



CÔTE D'IVOIRE
INVESTMENT CLIMATE STATEMENT
2015

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Executive Summary

Côte d'Ivoire is fertile soil for U.S. investment. The country has made a remarkable economic recovery since the end of the post-electoral crisis in 2011. After three years of solid economic gains, the Government of Côte d'Ivoire (GOCI) is actively seeking to diversify its sources of investment beyond its traditional trade and business partners of France and Lebanon. Côte d'Ivoire is poised to regain its place as an economic engine for West Africa, making its economy attractive to both domestic and foreign investors as it seeks to become an emerging economy by 2020. It is among the fastest growing economies in sub-Saharan Africa with 9.5 GDP growth in 2012, 8 percent in 2013, 8.5 percent in 2014, and 7.9 percent growth forecast for 2015. The main drivers of this impressive sustained growth are investments in infrastructure such as highways, bridges and an extension of Abidjan's port. The GOCI and private industry have also made investments in agriculture and construction. Côte d'Ivoire is ranked 147 of the 189 economies in the 2015 World Bank's Doing Business Report but among the top 10 reformers in both 2014 and 2015. These impressive figures highlight the GOCI's notable progress in improving the business environment. With the president elections in October, 2015 will be an important year in Côte d'Ivoire and a significant test of the durability of the progress made since the end of the post-electoral crisis in 2011.

The GOCI's impressive track record is steered by the implementation of new codes on investment, electricity, and mining. The new mining code was a key factor for the country to accede to both the Kimberley Process and the Extractive Industries Transparency Initiative (EITI). In 2014, the UN lifted its diamond embargo, and in March, 2015, Côte d'Ivoire began to export Kimberley Process Certified diamonds. After passing the minimum number of Millennium Challenge Corporation (MCC) Indicators, Côte d'Ivoire became eligible for an MCC Threshold program in December 2014. The GOCI's efforts to ensure good governance, transparency, and fight corruption contributed to its MCC eligibility and increased foreign direct investments.

The number of business startups and private investments continued to increase. As of June 2014, a total of 3,085 businesses had been created, up 161 percent over 2013. After the African Development Bank (AfDB) returned its headquarters to Abidjan in 2014, major businesses became more interested in establishing regional offices in Abidjan. Examples of this include France's Cemoi chocolate plant, German's second largest bank, Commerzbank, and the French retail chain Carrefour. Additionally, e-commerce is now beginning. In 2015, Côte d'Ivoire re-launched its International Agriculture and Livestock Exhibition to promote sustainable agriculture and attract foreign investors in this important sector. U.S. businesses were well represented at the 2014 Invest in Côte d'Ivoire (ICI) Conference – some of whom have since returned to pursue business opportunities. For the region, Côte d'Ivoire offers a relatively well-developed road infrastructure, the second largest port in West Africa, and a modern airport with a reliable national airline, Air Côte d'Ivoire that services all of the major capital cities in the region.

The most fruitful areas of investment for U.S. businesses are in oil and gas exploration and production, housing construction, and the mining industry. Opportunities also exist in agribusiness projects such as corn and rice production, as well as manufacturing ventures to add value to commodities such as cocoa, cashews, and coffee. The GOCI announced in March 2015

an ambitious plan to dramatically increase the amount of processed cocoa it exports. Textile manufacturing, especially the production of traditional Ivoirian cotton cloth and products made from that cloth, are also potential areas of investment.

Despite the country's impressive economic track record over the past few years, some challenges continue to exist for investors. While improvements in the national security situation over the past four years are evident, there are still occasional disruptive incidents such as striking soldiers and road banditry. Progress on national reconciliation and impartial justice has gone slowly and much hard work remains. Although CEPICI, the investment promotion agency, has tried to address the problem of access to industrial land, this continues to be an issue. Also, corruption is endemic in many corners of the government, most notably customs. Businesses report that unacceptable and often interminable delays at the Abidjan Port are most often due to customs clearance. Beyond the macroeconomic performance and improved business climate, investors are looking for signs of a stable political environment in the context of the October 2015 presidential election to enhance further economic growth and business opportunities.

1. Openness To, and Restrictions Upon, Foreign Investment

Attitude toward Foreign Direct Investment

The Ivoirian government understands that their annual growth rate over 7.5 percent cannot be sustained without foreign investment through mergers, acquisitions, joint ventures, takeovers, or startups. As part of its post-crisis economic reconstruction plan, the government actively encourages FDI and is committed to doubling foreign investment over the next several years. Although the government encourages all foreign investment, French firms have traditionally dominated key sectors of the Ivoirian economy. Among other large investments, French companies currently own the national electric and public water utility companies. They also manage a portion of the Port of Abidjan, the airport, and the country's only railroad. A French company maintains a controlling interest in the country's national telecommunications provider and is a major force in wireless telecommunications.

Foreign companies are free to invest and list on the regional stock exchange (BRVM), which is based in Abidjan and dominated by Ivoirian and Senegalese firms. With the inception of the regional exchange, the West African Economic and Monetary Union (WAEMU) members established the Regional Council for Savings and Investment, a regional securities regulatory body.

There are restrictions on foreign investment in the health sector, law and accounting firms, and travel agencies. As a means to monitor foreign exchange flows, for example, the external finance and credit office of the Finance Ministry must approve investments from outside the West African Franc (CFA) zone. Despite regulations designed to control land speculation, in urban areas, foreigners own significant amounts of land. Free-hold tenure outside of urban areas is difficult to negotiate and prohibits investment. There is no public register of national land ownership and land tenure disputes exist all over the country. Most businesses, including agribusinesses and forestry companies, circumvent this by acquiring long-term leases.

Other Investment Policy Reviews

Côte d'Ivoire has not conducted an investment policy review (IPR) through the OECD.

A Trade Policy Review was last done by the WTO in July 2012 and can be found at https://www.wto.org/english/tratop_e/tpr_e/tp366_e.htm.

UNCTAD does not provide an IPR for Côte d'Ivoire; however, there are statistics on FDI (inward and outward) at <http://unctadstat.unctad.org/wds/TableViewer/tableView.aspx> and a country profile at <http://unctadstat.unctad.org/CountryProfile/384/en384GeneralProfile.html>.

Laws/Regulations of Foreign Direct Investment

The major law affecting foreign investment is the 2012 Investment Code (replacing the 1995 Investment Code). This code offers incentives, including tax reductions and in some cases exemptions from value added taxes (VAT), on equipment for private investors. This code also includes planned industrial zones, which offer benefits to investors such as special tax treatment for periods ranging from 8 to 15 years, depending on the location of the investment. There are also incentives to promote sectors (low-cost housing construction, factories, and infrastructure development) that are key to the country's economic development. In return, investors commit to technology transfer, compliance with environmental regulations, job training, and job promotion.

