

# COTE D'IVOIRE 2013 HUMAN RIGHTS REPORT

## EXECUTIVE SUMMARY

Cote d'Ivoire is a democratic republic ruled by a freely elected government. Authorities failed at times to maintain effective control over the security forces, who committed some human rights abuses.

The 2010 national presidential elections that brought President Alassane Ouattara to office were generally free and fair, but a five-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. The postelectoral crisis officially ended in April 2011 with Gbagbo's capture. At year's end Gbagbo, who was indicted at the International Criminal Court (ICC), awaited confirmation of charges for crimes against humanity. In August Ivoirian authorities provisionally released 14 pro-Gbagbo defendants, including Pascal Affi N'Guessan, Gbagbo's former spokesman and the former president of the Ivoirian Popular Front (FPI), Gbagbo's party. Continued insecurity and slow political reconciliation complicated the government's efforts to restore the rule of law and address impunity. While armed individuals launched a few attacks during the year that targeted military positions and police stations, the overall security situation improved.

The most serious human rights problems were security force abuse 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. Dozos--traditional hunters who often assumed unofficial security roles, particularly in the west of the country--were involved in human rights abuses including killings, torture, and arbitrary detention. Prison and detention center conditions were harsh. Corruption persisted in the judiciary, which was inefficient and lacked independence. The government restricted press freedom and freedom of assembly. 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.

Employers subjected children and informal sector workers to forced labor and hazardous conditions, particularly in rural areas.

The government seldom took steps to prosecute officials who committed abuses, whether in the security services or elsewhere in the government. Security force impunity for pro-Ouattara forces who committed crimes during and since the 2011 postelectoral crisis continued to be a problem.

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

### **a. Arbitrary or Unlawful Deprivation of Life**

There were several reports that the government or its agents committed arbitrary or unlawful killings, in most cases perpetrated by FRCI soldiers. Although the overall security situation improved after a spate of attacks in 2012, the FRCI continued to arrest and detain civilian suspects outside of legally established judicial procedures. In April the UN reported that FRCI soldiers near San Pedro executed a man accused of rape when he allegedly attempted to escape. An investigation revealed the man's arm had been broken and he had been shot seven times. The soldiers were not prosecuted.

In late 2012 a military tribunal convicted Bruno Dogbo Ble, the head of the Republican Guard under former president Gbagbo, and four other individuals of the kidnapping and killing of Colonel Major Adama Dosso during the postelectoral crisis. Dogbo Ble was given a prison sentence of 15 years.

### **b. Disappearance**

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, but FRCI elements tortured and abused detainees and prisoners to extract information or exact punishment at informal detention centers, according to the UN Operation in Côte d'Ivoire (UNOCI) and local human rights organizations. Few security force members were held accountable for their actions. For example, in July FRCI soldiers arrested four Malian nationals for suspected involvement in an armed robbery. In an effort

to extract a confession, FRCI soldiers reportedly poured gasoline on one detainee's back and set him on fire. They subsequently handed all four men over naked to the gendarmerie. Judicial authorities reportedly opened an investigation, but no known arrests were made.

Dozos also were implicated in acts of abuse and torture during the year. The UN reported that, on February 7, six Dozos detained and tortured a man accused of embezzlement. The man subsequently died from his injuries. While police arrested the six Dozos involved and made them appear before an investigative judge, they were neither detained nor prosecuted.

### **Prison and Detention Center Conditions**

Conditions were harsh and life threatening. Overcrowding was a common problem in prison and detention centers operated by the FRCI and the Directorate for Territorial Surveillance (DST), a plainclothes investigative and analytical unit. Thirty-two of the country's 33 prisons were operational. Critical health care was not always available to prisoners at local hospitals or clinics and often had to be paid for by international nongovernmental organizations (NGOs). According to the UN, two prisoners died in April in Bouake from lack of health care. Eight of the 33 prisons had a full-time nurse.

