

# Comoros 2023 Human Rights Report

## Executive Summary

There were no significant changes in the human rights situation in Comoros during the year.

Significant human rights issues included credible reports of: arbitrary or unlawful killings, including extrajudicial killings; harsh and life-threatening prison conditions; arbitrary arrest or detention; political prisoners or detainees; serious restrictions on free expression and media freedom, including violence and threats of violence against journalists, unjustified arrests or prosecutions of journalists, and enforcement of criminal libel laws to limit expression; substantial interference with the freedom of peaceful assembly; restrictions of religious freedom; inability of citizens to change their government peacefully through free and fair elections; extensive gender-based violence, including domestic or intimate partner violence and sexual violence; and laws criminalizing consensual same-sex sexual conduct between adults, although not enforced.

The government sometimes took steps to identify and dismiss officials who may have committed human rights abuses but rarely prosecuted them. Impunity for human rights abuses was widespread.

## **Section 1. Respect for the Integrity of the Person**

### **a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings**

There was one report the government or its agents committed an arbitrary or unlawful killing during the year.

At a November World Cup qualifying soccer match in Moroni, a small group of fans tried to force their way into the sold-out match. Soldiers providing security confronted them, and a soldier shot a man in the head. It was unclear if the shooting was accidental or intentional. Authorities transported the man to Dar Es Salaam in Tanzania for medical care, but he died several days later. The ministers of interior and justice held a press conference on November 29, expressing regret concerning the incident and promising an investigation.

### **b. Disappearance**

There were no reports of disappearances by or on behalf of government authorities.

## **c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment, and Other Related Abuses**

The constitution and law prohibited such practices. There was one credible report of abusive treatment.

Authorities arrested three soldiers for assaulting a civilian at the port of Mutsamudu, an incident captured on video and released on social media. The incident possibly concerned a dispute related to the late departure of a boat. Authorities put the three soldiers in custody, and as of October investigations continued.

Impunity was a significant problem in the security forces, particularly within the military and gendarmerie.

### **Prison and Detention Center Conditions**

Prison and detention center conditions were harsh and life threatening, particularly in the prison on Anjouan island, due to overcrowding and inadequate food, water, sanitation, and medical facilities.

**Abusive Physical Conditions:** Overcrowding was a problem. As of October, the prison in the capital city of Moroni on Grande Comore island held 358 inmates; according to International Committee of the Red Cross standards, the prison capacity was 60 inmates. The prison on Anjouan held 137

detainees in one of the two prison buildings, consisting of three rooms each measuring 215 square feet and equipped with a single toilet.

Detainees and prisoners normally received a single meal per day, consisting of 1.8 ounces of rice and one egg (in Moroni), red beans when available (on Anjouan), or a combination of rice and beans (on the island of Moheli). The Red Cross provided weekly meals to prisoners on Anjouan. Those who did not receive additional food from family members suffered food deprivation. Other common problems included inadequate potable water, sanitation, ventilation, lighting, and medical facilities.

**Administration:** Authorities almost never investigated prisoner complaints.

**Independent Monitoring:** The government permitted the International Committee of the Red Cross and diplomatic missions to monitor prisons. Authorities required nongovernmental organizations (NGOs) to request a visit permit from the prosecutor general. The National Commission for Human Rights and Liberties occasionally made unannounced visits to the prisons.

#### **d. Arbitrary Arrest or Detention**

The constitution and law prohibited arbitrary arrest and detention and provided for the right of any person to challenge the lawfulness of their arrest or detention in court. The government often did not observe these provisions.

## **Arrest Procedures and Treatment of Detainees**

The law required judicial arrest warrants and prosecutorial approval to detain persons longer than 24 hours without charge. The law provided for prompt judicial determination of the legality of detention and for detainees to be informed promptly of the charges against them. A magistrate informed detainees of their rights, including the right to legal representation. These rights were inconsistently respected. The bail system prohibited persons on bail from leaving the country. Some detainees did not have prompt access to attorneys or their families.

**Arbitrary Arrest:** There were reports of persons being temporarily detained for organizing political demonstrations, expressing their political views, or criticizing the government.

