



**THE REPUBLIC OF CONGO
(BRAZZAVILLE)**

COUNTRY REPORT

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Immigration and Nationality Directorate
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1. SCOPE OF THE DOCUMENT

1.1 This Country Report has been produced by the Country Information and Policy Unit, Immigration and Nationality Directorate, Home Office, for use by Home Office officials involved in the asylum/human rights determination process. The Report provides general background information about the issues most commonly raised in asylum/human rights claims made in the United Kingdom. It is not a detailed or comprehensive survey.

1.2 The Report is compiled from a wide range of recognised sources and does not contain any Home Office opinion or policy. All information in the Report is attributed, throughout the text, to original source material, which has been made available to those working in the asylum/human rights determination process. The Report aims to provide only a brief summary of the source material quoted. For a more detailed account, the relevant source documents should be examined directly.

1.3 The information contained in this Country Report is, by its nature, limited to information that we have been able to identify from various well-recognised sources. The contents of this Report are not exhaustive and the absence of information under any particular heading does not imply that any analysis or judgement has been exercised to exclude that information, but simply that relevant information on the subject has not been identified from the sources that have been consulted. Equally, the information included in the Reports should not be taken to imply anything beyond what is actually stated.

1.4 The great majority of the source material is readily available in the public domain. Copies of other source documents, such as those provided by government offices, may be provided upon request.

1.5 All sources have been checked for currency, and as far as can be ascertained, contain information, which remained relevant at the time, this Report was issued. Some source documents have been included because they contain relevant information not available in more recent documents.

1.6 This Country Report and the accompanying source material are publicly disclosable. Where sources identified in this Report are available in electronic form the relevant link has been included. The date that the relevant link was accessed in preparing the report is also included. Paper copies of the source documents have been distributed to nominated officers within IND.

1.7 It is intended to revise this Report on a six-monthly basis while the country remains within the top 35 asylum producing countries in the United Kingdom. Information contained in Country Reports is inevitably overtaken by events that occur between the 6 monthly publications. Caseworkers are informed of such changes in country conditions by means of Country Information Bulletins.

2. GEOGRAPHY

2.1 According to the “Europa World Year Book 2003”, the Republic of Congo is an equatorial country on the west coast of Africa. It has a coastline of about 170 km on the Atlantic Ocean, from which the country extends northward to Cameroon and the Central African Republic. The Republic of Congo is bordered by Gabon to the west and the Democratic Republic of Congo to the east, while in the south there is a short frontier with the Cabinda enclave of Angola. The country has a land area of 342,000 sq km. The climate is tropical, with temperatures averaging 21 degrees centigrade to 27 degrees centigrade throughout the year. French is the official language and Kituba, Lingala and other African languages are also used. For administrative purposes, the country is administratively divided into ten regions – Bouenza, Cuvette, Cuvette Ouest, Kouilou, Lekoumou, Likouala, Niari, Plateaux, Pool and Sangha. The principal centres of urban population are the capital, Brazzaville, and the main port of Pointe-Noire [2] (page 1246).

2.2 According to the US State Dept Republic of Congo Country Background Note, published in November 2003, the ten regions are sub-divided into districts which includes the capital district. The Republic of Congo’s sparse population is concentrated in the urban south west part of the country. The vast areas of tropical jungle in the north of the country are virtually uninhabited. The country is one of the most urbanised countries in Africa, with 85 per cent of its total population living a few urban areas. In 2002, the population of the country was 3.2 million with an annual growth rate of 2.7 per cent [3d] (pages 1-2).

2.3 According to “Africa South of the Sahara 2004”, the Republic of Congo plays an important role in the transport system that links Chad, the CAR and parts of Cameroon and Gabon with the Atlantic coast. All of the rail and much of the river portion of the system is located in the Congo and the port of Pointe-Noire is the terminus of this network. The river system is also of great significance as a transport artery throughout the country. The Congo-Ocean Railway carries mostly freight and links Pointe-Noire and Brazzaville. There are international airports at Brazzaville and Pointe-Noire, as well as five regional airports and 12 smaller airfields [1] (pages 313 - 314). According to the "United Nations Plan for the Republic of Congo 2003-2004", the Congolese road network comprises 17,289 km, of which 1,264 km are asphalted, 1,851 km are major unsurfaced dirt roads and 14,174 km are secondary roads. The road network as a whole is in a poor condition and is poorly maintained, making communication difficult between urban and rural areas [11] (page 12).

3. THE ECONOMY

3.1 According to the US State Dept Republic of Congo Country Background Note, published in November 2003, the Gross Domestic Product (GDP) in 2002 was US\$3 billion and the income per capita in 2002 was US\$700. The country’s natural resources are petroleum, potash, lead, zinc, uranium, phosphates and natural gas. The country’s agricultural products are manioc, plantains, peanuts, pineapples, sugarcane, cocoa

and corn [3d] (pages 1 - 2). According to the Economist Intelligence Unit Country Profile Report for the Republic of Congo, published in February 2004, the oil industry is the mainstay of the economy and accounts for 95 per cent of export earnings and 44 per cent of GDP in 2000. Forestry and agriculture are the other main productive sectors of the economy. About 60 per cent of the population earn their living from, or has links to, the informal agricultural sector. Public service and parastatal companies have traditionally been the core formal sector economic activity. The country has poor infrastructure and public services, as well as poor social indicators in health, education and nutrition [12]. The US State Dept 2003 Human Rights Report on the Republic of Congo reports that approximately 70 per cent of the population live in poverty. Lack of transparency and inefficient government has impeded economic development [3b] (page 1).

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4. HISTORY

From Independence to Rule by Denis Sassou-Nguesso

4.1 According to the US State Dept Republic of Congo Country Background Note, published in November 2003, the territory now known as the Republic of Congo came under French sovereignty in the 1880s. Economic development during the first 50 years of colonial rule in Congo centred on the extraction of natural resources. After World War II, the French government gradually allowed greater freedoms for the Congolese people and a degree of administrative independence. The Congo eventually became a fully independent country on 15 August 1960 [3d] (page 2).

4.2 According to the US State Dept Republic of Congo Country Background Note, published in November 2003, the Congo's first president was Fulbert Youlou. His three years in power were marked by ethnic tensions and political rivalry, which eventually lead to an uprising in August 1963. Youlou and all the members of his government were arrested or removed from office. The military took charge of the country briefly and installed a civilian provisional government headed by Alphonse Massamba-Debat. His term in office was abruptly ended in August 1968 after a military coup. After a period of consolidation under the newly formed National Revolutionary Council, Major Ngouabi assumed the presidency in December 1968. One year later, he changed the name of the National Revolutionary Council to the Congolese Labour Party (PCT). In March 1977, President Ngouabi was assassinated. An interim government was set up with Colonel Joachim Yhomby-Opango as the president. Accused of corruption and deviation from party directives, he was removed from office in February 1979 by the Central Committee of the PCT. The Central Committee then elected Colonel Denis Sassou-Nguesso as the president [3d] (pages 2-3).

4.3 According to "Africa South of the Sahara 2004", persistent ethnic rivalries and worsening economic problems resulted in an increase in opposition to the Sassou-Nguesso regime during the late 1980s. At the PCT congress in July 1989, Sassou-Nguesso was re-elected chairman of the party and President of the Republic for a further five-year term. A new government was announced in August 1989 [1] (page 306).

4.4 According to the US State Dept Republic of Congo Country Background Note, published in November 2003, after two decades of turbulent politics, and with the

collapse of the Soviet Union, the Congo gradually developed a multi-party political system. Multi-party presidential elections were held in August 1992, and Pascal Lissouba was elected President of the Republic of Congo, defeating Sassou-Nguesso [3d] (page 3).

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Civil Conflicts 1993 – 1999

4.5 According to “Africa South of the Sahara 2004”, the presidency of Lissouba was marked by a lack of political consensus and of power struggles between Lissouba and the opposition, consisting of Bernard Kolelas and former president, Denis Sassou-Nguesso. These events spilled over into civil war, initially in 1993/4 and again in 1997. The 1997 conflict was triggered by Lissouba’s attempt to neutralise the militia of his political rival, Sassou-Nguesso. Kolelas, initially acting as a mediator, was appointed Prime Minister by Lissouba in September 1997. By effectively aligning himself with Lissouba, Kolelas’ impartiality was undermined. The civil war continued until Sassou-Nguesso’s forces captured Brazzaville and Pointe Noire, the country’s major seaport, in October 1997 with the assistance of Angolan forces. On 25 October 1997, Sassou-Nguesso was sworn in as President. Lissouba and Kolelas fled the country following the coup and sought sanctuary in the West, Lissouba in the UK and Kolelas in the USA. Violence erupted once more in 1998 as militia loyal to Lissouba and Kolelas attempted to overthrow Sassou-Nguesso [1] (pages 307- 308).

