



Central African Republic

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The Central African Republic (CAR) is a constitutional democracy with a multiparty legislature. Ange-Felix Patasse, leader of the Movement for the Liberation of the Central African People (MLPC), was re-elected with a narrow majority to another 6-year term in September 1999. The presidential election, like the legislative elections held in late 1998, was generally free, but marred by irregularities that tended to favor the ruling party candidate. The Government was headed by a Prime Minister and Cabinet appointed by the President. Although the Constitution provides for separation of powers, the legislature was vulnerable to manipulation by the President, who dominated the Government. On October 25, forces loyal to General Francois Bozize, the former Chief of Staff of the Armed Forces who directed the coup from abroad, entered the country from Chad and led a coup attempt in Bangui. President Patasse retained power with the assistance of troops from Libya and Movement for the Liberation of the Congo (MLC) soldiers from the Democratic Republic of the Congo (DRC) led by Jean-Pierre Bemba. The coup attempt resulted in numerous deaths and abuses, 10,000 internally displaced persons (IDPs), and significant numbers of refugees in neighboring countries. On December 29, the Libyan troops withdrew from the country; however, approximately 1,000 of Bozize's rebels retained control of much of the north-central region at year's end. The Constitution provides for an independent judiciary; however, it was subject to executive influence.

The National Police were under the direction of the Ministry of Interior and Public Security, while the military forces, the National Gendarmerie, and the Presidential Security Unit (USP) were under the jurisdiction of the Ministry of Defense; all shared responsibility for internal security. Civilian authorities did not maintain effective control of the security forces. Apart from the USP, the military, much of which mutinied in 1996 and 1997, widely was perceived to be of doubtful loyalty to the Government, which owes approximately 21 months of salary arrears to the military. Former members of the security forces were involved in the October 25 and May 2001 coup attempts. Members of the security forces committed serious human rights abuses.

The economy of the country, which has a population of approximately 3.5 million, was dominated by subsistence agriculture. Foreign assistance was an important source of national income. Salary arrears owed to civilian employees and the military continued to impair the functioning of the Government and the ability of the state to enforce the rule of law. The misappropriation of public funds and corruption in the government remained widespread. The large displacement of persons during and following the October 25 coup attempt adversely affected economic productivity during the year.

The Government's human rights record remained poor; although there were some improvements in a few areas, serious problems remained. Citizens generally were able to choose their national government; however, the Government controlled the electoral process. Security forces continued to commit arbitrary and unlawful killings, including government-tolerated executions of suspected bandits. The October 25 coup attempt resulted in numerous killings of civilians in Bangui and the northern part of the country. Police continued to torture, beat, and otherwise abuse suspects and prisoners. The Government did not take effective action to punish abusers, and impunity remained a problem. Other human rights abuses included harsh prison conditions, arbitrary arrest, prolonged detention without trial, limits on judicial independence, and infringements on privacy. The Government restricted freedom of the press, assembly, and association. There were some limits on movement. Violence and discrimination against women, female genital mutilation (FGM), child prostitution, discrimination against indigenous people (Pygmies), trafficking in persons, and child labor, including instances of forced child labor, continued to be problems.

RESPECT FOR HUMAN RIGHTS

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

a. Arbitrary or Unlawful Deprivation of Life

Security forces continued to commit extrajudicial killings; however, unlike in the previous year, there were no reports that security forces engaged in military reprisals, open executions, or the elimination of suspected rebel sympathizers, particularly members of the Yakoma ethnic group. The special police Squad for the Repression of Banditry (OCRB) continued to operate and was responsible for killing and torturing individuals. The October 25 coup attempt resulted in numerous killings of civilians in Bangui and the northern part of the country. Border clashes between government and rebel soldiers also resulted in civilian killings. Police and security forces seldom were prosecuted for unlawful killings, and impunity remained a problem.

There reportedly were fewer incidents of OCRB killing and torture than in previous years. The OCRB's actions had tacit government support and popular approval and were seen as an effective means of reducing crime and increasing public security. No OCRB member has been prosecuted for extrajudicial killings or other abuses committed while on duty, and officials justified the unit's actions as a consequence of nonexistent prison facilities in Bangui. Unlike in the previous year, there were no reports that police officials publicized on radio and television the crimes of criminals apprehended by the OCRB, which executed the individuals the following day without a trial.

On January 19, soldiers from the military garrison at Bossangoa killed two civilians in response to protests by civilians over the murder of a civilian by a soldier 3 days before.

On December 17, in Bangui, a government soldier on night patrol shot and killed magistrate Jean Didier Mbainai. The soldier, who claimed it was an accident, was arrested and remained in prison at year's end.

There was no further information on the December 2001 police killing of Paul Medard Yamboka.

The October 25 coup attempt resulted in 105 civilian deaths in Bangui and an undetermined number in the north of the country. However, unlike in the aftermath of the May 2001 coup attempt, there were no reports that government forces deliberately targeted members of the Yakoma ethnic group for reprisal killings or that USP troops killed Rwandan refugees and nationals on suspicion that they assisted in the attempted coup. In October in Bangui, and in December in Damara and Sibut, small Libyan planes dropped bombs in support of government forces, resulting in an undetermined number of civilian deaths.

No action was taken against security forces responsible for killings following the May 2001 coup.

On October 31, Chadian rebel leader Abdoulaye Miskine, who President Patasse had asked to root out banditry in the north of the country, led government forces in an attack on Chadian cattle dealers at a meat market outside of Bangui; reportedly as many as 100 Chadians were killed. The motive of the attack was unknown; however, some Chadians had fought with Bozize's rebels, and government forces suspected Chadians of complicity in the October 25 coup. The Government denied that any killings occurred.

Numerous civilians were killed in the crossfire between government and rebel forces during the year. For example, on February 16, in Possel, a border clash between government soldiers and MLC rebels resulted in the deaths of 11 civilians.

Clashes between government soldiers, rebel groups, and bandits along the border with Chad resulted in numerous deaths on both sides of the border. The presence of Miskine in the country and the exiled Bozize in Chad during part of the year intensified border unrest. For example, government forces under Miskine summarily executed Chadian civilians in Bavara and Bouassi during the year. On September 19, Chadian rebels based in the country attacked the Chadian town of Tizi. The Chadian Government accused the Government of supporting the attack, and the Government blamed the attack on Sudanese poachers; however, the National Resistance Alliance, a Chadian rebel group, ultimately claimed responsibility. On October 2, the Central African Economic and Monetary Community (CEMAC) agreed to dispatch a contingent of 300 to 350 troops to the country to provide security for President Patasse and to secure the border with Chad.