**Pretrial Detention:** Lengthy pretrial detention was a problem. By law pretrial detainees could be held for no more than four months, although a magistrate or prosecutor could extend this period. Detainees routinely awaited trial for extended periods for reasons including administrative delay, case backlog, and time-consuming collection of evidence. Some extensions continued for several years and for many persons exceeded the maximum sentences for their alleged crimes. For example, in August, a court acquitted a man arrested for alleged abuse and human trafficking after nearly two years' detention.

## **e. Denial of Fair Public Trial**

The constitution and law provided for an independent judiciary, and the government generally respected judicial independence. Judicial inconsistency, unpredictability, and corruption were problems. Authorities generally respected court orders.

### **Trial Procedures**

The law provided all defendants with the right to a fair and public trial, and the judiciary generally enforced this right. The right to a timely trial was often denied, as lengthy delays were common. The right to counsel at public expense for indigent defendants was rarely observed. Although the law provided for the assistance of an interpreter, free of charge, for any defendant unable to understand or speak the language used in court, this provision was not generally implemented.

### **Political Prisoners and Detainees**

There were reports of political prisoners and detainees, including periodic reports of political activists being temporarily detained without being arrested or charged with a crime. The government permitted access by human rights or humanitarian organizations to some political prisoners.

Former Governor of Anjouan Abdou Salami remained in prison under a 17-year sentence, after a March 2022 conviction for participating in an

insurrection and other charges. Former President Sambu remained in prison under a life sentence, after a November 2022 conviction for high treason. Some observers considered the convictions politically motivated.

**Amnesty:** On July 5, President Azali granted pardons to 16 prisoners. Authorities had sentenced the 16 for planning to assassinate the president or for other antigovernment actions.

## **f. Transnational Repression**

Not applicable.

## **g. Property Seizure and Restitution**

Not applicable.

## **h. Arbitrary or Unlawful Interference with Privacy, Family, Home, or Correspondence**

The constitution and law prohibited such actions, and the government generally respected these prohibitions. Local commentators widely suspected the government monitored private online communications without appropriate legal authority.

## Section 2. Respect for Civil Liberties

### a. Freedom of Expression, Including for Members of the Press and Other Media

The constitution and law provided for freedom of speech, including for members of the press although not explicitly for other media. Authorities imposed restrictions.

**Freedom of Expression:** Individuals could not criticize the government or raise matters of public interest without constraint. Authorities reportedly detained individuals for making public statements, including online statements, critical of the president.

**Violence and Harassment:** Some journalists were subjected to harassment by government authorities due to their reporting.

In January, authorities prosecuted journalists Andjouza Aboulheir, Abdallah Mzembaba, Toufe Maecha, and Oubeidillah Mchangama for alleging sexual assaults on interns working at the National Radio and Television Center. Operational Director for Television Hablani Assoumani had filed a criminal complaint for defamation against the journalists. A court sentenced them to nine months' suspended sentences and fines of 150,000 Comorian francs (\$329).



### **Censorship or Content Restrictions for Members of the Press and Other**

**Media, Including Online Media:** Independent media operated with a growing level of restriction and self-censorship due to government reprisal. Some journalists practiced self-censorship due to the risk of violence and harassment, and other journalists, fearing retribution, self-censored discussions of political matters.

**Libel/Slander Laws:** The law criminalized libel. Authorities enforced the law against four journalists. The law also prohibited the propagation of non-Islamic beliefs to Muslims. This prohibition was not enforced.

### **Internet Freedom**

The government did not restrict or disrupt access to the internet or censor online content.

## **b. Freedoms of Peaceful Assembly and Association**

The government restricted the freedom of peaceful assembly. The constitution and law provided for the freedom of association, and the government generally respected it.

### **Freedom of Peaceful Assembly**

The constitution and law provided for the freedom of peaceful assembly, but the government often did not respect it. Authorities required protest

organizers to secure permits and other approvals for demonstrations of any kind, or risk detention and potential arrest for staging an “illegal” protest.

On Grande Comore, authorities occasionally authorized political demonstrations but more often refused permit requests.

On August 26, the government denied a request from opposition party Front Commun (Common Front) for a permit for a prayer ceremony on Anjouan to honor former President Sambu and other alleged political prisoners.

Opposition parties criticized the denial. Security forces deployed to deter any attempt to conduct the event but made no arrests.

### **c. Freedom of Religion**

See the Department of State’s *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/>.

