



## 2008 Human Rights Report: Djibouti

BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR

[2008 Country Reports on Human Rights Practices](#)

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Djibouti is a republic with a strong elected president and a weak legislature. It has an estimated population of 660,000. In February legislative elections, President Ismail Omar Guelleh's five-party coalition won all 65 National Assembly seats. A three-party opposition coalition boycotted the race, which international observers from the African Union and the Arab League considered generally free and fair. In June Eritrean troops exchanged fire with Djiboutian troops at Ras Doumeira peninsula, along the Djibouti-Eritrea border, and near the strategic Bab-al-Mandeb Strait between the Gulf of Aden and the Red Sea. At year's end Eritrean troops continued to occupy the country's territory, despite condemnations by the United Nations, the Arab League, and the African Union (AU). Civilian authorities generally maintained effective control of the security forces.

The government's human rights record remained poor, although there were improvements. Serious problems included difficult but improving prison conditions; corruption; official impunity; arbitrary arrest and detention; prolonged pretrial detention; interference with privacy rights; restrictions on freedom of the press, assembly, and association; and restrictions on unions. Female genital mutilation (FGM) remained a serious problem, although nongovernmental organization (NGO) and government efforts led by the first lady began to have an effect, especially in Djibouti City.

### RESPECT FOR HUMAN RIGHTS

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

a. Arbitrary or Unlawful Deprivation of Life

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

b. Disappearance

There were no reports of politically motivated disappearances.

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

The constitution and the law prohibit such practices; however, there continued to be occasional unspecific and unconfirmed allegations that police and gendarmes beat detainees.

#### Prison and Detention Center Conditions

Prison conditions continued to improve, and prison authorities reported increased budget support. At Gabode Prison, prisoners had adequate access to water and sanitary facilities, although hygiene in prison kitchen facilities remained rudimentary. A full-time nurse and a doctor who visited twice a week provided medical care, although

there were reportedly occasional staffing gaps in assigning a prison doctor. Sick prisoners were held separately, and prisoners with communicable diseases were segregated from prisoners with other health problems. Adequate medication was provided.

In September the Ministry of Justice began training a new specialized prison guard force to replace the existing National Police Force guards. Applicants for the new guard force were required to have at least a high school degree.

Men and women were held separately. Juveniles were held separately from adult prisoners, and small children were allowed to stay with their mothers. Convicted prisoners were held separately from those awaiting trial.

At Nagad detention center, where foreigners were held prior to deportation, detainees had access to water, food, and medical treatment. Most detainees were deported within 24 hours of arrest.

The government granted prison access to the International Committee of the Red Cross (ICRC) for annual inspections, and prison officials reported that inspections occurred up to three times a year.

#### d. Arbitrary Arrest or Detention

The law prohibits arbitrary arrest and detention; however, the government did not uniformly respect these prohibitions.

#### Role of the Police and Security Apparatus

Security forces include the National Police Force (FNP) under the Ministry of Interior, the army, the National Gendarmerie under the Ministry of Defense, and an elite Republican Guard that protects the president. The FNP is responsible for internal security and border control. The National Gendarmerie is responsible for external security but also has some domestic responsibilities.

Police were generally effective; however, there were isolated reports of corruption, particularly in the lower ranks where wages were low. Official impunity was a problem.

#### Arrest and Detention

The law requires arrest warrants and stipulates that the government may not detain a person beyond 48 hours without an examining magistrate's formal charge; however, the law was not always enforced in practice. Detainees may be held another 24 hours with the prior approval of the public prosecutor. All persons, including those accused of political or national security offenses, must be tried within eight months of arraignment. The law also provides for bail and expeditious trial; however, police occasionally disregarded these procedures. Detainees have the right to prompt access to an attorney of their choice; in criminal cases the state provides attorneys for detainees without legal representation. The law provides that detainees be promptly notified of the charges against them, although in practice there were occasional delays. Detainees generally were allowed access to family members. Lengthy pretrial detentions due to inefficiencies and staff shortages within the judicial system were a problem; however, no statistics were available.

#### e. Denial of Fair Public Trial

The constitution and law provide for an independent judiciary; however, in practice the judiciary was not always independent of the executive. Constitutional provisions for a fair trial were not universally respected. The judiciary

was subject to inefficiency and corruption. In March 2007 a government audit of the judiciary resulted in the dismissal of two magistrates for corruption.