During and following the October 25 coup attempt, rebel soldiers loyal to General Bozize killed numerous civilians in areas under their control; however, no numbers were available because those areas remained inaccessible to nongovernmental organizations (NGOs) and humanitarian groups. There were unconfirmed reports that in Pende, Bozize's rebels set fire to the brush where a group of students were hiding, resulting in the deaths of more than 10

students and the injuring of many others. During the year, there also were reports of rebel killings of civilians in Kaga-Bandoro and in Ouham.

During and following the October 25 coup attempt, MLC rebels under Bemba's command reportedly killed and raped numerous persons in Bangui and in the northern part of the country.

No action was taken against members of Kolingba's rebel forces responsible for numerous killings during the May 2001 coup attempt.

There were no developments in the U.N. investigation into the July 2001 killing of Colonel L'Homme, the Field Security Officer for the U.N. Development Program.

There also were reports of societal violence along the country's porous border with Sudan. On May 17, tribal clashes resulted in the deaths of 63 Sudanese herders in Birao. The Governments and the Government of Sudan established a commission of inquiry to investigate the causes of the incident; however, no information had been released by year's end. On September 21, Sudanese raiders burned houses and killed numerous villagers in the towns of Oulou, Kore, and Otomassa. The attack reportedly was in retaliation for the May 17 incident.

Popular "justice" was an ongoing problem. There were several anecdotal reports that bandits were caught and killed by neighbors of robbery victims. For example, on October 5, a group of bandits robbed a neighborhood, attacking a policeman and killing one person. An angry mob caught two of the bandits and killed them in the street.

Mobs reportedly injured and killed suspected sorcerers or witches during the year. On January 31, night watchman Wambele Thomas was accused of sorcery and attacked by a mob; gendarmes intervened for his protection. On February 3, two elderly women accused of witchcraft were tortured, one to death. In early May, in Possel in the under-prefecture of Njoukou, Martin Ngouakouzou was accused of sorcery and tortured to death by villagers.

There were no reports of any action taken against members of mobs who killed suspected sorcerers or witches in 2001 and 2000.

b. Disappearance

There were no confirmed reports of politically motivated disappearances by the Government during the year; however, on October 25, Bozize's rebels kidnaped the President's spokesman Prosper Ndouba, who was released on December 2.

After the May 2001 coup attempt, thousands of persons went into hiding, making it difficult to determine whether security forces were responsible for any disappearances during that time. Many of these people since have returned to their homes.

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

The Penal Code prohibits torture and specifies sanctions for those found guilty of physical abuse; however, police continued to torture, beat, and otherwise abuse criminal suspects, detainees, and prisoners. Family members and human rights groups, including the Human Rights League (HRL) Executive Committee, pursued court complaints filed in previous years with the prosecutor, Joseph Bindoumi, regarding the deaths of several prisoners due to police abuse; however, authorities continued not to take action on any of the cases. The HRL did not file any court complaints of police abuse during the year.

On May 19, soldiers beat Abdul Razak Wallot, a mini-bus driver, for passing the vehicle of the Major General of the Army.

On June 27, soldiers with the Central African Naval Force arrested and beat Mondayen Chrysostome, a trader engaged in commerce between Bangui and Zongo, after he refused to turn over his merchandise to them.

No action was taken against those responsible for torturing Abdoulaye Aboukary Tembeley in February 2001, the torturing of Sergeant Emery Konguende in May 2001, and the September 2001 beating by gendarmes of Assingambi Zarambaud.

The USP frequently used excessive force in its operations; it reportedly also was responsible for other serious human rights abuses; however, unlike in the previous year, there were no reports that USP forces harassed, beat, and tortured Rwandan refugees and nationals. There were numerous cases during the year in which the USP physically abused detainees.

No action reportedly was taken against USP forces responsible for the following abuses during and after the May 2001 coup attempt: The killing of gendarmes, teachers, students, soldiers, opposition politicians, and civil servants, most of whom were Yakomas; and the harassing, beating, and torture of Rwandan refugees and nationals on suspicion that they assisted in the coup attempt.

Police beat persons while forcibly dispersing demonstrators (see Section 2.b.).

Members of the armed forces often committed abuses against civilians, including armed robbery and racketeering. No action generally was taken against soldiers involved in such abuses; however, on July 10, the Deputy Minister of Defense for Military Restructuring expelled from service more than 40 soldiers charged with various felonies, including rape, robbery, extortion, insubordination, and erecting illegal barriers on roads. The former soldiers were arrested and jailed.

Trafficking in persons was a problem (see Section 6.f.); however, unlike in the previous year, there were no reports of possible government involvement.

No investigation was conducted into the September 2001 beating by gendarmes of Assingambi Zarambaud, who had published a series of articles critical of the Government.

Government forces launched rockets and mortar rounds indiscriminately into neighborhoods suspected of harboring rebels. In October in Bangui, and in December in Damara and Sibut, small Libyan planes dropped bombs in support of Government forces, resulting in an undetermined number of civilian deaths.

Rebel forces loyal to the Government committed numerous abuses. During and following the October 25 coup attempt, MLC troops raped 94 women in Bangui and an undetermined number of women in the north. In October in Bangui, MLC rebels fighting for the Government assaulted two foreign missionaries in their home. The rebels looted the house and struck the head of one of the missionaries, who subsequently reported the loss of hearing in one ear.

Rebel troops loyal to Bozize were responsible for numerous rapes of women during November and December. There also were reports that Chadian fighters in the north loyal to Bozize abused and harassed civilians.

Mob violence against suspected sorcerers or witches continued to be a problem (see Section 1.a.).

Prison conditions were extremely harsh. In June before renovations were complete, the Government formally inaugurated Ngaragba Prison, Bangui's main prison that was destroyed during the 1996 mutinies. Prisoners were transferred to Ngaragba starting in early October, despite the lack of a budget for food and medical care for the detainees. Many detainees still were kept in 10 police stations around Bangui; however, the number remaining in detention at year's end was unknown. Police station cells were overcrowded, and basic necessities, including food, clothing, and medicine, were in short supply and often were confiscated by prison officials for their personal use. Prisoners frequently were forced to perform uncompensated labor at the residences of government officials and magistrates. Prison conditions outside of Bangui were generally worse, with the exceptions of Bouar and Bangassou, where religious organizations helped provide for the prisoners.

Male and female prisoners were held in separate facilities in Bangui but housed together elsewhere. There were no separate detention facilities for juvenile prisoners, who routinely were housed with adults and often subjected to physical abuse. Pretrial detainees were not held separately from convicted prisoners.

