

CENTRAL AFRICAN REPUBLIC 2016 HUMAN RIGHTS REPORT

EXECUTIVE SUMMARY

The Central African Republic is a presidential republic. After a three-year transitional government, most recently led by Catherine Samba Panza from January 2014 to March 2016, voters elected President Faustin-Archange Touadera in a February run-off. A new constitution came into effect on March 30, approved by 93 percent of voters in a December 2015 referendum; voter turnout was 38 percent. International observers reported both the presidential elections and constitutional referendum were free and fair, despite reports of irregularities. The constitution established a bicameral parliament, with a directly elected National Assembly and an indirectly elected Senate. On January 25, the Transitional Constitutional Court annulled the December 30 National Assembly elections due to widespread irregularities, voter intimidation, and fraud and ordered new elections. On May 3, the National Assembly was seated following several rounds of new elections; elections for the Senate were not held, and no date had been announced.

Civilian authorities did not maintain effective control over the security forces, and state authority barely extended beyond the capital, Bangui. Armed groups controlled significant swaths of territory throughout the country and acted as de facto governing institutions, taxing local populations, providing security services, and appointing armed group members to leadership roles.

The most serious human rights problems included arbitrary and unlawful killings, especially those perpetrated by the ex-Seleka and groups known as the anti-Balaka. (Note: This report refers to the “ex-Seleka” for all abuses attributed to the armed factions associated with Seleka, including the Popular Front for the Renaissance in the Central African Republic or FPRC, Union for Peace (UPC), and Patriotic Movement for Central African Republic or MPC, which occurred after the Seleka was dissolved in September 2013). Beginning in 2012 the violence claimed thousands of lives. More than 800,000 persons remained internally displaced or had fled to neighboring countries. Enforced disappearances, torture, and sexual violence, including rape, continued.

Other human rights problems included harsh and life-threatening conditions in prisons and illegal detention facilities; arbitrary arrest and detention; delays in re-establishing a functional judicial system, resulting in prolonged pretrial detention; seizure and destruction of property without due process; and the use of excessive

and indiscriminate force in internal conflict. There were restrictions on freedom of movement. Many internally displaced persons lacked protection and access to basic services, especially outside Bangui. Corruption was widespread. Domestic and international human rights groups faced harassment and threats.

Discrimination and violence were experienced by women; children; persons with disabilities; ethnic minorities; indigenous people; lesbian, gay, bisexual, transgender, and intersex (LGBTI) persons; individuals with HIV/AIDS; Christians; and Muslims. Forced labor and child labor, including forced child labor, and use of child soldiers were also problems.

The government did not take steps to investigate and prosecute officials who committed violations, whether in the security forces or elsewhere in the government, creating a climate of impunity that was reinforced by a general lack of citizen access to judicial services. There were numerous allegations that peacekeepers and staff in UN missions sexually abused adults and children in the country during the year (see section 1.c.).

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

a. Arbitrary Deprivation of Life and other Unlawful or Politically Motivated Killings

There were several reports the government or its agents committed arbitrary or unlawful killings.

Members of the Central Office for the Repression of Banditry (OCRB), a police anticrime unit, conducted extrajudicial killings near Bangui. International nongovernmental organization (NGO) Human Rights Watch (HRW) reported 18 extrajudicial killings allegedly committed by the OCRB between April 2015 and March. For example, on January 27, witnesses told HRW that OCRB members apprehended and unlawfully killed a market vendor. Led by Colonel Robert Yekoua-Kette, the OCRB was largely composed of soldiers of the Central African Armed Forces (FACA) who operated as police officers. In June the government removed Colonel Yekoua-Kette as commander of the OCRB but failed to investigate or punish suspected OCRB perpetrators.

Armed rebel groups, particularly members of the various factions of ex-Seleka and anti-Balaka, killed civilians, especially persons suspected of being members or sympathizers of opposing parties in the conflict (see section 1.g.). The killings,

often reprisals in nature, included summary executions and deliberate and indiscriminate attacks on civilians.

The Lord's Resistance Army (LRA), a Ugandan rebel group that operated in eastern regions of the country, and other armed groups, including Reclamation, Return, and Rehabilitation (3R), Revolution and Justice (RJ), and the Democratic Front of the Central African People, were responsible for civilian killings (see section 1.g.).

Ethnic killings related to cattle theft occurred (see section 6).

b. Disappearance

There were reports forces from the ex-Seleka, anti-Balaka, and other armed groups were responsible for politically motivated disappearances. Those abducted included police and civilians (see section 1.g.).

There were many reports of disappearances committed by the LRA for the purpose of recruitment and extortion (see section 1.g.).

In June 2015 the UN Multidimensional Integrated Stabilization Mission in the Central African Republic (MINUSCA) issued a statement regretting the lack of progress by the Republic of the Congo government in the investigation of the disappearances following the arrest of persons from a private home in Boali in 2014. In June, HRW reported the discovery of a mass grave near a peacekeeping base in Boali, exhumed on February 16. The grave contained the remains of 12 persons identified as those detained by the Republic of the Congo peacekeepers. The Congolese government conducted no known investigations.

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

Although the law prohibits torture and specifies punishment for those found guilty of physical abuse, there were several reports government officials employed them.

The UN independent expert on the situation of human rights in the Central African Republic and HRW reported allegations that security forces, particularly members of the OCRB, mistreated individuals in pretrial detention and during the arrest of suspected criminals. For example, on April 28, the OCRB arrested a former anti-

Balaka fighter accused of armed robbery. Former OCRB commander Yekoua-Kette ordered his men to beat the arrestee in public.

