COTE D'IVOIRE 2012 HUMAN RIGHTS REPORT

EXECUTIVE SUMMARY

Cote d'Ivoire is a democratic republic. Legislative elections held in December 2011, although boycotted by the main opposition party, were considered free and fair by the international community and certified by the UN Operation in Cote d'Ivoire (UNOCI). Since the postelectoral crisis ended in May 2011, persistent security incidents and slow political reconciliation complicated government efforts to restore the rule of law and address impunity. During the year there were instances in which elements of the security force acted independently of civilian control.

The 2010 national presidential elections that brought Alassane Ouattara to office were free and fair, but a six-month crisis ensued, during which defeated incumbent Laurent Gbagbo refused to cede power. Violence perpetrated by both sides resulted in approximately 3,000 deaths, significant population displacement, torture, sexual violence, and widespread property destruction. While the postelectoral crisis officially ended in May 2011 with Gbagbo's capture, continued insecurity and slow political reconciliation complicated the government's efforts to restore the rule of law and address impunity. Elements loyal to the former president carried out numerous attacks throughout the year. Although the targets were mainly government military forces, victims also included civilians and seven UNOCI peacekeepers. Gbagbo was indicted and awaiting trial for crimes against humanity at the International Criminal Court in The Hague.

The most serious human rights problems were security force abuses and the government's inability to enforce the rule of law. The Republican Forces of Cote d'Ivoire (FRCI), the country's military, were responsible for extrajudicial killings, acts of torture, and arbitrary detentions. Although originally from the north of the country, Dozos, traditional hunters who often assumed unofficial security roles, were found nationwide and involved in human rights abuses including killings and arbitrary detention during the year. Prison and detention center conditions were harsh. Corruption persisted in the judiciary, which was inefficient and lacked independence. The government restricted press freedom and privacy rights. Internally displaced persons (IDPs) faced insecure and difficult living conditions.

Discrimination, sexual assault, and violence against women and children, including female genital mutilation/cutting (FGM/C), occurred. Societal discrimination against ethnic groups; the lesbian, gay, bisexual, and transgender (LGBT)

community; persons with disabilities; and victims of HIV/AIDS was a problem. Children and informal sector workers were subjected to forced labor and hazardous conditions, particularly in rural areas. Corruption was pervasive.

The government seldom took steps to prosecute officials who committed abuses, whether in the security services or elsewhere in the government. Security force impunity, particularly for crimes committed during the 2011 postelectoral crisis, was a problem.

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

a. Arbitrary or Unlawful Deprivation of Life

There were numerous reports that the government or its agents committed arbitrary or unlawful killings, in most cases perpetrated by FRCI soldiers. Following numerous attempts to destabilize the government by elements loyal to former president Gbagbo, the government gave the FRCI considerable latitude, outside of legally established judicial procedures, in arresting and detaining suspects. For example, on March 12, the UN reported that an FRCI soldier summarily executed a man in Bouake for allegedly stealing a motorcycle.

In September the press covered the death of Alain Amani, a police chief from Abidjan, who was found beaten to death, reportedly by FRCI forces.

There were also intermittent politically motivated killings by former combatants loyal to former president Gbagbo. Attacks, reportedly coordinated, directed, and funded by hardline Gbagbo supporters residing in Cote d'Ivoire and neighboring countries, usually targeted security forces and were designed to promote instability. The most notorious attack took place on August 6, when armed rebels assaulted the FRCI base in Akouedo. Rebels killed six FRCI soldiers and stole hundreds of weapons, although security forces quickly recovered many weapons. In another notable attack near the city of Tai on June 8, armed rebels ambushed FRCI and UN troops and killed 18 soldiers, including seven UN peacekeepers. Following the attack, authorities arrested a number of persons and accused them of carrying out subversive activities aimed at destabilizing the government.

On August 16, armed attackers stormed the prison in Douplay, nine miles west of Abidjan, freeing 119 prisoners and killing more than a dozen persons. There were no reported arrests related to the incident.

Dozos were accused of several killings, largely in the west of the country. For example, on May 29, 12 Dozos broke into a home in Guessabo, abducted a man, and killed him. While pro-Ouattara, Dozos are not formally linked to the government. It was difficult to determine the extent to which they were involved in some incidents, since the number of persons falsely claiming to be Dozos increased substantially.

The military police and military tribunals are responsible for the investigation and prosecution of alleged internal abuses perpetrated by the security services. Military tribunals were successful in charging and convicting offenders for offenses committed during and after the postelectoral crisis. Persons who were convicted included both Gbagbo and low-level Ouattara supporters.

Several local, civilian-controlled institutions, including the Commission of Inquiry (CoI); the Special Prosecution Cell (Special Cell) within the Ministry of Justice Human Rights, and Civil Liberties; and the Dialogue, Truth, and Reconciliation Commission (DTRC) investigated and addressed human rights abuses committed during the postelectoral crisis. On August 8, the CoI released a report of its findings which acknowledged that human rights abuses were committed by the FRCI, pro-Gbagbo forces, Dozos, and other "diverse actors" during the conflict. It further transmitted a confidential annex that specified acts of individuals to the president and prime minister (who also serves as the minister of justice), who then forwarded the annex to the national prosecutor and the Special Cell for further investigation. As of December the Special Cell had only charged civilians associated with former president Gbagbo but continued its investigations and was reviewing the findings in the CoI's confidential annex. The DTRC, established to advance postcrisis national reconciliation, made little progress during the year.

