

CENTRAL AFRICAN REPUBLIC

EXECUTIVE SUMMARY

Central African Republic (CAR) is a constitutional republic governed by a strong executive branch and weak legislative and judicial branches. Armed forces Chief of Staff General Francois Bozize seized power in a military coup in 2003. In January citizens reelected Bozize president in what was considered by national and international observers to be a flawed election. There were instances in which elements of the security forces acted independently of civilian control.

Incidents of serious human rights abuse occurred during the year; the most significant reportedly were torture, beatings, and rape of suspects and prisoners; harsh and rudimentary conditions in prisons and detention centers; and arbitrary arrest and detention.

Other human rights problems included prolonged pretrial detention, denial of fair trial, occasional intimidation of the press, restrictions on freedom of movement and assembly, and limited ability of citizens to change their government. Sporadic fighting between armed groups continued to displace people internally and externally, although the net number decreased from the prior year. Regional conflict modestly increased the number of refugees in CAR. Corruption was widespread. Mob violence resulted in deaths and injuries. Societal discrimination and violence against women, including female genital mutilation, occurred. Violence and discrimination against Pygmies and persons alleged to be witches or sorcerers; trafficking in persons; and forced labor and child labor, including forced child labor, also were problems.

Civilians were often killed, abducted, raped, or displaced from their homes as a result of internal conflicts. Some armed groups included children among their ranks.

The government took some steps to punish officials who committed abuses; however, most official abuses were committed with impunity.

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

a. Arbitrary or Unlawful Deprivation of Life

There were no reports that the government or its agents killed members of opposing political groups, but soldiers, particularly members of the presidential guard, killed civilians they suspected of being bandits or supporting armed groups. Both government security forces and armed groups killed civilians in the course of conflict in the northeast (see section 1.g.).

During the year there were numerous credible reports that elements of the security forces, including the Central African Armed Forces (FACA) and particularly the presidential guard, committed unlawful killings while apprehending suspects and allegedly in connection with personal disputes or rivalries. Authorities appeared unwilling to prosecute presidential guard personnel for extrajudicial killings (see section 1.g.).

Security forces continued to commit extrajudicial killings (see section 1.g.). For example, on January 14, Lieutenant Elan Yapelogo, a member of the presidential guard, killed 18-year-old Marcial Gondje in Bangui. Gondje, who was collecting termites with other youths in his neighborhood, was accused by a neighbor of attempting to break into his bar. The neighbor alerted Yapelogo, who shot and killed Gondje. Yapelogo was detained for three weeks at presidential guard headquarters but subsequently resumed his position in the force after moving his family to another area of Bangui.

On June 19, members of the FACA fourth infantry battalion in Bouar killed a man by beating him with an iron bar and killed two others when firing shots to disperse the ensuing demonstration by local residents. The army chief of staff was dispatched to the region to calm tensions and promised the perpetrators would be prosecuted. However, by year's end there were no further developments.

There were no reports of politically motivated killings by opposition groups, political parties or guerilla/rebel/insurgent/terrorist groups. However, civilians were sometimes killed as a result of indiscriminate violence resulting from internal conflicts (see section 1.g.).

Civilians reportedly continued to kill persons suspected of being sorcerers or witches (see section 6).

A member of the presidential guard who had killed a 13-year-old boy in November 2010 in Bangui was released several months after the crime and returned to his position.

There were no further developments in the following 2010 killings: the May killing of two Mbororo men and the October killing of a suspected thief in Bozoum.

b. Disappearance

In June the Popular Front for Reconstruction (FPR), a rebel group based in the north, abducted 18 members of the nonstate armed entity, the People's Army for the Restoration of Democracy (APRD), and held them until their release was negotiated through the intervention of government mediators and international organizations.

The Lord's Resistance Army (LRA) continued to abduct men, women, and children in the southeast.

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

Although the law and the constitution prohibit torture and specify punishment for those found guilty of physical abuse, police and other security services continued to torture, beat, and otherwise abuse criminal suspects, detainees, and prisoners, according to local human rights groups such as the Central African Association Against Torture (ACAT) and the Central African Human Rights League (LCDH).

The government did not punish police who reportedly tortured suspects, and impunity remained a serious problem. Family members of victims and human rights groups, including the Central African Monitoring Group on Human Rights (OCDH), filed complaints with the courts, but authorities took no action. Members of security forces raped, robbed, and abused civilians in both conflict and nonconflict areas. Human rights lawyers reported that victims of abuse by authorities were often pressured by relatives not to pursue their cases due to fear of reprisal.

According to ACAT torture and beating of detainees occurred frequently in detention centers run by the Research and Investigation Division (SRI), under the minister of defense, and the Central Office for the Repression of Banditry (OCRB), under the director general of police. ACAT reported police employed several forms of torture, including "le cafe," which entails repeated beating of the soles of the feet with a baton or stick. Immediately after administering the beating, police

would sometimes force the victim to walk on badly bruised feet and, if the individual was unable to do so, continued beating the individual.

Civilians continued to suffer mistreatment in territories controlled by nonstate armed entities (see section 1.g.).

On August 2, a worker in a Bangui supermarket was accused of theft by his employer. Elements of the OCRB were called to investigate and reportedly stripped and beat the accused worker, breaking his arm. No action was taken against the alleged perpetrators, and supermarket management eventually paid financial restitution to the victim.

Members of security forces reportedly raped civilians. Sexual assaults, although frequent, rarely were reported to authorities. Security personnel rarely were punished.

On August 24, Michel Agazounede, an officer assigned to the OCRB, reportedly raped at gunpoint a 14-year-old girl who was in detention. The OCRB director ordered the arrest of the officer, who was subsequently convicted and incarcerated at Ngaragba Prison.

Abuse of those accused of witchcraft was commonplace (see section 6).

Prison and Detention Center Conditions

Prison conditions were rudimentary, harsh, and substantially below international standards. Prison conditions outside Bangui generally were worse than those in the capital. Police, gendarme investigators, and presidential guards assigned as prison wardens continued to subject prison inmates to torture and other forms of inhuman, cruel, and degrading treatment. Most prisons lacked basic sanitation and ventilation, electric lighting, basic and emergency medical care, and sufficient access to potable water.

Basic necessities, including food, clothing, and medicine, were inadequate and often confiscated by prison officials. Prisoners depended on family members to supplement inadequate prison meals and sometimes were allowed to forage for food near the prison. According to international observers and prison officials, prison detainees outside Bangui received a meal only every two to three days from prison authorities and sometimes had to pay bribes to prison guards to secure food brought to them by their relatives. As in previous years, there continued to be

reports of occasional deaths in prison due to adverse conditions and negligence, including lack of medical treatment for those afflicted by tuberculosis. Two deaths were reported during the year by prison authorities; however, many detainees were medically released to hospitals if illnesses become life threatening or grave.

As of November there were 845 prisoners, of whom 69 were female. Poor recordkeeping and incomplete access for observers prevented an accurate count of the prison population. Male and female prisoners were held in separate facilities in Bangui. Elsewhere male and female prisoners were housed together, but in separate cells. Juveniles were sometimes held with adult prisoners, and pretrial detainees were not held separately from convicted prisoners.

In some cases prisoners deemed a security threat were detained for extended periods without trial at Camp de Roux, a military facility in Bangui not designed as a prison. Access to visitors at Camp de Roux was substantially more difficult than access to the general prison population.

In most cases prisoners and detainees had reasonable access to visitors and were permitted religious observance. The Attorney General's Office granted visitation privileges, but those wishing to visit prisoners often had to bribe prison guards and officials.

There was no ombudsman system in the country.

According to several human rights lawyers, while prison detainees have the right to submit complaints in the case of mistreatment, it was generally the detainees' lawyers, if a detainee had one, who alerted judicial authorities to the mistreatment of their clients. Victims of mistreatment hesitated to lodge formal complaints due to fear of reprisal from prison officials.

