

# COTE D'IVOIRE 2020 HUMAN RIGHTS REPORT

## EXECUTIVE SUMMARY

Cote d'Ivoire is a democratic republic governed by a president re-elected in October under conditions generally considered free, although some international observers questioned the fairness of the overall electoral process. Ahead of the country's October 31 presidential election, civil society and international human rights organizations alleged infringements on rights to assembly and expression and at least two reported instances of unregulated non-state-actor violence against protesters. Also prior to the election, opposition leaders challenged the legality of President Alassane Ouattara's candidacy for a third term; however, the institution charged with validating candidate eligibility, the Constitutional Council, approved his candidacy on September 14. International election observers differed in their overall assessments of the election. Some found the process to be overall satisfactory while others concluded it did not allow for genuine competition. The Constitutional Council, which the constitution empowers to certify the results of elections, validated the incumbent president's re-election on November 9. The country's first ever senatorial elections in 2018 were peaceful.

The National Police, which reports to the Ministry of the Interior and Security, and the National Gendarmerie, which reports to the Ministry of Defense, are responsible for domestic law enforcement. The Coordination Center for Operational Decisions, a mixed unit of police, gendarmerie, and Armed Forces of Cote d'Ivoire personnel, assisted police in providing security in some large cities. The Armed Forces of Cote d'Ivoire, which report to the Ministry of Defense, are responsible for national defense. The Directorate of Territorial Surveillance, under the Ministry of Security and Civil Protection, is responsible for countering internal threats. Civilian authorities at times did not maintain effective control over the security forces. Members of the security forces committed some abuses.

Significant reported human rights issues included: forced temporary disappearance by the government; harsh and life-threatening prison conditions; arbitrary arrest or detention by security forces; political prisoners or detainees; politically motivated reprisal against individuals located outside the country; serious problems with the

















































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who were unable to walk up stairs or legally blind individuals. The same assistance was offered during the June-July voter registration process due to a lack of government-provided accommodations for individuals with disabilities.

### **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 were reported to engage frequently in corrupt practices with impunity. Human rights organizations reported official corruption, particularly in the judiciary, police, and security forces, but noted that victims of such corruption often did not report it or assist in investigations, fearing retaliation. In September 2019 the High Authority for Good Government (HABG), a government anticorruption authority, issued a communique announcing measures to end unauthorized charges for the delivery of administrative documents. Civil society groups and government officials reported the HABG was not empowered to act independently or to take decisive action. The HABG can make recommendations, but the public prosecutor must decide to take up a case. Additionally, the constitutionally mandated High Court of Justice to judge members of government, including the president and vice-president, for crimes committed during the exercise of their official functions has not been established.

**Corruption:** Human rights organizations reported government authorities awarded many contracts to persons or businesses without following procurement rules and often with little notice. In July 2019 the government endorsed a new public-procurement code to increase the transparency of the public-procurement process. In August the government's public procurement regulatory authority launched an EU-funded audit program to investigate more than 200 sole-source public procurements that occurred between 2014 and 2017.

**Financial Disclosure:** A presidential decree requires the head of state, ministers, heads of national institutions, and directors of administration to disclose their income and assets. The HABG requires public officials to submit a wealth declaration within 30 days of the beginning of their term in office. The declaration



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is confidential, but the list of those who declared their wealth is publicly accessible in the official government journal. Officials who did not comply or provided a false declaration faced substantial fines. There were no cases during the year when the veracity of a declaration was questioned or sanctions employed. The procedures for reviewing the declaration of assets were not included in the implementing decree. The law requires the HABG to retain declarations of assets for at least 10 years.

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

A number of international and domestic human rights groups operated in the country, investigating and publishing their findings on human rights cases. Government officials met with some of those groups, sometimes at very senior levels. While the government was somewhat cooperative and responsive to their views, depending on the topic or case, it was at other times defensive about more sensitive topics.

