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Country Report on Human Rights Practices 2018 - Cote d'Ivoire

EXECUTIVE SUMMARY

Cote d'Ivoire is a democratic republic ruled by a freely elected government. In legislative elections held in 2016, the ruling government coalition won 66 percent of National Assembly seats. The main opposition party, which boycotted the 2011 legislative elections, participated and won seats. The elections were peaceful and considered inclusive and transparent. The country held a presidential election in 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. Senatorial elections in March were judged to be free and fair as well, but municipal and regional elections in October were marred by four elections-related killings and several irregularities during the campaign period and on election day. Special elections in December were also marred by violence and allegations of fraud despite a heavy presence of security forces and international observers.

In August, President Ouattara announced an immediate amnesty for 800 prisoners held for their participation in the 2010-11 postelectoral crisis, including several former cabinet members, military officers, and Simone Gbagbo, the wife of former president Laurent Gbagbo.

Civilian authorities at times did not maintain effective control over the security forces.

Human rights issues included security force abuses; arbitrary detention; harsh prison conditions; abuse of detainees; political prisoners; criminal libel; irregularities in some elections; widespread corruption in government; sexual abuse, including against children, with few crimes being reported to police; crimes involving violence targeting lesbian, gay, bisexual, transgender, intersex persons; and child labor.

The government often did not take steps to prosecute officials who committed abuses, whether in the security services or elsewhere in the government, and impunity was a serious problem.

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

a. Arbitrary Deprivation of Life and Other Unlawful or Politically

Motivated Killings

There were no reports the government or its agents committed arbitrary or unlawful killings.

b. Disappearance

There were no reports of disappearances by or on behalf of government authorities.

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

The constitution and law prohibit such practices. Human rights groups reported torture and other mistreatment of persons arrested and taken into security force custody. There were reports that government officials employed inhuman or degrading treatment.

Prison authorities acknowledged that abuse might happen and go unreported as prisoners fear reprisals. Human rights nongovernmental organization (NGO) sources reported mistreatment of detainees associated with the Ivorian Popular Front (FPI) political party.

Prison and Detention Center Conditions

Prison conditions were harsh and unhealthy due to insufficient food, gross overcrowding, inadequate sanitary conditions, and lack of medical care.

Physical Conditions: Severe overcrowding continued in many prisons. For example, the prison at Man was estimated to be at 10 times the capacity prior to a transfer of 300 prisoners from Man. The central prison of Abidjan was built to hold approximately 1,500 prisoners but held 5,728. Reports from other prisons also indicated the number of inmates exceeded capacity. In at least one prison, the inmates slept packed head-to-toe on the floor.

Authorities held men and women in separate prison wings, held juveniles with adults in the same cells in some prisons, and usually held pretrial detainees together 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. There were generally no appropriate services for mentally ill inmates, and they were held together with the general prison population. A human rights NGO reported that prominent prisoners or those who had been politically active had slightly better living conditions than other prisoners.

According to prison authorities, 39 prisoners died during the year, all from natural

causes.

Large prisons generally had doctors, while smaller prisons had nurses, but it was unclear whether prisoners had access to these medical professionals at all times. Prison authorities reported that two doctors spend the night at Abidjan’s main prison and were always available for urgent cases, but human rights groups alleged prisoners had to rely upon guards to allow them to see medical staff at night. Prisoners with health crises were supposed to be sent to health centers with doctors, and prison authorities claimed they approved medical evacuations of prisoners. Where the prison did not have a vehicle, the prison authorities in some prisons said they cooperated with the local gendarmes or emergency services for transportation to hospitals.

Critical health care for prisoners, however, was not always immediately available. Charities or religious organizations sometimes financed prisoners’ medical care. Prison pharmacies often provided medicine for diseases such as malaria, but not the more expensive medicines for illnesses such as diabetes and hypertension. In some cases prison pharmacists would write a prescription, and a family member would fill it. At one prison, authorities said the prison officials themselves would buy the medications at a local pharmacy out of the prison budget. The prison director also said some prison guards had nursing training and he authorized them to wake the doctor in the middle of the night if a prisoner needed urgent medical care. According to prison authorities, it was the Ministry of Health, not prison authorities, who decided which pharmaceuticals a prison pharmacy should receive.

Prison authorities reported difficulty in keeping mattresses free from pests in some prisons, leading authorities to remove the mattresses. Poor ventilation and high temperatures, exacerbated by overcrowding, were problems in some prisons. While potable water generally was available in prisons and detention centers, water shortages could occur due to disagreements among the prisoners about how to allocate it. When one city experienced water shortages, prison authorities had trucks bring in water.

Approximately 23 percent of the prison population was in preventive detention. According to human rights groups, physical abuse occurred, and conditions were inhuman in police and gendarmerie temporary detention facilities, with detainees in close proximity to extremely unsanitary toilets. The 48-hour limit for detention without charge was often ignored and renewed, with the average time being eight to nine days. Officials sometimes listed the date of detention as several days later than the actual date of arrest while conducting an investigation to conceal the length of time the prisoner was actually in temporary detention.

Wealthier prisoners reportedly could buy food and other amenities, as well as hire staff to wash and iron their clothes. The government allotted 400-450 CFA francs (\$0.72-\$0.81) per person per day for food rations, which was insufficient. The prison budgets generally did not increase with the number of prisoners, although prison authorities said funding followed prisoners who were transferred to alleviate overcrowding. Families routinely supplemented rations if they lived within proximity of the prison or detention center, bringing food from the outside during the four visiting days of the week.

Information on conditions at detention centers operated by the Directorate for Territorial Surveillance (DST) was not readily available.

Administration: Prisoners could submit complaints to judicial authorities, although there was no process for handling the complaints. Prison authorities had limited capacity to investigate and redress allegations of poor detention conditions, but NGOs reported that they improved hygiene and nutrition. Prison administrators continued to detain or release prisoners outside normal legal procedures.

