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U.S. Department of State

Cote D'Ivoire Country Report on Human Rights Practices for 1996

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COTE D'IVOIRE

From independence in 1960 until 1990, President Felix Houphouet-Boigny and his Democratic Party of Cote d'Ivoire (PDCI), then the only legal political party, governed the Republic of Cote d'Ivoire. The PDCI maintained this political dominance following multiparty presidential and legislative elections in 1990. Following Houphouet's death in 1993, National Assembly President Henri Konan Bedie became President by constitutional succession, and served out the remainder of Houphouet's term. Due to concerns about irregularities concerning the electoral code and voter registration, the major opposition parties boycotted the 1995 presidential election and tried to interfere with the voting process; however, President Bedie won 96 percent of the vote. The major political parties then reached an accord with Bedie, which allowed for full party participation in the 1995 legislative elections. The judiciary, although nominally independent, is subject to executive branch influence.

Security forces include the national police (Surete) and the Gendarmerie, a branch of the armed forces with responsibility for general law enforcement. The Gendarmerie is a national police force charged with maintenance of public order and territorial security. A new National Security Council, headed by the prior chief of the Gendarmerie, was formed in July to coordinate security policy, both internal and external. In August L'Etat Major de la Securite, a new structure focusing on internal security, and specifically on violent crime, earlier

formed by the government began functioning. The Special Anti-Crime Police Brigade (SAVAC) continued its operations. Because of increased, violent incursions by armed Liberians, the Government designated Liberian border districts as part of a "military operational zone," where the armed forces are

responsible for all security matters. The armed forces traditionally have accepted the primacy of civilian authority, although approximately 10 members of the military are in prison, accused of plotting a coup. Security forces including the SAVAC committed numerous human rights abuses.

The economy, largely market based but heavily dependent on the agricultural sector, performed poorly in recent years as high population growth coupled with economic decline resulted in a steady fall in living standards. Although the economy grew in 1995 and 1996 as major structural reforms continued, there has not yet been a significant reduction in poverty or improvement in social indicators such as mortality or literacy rates. Gross

national product per capita in 1996 was about \$730, and the economy expanded by about 7 percent. Principal exports are cocoa, coffee, and tropical timber; however, most of the rural population remains dependent on smallholder cash crop production. The country reached net self-sufficiency in oil and gas in 1995 with prospects for increased production.

The Government's human rights record improved in some areas, but serious human rights abuses continued. Members of the security forces committed extrajudicial killings, and the security forces beat and abused detainees and used force to disperse protestors. The Government also used arbitrary arrest and detention and failed to bring perpetrators of these abuses to justice. Prolonged detention is a problem, and prison conditions are harsh and life threatening. The judiciary does not ensure due process and is subject to executive branch influence, particularly in political cases. The Government limits citizens' right to change their government and restricts freedom of speech, the press, assembly, association, and movement. Three journalists imprisoned in December 1995 for criticizing the Government and Chief of State were pardoned on December 31. Discrimination and violence against women and female genital mutilation (FGM) remain problems. In September the Government announced a campaign to eliminate FGM.

RESPECT FOR HUMAN RIGHTS

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

a. Political and Other Extrajudicial Killing

There were no reports of politically motivated killings by government forces. However, as violent civil crime continued at high levels, the security forces frequently resorted to lethal force and committed numerous extrajudicial killings. Credible media reports indicate that the Special Anticrime Police Brigade (SAVAC) continued its shoot-to-kill policy when pursuing criminal suspects. Corpses of alleged criminals killed by SAVAC or police personnel are regularly displayed on television and in the newspapers. According to press estimates, SAVAC and the regular police killed more than 20 persons. The Government did not prosecute SAVAC or police personnel for these killings.

In August police shot and killed a truck driver. The Minister of Security stated that the police implicated in the shooting had been questioned and justice was "following its course." By year's end, no arrests had been made.

Six detainees held since the "active boycott" of multiparty elections in October 1995 died in prison (see Section 1.c.).