Authorities rarely initiated investigations of abuses in the prison system.

Prison recordkeeping was inadequate and largely nonexistent. Authorities took no steps to improve recordkeeping but were responsive to requests for data. In some cases juvenile or nonviolent offenders were released following trial rather than being incarcerated. Conditions for women prisoners in Bimbo Central Prison were deemed by a UN team to be substantially better than those in other prisons and in conformance with international standards.

Prison administrators submitted reports describing the poor detention conditions, but these reports did not result in any action.

Pretrial detainees were not held separately from convicted prisoners. As of November there were 366 pretrial detainees in Ngaragba Prison and 18 in Bimbo Central Prison. In some cases pretrial detainees were kept for short periods to ensure their personal security against mob violence, but in others detainees had been held without trial for years.

There were two prisons in Bangui, Ngaragba Prison for men and Bimbo Central Prison for women. Inmates with infectious diseases were not segregated from other inmates but often were medically released to a hospital if illnesses were severe. A nurse was available at the two prisons for inmates needing medical care. Detainees and inmates at both prisons received one meal per day. Food was insufficient, and prisoners complained of inferior ingredients. Families were allowed to bring food. Inmates slept on the floor or on thin matting provided by families or charities. Authorities at Ngaragba Prison permitted detainees' families to make weekly visits. As of November Bimbo Central Prison held 30 female inmates. Several had been detained for months and had not appeared before a judge; few had lawyers.

Overcrowding was reportedly not a problem, and children younger than five years old were allowed to stay with their mothers at the prison.

As of November there were 517 inmates in Ngaragba Prison. Several were detainees who had been held for months without appearing before a judge. Twelve prisoners were detained on accusations of sorcery and five others had been convicted of the crime. The more crowded cells each held approximately 30 to 40 inmates. Prisoners usually slept on bare concrete and complained that water supplies were inadequate. In the section reserved primarily for educated prisoners and former government officials suspected or convicted of financial crimes, cells held four to eight persons.

There were no further developments in the 2010 attempted rape of a female prisoner by a prison guard in Bimbo Central Prison and the sexual assault of another prisoner by a military guard in Boda Prison.

Conditions in detention centers were worse than those in prisons. Bangui's police detention centers consisted of overcrowded cells with very little light and leaky buckets for toilets. Poor sanitation and negligence by authorities posed a serious

health risk to detainees. According to local human rights groups, lack of training and poor supervision at detention centers were serious problems and continued to result in torture and beatings. Suspects in police and gendarmerie cells had to depend on family, friends, religious groups, and nongovernmental organizations (NGOs) for food. Detainees with infectious diseases were not segregated from other detainees, and medicine was not available. Suspects generally slept on bare cement or dirt floors. Corruption among guards was pervasive. Guards often demanded between 200-300 CFA francs (approximately \$0.40-\$0.60) to permit showers, delivery of food and water, or family visits. International observers noted that the detention center in the gendarmerie in Bouar had neither windows nor a toilet, only a bucket that was emptied every other day. Detainees at the police facility in Bouar slept chained to each other, a measure the police justified by alleging the detainees were recidivists and undisciplined.

In Bangui male and female detainees were separated; however, this was reportedly not the case in jails and temporary detention facilities in the countryside. There were no separate detention facilities for juvenile detainees, who routinely were housed with adults and often subjected to physical abuse. Arrestees without birth documentation were often treated as adults if they were not clearly minors. One UN inspection team in Bouar was approached by detainees who claimed to be as young as 14 years old.

According to a June report by the UN Secretary-General to the UN Security Council, escapes by detainees, including incarcerated members of the armed forces, had become prevalent, critically affecting the fight against impunity. In many prisons cells had no doors and detainees had little oversight.

The government on occasion restricted prison visits by human rights observers. Although international observers were not entirely denied visits, the government sometimes delayed responses to visit requests, often for weeks or months. The International Committee of the Red Cross (ICRC) and religious groups routinely provided supplies, food, and clothes to prisoners. The ICRC had unrestricted access to prisoners; however, access for some other observers was at times limited to certain areas of a given facility. During the year the Ministries of Justice, Public Security, and Defense signed a joint agreement with the ICRC to allow routine access to prisons throughout the country.

Authorities granted the Human Rights Unit of the UN's Integrated Office in the Central African Republic (BINUCA) and humanitarian NGOs limited access to

prisoners and detainees, although bureaucratic requirements for visits and delays significantly restricted the frequency of access during the year.

d. Arbitrary Arrest or Detention

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

On April 10, elements of the presidential guard searched the home of Minister of Water and Forests Emmanuel Bizot and arrested and detained him at the SRI on suspicion of harboring weapons and plotting a coup. The minister was ordered released the same day by President Bozize.

On September 16, environmental researcher Jan Cappelle and five other NGO workers were arrested en route to a sanctioned environmental survey in the uranium mining area of Bakouma. They were returned to Bangui and detained for five days until being expelled from the country.

In September four supporters of legislative candidate Desire Kolingba were arrested while protesting the results of the country's third round of elections. The group was subsequently charged with two counts of endangering public safety and sentenced to three years in prison.

The 11 persons arrested in July 2010 during the burning of the Rayan supermarket in Bangui remained in custody without a trial date at year's end.

Role of the Police and Security Apparatus

The Ministry of Immigration/Emigration and Public Security, through the director general of police, has oversight over the activities of the national police, including the OCB. The Ministry of Defense oversees military forces, including the presidential guard, national gendarmerie, and SRI. The police and military forces share responsibility for internal security.

Police were ineffective; they lacked financial resources, and their salaries were often in arrears. Citizens' lack of faith in police led at times to mob violence against persons suspected of theft and other offenses.

During a visit to the country in February 2010, UN High Commissioner for Human Rights Navi Pillay identified impunity for human rights abuses as one of the most daunting challenges facing the country. “Summary executions, enforced disappearances, illegal arrests, and detention are all issues that have surfaced in connection with state security and defense institutions,” she said, “and strenuous efforts need to be made to put an end to these extremely serious abuses of power.”

Mechanisms existed for redress of abuses by members of the police and military. Citizens filed complaints with the public prosecutor. The most common complaints involved theft, rape, brutality, and embezzlement. Impunity remained a severe problem. Although the public prosecutor had authority to order the arrest of police officers suspected of committing abuses and exercised that authority during the year, the prosecutor’s staff was small and severely underfunded.

The Permanent Military Tribunal, which adjudicates crimes committed by military personnel, met in October and reviewed 36 cases. The tribunal normally holds two sessions per year.

In cooperation with the government, BINUCA continued to collect complaints of human rights abuses committed by members of the security forces, including FACA soldiers, and nonstate actors. It continued to investigate abuses and share information with the public prosecutor to facilitate the fight against impunity. In addition BINUCA provided more than 788 members of the security forces, including police officers and gendarmes, with international humanitarian law and human rights training.

As part of its efforts to protect citizens and safeguard property, the government continued to support joint security operations in the capital and selected cities in the northwest. The operations were conducted by several hundred regional armed forces peacekeepers from the Multinational Force in Central Africa (FOMAC) based in Bangui, Kaga Bandoro, Ndele, and Paoua.

In some cases security forces failed to prevent or respond to societal violence. For example, in June Bangui was plagued by weeks of riots resulting in the deaths of at least 11 mostly Muslim residents who were attacked by the local population in retaliation for the alleged murder of two children by a Muslim man. Security forces intervened but were at times unable to prevent significant damage to property and loss of life.

