**Côte d’Ivoire**

*The purpose of the Housing Rights and Human Rights Brief is to provide a succinct overview of housing rights and human settlements-related human rights within a specific country. It is designed for project designers to familiarize themselves with the human rights situation in the country that they are working in. The Housing Rights and Human Rights Brief is not intended to be a comprehensive analysis of all human rights, yet to provide an overview of housing rights and other human settlements-related human rights within the national and the UN Delivering as One contexts. Further, this Brief is not intended to cover the entire legislative and regulatory framework of the country concerned.*

*The Brief outlines specific articles of the Constitution, national and local legislation, and other human settlements-related policies and acts. It further explains specific international legal commitments, with particular emphasis on the key conventions that the country has signed and/or ratified. UN reviews and recommendations, particularly the Universal Periodic Review process, are also outlined. The final section provides information on previous UN-Habitat projects in the country and links for further information and elaboration.*

**Table of Contents**

|  |  |
| --- | --- |
| Chapter | Page |
| Summary | 2 |
| National Legal Framework relating to Human Rights in Urban Contexts | 3 |
| Government Structures and Institutional Setup | 3 |
| International Conventions | 4 |
| UN Reviews (UN Country Team, Special Rapporteur Reports, UNDAF and other Delivering as One initiatives, including Human Rights Up Front) | 5 |
| Universal Periodic Review (UPR) and Human Rights Council | 5 |
| UN-Habitat Engagement at Project Level | 6 |
| Further Information | 7 |

**Revision History**

|  |  |  |
| --- | --- | --- |
| Revision | Date | Author |
|  *1* | *-*  | *SN /DT* |
|  *2* | *13/01/2016* |  *SN* |
| *3* | *29/02/2016* | *SG* |

**Summary**

 The Constitution of Côte d’Ivoire does not make provisions for the right to adequate housing, yet does state that a person’s home shall be inviolable. The Ministry of Construction, Urban Development & Housing is the primary government department responsible for the implementation of housing policy and the realization of the right to adequate housing.

Cote d’Ivoire has ratified most of the major human rights conventions, including the International Covenant on Economic, Social and Cultural Rights, which includes the right to adequate housing as a component of the right to an adequate standard of living.

UN review mechanisms have not provided any comments or recommendations on the right to adequate housing. UN-Habitat has undertaken a number of projects in the country and continues to work there, most recently in basic services and slum upgrading.

**Legal Framework**

***Constitution[[1]](#footnote-1)***

The Constitution of Côte d’Ivoire was adopted on 23 July 2000 by popular referendum. The Constitution does not make provisions for the right to adequate housing. Yet, it states that a person’s home shall be inviolable. The Constitution does also provide the right of property.

‘Article 4:

A person’s home shall be inviolable. Any intrusions or restrictions may only be carried out by law.’

‘Article 15:

The right of property shall be guaranteed to all. No one may be deprived of his property, unless it is for public benefit and on condition that just and prior compensation is made. ’

**Government**

***Political System[[2]](#footnote-2)***

Executive power is exercised by the government, and both the government and parliament exercise legislative power.

The executive branch of the Côte d’Ivoire government is headed by the president, who is in office for a term of five years. He is the chief of the armed forces and is given the ability to negotiate treaties and ratify them. The President is also responsible for selecting the prime minister, who serves as the head of government and as Minister of Planning and Development.

The legislative branch of the government is formed by the unicameral National Assembly. The President and the National Assembly are elected by universal suffrage for five-year terms. The legislative branch maintains the power to introduce legislation. Typically, however, legislation is introduced by the President. This legislation is then debated by all members of the assembly.

The Supreme Court oversees all aspects of Côte d’Ivoire’s judicial system, which includes the Court of Appeals and lower courts. The Constitutional Chamber, whose main responsibility is to determine presidential candidate eligibility, is part of the Supreme Court.

***Ministry of Construction, Urban Development & Housing***

The Ministry of Construction, Urban Development & Housing is the primary government department responsible for the implementation of housing policy and realization of the right to adequate housing.

**Judiciary**

No relevant decisions on housing could be sourced.

**International Conventions[[3]](#footnote-3)**

Côte d’Ivoire has ratified most of the major international human rights conventions, including the International Covenant on Economic, Social and Political Rights, which includes the right to adequate housing as a component of the right to an adequate standard of living.

|  |  |  |  |
| --- | --- | --- | --- |
| Treaty Description | Treaty Name | Signature Date | Ratification Date, Accession(a), Succession(d) Date |
| Convention against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment | CAT |   | 18 Dec 1995 (a)  |
| International Covenant on Civil and Political Rights | CCPR |   | 26 Mar 1992 (a) |
| Convention on the Elimination of All Forms of Discrimination against Women | CEDAW | 17 Jul 1980 | 18 Dec 1995  |
| International Convention on the Elimination of All Forms of Racial Discrimination | CERD |   |  04 Jan 1973 (a) |
| International Covenant on Economic, Social and Cultural Rights | CESCR |  | 26 Mar 1992 (a) |
| International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families | CMW |   |  |
| Convention on the Rights of the Child | CRC | 26 Jan 1990 |  04 Feb 1991 |
|  |  |   |  |  |
| Convention on the Rights of Persons with Disabilities | CRPD | 07 Jun 2007 |

|  |
| --- |
| 10 Jan 2014 |

 |
| Convention Relating to the Status of Refugees | Refugee Convention |  | 08 Dec 1961 (d) |
| Protocol Relating to the Status of Refugees | Protocol Relating to the Status of refugees |  | 16 Feb 1970 (a) |

Cote d’Ivoire has not signed:

* International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families

**UN Agencies**

UN review mechanisms have not provided comments or recommendations related to the right to adequate housing.