On October 2, a military tribunal began the first high-profile trials for crimes committed during the postelectoral crisis. Authorities charged five individuals, including Bruno Dogbo Ble, the head of the Republican Guard under Gbagbo, with the kidnapping and killing of Colonel Major Adama Dosso. Authorities separately charged Ble with the 2002 killing of Robert Guei, the military ruler of the country from 1999 to 2000. No arrests or other judicial actions were initiated against high-level personalities aligned with the current government for acts committed during the postelectoral crisis, including several individuals who were reported to have been responsible for gross human rights violations. In some cases alleged human rights offenders retained senior security force positions.

b. Disappearance

During the year there were no reports of disappearances or politically motivated abductions or kidnappings.

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

The constitution and law prohibit such practices; however, according to UNOCI and local human rights organizations, FRCI elements tortured and abused detainees and prisoners to extract confessions or information at informal detention centers. At year's end few security force members had been held accountable for actions they were accused of committing. For example, on March 22, a planter from Bonon was beaten severely during detention by FRCI soldiers; the UN subsequently negotiated his release. On April 21, FRCI soldiers took four Togolese citizens to the FRCI camp in Bangouko and beat them severely; authorities reportedly took no action against the FRCI suspects.

In October Amnesty International (AI) reported that more than 200 persons, including supporters of former president Gbagbo's political party, the Ivorian Popular Front (FPI), were arbitrarily detained for brief periods as part of a crackdown against elements suspected of committing attacks on security forces. AI indicated that several detainees showed signs of torture.

Prison and Detention Center Conditions

Conditions were harsh, and overcrowding was a common problem in prison and detention centers operated by the FRCI and the Directorate for Territorial Surveillance (DST), a plainclothes investigative unit. During the year authorities reopened and rehabilitated prisons damaged and closed in the 2011 postelectoral crisis. At year's end 32 of the country's 33 prisons were operational. There were a few incidents of abuse of prisoners by prison guards; however, violence among prisoners was common. Critical health care was available to most prisoners at local hospitals or clinics, often paid for by international nongovernmental organizations (NGOs). Eight of the country's 33 prisons had a full-time nurse.

Physical Conditions: Overcrowding continued in many prisons. At year's end there were 7,086 prisoners, of whom 186 were minors and 177 were women. The central prison of Abidjan was built for 1,948 prisoners but held approximately 3,340 at year's end. Juveniles were held with adults in some prisons, and pretrial detainees were generally held with convicted prisoners. The children of female

inmates often lived with them in prison, although prisons accepted no responsibility for the care or feeding of the infants. Inmate mothers received help from local and international NGOs. Potable water was generally available.

Wealthier prisoners reportedly could buy extra cell space, food, comforts, and even hire staff to wash and iron their clothes. For example, inmates reportedly could pay 1,000 African Financial Community (CFA) francs ($2) per day to have fans in their cells. The government continued to provide inadequate food rations at a cost of 400 CFA francs ($0.80) per person per day, compared to a need of approximately 1,000 CFA francs ($2) per person per day. Families and the International Committee of the Red Cross (ICRC) routinely supplemented rations.

Conditions for high-profile prisoners associated with the former Gbagbo government were reportedly better than for other detainees but were still substandard. Although some of these high-profile detainees were held separately from other detainees, others complained that imprisonment along with "common" detainees threatened their safety. These detainees also had limited access to legal assistance.

Administration: Prison records were destroyed during the postelectoral crisis. Recordkeeping resumed during the year; however, it was not always considered adequate. Although the law provided for work-release programs and alternatives to incarceration for youths, these did not occur in practice. The government began the construction of an observation center in Abengourou as an alternative to incarceration for minors. Application magistrates were charged with facilitating conditional release for some inmates; however, they did not function effectively. Prison administrators continued to detain or release prisoners outside normal legal processes.

Visitors were generally permitted in formal prisons, although prisoners' access to lawyers and families was reported to be intermittent in FRCI and DST detention centers. High-profile imprisoned political figures also received high-level government visits. For example, in July the junior minister of justice, Mato Loma Cisse, visited Simone Gbagbo, the wife of former president Gbagbo, and other high-profile detainees held in the northern part of the country. Prisoners were permitted religious observance. Prisoners could submit complaints to judicial authorities without fear of censorship, but prison authorities had limited capacity to investigate and redress allegations of inhumane detention conditions.

Monitoring: The government generally permitted access to prisons by the ICRC and UNOCI. On several occasions, officers from UNOCI's Human Rights Division visited high-profile imprisoned political figures to assess the conditions of their detention. Local human rights groups reported sporadic access to prisons. The UN and international NGOs were permitted adequate access to formal prisons; however, they were granted only intermittent access to informal detention centers run by the FRCI and formal DST facilities.

On April 20, UNOCI was denied access to a DST detention center to investigate the arrest of two persons in the Port-Bouet neighborhood of Abidjan; on April 23, access was granted.

Improvements: The Ministry of Justice, with support from the UN, made progress in improving and reopening prisons across the country.

d. Arbitrary Arrest or Detention

The constitution and law prohibit arbitrary arrest and detention, but both occurred during the year, particularly following attacks against government security forces. Following numerous attempts to destabilize the government by elements loyal to former president Gbagbo, the government gave the FRCI considerable latitude to arrest and detain suspects outside of legally established judicial procedures. The UN and local and international human rights organizations estimated that both the DST and the FRCI arrested and held without charge dozens of individuals, even though the FRCI lacked arrest authority. Many of these detainees were held for short periods before being released, while others continued to be detained contrary to legal procedures. The UN also reported several incidents of detention in undisclosed and unauthorized facilities.