### **d. Freedom of Movement and the Right to Leave the Country**

The constitution and law provide for freedom of internal movement and foreign travel, and the government generally respected these rights. No specific constitutional or legal provisions dealt with emigration and repatriation.

## e. Protection of Refugees

The government cooperated, with some exceptions, with the Office of the UN High Commissioner for Refugees and other humanitarian organizations in providing protection and assistance to refugees, returning refugees, or asylum seekers, as well as other persons of concern.

**Access to Asylum:** The law did not provide for the granting of asylum or refugee status, and the government had not established a system for providing protection to refugees.

**Employment:** There were credible reports the government imposed restrictions on the ability of refugees to work after their status became official; the law did not allow them to receive residence visas or work permits, documents necessary to secure employment.

**Access to Basic Services:** The government did not grant official status to refugees to enable access to essential services.

## f. Status and Treatment of Internally Displaced Persons (IDPs)

Not applicable.

## **g. Stateless Persons**

The country contributed to statelessness through laws that did not protect persons born in the country to unknown or stateless parents from becoming stateless.

## **Section 3. Freedom to Participate in the Political Process**

The constitution and law provided 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**

**Abuses or Irregularities in Recent Elections:** In 2020, observers deemed legislative elections generally free and fair, although the opposition boycotted the elections and did not recognize the results and the government did not allow them to hold meetings during the elections. In 2019, international and domestic observers considered the presidential election neither free nor fair, and noted the election was marked by significant irregularities. Opposition groups did not recognize the results of the election and made allegations of ballot stuffing, intimidation, and harassment.

**Political Parties and Political Participation:** Opposition parties faced some restrictions in organizing public rallies.

**Participation of Women and Members of Marginalized or Vulnerable**

**Groups:** Some observers believed traditional and cultural factors prevented women from participating in political life on an equal basis with men.

## **Section 4. Corruption in Government**

The law provided criminal penalties for corruption by officials, but the government did not implement the law effectively, and officials frequently engaged in corrupt practices with impunity. There were numerous reports of government corruption.

**Corruption:** Resident diplomatic, UN, and humanitarian agency personnel reported corruption was commonplace at all levels of the civil service and security forces. Businesspersons reported corruption and a lack of transparency. Citizens paid bribes to evade customs regulations, to avoid arrest, and to obtain falsified police reports.

On June 27, the National Assembly adopted a new anti-corruption law, which the president promulgated on September 24.

## **Section 5. Governmental Posture Towards International and Nongovernmental Monitoring and Investigation of Alleged Abuses of Human Rights**

A few domestic and international human rights groups generally operated without government restriction to monitor or investigate human rights conditions or cases and publish their findings. Government officials often were cooperative and responsive to their views.

**Government Human Rights Bodies:** By law the governmental National Commission for Human Rights and Liberties was mandated to investigate human rights abuses and make recommendations to concerned authorities. It was independent but lacked effectiveness.

## **Section 6. Discrimination and Societal Abuses**

### **Women**

**Rape and Domestic Violence:** Rape regardless of age or gender was illegal and punishable by five to 10 years' imprisonment or up to 15 years if the survivor was younger than age 15. The law did not specifically address spousal rape but being married to a survivor did not exonerate the perpetrator. Authorities prosecuted perpetrators if survivors filed charges; otherwise, authorities rarely enforced the law. There were reports families

or village elders settled many allegations of sexual violence informally through traditional means and without recourse to the formal court system.

The law treated domestic violence as an aggravating circumstance, including crimes committed by one domestic partner against an existing or former partner. Penalties include prison sentences up to five years and fines.

Authorities sometimes enforced the law. According to the United Nations and the Ministry of Health, approximately 17 percent of women endured at least one incident of physical or sexual violence in their lives.

During the year, the government opened two new listening centers on Grand Comore to support survivors of domestic violence and child abuse.

**Discrimination:** The law provided for equality of persons without regard to gender, and authorities generally enforced the law effectively. The law did not address gender pay disparities, and there were reports of pay gaps in the private sector. The UN Development Program reported women were underrepresented in leadership roles. Societal discrimination against women was most apparent in rural areas, where women were mostly limited to farming and child-rearing duties, with fewer opportunities for education and wage employment. For cultural and religious reasons, women were also not as active in the urban workforce as men.

