Côte d'Ivoire overview for

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The situation in Côte d'Ivoire requires that extreme care be exercised in designing a digital national identification system. The decades-long politicization of citizenship has meant that there is absolutely no neutral ground from which to execute a technocratic intervention regarding identification. Indeed, prior land titling projects promoted by the World Bank contributed to the forcible dispossession of vulnerable populations who are among the same people who might be harmed in the context of a global initiative to provide everyone with modern identification. The ultimate finding of this analysis is that there can be NO identification regime in Côte d'Ivoire that operates outside of politics and the probable attempts to manipulate the identification regime for strategic political ends. Many residents of the country have actively avoided fixing their statuses. While such solidification could (should, from the technocratic perspective) provide greater security and access to services, poor and vulnerable Ivoirians have learned from repeated, bitter experience that it is just as likely to expose them to forms of bias and targeted persecution.

Manipulations of identity (and identification) in Côte d'Ivoire have historically been part of two separate but intersecting dynamics. First, there is a longstanding pattern of denigration of people of "northern" cultural and Muslim religious backgrounds. The roots of this pattern go back to the colonial period, during which the French colonial authority even shifted the frontiers of Côte d'Ivoire in order to turn Haute Volta (now Burkina Faso) into an appended labor reserve from which they could transport people as forced laborers to work on colonial coffee and cocoa plantations. The second dynamic emerged after independence, as different political parties and personalities attempted to use the ambiguous status of the immigrant population (usually estimated at about 26% of the total) to their political advantage by either including or excluding them as potential voters, and by accusing their opponents of nefarious machinations for electoral gain. Since about 1990, these two strands have become braided together in the context of virulent ethnonationalist rhetoric that has defined all Muslims, and all people who share the Sahelian culture that links northern Côte d'Ivoire with Mali, Burkina Faso, and the Republic of Guinea, as if they were non-citizens and illegitimate participants in the country's politics. Many of these debates have centered on the person of Alassane Ouattara who was Prime Minister in the early 1990s when the debate exploded, and is the country's president today. Between then and now, the country experienced a decade-long civil conflict around these issues.

Citizenship, Voting Rights, and Identity

Once the site of the "Ivorian miracle" of broad smallholder agrarian development, Côte d'Ivoire's economic success in the 1960s and 70s was based on government support for cash crops including cocoa and coffee, the welcoming of large numbers of cheap laborers from Burkina Faso, Mali and Guinea, and support from France, which had decided to make Côte d'Ivoire an example of neocolonial prosperity. From the 1960s, Félix Houphouët, the country's

president from independence in 1960 until his death in 1993, promised both citizenship and voting rights to foreign agricultural laborers. In the Ivorian model, native Ivorians were intended to get a quality education and move to the cities for modern office jobs in the civil service and the private sector. Beginning in the 1980s, this model began to falter as the world price of cocoa plummeted, and Côte d'Ivoire's attempts to take its product off the world market for two years failed to give it the leverage over agricultural multinationals it had hoped for.

Although the steady shrinking of the Ivorian economic pie was already underway, the techniques utilized by the one-party state to maintain its hold on power remained effective into the 1990s. This included a combination of patrimonial favors doled out to supporters, coercive measures up to and including imprisonment and torture of opponents or critics, and demographic policies that tended to facilitated the internal colonization of opposition regions (which were both sparsely populated and situated on the western edge of the cocoa farming frontier) with supporters of the one-party PDCI state. In this way, indigenous populations in the Center West and Far West, homes to Laurent Gbagbo and General Robert Guéï, both of whom served as president in the 2000s, found themselves in the electoral minority in their own home territories.

This initial politicization of citizenship and voting rights was further exacerbated at the local level by land disputes between indigenous/autochthonous landowners and newcomers from the East and the North of the country, and from neighboring countries. Many entered into land purchase deals that were only informally recorded (as most land was not titled to begin with), and which local "autochthones" later reneged on, sometimes at the behest of their children, after returning to their villages from the cities, where they had failed to gain office employment in Côte d'Ivoire's shrinking economy.