The UN reported that an FRCI commander, without following proper legal procedures, used an informal camp in Abidjan to detain persons suspected of involvement in attacks against the government. The UN reported that, during an August 23 visit to this camp, it found several cases of prolonged detention. For example, a man detained on August 12 for alleged involvement in the August 6 attack on the Akouedo military base had not appeared before a judge to determine whether preventive detention was warranted.

Security concerns were also used as a pretext arbitrarily to detain civilians solely for the purpose of extortion. International and local human rights organizations reported that an FRCI commander was involved in the arbitrary arrest of dozens of

civilians, who were released only after paying bribes of up to 100,000 CFA francs ($200).

Dozos were also involved in numerous arrests and detentions. These groups had assumed an informal security role in many communities but lacked the legal authority to arrest or detain individuals. The UN reported that 10 Dozos arbitrarily arrested a cattle breeder on March 13 in the northern town of Gbongaha and released him only after he paid them 150,000 CFA francs ($300).

Role of the Police and Security Apparatus

The police (with assistance from the antiriot brigade and the DST, all of whom are under the jurisdiction of the Ministry of Interior) and the gendarmerie (under the Ministry of Defense) are responsible for law enforcement. The DST is responsible for collecting and analyzing information related to national security. The police, who lacked sufficient equipment and training, have not performed effectively for more than 10 years. As a result, the FRCI assumed many police functions and took the lead in security matters. Although the FRCI assumed security duties, it was not subordinate to a state institution. The security forces failed to prevent societal violence (see section 2.b.).

FRCI forces generally lacked basic training and had an inadequate command and control structure. Impunity and corruption were endemic, and security checkpoints throughout the country were often used to extort bribes. Particularly in the west, communities often relied on Dozos, who operated without effective civilian controls or accountability, to meet their security needs.

FRCI members were arrested for abuses committed during the year. As of year's end 45 FRCI soldiers were in various stages of prosecution for crimes committed since the 2011 postelectoral crisis.

The FRCI and Dozos were involved in racketeering, often at illegal checkpoints throughout major cities and road arteries.

During the year the government made limited progress in security sector reform (SSR) and disarmament, demobilization, and reintegration (DDR). The government created a national security council on August 28, in part to consolidate SSR and DDR efforts. The government also launched several DDR activities, including an August 23 campaign in the northern town of Bouake that reportedly registered and began the DDR process with hundreds of former fighters in the area.

Arrest Procedures and Treatment While in Detention

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

While the law provides for detainees to be informed promptly of the charges against them, this did not always occur, especially in cases concerning state security and involving the FRCI and the DST. In other cases magistrates were unable to verify if detainees who were not charged had been released. A bail system exists solely at the discretion of the judge trying the case. Detainees were generally allowed access to lawyers; however, in cases involving matters of national security, detainees were denied access to lawyers and family members. For other more serious crimes, the government provided lawyers to those who could not afford them, but alleged offenders charged with less serious offenses were often left without legal representation. Following UN intervention, many detainees who had been held over 48 hours without charge were released.

Arbitrary Arrest: There were numerous reports of arbitrary arrests by the FRCI and the DST, often involving small-scale or systemic corruption. Detention by the FRCI sometimes took the form of "raffles," or large roundups of individuals from particular neighborhoods, either to extort bribes or to solicit information or confessions. Many of those detained were held for several days without being informed of the charges and with limited access to legal services.

For example, on August 29, FRCI forces took two brothers in Gagnoa prisoner and demanded 300,000 FCA francs ($600) for their release, according to a local human rights organization. The brothers were released four days later, without payment, following intervention by the human rights group.

Pretrial Detention: Prolonged pretrial detention was a problem. At year's end approximately 35 percent of those in government prisons were in pretrial detention. In many cases the length of detention equaled or exceeded the sentence for the alleged crime. Inadequate staffing in the Ministry of Justice, judicial inefficiency, and lack of training contributed to lengthy pretrial detention.

e. Denial of Fair Public Trial

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

Trial Procedures

Although the law provides for the presumption of innocence, the government did not always respect this in practice. The law provides for the right to public trial, although key evidence was sometimes given secretly. Juries were used only in trials at assize courts, which convened as needed to try criminal cases involving major crimes. Defendants accused of capital crimes have the right to legal counsel at the government's expense. 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; however, very limited free legal assistance was available from the government, most often from members of the bar association. Defendants have the right to be present at their trials, but courts may try defendants in their absence. Defendants may put forward witnesses or evidence on their behalf and question any witnesses brought to testify against them. Defendants may not access government-held evidence, although their attorneys have the legal right to do so. 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 civil criminal courts. Although there were no appellate courts within the military court system, persons convicted by a military tribunal may petition the Supreme Court to order a retrial. Military tribunals were used during the year, convicting pro-Gbagbo and some lower-level pro-Ouattara supporters for actions committed during and after

the postelection violence. Most accusations against FRCI soldiers remained under investigation.

With the opening of the Bouake court on January 4, all of the country's 33 courts were placed under the jurisdiction of the government for the first time in 10 years. The relative scarcity of trained magistrates and lawyers resulted in limited access to effective judicial proceedings, particularly outside of major cities. In rural areas traditional institutions often administered justice at the village level, handling domestic disputes and minor land questions in accordance with customary law. Dispute resolution was by extended debate, with no reported instances of physical punishment. The law specifically provides for a "grand mediator," appointed by the president, to bridge traditional and modern methods of dispute resolution.