***Universal Periodic Review[[4]](#footnote-4)***

*The Universal Periodic Review (UPR) is a unique process which involves a periodic review of the human rights records of all 193 UN Member States. The UPR is a significant innovation of the Human Rights Council which is based on equal treatment for all countries. It provides an opportunity for all States to declare what actions they have taken to improve the human rights situations in their countries and to overcome challenges to the enjoyment of human rights. The UPR also includes a sharing of best human rights practices around the globe. Currently, no other mechanism of this kind exists.*

Côte d’Ivoire was reviewed in the first UPR cycle in December 2009, and the second cycle in 2014. However, no recommendations were made relating to the right to adequate housing.

***Report of the United Nations High Commissioner for Human Rights (2014)[[5]](#footnote-5)***

*The Report provides a comprehensive review of the Human Rights situation in a given country and is presented to the Human Rights Council.*

The Report does not make references to the right to adequate housing.

***Committee on Economic, Social and Cultural Right[[6]](#footnote-6)***

*The Committee specifically reviews states that have ratified the ICESCR on their compliance with the rights enshrined in it, including the Right to Adequate Housing.*

Côte d’Ivoire has not been reviewed by the CESCR, hence there are no concluding observations for the country.

***United Nations Country Team (UNCT)[[7]](#footnote-7)***

*The UNCT ensures inter-agency coordination and decision-making at the country level. The main purpose of the Country Team is for individual agencies to plan and work together, as part of the Resident Coordinator system, to ensure the delivery of tangible results in support of the development agenda of the Government.*

The Country Team develops the Cote d’Ivoire UNDAF, which contains no references to the right to adequate housing.

***United Nations Development Assistance Framework (UNDAF)[[8]](#footnote-8)***

*The UNDAF is the strategic programme framework that describes the collective response of the UN system to national development priorities. The UNDAF forms the overall framework for the UNCT’s work in Cote D’ Ivoire between 2013 and 2015.*

The Côte d’Ivoire UNDAF contains no references to the right to adequate housing.

**UN-Habitat[[9]](#footnote-9)**

UN-Habitat has worked on a number of projects in Cote d’Ivoire, most recently in basic services and participatory slum upgrading.

* Total value of UN-Habitat investments (2008-2013): US$ 50,000
* Total number of UN-Habitat projects (2008-2013): 1 project
* Main donors: ECOWAS
* Implementing partners: ECOWAS, UNIDO

UN-Habitat Projects in Côte d’Ivoire include:

Development of the Ibadan-Abidjan Urban Energy Corridor for Sustainable Urbanisation and Economic Growth (2012)

The project promoted sustainable urbanization and adequate shelter for all through adequate urban planning processes and affordable access to modern energy services.

Participatory Slum Upgrading Programme (2008-2015)

The Participatory Slum Upgrading Programme is in its second implementation phase in Côte d’Ivoire. It is focused on the development and adoption of inclusive policies and strategies for slum upgrading. The Programme also aims to strengthen community, city and national key stakeholders’ capacities in participatory slum upgrading in Cote d’Ivoire, particularly in the cities/towns of Abobo, Boundiali, Port Bouet and Treichville, thus adding value to the development of policy, institutional, legislative, and financial frameworks.

**Further Information**

* Constitution of Cote d’Ivoire: [https://www.unodc.org/tldb/showDocument.do?documentUid=9282](https://www.unodc.org/tldb/showDocument.do?documentUid=9282%20)
* OHCHR Convention Ratification Status: <http://indicators.ohchr.org/>
* CESCR: <http://tbinternet.ohchr.org/_layouts/treatybodyexternal/TBSearch.aspx?Lang=en&TreatyID=9&DocTypeID=5>
* UNCT: <http://undg.org/home/country-teams/africa-western-central/cote-divoire/>
* UNDAF:<http://www.onuci.org/doc/1_UNDAF.pdf>
* UN-Habitat Cote d’Ivoire Summary: <http://unhabitat.org/cote-divoire/>
* UN-OHCHR: <http://www.ohchr.org/EN/Pages/WelcomePage.aspx>
* UN-Habitat: <http://unhabitat.org/>
* Universal Periodic Review: <http://www.ohchr.org/EN/HRBodies/UPR/Pages/UPRMain.aspx>
* Special Rapporteur on Adequate Housing: <http://www.ohchr.org/EN/Issues/Housing/Pages/HousingIndex.aspx>

1. <https://www.unodc.org/tldb/showDocument.do?documentUid=9282> [↑](#footnote-ref-1)
2. [http://unpan1.un.org/intradoc/groups/public/documents/un/unpan028168.pdf](http://unpan1.un.org/intradoc/groups/public/documents/un/unpan028168.pdf%20) [↑](#footnote-ref-2)
3. <http://tbinternet.ohchr.org/_layouts/TreatyBodyExternal/Treaty.aspx?CountryID=42&Lang=EN> [↑](#footnote-ref-3)
4. <http://www.ohchr.org/EN/HRBodies/UPR/Pages/MUSession4.aspx> [↑](#footnote-ref-4)
5. <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G14/109/94/PDF/G1410994.pdf?OpenElement> [↑](#footnote-ref-5)
6. <http://tbinternet.ohchr.org/_layouts/treatybodyexternal/TBSearch.aspx?Lang=en&TreatyID=9&DocTypeID=5> [↑](#footnote-ref-6)
7. [http://undg.org/home/country-teams/africa-western-central/cote-divoire/](http://undg.org/home/country-teams/africa-western-central/cote-divoire/%20) [↑](#footnote-ref-7)
8. <http://www.onuci.org/doc/1_UNDAF.pdf> [↑](#footnote-ref-8)
9. <http://unhabitat.org/cote-divoire/> [↑](#footnote-ref-9)