4.6 According to “Africa South of the Sahara 2004”, violent clashes continued throughout 1998 between the Ninja militia, who were loyal to Kolelas, and Sassou-Nguesso’s government forces, particularly in the Pool region, the stronghold of the Ninja militia. In December 1998, the violence erupted into a full-scale battle for Brazzaville. The government forces, aided again by Angolan government troops launched offensives against the Ninjas. In January 1999, the Cocoyes, militia loyal to Lissouba also engaged the government forces in Niari, around the town of Dolisie. By the time the battle for the town ended in March 1999, it was largely destroyed. A similar fate befell Brazzaville, after the initial fighting in December 1998 which resulted in approximately 8,000 people fleeing to the Democratic Republic of Congo. The battle for the city again intensified in February 1999, leading to a further 10,000 fleeing to the DRC, but by March the rebels were forced to withdraw to the Pool region. Refugees began returning to their homes, to Dolisie in April and to Brazzaville in August. In September 1999, the Government announced that it was in control of all of the urban areas in Pool [1] (page 308).

4.7 According to “Africa South of the Sahara 2004”, in November 1999, the Government announced that it had reached an agreement with the militia loyal to Lissouba and Kolelas for a ceasefire and a general amnesty. The amnesty, however, did not include the opposition leaders in exile, Lissouba and Kolelas, and the Government announced its intention to continue to seek their prosecution for alleged war crimes. In December 1999, President Bongo of Gabon was designated the official mediator between the Government and the militias. Following further discussions in Gabon, representatives of the armed forces and rebel militias signed a second peace agreement. The new agreement provided for further dialogue, for the integration of militiamen into the armed forces and for measures to facilitate the return of displaced persons. These two peace agreements effectively ended the civil war. By February

2000, it was estimated that around one half of the estimated 810,000 people displaced by the civil war had returned to their homes [1] (pages 308 - 309).

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The 2002 Constitutional Referendum

4.8 According to “Africa South of the Sahara 2004”, in November 2000, the Government adopted a draft constitution, which included provisions for a presidential system of government, with a bicameral legislature and an independent judiciary. In April 2001, a national convention reaffirmed elements of the draft constitution, which was to be submitted to a referendum. The referendum on the draft constitution was held on 20 January 2002 and was approved by 84.5 per cent of the votes cast, with a participation rate of 77.5 per cent of the electorate [1] (page 309).

The 2002 Presidential Election

4.9 According to “Africa South of the Sahara 2004”, in December 2001, an electoral schedule was announced. The presidential election was to be held on 10 March 2002, National Assembly elections were to be held on 12 May and on 9 June 2002 and indirect elections to the Senate were to be held on 30 June 2002. In February 2002, ten presidential candidates were approved by the Supreme Court. The principal opposition candidates to Sassou-Nguesso subsequently withdrew from the presidential election, thus allowing Sassou-Nguesso to win an overwhelming victory, winning 89.41 per cent of the votes cast. EU observers noted that there were a significant number of irregularities in the election procedures but these were mostly administrative in nature [1] (pages 309 - 310).

The 2002 Legislative Elections

4.10 According to “Africa South of the Sahara 2004”, the first round of elections to the National Assembly was held on 26 May 2002 and was contested by 1,200 candidates from than 100 political parties. Turnout in the first round was around 65 per cent and the PCT political party and its allies in the United Democratic Forces (FDU) won 38 of the 51 seats. The second round of legislative elections were held on 23 June 2002 with a national turnout of 30 per cent. Following the elections, supporters of Sassou-Nguesso held an absolute majority of the new National Assembly. The PCT emerged as the largest party, with 53 seats and the FDU alliance held a total of 30 seats. The UDR-Mwinda political party became the largest opposition party, with only six seats, while UPADS held four seats [1] (page 310).

The 2002 Local, Regional and Municipal Elections

4.11 According to “Africa South of the Sahara 2004”, the local and municipal elections were held on 30 June 2002 and were marked by a low turnout. The PCT gained 333 of the 828 elective seats available and the success of the constituent parties of the FDU ensured that supporters of the president held more than two-thirds of the elective seats [1] (page 310).

The 2002 Senatorial Elections

4.12 According to “Africa South of the Sahara 2004”, the councillors elected on 30 June

2002 voted to elect the members of the Senate on 7 July 2002. Following these elections, the 66 member Senate comprised 56 supporters of the president, two representatives of civil society organisations, one independent and only one member of a small opposition party. It was clear after the results of all the 2002 elections that supporters of Sassou-Nguesso had control of both the executive and the legislative. Sassou-Nguesso was inaugurated as the elected president on 14 August 2002 and later in August 2002, he announced the formation of a new government [1] (page 310).

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Ninja Rebels Launch Attacks

4.13 According to “Africa South of the Sahara 2004”, in late March 2002, renewed violence erupted in the Pool region, instigated by members of a Ninja militia group, led by Reverend Frederic Bitsangou Ntumi. The fighting spread to southern Brazzaville in April and by May, 50,000 people were reported to have been replaced. Later in 2002, sporadic attacks by Ninja militias in the Pool region, in particular against freight trains on the Congo-Ocean railway continued. Fighting intensified in October. Several civilian deaths were reported in clashes and up to 10,000 civilians were reported to have fled Pool for Brazzaville or the neighbouring Bouenza region in October and November [1] (page 310).

4.14 According to “Africa South of the Sahara 2004”, in November 2002, Sassou-Nguesso announced that a safe passage would be provided from Pool to Brazzaville until mid-December for fighters who surrendered their arms and reiterated that the terms of the peace agreement concluded in 1999 remained valid. Fighting intensified, however, and within one month only 371 rebels were reported to have surrendered, out of an estimated 3,000 - 10,000 rebels at large. Fighting continued into early 2003 [1] (page 310).

The March 2003 Peace Agreement Between the Ninjas and the Government

4.15 According to “Africa South of the Sahara 2004”, in March 2003, the Government and Ntumi’s Ninja militia group signed a peace agreement, aimed at restoring peace to the Pool region. The rebels agreed to end hostilities and disarm. The Government, in turn, would guarantee an amnesty for the rebels and integrate former fighters into the national armed forces. It was reported that at least 2,300 Ninja rebels had surrendered their weapons by the end of April 2003 [1] (pages 310 - 311).

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5. STATE STRUCTURES

The Constitution

5.1 According to “Africa South of the Sahara 2004”, the country’s new constitution was approved by a public referendum in January 2002. Under Articles 56-59 of the constitution, the President of the Republic is the head of state, head of the executive and head of the government. The President is directly elected by an absolute majority of votes cast for a term of seven years, renewable once. The president can also appoint and dismiss ministers. The post of Prime Minister was abolished. Presidential

candidates must be of Congolese nationality and be between the ages of 40 and 70 and have been a permanent resident in the country for at least 24 months [1] (page 309) and [14].

5.2 According to “Africa South of the Sahara 2004”, national sovereignty belongs to the people, who exercise it through universal suffrage by their elected representatives or by referendum. The constitution provides for a legislature in the form of a bicameral assembly comprising a lower house, a 137-seat House of Representatives, and an upper house, the Senate, which consists of 66 seats. The House of Representatives members are directly elected for a five-year period and the Senate members are indirectly elected for a six-year term. The assembly does not have the power to remove the president and the president does not have the power to remove the legislature [1] (pages 319 - 320).

5.3 According to “Africa South of the Sahara 2004”, as well as providing for a democratic system of government, the constitution also provides for the fundamental rights and freedoms of citizens. All citizens are equal before the law. Arbitrary arrest and all degrading forms of punishment are prohibited and all accused are presumed innocent until proven guilty [1] (page 319). According to the US State Dept 2003 Human Rights Report on the Republic of Congo, the constitution provides for the freedom of speech and the press, freedom of association, freedom of religion and the freedom of movement within the country and the freedom to travel and return to the country [3b] (page 6).

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Citizenship and Nationality

5.4 According to “Citizenship Laws of the World” published by the US Office of Personnel Management Investigations Service in March 2001, the legal basis of citizenship is the Congolese Nationality Code and the regulation which brought it into effect on 29 July 1961. Citizenship can be acquired by birth, descent, naturalisation and marriage. A foreign national can become a naturalised citizen after ten years of residence in the Congo. Citizenship can be acquired by a foreign national by marriage to a Congolese citizen after five years of communal living in the Congo [6].

5.5 According to “Citizenship Laws of the World” published by the US Office of Personnel Management Investigations Service in March 2001, birth within the territory of Congo does not automatically confer citizenship. The exceptions are as follows:

- a child born of unknown or stateless parents
- a child born of foreign parents, at least one of whom was also born in the Congo

The Government of Congo reserves the right to repudiate citizenship claims that fall into the above two categories [6].

5.6 According to “Citizenship Laws of the World” published by the US Office of Personnel Management Investigations Service in March 2001, citizenship can be acquired by descent by:

- a child of a Congolese mother and father, regardless of the country of birth

- a child, at least one of whose parents is a citizen of Congo and the other of whom was born in Congo, regardless of the child's country of birth
- a child born in Congo, at least one of whose parents is a citizen of Congo [6].