Physical Conditions: Overcrowding continued in many prisons. At year's end there were approximately 8,900 prisoners, of whom approximately 170 were minors and 260 were women. The central prison of Abidjan was built for 1,948 prisoners but held approximately 4,000 at year's end. On September 20, the government pardoned 3,000 inmates convicted of nonviolent crimes as a measure to deal with overcrowding, and authorities subsequently released prisoners from various prisons across the country over the course of several weeks. Authorities held juveniles with adults in some prisons, as well as pretrial detainees with convicted prisoners. The children of female inmates often lived with their mothers in prison, although prisons accepted no responsibility for the care or feeding of the infants. Inmate mothers received help from local and international NGOs. Potable water was not always available.

Wealthy prisoners reportedly could buy extra cell space, food, comforts, and even hire staff to wash and iron their clothes. The government continued to allot 300 CFA (\$0.62) per person per day in food rations, which was less than half the amount needed. Families and the International Committee of the Red Cross (ICRC) routinely supplemented rations. Conditions for high-profile prisoners

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

UNOCI reported about 105 deaths throughout the year, mostly related to a lack of or inadequate healthcare services.

Irregular or informal detention centers maintained by the FRCI or other security forces varied greatly in terms of physical conditions. One military detention center in Abidjan was known to give prisoners three meals a day, whereas the DST center holding Charles Ble Goude, former minister of youth and Gbagbo’s right-hand man, was reportedly small and offered little room for physical exercise.

Administration: Prison records were destroyed during the postelectoral crisis, and although recordkeeping had since resumed, it was not always considered adequate. Although the law provides for work-release programs and alternatives to incarceration for youths, these did not exist. Application magistrates were responsible for facilitating conditional release for inmates, but they did not function effectively. There was no prison ombudsman, but prisoners could submit complaints to judicial authorities. Prison authorities had limited capacity to investigate and redress allegations of inhumane detention conditions. Authorities permitted prisoners religious observance. Prison administrators continued to detain or release prisoners outside normal legal processes.

Authorities generally permitted visitors in formal prisons, although prisoners’ access to lawyers and families was reported to be intermittent or nonexistent in FRCI and DST detention centers. For example, authorities reportedly denied Goude access to his lawyer and his family. Despite numerous appeals, his wife had been unable to see Goude since he first appeared before a judge in January.

Independent Monitoring: The government generally permitted access to prisons by the ICRC and UNOCI. On a few 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 government permitted the UN and international NGOs adequate access to formal prisons, although they were granted only intermittent access to informal detention centers run by the FRCI and formal DST facilities. For example,

UNOCI reported difficulty in visiting Youssouf Kone, the leader of a group of demobilized soldiers who had protested their exclusion from the disarmament, demobilization, and reintegration (DDR) process. After locating Kone--who was detained under unclear circumstances in April--UNOCI was denied access to the detention center where he was being held.

Improvements: The Ministry of Justice, Human Rights and Civil Liberties (MOJ), with support from the European Union, made progress in improving and upgrading some prisons across the country. Construction continued on an observation center in Abengourou as an alternative to incarceration for minors.

#### **d. Arbitrary Arrest or Detention**

The constitution and law prohibit arbitrary arrest and detention, but both occurred during the year. The FRCI and Dozos continued to arrest and detain suspects outside of legally established judicial procedures. The UN and local and international NGOs estimated that the DST and FRCI arrested and held without charge dozens of individuals, even though the FRCI lacked arrest authority. Many of these detainees were held briefly before being released, while others were detained for lengthy periods. The UN also reported several incidents of detention in undisclosed and unauthorized facilities.

#### **Role of the Police and Security Apparatus**

The police (with assistance from a special mixed unit of police, gendarmerie, and FRCI called the CCDO) 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 performed many functions normally associated with the police and took the lead in security matters.