In February the government arrested a member of the FACA guarding Bimbo Women's Prison, near Bangui, for the alleged rape of a 16-year-old girl in the prison. On March 3, the suspect was remanded into custody and placed in Ngaragba Prison; he had not been brought before a judicial authority by year's end. In March the UN independent expert expressed concern over allegations of rape of detainees at Bimbo Women's Prison and raised the issue with the public prosecutor. MINUSCA subsequently took charge of national prison staffing in Bangui and Bouar and trained female prison officers to manage Bimbo Women's Prison.

Forces from the ex-Seleka, anti-Balaka, LRA, and other armed groups abused, raped, and tortured civilians with impunity. Deaths due to torture occurred (see section 1.g.).

The United Nations reported it had received 50 allegations during the year (as of December 20) of sexual exploitation and abuse (SEA) by UN peacekeepers deployed to MINUSCA, with 16 alleged incidents occurring in 2016, 31 in 2015, one in 2014, and two for which the dates of the alleged incidents were unknown. These allegations involved peacekeepers from Burundi, Cameroon, the Democratic Republic of the Congo, Gabon, Mauritania, Morocco, Pakistan, the Republic of the Congo, and Zambia. Of the 50 allegations, 34 involved minors, 43 remained pending investigation by the United Nations or the troop or police contributing country at year's end, and four allegations were found to be unsubstantiated. Three investigations substantiated the allegations and resulted in a one-year sentence for a peacekeeper from Bangladesh for sexually abusing a minor, a court-martial and five-year sentence for an Egyptian peacekeeper for sexually assaulting an adult, and 45 days' imprisonment for a Gabonese peacekeeper for sexual activity with a minor.

UN Secretary-General Ban Ki-moon called on all countries that contribute peacekeepers to increase predeployment education and human rights training, enhance vetting procedures, conduct rapid and effective investigations, ensure consistent penalties for offenders, increase assistance to victims, and strengthen reporting of cases of sexual exploitation and abuse.

On December 5, the United Nations announced that its Office of Internal Oversight Services (OIOS) had completed an internal investigation into more than 100

allegations of sexual abuse by UN peacekeepers deployed in Dekoa, Kemo Prefecture, in 2014-15. During the investigation, which began in April, OIOS interviewed 139 persons and found that 45 were able to identify, via photographs and other corroborating evidence, 41 alleged perpetrators--16 of whom were from Gabon and 25 from Burundi. Of the 45 alleged victims, 25 were minors. Eight alleged victims, including six minors, made paternity claims. The United Nations announced it had shared the OIOS report with Gabon and Burundi, including the names of the identified alleged perpetrators, and requested appropriate judicial actions to ensure criminal accountability. The United Nations reported the alleged perpetrators had all been rotated out of the Central African Republic before the allegations surfaced. The United Nations requested a copy of the final national investigation reports to be transmitted urgently.

During the year MINUSCA continued to strengthen its prevention measures and reinforce its outreach among communities and peacekeepers across the country, especially in high-risk areas, to improve awareness and reporting on sexual exploitation and abuse and other forms of misconduct. MINUSCA also regularly monitored conditions and behavior of peacekeeping personnel and partnered with UN agencies and implementing partners in the country that provide psychosocial, medical, and legal assistance to victims of sexual exploitation and abuse.

There were credible allegations of human rights violations and abuses by members of the Uganda People's Defense Forces (UPDF) deployed to the country since 2009 as part of the African Union Regional Task Force to counter the LRA. Preliminary investigations found at least 18 women and girls were subjected to sexual violence and harassment by UPDF members. There were an additional 14 reported cases of rape, including of victims who were minors. Several women and girls reported they had been taken from their villages by UPDF members and forced to become prostitutes or sex slaves or to marry Ugandan soldiers.

Prison and Detention Center Conditions

According to the UN independent expert, detention conditions in the country's prisons did not generally meet international norms and were often inhuman. The government operated two prisons in or near Bangui: Ngaragba Central Prison for men (with an estimated 500 inmates) and Bimbo Women's Prison (with an estimated 300 inmates). A combination of international peacekeepers, FACA troops, and judicial police guarded the men's prison and its perimeter, while female prison officers, trained by MINUSCA and the Ministry of Justice, guarded the women's prison. There were also staffed prisons in 10 other towns.

Conditions in other prisons not emptied or destroyed by recent conflict were life threatening and substantially below international standards. Basic necessities, including food, clothing, and medicine, were inadequate and often confiscated by prison officials.

MINUSCA's contribution to prison administration resulted in a gradual demilitarization of facilities and a reduction in escapes.

Ex-Seleka and anti-Balaka forces held an unknown number of persons in illegal prisons and detention centers, but neither the government nor humanitarian agencies visited these sites, and their conditions were unknown.

Physical Conditions: Authorities sometimes held pretrial detainees with convicted prisoners and juveniles with adults. In prisons outside Bangui, it was common practice to hold men and women together.

Official prisons lacked basic sanitation and ventilation, electric lighting, basic and emergency medical care, and sufficient access to potable water. Prisoners seldom had access to health care, and disease was pervasive. In the women's prison, authorities divided inmates into three large rooms with no ventilation or electric lighting, and all, including pregnant women, slept on thin straw mats on concrete floors.

Administration: There was no centralized recordkeeping system to track the number of prisoners. There was no ombudsman system. Prison detainees have the right to submit complaints of mistreatment, but victims rarely did so, due to lack of a functioning formal complaint mechanism and fear of retaliation by prison officials. Authorities seldom initiated investigations of abuse in the prisons.

Independent Monitoring: The government permitted monitoring by independent observers, including the UN independent expert in March.

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, but the government did not always observe these prohibitions. In the territories they controlled, the ex-Seleka and anti-Balaka also ignored such provisions, and arbitrary arrest and detention remained serious problems throughout the country.

Role of the Police and Security Apparatus

The police and gendarmerie have responsibility for enforcing law and maintaining order; however, both largely were withdrawn from the interior of the country during the violence in 2013 and had limited or no presence in many areas. While the police and gendarmerie increased the number of towns in which they were present during the year, they remained poorly trained and had few functioning arms and little ammunition.

