

COTE D'IVOIRE 2015 HUMAN RIGHTS REPORT

EXECUTIVE SUMMARY

Cote d'Ivoire is a democratic republic ruled by a freely elected government. The country held a presidential election in October 2015, in which President Alassane Ouattara was re-elected by a significant majority. International and domestic observers judged the election to be free and fair. Civilian authorities failed at times to maintain effective control over the security forces.

Continued insecurity and slow political reconciliation continued to complicate the government's efforts to restore the rule of law and address impunity after the 2010-11 violent post-electoral conflict.

The most serious human rights problems were security force abuses and the government's inability to enforce the rule of law. The Republican Forces of Cote d'Ivoire (FRCI), the country's military, and the gendarmerie were responsible for arbitrary detentions, including at informal detention centers. Prison and detention center conditions were harsh and life threatening. Corruption persisted in the judiciary, police, the military, customs, contract awards tax offices, and other government institutions, and the judiciary was inefficient and lacked independence.

There were allegations made by opposition groups of torture of political prisoners and of extrajudicial killings. There was a case of forced disappearance; and there were reports of cruel, inhuman, and degrading treatment or punishment; arbitrary arrest; and prolonged pretrial detention. The government restricted press freedom and freedom of assembly. Internally displaced persons (IDPs) faced insecure and difficult living conditions. Statelessness remained extensive. Discrimination, sexual assault, and violence against women and children occurred. Societal discrimination against ethnic groups, persons with disabilities, and victims of HIV/AIDS was a problem. Employers subjected children and informal-sector workers to forced labor and hazardous conditions, particularly in rural areas.

The government seldom took steps to prosecute officials who committed abuses, whether in the security services or elsewhere in the government. Security forces impunity continued to be a serious problem.

Section 1. Respect for the Integrity of the Person, Including Freedom from:

a. Arbitrary or Unlawful Deprivation of Life

There were reports of deaths during protests and arrests where the evidence was unclear as to how the deaths occurred and whether they were at the hands of the security forces.

Former president Laurent Gbagbo and his close ally, Charles Ble Goude, continued to be held at the International Criminal Court (ICC) in The Hague, where they both awaited trial on four counts each of crimes against humanity related to actions they took during the post-electoral crisis. The ICC ruled that both men would be tried together. In October the ICC rejected the 10th appeal to move the proceedings to Abidjan or Arusha, Tanzania. The trial was due to start on January 28, 2016.

The trial of Simone Gbagbo and 82 pro-Gbagbo supporters commenced in Abidjan in late December 2014. The trial start date followed the ICC's denial of the government's admissibility challenge contesting ICC jurisdiction over her case and demanding her transfer to The Hague. On March 10, she was found guilty and sentenced to 20 years in prison. Simone Gbagbo appealed her sentence but continued to be detained by the government, since she faced additional charges.

Fifteen of Simone Gbagbo's codefendants were acquitted, and the rest received various sentences. Among the convicted was the president of the Ivoirian Popular Front (FPI), Pascal Affi N'Guessan, who received an 18-month suspended sentence with credit given for the two years he was detained while awaiting trial. Michel Gbagbo, Laurent Gbagbo's son, received a five-year sentence. Two former military allies and the former chief of the navy also received 20-year sentences. All sentenced defendants appealed the verdict, and trial proceedings did not resume during the year.

b. Disappearance

There was a report of the abduction of two politically engaged individuals in the western part of the country, but a motive and further details were unknown.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The constitution and law prohibit such practices, but there were allegations made by opposition groups of torture of political prisoners, but there was no independent evidence such cases occurred.

In August the UN Operation in Cote d'Ivoire (UNOCI) and the FRCI launched a Joint Mechanism on Human Rights to share information, act on allegations of human rights violations by FRCI elements, and coordinate human rights capacity building within the FRCI.

Prison and Detention Center Conditions

Prison conditions were harsh and life threatening. Overcrowding was a common problem in prisons and detention centers operated by the FRCI and the Directorate for Territorial Surveillance (DST).

Physical Conditions: Overcrowding continued in many prisons. At the end of November, there were 12,147 prisoners, of whom an estimated 201 were minors and 271 were women. The central prison of Abidjan was built to hold approximately 1,500 prisoners but had 4,552 as of the end of November. Reports from other prisons also indicated the number of inmates exceeded prison capacity. All of the country's 33 pre-existing prisons were in use. As of 2014 a minimum-security rehabilitation center was also operational. Critical health care was not always available to prisoners at local hospitals or clinics, and international nongovernmental organizations (NGOs) often had to pay for their care. According to government figures, 60 prisoners died in the 34 prisons during the year. In December a reported 60 prisoners escaped from the country's largest prison. A Ministry of Justice representative subsequently claimed that only two prisoners escaped and indicated that a system of prison guards relying on inmates to lock up fellow prisoners likely facilitated the escape.

In general authorities held men and women separately, but there were reports that women and men were held together in some prisons. Authorities held juveniles with adults in some prisons, as well as pretrial detainees with convicted prisoners. The children of female inmates often lived with their mothers in prison, although prisons accepted no responsibility for their care or feeding. Inmate mothers received help from local and international NGOs. Potable water was not always available.

Wealthy prisoners reportedly could buy extra cell space, food, and comforts and hire staff to wash and iron their clothes. The government allotted 300 CFA francs (\$0.50) per person per day in food rations, which was less than half the amount needed. Families and the International Committee of the Red Cross (ICRC) routinely supplemented rations.

Irregular or informal detention centers maintained by the FRCI or other security forces varied greatly in terms of physical conditions. One military detention center in Abidjan reportedly gave prisoners three meals a day, whereas some DST centers were reportedly small, sometimes in converted residences, with little room for physical exercise.

Administration: Prison records were destroyed during the postelectoral crisis, and the government had not undertaken significant measures to restore the records. Although recordkeeping resumed after the crisis, it was not always adequate. The law provides for work-release programs and alternatives to incarceration for youths, but these remained unavailable. Although application magistrates were responsible for facilitating conditional release for inmates, they did not function effectively. There was no prison ombudsman, but prisoners could submit complaints to judicial authorities. Prison authorities had limited capacity to investigate and redress allegations of poor detention conditions. Prison administrators continued to detain or release prisoners outside normal legal processes. There were reports of pretrial detainees receiving convictions in absentia due to lack of transport from prisons.

Authorities generally permitted visitors in formal prisons, although prisoners' access to lawyers and families was allegedly intermittent or nonexistent in FRCI and DST detention centers.

In February prison guards in Abidjan went on strike to demand additional allowances and benefits. The FRCI broke up the strike and took demonstration leaders to the gendarmerie barracks for questioning. The government did not concede to the demands of the strikers, and the guards were told to return to work or resign. Prison guard strikes were also reported in other regions of the country.