The judiciary is based on the French Napoleonic Code and is composed of a lower court, an Appeals Court, and a Supreme Court. The Supreme Court may overrule lower court decisions. Magistrates are appointed for life terms. The Constitutional Council rules on the constitutionality of laws, including those related to the protection of human rights and civil liberties.

The legal system is based on legislation and executive decrees, French codified law adopted at independence, Islamic law (Shari'a), and nomadic traditions. Urban crime is dealt with in the regular courts in accordance with French-inspired law and judicial practice. Civil actions may be brought in regular or traditional courts. The Family Code governs the majority of cases pertaining to family and personal matters, including marriage, divorce, child custody, and inheritance. Issues that fall under the Family Code are brought to civil court.

#### Trial Procedures

Trials generally were public. Legal counsel was supposed to be available to the indigent in criminal and civil matters, but defendants often did not have legal representation. The law states the accused is innocent until proven guilty. A presiding judge and two accompanying judges hear court cases. The latter receives assistance from two lay assessors who are not members of the bench but who are considered to possess sufficient legal knowledge to comprehend court proceedings. The government chose lay assessors from the public. Defendants have the right to be present, confront witnesses, have access to government-held evidence, and have a right of appeal.

Traditional law often applied in conflict resolution and victim compensation. For example, traditional law often stipulated that a price be paid to the victim's clan for crimes such as murder and rape.

#### Political Prisoners and Detainees

There were no reports of political prisoners or detainees.

#### Civil Judicial Procedures and Remedies

A civil court deals with all matters related to the Civil Code. Citizens have access to the courts in cases of civil rights violations. There is arbitration of civil disputes if the parties agree. In rural areas traditional courts resolve many civil disputes. There is an administrative law chamber which mediates disputes between citizens and government authorities. Court decisions were not always enforced.

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

The constitution and the law prohibit such actions; however, the government did not respect these prohibitions in practice. The law requires that authorities obtain a warrant before conducting searches on private property, but the government did not always respect the law in practice. According to government opponents, the government monitored their communications and sometimes cut telephone or electricity service.

#### Section 2 Respect for Civil Liberties, Including:

##### a. Freedom of Speech and Press

The constitution and the law provide for freedom of speech and of the press; however, the government did not

respect these rights in practice. There were few media outlets, and as a result of the application of media and slander laws, journalists practiced self-censorship. A May 2007 law sets out the rights and obligations of journalists and protects the right to organize and strike. Partly in reaction to the law, journalists founded the Associative Movement of Djiboutian Journalists in April. The East African Journalists Association (EAJA), a group dedicated to fostering press freedom, protecting journalists' safety, and promoting regional conflict resolution, had its headquarters within the country. In July and August EAJA held a series of capacity building workshops for local journalists, focusing on organization and planning for journalists' associations.

The law prohibits dissemination of false information and regulates the publication of newspapers. The government owns the principal newspaper, La Nation, which is published four times a week. Each registered political party is permitted to publish a public journal or newspaper. Opposition political groups and civil society activists occasionally circulated materials critical of the government, but there was no regular opposition newspaper.

The government also owned the radio and television stations. The official media generally did not criticize government leaders and government policy. Radio-Television Djibouti (RTD), the official government station, broadcast 24 hours a day in four languages on the radio. Foreign media also broadcast throughout the country, and cable news and other programming were available.

In March RTD sought to terminate the employment contract of RTD and BBC Somali service correspondent Kaltoum Ali, who had previously been suspended for three months in 2006 for broadcasting a report that the ministry of health falsely claimed a case of avian flu to obtain foreign aid. Ali protested her termination, and RTD invited her to resume her position in October.

#### Internet Freedom

There were few government restrictions on access to the Internet or reports that the government monitored e-mail or Internet chat rooms. Individuals and groups could engage in the peaceful expression of views via the Internet, including by e-mail. However, the government reportedly continued to block the Web site of the Association for Respect of Human Rights in Djibouti (ARDHD), an association that was often critical of the government. ARDHD claimed access to its Web site was blocked by the local Internet provider, although those with satellite connections were able to enter the site.

#### Academic Freedom and Cultural Events

There were no government restrictions on academic freedom or cultural events, and teachers could speak and conduct research without restriction provided that they did not violate sedition laws.

#### b. Freedom of Peaceful Assembly and Association

##### Freedom of Assembly

Although the constitution and the law provide for freedom of assembly, the government limited this right in practice. The Ministry of Interior requires permits for peaceful assembly. Prior to the February legislative elections, the government denied the three-party opposition coalition, which was boycotting the elections, permission to hold two protest meetings, citing a law that limits political party gatherings during campaign periods to those parties contesting the elections.