Authorities generally permitted visitors in prisons on visiting days. Prisoners’ access to lawyers and families was allegedly nonexistent in detention centers operated by the DST.

In late November, five prison guards in Bouake became involved in a violent altercation with local university students. The incident, which involved local armed forces who joined the guards, stemmed from a dispute earlier in the day and ended with five students being shot, although authorities had not determined who fired the shots.

Independent Monitoring: The government generally permitted the United Nations and local and international NGOs adequate access to prisons but not to detention centers run by the DST. Local human rights groups reported having access to prisons when they formally requested such in advance, although Amnesty International reported that its requests to visit prisons had not been approved since 2013, when it produced a critical report.

Improvements: In the main prison in Abidjan, a prisoners’ rights organization with international funding was working with prison authorities to build and equip a training center for cooking and hairdressing in the section for prisoners who are minors.

d. Arbitrary Arrest or Detention

The constitution and law prohibit arbitrary arrest and detention, but both occurred. The DST and other authorities arbitrarily arrested and detained persons, often without charge. They held many of these detainees briefly before releasing them or transferring them to prisons and other detention centers, but they detained others for lengthy periods. Generally, the limit of 48 hours pretrial detention by police was not enforced. Police detained citizens beyond 48 hours before releasing them or presenting them to a judge. There were several incidents of detention in undisclosed and unauthorized facilities.

Although detainees have the right to challenge in court the lawfulness of their detention and to obtain release if found to have been unlawfully detained, this rarely occurred. Most detainees were unaware of this right and had limited access to public defenders.

Role of the Police and Security Apparatus

Police (under the Ministry of Interior and Security) and gendarmerie (under the Ministry of Defense) are responsible for law enforcement. The Coordination Center for Operational Decisions, a mixed unit of police, gendarmerie, and the Armed Forces of Cote d'Ivoire (FACI) personnel, assisted police in providing security in some large cities. The FACI (under the Ministry of Defense) is responsible for national defense. The DST (under the Ministry of Interior and Security) has responsibility for countering external threats. The national gendarmerie assumed control from the FACI for security functions on national roadways. FACI forces lacked adequate training and equipment and had a weak command and control structure. Corruption was endemic and impunity, including for allegations of rape and sexual assault, was widespread among the FACI and other security forces, such as police and gendarmerie.

In early January soldiers shot at a vehicle carrying a former rebel aligned with a ruling party minister, killing one person. Also in early January, 230 soldiers and gendarmes accused of misconduct, including desertion and breach of discipline, were removed from the army. Heavy gunfire erupted in January at two military bases in the country's second-largest city, when soldiers reportedly demanded payment of bonuses and the departure of a security battalion in addition to training and promotions. In May, 2,168 soldiers of 2,211 soldiers, including three military officers, accepted payouts to retire. This was the second group of soldiers retired as part of a plan to cut costs and bring under control a military that launched two mutinies in 2017.

In August the government appointed a leader of a former rebel movement that controlled half of the country during the 2002 rebellion as the governor of Bouake, a central city home to previous unrest.

Dozos (traditional hunters) assumed an informal security role in some village communities, especially in the north and west, but they were less active than in the past and had no legal authority to arrest or detain. The government discouraged the *dozos*, whom most residents feared, from assuming security roles.

Military police and the military tribunal are responsible for investigating and prosecuting alleged internal abuses perpetrated by the security services.

Security forces failed at times to prevent or respond to societal violence, particularly during intercommunal clashes.

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 beyond the legal limit. In special cases, such as suspected actions against state security or drugs, the national prosecutor can authorize an additional 48-hour period of preventive custody. 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 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 trial judge. Authorities generally allowed detainees to have access to lawyers. In cases involving national security, 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 had no lawyer. Attorneys often refused to accept indigent client cases they were asked to take because they reportedly had difficulty being reimbursed. Human rights observers reported multiple instances in which detainees were transferred to detention facilities outside their presiding judge’s jurisdiction, in violation of the law. Detained persons outside of Abidjan, where the vast majority of the country’s 600 attorneys reside, had particular difficulty obtaining legal representation.

Arbitrary Arrest: The law does not sanction arbitrary arrest, but authorities used the practice.

Pretrial Detention: Prolonged pretrial detention was a major problem. According to government figures, as of September approximately one-third of all prison inmates in the country and almost half of the inmates at Abidjan’s central prison were in pretrial detention including 55 minors, with 20 more minors detained for oversight. In many cases the length of detention equaled or exceeded the sentence for the alleged crime. For example, some persons remained in pretrial detention for up to eight years. Inadequate staffing in the judicial ministry, judicial inefficiency, and lack of training contributed to lengthy pretrial detention. There were reports of pretrial detainees receiving convictions in their absence from court, with prison authorities claiming that their presence was not necessary, and sometimes detainees were not given sufficient notice and time to arrange transportation. Human rights groups reported mistreatment of detainees who were arrested and in custody of the DST before being sent to Abidjan’s main prison.

Amnesty: In August, President Ouattara announced an immediate amnesty for 800 prisoners held in connection with the 2010-11 postelectoral crisis, including several former cabinet members, military officers, and Simone Gbagbo, the wife of former president Laurent Gbagbo.

e. Denial of Fair Public Trial

The constitution and law provide for an independent judiciary, and although the judiciary generally was independent in ordinary criminal cases, the government did not respect judicial independence. The judiciary was inadequately resourced and inefficient. The continued lack of civilian indictments against pro-Ouattara elements for crimes

during the 2010-11 postelectoral crisis indicated the judiciary was subject to political and executive influence. There were also numerous reports of judicial corruption, and bribes often influenced rulings. By early December no magistrate or clerk had been disciplined or dismissed for corruption. On the other hand, magistrates who advocated independence or acted in a manner consistent with judicial independence were sometimes disciplined. For example, in July, two magistrates were dismissed from their jobs after they spoke out about the importance of independence in the judiciary, ethics, and “victor’s justice.” They fled the country following harassment by security forces.

