



Central African Republic

Country Reports on Human Rights Practices - [2007](#)

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The Central African Republic (CAR) is a constitutional republic whose population of approximately 4.2 million is governed by a strong executive branch and weak legislative and judicial branches. Armed forces Chief Of Staff General Francois Bozize seized power in a military coup in 2003. Subsequent legislative and parliamentary elections in 2005 resulted in General Bozize's election as president. National and international observers judged the elections to be generally free and fair despite some irregularities. Fighting between rebels and government security forces contributed significantly to a political and military crisis during the year, which in turn had a profound negative effect on governmental authority and human rights. Civilian authorities did not maintain effective control over the security forces.

The government's human rights record remained poor. Reports of extrajudicial killings by the Central Office for the Repression of Banditry (OCRB) decreased, but reports of the military killing civilians increased sharply due to government counteroffensive operations against rebels in the north. Security forces continued to torture, beat, and rape suspects and prisoners. Impunity, particularly military impunity, worsened. Despite some improvements, conditions in prisons and detention centers remained harsh and life threatening. The government's increased use of arbitrary arrest and detention, particularly in connection with fighting against rebels in the north, contributed to an increase in the number of detainees. Prolonged pretrial detention, denial of a fair trial, and judicial corruption continued to be problems. The government restricted freedom of the press, although to a lesser extent than in the previous year. Freedom of movement deteriorated greatly because of actions by security forces, armed bandits, and rebels. Government corruption and lack of access to government-held information remained serious problems. Societal violence, including female genital mutilation (FGM), discrimination against women, and societal discrimination against indigenous people (Pygmies) also remained problems. Trafficking was a problem, as were forced labor and child labor, including forced labor by children. Workers' rights remained restricted.

RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person, Including Freedom From:

a. Arbitrary or Unlawful Deprivation of Life

There were no reports that the government or its agents killed members of opposing political groups, but soldiers, particularly the presidential security forces (commonly known as the presidential guard) killed numerous civilians they suspected of supporting armed rebel groups. Security forces continued to commit executions and other arbitrary killings of civilians with impunity throughout the year.

Both government security forces and armed rebels killed civilians in the course of conflict in the north of the country.

The OCRB, a special antibanditry police squad, continued to arbitrarily execute suspected bandits without respecting the basic due process rights of the accused and was responsible for other arbitrary killings and deaths resulting from torture, although to a lesser extent than in 2006 and previous years. The OCRB, which normally operated only in and around Bangui, committed such abuses with tacit government support and popular approval, partly because the OCRB's actions were seen as an effective means of reducing crime. For example, after the OCRB killed two men in the neighborhood of Kilometer 5 in February, the OCRB director of communications considered it sufficient to say that the two, who had allegedly avoided a police inspection team, were armed and that the soldiers killed them in self defense.

There were no reports that the government prosecuted any OCRB personnel for killings committed during the year. In October the Director of Investigations for the OCRB denied that the OCRB had engaged in any illegal killings during the year and later noted that there were no internal investigations of OCRB officers during the year. The parents of individuals killed by the OCRB reportedly filed few complaints with authorities, a circumstance the minister of justice ascribed to the social stigma of being associated with suspected criminals; however, in the view of the public prosecutor and UN officials, the reason in many cases was fear of retribution and the widespread belief that the OCRB enjoyed almost total impunity.

During the year there were numerous credible reports that other elements of the security forces, including the Central African Armed Forces (FACA), and particularly the presidential guard forces, committed unlawful killings while apprehending suspects and, allegedly, in connection with personal disputes or rivalries.

Authorities generally appeared unwilling to prosecute personnel of the presidential guard for extrajudicial killings, particularly for those committed in the northwest prefectures. Despite assurances authorities gave the UN Peace Building Office in the Central African Republic (BONUCA) that the government had launched an investigation into the 2006 killing by presidential guard forces of Staff Sergeant Jean-Claude Sanze, there were no indications at year's end that they had taken any action against those responsible. Authorities took no action against members of security forces who reportedly shot and killed two mourners at Sanze's funeral in January 2006.

In May the Permanent Military Tribunal, which is responsible for adjudicating crimes allegedly committed by military forces, convicted presidential guard Sergeant Adomi Wilibona and sentenced him to life imprisonment for having shot two street vendors in Bangui in August 2006. Of the 11 murder cases and seven attempted murder cases that came before it during the year, the tribunal convicted five security forces members of murder. In addition the tribunal convicted two other defendants accused of murder on lesser charges and acquitted one defendant. The remaining murder-related cases were remanded for further discovery or postponed to the tribunal's next session. Many of the remaining cases before the tribunal were remanded for further discovery or postponed to the tribunal's next session.

At year's end Captain Achille Lakouama, a member of the presidential guard and President Bozize's military surgeon and assistant doctor, remained in prison awaiting trial in connection with the killing of presidential protocol director Pascal Bembe in Bangui in September 2006. Captain Lakouama's wife, who was arrested with him, was released without charge during the year. Lakouama remained in prison awaiting a criminal trial at year's end.

There were no developments regarding the 2006 killings of the mayor of Bossangoa or of another mayor and his son in the Ouham prefecture village of Korom-Mpoko.

Armed bandits, who have contributed to the country's instability for many years, demonstrated a growing willingness to kill civilians during the year. In the central part of the country, armed groups known as zaraguinas engaged in widespread kidnappings, at times killing family members of individuals who could not or would not pay ransom. Although information about these armed groups and highway bandits was difficult to obtain, aid workers and UN officials described them as a combination of common criminals and remnants of insurgent groups from the recurring conflicts in the region.

An unidentified group of Sudanese nomads allegedly killed as many as 56 civilians in the village of Massabo in the northwestern region near Boromata in February, according to local and international news reports. No further information was available at year's end.

According to the public prosecutor's office, no suspects had been identified by year's end in the April 2006 killing of two doctors on a World Health Organization (WHO) mission in Ombella Mpoko prefecture. Reports from the region indicated that the killing may have occurred after government security forces interrupted a highway robbery. The case remained under investigation at year's end.

Civilians reportedly continued to kill and injure persons suspected of being sorcerers or witches during the year. There was no additional information on the killings of suspected sorcerers or witches that occurred in 2006.

b. Disappearance

There were no reports of politically motivated disappearances.

During the year unidentified armed groups kidnapped children, particularly M'bororo children, for ransom.

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

Although the law and the constitution prohibit torture and specify punishment for those found guilty of physical abuse, police, including the OCHR, continued to torture, beat, and otherwise abuse criminal suspects, detainees, and prisoners, according to local human rights groups such as the Association Against Torture (ACAT) and the Central African Human Rights League (LCDH). The government did not take effective action to punish police who tortured suspects, and impunity remained a problem. Family members of victims and human rights groups, including the LCDH, pursued complaints filed with the courts since 2003 regarding the deaths of several prisoners due to police abuse; however, authorities did not take action on any of the cases by year's end.

Police most commonly employed a form of torture known as "le cafe," the repeated beating of the soles of an individual's feet with a baton or stick. Immediately after administering the beating, police would sometimes force the victim to walk on badly bruised feet and, if the individual was unable to do so, would continue beating the individual.

There were many instances of government forces and rebel groups mistreating civilians, including by torture, beatings, and rape, in the course of the conflicts in the north of the country. During the year the international nongovernmental organization (NGO) Human Rights Watch (HRW) documented at least six cases of torture committed by FACA members in Paoua in January 2006 following a failed rebel offensive, of which five led to the victims' deaths.

There were no reports of government disciplinary action against OCRB Director Yves Gbeyero, who reportedly assaulted a local pastor in May 2006.

No additional information was available on the 2006 case of National Assembly member Ali Kassala, whom members of the presidential guard beat and jailed briefly in October 2006 for inquiring about several detainees and prisoners.

According to the magistrate of the Permanent Military Tribunal, the tribunal tried approximately 63 members of the military forces arrested on charges of committing beatings, torture, and killings at its sitting in April and May. In May the tribunal heard 32 cases in which members of the military were accused of crimes including assault, battery, and manslaughter; the tribunal convicted 14 defendants and acquitted one. The rest of the cases were either postponed to the next tribunal session or resulted in convictions for lesser crimes. The tribunal was scheduled to reconvene in December, but that session was postponed due to a lack of funding.

Members of security forces, particularly members of the military, raped civilians during the year. Security personnel rarely were punished; suspects either escaped from police custody or were released by fellow soldiers and other security agents.

Members of the armed forces often committed other abuses against civilians, including armed robbery and racketeering. No action generally was taken against these soldiers.

Human rights abuses were particularly prevalent in the northeast and northwest, where government soldiers, rebels, and bands of unidentified armed men attacked civilians (see section 1.g.).

No additional information was available regarding the October 2006 case of a 15-year-old girl raped and injured by a member of the army in Kaga-Bandoro prefecture.

During the year the International Criminal Court (ICC) opened an investigation into a complaint filed by the government in 2005 against former president Ange-Felix Patasse and others for crimes against humanity committed prior to and during the 2003 coup. The ICC opened an office in Bangui in October.

Civilians continued to take vigilante action against suspected thieves, poachers, and some persons believed to be Chadian combatants.