The Government permitted prison visits by human rights observers. The International Committee for the Red Cross (ICRC) and religious groups routinely provided supplies, food, and clothes to prisoners. The ICRC had unrestricted access to prisoners.

d. Arbitrary Arrest, Detention, or Exile

The law provides protection against arbitrary arrest and detention and accords the right to a judicial determination

of the legality of detention; however, the security forces frequently ignored such provisions. Judicial warrants were not required for arrest. The law stipulates that persons detained in cases other than those involving national security must be brought before a magistrate within 96 hours. In practice authorities often did not respect this deadline, in part due to inefficient judicial procedures. By law national security detainees are defined as "those held for crimes against the security of the state" and may be held without charge for up to 2 months. The law allows detainees to have access to their family and to legal counsel; however, in cases involving state security, the Government prohibited detainees from consulting legal counsel pending an investigation. Indigent detainees may request a lawyer provided by the Government. Detainees were allowed to post bail or have family members post bail for them. Prolonged pretrial detention was a serious problem; however, the number of pretrial detainees was unknown at year's end.

Government authorities arbitrarily arrested numerous persons, although fewer than in the previous year, when members of the Yakoma ethnic group were targeted as a result of suspected complicity in the May 2001 coup attempt.

On May 8, in Bangui, gendarmes arrested 15 Chadians and 14 citizens of the DRC on suspicion of plotting a coup with General Bozize. No further information was available.

Police arrested demonstrators during the year (see Section 2.b.).

Unlike in the previous year, there were no arrests of journalists or labor leaders.

The Mixed Commission of Judicial Inquiry, which the Government established in June 2001 to investigate the causes of the attempted coup and to bring those responsible to justice, had not issued a final report by year's end.

The law does not permit the use of exile, and the Government did not employ it in practice. The Government has stated repeatedly that any person in exile for strictly political, rather than criminal, reasons may return without fear of persecution. Thousands of persons fled their homes or went into hiding following the attempted coup in May 2001, including many Yakomas and Rwandan refugees (see Section 2.d.). Most of the IDPs have returned home; however, some remained abroad, primarily in the DRC, the Republic of the Congo, and Chad (see Section 2.d.). Approximately 600 military personnel involved in the 2001 coup attempt returned to the country during the year; there were no reports that they experienced government harassment. Jean-Paul Ngoupande, the opposition leader who fled the country after gendarmes invaded his house in January 2001, remained in self-imposed exile abroad.

On February 5, David Yakata, deputy of the opposition party Central African Democratic Rally (RDC), also returned to the country from self-imposed exile in the DRC.

e. Denial of a Fair Public Trial

The Constitution provides for an independent judiciary; however, the judiciary was subject to executive interference. The judiciary consists of regular and military courts. The highest court is the Constitutional Court, which determines whether laws passed by the National Assembly conform to the Constitution. The Constitutional Court also receives appeals challenging the constitutionality of a law. Lower courts hear criminal and civil cases and send appeals to the Court of Appeals. The Criminal Court held two sessions during the year, trying persons implicated in the May 2001 coup attempt. The court tried only one criminal case before it reopened in August. As a result, there was a large backlog of criminal cases. The courts of justice and the juvenile court barely functioned due to inefficient administration, shortage of trained personnel, salary arrears, and a lack of resources.

In general trial procedures, an officer of the judicial police writes a report of the investigation and sends it to the public prosecutor's office. If the prosecutor believes there is sufficient evidence that an offense has occurred and that the accused committed it, he places the accused under an arrest warrant. If there is insufficient evidence, the case is dropped. Trials were held publicly, and defendants had the right to be present and to consult a public defender. Defendants also had 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. There was the presumption of innocence until proven guilty, and if convicted, defendants had the right to appeal. No groups were barred from testifying; relatives of the accused could testify. 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. A number of persons were subjected to prolonged detention without trial or were killed summarily and extrajudicially by the OCRB (see Section 1.a.).

During the year, Criminal Court proceedings were largely concerned with attributing responsibility to and punishing

the perpetrators of the May 2001 coup attempt. Court proceedings, which began in February, were delayed when the Court barred Attorney Assingambi Zarambaud from representing clients charged with involvement in the May 2001 coup attempt, after the Prosecutor General claimed that Zarambaud was implicated in the coup attempt. The other lawyers went on strike, bringing the session to a standstill. The trial was held under heavy military guard, with most of the proceedings broadcast live on radio. Defense counsel challenged some procedural elements of the trial. Many cases brought against suspected coup plotters were based solely upon unsubstantiated "fiches," anonymous memoranda alleging a connection with the coup attempt or coup plotters. When court proceedings resumed in August, the Court acquitted more than half of the accused for insufficient evidence. The Court determined that those found guilty would forfeit their civil rights and ordered the confiscation of their property.

During August and September, 90 defendants were brought before the Criminal Court on charges of suspected complicity in the May 2001 coup attempt, or desertion; an additional 23 were tried in absentia. On August 26, former President Kolingba and 22 others were sentenced to death in absentia, including Charles Massi, an opposition parliamentarian residing in France since early 2001. On October 7, former Defense Minister Demafouth, who had been held in custody since his August 2001 arrest, was released along with 48 other suspects for insufficient evidence; General Ndjengbot, who was in jail at the time of the coup attempt and subsequently freed by those attempting the coup, was sentenced to 20 years' hard labor. Of the remaining suspects, 10 were sentenced to 20 years' labor, while 30 were sentenced from 1 to 10 years' hard labor.

There were no reports of political prisoners.

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

The law prohibits invasion of homes without a warrant in civil and criminal cases; however, on occasion police 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. The increase of banditry in Bangui has become a pretext for the police to carry out warrantless house searches. The Government continued to engage in wiretapping without judicial authority.

Security forces, particularly the USP, continued to carry out warrantless searches of entire neighborhoods and seized vehicles, electronic goods, appliances, and other items for which residents could not produce sales receipts, alleging that the property was stolen. Few of these items were returned to the owners.

On April 19, in Bangui, police and gendarmes surrounded several neighborhoods and searched houses for arms as part of a mandatory disarmament program.

On August 1, a group of former soldiers, expelled from the military for extortion and establishing illegal checkpoints, violently burglarized the house of Jean-Serge Wafio, former First Vice-President of the National Assembly (see Section 1.c.).

During and after the October 25 coup attempt, MLC rebels fighting for the Government engaged in widespread home invasions and looting in Bangui and in the northern cities where they were deployed.