Trial Procedures

The constitution and law provide for the right to a fair and public 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 from the moment charged through all appeals), the government did not always respect this requirement. In the past assize courts (special courts convened as needed to try criminal cases involving major crimes) rarely convened. Starting in 2015, however, they convened for one session per year in several cities 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; the government had a small legal defense fund to pay members of the bar who agreed to represent the indigent. Defendants have the right to adequate time and facilities to prepare a defense. Defendants may present their own witnesses or evidence and confront prosecution or plaintiff witnesses. Lack of a witness protection mechanism was a problem. Defendants cannot be legally compelled to testify or confess guilt, although there were reports such abuse sometimes occurred. 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. There were 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.

Political Prisoners and Detainees

The government denied that there were political prisoners, although President Ouattara recognized in August there were prisoners indicted for “offenses connected to the 2010-11 postelectoral crisis,” a statement widely interpreted as recognition that political

prisoners existed. In 2017 an Abidjan jury found Simone Gbagbo, the wife of former president Laurent Gbagbo, not guilty of crimes against humanity stemming from the 2010-11 postelectoral crisis. She had been in custody since 2011. Although Simone Gbagbo was released from prison under the August amnesty, it was unclear who or how many other persons were released.

In March authorities arrested 18 supporters of an opposition alliance and detained them at Abidjan's main prison.

In July a prominent imam was arrested and imprisoned on terrorism charges after criticizing the president for lack of progress in helping the poor and advocating for Muslim schools. Authorities released him after several weeks.

Some political parties and local human rights groups claimed members of former president Gbagbo's opposition party FPI, 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. A government-created platform to discuss detainees and other issues concerning the opposition did not meet during the year.

Authorities granted political prisoners the same protections as other prisoners, including access by the International Committee of the Red Cross.

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. Individuals and organizations may appeal adverse domestic decisions to regional human rights bodies. The judiciary was slow and inefficient, and there were problems in enforcing domestic court orders.

Property Restitution

In May local police destroyed homes, forcibly evicting a number of persons from a gentrifying neighborhood in Abidjan. Because residents had been informed by official notice that they had until July to move, most residents, including children and the elderly, were unprepared and without alternative lodging during the rainy season. The demolition disrupted the students' exams and hindered the possibility for some to advance to the next grade.

In July, one person was killed and several others injured as police clashed with youths after more than 20,000 persons were evicted from their homes in an Abidjan neighborhood local authorities believed to be unsafe and illegally occupied, according to news reports. Human rights groups reported that due process was not followed.

f. Arbitrary or Unlawful 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 for security personnel 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 FCI and DST arrested individuals without warrants.

Some leaders of opposition parties reported that authorities had frozen their bank accounts, although they were not on any international sanctions’ list and courts had not charged them with any offenses. It was unclear whether frozen bank accounts of those pardoned by the president in the August amnesty were reactivated. Human rights groups reported that the bank account of a minister’s opponent in the October municipal election was frozen.

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Expression, Including for the Press

The constitution and law provide for freedom of speech and press, but the government restricted both. The National Press Authority, the government’s print media regulatory body, briefly suspended or reprimanded newspapers and journalists for statements it contended were false, libelous, or perceived to incite xenophobia and hate.

Freedom of Expression: The law prohibits incitement to violence, ethnic hatred, rebellion, and insulting the head of state or other senior members of the government. In January Michel Gbagbo, son of former president Laurent Gbagbo, was charged with disclosing false information, stemming from comments he made to a news website in 2016, when he said 250 persons were still in prison following the 2010-11 political crisis.

In January a local politician of Lebanese origin, “Sam l’Africain,” was released from Abidjan’s main central prison. He was arrested in March 2017 after proclaiming at a political rally that he, with an Ivoirian wife, was just as Ivoirian as President Ouattara, who has a French wife and had a parent from Burkina Faso. He was sentenced to six months in prison for insult and slander towards “people belonging to an ethnic group,” then fined and sentenced to another five years and revocation of his civic rights for fraud.

Press and Media Freedom: The independent media were active and expressed a wide variety of views. A law bans “detention of journalists in police custody, preventive detention, and imprisonment of journalists for offense committed by means of press or by others means of publication.” The law, however, provides “fines ranging from one million to three million CFA francs (\$1,800 to \$5,400) for anybody found guilty of committing offenses by means of press or by others means of publication.” Newspapers aligned politically with the opposition frequently published inflammatory editorials

against the government or fabricated stories to defame political opponents. The High Audiovisual Communications Authority oversees the regulation and operation of radio and television stations. There were numerous independent radio stations. The law prohibits transmission of political commentary by community radio stations, but the regulation authority allows community radio stations to run political programs if they employ professional journalists.

Censorship or Content Restrictions: The government influenced news coverage and program content on television channels and public and private radio stations. Journalists with the state-owned media regularly exercise self-censorship to avoid sanctions or reprisals from government’s officials.

National Security: Libel deemed to threaten the national interest is punishable by six months to five years in prison.

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. According to the International Telecommunication Union, approximately 44 percent of the population used the internet in 2017.

Academic Freedom and Cultural Events

There were no government restrictions on academic freedom or cultural events.

b. Freedoms of Peaceful Assembly and Association

The law provides for the freedoms of peaceful assembly and association, but the government sometimes restricted the freedom of peaceful assembly.

Freedom of Peaceful Assembly

The law provides for freedom of peaceful 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. Numerous 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 provide for the safety of opposition groups attempting to organize both public and private meetings.