The Government promised to investigate all killings that occurred in October 1995, during the "active boycott" of the election. These deaths included four protesters, eight demonstrators, and two security

force members. However, by year's end the Government had taken no action.

b. Disappearance

There were no reports of politically motivated disappearances.

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

Despite legal protection for the rights of persons in custody, police sometimes beat detainees or prisoners as punishment, or to extract confessions, according to local human rights groups. There were no public reports of government officials being tried for these abuses.

A jurists' union official reported that police continue to beat suspects to obtain their confessions and that suspects are afraid to press charges against the police officers involved. Press photographs regularly show criminal detainees with swollen or bruised faces and bodies.

Police frequently use violence to restrain demonstrators. Riot police used tear gas and truncheons against unemployed demonstrators in January. Police used tear gas against transport workers demonstrating against the president of their union in August.

Prison conditions are harsh and life threatening. Problems include overcrowding, malnutrition, a high incidence of infectious disease, and lack of treatment facilities and medication, which are the conditions responsible for a high prisoner death rate throughout the prison community. Several journalists released last year reported that white-collar prisoners are accorded special treatment. According to press reports, six "active boycott" detainees died in prison, and one became paralyzed after an illness.

According to a Ivorian Human Rights League (LIDHO) report, conditions at the main prison of Abidjan are especially hazardous for women, with violent and nonviolent criminals, as well as minors, housed together. There are no health facilities for women, and reportedly a number of women have given birth at the prison without medical attention. There are credible reports of female prisoners being raped by prison guards.

Local human rights groups have difficulty gaining access to the prison. Officials denied LIDHO and other human rights groups access to the prison at various times this year.

d. Arbitrary Arrest, Detention, or Exile

Under the Code of Penal Procedure, a public prosecutor may order the detention of a suspect for up to 48 hours without bringing charges. A magistrate may order detention up to 4 months but must also provide the Minister of Justice with a written justification for continued detention on a monthly basis. However, the law is often violated. Police have held persons for more than 48 hours without bringing charges. According to a representative of the jurists' union, this practice is common, and often magistrates are not able to verify that those not charged are released. Defendants are not guaranteed the right to a judicial determination of the legality of their detention. A judge may release pretrial detainees on provisional liberty if the judge believes that the suspect will not flee. However, according to LIDHO, many prisoners are detained for long periods, sometimes years, awaiting trial. While reliable statistics are lacking, pretrial detainees probably make up 10 percent of the prison population.

Information provided by one of the lawyers defending active boycott members suggests that approximately 100 are still being detained awaiting judicial action. An estimated 450 such persons were

arrested; 19 were tried and released for lack of evidence; and 184 were released on provisional liberty awaiting trial. Of those tried and sentenced, 6 died in prison, 12 accepted a presidential pardon available to any nonviolent offender (after agreeing not to appeal their sentences), 6 were released on provisional liberty and have had their sentences overturned, 9 are serving their sentences, and 95 have completed their sentences. Figures on active boycott members published in the government-controlled newspaper are significantly lower. Three journalists, imprisoned for criticizing the President, had their final appeals denied, but were pardoned and released on December 31.

Although prohibited by law, police restrict access to some prisoners. Despite the frequency of arbitrary arrest, there is no accurate total of suspects held.

There are more than 10 military officers in detention, reportedly as the result of allegedly plotting a coup at the time of the October 1995 Presidential election.

The Government does not use forced exile.

e. Denial of Fair Public Trial

According to the Constitution, the judiciary is independent of the executive branch in ordinary criminal cases. In practice, however, it follows the lead of the executive in national security or politically sensitive cases. There continue to be credible reports that those with ties to the opposition are treated more harshly by the judicial system than those with ties to the Government. Judges serve at the pleasure of the executive, and therefore reports of political pressure on the judiciary are credible.

The formal judicial system is headed by a Supreme Court and includes the court of appeals and lower courts.