The Government interfered with private communication during the year. In July the Ministry of Defense promulgated an administrative order prohibiting the use of all nongovernment two-way radios. Several two-way radios were confiscated from missionaries in the western part of the country; however, on request, the Ministry granted exceptions for embassies, missionaries, NGOs, and international organizations.

During the October 25 coup attempt, and from November 9 to 10, the Government briefly interrupted both cellular and landline telephone service; however, unlike in the previous year, government authorities did not broadcast cell phone conversations over national radio.

Unlike in the previous year, there were no reports that the Government detained family members in an effort to compel suspects to turn themselves in.

Bozize's rebels looted homes, businesses, and church and NGO properties, according to missionary groups, the Central African (Catholic) Episcopal Conference (CAEC), and residents who fled to Bangui (see Section 1.c.).

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and the Press

The Constitution provides for freedom of speech and of the press; however, the Government continued to restrict the freedom of the print media to criticize the Government. The law prohibits the Government from censoring the press and defines the rights and responsibilities of private media. The Government continued to dominate domestic broadcast media. Libel cases were addressed in civil rather than criminal courts.

Opposition leaders in particular used press statements, manifestos, and copies of open correspondence to the Government to circulate their views; however, citizens continued to criticize the Government and political parties at some risk to themselves. Most journalists who fled the country after the May 2001 attempted coup had returned to the country by year's end.

The Government owned and controlled three newspapers, the Centrafrique Presse, the Agence Centrafricaine de Presse (ACAP) bulletin, which appeared sporadically, and Forum de l'Unite. Echo de Centrafrique, a private daily newspaper, was close to the ruling party. More than a dozen private newspapers were published at varying intervals; eight were published on a regular basis during the year. These newspapers often criticized the President, the Government's economic policies, and official corruption. Le Citoyen and Le Confident were the most widely read private newspapers. In 2000 both the President and Prime Minister threatened local journalists with sanctions if any newspaper transgressed the media code and went beyond journalistic propriety; however, there were no reports that these threats were carried out.

On November 17, border police expelled Thierry Oberle, special correspondent for the French newspaper Le Figaro; no reason was given for the expulsion.

There were credible reports that the editor of Le Citoyen, a newspaper noted for its critical coverage of the Government, received threatening telephone calls during the year. In 2001 the Government accused the editor of "fueling hatred among the population," and USP forces threatened him with death.

Unlike in the previous year, there were no reports that security forces arrested and tortured journalists or seized printing equipment.

Radio was the most important medium of mass communication because literacy was not universal, and newspapers and television were relatively expensive and rarely found outside urban areas. The Government owned and operated a radio station and a television station. The activities of the President and other senior government officials dominated programming. Political observers complained that the ruling MLPC received more coverage of its activities or meetings than did opposition parties. The directors of the national television and radio stations were members of the ruling MLPC party; broadcasts by both stations favored the ruling party.

In November Radio France International (RFI) and Radio Africa Number 1 briefly went off the air following negative statements by President Patasse about RFI's coverage of events in the country. The USP, which took control of the national radio station during the May 2001 coup, remained in control of the station at year's end.

A private radio station, Africa Number One, part of a French-owned network based in Libreville, Gabon, broadcast in Bangui. Its programming included national news coverage by a correspondent based in the country. Radio Notre Dame, which was owned and operated by the Catholic Church, also broadcast; its programming included national news, debates, legal counseling, and human rights education. RFI also broadcast domestically; its programming included some national news coverage by a correspondent based in the country. The private radio station N'Deke Luka broadcast from Bangui on FM with assistance from foreign governments and development organizations. One of N'deke Luka's objectives was to promote peace and development by publicizing programs of the U.N. agencies and NGOs working in the region. There were no privately owned stations that broadcast domestically produced national news or political commentary.

On December 9, in Bossangoa, Bozize's rebels killed Father Jean Claude Kilamong as well as a local radio announcer and two watchmen. No further information was available.

The Government continued to monopolize domestic television broadcasting. Private television broadcasting is allowed by law. The High Council of Communication was responsible for authorizing private television as well as radio stations, but received no applications to establish a private television station. The Government did not restrict domestic receipt or distribution of satellite or cable television, but few citizens could afford it, and it was not widespread, even in the capital.

Government television and radio broadcasts included weekly programs intended to provide an opportunity for political parties to present their views and discuss their programs; however, in practice such access was not available.

A private telecommunications company operated a domestic Internet and e-mail service provider as well as one cyber-cafe called Bangui 2000. Few citizens could afford home access to the Internet, but many urban residents rented brief access at Bangui 2000. The Government did not limit Internet access.

The Government did not restrict academic freedom. University faculty and students belonged to many political parties and generally expressed their views without fear of reprisal. There were student demonstrations during the year (see Section 2.b.).

b. Freedom of Peaceful Assembly and Association

The Constitution provides for the right of assembly; however, the Government at times restricted this right. In addition, there were some legal restrictions on freedom of assembly. Organizers of demonstrations and public meetings were required to register with the Government 48 hours in advance, and political meetings in schools or churches were prohibited. There were several incidents of government interference with opposition meetings during the year. The Government widely was perceived as using the May 2001 attempted coup as a pretext for restricting political activity.

On February 9, the Democratic Movement for the Renaissance and Evolution of the Central African Republic attempted to hold a political rally in Bangui; however, police intimidation of party members prevented the meeting.

In February the Ministry of the Interior prevented the Social Democratic Party from holding a meeting of its Consultative Council. According to the Ministry, "the time is not right for organizing meetings and other political activities."

Police forcibly dispersed several demonstrations during the year by university students protesting the non-payment of scholarships by the Government. On October 12, police used tear gas to break up one such demonstration.

On December 28, police and soldiers arrested 15 opposition demonstrators who were protesting government use of foreign troops; some of those arrested were beaten. Most of those detained were released within a few days, and all had been released by year's end.

No action was taken against responsible members of the security force for the use of excessive force to disperse demonstrations in 2000.

The Constitution provides for freedom of association; however, the Government restricted this right in practice. All associations including political parties must register with the Ministry of Interior in order to enjoy legal status. The Government usually granted registration expeditiously. A variety of associations have registered with the Government following a 3-month background investigation; there were more than 35 registered political parties and a variety of nonpolitical associations. The Government normally allowed them to hold congresses, elect officials, and publicly debate policy issues without interference, except when they advocated sectarianism or tribalism.