In May, 21 students protesting poor living conditions were arrested following a clash with police in Abidjan and released after several days. In September stone-throwing students affiliated with a student union clashed with police on the campus of

Houphouet-Boigny University in Abidjan as they protested education fees. The students disrupted traffic throughout the city, and police forces fought back using tear gas and sound grenades.

c. Freedom of Religion

See the Department of State’s *International Religious Freedom Report* at www.state.gov/religiousfreedomreport/ (<http://www.state.gov/religiousfreedomreport/>).

d. Freedom of Movement

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, asylum seekers, stateless persons, or other persons of concern.

In-country Movement: There were impediments to internal travel. Security forces and unidentified groups erected and operated roadblocks, primarily along secondary roads outside of Abidjan. Although some roadblocks served legitimate security purposes, racketeering and extortion were common. FOCI occupied some checkpoints at border crossings, but fewer than in previous years. Discrimination against perceived foreigners and descendants of Burkinabe migrants, including difficulty obtaining nationality and identity documentation, remained an obstacle to free movement of stateless persons and those at risk of statelessness in the country.

Internally Displaced Persons (IDPs)

Most IDPs were in the western and northeastern regions and in Abidjan and surrounding suburbs; no estimates of the total number of IDPs were available. Most IDPs were displaced due to the 2010-11 postelectoral crisis and evictions from illegally occupied protected forests in 2016. The 51,000 persons evicted in 2016 from Mont Peko National Park, where they had been living and farming illegally, continued to face problems of housing and food security in the surrounding areas where they had largely integrated into local communities. These were largely economic migrants, likely including many stateless persons.

The African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala 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 but provided limited assistance to IDPs; the United Nations and international and local NGOs worked to fill the gaps. While many of those displaced returned to their areas of origin, difficult conditions, including lack of

access to land, shelter, and security, prevented others’ return. 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.

Durable Solutions: Refugee documents allowed refugees to move freely in the country, with refugees younger than age 14 included on their parents’ documents. Refugees also had access to naturalization, although UNHCR reported many refugees 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 was believed to be extensive, although precise statistics were not available. The government estimated there were more than 700,000 stateless persons (a figure that likely underestimated the true scope of the problem), as a result of administrative hurdles, difficulty verifying nationality, and discrimination. The government never registered many of the children of migrants born in the country, thus placing them at risk of statelessness. With birth registration as a requirement for citizenship, unregistered children who lacked birth certificates were at risk of statelessness. Five children of unknown parentage received nationality documents, but UNHCR estimated there were possibly as many as 300,000 abandoned children and foundlings, who because they could not prove their citizenship through their parents, as required under the law, were stateless. Stateless children were thus deprived as they grew up of the opportunity to attend high school, get a formal job, open a bank account, own land, travel freely, or vote. Stateless persons faced numerous significant additional difficulties, such as access to health services, ability to wed legally, receive inheritance, and enjoy political rights, as well as exposure to exploitation and arbitrary detention. Social stigma and general harassment can also accompany statelessness.

The government put in place measures to resolve the status of certain stateless groups. These measures, however, were largely ineffective. Only 7,000 persons received Ivoirian nationality through a naturalization program that ended in January 2016, and a decision on an additional 123,810 cases was pending. In May the National Assembly created a working group, the Network of Ivoirian Members of Parliament for Migration, Refugees,

and Stateless People, to address the issue of statelessness and recommend solutions. The government, in partnership with UNHCR, worked to identify stateless persons and persons at risk of statelessness.

Section 3. Freedom to Participate in the Political Process

The law provides citizens the ability to choose their government in free and fair periodic elections held by secret ballot and based on universal and equal suffrage.

Elections and Political Participation

Recent Elections: In legislative elections held in 2016, the ruling government coalition won 66 percent of the 255 National Assembly seats. The main opposition party, which boycotted the 2011 legislative elections, participated and won seats. The elections were considered peaceful, inclusive, and transparent. In the 2015 presidential election, President Alassane Ouattara was re-elected by a significant majority. International and domestic observers judged this election to be free and fair.

In 2016 the government conducted a referendum on a new constitution to replace the postmilitary coup constitution of 2000. The process for drafting the new constitution--and to a certain extent the content itself--was contentious. Opposition parties and some local and international organizations claimed the process was neither inclusive nor transparent, and they criticized the new text for strengthening the role of the executive branch. Despite an opposition boycott, the referendum passed overwhelmingly in a peaceful process that was inclusive and generally transparent.

Prior to senatorial elections in March, security forces used tear gas on two occasions to disperse protesters associated with the opposition. Days prior to the election, the Independent Electoral Commission (CEI) declared it would restrict observers from remaining in the voting stations throughout the day but reversed the decision before the election. Civil society observers received accreditation badges one day before the election. Diplomatic observers and local civil society groups judged the elections to be peaceful and credible.

In October the government held municipal and regional elections, which were marred by allegations of fraud, intimidation, harassment, vote buying, and violence, resulting in four deaths. In most areas the ruling government party edged out independent and opposition candidates. One faction of the main opposition party participated and won seats; the other faction boycotted because the CEI had not been reformed as recommended by an African Union court. At least one major human rights group that requested accreditation to observe the elections was not allowed to send observers to polling places. Observers noted nationwide technical difficulties with tablets intended to confirm voters' identities and eligibility through fingerprint scans. Special elections took place in December in eight localities after the Supreme Court annulled their October results. Observers also judged these elections were marred by violence and allegations of fraud despite a heavy presence of security forces.

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, and the appearance of ethnicity playing a role in political appointments remained, as well. Opposition leaders reported denials of their requests to hold political meetings and alleged inconsistent standards for granting public assembly permits.

In July, one person died and three others were wounded following a clash among members of Rally for Cote d'Ivoire, a movement close to National Assembly President Guillaume Soro.

