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The Union of the Comoros is a constitutional, multiparty republic of approximately 690,000 citizens. The country consists of three islands-- Grande Comore, Anjouan, and Moheli--and claims a fourth, Mayotte, which France governs. In May citizens elected President Ahmed Abdallah Mohamed Sambi in polling that international observers described as free and fair; Sambi's May 26 inauguration was the first peaceful and democratic transfer of power in the country's history. Disputes continued over the division of responsibilities between union and island governments and the union government's nonpayment of salary to its employees, including teachers and doctors. The civilian authorities generally maintained effective control of the security forces.

The government generally respected the human rights of its citizens, although there were some areas of concern. The following human rights problems were reported: poor prison conditions, restrictions on freedom of religion, official corruption, discrimination against women, child abuse, and child labor.

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 committed arbitrary or unlawful killings.

b. Disappearance

There were no reports of politically motivated disappearances.

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

The constitution and law prohibit such practices, and there were no reports that government officials employed them.

Prison and Detention Center Conditions

Prison conditions remained poor; common problems included improper sanitation, overcrowding, inadequate medical facilities, and poor diet. Authorities held pretrial detainees with convicted prisoners. The government permitted visits by independent human rights observers, as well as the UN Development Program and the United Nations Children's Fund (UNICEF).

d. Arbitrary Arrest or Detention

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

Role of the Police and Security Apparatus

Six separate security forces report to four different authorities. A union military and a union gendarmerie handle defense and local policing on Grand Comore and Moheli; Anjouan maintains its own gendarmerie. The union police force handles immigration and some local policing in Grand Comore. Each of the three islands also has its own local police force.

There was continued corruption in the police force. Citizens paid bribes to evade customs regulations, avoid arrest, falsify police reports or, for police personnel, to receive promotion within the force. Impunity was a problem, as there was no mechanism to investigate police abuses. Union police took part in international training to become more professional.

Arrest and Detention

The law requires warrants for arrests and provides that detainees may be held for 24 hours, although these provisions were not always respected in practice. The procurer general must approve continued detention. A tribunal informs detainees of their rights, including the right to legal representation. According to the law, public attorneys are available to indigent individuals, but in practice there was a dearth of legal

representation. There is a bail system under which the individual is not permitted to leave the country.

After taking office in May, President Sambu granted amnesty to hundreds of "short term" prisoners, including those held for proselytizing, to alleviate prison crowding.

e. Denial of Fair Public Trial

The constitution and law provide for an independent judiciary, and the government generally respected this provision in practice. The head of state appoints magistrates by decree.

The seven-member Constitutional Court includes a member appointed by the president of the Union, a member appointed by each of the two union vice presidents, a member appointed by each of the three island government presidents, and a member appointed by the president of the National Assembly. Minor disputes can be reviewed by the civilian court of first instance, but in practice they are often settled by village elders outside of the formal structure. Juries decide criminal cases, which can be reviewed before the appellate court.

Trial Procedures

The law provides for the right to a fair trial, and an independent judiciary generally enforced this right. Trials are mostly open to the public. Juries deliberate criminal cases, and there is an appeal process. The legal system incorporates French legal codes and Islamic Shari'a law. In practice village elders decided most disputes without using the formal legal system.

Political Prisoners and Detainees

There were no reports of political prisoners or detainees.

Civil Judicial Procedures and Remedies

By law there is an independent and impartial judiciary for civil matters. In practice formal courts have insufficient resources and are rife with corruption. Most civil disputes are settled outside the formal court system, either directly between the parties or via informal community arbitration by respected elders.

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

The constitution and law prohibit such actions, and the government generally respected these prohibitions in practice.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The constitution and law provide for freedom of speech and of the press; however, the government partially limited press freedom.

Paramilitary police detained Aboubacar M'changama, director of the independent weekly *l'Archipel*, from March 25 to 27 for "divulging military secrets." Aboubacar had published an article about discontent in the military.

There was a government-supported newspaper, *Al-Watwan*, and four independent papers, *Kashkazi*, *Le Canal*, *La Gazette des Comores*, and *l'Archipel*. The Anjouan island government intimidated journalists to deter them from writing articles critical of the government. (No newspapers were printed in Anjouan, but the papers listed above were available there.)

There is independent radio on all three islands. One government radio station operated on a regular schedule. Local community radio stations operated in very narrow transmission areas. Citizens who lived overseas primarily funded these stations, which were staffed by volunteers and were allowed to operate without government interference or regulation. Mayotte Radio and French television also broadcast without government interference. Several small, community-based television stations operated without government interference; local residents and their relatives overseas provided funds for their operation.

Prior to the presidential election in May, the union military temporarily confiscated the equipment of Radio Moheli, because the station's broadcasts were controversial. In May persons not in uniform vandalized radio equipment at Radio Ngazidja and Moroni FM in Grand Comore. While never proven, press reports suggested the attacks were politically motivated.