**Government Human Rights Bodies:** The Ministry of Justice and Human Rights is responsible for implementing the government's policy on human rights. In January 2019 the National Commission for Human Rights, an advisory body that consults on, conducts evaluations of, and creates proposals to promote and defend human rights, became the National Council for Human Rights. The change was intended to provide the council with more financial and operational autonomy. The organization remained nevertheless fully dependent on funding from the government, donors, or both, and human rights organizations continued to question its independence and effectiveness. As of October 2019, the human rights council had 31 regional commissions and seven thematically focused departments. The civilian-controlled Special Investigative Cell within the Ministry of Justice and Human Rights investigates persons responsible for human rights abuses committed during the postelectoral crisis of 2010-11. Information on prosecutions against suspects was not readily available.

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

#### Women

**Rape and Domestic Violence:** The law prohibits rape and provides for prison terms of five to 20 years for perpetrators. The law does not specifically penalize spousal rape, and there is a rebuttable presumption of consent in marital rape cases. The court may impose a life sentence in cases of gang rape if the rapists are related to or hold positions of authority over the victim, or if the victim is younger than age 15. Media and NGOs reported that rape of schoolgirls by teachers was a problem, but the government did not provide information on charges filed.

A local human rights organization that supports the rights of persons with disabilities reported a man was sentenced to a 20-year prison term for the April 2019 murder of his pregnant girlfriend, a woman with disabilities. The same organization reported that the 2019 rape and killing of another teenage girl with disabilities remained unsolved as of September.

Survivors were often discouraged from pursuing criminal cases, with their families often accepting payment as compensation. A human rights organization cited a recent case in which a rape victim with disabilities' father brought a complaint against the rapist and then withdrew it upon receiving a private payment from the assailant. The mother of the victim, wanting her own compensation, threatened to file a complaint and then refused to do so after receiving a payment from the assailant. There was at least one report of security forces intervening to persuade a family to file criminal charges rather than accept private compensation for a sexual assault on their minor child.

Although rape victims were no longer legally required to obtain a medical certificate, some human rights organizations reported that victim who did not do so encountered difficulties in moving their cases forward. Obtaining a medical certificate could be costly. In the first half of the year, the government reported authorities accepted 50 rape cases for investigation without a medical certificate.

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**Female Genital Mutilation/Cutting (FGM/C):** The law specifically forbids FGM/C and provides penalties for practitioners of up to five years' imprisonment and substantial fines. Double penalties apply to medical practitioners, including doctors, nurses, and medical technicians. Nevertheless, FGM/C remained a problem. The government reported one FGM/C prosecution in the first half of the year. The defendant was fined and sentenced to 24 months in prison. The most recent 2016 Multiple Indicator Cluster Survey indicated that the rate of FGM/C nationwide was 36.6 percent, with prevalence varying by region.

**Other Harmful Traditional Practices:** Societal violence against women included traditional practices that are illegal, 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 did not provide information regarding the prevalence or rate of prosecution for such violence or forced activity during the year but stated that no deaths were linked to these practices.

**Sexual Harassment:** The law prohibits sexual harassment and prescribes penalties of one-to--three years' imprisonment and fines. Nevertheless, the government rarely, if ever, enforced the law, and harassment was widespread and routinely tolerated.

**Reproductive Rights:** The law provides for full and equal access to reproductive health information and services to all men and women ages 15 and older. Couples and individuals generally have the right to decide the number, spacing, and timing of their children, and had access to the information and means to do so, free from coercion, discrimination, or violence. Government policy required emergency health-care services to be available and free to all, but care was not available in all regions, particularly rural areas, and was often expensive.

