

# GUINEA-BISSAU 2015 HUMAN RIGHTS REPORT

## EXECUTIVE SUMMARY

Guinea-Bissau is a multiparty republic. It is ruled by a democratically elected government led by President Jose Mario Vaz and Prime Minister Carlos Correia of the African Party for the Independence of Guinea and Cape Verde (PAIGC). Vaz took office in 2014 after an election judged to be free and fair by international observers. Vaz replaced a transitional president, Manuel Serifo Nhamadjo, who led a government brokered in 2012 by the Economic Community of West African States (ECOWAS) in the wake of a military coup that disrupted an electoral process before the second round of voting. On August 12, Vaz dismissed Prime Minister Domingos Simoes Pereira and replaced him a month later with Correia. Both the ECOWAS-brokered and the Vaz governments made progress in consolidating civilian authority over the security forces. Civilian authorities at times did not maintain control over security forces.

Serious human rights abuses included arbitrary detention; official corruption exacerbated by government officials' impunity and suspected involvement in drug trafficking; and violence and discrimination against women and children. Other human rights abuses included abusive treatment of detainees; poor conditions of detention; lack of judicial independence and due process; interference with privacy; female genital mutilation/cutting; trafficking in persons; child labor; and forced labor by adults and children.

The government did not take effective steps to prosecute or punish officials or other individuals who committed abuses, whether in the security services or elsewhere in the government. Impunity was a serious problem.

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

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

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

#### **b. Disappearance**

There were no reports of politically motivated disappearances.

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

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

Prisons conditions varied widely. In the makeshift detention facilities for pretrial detainees, conditions were harsh and life threatening. Except in the two new prisons in Bafata and Mansoa, electricity, potable water, and space were inadequate.

Physical Conditions: Conditions of confinement were poor. Detention facilities generally lacked secure cells, running water, adequate ventilation, lighting, and sanitation. Detainees' diets were poor, and medical care was virtually nonexistent. At the pretrial detention center in Bissau, detainees had to rely on their families for food. Officials held pretrial detainees with convicted prisoners and juveniles with adults.

Administration: Authorities did not maintain adequate records or investigate allegations of inhuman conditions. They lacked the resources to use alternatives to incarceration in the cases of nonviolent offenders. In many cases detainees were released informally on their own recognizance or simply walked away from makeshift detention facilities. There was no prison ombudsman to respond to prisoners' complaints and no independent authorities investigated credible allegations of inhuman conditions.

Independent Monitoring: The government permitted independent monitoring of detention conditions by local and international human rights groups. According to the Justice Ministry's director of justice administration, the UN Integrated Peacebuilding Office in Guinea-Bissau and the National Commission for Human Rights regularly visited the prisons in Mansoa and Bafata.

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

The constitution and law prohibit arbitrary arrest and detention, and the government usually observed these prohibitions.

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

The country is divided into 37 police districts. An estimated 3,500 police personnel in nine different police forces reported to seven different ministries. The

Judicial Police, under the Ministry of Justice, have primary responsibility for investigating drug trafficking, terrorism, and other transnational crimes. The Public Order Police, under the Ministry of Interior, are responsible for preventive patrols, crowd control, and maintenance of law and order. Other police forces include the State Information Service (intelligence), Border Police (migration and border enforcement), Rapid Intervention Police, and Maritime Police. According to the constitution, the armed forces are responsible for external security and may be called upon to assist police in internal emergencies.

Police were generally ineffective, poorly and irregularly paid, and corrupt. They received no training and had insufficient funding to buy fuel for police vehicles. Traffic police often demanded bribes from vehicle drivers, whether or not their documents and vehicles were in order. Lack of police detention facilities frequently resulted in prisoners leaving custody during investigations. Impunity was a serious problem. The attorney general was responsible for investigating police abuses; however, employees of that office were also poorly paid and susceptible to threats, corruption, and coercion. By year's end authorities had not prosecuted anyone for 2009-12 political killings or 2010-12 corruption cases.

A military court system exists, with the Supreme Military Court as the final court of appeal for military cases. Although civilian courts could try cases involving state security personnel, they were reluctant to assert jurisdiction over members of the military. An exception occurred, however, when exiled vice admiral and former military chief of staff Jose Zamora Induta returned to the country in July. He was placed under house arrest and charged with crimes under the jurisdiction of the Supreme Military Court. The Supreme Court ruled, however, that his detention by military authorities was illegal and that he came under civilian jurisdiction and, in November, ordered his release.