Police dispersed several demonstrations during the year, including protests against high food prices.

#### Freedom of Association

The law provides for freedom of association provided that certain legal requirements are met; however, the government restricted this right in practice, particularly for labor unions.

#### c. Freedom of Religion

The constitution, while declaring Islam to be the state religion, provides for freedom of religion, and the government generally respected this right in practice. The government did not sanction those who ignored Islamic teachings or practiced other faiths. More than 99 percent of the population is Sunni Muslim.

There is no legal prohibition against proselytizing, and the government did not discourage it; however, cultural norms effectively discouraged public proselytizing.

#### Societal Abuses and Discrimination

There was no known Jewish community, and there were no reports of anti-Semitic acts.

For a more detailed discussion, see the 2008 International Religious Freedom Report at [www.state.gov/g/drl/irf/rpt](http://www.state.gov/g/drl/irf/rpt).

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

The constitution and the law provide for freedom of movement within the country, foreign travel, emigration, and repatriation, and the government generally respected these rights in practice.

The law prohibits forced exile, and the government did not use it.

#### Internally Displaced Persons (IDPs)

On June 10, an ongoing border dispute with Eritrea became hostile and is believed to have displaced at least 207 families living in the north of Djibouti near the border.

#### Protection of Refugees

The laws provide for the granting of asylum or refugee status in accordance with the 1951 UN Convention relating to the Status of Refugees and its 1967 protocol, and the government has established a system for providing protection to refugees under the National Eligibility Commission, first formed in 1978. In July the government reactivated the National Eligibility Commission and began interviewing urban refugees who had been in country for several years. The country is also a party to the 1969 AU Refugee Convention.

The government did not routinely grant refugee or asylum status, and the government did not accept refugees for resettlement during the year. In practice the government provided some protection against the expulsion or return of refugees to countries where their lives or freedom would be threatened. During the year the government also provided temporary protection to a limited number of individuals who may not qualify for refugee status under the 1951 Convention or the 1967 protocol.

Cooperation between the government and the Office of the UN High Commissioner for Refugees (UNHCR) continued to improve in providing assistance to refugees and asylum seekers and in organizing the repatriation of refugees from Ethiopia, Eritrea, and Somalia. However, organizational difficulties and resource constraints prevented both

entities from providing quality service to refugees, including the prompt processing of refugee claims. While the government grants prima facie status to refugees from southern Somalia, all other nationalities, including Eritreans, must register with the National Assistance Office for Refugees and Disaster Stricken People (ONARS).

Refugees reported that while they could not obtain work permits, many, especially women, worked to obtain income. With the lack of work permits, however, they were unable to challenge poor working conditions or ensure fair payment for services rendered. There were reports that refugees were subject to arbitrary arrest and detention. To address this problem, the government and UNHCR held a workshop in October to educate 28 immigration and border control officers on refugee rights and the proper procedures for dealing with refugees.

### Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

The constitution and the law provide citizens the right to change their government peacefully, and citizens exercised this right in practice through periodic, free, and fair elections based on universal suffrage. A multiparty system exists, and citizens are free to align themselves with the party of their choice.

#### Elections and Political Participation

In February President Ismail Omar Guelleh's five-party coalition, the "Union for a Presidential Majority" (UMP), won all 65 seats in the winner-take-all national assembly contest. The UMP includes former opposition parties and leaders. International observers from the African Union and the Arab League considered the election generally free and fair.

A three-party opposition coalition, the "Union for Democratic Alternance" (UAD), boycotted the election after a list of demands regarding the electoral process was not met. On July 9, the government banned the opposition political party Movement for Democratic Revival (MRD), a member of UAD, alleging that one of its leaders had invited Eritrea to invade.

During the year, in an effort to empower local elected officials, the Ministry of Interior transferred authority for issuing civil documents such as birth certificates to regional authorities, elected in the country's first regional elections in 2006. While opposition parties boycotted the 2006 elections, independent candidates took part and won in Djibouti City and in several regions.

February's legislative elections brought two more women into the National Assembly, raising the total number of female parliamentarians in the 65-seat body to nine. There were two women in cabinet posts and the president of the Supreme Court was a woman.

