

Gabon 2023 Human Rights Report

Executive Summary

On August 30, the Gabonese military abruptly deposed President Ali Bongo Ondimba, ending the Bongo family's 56-year dynastic rule. Shortly after the electoral authority declared Bongo the winner of the August 26 elections, which many observers regarded as highly implausible, the military intervened. The nonviolent coup d'état was broadly supported by the Gabonese public. The newly formed Committee for the Transition and Restoration of Institutions (hereafter Transition Council) dissolved the constitution and all state institutions, including parliament and the Constitutional Court. In the interim, the Transition Council announced the country would be governed by a charter drafted by the council. Upon taking power, the Transition Council began a crackdown on corruption within the government, released all political prisoners from the Bongo regime, allowed the return of Gabonese citizens who were previously persona non grata for political reasons, and opened the country to foreign journalists.

Significant human rights issues included credible reports of: arbitrary or unlawful killings, including extrajudicial killings; torture and cases of cruel, inhuman, or degrading treatment by the government; harsh and life-threatening prison conditions; arbitrary arrests or detentions; serious problems with the independence of the judiciary; political prisoners or

detainees; arbitrary or unlawful interference with privacy; serious restrictions on free expression and media freedom, including violence and harassment of journalists and censorship; serious restrictions on internet freedom; substantial interference with the freedom of peaceful assembly and freedom of association; restrictions on freedom of movement; inability of citizens to change their government peacefully through free and fair elections; serious and unreasonable restrictions on political participation; serious government corruption; trafficking in persons including forced labor; and existence of the worst forms of child labor.

Prior to the coup d'état, the Bongo government took some steps to identify, investigate, and prosecute officials and punish those convicted of human rights abuses. The transition government took further steps to address human rights abuses. The Transition Council, however, was also involved in some of its own human rights abuses, including arbitrary detention of journalists and union leaders, and extrajudicial killings of individuals for violating curfew.

Section 1. Respect for the Integrity of the Person

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

There were two reports that the government or its agents committed

arbitrary or unlawful killings, including extrajudicial killings, related to curfew violations. On October 15, a man, age 30, was beaten and killed by gendarmes for violating the curfew. On December 18, a man, age 20, was killed by the military for violating curfew in the city of Port-Gentil.

Authorities investigated and arrested the soldiers and gendarmes involved, but no information regarding sentencing was released.

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 (suspended on August 30 during the coup d'état) prohibited such practices. The subsequent Transition Charter did the same. There were reports of torture in prisons where unidentified personnel employed torture, including one case reported by the nongovernmental organization (NGO) SOS Prisonniers in December 2022. Several high-profile prisoners were kept in solitary confinement for extended periods.

Impunity was a widespread problem among security forces, including the Republican Guard, Gendarmes, the General Directorate of Counterintelligence and Military Security, and the Directorate General of

Documentation and Immigration, among others. Nevertheless, the Bongo government took some steps to identify, investigate, and prosecute officials and punish human rights abusers under the Bongo regime. Authorities operated a national hotline to report abuses by security force members.

Prison and Detention Center Conditions

Prison conditions were harsh and potentially life threatening due to low-quality food, inadequate sanitation, lack of ventilation, gross overcrowding, and limited medical care. Conditions in jails and detention centers mirrored those in prisons.

Abusive Physical Conditions: Libreville's central prison was severely overcrowded; it was built to hold 500 inmates but held approximately 4,000. There were also reports of overcrowding in other prisons.

Some prisoners and detainees were kept in solitary confinement for several months without access to exercise or use of showers or other sanitary facilities.

Prisoners had only limited access to food, lighting, sanitation, potable water, and exercise areas. Management of the spread of infectious diseases, such as HIV or tuberculosis, was inadequate. According to the NGO SOS Prisonniers, since January, there were four cases of deaths in prison due to lack of adequate medical care.

Administration: There was no prison ombudsperson or comparable independent authority available to respond to prisoner complaints. Prisoners filed few complaints. NGOs indicated that the low incidence of complaints was due to ignorance of, or lack of faith in, the process, or fear of retribution.