Arrest Procedures and Treatment While in Detention

Judicial warrants are not required for arrest. The law stipulates that persons detained in cases other than those involving national security must be informed of the charges against them and brought before a magistrate within 72 hours. This period is renewable once, for a total of 144 hours. In practice authorities often did not respect these deadlines, in part due to inefficient judicial procedures and a lack of judges. In several police and SRI detention centers, detainees were held for more than three days and often for weeks before authorities brought their cases before a magistrate.

The law allows all detainees, including those held on national security grounds, to have access to their families and legal counsel. Indigent detainees may request a lawyer provided by the government for criminal cases, although it was not known if this right was often invoked. Detainees are allowed to post bail or have family members post bail for them. In most cases lawyers and families had free access to detainees, but incommunicado detention occasionally occurred.

There were different standards for treatment of detainees held for crimes against the security of the state. National security detainees may be held without charge indefinitely and were often held at locations separate from other prisoners.

In August a foreign citizen was arrested on drug charges and detained at Camp de Roux. The prisoner was held for months without charges or trial, and all visitor access was prohibited without authorization from the minister of justice, which was not granted. The detainee's attorney was also denied access. At year's end the prisoner remained in detention without charges.

Under the 2009 revised penal and criminal procedure codes, detainees have the right to an attorney immediately after arrest, but this right was not routinely extended.

Arbitrary Arrest: According to BINUCA arbitrary arrest was a serious problem and was the most common human rights abuse committed by security forces during the year.

Authorities continued to arrest individuals, particularly women, and charge them with witchcraft, an offense punishable by execution, although no one received the death penalty during the year. Prison officials at Bimbo Central Prison for women stated that accused witches were detained for their own safety, since village mobs sometimes killed suspected witches. In November prison authorities stated that six

of the 30 women in Bimbo Central Prison were incarcerated for purported witchcraft. In Ngaragba Prison there were 17 detainees held on witchcraft-related charges.

Pretrial Detention: Prolonged pretrial detention was a serious problem. For example, in November pretrial detainees constituted approximately 70 percent of Ngaragba Prison's population and an estimated 60 percent of Bimbo Central Prison's population. Detainees usually were informed of the charges against them; however, many waited in prison for several months before seeing a judge. Judicial inefficiency and corruption, as well as a shortage of judges and severe financial constraints on the judicial system, contributed to pretrial delays. Some detainees remained in prison for years because of lost files and bureaucratic obstacles.

e. Denial of Fair Public Trial

The constitution provides for an independent judiciary; however, the judiciary remained subject to the influence of the executive branch, and, despite government efforts to improve its capacity, the judiciary was unable to fulfill its responsibilities.

The courts continued to suffer from inefficient administration, a shortage of trained personnel, growing salary arrears, and a lack of material resources. Less than 1 percent of the annual national budget was devoted to the Ministry of Justice. There were approximately 124 magistrates working in the country's legal system. Many citizens lacked access to the judicial system. Citizens often had to travel more than 30 miles to reach one of the country's 38 courthouses. Consequently, traditional justice at the family and village level retained a major role in settling conflicts and administering punishment.

Judicial corruption remained a serious impediment to citizens' right to receive a fair trial.

According to the LCDH, corruption extended from the judges to the bailiffs. Many lawyers paid judges for verdicts favorable to their clients. There were, however, some efforts to combat judicial corruption, including by several UN agencies and the EU.

There were numerous reports that, in reaction to judicial inefficiency, citizens in a number of cities organized to deal with cases through parallel justice and persecution, such as mob violence, or resorted to neighborhood tribunals and

appeals to local chiefs. Citizens also sought such resort in cases of alleged witchcraft.

Trial Procedures

According to the penal code, defendants are presumed innocent until proven guilty. Trials are public, and defendants have the right to be present and consult a public defender. Criminal trials use juries. If an individual is accused of a serious crime and cannot afford a lawyer, the government has an obligation to provide one. In practice the government provided counsel for indigent defendants, although this process was often slow and delayed trial proceedings due to the state's limited resources. Defendants have the right to question witnesses, present witnesses and evidence on their own behalf, and have access to government-held evidence. Defendants have the right to appeal. The law extends these rights to any citizen, including women. The government generally complied with these legal requirements. The judiciary, however, did not enforce consistently the right to a fair trial, and there were many credible reports of corruption within the court system. One indigenous ethnic group in particular, the Ba'aka (Pygmies), reportedly was subject to legal discrimination and unfair trials.

Authorities occasionally tried cases of purported witchcraft in the regular courts. Alleged witchcraft is punishable by execution, although the state imposed no death sentences during the year. Most individuals convicted of witchcraft received sentences of one to five years in prison; they could also be fined up to 815,000 CFA francs (\$1,610). Police and gendarmes conducted investigations into alleged witchcraft. During a typical witchcraft trial, authorities called practitioners of traditional medicine to give their opinion of a suspect's ties to sorcery, and neighbors occasionally served as witnesses. The law does not define the elements of witchcraft, and the determination lies solely with the magistrate.

Political Prisoners and Detainees

There were no reports of political prisoners or detainees.

Civil Judicial Procedures and Remedies

The constitution provides for an independent judiciary in civil matters, and citizens had access to a court to bring lawsuits seeking damages for, or cessation of, a human rights violation; however, there was a widespread perception that judges

were bribed easily and that litigants could not rely on courts to render impartial judgments. Many courts were understaffed, and personnel were paid poorly.

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

The law prohibits searches of homes without a warrant in civil and criminal cases; however, police sometimes used provisions of the penal code governing certain political and security cases to search private property without a warrant.

Government authorities routinely discriminated on the basis of ethnicity or political affiliation in recruitment of personnel for the armed forces or distribution of scholarship funds to public university students.

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

Although government forces and armed groups maintained a cease-fire for much of the year, civilians often were killed, abducted, displaced from their homes, or generally restricted in their movements as a result of ongoing internal conflicts.

In September the Convention of Patriots for Justice and Peace (CPJP) and Union of Democratic Forces for Unity (UFDR) engaged in armed conflict, primarily in the town of Bria, which resulted in 50 deaths, the destruction of more than 700 homes, and displacement of approximately 4,500 people. Both groups were complicit in the killing and burning of homes.

In addition, attacks on civilians by the LRA prolonged the humanitarian crisis in the southeast, contributing to the continued presence of internally displaced persons in LRA-affected areas.

Killings

In March elements of the CPJP attacked an ethnic Goula village in Bamingi-Bangoran Province, killing eight and burning approximately 150 homes. More than 500 civilians were displaced to the nearby town of Ndele.

The LRA continued to commit numerous killings of civilians. In June suspected LRA combatants stopped a vehicle driven by the chief medical officer of Haut Mbomou Province and killed him and his driver while they were distributing polio vaccine to towns and villages in the southwest.

There were no further developments or actions taken in any of the 2010 conflict-related killings by FACA or nonstate armed entities.

Abductions

On May 3, a humanitarian convoy organized by International Medical Corps, heading to Ndifa village in Vakaga Prefecture, was stopped by suspected members of the UFDR. They hijacked the vehicle and five occupants and drove them around for most of the day. At dusk the hijackers released the passengers 14 miles from the nearest village and drove away with the vehicle, a satellite phone, and approximately 150,000 CFA francs (\$295) in cash.

The LRA continued to commit numerous abductions throughout the southeast. For example, in June suspected LRA combatants abducted 13 civilians, including three children, near Zemio. Twelve of these abductees were later released.

Physical Abuse, Punishment, and Torture

Government forces and armed groups mistreated civilians, including reportedly through torture, beatings, and rape, in the course of the conflicts.

In December approximately 10 soldiers of the presidential guard and Teddy Bozize, a son of President Bozize, brought two men to a cemetery where they robbed and severely beat them. No action had been taken as of year's end.

Abdoulaye Amat, a presidential guard member who cut off the ear of Price Telo in June 2010, remained free at year's end.