According to estimates by the World Health Organization (WHO), in 2010-19, 44 percent of women of reproductive age had their need for family planning satisfied with modern methods. The United Nations Population Fund (UNFPA) estimated 82 percent of all women had the autonomy to decide whether to use contraception. Barriers to modern methods of contraception included cost (the government only partially subsidized the cost of some methods of contraception), distance to points

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of purchase such as pharmacies and clinics, and low or unreliable stocks of certain types of contraception. Other barriers to use included misinformation and hearsay, as well as religious beliefs and biases against marginalized groups.

According to estimates by the WHO, 74 percent of births in 2010-19 were attended by skilled health personnel. Barriers to births attended by skilled health personnel included distance to modern health facilities, cost of prenatal consultations and other birth-related supplies and vaccinations, and low provider capacity.

According to WHO estimates, in 2010-18, the adolescent birth rate was 123 per 1,000 girls aged 15-19.

Health services for survivors of sexual violence existed, but costs of such services were often prohibitive for victims, law enforcement often did not know to refer victims to medical practitioners, and many medical practitioners were not trained in treatment of survivors of sexual violence.

According to estimates by the WHO, UNICEF, the UNFPA, the World Bank, and the United Nations Population Division, in 2017 (the latest year for which data are available), the maternal mortality rate was 617 deaths per 100,000 live births, down from 658 deaths per 100,000 live births in 2015. Factors contributing to the high maternal mortality rate were chiefly related to lack of access to quality care. Additionally, local nongovernmental organizations reported women often had to pay for prenatal consultations and other birth-related supplies and vaccinations, which dissuaded them from using modern facilities and increased the likelihood of maternal mortality. As a result of FGM/C, scarification was common. Scarification can lead to obstructed labor during childbirth, an obstetric complication that is a common cause of maternal deaths, especially in the absence of Caesarean section capability.

**Coercion in Population Control:** There were no reports of coerced abortion or involuntary sterilization on the part of government authorities.

**Discrimination:** The law provides the same legal status and rights for women and men in labor law, although there were also restrictions on women's employment (see section 7.d.). A 2019 law establishes the right for widows to inherit upon the deaths of their husbands as much as the deceased's children can. Human rights

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organizations reported many religious and traditional authorities rejected laws intended to reduce gender-related inequality in household decision-making.

### Children

**Birth Registration:** The law confers citizenship at birth if at least one parent was a citizen when the child was born.

The law provides parents a three-month period to register their child's birth for a nominal fee. In some parts of the country, the three-month window conflicts with important cultural practices around the naming of children, making birth registration difficult for many families. To register births after the first three months, families must also pay a fine. For older children, authorities may require a doctor's age assessment and other documents. To continue to secondary school, children must pass an exam for which identity documents are required. As a result children without documents could not continue their studies after primary school. The government, with the support of UNICEF, requires healthcare workers in maternity wards and at immunization sites to complete birth registration forms automatically when providing services. According to UNICEF this service was offered during the year in nearly 62 percent of the country's health centers and, since the beginning of the program, health workers have completed registration paperwork for 85,779 newborns out of 94,892 live births, a registration rate of 90 percent.

**Education:** Primary schooling is obligatory, free, and open to all. Education was thus ostensibly free and compulsory for children ages six to 16, but families generally reported being asked to pay school fees, either to receive their children's records or pay for school supplies. In principle students' families do not have to pay for books or user fees, but families usually covered some schooling expenses not covered by the government. Parents also often contributed to teachers' salaries and living stipends, particularly in rural areas. Parents of children not in compliance with the law were reportedly subject to substantial fines or two to six months in jail, but this was seldom, if ever, enforced, and many children did not attend or have access to school.

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Girls participated in education at lower rates than boys, particularly in rural areas. Although girls initially enrolled at a higher rate, their participation dropped below boys' because of a cultural tendency to keep girls at home to care for younger siblings or do other domestic work, and due to reported sexual harassment of female students by teachers and other staff. In April 2019 the Ministry of National Education created a new gender unit to focus on improving education and training for girls and women. The gender unit sponsored several events during the year, including a celebration of International Day of the Girl and a training for community leaders and parents on preventing pregnancy among school-aged girls.