Independent Monitoring: The government permitted human rights organizations to conduct independent monitoring of prison conditions and granted access to centers for detained migrants and asylum seekers to provide social assistance. Representatives of several NGOs, including Malachie, the Sylvia Bongo Foundation, and the Voice of the Forgotten, visited prisons. After the August 30 coup d'état, the Transition Council prevented prison visits of any kind until October 30.

d. Arbitrary Arrest or Detention

The constitution (suspended as of year's end) and law prohibited arbitrary arrest and detention and provided for detainees or persons arrested to challenge in court the lawfulness and arbitrary nature of their detention. The law also provided for compensation if a court ruled the detention unlawful. The government, however, did not always respect these provisions.

Arrest Procedures and Treatment of Detainees

Although the law required arrest warrants based on sufficient evidence and issued by a duly authorized official, security forces in some cases disregarded these provisions. The law allowed authorities to detain a suspect up to 48 hours without charge, after which it required the suspect be charged before a judge. Police often failed to respect this time limit.

Once authorities charged a person, the law provided for conditional release if further investigation was required. There was a functioning bail system. Detainees did not always have prompt access to family members and a lawyer of their choice. The law required the government to provide indigent detainees with lawyers and interpretation, but this was not always done, often because the government could not find lawyers willing to accept the terms of payment offered for taking such cases, or adequate interpreters.

Arbitrary Arrest: Several credible accounts described cases where the Directorate General of Documentation and Immigration, arrested, detained, interrogated, and eventually released persons without being charged with a crime. As part of the coup d'état of August 30, authorities put deposed President Ali Bongo, his wife Sylvia, and ministers under house arrest, and arrested Bongo's son Nouredin and many of his associates. Ali Bongo was released from house arrest on September 6, but Sylvia, Nouredin, and others remained in detention. In December seven union leaders from the Gabon Energy and Water Company (SEEG) were arrested for three days

after SEEG employees went on strike to denounce the SEEG's decision to withhold the traditional 13-month bonus. The seven union leaders were never charged with a crime, and while in detention they were reportedly abused, humiliated, and forced to participate in acts of patriotism to be released.

Pretrial Detention: Approximately two-thirds of prison inmates were held in pretrial detention that sometimes lasted up to three years. Some pretrial detentions exceeded the maximum sentence for the alleged crime. Prolonged pretrial detention was common due to overburdened dockets and an inefficient judicial system. The law limited pretrial detention to six months on a misdemeanor charge and one year on a felony charge, with six-month extensions if authorized by the examining magistrate. Detainees generally lacked knowledge of their rights and the proper procedure for submitting complaints and might not have submitted complaints due to fear of retribution.

e. Denial of Fair Public Trial

The law provided for an independent judiciary, but the judiciary demonstrated only partial independence and only in some cases. The NGO Freedom House alleged the executive branch exercised firm control over the judiciary. The judiciary was inefficient. The president appointed and could dismiss judges through the Ministry of Justice, to which the judiciary was

accountable. Corruption was a problem. For example, individuals charged with offenses reportedly paid bribes to influence the judicial process, avoid facing trial, or both.

Trial Procedures

The currently suspended constitution provided for the right to a fair and public trial and to legal counsel, and the judiciary generally respected these rights. Trial dates were often delayed.

Political Prisoners and Detainees

On September 13, authorities released former Gabonese Democratic Party (PDG) deputy Bertrand Zibi Abeghe from prison after Zibi served six years for inciting violence and possessing a firearm. Many observers considered the charges and conviction politically directed and the evidence fabricated.

Authorities under the Bongo regime permitted routine consular and NGO visits to political prisoners. Following the coup d'état on August 30, the Transition Council ordered some political prisoners freed, and all those who had gone into exile would be invited to return to Gabon. The Transition Council, however, also prevented any prisoners from being visited from August 30 – October 30.

On September 5, Renaud Allogho Akoue, former Director of the Health Insurance and Social Guarantee Fund, and Leandre Nzue, former mayor of

Libreville, were released following the Transition Council's decision to provide amnesty to prisoners of conscience.