In rural areas, traditional institutions often administer justice at the village level, handling domestic disputes and minor land questions in accordance with customary law. Dispute resolution is by extended debate, with no known instance of resort to physical punishment. The formal court system is increasingly superseding traditional mechanisms. In August a Grand Mediateur was appointed to settle disputes that cannot be settled at the traditional level. Although this mechanism is not yet active, it appears designed to bridge traditional and modern methods of dispute resolution.

Military courts do not try civilians. Although there are no appellate courts within the military court system, persons convicted by a military tribunal may petition the Supreme Court to set aside the tribunal's verdict and order a retrial.

The law provides for the right to public trial, although key evidence is sometimes given secretly. Those convicted have the right of appeal, and the Appellate Court, in a departure from the norm, overturned on appeal the convictions of several active boycott members. Several others had their sentences reduced.

Defendants accused of felonies or capital crimes have the right to legal counsel, and the judicial system provides for court-appointed attorneys for indigent defendants. In practice, many defendants cannot afford private counsel, and court-appointed attorneys are not readily available. According to one lawyer, even if a defendant has an attorney, he may not be notified of his trial date until the day before the trial, making it impossible for his lawyer to attend or provide a defense.

There were no reports of political prisoners in civilian jails at year's end. Regarded as political prisoners, the three journalists who were serving sentences throughout the year for criticizing the President lost

their appeals, but were pardoned and released on December 31. For the last year, as many as 30 military officers and enlisted men have been held in detention, reportedly as the result of alleged coup plotting at the time of the presidential election in 1995. In November a military commission of inquiry met and seven of those held were dismissed from the army, six were returned to their units, and four were disciplined by being dismissed from the army for 16 months.

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

The Code of Penal Procedure specifies that a police official or investigative magistrate may conduct searches of homes without a judicial warrant if there is reason to believe that there is evidence on the premises concerning a crime. The official must have the prosecutor's agreement to retain any evidence seized in the search and is required to have witnesses to the search, which may not take place between 9 p.m. and 4 a.m. In practice,

police have sometimes used a general search warrant without a name or address. On occasion, police have entered homes of non-Ivorian Africans (or apprehended them at large), taken them to local police stations, and extorted small amounts of money for alleged minor offenses.

Security forces reportedly monitored some private telephone conversations, but the extent of the practice is unknown. There is no evidence that private written correspondence is monitored by authorities.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

Although the Constitution provides for freedom of expression, and independent newspapers frequently criticize government policies, the Government imposes significant restrictions. The two government-owned daily newspapers offer little criticism of government policy, while government-owned radio and television offer none at all. Moreover, while independent and opposition newspapers (9 daily, several weekly), opposition leaders, and student groups voice their disapproval of governmental or presidential actions frequently and sometimes loudly, the Government does not tolerate what it considers insults or attacks on the honor of the country's highest officials. It is a crime, punishable by 3 months to 2 years in prison, to offend the President, the Prime Minister, foreign chiefs of state or government, or their diplomatic representatives, or to defame institutions of the State. Moreover, a 1991 press law created a Commission to enforce laws against publishing material "undermining the reputation of the nation or defaming institutions of the State." Journalists exercise considerable self-censorship, particularly in writing about the President.

In August the editor of the daily paper *Le Populaire* was arrested after publication of an article alleging an abuse of power by a public prosecutor. The article included a photo of an internal Gendarmerie document, and the editor was charged with possession of a controlled government document but subsequently released. Three opposition party journalists, convicted of insulting the President for the publication of an article attributing the poor performance of an Ivorian soccer team to his presence at an international match, stayed in prison throughout the year while exhausting their appeals. They were pardoned and released on December 31.

The Government owns both television channels and two major radio stations; only the primary government radio and television stations are broadcast nationwide. There are also four radio stations not controlled by the government (British Broadcasting Corporation, Radio France Internationale, Africa Number 1, and a private commercial station concentrating on entertainment). There is also a private

television subscription service, Canal Horizon. While the independent stations have complete control over their editorial content, the Government continues to exercise considerable influence over official media program content, news coverage, and other matters, using these media to promote government policies. Much of the news programming is devoted to the activities of the President, the Government, the PDCI, and pro-Bedie groups.