The National Assembly passed on March 4, 2014, a new Mining Code designed to attract foreign investors and increase transparency. Some in the mining industry have hailed the code as the best in the region, but certain parts of the code are not clearly defined. The main changes in the code over previous legislation include the extension of the period for holding permits from seven to ten years, with a possibility of exceptional extension for two more years; the reduction of the permit area from 1,000 to 400 square kilometers; and a new tax and fee structure. Politicians and government employees with strategic knowledge of the mining sector are prohibited from holding shares in the mining industry for five years after leaving office.

As part the 2015 fiscal support measures to businesses, all acquisitions of assets through leasing are exonerated of VAT. Land tax exoneration is also granted to agri-businesses that provide free housing to their employees at plantation sites. In 2012, a four-percent tax on tourism development was created that affects hotels, restaurants, casinos, and travel agencies. Recent tax changes for the telecom sector include an increase from three to five percent in the monthly sales tax for subscribers. The income tax rate on telecommunications firms was increased from 25 percent to 30 percent, and telecom firms are now required to invest 20 percent of their transfers and dividends paid outside Côte d'Ivoire in Ivorian treasury bonds. Furthermore, a new tax of 3 percent was applied to wireless subscribers.

The government does not use tax, labor, environment, or health and safety laws to impede or distort investment. Well-entrenched foreign companies historically have formed relationships with officials—who frequently influence the awarding of tenders. Larger firms, which in many cases are foreign companies, face specific government requests (e.g. requests for sponsorship of social projects) and barriers (e.g. caps on market share or pressure with regard to pre-payment of

taxes). Smaller firms, which in many cases are Ivoirian companies, are less likely to face these. There is no sector, however, where American investors have been formally refused the same treatment as other foreign investors.

Industrial Promotion

The government has pursued an ambitious USD 20 billion National Development Plan that includes plans for infrastructure development – most notably in the power sector – that calls for adding 150 megawatts to the grid every year until 2020, the year in which the GOCI is hoping to position itself as an emerging economy. Côte d’Ivoire’s industrial policy fits the vision of this 2020 emergence plan, and it plans to increase the share of the industrial sector in the economy from 25 percent today to 40 percent by 2020. Côte d’Ivoire is looking toward the industrial sector to create jobs that will consequently impact the other sectors. There are five key sectors that government has selected to attract investment. Agribusiness, which includes palm oil, cashews, cotton, cocoa, rubber, fruits and vegetables; non-agricultural resources, which includes mining, oil and gas; the structured industries including metallurgy and steel, cement, chemicals; consumer products, such as textiles, packaging, drugs; and light industry, consisting of assembling and light equipment.

Limits on Foreign Control

There are no significant limits on foreign investment nor are there differences in the treatment of foreign and national investors, either in terms of the level of foreign ownership or sector of investment. There are no laws specifically authorizing private firms to adopt articles of incorporation or association that limit or prohibit foreign investment, participation, or control, and no such practices have been reported.

Privatization Program

In February 2014, the government announced it would seek to privatize a quarter of public enterprises by the end of 2014. This included approximately 15 public or semi-public enterprises, banks, the sugar company Sucrivoire (SIFCA), and USD 232 million of investments the government holds in Industrial Promotion Services (IPS)-Aga Khan Foundation projects. While the 2014 deadline was not completely met, some actions were taken. On May 5, 2014, the Ivoirian Council of Ministers agreed to privatize some public banks, either totally or partially and in September 2014, the government liquidated the Agriculture Finance Bank (Banque pour le Financement de l’Agriculture- BFA). On March 11, 2015, Morocco's Attijariwafa bank acquired an additional 24 percent of SIB (Societe Ivoirienne de Banque), now owning a total of 75 percent of the bank. The GOCI plans to sell other banks, such as Versus Bank and BIAO (Banque Internationale pour l’Afrique occidentale). Finally, some public banks, which fill a social investment niche, will remain in government hands. These include the national investment bank (Banque Nationale d’Investissement - BNI), the national savings bank (Caisse Nationale des Caisses d’Epargne - CNI) and the housing finance bank (Banque de l’Habitat de Côte d’Ivoire - BHCI).

The GOCI’s first major privatization phase began approximately 20 years ago. In past privatizations, such as for management of the Port of Abidjan and for management of the electric

and water companies, well-entrenched companies with extensive histories in Côte d'Ivoire purchased the companies, which led to allegations of corruption on the part of losing investors.

Screening of FDI

The government does not screen investments and has no overall economic and industrial strategy that discriminates against foreign-owned firms. Côte d'Ivoire's investment promotion center (CEPICI) provides investment information and assistance for entrepreneurs interested in starting a business or foreign enterprises interested in investing in Côte d'Ivoire. CEPICI provides a "one-stop-shop" for investors, an outreach program to match opportunities with potential investors, and a public-private liaison program. American companies that have worked with CEPICI have reported to the Embassy that its services are straightforward and effective. CEPICI also maintains a file of projects seeking foreign investment.

Competition Law

There is no official competition law; however, the National Authority for the Regulation of Public Tenders is responsible for reviewing the awards of contracts. While the government has expressed its commitment to a free and fair bidding process, bids are not always made public. Instead, the GOCI will sometimes simply choose from among companies that have proactively contacted it about an investment opportunity rather than proceeding through a public bid process. In 2014 the process slightly improved. The GOCI reported that in 2014, 23 percent of its funds were spent on no-bid contracts, which is a decline from 57 percent in 2013. The government came under criticism in March 2013 after a high-profile bid to build a second container terminal at the Port of Abidjan was awarded to a consortium led by the French firm Bolloré, which operates the container terminal already in existence. The winning bid for the USD 694 million project was challenged by a consortium led by the Swiss company, Mediterranean Shipping, which said it had presented a lower bid. Côte d'Ivoire is compliant with WAEMU's public procurement directive requiring the separation of auditing and regulatory functions. Nonetheless, some issues remain concerning transparency in public bids (see more on bidding in the "Transparency of the Regulatory System" section below.)

Investment Trends

FDI in Côte d'Ivoire has held steady at an estimated 3.1 percent of GDP for both 2013 and 2014. France is the largest source of FDI in Côte d'Ivoire, although in recent years this dominance has been challenged by Chinese and Lebanese firms. The GOCI has aggressively pursued non-traditional trading and investment partners in recent years, which has led to a growing interest in investing in Côte d'Ivoire from India (pharmaceutical and minerals), Morocco (housing, public works, banking, cement), Singapore (cashews and rice), Tunisia (housing), and Libya (petroleum distribution, banking and telecom). The United Arab Emirates have also announced significant investments in the entire WAEMU region, including Côte d'Ivoire. U.S. firms have invested in household waste management, cocoa, mining, banking, accounting, information technology, oil and gas. A list of investment projects may be found on the investment authority CEPICI's website (<http://www.cepici.gouv.ci/>).