On September 11, officials offered the former chief of staff of Ali Bongo Ondimba, Brice Laccruche Alihanga, amnesty, but Laccruche refused until his brother, Grégory Laccruche-Alihanga, was also released. Officials eventually released the two on October 20.

f. Transnational Repression

Not applicable.

g. Property Seizure and Restitution

Not applicable.

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

Although the suspended constitution and law prohibited such actions, the government did not always respect these prohibitions. As part of criminal investigations, police requested and easily obtained search warrants from judges, sometimes after the fact. Security forces conducted warrantless searches for irregular immigrants and criminal suspects. Authorities reportedly monitored private telephone conversations, personal mail, and the movement of citizens.

Section 2. Respect for Civil Liberties

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

The suspended constitution and law provided for freedom of expression, including for members of the press and other media, and the government generally respected this right. According to the law, contempt of the president or of any government official “committed anywhere, on any occasion, or by any means,” was punishable by six months’ to five years’ imprisonment and fines. The country’s High Authority for Communication (HAC) acted as the state media regulator and was used as an arm of the government to protect the president.

Violence and Harassment: Prior to the coup d’etat, some journalists reported receiving anonymous instructions or calls from persons suspected of being connected with the government telling them not to report on matters that would cast President Bongo in a negative light. In the run-up to the August elections, the Bongo government barred foreign journalists from entering the country. After the coup d’etat, the Transition Council reversed these restrictions. Four members of the editorial staff of Gabon Media Time were arrested for two days in October after they published concerns over the conduct of a public prosecutor who then claimed he had been defamed.

Censorship or Content Restrictions for Members of the Press and Other**Media, Including Online Media:** The NGO Reporters Without Borders

asserted that arbitrary media suspensions by the HAC increased in recent years. On July 12, the HAC suspended the newspaper *La Plume* for one month. The HAC also issued formal notices to the newspapers *Médiaposte*, *Médias241*, and *Lalibreville*; these online media outlets were accused of disseminating false information. *Magazine Superstar*, an online newspaper, was suspended on July 26 due to the publication of an article unfavorable to Ali Bongo.

On the evening of the August 26 elections, the HAC suspended France 24, RFI, and TV5 Monde television and radio programs, claiming they disseminated propaganda and misinformation. Immediately after the coup d'état on August 30, authorities assumed control of all television channels and only permitted the broadcast of communiqués from the Transition Council. The Transition Council also shut down the newspaper *L'Union* for two days, but reopened all forms of media by September 1 and removed all restrictions on members of the press, allowing for the entry of foreign journalists without visas for the first time.

Libel/Slander Laws: Libel and slander could be treated as either criminal or civil offenses. There were no reports of libel and slander laws being used against journalists during the year.

Internet Freedom

Shortly after the polls closed on August 26, the Bongo government completely shut down the internet, and blocked most international news broadcasts normally available in the country. One of the first actions by the Transition Council on August 30 was to restore the internet and re-establish international media links. The government did not otherwise restrict or disrupt access to the internet.

b. Freedoms of Peaceful Assembly and Association

The suspended constitution provided for the freedoms of peaceful assembly and association, although the government severely curbed these rights in the lead-up to the August 26 elections. The Bongo government historically limited freedom of peaceful assembly for some groups and associations by creating bureaucratic hurdles and failing to issue permits in a timely manner.

Freedom of Peaceful Assembly

The freedom of peaceful assembly was severely curbed in the lead-up to the August 26 elections, with groups of more than five persons barred from assembling. The Bongo government denied several requests by opposition political parties to hold rallies. One opposition political rally was violently disrupted in Franceville, Haut-Ogooué Province (home province of deposed

President Bongo) on July 23, forcing the opposition presidential candidate to flee.

After the coup d'état on August 30, individuals were not allowed to leave their homes or assemble, but the restrictions on assembly were gradually lessened as the Transition Council consolidated power.

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 suspended constitution and existing laws provided for freedom of internal movement, foreign travel, emigration, and repatriation.