Independent Monitoring: The government generally permitted the ICRC and UNOCI access to prisons. Local human rights groups reported sporadic access to prisons. Two independent journalists were also given access to Abidjan's central prison when filming a documentary. The government also permitted the UN and international NGOs adequate access to formal prisons, although the government granted them intermittent access only to informal detention centers run by the FRCI and to formal DST facilities.

d. Arbitrary Arrest or Detention

The constitution and law prohibit arbitrary arrest and detention, but both occurred during the year. The FRCI continued to arrest and detain suspects illegally. The UN and local and international NGOs estimated that the DST and FRCI arrested and held dozens of individuals without charge, even though the FRCI lacked arrest authority. Authorities held many of these detainees briefly before releasing them, while detaining others for lengthy periods. The UN also reported several incidents of detention in undisclosed and unauthorized facilities.

Role of the Police and Security Apparatus

Police (with assistance from a special mixed unit of police, gendarmerie, and FRCI called the Coordination Centre for Operational Decisions and the DST, all of which are under the jurisdiction of the Ministry of Interior) and the gendarmerie (under the Ministry of Defense) are responsible for law enforcement. While the FRCI continued to perform functions normally associated with the police and gendarmerie, civilian security personnel received increased training and equipment. The national gendarmerie took over control from the FRCI and assumed all security functions on national roadways. The police and gendarmerie provided the majority of security during the October presidential election, while the FRCI acted in a standby capacity.

FRCI forces generally lacked basic training and had an inadequate command and control structure. Impunity and corruption were endemic, and security checkpoints throughout the country often served to extort bribes. Particularly in the western part of the country, communities continued to rely on Dozos (traditional hunters) to meet their security needs. After the minister of defense warned the Dozos in 2013 not to interfere in security matters, they were less visible.

The military police and military tribunal are responsible for investigating and prosecuting alleged internal abuses perpetrated by the security services. The military tribunal remained operational during the year, and there were some high-profile convictions for offenses committed during or after the postelectoral crisis. In August the Military Court of Abidjan convicted a major, formerly in charge of the protection of Simone Gbagbo, of murder, assault and battery. He received a 20-year prison sentence and was barred from the gendarmerie. Trials also progressed for additional security officials affiliated with Laurent Gbagbo, with charges ranging from military desertion to various violent crimes. There were some acquittals, some convictions, and at least one defendant reportedly did not appear for trial.

Security forces failed at times to prevent or respond to societal violence, particularly in the western part of the country, where there were several incidents of intercommunal clashes. Within each security apparatus, the leadership made efforts to strengthen accountability for human rights violations within individual chains of command.

On June 30, the mandate concluded for the Authority for Disarmament, Demobilization, and Reintegration (ADDR), the body responsible for overseeing the DDR efforts. Upon the end of the mandate, the ADDR website reported that 58,216 of 64,000 identified ex-combatants had completed the DDR process or were in the process of reintegration. The list of 64,000 ex-combatants was a downward revision from the previous number of 74,000. The ADDR reported this was due to evidence that 10,000 alleged ex-combatants on the list were either deceased or unreachable. In July a Council of Ministers decree created the Cell for Coordination and Monitoring of Reintegration (CCSR) to complete the reintegration process for those former combatants in the DDR process at the conclusion of its mandate. Although the minister of interior previously stated that any former combatants would be considered in breach of the law if they did not come forward during the ADDR mandate period, the CCSR decree allows former combatants to initiate the reintegration process. The National Security Council oversees the CCSR, and its mandate was scheduled to expire in June 2016.

Arrest Procedures and Treatment of Detainees

The law allows investigative magistrates or the national prosecutor to order the detention of a suspect for 48 hours without bringing charges. Nevertheless, police often arrested individuals and held them without charge for periods exceeding the legal limit. In special cases, such as suspected actions against state security, the national prosecutor can authorize an additional 48-hour period of preventive custody. According to local and international human rights groups, police often held individuals for more than the 48-hour legal limit without bringing charges. An investigating magistrate can request pretrial detention for up to four months at a time by submitting a written justification to the national prosecutor. First-time offenders charged with minor offenses may be held for a maximum of five days after their initial hearing before the investigative magistrate. Repeat minor offenders and those accused of felonies may be held for six and 18 months, respectively.

While the law provides for informing detainees promptly of the charges against them, this did not always occur, especially in cases concerning state security and

involving the FRCI and the DST. In other cases magistrates could not verify whether detainees who were not charged had been released. A bail system exists but was used solely at the discretion of the judge trying the case. Authorities generally allowed detainees to have access to lawyers. In cases involving matters of national security, the authorities did not allow access to lawyers and family members. For other serious crimes, the government provided lawyers to those who could not afford them, but offenders charged with less serious offenses often did not have legal representation. Human rights observers reported multiple instances in which detainees were transferred to detention facilities outside of their presiding judge's jurisdiction, in violation of the law.

Arbitrary Arrest: There were multiple reports of arbitrary arrests by the FRCI, the DST, and other authorities throughout the year. The authorities held many of those charged for several days without informing them of the charges against them and restricted their access to a lawyer. Detainees were reportedly abused and suffered injury in some cases. In January, FRCI soldiers near Daloa arrested two men based on a merchant's complaint. The men were detained at the regional FRCI camp for a few days, but were released after intervention from the UN.

Dozos, while not an official law enforcement organization, were also involved in arrests and detentions. These groups assumed an informal security role in many communities but lacked the legal authority to arrest or detain individuals.

Pretrial Detention: Prolonged pretrial detention was a problem. According to government figures, at the end of November approximately 39 percent of detainees across all prisons and 47 percent of detainees at Abidjan's central prison were in pretrial detention, including some minors. In many cases the length of detention equaled or exceeded the sentence for the alleged crime. Inadequate staffing in the judicial ministry, judicial inefficiency, and lack of training contributed to lengthy pretrial detention.

In December 2014 approximately 300 prisoners across multiple prisons in the country staged a hunger strike to protest their prolonged pretrial detention and poor prison conditions. The hunger strike lasted for 25 days and ended after high-level intervention from UN officials. Multiple prisoners required medical care, and some were evacuated to outside medical facilities. In January the prosecutor of Abidjan granted provisional release to 59 individuals who were detained in connection with the postelectoral crisis. Fifty-six of these persons were participants in the previous month's hunger strike.

Amnesty: In February, President Ouattara granted a collective pardon to approximately 3,000 prisoners. Most of the prisoners identified for release had only a few years left in long prison sentences or were classified as posing no danger to society.

e. Denial of Fair Public Trial

The constitution and law provide for an independent judiciary, and the judiciary generally was independent in ordinary criminal cases. The continued lack of civilian indictments against pro-Ouattara elements indicated the judiciary was subject to political and executive influence. There were also numerous reports of judicial corruption, and bribes often influenced rulings. The judiciary was inadequately resourced and inefficient.

Trial Procedures

The constitution and law provide for the right to a fair trial, but the judiciary did not enforce this right.