Table 1

Measure	Year	Index or Rank	Website Address
TI Corruption Perceptions index	2014	115 of 175	transparency.org/cpi2014/results
World Bank's Doing Business Report "Ease of Doing Business"	2015	147 of 189	doingbusiness.org/rankings
Global Innovation Index	2014	116 of 143	globalinnovationindex.org/content.aspx?page=data-analysis
World Bank GNI per capita	2013	\$1,450	data.worldbank.org/indicator/NY.GNP.PCAP.CD

Millennium Challenge Corporation Country Scorecard

The Millennium Challenge Corporation, a U.S. Government entity charged with delivering development grants to countries that have demonstrated a commitment to reform, produced scorecards for countries with a per capita gross national income (GNI) or USD 4,125 or less. A list of countries/economies with MCC scorecards and links to those scorecards is available here: <http://www.mcc.gov/pages/selection/scorecards>. Details on each of the MCC's indicators and a guide to reading the scorecards are available here: <http://www.mcc.gov/pages/docs/doc/report-guide-to-the-indicators-and-the-selection-process-fy-2015>.

2. Conversion and Transfer Policies

Foreign Exchange

Côte d'Ivoire is a member of the West African Economic and Monetary Union (WAEMU), which uses the Franc CFA, a convertible currency. The French Treasury continues to hold the international reserves of WAEMU member states and maintains a fixed rate of 655.956 CFA to the Euro.

The WAEMU has unified foreign exchange regulations. Under these regulations, there are no restrictions for transfers within the community, and designated commercial banks are able to approve routine foreign exchange transactions inside the community. The transfer abroad of the proceeds of liquidation of foreign direct investments no longer requires prior government approval.

Despite the ability to transfer funds freely within the WAEMU zone, when Ivoirians and expatriate residents are traveling from Côte d'Ivoire to another WAEMU country, they must declare the amount of currency being carried out of the country. When traveling from Côte d'Ivoire to a destination other than another WAEMU country, Ivoirians and expatriate residents are prohibited from carrying an amount of currency greater than the equivalent of two million

CFA (approximately USD 3,316). Larger amounts require the approval of the Ministry of Economy and Finance, and must be in travelers or bank checks.

The government must grant prior permission for investments coming from outside the WAEMU zone, and routinely does so. Once an investment is established and documented, the government regularly approves remittances of dividends and/or repatriation of capital. The same holds true for requests for other sorts of transactions (e.g. imports, licenses, and royalty fees).

Multi-national firms in Côte d'Ivoire have complained that temporary liquidity shortfalls occur in the banking system, but this is primarily an issue during the main cocoa harvest when companies are transferring large sums of money for the purchase and export of cocoa. Companies continue to complain that the government is slow in approving currency conversions.

Remittance Policies

There are no restrictions on the transfer of capital, dividends, and income, or on investments funded with convertible foreign currency. Remittances for Ivoirians were about 300 million in 2013 or 1.2 percent of GDP. Côte d'Ivoire is a member of the Inter-Governmental Action Group against Money Laundering in West Africa (GIABA), which is an associate member of the Financial Action Task Force (FATF).

3. Expropriation and Compensation

Côte d'Ivoire's public expropriation law includes compensation provisions similar to those in the United States. Historically, expropriation has not been an issue in Côte d'Ivoire, and the Embassy is not aware of any cases of government expropriation of private property. Private expropriation to force settlement of contractual or investment disputes continues to be a problem. Local individuals or local companies, using what appear to be spurious court decisions, have challenged the ownership of some foreign companies in recent years. On occasion, the GOCI has blocked the bank accounts of U.S. and other foreign companies because of ownership and tax disputes. Corruption and lack of capacity in the judicial system and security services have resulted in poor enforcement of private property rights, even in the sensitive cocoa sector, particularly when the entity in question is foreign held and the plaintiff is Ivoirian or a long-term French or Lebanese resident or dual national of Côte d'Ivoire.

4. Dispute Settlement

Legal System, Specialized Courts, Judicial Independence, Judgments of Foreign Courts

A major impediment to investment in Côte d'Ivoire is the judicial system, which is generally seen as dysfunctional. While the government is working to restore its credibility and improve efficacy, Côte d'Ivoire's enforcement of contract rights is often time-consuming and expensive as court cases move slowly. Judges sometimes fail to base their decisions on the legal or contractual merits of the case and tend to rule against foreign investors in favor of entrenched interests. In addition, cases are often postponed and appealed, moving from court to court, in some cases for decades. Magistrates are sometimes subject to political or financial influence.

Côte d'Ivoire is signatory to the Organization for the Harmonization of Corporate Law in Africa (OHADA) that provides for the 16 member states, common corporate law and arbitration procedures. To avoid working through the Ivoirian legal system, some investors stipulate in contracts that disputes must be settled through international commercial arbitration. However, even if stipulated in the contract, decisions reached through international arbitration, and even through the African regional arbitration body, are sometimes not honored by local courts.

In January 2012, the Council of Ministers established a Commercial Court to specifically handle business cases. In April 2013, the government endorsed a draft organic law to consolidate the autonomy and extend the attributions of the Commercial Court to create the Commercial Chamber of the Court of Appeals. In April 2014, the government endorsed a draft law on the judiciary and conventional mediation, which establishes mediation throughout the Ivoirian legal framework in addition to the Commercial Court and the Arbitration Tribunal. The IMF encouraged the government to extend the Commercial Court in the other cities of the country, but this expansion has not yet come to fruition.

Further reform plans call for deciding more cases by three-judge panels, instead of by a single judge; publishing decisions more quickly; enhancing computerization in the court system; training judges in commercial law; and increasing the number of appeals courts to reduce the backlog of commercial cases.

Bankruptcy

Côte d'Ivoire has both commercial and bankruptcy laws that address liquidation of business liabilities. The OHADA is a collection of uniform laws on bankruptcy, debt collection, and rules governing business transactions. The OHADA permits three different types of bankruptcy liquidation: an ordered suspension of payment to permit a negotiated settlement; an ordered suspension of payment to permit restructuring of the company, similar to Chapter 11; and the complete liquidation of assets, similar to Chapter 7. Creditors' rights, irrespective of nationality, are protected equally by the Act. Monetary judgments resulting from a bankruptcy are usually paid out in local currency. Côte d'Ivoire is ranked 85 of the 189 countries for ease of resolving insolvency according to the World Bank Doing Business Report.

Investment Disputes

In the past 10 years, foreign investors have had investment disputes, including one U.S. firm involved in tax and customs disputes. At present, there are no investment disputes involving U.S. firms in Côte d'Ivoire.

International Arbitration

The Abidjan-based regional Joint Court of Justice and Arbitration provides a means of solving contractual disputes. An arbitration tribunal formed in 1999 has proved largely ineffective. Although the tribunal has the ability to enforce awards more quickly, use of the tribunal in lieu of the court system has been limited. In the past ten years it has heard only 162 cases (15 in 2013).