Participation of Women and Minorities: No laws limit the participation of women and members of minorities in the political process, and they did participate. Cultural and traditional beliefs, however, limited the role of women. Of 253 national assembly members, only 29 were women.

Members of the transgender community reported difficulty obtaining identity and voting documents. Electoral staff and fellow voters at polling sites were observed assisting voters with disabilities, such as those who were unable to walk up the stairs.

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. Human rights groups reported significant official corruption, with corruption in the judiciary, police, and security forces being areas of particular concern. Many members of the security forces, including senior army officers, continued to engage in racketeering and extortion to profit from the illicit exploitation of natural resources.

In January the new head of government anticorruption authority was sworn in following a six-month delay. The country established the High Authority for Good Governance (known by its French acronym HABG) in 2013 with the goal of combating official corruption. Civil society groups and government officials reported that the HABG was not empowered to act independently or to take decisive action to tackle corruption. The HABG can make recommendations, but the public prosecutor must decide to take up a case.

Corruption: In July an internal EU report, which was leaked to the media, sharply criticized the government. The report described an elite group controlling the government and its resources and receiving financial favors, with the general population believing it would benefit little from the economic growth. The report questioned the sincerity of the government's commitment to reforms.

An independent audit commissioned by the government alleged that the cocoa board lost nearly 500 billion CFA francs (\$902 million) due to nepotism and negligence, with poor oversight of contracts given to persons closely connected to the government.

Local NGOs reported that authorities awarded many of the big government tenders to persons with close connections to the administration. Since the proposals or the contracts were not made public, questions were raised regarding a fair competitive process.

In May, 18 persons, including the director of the vehicle clearance department, were arrested and detained at Abidjan’s main prison in connection with massive fraud on import vehicles, which represented two billion CFA francs (\$3.6 million) loss to the state.

Financial Disclosure: A presidential decree requires the head of state, ministers, heads of national institutions, and directors of administration to disclose their income and assets. In 2015 the HABG started requiring public officials to submit a wealth declaration within 30 days of the beginning of their term in office. The declaration was confidential, but the list of those who declared their wealth was publicly accessible in the official government journal. Officials who did not comply or provided a false declaration faced fines equal to six months of their salary. The procedures for reviewing the declaration of assets were not included in the implementing decree. The law requires the HABG to retain declarations of assets for at least 10 years.

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

A number of international and domestic human rights groups operated in the country, investigating and publishing their findings on human rights cases. Government officials were somewhat cooperative and responsive to their views, depending on the topic, but at other times defensive about more sensitive topics. A major well known local human rights organization reported threats against one of its leaders.

Government Human Rights Bodies: The Ministry of Justice and Human Rights is responsible for implementing and monitoring the government’s policy on human rights, but it was neither adequately funded nor effective. The National Commission for Human Rights (CNDH) is an advisory body under the Ministry of Justice and Human Rights and consults on, conducts evaluations of, and creates proposals to promote, protect, and defend human rights. Although the CNDH was chartered as a nongovernmental independent body, its funding was fully dependent on approval by the Ministry of Justice and Human Rights. The CNDH had 31 offices upcountry and four subcommissions focused on civil, cultural, sociocultural, and social matters. Its offices outside of Abidjan were not fully staffed or equipped. It inherited UN Operation in Cote d’Ivoire (UNOCI’s) human rights mandate upon UNOCI’s departure in June 2017 but acknowledged it did not have UNOCI’s resources.

The civilian-controlled Special Investigative Cell (Special Cell) within the Ministry of Justice and Human Rights continued to investigate and try alleged perpetrators of human rights abuses committed during the postelectoral crisis, although such actions appeared to target former president Gbagbo’s supporters exclusively. The Special Cell had an indefinite mandate but lacked sufficient resources and staff.

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

Women

Rape and Domestic Violence: The law prohibits rape and provides for prison terms of five to 20 years for perpetrators. The law does not specifically penalize spousal rape. 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 younger than age 15. Most rape cases were tried on the lesser charge of “indecent assault,” which carries a prison term of six months to five years.

The government made some efforts to enforce the law, but local and international human rights groups reported rape remained widespread. There were reports of widespread rape and sexual abuse targeting girls and young women. In one such report, 11 young women came forward with allegations of rape in the western part of the country. In one egregious case, a young girl died following an alleged rape.

Relatives, police, and traditional leaders often discouraged female survivors from pursuing a criminal case, with their families, often the survivor’s husband, accepting payment for compensation. Rape victims were no longer required to obtain a medical certificate, which could cost up to 50,000 CFA francs (\$90), 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.

The law does not specifically outlaw domestic violence, which was a serious and widespread problem. According to the Ministry of Women, Child Protection, and Social Affairs, more than 36 percent of women reported being victims of physical or psychological abuse at some time. Victims seldom reported domestic violence due to cultural barriers and because police often ignored women who reported rape or domestic violence. Survivors stressed that although sexual and gender-based violence was an “everyday reality,” deeply ingrained taboos discouraged them from speaking out. Survivors were ostracized and advocates for survivors reported being threatened. Fear of challenging male authority figures silenced most victims. In September the first lady offered to pay the medical expense of an eight-year-old girl who had been raped.

The Ministry of Women, Child Protection, and Social Affairs assisted victims of domestic violence and rape, including counseling at government-operated centers.

Female Genital Mutilation/Cutting (FGM/C): 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 (\$650 to \$3,610). Double penalties apply to medical practitioners. In August authorities made several arrests after discovering that a group of girls had been subjected to the procedure. The government successfully prosecuted some FGM/C cases during the year. Nevertheless, FGM/C remained a serious problem.

For more information, see Appendix C.

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’ imprisonment and fines of 360,000 to one million CFA francs (\$650 to \$1,800). Nevertheless, the government rarely, if ever, enforced the law, and harassment was widespread and routinely tolerated.