Prison and Detention Center Conditions

Prison conditions were extremely harsh and well below international standards; prison conditions outside Bangui generally were worse than those in the capital. There were reports that guards tortured prisoners. There were an estimated 1,233 prisoners in the country as of October. Prison cells were overcrowded, and basic necessities, including food, clothing, and medicine, were inadequate and often confiscated by prison officials. Prisoners depended on family members to supplement inadequate prison meals and were sometimes allowed to forage for food near the prison. Prisoners were frequently forced to perform uncompensated labor.

There were two prisons in Bangui: Ngaragba central prison for men and Bimbo central prison for women. Inmates with infectious diseases lived among healthy inmates; however, during the year a nurse was available at both prisons for inmates needing medical care, representing an improvement from the previous year. Detainees and inmates at both prisons received one meal per day; meals were insufficient and consisted of cassava, rice, and either green beans, fish, or (occasionally) meat, depending on the day of the week. Prisoners complained of inadequate meals made from inferior ingredients. One observer witnessed a fight between inmates in Ngaragba over the last scraps of cassava. Inmates slept on the floor or on thin matting provided by their families or charities. Authorities at both prisons permitted detainees' families to make weekly visits.

By October there were 476 inmates in Ngaragba prison, most of them pretrial detainees. Several detainees had been held for seven months without appearing before a judge. On average there were 10 individuals in each common room. The most crowded cell block contained four rooms, in which approximately 25 prisoners slept, usually on bare concrete floors. Prisoners in these cellblocks complained that water supplies were inadequate and were often cut. In the prison section reserved primarily for educated prisoners and former government officials suspected or convicted of financial crimes, common rooms held four persons on average.

Bimbo's population consisted primarily of pretrial detainees, most of them women accused of sorcery. Several individuals had been detained for four months and had not appeared before a judge; few had lawyers. Prison officials allowed

detainees who were ill to be treated by a nurse who visited regularly. Overcrowding was reportedly not a problem, and children younger than five were allowed to stay with their mothers at the prison. By year's end a new block of toilets and showers built by the International Committee of the Red Cross addressed earlier concerns about inadequate sanitary facilities. There were no reports of rapes or sexual harassment by the all-male prison guard staff.

Male and female prisoners were held in separate facilities in Bangui but housed together elsewhere. Pretrial detainees were not held separately from convicted prisoners.

Conditions in detention centers were worse than those in prisons and in some cases were life-threatening. Bangui's police detention centers consisted of overcrowded cells with very little light and leaky buckets for toilets. According to local human rights groups, lack of training and poor supervision at detention centers were serious problems and continued to result in torture and beatings. Suspects in police and gendarmerie cells had to depend on family, friends, religious groups, and NGOs for food. Several detainees in an OCHR detention center complained to a visitor that they had not eaten in two days, had not been allowed to bathe or shower in two weeks, and had lice. Detainees with infectious diseases lived among healthy prisoners, and medicine was not available. Suspects generally slept on bare cement or dirt floors. Corruption among guards, who had not been paid in months, was rife. Guards often demanded between \$0.37 (200 CFA francs) and \$0.55 (300 CFA francs) to permit showers, allow the delivery of food and water, or permit family visits.

An October visit to an OCHR detention center revealed cramped, foul conditions. Of the seven detainees in one cell, at least three appeared to be under 18, and they complained of the small quantity of food provided--one small bowl to be shared each day among them all. A bucket in the corner still served as the only toilet, although the ICRC had built a new toilet and shower complex next to the cell block. It was unclear whether detainees were allowed to visit the new facilities with regularity. Several of the detainees were visibly sick and did not have access to medical care.

The OCHR director denied that he or his staff tortured or otherwise abused prisoners or detainees, but on some occasions he did not allow observers access to the entire compound. He also stated that the OCHR had nothing to hide, joking that any torture they would commit would be committed in the open-air courtyard.

In Bangui male and female detainees were separated; however, this was reportedly not the case in detention facilities in the countryside. There were no separate detention facilities for juvenile detainees, who routinely were housed with adults and often subjected to physical abuse.

The government permitted prison visits by human rights observers. The ICRC and religious groups routinely provided supplies, food, and clothes to prisoners. The ICRC and the human rights unit of BONUS had unrestricted access to prisoners; however, access for some other observers was at times limited to certain areas.

d. Arbitrary Arrest or Detention

The law provides protection against arbitrary arrest and detention and accords detainees the right to a judicial determination of the legality of their detention; however, security forces frequently ignored such provisions, and arbitrary arrest and detention remained a problem.

Role of the Police and Security Apparatus

The Ministry of the Interior and Public Security, through the director general of police, has oversight over the activities of the National Police, including the OCHR. The Ministry of Defense oversees military forces, including the presidential guard and the National Gendarmerie. Police and the military share responsibility for internal security.

As part of its efforts to protect citizens and safeguard property, the government continued to support joint security operations in the capital conducted by the armed forces, Economic and Monetary Community of Central Africa (CEMAC) peacekeepers, and French forces.

Police were not effective; they were severely lacking in financial resources, and their salaries were often in arrears. Citizens' lack of faith in police led at times to mob violence against persons suspected of theft and other offenses. Police corruption, including the use of illegal roadblocks to commit extortion, remained a serious problem. Although the OCHR was created to function only in Bangui and to focus on combating violent banditry, it has increasingly investigated, detained, and abused persons accused of lesser crimes such as embezzlement and petty theft; it also conducted some operations outside Bangui.

Mechanisms existed for redress against police abuse. Citizens could and did file complaints with the public prosecutor. The most common complaints involved theft, rape, brutality, and embezzlement. With the assistance of BONUS and the high commissioner of human rights and good governance, the prosecutor investigated numerous complaints of police abuse, including killings; however, impunity remained a severe problem. Although the prosecutor had the authority to order the arrest of police officers suspected of committing abuses and exercised that authority during the year, the prosecutor's

staff was small and severely lacking in resources.

BONUCA continued to provide security forces, including police officers, with human rights training, and during the year it sponsored a Military Justice Law Reform conference with the aim of rewriting the Central African Code of Military Justice.

Arrest and Detention

Judicial warrants are not required for arrest. The law stipulates that persons detained in cases other than those involving national security must be informed of the charges against them and brought before a magistrate within 48 hours, although this period is renewable once, for a total of 96 hours. In practice authorities often did not respect these deadlines, in part due to inefficient judicial procedures and a lack of judges. In several police detention centers, including the Service de Recherche et Investigation, which was visited by different human rights observer missions, police and government authorities held detainees for more than two days and often for four weeks before bringing their cases before a magistrate.

There were different standards for treatment of national security detainees. By law, national security detainees are those held for crimes against the security of the state. They may be held without charge for up to eight days, and this period can be renewed once, for a total of 16 days. However, in practice persons accused of crimes against the security of the state were held without charge for long periods. The law allows all detainees to have access to their families and to legal counsel. Indigent detainees may request a lawyer provided by the government, although it was not known if this right was often invoked. Detainees are allowed to post bail or have family members post bail for them. In most cases lawyers and families had free access to detainees, but incommunicado detention was a problem.

Arbitrary arrest and detention remained a problem. Authorities arrested and convicted one journalist during the year after he contested the composition of a government media regulatory body.

During the year individuals, particularly women, continued to be arrested and charged with witchcraft, an offense that could be punishable by execution, although no one received the death penalty during the year. Prison officials at Bimbo central prison for women said accused witches were detained for their own safety since village mobs sometimes killed suspected witches. In late 2005 Bangui prison officials estimated that 50 to 60 percent of female detainees were arrested in connection with charges of witchcraft. Human rights observers said the belief in witchcraft was so entrenched that attempts to abolish legal recognition of the crime would be very difficult; however, observers said they were continuing to push for fair trials of the accused.

Prolonged pretrial detention was a serious problem. At year's end pretrial detainees comprised 49 percent of Ngaragba's prison population and an estimated 80 percent of Bimbo's prison population. Detainees usually were informed of the charges against them; however, many waited in prison for several months before seeing a judge. Judicial inefficiency and corruption, as well as a shortage of judges and severe financial constraints on the judicial system, contributed to pretrial delays. Some detainees remained in prison for years because of lost files and bureaucratic obstacles.

e. Denial of Fair Public Trial

The constitution provides for an independent judiciary; however, the judiciary remained subject to the influence of the executive branch, and, despite government efforts to improve it, the judiciary was inadequate to meet its tasks.

Inappropriate government pressure on the courts was illustrated by a high profile case in April in which the Constitutional Court was required to rule on the constitutionality of government supported legislation affecting Total Oil, the country's only petroleum supplier. Total Oil was blamed by President Bozize for fuel shortages. With all but one of the justices apparently prepared to reject the legislation as unconstitutional, the president of the court, who was its sole supporter and was widely considered to be close to the president, announced that a ruling would be postponed until 2008, despite a constitutionally mandated one month deadline for such rulings. The government posted guards around the building to prevent the majority of the justices from meeting, and President Bozize urged the judges who opposed his position to resign.

The courts continued to suffer from inefficient administration, a shortage of trained personnel, growing salary arrears, and a lack of material resources. Many citizens effectively lacked access to the judicial system--normally citizens had to travel at least 31 miles to reach one of the country's 35 courthouses. Consequently, traditional justice at the family and village level retained a preponderate role in settling conflicts and administering punishment.

Judicial corruption remained a serious impediment to citizens' right to receive a fair trial. According to the LCDH, corruption extended from the judges down to the bailiffs. Many lawyers paid judges for verdicts favorable to their clients. There were, however, some efforts to combat judicial corruption. The Ministry of Justice continued efforts to implement a zero-tolerance policy, but no update was available at the end of the year on the results of this policy.