Political Prisoners and Detainees

Some political parties and local human rights groups claimed that members of the opposition FPI party, although detained on serious charges including economic crimes, armed robbery, looting, and embezzlement, were political prisoners, especially when charged for actions committed during the postelectoral crisis. In December, as a result of dialogue with opposition groups, the government released eight pro-Gbagbo detainees on bail until their hearing.

Civil Judicial Procedures and Remedies

The constitution and law provide for an independent judiciary in civil matters; however, the judiciary was subject to corruption, outside influence, and favoritism based on family and ethnic ties. Citizens can bring lawsuits seeking damages for, or cessation of, a human rights violation; however, they did so infrequently. The judiciary was slow and inefficient, and there were problems in enforcing domestic court orders.

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

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

The FRCI was involved in the illegal occupation of businesses and homes. For example, the UN reported in April that FRCI members occupied a hotel in Bounoa and a private home in Grand Bereby. FRCI members also confiscated and stole property.

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The constitution and law provide for freedom of speech and press; however, there were limited restrictions on press freedom. The National Press Council (CNP) on several occasions briefly suspended newspapers and journalists after repeated warnings for statements it contended were false, libelous, or perceived to threaten state security. There were reports that several reporters were subjected to intimidation and harassment, and the DST briefly detained a reporter. An armed group also attacked a newspaper publisher.

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

Freedom of Press: Independent media could generally operate freely. Most newspapers were aligned politically, and opposition newspapers frequently published inflammatory editorials against the government and 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, but the law prohibits the transmission of any political commentary by private radio stations. There were no private television stations. The government exercised considerable influence over news coverage and program content on the government-run television channel, RTI.

Violence and Harassment: There were several instances of harassment of the media and one case of detention of a journalist. For example, according to an international press freedom advocacy organization, on September 7, a government civilian security detail assaulted journalist Anderson Diedri.

Libel Laws/National Security: Criminal libel is punishable by one to three years in prison. Libel deemed to threaten the national interest is punishable by six months

to five years in prison. During the year authorities suspended several newspapers and journalists for "baseless accusations," "slander," and "questioning the honor of the president."

On August 3, the government suspended the opposition newspaper *Le Temps* for 20 editions and journalist Simplice Allard for one month for "questioning the honorability of the president" by implying that his behavior resembled that of a vampire.

On September 11, the CNP temporarily suspended a newspaper and numerous journalists for publishing photos of personalities close to the former president with government titles that had been conferred illegitimately upon them during the postelectoral crisis. Following the suspension, the six remaining opposition newspapers published similar material. The CNP initially responded by suspending the six publications as well, but it reversed its suspensions after criticism from the diplomatic community and local and international NGOs.

Nongovernmental Impact: On August 18, attackers vandalized the headquarters of The Cyclone, the company that publishes *Le Temps*.

Internet Freedom

There were no government restrictions on access to the Internet or reports that the government monitored e-mail or Internet chat rooms without appropriate legal authority. Authorities permitted suspended newspapers to publish their full content online. Only 2.6 percent of the population had access to the Internet.

Academic Freedom and Cultural Events

The government continued its ban on student groups participating in national politics due to the politicization of these groups in the past. During the year student groups were allowed to address only student problems on university campuses.

b. Freedom of Peaceful Assembly and Association

Freedom of Assembly

The law provides for freedom of assembly, and, unlike in the previous year, the government generally respected these rights in practice. 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.

Unlike in the previous year, the government did not disperse demonstrators; however, it was sometimes unable to prevent violent dispersals by other groups. For example, on January 21, progovernment supporters attacked an FPI rally; one demonstrator died, and approximately 60 others were injured.

Freedom of Association

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

c. Freedom of Religion

See the Department of State's *International Religious Freedom Report* at www.state.gov/j/drl/irf/rpt.

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

The constitution and law do not specifically provide for freedom of movement, foreign travel, emigration, or repatriation. The Ouattara government cooperated with the Office of the United Nations High Commissioner for Refugees (UNHCR) on refugee problems and did not restrict travel.

In-country Movement: There were some restrictions on internal travel. Security forces; local civilian "self-defense" committees; water, forestry, and customs officials; and other unidentified groups erected and operated roadblocks on major roads. While roadblocks were used legitimately in many cases for security purposes, racketeering and extortion were commonplace.

Exile: Postelectoral violence caused thousands to flee their homes, with more than 200,000 taking refuge in nearby countries, primarily Liberia, Ghana, and Togo. During the year many exiles who left during the postelectoral crisis returned without incident, and the number of Ivoirian refugees living in nearby countries declined to approximately 84,032 at year's end. However, many persons who were

loyal to former president Gbagbo, some with criminal charges pending against them in Cote d'Ivoire, remained in exile, establishing bases in nearby countries. The self-professed intent of these exiles was to destabilize the government and ultimately return to power. These exiles were blamed for supporting numerous violent incidents, including the attack on the Akouedo military camp in August.

Citizenship: National identity was a problem, particularly among southerners who claimed that northerners with ancestry outside of Cote d'Ivoire did not qualify for citizenship. Current citizenship laws are vague, and during the year the government did not clarify them. However, with much of the government originating from the northern part of the country, officials no longer discriminated against northerners because of their ethnic heritage.