In April near Kaga Bandoro, the APRD arrested and reportedly tortured a man for allegedly practicing witchcraft. APRD members tied the man to a tree, beat him and cut off two of his toes to force a confession. After confessing, the man escaped, and the APRD responded by arresting his mother and reportedly torturing her. No further information was available at year's end.

In May near Kaga Bandoro the APRD arrested a man for alleged shape shifting, a form of witchcraft. When he managed to flee, the APRD arrested his mother, stripped her naked, beat her, and forced her to pay a fine of 100,000 CFA francs (\$200) before releasing her.

International and domestic observers reported that state security forces and members of nonstate armed entities, including Chadian soldiers and bandits, continued to attack cattle herders, primarily members of the Mbororo ethnic group. Many observers believed Mbororo were targeted primarily because of their perceived foreign origins, relative wealth, and the vulnerability of cattle to theft. One UN agency reported that, according to its NGO partners in the affected region, Mbororo cattle herders were also disproportionately subjected to kidnapping for ransom. A UN agency working in the area indicated the perpetrators often kidnapped women and children and held them for ransoms of between one million and two million CFA francs (\$1,975-\$3,950). Victims whose families did not pay were sometimes killed. Nonstate armed entities in the country continued to conduct frequent attacks on the Mbororo population on the Cameroonian side of the border, despite the Cameroonian government's deployment of security forces.

Some observers noted the use of rape by both government forces and nonstate armed entities to terrorize the population in the northern provinces, especially in the CPJP's zones of operation. Given the social stigma attached to rape, any report would likely underestimate the incidence of rape in the conflict zones. Several NGOs and UN agencies conducted gender-based violence awareness and treatment campaigns in northern provinces and Bangui.

During the year there were reports by humanitarian organizations of civilians being raped by members of the FPR in the Kaga Bandoro area. Rapes rarely were reported or documented due to the sensitivity of the issue within the community and fear of retaliation.

Child Soldiers

According to numerous human rights observers, some armed groups included soldiers as young as 12. They noted the UFDR and APRD stopped recruiting child soldiers as a result of disarmament, demobilization, and reinsertion activities, but in some remote areas, children were still used as lookouts and porters. In December the CPJP signed an Action Plan on Child Soldiers in the presence of UN Special Representative for Children and Armed Conflict Radhika Coomaraswamy in which it committed to the demobilization of child soldiers in its ranks. UNICEF and others noted that, while the child soldiers were willing to demobilize and were anxious to attend school, their home communities lacked the most basic infrastructure.

Several NGO observers reported that self-defense committees, established by towns to combat armed groups and bandits in areas where the FACA or gendarmes were not present or were incapable of providing effective security, used children as combatants, lookouts, and porters. UNICEF estimated that children constituted one third of the self-defense committees' personnel.

The LRA continued to kidnap children and force them to fight, act as porters, or function as sex slaves. Through October the LRA had killed 82 persons and abducted 360 in the country.

Displaced children were forced to work as porters, carrying stolen goods for groups of bandits.

See Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip.

Other Conflict-related Abuses

In numerous cases international NGOs were victims of carjackings and thefts in the Bamingui-Bangoran and Vakaga regions despite the presence of FACA and FOMAC forces.

FOMAC peacekeepers and government forces conducted joint security operations to secure the northern region and control the proliferation of small arms. Despite these operations the government was not able to provide sufficient security or protection for internally displaced persons (IDPs) in the north.

In the northwest members of government security forces, including the FACA and presidential guard, continued to garrison in the larger towns and occasionally engaged in combat with armed groups and bandits. While the cease-fire between government forces and armed groups allowed some displaced persons to return home, approximately 350,000 persons remained displaced in the bush or in refugee camps near the Chadian or Cameroonian borders.

Internal movement was severely impeded, particularly in northern and northwestern areas that the government did not control, by bandits and armed groups, including former combatants who helped President Bozize come to power in 2003.

Sporadic fighting between armed groups, attacks on civilians by armed groups, armed banditry, and occasional abuse by government soldiers kept many IDPs

from their homes. The Office of the UN High Commissioner for Refugees (UNHCR) estimated the number of IDPs during the year was approximately 170,000.

The overwhelming majority of IDPs were in the northwestern provinces of Ouham and Ouham Pende, where civilians remained displaced from their villages due to fear and lived in the bush for much of the year, returning occasionally to their fields to plant or scavenge. NGOs and UN agencies observed civilians returning in the northwest provinces; however, violence in Haute-Kotto during the year created newly displaced populations. Thousands of individuals remained homeless due to fighting in the north-central provinces of Haute-Kotto and Bamingui-Bangoran, and due to instability in the northeastern province of Vakaga, where there was ongoing fighting from an ethnic conflict between the Goula, Kara, and Rounga communities.

Hygiene-related illnesses and chronic malnutrition continued. Attacks or fear of attacks prevented many subsistence farmers from planting crops, and attackers either stole most of the livestock or the farmers fled with their livestock to safety in Cameroon. Chronic insecurity also rendered the north occasionally inaccessible to commercial, humanitarian, and developmental organizations, contributing to the lack of medical care, food security, and school facilities, although less so than in the previous year. Humanitarian organizations continued to supply some emergency relief and assistance to displaced populations, although long-term development projects were hampered by frequently changing security situations and sporadic fighting.

The number of IDPs in Kabo doubled from 3,000 to 6,000 as the result of clashes between APRD and Chadian groups in March.

In the north and northeast, the increasingly interethnic conflict between the UFDR and the CPJP resulted in the burning of several villages and the displacement of civilians.

The government did not attack or target IDPs, although some IDPs were caught in the fighting between armed groups. The government provided little humanitarian assistance, but it allowed UN agencies and NGOs access to these groups to provide relief.

Refugees continued to flee the country during the year (see section 2.d.).

There were credible reports that the following armed groups perpetrated serious human rights abuses in the Central African Republic during the year: APRD, CPJP, FPR, LRA, and UFDR.

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

Status of Freedom of Speech and Press

Although the constitution and law provide for freedom of speech and press, authorities occasionally arrested journalists critical of the government.

Freedom of Speech: While individuals enjoy the right to free speech, in some cases this right was impeded by the government. During the year the government sometimes prevented opposition groups from meeting by refusing permits for gatherings or by failing to secure public order in meeting places.

Freedom of Press: Throughout the year a number of newspapers routinely criticized the president, the government's economic policies, and official corruption without reprisal. There were more than 30 newspapers, many privately owned, which circulated daily or at less frequent intervals. Independent dailies were available in Bangui, but they were not distributed outside of the capital area.

Radio was the most important medium of mass communication, in part because the literacy rate was low. There were a number of alternatives to the state-owned radio station, Radio Centrafrique. For example, privately owned Radio Ndeke Luka continued to provide independent broadcasts, including national and international news and political commentary. With the exception of Radio Ndeke Luka, which organized debates on current events, government-run and privately owned broadcast outlets based in the country tended to avoid covering topics that could draw negative attention from the government. International broadcasters, including Radio France Internationale, continued to operate. During the year the government granted a license to Voice of America, which commenced broadcasting 24-hour programming.

The government continued to monopolize domestic television broadcasting (although this was available only in the capital and for limited hours), and television news coverage generally supported government positions.

The High Council for Communications, which is charged with granting publication and broadcast licenses and protecting and promoting press freedom, is nominally independent. However, some of its members were appointed by government officials and according to several independent journalists, as well as the international press freedom watchdog Committee to Protect Journalists, the body was controlled by the government.

There were also reports of government ministers and other senior officials threatening journalists who were critical of the government. However, according to the Central African Journalists' Union, arrests by the government were rare.