Judges are appointed by the president after being nominated by the Superior Council of Magistrates. The judiciary consists of 24 tribunals of first instance, three courts of appeal, a Final Court of Appeals (Cours de Cassation), a High Court of

Justice, commercial courts, a military court, and a Constitutional Court. There are also children's and labor tribunals, as well as a Tribunal for Financial Crimes. The highest court is the Constitutional Court, which determines whether laws passed by the National Assembly conform to the constitution and hears appeals challenging the constitutionality of a law. The Permanent Military Tribunal judges only members of the military.

There were numerous reports that, in reaction to judicial inefficiency, citizens in a number of cities organized to deal with cases through parallel justice and persecution, especially in cases of suspected witchcraft.

Trial Procedures

Trials are public, and defendants have the right to be present and to consult a public defender. Juries are used for criminal trials. If an individual is accused of a serious crime and cannot afford a lawyer, the government has an obligation to provide one. In practice the government provided counsel for indigent defendants, although this process was often slow and delayed trial proceedings due to the state's limited resources. Defendants have the right to question witnesses, to present witnesses and evidence on their own behalf, and to have access to government-held evidence relevant to their case. Defendants are presumed innocent until proven guilty, and, if convicted have the right to appeal. The government generally complied with these legal requirements; however, the judiciary did not enforce consistently the right to a fair trial, and there were many credible reports of corruption within the court system. According to the minister of justice, many of the judges were significantly influenced by politics. One indigenous ethnic group in particular, the Ba'Aka, was reportedly subject to legal discrimination and unfair trials.

Witchcraft was occasionally tried in the regular courts and could be punishable by execution, although no death sentences were imposed during the year. Most individuals who were convicted received sentences of one to five years in prison; they could also be fined up to \$1,500 (817,800 CFA francs). During a typical witchcraft trial, doctors of traditional medicine were called to give their opinion of the suspect's ties to sorcery, and neighbors were called as witnesses. Police and gendarmes conducted investigations into witchcraft.

The Permanent Military Tribunal tried approximately 60 soldiers in its April-May session. The tribunal convicted five soldiers of murder and 14 of assault and battery, among other crimes, with many cases remanded to the following session of the tribunal pending further discovery. The tribunal did not reconvene in December as scheduled due to a lack of financial resources.

Political Prisoners and Detainees

There were several reports of political detainees and political prisoners during the year. For example, Michel Alkhaly Ngady, the publisher of an independent newspaper, was sentenced to three months in prison during the year for "resistance and disobedience to public authorities and contempt for the laws." Some observers believed that political considerations were responsible for the harshness of his sentence.

Lydie Florence Ndouba, who had close family ties to former president Patasse, was detained, charged, and convicted of seeking to cross the border into Cameroon using false papers. While observers did not dispute the facts in the case, many asserted that Ndouba may have been singled out and sentenced disproportionately for political reasons.

Authorities granted BONUCA's human rights unit and human rights and humanitarian NGOs access to all political prisoners and detainees.

Civil Judicial Procedures and Remedies

The constitution provides for an independent judiciary in civil matters, and citizens had access to a court to bring lawsuits seeking damages for, or cessation of, a human rights violation; however, there was a widespread perception that judges were easily bribed and that litigants could not rely on courts to render impartial judgments. Many courts were understaffed and personnel were poorly paid.

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

The law prohibits invasion of homes without a warrant in civil and criminal cases; however, police sometimes used provisions of the penal code governing certain political and security cases that allow them to search private property without a warrant. Security forces continued to carry out warrantless searches for guns and ammunition in private homes.

During the year government security forces looted and burned villages in the northeast and northwest suspected of collaborating with rebels, and rebel groups attacked, looted, and burned villages in the same regions, sometimes allegedly to gain information about government authorities.

There were no further developments related to President Bozize's December 2006 order that resulted in security forces burning down houses belonging to deacons of Kina Baptist Church.

g. Use of Excessive Force and Other Abuses in Internal Conflicts

Government and opposition forces engaged in serious and numerous violations of human rights in the course of their struggle for control of the northern part of the country. In the view of many observers, the government controlled little more than one-half of the country during the year. Civilians were caught in the crossfire between the rebels and counterattacks by the military, which often accused them of supporting the rebels.

In the northwest, several politically motivated rebel groups, including the Popular Army for the Restoration of the Republic and Democracy (APRD) and the Central African People's Democratic Front, continued their struggle against government security forces. Rebels of the APRD partly controlled areas in the northwest, allegedly with support from Chadian rebels.

In the northeast, bordering Sudan and Chad, well-armed members of the Union of Democratic Forces for Unity (UFDR) engaged in significant fighting with French and Central African forces in February and March in a failed attempt to capture the town of Birao, resulting in the destruction of much of the town and the mass displacement of civilians. A ceasefire and tentative peace agreement reached after government negotiations with rebels in April led to an uneasy peace in the northeast, where there was little fighting for the rest of the year.

In addition to recognizable rebel organizations, unidentified armed groups, taking advantage of weakened security, continued to attack, kill, rob, beat, and rape civilians and loot and burn villages in the north. Kidnappings by such groups also increased during the year, contributing significantly to the country's massive population displacement.

HRW reported that government forces committed numerous extrajudicial killings of civilians their conflict with UFDR rebels in the northeast in December 2006 and January 2007. The number of civilians killed by government forces remained unknown--some reports indicated that local civilians may have been responsible for the deaths of up to 30 ethnic Goula civilians. Soldiers killed villagers they suspected of being rebel sympathizers, including former member of parliament Zacharia Rizegala and three others in the town of Ouandja in December 2006. FACA soldiers also reportedly "executed" 10 ethnic Goula townspeople in and around Ouadda in December 2006, and killed five other civilians in the village of Sergobo in January. There were no reports that authorities took action against the soldiers or others responsible for these killings.

On January 5, the FACA publicly "executed" Salvador Dami and Rodrigue Wande in the central market in Kaga-Bandoro; the two men were accused of being rebels. There were no reports that authorities took action against the soldiers responsible for the killings.

On January 8, government forces reportedly killed at least two civilians in a counteroffensive against civilians and suspected rebels near the northwestern town of Paoua, which caused hundreds to flee their villages, according to HRW and Amnesty International (AI). In addition presidential guard forces based in Bossangoa reportedly destroyed villages on the Bozoum-Paoua-Pende axis and killed 17 persons in late January, including seven unarmed civilians, according to AI. Authorities did not investigate or respond to these allegations.

The FACA arrested and killed five men early in the year following fighting between government forces and APRD rebels in the northwestern towns of Paoua, Batangafo, and Kabo. Victims included a Nigerian merchant in Paoua and a Chadian merchant in Kabo. Security forces arrested the Chadian merchant after he failed to communicate with them in French or Sango, arousing suspicions of ties to rebels. Soldiers reportedly gouged out his eyes before killing him. There were no reports that authorities took action against the soldiers responsible.

International NGO Refugees International reported that in March, near the northwestern town of Lia, government forces shot indiscriminately at the civilian population, killing two civilians, including a baby, in the course of a fight with rebels. Government forces also burned 30 houses. There were no reports that authorities took action against the soldiers responsible.

There was no government effort during the year to hold security forces accountable for mistreatment of civilians, including the presidential guard led by Lieutenant Eugene Ngaikoisie, which killed large numbers of civilians suspected of supporting rebels in the northwest from January through March 2006. Additional accounts of those events were published during 2007. Due to the magnitude of the reported abuses, local journalists and rights groups called for the establishment of an independent commission to investigate the killings and punish members of security forces responsible for the attacks; however, by year's end, authorities had not investigated or tried FACA members responsible for the 2006 killings.

During the year the public prosecutor reported that authorities arrested some members of security forces responsible for killings and other abuses committed in the northwest during February 2006, and the Permanent Military Tribunal adjudicated 63 cases in May. However, it was not clear if any of these cases involved security forces members responsible

for the abuses committed in the northwest in 2006 or early 2007. However, the Ministry of Justice confirmed that no charges were brought or were pending against Lieutenant Ngaikoisie or his soldiers, and that Ngaikoisie remained a member of the presidential guard.

Government forces may have been responsible for the killing of four or five suspected rebels outside the town of Ndele in December 2006, according to one source interviewed by HRW during the year.

Rebel forces also engaged in numerous human rights abuses. In June APRD rebel forces shot and killed a French humanitarian volunteer, Elsa Serfass, who was participating in a mission with Doctors without Borders (MSF). APRD rebel forces conceded that they had fired two rounds at the well-marked MSF vehicles, one of which killed Serfass. Rebel leaders later "executed" the combatant responsible for the shots after conducting their own inquiry, according to local media reports. The government opened an investigation into the matter, but no suspects had been identified by year's end.

HRW reported during the year that UFDR rebels killed five civilians, including three small children, in the village of Delembe in the northeast in late 2006. Rebels also executed Albert Gassa Almende and Bardal Djeme in the northeastern town of Ouanda Djalle in November 2006. According to town officials interviewed by HRW, UFDR forces killed four men during their offensive in Ouadda, including Alhadji Ahmat, whose store was looted before he was shot. There were no reports that any of these rebels were brought to justice.

During the year APRD rebels in the northwest were responsible for kidnappings, beatings, and extortion, according to HRW. They looted villages on the Ouandago-Batangafu road multiple times and beat villagers if they tried to resist. Reports from this area also indicated that rebel forces took civilians hostage to extort money from their families.