In June 2001, the Government issued an administrative decree suspending the activities of former President Andre Kolingba's RDC political party for 3 months. The decree forbade the RDC from holding public meetings or advertising on the radio. Several RDC deputies continued to sit in the National Assembly during the suspension, and the party resumed limited activities in late September 2001. In December the Minister of the Interior issued a letter lifting the suspension; on December 28, the executive committee of the party met and elected new party leadership.

The law prohibiting nonpolitical organizations from coalescing for political purposes remained in place; there were no reports of enforcement of this law.

c. Freedom of Religion

The Constitution provides for freedom of religion but establishes fixed legal conditions and prohibits what the Government considers religious fundamentalism or intolerance. The constitutional provision prohibiting religious fundamentalism was understood widely to be aimed at Muslims. In practice the Government permitted adherents

of all religions to worship without interference.

Religious groups (except for traditional indigenous religious groups) were required by law to register with the Ministry of Interior. This registration was free and conferred official recognition and certain limited benefits, such as customs duty exemption for the importation of vehicles or equipment, but did not confer a general tax exemption. The Ministry's administrative police kept track of groups that failed to register; however, the police have not attempted to impose any penalty on such groups. Any religious or nonreligious group that the Government considered subversive was subject to sanctions. 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. The Ministry of Interior also could intervene to resolve internal conflicts about property, finances, or leadership within religious groups. However, the Government imposed no new sanctions on any religious group during the year.

General Bozize's church remained closed at year's end.

Although in general there is religious tolerance among members of different religious groups, there have been occasional reports that some villagers who were believed to be witches were harassed, beaten, or sometimes killed by neighbors (see Section 1.a.).

Unlike in the previous year, there were no reports of societal violence against Muslim Chadian commercial traders.

Bandits and rebels attacked, robbed, and injured missionaries during the year (see Sections 1.c. and 2.a.).

For a more detailed discussion see the 2002 International Religious Freedom Report.

d. Freedom of Movement within the Country, Foreign Travel, Emigration, and Repatriation

The Constitution provides for the right to move freely throughout the country; however, police, 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 (see Section 1.c.). Attacks by bandits on major routes to the north and east sometimes occurred. In 2001 the Government established military bases in Zemio, Bambari, Bria, Kaga-Bandoro, and Bossangoa in an effort to curb highway banditry.

USP forces continued to be stationed at the airport to control travelers. The Government generally allowed opposition leaders to travel abroad or inside the country without restrictions; however, on September 12, the public prosecutor issued an order barring opposition National Assembly Deputy Jean-Serges Wafio from leaving Bangui, charging that Wafio was subject to a lawsuit. In a letter published in local newspapers, Wafio claimed that there was no record of any lawsuit filed against him and that the National Assembly had not lifted his immunity to permit any lawsuit.

During and immediately following the October 25 coup attempt, the Government closed M'Poko Airport and all borders in the country. Private planes were not allowed to fly without permission from the military. On May 9, the nightly curfew imposed after the May 2001 coup was lifted; no curfew was imposed during the October 25 coup attempt.

In November Bozize's rebels briefly blocked the main road from the country to Cameroon. Road travel from Bangui to the regions north of Damara was nearly impossible as a result of interference by both the MLC and Bozize's troops. In November truck drivers from Cameroon and the country went on strike to protest harassment and extortion by MLC soldiers. The ICRC protested restrictions on access imposed by both rebel groups.

With the exception of diplomats, the Government required that all foreigners obtain an exit visa from the headquarters of the National Police. Travelers could be required to obtain affidavits that they owed no money to the Government or to parastatal companies.

Immediately following the October 25 coup attempt, approximately 20,000 persons fled their homes for the areas around Bangui. Congolese residents of Bangui also fled to take refuge in the DRC Embassy after citizens angered by MLC looting and violence attacked Congolese; the UNHCR assisted 1,177 Congolese to go to Zongo, DRC. Thousands of persons fled the country during the year, primarily following the October coup attempt and the fighting in Bangui; most left for the DRC. There were reports that Government authorities harassed and tried to prevent persons from leaving the country to seek asylum in the DRC. The World Food Program (WFP) estimated that as a result of the coup attempt, there were approximately 10,000 IDPs in the Lobaye region; as a result of the

violence along the border with Chad, an additional 6,000 IDPs remained in the region around Sido and Kabo. The UNHCR reported a total of 36,000 IDPs in the country as a whole, with approximately 6,000 in the north and 30,000 in Bangui. As of December, approximately 2,850 refugees from the country remained in the DRC, 2,000 in the Republic of the Congo, and 1,300 in Chad.

During and following the May 2001 coup attempt, approximately 80,000 citizens, including half of the country's ethnic Yakoma population, fled their homes, mostly to the forests and small village areas southwest of Bangui. Approximately 50,000 were displaced internally; an estimated 24,000 fled to the DRC border town of Zongo, and approximately 2,000 fled to the Republic of Congo. Approximately two-thirds of these refugees were thought to have returned to the country by year's end. According to UNHCR, an additional 14,000 citizens fled to other countries, including Cameroon, Cote D'Ivoire, Senegal, and France. Many refugees who did return home lost their jobs, particularly those who had been in government service. The Government began cutting refugees from their employment rolls after 6 months' absence. Some also returned to find their homes pillaged or destroyed. Early in the year, the MLC moved former combatants in the DRC to a separate camp in Bokilio; the UNHCR moved civilian refugees to a camp in Mole.

The law provides for the granting of asylum or refugee status in accordance with the 1951 U.N. Convention Relating to the Status of Refugees and its 1967 Protocol, and the Government respected these provisions in practice. The Government continued to work with the U.N. High Commissioner for Refugees (UNHCR) and provided first asylum to Chadian, Sudanese, Rwandan, and Congolese refugees. Applicants for asylum often were accepted. Almost all refugees were registered with the National Commission for Refugees. According to the UNHCR, there were 50,740 refugees in the country at year's end, including 35,000 from Sudan, 10,000 from the DRC, and 2,000 from Chad. Of these, 10,081 were located in Bangui. Other significant concentrations included 36,403 Sudanese refugees in Mboki and 2,929 Congolese refugees in Molangue.

Unlike in the previous year, there were no reports that that armed elements attacked refugee camps.

There were no reports of the forced return of persons to a country where they feared persecution.

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. Citizens exercised this right in legislative and presidential elections in 1998 and 1999, respectively. The Government strongly influenced the electoral process. Patasse's MLPC won both the Presidency and half of the seats in the National Assembly. International observers deemed both elections generally free; however, the presidential elections were marred by irregularities in voter registration and distribution of electoral materials. Some of the registration irregularities tended to favor the ruling party.