Nevertheless, the government did not always respect these rights.

In-country Movement: Although there were no legal restrictions on freedom of internal movement, military and police personnel and gendarmes stopped travelers at checkpoints to check identity, residence, or registration documents and on some occasions to solicit bribes. Prior to the August 26 elections, the Bongo government used aircraft restrictions to prevent the main opposition candidate from traveling to conduct election rallies in the Bongo family's home area. There were other reports of

opposition figures being delayed or denied access to cross bridges by land, hampering their ability to campaign. Refugees required a travel document endorsed by the Office of the UN High Commissioner for Refugees (UNHCR) and by government authorities to circulate freely within the country.

After the August 30 coup d'état, individuals were not allowed to leave their homes. The Transition Council then instituted the strict enforcement of curfews during the night, requiring individuals to be in their homes between 6 p.m. to 6 a.m. The curfew remained in effect, although the hours were reduced to 12 a.m. to 5 a.m. Military units enforcing the curfew were accused of using excessive force on individuals out past curfew. There were two documented cases of the military killing individuals for violating curfew in October and December. Authorities investigated and arrested the soldiers and gendarmes involved, but no information regarding sentencing was released.

Foreign Travel: Refugees and most holders of a residence permit needed an exit visa to leave and return to the country.

e. Protection of Refugees

The government cooperated with UNHCR 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 provided for the granting of asylum or refugee

status, and the government established a system for providing protection to refugees.

Freedom of Movement: (See section 2.d., In-country Movement.)

Durable Solutions: The nationality code allowed refugees to apply for naturalization; however, the process was long and expensive. At age 18, children born in the country of refugee parents could apply for citizenship.

Section 3. Freedom to Participate in the Political Process

The suspended constitution and existing laws 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; however, in the August 26 elections, the Bongo government interfered with the ability of opposition parties to campaign, and then barred international monitors, diplomats, and foreign journalists from observing the elections and counting of ballots. Shortly after authorities announced results that many observers found questionable, the military stepped in and took over the government. The Transition Council then annulled the results of the elections.

Elections and Political Participation

Abuses or Irregularities in Recent Elections: During the August 26

presidential, legislative, and local election campaign the Bongo government and ruling PDG party restricted the ability of opposition parties to hold rallies, used various methods to restrict the consensus opposition presidential candidate, Albert Ondo Ossa, from campaigning in many areas, and barred foreign journalists from entering the country. The Bongo government refused to allow independent election monitors from the European Union, African Union, the Economic Community of Central African States, or international NGOs to enter the country and conduct their observation missions. The Bongo government appointed a ruling party partisan to chair the formerly independent election commission (CGE) in February.

The CGE enacted several changes to the electoral code to benefit the ruling party, which should not have been possible after January according to the law. Nevertheless, the Constitutional Court allowed the CGE to change rules on polling station representation, limiting access to vote counting to only one representative from the ruling party and one from the opposition, despite there being more than 100 political parties vying for seats in the three elections. The CGE also changed the ballot procedure to make it harder for votes to remain anonymous.

Voters were also disenfranchised from fully voting in the elections. The CGE changed the ballot structure, creating a combined presidential and legislative ballot, and forcing voters to choose the same party for both

elections. Furthermore, if an independent were on the ballot for president (as was the case for the consensus opposition candidate), the voter would not be able to vote in the legislative election, and vice-versa. Opposition leaders were therefore forced to choose between sacrificing the legislative or presidential elections, as the government did not allow voters the opportunity to vote their conscience in the ballot box.

Numerous voting irregularities were reported on election day, August 26. Polling stations had missing opposition party ballots and ballot boxes as well as incorrect or old ballots. Some polling stations opened eight hours after the official opening, and those stations did not remain open into the night to allow for voters to cast a vote. The opposition claimed the government instructed the CGE to destroy ballots of consensus opposition candidate Albert Ondo Ossa to disrupt and confuse voters in key opposition strongholds. The Transition Council provided evidence of the Bongo regime implementing a vote-buying scheme, by which PDG officials would pay individuals 10,000 CFA francs (\$16.50) to enter the voting booth. The individuals would then receive another 15,000 CFA francs (\$25) upon providing proof they voted for Bongo.