**Child Abuse:** The penalty for statutory rape, or attempted rape, of a child younger than age 16 is a prison sentence of one to three years and a substantial fine. In March the government published a report detailing the findings of a 2018 study carried out with the support of international donors on violence against children and youth younger than age 18. The study found that 19 percent of girls and 11 percent of boys had been victims of sexual violence and 47 percent of girls and 61 percent of boys had been victims of physical violence. In 2019 the government investigated 59 cases of sexual abuse of minors and 37 child rape cases. In the first half of the year, the government reported two child rape convictions and four pending prosecutions. In February authorities arrested the relatives of a nine-year-old who died while being raped for not reporting the crime and for aiding in the rapist's escape. To assist child victims of violence and abuse, the government cooperated with UNICEF to strengthen the child protection network in areas such as case management, the implementation of evidence-based prevention programs, and data collection and analysis.

Responsibility for combating child abuse lies with the Ministries of Employment, Social Affairs, and Professional Training; Justice and Human Rights; Women, Families, and Children; Solidarity, Social Cohesion, and the Fight against Poverty; and National Education. International organizations and civil society groups reported that lack of coordination among the ministries hampered their effectiveness.

**Child, Early, and Forced Marriage:** A law passed in July 2019 equalized the legal age for marriage for women and men at 18. The law prohibits marriage of

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women and men younger than 18 without parental consent. The law specifically penalizes anyone who forces a minor younger than 18 to enter a religious or customary matrimonial union. Nevertheless, reports of traditional marriages involving at least one minor spouse persisted.

In 2017 (most recent data available) according to UNICEF, 27 percent of girls were married by age 18 and 7 percent by age 15. In September media reported that a 15-year-old girl had been forced to marry a 29-year-old man in a customary marriage and was subjected to repeated abuse until she stabbed him to death in self-defense. Authorities arrested the girl and she confessed to the homicide; however, the public prosecutor ultimately released her and entrusted her to the Child and Youth Judicial Protection Service.

**Sexual Exploitation of Children:** The minimum age for consensual sex is 18. The law prohibits the use, recruitment, or offering of minors for commercial sex or use in pornographic films, pictures, or events. Violators can receive prison sentences ranging from five to 20 years and substantial fines. Statutory rape of a minor carries a punishment of one to three years in prison and a monetary fine.

The country is a source, transit, and destination country for children subjected to trafficking in persons, including sex trafficking.

Also see the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

**Displaced Children:** Human rights organizations reported thousands of children countrywide lived on the streets and were frequently subject to harassment by authorities. The government implemented a program to reduce the number of homeless minors. Officials in the Ministry of Youth opened several centers in a few cities where at-risk youth could live and receive training. A charity associated with First Lady Dominique Ouattara broke ground on a shelter to house former juvenile offenders. There was no information on the number of minors assisted in 2020.

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

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Department of State's *Annual Report on International Parental Child Abduction* at <https://travel.state.gov/content/travel/en/International-Parental-Child-Abduction/for-providers/legal-reports-and-data/reported-cases.html>.

### **Anti-Semitism**

The country's Jewish community numbered fewer than 100 persons, including foreign residents and Ivoirian converts. There were no reports of anti-Semitic acts.

### **Trafficking in Persons**

See the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

### **Persons with Disabilities**

The constitution contains protections for persons with disabilities. The law requires the government to educate and train persons with physical, mental, visual, auditory, and cerebral motor disabilities; hire them or help them find jobs; design houses and public facilities for wheelchair access; and adapt machines, tools, and work spaces for access and use by persons with disabilities as well as to provide them access to the judicial system. The law prohibits acts of violence against persons with disabilities and the abandonment of such persons. These laws were not effectively enforced.