Violence and Harassment: In May two newspaper journalists, Cyrus Sandy and Faustin Bambou, were arrested and imprisoned following a series of editorials that accused Deputy Minister of Defense and presidential son Francis Bozize of misappropriating funds intended for the pensions of military retirees. Authorities claimed the editorials had sparked a number of protests by military retirees and charged Sandy and Bambou with the criminal offense of inciting hatred and violence. After nearly two months in prison and following protests by both diplomats and humanitarian organizations, the two were convicted by a court of a lesser civil offense of defamation and were released with an order to each pay a fine of 300,000 CFA francs (\$590).

Security forces often harassed and threatened journalists. For example, in August 2010 unidentified armed men in military uniforms attacked Television Centrafrique camerawoman Virginie Mokonzi. The assailants reportedly beat, robbed, and raped her in front of her children and husband. The Journalist's Union organized a march to protest the attack and delivered a memorandum to the prime minister. By year's end there were no reports of arrests.

Censorship or Content Restrictions: Imprisonment for defamation and censorship was abolished in 2005; however, journalists found guilty of libel or slander faced fines of 100,000 to eight million CFA francs (\$200 to \$15,800).

The law provides for imprisonment and fines of as much as one million CFA francs (\$1,975) for journalists who use the media to incite disobedience among security forces or incite persons to violence, hatred, or discrimination. Similar fines and imprisonment of six months to two years may be imposed for the publication or broadcast of false or fabricated information that "would disturb the peace."

Internet Freedom

There were no government restrictions on access to the Internet or credible reports that the government monitored e-mail or Internet chat rooms. Individuals and groups could engage in the expression of views via the Internet, including by e-mail.

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 provides for the right of assembly; however, the government restricted this right on a few occasions and prevented political opposition groups from conducting meetings. Any association intending to hold a political meeting was required to obtain the Ministry of Interior's approval; however, some meetings were disrupted or prevented despite having this approval.

In August and September opposition political parties attempted to peacefully assemble in Bangui and received advance approval from appropriate government authorities. Security forces first blocked access to the meeting site and, after eventually allowing the meeting to take place, refused to intervene when youths vandalized vehicles and threatened attendees. In September security forces blocked access to a site that had been previously approved for a peaceful public meeting of the Movement for the Liberation of the Central African People.

Freedom of Association

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

A law prohibiting nonpolitical organizations from uniting for political purposes remained in place.

c. Freedom of Religion

See the Department of State's *International Religious Freedom Report* at www.state.gov/j/drl/irf/rpt.

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

The constitution provides for freedom of movement within the country, foreign travel, emigration, and repatriation; however, the government restricted freedom of movement within the country and foreign travel during the year.

In-country Movement: Police and military personnel, customs officers, and other officials harassed travelers unwilling or unable to pay bribes or “taxes” at checkpoints along intercity roads and at major intersections in Bangui, although the number of these roadblocks continued to decrease.

Merchants and traders traveling the more than 350-mile route from Bangui to Bangassou encountered an average of 25 military barriers. While the fees extorted varied for private passengers, commercial vehicles reported paying fees of up to 9,000 to 10,000 CFA francs (\$18 to \$20) at each checkpoint to continue their journeys.

Rebels and armed groups routinely restricted movement by setting roadblocks or otherwise closing transit routes. In July the UFDR took effective control of the northern town of Sam Ouandja by closing the air strip, blocking access by road, and disabling cellular communications. In October suspected elements of the FPR stopped a commercial vehicle between Sibut and Grimari, killing two passengers and wounding several others.

On multiple occasions during the year, police, gendarmes, and the FACA impeded the travel of members of the opposition parties, delaying their travel in some cases for months.

Foreign Travel: On February 5, government authorities confiscated the passport and airline ticket of Guy Simplicie Kodegue, spokesman for former president Ange-Felix Patasse.

On March 22, a private plane sent to Bangui to medically evacuate former president Patasse was denied landing privileges. On March 30, Patasse and several other members of opposition parties attempted to board a Kenya Airways flight and were physically prevented from reaching the airport by government security officials.

Internally Displaced Persons (IDPs)

Sporadic fighting between government forces and armed groups, attacks on civilians by armed groups including the LRA, and armed banditry prevented the country's IDPs, most of whom were displaced in 2006, from returning to their homes. At year's end there were approximately 170,000 IDPs, 66,545 of whom were returnees who were considered displaced. While returns started in 2009, these returnees were still in the process of reintegration and therefore still considered displaced. More than 22,000 were newly displaced during the year as a result of internal conflict and banditry. The number of individuals who had fled the country totaled 164,905 and were largely located in neighboring countries.

In July 2010 the government reopened the roads north of Ndele to humanitarian access after a prolonged closure due to government efforts to fight the CPJP.

The government did not provide protection or assistance to IDPs, citing a lack of means, but allowed humanitarian organizations to provide services such as assistance with seeds and agricultural materials or provision of identity documents.

There were no reports of the government attacking or specifically targeting IDPs. The government occasionally blocked humanitarian access in areas frequented by armed groups. There were no reports of the government inhibiting the free movement of IDPs.

Displaced children worked in fields for long hours and as porters for bandits or armed groups (see sections 1.g. and 7.d.).

Protection of Refugees

Access to Asylum: The country's laws provide for the granting of asylum or refugee status, and the government has established a system for providing protection to refugees.

The government continued to cooperate with the UNHCR and other humanitarian organizations in assisting approximately 17,750 refugees in the country.

Nonrefoulement: In practice the government provided protection against the expulsion or return of refugees to countries where their lives or freedom would be threatened. The government accepted refugees without subjecting them to individual screening.

Refugee Abuse: During the year security forces subjected refugees, as they did citizens, to arbitrary arrest and detention. Refugees were especially vulnerable to such human rights abuses. The government allowed refugees freedom of movement but, like citizens, they were subject to roadside stops and harassment by security forces and armed groups. Refugees complained of having to pay higher fees and bribes at road checkpoints than CAR citizens.

Access to Basic Services: Refugees' access to courts, public education, and basic public health care was limited by the same factors that limited citizens' access to these services.

Stateless Persons

Citizenship is derived by birth within the country's territory; however, birth documentation and recordkeeping were poor. For much of the year, basic identity documents such as passports were unavailable to the public due to a lack of supply. During the year the UNHCR determined approximately 50,000 of the estimated 170,000 total IDPs and returnees were at risk of stateless status. Laws provide for the opportunity to gain nationality.

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

The constitution provides citizens with the right to change their government peacefully; citizens exercised this right in presidential and legislative elections during the year. However, election observers considered the elections to be flawed.

Elections and Political Participation

Recent Elections: During the year the country held three rounds of multiparty presidential and legislative elections that resulted in the reelection of Francois

Bozize as president. Bozize had seized power in a 2003 military coup, declared himself president, and headed a transitional government until winning election in 2005. Domestic and international election observers judged the 2011 elections to be flawed, citing fraud, intimidation, and lack of ballot secrecy, among other problems. Observers also reported irregularities, including an unexplained increase of 40 percent in registered voters between 2005 and 2010, and high levels of “par derogation” votes indicating voters casting ballots outside their home districts.

Political Parties: Political parties were not prevented from participating in the elections, and 861 candidates from 41 parties competed for 105 legislative seats. Membership within the president’s Kwa Na Kwa party generally conferred special advantages, including access to government resources to conduct political campaigns.

Political parties continued to be subject to close scrutiny and restrictions by the government. Members of political parties were not always able to move about the country without restriction; many had to obtain authorization from the government before traveling.

Participation of Women and Minorities: Women and minority citizens are not prevented by law from voting or participating in political life on the same basis as men or nonminority citizens. The new government, chosen in April, included a number of female ministers, including the minister of commerce, minister for primary and secondary education, minister of international cooperation, minister of tourism, and minister of social affairs. During the year there were eight female deputies in the 105-member legislature.