Coercion in Population Control: There were no reports of coerced abortion or involuntary sterilization.

Discrimination: The law provides for the same legal status and rights for women as for men in labor law but not under religious, personal status, property, nationality, and inheritance laws. Women experienced discrimination in marriage, divorce, child custody, employment, credit, pay, owning or managing businesses or property, education, the judicial process, and housing. In 2012 parliament passed a series of laws to reduce gender inequality in marriage, including laws to allow married women to benefit from an income tax deduction and to be involved in family decisions. Many religious and traditional authorities rejected these laws, however, and there was no evidence the government enforced them.

Children

Birth Registration: Citizenship is derived from one’s parents. At least one parent must be a citizen for a child to acquire citizenship at birth. The law provides parents a three-month period to register their child’s birth free, except the cost of the stamp. In some parts of the country, the three-month window conflicts with important cultural practices around the naming of children, making birth registration difficult for many families. For births registered after the first three months, families pay 5,000 CFA francs (\$9.00) or more. For older children authorities may require a doctor’s age assessment and other documents. To continue to secondary school, children must pass an exam for which identity documents are required. As a result, children without documents could not continue their studies after primary school. The government, with UNICEF and the World Bank, launched a special operation to ensure the civil registration of 1.2 million school-going children in 2017, but due to numerous technical obstacles, many children did not benefit from this program.

For additional information, see Appendix C.

Education: Under a law passed in 2015, primary schooling is obligatory, free, and open to all. Education was thus ostensibly free and compulsory for children ages six to 16, but families generally reported being asked to pay school fees, either to receive their children’s records or pay for school supplies. Parents of children not in compliance with the law were reportedly subject to fines up to 500,000 CFA francs (\$900) or jail time of two to six months, but this was seldom, if ever, enforced, and many children did not

attend or have access to school. In principle students do not have to pay for books, uniforms, or fees, but families usually paid because the government did not often cover these expenses. Schools expected parents to contribute to the teachers' salaries and living stipends, particularly in rural areas.

Educational participation of girls was lower than that of boys, particularly in rural areas. Although girls enrolled at a higher rate, participation rates for them dropped below that of boys because of the tendency to keep girls at home to do domestic work or care for younger siblings.

Child Abuse: The penalty for statutory rape or attempted rape of a child younger than age 16 is a prison sentence of one to three years and a fine of 360,000 to one million CFA francs (\$650 to \$1,800). Nevertheless, children were victims of physical and sexual violence and abuse. Authorities reported rapes of girls as young as age three during the year. Authorities often reclassified claims of child rape as indecent assault, which ensured a timely trial and conviction, although penalties were less severe. Judges exercised discretion in deciding whether to reclassify a claim from child rape to indecent assault, and they may only do so when there is no clear medical proof or testimony to support rape charges. 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.

Before April, three children were killed as sacrifices, one in Abidjan, including a four-year-old killed after a traditional witch doctor promised that a child sacrifice would make the killer wealthy. Following the alleged rape and ritual murder of a 14-year-old student, 11 persons were injured in March when students ransacking and torching the gendarmerie barracks clashed with gendarmes.

Although the Ministry of Employment, Social Affairs, and Professional Training; Ministry of Justice and Human Rights; Ministry of Women, Child Protection, and Social Affairs; and Ministry of Education were responsible for combating child abuse, they were ineffective due to lack of coordination between the ministries and inadequate resources.

Early and Forced Marriage: The law prohibits the marriage of men younger than age 20 and women younger than age 18 without parental consent. The law specifically penalizes anyone who forces a minor younger than age 18 to enter a religious or customary matrimonial union. Nevertheless, traditional marriages were performed with girls as young as 14 years old.

For additional information, see Appendix C.

Sexual Exploitation of Children: The minimum age of consensual sex is 18. The law prohibits the use, recruitment, or offering of children for commercial sex or pornographic films, pictures, or events. Violators can receive prison sentences ranging from five to 20 years and fines of five million to 50 million CFA francs (\$9,000 to \$90,000). 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 (\$650 to \$1,800).

In November armed gendarmes abducted a 14-year-old girl from an NGO in Abidjan that shelters trafficked and abandoned children. Security forces had initially demanded that the NGO give up the girl, and when they refused, gendarmes with brandished weapons arrived and forced the girl to get in their vehicle. Reportedly, relatives brought the girl to Abidjan after her father raped her, but she may have been forced to work in the household of the security force officer from which she escaped to the NGO. An investigation by a military tribunal continued at year's end.

The country is a source, transit, and destination country for children subjected to trafficking in persons, including sex trafficking. During the year the antitrafficking unit of the national police investigated several cases of suspected child sex trafficking.

Also see the Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip/rls/tiprpt/ (<http://www.state.gov/j/tip/rls/tiprpt/>) .

Displaced Children: Local NGOs reported thousands of children countrywide living on the streets. The government implemented a program with a multifaceted approach to addressing the problem of hundreds of children, including many teenagers, who composed a large percentage of youth offenders and lived on the streets of Abidjan and other cities. Police often stopped to question and sometimes arrest these minors in security operations in Abidjan and other cities. Officials in the Ministry of Youth opened several centers in a few cities where at-risk youth could live and receive training, and the government announced a pilot resocialization program to offer civic education to 160 youth as part of efforts to address juvenile delinquency.

International Child Abductions: The country is not a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. See the Department of State's *Annual Report on International Parental Child Abduction* at <https://travel.state.gov/content/travel/en/International-Parental-Child-Abduction/for-providers/legal-reports-and-data.html> (<https://travel.state.gov/content/travel/en/International-Parental-Child-Abduction/for-providers/legal-reports-and-data.html>) .