Many prominent scholars are active in opposition politics and are not known to have suffered professionally, although some teachers and professors suggest that they have been transferred because of their political activities. According to press reports and student union statements, students continue to be used as informants at the University of Abidjan.

b. Freedom of Peaceful Assembly and Association

The Constitution provides for freedom of assembly. In practice, however, that freedom is restricted when the Government perceives a danger to public order, as it did during the October 1995 elections, when it used lethal force to control antigovernment demonstrations, which it had banned by decree.

Groups that wish to hold demonstrations or rallies are required to submit a notice of their intent to do so to the Ministry of Security or Interior 48 hours before the proposed event. The Government sometimes denied the opposition permission to meet in public outdoor venues. Following opposition demonstrations in September 1995, the Government announced that "all marches and sit-ins would be banned for a 3-month period in all streets and public places." The decree was selectively applied; only opposition events were affected by the ban. Penalties for infraction ranged from no action to 12 months' imprisonment.

Police occasionally prohibit gatherings to prevent the expression of controversial views. An "anti-vandalism" law passed by the National Assembly in 1992 holds organizers of a march or demonstration responsible if any of the participants engage in violence. LIDHO and all major opposition parties condemned the law as unduly vague and as one that imposed collective punishment for the crimes of a few.

The Constitution states that people are free to organize associations, and the implementing law states that organizations

must register, but does not require any authorization. Consequently, opposition parties assert that the Constitution permits private associations to form, and since the Constitution does not mention registration, requiring associations to register is unconstitutional. The Government rejects this interpretation and requires all organizations to register before commencing activities. There were no reports in the past 5 years of denial of registration.

The law prohibits the formation of political parties along ethnic or religious lines. In 1991 the Government banned the previously registered student union FESCI after a student was killed by other students. The ban was never rescinded, although FESCI was tolerated until May 1994 when the Government again insisted that the organization was banned, arresting several members of its executive bureau. FESCI remained banned but continues to contend that it was never legally banned and has been active in demonstrations, ceremonies, and political party conventions. There has never been a legal determination of its status.

In August the police burned a dormitory room and used tear gas to disperse a FESCI meeting. On December 11, when the body of a FESCI leader who died in self exile was returned to the country, the

police harassed and beat a group of FESCI members at the airport. On December 12, the police broke up an informal memorial service organized by students and held on the university campus. On December 19, four FESCI leaders appeared at the office of the Minister of Security (reportedly at his invitation) but were arrested. On January 7, 1997 three of the four were convicted and sentenced to 2 years in prison under the "anti-vandalism" law and laws against disturbing the public order.

c. Freedom of Religion

The Constitution provides for freedom of religion, and there are no known impediments to religious expression. There is no dominant religion, and no faith is officially favored. The Government permits the open practice of religion, and there are no restrictions on religious ceremonies or teaching. Nevertheless, some Muslims believe that their religious or ethnic affiliation makes them targets of discrimination by the Government with regard to high governmental positions and national identity documentation. Native Muslims are frequently subject to petty harassment as part of general pressure against Muslims from neighboring countries and, despite being a plurality of the population, are a definite minority at all levels of government.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

The law provides for these rights, and the Government respects them in practice. While the Government does not generally restrict internal travel, uniformed police regularly extort small amounts of money or goods for contrived or minor infractions by motorists or passengers on public conveyances. Citizens normally may travel abroad and emigrate freely and have the right of voluntary repatriation. There are no known cases of revocation of citizenship. However, the Government sometimes restricts foreign travel for political reasons.

Cote d'Ivoire is a signatory to the 1951 United Nations Convention on Refugees and its 1967 Protocol; it has signed but not ratified the Organization of African Unity convention governing the specific aspects of refugee problems in Africa. The right to first asylum is recognized by law and custom, and there are currently 305,000 Liberian refugees residing in Cote d'Ivoire. The Government cooperates with the United Nations High Commissioner for Refugees in health, education, and food distribution programs for refugees and agreed in principle to permit Liberians to cast absentee ballots should elections take place in their homeland in 1997.