ICSID Convention and New York Convention

Côte d'Ivoire is a signatory to the International Center for Settlement of Investment Disputes (ICSID) and signatory to the 1958 New York Convention of 1958 on the Recognition and Enforcement of Foreign Arbitral Awards.

Duration of Dispute Resolution

The timeframe for dispute resolution has recently improved under the newly established Commercial Court and it takes now 60 days on average to make a decision on a commercial litigation. Some dispute resolution does remain unpredictable, however, and there is no set limit in principle. The Commercial Court's decisions are published on the Internet in a timely manner.

5. Performance Requirements and Investment Incentives**WTO/TRIMS**

Côte d'Ivoire does not maintain any regulations inconsistent with WTO Trade-Related Investment Measures (TRIMS). There are no general performance requirements applied to investments, nor does the government or the investment authority generally place conditions on location, local content, equity ownership, import substitution, export requirements, host country employment, technology transfer, or local financing. Cellular telephone companies must meet technology and performance requirements to maintain their licenses.

Investment Incentives

Côte d'Ivoire's investment code offers incentives, including tax reductions and in some cases exemption from VAT on equipment for private investors. Under the new code, new industrial zones are planned, and investors will benefit from special tax treatment for periods ranging from 8 to 15 years, depending on the location of the investment. The new investment code provides incentives to promote sectors that are key to the country's economic development, such as low-cost housing construction, the creation of factories, and infrastructure development. The Investment Code, the Petroleum Code, and the Mining Code delineate incentives available to new investors in Côte d'Ivoire.

Research and Development

U.S. and other foreign firms are able to participate in government-financed research and development programs.

Performance Requirements

There are no general performance requirements applied to investments, nor does the government or the investment authority generally place conditions on location, local content, equity ownership, import substitution, export requirements, host country employment, technology

transfer, or local financing. Cellular telephone companies must meet technology and performance requirements to maintain their licenses.

Data Storage

Côte d'Ivoire does not require forced localization of domestic content in goods or technology. Côte d'Ivoire-based data storage is not currently required.

6. Right to Private Ownership and Establishment

Foreign investors generally have access to all forms of remunerative activity on terms equal to those enjoyed by Ivoirians. The government encourages foreign investment, including in the privatization of state-owned and public firms, although in most cases the state reserves an equity stake in the new company. Fifteen state-owned firms are scheduled for privatizations by 2015 in the banking, agribusiness and mining sectors. These are the same firms that were scheduled for privatization by 2014 – a process that has been slow to take hold.

Banks and insurance companies are subject to licensing requirements, but there are no restrictions designed to limit foreign ownership or to establish subsidiaries of foreign companies in this sector. There are no restrictions on foreign investment in computer services, or education and training services. There are restrictions on foreign investment in the health sector, law and accounting firms, and travel agencies. Investments in these sectors are subject to prior approval and require appropriate licenses and association with an Ivoirian partner; however, foreign companies operate successfully in all of these service sectors.

7. Protection of Property Rights

Real Property

Ivoirian civil code provides for enforcement of private property rights. In the World Bank's Doing Business report, Côte d'Ivoire is ranked 124 of 189 for registering property, which reflects the GOICI's efforts to secure rights to property. The concept of mortgages exists, but mortgage lending is not well developed. There is no secondary market for mortgages, although President Ouattara has publically called for the creation of a mortgage system in Côte d'Ivoire. Property and title registration systems exist in Côte d'Ivoire, but in practice are only used in urban areas. The legal system protects and facilitates the acquisition and disposition of all property rights, including land, buildings, and mortgages.

Outside of urban areas, private individuals or entities usually cannot obtain freehold tenure because traditional property rights of villages and ethnic groups prevent the land from being sold. In urban areas, where land is not held as a "tenancy in common" by a tribal or village head, but is considered to be owned individually, it can still be difficult to obtain a free-hold deed to property even years after a closing. For that reason, most individuals and businesses tend to sign long-term leases. Although the legal system recognizes the right to contract for leaseholds in both urban and rural areas, in most cases traditional tribal land-owners do not have a clear understanding of property rights. Additionally, different groups often have competing claims for

the same land, further complicating the issue of land ownership. Competing and unclear traditional land claims is a major political stability issue and has led to violence on occasion.

Because free-hold tenure by individuals is not generally permitted in rural areas, potential borrowers often have difficulty using real estate as collateral for loans. Even in urban settings the mortgage market is not well developed. Ivoirian law provides very limited free-hold ownership for rural lands, which had been traditionally held as a tenancy in common by villages. Rights are only protected, however, if the owner can provide proof of ownership through an assignment deed or purchase contract.

In August 2013, the National Assembly approved the extension by 10 years of a grace period for implementation of a 1998 law in order to codify land transactions on rural land ownership to make it easier to obtain land title, to improve the security of ownership and resolve recurrent land conflicts in rural areas. At the same time it passed a law allowing foreign-born residents (and their descendants) living in Côte d'Ivoire since before independence to become citizens. Also, foreign nationals born in Côte d'Ivoire between 1961 and 1973 now qualify for citizenship. This law, in effect, makes thousands of immigrants (or their descendants) citizens of Côte d'Ivoire and therefore entitled to own land. Considerable questions remain surrounding implementation of the 2013 land and nationality laws and the status of the land from which thousands of Ivoirian refugees were forced during the 2011 post-election conflict. Much of that land is now occupied by squatters, many of whom are immigrants or descendants of immigrants from neighboring countries to the north of Côte d'Ivoire, especially Burkina Faso.

Intellectual Property Rights

The Ivoirian Civil Code protects Intellectual Property (IP) rights; however, protection of intellectual property rights in Côte d'Ivoire is weak and the GOCI has limited resources for IPR protection. Ivoirian IP law is not in conformity with standards established by the Agreement on Trade Related Aspects of Intellectual Property Rights (TRIPS) due to uneven law enforcement and the lack of custom checks at the porous borders, which permit the trade of counterfeit goods. To address this issue, in December 2013, the parliament approved a law to fight counterfeiting and copies and protects intellectual property in import, export, and market of goods and services. Customs has the power, to seize products imported and equipment installed, detained, marketed or illegally supplied. Such seizures, generally of counterfeit consumer goods, are routinely publicized on GOCI websites and media outlets, although statistics on seizures are unavailable.

The government's Office of Industrial Property (OIFI) is charged with ensuring the protection of patents, trademarks, industrial designs, and commercial names. Patents are valid for ten years, with the possibility of two five-year extensions. Trademarks are valid for ten years and are renewable indefinitely. Copyrights are valid for 50 years. The OIFI faces many challenges, including insufficient resources and a lack of political will. Counterfeit goods, mainly from Nigeria and East and South Asia, flood the Ivoirian market. Côte d'Ivoire's has a law on mandatory registration of commercial names.