Political campaigns did not include braille or sign language, undercutting civic participation by persons with vision and hearing disabilities. The CEI did not provide any formal accommodations for persons with disabilities at polling sites for the October presidential election, although observers reported CEI staff assisting persons with disabilities during both the presidential election and the June-July voter registration period on an ad hoc basis, including by physically carrying registration documents down to ground level of a building if the registration center was located on a higher floor.

Persons with disabilities reportedly encountered serious discrimination in employment and education. Prisons and detention centers reportedly provided no accommodations for persons with disabilities. Although the law requires measures



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to provide persons with disabilities access to transportation and buildings and designated parking spots, human rights organizations reported these provisions were frequently not implemented around the country.

The government financially supported some separate schools, training programs, associations, and artisans' cooperatives for persons with disabilities, located primarily in Abidjan, but human rights organizations reported these schools functioned primarily as literacy centers and did not offer the same educational materials and programs as other schools. The government made efforts to recruit persons with disabilities for select government positions. Nonetheless, it was difficult for children with disabilities to obtain an adequate education if their families did not have sufficient resources. Although public schools did not bar students with disabilities from attending, such schools lacked the resources to accommodate them. In some instances, provisions were financed by private donations. Homelessness among persons with mental disabilities was reportedly common.

### **Members of National/Racial/Ethnic Minority Groups**

The country has more than 60 ethnic groups; human rights organizations reported ethnic discrimination was a problem. Authorities considered approximately 25 percent of the population foreign, although many within this category were second or third generation residents. Land ownership laws remained unclear and unimplemented, resulting in conflicts between native populations and other groups.

The law prohibits xenophobia, racism, and tribalism and makes these forms of intolerance punishable by five to 10 years' imprisonment. During the presidential election period, numerous interethnic (referred to as intercommunal in the country) clashes occurred. A particularly violent clash in Dabou between two ethnic groups, Malinke and Adjoukrou claimed 16 lives and injured 67 persons. Government officials found that the violence had been instigated by unidentified outside actors wanting to stoke the conflict, potentially for political gain, but did not say whether the actors were progovernment or opposition. Security forces deployed to the town to restore order and remained on the scene for several days.

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In November, brutal intercommunal conflicts broke out in the rural interior towns of Daoukro, between Baoule and Malinke, and in M'Batto, between Agni and Malinke. The government recorded six deaths in Daoukro and three deaths in M'Batto, including two cases of persons burned to death and one beheading, although one opposition party claimed the actual death toll was much higher.

### **Acts of Violence, Criminalization, and Other Abuses Based on Sexual Orientation and Gender Identity**

Homosexuality is not criminalized, but public heterosexual and same-sex intimate activity is subject to conviction as a form of public indecency that carries a penalty of up to two years' imprisonment. In July 2019 the government made minor changes to the law, but human rights organizations reported the changes did not prevent tacit discrimination based on sexual orientation or gender identity.

Human rights organizations reported the lesbian, gay, bisexual, transgender and intersex (LGBTI) community continued to face discrimination and violence. Authorities were at times slow and ineffective in their response to societal violence targeting the LGBTI community. Further, LGBTI persons often did not report violence committed or threatened against them, including assault or homicide, because they did not believe authorities would take their complaints seriously. LGBTI community members reported being evicted from their homes by landlords or by their own families. Familial rejection of LGBTI youth often caused them to become homeless and drop out of school. Members of the LGBTI community reported discrimination in access to health care.

In February a gay man was reportedly severely beaten by family members after presenting his long-term partner publicly at his birthday party. The next day, his uncle told him he would not let his homosexuality tarnish the family's image and instructed relatives to beat or kill him. After his relatives beat the man, neighbors sheltered him and took him to a health center for treatment. He then took refuge in a church, but congregants demanded the pastor expel him. Information regarding authorities' response to this incident was not readily available.