Internally Displaced Persons (IDPs)

At the end of the postelectoral crisis in April 2011, more than one million IDPs were housed in 35 IDP camps in the country. However, the overall improvement in the security situation allowed most IDPs quickly to return to their areas of origin or host communities. As of year's end the UN Office for the Coordination of Humanitarian Affairs reported that an estimated 40,000 IDPs, largely in the west of the country, remained displaced. The notable exception to peaceful return was the Nahibly IDP camp near Duekoue. On July 20, hundreds of villagers from Duekoue attacked and destroyed the Nahibly camp. The villagers alleged that individuals living at the camp were responsible for criminality and killings in the area, a claim supported by the UN and government officials. Seven IDPs from the camp were killed, 40 injured, and 5,000 displaced to neighboring areas or returned to their areas of origin.

The Ministry of Foreign Affairs and the Ministry of Employment and Social Affairs, working in concert with UN agencies, took the lead on IDP matters. During the year UN agencies and local authorities continued to facilitate the steady return of IDPs. Shelter and lack of security continued to limit some returns, particularly in the west. The government provided limited assistance to IDPs; international and local NGOs worked to fill the gaps. Host communities had few resources to receive and assist IDPs, and in many situations, IDPs resorted to living in informal urban settlements. The government respected the principle of voluntary return but did not put laws and policies in place to protect IDPs in accordance with the UN Guiding Principles on Internal Displacement.

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. The country hosted approximately 9,500 former Liberian refugees, who opted for local integration following the June 30 invocation of the cessation clause, which ended prima facie refugee status for Liberians.

Refugee Abuse: Unlike in the previous year, there were no reports of security forces failing to honor or destroying identity documents or arbitrarily detaining, verbally harassing, or abusing refugees at checkpoints.

Access to Basic Services: The National Office of Identification, together with the UNHCR and the Ivoirian Refugee and the Stateless Persons Aid and Assistance Office, continued to provide refugee identity cards to undocumented refugees, which allowed them to reside and work in the country legally for the duration of their refugee status.

Durable Solutions: The government facilitated local integration for refugees in the most extreme situations by issuing resident permits to all refugees over the age of 14 to allow them to move freely in the country. Refugees also had access to naturalization.

The UNHCR assisted with the safe, voluntary return of some 7,500 refugees to their home countries.

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 were provided a letter, valid for three months, which indicated they were awaiting a decision on their status. This letter provided for temporary stay and freedom of movement only. Holders of this letter did not qualify for refugee assistance such as access to education or healthcare.

Stateless Persons

The scale of statelessness in the country was unclear; the most recent UNHCR estimates ranged from a few thousand to as many as 900,000.

Citizenship is derived from one's parents rather than by birth within the country's territory, and birth registration was not universal. The country had habitual

residents who were either legally stateless or effectively stateless, and the government did not effectively implement laws and policies to provide such persons the opportunity to gain nationality on a nondiscriminatory basis. During the year the UNHCR continued to work with the Ministry of Justice and the Ministry of Interior to raise awareness of statelessness.

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

The constitution and law provide for the right of citizens to change their government peacefully, and citizens were able to exercise this right in the December 2011 legislative elections for seats in the National Assembly.

Elections and Political Participation

Recent Elections: The legislative elections of December 2011 were rated as free and fair by local and international observers. Although the largest opposition party, the FPI, boycotted these elections, several opposition candidates ran as independents. Voting irregularities led the Constitutional Council to annul the results of 11 districts due to allegations of fraud and violence, notably by Dozos and pro-Gbagbo militias. One additional district vote was cancelled and rescheduled because of the death of a candidate.

The Constitutional Council acted more independently than in previous years. On February 26, partial elections were held in the 12 disputed districts in generally peaceful, free, and fair conditions. Violence marked the elections in two districts, which resulted in neither district having an elected deputy in the National Assembly. In the Bonon district, a UN convoy transporting election results and the local electoral commission headquarters were attacked, resulting in the destruction of the election results. In the Facobly district, the UN reported that armed militants attacked several polling stations in an attempt to destroy the results.

Political Parties: The law prohibits the formation of political parties along ethnic or religious lines. Ethnicity, however, was often a key factor in party membership. Opposition parties were generally able to organize without interference. However, some parties complained that a heavy security force presence outside of the venues for political rallies discouraged participation by their supporters.

Participation of Women and Minorities: While no formal barrier prevents women from participating in political life, cultural and traditional beliefs limited the role of

women. Of 253 National Assembly members, 28 were women. Women also occupied several prominent positions, including first vice president of the National Assembly, five ministers of cabinet, and chairpersons of important commissions.

Section 4. Corruption and Lack of Transparency in Government

While the law provides criminal penalties for corruption by officials, they frequently engaged in corrupt practices with impunity. The media and local human rights groups reported significant official corruption. Transparency International data indicated that corruption was a severe problem, having the greatest impact on judicial proceedings, the accountability of the security forces, contract awards, and customs and tax matters.

The agency responsible for combating corruption is the National Secretariat for Good Governance and Capacity Building. On March 25, the Ministry of Finance established an anticorruption brigade to fight corruption and fraud within the ministry and an ethics observatory at the Treasury Office to ensure better transparency in processing payments. The Independent National Public Procurement Regulatory Agency (ANRMP) supported, monitored, and enforced fair competition for government contracts. For example, on February 12, the ANRMP annulled the contract given to a waste management company because of irregularities in the contract competition process.

In March the trial of 22 cocoa and coffee industry officials arrested in 2008 for allegedly embezzling 100 billion CFA francs ($200 million) began. The trial continued at year's end.

On May 22, the minister of African integration, Adama Bictogo, was dismissed for allegedly embezzling compensation payments intended for victims of a 2006 toxic waste spill. Bictogo was later absolved of all charges.

The law does not require income and asset disclosure by appointed or elected officials.