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

The law requires arrest warrants, although warrantless arrests often occurred, particularly of immigrants suspected of crimes. The law requires detainees be brought before a magistrate within 48 hours after arrest and be released if no timely indictment is filed; however, authorities did not always respect these rights. Authorities generally informed detainees of charges against them, although military detainees were not always notified. Although the law provides for the right to counsel at state expense for indigent clients, lawyers did not receive compensation for their part-time public defense work and often ignored state directives to represent indigent clients. There was a functioning bail system.

Pretrial detainees had prompt access to family members. Civilian suspects were usually held under house arrest.

Arbitrary Arrest: There were reports police occasionally arrested persons arbitrarily and detained them without due process.

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

The constitution and law provide for an independent judiciary, but the judiciary had little independence and was barely operational. Judges were poorly trained, inadequately and irregularly paid, and subject to corruption. Courts and judicial authorities were also frequently biased and unproductive. The attorney general was subject to political pressure. A lack of resources and infrastructure often delayed trials, and convictions were extremely rare. Authorities respected court orders when they were issued.

On September 9, the Supreme Court ruled the president's appointment of Baciro Dja as prime minister was unconstitutional. The decision marked the first time the Supreme Court invalidated a decision of the president. Dja resigned immediately.

### **Trial Procedures**

Citizens have the right to a presumption of innocence, to be informed promptly of the charges with free interpretation as necessary, to a fair trial, and to communicate with an attorney of choice or have one provided at court expense. The law provides for the right to access evidence held by the government, to confront witnesses and present witnesses and evidence, not to be compelled to testify against oneself or to admit guilt, and to appeal. Defendants generally have adequate time and facilities to prepare a defense; however, most cases never came to trial. There is no trial by jury. Trials in civilian courts are open to the public.

Authorities generally respected these rights in the few cases that went to trial. Court-appointed attorneys, however, were not punished for failing to represent indigent clients, and generally ignored such responsibilities.

### **Political Prisoners and Detainees**

On July 21, Rear Admiral and former armed forces chief of staff Jose Zamora Induta returned to the country after living in exile in Portugal for two years. Military police detained him upon arrival and confined him under house arrest

based on allegations he led a failed coup in 2012. On September 22, he was transferred to a military prison in Mansoa. On October 21, the attorney general charged him with terrorism, homicide, and subverting the constitutional order. His case was handled in the military court system. On November 3, representatives of the Bissau-Guinean League of Human Rights visited him in prison and reported he was not subjected to torture or poorly treated. On November 14, Zamora Induta was released on the order of the Supreme Court.

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

Individuals could attempt to seek civil remedies for human rights violations; however, there was no specific administrative mechanism to address human rights violations, and domestic court orders pertaining to human rights were not always enforced.

#### **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. Police routinely ignored privacy rights and protections against unreasonable search and seizure.

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

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

The constitution and law provide for freedom of speech and press; however, there were reports the government did not always respect these rights. During his 48 hours as prime minister in 2014, Baciro Dja fired the heads of state television and radio. After the Supreme Court ruled his government unconstitutional, Dja resigned, and the heads of television and radio returned to their positions. There were reports of journalists receiving threats and practicing self-censorship.

Press and Media Freedoms: There were several private newspapers in addition to the government-owned newspaper, *No Pintcha*, but the one state-owned printing house published all of them.

In August 2014, the Bissau Criminal Court fined the editor of the weekly newspaper *Donos de Bola*, Pedro Mendes de Luca Carvalho, for defamation of the president. He also received a prison sentence of 14 months, which was suspended. Carvalho published an article in 2013 on the efforts of former attorney general

Abdu Mane and Supreme Court Chief Justice Paulo Sanha to block the presidential candidacy of Jose Mario Vaz, the PAIGC nominee who subsequently won the election.

### **Internet Freedom**

The government did not restrict or disrupt access to the internet or censor online content, and there were no credible reports the government monitored private online communications without appropriate legal authority. According to the International Telecommunication Union, 3.32 percent of the population used the internet in 2014. Lack of infrastructure, equipment, and education severely limited access to the internet.

### **Academic Freedom and Cultural Events**

There were no government restrictions on academic freedom or cultural events.

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

The constitution and law provide for the freedoms of assembly and association, and the government generally respected these rights.