Impunity was a problem. Contributing factors included insufficient staffing and resources; corruption; unpaid salaries for the police, gendarmerie, and judiciary; and too few prisons.

In April and May, 320 police officers and agents were trained by MINUSCA's police component on community policing, human rights, and gender-based violence (GBV). MINUSCA also trained 77 police and gendarmes, including 18 women, on human rights and the use of force.

MINUSCA had a military police force of 11,820, including 1,820 police officers. The role of MINUSCA's police force was to protect the civilian population from physical violence within its capabilities and areas of deployment. MINUSCA police had the authority to make arrests and transfer persons to national authorities but not to investigate cases.

On July 16, the EU launched its military training mission in the country. The mission contributed to defining the overall approach of the EU to security-sector reform.

Arrest Procedures and Treatment of Detainees

Judicial warrants are not required for arrest. The law stipulates 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, but authorities often did not respect these deadlines, in part due to inefficient judicial procedures and a lack of judges.

The bail system did not function. Authorities sometimes followed legal procedures in cases managed by gendarmes or local police. Lawyers continued to work and were sometimes accessible. For individuals detained by ex-Seleka and anti-Balaka

and placed in illegal detention centers, legal procedures were not followed, and access to lawyers was not provided.

The prosecution of persons subject to sanctions was minimal, although arrest warrants reportedly were issued for several sanctioned individuals.

Arbitrary Arrest: The constitution prohibits arbitrary arrest and detention. Arbitrary arrest was a serious problem, however, and some ex-Seleka and anti-Balaka groups arbitrarily targeted and detained individuals.

Pretrial Detention: Prolonged pretrial detention was a serious problem.

Detainee's Ability to Challenge Lawfulness of Detention before a Court: No information was available on this subject.

e. Denial of Fair Public Trial

The constitution provides for a judiciary, whose independence is guaranteed by the president. By year's end no judges had been appointed to the Constitutional Court established by the new constitution. In 2013 the Seleka plundered the courts and destroyed records throughout the country, leaving the courts barely able to operate. Many magistrates and government workers who fled the violence in 2013 did not return to their homes during the year, especially outside the capital, due to fear for their safety. Corruption was a serious problem. Courts suffered from inefficient administration, a shortage of trained personnel, salary arrears, and a lack of resources. Authorities, particularly those of high rank, did not always respect court orders.

Trial Procedures

The penal code presumes defendants are innocent until proven guilty. Trials are public, and defendants have the right to be present and consult a public defender. Criminal trials use juries. The law obliges the government to provide counsel for indigent defendants; this process 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, access government-held evidence, and file appeals. The law extends these rights to all citizens. The transitional government sometimes complied with these requirements. Defendants have the right to be informed promptly and in detail of the charges (with free interpretation as necessary from the moment charged through all appeals), to receive adequate

time and facilities to prepare a defense, and not to be compelled to testify or confess guilt. Authorities seldom respected these rights.

The government reiterated its desire to establish the Special Criminal Court. The selection committee for national magistrates was established and the operating budget for the first 18 months was approved.

In June the International Criminal Court sentenced the former leader of the Movement for the Liberation of Congo, Jean-Pierre Bemba, to 18 years' imprisonment for war crimes and crimes against humanity committed by his troops in the country in 2002-03.

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, but citizens had limited access to courts to bring lawsuits seeking damages for, or cessation of, a human rights violation. There is no system for the protection of victims and witnesses, who faced intimidation and insecurity. Civil society organizations claimed victims, who often lived side-by-side with perpetrators, were unable to testify against perpetrators, especially since there was no guarantee of a credible judicial process.

The Criminal Court held its annual session in August and September. Some 55 cases were on the docket, many with multiple defendants, including trials for murder, criminal conspiracy, illegal retention of weapons of war, misappropriation of public funds, rape, and witchcraft.

For example, the court sentenced Honniset Sabin, Olivier Ngala, and Ghislain Kolet in absentia to 20 years' imprisonment for conspiracy and armed robbery. A warrant was issued for their arrest.

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

The law prohibits searches of homes without a warrant in civil and criminal cases, and there were no reports the government failed to respect these prohibitions.

The country's administrative and commercial infrastructure remained significantly damaged or destroyed due to widespread looting and pillaging in 2013.

g. Abuses in Internal Conflict

Serious violations of human rights and international humanitarian law, including unlawful killings, torture and other mistreatment, abductions, sexual assaults, looting, and destruction of property were perpetrated by all armed groups in the conflict, including the ex-Seleka and the anti-Balaka, whose fighters operated freely across much of the country, facilitated by the widespread circulation of small arms.

In February armed Fulani (Peulh) herders, at times supported by ex-Seleka and anti-Balaka fighters, attacked civilians along a corridor used for the seasonal movement of livestock in the central regions, leading to temporary mass displacement of populations in the towns of Kouango, Kaga Bandoro, and Batangafo.

Killings: Attacks by armed groups resulted in numerous civilian casualties. For example, on January 5, outside the village of Pakam, in Nana Mambere Prefecture, armed Peulh affiliated with the 3R group led by self-proclaimed Colonel Siddiki reportedly shot and killed a civilian before burning the body. The same group allegedly was responsible for the death of two men on March 21 during an attack on the village of Ngouvota, near Kaga Bandoro. On March 4, members of the ex-Seleka UPC allegedly killed three women from the same family who were returning from their fields five miles from Bambari; the killings were in retaliation for the deaths of two UPC members.

Beginning in May localized communal violence increased in the North. The movement of nomadic herders in the Northwest sparked tensions, including in Ngaoundaye, in Pende, Ouham Prefecture, after a refusal by residents to allow herders to cross their land. Violence in Ngaoundaye on June 15 resulted in at least 10 deaths, destroyed houses, and the displacement of thousands of persons to surrounding towns, as well as to neighboring Cameroon and Chad, according to the United Nations.