Data relating to government activities and budgeting was largely available, but varied among the ministries. Much of the Ministry of Finance's data, including the national budget, was accessible on its Web site and that of the International Monetary Fund. Public procurement was generally transparent: the ANRMP provided key information on procurement quickly without charge, and it had a transparent decision-making and public appeals process.

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

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

UN and Other International Bodies: UNOCI and independent human rights groups gathered evidence and testimony on human rights cases, published information in reports and in independent local daily newspapers, and criticized government security forces. The government regularly permitted the World Food Program, the ICRC, and other international organizations to conduct humanitarian operations. Eleven UN agencies, including the International Labor Organization (ILO) and the World Health Organization, were resident and active throughout the year.

No cases were opened against persons who threatened and harassed members of human rights organizations in 2012 or previous years.

Government Human Rights Bodies: The Ministry of Justice, Human Rights, and Civil Liberties frequently spoke out publicly and responded to human rights challenges facing the government. The independent, government-sanctioned and funded National Human Rights Commission finished the final year of its five-year mandate on July 23 by releasing its 2011 report, which was critical of government action and inaction. The mandate of the commission was not renewed.

Local institutions charged with addressing human rights abuses committed during the postelectoral crises made limited progress during the year (see section 1.a.).

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

The law prohibits discrimination based on race, ethnicity, national origin, gender, or religion; however, the government did not effectively enforce the law. The law does not address discrimination based on disability, language, sexual orientation, gender identity, or social status.

Women

Rape and Domestic Violence: The law prohibits rape and provides for prison terms of five to 20 years for perpetrators. A life sentence can be imposed in cases of gang rape if the rapists are related to or hold positions of authority over the victim, or if the victim is under 15 years of age. The law does not specifically penalize spousal rape. The government did little to enforce the law, and local and international human rights groups reported that rape was widespread, particularly in the west. Many female victims were convinced by their relatives and police to seek an amicable resolution with the rapist rather than pursue a criminal case. Authorities sometimes required rape victims to pay up to 50,000 CFA francs ($100) for a medical certificate as evidence. Since victims were often unable to afford this certificate, many perpetrators were given short sentences or simply released.

On January 4, a 27-year-old woman was taken off a minibus and raped by armed attackers near the road between Bouake and Korhogo. At year's end authorities had made no arrests related to this incident.

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

The Ministry of Family, Women, and Children and Social Affairs provided some assistance to victims of domestic violence and rape, including counseling at government-operated centers, and visited some victims in their homes. The National Committee to Fight Violence against Women and Children monitored abusive situations through frequent home visits and made weekly radio announcements of cell phone contact numbers for victims.

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). The government held awareness-raising seminars on sexual violence for judicial and security personnel.

Sexual Harassment: The law prohibits sexual harassment and prescribes penalties of between one and three years of imprisonment and fines of 360,000 to one

million CFA francs ($720 to $2,000). However, the government rarely enforced the law, and harassment was reportedly widespread and routinely accepted.

Reproductive Rights: The law provides couples and individuals the right to decide the number, spacing, and timing of their children. According to the UN Population Fund, the maternal mortality rate was estimated at 400 per 100,000 live births and 57 percent of births were attended by skilled health personnel in 2010. Just 8 percent of women between the ages of 15 and 49 used a modern method of contraception. Threats or perceived threats of violence from husbands or family members inhibited some women from seeking family planning or health services. In urban areas access to contraception and skilled attendance during childbirth were available to women who could afford them. For women who were poor or lived in rural areas, transportation and the cost of services posed significant barriers to accessing health centers and hospitals. These factors, along with a high HIV/AIDS prevalence rate, led to a high maternal mortality rate.

Discrimination: The law prohibits discrimination based on gender, and the government encouraged full participation by women in social and economic life. However, some employers in the formal sector resisted hiring women. Some women had trouble obtaining loans because they could not meet lending criteria. Women also experienced economic discrimination in owning or managing businesses.

Women in the formal sector usually were paid at the same rate as men. However, because the tax code did not recognize women as heads of households, female workers were required to pay income tax at a higher rate than their male counterparts. In November the law was amended to allow for the recognition of women as heads of household. Women's organizations continued to campaign for tax reform to enable single mothers to receive deductions for their children. Inheritance law also discriminates against women.

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

Children

Birth Registration: Citizenship is derived from one's parents. At least one parent must be a citizen for a child to be considered Ivoirian at birth. The law provides parents a three-month period to register their child's birth for a fee of 500 CFA francs ($1). The government registered all births when parents submitted documentation from a health clinic or hospital attesting that a birth had occurred. However, persons without proper identification documents could not register births. Although the government did not officially deny public services such as education or health care to children without documents, some schools reportedly required parents to present children's identity documents before they could be enrolled.

Education: Primary education was not compulsory but was tuition free. In principle students did not have to pay for books or fees, but some reportedly still did so or rented books from street stalls because the government did not cover school fees and books for every student. Students who failed secondary school entrance exams did not qualify for free secondary education, and many families could not afford to pay for schooling. Many children did not attend school after the age of 13. Parental preference for educating boys rather than girls reportedly persisted, particularly in rural areas.

Child Abuse: The penalty for statutory rape or attempted rape of a child under the age of 16 is a prison sentence of one to three years and a fine of 360,000 to one million CFA francs ($720 to $2,000). Nevertheless, children were victims of physical and sexual violence and abuse. Claims of child rape were often reclassified as indecent assault, since penalties were less severe. Teachers sometimes reportedly demanded sexual favors from students in exchange for money or grades. A local human rights organization reported that in February a five-year-old girl in Abidjan was repeatedly sexual abused by her father and older brother. To assist child victims of violence and abuse, the government cooperated with UNICEF to strengthen the country's child protection action network.