At 4:30 a.m. on August 30, the CGE announced that incumbent Ali Bongo Ondimba had won the presidential election with 64 percent of the vote, with consensus opposition candidate Albert Ondo Ossa receiving 30 percent. The CGE did not provide any detailed voting results.

Political Parties and Political Participation: Until the coup d'état, the ruling PDG dominated the government. PDG membership conferred advantages in obtaining government positions. Opposition party members complained voter districts were unfairly drawn, alleging the president's home province received disproportionately more parliamentary seats than other provinces. They also stated the PDG had greater access to government resources for campaign purposes than other parties.

After the August 30 coup d'état, the transitional president and other members of the Transition Council held consultations with members of opposition parties and promised a transition leading to fresh multi-party elections and a re-established civilian government. On November 13, the Transition Council announced a detailed two-year timeline that would end with elections in August 2025. The timeline noted the date for elections would be decided by the national dialogue expected to occur in April 2024.

Participation of Women and Members of Marginalized or Vulnerable

Groups: Cultural and traditional factors, as well as social stigma, prevented women and historically marginalized groups such as persons with disabilities and lesbian, gay, bisexual, transgender, queer, and intersex (LGBTQI+) persons from participating equally in political life.

Although members of all major ethnic groups occupied prominent government civilian and security force positions, members of Indigenous populations rarely participated in the political process.

Section 4. Corruption in Government

The law provided criminal penalties for corruption by officials, and the government generally implemented the law effectively. When charges for corruption were brought forward, the law took effect. Mechanisms for identifying and prosecuting corruption, however, were imperfect.

Corruption: After the coup d'état on August 30, the Transition Council arrested Nouredin Bongo Valentin, son of former President Bongo, and other officials for massive embezzlement of public funds, international financial embezzlement in organized gangs, forgery and use of forgery, falsification of the signature of the president of the republic, active corruption, and drug trafficking. The former Minister of Oil and Gas, Vincent de Paul Massassa, and the former Director General of Forests in the Ministry of Environment, Ghislain Moussavou, were also arrested on corruption charges.

For additional information about corruption in the country, please see the Department of State's *Investment Climate Statement* for the country, and the Department of State's *International Narcotics Control Strategy Report*, which includes information on financial crimes.

Section 5. Governmental Posture Toward International and Nongovernmental Monitoring and

Investigation of Alleged Abuses of Human Rights

Prior to the coup d'état, a few domestic human rights groups operated, albeit with government restrictions, investigating and publishing their findings on human rights cases. Several human rights NGOs reported governmental intimidation and a general lack of responsiveness to their views. The Transition Council met with human rights organizations as part of its meeting with civil society leaders and included members of civil society organizations in the new transitional government as part of the Transition Council's goals of an inclusive government.

Government Human Rights Bodies: Under the Bongo regime, the Ministry of Justice oversaw the Human Rights and Gender Equality portfolio and coordinated government efforts to improve respect for human rights, organized human rights training for government officials, and addressed major human rights problems. The National Human Rights Commission, composed of representatives from civil society, media, religious groups, and the judiciary, had a degree of independence.

Section 6. Discrimination and Societal Abuses

Women

Rape and Domestic Violence: The law criminalized rape for both women and men; convicted rapists faced penalties of 10 to 20 years' imprisonment

and a fine. Nevertheless, authorities seldom prosecuted rape cases, largely due to victims underreporting or being unwilling to testify. The law addressed spousal and intimate partner rape regardless of gender. The government made strides to address violence against women; however, societal barriers continued to deter women from reporting cases to authorities. There were no reliable statistics on the prevalence of rape, but a women's advocacy NGO estimated it was frequent. Discussing rape remained taboo, and survivors often opted not to report it due to shame or fear of reprisal.