FRCI forces generally lacked basic training and had an inadequate command and control structure. Impunity and corruption were endemic, and security checkpoints throughout the country often were 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. In September, after two incidents in Yamoussoukro between Dozos and law enforcement authorities that

left two gendarmes and one police officer dead, the Minister of Defense warned the Dozos their interference in security matters would not be tolerated.

The military police and military tribunals are responsible for the investigation and prosecution of alleged internal abuses perpetrated by the security services. Military tribunals remained operational during the year, but unlike in 2012, there were no high-profile convictions reported for offenses committed during or after the postelectoral crisis. The government prosecuted a few FRCI soldiers for crimes committed since the 2011 crisis, including one low-ranking soldier convicted of manslaughter in November. Many cases resulted in internal sanctions or did not proceed beyond the investigation.

Security forces failed at times to prevent or respond to societal violence, particularly in the west, where there were several incidents of intercommunal clashes during the year. For example, in two separate attacks in March, armed individuals killed at least nine civilians and destroyed numerous homes in two villages near Bolequin.

During the year the government made limited progress in security sector reform and the DDR process. Within each security apparatus, efforts were made to strengthen accountability for human rights violations within individual chains of command. In October the director of the authority overseeing DDR efforts announced that of an estimated 65,000 ex-combatants, only 11,000 had been or were in the process of being reintegrated.

### **Arrest Procedures and Treatment of Detainees**

The law allows investigative magistrates or the national prosecutor to order the detention of a suspect for 48 hours without bringing charges. Nevertheless, police often arrested individuals and held them without charge for periods exceeding the legal limit. In special cases, such as suspected actions against state security, the national prosecutor can authorize an additional 48-hour period of preventive custody. According to local and international human rights groups, police often held individuals for more than the 48-hour legal limit without bringing charges. An investigating magistrate can request pretrial detention for up to four months at a time by submitting a written justification to the national prosecutor. First-time offenders charged with minor offenses 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. Authorities generally allowed detainees access to lawyers. In cases involving matters of national security, however, detainees were denied access to lawyers and family members. For other serious crimes, the government provided lawyers to those who could not afford them, but offenders charged with less serious offenses often were left without legal representation.

Arbitrary Arrest: There were reports of arbitrary arrests by the FRCI, the DST, and other authorities throughout the year. Many of those detained were held for several days without being informed of the charges and with limited access to legal services.

For example, in January the gendarmerie detained a Senegalese man whose elder brother was suspected of crimes unrelated to the detainee. The gendarmerie held the man without charge for over a week and released him only after UNOCI intervened.

On April 4, FRCI soldiers arrested and detained a 15-year-old student in place of his brother, whom they were seeking on an unrelated complaint. The soldiers severely beat the student and released him the following day.

Dozos, while not an official apparatus of the government, were also involved in arrests and detentions. These groups had assumed an informal security role in many communities but lacked the legal authority to arrest or detain individuals. Nonetheless, in January Dozos in San Pedro arrested and detained four individuals suspected of stealing. The detainees, undressed and tied together with a chain, were held for two days before being transferred to a gendarmerie brigade.

Pretrial Detention: Prolonged pretrial detention was a problem. At year's end approximately 44 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 judicial ministry, judicial inefficiency, and lack of training contributed to lengthy pretrial detention.

Amnesty: On September 20, the government pardoned 3,000 inmates convicted of nonviolent crimes as a measure to deal with overcrowding, and prisoners were subsequently released from various prisons across the country over the course of several weeks.

### **e. Denial of Fair Public Trial**

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

### **Trial Procedures**

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

Although the law provides for the presumption of innocence and to be informed promptly and in detail of the charges (with free interpretation as necessary), the government did not always respect this. The law provides for the right to a public trial. Juries are only used in trials at assize courts (special courts convened as needed to try criminal cases involving major crimes), but no assize court had been convened in more than 10 years. 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, although only limited free legal assistance was available from the government, most often from members of the bar association. Defendants have the right to adequate time and facilities to prepare a defense. Defendants may not access government-held evidence, although their attorneys have the legal right to do so. Defendants may put forward witnesses or evidence on their behalf and question any witnesses brought to testify against them. Defendants may be compelled to testify or confess to guilt. Defendants have the right to be present at their trials, but courts may try defendants in their absence. Those convicted had access to appeals courts in Abidjan, Bouake, and Daloa, but higher courts rarely overturned verdicts.