### **HIV and AIDS Social Stigma**

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There were no credible reports of official discrimination based on HIV/AIDS status, and the government respected the confidentiality of individuals' HIV/AIDS status. The government adhered to global standards of patient rights, and a statement of these rights was posted or available at health facilities. The law expressly condemns all forms of discrimination against persons with HIV and provides for their access to care and treatment. The law also prescribes punishment for refusal of care or discrimination based on HIV/AIDS status. Social stigma persists.

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

### **Section 7. Worker Rights**

#### **a. Freedom of Association and the Right to Collective Bargaining**

The law, including related regulations and statutory instruments, provides for the right of workers, except members of police and military services, to form or join unions of their choice, provides for the right to conduct legal strikes and bargain collectively, and prohibits antiunion discrimination by employers or others against union members or organizers. The law prohibits firing workers for union activities and provides for the reinstatement of dismissed workers within eight days of winning a wrongful dismissal claim. The law allows unions in the formal sector to conduct their activities without interference. Worker organizations were independent of the government and political parties. Under the law, for a trade union to be considered representative at the business or establishment level, the union must win at least 30 percent of valid ballots cast representing at least 15 percent of registered electors. For broader organizations the trade union must have the support in one or more enterprises together employing at least 15 percent of the employees working in the occupational and geographical sector concerned.

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

The law requires a protracted series of negotiations and a six-day notification period before a strike may take place, making legal strikes difficult to organize and maintain. Workers must maintain a minimum coverage in services whose interruption may endanger lives, security, or health; create a national crisis that threatens the lives of the population; or affect the operation of equipment. Additionally, if authorities deem a strike to be a threat to public order, the president has broad powers to compel strikers to return to work under threat of sanctions. Illegally striking workers may be subjected to criminal penalties, including forced labor. The president also may require that strikes in essential services go to arbitration, although the law does not describe what constitutes essential services.

Apart from large industrial farms and some trades, legal protections excluded most laborers in the informal sector, including small farms, roadside street stalls, and urban workshops.

Before collective bargaining can begin, a union must represent 30 percent of workers. Collective bargaining agreements apply to employees in the formal sector, and many major businesses and civil service sectors had them. Although the law may allow employers to refuse to negotiate, there were no complaints about this from unions pending with the Ministry of Employment and Social Protection.

The government effectively enforced the law. Penalties were commensurate with those for comparable crimes.

There were no complaints pending with the Ministry of Employment and Social Protection of antiunion discrimination or employer interference in union functions.

In March media reported the public health workers' union threatened to strike if the government did not provide them with personal protective equipment and hazard pay, in view of the risks of contracting COVID-19. The government met the union's demands to prevent disruption of health services.

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In July union members at the government-run center for agricultural research went on strike complaining of delayed salary payments and demanding research premiums; the government refused to meet the union's demands.

### **b. Prohibition of Forced or Compulsory Labor**

The law prohibits, and provides criminal penalties for, all forms of human trafficking, including for the purposes of forced labor or slavery. The law grants government officials broad power to requisition labor for "national economic and social promotion," in violation of international standards. Judges may propose that defendants convicted of certain crimes perform physical labor for the benefit of the state as an alternative to incarceration, but the defendant must accept the terms of such a sentence.

The government did not effectively enforce the law. Penalties were commensurate with those for comparable crimes. The government did not provide enough resources or conduct enough inspections to enforce compliance. Forced and compulsory labor continued to occur in small-scale and commercial production of agricultural products, particularly on cocoa, coffee, pineapple, cashew, and rubber plantations, and in the informal labor sector, such as in domestic work, nonindustrial farm labor, artisanal mines, street shops, and restaurants.

Also see the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

### **c. Prohibition of Child Labor and Minimum Age for Employment**

The minimum age for employment is 16 years although the minimum age for apprenticeships is 14. The minimum age for hazardous work is 18 years. Minors younger than 18 may not work at night. Although the law prohibits the exploitation of children in the workplace, the Ministry of Employment and Social Protection did not enforce the law effectively outside the civil service and large national and multinational companies.