Section 4. Official Corruption and Government Transparency

The law provides criminal penalties for official corruption; however, the government did not implement these laws effectively, and officials often engaged in corrupt practices with impunity. The World Bank’s Governance Indicators reported that corruption was a severe problem.

In August two former ministers of telecommunications, Theirry Maleyombo and Fidele Gouandjika, were implicated in a corruption scandal during an audit of the ministry that revealed improper payments. Maleyombo was briefly arrested, while Gouandjika had his passport confiscated, was called as a witness in the case, and

removed from his position as government spokesman. At year's end Gouandjika remained in his post as minister of agriculture.

According to the constitution, senior members of the executive, legislative, and judicial branches are required to declare publicly their personal assets at the beginning of their terms. The members of the new government chosen in April declared their assets upon entry into the government. The law does not require ministers to declare their assets upon departing government.

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

Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

A variety of domestic and international human rights groups generally operated freely within the country, despite several cases of harassment and threats by government officials or security force members against domestic NGOs who investigated and published their findings on human rights cases. Government officials were somewhat cooperative and responsive to their views.

There were domestic human rights NGOs that demonstrated significant independence; however, several domestic civil society groups were led by individuals belonging to or closely associated with the ruling political party, which may have limited their independence. Citing the appearance of a conflict of interest, some international and domestic NGOs expressed concern over the neutrality and independence of the country's only legally recognized NGO platform or umbrella group, the Inter-NGO Council in CAR (CIONGCA), which was led by the brother of a former minister of state and ethnic kinsman of the president.

A few NGOs were active and had a significant impact on the promotion of human rights. Some local NGOs, including the LCDH, OCDH, ACAT, and Association

of Women Jurists (AFJC), a Bangui-based NGO specializing in the defense of women's and children's rights, actively monitored human rights problems; worked with journalists to draw attention to human rights violations, including those committed by the army; pleaded individual cases of human rights abuses before the courts; and engaged in efforts to raise the public's awareness of citizens' legal rights.

Domestic human rights NGOs reported that some officials continued to view them as spokespersons for opposition political parties. They also reported several cases of harassment by officials during their fact-finding visits around the country. Domestic human rights NGOs reported that its members located outside the capital remained afraid to investigate alleged abuses because security force members threatened NGO activists suspected of passing information about abuses by security forces to international NGOs for publication. Several human rights lawyers reported that the families of victims of abuse by officials, or those close to officials, often urged the victims not to pursue legally their attackers due to fear of reprisal.

UN and Other International Bodies: International human rights NGOs and international organizations operated in the country mostly without interference from the government. Several humanitarian NGOs complained of difficulties in renewing their charters and of substantial revisions to their operating requirements by the government. A newly proposed law aimed to impose additional burdens on international NGOs including taxation of expatriate staff salaries, mandates to partner with and support local NGOs, and more frequent reporting requirements to government agencies.

Due in part to the government's inability to address persistent insecurity in parts of the country effectively, some international human rights and humanitarian groups working in conflict zones either closed suboffices or left the country. For example, international NGOs working in the Vakaga and Haute Kotto provinces did not send international staff to the region and maintained only limited nationally staffed programs.

The government cooperated with the International Criminal Court (ICC), which continued its investigation into crimes committed in the country in 2002-03 by the previous government and by soldiers under the command of Jean Pierre Bemba, then a Congolese rebel leader. In 2008 Bemba was arrested in Brussels. In November 2010 Bemba's trial opened in The Hague at the ICC. At year's end the

prosecution was still presenting its witnesses, and thousands had applied to the court as victims.

Government Human Rights Bodies: The Office of the High Commissioner for Human Rights and Good Governance, attached to the presidency, investigated citizen complaints of human rights violations by members of the government. The commission was ineffective and, after working briefly on three cases of violations, did not take any substantive follow-up steps. With a reported budget of five million CFA francs (\$9,870), the office did not have adequate staffing or financial resources and lacked the means to train its investigators properly. The limited funding for the commission also meant that it functioned only in Bangui. Some human rights observers noted that it acted more as a spokesperson for the government than an office promoting human rights.

Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

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

Women

Rape and Domestic Violence: The law prohibits rape, although it does not specifically prohibit spousal rape. Rape is punishable by imprisonment with hard labor, but the law does not specify a minimum sentence. The government did not enforce the law effectively. Police sometimes arrested men on charges of rape, although statistics on the number of prosecutions and convictions during the year were not available. The fear of social stigma and retaliation inhibited many families from bringing suits.

During a visit to the country in February 2010, the UN High Commissioner for Human Rights voiced deep concern over--and called for urgent action on--the widespread sexual violence that women faced, noting that crimes were being committed by both state and nonstate actors.

Few countrywide assessments were conducted on the prevalence of rape. However, according to a baseline study conducted in 2009 by an international NGO in four nonconflict areas (Bangui, Bouar, Bambari, and Bangassou), sexual violence against women was pervasive. One in seven women reported having been raped in the previous year, and the study concluded that the true prevalence of rape

may be even higher. A University of California at Berkeley survey conducted in late 2009 found that in four western provinces, approximately 6 percent of women reported being a victim of sexual violence since 2001. In addition, from January through August 2011, an international NGO reported 34 cases of gender-based violence brought to its attention in the Ouham Pende area. Of these cases, 50 percent were against minors and included male and female rape. According to the NGO, only two of the cases were reported to local gendarmes and most went unreported because family members preferred a traditionally mediated solution. One of the cases reported to the gendarmes involved the rape of a young child; however, a traditionally mediated solution stopped the case from reaching the courts.

Although the law does not specifically mention spousal abuse, it prohibits violence against any person and provides for penalties of up to 10 years in prison. Domestic violence against women, including wife beating, was common; 25 percent of women surveyed in an international NGO study had experienced violence committed by their partner in 2009. Of those surveyed, 33 percent of men and 71 percent of women said it was acceptable to use violence against women when women had not properly performed their domestic tasks. Spousal abuse was considered a civil matter unless the injury was severe. According to the AFJC, victims of domestic abuse seldom reported incidents to authorities. When incidents were addressed, it was done within the family or local community. The deputy prosecutor said he did not remember trying any cases of spousal abuse during the year, although litigants cited spousal abuse during divorce trials and civil suits.

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

Female Genital Mutilation (FGM): The practice of FGM was prohibited by law, although it occurred in some rural areas (see also Children below).

Other Harmful Traditional Practices: Women, especially the very old and those without family, continued to be targets of witchcraft accusations (see section 6).

Sexual Harassment: The law prohibits sexual harassment; however, the government did not effectively enforce the law, and sexual harassment was a common problem. The law describes no specific penalties for the crime.

Reproductive Rights: The government respected couples' rights to decide freely and responsibly the number, spacing, and timing of children. Most couples lacked access to contraception and skilled attendance during childbirth. According to UNICEF data collected between 2000 and 2006, approximately 19 percent of women between the ages of 15 and 49 who were married or in union were using contraception, and only 44 percent of births were attended by skilled personnel. According to the UN Population Fund, the maternal mortality rate remained extremely high: 850 of every 100,000 live births. Infant mortality was 106 deaths per 1,000 live births in 2008. UN sources estimated that a woman's lifetime risk of maternal death was one in 27. The government continued working with UN agencies to increase the use of contraception, including by women, and to assist in other prevention activities targeting sexually transmitted infections.

Discrimination: The formal law does not discriminate against women in inheritance and property rights, but a number of discriminatory customary laws often prevailed, and women's statutory inheritance rights often were not respected, particularly in rural areas.