In June and July, a series of attacks by armed groups occurred in and outside of Bangui. On June 20, for example, armed fighters clashed with MINUSCA soldiers in Bangui's PK-5 area, which resulted in the deaths of six armed men and 15

civilians. On June 24, unidentified assailants killed a Senegalese peacekeeper. In early July clashes between the different ex-Seleka factions in Kaga Bandoro forced civilians to seek protection in camps for internally displaced persons (IDPs) protected by international forces. Since mid-June the Office of the UN High Commissioner for Refugees (UNHCR) registered more than 6,000 new refugees from the Central African Republic in Chad and Cameroon.

On September 16, the UN Office for the Coordination of Humanitarian Affairs reported attacks in Kouango that resulted in 19 deaths, 380 houses burned, and populations from 11 villages fleeing.

The LRA also killed civilians during the year, targeting in particular the Haute-Kotto and Mbomou prefectures. Attacks against civilians since the beginning of the year included killings, abductions, and GBV. Between January and April, the LRA abducted more than 290 persons, including 60 children. Thousands of civilians were displaced.

Abductions: The LRA, ex-Seleka, anti-Balaka, and other armed groups abducted numerous persons. According to MINUSCA, abductions and hostage taking were used to extort money from relatives, press authorities into releasing their incarcerated colleagues, and intimidate populations into allowing armed groups to impose authority.

On June 19, the armed group in Bangui's PK-5 area led by Abdoulaye Issene held six police officers hostage for five days. Earlier security force members arrested armed Fulani (Peulh) herders who were bringing their cattle into Bangui, which spiraled into reprisal attacks against the police. After several days of government negotiations, the hostages were released unharmed, with MINUSCA facilitating their handover.

Kidnappings by the LRA reportedly increased. The LRA significantly stepped up its activity in the eastern region, especially in the mining areas east of Bria, in the Haute-Kotto Prefecture, and along the Mbomou River between the towns of Rafai and Obo. According to an international NGO, the LRA was responsible for 42 incidents, six civilian fatalities, and 252 civilian abductions in the country in the first quarter.

Physical Abuse, Punishment, and Torture: The ex-Seleka and forces associated with anti-Balaka groups reportedly tortured, beat, and raped civilians in the course of the conflict.

Members of armed groups reportedly continued to rape girls and women with impunity. For example, on February 23, four armed men affiliated with the RJ movement gang-raped a 14-year-old girl who was returning home on foot in the village of Pende, Ouham and afterward attacked her with machetes. On February 26, an anti-Balaka leader raped a pregnant 25-year-old woman in the Batangafo, Ouham IDP camp before beating her husband and two other persons who were trying to protect her. MINUSCA arrested the attacker.

Between January and August, at least 110 persons were accused of witchcraft or quackery. Suspected individuals were often subject to arbitrary arrests and executions by members of armed groups, lynching by a mob, or expulsion from their communities.

There were reports peacekeeping forces, including MINUSCA and international contingents, exploited women and children, although some of the reports referred to cases that occurred prior to 2016 (see section 1.c.).

Child Soldiers: Reports of use of child soldiers continued during the year. According to estimates by the UN Children's Fund (UNICEF), between 6,000 and 10,000 child soldiers were recruited during the latest conflict through 2015; some remained with armed groups. NGOs reported children recruited by armed groups were sent to fight, used for sexual purposes, and used as cooks, porters, or messengers. According to the UN independent expert, the LRA forced children to commit atrocities such as looting and burning villages, killing village residents, and abducting or killing other children.

According to the 2016 *Report of the Secretary-General on Children and Armed Conflict*, the United Nations documented 40 cases of child recruitment and use in 2015; more than half the cases were perpetrated by the LRA and more than a quarter by ex-Seleka faction the UPC. Armed groups forced children to be combatants, messengers, informants, and cooks. Girls also were used as sex slaves. In addition the United Nations documented the presence of children manning checkpoints and barricades alongside armed individuals reportedly sympathetic to or affiliated with anti-Balaka and ex- Seleka elements.

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

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The constitution and law provide for freedom of speech and press, and the government generally respected these rights.

Press and Media Freedoms: All print media in the country were privately owned. Radio was the most important medium of mass communication. There were a number of alternatives to the state-owned radio station, Radio Centrafrique. Independent radio stations operated freely and broadcast organized debates and call-in talk shows critical of the government, the election process, ex-Seleka, and anti-Balaka militias. International media broadcast within the country.

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

Violence and Harassment: There were no reports of journalists being targeted for violence by the government.

Censorship or Content Restrictions: There were no reports the government attempted to censor the media. Three journalists arrested in 2014 had not been tried by year's end. Local and international journalists used a variety of social media platforms to broadcast updates and commentary during the elections, without restriction.

Internet Freedom

The transitional and newly elected government did not restrict or disrupt access to the internet or censor online content, and there were no credible reports the government monitored private online communications without appropriate legal authority.

According to the International Telecommunication Union, approximately 4 percent of the population used the internet in 2014.

Academic Freedom and Cultural Events

There were no reports the transitional or newly elected government restricted academic freedom or cultural events.

Many schools remained closed or without adequate resources. The country's sole university was open.

b. Freedom of Peaceful Assembly and Association

Freedom of Assembly

The new constitution provides for the right of assembly, and the government generally respected it. Any association intending to hold a public political meeting is required to obtain the Ministry of Interior's approval.

Freedom of Association

The constitution provides for freedom of association, and the government generally respected it. All associations, including political parties, must apply to the Ministry of Interior for registration.

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/religiousfreedomreport/.

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

The constitution provides for freedom of internal movement, but the government did not always respect this right.