In April serious factional fighting in Monrovia caused thousands of its residents to seek escape. On May 7, the Bulk Challenge, a Nigerian freighter carrying up to 3,500 passengers, arrived at San Pedro. Many passengers may have had a credible claim to asylum. U.N. and voluntary agencies expressed concern that the ship may have been unseaworthy, and that conditions aboard possibly posed a threat to life. The Government permitted most of the Liberian women and children to disembark temporarily. However, it did not authorize the UNHCR to screen the passengers for refugee status. Government officials cited a threat to national security, alleging that factional fighters were on board. The Government feared that more ships bearing asylum seekers would follow. After making repairs to the ship, the Government ordered the Bulk Challenge to reboard its passengers and sail for Ghana on May 9. Several deaths were reported before the ship reached Takoradi, Ghana, on May 13 where its passengers were granted asylum.

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

Although the Constitution provides citizens with the right to change their government peacefully through democratic means, the Government limited this right in practice. The opposition complained that the Government used the 1994 electoral code to place formidable obstacles in the path of political

rivals. The Rassemblement des Republicains held that Alassane Ouattara, a leading opposition rival to Bedie, had been unfairly excluded from entering the Presidential race due to the code's parentage, residency, and citizenship requirements. The opposition also complained of faulty voter registration procedures and of unfair restrictions on demonstrations after the Government issued a 3-month ban on marches and sit-ins in September 1995 in an attempt to guarantee public order (see Section 2.b.).

Under a multiparty system adopted in 1990, elections are held every 5 years by secret ballot. All citizens over 21 years of age can vote, and political parties are legally free to organize.

A presidential election was held in 1995. The major opposition parties boycotted the election due to the Electoral Code's candidacy requirements and voter registration irregularities. The Opposition defied the national laws regarding law and order and called for "active boycott" of the polls during the presidential election. They blocked polling places from access by voters and prevented delivery of election materials to the polls. Only the ruling PDCI and a single small opposition party, the PIT, fielded presidential candidates. President Bedie won 96 percent of the votes cast.

Afterward, the major political parties reached an accord that ensured full party participation in the 1995 legislative elections. These elections were, however, suspended in 3 of the 175 districts due to government concern over Bete-Baoule ethnic violence and voters displaced as a result of the active boycott. Election results from another three districts were declared invalid by the Constitutional Council. Elections in these six districts and two other open seats were held on December 29 and proceeded in an orderly, transparent manner. Of the eight legislative races, the PDCI won three and the FPI won five.

While there are no legal impediments to women assuming political leadership roles, only 14 of the 169 deputies elected to the National Assembly in November 1995 are women. Women hold 3 of the 17 leadership positions in the Assembly. There are 3 women in the 30-member presidential cabinet named in January, and 3 members of the Supreme Court are women. There are no impediments to the exercise of political rights by any of the over 60 ethnic groups.

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

LIDHO, formed in 1987 and recognized by the Government in July 1990, has actively investigated alleged violations of human rights and issued press releases and reports, some critical of the Government. Other groups such as the International Movement of Democratic Women (MIFED) have held seminars and published press releases critical of government abuses of human rights. The Ministry of Family and Womens' Affairs and the Ministry of Communication have recently taken part in several NGO-sponsored campaigns to fight female genital mutilation (FGM) and violence against women.

Foreign government funding allowed Gerddes, a local NGO, to train the presidents of voting bureaus. Observatoire National des Elections (ONE), an umbrella group of local NGO's received official sanction and government cooperation for observing the December 29 elections.

The Government has cooperated with international inquiries into its human rights practices.

Section 5 Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status

Discrimination based on race, ethnicity, national origin, sex, or religion is prohibited by law, but in practice women occupy a subordinate role in society. In other respects, the Government enforces these provisions.