On October 25, forces loyal to General Bozize entered the country from Chad and led a coup attempt in Bangui. The rebels secured entrances to the city, seized the road to M'Poko Airport, and fired at the residence of President Patasse, who retained power with the assistance of troops from Libya and Congolese MLC troops led by Jean-Pierre Bemba. After 5 days of fighting, Bozize's rebels withdrew from the capital but retained control of much of the north-central region of the country at year's end. The coup attempt resulted in hundreds of deaths, 10,000 IDPs, and significant numbers of refugees in neighboring countries (see Sections 1.a. and 2.d.).

In May 2001, former President Andre Kolingba led a faction of the armed forces in a coup attempt, which resulted in hundreds of deaths and injuries, numerous arrests, and the displacement of significant numbers of persons. President Patasse retained power with the assistance of troops from Libya and rebel MLC soldiers from the DRC led by Jean-Pierre Bemba. In August 2001, the President named a new Cabinet, most of whom were members of his MLPC party. In October 2001, President Patasse removed General Bozize as Chief of Staff of the Armed Forces after accusing him of complicity in the May 2001 coup attempt.

The Constitution provides for multiple political parties. The President can veto legislation, although two-thirds of the unicameral legislature can override his veto, and he can rule by decree under special conditions. The state was highly centralized. The central government appointed all subnational government officials, and subnational government entities had no significant fiscal autonomy. The Government had appointed four successive mayors in Bangui, the capital, and a southern city well outside the ruling party's main political base in the north (see Section 5).

Municipal elections, which were scheduled for December, were postponed until 2003.

In the November 1998 National Assembly elections, opposition parties won 55 seats, while the ruling MLPC party of President Patasse and its allies won 54 seats. However, the defection of one opposition National Assembly member in December 1998 gave the ruling party and its coalition a one-seat majority.

President Patasse's first term of office expired in 1999, but he constitutionally was eligible to seek a second consecutive term. In 1999 the Government established the Mixed Independent Electoral Commission (CEMI) to supervise the presidential election. Although the CEMI included representatives from many political parties on its board, persons loyal to the President controlled it. However, several opposition parties suspended participation in CEMI after the Minister of Interior ignored their consensus candidate for the post of second Vice President of CEMI. Instead he named the representative of the Movement for the Democracy and Development (MDD), an opposition party that the other opposition parties charged was allied with the MLPC. The Government explicitly rejected suggestions by elements of the international community, which provided material and financial support for the election, that the executive branch of the Government not involve itself in the management of the electoral process. In August 1999, President Patasse promulgated a decree that subordinated CEMI to the Organ of Control (OCASPA), a state organization that he had created by decree to oversee the election process.

Before the presidential election, there were credible reports of attempts to inflate sharply the number of registered voters in pro-MLPC northern areas, although this was corrected before the polling. The Government postponed the first round of the presidential election three times after serious problems in ballot distribution became evident; however, the Government denied requests from opposition leaders for further delays to permit more complete resolution of the problems with the electoral process. Some provisions of the electoral code, requiring publication of voter lists at least 15 days before the election and distribution of voter identification cards at least 8 days before the election, were not respected. On election day, a shortage of ballots was reported in some largely pro-opposition districts. Opposition party poll-watchers reported the use of some falsified voter identification documents by voters, and there were several reports of ballot boxes being delivered to the CEMI without certified tally sheets, or from unofficial polling places.

There was occasional violence during the presidential election campaign, including fighting in Bangui between supporters of President Patasse and former President Kolingba, and attacks by some opposition supporters on foreign diplomats whose governments were perceived to have supported Patasse.

Approximately 2 weeks after the voting, the Constitutional Court announced the official results of the election and declared President Patasse reelected with 51.6 percent of the votes cast. Nine other candidates certified by the Constitutional Court had competed in the election. The Constitution required a second-round runoff election if no candidate received 50 percent of votes cast in the first round election. Only one of the unsuccessful candidates filed a complaint with the Constitutional Court.

In December 2001, President Patasse announced that local elections would be held in 2002; in July, a CEMI was formed to prepare for the elections. Several opposition parties suspended participation in the CEMI after the Interior Minister ignored their consensus candidate for the post of second Vice President of CEMI, a position that was reserved for an opposition candidate. Instead the Minister named a representative of the MDD, which the other opposition parties charged was allied with the MLPC. The CEMI made few election preparations, and after the October 25 coup attempt, the Government postponed local elections until 2003.

There were no laws that restricted the participation of women in the political process. Only 8 of the 109 members of the National Assembly were women, and only 2 of the 24 cabinet members were women.

There were no laws that restricted the participation of minorities in the political process.

President Patasse was a member of the Sara-Kaba ethnic group. Members of northern ethnic groups, including the Sara and Baya, continued to predominate among the President's advisors, in the leadership of the ruling party, and among ruling party members of the National Assembly. There were no Muslims in the Cabinet, but there were at least five Muslims in the National Assembly.

Pygmies (Ba'Aka), the indigenous inhabitants of the southern part of the country, who represented from 1 to 2 percent of the population, were not represented in the Government and have little political power or influence (see Section 5).

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 their findings on human rights cases. Government officials were somewhat responsive to their views. The Association of Central African Women Lawyers advised women of their legal rights. Several other NGOs, including the Movement for the Defense of Human Rights and Humanitarian Action, the Human Rights Observatory, and some religious groups actively monitored human rights problems. The Central African Human Rights League (LCDH) publicized human rights violations and pleaded individual cases of human rights abuses before the courts. In February 2001, the LCDH published a report that criticized the Government for numerous violations of the freedoms of assembly, movement, and expression. The LCDH and several other NGOs also criticized USP forces for human rights abuses during and following the May 2001 coup attempt; LCDH also criticized those responsible for the coup attempt.

On June 12, Amnesty International (AI) released its report on the May 2001 coup attempt and charged that security forces conducted targeted killings of members of the Yakoma ethnic group with impunity. In a June 27 press conference in Paris, the Government called AI's charges "insubstantial, erroneous, and totally lacking in foundation." The Government denied any ethnic violence by its forces during the coup attempt and denied any ethnic discrimination by the Government.

In November a delegation of the International Federation of Human Rights Leagues (FIDH) visited Bangui to assess human rights violations during and after the coup attempt; however, no report of the visit had been released by year's end. In the February report of its July 2001 visit, the FIDH criticized the security forces for numerous human rights violations during and after the coup attempt and charged that the Mixed Commission of Judicial Inquiry was an "instrument of political policing."

