

Côte d'Ivoire

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

Côte d'Ivoire is an associated country of ILO-IPEC.¹⁰⁰¹ Côte d'Ivoire is one of nine countries participating in the USDOL-funded ILO-IPEC project to combat the trafficking of children for exploitative labor in West and Central Africa.¹⁰⁰² In January 2002, the Government of Côte d'Ivoire, in collaboration with Interpol, organized a meeting that was attended by officials from Benin, Burkina Faso, Gabon, Mali, Niger, and several UN agencies and NGOs, to discuss child trafficking in West and Central Africa. Issues that were covered included the implementation of a September 2000 agreement between Côte d'Ivoire and Mali to combat child trafficking, prevention of trafficking, and rehabilitation of victims.¹⁰⁰³ In the resulting declaration, the Yamoussoukro Declaration, the conference participants pledged to conduct coordinated information campaigns on child trafficking.¹⁰⁰⁴

In June 2002, the U.S. State Department's Africa Bureau announced its West Africa Regional Strategy to Combat Trafficking in Persons, which includes Côte d'Ivoire. As part of this strategy, U.S. missions in the region will focus U.S. Government resources to support efforts by host governments to prosecute traffickers, protect and repatriate victims, and prevent new trafficking incidents. The strategy will be implemented through improved coordination among USG donors, greater coordination with international donors, engagement with and funding of regional and international organizations, and direct funding for host government or local NGOs.¹⁰⁰⁵

In July 2001, the National Committee for Combating Trafficking and Exploitation of Children was created in Côte d'Ivoire by presidential decree.¹⁰⁰⁶ In September 2000, Côte d'Ivoire and Mali

¹⁰⁰¹ ILO-IPEC, *All About IPEC: Programme Countries*, [online] August 13, 2001 [cited October 2, 2002]; available from http://www.ilo.org/public/english/standards/ipecc/about/countries/t_country.htm.

¹⁰⁰² ILO-IPEC, *Combating the Trafficking of Children for Labour Exploitation in West and Central Africa (Phase II): Country Annex IV: Côte d'Ivoire*, project document, RAF/01/P53/USA, Geneva, April 2001. See also ILO-IPEC, *Combating the Trafficking of Children for Labour Exploitation in West and Central Africa (Phase II)*, project document, RAF/01/P53/USA, Geneva, April 2001.

¹⁰⁰³ S.E. M. Abou Drahamane Sangaré, *Déclaration par S.E. M. Abou Drahamane Sangaré, Ministre d'État, ministre des affaires étrangères, à la Session Extraordinaire de l'Assemblée Générale des Nations-Unies consacrée aux Enfants*, United Nations, [online] May 10, 2002 [cited August 29, 2002]; available from <http://www.un.org/ga/children/ivoryF.htm>. See also Integrated Regional Information Networks, "West Africa: Child Trafficking Conference Opens", IRINnews.org, [online], January 8, 2002 [cited September 4, 2002]; available from <http://www.irinnews.org/print.asp?ReportID=18563>. See also UN Integrated Regional Information Networks, *Regional Efforts Against Child Trafficking*, allAfrica.com, [online] January 21, 2002 [cited November 2, 2002]; available from <http://allafrica.com/stories/200201210319.html>.

¹⁰⁰⁴ UN Integrated Regional Information Networks, *Regional Efforts Against Child Trafficking*.

¹⁰⁰⁵ The strategy is intended to encourage governments in the region to develop and implement laws that allow for the prosecution of traffickers. See U.S. Embassy- Abuja, *unclassified telegram no. 1809*, June 2002.

¹⁰⁰⁶ Ministry of Families, Women, and Children, *Combating Trafficking and Economic Exploitation of Children in Côte d'Ivoire*, Abidjan, July 2001, Section II.

signed a bilateral agreement to curb the trafficking of Malian children into Côte d'Ivoire.¹⁰⁰⁷ The Government of Côte d'Ivoire has held discussions with Burkina Faso and Togo to establish similar agreements.¹⁰⁰⁸ The government has also undertaken several educational and training programs to discourage domestic trafficking¹⁰⁰⁹ and is now utilizing the police along the country's borders to stop international trafficking.¹⁰¹⁰