Although the law provides for the presumption of innocence and the right to be informed promptly and in detail of the charges (with free interpretation as necessary), the government did not always respect this requirement. The law provides for the right to a public trial. Juries are only used in trials at assize courts (special courts convened as needed to try criminal cases involving major crimes). In the past assize courts rarely convened, but they met in several cities during the year to hear a backlog of cases. Defendants accused of felonies have the right to legal counsel at their own expense. Other defendants may also seek legal counsel. The judicial system provides for court-appointed attorneys, although only limited free legal assistance was available from the government, most often from members of the bar association. Defendants have the right to adequate time and facilities to prepare a defense. Defendants may not access government-held evidence, although their attorneys have the legal right to do so. Defendants may put forward witnesses or evidence on their behalf and question any witnesses brought to testify against them. Lack of a witness protection mechanism was a problem. Defendants may be compelled to testify or confess to guilt. Defendants have the right to be present at their trials, but courts may try defendants in their absence. Those convicted had access to appeals courts in Abidjan, Bouake, and Daloa, but higher courts rarely overturned verdicts.

Military tribunals did not try civilians or provide the same rights as civilian criminal courts. Although there are no appellate courts within the military court system, persons convicted by a military tribunal may petition the Supreme Court to order a retrial.

The relative scarcity of trained magistrates and lawyers resulted in limited access to effective judicial proceedings, particularly outside of major cities. In rural areas traditional institutions often administered justice at the village level, handling domestic disputes and minor land questions in accordance with customary law. Dispute resolution was by extended debate, with no reported instances of physical punishment. The law specifically provides for a “grand mediator,” appointed by the president, to bridge traditional and modern methods of dispute resolution.

In March the National Assembly made substantial changes to the penal code, adding charges for crimes against humanity, war crimes, and genocide. Although constitutionally outlawed since 2000, capital punishment was also eliminated from the penal code in the changes.

Political Prisoners and Detainees

Some political parties and local human rights groups claimed that members of former president Gbagbo’s FPI party--detained on charges including economic crimes, armed robbery, looting, and embezzlement--were political prisoners, especially when charged for actions committed during the 2010-11 postelectoral crisis.

Opposition and government representatives offered differing assessments of the number of politically affiliated detainees remaining in custody. The FPI party split during the year, and the two factions offered differing numbers of party-affiliated detainees remaining in custody. As of November the main FPI branch reported 96 remaining detainees, while the hard-line faction reported 413. In December the government released 38 politically affiliated detainees. A government-created platform for dialogue with the opposition met several times during the year to discuss these detainees and other opposition issues.

Civil Judicial Procedures and Remedies

The constitution and law provide for an independent judiciary in civil matters, but the judiciary was subject to corruption, outside influence, and favoritism based on family and ethnic ties. Citizens may bring lawsuits seeking damages for, or

cessation of, a human rights violation, but they did so infrequently. The judiciary was slow and inefficient, and there were problems in enforcing domestic court orders.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The constitution and law prohibit such actions, but the government did not always respect these prohibitions. The law requires warrants to conduct searches, the prosecutor's agreement to retain any evidence seized in a search, and the presence of witnesses in a search, which may take place at any time. Police sometimes used a general search warrant without a name or address. The FRCI and DST arrested individuals without warrants.

The FRCI continued to occupy some businesses and homes illegally, although the government continued to investigate reported cases of illegal occupation and return homes to their rightful owners.

Some leaders of opposition parties reported authorities froze their bank accounts, although they were not on any international sanctions list and courts had not charged them with any offenses.

A government-opposition dialogue platform discussed occupied housing and frozen bank accounts, with some progress acknowledged by representatives from both sides. Opposition representatives continued to report that some accounts remained frozen and investigations into claims of occupied housing continued. In October the FPI reported that accounts of 100 persons aligned with the party remained frozen in connection to events during the postelectoral crisis.

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The constitution and law provide for freedom of speech and press, but there were restrictions on press freedom. The National Press Council (CNP), the government's print media regulatory body, on several occasions briefly suspended or reprimanded newspapers and journalists for statements it contended were false, libelous, or perceived to threaten state security.

Freedom of Speech and Expression: The law prohibits incitement to violence, ethnic hatred, rebellion, and insulting the head of state or other senior members of the government.

In July a journalist with a pro-Gbagbo daily newspaper, *Aujourd'hui*, was arrested and placed in pretrial detention for insulting the head of state. He claimed that President Ouattara was involved in illicit transfers of funds, money laundering, and misappropriation of development aid. The journalist was released after six days.

Press Freedoms and Media Freedoms: The independent media were active and expressed a wide variety of views. Most newspapers aligned politically with the government or the opposition, the latter of which frequently published inflammatory editorials against the government and fabricated stories to defame political opponents. In October the regulatory body suspended three opposition newspapers for publishing calls to boycott the electoral process as well as the progovernment *Le Patriote* newspaper for publishing unofficial election results.

The High Audiovisual Communications Authority oversees the regulation and operation of radio and television stations. There were numerous independent radio stations, but the law prohibits the transmission of political commentary by private radio stations. There were no private television stations.

Censorship or Content Restrictions: The government appeared to exercise considerable influence over news coverage and program content on government-run television channels. The stations often did not cover opposition activities and emphasized the president's trips and activities of government ministers, although reporting during the official presidential campaign period included coverage of all candidates' activities. The most widely distributed daily newspaper, *Fraternite Matin*, and the most widely broadcast television station, RTI, were both state-owned and government-funded entities.

Libel/Slander Laws: Criminal libel is punishable by one to three years in prison. Libel deemed to threaten the national interest is punishable by six months to five years in prison. In October the CNP suspended *L'Inter*, a nonpolitically affiliated daily newspaper, for threatening national cohesion after it reported that members of Gbagbo's tribe did not mobilize and welcome President Ouattara on a state visit; it also suspended three opposition newspapers for three days for their calls to boycott the October presidential election. The CNP also suspended a ruling-coalition-leaning daily newspaper for publishing an article projecting President

Ouattara's victory in the presidential election before the Independent Electoral Commission (CEI) announced provisional results.

Internet Freedom

The government did not restrict or disrupt access to the internet or censor online content, and there were no credible reports that the government monitored private online communications without appropriate legal authority. Authorities permitted suspended newspapers to publish their full content online. An estimated 22.5 percent of the population had home-based access to the internet, compared with 5 percent in 2014. With a mobile phone penetration rate of 97.5 percent, internet access by mobile device was likely much higher.

Academic Freedom and Cultural Events

There were no government restrictions on academic freedom or cultural events; however, in November violent clashes between two rival student unions resulted in the death of one student and multiple injuries to others. Five members of one of the student unions were later arrested and remained in prison. The university administration responded by expelling a number of students associated with the violence and banning all student unions due to security concerns. The government supported the university administration's decision and provided additional security for the campus as requested by the administration. The student unions reacted with protests and destruction of university property. The unions were also actively working to reverse the ban.

b. Freedom of Peaceful Assembly and Association

Freedom of Assembly

The law provides for freedom of assembly, but the government did not always respect this right. The law requires groups that wish to hold demonstrations or rallies in stadiums or other enclosed spaces to submit a written notice to the Ministry of Interior three days before the proposed event. Multiple opposition political groups reported denials of their requests to hold political meetings and alleged inconsistent standards for granting public assembly permissions. In some instances public officials stated they could not guarantee the safety of opposition groups attempting to organize both public and private meetings.