Military tribunals did not try civilians or provide the same rights as 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.

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--detained on charges including economic crimes, armed robbery, looting, and embezzlement--were political prisoners, especially when charged for actions committed during the postelectoral crisis.

In August the government provisionally released 14 pro-Gbagbo defendants, including Pascal Affi N'Guessan, the FPI's former president and Gbagbo's spokesman.

### **Civil Judicial Procedures and Remedies**

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

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

The constitution and law prohibit such actions, but the government did not always respect these prohibitions. The law requires warrants to conduct searches, the prosecutor's agreement to retain any evidence seized in a search, and the presence of witnesses in a search, which may take place at any time. Police sometimes used

a general search warrant without a name or address. The FRCI and DST arrested individuals without warrants.

The FRCI continued illegally to occupy businesses and homes. The UN reported in March that a FRCI element was occupying a health center near Tabou, which prevented locals from being able to access health services. FRCI members also confiscated and stole property. In January two FRCI soldiers arrested a planter for allegedly not adhering to their orders and destroyed his motorcycle.

Some leaders of opposition parties reported their bank accounts had been frozen, even though they were not on any international sanctions list and had not been charged with any offenses.

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

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

The constitution and law provide for freedom of speech and press, but there were restrictions on press freedom. The National Press Council (CNP) on several occasions briefly suspended or reprimanded newspapers and journalists for statements it contended were false, libelous, or perceived to threaten state security. The government detained and/or questioned journalists for their reporting activities.

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.

Press Freedoms: 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 channels, RTI1 and RTI2.

Violence and Harassment: There were occasional incidents of harassment directed at the media. On June 28, authorities interrogated for several hours the publisher and chief editor of the *Elephant Dechaine*, a satirical journal, regarding sources used for an article about Defense Minister Paul Koffi Koffi. Authorities released both journalists without charge.

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 or reprimanded several newspapers and journalists for “offending the president” and publishing “injurious and insulting” comments.

On July 4, the CNP suspended the opposition newspaper *Le Quotidien d’Abidjan* for seven editions and its managing editor for two months for a front-page table that listed detainees by ethnicity without providing any sourcing. The CNP accused the newspaper of “manipulative practices” intended to incite revolt.

## **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 4.5 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. Authorities allowed student groups 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, but the government did not always respect these rights. 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.

In August the local group La Coalition des Indignes attempted to demonstrate against the high cost of living in the Abidjan neighborhood of Yopougon. Police dispersed the group with tear gas, injured two persons, and arrested seven.

### **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/](http://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, but the government generally respected these rights. The government cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing protection and assistance to internally displaced persons, refugees, returning refugees, stateless persons and other persons of concern.

In-country Movement: There were impediments to internal travel. Security forces and other unidentified groups erected and operated roadblocks on major roads. While roadblocks were used legitimately in many cases for security purposes, racketeering and extortion were commonplace. For example, the FRCI and Dozos were involved in racketeering at illegal checkpoints throughout major cities and road arteries. In March, several villages reported that the FRCI had set up illegal checkpoints where villagers were forced to pay "crossing fees" ranging from 200 to 2,000 CFA francs (\$4.00). Those who were noncompliant were beaten or arrested and often had their property destroyed.