The Ivoirian Copyright Office (BURIDA) has a labeling system in place to prevent counterfeiting and protect audio, video, literary and artistic property rights in music and computer programs. BURIDA has worked with the Ivoirian music industry to undercut piracy,

including holding regular programs promoting enforcement. In order to better enforce anti-piracy and counterfeit laws, BURIDA's police unit has sometimes held raids against retail outlets and street vendors to confiscate pirated CDs and DVDs and has also instituted legal proceedings against counterfeiters. BURIDA reported that 750,000 counterfeit goods, including CDs and DVDs, were seized in 2014.

Côte d'Ivoire is not currently listed on USTR's Special 301 or Notorious Markets Reports. Côte d'Ivoire is a member of the World Intellectual Property Organization (WIPO) and is party to the Paris Convention, its 1958 revision, and the 1977 Bangui Agreement covering 16 Francophone African countries in the African Intellectual Property Organization (OAPI), which has been TRIPS compliant since 2002. Under OAPI, rights registered in one member country are valid in other member states.

For additional information about treaty obligations and points of contact at local IP offices, please see WIPO's country profiles at <http://www.wipo.int/directory/en/>

Resources for Rights Holders

Commercial Section
Embassy of the United States of America
01 B.P. 1712 Abidjan 01, Côte d'Ivoire
Tel: +225 2249 4000
Abidjan_polecon@state.gov

A local attorneys list is also available at: <http://abidjan.usembassy.gov/legalassistlawyer.html>

8. Transparency of the Regulatory System

The government has taken steps toward encouraging a more transparent and competitive economic environment, while the IMF, World Bank, European Union, and other large donors have pushed the government to make reforms. One problem is that proposed laws and regulations are not published in draft form and made available for public comment. However, the National Assembly debates most legislation, and the government often holds public seminars and workshops to discuss proposed plans with trade and industry associations.

Côte d'Ivoire became EITI compliant in 2013, which demonstrates that the country has some effective processes in place for the annual disclosure and reconciliation of revenues from the oil and extractive sector. Citizens may access information about all the revenue that the country generates from oil and mining companies, however these two industries are a small fraction of the country's GDP.

Another area of concern has been public bids and procurements. A centralized office of public bids in the Finance Ministry was created to ensure compliance with international bidding practices by providing a neutral body to make bidding decisions in a transparent and objective fashion based on clear criteria. In addition to the Office of Public Bids, there is an Inspector General's Office and regulatory bodies for increasing transparency in the electricity and telecommunications sectors. Despite these steps, bidders continue to complain of a lack of

transparency in public bids and suspicions of bid-rigging. The government sometimes chooses from among companies that have proactively contacted it about an investment opportunity rather than proceeding through a public bid process. In July 2013, the head of the Ivoirian public procurement regulatory authority said 57 percent of funds spent in public deals in the first three months of 2013 were awarded without public bids, compared to 40 percent in the first three months of 2012. The situation improved in 2014 with 23 percent of public funds being spent without public bidding.

The government came under criticism in March 2013 after a high-profile bid to build a second container terminal at the Port of Abidjan was awarded to a consortium led by the French firm Bolloré, which operates the container terminal already in existence. The winning bid for the €500 million (USD 694 million) project was challenged by a consortium led by the Swiss company, Mediterranean Shipping, which said it had presented a lower bid.

On August 6, 2009, the government adopted a community framework for public procurement by incorporating WAEMU directives 4 and 5 into bidding processes and auditing, as well as into the regulation of public procurement within the union. This new public procurement code aimed to harmonize public procurement policy and comply with WAEMU integration objectives. Changes include the separation of auditing and regulating functions, the transformation from a national to a regional system of procurement for intellectual services, and an increase from 25 to 30 percent of advance payment for the startup of procurement of goods and services. The National Regulatory Authority for Public Procurement regulates public procurement with a view to improve governance and transparency. It may sanction entities which do not comply with public procurement regulations.

Substantial regulatory reforms have been made in the cocoa, coffee, cotton, and cashew sectors. From 1999–2008, several private and public institutions with producer, industry, and government representation were tasked with controlling and regulating these sectors. These groups were neither efficient nor transparent and were accused of mismanagement. In November 2011, the government approved a cocoa reform plan with a new regulatory and legal framework and a new marketing mechanism. Under the new plan, a single regulatory and stabilization body, the Cocoa and Coffee Council, was created to oversee the industry. Similarly, the GOCI set up a Cotton and Cashew Council, a regulatory board seeking to better develop these two commodities and to provide increased revenues for the farmers, in October 2013. Despite the creation of the Cocoa and Coffee Council, cocoa companies regularly report to the Embassy that the cocoa industry lacks transparency. Regulations and taxes appear to be arbitrarily imposed and the issuance of export licenses is extremely opaque.

Ivoirian tax policy is sometimes muddled, confusing, and arbitrary. The Ministry of Economy and Finance has at times changed tax regimes via ministerial decree, rather than working through the Council of Ministers and the National Assembly. The government sometimes levies large tax bills, which companies allege have little basis in law or standard accounting practices, and then the tax authority proceeds to negotiate a lower bill with the company.

Côte d'Ivoire is a member of UNCTAD's international network of transparent investment procedures: <http://www.eregulations.org/>. Foreign and national investors may be able to find

detailed information on administrative procedures applicable to investment and income generating operations including the number of steps, name and contact details of the entities and persons in charge of procedures, required documents and conditions, costs, processing time, and legal bases justifying the procedures at: <http://cotedivoire.eregulations.org/>

9. Efficient Capital Markets and Portfolio Investment

Government policies generally encourage the free flow of capital. The government plans to strengthen the public banking sector to deepen financial intermediation and facilitate private sector access to credit. Côte d'Ivoire's commercial banking sector is generally sound, but publicly-owned banks pose potential systemic risks to the financial system, as loan quality, solvency and profitability have deteriorated in recent years owing to bad management and a lack of auditing. (See more on the state-owned banks under the "Competition from State-Owned Enterprises" section below.) The West African Central Bank (Banque Central des Etats de l'Afrique de l'Ouest -- BCEAO) reported that the non-performing loans ratio in Côte d'Ivoire improved from 16.3 percent at the end of 2012 to 12.8 percent of the total in 2013, following the recovery of small and medium-sized businesses. Banks are expanding their networks especially in the secondary cities outside Abidjan as domestic investment has increased upcountry. The total number of bank branches has increased from 281 in 2008 to 561 branches in 2014. Although credit allocation remains moderate compared to current funding needs, specifically for small businesses, banks have restarted lending, offering short-term and long-term loans. They generally make lending and investment decisions based on the availability of collateral, making it difficult for some businesses, especially small ones, to get credit to expand.