In multiple instances security forces reportedly used tear gas to disperse demonstrators. National and international human rights organizations issued statements criticizing the government for denial of political groups' requests for assembly and the alleged arbitrary use of force against demonstrators. In May, FRCI forces reportedly sprayed tear gas on demonstrators who were protesting the alleged lack of payment to victims of a toxic-waste contamination.

Freedom of Association

The law provides for freedom of association, and the government generally respected this right. While the law prohibits the formation of political parties along ethnic or religious lines, ethnicity was often a key factor in party membership.

c. Freedom of Religion

See the Department of State's *International Religious Freedom Report* at www.state.gov/religiousfreedomreport/.

d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons

The constitution and law do not specifically provide for freedom of movement, foreign travel, emigration, or repatriation, but the government generally respected these rights. The government cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing protection and assistance to internally displaced persons, refugees, returning refugees, stateless persons, and other persons of concern.

In-country Movement: There were impediments to internal travel. Security forces and other unidentified groups erected and operated roadblocks primarily along secondary roads in the areas outside of Abidjan. Although there was legitimate use of roadblocks for security purposes, racketeering, and extortion were commonplace. For example, the FRCI was involved in racketeering at illegal checkpoints throughout major cities and road arteries. An antiracketeering task force existed under the jurisdiction of the High Authority for Good Governance, and by the end of July, it had identified 56 cases for prosecution. As of October no judicial proceedings had begun. In November, four police officers were found guilty in an extortion case from 2012 and were sentenced to 24 months of prison by the Military Court of Abidjan.

Exile: Several loyalists to former president Gbagbo, some with pending criminal charges, remained in exile. In January, Laurent Gbagbo's sister returned without incident from self-exile in Ghana.

Emigration and Repatriation: Slightly more than 58,000 Ivoirian refugees remained outside the country in the subregion, more than 37,000 of whom were in Liberia. Due to concerns over the possible spread of Ebola, the border with Liberia officially remained closed. In late December, however, humanitarian corridors were opened to resume voluntary repatriation of refugees. UNHCR assisted the return of 1,118 refugees from Liberia before the end of the year without incident, and an agreement signed by the government committed to the continuation of convoys for all refugees with interest in returning. In addition, in December UNHCR facilitated the repatriation of 22 refugees from Ghana.

Internally Displaced Persons

In 2014 a profiling exercise carried out by the Internal Displacement Monitoring Centre and UNHCR estimated the population of IDPs at slightly more than 300,000. Most of the IDPs were in the western region and in Abidjan and surrounding suburbs. Most were displaced due to the postelectoral crisis, although sporadic violence in the west also contributed to displacement.

The government conducted a number of evictions in Abidjan and some surrounding areas in an effort to remove persons from flood-prone areas and to crack down on structures built on illegally occupied land. The evictions did not appear to target specific ethnic or national groups. Estimates of how many IDPs resulted from the evictions were not available. Security forces leading the evictions were reportedly sometimes violent. According to some of those displaced by the evictions, the government compensated them to some degree. Some also stated, however, that they were not given adequate warning before the eviction or did not receive compensation.

The UN and local authorities continued to facilitate the return of voluntary IDPs. While many of those displaced by previous conflicts returned to their areas of origin, difficult conditions, including lack of access to land, shelter, and security, prevented some returns.

In December 2014 the government adopted the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala

Convention). The convention commits the government to protect the rights and well-being of persons displaced by conflict, violence, disasters, or human rights abuses and provides a framework of durable solutions for IDPs. The government respected the principle of voluntary return; however, it provided limited assistance to IDPs, while international and local NGOs worked to fill in the gaps. Host communities had few resources to receive and assist IDPs, who often resorted to living in informal urban settlements.

Protection of Refugees

Access to Asylum: The constitution and law provide for the granting of asylum or refugee status, and the government has established a system for providing protection to refugees. According to UNHCR, the country hosted fewer than 2,000 refugees, predominantly composed of former Liberian refugees who opted for local integration following the 2012 invocation of the cessation clause, which ended prima facie refugee status for Liberians. All 103 Liberian refugees who applied for resettlement in Cote d'Ivoire were accepted and resettled.

Durable Solutions: The government facilitated local integration for refugees in the most extreme situations by issuing resident permits to all refugees over the age of 14 to allow them to move freely in the country. Refugees also had access to naturalization, although UNHCR reported that many had been in the naturalization process for more than five years.

Temporary Protection: The government also provided temporary protection for individuals who no longer qualified as refugees under the relevant UN conventions. Persons awaiting status determination received a letter, valid for three months, indicating they were awaiting a decision on their status. The letter provided for temporary stay and freedom of movement only. Holders of the letter did not qualify for refugee assistance such as access to education or health care.

Stateless Persons

Statelessness in the country remained extensive. Citizenship is derived from one's parents rather than by birth within the country's territory, and birth registration was not universal. The country had habitual residents who were either legally stateless or effectively stateless. UNHCR continued to estimate the number of stateless persons at 700,000, including approximately 300,000 orphans not recognized by law and 400,000 historical migrants and their descendants.

The government continued implementing a 2013 law that allows foreign-born persons living in the country before independence in 1960 to attain citizenship by declaration and gives foreign nationals born in Cote d'Ivoire between 1961 and 1973 the option of citizenship. An open application period was in effect through the end of the year, allowing petitioners to submit applications for nationality. The recipients obtained full citizenship rights immediately upon receipt of nationality through this process. In April the minister of justice issued the first nationality certificates in this process, but a significant backlog of applications remained.

Section 3. Freedom to Participate in the Political Process

The constitution and law provide citizens the ability to choose their government through free and fair periodic elections based on universal and equal suffrage, and citizens exercised that right.

Elections and Political Participation

Recent Elections: The October national presidential election was peaceful and credible. International and domestic observers judged the election to be free and fair. This was the first time in 25 years the presidential election occurred peacefully.

Preparations for the presidential election were often contentious. In May the National Assembly passed reforms to the electoral code amid allegations from some civil society and opposition representatives that the reforms did not go far enough in strengthening the autonomy of the CEI. Revision of the electoral registry began in June after several delays. Although the voter registration period was originally scheduled for June 1-30, the CEI extended the voter registration period through July 12, in recognition of low initial turnout rates. Although the CEI had projected that as many as three million new voters would be added to the registry, 344,295 new voters were registered. Civil society observers also reported delays in distributing national identity cards and certificates, two documents required to register to vote, until after the conclusion of the voter registration period. A faction of the opposition chose not to participate in the presidential election to protest perceived imbalances in the electoral process.