Exile: Postelectoral violence in 2010 caused thousands to flee their homes, with more than 200,000 taking refuge in nearby countries, primarily Liberia, Ghana, and Togo; the vast majority returned to Cote d'Ivoire. According to the UN Office for the Coordination of Humanitarian Affairs (OCHA), the number of Ivoirian

refugees living in nearby countries declined to 77,400 as of September. Several loyalists to former president Gbagbo, some with pending criminal charges, remained in exile. Two prominent pro-Gbagbo supporters returned to Abidjan in September to attend to family matters without incident.

Repatriation: Improved conditions resulted in the continued voluntary return of Ivoirian refugees during the year, including 17,000 returnees assisted by the UNHCR without incident.

### **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, although most quickly returned to their areas of origin or host communities. The number of remaining IDPs was difficult to determine due to their frequent movement. OCHA reported that an estimated 45,000 IDPs, largely in the west of the country and in Abidjan, remained displaced. This number was down from an estimated 80,000 in July 2012.

In June the government, through the Ministry of Water and Forests and the Forest Development Corporation, led operations to remove illegal settlements from the Niègre protected forest, demolishing homes, businesses and schools in the process. A UNOCI investigation of the evictions implicated FRCI soldiers in several assaults and at least three cases of rape. Estimates of the number of residents displaced ranged from 15,000 to 25,000. The government halted further evictions from protected land after the international community criticized the manner in which the evictions were conducted.

Investigations regarding the attack on the Nahibly IDP camp near Duekoue in July 2012 made limited progress. At year's end authorities had yet to make any arrests related to the attack, which killed seven, injured 40 and displaced 5,000.

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, while international and local NGOs worked to fill the gaps. Host communities had few resources to receive and assist IDPs, who often resorted to living in informal urban settlements. The government respected the principle of voluntary return but did not promulgate laws to protect IDPs in accordance with the UN Guiding Principles on Internal Displacement. On July 17, a coordination committee--with representatives from the Ministry of Solidarity, a number of local and international

NGOs, and OCHA--was established to coordinate strategy and resources for humanitarian problems, including the situation of IDPs.

### **Protection of Refugees**

Access to Asylum: The constitution and law provide for the granting of asylum or refugee status, and the government has established a system for providing protection to refugees. According to the UNHCR, the country hosted approximately 4,000 refugees and other persons of concern, including approximately 3,400 former Liberian refugees who opted for local integration following the June 2012 invocation of the cessation clause, which ended *prima facie* refugee status for Liberians.

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.

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

### **Stateless Persons**

The scale of statelessness in the country was unclear. The most recent UNHCR estimates of the number of stateless persons ranged from a few thousand to as many as 700,000.

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.

On August 26, the National Assembly adopted a law that would allow foreign-born persons living in the country before independence in 1960 to attain citizenship. The new law also gives foreign nationals born in Cote d'Ivoire between 1961 and 1973 the option of citizenship.

### **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 partial legislative elections in February.

#### **Elections and Political Participation**

Recent Elections: Local and international observers rated the partial legislative elections in February as free and fair. Voting irregularities prevented the Independent Electoral Commission from announcing the results of two districts due to allegations of violence, which resulted in one death. Four additional district votes were rescheduled because of the deaths of their deputies.

The outdated electoral registry, which had not been substantially updated since 2005, continued to be a significant barrier to a fully inclusive election process. Hundreds of thousands of unregistered voters were unable to vote in these elections due to a lack of reform to the registry. This was a fundamental issue cited by opposition groups in their boycott of the elections.

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 generally were able to organize without interference, although some parties complained that a heavy security force presence outside of the venues for political rallies discouraged participation by their supporters. In February, in Yopougon, the FRCI dispersed a rally of the JFPI, the youth wing of the FPI, on the grounds that it was not authorized. Police arrested eight persons but released them after a few hours.