5.7 According to "Citizenship Laws of the World" published by the US Office of Personnel Management Investigations Service in March 2001, voluntary loss of citizenship is permitted by law. Renunciation must be approved by the Government and approval can take up to a year. The 1961 Nationality Code states that a Congolese national who voluntarily acquires a foreign citizenship will lose his Congolese citizenship [6]. According to Article 13 of the 2002 constitution, however, dual nationality is now permitted [14]. The following are grounds for involuntary loss of Congolese citizenship:

- a Congolese national who has entered into the service of a foreign state
- a naturalised citizen convicted of certain crimes less than ten years after naturalisation [6].

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The Political System

5.8 According to "Africa South of the Sahara 2004", the Republic of Congo is a sovereign, secular and democratic state in which the president is the head of state, head of the executive and the head of government. The president is directly elected by universal suffrage by an absolute majority of votes cast for a term of seven years, renewable once. The president has the power to appoint ministers, senior civil servants, military staff and ambassadors. The president is also the supreme head of the armed forces and the President of the Higher Council of Magistrates and possesses the right of pardon. The president chairs the Council of Ministers. The legislature consists of a bicameral parliament of a National Assembly and a Senate. Deputies are directly elected to the National Assembly for a renewable term of five years. Senators are elected indirectly by local councils for a term of six years [1] (pages 319 - 320). According to the US State Dept 2003 Human Rights Report on the Republic of Congo, the law permits political parties to form freely, provided they respect principles of sovereignty, territorial integrity, national unity and democracy [3b] (page 6).

5.9 According to the Economist Intelligence Unit Country Profile Report for the Republic of Congo, published in February 2004, Congolese society is a highly politicised one with a strong tradition of intellectual and ideological debate. In practice, however, there are few policy differences among politicians. Most of the leading politicians were also active in the one-party system of the 1980s and have shifted political allegiances over time. Ethnic, regional and personal loyalties are the main factors that determine political loyalty. The ruling PCT party dominates the politics of the country and rules together with the pro-presidential Forces Democratique Unies (FDU), which is composed of more than 12 smaller parties, including politicians that have participated in various governments over the years. In addition, the Government can call on the support of independent politicians who have been elected to parliament but support the president. As most political parties boycotted the 2002 legislative elections, most of the opposition is not represented in parliament and does not have a strong voice in national affairs. Only two political parties are currently represented in parliament

[12].

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The Judiciary

5.10 The US State Department 2003 Human Rights Report on the Republic of Congo reports that the constitution provides for an independent judiciary but in practice, in 2003, the judiciary was corrupt, overburdened, poorly financed and subject to both political influence and bribery. There were some improvements during 2003. A High Court and a Constitutional Court were set up and there was some parliamentary scrutiny over judicial actions. The judiciary suffers from a lack of legal resources as nothing remains of judicial records, case decisions and law books following the looting during the civil wars of the late 1990s [3b] (page 4).

5.11 The US State Department 2003 Human Rights Report on the Republic of Congo reports that the judicial system consisted of local courts, courts of appeal, the Supreme Court and traditional courts in 2003. In addition, two new judicial bodies were added under the constitution - the Constitutional Court and the High Court of Justice. The function of the Constitutional Court is to adjudicate the constitutionality of laws and judicial decisions. The function of the High Court of Justice is to review judicial decisions and try the president and other senior figures for crimes committed in the conduct of their official duties. In rural areas, traditional courts continue to handle many local disputes, especially property and probate cases and domestic conflicts that cannot be resolved within the family [3b] (page 4).

5.12 The US State Department 2003 Human Rights Report on the Republic of Congo reports that defendants were generally tried in a public court of law presided over by a state-appointed magistrate in 2003. The defence had access to prosecution evidence and testimony and the right to counter it. In formal courts, defendants were presumed innocent and had the right of appeal, however, the legal caseload far exceeded the capacity of the judiciary to ensure fair and timely trials. Some cases never reached the court system [3b] (page 4).

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Military Service

5.13 According to "Africa South of the Sahara 2004", in August 2002, the army had 8,000 personnel, the navy had about 800 personnel and the air force 1,200 personnel. In addition, there was a 2,000-strong Gendarmerie [1] (page 326). According to "Refusing to Bear Arms" published by War Resisters' International in September 1998, the minimum age for recruitment into the armed forces is 18. Military conscription does not exist in the Republic of Congo. There has been no conscription in the Republic of Congo since 1969. Enlistment into the armed forces is voluntary. There is no known legal provision for conscientious objection [8].

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Internal Security

5.14 The US State Department 2003 Human Rights Report on the Republic of Congo reports that the police, Gendarmerie and armed forces comprised the security forces in 2003, although the functional distinction between the role of each was not always clear. The police forces should be the first to react to incidents with the Gendarmerie and army supporting if necessary, however, in practice operations often overlapped. During 2003, the Government did not always have full control over some individual members or units of the security forces. Some members of the security forces committed serious human rights abuses in 2003 [3b] (page 1).

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Legal Rights/Detention

5.15 The US State Department 2003 Human Rights Report on the Republic of Congo reports that the 2002 constitution prohibits arrest and detention, however, the security forces have frequently committed such acts. The Code of Penal Procedure requires that a person be apprehended openly and that a lawyer be present during initial questioning. The Code further stipulates that warrants be issued before arrests are made and that detainees be brought before a judge within three days and either charged or released within four months. In practice, the Government has often violated these legal provisions. Detainees are usually informed of the charges made against them. Lawyers and family members are usually given access to detainees. A bail system exists but the vast majority of people have an income below the poverty level and cannot afford to pay bail [3b] (pages 3 - 4).

5.16 The Amnesty International (AI) report "A Past That Haunts the Future", published in April 2003, reported that arbitrary arrests, detention and mistreatment of suspected criminals in custody have occurred in the Republic of Congo. The AI report stated that Congolese political leaders have played down these human rights offences because the victims were alleged criminals, not political prisoners [9c] (page 27).

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The Death Penalty

5.17 According to the Amnesty International (AI) report "The Death penalty: List of Abolitionist and Retentionist Countries - 1 February 2004", published in March 2004, the Republic of Congo is a country which has the death penalty in force as a punishment for ordinary crimes. The AI report has classified the country as abolitionist in practice, however, as an execution has not been carried out since 1982, and AI believes that the Government has established a policy of not carrying out executions [9d] (page 4).

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Prisons and Prison Conditions

5.18 The US State Department 2003 Human Rights Report on the Republic of Congo reports that prison conditions in 2003 were poor due to overcrowded facilities and scarcity of resources to provide food or health care to the inmates. There are prisons in Brazzaville, Pointe Noire and in the smaller, more remote towns of Owando, Ouesso and Djambala. The Government repaired prisons in 2003 but, as with their attempts to

improve food and medical facilities, its efforts were hampered by a lack of funds. Women have been imprisoned with men, as have children with adults. Additionally, pre-trial detainees have been held with convicted prisoners. Access to prisons and detention centres by domestic and international human rights groups were granted in 2003. Local human rights groups, including the Congolese Observatory for Human Rights, the Association for the Human Rights of the Incarcerated, the National Counsel for the Promotion and Protection of the Rights of Detained Persons, and a Catholic organisation visited prisoners during 2003. The International Committee of the Red Cross visited prisons and detention centres throughout the country in 2003 [3b] (page 3).

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Medical Services

5.19 According to the "United Nations Plan for the Republic of Congo 2003-2004", medical services and facilities as a whole are poorly resourced and dilapidated. The numbers of health care workers in the country are inadequate to provide the medical care needed by the Congolese people. The leading cause of death are malaria followed by diarrhoea-related illnesses, tuberculosis, measles and HIV/AIDS. In 2000, there was one physician for every 6,020 persons, one nurse for every 2,273 persons and one midwife for every 6,923 persons. The maternal mortality rate (MMR) in 2002 was estimated to be 890 deaths per 100,000 live births, which placed the Republic of Congo among the highest MMR countries in the world. The infant mortality rate in 1999 was 81 deaths per 1,000 births. The average male life expectancy in 1998 was 46 and the average female life expectancy in 1998 was 51.2 [11] (pages 32 - 33).

5.20 According to the "United Nations Plan for the Republic of Congo 2003-2004", in Brazzaville and Pointe Noire, a considerable number of private pharmacies, health clinics and laboratories have opened, offering a wide variety of services. A survey carried out by the United Nations in 2001, however, found that only 23 per cent of these services had been authorised by the Government to provide these services [11] (page 33).

5.21 According to the "United Nations Plan for the Republic of Congo 2003-2004", HIV/AIDS has been spreading at an alarming rate in the country. Recent studies have estimated that the rate in 2002 was at least 10-12 per cent. The United Nations, in partnership with NGOs and their peer educators, have been supporting awareness campaigns aimed at vulnerable population groups such as the armed forces, orphans and their families, traditional healers, displaced people, transport workers and women victims of sexual violence. The United Nations also works closely with the National AIDS Control Programme. Access to treatment for AIDS are costly and the situation is made worse by the stigmatisation experienced by persons living with HIV. The United Nations strategy consists of providing support through access to reproductive health services and particularly to STD/HIV/AIDS treatment. In addition, the United Nations has enhanced epidemiological monitoring and voluntary testing by providing the National Centre for Blood Transfusion with rapid tests and by training laboratory technicians in charge of blood banks [11] (pages 20 - 21).