Internet Freedom

There were no government restrictions on access to the Internet or reports that the government monitored e-mail or Internet chatrooms. Individuals and groups could engage in the peaceful expression of views via the Internet, including by electronic mail. Illiteracy and shortages of electricity and phone lines limited Internet use to the small, relatively wealthy and educated minority of Comorans. Several Internet cafes and the Internet stations at the American Corner in Moroni have expanded usage in and near cities.

Academic Freedom and Cultural Events

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

b. Freedom of Peaceful Assembly and Association

Freedom of Assembly

The constitution and law provide for freedom of assembly and association; however, in practice the government did not always respect this right. Unlike in the previous year, however, no deaths or injuries resulted from excessive use of force by security forces.

No action was taken by authorities concerning the killing by soldiers of one civilian, and wounding of 16 others, in connection with a massive protest against a fuel price hike in September 2005.

Freedom of Association

The constitution and law provide for freedom of association, and the government generally respected this right.

c. Freedom of Religion

The constitution and law provide for freedom of religion; however, the government restricted this right in practice. The constitution does not declare Islam the official religion but declares that the laws must draw inspiration from Islam. The great majority of the population was Sunni Muslim. Proselytizing for any religion except Islam was illegal.

On May 29, four men were sentenced to three months in prison for "evangelizing Muslims." One woman was also convicted and received a three-month suspended sentence. They had been arrested one week earlier for hosting Christian religious debates in a private residence. After 40 days, all four were released in the presidential amnesty.

Societal Abuses and Discrimination

Christians continued to face intense social pressure, including restricting the use of the few Christian churches to noncitizens. Family and community members were likely to harass those who join non-Muslim faiths.

There was no known Jewish population and no reports of anti-Semitic acts.

For a more detailed discussion, see the [2006 International Religious Freedom Report](#).

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

The constitution and law provide for these rights, and the government generally respected them in practice.

In June Le Canal reported that police conducted late night home inspections in search of "illegal immigrants."

Intervillage conflicts sometimes restricted movement of citizens within the country's borders. There were cases of individuals from Grand Comore being refused entry into Moheli and Anjouan; this was not, however, by central government policy.

The law does not prohibit forced exile, but the government did not use it.

Protection of Refugees

The law does not provide 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 not established a system for providing protection to refugees. In practice the government provided some protection against refoulement, the return of persons to a country where they feared persecution, but it did not grant refugee or asylum status routinely.

Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

The constitution and law provides citizens with the right to change their government peacefully, and citizens exercised this right in practice through periodic, free, and fair elections held on the basis of universal suffrage.

Elections and Political Participation

The constitution provides for a "rotating" presidency in which each island takes a turn at holding a primary for presidential candidates.

Former president Azali, a native of Grand Comore, was the first to hold office in this system. During the year the turn passed to Anjouan; all 12 presidential candidates had to be natives of Anjouan to run in the primary. From the 12, Anjouan voters selected three to run in the May national election that led to the election of President Sambu. International observers considered the elections free and fair. The May 26 inauguration of President Sambu was the first peaceful and democratic transfer of power in the country's history. The constitution thus restricts, by island, who can run for the presidency, but aside from the rotation principle, anyone is free to run.

Unelected elders leading traditional social, religious, and economic institutions filled voids in communities where the formal government was ineffectual or nonexistent.

There was one woman in the 33-member National Assembly. There was one female minister and two female vice presidents in the union government. There were no minorities in high-level offices.

Government Corruption and Transparency

Resident diplomatic, UN, and humanitarian agency workers reported that petty corruption is commonplace at all levels of the civil service. The new Sambu government launched a highly-publicized campaign against embezzlement by senior officials, bribery by customs and immigration officers, and unfair or non-transparent practices for offering government contracts and procurement. The few private sector operators in the country reported that corruption and lack of transparency were the norm.

In June the government arrested several officials of the former regime on charges of corruption. Former government ministers Rehema and Sitti and former Colonel Abdallah of the union police were tried for stealing administrative property, convicted, sentenced to eight months in prison, and fined \$360 (147,000 Comoran Francs). Former secretary general Abdou was convicted on the same charge and sentenced to four months' imprisonment and fined \$480 (196,000 Comoran Francs).

In 2005 there were allegations that private firms such as Comoros Hydrocarbure and Comoros Telecom partially financed the predecessor Azali government by providing funds for official travel. However, there were no reports that the newly installed Sambu government continued the practice.

Investigations continued into the 2005 award of government contracts to a firm with ties to former president Azali.

There are no laws providing for public access to government information. Those who have personal or working relationships with government officials can generally access government information, but not members of the general public. To encourage greater transparency, President Sambu published his own salary in August.

Section 4 Governmental Attitude Regarding International and Non-governmental Investigation of Alleged Violations of Human Rights

One domestic and some international nongovernmental organizations operated without government restriction, investigating and publishing their findings on human rights cases. Government officials were cooperative and responsive to their views.

In June the National Assembly passed a law establishing a human rights commission, which had not yet convened by year's end.

Section 5 Discrimination, Societal Abuses, and Trafficking in Persons

The law prohibits discrimination based on race, sex, disability, language, or social status; however, there was discrimination against women.