In-country Movement: Armed groups and bandits made in-country movement extremely dangerous. Illegal checkpoints were frequently used by government forces, armed groups, and criminals alike to extort funds. Muslims were often targeted for attacks, including truck drivers.

Internally Displaced Persons

Ex-Seleka and anti-Balaka attacks on civilians and fighting between armed groups displaced at least 922,000 persons at the height of the conflict in January 2014. As the security situation improved during the last two years, hundreds of thousands of IDPs returned to their homes. According to an August 2016 UNHCR report, there were more than 385,000 IDPs across the country. Destruction of homes and insecurity were the most widely cited reasons for continued displacement.

Displaced persons in Muslim enclaves continued to be especially vulnerable to violence by armed groups, in particular in Bambari and Batangafo.

The government provided assistance to IDPs and returnees. The government allowed humanitarian organizations to provide services, although security concerns sometimes prevented organizations from operating in areas previously controlled by the Seleka, and targeted attacks on humanitarian operations impeded their ability to access some populations.

On May 14, the president and prime minister visited the M’Poko and Bimbo camps for displaced persons. In June, during her meeting with the minister for social affairs and national reconciliation, the UN independent expert stated priority would be given to relocating the M’Poko camp and to identifying appropriate action to ensure returns are carried out in accordance with international standards. In December the government announced the closure of the IDP camp at M’Poko International Airport and began distributing cash payments to residents willing to leave. As of December 27, 446 IDPs had departed the site.

According to the Association of Women Lawyers of Central Africa (AFJC), sexual and gender-based violence in IDP camps was widespread.

With an improving security situation in the capital, some Muslims returned to Bangui.

There were reports of sexual exploitation of children and the inappropriate use of force in IDP camps by international and MINUSCA peacekeeping forces during the year (see section 1.c.).

Protection of Refugees

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

The Subcommittee on Eligibility, however, had not held sessions since 2009, which contributed to a growing backlog of asylum applications.

Section 3. Freedom to Participate in the Political Process

The constitution provides citizens the ability to choose their government in free and fair periodic elections held by secret ballot and based on universal and equal suffrage.

Elections and Political Participation

Recent Elections: After several postponements, the country held a constitutional referendum in December 2015 followed by the first round of presidential and legislative elections. None of the 30 presidential candidates obtained more than 50 percent of the votes required to avoid a second round, which was held on February 14. On January 25, the Transitional Constitutional Court annulled the December 30 legislative elections--due to widespread irregularities and voter intimidation and fraud--and ordered new elections. The rescheduled first-round legislative elections also took place on February 14, with a second round held on March 31. The National Assembly was seated on May 3; elections for the Senate were not held, and no date for them was announced. Central African refugees and members of the diaspora in some neighboring states were able to participate in the elections.

The December 2015 constitutional referendum led to the adoption of a new constitution, with 93 percent of the votes cast in favor; voter turnout was 38 percent.

The first round of presidential and legislative elections took place in December 2015 with a turnout of 62 percent. Refugees located in Cameroon, the Republic of the Congo, and Chad were able to vote. The Democratic Republic of the Congo, however, did not allow the estimated 112,000 Central African refugees on its territory to vote.

A total of 415 appeals were lodged contesting the results of the legislative elections, leading the Transitional Constitutional Court to invalidate the ballot and to require a new first round of elections. The appeals were based primarily on allegations of irregularities and fraud, corruption, and intimidation of voters and candidates. The second round of the presidential election and the new first round of the legislative elections took place on February 14. Observers noted a marked improvement in the conduct of the ballot, as the majority of polling stations opened

on time and were properly equipped. The Transitional Constitutional Court announced the final results of the presidential election on March 1, confirming the victory of independent candidate Faustin-Archange Touadera with 62.7 percent of the vote over Anicet-George Dologuele, who had 37.3 percent of the vote. The turnout was 58.9 percent. Dologuele quickly conceded defeat and called upon his supporters to accept the results of the ballot. The inauguration of President Touadera took place on March 30.

Participation of Women and Minorities: Four of the 23 cabinet members were women, as were the senior presidential advisors for agriculture and national reconciliation. On April 23, the Constitutional Court announced the provisional results of the second round of the legislative elections and confirmed the election of 128 members of parliament, including 11 women. Some observers believed traditional attitudes and cultural practices limited the ability of women to participate in political life on the same basis as men.

There were four Muslim members, including one Fulani member, of the cabinet.

Section 4. Corruption and Lack of Transparency in Government

Although the law provides criminal penalties for corruption by officials, the government did not implement the law effectively, and officials often engaged in corrupt practices with impunity. The World Bank's 2015 Worldwide Governance Indicators reflected corruption was a severe problem.

Financial Disclosure: The constitution requires senior members of the executive, legislative, and judicial branches at the beginning of their terms to declare publicly their personal assets and income for scrutiny by the constitutional court. The constitution specifies that the law determines sanctions for noncompliance. Declarations are public. The constitution requires ministers to declare their assets upon departing government but is not explicit on what constitutes assets or income.

Public Access to Information: The constitution stipulates that every citizen has the right to access government information, which is published in the *Official Gazette*, the newspaper that publishes official decrees and laws. The provision was effectively implemented: The *Official Gazette* is published at least monthly, and print copies are available for purchase.

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

A number of domestic and international human rights groups generally operated without government restriction, investigating and publishing their findings on human rights cases. Government officials often were cooperative and responsive to their views.

On April 14, the president began a series of discussions with the leaders of the armed factions to keep channels of communication open and to pave the way for a national program of disarmament, demobilization, reintegration, and repatriation (DDRR), funded by international partners. A special presidential advisor for security-sector reform (SSR), DDRR, and national reconciliation was appointed in May, and the president initiated a national framework for SSR, DDRR, and national reconciliation in July. In October the president convened the first meeting of the national DDRR consultative committee, which included representatives from 11 of 14 armed groups. In late June, however, the UN independent expert noted the discussions had not led to the conclusion of clear agreements on disarming armed groups and dismantling of militias.

