



RELIGIOUS FREEDOM:

A GUIDE TO YOUR RIGHTS



IVORY COAST





FINDING COMMON GROUND

As people, we have the freedom to choose, share, and live what we believe. We generally hold our religious freedoms and beliefs dear as guiding principles in our lives. Just as we value our own religion and beliefs, we should highly value all people's rights to religious freedom and belief. Knowing the importance of these freedoms, how can we share the principles of freedom of religion in our communities? Is there a way to find common ground when we interact with people holding different beliefs?

The following strategies may allow you to find common ground in your community:

BECOME INFORMED

Before you can protect the religious beliefs of yourself or others, it is important to be informed and understand the rights and basic principles of freedom of religion. This brochure contains some relevant information with regards to your rights and the basics of freedom of religion. Seek to stay aware of changes in religious freedoms by watching developments that affect these freedoms in the news.

LISTEN TO ALL SIDES

Listen and show concern for other people's religions and sincere beliefs. Even if you disagree with the beliefs, or convictions of another, seek to understand and to be respectful of his or her perspective. People's words, beliefs and actions are influenced by many factors. You should be sensitive to the feelings of others as you explain and pursue your positions, and you should ask that others not be offended by your sincere religious beliefs.

PRACTICE CIVILITY

In order to live as a community with differences of opinion and beliefs, it is critical to know how to debate and not just what to debate. Your communications on controversial



topics should not be contentious. All people should treat one another with civility and respect while striving to be accurate and fair. When your positions do not prevail, you should accept unfavorable results graciously and civilly. Remember to reject persecution of any kind, including persecution based on race, ethnicity, religious belief or nonbelief, and differences in sexual orientation.

PROMOTE TOLERANCE

People must be able to peaceably live together while having differences. To live peaceably does not mean you need to abandon your positions; rather, it means you should strive to live peacefully with others who do not share your values or accept the teachings upon which they are based. Strive to teach values and standards of behavior to those around you without having them distance themselves or showing disrespect to any who are different.

BUILD TRUSTED RELATIONSHIPS

Build trusted relationships in your community among people of diverse opinions. You will be better able to protect the rights of others in a way that benefits everyone as you get to know more people and as those people come to understand each other's beliefs. Concentrate on what you have in common with your neighbors and fellow citizens. Then, as you work together, speak out for religion and the importance of religious freedom.



RELIGIOUS FREEDOM IN INTERNATIONAL LAW

In addition to local protections for religious freedom in individual countries, there are also different international instruments or legal documents that protect this right. In 1948, the right to freedom of religion and conscience was introduced by the Universal Declaration of Human Rights. Since then, there have been different covenants and conventions that establish and develop this right at the international level.

WHAT PROTECTIONS DO I RECEIVE UNDER INTERNATIONAL LAW?

International instruments establish that all people are equal before the law, regardless of their religion. These laws also state that no one may be discriminated against on the basis of religion. This is an offense against human dignity and is condemned as a violation of human rights and fundamental freedoms.

WHAT FREEDOMS DO THESE INTERNATIONAL INSTRUMENTS INCLUDE?

- **Freedom of thought, conscience, and religion.**
This freedom includes freedom of thought on all matters, freedom to hold beliefs, freedom of commitment to religion or belief, and freedom of personal conviction. It does not allow any limitations on the freedom to have or adopt a religion or belief of one's choice. No one can be compelled to reveal his or her thoughts or adherence to a religion or belief.
- **Freedom to change religion or beliefs.**
All people have the right to leave their own religion or belief and to adopt another, or to remain without any belief at all. The use of physical force, penal sanctions, policies, or practices to force a person to adopt, change, or maintain a certain religion or belief is prohibited.
- **The freedom to manifest and profess your own religion or beliefs, individually and collectively, both publicly and privately.**
Everyone enjoys the right to peacefully manifest and share one's religion or belief with others without



being subject to the approval of the state of another religious community. This right is not limited to members of registered religious communities. Moreover, registration should not be compulsory for religious communities or organizations in order to enjoy their rights.