At the same time that the politics surrounding land (which had once seemed an inexhaustible resource) polarized the politics of identity at the local level, President Houphouët died in office at the age of 93, leading to a vicious succession battle between northerner Alassane Ouattara, the Prime Minister, and President of the National Assembly Henri Konan Bedié, a member of Houphouët's own Baoule ethnic group. In this context, Bedié's camp began the persistent claim that Ouattara was not truly or sufficiently Ivorian enough to serve as president, and soon questions about the citizenship and "true" national identity of many of his supporters followed.

There are many more twists and turns to the story, but is crucial to understand that citizenship, identity and voting rights have been instrumentalized since nearly the beginning of Côte d'Ivoire's existence as an independent country, whether in support of the (multiethnic) one-party state, of an increasingly xenophobic anti-Muslim and anti-immigrant politics pursued by several parties, or in support of the current government, whose support base is strongest in the country's north and among northerners and immigrants in other parts of the country. Current attempts to rectify the country's contradictory and opaque citizenship laws are invariably seen as attempts to shore up electoral support for the party in power.

Slavery and Child Labor

The U. S. Department of Labor has consistently identified Côte d'Ivoire as a site where significant use of forced labor and forced child labor have underpinned the production of cocoa

and coffee. The National Assembly passed a comprehensive anti-trafficking law in late 2016, but enforcement remains weak. One 2015 study found that over 1.2 million children aged five to seventeen worked in cocoa and coffee plantations, and another nationwide survey found 31.5% of five to fourteen year olds working and not attending school. Given Côte d'Ivoire's relatively well-developed infrastructure and educational system, its 63.5% primary school enrollment figure is notably low.

Numerous reports have pointed to the fact that many of those working in unfree conditions on plantations have been trafficked into Côte d'Ivoire's cocoa and coffee producing regions. Some of these people are children, others are adults. Trafficked persons are also involved in mining, domestic service, and sex work, but cocoa and coffee, which represent about 30% of total Ivorian exports, are the primary destination for such indentured or trafficked persons.

It is clear that the owners of these plantations would actively discourage their workers from participating in any program to register for a digital national ID. National and international actors would have to actively seek out these hidden populations. At least two factors would render this outreach more difficult: First, the use of child and enslaved labor is partly driven by the fact that world prices for cocoa and coffee have followed a downward trend over the past decades. While the current market price of about $2,000/metric tonne is about twice its 1999-2002 low, it is still only half of what cocoa fetched on the market in the late 1970s, when it brought more than $4,000/tonne. Producers have dealt with falling prices and market volatility by attempting to recruit unpaid and underpaid laborers from poorer countries, especially Mali and Burkina Faso. The forced nature of this work replicates the policies of the French in colonial Côte d'Ivoire, who forced people from what is now Burkina Faso to work in enslaved conditions on French cocoa and coffee plantations in the country's central cocoa belt. Since then, there has been tacit government support for such practices which buoy cocoa production in Côte d'Ivoire, the world's leading producer.

The second challenge will be that if plantation owners are either coerced or incentivized to allow their workforce to participate in the digital national ID program, they will certainly insist that their employees claim to be whatever age they need to be in order to keep plantations owners from being accused of using child labor. Many children would thus be registered as adults, misrepresenting their age, if they were registered at all. Here again, there is a longer history of people beginning agricultural work at ages considered too young in richer countries. This researcher's work in the adjacent part of the Republic of Guinea showed that the median age at which young men planted their first rice fields was 13. While there is no cultural justification for making children under the age of 10 perform hard agricultural labor in West Africa, the appropriate starting age during the teenage years (13 or 14 versus the internationally mandated 17 or 18) might present a hurdle to attempts to register teenagers involved in agricultural work and not attending school.

Gender
As in many African countries, Côte d'Ivoire has progressive laws regarding gender equality, including criminal penalties for sexual harassment and legal provisions for equal treatment and pay in the workplace and education. These laws are undercut, however, by the fact that they are rarely enforced, and also by the fact that many aspects of civil and family law are regulated by

customary rather than statutory legal provisions. Consequently, women tend to be discriminated against in the areas of divorce, inheritance, child custody, and the tax status of female-headed households. The Ouattara administration and the National Assembly have been open to introducing new laws to support gender equality, and public messages emphasizing the ways that a digital national ID program could help women to insist upon their rights under the law would help to bring out larger numbers of educated and urban women. Still, the groups that have actively opposed laws promoting equality on the grounds that they contradict "traditional" cultural or religious customs may have the opposite reaction, and attempt to prohibit women and girls from registering.