Government Human Rights Bodies: A Joint Commission of Inquiry established in 2013 with a mandate to investigate human rights violations committed in the country since 2004 lacked resources and was not operational during the year.

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

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.

Between January and October 2015, the UN Population Fund reported the GBV Information Management System, established in 2014, recorded 60,208 GBV survivors, who received medical or psychosocial care or both. Among those were 29,801 cases of sexual violence, including rape, gang rape, sexual slavery, sexual exploitation and abuse, and sexual aggression. In 2014 the International Rescue Committee reported more than two-thirds of 125 women surveyed in Bangui had been gang raped, primarily by members of armed groups (see section 1.g.).

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 was common. A legal aid center in Bimbo for sexual and gender-based crimes reported receiving approximately 10 cases a week. The law considers spousal abuse a civil matter unless the injury is severe. According to the AFJC, victims of domestic abuse seldom reported incidents to authorities.

The government took no known action to punish perpetrators or otherwise combat rape and domestic violence.

Female Genital Mutilation/Cutting (FGM/C): The law prohibits FGM/C for women and girls, which is punishable by two to five years' imprisonment and a fine of 100,000 to one million CFA francs (\$170 to \$1,700), depending on the severity of the case. Approximately 24 percent of girls and women between ages 15 and 49 had been cut, according to multiple indicator cluster surveys reported by UNICEF in 2010; of that number 52 percent had undergone the procedure between ages 10 and 14. The government broadcast public awareness announcements concerning FGM/C on public radio.

Other Harmful Traditional Practices: Women, especially the very old and those without family, were in many cases accused of witchcraft (see section 6, Other Societal Violence or Discrimination).

Sexual Harassment: The law prohibits sexual harassment, but the government did not effectively enforce the law, and sexual harassment was common. The law prescribes no specific penalties for the crime.

Reproductive Rights: Couples and individuals have the right to decide freely and responsibly the number, spacing, and timing of children; manage their reproductive health; and have access to the information and means to do so, free from discrimination, coercion, or violence. Nevertheless, most couples lacked access to contraception, skilled attendance during childbirth, prenatal care, and essential obstetric care and postpartum care. According to estimates from the UN Population Fund, the maternal mortality rate remained extremely high: 500 to 999 deaths for every 100,000 live births in 2015. With only 0.08 physicians per thousand residents, most births were unattended by qualified medical professionals, resulting in poor outcomes. UN sources estimated that in 2015 a woman's lifetime risk of maternal death was one in 27.

Discrimination: The formal law does not discriminate against women in inheritance and property rights, but a number of discriminatory customary laws often prevailed. Women's statutory inheritance rights often were not respected, particularly in rural areas. Women experienced economic and social discrimination. Customary law does not consider single, divorced, or widowed women, including those with children, to be heads of households. By law men and women are entitled to family subsidies from the government, but several women's groups complained about lack of access to these payments for women. Women's access to educational opportunities and 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, but there were no reports of discrimination in pay equity or owning or managing a business.

The government did not take any steps during the year to combat discrimination against women. The AFJC advised women of their legal rights and how best to defend them. The AFJC filed an increased number of complaints during the year.

Children

Birth Registration: Children derive citizenship by birth in the national territory or from one or both parents. Birth registration could be difficult and less likely to occur in regions with little government presence. Parents did not always register births immediately. Unregistered children faced restrictions on access to education and other social services. The lack of routine birth registration also posed long-term problems. The UN Committee on the Rights of the Child expressed concern over the low levels of birth registration, which led to violations of the right to a nationality for children whose births were not registered.

Education: Education is compulsory from six to 15 years of age. Tuition is free, but students have to pay for items such as books and supplies, and for transportation. In 2015, according to UNICEF, 38 percent of schools were attacked or looted during the crisis, and one-third of school-age children did not go to school. Girls did not have equal access to primary or secondary education. Few Ba'aka, the earliest known inhabitants of the forests in the south, 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 for these efforts.

According to an NGO nationwide survey in 2015, between 78 and 88 percent of schools were open. According to the United Nations, an estimated 10,000 children

were prevented from attending school during the year, mostly due to schools being occupied by armed groups.

Child Abuse: The law criminalizes parental abuse of children under age 15. Nevertheless, child abuse and neglect were widespread, although rarely acknowledged. The government did not take steps to address child abuse.

Early and Forced Marriage: The law establishes 18 as the minimum age for civil marriage. Nonetheless, an estimated 68 percent of women between ages 20 and 24 were married before age 18 and 29 percent before age 15, according to UNICEF data collected between 2005 and 2013. UNICEF reported forced marriages were on the rise among young girls in rural areas where the government lacked authority. The government did not take steps to address forced marriage. The practice of early marriage was more common in the Muslim community. There were reports during the year of forced marriages of young girls to ex-Seleka and anti-Balaka members.

Female Genital Mutilation/Cutting (FGM/C): See information for girls under 18 in women's section above.

Sexual Exploitation of Children: There are no statutory rape or child pornography laws to protect minors. The family code prescribes penalties for the commercial exploitation of children, including imprisonment and financial penalties. The minimum age of sexual consent is 18, but it was rarely observed. A legal aid center in Bimbo for sexual and gender-based crimes reported cases involving minor victims.

In the first half of the year, NGOs reported the LRA continued to target and abduct children. Abducted girls often were kept as sex slaves (see section 1.c.).

Armed groups committed sexual violence against children and used girls as sex slaves (see sections 1.g. and 2.d.).

There were reports of sexual exploitation of children and the inappropriate use of force by international and MINUSCA peacekeeping forces during the year (see section 1.c.).

Child Soldiers: Child soldiering was a problem (see section 1.g.).