The Government of Côte d'Ivoire has stated its support for efforts to combat the exploitation of children in the country's cocoa sector. In a joint statement issued in November 2001, the government, along with industry and NGOs, committed to undertake collaborative efforts to eliminate the worst forms of child labor in the cocoa industry, and agreed to establish a joint foundation to oversee these efforts.¹⁰¹¹ A program funded by USDOL and the Cocoa Global Issues Group seeks to withdraw children from hazardous work in this sector, provide income generation and economic alternatives, and promote education.¹⁰¹² In addition, the USAID-supported Sustainable Tree Crops Program is incorporating child labor elements into its program and is coordinating with the USDOL-funded ILO-IPEC program to address child labor in the cocoa sector.¹⁰¹³ In July 2002, the International Institute of Tropical Agriculture (IITA) and national research collaborators completed a study of child labor in the cocoa industry in Cameroon, Côte d'Ivoire, Ghana, and Nigeria.¹⁰¹⁴ A national survey of child labor in Côte d'Ivoire is currently in the preparation stages with technical assistance from ILO-IPEC's SIMPOC.¹⁰¹⁵

¹⁰⁰⁷ Ibid. See also U.S. Embassy- Abidjan, *unclassified telegram no. 2176*, June 2001.

¹⁰⁰⁸ U.S. Embassy- Abidjan, *unclassified telegram no. 2176*.

¹⁰⁰⁹ Ibid.

¹⁰¹⁰ Ministry of Families, Women, and Children, *Combating Trafficking and Economic Exploitation of Children*.

¹⁰¹¹ Signatories include the Association of the Chocolate, Biscuit and Confectionary Industries of the EU, the Chocolate Manufacturers Association of the USA, the World Cocoa Foundation, the Child Labor Coalition, Free the Slaves, the International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers Associations, the National Consumers League and the Government of Côte d'Ivoire. See Government of Côte d'Ivoire, World Cocoa Foundation, and Child Labor Coalition, Joint Statement, November 30, 2001.

¹⁰¹² ILO-IPEC, *West Africa Cocoa/Commercial Agriculture Programme to Combat Hazardous and Exploitative Child Labour (WACAP)*, project document, RAF/02/P50/USA, Geneva, September 2002.

¹⁰¹³ Ibid., 8, 12. See also USAID, *Trafficking in Persons: USAID's Response*, September 2001, 4.

¹⁰¹⁴ The study was conducted with support from USAID, USDOL, World Cocoa Foundation, the ILO, and the participating West African governments, and was carried out under the framework of the Sustainable Tree Crops Program. Both quantitative and qualitative approaches using three different types of inter-related surveys were designed to collect data on child labor practices in the cocoa sector of West Africa. The surveys employed in the study were the Baseline Producer Survey, the Producer-Worker Survey, and the Community Survey. Producer-Worker Surveys and Community Surveys were conducted in Cote d'Ivoire. See International Institute of Tropical Agriculture, *Summary of Findings from the Child Labor Surveys in the Cocoa Sector of West Africa: Cameroon, Côte d'Ivoire, Ghana, and Nigeria*, IITA, July 2002.

¹⁰¹⁵ ILO official, electronic correspondence to USDOL official, August 28, 2002. The ongoing conflict in the country will likely slow progress on the project.

The Government of Côte d'Ivoire allocates more than 40 percent of its budget to education,¹⁰¹⁶ and in 1998, 59.5 percent of total public expenditure on education was devoted to primary education.¹⁰¹⁷ The government also has implemented a National Development Plan for Education, which calls for universal primary school education by 2010.¹⁰¹⁸

Incidence and Nature of Child Labor

In 2000, UNICEF estimated that 40.3 percent of children ages 5 to 14 years in Côte d'Ivoire were working.¹⁰¹⁹ The disparity between rural and urban areas is significant: 56.8 percent of rural children ages 5 to 14 were working, compared to only 22.5 percent of urban children in this age group.¹⁰²⁰ The majority of working children are found in the informal sector,¹⁰²¹ including on family farms and enterprises or working as vendors, carpenters, and automobile mechanics.¹⁰²² They also work in restaurants and cafes, shine shoes, run errands, wash cars, and wash car windows.¹⁰²³

Children have been trafficked within Côte d'Ivoire and into the country from Benin, Burkina Faso, Ghana, Guinea, Mali, Mauritania, Nigeria, and Togo to work as domestic servants, farm laborers, and indentured servants.¹⁰²⁴ There have been reports that children have been engaged in forced labor on commercial farms harvesting cocoa,¹⁰²⁵ cotton, corn, rice, and pineapples.¹⁰²⁶ Other children have been engaged in forced labor in the country's gold and diamond mines, and some

¹⁰¹⁶ UN Committee on the Rights of the Child, *Initial Reports of States Parties Due in 1993, Addendum, CRC/C/8/Add.41*, prepared by Government of Côte d'Ivoire, pursuant to Article 44 of the Convention on the Rights of the Child, 2000, para. 168.