### **c. Freedom of Religion**

See the Department of State's International Religious Freedom Report at [www.state.gov/religiousfreedomreport/](http://www.state.gov/religiousfreedomreport/).

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

The constitution and law provide for freedom of internal movement, foreign travel, emigration, and repatriation, and 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, asylum seekers, stateless persons, and other persons of concern.

### **Protection of Refugees**

As of June UNHCR reported the country hosted more than 8,400 Senegalese refugees and asylum seekers; most were from Senegal's Casamance region, where a low-level separatist conflict has gone on for decades. The government took no action to hinder or help refugees seeking the assistance of family members residing in the country.

Senegalese refugees moved back and forth across the border, depending on the status of the armed conflict in the Casamance. With ethnic and family ties on both sides of the poorly marked border, the nationality of residents along the border was not always clear. Some refugees from Casamance lived in Guinea-Bissau for decades, but UNHCR reported the decline in fighting in Senegal prompted some to return to their villages in Senegal.

Access to Asylum: The law provides for granting of asylum or refugee status, but the government system for providing protection to refugees was inactive. The government did not grant refugee status or asylum during the year, and there were no reported requests for either. The UNHCR office in Bissau facilitated the issuance of refugee cards.

Durable Solutions: In 2011 the government announced that refugees living in the country longer than 20 years would be offered citizenship and that those who declined would lose their refugee status if they could not demonstrate they would face oppression in their home country or that their country was in a state of war. Nearly 3,000 of the refugees told UNHCR and the country's National Commission for Refugees and Displaced Persons they wished to remain in Guinea-Bissau permanently, and the government adopted a welcoming policy toward them. These refugees were offered the option of Bissau-Guinean citizenship (with the first tranche processed during the year) or permanent residence.

### **Section 3. Freedom to Participate in the Political Process**

The constitution and law provide citizens with the ability to choose their government in free and fair elections based on universal and equal suffrage, and in June 2014 citizens exercised that ability. In the past this ability was often impeded by military intervention--as with the 2012 coup--and by corruption and bribery within political parties.

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

Recent Elections: The June 2014 elections and the subsequent transition to a democratically elected government led by Jose Mario Vaz and Prime Minister Domingos Simoes Pereira marked a return to rule of law. With strong support from the United Nations, international observers assessed the elections as free and fair, with no credible indications of voter fraud. PAIGC candidate Vaz won a runoff with a decisive majority; the PAIGC also won a majority of seats in the National Assembly.

Participation of Women and Minorities: Women suffer from discrimination flowing from traditional practices, particularly in rural areas, that discouraged them from participating in political life on the same basis as men. The 102-member National Assembly had 14 female members. Five of the 16 cabinet ministers were women, including the minister of defense.

All ethnic groups were represented in the government; ethnicity was not a significant factor outside the military.

#### **Section 4. Corruption and Lack of Transparency in Government**

The law provides criminal penalties of one month to 10 years in prison for official corruption; however, the government did not implement the law effectively, and officials in all branches and on all levels of government engaged in corrupt and nontransparent practices with impunity. The World Bank's most recent Worldwide Governance Indicators reflected that corruption was a severe problem.

Police are mandated to fight corruption, but were ineffective and received minimal external assistance or support.

The government made few efforts to combat corruption or increase transparency.

The National Assembly held a three-day seminar in October 2014 on corruption and drug trafficking, led by the regional office of the UN Office on Drugs and Crime. The government took no follow up action.

Corruption: Members of the military and civilian administration reportedly trafficked in drugs and assisted international drug cartels by providing access to the country and its transportation infrastructure. The failure to interdict or investigate suspected narcotics traffickers contributed to the perception of government and military involvement in narcotics trafficking.



Financial Disclosure: By law public officials are required to disclose their personal finances before the Court of Audits and these disclosures are to be made public. The court has no authority to enforce compliance, and no penalties are specified for noncompliance. To date no public officials have disclosed their personal finances.

Public Access to Information: The law states that “everyone has the right to information” on laws, regulations, and government policies, and provides for a narrow list of exceptions, a reasonably short timeline, reasonable processing fees, administrative sanctions for noncompliance, and an appeal mechanism. Authorities seldom provided access due to a lack of technical support and functioning infrastructure.

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

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

Government Human Rights Bodies: The National Commission on Human Rights is a government human rights organization. It was independent but remained ineffective and inadequately funded.