Refugees, IDPs, and Stateless Persons

Côte d'Ivoire is home to about 300,000 internally displaced persons, 700,000 stateless persons, and a small population of former Liberian refugees who have remained in the western part of the country. The civil conflict that took place from 2002 to 2011 caused major population movements, including refugee flows into neighboring countries. Liberians sought refuge in Côte d'Ivoire from early 1990 until well after the 2003 end of the second Liberian civil war, and Liberian mercenaries were recruited by both sides in Côte d'Ivoire's civil conflict.   Young Liberian men have consequently hovered in western Côte d'Ivoire and near the Liberia-Côte d'Ivoire border to the present. In June 2012 Liberian militias supporting the deposed Gbagbo government were accused of crossing the border into western Côte d'Ivoire and killing 10 people, including seven UN peacekeepers.

Côte d'Ivoire's nationality laws have also resulted in the longterm exclusion of generations of migrants and their descendants from the national citizenry. The disconnect between what laws say and policies implemented in practice has been the defining feature of Côte d'Ivoire's nationality system, as established in laws pertaining to nationality, civil status, and personal identification. This has left some without established legal ties to any State in the form of a recognized nationality. Statelessness is most likely to occur among a number of identified categories, such as: historical migrants and their descendants; children of unknown parents; border populations; refugees and returnees, particularly refugee children born abroad, and displaced persons; some categories of contemporary migrants or trafficked persons; and individuals refused Ivorian identification cards for the 2010 elections.

All IDPs, refugees, and stateless persons will present logistical and political challenges to any digital national ID program.   Particularly those stateless persons, typically the Ivorian-born children of immigrants, will be suspected by some Ivorians of using any identification program as a "back door" to citizenship and/or voting rights. In the past, it has not been unusual for citizens to violently block access to tribunals where citizenship questions are being adjudicated for people of ambiguous or uncertain status. Although the present government will support any identification process with the full force of the law and the security forces (in a way the Gbagbo government did not), such disruptions should be expected some places, especially in the regions known as the "Far West" (around Guiglo, Danane, and Man) and the Center-West (around Gagnoa and Daloa).

Disabled

The Ivorian government has strong laws protecting people with disabilities and prohibiting discrimination against them. However, there is little evidence that the laws are fully enforced. Even provisions that 800 civil service jobs be reserved for people with disabilities do not seem to be put into practice. These shortcomings, however, seem to be more a matter of limited resources and capacity than lack of serious intent. The government has also invested in 2016 in jobs training and employment promotion of those with disabilities. Participation in the digital national ID program should in principle be a concrete measure that could help identify, organize, and advocate by and for the disabled community.

That said, all references to disabilities in Côte d'Ivoire seem to refer implicitly to people with physical, not intellectual disabilities. As these disabilities can often be confused with mental illness and be a source of shame for families, it will take more robust efforts to incorporate this portion of the Ivorian population into digital national ID programs.

LGBTQ

There are no legal protections for LGBTQ people in Côte d'Ivoire. There is a mix of "don't ask, don't tell" discretion and open, sometimes violent, prejudice that presents LGBTQ Ivorians with a fragile entente most of the time with the rest of Ivorian society. Digital national ID would not necessarily present obvious risks for LGB people, however those whose gender presentation diverges from their sex as listed on birth certificates or existing ID might actively avoid the new registration, as that divergence might, and probably would, pose a risk to their safety.