Women

The law prohibits domestic violence. Although the government did not take any action to combat violence against women, police and human rights groups believe it to be rare. Women could seek protection through the courts in such cases, but in practice the extended family or village elders customarily addressed such problems.

Rape is illegal, punishable by imprisonment of five to 10 years or up to 15 years if the victim is younger than 15 years of age. The government did not enforce the laws on rape effectively. The law does not specifically address spousal rape.

Prostitution is illegal, arrests for prostitution are rare, and there were no reports of harassment of prostitutes.

Sexual harassment is illegal and punishable by up to 10 years' imprisonment. Although rarely reported due to societal pressure, such harassment was nevertheless a common problem.

The law provides for equality of persons, and in general, inheritance and property rights do not discriminate against women. Men retained the dominant role in society, although the matriarchal tradition afforded women some rights, especially in terms of landholding. Societal discrimination against women was most apparent in rural areas where women had farming and childrearing duties and fewer opportunities for education and wage employment. In urban areas growing numbers of women were employed and generally earned wages comparable to those of men engaged in similar work; however, few women held positions of responsibility in business. The law does not require women to wear head coverings, but many women faced societal pressure to do so.

Children

The government has not taken any specific action to protect or promote children's welfare. Because of a lack of inspectors, the government does not enforce legal provisions that address the rights and welfare of children.

Education is free and compulsory for children below the age of 16, but the government rarely provided public school education for children past the age of 14. According to UNICEF, 31 percent of children attended elementary school between 1996 and 2004. During the school year, teacher strikes over nonpayment of salaries interrupted school several times. Boys generally had greater access to schools than did girls.

Boys and girls had equal access to state-provided medical care, which was limited.

Although there are no official statistics on child abuse, it was common, and often occurred when impoverished families sent their children to work for wealthier families. A 2002 UNICEF study found that child abuse, including sexual abuse, was widespread and often occurred at home. There also were reports that teachers raped students. In December 2005, for example, the newspaper *Kashkazi* reported the death of an 11-year-old girl who had been raped by her teacher and subsequently died in childbirth. The teacher was suspended from his position, but no arrests were made.

Child prostitution and child pornography are illegal. The law considers unmarried children under the age of 18 as minors, and they are protected legally from sexual exploitation, prostitution, and pornography. There were no statistics regarding these matters, but they were not considered serious problems.

Child labor occurred (see section 6.d.).

Trafficking in Persons

The law does not prohibit trafficking in persons; however, there were no reports that persons were trafficked to, from, or within the country.

Persons with Disabilities

There are no laws that mandate access to buildings for persons with disabilities or that prohibit discrimination in employment and public services. In general, persons with disabilities were likely to face discrimination, but specific reports were not available relating to employment, education, access to health care, or in the provision of other state services.

In April the country's first handicapped center opened in Ikoni, Grand Comore.

Section 6 Worker Rights

a. The Right of Association

The law allows workers to form and join unions of their choice without previous authorization or excessive requirements, and many of those in the wage labor force did so in practice. The wage labor force, however, was less than 7,000 persons, of whom approximately 5,000 were government employees. Teachers, civil servants, taxi drivers, and dockworkers were unionized. Approximately 80 percent of the population engaged in farming on small land holdings, subsistence fishing, and local commerce.

The labor code, which was rarely enforced, does not include a system for resolving labor disputes.

The law does not prohibit anti-union discrimination by employers in hiring practices.

b. The Right to Organize and Bargain Collectively

The law protects workers from employer interference in their right to organize and administer their unions, and the government protected this right in practice. Unions have the right to bargain collectively, although employers set wages in the small private sector, and the government, especially the ministries of finance and labor, set them in the larger public sector. There are no export processing zones.

The law provides for the right to strike, and government employees exercised this right to protest non-payment of salaries. There are no laws protecting strikers from retribution, but there were no reported instances of retribution.

c. Prohibition of Forced or Compulsory Labor

The law prohibits forced or compulsory labor by adults but not by children. There were some reports that such practices occurred (see section 6.d.).

d. Prohibition of Child Labor and Minimum Age for Employment

The law defines 15 as the minimum age for employment, but the government did not always enforce this law. Children usually worked in subsistence farming and fishing. Some families placed their children in the homes of wealthier families where they worked in exchange for food, shelter, or educational opportunities. Other forms of child labor generally were not a problem due to the lack of wage employment opportunities. A 2000 UNICEF study found that approximately 15 percent of children were not paid for their work. The actual number was likely higher. The government did not actively enforce child labor laws nor did it seek to prevent illegal child labor.

e. Acceptable Conditions of Work

There was no minimum wage. At various times during the year, the government did not pay civil servant salaries (see section 6.b.). Despite strikes and other protests, the union government was unable to pay government employees, including low-level government officials, teachers, and medical workers, for several months due to budgetary difficulties.

The law specifies a workweek of 37½ hours, one day off per week, and one month of paid vacation per year. According to the law, workers receive time-and-a-half for overtime. These laws, like many others, were not enforced. Employers, particularly the government, were often remiss in paying salaries.

No safety or health standards have been established for work sites. Workers generally could not remove themselves from an unsafe or unhealthful situation without risking their employment.