Displaced Children: Armed conflict resulted in forced displacement, with the number of persons fleeing in search of protection fluctuating based on local conditions. Prior to the Seleka takeover in 2013, there were more than 6,000 street children between ages five and 18, including an estimated 3,000 in Bangui, according to data collected by the Ministry of Family and Social Affairs. Observers believed that HIV/AIDS and societal 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) frequently were expelled from their households and were sometimes subjected to societal violence.

The country's instability had a disproportionate effect on children, who accounted for 60 percent of IDPs. Access to government services was limited for all children, but displacement reduced it further. Nevertheless, according to a humanitarian NGO, an estimated 140,000 displaced and vulnerable children participated in psychosocial activities, 3,000 children were released from armed groups, and approximately 3,500 survivors of sexual violence received comprehensive support.

International Child Abductions: The country is not a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. See the Department of State's *Annual Report on International Parental Child Abduction* at travel.state.gov/content/childabduction/en/legal/compliance.html.

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/rls/tiprpt/.

Persons with Disabilities

The law prohibits discrimination against persons with both mental and physical disabilities but does not specify other forms of disabilities. It requires that in any company employing 25 or more persons, at least 5 percent of staff must consist of sufficiently qualified persons with disabilities, if they are available. The law states

at least 10 percent of newly recruited civil service personnel should be persons with disabilities. There are no legislated or mandated accessibility provisions for persons with disabilities.

The government did not enact programs to ensure access to buildings, information, and communications. No information was available on whether any children with disabilities attended school during the year. The Ministry of Labor's Labor Inspectorate has responsibility for protecting children with disabilities.

When persons with disabilities reached IDP camps, they faced difficulties accessing sanitation, food, and medical assistance.

National/Racial/Ethnic Minorities

Violence by unidentified persons, bandits, and other armed groups against the Mbororo, primarily nomadic pastoralists, was a problem. Their cattle wealth made them attractive targets, and they continued to suffer disproportionately from civil disorder in the North. Additionally, since many citizens viewed them as inherently foreign due to their transnational migratory patterns, the Mbororo faced occasional discrimination with regard to government services and protections. In recent years the Mbororo began arming themselves against attacks from farmers who objected to the presence of the Mbororo's grazing cattle. Several of the resulting altercations resulted in deaths.

Indigenous People

Discrimination against the Ba'aka, who constituted 1 to 2 percent of the population, remained a problem. The Ba'aka continued to have little influence in decisions affecting their lands, culture, traditions, and the exploitation of natural resources. Forest-dwelling Ba'aka, in particular, experienced social and economic discrimination and exploitation, which the government did little to prevent.

The Ba'aka, including children, often were coerced into agricultural, domestic, and other types of labor. They were considered slaves by 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 the Ba'aka were effectively “second-class citizens,” perceived as barbaric and subhuman and excluded from mainstream society.

Acts of Violence, Discrimination, and Other Abuses 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 (\$255 and \$1,022). 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 (\$170 and \$1,362); however, there were no reports police arrested or detained persons under these provisions.

While official discrimination based on sexual orientation occurred, there were no reports the government targeted gays and lesbians. Societal discrimination against LGBTI persons was entrenched due to a high degree of cultural stigmatization and social pressure to conform to a heterosexual lifestyle. Many citizens attributed the existence of homosexual activity to undue Western influence. There were no reports of LGBTI persons targeted for acts of violence, although the absence of reports could reflect cultural biases and stigma attached to being an LGBTI individual. There were no known organizations advocating for or working on behalf of LGBTI persons.

HIV and AIDS Social Stigma

Persons with HIV/AIDS were subjected to discrimination and stigma, and many individuals with HIV/AIDS did not disclose their status due to social stigma.

Other Societal Violence or Discrimination

Violent conflict and instability in the country had a religious cast. Many, but not all, members of the ex-Seleka and its factions were Muslim, having originated in neighboring countries or in the remote Muslim north, a region former governments often neglected.

During the worst of the crisis, some Christian communities formed anti-Seleka militias that targeted Muslim communities, presumably for their association with the Seleka. The Catholic archbishop of Bangui, local priests, and an imam worked

with communities to defuse tensions by making radio broadcasts urging members of their religious communities to call for tolerance and restraint. Local leaders, including the bishop of Bossangoa, and internationally based academics warned against casting the conflict in religious terms and thus fueling its escalation along religious lines.

Ethnic killings related to cattle theft occurred.

According to the UN independent expert, there were numerous credible reports that “persons accused of witchcraft have been detained, tortured, or killed by individuals or members of armed groups, particularly in the west of the country.” Accusations of witchcraft were usually brought against members of the most vulnerable population groups, including women, the elderly, children, persons with disabilities, and persons with albinism. According to the independent expert, “Persons suspected of witchcraft also were victims of mob justice, often carried out by anti-Balaka militias with the complicity of local authorities.”

According to an international NGO, between January and August, at least 110 persons were accused of witchcraft or quackery. These persons were subject to arbitrary arrests, executions by members of armed groups, killing by a mob, or expulsion from their communities.

For example, in Bossangoa, between August 6 and 15, three women accused of witchcraft were victims of vigilante violence. One of the three was seriously injured and transported to the local district hospital; the other two were kidnapped and released following the intervention of international forces.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The law provides for the right of workers, except for senior-level state employees, all security force members, and foreign workers in residence for less than two years, 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. The law requires union officials be full-time, wage-earning employees in their occupation and allows them to conduct union business during working hours if the employer is informed 48 hours in advance and provides authorization. Substantial restrictions, including

reciprocity, hampered noncitizens from holding leadership positions in a union, despite amendments to the labor code.

Workers have the right to strike in both the public and private sectors, but the law prohibits security forces, including the armed forces and gendarmes, from striking. Requirements for conducting a legal strike are 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 the union and the 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 and Civil Service has the authority to establish 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 it provides workers protection from employer interference in the administration of a union.