Money and Banking System, Hostile Takeovers

According to the BCEAO, as of December 31, 2013, the most recent information available, the following Ivoirian banks had USD 20 million or more in total assets (figures have been converted from CFA to USD at an exchange rate of 601 CFA to USD 1)

- Banque Nationale d'Investissement (BNI): USD 41.0 million
- Banque Internationale pour le Commerce et l'Industrie de la Côte d'Ivoire: USD 33.3 million
- Société Générale de Banques en Côte d'Ivoire: USD 31.1 million
- Standard Chartered Bank – Côte d'Ivoire: USD 20.6 million
- Banque Internationale pour l'Afrique Occidentale: USD 20.0 million

At the end of 2013, total assets of the 25 banks and one credit institution doing business in Côte d'Ivoire were CFA 5.5 trillion (about USD 9.2 billion), an increase of 17.3 percent from 2012 figures.

Government and private bonds are available for purchase by individuals or companies. During the 2010-2011 post-electoral crisis, regular auctions of Ivoirian treasury securities were no longer possible. To limit the impact on the regional banking system, the BCEAO agreed to roll over maturing Ivoirian T-bills. The government recently reached an agreement with banks concerning its stock of short-term securities, and Côte d'Ivoire has been able to return to the regional market with longer-term securities. In July 2014, the government issued a USD 500 million Eurobond on the international capital market to test the government's credit worthiness,

and to help fund the 2014 budget and the country's USD 22 billion National Development Plan. The government issued another USD 1 billion Eurobond in 2015. The government has also recently raised funds in the WAEMU market, mainly to repay some of its domestic debt. An important part of the IMF's ongoing Extended Credit Facility (ECF) with Côte d'Ivoire is related to financial sector reforms, which includes decreasing domestic debt.

The Regional Stock Market (BVRM) returned to Abidjan in 2011, after temporarily relocating as a result of the post-electoral crisis. Dominated by Ivoirian and Senegalese firms, the BVRM has a market capitalization of approximately USD 12.5 billion with 37 companies listed. The Regional Council for Savings Investments regulates the WAEMU securities exchanges market.

Ivoirian accounting systems are well-developed and approach international norms. A WAEMU-wide accounting system-SYSCOA, under which all member countries follow the same accounting rules, is accepted and used in all member states.

The CFA exchange rate is pegged to the euro at 655.957 CFA to one euro. Consequently, the CFA/USD rate fluctuates in tandem with the euro/USD rate.

There is no evidence of "cross shareholding" and "stable shareholders" to restrict foreign investment through mergers and acquisitions in Côte d'Ivoire.

10. Competition from State-Owned Enterprises

Companies owned or controlled by the state are subject to the laws and tax code. The Ivoirian government still holds substantial interests in many firms, though it has begun the process of divestiture for some state-owned enterprises (SOEs) and hopes to sell 15 during 2015. Côte d'Ivoire was the first country in sub-Saharan Africa to privatize the energy sector in the 1980s and it continues to push toward privatization in other sectors.

Although it controls no outright monopolies, the Ivoirian government is still an active participant in some economic sectors, such as banking, agri-business, mining, and the telecom industry. The national investment bank (Banque Nationale d'Investissement--BNI) is 100 percent state-owned and competes with private banks. There are no plans to privatize the BNI because it is a leading development bank in Côte d'Ivoire. It will keep its interests in the national savings bank (Caisse Nationale des Caisses d'Epargne -- CNCE) and in the housing finance bank (Banque de l'Habitat de Côte d'Ivoire -- BHCI). For state-owned banks, the government's role has been to create or maintain services or products that commercial banks have been reluctant to offer. The government created state banks such as BHCI to support sectorial policies and CNCE has the largest Ivoirian bank network with about 2 million clients, has branches in remote rural areas where other banks have declined to provide banking services.

In the mining sector, the government still holds a 25-percent stake in Société des Mines d'Ity -- SMI, while the Canadian-based firm La Mancha owns a 45.9% interest in the Ity mine—a gold mine located in western Côte d'Ivoire that has produced more than 1 million ounces of gold since its commissioning in 1991.

Côte d'Ivoire plans to sell 28 percent of its 48.47 percent stake in Côte d'Ivoire Telecom, which is owned by Orange, a French telecommunications company.

OECD Guidelines on Corporate Governance of SOEs

The Corporate Governance of the SOEs in Côte d'Ivoire is still not up to the standards of the OECD, but the government has made some efforts to improve such governance. For example, private and public enterprises compete under the same terms and conditions, and there is no state monopoly in any of these sectors. Senior management of SOEs may report to a ministry or board of directors, whose seats are allocated to senior government officials, political leaders, representatives of civil society and other public entities. SOEs are required by law to publish annual reports, hold regular meetings of the board of directors and have financial statements reviewed by certified accountants and private auditors.

Sovereign Wealth Funds

At the time of writing, Côte d'Ivoire does not have a sovereign wealth fund.

11. Corporate Social Responsibility

The private sector, the government, NGOs, and local communities are becoming progressively aware of the importance of environmental and corporate social responsibility (CSR) in Côte d'Ivoire. American companies often tell the Embassy that they are pressured to finance pet projects of various ministers and other GOCI officials under the guise of CSR.

Investment projects in energy, infrastructure, agriculture, forestry, waste management extractive industry, are required by decree to provide an environmental impact study prior to approval. Foreign businesses, particularly in mining, petroleum, and the cocoa industries do often provide social infrastructure, including schools and health care clinics to communities close to their sites of operation, sometimes at the request of the Government of Côte d'Ivoire. Cocoa companies have actively supported programs to improve sustainability in the sector and are working to combat the worst forms of child labor. This activity has increased since 2011 with the government's focus on eliminating child labor and supporting cocoa producers and their families. Mars, Cargill, Hershey's, Archer-Daniels-Midland (ADM), and other U.S. firms have been at the forefront of these efforts, often in coordination with the Ivoirian government and World Cocoa Foundation (WCF).

Companies are not required under Ivoirian law to disclose information relating to CSR, although many companies, especially in the cocoa sector, do publicize work they have done in these areas on their websites.

OECD Guidelines for Multinational Enterprises

While international firms are aware of OECD guidelines and international best practices in CSR, most local firms have limited familiarity with international standards.

12. Political Violence

Côte d'Ivoire's security has significantly improved since the 2010-2011 post-electoral crisis, although some security incidents, linked to supporters of the former Gbagbo regime, have occurred, mostly in western Côte d'Ivoire. These incidents have not threatened the stability of the Ouattara administration. International organizations have alleged that government crackdowns following incidents of violence have sometimes resulted in violations of human rights. Gbagbo was captured in 2011 and sits in The Hague, awaiting possible trial before the International Criminal Court (ICC).