- **The freedom to manifest your religion through teaching, practice, worship, and observance.**

The freedom to manifest religion or belief in worship, observance, practice, and teaching includes a broad range of acts:

- Worship and observance extends to ritual and ceremonial acts giving direct expression to belief, as well as various practices integral to such acts, including the building of places of worship, the use of ritual formulae and objects, the display of symbols, and the observance of holidays and days of rest.
- Practice and teaching of religion or belief includes acts integral to the conduct by religious groups of their basic affairs, such as the freedom to choose their religious leaders, priests, and teachers; the freedom to establish seminaries or religious schools; and the freedom to prepare and distribute religious texts or publications.

- **The freedom of parents and guardians to have their children or pupils receive religious or moral education that is in accordance with their own convictions.**

Children enjoy the right to have access to religious education in accordance with the wishes, religious beliefs, or convictions of their parents or guardians. Likewise, children should not be forced to receive religious instruction that is contrary to the wishes of their parents or guardians. In accordance with the principle of the best interests of the child, the State should encourage an atmosphere of religious tolerance in schools and promote respect for pluralism and religious diversity.

ARE THERE ANY LIMITATIONS TO THESE FREEDOMS?

Yes. There are some limitations that are given by law, and their purpose is to protect public safety, order, health, morals, and the fundamental rights and freedoms of others. However, restrictions may not be imposed for discriminatory purposes or applied in a discriminatory manner.



FREEDOM OF RELIGION TO WORSHIP IN CÔTE D'IVOIRE

1. WHAT IS THE RIGHT TO FREEDOM OF RELIGION AND WORSHIP?

The right to freedom of religion is a principle that supports the freedom of an individual to practice the religion of their choice. This right also includes the freedom of the individual to change their religion at any time.

2. WHAT IS THE RIGHT TO FREEDOM OF BELIEF?

The right to freedom of belief is the freedom of an individual to hold or consider a fact, viewpoint, or thought, independent of others' viewpoints.

3. WHAT ARE THE LAWS THAT PROTECT RELIGIOUS FREEDOM?

In Côte d'Ivoire, the laws that protect freedom of religion and belief are:

- The law n° 2016-886 of November 8, 2016, related to the Constitution of the Republic of Côte d'Ivoire in its articles 4, 14, 19, and 23.
- The African Charter on Human and People's Rights in article 8.

These rules guarantee the freedom of religion and belief, promote religious tolerance, and protect against discrimination based on belief and religious convictions.



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4. WHAT IS THE OFFICIAL RELIGION OF CÔTE D'IVOIRE?

Under the constitution, Côte d'Ivoire is a secular republic. Thus, there is no official religion in Côte d'Ivoire. Several religions are freely practiced by people.

5. WHAT CAN I DO WHEN MY RIGHT TO FREEDOM OF RELIGION AND WORSHIP IS VIOLATED?

In case of violation of the right to freedom of religion, the person concerned may bring their complaint before:

- The African Court on Human and Peoples' Rights.
- The Economic Community of West African States.
- The local jurisdiction in accordance with the matter and their competence.



RELIGION IN THE PUBLIC SQUARE

6. CAN I EXPRESS MY RELIGIOUS VIEWS IN PUBLIC?

Yes. Each person can express their religious views in public. Indeed, the constitution gives rights to anybody to practice, in public or private, their religion. However, this practice must comply with the law and shall not affect the freedom or rights of others.

7. CAN I SHARE OR PREACH MY BELIEFS TO OTHERS?

Yes. Anybody has the right to share or preach their beliefs to others.

8. CAN I BE PART OF A RELIGIOUS ENTITY OR ORGANIZATION?

Yes. Under the Ivorian law, anybody is entitled to be part of the activities of any religious entity or organization. The members of the entity or organization are free to leave at any time.

9. WHAT ARE THE GOVERNMENT AUTHORITIES THAT REGULATE RELIGIOUS ENTITIES?

In Côte d'Ivoire, the government authority that regulates religious entities is the department of worship of the Ministry of Interior.