5.22 According to a United Nations IRIN report dated 25 July 2003, the Government launched a National Council for the Fight Against AIDS and Sexually Transmitted Diseases in July 2003, with President Sassou-Nguesso serving as the group's

president. Speaking during a ceremony in Brazzaville, the president called on the Congolese people to change their mentality and behaviour in an effort to fight the disease [7a].

5.23 According to a United Nations IRIN report dated 25 July 2003, at a seminar in 2003, Health Minister Alain Moka stated that despite the prevalence of HIV/AIDS in the country, the level of medical treatment available was lagging far behind other nations. He stated that about 10 per cent of the country's population may be infected, with about 300 people newly infected each day nationwide. Only about 100 people with HIV/AIDS had access to adequate treatment in July 2003. Monthly anti-retroviral treatment for an HIV/AIDS patient in the Republic of Congo costs about 350,000 francs CFA (US\$619) in July 2003 - roughly equal to the national average annual income [7a].

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The Education System

5.24 According to the "United Nations Plan for the Republic of Congo 2003-2004", the Republic of Congo had a good education system up until the late 1980s. Since then enrolment and the quality of education services have declined. Enrolment rates in elementary schools declined by 19 per cent between 1980 and 2000. Maintenance of educational facilities are poor and almost all expenditure in the education sector is used to pay the salaries of teachers and administrative personnel. The inadequate number of teaching staff is a serious problem for the education system and in some areas, schools have been closed for lack of teachers [11] (page 29). Despite the poor quality of education facilities and services, the Economist Intelligence Unit Country Profile Report for the Republic of Congo, published in February 2004, reports that adult illiteracy rates were among the lowest in sub-saharan Africa, at 17.2 per cent in 2002, compared with an average of 43 per cent for the region (World Bank data) [12].

5.25 According to the "Europa World Year Book 2003", education is free and compulsory for children from age 6 to age 16. Primary education begins at age 6 and ends at age 12. Secondary education comprises of two cycles, the first cycle lasts for 4 years and the second cycle lasts for 3 years [2] (page 1250). The US State Department 2003 Human Rights Report for the Republic of Congo reports that in 2003, girls and boys attended primary school in equal numbers, but school attendance by girls declined sharply at the secondary school and university levels [3b] (page 9).

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6. HUMAN RIGHTS

6.A Human Rights Issues

General

6.1 The US State Department 2003 Human Rights Report on the Republic of Congo reports that the Government's human rights record in 2003 was poor, although there were some improvements in a few areas. In 2003, security forces were responsible for extrajudicial killings, as well as summary executions, rapes, beatings, physical abuse of

detainees and citizens, arbitrary arrest and detention, looting, solicitation of bribes and theft. Prison conditions were poor. The judiciary was unable to ensure fair and expeditious trials. Domestic violence and societal discrimination against women were serious problems and discrimination on the basis of ethnicity was widespread [3b] (page 1).

6.2 The Amnesty International 2003 Report on the Republic of Congo reports that the human rights situation deteriorated significantly during 2002 after armed conflict flared up in April 2002. Hundreds of unarmed civilians were unlawfully killed and hundreds of women were raped by government soldiers and opposition combatants. At least 50,000 people were internally displaced by the fighting between the security forces and opposition militias in the Pool region and in Brazzaville. Houses were destroyed and villages were burned [9b] (page 1).

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Freedom of Speech and the Media

6.3 The US State Department 2003 Human Rights Report on the Republic of Congo reports that the constitution provides for freedom of speech and of the press, but also criminalises certain types of speech such as incitement to ethnic hatred, violence or civil war. In practice, the Government generally respected the right of freedom of speech and of the press during 2003 [3b] (page 5).

6.4 According to "Africa South of the Sahara 2004", in July 2000, legislation was adopted on the freedom of information and communication. The legislation confirmed the abolition of censorship, reduced the penalty for defamation from imprisonment to a fine and specified three types of punishable offence. These three types of offences were the encouragement of social tension, including incitement to ethnic conflict, libels against the authorities, including libels on the head of state or on the judiciary, and libels against private individuals [1] (page 323).

6.5 The US State Department 2003 Human Rights Report on the Republic of Congo reports that there were no government-owned newspapers in 2003 but several were closely allied with the Government. In 2003, 15-20 private newspapers appeared weekly in Brazzaville. Some of these newspapers took editorial positions critical of the Government and printed articles disparaging the authorities. Newspapers occasionally published open letters written by opponents of the Government who were in prison or lived abroad. The print media did not circulate widely beyond Brazzaville and Pointe Noire but reached roughly two-thirds of the population. The Press Law allows for financial penalties for defamation and incitement to violence but no longer requires prison terms for violators [3b] (page 5).

6.6 The US State Department 2003 Human Rights Report on the Republic of Congo reports that during 2003, most citizens obtained their news from the radio or television broadcast media, primarily government-controlled media. In 2003, there was one privately owned radio station and one privately owned television station, which began operating during the year. In 2003, there were two government-owned radio stations, Radio Congo and Radio Brazzaville and one government-owned television station, Tele Congo. Government broadcast media primarily focused their attention on the activities of government officials but also provided news on other activities by international and

local NGOs. During 2003, the broadcasts included airing of alternative political views of some opposition members in talk show format but, generally, opposition political parties did not have access to the government-controlled media [3b] (page 5).

6.7 The US State Department 2003 Human Rights Report on the Republic of Congo reports that the Government did not restrict access to the Internet in 2003. Internet services were available through two private companies in Brazzaville and two companies based in Kinshasa. Several Internet cafes also provided access and individuals with enough resources could access the Internet directly via satellite and service providers in Brazzaville, Pointe Noire and the Democratic Republic of Congo [3b] (page 5).

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Journalists

6.8 According to the "Reporters Without Borders 2003 Annual Report on the Republic of Congo", no arrests of journalists were reported in 2002 and cases of harassment of journalists during 2002 were less frequent than in previous years. The report states that the government-owned news media was under strict government control in 2002 and journalists practiced self-censorship with regard to politically sensitive subjects. Some of the journalists who worked for the government of former president Sassou-Nguesso were threatened and harassed by the security forces and left the country in 2002 [5].

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Freedom of Religion

6.9 The US State Department 2003 International Freedom Report on the Republic of Congo reports that the constitution provides for freedom of religion and the Government respected this right in 2003. The report states that the Government at all levels strived to protect this right in full in 2003 and did not tolerate its abuse, either by the state or non-state agents. There is no official state religion. All religious organisations are required to register with the Government to be officially approved. There were no reports in 2003 of any discrimination against any particular religious group in this process [3c] (page 1).

Religious Groups

6.10 The US State Department 2003 International Freedom Report on the Republic of Congo reports that roughly half of the Republic of Congo's citizens are Christian and of these, 90 per cent are Roman Catholic. There is a small but growing Muslim minority community who are mostly immigrants from North and West Africa. These Muslims are able to practice their religion freely in the country. Their religious holidays are respected although they are not recognised by the Government and are not nationally observed. The remainder of the population practice traditional indigenous religions, belong to various messianic groups or are not religious. A small minority practices Kimbanguism, which is a syncretic religion that combines elements of Christianity and traditional African beliefs. There are various Christian missionary groups active in the country, including the Jehovah's Witnesses, the Salvation Army and the Christian and

Missionary Alliance. The various religious groups enjoy good relations with another [3c] (pages 1 - 2).

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Freedom of Association and Assembly

6.11 The US State Department 2003 Human Rights Report on the Republic of Congo reports that the constitution provides for the freedom to hold demonstrations and public meetings, and the Government generally respected these rights in practice in 2003. Groups that wished to hold public assemblies were required to inform the Ministry of the Interior in advance. Authorisation for public demonstrations or public meetings can be withheld by the Government on public order grounds. Political parties and civic associations held numerous meetings during 2003. Public demonstrations were less common [3b] (page 6).

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Political Activists

6.12 The US State Department 2003 Human Rights Report on the Republic of Congo reports that the law permits associations, political parties and other groups to form freely provided that they respect principles of sovereignty, territorial integrity, national unity and democracy. All groups, political, social or economic are generally required to register with the Ministry of Territorial Administration. No political parties were banned or suspended in 2003 and the parties of some prominent leaders of the former government continued to operate in that year [3b] (page 6).

6.13 The Amnesty International (AI) report "A Past Which Haunts the Future", published in April 2003, stated that AI had received few reports of political prisoners. Although AI did believe that arbitrary arrest, unlawful detention and mistreatment in custody have occurred, when such incidents happened, the victims were ordinary criminals with no political connections in "virtually all cases" [9c] (page 27).