Armed groups considered to be bandits or zaraguinas also committed multiple kidnappings of civilians, mostly children who were held for ransom, according to AI, which identified over 30 cases of abduction. Victims whose families could not or would not pay were often killed, as in the cases of Ibrahim Garga and Jaye Bouba. Many of the abductees' families reported the kidnappings to police or local military forces, but there was little or no response on the part of local authorities.

During the year both government forces and rebels destroyed the property of villagers, including the destruction of almost 10,000 homes, and there was a marked increase in the number of internally displaced persons (IDPs) and refugees fleeing the country. The fighting, along with banditry and kidnapping by unidentified groups, forced over 300,000 residents to abandon their villages during the year to seek refuge in Chad (50,000) or Cameroon (45,000), or to live in the bush (212,000).

In the northwest members of government security forces, including the FACA and presidential guard, continued a campaign begun in 2006 in which villages were looted and burned. Government forces burned and looted villages, forcing approximately 212,000 persons from their homes into the forest and surrounding countryside. According to an investigation by HRW, during the year government forces burned and destroyed nearly 3,000 homes on the Batangafu-Kabo-Ouandago-Kaga-Bandoro axis alone. Observers considered these burnings to be part of a deliberate campaign to punish and discourage collaboration with rebel forces.

Almost 100,000 civilians fled their homes in Ouham, Ouham-Pende, and Nana-Mambere prefectures, according to statistics from the UN High Commissioner for Refugees (UNHCR). According to a report released by HRW in September, the large number of displaced persons in the northwest was a direct result of the government's scorched earth tactics, a fact admitted by FACA commanders who disagreed with the policy. One FACA commander noted that the president's directives to soldiers were to respect human rights and the laws of war, suggesting the presidential guard soldiers and others who committed village burnings and lootings were acting outside of their chain of command. Military and government authorities in Bangui neither confirmed this policy nor admitted that their soldiers were responsible for the destruction of villages and property; instead they denounced reports such as that of HRW as incorrect or exaggerated.

During the year observers noted the presence of empty, burned villages lining the road north of Bossangoa towards Markoundia in the northwest, where a small contingent of FACA soldiers was located in rebel-held territory. Presidential guard soldiers also looted and burned the town of Ngaoundai and a neighboring village in June, forcing much of the population into the bush. These actions were reportedly a response to the rebels' killing of the vice-mayor of Ngaoundai earlier in May.

In the northeast, despite objections from French and multinational force troops, government forces burned at least 57 houses and several other buildings, including a school and the mayor's office, after retaking the town of Ouandja in a counteroffensive in December 2006. The town was an ethnic Goula town and considered sympathetic to the UFDR rebellion, according to HRW.

Because security forces reportedly perceived members of the Goula ethnic group as sympathetic to or collaborators with UFDR rebels, and due to the perception among Goula communities that government forces targeted them, many members of Goula communities in the northeast fled their homes. No ethnic Goula remained in the northeastern towns of Birao or Ouadda in early 2007, according to observers.

Villagers also fled the violence and reprisals of rebels and zaraguinas. UFDR rebels beat noncombatants during their occupation of northeastern areas and were responsible for widespread looting in all of the towns they occupied. In some cases UFDR forces reportedly beat civilians to extract information, including the location of local officials and representatives. HRW documented accounts of robbery and looting by UFDR rebels in which public buildings and residences were stripped of their contents and farmers' fields were denuded. What could not be taken was set on fire.

HRW identified 96 homes burned by zaraguinas on the roads between Kaga-Bandoro and Batangafo.

International and domestic observers reported that during the year security forces, rebel soldiers, Chadian soldiers, and bandits continued to attack cattle herders, primarily members of the M'bororo ethnic group. Assessments of the motives for these attacks differed. Many observers believed M'bororo were targeted primarily because of their perceived wealth and the relative vulnerability of cattle to theft. One UN agency reported that, according to its NGO partners in the affected region, the attackers often were themselves M'bororo.

As a result of attacks, more than 20,000 M'bororo fled the Ouham Pende and Nana Mambere prefectures in the northwest and took refuge in Cameroon. M'bororo cattle herders were also disproportionately subjected to kidnapping for ransom. A UN agency working in the area indicated that the perpetrators often kidnapped women and children and held them for ransoms of between \$2,000 and \$4,000 (one million and two million CFA francs). Victims whose families could not or would not pay were often killed. According to AI, armed robbers were responsible for at least two deaths in January. In certain areas of the northwest, such as Bawa, perpetrators attacked and burned entire M'bororo villages. Armed groups in the country continued to conduct frequent attacks on the M'bororo population on the Cameroonian side of the border despite the Cameroonian government's deployment of elite security forces.

The International Rescue Committee (IRC) noted the use of rape to terrorize the population in the north central region by government forces and rebel groups. The IRC reported that 234 survivors of rape came forward during the month of August alone. Given the social stigma attached to rape within society, it was thought likely that these numbers underreported the incidence of rape in conflict zones in north-central and northwestern CAR.

According to HRW, numerous APRD groups included soldiers as young as 12. In addition the UFDR rebel movement admitted that many child soldiers fought with it. AI also reported that UFDR forces actively recruited children.

However, during the year the UN Children's Fund (UNICEF) negotiated with UFDR rebel leaders in northeastern CAR to demobilize child soldiers within their ranks; these efforts culminated in a joint ceremony with UN, government, and international officials in the town of Gordil in June. UNICEF and other observers noted that, while the child soldiers were willing to demobilize and were anxious to attend school, their communities were lacking in the most basic infrastructure.

Internal movement was severely impeded, particularly in the northern and northwestern parts of the country that the government did not control, by unidentified bandits and rebels, including former combatants that helped President Bozize come to power in 2003. The highway bandits often constructed road barriers to stop drivers, rob them, and sometimes kill them if they refused to pay. Highway bandits also committed many kidnappings and armed robberies.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and the Press

The constitution and law provide for freedom of speech and of the press; however, authorities employed threats and intimidation to limit media criticism of the government, although there were fewer instances than in the previous year. Journalists who worked for state-owned media reportedly practiced self censorship.

Individuals could criticize the government publicly without reprisal.

A number of newspapers criticized the president, the government's economic policies, and official corruption throughout the year. There were more than 30 newspapers, many privately owned, that circulated daily or at less frequent intervals. Five independent dailies - including *Le Citoyen*, *Le Confident*, and *Le Democrate* - were available in Bangui but were not distributed outside of the Bangui area, and the absence of a functioning postal service continued to hinder newspaper distribution. Financial problems prevented many private newspapers from publishing regularly, and the average price of a newspaper, approximately \$0.55 (300 CFA francs), was higher than most citizens could afford.

Radio was the most important medium of mass communication, in part because the literacy rate was low. There were a number of alternatives to the state-owned radio station, Radio Centrafrique. The privately owned Radio Ndeke Luka continued to provide popular and independent broadcasts, although its reach was limited outside Bangui. Ndeke Luka broadcast domestically produced national news and political commentary on FM airwaves in Bangui and rebroadcast

international news throughout the country on shortwave radio with assistance from a foreign media development organization and the UN Development Program. Radio Notre Dame, which was owned and operated by the Catholic Church, broadcast national news, debates, legal counseling, and human rights education. International broadcasters, including Radio France Internationale, continued to operate during the year. A new radio station, Radio of Peace, opened during the year and broadcast Islamic religious programs in Arabic and Sango.

The government continued to monopolize domestic television broadcasting, and television news coverage generally supported government positions. Two license applications for private television stations and one for a new radio station were pending at year's end.

The media continued to face many difficulties, including chronic financial problems, a serious deficiency of professional skills, the absence of an independent printing press, and a severe lack of access to government information.

During the year the Central African Journalists Union (UJCA) opened a new press center that was created with donor support as well as an in-kind contribution from the government.

On April 2, a court sentenced Michel Alkhaly Ngady, editor of *Temps Nouveaux* and chairman of an organization of independent newspapers, to two months' imprisonment and a fine of approximately \$636 (300,000 CFA francs) on charges of "resistance and disobedience to public authorities and contempt for the laws." Ngady's arrest was apparently triggered by a dispute between his press association and the High Council for Communications (HCC), the government body with oversight over the press. Police arrested Ngady after he contested new appointments to the HCC and encouraged members of his association to disregard HCC rulings. Local media and international press NGOs vigorously criticized the government's action.

During the year security forces often harassed journalists and sometimes physically and verbally threatened them; there were also reports near the end of the year of government ministers and other high level officials threatening journalists who were critical of the government.

For example, security forces and unidentified armed men continued to threaten and harass Ndeke Luka journalist Zephirin Kaya for his reporting on abuses against civilians by government forces. On August 25, four unidentified armed men broke into Kaya's house in the middle of the night and shot at his family, who hid in the back of the house (he was not at home). The attack followed earlier reported threats by government forces against him and against the editor of *Le Citoyen*, Maka Gbossokotto, whose newspaper had published similar material.