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, 26 were women; of 197 mayors, 11 were women. A few women held prominent positions, including the 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**

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

Corruption: The media and human rights groups reported significant official corruption. Transparency International data indicated that corruption was a severe problem, having the greatest 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. The Independent National Public Procurement Regulatory Agency (ANRMP) supported, monitored, and enforced fair competition for government contracts. For example, on February 9, the ANRMP annulled a road-building contract given to a construction company because of irregularities in the contract competition process. In August, based on reports that 57 percent of all government contracts awarded in the first quarter of the year were sole source, ANRMP launched an audit of all sole source contract awards from 2011 to 2013.

The trial of 22 cocoa and coffee industry officials arrested in 2008 for allegedly embezzling 100 billion CFA (\$207 million) ended in November with convictions against 15 of the defendants. They were sentenced to 20 years in prison and fined more than \$100 million.

Whistleblower Protection: The law does not provide protection to public or private employees for making disclosures of evidence of illegality, gross waste or fraud, mismanagement, abuse of power, or other betrayals of public trust.

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

Public Access to Information: Data relating to government activities and budgeting was largely available, but varied among ministries. Much of the Ministry of Finance's data, including the national budget, was accessible on its website and that of the International Monetary Fund. Public procurement was

generally transparent. The ANRMP provided key information on procurement quickly without charge, and it had a transparent decision-making and public appeals process.

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

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

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.

Former president Laurent Gbagbo continued to be held at the ICC, where he was awaiting a confirmation-of-charges hearing for crimes related to the postelectoral crisis. In November 2012 the ICC also unsealed an arrest warrant against his wife, Simone Gbagbo. After months of holding her under house arrest in Odienne, on September 20, the government announced it would not transfer her to the ICC and that she would be tried in a domestic court. On September 30, the government filed an admissibility challenge before the ICC contesting its jurisdiction over her case.

On October 1, the ICC unsealed an arrest warrant against Charles Ble Goude, the former minister of youth and Gbagbo's right-hand man, who was in custody at a DST center at year's end. The government had not responded to the ICC arrest warrant by year's end.

Government Human Rights Bodies: The MOJ frequently spoke out publicly and responded to human rights challenges facing the government. The National Human Rights Commission, established by law at the end of 2012, began operating in June. The commission received its budget from the MOJ. Unlike its predecessor, the new commission included representatives of civil society organizations.

Two civilian-controlled institutions--the Special Investigative Cell (Special Cell) within the MOJ and the Dialogue, Truth, and Reconciliation Commission (DTRC)--continued to investigate and address human rights abuses committed during the postelectoral crisis. The DTRC, however, made little progress during the year. While the Special Cell continued to review and investigate the findings of the August 12 Commission of Inquiry (CoI) report--and while it acknowledged human rights abuses committed by pro-Ouattara forces, pro-Gbagbo forces, Dozos, and other "diverse actors" during the conflict--its progress was significantly hampered by a lack of resources and dedicated staff. In addition its investigations continued to focus on perpetrators associated with Gbagbo. According to the UN, as of July only three of more than 200 investigations opened by the Special Cell following the CoI report were related to members of the pro-Ouattara forces. In July the Indictment Chamber of the Abidjan Tribunal confirmed charges against 84 Gbagbo supporters for crimes committed during the crisis. No member of the pro-Ouattara forces was similarly charged.

On May 18, security forces arrested Amade Oueremi, a militia leader who supported the pro-Ouattara offensive against pro-Gbagbo militias in the west during the postelectoral crisis. Charges against him had not been officially announced. While considered pro-Ouattara, any formal link between his militia and the Force Nouvelles during the crisis was unclear. With the exception of Oueremi, the government did not initiate arrests or other judicial actions 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.

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

The law prohibits discrimination based on race, ethnicity, national origin, gender, or religion, but 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. Rape victims were at times required to pay up to 50,000 CFA (\$103) for a medical certificate as evidence. Since victims were often unable to afford this certificate, many perpetrators were given short sentences or simply released.

UNOCI reported more than 350 rape cases during the year, including 60 gang-rape cases. This number was up from 248 in 2012. For example, on February 1, an FRCI soldier reportedly detained a pregnant woman and transported her to a location where he raped her.