Anti-Semitism

The country's Jewish community numbered fewer than 100 persons, both expatriates and Ivoirians who converted. 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/ (<http://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 as well as to provide them access to the judicial system. The law prohibits acts of violence against persons with disabilities and the abandonment of such persons, but there were no reports the government enforced these laws. The 2016 constitution contains provisions in favor of persons with disabilities, but these laws were not effectively enforced. Vision- and hearing-impaired persons were also discriminated against in civic participation, since political campaigns did not include materials for them, either in braille or sign language. An NGO reported bringing this to the attention of the CEI, but to no avail.

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. Prisons and detention centers provided no accommodations for persons with disabilities.

The government financially supported separate 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. Because most of these schools were located in Abidjan, vision- and hearing-impaired students in other areas of the country did not have the opportunity to attend them. NGOs reported that these schools functioned more as literacy centers that did not offer the same educational materials and programs as other schools. It was difficult for children with disabilities to obtain an adequate education if their families did not have sufficient resources. Although 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.

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. Despite a 2013 procedural update that allows putative owners of land an additional 10 years to establish title, land ownership laws remained unclear and unimplemented, resulting in conflicts between native populations and other groups.

The law prohibits xenophobia, racism, and tribalism and makes these forms of intolerance punishable by five to 10 years' imprisonment. There were instances in which 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.

In July residents from the Guere ethnic group clashed with Burkina Faso nationals over an alleged murder in western part of the country.

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

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 do not address discrimination based on sexual orientation or gender identity.

Law enforcement authorities were at times slow and ineffective in their response to societal violence targeting the lesbian, gay, bisexual, transgender, and intersex (LGBTI) community. Two members of the transgender community were killed in Abidjan, one in February and the other in May; in one case a person was arrested, then released, and for the other, no one had been arrested by year’s end. Members of the LGBTI community reported that police rarely investigated violence against LGBTI persons. Human rights organizations reported that LGBTI persons who were attacked seldom reported the crime to police, due to fear of revenge and further abuse, as well as discrimination upon revealing their sexual orientation. Paying the authorities was often required for them to conduct investigations.

Societal discrimination and violence against the LGBTI community were problems. Human rights groups continued to report that LGBTI community members were evicted from their homes by landlords or their families. They reported several instances of LGBTI persons being beaten or blackmailed by neighborhood thugs. Security forces sometimes tried to humiliate members of the transgender community by forcing them to undress in public.

Members of the LGBTI community reported discrimination in access to health care, citing instances where doctors refused treatment and pharmacists told them to follow religion and learn to change.

The few LGBTI organizations in the country operated freely but with caution to avoid attracting the attention of persons who might attack or otherwise abuse its members. New NGOs promoting human rights for members of the LGBTI community were founded, including two new transgender groups based in Abidjan and a group in northern part of the country. These groups advocated on behalf of victims and collaborated with local human rights group to prod the police to investigate cases of violence against members of the LGBTI community. They also organized discussions with community and religious leaders to explain how rejecting LGBTI family members could do great harm.

HIV and AIDS Social Stigma

There was no official discrimination based on HIV/AIDS status. A 2014 law expressly condemns all forms of discrimination against persons with HIV and provides for their access to care and treatment. The law also prescribes fines for refusal of care or discrimination based on HIV/AIDS status.

The Ministry of Health and Public Hygiene managed a program to assist vulnerable populations at high risk of acquiring HIV/AIDS (including but not limited to men who have sex with men, sex workers, persons who inject drugs, prisoners, and migrants). The Ministry of Women, Child Protection, and Social Affairs oversaw a program that directed educational, psychosocial, nutritional, and economic support to orphans and vulnerable children, including those infected and affected by HIV.

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, provides for the right to conduct legal strikes and bargain collectively, and prohibits antiunion discrimination by employers or others against union members or organizers. The law prohibits firing workers for union activities and provides for the reinstatement of dismissed workers within eight days of receiving a wrongful dismissal claim. 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 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.

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, there were no such complaints from unions pending with the Ministry of Employment and Social Protection.

University and primary school teachers went on strike throughout the year. There were no instances of strikebreaking reported during the year.

The government did not effectively enforce the law. Human rights organizations reported numerous complaints against employers, such as improper dismissals, uncertain contracts, failure to pay the minimum wage, and the failure to pay employee salaries. The failure to enroll workers in the country's social security program and pay into it the amount the employer has deducted from the worker's salary was also a problem. In the mining sector human rights organizations reported violations relative to compensation, experienced by nonlocal laborers who were illiterate or not familiar with the law. Inadequate resources and inspections impeded the government's efforts to enforce applicable laws in the formal sector. Penalties for violations were insufficient to deter violations. Administrative judicial procedures were subject to lengthy delays and appeals.

There were no complaints pending with the Ministry of Employment and Social Protection of antiunion discrimination or employer interference in union functions during the year. In November, however, the government suspended the salaries of striking health workers for the month they were on strike.

b. Prohibition of Forced or Compulsory Labor

The constitution explicitly prohibits human trafficking, child labor, and forced labor. In 2016 the government enacted legislation that criminalizes all forms of human trafficking, including for the purpose of forced labor or slavery, while a 2010 law criminalizes the worst forms of child labor.

Despite significant efforts against child labor in cocoa cultivation, the government did not effectively enforce the law in all sectors. Resources, inspections, and remediation were insufficient to deter violations. Forced and compulsory labor continued to occur in small-scale and commercial production of agricultural products, particularly on cocoa, coffee, pineapple, cashew, 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.). There were reports of non-Ivoirian women being held in conditions of forced labor for prostitution.