Political Parties and Political Participation: The law prohibits the formation of political parties along ethnic or religious lines. Ethnicity, however, was often a key factor in party membership. Opposition groups were able to hold public rallies in several areas. Some opposition leaders, however, alleged that their freedom of

assembly rights were violated in some instances and that local authorities were not proportionate in granting or denying public assembly permissions to opposition and ruling coalition groups. Opposition leaders reported that local authorities asked them to leave the northern city of Korhogo before a planned August rally on the grounds they could not guarantee their safety. Security forces dispersed opposition assemblies in several areas on the grounds that protest organizers had not followed proper instructions in applying for public assembly permits or that the assemblies posed a risk to public safety. Domestic and international human rights observers also reported irregularities in arrests following violent protests on September 10.

Participation of Women and Minorities: While no formal barrier prevents women from participating in political life, cultural and traditional beliefs limited the role of women. Of 253 National Assembly members, 24 were women; of 197 mayors, 11 were women; of 31 regional council presidents, one was a woman. A few women held prominent positions, including the first vice president of the National Assembly, five ministers of cabinet, and chairpersons of important commissions. Two of the 10 approved presidential candidates for the October election were women.

Section 4. Corruption and Lack of Transparency in Government

The law provides criminal penalties for corruption by officials, but the government did not implement the law effectively, and officials frequently engaged in corrupt practices with impunity.

Corruption: The media and human rights groups reported significant official corruption. Transparency International data indicated that corruption was a severe problem, having the greatest effect on judicial proceedings, the accountability of the security forces, contract awards, and customs and tax matters.

In May the Minister of Youth, Sports, and Pleasure, Alain Lobogon, was fired from his post; his dismissal was attributed to continuing controversy regarding embezzlement of approximately 750 million CFA francs (\$1.3 million) in bonuses owed to the Ivoirian national soccer team as well as approximately 500 million CFA francs (\$866,000) allocated to cover the team during the African Cup of Nations tournament.

The Independent National Public Procurement Regulatory Agency (ANRMP) is responsible for supporting, monitoring, and enforcing fair competition for

government contracts. In August 2014, based on reports that 57 percent of all government contracts awarded in the first quarter of the year were sole source, the ANRMP launched an audit of all sole-source contract awards from 2011 to 2013. In September 2014 the ANRMP concluded an independent audit performed on 60 sole-source government contracts worth approximately two trillion CFA francs (\$3.46 billion) for fiscal years 2011 to 2013 and announced that 95 percent of the contracts broke procurement regulations and procedures.

Financial Disclosure: A presidential decree ordered disclosure of income and assets for the head of state, ministers, heads of national institutions, and directors of administration. Many officials obeyed this decree, but there is no penalty for noncompliance.

Public Access to Information: The law grants public access to government data, with the exception of information vital for the preservation of state security. Data relating to government activities and budgeting was largely available but varied among ministries. Much of the Ministry of Finance's data, including the national budget, was accessible on its website and that of the International Monetary Fund. Unlike in previous years, public procurement was generally transparent. The ANRMP provided key information on procurement quickly without charge, and it had a transparent decision-making and public-appeals process.

Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

A number of international and domestic human rights groups generally operated without government restriction, investigating and publishing their findings on human rights cases. Government officials often were cooperative and responsive to their views.

Government Human Rights Bodies: The National Human Rights Commission (CNDH) operated throughout the year. Due to a lack of resources, the commission did not have a presence outside of Abidjan. Although the CNDH is chartered as a nongovernmental, independent body, its funding is fully reliant on approval by the Ministry of Justice. In July the Ministry of Justice created an internal commission for human rights whose mandate overlaps that of the CNDH.

The civilian-controlled Special Investigative Cell (Special Cell) within the Ministry of Justice continued to investigate and try alleged perpetrators of human rights abuses committed during the postelectoral crisis. The predecessor to this

institution--the Dialogue, Truth, and Reconciliation Commission--concluded its mandate in September 2014 with public hearings that involved approximately 80 individuals publicly testifying before the commission. The commission submitted its final report to the president in December 2014. The report was not published, and its findings were never made public. Most international and local human rights observers agreed this body made little progress in achieving its mandate, and the government was widely criticized for not publishing the commissions' final report.

While authorities made the Special Cell's mandate indefinite in January, a lack of resources and dedicated staff significantly hampered its progress. In June Human Rights Watch sent a letter signed by multiple human rights organizations to President Ouattara, condemning alleged reports that the Special Cell was ending all open investigations under political pressure to do so. The head judge of the Special Cell denied this allegation. In July the Special Cell confirmed reports of the issuance of summons for 20 former military commanders (comzones) to appear before the Special Cell court, many of whom were identified as high-level personalities aligned with the government. Only a few of the 20 summoned were expressly named and confirmed in this affiliation. It was unconfirmed if any of the comzones actually appeared before the court. The summoned comzones whose names were confirmed remained free, and no further judicial proceedings took place in these cases.

In March the government established the National Commission for Reconciliation and Reparations for Victims to provide for and distribute monetary compensation for victims of the crises from 1990 to 2011. The government allocated 10 billion CFA francs (\$17.3 million) for this effort.

Several high-level individuals aligned with the government were reportedly responsible for postelectoral crisis human rights violations. In some cases alleged human rights offenders retained senior security force positions.

Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

The law prohibits discrimination based on race, ethnicity, national origin, gender, religion, disability, or HIV status, but the government did not effectively enforce the law.

Women

Rape and Domestic Violence: The law prohibits rape and provides for prison terms of five to 20 years for perpetrators. A life sentence can be imposed in cases of gang rape if the rapists are related to or hold positions of authority over the victim, or if the victim is under 15 years of age. Many rape cases were tried with the lesser charge of “indecent assault,” which carries a prison term of six months to five years. The law does not specifically penalize spousal rape. The government made some efforts to enforce the law, but local and international human rights groups reported that rape remained widespread. UNOCI reported hundreds of rape cases during the year, including a number of gang-rape cases. For example, in April, two men gang-raped a 19-year-old girl in Gagnoa after she drank a substance that rendered her unconscious. The girl’s mother filed a complaint with the local police, and authorities arrested both alleged perpetrators and placed them in pretrial detention. The tribunal subsequently released both men for lack of evidence. Psychosocial services for rape victims were available with support from NGOs in some areas but not universally accessible.

Relatives, police, and traditional leaders often pressured female victims to seek an amicable resolution with the rapist rather than pursue a criminal case. In November 2014 UNOCI released a report indicating an estimated 60 percent of sexual violence incidents were resolved amicably without involvement of the formal justice system.

Rape victims were no longer required to obtain a medical certificate, which could cost up to 50,000 CFA francs (\$85) to move a legal complaint forward. As a practical matter, however, cases rarely proceeded without one since it often served as the primary form of evidence. In April the Toumodi tribunal sentenced a 33-year-old man to a 10-year prison term and fine of 200,000 CFA francs (\$350) for the rape of a 15-year-old girl.

The law does not specifically outlaw domestic violence, which was a serious and widespread problem. Victims seldom reported domestic violence due to cultural barriers. Police often ignored women who reported rape or domestic violence. Many victims’ families reportedly urged victims to withdraw complaints and remain with an abusive partner due to fear of social stigmatization.

The Ministry of Family, Women, and Social Affairs assisted some victims of domestic violence and rape, including counseling at government-operated centers. The National Committee to Fight Violence against Women and Children monitored abusive situations and made weekly radio announcements about hotlines for victims.