There is a perception that the government is unable or unwilling to prosecute its supporters for crimes committed during the 2011 post-electoral violence, although numerous Gbagbo supporters remained imprisoned or were recently tried for their crimes. In an effort to jumpstart reconciliation and political dialogue, the government released 44 Gbagbo supporters from prison in August 2013 and January 2014, including several senior leaders of the opposition. In March 2015, former First Lady Simone Gbagbo was sentenced to 20 years in prison for "undermining state security" during the 2011 post-electoral crisis.

The political dialogue between the pro-Gbagbo opposition and the government continues sporadically, however reconciliation has proven to be difficult. As the country moves towards the presidential elections scheduled for October 2015, efforts must be made to address major challenges, such as security sector reform and disarmament, demobilization and reintegration, the promotion of national reconciliation, and equitable non-partisan justice for all those accused of crimes during the 2011 post-election violence. Additionally, an update of electoral code and voters' list are both necessary to protect the country from political violence during the election period. Politically motivated demonstrations and strikes by workers' unions in the health, education, and transport sectors have occurred. In November 2014, thousands of soldiers went on strike protesting back-pay by blocking roads to major cities. The government took quick measures to appease their demands, but such strikes could occur in the future.

13. Corruption

Corruption is endemic and remains a serious impediment to investment and economic growth in Côte d'Ivoire. Many companies cite corruption as the major obstacle to investment in Côte d'Ivoire. It has the greatest impact on judicial proceedings, contract awards, customs, and tax issues. Businesses have reported corruption at every level of the civil service and that some judges have based their decisions on bribes. Obtaining an official stamp or copy of a birth or death certificate, or an automobile title, often requires payment of a supplemental "commission." If the commission is refused, the application is not processed. Clearance of goods at the ports can often require substantial "commissions" and the Embassy has heard anecdotal accounts of customs agents rescinding valuations that were declared by other customs colleagues in an effort to extract bribes from customers. Containers can stay at the Port of Abidjan for months, incurring substantial demurrage charges because of corruption within Customs.

There are domestic laws and regulations to combat corruption, but they are not effectively enforced. Penalties can range from incarceration to payment of civil fines. Government employees can be convicted of either passive or active corruption or bribery in the performance

of their duties. The law also provides for punishment of government employees who benefit directly or indirectly from private or state-owned companies related to contracts, markets or financial payment under their purview. Company managers who are complicit in acts of corruption are treated as accomplices. A local company may not deduct a bribe to a foreign official from taxes. Under the Ivoirian Penal Code, a bribe by a local company to a foreign official is a criminal act. Côte d'Ivoire ratified the UN Anti-Corruption Convention in November 2011; however, the country is not a signatory to the OECD Convention on Combating Bribery.

Although the Ouattara Administration has spoken out publicly against corruption, the government has only taken moderate steps to fight the problem. Racketeering by security and defense forces is often denounced in the media, but continues unabated. Transport companies are particularly hard hit, and trucks moving cargo from the western agricultural belt to Abidjan and between Abidjan and other regions of Côte d'Ivoire pay between USD 100 and USD 400 per trip as they pass various checkpoints, depending on the cargo. The government has been working to reduce illegal checkpoints, and in 2011 authorized only 33 legal checkpoints in the entire country as part of an anti-racketeering campaign. Still, some checkpoints are still visible in the interior of the country. The gendarmerie has established a new anti-corruption force which has led to a substantial reduction in police check points on major roadways, although bribery at checkpoints, official and unofficial, remains a significant problem that slows transport and greatly increases the costs of goods and services.

In 2012, the Interior Ministry, with World Bank funding, established the Anti-Racketeering Unit (ULCR). However, the unit was never adequately funded in the budget and has not made much progress in addressing racketeering by security forces. The government launched an anti-racketeering hotline but again, resources to investigate claims of racketeering are insufficient. There are several governmental entities in charge of fighting corruption, including the General Secretariat in Charge of Good Governance and Capacity Building, the Board of State General Inspectors, the Finance Ministry's Inspector General's Office, and the High Authority for Good Governance, but these entities are too underfunded to effectively tackle the extent of the corruption problem. Transparency International's "Corruption Perception Index" ranks Côte d'Ivoire 115 of 175 countries.

In June 2013, the government's National Committee for the Millennium Challenge Corporation initiated a billboard and television awareness campaign to educate Ivoirians on the dangers of corruption. At the same time, it held various workshops to discuss the causes of and solutions to the corruption problem. The government has been working to develop a new anti-corruption law, but it is not clear when that will be finished. Representatives of some civil society organizations have charged that the draft form of the legislation that currently exists is too weak to be truly effective in combatting corruption.

The country's financial intelligence unit (Cellule Nationale de Traitement des Informations Financières --CENTIF) was established in December 2007, and is responsible for investigating money laundering and terrorist financing. CENTIF has broad authority to investigate suspicious financial transactions, including those of government officials.

UN Anticorruption Convention, OECD Convention on Combatting Bribery

Côte d'Ivoire ratified the UN Anti-Corruption Convention in November 2011; however, the country is not a signatory to the OECD Convention on Combating Bribery.

Resources to Report Corruption

1. Inspector General of Finance- Brigade de Lutte Contre la Corruption (Finance Ministry)

NAME: Lassina Sylla

TITLE: Inspector General

TELEPHONE: +225 2252 9797

FAX: +225 2252 9798

HOTLINE: +225 8000 0380

WEBSITE: <http://www.igf.finances.gouv.ci/blc/>

2. High Authority for Good Governance (Haute Autorité pour la Bonne Gouvernance)

NAME: Seydou Diarra

TITLE: Chairperson

TELEPHONE: +225 22479 5000

FAX: +225 2247 8261

3. Police Racketeering Unit (Unite de Lutte Contre le Racket --ULCR)

NAME: Alain Oura

TITLE: Unit Commander

TELEPHONE: +225 2244 9256

EMAIL: info@ulcr.ci**14. Bilateral Investment Agreements**

There is no bilateral investment treaty between Côte d'Ivoire and the United States currently in force.

Côte d'Ivoire has signed Bilateral Investment Treaties (BITs) with the following 12 countries: Belgium, Luxembourg, EU, Canada, China, Germany, Ghana, Italy, Netherlands, Singapore, Sweden, Switzerland, Tunisia, and United Kingdom. Côte d'Ivoire has concluded tax treaties with France, Belgium, Canada, Germany, Switzerland, Norway, and Italy

Bilateral Taxation Treaties

There is no bilateral taxation treaty between Côte d'Ivoire and the United States.

15. OPIC and Other Investment Insurance Programs

OPIC provides financing and insurance products to support U.S. investment and OPIC services are available to supports projects in Côte d'Ivoire. While OPIC has not been active in Côte d'Ivoire since 2003 and it maintains only USD 2 million in exposure related to Côte d'Ivoire, it is interested in re-entering the Ivoirian market.