Further Research

The most important group to consult will be those people of northern origin to see how they feel a digital national ID program will affect them. This includes citizens, stateless persons, IDPs, refugees, and migrant workers. Because they are frequently lumped together by other Ivorians, they have come to take this ascribed identity on as one whose lived reality gives them more in common than not. To really see how the lack of documentation, ambiguous documentation, or even having a "Northern" name on one's identity documents affects people's lives, researchers should conduct non-directive ethnographic research in the settings where these issues most frequently arise. Riding in shared minibus transport that ply routes where the security forces operate security checkpoints would be one obvious approach. Though the Ivorian government has attempted to eliminate most such checkpoints, they continue to proliferate and racketeering at checkpoints is an essential technique by which security forces augment their meagre salaries. This is a place where people of northern origin are frequently abused and shaken down, and this researcher has witnessed identity documents torn up in front of an incredulous taxi driver, other documents held ransom for payment, and still others forced to pay a heavy tax because they had no identification. Aside from observing the practices of the security forces at checkpoints, riding in these vehicles will give researchers a reason to ask other travelers to give their interpretations of the usefulness or not of identification documents, the ways they are used and abused by ordinary people and the government employees they encounter, and things that could help to minimize abuses.

A related site for research would be in the vicinity of a border crossing. Spending even a few hours at a crossing like the ones at Elubo (Ghanaian border), Gbapleu (Guinea border), or Tingréla (Malian border) would be highly instructive. There, the major economic stakes involve customs duties levied on trucks transporting all manner of goods (the importance of Tingréla for landlocked Mali, which uses Abidjan as one of its major import/export ports is notable). However, there is a constant flow of people as well, often subjected to the same abuses as at internal checkpoints in the country. Researchers could cross one of these borders, coming back the same day, in order to execute the same form of participant-observer research described for checkpoints. They could also engage locals in the border village to try to better understand the ways that the control over flows of goods and people (ECOWAS principles of the free circulation of goods and people notwithstanding) form the lifeblood of both border communities and of the security forces. The implications of this fact, that an efficient and "frictionless" identification apparatus would take money away from many people with the power to sabotage the undertaking, must be factored into any identification program that aspires to cover the whole country in an equitable way. Otherwise, poor and weak members of Ivorian society will simply not figure in the program, potentially exacerbating the existing problems of second-class citizenship that have already caused one long-standing civil conflict.

Though it may seem counterintuitive, researchers must consult with self-designated autochthonous populations, particularly in Côte d'Ivoire's southwestern quadrant (the aforementioned Far West and Center West). Although they have been the source of much of the violent xenophobia that should rightly be identified as being at the root of the Ivorian civil conflict, these communities have also suffered enormously in the tit-for-tat massacres that have swept the region over the past two decades. Moreover, their claims to be the current most politically marginalized group in the country are not unwarranted, and their continued determination to block an equitable resolution of both citizenship and land disputes means they must be part of the attempt to find a way forward.

There are strong disincentives for plantation owners to allow their underage and indentured or enslaved workers register for digital national IDs. These difficulties are exacerbated by the fact that most cocoa and coffee production in Côte d'Ivoire is done by smallholders who produce on less than 20 hectares of land in the cocoa frontier belt of the country's southwest. Most cocoa planters and their workers live in isolated hamlets rather than large towns, making the logistics of reaching them more challenging still. Research in Côte d'Ivoire should include campaigning/activist groups that advocate for child laborers, and enslaved/trafficked people. Given logistical difficulties, and relative lack of government capacity/support, it seems likely that any attempt to register such workers would have to be based upon guarantees that planters would not be exposed to punishment or later repercussions. In return, it might be possible to get a better sense of this invisible population, who account for over 5% of the national population.

As in neighboring Guinea, some of the groups that might actively discourage/prohibit women from registering for digital national IDs could include some of the more conservative reformist religious groups, both amongst Christians and Muslims. Researchers should reach out to representatives of these groups to better understand where the sensitivities and red lines lie for them so as to better plan their public outreach campaigns.

Legal and some institutional provisions are presently promoting training, education, employment and equal access for people with disabilities in Côte d'Ivoire. These are early days for such initiatives, but the Ivorian government appears to be making sincere efforts in this direction, which places the country at the forefront of African nations on this issue. Intellectual disabilities do not have a clear place in these efforts, but researchers should consult with governmental and non-governmental organizations working for disabled access and equality in order to discuss strategies for including the full range of differently-abled people in the identification process.

Researchers should consult members of the LGBTQ community, especially trans men and women, to ask them what concerns they have in the context of a new identification program, particularly as regards gender presentation when it differs from assigned sex at birth.