Imprisonment for defamation and prior censorship were abolished in 2005; however, journalists found guilty of libel or slander faced fines of between \$182 and \$17,800 (100,000 and eight million CFA francs). In December a court found *Le Citoyen* editor Gbossokotto guilty of defamation of Libyan leader Colonel Muammar Gaddafi following an article critical of the Libyan leader's politics and his involvement in the CAR; the court fined Gbossokotto \$17,800 (8 million CFA francs) and ordered him to pay the sum to the Libyan Embassy in Bangui. The law provides for imprisonment and fines of up to \$1,823 (one million CFA francs) for journalists who use the media to incite disobedience among security forces or incite persons to violence, hatred, or discrimination. Imprisonment of between six months and two years and fines of up to \$1,823 (one million CFA francs) may be imposed for the publication or broadcast of false or fabricated information that "would disturb the peace." There were no reports that authorities charged journalists with these offenses during the year.

The Ministry of Communications maintained a ban on the diffusion by media of songs, programs, or articles deemed to have a "misogynist character" or to disrespect women.

Local journalists and the HCC reported that violence perpetrated by former pro-Bozize rebel fighters, forces loyal to former president Patasse, and armed bandits prevented Bangui-based reporters from venturing outside the capital and severely limited the availability of information about several rural prefectures, particularly in the northern and western regions.

Internet Freedom

There were no reports of the government limiting or blocking access to the Internet for certain journalists. There were no reports of the government monitoring e-mail or Internet chat rooms. Although less than 1 percent of the population had access to the Internet, individuals and groups could engage in the peaceful expression of views via the Internet, including by e-mail.

Academic Freedom and Cultural Events

There were no reports that the government restricted academic freedom or cultural events.

b. Freedom of Peaceful Assembly and Association

Freedom of Assembly

The constitution provides for the right of assembly; however, the government restricted this right on a few occasions. Organizers of demonstrations and public meetings were required to register with the minister of the interior 48 hours in advance; political meetings in schools or churches were prohibited. Any association intending to hold a meeting was required to obtain the Interior Ministry's approval. In some cases the ministry refused permission "for security reasons."

The Mouvement Democratique pour la Renaissance et l'Evolution de la Centrafrique (MDREC), led by opposition member Joseph Bendounga, was effectively denied the right to organize a public meeting in June. Bendounga sent a letter to the mayor of Bangui on June 7 requesting authorization to hold a public meeting at Sagbado Stadium in the third district of Bangui. The meeting request was rejected by the mayor, who ordered police and soldiers to occupy the stadium on the meeting date, June 19, and drive participants away. After Bendounga's protests were widely covered by private media, his second request for the meeting was authorized, and it was held on June 26, although this meeting was attended by police who monitored the activity of Bendounga's party.

Freedom of Association

The constitution provides for freedom of association, and the government generally respected this right. All associations, including political parties, must apply to the Ministry of Interior for registration, and the government usually granted registration expeditiously. The government normally allowed associations and political parties to hold congresses, elect officials, and publicly debate policy issues without interference, except when they advocated sectarianism or tribalism.

A law prohibiting nonpolitical organizations from uniting for political purposes remained in place; however, there were no reports that this law was enforced during the year.

c. Freedom of Religion

The constitution provides for freedom of religion, although it prohibits what the government considers to be religious fundamentalism or intolerance and establishes fixed legal conditions based on group registration with the Ministry of Interior. The government generally respected the right to religious freedom during the year. The constitutional provision prohibiting religious fundamentalism was understood widely to be aimed at Muslims, who made up approximately 10 percent of the population; however, this provision has not been implemented by enabling legislation.

During the year there were no prosecutions or accountability for the 2006 burning of homes belonging to Baptist deacons ordered by President Bozize.

Religious groups (except for traditional indigenous religious groups) were required by law to register with the Ministry of Interior. The ministry's administrative police monitored groups that failed to register; however, police did not attempt to impose any penalties on such groups during the year. The ministry could decline to register, suspend the operations of, or ban any organization that it deemed offensive to public morals or likely to disturb the peace. Any religious or nonreligious group that the government considered subversive was subject to sanctions.

The Ministry of Interior also could intervene to resolve internal conflicts about property, finances, or leadership within religious groups. The government approved the reopening of a Protestant church in Bangui that it had closed in March 2006 after authorities learned that two factions within the church were planning to fight each other with knives. The church members later reconciled.

During the year the government continued to ban the Unification Church, claiming that it was a subversive organization likely to disturb the peace because of its alleged training of younger church members as paramilitaries.

Two churches suspended by the government in 2003 failed to reopen, unable to prove that they had the minimum of 1,000 members required by law and that their church leaders graduated from what the government considered high-caliber religious schools.

Mobs reportedly continued to kill and injure persons suspected of being sorcerers or witches during the year. Police often arrested and detained persons accused of witchcraft or sorcery.

No additional information was available regarding the September 2006 attack by approximately 30 unidentified armed men on a theological college in Bata, near Bozoum in Ouham Pende Prefecture.

Societal Abuses and Discrimination

There was no significant Jewish community, and there were no reports of anti-Semitic acts.

For a more detailed discussion, see the *2007 International Religious Freedom Report*.

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

The constitution provides for freedom of movement, foreign travel, emigration, and repatriation; however, the government restricted freedom of movement and foreign travel during the year. Security forces, customs officers, and other officials harassed travelers unwilling or unable to pay bribes or "taxes" at checkpoints along major intercity roads and at major intersections in Bangui.

During the year police increased the number of vehicles that it stopped and searched, particularly in Bangui, in what amounted to petty harassment in search of bribes. Local human rights organizations and UN officials said the problem of illegal road barriers constructed by members of the military was widespread, and that travelers regularly encountered extortion at these barriers. Merchants and traders traveling the more-than-350 mile main route from Bangui to Bangassou encountered an average of 25 military barriers; at each roadblock, a motorist paid an average fee of \$16 (8,781 CFA francs), which amounted to \$410 (225,000 CFA francs) for the entire trip. This type of extortion greatly discouraged trade and road travel and severely crippled the country's economy. Following protests from National Assembly deputies and human rights organizations, the government ordered the demolition of illegal barriers on the roads and set up a team to travel the country and enforce the prohibition of illegal or extrajudicial roadblocks. Although the team was put into place, the roadblocks continued to be a major impediment to movement throughout the country.

Freedom of movement, including of traders and delivery trucks, was also severely impeded in conflict zones. The government also was unable to control highway bandits operating in the eastern prefectures of Ouaka and Haute-Kotto.

With the exception of diplomats, the government required that all foreigners obtain an exit visa. Travelers intending to exit the country could be required to obtain affidavits to prove that they owed no money to the government or to parastatal companies.

At year's end, authorities had not granted the passport request of Nelson N'Djader, the brother of a rebel leader. N'Djader was released from detention in 2006 after being arbitrarily arrested and harassed.

The constitution does not permit the use of exile, and the government did not employ it in practice. Former president Patasse, convicted in absentia for embezzlement, remained outside the country during the year.

Internally Displaced Persons (IDPs)

Fighting between government security forces and rebel groups, attacks on civilians by rebels, armed banditry, and the depredations of government soldiers contributed to a notable increase in the number of IDPs during the year--from approximately 150,000 in December 2006 to an estimated 212,000 by year's end. These various attackers reportedly killed and raped civilians and burned and looted their villages.

The government did not attack or target IDPs, although some IDPs were caught in fighting between government forces and rebels in the northwestern prefectures of Ouham and Ouham-Pende early in the year. The government provided little in humanitarian assistance to these IDPs, but it did allow UN agencies and NGOs to access these groups freely to provide assistance. The government also allowed the creation of the first camp for IDPs within the country in Kabo late in the year.

Citizens were displaced throughout the year. The overwhelming majority of IDPs were in the northwestern prefectures of Ouham and Ouham Pende, where civilians abandoned their villages out of fear and lived in the bush for much of the year, returning occasionally to their fields to plant or scavenge. Thousands of individuals also fled their homes due to fighting in the north-central prefectures of Gribingui and Bamingui-Bangoran and the northeastern prefecture of Vakaga. Hygiene-related illnesses and chronic malnutrition increased as attacks or fear of attacks prevented many subsistence farmers from planting crops, and attackers either stole most of the livestock, or the farmers fled with their livestock to safety in neighboring Cameroon. Chronic insecurity also rendered the northwestern region occasionally inaccessible to commercial, humanitarian and developmental organizations, contributing to the lack of proper medical care, food security, and school facilities. By the end of the year humanitarian organizations had returned and provided some emergency relief and assistance to displaced populations.

CEMAC peacekeepers and government forces conducted joint security operations in an effort to secure the northern region and control the proliferation of small arms. Despite these operations, however, the government was not able to provide sufficient security or protection for IDPs in the northern region.

Protection of Refugees

The law provides for the granting of asylum or refugee status in accordance with the 1951 UN Convention relating to the Status of Refugees and its 1967 protocol, and the government has established a system for providing protection to

refugees. In practice the government provided protection against "refoulement," the return of persons to countries where there was reason to believe they feared persecution, and granted refugee status and asylum. The government accepted refugees without subjecting them to individual screening.

The government continued to cooperate with the UNHCR and other humanitarian organizations in assisting approximately 80,000 refugees in the country.

During the year security forces subjected refugees, as they did citizens, to arbitrary arrest and detention; however, refugees were especially vulnerable to such human rights violations. The government allowed refugees freedom of movement; however, they were as subject as citizens were to roadside stops and harassment by security forces and unidentified armed groups. Refugees' access to courts and public education was limited by the same factors that limited citizens' access to these services.

Several international organizations worked with the government and UNHCR to assist refugees during the year. They included the ICRC, Doctors without Borders, Caritas, and the international NGO International Cooperation (COOPI).