The Export-Import Bank (EXIM) of the United States provides U.S. export-oriented financing for some U.S. firms exporting to Côte d'Ivoire, however like OPIC, most lending stopping in 2003 during the political crisis and is just beginning to resume. In August 2014, EXIM approved a loan guarantee for USD 17 million to support long-term financing by the West African Development Bank (BOAD) for the Azito Power project.

Côte d'Ivoire is a member of the Multilateral Investment Guarantee Agency (MIGA). In January 2013, MIGA agreed to guarantee the expansion and ongoing operations of the Azito power plant. Other MIGA guarantees in Côte d'Ivoire include the construction of the Henri Konan Bédié Bridge in Abidjan and guarantees for offshore development of platforms for oil and gas fields.

16. Labor

The Constitution and the Labor Code grant all citizens, except members of the police and military, the right to form or join unions, and workers exercise these rights. Registration of a new union takes three months. Despite these protections, only a small percentage of the work force is actually organized. Most laborers work in the informal sector (i.e., small farms, small roadside stands, and urban workshops). Anti-union discrimination is prohibited. There have not been reports of anti-union discrimination, and consequently, no known prosecutions or convictions under this law. Unions are free to join international bodies, and the General Workers Union of Côte d'Ivoire (UGTCI) was affiliated with the International Confederation of Free Trade Unions. The Constitution provides for collective bargaining, and the Labor Code grants all citizens, except members of the police and military services, the right to bargain collectively. Collective bargaining agreements are in effect in many major business enterprises and sectors of the civil service. In most cases in which wages were not established by direct negotiations between unions and employers, the Ministry of Employment and Social Affairs establishes salaries by job categories. The Ivoirian constitution and statutes provide for the right to strike, and the government generally protects this right; however, the Labor Code requires a protracted series of negotiations and a six-day notification period before a strike may take place, making legal strikes difficult to organize. However, strikes do occur, most notably during March 2014 in which numerous educators and students went on strike over the condition of facilities and wages.

The evolution of employment in the private sector particularly in the construction and public works, industry, trade, and agricultural sectors reflects the economic growth performance. The official unemployment rate is 5.3 percent with higher unemployment rate in the economic capital of Abidjan (10.9 percent) and other urban areas (6.8 percent). The unemployment rate among those aged 15-35 is 7.9 percent. Despite these low numbers, the general population considers unemployment to be a critical issue. The government implemented a national strategy for employment, which includes youth capacity building for employment and training programs. Despite the government's substantial efforts to reduce child labor, child labor remained a widespread problem, particularly on cocoa and coffee plantations and in gold and diamond mines.

In February 2004, the Minister of Employment and Civil Service and the Minister of Economy and Finance signed a decree aimed at promoting national employment. This decree favors the employment of Ivoirians in private enterprises. The decree states that any position to be filled must be advertised for two months. If after two months no qualified Ivoirian is found, the

employer is allowed to recruit a foreigner, provided that he plans to recruit an Ivoirian to fill the position in the next two years. The foreign employee must be given a labor contract.

In February 2015, the government endorsed a draft law on the new labor code to replace Law 95-15 of January 12, 1995. This law will fight against employment precariousness, promote union freedom and validation of certificates by internships. It also promotes job access for the handicapped and the requirement to maintain minimum levels of service in case of strike.

17. Foreign Trade Zones/Free Ports/Trade Facilitation

Created in 2008, the free trade zone for information technology and biotechnology (VITIB) is located in the city of Grand Bassam. During the crisis, VITIB was mostly closed, and is now just beginning to restart operations. In January 2014, VITIB inaugurated the Mahatma Gandhi technology park at Grand Bassam with a loan of USD 20 million from India's EXIM bank. Current plans are to develop a technology corridor on VITIB land in Grand Bassam. There are no other free trade zones in Côte d'Ivoire.

Bonded warehouses do exist, and bonded zones within factories are allowed. High port costs and maritime freight rates have inhibited the development of in-bond manufacturing or processing, and there are consequently no general foreign trade zones.

18. Foreign Direct Investment and Foreign Portfolio Investment Statistics

According to the United Nations Conference on Trade and Development World Investment Report, the stock of foreign direct investment in Côte d'Ivoire as of 2013 was an estimated USD 8.2 billion, the equivalent of 28.5 percent of that year's GDP. In terms of FDI reported officially by CEPICI, Mauritius was Côte d'Ivoire's primary investor in 2013, providing about one-third of all investment capital. At least two Mauritian firms have important holdings in Côte d'Ivoire that have expanded investments during 2013. Terra Co. is the majority stakeholder in Sucrivoire and during 2013 made substantial investments of unknown size in its two sugar plants in order to add value and diversify its holdings. Also, in December 2013, Emerging Capital Partners Investments (ECP) exited from its holdings in MTN Côte d'Ivoire (MTNCI) via Planer Capital International (PCI), a Mauritian investment vehicle that was already the second largest investor in MTNCI. MTNCI is a telecom firm that is an affiliate of MTN, a South African company. The sale price was reportedly USD 80 million.

Other leading investors include the United Kingdom, Lebanon, France, China, India, Libya, Singapore, Tunisia, and Morocco. U. S. firms are not a large source of FDI in Côte d'Ivoire, but have made major investments in oil and gas (Anadarko), banking (Citibank), cocoa (Cargill and ADM), and in international courier services. Although many countries invest in Côte d'Ivoire, France and Lebanon, because of their long involvement in Côte d'Ivoire, are perhaps Côte d'Ivoire's most important investment partners. The Lebanese community in Côte d'Ivoire numbers about 100,000 and many Lebanese businessmen still has close personal or business ties to Lebanon.

Table 2: Key Macroeconomic Data, U.S. FDI in Host Country/Economy

	Host Country Statistical source*		USG or international statistical source		USG or International Source of Data: BEA; IMF; Eurostat; UNCTAD, Other
Economic Data	Year	Amount	Year	Amount	
Host Country Gross Domestic Product (GDP) (\$M USD)	2014	28,000	2014	28,000	www.worldbank.org/en/country
Foreign Direct Investment	Host Country Statistical source*		USG or international statistical source		USG or international Source of data: BEA; IMF; Eurostat; UNCTAD, Other
U.S. FDI in partner country (\$M USD, stock positions)	2013	274	2012	668	BEA
Host country's FDI in the United States (\$M USD, stock positions)	n/a	n/a	2012	155	BEA
Total inbound stock of FDI as % host GDP	n/a	n/a	2012	-0.55 %	.

*Centre de Promotion des Investissements en Côte d'Ivoire (CEPICI) www.cepici.gouv.ci

Table 3: Sources and Destination of FDI

IMF Coordinated Direct Investment Survey data are not available for Côte d'Ivoire.

Table 4: Sources of Portfolio Investment

IMF Coordinated Portfolio Investment Survey data are not available for Côte d'Ivoire.

19. Contact for More Information

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