The 65-seat legislature included members of all clans, including approximately 45 percent Issas, 40 percent Afars, and 15 percent representatives of smaller minority groups. Elected as a single list, the legislature's composition reflected the governing coalition's intent to ensure balance. However, the president's own subclan, the Issa Mamassan, was represented disproportionately. The 21-member cabinet was similarly balanced; there were seven Afars, including the prime minister, the defense minister, and the foreign minister. However, some Afars continued to claim that they were not as well represented at lower levels. There were three representatives from Somali clans other than the Issa clan in the cabinet, and one of Yemeni origin.

#### Government Corruption and Transparency

The law provides criminal penalties for official corruption; however, despite increased efforts, the government did not implement such laws effectively, and officials sometimes engaged in corrupt practices with impunity. According

to the World Bank's Worldwide Governance Indicators, government corruption was a serious problem.

The government continued to take steps to combat corruption. In June 2007 two magistrates were dismissed for corruption following investigations by the government's accounting office. In 2006 the head of the Office of Social Security was charged with corruption, detained in prison, and dismissed.

Privatization of port, airport, and customs operations continued to result in substantially increased transparency and rising government revenues in the most important sectors of the economy. The Chamber of Public Accounts and Fiscal Discipline and the State Inspectorate General conducted public expenditure audits in an effort to fight corruption and promote transparency. Public officials were not subject to financial disclosure laws. The State Inspectorate General and the Chamber of Public Accounts and Fiscal Discipline were agencies responsible for combating corruption.

There were no laws providing for public access to government information, although legislative texts were publicly available through the online official journal, and citizens could address requests for information or mediation to the Ombudsman's Office.

#### Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

A few domestic human rights groups generally operated without government restriction, conducting limited investigations and sometimes publishing findings on human rights cases. Government officials generally disregarded their views.

Jean-Paul Abdi Noel, the leader of the local human rights group Djiboutian League for Human Rights' (LDDH) was tried for libel in 2007 after writing reports on the alleged rape of a young girl by a member of the Republican Guard, and on what he called a mass grave for victims of extrajudicial killings during the 1992-2000 civil war. He was fined and imprisoned but released after one month due to poor health. In December 2007 Abdi Noel accused the government of arresting him arbitrarily and holding him for questioning for over 12 hours after he distributed a LDDH press release critical of the government. Abdi Noel appealed his 2007 sentence, and was awaiting a Supreme Court hearing at year's end.

The ICRC maintained a small office staffed with locally hired personnel. The ICRC regional representative based in Nairobi visited the country monthly.

In April the government established a Human Rights Commission whose members included technical experts, representatives of civil society, labor, religious groups, the legal community, the Ombudsman's Office, and the National Assembly.

There was a government ombudsman who also served as a legislator in the parliament and whose specific responsibilities included mediation between the government and NGOs.

#### Section 5 Discrimination, Societal Abuses, and Trafficking in Persons

The constitution and the law prohibit discrimination on the basis of language, race, or gender; however, government enforcement of such laws was ineffective. The government took steps during the year to increase protection of women, including ongoing campaigns against FGM, but societal discrimination against women and ethnic minorities persisted.

## Women

The law includes sentences of up to 20 years for rapists. The number of rape cases reported or prosecuted during the year was unknown. There is no law against spousal rape. Domestic violence against women existed, but few cases were reported. The law prohibits "torture and barbaric acts" against a spouse. Violations are punishable by 20 years' imprisonment. Violence against women generally was addressed within the family or clan structure rather than in the courts. Police rarely intervened in domestic violence incidents, and the media reported only the most extreme examples, such as murder. The Union of Djiboutian Women, under the patronage of the first lady, operated a counseling center that helped women with a variety of problems, including domestic violence.

Prostitution is illegal, but it remained a problem. Unlike in previous years, there were no reports that police vice officers beat those engaged in prostitution found on the streets and raped them as a condition of their release. Refugees and girls from poor families were at greater risk of becoming street prostitutes.

The law does not prohibit sexual harassment, and it was a problem.

Women legally possess full civil rights; however, custom and traditional societal discrimination in education resulted in a secondary role for women in public life and fewer employment opportunities in the formal sector. Women owned and ran small-scale businesses, especially in the informal sector. The increased presence of women in the government, the legislature, and business had a significant positive effect. The Family Code governs the majority of family and personal matters, but inequities still existed. In accordance with Shari'a law, male children inherited larger percentages of estates than did female children. Educated women increasingly turned to the regular courts to defend their interests.