¹⁰¹⁷ UNESCO, *Education for All 2000 Assessment: Côte d'Ivoire* [CD-ROM], Paris, 2000.

¹⁰¹⁸ Government of Côte d'Ivoire, *Enquête à Indicateurs Multiples - MICS2000: Rapport Final*, UNICEF Statistics, Abidjan, December 2000, 24.

¹⁰¹⁹ Children who are working in some capacity include children who have performed any paid or unpaid work for someone who is not a member of the household, who have performed more than four hours of housekeeping chores in the household, or who have performed other family work. Government of Côte d'Ivoire, *Multiple Indicator Cluster Survey 2*, Abidjan, 2000, [cited December 10, 2002]; available from <http://www.ucw-project.org/resources/>.

¹⁰²⁰ *Ibid.*

¹⁰²¹ U.S. Embassy- Abidjan, *unclassified telegram no. 3470*, October 2001.

¹⁰²² *Ibid.* See also U.S. Department of State, *Country Reports on Human Rights Practices- 2001: Côte d'Ivoire*, Washington, D.C., March 4, 2002, 207-11, Section 6d [cited August 29, 2002]; available from <http://www.state.gov/g/drl/rls/hrrpt/2001/af/8355.htm>.

¹⁰²³ U.S. Department of State, *Country Reports- 2001: Côte d'Ivoire*, 207-11, Section 6d. See also U.S. Embassy- Abidjan, *unclassified telegram no. 3470*.

¹⁰²⁴ U.S. Embassy- Abidjan, *unclassified telegram no. 2176*. See also U.S. Department of State, *Country Reports- 2001: Côte d'Ivoire*, 207-11, Section 6f. See also U.S. Department of State, *Trafficking in Persons Report- 2002: Côte d'Ivoire*, Washington, D.C., June 5, 2002, 42 [cited August 29, 2002]; available from <http://www.state.gov/g/tip/rls/tiprpt/2002/10679.htm>.

¹⁰²⁵ U.S. Department of State, *Country Reports- 2001: Côte d'Ivoire*, Section 6f. See also ILO-IPEC, *West Africa Cocoa/Commercial Agriculture Programme, program document*.

¹⁰²⁶ U.S. Embassy- Abidjan, *unclassified telegram no. 3470*.

work in sweatshop conditions in small urban workshops.¹⁰²⁷ There have been reports of the trafficking of Nigerian girls into Côte d'Ivoire for the purpose of child prostitution.¹⁰²⁸

The recent IITA study on children working in the cocoa sector revealed that in Côte d'Ivoire most children work alongside their families.¹⁰²⁹ Approximately 200,000 children in Côte d'Ivoire are involved in hazardous tasks that include spraying pesticides without protection, using machetes to clear undergrowth and carrying heavy loads.¹⁰³⁰ Approximately one-third of children ages 6 to 17 years who live in cocoa producing households have never attended school.¹⁰³¹ Around 64 percent of the children are below the age of 14.¹⁰³² Although more than half of children working in cocoa farming are boys (59 percent),¹⁰³³ the school enrollment rate for girls in the survey areas is lower than that for boys.¹⁰³⁴ A minority of the children working in the cocoa sector in Côte d'Ivoire are engaged in full time work.¹⁰³⁵ Most of these children come from outside the country's cocoa zone, either from other regions of Côte d'Ivoire or from countries such as Burkina Faso.¹⁰³⁶

Primary education in Côte d'Ivoire is not compulsory.¹⁰³⁷ As of the 2001-2002 school year, tuition fees for primary school students are waived.¹⁰³⁸ However, parents must still pay an annual fee of 2,600 FCFA (USD 4.26) for each child's enrollment in public secondary schools and a monthly fee

¹⁰²⁷ Ibid.

¹⁰²⁸ U.S. Department of State, *unclassified telegram no. 177014*, October 2001.

¹⁰²⁹ The Producer-Worker Survey revealed that 604,500 (96.7 percent) of the 625,100 working children in Côte d'Ivoire had a kinship relation to the farmer. See International Institute of Tropical Agriculture, *Child Labor in the Cocoa Sector of West Africa: A synthesis of findings in Cameroon, Côte d'Ivoire, Ghana, and Nigeria*, August 2002, 15.