Children accused of practicing witchcraft were placed in the care of pastors, who sometimes reportedly used violence to exorcize them.

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

Child Marriage: The law prohibits the marriage of men under the age of 20 and women under the age of 18 without parental consent. The law specifically penalizes anyone who forces a minor under 18 years of age to enter a religious or customary matrimonial union. However, in conservative communities, particularly in the north, traditional marriages were performed with girls as young as 14. The UN documented several cases of forced marriage of minor girls. For example, in April a 14-year-old girl in Zebenin was forced to marry; following UN intervention, the marriage was canceled.

Harmful Traditional Practices: Female genital mutilation/cutting (FGM/C) was reportedly a serious problem in some parts of the country. 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 ($720 to $4,000). Double penalties apply to medical practitioners. FGM/C was practiced most frequently among rural populations in the north and west. The UN reported 92 such cases in March alone. Local NGOs continued public awareness programs and worked to persuade practitioners to stop the practice. In contrast with previous years, the government successfully prosecuted several FGM/C cases during the year. In July authorities fined nine women 50,000 CFA francs ($100) each and sentenced them to one year in prison for performing FGM/C.

Sexual Exploitation of Children: The minimum age of consensual sex is 18. The law prohibits the use, recruitment, or offering of children for prostitution or pornographic films, pictures, or events. Violators can receive prison sentences ranging from one month to two years and fines of 30,000 to 300,000 CFA francs ($60 to $600). 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 ($720 to $2,000).

The country was a source, origin, and destination for children subjected to trafficking in persons, specifically forced prostitution. During the year there were several successful prosecutions of child-sex traffickers.

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

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

International Child Abductions: The country is not a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction.

Anti-Semitism

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

Trafficking in Persons

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

Persons with Disabilities

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

There were no reports during the year that persons with disabilities were specific targets of abuse, but they 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 persons with disabilities.

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

The Ministry of Labor, Social Affairs, and Professional Training and the Federation of the Handicapped were responsible for protecting the rights of persons with disabilities. The Ministry of Former Combatants and Victims of War, disbanded in November during the government restructuring, was responsible for providing reparations for those whose disabilities stemmed from violent conflict. The ministry was ineffective, in large part due to insufficient funding and a lack of coordination with other government institutions.

National/Racial/Ethnic Minorities

The country had more than 60 ethnic groups, and ethnic discrimination was a problem. Approximately 25 percent of the population was considered foreign, although many within this category were second- or third-generation residents. Disputes among ethnic groups resulted in violence, particularly in the west. For example, in July Malinke villagers from Duekoue attacked the Nahibly IDP camp, which housed mostly villagers of Guere ethnicity, resulting in numerous deaths and injuries (see section 2.d.).

Although the law prohibits xenophobia, racism, and tribalism and makes these forms of intolerance punishable by five to 10 years' imprisonment, no one was prosecuted under the law during the year. Police routinely abused and harassed non-Ivoirian Africans residing in the country and occasionally harassed Lebanese merchants. Harassment by officials reflected the common belief that foreigners were responsible for high crime rates and identity card fraud. Outdated, inadequate, or unimplemented land ownership laws reportedly resulted in conflicts with ethnic and xenophobic overtones, often between the native populations and other groups.

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

Although there is no explicit law prohibiting same-sex sexual activity, public indecency with a same-sex partner is illegal. There was no official discrimination based on sexual orientation in employment, housing, statelessness, or access to education or health care. However, societal stigmatization of the LGBT community was widespread, and police, gendarmes, and members of the armed forces reportedly beat, imprisoned, verbally abused, extorted, and humiliated members of the LGBT community, particularly gays.

The few LGBT organizations in the country operated freely, but with caution.

Other Societal Violence or Discrimination

Societal stigmatization of persons living with HIV/AIDS was widespread, disproportionately affecting women due to gender inequity and economic vulnerability.

Promotion of Acts of Discrimination

Unlike in the previous year, when pro-Gbagbo newspapers incited ethnic and racial violence, there were no reports of propaganda to justify or promote racial or ethnic hatred or violence.

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 the police and military services, to form or join unions of their choice, protects the right to strike and collectively bargain, and prohibits antiunion discrimination by employers or others against union members or organizers. Under the law employers cannot fire workers for union activities. The law provides for the reinstatement for dismissed workers within eight days of receiving a wrongful dismissal claim.

While there were no reports of strikebreaking during the year, 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. In addition, if the strike is deemed a threat to public order, the president has broad powers to compel strikers to return to work under threat of sanctions and to submit strikes in essential services to arbitration. However, the law does not list such services.

The law allows unions in the formal sector to conduct their activities without interference. However, 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. Although the code may allow employers to use this technicality to refuse to negotiate, the Ministry of Employment, Social Affairs, and Professional Training

did not receive any complaints from unions. Apart from large industrial farms and some trades, such as agricultural workers, most laborers in the informal sector, including small farms, roadside street stalls, and urban workshops, were excluded from this legal protection.

The government generally effectively enforced applicable laws in the formal sector. Worker organizations were independent of the government and political parties. Collective bargaining agreements apply to all employees and were in effect in many major business enterprises and sectors of the civil service. Before collective bargaining can begin, a union must represent 30 percent of workers. The number of collective bargaining agreements reached during the year was unknown.