## Children

While the government continued to stress the importance of children's rights, some problems remained. The government continued to increase its spending on education and health, devoting almost a third of its budget to education, particularly primary education, and one tenth to increased spending on rural health care, particularly for mothers and infants. It relied on a few charitable organizations to support children and encouraged others to join the effort.

Primary education was compulsory and available to all. However, enrollment rates, while increasing, were not universal. The government provided tuition-free public education, but extra expenses could be prohibitive to poor families. While the educational system did not discriminate against girls, societal attitudes sometimes resulted in differences in the attendance and treatment of girls in school. The government worked with international donors to improve significantly girls' school attendance rates, and in 2007 there were 98 girls enrolled for every 100 boys. The government provided a satchel of essential school supplies to children in poor areas, paid salary arrears for teachers, and authorized a premium for teaching in rural areas. The government also continued to support parent-teacher associations throughout the country.

Despite some difficulties in registering births of children in remote areas, most births in Djibouti City were registered early, and the government continued to encourage immediate registration.

Child abuse existed but was not frequently reported or prosecuted. In an effort to reduce the demand for commercial sex acts, in April the government issued international arrest warrants for five French nationals on allegations of child sexual abuse. Christian George, a French national re-arrested in 2006 for child abuse after an attempt to flee the jurisdiction, was in prison awaiting trial at year's end.

FGM was widely performed on young girls. Although an estimated 93 percent of females in the country had undergone FGM, some studies indicated that recent government efforts to stop the practice had begun to reduce significantly the number of young girls undergoing FGM in Djibouti City.

During the year the government increased efforts to end FGM with continued high-profile publicity campaigns in health centers around the country, ongoing public support from the first lady and other prominent women, and outreach to Muslim religious leaders. These actions built on efforts begun in 2005, when the government ratified the Maputo Protocol outlawing FGM. The efforts of the Union of Djiboutian Women and other groups to educate women against the practice were having some effect in the capital, where reported rates of FGM among young women continued to decline. However, infibulation, the most extreme form of FGM, continued to be widely practiced, especially in rural areas, despite the government's anti-FGM campaign efforts there. The law states that violence causing genital mutilation is punishable by five years' imprisonment and a fine of one million DF (approximately \$5,650); however, the government had not convicted anyone under this statute.

Child marriage occurred in rural areas and among some tribal groups; however, it was not considered a significant problem. The government worked together with several NGOs to increase school enrollment for girls, in part to reduce the likelihood that parents would force young girls into marriage. The Ministry for the Promotion of Women, Family, Welfare, and Social Affairs also worked actively with women's groups throughout the country to protect the rights of girls, including the right to decide when and whom to marry.

There were credible reports of child prostitution on the streets and in brothels, despite increased government efforts to stop it, including keeping children at risk off the streets and warning businesses against permitting children to enter bars and clubs.

#### Trafficking in Persons

A new, comprehensive antitrafficking law, signed by the president in December 2007, prohibits all forms of trafficking in persons. Law 210 "Regarding the Fight against Human Trafficking" covers both internal and transnational trafficking and prohibits all forms of trafficking in persons. It outlaws discrimination among victims based on ethnicity, gender, or nationality, and prescribes penalties of up to 30 years' imprisonment for traffickers.

Despite the prohibition there were credible reports of trafficked children engaging in prostitution or domestic servitude during the year (see section 6.c).

In connection with the new antitrafficking law, the government initiated a public awareness campaign, and government officials, police, and NGOs met to consider means to improve protection for victims.

The State Department's annual Trafficking in Persons Report can be found at [www.state.gov/g/tip](http://www.state.gov/g/tip).

#### Persons with Disabilities

Persons with disabilities had access to education and public health facilities, and the Labor Code prohibits employment-based discrimination against persons with disabilities. NGOs continued to organize seminars and other events that drew attention to the need for enhanced legal protections and better workplace conditions for persons with disabilities. There was societal discrimination against persons with disabilities. The government did not mandate accessibility to buildings or government services for persons with disabilities. No government agency was charged specifically with protecting the rights of persons with disabilities, although the Ministry of Justice was charged with general responsibilities for human rights.

#### National/Racial/Ethnic Minorities

The governing coalition included all of the country's major clan and ethnic groups, with minority groups represented in senior positions. Nonetheless, there continued to be discrimination on the basis of ethnicity in employment and job advancement. Somali Issas were the majority ethnic group; they controlled the ruling party and dominated the civil service and security services. Discrimination based on ethnicity and clan affiliation declined, but affiliation remained a factor in business, government, and politics.