Female Genital Mutilation/Cutting (FGM/C): FGM/C was a serious problem in some parts of the country. The predominant form of FGM/C was Type II--removal of clitoris and labia--although infibulation also occurred. The law specifically forbids FGM/C and provides penalties for practitioners of up to five years' imprisonment and fines of 360,000 to two million CFA francs (\$625 to \$3,560). Double penalties apply to medical practitioners. FGM/C was most common among rural populations in the northern and northwestern regions, where more than 75 percent of women had been subjected to the practice. More than 50 percent of FGM/C is done before the age of five. Local NGOs continued public awareness programs and worked to persuade practitioners to stop. The government successfully prosecuted some FGM/C cases during the year.

Other Harmful Traditional Practices: Societal violence against women included traditional practices, such as dowry deaths (the killing of brides over dowry disputes), levirate (forcing a widow to marry her dead husband's brother), and sororate (forcing a woman to marry her dead sister's husband).

Sexual Harassment: The law prohibits sexual harassment and prescribes penalties of between one and three years of imprisonment and fines of 360,000 to one million CFA francs (\$625 to \$1,730). Nevertheless, the government rarely enforced the law, and harassment was reportedly widespread and routinely accepted.

Reproductive Rights: Couples and individuals have the right to decide the number, spacing, and timing of their children; manage their reproductive health; and have access to the information and means to do so, free from coercion, discrimination, or violence. Government policy requires emergency health-care services to be available and free to all, but care was not available in all regions, particularly rural areas, and was often expensive. Family planning indicators remained low, and the government's ability to deliver high-quality maternal and reproductive health service was weak. The Demographic Health Survey estimated the maternal mortality rate in 2012 to be 614 per 100,000 live births, an increase from 543 in 2005. Skilled health personnel attended 59 percent of births. Only 14 percent of girls and women between ages 15 and 49 used a modern method of contraception. Unmet needs for family planning were at 27 percent nationally and above 30 percent for the poorest women. Thirty percent of adolescent girls had been or were pregnant when surveyed, a percentage that rose to 46 percent for adolescents in rural areas. Threats or perceived threats of violence from husbands or family members inhibited some women from seeking family planning or health services.

In urban areas access to contraception and skilled attendance during childbirth were available to women who could afford them. For women who were poor or lived in rural areas, transportation and the cost of services posed significant barriers to accessing health centers and hospitals. These factors, along with a 4.6 percent HIV/AIDS prevalence rate among girls and women ages 15 to 49, resulted in a high maternal mortality rate.

Discrimination: The law prohibits discrimination based on gender, and the government encouraged full participation by women in social and economic life (see section 7.d.). Some women had trouble obtaining loans because they could not meet lending criteria, including requirements for posting expensive household assets as collateral, which may not have a woman listed on the title. Women also experienced economic discrimination in owning or managing businesses.

Women's organizations continued to campaign for tax reform to enable single mothers to receive deductions for their children. Inheritance law also discriminates against women.

Women's advocacy organizations continued to sponsor campaigns against forced marriage, patterns of inheritance that excluded women, and other practices considered harmful to women and girls. They also campaigned against legal provisions that discriminated against women and continued their efforts to promote greater women's participation in national and local politics.

Children

Birth Registration: Citizenship is derived from one's parents. At least one parent must be a citizen for a child to be considered Ivoirian at birth. The law provides parents a three-month period to register their child's birth for a fee of 500 CFA francs (\$0.85). The government registered all births when parents submitted documentation from a health clinic or hospital attesting that a birth had occurred, but persons without proper identification documents could not register births. In March and April, the Ministry of Interior and Security held information sessions and campaigns throughout the country to educate the public on the importance of personal identification documents, such as birth certificates. Administrative fees for registration were waived during this period. Although the government did not officially deny public services such as education or health care to children without documents, some schools reportedly required parents to present children's identity documents before enrolling them.

Education: A law passed in July made schooling mandatory for children ages six to 16, beginning in the 2015-16 academic year. Parents of children in noncompliance with the law are subject to fines up to 500,000 CFA francs (\$865) or jail time of two to six months. Compulsory education is tuition free. In principle students do not have to pay for books, uniforms, or fees, but some reportedly did so because the government did not cover these expenses for every student. Some schools expected parents to contribute to the teachers' salaries and living stipends, particularly in rural areas. Students who failed secondary school entrance exams did not qualify for free public secondary education, and many families could not afford to pay for private schooling.

Educational participation of girls was lower than that of boys, particularly in rural areas. Parental preference for educating boys rather than girls reportedly persisted, particularly in rural areas. Most schools had inadequate sanitary facilities for girls. Rates of pregnancy among schoolgirls were high. There were numerous reports of teachers demanding sexual favors from students in exchange for money or grades. For example, in March a primary school director was arrested in Tanda and placed in pretrial detention for the repeated rape of an 11-year-old girl. The assaults had reportedly been going on since December 2014, when the teacher promised to improve the girl's math score in exchange for sex.

Child Abuse: The penalty for statutory rape or attempted rape of a child under the age of 16 is a prison sentence of one to three years and a fine of 360,000 to one million CFA francs (\$625 to \$1,730). Nevertheless, children were victims of physical and sexual violence and abuse. Authorities reported rapes of girls as young as five years old during the year. Authorities often reclassified claims of child rape as indecent assault, since penalties were less severe. There were some prosecutions and convictions during the year. To assist child victims of violence and abuse, the government cooperated with UNICEF to strengthen the child protection network.

Although the Ministries of Employment, Social Affairs, and Professional Training; of Justice; and of Solidarity, Family, Women, and Children were responsible for combating child abuse, they were ineffective due to a lack of coordination between the ministries and inadequate resources.

Early and Forced Marriage: The law prohibits the marriage of men under the age of 20 and women under the age of 18 without parental consent. The law specifically penalizes anyone who forces a minor under age 18 to enter a religious or customary matrimonial union. Nevertheless, traditional marriages were

performed with girls as young as 14. The UN documented several cases of forced marriage and attempted forced marriage during the year.

Female Genital Mutilation/Cutting: See information for girls under 18 in women's section above.

Sexual Exploitation of Children: The minimum age of consensual sex is 18. The law prohibits the use, recruitment, or offering of children for prostitution or pornographic films, pictures, or events. Violators can receive prison sentences ranging from five to 20 years and fines of five to 50 million CFA francs (\$8,700 to \$87,700). Statutory rape of a minor carries a punishment of one to three years in prison and a fine of 360,000 to one million CFA francs (\$625 to \$1,730).

The country was a source, transit, and destination country for children subjected to trafficking in persons, specifically sex trafficking. During the year the antitrafficking unit of the national police made several arrests of suspected child-sex traffickers.

Also see the Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip/rls/tiprpt/.

Displaced Children: Local NGOs reported thousands of children countrywide living on the streets. NGOs dedicated to helping these children found it difficult to estimate the extent of the problem or to determine whether these children had access to government services. No known government program specifically addressed the problem of children living on the streets.