¹⁰³⁰ International Institute of Tropical Agriculture, *Summary of Findings from the Child Labor Surveys in the Cocoa Sector of West Africa*. See also USAID, *USAID and Labor Department Release Data from Collaborative Survey on Child Labor on Cocoa Farms in West Africa: W. African Governments and Global Chocolate Industry Working Jointly with U.S. to Combat Problem*, press release, Washington, D.C., July 26, 2002, [cited August 29, 2002]; available from http://www.usaid.gov/press/releases/2002/pr020726_2.html.

¹⁰³¹ International Institute of Tropical Agriculture, *Summary of Findings from the Child Labor Surveys in the Cocoa Sector of West Africa*.

¹⁰³² Ibid.

¹⁰³³ Ibid.

¹⁰³⁴ Ibid.

¹⁰³⁵ The Producer-Worker survey found that 5,120 children were employed as full-time workers in cocoa in Côte d'Ivoire versus 61,600 adults. See International Institute of Tropical Agriculture, *Child Labor in the Cocoa Sector of West Africa: A synthesis of findings*, 12.

¹⁰³⁶ The Community survey found that these children originated entirely from outside the Ivoirian cocoa zone: 59 percent were from Burkina Faso, while most of the remainder (24 percent of the total) were Baoule children originally from eastern Côte d'Ivoire. An intermediary was involved in the recruitment process for an estimated 41 percent of the full-time child workers. Of the children employed as full-time workers, 29 percent reported that they were not free to leave their place of employment should they wish to. See Ibid., 12-13.

¹⁰³⁷ U.S. Department of State, *Country Reports- 2001: Côte d'Ivoire*, Section 5.

¹⁰³⁸ U.S. Embassy- Abidjan, *unclassified telegram no. 3470*.

of 3,000 FCFA (USD 4.92) for transporting their secondary school children.¹⁰³⁹ Parents also are responsible for buying books and school supplies.¹⁰⁴⁰ However, in September 2002, the government undertook the responsibility of distributing free schoolbooks to 1.2 million students attending 4,500 primary schools in 94 sub-prefects.¹⁰⁴¹ In 1998, the gross primary enrollment rate was 77.9 percent, and the net primary enrollment rate was 59.2 percent.¹⁰⁴² A UNICEF study in 2000 indicated that 56.9 percent of Ivorian children ages 6 to 11 attend school and that 69.3 percent of children who enter Grade 1 actually reach Grade 5.¹⁰⁴³ There is a disparity in primary school attendance between children in urban areas (66.5 percent) and rural areas (48.5 percent), as well as between boys (61.4 percent) and girls (51.8 percent).¹⁰⁴⁴

Child Labor Laws and Enforcement

The Labor Code sets the minimum age for employment at 14 years, even for apprenticeships, and prohibits children under 18 years from working more than 12 consecutive hours or at night.¹⁰⁴⁵ Decree No. 96-204 also prohibits night work by children between 14 and 18 years, unless granted an exception by the Labor Inspectorate,¹⁰⁴⁶ and Decree No. 67-265 sets the minimum age for hazardous work at 18 years.¹⁰⁴⁷ The Minority Act requires parents or legal guardians to sign employment contracts on behalf of children under 16 years of age and to serve as witnesses to the signing for children between the ages of 16 and 18.¹⁰⁴⁸ The Labor Inspectorate can require children to take a medical exam to ensure that they can undertake the work for which they are hired. If the child cannot perform the required tasks, the employer must move him/her to a suitable job, and if that is not possible, the contract must be cancelled.¹⁰⁴⁹ Decree No. 96-193 restricts children from working in bars, hotels, pawnshops, and second-hand clothing stores.¹⁰⁵⁰

¹⁰³⁹ Ibid. Currency conversion as of February 28, 2003.

¹⁰⁴⁰ Ibid.

¹⁰⁴¹ These sub-prefectures represent approximately 50 percent of all sub-prefectures. See U.S. Department of State official, electronic communication to USDOL official, February 27, 2003.

¹⁰⁴² World Bank, *World Development Indicators 2002* [CD-ROM], Washington, D.C., 2002.