6.14 According to the Economist Intelligence Unit Country Profile Report for the Republic of Congo, published in February 2004, the ruling PCT's natural support base is narrow, confined to the thinly populated Cuvette region in the north (where President's M'Bochi ethnic group live), neighbouring parts of Plateaux region and the northern districts of Brazzaville, such as Ouenze and Talangai, where migrants from northern rural areas have settled. The more populous south is generally a stronghold of the opposition. Nibolek in the centre-south and the Mfilou district of Brazzaville have traditionally been the home territory of Pascal Lissouba and his UPADS party. The second important opposition stronghold are in the Pool region and south western parts of Brazzaville, particularly Bacongo and Makelekele, which have been loyal to Bernard Kolelas and his MNL party [12].

6.15 The US State Department 2003 Human Rights Report on the Republic of Congo reports that major political parties in 2003 included the ruling PCT, the Pan-African Union for Social Democracy, the Congolese Movement for Democracy and Integrated Development, the Union for Democracy and the Republic and the Rally for Democracy and Social Progress. There were as many as 200 other parties but most parties were

ineffective as opposition parties. Some party leaders remained in exile while other party officials willing to co-operate with the Government or to oppose it non-violently remained in the country. There was no cohesive opposition and many of the smaller political parties were more centred around individuals rather than being representative of a significant constituency [3b] (page 7).

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Employment Rights

6.16 The US State Department 2003 Human Rights Report on the Republic of Congo reports that the constitution and Labour Code provides workers with the right to associate and form unions and workers exercised this right in practice in 2003. Any worker, except members of the security forces, which included the police, the gendarmerie and the armed forces were free to join a union of his choice. There were two recognised trade unions, the Confederation Union of Congolese Workers and the Confederation of Autonomous Trade Unions. Most workers in the formal sector were union members and unions have made efforts to organise workers from the informal sector. Employers were prohibited from discriminating against employees who join a union. There were no reported dismissals for union activities in 2003. The Labour Code allows for collective bargaining and this right was generally respected and practiced freely in 2003. The constitution also affirms workers' right to strike subject to legal restrictions. The constitution prohibits forced or bonded labour, including by children, but such practices occurred in 2003 [3b] (page 10).

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People Trafficking

6.17 The US State Department 2003 Human Rights Report on the Republic of Congo reports that the law did not specifically prohibit people trafficking in 2003 and there have been reports that people have been trafficked to, from and within the country. The country has a large West African community and local NGOs working on trafficking claimed that members of the West African community were either responsible for or involved in trafficking incidents but this has not been confirmed [3b] (page 11).

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Freedom of Movement

6.18 The US State Department 2003 Human Rights Report on the Republic of Congo reports that the constitution provides for the freedom of movement within the country, foreign travel, emigration and repatriation. The Government, however, imposed some limitations on these rights in 2003. During 2003, military and police checkpoints were instituted in connection with reports that opposition exiled leader and former prime minister Bernard Kolelas was planning to return to the country. These checkpoints at times interfered with the free movement of civilians. Approximately 100,000 persons who had fled the fighting in the Pool region were internally displaced persons (IDPs), either in IDP camps outside Brazzaville or with families in Brazzaville, at the end of 2002. At the end of 2003, the Government, working with international and local NGOs,

assisted IDPs in returning to their villages in the Pool region and the number of IDPs had dropped to 6,000. During the civil conflicts, tens of thousands of citizens fled into neighbouring countries, particularly Gabon and the Democratic Republic of Congo (DRC). Approximately 45,000 persons fled to the Bas-Congo Province in the DRC, however, all but approximately 5,000 had been repatriated to the country by the end of 2002. According to the UNHCR, there were 803 returnees from the DRC and 871 returnees from Gabon during 2003 [3b] (page 6).

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6.B Human Rights - Specific Groups

Women

6.19 The US State Department 2003 Human Rights Report on the Republic of Congo reports that, in 2003, domestic violence against women, including rape and beatings, was widespread but rarely reported. Domestic violence was a matter dealt with within the extended family and only the more extreme incidents were reported to the police. During 2003, the Government began collating national data on violence against women but no figures were available at the end of 2003. There were no specific legal provisions for spousal assault in 2003 but there were laws making assault an offence. Female genital mutilation was not practiced by the native Congolese but may have occurred in 2003 in some of the small immigrant communities from countries where the practice of FGM is more common. Many NGOs have provided counselling and other assistance to victims of violence [3b] (page 8).

6.20 The US State Department 2003 Human Rights Report on the Republic of Congo reports that marriage and family laws overtly discriminate against women. Adultery is illegal for women but not for men and polygyny is legal but polyandry is not. The Legal Code provides that 30 per cent of the husband's estate goes to the wife but, in practice, the wife often loses all rights of inheritance upon the death of her spouse. This is especially the case in traditional or common law marriages. During 2002, the symbolic nature of the dowry set in the Family Code often was not respected and men were forced to pay excessive bride prices to the woman's family. As a result, the right to divorce was circumscribed for some women because they lacked the money to reimburse the bride price to the husband and his family [3b] (page 8).

6.21 The US State Department 2003 Human Rights Report on the Republic of Congo reports that the constitution provides for the equality of all citizens, prohibits discrimination based on gender and stipulates that women have the right to equal pay for equal work. In practice, however, women were under-represented in the formal economy sector in 2003. Most women worked in the informal economy sector. Women in rural areas, especially, were disadvantaged in terms of education and employment and were mainly confined to farming, small-scale commerce and the caring of children [3b] (page 8).

6.22 According to the "United Nations Plan for the Republic of Congo 2003-2004", the Government adopted, in 1999, a National Policy to Promote Women, followed by an Action Plan for 1999-2001, which were intended to address gender inequalities. The United Nations supports the Government's role in this area through the implementation

of programmes and projects aimed at promoting women and ensuring their legal protection [11] (page 18).

6.23 The US State Department 2003 Human Rights Report on the Republic of Congo reports that there were no legal restrictions on political participation by women in 2003. Women were represented in the Government. They were nine women in the 66 seat Senate and 12 women in the 137 seat National Assembly. There were five female ministers in the Government's Cabinet [3b] (page 7).

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Children

6.24 The US State Department 2003 Human Rights Report on the Republic of Congo reports that the constitution provides children equal protection under the law. Literacy rates in 2002 were unknown but were believed to have fallen due to the widespread destruction of schools and displacement of persons by the political instability and physical insecurity during most of the 1990s [3b] (page 9).

6.25 The US State Department 2003 Human Rights Report on the Republic of Congo reports that there were street children in Brazzaville in 2003. Their numbers have grown as a result of civil conflict since 1997. A lot of street children were from the neighbouring Democratic Republic of Congo who have come to the Republic of Congo to seek improved living conditions. Street children were not known to suffer from targeted abuse by government authorities or vigilante groups in 2003 but were vulnerable to sexual exploitation and organised criminals. Many of the street children begged or sold cheap or stolen goods to support themselves [3b] (page 9).

Child Care Facilities

6.26 According to the USAID Displaced Children and Orphans Fund (DCOF) Country Programme Report for the Republic of Congo, the DCOF Programme has provided funding to the International Rescue Committee (IRC) to address both the short-term and long-term needs of street children living and working on the streets of Brazzaville and Pointe Noire. The funding programme covers the period October 2002 to March 2003. The aim of the project is to reintegrate street children into their families and communities while providing for their immediate physical and psychosocial needs. The IRC has the additional goal of reunifying 60 centre-visiting children with their immediate or extended families by first assisting the child in becoming ready to return to his or her family. If family members are located, the IRC guides the child through a reunification and reintegration process, which allows the child to adapt to family life and resume education and other constructive activities [13] (page 1).

6.27 According to the USAID Displaced Children and Orphans Fund Country Programme Report for the Republic of Congo, the accomplishments of the DCOF Programme have been to:

- Operate three day centres for children. More than 200 new children were reported to outreach workers and IRC centres between October and December 2002
- Increase the number of health cards issued by the IRC centres from 1,250 to 1,500

between October and December 2002

- Raise the attendance at IRC centres
- Reintegrate 20 children into society through formal and vocational training, apprenticeships, artisan guidance etc
- Co-ordinate efforts to create a consortium for providing care and protection activities and services for street children [13] (page 1).

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Ethnic Groups

6.28 The Republic of Congo is very ethnically diverse. According to the US State Department 2003 Human Rights Report on the Republic of Congo:

"There are several major ethnic groups in both the southern and northern areas of the country, which used either Kutuba or Lingala as their lingua franca in addition to their distinct ethnic languages. The largest southern ethnic group was the Kongo; however, there were numerous other key groups, such as the Lari, Vili, Sundi, Bembe, and Bahangala that, along with the Kongo, make up half the country's population. Other major ethnic groups included the Teke and Ngangoula of the central region, comprising approximately 13 percent of the population, and Mbochi, Mboko, Mbety, Bomitaba, Lekoba, and Mbongo of the four northern regions, comprising approximately 12 percent of the population." [3b] (page 10).