The National Monitoring Committee on Actions to Fight Trafficking, Exploitation, and Child Labor, chaired by the First Lady, and the Interministerial Committee for

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the Fight against Trafficking, Exploitation, and Child Labor are responsible for assessing government and donor actions on child labor.

The law prohibits child trafficking and the worst forms of child labor. The government took active steps to address the worst forms of child labor. In June 2019 the government launched the 2019-21 *National Action Plan for the Fight against the Worst Forms of Child Labor*. In July 2019, as part of the National Action Plan, the government reached an agreement with Burkina Faso to prevent unaccompanied minors from entering the country. The budget for the 2019-21 National Action Plan, although higher than the previous plan's, has not yet been fully funded by its government and international organization partners. Periodic, standardized data collection efforts remain weak. Efforts to counter child labor in sectors besides the cocoa industry, such as palm oil, cotton, and artisanal gold mining, also remain weak. Separately from the National Action Plan, a private foundation led by the First Lady was building a shelter for victims of trafficking in the northern part of the country, after inaugurating a similar center in the southwest.

The Department of the Fight against Child Labor within the Ministry of Employment and Social Protection, along with the two antitrafficking committees, led enforcement efforts. The government's National Action Plan calls for efforts to improve access to education and health care for children and income-generating activities for their families, as well as nationwide surveys, awareness campaigns, and other projects with local NGOs to highlight the dangers associated with child labor. The government engaged in partnerships with the International Labor Organization, UNICEF, and the International Cocoa Initiative to implement these measures.

The *List of Light Work Authorized for Children between 13 and 16 Years of Age* introduces and defines the concept of "socializing work," unpaid work that teaches children to be productive members of the society. The list states that a child cannot perform any work before 7 a.m. or after 7 p.m. or during regular school hours, that light work should not exceed 14 hours a week, and that it should not involve more than two hours on a school day or more than four hours a day during vacation. In late 2016 basic education became compulsory for children aged six to

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16, increasing school attendance rates and reducing the number of children looking for work.

The government did not effectively enforce the law. Child labor remained a problem, particularly in artisanal gold and diamond mines, on agricultural plantations (generally small plots), and in domestic work. Within agriculture, the worst forms of child labor were particularly prevalent in the cocoa and coffee sectors. Inspections during the year did not result in investigations into child labor crimes. Penalties were commensurate with penalties for comparable crimes but were seldom applied. The number of inspectors and resources for enforcement were insufficient to enforce the law.

Children routinely worked on family farms or as vendors, shoe shiners, errand runners, domestic helpers, street restaurant vendors, and car watchers and washers. Some girls as young as nine years old reportedly worked as domestic servants, often within their extended family networks. Children working on farms faced hazardous conditions, including risk of injury from machetes, physical strain from carrying heavy loads, and exposure to harmful chemicals. According to international organizations, child labor was reported increasingly on cashew plantations and in illegal gold mines, although no official studies had been conducted. A study released in July found that child labor in the cocoa sector had increased during the COVID-19 pandemic, which caused schools to be closed from March to May.

To help prevent child trafficking, the government regulated the travel of minors into and out of the country, requiring children and parents to provide documentation of family ties, including at least a birth certificate.

Also see the Department of Labor's *Findings on the Worst Forms of Child Labor* at <https://www.dol.gov/agencies/ilab/resources/reports/child-labor/findings>.

### **d. Discrimination with Respect to Employment and Occupation**

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

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The law does not prohibit discrimination based on sexual orientation. The law specifically prohibits workplace discrimination based on HIV/AIDS status but does not address other communicable diseases. The law includes provisions to promote access to employment for persons with disabilities: it stipulates that employers must reserve a quota of jobs for qualified applicants, but does not provide penalties for employment discrimination.