While men could transmit citizenship to their foreign wives, the law did not permit women to transmit citizenship to their foreign husbands. Inheritance and property rights practices, however, favored women. Local cultures

were traditionally matrilineal, and all inheritable property was in the legal possession of women.

**Reproductive Rights:** There were no reports of coerced abortion or involuntary sterilization on the part of government authorities.

Barriers impeding access to sexual and reproductive health services included reduced access to and use of contraception due to insufficient awareness of their utility, the influence of religious and cultural beliefs, the noninvolvement of men in reproductive health programs, and low education levels. Other barriers included low levels of awareness of available resources, reducing skilled health attendance during pregnancy and childbirth. It was unclear if emergency contraception was available as part of family planning method mix.

The government provided access to sexual and reproductive health services, including counseling and legal and medical support, for survivors of sexual violence through government-funded listening centers on all three islands. Emergency contraception was available as part of the clinical management of rape cases.

According to the 2020 general population and housing census, the maternal mortality rate was 195 deaths per 100,000 live births. The UN Fund for Population Activities office in the country put the number at 72 deaths per 100,000 live births. Major factors in the maternal mortality rate included a lack of access to skilled obstetric care and modern medical facilities, low



levels of awareness of available resources, and difficulty traveling to available facilities.

In rural areas, lack of access to menstrual health care and hygiene, including schools without indoor plumbing, negatively affected girls' education.

## **Systemic Racial or Ethnic Violence and Discrimination**

While the law provided for the equality of persons based on race and origin group, it did not recognize any marginalized racial or ethnic groups nor provide protections against violence.

## **Children**

**Child Abuse:** The law prohibited child abuse. The government-affiliated NGO Listening and Counseling Service had offices on all three islands to provide support and counseling for abused children and their families. The NGO routinely referred child abuse cases to police for investigation. Police conducted initial investigations of child abuse and referred cases to the Morals and Minors Brigade for further investigation and referral for prosecution. If evidence was sufficient, authorities routinely prosecuted cases.

The Listening and Counseling Service also trained local schools on sexual abuse awareness and helped establish clubs and mechanisms in schools for reporting sexual abuse.

In February, authorities trained the gendarmerie on interview techniques, trauma identification, and protection systems for child survivors and witnesses of abuse.

In August, authorities arrested three gendarmes on Moheli on suspicion of sexually assaulting a girl age 16 at a wedding reception. At year's end, investigations continued, with two gendarmes in prison, and the third in custody at the gendarmerie facility.

**Child, Early, and Forced Marriage:** The legal minimum age of marriage was 18. The government enforced the law effectively. The government engaged in prevention and mitigation efforts.

**Sexual Exploitation of Children:** The law prohibited sexual exploitation, commercial sex, child sex trafficking, and involvement in pornography; it did not specifically address sale, grooming, or use of children for commercial sexual exploitation. All forms of child sex trafficking could also be addressed under provisions criminalizing child sexual exploitation. Since there were no official statistics regarding these matters and no reports in local media of cases, prosecutions, or convictions under these laws, it was unclear if authorities consistently enforced the law. The law stated 18 was the minimum age for consensual sex.

## Antisemitism

There was no known Jewish population, and there were no reports of antisemitic incidents.

## Trafficking in Persons

See the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

## Acts of Violence, Criminalization, and Other Abuses Based on Sexual Orientation, Gender Identity or Expression, Or Sex Characteristics

**Criminalization:** The law forbade sexual acts “against nature.” This provision was widely understood to apply to consensual same-sex sexual conduct between adults. Authorities reported no arrests or prosecutions and did not actively enforce the law.

**Violence and Harassment:** Police did not incite, perpetrate, condone, or tolerate violence or harassment against lesbian, gay, bisexual, transgender, queer, or intersex (LGBTQI+) persons or those reporting abuse. There were no reports of violence against LGBTQI+ persons.

**Discrimination:** No laws prohibited discrimination by state or nonstate actors based on sexual orientation, gender identity or expression, or sex

characteristics. The law did not specifically recognize LGBTQI+ couples or their families, nor grant them rights equal to the rights of other persons. LGBTQI+ persons experienced cultural discrimination and could have certain rights curtailed, such as seeking employment or educational opportunities.