The law does not specifically outlaw domestic violence, which was a serious and widespread problem. According to the UN Population Fund's 2012 Demographic Health Survey, 22 percent of women and girls between ages 15 and 49 reported suffering physical violence perpetrated by a husband or partner during the year preceding the survey. Victims seldom reported domestic violence due to cultural barriers. Women who reported rape or domestic violence to police were often ignored. Many victims' families reportedly urged victims to withdraw complaints and remain with an abusive partner due to fear of social stigmatization.

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

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

Sexual Harassment: The law prohibits sexual harassment and prescribes penalties of between one and three years of imprisonment and fines of 360,000 to one million CFA (\$747 to \$2,075). Nevertheless, 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, in 2012 the maternal mortality rate was estimated at 614 per 100,000 live births, and 59 percent of births were attended by skilled health personnel. Only 14 percent of women between ages 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 3.7 percent HIV/AIDS prevalence rate, resulted in a high maternal mortality rate.

Discrimination: The law prohibits discrimination based on gender, and the government encouraged full participation by women in social and economic life. Nevertheless, 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 and taxed at the same rate as men. 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 (\$1.00). The government registered all births when parents submitted documentation from a health clinic or hospital attesting that a birth had occurred, but persons without proper identification documents could not register births. 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, uniforms, or fees, but some reportedly still did so because the government did not cover these expenses 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. 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 (\$747 to \$2,075). 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 reportedly demanded sexual favors from students in exchange for money or grades. Rapes of girls as young as two or three years old were reported during the year. In March a male acquaintance of his family raped a 10-year-old boy. To assist child victims of violence and abuse, the government cooperated with UNICEF to strengthen the country's child protection network.

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

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

Forced and Early Marriage: The law prohibits the marriage of men under the age of 20 and women under the age of 18 without parental consent. The law specifically penalizes anyone who forces a minor under age 18 to enter a religious or customary matrimonial union. Nevertheless, traditional marriages were performed with girls as young as 14. The UN documented several cases of forced marriage of minor girls. For example, in January a 16-year-old girl in Korhogo fled her home because her grandparents were attempting to marry her to her uncle.

Harmful Traditional Practices: Female genital mutilation/cutting (FGM/C) was a serious problem in some parts of the country. The predominant form of FGM/C

was Type II-removal of clitoris and labia, although infibulation also occurred. The law specifically forbids FGM/C and provides penalties for practitioners of up to five years' imprisonment and fines of 360,000 to two million CFA (\$747 to \$4,150). Double penalties apply to medical practitioners. FGM/C was practiced most frequently among rural populations in the northern and northwestern regions, where 74 percent and 80 percent of women have been subjected to the practice, respectively. Local NGOs continued public awareness programs and worked to persuade practitioners to stop the practice. The government successfully prosecuted several FGM/C cases during the year. For example, in April the mother of four victims of FGM/C as well as the practitioner who performed the procedure were fined 360,000 CFA (\$747) each and sentenced to one year in prison.

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 (\$62 to \$622). 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 (\$747 to \$2,075).

The country was a source, origin, and destination for children subjected to trafficking in persons, specifically forced prostitution. During the year the Anti-Trafficking Unit of the national police made several arrests of suspected child-sex traffickers.

Also see the Department of State's *Trafficking in Persons Report* at [www.state.gov/j/tip/](http://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/](http://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 prohibits acts of violence against persons with disabilities and the abandonment of such persons, but there were no reports that the government enforced these laws 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.

## 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 March armed individuals launched a number of attacks on villages in the west that killed several and displaced thousands. Although the motive was unclear, some international NGOs believed the attacks were linked to land disputes between ethnic groups.

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. Harassment by officials reflected the common belief that foreigners were responsible for high crime rates and identity card fraud. Despite a procedural update allowing putative owners of land 10 additional years to establish title, land ownership laws remained inadequate and 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. Nevertheless, 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, economic vulnerability.