6.29 The US State Department 2003 Human Rights Report on the Republic of Congo reports that the constitution prohibits discrimination based on ethnicity. In 2003, however, the Government did not enforce this prohibition effectively and ethnic discrimination was practiced. Discrimination based on ethnicity was evident in private sector hiring, buying patterns and ethnic segregation in many urban areas. There was no clear relationship between ethnicity and political loyalties but supporters of the Government included persons from mostly northern ethnic groups, such as the president's M'Bochi ethnic group [3b] (page 10).

6.30 The US State Department 2003 Human Rights Report on the Republic of Congo reports that the native pygmy ethnic group did not receive equal treatment in the predominately Bantu society in 2003. Pygmies were severely marginalised in the areas of employment, health and education, due to their isolation from other Congolese people and their different cultural norms. Pygmies were regarded as being socially inferior. Many pygmies were unaware of the concept of voting and had very little ability to influence government decisions affecting their interests [3b] (page 9).

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Homosexuals

6.31 According to the Republic of Congo section of the International Lesbian and Gay Association 1999 World Survey, homosexual acts are not illegal in the Republic of Congo, however, societal attitudes may vary [10].

Human Rights Activists

6.32 The US State Department 2003 Human Rights Report on the Republic of Congo reports that Congolese human rights groups generally operated without government restriction in 2003. Human rights groups have investigated and published their findings on human rights cases. Government officials, however, were generally unco-operative and unresponsive to human rights groups in 2003 [3b] (page 8).

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Treatment of Refugees

6.33 The US State Department 2003 Human Rights Report on the Republic of Congo reports that the constitution provides for the granting of asylum and refugee status in accordance with the 1951 UN Convention Relating to the Status of Refugees and its 1967 Protocol. In practice, the Government granted asylum to refugees from other countries and provided protection against refoulement in 2003. The country provided refuge for a small number of persons from the Central African Republic, a small number of Burundians and approximately 3,000 mainly Hutu Rwandans, in 2003. The United Nations High Commissioner for Refugees (UNHCR) reported that all the Central African Republic refugees had returned to their country by the end of 2003. During 2003, UNHCR continued to provide assistance to Angolan refugees in Pointe Noire. Most Angolan refugees, however, either returned to Angola or were integrated into local communities in 2003 [3b] (pages 6 - 7).

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Former Ministers of the Lissouba Regime

6.34 According to the Amnesty International 2001 Report on the Republic of Congo, on 4 May 2000, former prime minister Bernard Kolelas and former interior minister Phillippe Bikinkita were convicted, in absentia, of torture during the 1997 civil war. They were sentenced to death after a trial lasting three days. In 1999, Pascal Lissouba was sentenced to imprisonment for twenty years, in absentia, for plotting to kill President Sassou-Nguesso [9a] (page 1).

6.35 The US State Dept 2002 Human Rights Report on the Republic of Congo reports that the Government has prevented the return of some exiled officials of the former government, including former president Pascal Lissouba and former prime minister Bernard Kolelas. Kolelas made at least two attempts to return to the country in 2002 but the Government prevented him from returning. Other former government officials have returned to the country and a few have been elected to the country's parliament but none of the more senior former government officials attempted to return in 2002 [3a] (page 4). The US State Dept 2003 Human Rights Report on the Republic of Congo reports that Bernard Kolelas made two attempts to return to the country in 2003 but the Government prevented him from doing so. Lissouba remained in exile during 2003 [3b] (page 4).

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6.C Human Rights – Other Issues

Corruption in the Republic of Congo

6.36 A United Nations IRIN report dated 20 April 2004 reports that, according to some local NGOs, corruption in the Republic of Congo is pervasive and has always been a feature of Congolese life. These NGOs blame the Government's lack of political will to tackle corruption as being a cause of rising levels of poverty in the country. A World Bank questionnaire survey into poverty in the Republic of Congo was carried out in 2003. Of the 6,114 persons questioned, 5,981 said that corruption and fraud were a major social problem. The survey showed that the respondents believed government departments, the police, the courts, teachers and town councils were all corrupt. The survey also showed that there was more public concern about corruption than by low pay and unemployment. The respondents had little faith in the Government's ability to fight corruption, as 45 per cent of them said that the Government was doing nothing to fight corruption. In December 2003, the country had its first national day to fight corruption and fraud and a national plan to fight corruption was adopted. According to the Executive Director of the Congolese Observatory for Human Rights, Roger Boukjaowoko, however, the Government has not taken any action to combat corruption since then [7c].

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ANNEXES

ANNEX A

CHRONOLOGY OF MAJOR EVENTS [1][2][3d][7b]

1958

In November, the Republic of Congo becomes autonomous in the French Community.

1960

On 15 August 1960, the country becomes independent from France.

1961

In March, Abbe Fulbert Youlou is elected as the country's first President.

1963

After worker and ethnic tensions, Youlou transfers power to a provisional government with Alphonse Massamba-Debat as its leader. In December, Massamba-Debat is elected president.

1964

Mouvement National de la Revolution (MNR) formed as the sole legitimate political party.

1968

In August, Massamba-Debat deposed by Captain (later Major) Marien Ngouabi in a military coup. New party, the Parti Congolais du Travail (PCT), founded on Marxist-Leninist principles replaces MNR.

1970

In January, the country is renamed the People's Republic of Congo.

1977

In March, Marien Ngouabi is assassinated by pro-Massamba-Debat supporters in an attempted coup. Massamba-Debat subsequently executed. In April, Colonel (later Brigadier-General) Jacques-Joachim Yhombi-Opango appointed Head of State.

1979

In February, Yhombi-Opango steps down in the face of floundering support. Committee appointed by the PCT takes power.

In March, Colonel (later General) Denis Sassou-Nguesso, leader of the committee, is appointed as president.

1987

In July, 20 army officers are arrested on charges of undermining state security. A committee established to investigate their activities concludes that it was an attempted coup, implicating Yhombi-Opango. He is imprisoned.

1989

In September, legislative elections are held. First time that non-PCT candidates ran.

1990

In August, Yhombi-Opango released. In September, Marxism-Leninism abandoned as official party ideology.

1991

In January, constitutional amendments to allow political parties are endorsed. Army instructed to disassociate itself from PCT.

In March, conference of 1,100 delegates founded to consider the future of the country.

In April, a conference annuls the constitution. The National Assembly is dissolved with other national and regional institutions.

In June, a Higher Council of the Republic is established to oversee the implementation of these schemes. Andre Milongo is appointed as Prime Minister. The country reverts back to its former name, the Republic of Congo.

1992

In January, there is army unrest.

In March, a new constitution is approved in a referendum.

In June/July, National Assembly elections are held. Union Panafricaine pour la Democratie Sociale (UPADS) won 39 of the 125 seats, Mouvement Congolais pour la Democratie et la Developpement Integral (MCDDI) won 29 and PCT won 18.

In July, Senate elections are held. UPADS again win most seats with 23 out of the 60 available.

In August, Pascal Lissouba, leader of the UPADS, wins the Presidential Election, defeating Bernard Kolelas in a run-off. The incumbent President, Sassou-Nguesso, is beaten into third place.

In September, a UPADS-PCT pact enables Lissouba to form a government. PCT pull out of the pact, citing that they have not received the promised amount of ministerial posts as their reason. PCT later form an alliance with Union pour la Renouveau Democratique (URD), a grouping of 7 opposition parties. With a parliamentary majority, URD and PCT demand the right to form a government.

In October, a vote of no confidence in the government is made.

In November, the Prime Minister announces the resignation of his government. President Lissouba dissolves parliament and promised new parliamentary elections in 1993.

In December, the military intervene, advising both parties to form a transitional government.

1993

In May, the first round of the legislative elections are held. UPADS and its allies (collectively called the Mouvance Presidentielle (MP)) wins 62 of the 125 seats, URD-PCT, 49. URD-PCT claim electoral irregularities and boycott the second round.

In June, the MP wins 69 seats following the second round. Lissouba forms government. Bernard Kolelas, head of the opposition group MCDDI and chairman of URD-PCT, demands new elections and urges his supporters to follow a campaign of civil disobedience. Political and ethnic violence ensues. Supreme Court rules that electoral irregularities did occur in the first round.

In July, a state of emergency declared. The Government and opposition negotiate a truce and agree to a committee of international adjudicators to examine the results of the first round. Later, the Supreme Court nullify the results of the second round.

In August, the state of emergency is repealed.

In October, the second round is rescheduled. UPADS and its allies secure 65 seats, and their majority. URD-PCT win 57 and agree to take their places in the assembly.

In November, Confrontations between the militias and the security forces re-ignites. By the end of 1993, 2,000 people have died.

1994

In January, a ceasefire is reached.

In February, a committee of international adjudicators rule that the results of voting in 8 constituencies in the first round of legislative elections held in May 1993, were unlawful.