Section 3 Respect for Political Rights: the Right of Citizens to Change their Government

The constitution provides citizens with the right to change their government peacefully, and citizens exercised this right in presidential and legislative elections in 2005, which election observers considered to be generally free and fair, despite some problems.

Elections and Political Participation

In 2005 the country held two rounds of multiparty presidential and legislative elections that resulted in the election of General Bozize as president; Bozize had seized power in a 2003 military coup, declared himself president, and headed a transitional government until the 2005 elections. Domestic and international election observers judged the elections to be generally free and fair and representative of the voters' will, despite irregularities and accusations of fraud made by candidates running against Bozize.

The state remained highly centralized. The president appointed all regional government officials, who led the country's 16 prefectures and 60 subprefectures, and regional government entities had no significant fiscal autonomy. Despite a requirement in the 2004 constitution that he do so, the president did not call for municipal elections during the year, citing lack of government resources, and towns continued to be led by mayors appointed by him.

During the year the LCDH criticized President Bozize for holding the position of minister of defense on the grounds that the constitution prohibits the president from holding "any other political function or electoral mandate," under penalty of dismissal; however, government officials said this criticism was based on a misinterpretation of the constitution. International and local observers criticized the further centralization when the president appointed Minister of Mines and Energy Sylvain Ndoutingai, his nephew, to the post of minister of finance in July. Minister Ndoutingai held the post until October, when it was reassigned to Minister of Water and Forests Emmanuel Bizot.

According to recommendations from a 2003 government-sponsored national dialogue, women should occupy 35 percent of posts in government ministries and political parties; however, this provision was not respected during the year. There were 10 women in the 105-seat National Assembly and three in the president's cabinet.

There were two members of the M'bororo ethnic group and approximately 13 Muslims in the National Assembly.

Pygmies (Ba'Aka), the indigenous inhabitants of the southern part of the country, represented between 1 and 2 percent of the population; they were not represented in the government and continued to have little political power or influence.

Government Corruption and Transparency

The law provides criminal penalties for official corruption; however, the government did not implement these laws effectively, and officials often engaged in corrupt practices with impunity. Misappropriation of public funds and corruption in the government remained widespread. The World Bank's Worldwide Governance Indicators for 2006 reflected that government corruption was a severe problem.

The government continued to make some efforts to combat corruption. For example, in August 2006 the government dissolved the customs service in an effort to combat corruption and the misappropriation of public taxes. Reform of the customs administration was underway during the year, but many of those fired in the Customs Service reform process

were rehired during the year.

The government continued to conduct a campaign against embezzlement, money laundering, and other forms of financial fraud; however, no high-level officials were convicted during the year. There were no developments in the cases of former president Patasse, who was sentenced in absentia for embezzlement and who remained in exile. Minister of Mines and Energy Sylvain Ndoutingai, as well as the then minister of foreign affairs, Come Zoumara, were both accused in the local media of accepting a large amount of money from the French nuclear company Areva for public salary payments as part of an "entry ticket" or bribe, which they allegedly kept for their own use. The facts in this case were still in dispute at year's end, although the government did not publicly respond to the allegations.

During the year the government conducted a campaign to verify civil servants' diplomas and job grades. This anticorruption measure identified 400 of the country's 24,700 civil servants as allegedly holding false diplomas. Of these, 143 appeared before the Civil Servant Service Disciplinary Action Council, and 27 were found guilty and fired by the minister of civil service in October.

According to the constitution, senior members of executive and legislative branches and the courts are required to declare publicly their personal assets; however, during the year no government officials made such declarations.

The case of three treasury employees accused of embezzling \$95,500 (52 million CFA francs) in 2005 was pending before a court at year's end. In 2005 the government suspended them for three months without pay. A court later tried and convicted the three employees, who remained in jail at year's end.

The law provides for access by journalists to "all sources of information, within the limits of the law"; however, it does not specifically mention government documents or government information, and no mention is made of access by the general public. The government was often unable or unwilling to provide information, and lack of access to information continued to be a problem for journalists and the general public. Furthermore, several years of instability and conflict made information difficult to collect even for the government, particularly in the countryside. Information on the humanitarian situation, for example, was difficult to obtain and sometimes contradictory.

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

Several domestic and international human rights groups generally operated without government restriction, investigating and publishing in press releases their findings on human rights cases. Government officials met with local NGOs during the year, but at least one local NGO reported that the government was not responsive. Government officials increasingly criticized local NGOs publicly for their reports of human rights violations committed by security forces.

A few NGOs were active and had a sizable impact on the promotion of human rights. Some local NGOs, including the LCDH, the Human Rights Observatory, the antitorture NGO ACAT, and the Association of Women Jurists, actively monitored human rights problems; worked with journalists to draw attention to human rights violations, including those committed by the army; pleaded individual cases of human rights abuses before the courts; and engaged in efforts to raise the public's awareness of citizens' legal rights. However, the unrest and economic dislocation the country experienced in recent years continued to impede the activities of local human rights NGOs and limited their area of work almost exclusively to Bangui.

Unlike in the previous year, there were no reports of human rights activists receiving anonymous death threats following criticism of the government's tolerance of impunity and human rights abuses. Unlike in the previous year, there were also no reports of the military instructing humanitarian aid organizations and NGOs to suspend their activities due to security concerns.

Early in the year former security forces members loyal to former president Patasse repeatedly harassed Bernadette Sayo, the president of the Organization for Compassion and Development for Women in Distress (OCODEFAD). OCODEFAD was a Bangui-based organization formed by victims of the widespread rapes that took place in 2002 and 2003, when Democratic Republic of the Congo (DRC) opposition leader Jean-Pierre Bemba's troops assisted then president Patasse in defending his government prior to its overthrow. OCODEFAD demanded that Patasse and Bemba appear before the ICC to answer charges related to crimes committed in the CAR. During the year Sayo's children were also regularly threatened, which led to the family's temporary resettlement in another country with the help of an international NGO.

International human rights NGOs and international organizations operated in the country without interference from the government, and they increased in number during the year. Armed groups reportedly targeted the small number of humanitarian workers operating in the northwest, stopping their vehicles and robbing them. The northwest and the northeastern Vakaga Prefecture were occasionally inaccessible to NGOs due to instability and fighting between rebels and

the military. Nonetheless, aid and relief organizations were present in greater numbers than in 2006 and were generally able to coordinate with government forces to provide relief and development programs for some of the displaced population.

In September both HRW and AI released reports detailing human rights abuses perpetrated by government and rebel forces and armed bandits in the northeast and northwest. The presidential spokesman categorically denied the HRW report's allegations of human rights abuses by government forces. The government did not respond publicly to AI's report, which focused on the violence perpetrated by unidentified armed bandits and robbers in the north.

During the year BONUCA's human rights section continued to actively monitor human rights practices, assist the government in capacity building, sensitize the public to human rights, conduct visits to prisons and detention centers, and conduct human rights training for hundreds of government security agents. Although based in Bangui, BONUCA maintained three field offices in the countryside throughout the year. BONUCA also worked with the Ministry of Communications, National Reconciliation, and the Promotion of Human Rights. Nonetheless, BONUCA did not report publicly information regarding human rights abuses that it collected, and some media observers questioned the effectiveness of the human rights section, given its public silence.

The UN Development Program and government officials continued collecting weapons from former combatants and reintegrating thousands of them into civilian life. By year's end the disarmament, demobilization, and reintegration program had demobilized more than 5,100 former combatants, and of that number more than 1,700 had been reintegrated.

The High Commission of Human Rights and Good Governance, attached to the presidency, accepted and investigated citizen complaints of human rights violations committed by members of the government, and it occasionally forwarded cases to the Ministry of Justice for possible prosecution. In addition during the year the commission conducted several investigations of government ministries to combat human rights violations, including corruption. In April the high commissioner defended the government's record on human rights, underlining some disciplinary actions taken against undisciplined soldiers. Nonetheless, the commission did not have adequate staffing and other resources and lacked the means to properly train its investigators. Some human rights observers criticized the commission for its lack of independence and its lack of effectiveness in reducing impunity in the security forces.

A Human Rights Commission (HRC) in the National Assembly sought to strengthen the capacity of the legislature and other government institutions to advance human rights; however, it suffered from a severe lack of resources.

During the year the ICC announced that it was formally investigating crimes committed in the CAR in 2002 and 2003 by the previous government and by soldiers under the command of Jean Pierre Bemba, then a Congolese rebel leader. The ICC opened an office in Bangui in October. The government publicly welcomed the investigations; however, domestic and international NGOs acknowledged that the government was not fully cooperating with the ICC's prosecutor and criticized the government for failing to conduct an exhaustive and independent investigation of the alleged war crimes. Government officials said an investigation had been made difficult by the insecurity still present in the north.

Section 5 Discrimination, Societal Abuses, and Trafficking in Persons

The constitution stipulates that all persons are equal before the law without regard to wealth, race, or gender; however, the government did not enforce these provisions effectively, and significant discrimination existed.

Women

The law prohibits rape, though it does not specifically prohibit spousal rape. Rape is punishable by imprisonment with hard labor, although the law does not specify a minimum sentence. Police sometimes arrested men on charges of rape; however, the government did not enforce the law effectively, and the social stigma induced many families to avoid formal court action.

There was a significant increase in reports of rape during the year as a result of the conflict in the northwest and northeast, particularly along the Kaga-Bandoro-Ouandago-Batangabo axis. One international organization working in the area reported over 200 rape cases for the month of August alone near Kaga-Bandoro.