**Availability of Legal Gender Recognition:** Legal gender recognition was not available.

**Involuntary or Coercive Medical or Psychological Practices:** There were no known cases of involuntary or coercive medical or psychological practices, such as forced or involuntary “conversion” therapy or other abuses. No surgeries were performed on children or nonconsenting adult intersex persons.

**Restrictions of Freedom of Expression, Association, or Peaceful Assembly:** There were no laws restricting individuals speaking or media reporting on LGBTQI+ matters, or the ability of LGBTQI+ individuals to assemble, associate, register organizations, or convene events. LGBTQI+ persons, however, generally did not publicly reveal their sexual orientation or gender identity due to societal pressure. There were no local LGBTQI+ organizations.

## **Persons with Disabilities**

Persons with disabilities could not access education, employment, health services, public buildings, and transportation on an equal footing with

others. The law mandated access to buildings, information, communication, education, and transportation for persons with disabilities. The government did not enforce the law effectively. Information and communication on disability concerns were not provided in accessible formats. The law also prohibited discrimination against persons with physical, sensory, intellectual, or mental disabilities. The government did not effectively enforce the law. Despite the absence of appropriate accommodation for children with disabilities, such children attended mainstream schools, both public and private. Persons with disabilities faced some discrimination in employment and occupation, primarily access to work sites and other problems related to accessibility.

## **Section 7. Worker Rights**

### **a. Freedom of Association and the Right to Collective Bargaining**

The law provided for the right of workers to form and join independent unions of their choice without previous authorization or excessive requirements. The law did not prohibit antiunion discrimination by employers in hiring practices or other employment functions, and it did not require reinstatement of workers fired for union activity.

The law provided unions the right to bargain collectively, although no regulatory structure existed for collective bargaining in either the public or

private sector. The law included a mandatory conciliation process for resolving labor disputes with recourse to the courts. The law provided for the right to strike but required an eight-day notification period and a declaration of the reason for the strike and its duration. Civil servants had to provide 15 days' notice. Strikes were restricted to work-related topics. Some categories of workers were prohibited from striking, such as members of the military, magistrates, and senior officials. The law empowered the government to order striking workers back to work if they provided services deemed indispensable to the public. The law did not protect strikers from retribution.

The government did not effectively enforce laws protecting freedom of association, collective bargaining, and the right to strike. Penalties for violations of these laws were commensurate with those for analogous violations, such as civil rights violations, but were but seldom applied.

Common practices restricting rights included failure to pay salaries regularly or on time, mostly in the government sector, and unfair and abusive dismissal practices, such as dismissing employees without giving proper notice or paying the required severance pay.

## **b. Prohibition of Forced or Compulsory Labor**

See the Department of State's annual *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

## c. Prohibition of Child Labor and Minimum Age for Employment

See the Department of Labor's *Findings on the Worst Forms of Child Labor* at <https://www.dol.gov/agencies/ilab/resources/reports/child-labor/findings/>.

## d. Discrimination (see section 6)

## e. Acceptable Conditions of Work

**Wage and Hour Laws:** The law did not provide for a minimum wage. The law provided for a 40-hour workweek, except in the agriculture sector, where it set the maximum hours of work at 2,340 per year (equivalent to 45 hours per week). There were provisions for overtime pay. Alleged violations of wage, hour, or overtime laws were common in the agriculture, fishing, and construction sectors.

**Occupational Safety and Health:** The law did not include appropriate occupational safety and health (OSH) standards explicitly for the main industries in the country. Government OSH experts did not proactively identify unsafe working conditions. Workers could remove themselves from situations endangering health or safety without jeopardy to their employment. There were no known industrial accidents, but workers in construction, ports, public works such as road construction, fishing, and agricultural sectors sometimes experienced hazardous working conditions in

violation of OSH standards. Fishing was considered the most hazardous work.

**Wage, Hour, and OSH Enforcement:** The government did not effectively enforce wage, hour, and OSH laws. Penalties were not commensurate with those for similar violations. Penalties were rarely applied against violators. The Ministry of Youth, Employment, Labor, Sport, and Cultural Arts was responsible for enforcement.

The number of inspectors was insufficient to enforce compliance. Inspectors had the authority to make unannounced inspections and to initiate financial sanctions.

According to the World Bank, the informal sector was estimated to be 73 percent of the total workforce, but there were no official statistics. Workers in the informal sector were not covered by wage, hour, OSH, or other labor laws and inspections.