#### Other Societal Abuses and Discrimination

There was no known societal violence or discrimination based on sexual orientation.

There was no known societal violence or discrimination against persons with HIV/AIDS.

#### Section 6 Worker Rights

##### a. The Right of Association

The law and the constitution provide for the right to form and join unions; however, the government restricted these rights in practice. The law confers upon the president broad powers to requisition public servants who are considered indispensable to the operation of essential public services. Under the Labor Code, a union must have the approval of the Ministries of Labor and Interior as well as the Labor Inspectorate and the public prosecutor to exist. Union leaders continued to allege that the government suppressed independent representative unions by tacitly discouraging labor meetings, and accused the government of allowing what union leaders called a government-sponsored "shadow union" representative to attend the 2008 International Labor Conference as the country's labor representative.

The law provides for the right to strike and requires representatives of employees who plan to strike to provide 15 days' advance notification to the Labor Inspectorate, which uses this time period to attempt to mediate an alternate resolution of the dispute. Workers exercised this right in practice.

There were no updates in the 2006 case of labor representatives Mohamed Ahmed Mohamed and Djibril Ismail Egueh, who were charged with sharing classified information with Israel. Aden Mohamed Abdou and Hassan Cher Hared, president and vice-president respectively of the Djiboutian Workers Union, were arrested also for facilitating the departure to Israel of their colleagues. At year's end Mohamed, Egueh, and Hared reportedly were living outside the country, while Abdou remained in Djibouti.

##### b. The Right to Organize and Bargain Collectively

Although the law allows unions to conduct activities without interference, the government did not protect this right in practice. Collective bargaining did not occur.

Relations between employers and workers were informal and paternalistic. Employers generally established wage rates based on Labor Ministry guidelines. In disputes over wages or health and safety problems, the Ministry of Labor encouraged direct resolution by labor representatives who could be and were chosen by the government and employers. Workers or employers could request formal administrative hearings before the Labor Inspectorate. However, in practice the Inspectorate did not have sufficient resources to conduct regular preventive inspections, or to follow up on the enforcement of previous cases.

The law prohibits antiunion discrimination, and employers found guilty of discrimination were required to reinstate workers fired for union activities; however, the government neither enforced nor complied with the law.

The 2004 Djibouti Free Zone code, which is more flexible, applies to labor matters in the Duty Free Zone, an export processing area.

c. Prohibition of Forced or Compulsory Labor

The law prohibits forced or compulsory labor, including by children; however, a small number of women and children transiting the country from Somalia or Ethiopia fell victim to domestic servitude or commercial sexual exploitation after reaching Djibouti City or the Ethiopia-Djibouti trucking corridor.

d. Prohibition of Child Labor and Minimum Age for Employment

The law prohibits all labor by children under the age of 16, but the government did not always enforce this prohibition effectively, and child labor existed. Children were involved in the sale of the mild narcotic Khat, legal under local law, and engaged in prostitution. Family-owned businesses such as restaurants and small shops employed children at all hours. Children were involved also in activities such as shining shoes, washing and guarding cars, selling items, working as domestic servants, working in agriculture and with livestock, and other activities in the informal sector.

The Ministry of Labor is responsible for monitoring work places and preventing child labor, but a shortage of labor inspectors reduced the likelihood that reports of child labor would be investigated, and no inspections were conducted during the year. There was no program undertaken by the government to enforce the work of inspectors.

e. Acceptable Conditions of Work

Only a small minority of the population was employed formally and earned a wage salary. The 2006 Labor Code canceled minimum wage rates for occupational categories and provided that wages be set after common agreement between employers and employees. The former national minimum wage did not provide a decent standard of living for a worker and family, and it was unlikely that such common agreements would provide a minimum standard of living.

By law the workweek is augmented to 48 hours, normally spread over six days. This limit applies to workers regardless of gender or nationality. The law mandates a weekly rest period of 24 consecutive hours and the provision of overtime pay, and limits compulsory overtime to a maximum of five hours a week.

The Ministry of Labor is responsible for enforcing occupational health and safety standards, wages, and work hours. Because enforcement was ineffective, workers sometimes faced hazardous working conditions. Workers rarely protested due to fear that others willing to accept the risks would replace them. There were no laws or regulations permitting workers to refuse to carry out dangerous work assignments without jeopardizing their continued employment.