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

The law prohibits discrimination but does not designate the kinds of discrimination the prohibition covers. The government did not enforce the law.

#### **Women**

Rape and Domestic Violence: The law prohibits rape, including spousal rape, and provides penalties for conviction of two to six years in prison; however, the government did not effectively enforce the law. The law permits prosecution of rape only when reported by the victim, which observers noted was rare due to victims’ fear of social stigma and retribution. This problem was exacerbated in the predominantly Muslim and ethnically Fula rural eastern regions of Gabu and Bafata, where the culture dictates the resolution of such problems within the family

and community. There were no statistics available on the number of abusers who were prosecuted, convicted, or punished for rape.

Domestic violence, including wife beating, was reportedly widespread. No law prohibits domestic violence. Although police intervened in domestic disputes if requested, the government did not undertake specific measures to counter social pressure against reporting domestic violence, rape, incest, and other mistreatment of women.

Female Genital Mutilation/Cutting (FGM/C): In 2012 the National Assembly passed a law prohibiting FGM/C, making the practice punishable by a fine of up to five million CFA francs (\$8,666) and five years in prison. Also in 2012 a group of Muslim preachers and scholars passed a declaration calling for the eradication of FGM/C. The UNFPA-UNICEF Joint Program on FGM/C worked with the Ministry of Justice to strengthen the dissemination and application of the law by building the capacities of officials responsible for its implementation. In 2014 they also supported the Attorney General's Office, police, and the Child Protection Service in trying four women who practiced FGM/C in Bissau and the eastern part of the country.

In November 2014 the government-run National Committee for the Abandonment of Harmful Practices announced it filed a complaint against six persons for perpetrating FGM/C. Three of the six were convicted during the year and received sentences of one to three years' imprisonment.

Among certain ethnic groups, especially the Fula and Mandinka, FGM/C was performed on girls from as young as four months up to adolescence. UNESCO data from 2013 indicated that more than 350,000, or 50 percent, of girls and women in the country underwent the procedure from 2002 through 2012.

Fifty-four percent of public health-care facilities in 2014 had integrated FGM/C prevention into prenatal, neonatal, and immunization services. The Ministry of Health validated and disseminated the Manual for Norms, Procedure, and Protocols on Reproductive Health in connection with FGM/C and integrated FGM/C into two other key documents, the Strategic Plan for the Elimination of Obstetric Fistula and the Peer Educators' Manual on Reproductive Health.

Sexual Harassment: There is no law prohibiting sexual harassment, and it was reportedly widespread. The government took no initiatives to combat the problem.

Reproductive Rights: Couples and individuals have the right to decide freely and responsibly the number, spacing, and timing of their children, manage their reproductive health, and to have the information and means to do so free from discrimination, coercion, and violence. The UN Population Fund (UNFPA) reported that 98 of 114 health centers offered family planning services and approximately 12 percent of women and adolescents used contraception. The Roman Catholic Church and other religious groups discouraged use of modern contraception.

According to UN estimates, the maternal mortality rate was 560 deaths per 100,000 live births in 2014, and the lifetime risk of maternal death was one in 36. Major factors causing high maternal mortality were poor health infrastructure and service delivery as well as high rates of adolescent pregnancy. The health system's obstetric care capacity was low, and emergency care was available only in Bissau. Emergency health care was available for the management of complications arising from abortion only in Bissau, which had the only two functioning hospitals in the country. Skilled health-care providers attended 93 percent of pregnant women at least once during pregnancy; however, skilled health-care workers attended only 44 percent of live births.

Discrimination: By law women have the same legal status and rights as men, but discrimination against women was a problem, particularly in rural areas where traditional and Islamic laws dominated. Women experienced discrimination in employment and pay, obtaining credit, and owning or managing businesses. Although urban women may manage land and inherit property, rural women in certain ethnic groups could do neither. Women were responsible for most work on subsistence farms.

## **Children**

Birth Registration: Citizenship is derived by birth within the country or from citizen parents. Birth registration does not occur automatically at hospitals; parents must register births with a notary. The government conducts yearly campaigns to register children in the countryside, and the nongovernmental organization (NGO) Plan Guinea-Bissau conducted registration outreach in the Bafata and Gabu regions. The government also suspended collection of fees for registration in 2014 in an effort to improve compliance. Nevertheless, a 2013 UNICEF survey estimated only 24 percent of children were registered before age five. Lack of registration resulted in denial of public services, including education, although

authorities generally waived the requirement for a birth certificate at the primary school level.