Women were treated as inferior to men economically and socially. Single, divorced, or widowed women, including those with children, were not considered heads of households. One of every three women surveyed by an international NGO stated they were excluded from financial decisions in their households. By law men and women were entitled to family subsidies from the government, but several women groups complained about lack of access to these payments for women. There were no accurate statistics on the percentage of female wage earners. Women's access to educational opportunities and to jobs, particularly at higher levels in their professions or in government service, remained limited. Some women reported economic discrimination in access to credit due to lack of collateral. However, there were no reports of discrimination in pay equity or owning or managing a business. Divorce is legal and can be initiated by either partner.

The AFJC advised women of their legal rights and how best to defend them; it filed complaints with the government regarding human rights violations. During the year several women's groups organized workshops to promote women's and children's rights and encourage women to participate fully in the political process.

Children

Birth Registration: Citizenship is derived by birth in the national territory or from one or both parents. The registration of births was spotty, and Muslims reported consistent problems in establishing their citizenship. Unregistered children faced limitations in access to education and other social services. According to a 2006 UNICEF study (the most recent available), total birth registration was 49 percent, with 36 percent of children registered in rural areas. Registration of births in conflict zones was likely lower than in other areas.

Education: Education is compulsory for six years until the age of 15; tuition is free, but students had to pay for their books, supplies, transportation, and insurance. Girls did not have equal access to primary education; 65 percent of girls were enrolled in the first year of school, but only 23 percent of girls finished the six years of primary school, according to a 2007 UNESCO study. At the secondary level, a majority of girls dropped out at the age of 14 or 15 due to societal pressure to marry and bear children.

Few Ba'aka attended primary school. Some local and international NGOs made efforts (with little success) to increase Ba'aka enrollment in schools; there was no significant government assistance to these efforts.

Child Abuse: The law criminalizes parental abuse of children under the age of 15. Nevertheless, child abuse and neglect were widespread, although rarely acknowledged. A juvenile court tried cases involving children and provided counseling services to parents and juveniles during the year.

In July the government convened the National Council for the Protection of Children to address topics related to child abuse, exploitation, and trafficking. The membership was appointed by the prime minister and includes representatives from concerned ministries, international organizations, and NGOs.

Child Marriage: The law establishes 18 as the minimum age for civil marriage; however, an estimated 61 percent of women between the ages of 20 and 24 were married before the age of 18, according to UNICEF data collected between 2000 and 2009, and the 2006 Multiple Indicators Country Survey reported that nearly 20 percent of women had married before reaching the age of 15. The Ministry of Family and Social Affairs had limited means to address this problem. Early marriage was usually reported in less educated and rural environments where the government lacked authority. The phenomenon of early marriage was more common in the Muslim community.

Harmful Traditional Practices: The law prohibits FGM, which is punishable by two to five years' imprisonment and a fine of 100,000 to one million CFA francs (\$200 to \$1,975), depending on the severity of the case; nevertheless, girls were subjected to this traditional practice in certain rural areas, especially in the northeast and, to a lesser degree, in Bangui. According to the AFJC, anecdotal evidence suggested FGM rates declined in recent years as a result of efforts by UNICEF, AFJC, and the Ministries of Family and Social Affairs, and Public Health to familiarize women and girls with the dangers of the practice.

According to UNICEF data collected between 2002 and 2007, the overall percentage of girls and women between the ages of 15 and 49 who had undergone FGM was approximately 27 percent.

Sexual Exploitation of Children: There were no statutory rape or child pornography laws protecting adolescent minors or children.

Child Soldiers: Child labor was widespread; forced child labor, including the use of children as soldiers, occurred (see sections 1.g., 7.c., and 7.d.).

Displaced Children: There were more than 6,000 street children between the ages of five and 18, including 3,000 in Bangui, according to data collected by the Ministry of Family and Social Affairs. Many experts believed that HIV/AIDS and a belief in sorcery, particularly in rural areas, contributed to the large number of street children. An estimated 300,000 children had lost one or both parents to HIV/AIDS, and children accused of sorcery (often reportedly in connection with HIV/AIDS-related deaths in their neighborhoods) often were expelled from their households and were sometimes subjected to societal violence.

There were NGOs specifically promoting children's rights, including some, such as Voices of the Heart, which assisted street children.

The country's instability had a disproportionate effect on children, who accounted for almost 50 percent of IDPs during the year. Access to government services was limited for all children, but displacement reduced it further.

International Child Abductions: The country is not a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction.

Anti-Semitism

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

Trafficking in Persons

See the Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip.

Persons with Disabilities

The law prohibits discrimination against persons with both mental and physical disabilities. It also requires that for any company employing 25 persons or more, at least 5 percent of its staff must consist of sufficiently qualified persons with disabilities, if they are available. In addition the law states that each time the government recruits new personnel into the civil service, at least 10 percent of the total number of newly recruited personnel should be persons with disabilities. According to the Ministry of Family and Social Affairs, the provision was not automatic and depended on the availability of applications from persons with disabilities at the time of the recruitment decision by the interested ministry.

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

The Ministry of Family and Social Affairs continued to work with the NGO Handicap International during the year to provide treatment, surgeons, and prostheses to persons with physical disabilities.

National/Racial/Ethnic Minorities

Violence by unidentified persons, bandits, and other nonstate armed entities against the Mbororo was a problem, as they continued to suffer disproportionately from the civil disorder in the north. Their cattle wealth made them attractive targets to the bandits and other nonstate armed entities. Additionally, since many

citizens viewed the Mbororo as inherently foreign due to their transnational migratory patterns, they faced occasional discrimination with regard to government services and protections.

In July gendarmes captured four armed Mbororo herders and detained them in Zemio on suspicion of colluding with the LRA. Approximately 100 persons from the local community stormed the holding facility, overpowered the gendarmes, and killed three of the accused men. Mbororo in LRA-affected areas were often accused of complicity with the LRA and discriminated against or targeted on those grounds.

Indigenous People

Despite constitutional protections and the ratification of the International Labor Organization (ILO's) Convention on Indigenous and Tribal Peoples, there was societal discrimination against Ba'aka (Pygmies), the earliest known inhabitants of the rain forest in the south. Ba'aka constitute approximately 1 to 2 percent of the population. They continued to have little say in decisions affecting their lands, culture, traditions, and the exploitation of natural resources. Forest-dwelling Ba'aka in particular were subject to social and economic discrimination and exploitation, which the government has done little to prevent. Despite repeated promises the government took no steps to issue and deliver identity cards to Ba'aka, lack of which, according to many human rights groups, effectively denied them access to greater civil rights.

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

Refugees International reported that Ba'aka were effectively "second-class citizens," and the popular prejudice that they were barbaric and subhuman further caused them to be excluded from mainstream society.

Societal Abuses, Discrimination, and Acts of Violence Based on Sexual Orientation and Gender Identity

The penal code criminalizes consensual same-sex sexual activity. The penalty for "public expression of love" between persons of the same sex is imprisonment for

six months to two years or a fine of between 150,000 and 600,000 CFA francs (\$295 and \$1,185). When one of the participants is a child, the adult may be sentenced to two to five years' imprisonment or a fine of 100,000 to 800,000 CFA francs (\$200 and \$1,600); however, there were no reports that police arrested or detained persons under these provisions.

While there is official discrimination based on sexual orientation, there were no reports of the government targeting gay men and lesbians. However, societal discrimination against lesbian, gay, bisexual and transgender persons was entrenched, and many citizens attributed the existence of homosexuality to undue Western influence.

Other Societal Violence or Discrimination

Persons with HIV/AIDS were subject to discrimination and stigma, although less so as NGOs and UN agencies raised awareness about the disease and available treatments. Nonetheless, many individuals with HIV/AIDS did not disclose their status for fear of social stigma.

Mob violence was widespread, and cases were underreported.