In September, 6 opposition parties, including Sassou-Nguesso's PCT, form the Forces Democratiques Unies (FDU). Affiliated to URD.

In December, reconciliation talks take place between the Government and opposition.

1995

In January, 2,000 fighters who supported the opposition are to be integrated into the armed forces. Government resigns. A new coalition council of ministers appointed, including MCDDI representatives. FDU refuse to participate.

In August, public demonstrations are banned.

In September, the National Assembly pass laws restricting freedom of the press.

In October, the Government announce drive to make the armed forces more reflective of the ethnic composition of the country.

In December, the MP and opposition groups sign peace pact, under which the militias were to disarm and 1,200 are to be integrated into the security forces.

1996

In February, 5 soldiers out of 100 who mutinied over pay and conditions were killed. The 100 men were from former militias integrated into the army. FDU suspend the integration of their men into the armed forces.

In March, the Government agree to increase the number of militias who can be integrated in the armed forces. FDU resume co-operation with the process.

In August, militias claiming loyalty to the FDU occupy a town in central Congo. FDU changes names to Forces Democratiques et Patriotiques (FDP).

– Yhombi-Opango resigns as Prime Minister. David Charles Ganao, of the Union des Forces Democratiques (UFD) appointed.

In October, Senate elections are held for 23 of the 60 seats. MP wins 12, FDP 10 with 1 independent.

1997

In January, Sassou-Nguesso returns to Congo. First visit since 1995.

Numerous small-scale mutinies occur.

President Lissouba accused of ethnic favouritism, promoting officers from the south, and dismissing officers from the north, many of whom were appointed in Sassou-Nguesso regime.

In February, 19 opposition parties including the PCT and MCDDI make a series of demands of the government. None are met.

In May, an inter-militia conflict again arises.

In June, government attempts to disarm militias associated with Sassou-Nguesso and the FDP rapidly escalate into open conflict between the various militias and the army fractures along factional lines. Brazzaville is divided into three zones, one loyal to Lissouba, one to Kolelas and one to Sassou-Nguesso. Soon the conflict involves just Lissouba and Sassou-Nguesso. Efforts by Kolelas, President Bongo of Gabon, a UN-OAU joint representative to mediate in the conflict fail. With the numerous ceasefires not holding, French troops evacuate foreign nationals from Brazzaville. Despite pleas for them to stay, with their mission complete, the French troops leave.

In August, the fighting intensifies and escalates to encompass the north.

In September, Lissouba appoints a government of national unity, assigning Kolelas to lead it. This undermines Kolelas' neutrality as a mediator. Sassou-Nguesso rejects the 5 seats in the Council of Ministers that is offered to him.

– Lissouba forms the Espace Republicain pour la Defense de la Democratie et l' unite Nationale (ERDDUN) out of those organisations still loyal to him.

In October, Sassou-Nguesso with assistance from Angolan troops, seizes Brazzaville. Later in the month, he is inaugurated as President. Lissouba and Kolelas flee the Republic of Congo, subsequently ending up in the UK and USA respectively.

In November, a new transitional government is appointed which outlaws and disarms all party militias.

1998

In January, 1,420 delegates were convened to a Forum for Unity and National Reconciliation, including most political parties, but the ERDDUN refuse to participate. The Forum approved a 3 year transitional period, 75 member National Transitional Council (NTC) was formed to act as a legislative body. The NTC was elected by the Forum in mid-January.

In May, France normalises relations with Congo, and resumes military assistance.

In November, arrest warrants for Lissouba, Kolelas and Yhombi-Opango for genocide and war crimes are issued.

In December, fighting in the Pool region around Brazzaville, culminated in a battle for Brazzaville between Kolelas' "Ninja" militia on one side and government forces with Sassou-Nguesso's "Cobra" militia backed by Angolan troops, on the other. 8,000 residents flee to the Democratic Republic of Congo (DRC). Both sides claim victory. Later in the month, government forces, backed by Angolan troops launch offensives in

the south against the Ninjas. The Republic of Congo and the DRC sign a non-aggression pact.

1999

In January, a new Council of Ministers formed. Fighting continues around Brazzaville and in the south west, particularly around the town of Dolisie. Heads of state from DRC, Angola and Republic of Congo meet to discuss the conflicts in their countries.

In February, an additional 10,000 people are estimated to have fled from south of Brazzaville to the DRC.

In March, rebels withdraw to the Pool region. Residents start to return to the areas south of Brazzaville.

In April, residents start to return to Dolisie after government forces secured the town in March.

In May, the army secure Kinkala, the capital of Pool.

In August, large-scale return of residents to the area south of Brazzaville. The army secure the Brazzaville-Pointe Noire railway line. Sassou-Nguesso issues an amnesty for any militia prepared to renounce violence and hand in their weapons.

In September, 600 Ninja militia take advantage of the amnesty.
- 4 former ministers under Lissouba voluntarily return from exile to Congo.

In October, 12 senior officers under Lissouba, released and reintegrated into the armed forces. The army claims that it now controls all towns in the Pool region.

In November, the Government announces that they have agreed a ceasefire with Lissouba's Cocoye militia and Kolelas' Ninja militia but Lissouba and Kolelas claim this is a government fabrication.

In December, the NTC legislated for an amnesty for combatants. This excludes the leaders in exile, who are still charged with war crimes. President Bongo of Gabon is appointed as an official mediator between the government and the militias. The result is the signing of a second peace agreement. Heads of state from DRC, Angola and Republic of Congo sign an agreement on, amongst other things, border security.

2000

In February, since the peace agreements were signed, an estimated 2,000 militia men have surrendered. Government acknowledges that it will not be feasible to integrate all militia personnel into the armed forces. It is estimated that half of the 810,000 displaced people had returned.

In May, Kolelas convicted of running a private prison and causing prisoners deaths in the 1997 civil war. Kolelas refutes this and asks for an international investigation. Justin Koumba announces that a referendum will be held by early 2001 to determine the type of government the republic will have.

In July, President Bongo of Gabon announces that thus far, he is satisfied with the implementation of the peace process, but urges continuing dialogue.

In August, reconciliation talks continue. Freight services restored on the Brazzaville-Pointe Noire rail link. Front Patriotique pour la Dialogue la Reconciliation Nationale (FPRDN) established to represent the opposition in exile.

In November, the Government adopts a draft constitution, stating that there should be a bicameral legislature, an independent judiciary and a maximum of 2 terms of 7 years for the President.

In December, the Government announce that 12,000 militia and 13,000 weapons had been surrendered thus far. Approximately the same amount of militia and weapons were thought to still be active. The Government announces that 11 of the 14 urban centres in the Nairi region, remain under rebel control. The Rassemblement pour la Democratie et la Progres Social (RDPS), formally of ERDDUN, join the coalition government.

2001

In February, a committee is established to set up national reconciliation talks.

In March, national reconciliation talks held on a national and regional basis. Despite being boycotted by opposition parties who cited security risks for their abstentions, 2,200 representatives from public institutions, civil societies and political parties did attend. A technical committee was established to monitor the dialogue process in the absence of opposition parties. A Congolese human rights group claims mass graves containing bodies of people killed in 1998-1999 have been discovered at Mbanza-Ndouna, Pool. The Government refute this claim.

In April, national reconciliation talks continue. Opposition parties, including the FPDRN participate. Lissouba and Kolelas still abstain.

In May, Martin Mberi of the UPADS resigns from the government, citing the continued exclusion of Lissouba from the reconciliation talks and the proposed powers of the President under the draft constitution as his reasons.

- 2 civilians and a soldier died in clashes between government forces and suspected supporters of Kolelas, in Mindouli, 200 kilometres south of Brazzaville.

In July, the families of 353 missing people demand a parliamentary enquiry into what happened to them. It was reported that they were arrested in May 1999 on their return from the DRC where they had sought asylum.

A rocket attack is carried out on the home of the Minister of the Presidency, who is responsible for defence. No one is injured.

The Alliance pour la Democratie et la Progres (ADP) is formed by a coalition of opposition parties. Lead by former Prime Minister Andre Milongo. ADP said they will field one candidate for the upcoming Presidential election in 2002.

- PCT and RDPS were expected to form an alliance with 20 other parties to support Sassou-Nguesso in the elections.

In December, Lissouba is convicted in absentia of treason and embezzlement. Sentenced to 30 years hard labour and a £23 million dollar fine. Yhombi-Opango sentenced to 20 years hard labour after being found guilty of embezzlement.

2002

In 20 January, constitution approved with 84.26 per cent yes vote, in a referendum.

On 8 March, Andre Milongo withdraws from the Presidential race, stating that the vote has already been rigged.

On 10 March, Presidential elections held.

On 14 March, It is announced that the incumbent President, Denis Sassou-Nguesso has won the Presidential elections with 89 per cent of votes cast for him.

On 29 March, Ninja rebels break the peace and launch armed operations.

On 2 April, Ninjas attack the Pointe Noire-Brazzaville train. 2 civilians die.

On 5 April, Ninjas attack areas north west of Brazzaville.