## **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 allows unions in the formal sector to conduct their activities without interference. Nevertheless, according to the International Trade Union Confederation, the law does not have any objective criteria to establish recognition of representative trade unions, which could allow public and private employers to refuse to negotiate with unions on the grounds they were not representative. Foreigners are required to obtain residency status, which takes three years, before they may hold union office. Before collective bargaining can begin, a union must represent 30 percent of workers. The law provides for the reinstatement for dismissed workers within eight days of receiving a wrongful dismissal claim.

The law requires a protracted series of negotiations and a six-day notification period before a strike may take place, making legal strikes difficult to organize and maintain. In addition, if a strike is deemed a threat to public order, the president has broad powers to compel strikers to return to work under threat of sanctions. The president also may require that strikes in essential services be submitted for arbitration, although the law does not list essential services. A series of strikes involving teachers affected the public school system during 2012-13. The strikes, stemming from failed wage and benefit talks, resulted in at least nine arrests. The salaries of striking teachers were docked, and union membership contributions were seized by the state.

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. Although the code labor may allow employers to refuse to negotiate, the Ministry of Employment, Social Affairs, and Professional Training did not receive any complaints from unions.

The number of collective bargaining agreements reached during the year was unknown.

There were no reports of strikebreaking during the year.

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. Gahe died on September 16, without ever having gone to trial. The main opposition party alleged he died as a result of injuries he received while in jail.

### **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 (\$830 to \$2,283). The government made significant efforts to enforce the law, especially in new initiatives to fight child labor. The National Monitoring Committee on Actions to Fight Trafficking, Exploitation, and Child Labor (NMC) is responsible for assessing government actions and was chaired by First Lady Dominique Ouattara.

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/](http://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 (\$1,037 to \$2,075). The labor inspectorate and national police were understaffed and lacked the resources and training to identify, investigate, and prosecute cases of illegal child labor.

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. On February 8, three persons were arrested for attempting to transport nine young Ivoirian women to Saudi Arabia. In August nine cars carrying 36 children ages 12 to 16 from Burkina Faso were intercepted in the north. Authorities held nine persons in connection with that incident. 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.

Although financial constraints continued to hinder enforcement of child labor laws, the government took active steps to address the worst forms of child labor. During the year the government: allocated four million dollars to combat child labor activities; signed a bilateral agreement with Burkina Faso to fight trafficking in children; launched a child labor monitoring and data collection system in June; held various additional workshops and awareness campaigns, including one for social workers in September; and participated in preparations for a study conducted by a foreign university on the worst forms of child labor in the country.

The Department of the Fight against Child Labor within the Ministry of Labor, Social Affairs, and Professional Training and the NMC were the lead agencies involved in this area. The 2012-14 National Action Plan for the Elimination of the Worst Forms of Child Labor includes the expenditure of 14 billion CFA (\$29 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. First Lady Dominique Ouattara made the

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

The government engaged in partnerships with the ILO to reduce child labor on cocoa farms. Through its International Program to Eliminate Child Labor, the ILO had four ongoing projects targeting child labor, all of which were scheduled to conclude by August 2014.

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](http://www.dol.gov/ilab/programs/ocft/tda.htm).

#### **d. Acceptable Conditions of Work**

In November the government raised the minimum wage for all professions other than the agricultural sector from 36,000 CFA per month (\$75) to 60,000 CFA per month (\$125). The official estimate for the poverty income level was between 500 CFA (\$1.00) and 700 CFA (\$1.45) 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 equal pay for equal work. There were no reports that the government took action to rectify the large salary discrepancies between foreign non-African employees and their African colleagues employed by the same companies.

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

The law establishes occupational safety and health standards in the formal sector. 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 law covers neither foreign migrant workers nor citizen workers in the informal labor sector.

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. 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 no 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.