The Ministry of Labor, Social Affairs, and Professional Training did not report any complaints of antiunion discrimination or employer interference in union functions during the year. There were no cases reported of harassment of union members. After the postelectoral crisis, authorities arrested a union leader, Basile Gahe, on criminal charges unrelated to union activities. On December 28, authorities released Gahe from jail on bail until his trial.

Foreigners are required to obtain residency status, which takes three years, before they may hold union office.

b. Prohibition of Forced or Compulsory Labor

The law prohibits forced or compulsory labor, including by children, and employers can be punished by a prison term of one to five years and a fine of 400,000 to 1.1 million CFA francs ($800 to $2,200). The government made significant efforts to enforce the law. The National Monitoring Committee on Actions to Fight Trafficking, Exploitation, and Child Labor (NMC) is responsible for assessing government actions and was chaired by the country's first lady.

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

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

c. Prohibition of Child Labor and Minimum Age for Employment

The legal minimum working age is 14, and children are not allowed to work between 7 p.m. and 6 a.m. Although the law prohibits the exploitation of children in the workplace, child labor remained a widespread problem, particularly on cocoa and coffee plantations and in gold and diamond mines. The Ministry of Civil Service and Administrative Reform and the Ministry of Labor, Social Affairs, and Professional Training enforced the law effectively only in the civil service and large multinational companies. The punishment for violating the law includes a prison term of one to five years and a fine of 500,000 to one million CFA francs ($1,000 to $2,000). The labor inspectorate and national police were understaffed and lacked the resources and training to identify, investigate, and prosecute cases of illegal child labor.

In January the government revised the list of hazardous work that is forbidden for children under the age of 18, providing specificity regarding the types of work in each sector that children may perform.

Children routinely worked on family farms or as vendors, shoe shiners, errand boys, domestic helpers, street restaurant vendors, and car watchers and washers. Some girls as young as nine reportedly worked as domestic servants, often within their extended family networks. The law prohibits child trafficking and the worst forms of child labor. Children in rural areas continued to work on cocoa farms under hazardous conditions, including risk of injury from machetes, physical strain from carrying heavy loads, and exposure to harmful chemicals. A small percentage of the children working on cocoa farms had no family ties to the farmers, but most worked on family farms or with their parents.

While financial constraints continued to hinder enforcement of child labor laws, the government took steps to address the worst forms of child labor. The Department of the Fight against Child Labor within the Ministry of Labor, Social Affairs, and Professional Training was the lead agency involved in this area. The interministerial NMC coordinated and implemented programs to combat child labor. On March 28, the government launched the 2012-14 National Action Plan for the Elimination of the Worst Forms of Child Labor. The plan envisions the expenditure of 14 billion CFA francs ($28 million) over three years, 22 percent of which would be funded by the government. This 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 and alternatives. During the week of September 24, the NMC hosted a capacity-building workshop for local government officials intended to improve their ability to combat child labor practices. The NMC hosted a similar workshop for magistrates in November.

The government engaged in partnerships with the ILO to reduce child labor on cocoa farms. Through the ILO's International Program to Eliminate Child Labor (IPEC), the government returned 2,600 children to school. IPEC ran capacity-building workshops for local magistrates, social workers, school inspectors, and national press agency journalists, mostly in the cocoa-producing region. IPEC also rehabilitated village schools and provided new benches for students.

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

Also see the Department of Labor's *Findings on the Worst Forms of Child Labor* at www.dol.gov/ilab/programs/ocft/tda.htm.

d. Acceptable Conditions of Work

Minimum wages varied according to occupation, with the lowest set at 36,000 CFA francs ($72) per month for the professional sector; a slightly higher minimum wage rate applied to construction work. The official estimate for the poverty income level was between 500 CFA francs ($1) and 700 CFA francs ($1.40) a day. The government enforced the minimum wage rates only for salaried workers employed by the government or registered with the social security office. Labor federations attempted to fight for just treatment under the law for workers when companies failed to meet minimum salary requirements or discriminated between classes of workers, such as women or local versus foreign workers.

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

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

The law establishes occupational safety and health standards in the formal sector. Workers in the formal sector have the right to remove themselves from dangerous work without jeopardy to continued employment by utilizing the inspection system of the Ministry of Labor, Social Affairs, and Professional Training to document dangerous working conditions.

The Ministry of Labor, Social Affairs, and Professional Training was responsible for enforcing the minimum wage. Labor unions contributed to effective implementation of the minimum salary requirements in the formal sector. The government did not effectively enforce occupational, safety, and health standards in the informal sector. This mainly affected workers in the small-scale informal manufacturing sector. Despite the law, workers in both the formal and informal sectors could not absent themselves from hazardous labor without risking their employment. The law covers neither foreign migrant workers nor citizen workers in the informal labor sector. Labor inspectors reportedly accepted bribes to ignore violations.

An exact count of labor inspectors was unavailable, but the Ministry of Labor, Social Affairs, and Professional Training estimated the number at not more than 300. The law provides for the establishment of a committee of occupational, safety, and health representatives that is responsible for ensuring protection and worker health at workplaces. Such committees are to be composed of union members. The chairman of the committee can report unhealthy and unsafe working conditions to the labor inspector without penalty. While the law requires businesses to provide medical services for their employees, small firms, businesses in the informal sector, and farms (particularly during the seasonal harvests) did not comply. Excessive hours of work were common, and overtime hours were rarely recorded and seldom paid in accordance with the law. Enforcement in the informal sector was nonexistent, and the government lacked the ability to perform inspections or take action in the sector.

Several million migrant workers, mostly from neighboring countries, typically worked in the informal labor sector, where labor laws were not enforced.