¹⁰⁴³ Government of Côte d'Ivoire, *Enquête à Indicateurs Multiples - MICS2000: Rapport Final*, 27-28. See also Government of Côte d'Ivoire, *Enquête à Indicateurs Multiples - MICS2000: Principaux Résultats*, UNICEF, Abidjan, November 30, 2000, [cited December 10, 2002]; available from http://www.childinfo.org/MICS2/natlMICSrepz/Ivory_Coast/Principaux_resultats.pdf.

¹⁰⁴⁴ Government of Côte d'Ivoire, *Enquête à Indicateurs Multiples - MICS2000: Rapport Final*, 27.

¹⁰⁴⁵ *Code du travail*, 1995, no. 95/15, Titre II, Chapter 2, Articles 22.2, 22.3 and 23.8 [cited November 20, 2002]; available from <http://natlex.ilo.org/txt/F95CIV01.htm>.

¹⁰⁴⁶ Decree No. 96-204, as cited in U.S. Embassy- Abidjan, *unclassified telegram no. 3470*. Employers found in violation of the night work prohibition are punishable with imprisonment from 10 days to two months and/or a fine ranging from 2,000 to 72,000 FCFA (USD 3 to 108). For currency conversion see FX Converter, [online] [cited October 2, 2002]; available from <http://www.carosta.de/frames/convert.htm>.

¹⁰⁴⁷ ILO, *The effective abolition of child labour*, 2001, 261.

¹⁰⁴⁸ UN Committee on the Rights of the Child, *Initial Report of States Parties, Addendum: Côte d'Ivoire*, para. 185.

¹⁰⁴⁹ *Code du travail*, 1995, Titre II, Chapter 3, Article 23.9.

¹⁰⁵⁰ U.S. Embassy- Abidjan, *unclassified telegram no. 3470*.

Forced or compulsory labor is prohibited,¹⁰⁵¹ as is having sexual relations with a minor 15 years or younger.¹⁰⁵² In 1998, the government instituted measures against the statutory rape of students by teachers in order to combat low enrollment rates among girls.¹⁰⁵³ The child labor laws in Côte d'Ivoire apply to all sectors and industries in the country, although the lack of government resources makes them difficult to enforce in the informal sector and in the rural areas where most children work.¹⁰⁵⁴

There is no law specifically prohibiting trafficking in persons, but the government prosecutes trafficking under child kidnapping laws.¹⁰⁵⁵ In 2001, the Government of Côte d'Ivoire arrested traffickers and repatriated children on several occasions. According to UNICEF, a total of 20 traffickers were arrested and detained during 2001.¹⁰⁵⁶ UNICEF reported no total for the number of children repatriated in 2002, but the government and UNICEF repatriated at least 90 children during the year.¹⁰⁵⁷

The Government of Côte d'Ivoire has not ratified ILO Convention 138 or ILO Convention 182.¹⁰⁵⁸

¹⁰⁵¹ *Code du travail, 1995*, “Dispositions Générales”, Article 3.

¹⁰⁵² The penalty for statutory rape or the attempted rape of children age 15 or younger is imprisonment for one to three years and a fine of 100,000 to 1,000,000 FCFA (USD 140 to 1,400). See U.S. Department of State, *Country Reports-2001: Côte d'Ivoire, 202-07*, Section 5. Persons convicted of procuring a prostitute under age 21 may be imprisoned for 2 to 10 years. See also UN Committee on the Rights of the Child, *Initial Report of States Parties, Addendum: Côte d'Ivoire*, para. 187.

¹⁰⁵³ U.S. Department of State, *Country Reports- 2001: Côte d'Ivoire, 202-07*, Section 5.

¹⁰⁵⁴ U.S. Embassy- Abidjan, *unclassified telegram no. 3470*.

¹⁰⁵⁵ U.S. Department of State, *Trafficking in Persons Report: Côte d'Ivoire*, 42.

¹⁰⁵⁶ U.S. Department of State, *Country Reports- 2001: Côte d'Ivoire, 207-11*, Section 6f.

¹⁰⁵⁷ U.S. Department of State official, electronic communication, February 27, 2003.

¹⁰⁵⁸ ILO, *Ratifications by Country*, in ILOLEX, [database online] [cited December 10, 2002 2002]; available from <http://ilolex.ilo.ch:1567/english/newratframeE.htm>. The Parliament of Côte d'Ivoire passed ILO Convention 138 and ILO Convention 182 on January 3, 2002. See also Youssoufou Bamba, Ambassador of Côte d'Ivoire, letter to Cadbury International Limited official, January 22, 2002.