Women

Representatives of women's organizations state that wife beating--while not widespread--does occur and often leads to divorce. Doctors state that they rarely see the victims of such violence. A severe social stigma is attached to domestic violence, and neighbors often intervene in quarrels to protect a woman who is the object of physical abuse. The courts and police view domestic violence as a family problem, unless serious bodily harm is inflicted or the victim lodges a complaint, in which case they may initiate criminal proceedings. The Ivorian Association for the Defense of Women (AIDF) and MIFED have protested the indifference of authorities to female victims of violence and called attention to domestic violence and FGM. The groups also reported that women who are the subject of rape or domestic violence are often ignored when they attempt to bring the violence to the attention of the police. The Government does not collect statistics on the rape or other physical abuse of women. The Government has no clear cut policy regarding spouse abuse beyond the strictures against violence in the Civil Code. In October the Minister of Communications opened an NGO-sponsored forum on violence against women and said that there would be more government action in this area.

In rural areas, ethnic custom dictates that women perform most menial tasks, although farm work by men is also common. Government policy encourages full participation by women in social and economic life, but there is considerable informal resistance among employers to hiring women, whom they consider less dependable by virtue of potential pregnancy. Women are underrepresented in some professions and in the managerial sector as a whole. Women in the formal sector, however, are paid on an equal scale with men.

Children

The Ministries of Social Affairs and of Health and Social Protection seek to safeguard the welfare of children, and the Government has also encouraged the formation of NGO's such as the Abidjan Legal Center for the Defense of Children. In September the Government announced that it would hold parents legally and financially responsible for their abandoned children.

Primary education is compulsory but this requirement is not effectively enforced. Many children leave school after only a few years. There is a parental preference for educating boys, which is noticeable throughout the country but more pronounced in rural areas. According to an International Monetary Fund report, giving statistics for 1987-1992, stated that 81 percent of males and 58 percent of females attend primary schools. A 1996 United Nations Development Program report states that 1993 combined primary, secondary, and tertiary school enrollment was 31.1 percent of females and 47.5 percent of males. Sexual harassment of female students by male teachers is commonplace.

Female genital mutilation, which is widely condemned by international health experts as damaging to both physical and psychological health, is a serious problem. There is no legislation that specifically prohibits FGM, and it is considered illegal only as a violation of general laws prohibiting crimes against persons. It is practiced particularly among the rural population in the North and West. The procedure is usually performed on young girls or at puberty as part of a rite of passage; it is always done outside modern medical facilities. According to the World Health Organization, as many as 60 percent of women have undergone FGM.

A local NGO formed a committee in May to campaign against FGM. It opened with a series of seminars on FGM and violence against women. The NGO president enlisted President Bedie's support for the campaign and the Minister of Communications has lent personal support by attending and speaking at seminars. In September the Ministry of the Family and Women's Affairs announced a campaign against

the practice. New laws prohibiting FGM reportedly are being prepared. However, traditional authorities continued to uphold the practice.

People with Disabilities

There are no laws mandating accessibility for the disabled. Laws exist prohibiting the abandonment of the mentally or physically disabled, as well as enjoining acts of violence directed at them. Traditional practices, beliefs, and superstitions vary, but infanticide in cases of serious birth disabilities is less commonplace than in the past. Disabled adults are not the specific targets of abuse, but it is difficult for them to compete with able-bodied workers in the tight job market. The Government supports special schools, associations, and artisans' cooperatives for the disabled.

National/Racial/Ethnic Minorities

Among both Ivorians and non-Ivorians, it is a widely-held perception that police routinely abuse and harass non-Ivorian Africans residing in Cote d'Ivoire (who represent one-third of the total population). This activity reflects the Ivorian conclusion that foreigners are responsible for high local crime rates and the concern over Ivorian national identity. Election law changes in 1995 limited candidates to those who could prove that both parents had been born in Cote d'Ivoire, and several recent, well-publicized cases have demonstrated that the concept of "Ivorianness" is being used to determine employability.