Education: Most children remained at home because schools were rarely open. Higher education did not function during the year. Even when schools were open, children in rural areas lacked educational opportunities because they often worked in family subsistence farming activities. Some children were partially or completely withdrawn from school to work in the fields during the annual cashew harvest.

Child Abuse: Violence against children was widespread, but seldom reported to authorities. A 2012 agreement between the Ministry of Justice and Plan Guinea-Bissau to reinforce child protection has yet to be implemented.

Early and Forced Marriage: The legal minimum age of marriage is 17. According to UNICEF, 7 percent of girls were married or in a union before age 15. Early and forced marriage occurred among all ethnic groups. Girls who fled arranged marriages often were trafficked into commercial sex. The buying and selling of child brides also occurred. There were no government efforts to mitigate the problem. Organizations such as the Millennium Development Goals Achievement Fund worked to provide legal, social, medical, and educational services to fight child marriage and protect its victims in some locations. Working with the NGO Tostan, 144 communities in 2012 and early 2013 publically declared their abandonment of child marriage. Tostan continued to implement its Community Empowerment program, discussing child marriage and other harmful traditional practices in partnership with the government, UNICEF, the UNFPA, and local NGOs.

Sexual Exploitation of Children: There are no explicit penalties for child prostitution, but there is a statutory rape law prohibiting sex with a person under age 16. The rape law carries a penalty of two to six years in prison. There is no law against child pornography. When pedophilia and sexual harassment were reported, police typically blamed victims. Many families hid sexual abuse within the family to avoid shame and stigma.

Poverty led many parents to send their children to live with family members or acquaintances who could provide an education or better living conditions. Children in such situations often were vulnerable to rape, abuse, and exploitation.

Displaced Children: The Child Protection Office of the Bissau Police Department estimated 1,000 children were living on the streets of Bissau, with a growing number of boys engaged in gangs and petty crime. The government provided no services to street children.

International Child Abductions: The country is not a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. For country-specific information see [travel.state.gov/content/childabduction/en/country/GuineaBissau.html](http://travel.state.gov/content/childabduction/en/country/GuineaBissau.html).

### **Anti-Semitism**

There was no known Jewish community in the country and 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/rls/tiprpt/](http://www.state.gov/j/tip/rls/tiprpt/).

### **Persons with Disabilities**

The law does not specifically prohibit discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, air travel and other transportation, access to health care, or other provisions of state services. There were no government efforts to mitigate discrimination against persons with disabilities or to provide access to buildings, information, and communications. Some children with disabilities may have attended primary and perhaps secondary schools. The government made some efforts to assist military veterans with disabilities through pension programs, but these programs did not adequately address health care, housing, or food needs. Provisions existed to allow blind and illiterate voters to participate in the electoral process, but voters with intellectual disabilities could be restricted from voting.

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

There are no laws that criminalize sexual orientation. Antidiscrimination laws do not apply to lesbian, gay, bisexual, transgender, or intersex individuals. There were no reported violent incidents or other human rights abuses targeting

individuals based on their sexual orientation or identity. There was no official discrimination based on sexual orientation or gender identity in employment or access to education and health care. According to government guidelines for civil servants' housing allowances, only heterosexual married couples were entitled to family-size housing, while same-sex couples received the single person allotment. Social taboos against homosexuality sometimes restricted freedom to express sexual orientation, yet society was relatively tolerant of consensual same-sex conduct, according to a 2010 study by the Pew Research Center.

## **Section 7. Worker Rights**

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

The law provides all workers the freedom to form and join independent trade unions without prior authorization.

The law allows unions to conduct their activities without government interference. Union laws provide protection only for trade union delegates, while the constitution provides for workers' rights to free speech and assembly. The law prohibits employer discrimination against official trade union representatives. The law requires reinstatement of workers terminated for union activity; there were no reports of such termination during the year.

The law provides for the right to strike, but workers must give prior notice. The law also prohibits retaliation against strikers and does not exclude any group of workers from relevant legal protections. Virtually every sector of the formal economy was on strike at some time during the year, typically for four to six weeks, usually regarding low salaries. Workers in the education, health, and public sectors struck repeatedly during the year.