The U.N. office in the country (BONUCA) held several 2-week human rights sensitization programs for security forces in cooperation with the Ministries of Defense and Interior. The seminars, which were held in Bambari, Bouar, Bossangoa, Lola, Bangassou, Bangui, and Berberati for police, gendarmes, and provincial administrators, covered human rights standards, international humanitarian law, gender awareness, criminal justice procedure, and protection of minorities, refugees and displaced persons. In June members of the armed forces and USP units participated in the training for the first time.

Section 5 Discrimination based on Race, Sex, Disability, Language, or Social Status

The Constitution stipulates that all persons are equal before the law without regard to wealth, race, or sex, but the Government did not enforce these provisions effectively, and significant discrimination existed.

Women

Domestic violence against women, including wife beating, reportedly was common; however, inadequate data made it impossible to quantify. Spousal abuse was considered a civil matter unless the injury was severe. Victims seldom reported incidents. 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 a measure of financial security for themselves and their children. The Government did not address this problem during the year.

Rape is a crime, but spousal rape was not specified in the legislation. Men sometimes were arrested for rape, but the social stigma induced many families to avoid formal court action. There were numerous credible reports that government soldiers and rebels raped women during and following the October coup attempt (see Section 1.c.).

The law prohibits FGM; however, girls continued to be subjected to this traditional practice in certain rural areas, and to a lesser degree in Bangui. According to a study published in April 2001 jointly by UNICEF and the statistics office of the Ministry of Economy, Planning, and International Cooperation, approximately 36 percent of adult females had undergone FGM. In 2000 the International Committee of African Women for Development (CIFAD), a central African-based women's rights organization, began a national campaign against FGM with financial assistance from a foreign donor.

Trafficking was a problem (see Section 6.f.).

Women were treated as inferior to men both economically and socially. Single, divorced, or widowed women, even with children, were not considered socially to be heads of households. Only men were entitled to family subsidies from the Government. Women in rural areas generally suffered more discrimination than did 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 upper levels in the professions or in government service, was

limited.

Polygyny is legal, although this practice faced growing resistance among educated women. The law authorizes 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. Women who were educated and financially independent tended to seek monogamous marriages. Divorce was legal and could be initiated by either partner.

The law does not discriminate against women in inheritance and property rights, but a number of conflicting customary laws often prevailed. A family code strengthened women's rights, particularly in the courts. The Association of Central African Women Lawyers advised women of their legal rights. The organization also published pamphlets in conjunction with the Ministry of Social Affairs on the dangers of FGM. Several active women's groups organized workshops and seminars to promote women's and children's rights and to participate fully in the political process.

Children

Although there was no official discrimination against children, the Government spent little money on programs for them. Churches and NGOs had relatively few programs for youths. 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. Education was compulsory from ages 6 to 14; however, parents rarely were prosecuted for their children's nonattendance. In practice the age that a child started school often varied by 2 to 3 years in rural areas. At the primary level, girls and boys enjoyed equal access to education, but the majority of young women dropped out at age 14 or 15 due to societal pressure to marry and bear children. According to the Ministry of Economy and Planning/UNICEF statistical abstract, only 42.9 percent of students of primary school age were enrolled in school, with 46.5 percent of boys and 39.1 percent of girls enrolled. Among those of age for secondary school, only 11.4 percent were enrolled, with 11.5 percent of boys and 11.4 percent of girls enrolled. School enrollment in urban areas generally was significantly higher than in rural areas.

The Government did not provide medical coverage for uninsured children.

There were more than 3,000 street children between the ages of 5 and 18 in Bangui. Many children begged and stole; several charitable organizations provided them with humanitarian assistance.

According to numerous credible reports, male teachers in primary and secondary schools as well as at the University level routinely pressed their female students into having a sexual relationship in exchange for passing grades; the spread of HIV/AIDS was extremely prevalent between teachers and their female students.

The Penal Code forbids parental abuse of children under the age of 15 years. The Family Code was designed to strengthen children's rights. Illegitimate children had the same rights as those born in wedlock. A juvenile court tried cases involving children and provided counseling services to parents and juveniles during the year.

FGM was performed primarily on young girls (see Section 5, Women).

Trafficking and child prostitution was a problem (see Section 6.f.).

On September 16, the Government, in cooperation with the U.N. Development Program (UNDP), launched a nationwide HIV/AIDS awareness campaign.

There were several NGOs specifically promoting children's rights, including some which dealt with street children. In July the Government ratified the African Union Charter on the Rights and Welfare of the Child. On September 19, the Government, in cooperation with UNICEF, launched a nationwide implementation campaign to establish local committees to monitor and enforce children's rights in every district of Bangui.

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. 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 Services.

Indigenous People

Despite constitutional protection, there was societal discrimination against Pygmies (Ba'Aka), the earliest known inhabitants of the rain forest in the southern part of the country, who comprised approximately 1 to 2 percent of the country's population. In general Pygmies had little input in decisions affecting their lands, culture, traditions, and the allocation of natural resources. Indigenous forest-dwelling Pygmies, in particular, were subject to social and economic discrimination and exploitation, which the Government has done little to prevent. Pygmies often worked for villagers at wages lower than those paid to members of other groups.

National/Racial/Ethnic Minorities

The population included approximately 80 ethnic groups; many of these groups spoke distinct primary languages and were concentrated regionally outside urban areas. The largest ethnic groups were the Baya (33 percent), the Banda (27 percent), the Mandja (13 percent), the Sara (10 percent), the Yakoma (4 percent), and the M'baka (4 percent). The Mbororo comprised approximately 7 percent of the population but played a preponderant role in the economy; they were involved in mining development and remained the most important cattle breeders in the country.

During the year, the Government accelerated efforts to reform the Central African Armed Forces (FACA), a priority given its poor performance during the May 2001 coup attempt and history of repeated mutinies. There were reports that the Government had been primarily recruiting either from the President's home region or from among supporters of the MLPC. Those with the strongest connections and loyalties to the President entered the USP. Approximately 80 percent of USP members were native to the President's northern region; many belonged to the President's Kaba ethnic group or closely related groups.

Major political parties tended to have readily identifiable ethnic or ethnic-regional bases. The results of the 1998 legislative elections and the 1999 presidential election confirmed that the MLPC Party of President Patasse had strong support in the north, especially among the Sara and Baya ethnic groups, but that it also had strengthened its support in the capital (see Section 3). The MDD party of former President David Dacko was strong in the southwestern part of the country; the opposition RDC was popular in the southeast, in the Oubangui River basin, especially among the Yakoma.