Also see the Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip/rls/tiprpt/ (<http://www.state.gov/j/tip/rls/tiprpt/>) .

c. Prohibition of Child Labor and Minimum Age for Employment

The 2015 labor code raised the minimum age for employment from 14 to 16 years old, although the minimum age for apprenticeships (14 years old) and hazardous work (18 years old) remained the same; minors younger than age 18 may not work at night. Although the law prohibits the exploitation of children in the workplace, the Ministry of Employment and Social Protection enforced the law effectively only in the civil service and large multinational companies.

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

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. The national child labor monitoring system--known as SOSTECI--received a budget of 200 million CFA francs in 2017 (\$360,000), which facilitated expansion of the system to 19 new communities. This program was launched in 2013 as a pilot in several departments to enable communities to collect and analyze statistical data on the worst forms of child labor and to monitor, report, and coordinate services for children involved in or at risk of child labor. 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 of family ties, including at least a birth certificate. In late 2016 basic education became compulsory for children six to 16, increasing school attendance rates and diminishing the supply of children looking for work.

The Department of the Fight against Child Labor within the Ministry of Employment and Social Protection, NMC, and Interministerial Committee led enforcement efforts. The 2015-17 national action plan had a budget of 9.6 billion CFA francs (\$17.3 million), with the government budgeting 50.5 million CFA francs (\$91,000) in 2017. 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, including by opening a shelter in June for child victims of trafficking and forced labor in the central-west region of the country. In October 2017 the first lady hosted a conference that brought together first ladies from 14 African nations to pledge support to their governments' efforts to mitigate child labor, support victims, enhance regional cooperation, and mobilize resources.

The government engaged in partnerships with the International Labor Organization, UNICEF, and International Cocoa Initiative to reduce child labor on cocoa farms.

The list of light work authorized for children ages 13 to 16 introduces and defines the concept of “socializing work,” unpaid work that teaches children to be productive members of the society. In addition the list states that a child cannot perform any work before 7 a.m. or after 7 p.m. or during regular school hours, that light work should not exceed 14 hours a week, and that it should not involve more than two hours on a school day or more than four hours a day during vacation.

The government did not effectively enforce the law. Child labor remained a problem, particularly in gold and diamond mines, agricultural plantations, and domestic work. Within agriculture, worst forms of child labor were particularly prevalent in the cacao

and coffee sectors. Inspections during the year did not result in investigations into child labor crimes. Penalties were seldom applied and were not a deterrent to violations. The number of inspectors and resources for enforcement were insufficient to enforce the law.

Children routinely worked on family farms or as vendors, shoe shiners, errand runners, domestic helpers, street restaurant vendors, and car watchers and washers. Some girls as young as nine years old 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 farms under hazardous conditions, including risk of injury from machetes, physical strain from carrying heavy loads, and exposure to harmful chemicals. According to international organizations, child labor was noticed increasingly on cashew plantations and in illegal gold mines, although no studies had been conducted. In 2016 UNICEF and the government undertook the Multiple Indicator Cluster (MICS) survey with a section on child labor. According to UNICEF, the child labor prevalence of 31.3 percent reported in the MICS 2016 referred to an expanded age group of children between five and 17 years old and included economic activities, household chores, and hazardous working conditions, which represented 21.5 percent.

Also see the Department of Labor’s *Findings on the Worst Forms of Child Labor* at www.dol.gov/ilab/reports/child-labor/findings/ (<http://www.dol.gov/ilab/reports/child-labor/findings/>).

d. Discrimination with Respect to Employment and Occupation

The constitution provides for equal access to public or private employment and prohibits any discrimination in access to or in the pursuit of employment on the basis of sex, ethnicity, or political, religious, or philosophical opinions.

The law does not address discrimination based on sexual orientation or gender identity, color, or language. A 2014 law specifically prohibits workplace discrimination based on HIV/AIDS status but does not address other communicable diseases. The labor code passed in 2015 includes provisions to promote access to employment for persons with disabilities. It stipulates that employers must reserve a quota of jobs for qualified applicants. The law does not provide for penalties for employment discrimination.

The government did not always effectively enforce the law. Discrimination with respect to gender, nationality, persons with disabilities, and LGBTI persons remained a problem. While women in the formal sector received the same pay and paid the same taxes as men, some employers resisted hiring women. In early March the government updated its labor laws to prevent women from doing certain jobs deemed “work that exceeds the ability and physical capacity of women, or work that presents dangers which are likely to undermine their morality, for example, working underground or in the mines.” The government indicated that if a woman wanted to carry out any of the work on the “prohibited list,” she needed to contact an inspector at the Ministry of Labor.

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 (\$110). The agricultural minimum wage was 25,000 CFA francs (\$45) per month. The official estimate for the poverty income level was between 500 and 700 CFA francs (\$0.90 and \$1.25) per day. The Ministry of Employment and Social Protection is responsible for enforcing the minimum wage. Labor unions contributed to effective implementation of the minimum salary requirements in the formal sector. Approximately 85 percent of the total labor force was in the informal economy, to which labor law applies. 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 government started paying back wages based on a 2017 labor agreement reached with public-sector unions.

The law does not stipulate equal pay for equal work. There were no reports 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, while the informal sector lacks regulation. 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 chair of the committee could report unhealthy and unsafe working conditions to the labor inspector without penalty. By law workers in the formal sector have the right to remove themselves from situations that endanger their health or safety without jeopardy to their employment. They may utilize the inspection system of the Ministry of Employment and Social Protection to document dangerous working conditions. Authorities effectively protected employees in this situation. These standards do not apply in the informal sector. The law does not cover several million foreign migrant workers or workers in the informal sector, who accounted for 70 percent of the nonagricultural economy.

The government enforced the law only for salaried workers employed by the government or registered with the social security office. Penalties were insufficient to deter violations. The Ministry of Employment and Social Protection estimated the number of labor inspectors 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. In particular, employees in the informal manufacturing sector often worked without adequate protective gear. There were no reports of major accidents during the year.

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