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

The transitional government and the government generally enforced applicable laws and respected laws concerning labor actions. Workers exercised some of these rights, but 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 stated 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. Neither the transitional government nor the government was generally involved if the two parties were able to reach an agreement. Information was unavailable on the effectiveness of collective bargaining in the private sector.

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 for violations. The labor code's prohibition of forced or compulsory labor also applies to children, although the code does not mention them specifically. The government did not enforce the prohibition effectively, however, and there were reports such practices occurred, especially in armed conflict zones. The failure of government enforcement was due to a lack of resources, a dysfunctional judicial system, and an inadequate inspection cadre. Employers subjected men, women, and children to forced domestic, agricultural, mining, sales, and restaurant labor, as well as sexual exploitation. Criminal courts sentenced convicted persons to imprisonment and forced labor, and prisoners often worked on public projects without compensation. In Bangui and other large urban areas, however, the practice was rare, partly because of the presence of human rights NGOs or lawyers and because day labor was inexpensive. Ba'aka, including children, often were coerced into labor as day laborers, farm hands, or other unskilled labor and often treated as slaves (see section 6). No known victims were removed from forced labor during the year.

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

c. Prohibition of Child Labor and Minimum Age for Employment

The labor code forbids the employment of children younger than age 14 without specific authorization from the Ministry of Labor and Civil Service, but the law also provides that the minimum age for employment can be as young as age 12 for some types of light work in traditional agricultural activities or home services. The law prohibits children younger than age 18 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.

Neither the transitional government nor the government enforced child labor laws. The government trained police, military, and civilians on child rights and protection, but trainees lacked resources to conduct investigations. The government had numerous policies related to child labor, including those to end the sexual exploitation and abuse of children and the recruitment and use of children in armed conflict, but there was no evidence of programs to eliminate or prevent child labor, including its worst forms. Five labor inspectors were specifically trained to investigate child labor. Penalties were not sufficient to deter violations.

Child labor was common in many sectors of the economy, especially in rural areas. Children continued to perform hazardous work and labored as child soldiers. No known victims were removed from the worst forms of child labor during the year.

Local and displaced children as young as age seven frequently performed agricultural work, including harvesting peanuts and cassava and helping gather items subsequently sold at markets, such as mushrooms, hay, firewood, and caterpillars. In Bangui many of the city's street children worked as street vendors. 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, observers saw many children working in and around diamond mining fields.

Although there were no reports ex-Seleka and anti-Balaka recruited child soldiers during the year, both groups continued using child soldiers (see section 1.g.).

Also see the Department of Labor's *Findings on the Worst Forms of Child Labor* at www.dol.gov/ilab/reports/child-labor/findings/.

d. Discrimination with Respect to Employment and Occupation

It is illegal to discriminate in hiring or place of employment based on race, national or social origin, gender, opinions, or beliefs. The government did not effectively enforce the law, however. The law does not explicitly prohibit discrimination in employment and occupation based on disability, age, language, sexual orientation, gender identity, social status, HIV-positive status, or having other communicable diseases.

Discrimination against women in employment and occupation occurred in all sectors of the economy and in rural areas, where traditional practices that favor men remained widespread (see section 6).

Migrant workers experienced discrimination in employment and pay.

e. Acceptable Conditions of Work

The labor code states the minister of labor and civil service must set minimum wages in the public sector by decree. The transitional government, the country's largest employer, set wages after consultation, but not negotiation, with government employee trade unions. The minimum wages in the private sector are established based on sector-specific collective conventions resulting from negotiations between employers and workers' representatives in each sector. Salary and pension arrears were problems for armed forces personnel and the country's approximately 24,000 civil servants.

The minimum wage in the private sector varied by sector and type of work. While the average monthly minimum wage remained 28,000 CFA francs (\$48), it was 26,000 CFA francs (\$44) for government workers and 8,500 CFA francs (\$14) for agricultural workers.

The minimum wage applies only to the formal sector, leaving most of the economy unregulated in terms of wages. 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 official estimated poverty rate was 65 percent.

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 citizen, foreign, and migrant workers. Overtime policy varied according to the workplace. Violations of overtime policy may be referred to the Ministry of Labor and Civil Service, although it was unknown whether this occurred during the year. There is no legal prohibition on excessive or compulsory overtime. The labor code, however, states employers must provide for the health and security of employees who are engaged in overtime work.

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 a labor inspector may force an employer to correct unsafe or unhealthy work conditions.

Neither the transitional government nor the government enforced labor standards, and violations were common in all sectors of the economy. Government reports indicated only 18 of 53 labor inspectors were assigned to enforcement duties, which was insufficient to enforce compliance. Penalties were seldom enforced and were insufficient to deter violations. Employers commonly violated labor standards in agriculture and mining.

Diamond mines, which employed an estimated 400,000 persons, are subject to standards imposed by the mining code and inspection by the Miners' Brigade. Nevertheless, monitoring efforts were underfunded and insufficient. Despite the law requiring those working in mines to be at least age 18, observers frequently saw underage diggers. Diggers often worked in open pits susceptible to collapse and generally earned a daily wage of 2,000 CFA francs (\$3.41), often working seven days a week during the peak season. Diggers were employed by larger mine operators, worked in dangerous conditions at the bottom of open pits, and lacked safety equipment.

Miners, by contrast, have a share in ownership and participate in the proceeds of diamond sales. On average they earned 186,000 CFA francs (\$316) per year via legal sales, but this figure varied considerably based on the scale of the mine. Often miners supplemented these earnings by either illegal diamond sales or wages from other sectors of the economy. No credible information was available regarding workplace injuries and deaths.

If information exists about dangerous working conditions, the law provides that workers may remove themselves without jeopardy to their employment. In such instances the labor inspector notifies the employer and requires that conditions be addressed within four working days. The high unemployment and poverty rates deterred workers from exercising this right.