International Child Abductions: The country is not a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. For information see the Department of State's report on compliance at travel.state.gov/content/childabduction/en/legal/compliance.html and country-specific information at travel.state.gov/content/childabduction/en/country/cotedivoire.html.

Anti-Semitism

The country's Jewish community numbered fewer than 100 persons. There were no reports of anti-Semitic acts.

Trafficking in Persons

See the Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip/rls/tiprpt/.

Persons with Disabilities

The law requires the government to educate and train persons with physical, mental, visual, auditory, and cerebral motor disabilities; hire them or help them find jobs; design houses and public facilities for wheelchair access; and adapt machines, tools, and work spaces for access and use by persons with disabilities. Wheelchair-accessible facilities were not common, and there were few training and job assistance programs for persons with disabilities. The law prohibits acts of violence against persons with disabilities and the abandonment of such persons, but there were no reports that the government enforced these laws.

Persons with disabilities reportedly encountered serious discrimination in employment and education. While the government reserved 800 civil service jobs for persons with disabilities, government employers sometimes refused to employ such persons.

The government financially supported special schools, training programs, associations, and artisans' cooperatives for persons with disabilities, but many persons with disabilities begged on urban streets and in commercial zones for lack of other economic opportunities. Although the public schools did not bar persons with disabilities from attending, such schools lacked the resources to accommodate students with disabilities. Persons with mental disabilities often lived on the street.

The Ministry of Employment, Social Affairs, and Professional Training and the Federation of the Handicapped are responsible for protecting the rights of persons with disabilities.

National/Racial/Ethnic Minorities

The country has more than 60 ethnic groups, and ethnic discrimination was a problem. Authorities considered approximately 25 percent of the population foreign, although many within this category were second- or third-generation residents. Disputes among ethnic groups, often related to land, resulted in sporadic violence, particularly in the western part of the country. Despite a 2013 procedural update that allows putative owners of land 10 additional years to establish title, land ownership laws remained unclear and unimplemented and reportedly resulted

in conflicts with ethnic and xenophobic overtones, often between the native populations and other groups.

Although the law prohibits xenophobia, racism, and tribalism and makes these forms of intolerance punishable by five to 10 years' imprisonment, no prosecutions occurred during the year. There were instances where police abused and harassed non-Ivoirian Africans residing in the country. Harassment by officials reflected the common belief that foreigners were responsible for high crime rates and identity card fraud.

Acts of Violence, Discrimination, and Other Abuses Based on Sexual Orientation and Gender Identity

No law criminalizes homosexuality. The law's only mention of same-sex sexual activity is as a form of public indecency that carries a penalty of up to two years' imprisonment, the same prescribed for heterosexual acts performed in public. Antidiscrimination laws exist, but they do not address discrimination based on sexual orientation or gender identity (see section 7.d.).

Unlike in previous years, there were no reports of security forces beating, imprisoning, extorting, or humiliating members of the lesbian, gay, bisexual, transgender, and intersex (LGBTI) community due to their sexual orientation. Law enforcement authorities were at times slow and ineffective in their response to societal violence targeting the LGBTI community. The few LGBTI organizations in the country operated freely but with caution.

There was no official discrimination based on sexual orientation in employment, housing, or access to education or health care. Nevertheless, societal stigmatization of the LGBTI community was widespread, and many members reported discrimination at health clinics, particularly when seeking treatment for sexually transmitted infections. Persons believed to be gay also faced societal discrimination in finding employment and housing.

HIV and AIDS Social Stigma

There was no official discrimination based on HIV status. A 2014 law expressly condemns all forms of discrimination against persons with HIV/AIDS and provides for their access to care and treatment. The law also prescribes fines for refusal of care or discrimination based on HIV status. The Ministry of Health managed a program that assisted vulnerable populations (gay men, sex workers,

migrants) with HIV/AIDS. The Ministry of Solidarity, Family, Women, and Children oversaw a program that directed food, education, and protection assistance to orphans and vulnerable children, including those with HIV/AIDS.

In the most recent demographic and health survey for the country (2012), approximately 47 percent of women and 45 percent of men reported holding discriminatory attitudes towards those with HIV. Outside of hospitals and clinics, societal stigmatization was widespread, with the most overt discrimination directed at gay men with HIV. Many persons with HIV/AIDS chose not to reveal their status to friends and family for fear of stigmatization.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The law, including related regulations and statutory instruments, provides for the right of workers, except members of police and military services, to form or join unions of their choice, protects the right to strike and collectively bargain, and prohibits antiunion discrimination by employers or others against union members or organizers. The law prohibits firing workers for union activities. The law allows unions in the formal sector to conduct their activities without interference. Worker organizations were independent of the government and political parties. Nevertheless, according to the International Trade Union Confederation, the law does not have any objective criteria to establish recognition of representative trade unions, which could allow public and private employers to refuse to negotiate with unions on the grounds they were not representative. Foreigners are required to obtain residency status, which takes three years, before they may hold union office. The law provides for the reinstatement of dismissed workers within eight days of receiving a wrongful dismissal claim.

The law requires a protracted series of negotiations and a six-day notification period before a strike may take place, making legal strikes difficult to organize and maintain. Workers must maintain a minimum coverage in services whose interruption may endanger the lives, security, or health of persons; create a national crisis that threatens the lives of the population; or affect the operation of equipment. Additionally, if authorities deem a strike to be a threat to public order, the president has broad powers to compel strikers to return to work under threat of sanctions. The president also may require that strikes in essential services go to arbitration, although the law does not describe what constitutes essential services.

Apart from large industrial farms and some trades, legal protections excluded most laborers in the informal sector, including small farms, roadside street stalls, and urban workshops.

The government generally effectively enforced applicable laws in the formal sector. Resources, inspections, and remediation were inadequate. Penalties for violations, including a fine between 10,000 and 100,000 CFA francs (\$17.30 to \$173), were insufficient to deter violations. Administrative judicial procedures were subject to lengthy delays and appeals.

Before collective bargaining can begin, a union must represent 30 percent of workers. Collective bargaining agreements apply to employees in the formal sector, and many major businesses and civil-service sectors had them. Although the labor code may allow employers to refuse to negotiate, the Ministry of Employment, Social Affairs, and Professional Training did not receive any such complaints from unions. A well-known international trade union, however, reported that the government failed to remit union dues to several trade unions despite a valid collective bargaining agreement.

University teachers, prison guards, and members of the military went on strike throughout the year. There were no reports of strikebreaking during the year.

The Ministry of Employment, Social Affairs, and Professional Training did not report any complaints of antiunion discrimination or employer interference in union functions during the year. There were no reported cases of harassment of union members.

b. Prohibition of Forced or Compulsory Labor

The law prohibits forced or compulsory labor, including by children, and the government increased efforts to enforce it, especially in new initiatives to fight child labor. Violators are subject to a prison term of one to five years and a fine of 360,000 to one million CFA francs (\$625 to \$1,730). Resources, inspections, and remediation were inadequate. Penalties were insufficient to deter violations.