The said authority has the responsibility to promote dialogue between religious communities and between the government and religious communities and to provide administrative support in the establishment of religious communities.



RELIGIOUS FREEDOM IN THE WORKPLACE

10. WHAT INFLUENCE DOES FREEDOM OF RELIGION HAVE IN THE RELATIONSHIP BETWEEN AN EMPLOYER AND AN EMPLOYEE?

Under the Labor Code, the employer cannot take into account the religion of the employee in the hiring process and the decision made during the course of the labor contract.

11. WHAT IS THE RELATIONSHIP BETWEEN RELIGIOUS FREEDOM AND WORKING HOURS?

Under the Labor Code, the employee shall work 40–44 hours per week. Outside of these hours, the employee is free to practice their religion, but not during working hours.

The employee is also free to practice their religion during the religious public holidays as follows:

- Christmas Day
- Easter Day
- Ascension Day
- All Saints' Day
- Assumption of Mary Day
- Aid el-Fitr
- Aid el-Kébir

12. CAN I WEAR RELIGIOUS CLOTHING TO WORK OR REFUSE TO WEAR PART OF A UNIFORM BECAUSE OF MY RELIGIOUS BELIEFS?

This issue is not regulated by law. The employee is free to wear the clothing of their choice, so long as it is not indecent or there is no dress code.

Although the labor law forbids any discrimination in the workplace, the employee may not refuse to wear part of a uniform for religious reasons. In cases when there is a uniform, it is mandatory for all employees.



RELIGIOUS FREEDOM IN SCHOOLS

13. CAN THERE BE RELIGION CLASSES IN PUBLIC SCHOOLS?

No. In Côte d'Ivoire, there are no religion classes in public school. There are religion classes only in private schools that belong to religious organizations, such as Catholic, Protestant, and Islamic schools.

14. IS IT MANDATORY FOR STUDENTS TO ATTEND RELIGIOUS EDUCATION OR RELIGIOUS OBSERVANCES IN THEIR SCHOOLS?

The law does not regulate this issue, but a religious organization can determine if it is mandatory. Thus, students shall attend religious education or religious observances in the schools of religious organizations.

15. CAN STUDENTS REFRAIN FROM ATTENDING SCHOOL OR SCHEDULED SCHOOL ACTIVITIES BECAUSE OF THEIR RELIGIOUS BELIEFS?

The law does not regulate this issue. Students shall attend school or school activities regardless of their religious beliefs.

16. CAN STUDENTS MODIFY SCHOOL UNIFORMS BECAUSE OF THEIR RELIGIOUS BELIEFS?

The law does not regulate this issue. Students are not allowed to modify school uniforms when it is mandatory.



MILITARY AND PUBLIC SERVICE

17. IS THERE MANDATORY MILITARY OR PUBLIC SERVICE, AND IF SO, ARE THERE ANY RELIGIOUS EXEMPTIONS?

Military service was abolished several years ago in Côte d'Ivoire. There is no public service.



RELIGION AND JUSTICE

18. CAN I REFRAIN FROM TAKING AN OATH IN LEGAL PROCEEDINGS BECAUSE OF MY RELIGIOUS BELIEFS?

No. Under the Criminal Procedure Code, the person that appears in court as a witness shall take an oath before giving their statement. The law does not offer any possibility to the witness to refrain from taking an oath.

19. CAN JUDGES MAKE DECISIONS BASED ON THEIR RELIGIOUS BELIEFS?

No. The judges shall make their decisions based on the law and the jurisprudence. They are not allowed to rule on the basis of their religious beliefs.

20. IS THERE ANY PROTECTION FOR STATEMENTS MADE IN CONFIDENCE TO RELIGIOUS LEADERS?

The criminal code provides that a person that violates a secret given to them because of their position or profession can be condemned to one to six months imprisonment and a fine of 50.000 to 500.000 francs CFA, unless they are forced or authorized by law to do so.

As statements made in confidence to religious leaders can be considered secrets, we are of the opinion that the said statements are protected by law.