Members of the Bete ethnic group allege discrimination by the more powerful Baoule tribal group. The Baoules are the single largest tribal group in the country and have been politically dominant. According to the Bete, in 1970 members of the army (under Baoule command) killed 4,000 Bete in the Gagnoa region. Tensions between the groups escalated before the 1995 presidential elections, again in the Gagnoa region, and four people were killed during rioting (see Section 1.a.).

Section 6 Worker Rights

a. The Right of Association

The law provides workers with the right to form unions. The government-sponsored labor confederation, the General Union of Workers of Cote d'Ivoire (UGTCI), dominated most union activity for decades. The UGTCI's hold on the labor movement loosened in 1991 when several formerly UGTCI-affiliated unions broke away and became independent. In 1992 11 formerly independent unions joined together to form the Federation of Autonomous Trade Unions of Cote d'Ivoire. Unions are free to join these and other groups. Registration of a new union requires 3 months under the law.

The right to strike is provided by the Constitution and by statute. The Labor Code requires a protracted series of negotiations and a 6-day notification period before a strike may take place, effectively making legal strikes difficult to organize. The UGTCI seldom calls strikes. Non-UGTCI unions have frequently called strikes. Transport workers in Youpougon struck in August after police shot and killed a driver, purportedly when he tried to run a traffic stop. The Minister of Security announced that the police had aimed for the vehicle's tires but missed.

Unions are free to join international bodies.

b. The Right to Organize and Bargain Collectively

The Labor Code grants all citizens, except members of the police and military, the right to join unions

and to bargain collectively. Collective bargaining agreements are in effect in many major business enterprises and sectors of the civil service. In most cases in which wages are not established in direct negotiations between unions and employers, salaries are set by job categories by the Ministry of Employment and Civil Service. Labor inspectors have the responsibility to enforce a law that prohibits antiunion discrimination.

There are no export processing zones.

c. Prohibition of Forced or Compulsory Labor

There were no reports of forced labor, which is prohibited by law. However, the International Labor Organization's Committee of Experts in its 1993 annual report questioned a decree that places certain categories of prisoners at the disposal of private enterprises for work assignments without their apparent consent. There has been no change in this decree.

d. Minimum Age for Employment of Children

In most instances, the legal minimum working age is 16 years, and the Ministry of Employment and Civil Service enforces this provision effectively in the civil service and in large multinational companies. Labor law limits the hours of young workers, defined as those under the age of 18. However, children often work on family farms, and some children routinely act as vendors in the informal sector in cities. There are reliable reports of some use of child labor in informal sector mining and also of children working in "sweatshop" conditions in small workshops. Many children leave the formal school system at an early age; primary education is mandatory but far from universally enforced, particularly in rural areas.

e. Acceptable Conditions of Work

The Government administratively determines monthly minimum wage rates, which were last adjusted following devaluation of the cfa franc in January 1994. A slightly higher minimum wage rate applies for construction workers. The Government enforces the minimum wage rates only for salaried workers employed by the Government or registered with the social security office. Minimum wages vary according to occupation, with the lowest set at approximately \$71.49 (cfa 36,607) per month, which is insufficient to provide a decent standard of living for a worker and family. The majority of the labor force works in agriculture or in the informal sector where the minimum wage does not apply.

Through the Ministry of Employment and the Civil Service, the Government enforces a comprehensive Labor Code governing the terms and conditions of service for wage earners and salaried workers and providing for occupational safety and health standards. Those employed in the formal sector are reasonably protected against unjust compensation, excessive hours, and arbitrary discharge from employment. The standard legal workweek is 40 hours. The law requires overtime payment on a graduated scale for additional hours. The Labor Code provides for at least one 24-hour rest period per week.

Government labor inspectors can order employers to improve substandard conditions, and a labor court can levy fines if the employer fails to comply. In the large informal sector of the economy, however, involving both urban and rural workers, the Government's occupational health and safety regulations are enforced erratically at best. Workers in the formal sector have the right, under the Labor Code, to remove themselves from dangerous work without jeopardy to continued employment by utilizing the Ministry of Labor inspection system to document dangerous working conditions. However, workers in

the informal sector cannot ordinarily remove themselves from such labor without losing their employment.

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