The National Monitoring Committee on Actions to Fight Trafficking, Exploitation, and Child Labor (NMC), chaired by First Lady Dominique Ouattara, and the Inter-Ministerial Committee are responsible for assessing government and donor actions on child labor.

Forced and compulsory labor continued to occur in small-scale and commercial production of agricultural products, particularly on cocoa, coffee, pineapple, and rubber plantations and in the informal labor sector, such as domestic work, nonindustrial farm labor, artisanal mines, street shops, and restaurants. Forced labor on cocoa, coffee, and pineapple plantations was limited to children (see section 7.c.). Reports of forced adult labor in rubber production primarily involved long hours and low pay for workers, who lived in conditions of effective indenture.

Also see the Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip/rls/tiprpt/.

c. Prohibition of Child Labor and Minimum Age for Employment

The legal minimum working age is 16 (14 for apprenticeship). Minors under the age of 18 may not work at night. Although the law prohibits the exploitation of children in the workplace, the Ministry of Employment, Social Affairs, and Professional Training enforced the law effectively only in the civil service and large multinational companies.

The law prohibits child trafficking and the worst forms of child labor. Although lack of resources and inadequate training continued to hinder enforcement of child labor laws, the government took active steps to address the worst forms of child labor. The government worked on implementing its 2015-17 National Action Plan against Trafficking, Exploitation, and Child Labor and strengthened its national child-labor monitoring system. In 2015, a targeted raid of various enterprises in the San Pedro area led to the rescue of 48 children who were victims of trafficking and the worst forms of child labor. As a result, 22 people were referred to the courts on trafficking-related charges. Beginning in 2014 the government implemented stricter regulations on the travel of minors to and from the country, requiring children and parents to provide documentation that demonstrates family ties, including at least a birth certificate. This was not always enforced.

The Department of the Fight against Child Labor within the Ministry of Employment, Social Affairs, and Professional Training, the NMC, and the Inter-Ministerial Committee led enforcement efforts. The 2015-17 National Action Plan had a budget of 9.6 billion CFA francs (\$16.6 million). The plan calls for efforts to improve access to education, health care, and income-generating activities for children, as well as nationwide surveys, awareness campaigns, and other projects with local NGOs to highlight the dangers associated with child labor. First Lady

Ouattara made the elimination of child labor a centerpiece of her efforts and continued to be actively involved.

The government engaged in partnerships with the International Labor Organization (ILO) to reduce child labor on cocoa farms. Through its International Program to Eliminate Child Labor, the ILO had two projects targeting child labor, both of which concluded during the year.

The government coordinated with NGOs to conduct campaigns to sensitize farm families about child labor, based on the government's list of prohibited worst forms of child labor. Consequently, local domestic worker organizations sought to prevent the exploitation of children in domestic work. Other NGOs campaigned against child trafficking, child labor, and the sexual abuse of children.

The punishment for violating the law includes a prison term of one to five years and a fine of 500,000 to one million CFA francs (\$865 to \$1,730). The penalties were not sufficient to deter violations, and the government did not effectively enforce the law. Child labor remained a widespread problem, particularly on cocoa and coffee plantations and in gold and diamond mines.

Children routinely worked on family farms or as vendors, shoe shiners, errand boys, domestic helpers, street restaurant vendors, and car watchers and washers. Some girls as young as age nine reportedly worked as domestic servants, often within their extended family networks. While the overall prevalence of child labor decreased, children in rural areas continued to work on cocoa farms under hazardous conditions, including risk of injury from machetes, physical strain from carrying heavy loads, and exposure to harmful chemicals. A small percentage of the children working on cocoa farms had no family ties to the farmers, but most worked on family farms or with their parents. According to a 2014 ILO report, approximately 40 per cent of children between five and 14 years of age were working, and nearly a quarter of all children combined work and school.

Also see the Department of Labor's *Findings on the Worst Forms of Child Labor* at www.dol.gov/ilab/reports/child-labor/findings/.

d. Discrimination with Respect to Employment and Occupation

The law prohibits employment and occupation discrimination based on sex, age, national origin, citizenship, race, religion, and social origin, but it is silent on discrimination based on sexual orientation or gender identity. A 2014 law

specifically prohibits workplace discrimination based on HIV/AIDS status. The new labor code passed in July includes provisions to promote access to employment for handicapped. It stipulates that employers must reserve a quota of jobs for qualified handicapped applicants.

The government did not always effectively enforce the law. Discrimination in employment and occupation occurred with respect to gender, nationality, persons with disabilities, and LGBTI persons (see section 6). While women in the formal sector received the same pay and paid the same taxes as men, some employers resisted hiring women.

While the law provides the same protections for migrant workers in the formal sector as it does for citizens, most faced discrimination in terms of wages and treatment.

e. Acceptable Conditions of Work

The minimum wage for all professions other than the agricultural sector was 60,000 CFA francs per month (\$100). The agricultural minimum wage was 25,000 CFA francs (\$43) per month. The official estimate for the poverty income level was between 500 and 700 CFA francs (\$0.85 and \$1.20) per day. The Ministry of Employment, Social Affairs, and Professional Training is responsible for enforcing the minimum wage. The government enforced the law only for salaried workers employed by the government or registered with the social security office. Labor unions contributed to effective implementation of the minimum salary requirements in the formal sector. Labor federations attempted to fight for just treatment under the law for workers when companies failed to meet minimum salary requirements or discriminated between classes of workers, such as women or local versus foreign workers.

The law does not stipulate equal pay for equal work. There were no reports that the government took action to rectify the large salary discrepancies between foreign non-African employees and their African colleagues employed by the same companies.

The standard legal workweek is 40 hours. The law requires overtime pay for additional hours and provides for at least one 24-hour rest period per week. The law does not prohibit compulsory overtime.

The law establishes occupational safety and health standards in the formal sector. The law provides for the establishment of a committee of occupational, safety, and health representatives responsible for verifying protection and worker health at workplaces. Such committees are to be composed of union members. The chairman of the committee could report unhealthy and unsafe working conditions to the labor inspector without penalty. The law does not cover several million foreign migrant workers or workers in the informal sector, who account for 70 percent of the nonagricultural economy. The government did not effectively enforce the law and penalties were insufficient to deter violations.

The Ministry of Employment, Social Affairs, and Professional Training estimated the number of labor inspectors at no more than 300, insufficient to enforce the law effectively. Labor inspectors reportedly accepted bribes to ignore violations.

While the law requires businesses to provide medical services for their employees, small firms, businesses in the informal sector, households employing domestic staff, and farms (particularly during the seasonal harvests) did not comply. Excessive hours of work were common, and employers rarely recorded and seldom paid overtime hours in accordance with the law. Enforcement in the informal sector was nonexistent.

By law workers in the formal sector have the right to remove themselves from situations that endangered health or safety without jeopardy to their employment by utilizing the inspection system of the Ministry of Employment, Social Affairs, and Professional Training to document dangerous working conditions. Authorities effectively protected employees in this situation.