The law does not provide for the right to bargain collectively; however, the tripartite National Council for Social Consultation conducted collective consultations on salary issues. Workers and employers established most wages in bilateral negotiations.

The government was ineffective, poorly equipped, undertrained, and inadequately resourced. It did not effectively enforce applicable labor laws, including remedies and penalties. Penalties for violations were insufficient to deter violations. Authorities generally respected freedom of association. No workers alleged antiunion discrimination. Worker organizations were not independent of

government and political parties, employers, or employer associations, which sometimes sought to influence union decisions and actions.

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

The law prohibits all forms of forced or compulsory labor, but the government did not effectively enforce the laws. Penalties were sufficiently stringent and commensurate with other serious crimes such as rape, but the government did not use these or other relevant laws to prosecute cases of forced labor. There were reports that forced child labor occurred, including forced begging, street work, and domestic service (see section 7.c.). The extent to which forced adult labor occurred was unclear, although the International Trade Union Confederation (ITUC) has previously called the practice of forced labor in the country an “alarming problem.”

Also see the Department of State’s Trafficking in Persons Report at [www.state.gov/j/tip/rls/tiprpt/](http://www.state.gov/j/tip/rls/tiprpt/).

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

There are no specific laws that protect children from hazardous occupations. The legal minimum age is 14 for general factory labor and 18 for heavy or dangerous labor, including labor in mines. Minors are prohibited from working overtime, but there were reports the practice occurred. Forced child labor occurred in domestic service, begging, including by corrupt teachers in Quranic schools, agriculture, mining, shoe shining, and selling food on urban streets. Some religious teachers, known as marabouts, deceived boys by promising a Quranic education, but then put them to work or trafficked them to surrounding countries. The small formal sector generally adhered to minimum age requirements.

The Ministries of Justice and of Civil Service and Labor and the Institute of Women and Children did not effectively enforce these requirements, particularly in informal work settings. Resources, inspections, and remedies were inadequate. Penalties for violations were insufficient to deter violations and the government provided no services of any kind and did not arrest or prosecute any violators.

The local NGO Association of the Friends of Children estimated 50 children per month returned home of their own volition. The NGO Network of Youth was also involved in removing child workers. The NGO Friends of the Child (AMIC),

which received 5,770,000 CFAF (\$10,000) in government funds in 2014, reported it processed 104 child victims countrywide in its transit centers that year.

According to the 2010 Multiple Indicator Cluster Survey, almost 60 percent of children ages five to 14 worked--65 percent in rural areas and 45 percent in urban areas. Children in rural communities performed domestic and fieldwork without pay to help support their families.

The government ratified the Optional Protocol to the Rights of the Child on the involvement of children in armed conflict in September 2014 but undertook no investigative or enforcement actions. The Child Code bans child trafficking and provides for three to 10 years' imprisonment for conviction of the crime.

Also see the Department of Labor's Findings on the Worst Form of Child Labor at [www.dol.gov/ilab/reports/child-labor/findings/](http://www.dol.gov/ilab/reports/child-labor/findings/).

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

The law and regulations do not prohibit discrimination regarding race, sex, gender, disability, language, sexual orientation or gender identity, HIV-positive status or having other communicable diseases, or social status.

Women faced considerable pay gaps, and were less likely to be hired than men because employers preferred to avoid paying maternity benefits. Documented discrimination on the other above categories with respect to employment and occupation was not available.

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

The Council of Ministers annually establishes minimum wage rates for all categories of work. The lowest monthly wage in the formal sector was 19,030 CFA francs (\$33) per month plus a bag of rice. The informal sector included an estimated 80 percent of workers. An official estimate for the poverty income level was not available.

The law provides for a maximum 45-hour workweek. The law also provides for overtime pay, and overtime may not exceed 200 hours per year. There is a mandatory 12-hour rest period between workdays. The law provides for paid annual holidays.



In cooperation with unions, the Ministries of Justice and Labor establish legal health and safety standards for workers, which the National Assembly may adopt into law. Workers, including foreign workers, do not have the right to remove themselves from unsafe working conditions without losing their jobs. The inspector general of labor is responsible for enforcing these standards but did not do so effectively. The number of Labor inspectors was inadequate, and they lacked resources and training. There were no reports inspections were conducted during the year. Penalties were not sufficient to deter violations. Many persons worked under conditions that endangered their health and safety. Injuries were common, and safety standards did not apply in the informal sector.