Although the law does not specifically mention spousal abuse, it prohibits violence against any person and provides for penalties of up to 10 years in prison; however, domestic violence against women, including wife beating, was reportedly common. Spousal abuse was considered a civil matter unless the injury was severe. According to the Association of Women Jurists, a Bangui-based NGO specializing in the defense of women's and children's rights, victims of domestic abuse seldom reported incidents to authorities. When incidents were addressed, it was done within the family or local community. The courts tried very few cases of spousal abuse, although litigants cited these abuses during divorce trials.

and civil suits. Some women reportedly tolerated abuse to retain financial security for themselves and their children.

The law prohibits FGM, which is punishable by up to 10 years' imprisonment; nevertheless, girls continued to be subjected to this traditional practice in certain rural areas and, to a lesser degree, in Bangui. According to the WHO, overall more than 40 percent of women were victims of FGM. According to data collected by UNICEF, an estimated 36 percent of females between the ages of 15 and 49 had undergone FGM. According to the Association of Women Jurists, anecdotal evidence suggested that the number of girls and women undergoing FGM declined in recent years as a result of efforts to familiarize women with the dangers of the practice.

Although the law does not prohibit prostitution, it prohibits coercing someone into prostitution or profiting from the prostitution of another. Prostitution continued to exist. The law imposes fines and imprisonment for three months to one year for sexual procurement (including assisting in prostitution). For cases involving a minor, the penalty is between one and five years of imprisonment. Some young girls reportedly engaged in prostitution for economic reasons, particularly in urban centers. Visitors to the Bimbo prison for women in Bangui in May found 10 women, out of approximately 62, imprisoned on prostitution charges, several of them under age 18. The practice had reportedly grown more common since 2002.

The law prohibits sexual harassment; however, the government did not effectively enforce the law, and sexual harassment was a problem.

The law does not discriminate against women in inheritance and property rights, but a number of discriminatory customary laws often prevailed, and women's statutory inheritance rights often were not respected, particularly in rural areas. The family code further strengthened women's rights, particularly in the courts; however, access to the judicial system remained very limited throughout the country.

Women were treated as inferior to men both economically and socially. Single, divorced, or widowed women, including those with children, were not considered to be heads of households. Only men were entitled to family subsidies from the government. Women in rural areas generally suffered more discrimination than women in urban areas. There were no accurate statistics on the percentage of female wage earners. Women's access to educational opportunities and to jobs, particularly at higher levels in their professions or in government service, was limited.

Polygamy is legal, although this practice faced growing resistance among educated women. The law allows a man to take up to four wives, but a prospective husband must indicate at the time of the first marriage contract whether he intends to take additional wives. In practice many couples never married formally because men could not afford the traditional bride payment. The family code obliges the use of bride payments, but it neither requires them nor sets a minimum payment amount. Women who were educated and financially independent tended to seek monogamous marriages. Divorce is legal and can be initiated by either partner.

The Association of Women Jurists advised women of their legal rights and how best to defend them and filed complaints with the government regarding human rights violations. During the year several active women's groups solicited guidance from the Association of Women Jurists and organized workshops and seminars to promote women's and children's rights, including seminars to encourage women to participate fully in the political process.

Children

The government spent little money on programs for children, and churches and NGOs had relatively few programs for youths.

The registration of births was inadequate and unregistered children faced limitations in their access to education and other social services. There were no reliable statistics on birth registration. Registration of births in conflict zones was likely to have been lower than in other, particularly urban, areas. According to UNICEF's country report for 2007, total birth registration was 73 percent, with 88 percent of children registered in urban areas and 63 percent in rural areas.

Education is compulsory from ages six to 14; tuition is free, but students must pay for their own books, supplies, transportation, and insurance. At the primary level (ages six to 11), approximately 40 percent of children attended school, according to a 2003 national census. Attendance rates were lower in rural than in urban areas, and children in rural areas often started school two to three years later than children in urban areas. Girls did not have equal access to primary education; 39 percent of girls of primary school age were enrolled in school compared with 47 percent of boys, according to UNICEF statistics. Humanitarian organizations reported in June 2006 that, in the northwestern prefectures of Ouham and Ouham Pende, only 9 percent of school-age children attended school due to inadequate security, a situation that likely persisted during the year.

Few, if any, Pygmies attended primary school during the year. Some local and international NGOs, including COOPI, made efforts to increase Pygmy (Ba'Aka) enrollment in schools, although there were no reports of significant government

assistance to these efforts.

The census indicated that 10.8 percent of children of secondary school age were enrolled in school. The majority of girls dropped out at age 14 or 15 due to societal pressure to marry and bear children. In addition the census indicated that female literacy rates were lower (32 percent of those 10 and older) than those of males (53.8 percent).

Parents have sought to step in to offset the inadequacies of the public school system. At the primary level, the majority of teachers were parents. According to the UN Office for the Coordination of Humanitarian Affairs, three-quarters of all teachers had no formal training.

In the unrest following the 2003 coup, approximately three-quarters of the country's schools were destroyed, although UNICEF has since assisted the government in rebuilding some primary schools in the southwest region of the country. The failure of the education system, caused by a meager budget and salary arrears, resulted in a shortage of teachers and an increase in the number of street children. During the year UNICEF worked to rehabilitate classrooms and distribute basic education materials to schools in conflict zones and those still suffering from neglect. With the help of UNICEF's NGO partner COOPI, schooling had resumed for 12,500 children in the northwest town of Paoua, with a total of 97 "bush" schools created by year's end. During the year the children were also provided with school kits, and 295 parent-teachers received training.

University students protested the lack of government support and scholarships for their studies during the year, going on periodic strikes in hopes of bringing attention to their demands. University professors also went on strike during the year, demanding the government pay salary arrears owed to them.

The healthcare system continued to suffer greatly from inadequate resources and instability. There were no indications that boys and girls had unequal access to government-provided care.

The law criminalizes parental abuse of children under the age of 15 years, and child abuse was not widespread. A juvenile court tried cases involving children and provided counseling services to parents and juveniles during the year. In February a court sentenced two parents to four years in prison for abusing their five-year-old daughter.

There was no additional information regarding the September 2006 newspaper report that a member of parliament had raped his 14-year-old daughter.

The October 2006 case of a nine-year-old girl who had suffered serious burns after her parents allegedly accused her of being a sorcerer remained under investigation, with officials questioning family members and others who may have "provoked" the acts of the girl.

The law establishes 18 as the minimum age for civil marriage. However, an estimated 57 percent of children were married before the age of 18, according to data collected between 1987 and 2005 by UNICEF.

The country's instability had a disproportionate effect on children, who accounted for almost 50 percent of IDPs during the year.

Child labor, including forced labor, was widespread.

There were more than 6,000 street children between the ages of five and 18, including 3,000 in Bangui. Many experts believed that HIV/AIDS and a belief in sorcery, particularly in rural areas, contributed to the large number of street children. An estimated 110,000 children have lost one or both parents to HIV/AIDS, and children accused of sorcery (often reportedly in relation to HIV/AIDS-related deaths in their neighborhoods) were often expelled from their households. Many street children begged and stole; several charitable organizations provided them with humanitarian assistance.

There were NGOs specifically promoting children's rights, including some, such as Voix du Coeur, which assisted street children.

Trafficking in Persons

The law does not prohibit trafficking in persons, and there were reports of persons being trafficked, although NGOs and government officials said that trafficking in persons was not widespread. During the year the National Assembly enacted a law criminalizing the trafficking of women and children, but it had not been implemented by year's end.

The country was a source, transit, and destination country for children trafficked for forced labor and sexual exploitation. While the majority of child victims were trafficked within the country, some were also trafficked to and from Cameroon, Nigeria, and the DRC. Children may also have been trafficked from Rwanda to the CAR. Children were trafficked for

domestic servitude, sexual exploitation, and forced labor in diamond mines, shops, and other forced commercial labor activities, such as street vending. No comprehensive trafficking studies have been conducted and little concrete data exists. According to NGOs, orphaned boys and girls were particularly at risk of being trafficked. Indigenous Pygmies may also have been subjected to forced labor or labor in slave-like conditions within the country.

Trafficking was confined primarily to orphaned children, both girls and boys. During the year there were reports that trafficked children were forced into domestic servitude and commercial labor activities, such as street vending and agricultural work. In recent years there were reports that children were trafficked into the country and forced to work by members of the foreign Muslim community from Nigeria, Sudan, and Chad and that merchants, herders, and other foreigners doing business in and transiting the country trafficked girls and boys into the country. Child trafficking victims were not afforded the benefit of a formal education, despite the mandatory school age, and worked without remuneration. There were a few anecdotal reports of children being trafficked to Nigeria and several other nearby countries during the year for use as agricultural workers. There was also anecdotal evidence of sexual exploitation of girls in Bangui.

Some girls entered prostitution to earn money for their families.

Traffickers can be prosecuted under laws against slavery and sexual exploitation, labor code violations, and mandatory school age laws. In addition specific laws that address prostitution have been used in recent years to punish those who trafficked women for the purposes of prostitution.

During the year the government made some efforts to combat trafficking through law enforcement. However, the government reported only three arrests for trafficking during the year, all concerning the same case of trafficking reported in December. No update was available on these arrests at year's end.