Civilians reportedly continued to injure and torture persons suspected of being sorcerers or witches.

On May 27, a woman in Bangui was threatened with death by her neighbors, who accused her of attempting to initiate seven young girls into the practice of sorcery. Police detained the woman for her own safety; as of November she remained in custody.

Detentions, arrests, and abuse of those accused of witchcraft were commonplace. Many of those accused were women, and they were often subjected to mob violence, imprisonment, or death.

In November five women accused of sorcery were beaten and tortured by members of the APRD in the village of Boyimadja 2. One woman eventually died of her injuries, and another remained in APRD custody, to be turned over later to local gendarmes.

There were no further developments in the October 2010 case of four persons accused of witchcraft in Mbereguli village. The four were reportedly tortured by members of the APRD.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The law allows all workers, except for senior-level state employees and security forces, including the armed forces and gendarmes, to form or join unions without prior authorization. The labor code provides for the right of workers to organize and administer trade unions without employer interference and grants trade unions full legal status, including the right to file lawsuits. Although the labor code no longer bars a person who loses the status of worker from belonging to a trade union or participating in its administration, the law requires that union officials be full-time, wage-earning employees in their occupation and allows them to conduct union business only during working hours as long as the employer is informed 48 hours in advance and provides authorization. In addition the law requires that foreign workers must meet a residency requirement of at least two years before they may organize. There continued to be substantial restrictions that made it difficult for citizens to hold a leadership position within a union, despite some amendments to the labor code.

Workers have the right to strike in both the public and private sectors; however, security forces, including the armed forces and gendarmes, are prohibited from striking. Requirements for conducting a legal strike were excessively lengthy and cumbersome. To be legal strikes must be preceded by the union's presentation of demands, the employer's response to these demands, a conciliation meeting between labor and management, and a finding by an arbitration council that union and employer failed to reach agreement on valid demands. The union must provide eight days' advance written notification of a planned strike. The law states that if employers initiate a lockout that is not in accordance with the code, the employer is required to pay workers for all days of the lockout. The Ministry of Labor has the authority to determine a list of enterprises that are required by law to maintain a "compulsory minimum service" in the event of a strike. The government has the power of requisition or the authority to end strikes by invoking the public interest. The code makes no other provisions regarding sanctions on employers for acting against strikers.

The law expressly forbids antiunion discrimination. The labor code provides that unions may bargain collectively in the public and private sectors and also provides workers protection from employer interference in the administration of a union. In June 2010 the ILO recommended that the government amend a provision of the labor code, which in effect hinders the public sector workers' right to bargain collectively by providing for the negotiation of collective agreements in the public sector by professional groupings even when trade unions exist. During the year the government took no action on the ILO recommendation.

Employees can have their cases heard in the labor court. The law does not state whether employers found guilty of antiunion discrimination are required to reinstate workers fired for union activities, although employers found guilty of such discrimination were required by law to pay damages, including back pay and lost wages.

Several union strikes were encountered during the year, including by taxi drivers and university professors, and the government respected the laws concerning labor actions. Workers exercised some of these rights in practice. However, only a relatively small part of the workforce, primarily civil servants, exercised the right to join a union. While worker organizations are officially outside government or political parties, the government exerted some influence over the leadership of some organizations.

Labor unions did not report any underlying patterns of discrimination or abuse. The president of the labor court said the court did not hear any cases involving antiunion discrimination during the year.

Collective bargaining occurred in the private sector during the year, although the total number of collective agreements concluded was unknown. The government generally was not involved if the two parties were able to reach an agreement. Information was limited on effectiveness of collective bargaining in the private sector.

In the civil service, the government, which was the country's largest employer, set wages after consultation, but not negotiation, with government employee trade unions. Salary and pension arrears continued to be a problem for armed forces personnel and the 24,000 civil servants, although the government continued to reduce the arrears.

b. Prohibition of Forced or Compulsory Labor

The labor code specifically prohibits all forms of forced or compulsory labor and prescribes a penalty of five to 10 years' imprisonment. The labor code's prohibition of forced or compulsory labor also applies to children, although they are not mentioned specifically. However, the government did not enforce the prohibition effectively, and there were reports that such practices occurred. Women and children were subject to forced domestic labor, agricultural labor, mining, sales, restaurant labor, and sexual exploitation. Prisoners often worked on public projects without compensation. In rural areas there were reported cases of the use of prisoners for domestic labor at some government officials' residences. However, in Bangui and other large urban areas, the practice was rare, partly because of the presence of human rights NGOs or lawyers. Prisoners often received shortened sentences for performing such work. Ba'aka, including children, often were coerced into labor as day laborers, farm hands, or other unskilled labor, and often treated as slaves. There were no known victims removed from forced labor during the year.

Also see the Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip.

c. Prohibition of Child Labor and Minimum Age for Employment

The labor code forbids the employment of children younger than 14 years of age without specific authorization from the Ministry of Labor and Civil Service, but the law also provides that the minimum age for employment could be as young as 12 years of age for some types of light work in traditional agricultural activities or home services. The law prohibits children younger than 18 years old from performing hazardous work or working at night. Although the law defines hazardous work as any employment that endangers children's physical and mental health, it does not define the worst forms of child labor. The mining code specifically prohibits child or underage labor.

The government did not enforce these provisions. Child labor was common in many sectors of the economy, especially in rural areas. There were no reports that children were employed on public works projects or at the residences of government officials. However, children continued to perform hazardous work during the year.

Throughout the country children as young as seven years old frequently performed agricultural work. Children often worked as domestic workers, fishermen, and in

mines, often in dangerous conditions. Children also worked in the diamond fields alongside adult relatives, transporting and washing gravel, as well as mining gold, digging holes, and carrying heavy loads. Despite the law prohibiting child labor in mining, many children were seen working in and around diamond mining fields.

In Bangui many of the city's estimated 3,000 street children worked as street vendors.

During the year nonstate armed entities recruited and used child soldiers (see section 1.g.).

Displaced children continued to work in fields for long hours in conditions of extreme heat, harvesting peanuts and cassava and helping gather items that were sold at markets, such as mushrooms, hay, firewood, and caterpillars.

Also see the Department of Labor's *Findings on the Worst Forms of Child Labor* at www.dol.gov/ilab/programs/ocft/tda.htm.

d. Acceptable Conditions of Work

The labor code states that the minister of labor must set minimum wages in the public sector by decree. The minimum wages in the private sector are established on the basis of sector-specific collective conventions resulting from negotiations between the employer and workers' representatives in each sector.

The minimum wage in the private sphere varies by sector and kind of work. For example, the monthly minimum wage was 8,500 CFA francs (\$17) for agricultural workers and 26,000 CFA francs (\$51) for government workers.

The minimum wage applies only to the formal sector, leaving most of the economy unregulated in terms of wages. The monthly minimum wage increased 12 percent during the year from 25,000 CFA (\$50) to 28,000 CFA (\$55). The law applies to foreign and migrant workers as well. Most labor was performed outside the wage and social security system (in the extensive informal sector), especially by farmers in the large subsistence agricultural sector.

The law sets a standard workweek of 40 hours for government employees and most private sector employees. Household employees may work up to 52 hours per week. The law also requires a minimum rest period of 48 hours per week for both citizens and foreign and migrant workers. Overtime policy varied according to the

workplace; violations of overtime policy were taken to the Ministry of Labor, although it was unknown whether this occurred in practice during the year.

There are general laws on health and safety standards in the workplace, but the Ministry of Labor and Civil Service did not precisely define them. The labor code states that a labor inspector may force an employer to correct unsafe or unhealthy work conditions, but it does not provide the right for workers to remove themselves from such conditions without risk of loss of employment. There are no exceptions for foreign and migrant workers.

The government did not enforce labor standards, and violations were common through all sectors of the economy.