in favour of groups of victims or groups particularly vulnerable to racial discrimination, such as Indigenous Peoples, national minorities, descent-based communities and women.

17. In the light of the National Rural Land Tenure Security Programme, which the country adopted on 15 June 2023, the activities of the Rural Land Agency and Act No. 2019-573 of 26 June 2019 on inheritance, please provide information on the measures taken to pacify rural areas in respect of land issues and to prevent and combat all forms of racial discrimination.

18. In view of the various measures taken to ensure better access to land for all, which have enabled 460 women to obtain individual land titles, i.e. a ratio of around 10 per cent, as well as the observations of the Special Rapporteur on contemporary forms of slavery, including its causes and consequences, in his report drawn up following his visit to Côte d'Ivoire in November 2023, which mentioned that in practice, women remain largely disadvantaged in terms of access to land,<sup>5</sup> please provide an analysis of intersecting factors of vulnerability to land discrimination, such as gender, ethnicity and migrant status.

19. Please describe, with an analysis of their impact, the measures taken to combat acts of discrimination and violence suffered by people with albinism and the measures taken to promote their participation in society on an equal footing. Please provide information on measures taken to combat trafficking in girls with albinism for sexual exploitation.<sup>6</sup> Please also provide information on measures taken to combat superstitious practices and beliefs, including those related to the ritualization of people living with albinism, as well as remedial measures provided for in existing public policies.

20. Please indicate the measures to ensure the full enjoyment, on an equal footing, of economic, social and cultural rights by all ethnic and ethno-religious groups, in particular with regard to access to education, adequate housing, health and employment, as well as measures to ensure that members of all ethnic groups have access to quality education in official and minority languages at all levels of education.

<sup>5</sup> [A/HRC/57/46/Add.2](#), para. 58.

<sup>6</sup> *Ibid.*, para. 43.

**Situation of migrants, refugees, asylum-seekers, internally displaced persons and stateless persons (arts. 2 and 5)**

21. Please provide information on the normative and institutional frameworks relating to migrants, refugees, asylum-seekers, internally displaced persons and stateless persons, in particular the drafting of a refugee law in line with internationally recognized standards, including the principle of non-refoulement. Please indicate the measures taken to protect migrants, refugees, asylum-seekers, stateless persons and internally displaced persons and to ensure their access to basic social services, including healthcare, employment and education. Please also provide information on measures taken to facilitate dialogue between host communities and the migrants or refugees they welcome, as a means of preventing identity-based tensions. Please give specific examples of actions carried out within the identified communities, with disaggregated data.

22. Please indicate the measures taken to protect the rights of different social groups, including migrants and their descendants. Please indicate also the measures taken to strengthen social cohesion in border areas, as well as measures in favour of displaced persons fleeing violence in the central Sahel region, particularly with regard to the granting of refugee status and the extension of the social protection floor to asylum-seekers and the communities hosting them, in view of the growing number of asylum-seekers from Mali and Burkina Faso who arrived in northern Côte d'Ivoire between April 2021 and March 2024 and whose new monthly arrivals have been increasing since December 2023.<sup>7</sup>

23. Please detail actions taken to preserve the cultures and languages of the different ethnic groups, as well as measures taken to promote access to and participation in cultural heritage and creative expression, including for minorities, migrants and refugees. Please provide updated information on measures taken to prevent statelessness, including updated statistics on stateless persons and those at risk of statelessness, the rate of birth registration and the issuance of identity cards.

24. In view of the adoption of Act No. 2019-571 of 26 June 2019 on filiation, which simplifies the recognition of children born out of wedlock and repeals the discriminatory provisions against them in Act No. 64-377 of 7 October 1964 on paternity and filiation, please provide information on the measures taken by the State party to prevent statelessness, including measures to reach out to persons and groups of persons likely to be left behind, in particular children, migrants and refugees and their descendants. Please provide disaggregated data on the implementation of the National Action Plan for the Eradication of Statelessness in Côte d'Ivoire (2020–2024), as well as on the application of Act No. 2018-863 of 19 November 2018 instituting a special procedure for birth declaration, the restoration of identity and the transcription of birth certificates. Please also provide detailed information on controversy surrounding nationality (the concept of “ivoirité”) stemming from Act No. 72-852 of 21 December 1972 and its conformity with the provisions of the Convention, in particular article 1 (3).