The government did not receive or investigate any further cases of trafficking, nor did it use or have access to special investigative techniques in trafficking investigations. By year's end no government agency had been assigned to study, combat, or raise awareness of trafficking. The head of the High Commission of Human Rights and Good Governance, located in the president's office, said that because the government believed that trafficking was not a problem, it had not set up shelters for trafficking victims and had not incorporated a trafficking component into its human rights training seminars for security forces and other officials.

Neither the government nor NGOs operated shelters providing specific care to trafficking victims, and there were no known NGOs specifically working to combat trafficking. However, the government operated a shelter for orphans and destitute children, some of whom may have been trafficking victims, although observers found this scenario unlikely. The minister of social affairs also organized an NGO network to improve government and civil society cooperation in providing care to children in distress, including trafficking victims. In addition the government created an interministerial committee to combat child trafficking. In late 2006 the Ministry of Social Affairs worked with UNICEF to develop a national action plan to prevent child sexual abuse, including child sex trafficking.

Persons with Disabilities

There was no codified or societal discrimination against persons with disabilities. However, there were no legislated or mandated accessibility provisions for persons with disabilities, and such access was not provided in practice. The government had not developed a national policy or strategy to provide assistance to persons with disabilities. Approximately 10 percent of the country's population had disabilities, mostly due to polio, according to the 2003 census. There were several government- and NGO-initiated programs designed to assist persons with disabilities, including handicraft training for the blind and the distribution of wheelchairs and carts by the Ministry of Social Affairs.

The Ministry of Social Affairs continued to work with the NGO Handicap International during the year to provide treatment, surgeons, and prostheses to persons with disabilities. For example a \$24,660 (12.7 million CFA francs) physiotherapy center for persons with disabilities continued to operate in Dekoa, 160 miles northeast of Bangui.

National/Racial/Ethnic Minorities

For a variety of reasons, the M'bororo and Goula ethnic groups appeared to suffer disproportionately from the civil disorder in the north.

Tensions between members of the resident Chadian community, whose members numbered in the thousands and who have resided in the country for generations, were less apparent during the year; however, there was occasional violence between Chadian members of the presidential guard and other members of the security forces.

Indigenous People

Despite constitutional protections, there was societal discrimination against Pygmies (Ba'Aka) the earliest known

inhabitants of the rain forest in the southern part of the country. Pygmies constituted approximately 1 percent of the country's population. They continued to have little say in decisions affecting their lands, culture, traditions, and the allocation of natural resources. Forest-dwelling Ba'Aka, in particular, were subject to social and economic discrimination and exploitation, which the government has done little to prevent. Despite repeated promises, the government took no steps to issue and deliver identity cards to Pygmies, lack of which, according to many human rights groups, effectively denied them access to greater civil rights.

The Ba'Aka, including children, were often coerced into agricultural, domestic, and other types of labor. They often were considered to be the slaves of other local ethnic groups, and when they were remunerated for performing labor, their wages were far below those prescribed by the labor code and lower than wages paid to members of other groups.

During the year COOPI continued to promote the rights of the Ba'Aka by monitoring discrimination and seeking to increase their access to public services by helping the Ba'Aka acquire birth certificates. Refugees International reported in recent years that Pygmies were effectively "second-class citizens" and that the popular perception of Pygmies as barbaric, savage, and subhuman had seemingly legitimized their exclusion from mainstream society.

Other Societal Abuses and Discrimination

The penal code criminalizes homosexual behavior; however, there were no reports that police arrested or detained persons they believed to be homosexual. Societal discrimination against homosexuals persisted during the year, and many citizens denied the existence of homosexuals or attributed their existence to undue Western influence.

Section 6 Worker Rights

a. The Right of Association

The law allows all workers to form or join unions without prior authorization, and a relatively small part of the workforce, primarily civil servants, exercised this right. Police personnel and judges may form unions; however, security forces, including the military and gendarmes, may not.

The labor code requires that union officials be full-time wage-earning employees in their occupation and allows them to conduct union business during working hours as long as the employer is informed 48 hours in advance and provides authorization. A person who loses the status of worker, either through unemployment or retirement, can belong to a trade union and participate in its administration.

Unlike in the previous year, there were no reports of police arresting union leaders.

The law expressly forbids antiunion discrimination; however, during the year there were some reports of antiunion discrimination directed toward employees who participated in strikes. Employees can have their cases heard in the labor court. The law does not state whether employers found guilty of antiunion discrimination were required to reinstate workers fired for union activities, although employers found guilty of such discrimination legally were required to pay damages, including back pay and lost wages.

b. The Right to Organize and Bargain Collectively

The labor code provides for the right of workers to organize and administer trade unions without employer interference and grants trade unions full legal status, including the right to file lawsuits, and the government generally respected these rights in practice. The code provides that unions may bargain collectively in both the public and private sectors and provides workers protection from employer interference in the administration of a union. Collective bargaining occurred in the private sector during the year. The government generally was not involved if the two parties were able to reach an agreement.

The country's largest single employer was the government, and government employee trade unions were especially active. In the civil service, the government set wages after consultation, but not negotiation, with the unions; wage levels have remained unchanged for more than two decades. Salary arrears continued to be a severe problem for military personnel and the country's 24,000 civil servants. The government owed its employees up to 46 months of salary arrears. Civil servants continued to demand the payment of salary arrears and to hold strikes throughout the year. The government continued efforts to identify fraudulent "ghost workers" in the civil service to help reduce budgetary problems and pay salary arrears.

Strike leaders for public sector unions and the government reached an agreement to pay two months of salary arrears in October.

Unions have the right to strike in both the public and private sectors, and workers exercised this right during the year; however, security forces, including the military and gendarmes, are prohibited from striking. To be legal, strikes must be preceded by the union's presentation of demands, the employer's response to these demands, a conciliation meeting between labor and management, and a finding by an arbitration council that union and employer failed to reach agreement on valid demands. The union must provide eight days' advance written notification of a planned strike. The law states that, if employers initiate a lockout that is not in accordance with the code, the employer is required to pay workers for all days of the lockout. The government has the authority to end strikes by invoking the public interest. The code makes no other provisions regarding sanctions on employers for acting against strikers.

There are no export processing zones.

c. Prohibition of Forced or Compulsory Labor

Although the labor code specifically prohibits forced or compulsory labor, there were reports that such practices occurred. Women and children were trafficked for forced labor and sexual exploitation. Prisoners were reportedly forced to work on public works projects without compensation for government officials or magistrates; the prisoners often received shortened sentences for doing so. Pygmies, including children, often were coerced into labor and often treated as slaves.

d. Prohibition of Child Labor and Minimum Age for Employment

The labor code's prohibition of forced or compulsory labor applies to children, although they are not mentioned specifically. Other provisions of the labor code forbid the employment of children under 14 years of age; however, the Ministry of Labor and Civil Service did not enforce these provisions. Child labor was common in many sectors of the economy, especially in rural areas, and forced labor also occurred. At times child labor was employed on public works projects and at the residences of government officials and magistrates. The labor code provides that the minimum age for employment could be as low as 12 for some types of light work in traditional agricultural activities or home services. The law prohibits children under 18 from performing hazardous work or working at night; however, children continued to perform hazardous work during the year. The labor code does not define the worst forms of child labor.

Reliable statistics on child labor were not available; however, according to data collected by UNICEF in surveys between 1999 and 2005, approximately 57 percent of children between the ages of five and 14 were involved in child labor activities. UNICEF considered a child to be involved in labor activities according to the following classification: children five to 11 years old who, during the week preceding the survey, did at least one hour of economic activity or at least 28 hours of domestic work; and children 12 to 14 years old who, during the week preceding the survey, performed at least 14 hours of economic activity, or at least 42 hours of economic activity and domestic work combined.

Throughout the country, children as young as seven frequently performed agricultural work. Children often worked as domestic workers, fishermen, and in mines (often in dangerous conditions). An international agency reported that children worked in the diamond fields alongside adult relatives. In Bangui, many of the city's 3,000 street children worked as street vendors. There were reports of trafficking in children.

Unlike in the previous year, there were no reports of teachers or principals using school children as occasional or part-time labor on farms. Credible evidence appeared during the year that both the UFDR and APRD rebel groups recruited and used child soldiers.

The government had extremely few resources to enforce the prohibition against forced labor or child labor laws. Salary arrears and the lack of personnel training severely impeded its enforcement capacity.

Although international organizations, local NGOs, and labor unions have called for more attention to the rehabilitation and reintegration of former child laborers and street children, the country had only two centers--both located in Bangui--that addressed the problem.

e. Acceptable Conditions of Work

The labor code states that the minister of labor must set minimum wages in the public sector by decree. The minimum wage varies by sector and by kind of work. For example the monthly minimum wage was equivalent to approximately \$17 (8,500 CFA francs) for agricultural workers but approximately \$52 (26,000 CFA francs) for office workers. The minimum wages did not provide a decent standard of living for a worker and family, although wage levels were raised during the year. Most labor was performed outside the wage and social security system (in the vast informal sector), especially by farmers in the large subsistence agricultural sector.

The law sets a standard workweek of 40 hours for government employees and most private sector employees. Household employees may work up to 52 hours per week. The law also requires a minimum rest period of 48 hours per week.

There are general laws on health and safety standards in the workplace, but the Ministry of Labor and Civil Service neither precisely defined nor actively enforced them. The labor code states that a labor inspector may force an employer to correct unsafe or unhealthy work conditions, but it does not provide the right for workers to remove themselves from such conditions without risk of loss of employment.