The government did not effectively enforce its antidiscrimination laws. Penalties were commensurate with those for comparable crimes. Human rights organizations continued to report discrimination with respect to gender, nationality, disability, and sexual orientation and gender identity. There were legal restrictions on women's employment in certain occupations and industries, including in mining, construction, and factories, but no known limitations on working hours based on sex. The government indicated that if a woman wanted to carry out any of the work on the "prohibited list," she needed to contact an inspector at the Ministry of Labor.

While women in the formal sector received the same pay and paid the same taxes as men, reports of a reticence to hire women persisted.

While the law provides the same protections for migrant workers in the formal sector as it does for citizens, most faced discrimination in terms of wages and treatment.

### **e. Acceptable Conditions of Work**

The minimum wage varied by sector. The minimum wage in all sectors exceeded the government's estimated poverty level. The Ministry of Employment and Social Protection is responsible for enforcing the minimum wage. The government did not effectively enforce the law. Penalties were commensurate with those for similar crimes. Labor unions contributed to effective implementation of the minimum salary requirements in the formal sector. Between 80 percent and 90 percent of the total labor force worked in the informal economy, in which labor standards were generally not enforced. Labor federations advocated for just treatment under the law for workers when companies failed to meet minimum wage requirements or discriminated between classes of workers, such as women or



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foreign workers. The government started paying back-wages in 2019 based on a 2017 labor agreement reached with public-sector unions.

The law does not stipulate equal pay for equal work. There were no reports authorities took action to rectify the large salary discrepancies between foreign non-African employees and their African (i.e., both foreign African residents and Ivoirians) 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-consecutive-hour rest period per week. The law does not prohibit compulsory overtime.

The law establishes occupational safety and health standards in the formal sector, while the informal sector lacks regulation. The government, through the Ministry of Employment and Social Protection, developed a 2019-21 strategic plan for conducting labor inspections in the informal sector. With support from the French government, during the year the government began conducting inspections in several industries in the informal sector, including building construction, carpentry, and hair dressing.

The law provides for the establishment of committees of occupational, safety, and health representatives responsible for verifying protection and worker health at workplaces. Such committees are to be composed of union members. The chair of a committee could report unhealthy and unsafe working conditions to the labor inspector without penalty. By law workers in the formal sector have the right to remove themselves from situations that endanger their health or safety without jeopardy to their employment. They may utilize the inspection system of the Ministry of Employment and Social Protection to document dangerous working conditions. Authorities effectively protected employees in this situation. This labor law and related standards do not apply in the informal sector. The law does not cover several million foreign migrant workers or workers in the informal sector, who accounted for 70 percent of the nonagricultural economy.

The government did not effectively enforce the law applicable to the formal sector. Human rights organizations reported numerous complaints against employers, such as improper dismissals, uncertain contracts, failure to pay the minimum wage, and

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the failure to pay employee salaries. The failure to enroll workers in the country's social security program and pay into it the amount the employer deducted from the worker's salary was also a problem. Resources and inspection were not sufficient to enforce compliance. Administrative judicial procedures were subject to lengthy delays and appeals.

The government enforced labor protections only for salaried workers employed by the government or registered with the social security office. Penalties were commensurate with those for similar crimes, but labor inspectors reportedly accepted bribes to ignore violations.

While the law requires businesses to provide medical services for their employees, small firms, businesses in the informal sector, households employing domestic staff, and farms (particularly during the seasonal harvests) did not comply. Excessive hours of work were common. In particular, employees in the informal manufacturing sector often worked without adequate protective gear. Human rights organizations reported that working conditions in illegal gold mines remained very poor, including lack of fencing around mines, as well as large detonations and resulting deadly mudslides.

According to a 2019 government report, there were 6,000 industrial accidents between 2015 and 2017, the most recent data available. According to data provided by government officials, the San Pedro region, the country's second largest economic hub, had an average of 400 industrial accidents per year between 2016 and 2019 due to insufficient safety oversight.