**Monitoring of post-election crises and intercommunal and intracommunal conflicts (art. 2, 4, 5 and 6)**

25. Please provide information on judgments rendered in cases of indictment before the Assize Court for acts of tribalism, xenophobia and incitement to hatred in connection with the post-election violence of 2011 and 2020. Please describe any measures taken to combat impunity, in particular with regard to serious human rights violations committed in the context of the 2010–2011 crisis following the 2010 presidential election, including information on the investigation opened on 6 February 2012 into the most serious crimes committed during that crisis, in particular tribalism and xenophobia. Please include statistics, broken down by type of violation and position of perpetrator, on investigations carried out, prosecutions initiated, convictions handed down and the nature of penalties imposed, including against members of the police and security forces. Please indicate what measures have been taken to ensure that perpetrators of serious human rights violations cannot be granted amnesty, in accordance with international law. Please indicate what progress has

<sup>7</sup> <https://data.unhcr.org/fr/documents/download/111381>.

been made in implementing the recommendations contained in the final report of the Dialogue, Truth and Reconciliation Commission to ensure that all victims benefit from adequate reparation measures, including compensation, restitution and rehabilitation, *inter alia* for acts of racial discrimination.

26. Please provide information on how the Convention is taken into account in the work of the Special Inquiry, Investigation and Counter-Terrorism Unit, which is responsible *inter alia* for making inquiries and conducting judicial investigations into crimes and offences committed during the crisis following the 2010 presidential election, and on all related offences connected with these crimes and offences. Please indicate the measures taken to ensure that the scope of Ordinance No. 2018-669 of 6 August 2018 on amnesty does not impinge on the rights provided for in the Convention, in particular the right of victims of racial discrimination or ethnic and xenophobic violence to an effective remedy, including reparation. Please provide a complete list of all military personnel and members of armed groups excluded from the benefit of the amnesty provided under article 1 of this Ordinance, in light of the information published in June 2024 in the report on the visit to Côte d'Ivoire of the Working Group on the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination, which refers to the amnesty granted to more than 800 people accused or charged with crimes related to the 2010 crisis or subsequent attacks against the State, and which could include persons allegedly responsible for the most serious crimes, including the recruitment and financing of mercenaries.<sup>8</sup>

27. Please provide detailed information on the presidential pardon granted on 22 February 2024 to 51 civilians and military personnel in detention, accused and convicted of crimes committed during the post-election crises or for endangering State security. Please also provide information on the measures taken to manage the intercommunal and intracommunal conflicts that occurred in 2022 in the Mé, Kabadougou, Agneby-Tiassa, Grands-Ponts, Béré and Tchologo regions and which resulted in human rights violations according to the National Human Rights Council.

28. Please indicate the measures taken to disseminate the Convention to the National Chamber of Traditional Kings and Chiefs, which is responsible for preserving social cohesion within national communities. Please detail the measures that have been taken to ensure the effective participation and representation of all ethnic groups in public and political life, including to prevent electoral violence and the resurgence of conflicts in the elections scheduled for October 2025. Please specify the measures taken to ensure the representation of all ethnic groups in State institutions, as well as in the police force and the judicial system. Please provide information on the follow-up to the findings of the Independent Commission of Inquiry set up to investigate and establish the facts throughout the country in order to identify cases of serious violations of human rights and international humanitarian law that have arisen since 19 September 2002.<sup>9</sup>

#### **Human rights education to combat prejudice and intolerance (art. 7)**

29. Please provide information on the measures taken to implement article 7 of the Convention, in particular with regard to the dissemination of information aimed at promoting mutual understanding, tolerance, inter-ethnic and interreligious dialogue and cohesion between ethnic groups in the country.

30. Please provide information on action taken to promote human rights education in the State party, in particular with regard to the rights contained in the Convention, both in school curricula and in initial and continuing training programmes for law enforcement officials. Please also provide information on measures taken to raise awareness among the general public, civil servants and political leaders of the importance of ethnic, ethno-religious and cultural diversity and tolerance.

<sup>8</sup> [A/HRC/57/45/Add.1](#), para. 30.

<sup>9</sup> <https://www.ohchr.org/fr/press-releases/2009/10/default-title-212>. See also [A/HRC/17/48](#), paras. 119–127.

31. Please provide information on actions taken to raise awareness among media professionals of their particular responsibility to avoid the use of stigmatizing, racist, discriminatory or biased language.

32. Please provide information on the measures taken by the Government and the armed forces to honour the State party's commitments under the Convention with a view to restoring peace and security and maintaining a frank and constructive dialogue within the Ivorian population.

33. Please specify the measures taken to ensure the contribution of civil society organizations to the promotion of inter-ethnic understanding and their participation in the fight against discrimination by publicizing the Convention.

34. Please provide information on action plans and other measures taken to implement the Durban Declaration and Programme of Action at the national level.

35. Please provide information on the optional declaration provided for under article 14 of the Convention on acceptance of the amendment to article 8 (6) of the Convention, as adopted on 15 January 1992 at the fourteenth meeting of States parties to the Convention and endorsed by the General Assembly in its resolution 47/111.

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