Section 6 Worker Rights

a. The Right of Association

Under the Labor Code, all workers are free to form or join unions without prior authorization. A relatively small part of the workforce, primarily wage earners such as civil servants, has exercised this right. There were five recognized labor federations, and the two most important were the Organization of Free Public Sector Unions and the Labor Union of Central African Workers (USTC), which were independent of the Government.

The law expressly forbids discrimination against employees on the basis of union membership or union activity. Employees can have their cases heard in the Labor Court. The Labor Code does not state whether employers found guilty of anti-union discrimination were required to reinstate workers fired for union activities; however, employers legally were required to pay damages, including back pay and lost wages.

Unlike in the previous year, labor leaders were not arrested or prevented from leaving the country.

Labor federations were free to affiliate internationally, and the USTC was affiliated with the ICFTU.

b. The Right to Organize and Bargain Collectively

The Labor Code grants trade unions full legal status, including the right to sue in court. It requires that union officials be full-time wage-earning employees in their occupation, but they may conduct union business during working hours. The Code does not provide specifically that unions may bargain collectively; however, the law protects workers from employer interference in their right to organize and administer their unions. The Government usually was involved in the collective bargaining process. While collective bargaining has taken place in some instances, no collective bargaining occurred during the year.

The Ministry of Labor and Civil Service set wage scales. Collective bargaining played a role in setting wages in

private industry. Salary arrears continued during the year for both civilian (23 months) and military (21 months) personnel; the arrears continued to be a major complaint of the unions, but with minimal results.

Unions had the right to strike in both the public and private sectors. To be legal, strikes had to 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 also was required to provide 8 days' advance written notification of a planned strike. The Labor Code 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. However, the Government has the authority to end strikes because of public interest. The Code makes no other provisions regarding sanctions on employers for acting against strikers. There were no reports of employer actions against strikers.

In February the entire bar went on strike after the Criminal Court barred attorney Assingambi Zarambaud from representing clients charged with involvement in the May 2001 coup attempt (see Section 1.e.).

On July 1, medical staff from major Bangui hospitals went on strike to protest salary arrears following failed negotiations with Prime Minister Ziguéle. The strikers demanded payment of 6 months of salary arrears; however, they returned to work after the Government paid them for 1 month.

On October 1, more than 7,000 teachers staged a nationwide strike for 8 days, protesting the non-payment of salary arrears. The teachers demanded 9 months of their salary arrears of 23 months. The Government offered 1 month's salary; the teachers refused and extended their strike, which was ongoing at year's end.

There were no export processing zones.

c. Prohibition of Forced or Bonded Labor

The Labor Code specifically prohibits forced or bonded labor; however, prisoners were forced to work without compensation for government officials or magistrates. The Ba'Aka often were coerced into agricultural, domestic, and other types of labor for different ethnic groups.

The Labor Code prohibition of forced or bonded labor applies to children, although they are not mentioned specifically; however, forced child labor occurred (see Section 6.d.).

d. Status of Child Labor Practices and Minimum Age for Employment

The Labor Code forbids the employment of children under 14 years of age; however, the Ministry of Labor and Civil Service enforced the provision only loosely. The Labor Code defined the worst forms of child labor as dangerous work or tasks involving serious risks to the child's health, security, or morality. The Labor Code generally covered all labor sectors, although specific regulations covered specific sectors. In some cases, the Labor Code provides that the minimum age for employment could be reduced to 12 years for some types of light work in traditional agricultural activities or home services. Children frequently worked on farms at rural schools.

The Government did not have sufficient resources to enforce the prohibition against forced labor effectively, and child labor was common in many sectors of the economy, especially in rural areas. In some rural areas, teachers or principals used school children as labor on farms, ostensibly to teach them how to work the land since many students did not further their education beyond secondary school (see Section 5). The schools used the proceeds from the sale of the farm produce to purchase school supplies and equipment and to fund school-related activities. An international agency reported that children worked in the diamond fields alongside adult relatives.

e. Acceptable Conditions of Work

The Labor Code states that the Minister of Labor must set minimum wages by decree. The minimum wage varies by sector and by kind of work. For example, the monthly minimum wage was equivalent to approximately \$12 (7,800 CFA francs) for agricultural workers but approximately \$28 (18,000 CFA francs) for office workers. The minimum wage did not provide a worker and family a decent standard of living. Most labor was performed outside the wage and social security system, 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 55 hours per week. The law also requires a minimum rest period of 48

hours per week.

There also were 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, a matter about which the ILO has expressed concern to the Government for many years. 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.

The Labor Code protects both legal and illegal foreign workers.

f. Trafficking in Persons

The law does not prohibit trafficking in persons, and there were reports that persons, particularly children, were trafficked. Child prostitution remained a problem. The Government has recognized that trafficking in persons occurs; however, statistics and specific examples of trafficking were not available.

Traffickers can be prosecuted under laws against slavery, Labor Code violations, mandatory school age laws, and laws against the exploitation of prostitution by means of coercion or fraud. Specific laws address the crime of prostitution and punish those who traffic women for the purposes of prostitution.

The Government did not investigate actively cases of trafficking, nor did it use or have access to special investigative techniques in trafficking investigations. In 2000 the Government established a commission to study the extent of the trafficking problem, to identify those responsible, and to devise a plan to combat the problem; however, few resources have been devoted to the problem. The Ministries of Social Affairs, Interior, Labor, Rural Development, Justice, and Defense were involved in anti-trafficking efforts and were part of the commission. There were no known NGOs specifically working on the issue.

Trafficking was confined primarily to children who were brought in by the foreign Muslim community from Nigeria, Sudan, and Chad to be used as domestic servants, shop helpers, and agricultural workers (see Section 5). Merchants, herders, and other foreigners doing business in and transiting the country also brought girls and boys into the country. Such children, who may or may not be related to their caretakers, were not afforded the benefit of a formal education, despite the mandatory school age, and worked without remuneration for their labor. There were a few anecdotal reports of children being trafficked to Nigeria and several other nearby countries for use as agricultural workers. There was no evidence of sexual exploitation, but there were reports that children were beaten publicly.

Some girls entered prostitution to earn money for their families.

The indigenous Ba'Aka often were coerced into agricultural, domestic, and other types of labor within the country. The Ba'Aka often were considered to be the slaves of other local ethnic groups, and subjected to wages far below those prescribed by the labor code. There were credible reports in 2001 of three cases in which persons obtained a Ba'Aka child by deception and subsequently sent the child to Europe for adoption. One of the cases reportedly involved the implicit cooperation of government authorities.