In April, 50,000 residents of Brazzaville and 15,000 residents of Pool flee their homes as fighting between rebel militias and government forces resumes.

On 22 May, Government reports that it has recaptured Kimba.

In 25/26 May, Government reports that it has recaptured the town of Vindza, where the headquarters of the Ninja are believed to be located.

On 26 May, First round of the Legislative elections take place.

On 2 June, UN gains access to Kindamba, delivering humanitarian aid.

On 14 June, Ninja rebels attack Brazzaville. Government forces attack helicopters based at Maya Maya Airport. Fighting continues to 15 June.

On 23 June, second round of the legislative elections take place. Sassou-Nguesso and his allies win a majority.

On 30 June, local, municipal and regional elections are held. The ruling party and its allies win most of the seats.

On 8 July, General Dabira, now living in France, was questioned for more than 4 hours by the two French magistrates investigating the disappearance of 353 people

On 11 July, senators are elected to the Upper House. Again, Sassou-Nguesso and his allies win a majority.

On 14 August, President Sassou-Nguesso is inaugurated.

On 18 August, Cabinet reshuffle.

On 24 August, Pointe Noire – Brazzaville train attacked again. Ninjas are thought to be responsible. No casualties reported, but it is thought that government soldiers have been captured by the Ninjas.

On 24 September, Sassou-Nguesso claims he has not received a request for a deposition from the French court investigating the disappearance of 353 people in Brazzaville.

On 29 September, nine soldiers are killed and numerous others are injured in a mine attack on the Point Noire – Brazzaville train service.

In November, flotation of peace plan. Sassou-Nguesso announces humanitarian corridor for surrendering Ninja fighters.

2003

On 14 January, as stipulated by the constitution, the National Assembly adopts a law creating a national human rights commission

On 17 March, announcements are made by the Ninjas and the Government stating that they are committed to peace.

On 26 March, a prisoner exchange takes place between government and Ninja forces, supervised by the ICRC.

On 24 July, the Government launches its National Council for the Fight Against AIDS and Sexually Transmitted Diseases.

On 12 August, the High Court of Justice is inaugurated. It has powers to prosecute judges, politicians and the president for crimes committed in the conduct of their official duties.

On 28 August, the National Assembly approves a bill concerning an amnesty for Ninja militants who fought against government forces in the Pool area during the period from 15 January 2000 until the bill is signed into law by the president.

On 15 October, the United Nations announced that it would provide 1,000 HIV-positive people with ARV treatment.

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LIST OF THE MAIN POLITICAL PARTIES ^{[1][2][4]}

CODESA - Convention pour la Démocratie et le Salut/Convention for Democracy and Salvation

Founded in March 2002 as an umbrella group of 16 opposition parties to fight the legislative election in May and June 2002. Leader André Milongo. Comprises of the CNRS, Congolese Renewal Party, UPDS and the UDR-M, amongst others.

FDU – Forcés Démocratiques Unies/United Democratic Forces

Founded in 1994 as an alliance of six political parties, this grew to 29 by 2002. Supports the regime of President Sassou-Nguesso. The FDU has the largest share of seats in Parliament and in the local assemblies. Leader: Gabriel Oba Apounou.

MCDDI – Mouvement Congolais pour la Démocratie et la Développement Intégral/Congolese Movement for Democracy and Integral Development

Founded in 1990. President: Bernard Kolelas. Secretary-General: Michel Mampouya. Founding member of URD. Initially opposed the government of President Lissouba and formed a coalition with PCT in 1992. In 1995, however, it joined the ruling (UPADS) coalition government. In July 1994 Kolelas became Mayor of Brazzaville. In 1997 Kolelas, after holding the post of Prime Minister for a matter of months, fled the country after Sassou-Nguesso came to power.

MNLC – Mouvement National pour la Liberation du Congo/National Movement for the Liberation of Congo

Leader: Buissy Nguari. Formed in January 2002 by former members of the National Resistance Council (CNR).

PCT – Parti Congolais du Travail/Congolese Labour Party

Founded in 1969. Based in Brazzaville. From its inception, the PCT was the sole legal party until 1990. Currently the ruling party. President: Denis Sassou-Nguesso.

UCR - Union congolaise des republicains

Based in Brazzaville. Leader: Come Mankassa

UDC – Union pour la Démocratie Congolais

Founded in 1989 by Sylvain Bemba, whilst in exile in Côte d'Ivoire. Aligned to UPADS. Chair: Felix Makosso.

UDR – Union pour la Démocratie et la République/Union for Democracy and the Republic

Leadership: Jean-Pierre Thystère-Tchicaya and Bernard Kolelas. Founded in 1992. Formed as an alliance of 7 parties, the two largest being the RDPS and the MCDDI.

UFD – Union des Forcés Démocratique/Union of Democratic Forces

Based in Brazzaville. President: David Charles Ganou. Supports Lissouba's government.

UPADS - Union Panafricaine Pour la Démocratie Sociale/Pan-African Union for Social Democracy

Founded by Pascal Lissouba. Secretary-General Martin Mberi.

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MILITIA GROUPS [1][2][3a][3b][3d]

The Cobra/Forces Démocratique and Patriotique (FDP)

Militia loyal to President Denis Sassou-Nguesso. Strongholds have been the north of the country. Fought along side Denis Sassou-Nguesso in the 1997 and 1998/9 civil wars. Now largely integrated into the army.

The Cocoyes/Coyote

Militia loyal to former president Pascal Lissouba. Fought for Lissouba in the 1993/4, 1997 and 1998/9 civil conflicts. Formed the military wing of the Conseil National de Resistance during the 1998/9 war. Also formed an alliance with the Ninjas in the same conflict, called the Resistance Self-Defence Forces.

The Ninjas

Militia loyal to former prime minister Bernard Kolelas. Opposed to the Government. Fought against Lissouba's Cocoyes in the 1993/4 civil war, but sided with the Cocoyes in the 1997 and 1998/9 civil wars against Sassou-Nguesso. Formed the Resistance Self-Defence Forces with the Ninjas in the 1998/9 war. Initiated military action against government forces on 29 March 2002. Stronghold is in the Pool province. Divided into the pro-Kolelas faction and the Nsiloulou faction lead by the Reverend Frederic Bitsangou (aka Ntomui).

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PROMINENT PEOPLE PAST AND PRESENT ^{[1][2][9a]}

Phillippe Bikinkita

Former Interior Minister in the Lissouba regime. On 4 May 2000, he and Bernard Kolelas were convicted, in absentia, of torture during the 1997 civil war and sentenced to death by a Congolese court. He is now living abroad in exile.

Frederic Bitsangou (aka Pasteur Ntoumi)

Leader of the Ninja rebel faction that was recently fighting the Government. Stated that he would come to Brazzaville if he were offered the post of general in the armed forces. The Government rejected this proposal.

Bernard Kolelas

Mayor of Brazzaville in 1994 and Prime Minister in 1997. A Lari, Kolelas' main support, and that of his Ninja militia, comes from the Pool region. The Lari ethnic group comprise a large portion of the Ninjas, but not exclusively so. After defeat in 1997, Kolelas fled to the USA. In May 2000, he was convicted in absentia of running a private prison, mistreating prisoners and causing their deaths. He was sentenced to death and ordered to pay compensation. Kolelas has denied the charges.

Pascal Lissouba

Formed the UPADS party in 1991. President from 1992-1997. Ousted by Sassou-Nguesso after losing the 1997 civil war. Fled to the UK. Cocoye militia is loyal to him, though whether it still exists as a fighting force is not known. The Cocoyes stronghold, and Lissouba's, was the Niari, Lekoumou and Bouenza regions. Lissouba is of the Nibolek tribe. Lissouba was convicted of treason in absentia in December 2001 and sentenced to a fine of £23 million and 30 years hard labour.

Andre Milongo

Former World Bank official. Appointed Prime Minister on 8 June 1991, a post he held until 2 September 1992. Presidential candidate in the 2002 elections but pulled out of the race two days before polling day. Leader of the coalition of parties, CODESA of which his UDR-M party belongs.

Denis Sassou-Nguesso

President from March 1979 to August 1992 and from October 1997 to the present day. Originally a soldier, Sassou-Nguesso came back to power following his victory over the incumbent President Lissouba and Prime Minister Bernard Kolelas in the 1997 civil war. Assisted by the Cobras, a militia loyal to him, and Angolan government troops. Sassou-Nguesso is a member of the Mbochi, a sub-group of the Boulangui ethnic group.

Jacques-Joachim Yhombi-Opango

Former Chief of Staff. Became Head of State in March 1977. A member of the Kouoyou

ethnic group, a sub-group of the Boulangui. Following a collapse in support, he surrendered his powers in February 1979. Detained in 1987 for alleged complicity in plotting a coup. Released in August 1990. Prime Minister from 23 June 1993 until 27 August 1996.

Abbe Fulbert Youlou

He became the country's first Prime Minister in 1958, and after the country became independent in 1960, was elected as the country's first president in March 1961.

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