Although the law prohibited domestic violence, NGOs reported it was common. Penalties ranged from two months' to 15 years' imprisonment. Women rarely filed complaints, due to shame or fear of reprisal, although the government operated a counseling group to provide support for abuse survivors. The government provided in-kind support to an NGO center to assist survivors of domestic violence, and through the center's work, police intervened in response to incidents of domestic violence. The government funded a toll-free national hotline to assist persons experiencing any kind of violence.

Other Forms of Gender-based Violence or Harassment: NGOs reported sexual harassment of women was widespread. The law stated sexual harassment "constitutes an offense against morals (and includes) any behavior, attitude or repeated assiduous or suggestive words, directly or

indirectly attributable to a person who, abusing the authority or influence conferred on him by his functions or its social rank, aims to obtain sexual favors from an individual of one or the other sex.” Sexual harassment was punishable by up to six months’ imprisonment and a substantial fine. The December 2022 conviction of a male teacher for sexual harassment of a female student led to widespread media coverage on the pervasiveness of sexual harassment of girls in schools.

Discrimination: The law did not generally distinguish between the legal status and rights of women and men. The law provided for equal treatment regarding marital rights, property, nationality, and inheritance. There were no reports of the government failing to enforce the law effectively.

Although the labor code prohibited discrimination with respect to employment and work conditions based on sex, no specific law required equal pay for equal work, and women’s wages were frequently less than those of men for equivalent work. LGBTQI+ women continued to be discriminated against, with openly LGBTQI+ women reportedly near 100 percent unemployment and forced into prostitution to survive. No openly LGBTQI+ women were employed at any level in the government.

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

The Ministry of Health and Social Affairs provided guidance on family-planning best practices to health facilities throughout the country. There

were some social and cultural barriers to access family planning methods based on behavioral norms, religious beliefs, and an individual's sexual orientation. LGBTQI+ individuals reported some discrimination when seeking access to sexual and reproductive health services. Adolescents in rural areas also sometimes lacked access to family planning. While sexual and reproductive health services were available to survivors of sexual violence at government and private medical facilities, emergency contraception could only be purchased at local pharmacies. Local NGOs provided support to sexual violence survivors. Public health institutions had a protocol to provide one month of HIV prophylaxis for survivors of sexual assault, though HIV medication was not always available.

The World Health Organization estimated the maternal mortality rate in 2017 at 252 deaths per 100,000 live births. According to the *2012 Gabon Demographic and Health Survey*, girls and women ages 15 to 19 were among the most affected, representing 34 percent of maternal deaths. The main causes of maternal death were hemorrhages during childbirth, high blood pressure, and infections. Limited system wide access to prenatal care contributed to poor outcomes during pregnancy and delivery.

Systemic Racial or Ethnic Violence and Discrimination

There were no laws that specifically provided for the protection of members of racial or ethnic minorities or groups against violence and discrimination; they had the same civil rights as other citizens. There were no reports

during the year of racial or ethnic violence and discrimination. The labor code prohibited discrimination with respect to employment and work conditions based on race, color, religion, national origin or citizenship, or social background. Undocumented foreign workers frequently experienced wage discrimination and poor working conditions. Penalties for violations were commensurate with penalties related to civil rights. Penalties were regularly applied against violators.

Indigenous Peoples

The Babongo, Baghama, Baka, Bakoya, and Barimba ethnic groups were the earliest known inhabitants of the country and were commonly referred to as “Indigenous” and given certain legal protections. The law granted members of these groups the same civil rights as other citizens, but they experienced societal discrimination. Indigenous peoples complained of abuses related to natural resource extraction. Indigenous peoples were relocated to less desirable areas and were negatively affected by pollution caused by mining and timber operations. There were no reports that authorities took action to address these complaints. Discrimination in employment also occurred. Indigenous persons had little recourse if mistreated by persons from the majority Bantu population, and there were no specific government programs or policies to assist them.

Children

Birth Registration: Registration of all births was mandatory, and children without birth certificates could not attend school or participate in most government-sponsored programs. Many mothers could not obtain birth certificates for their children due to isolation in remote areas of the country or lack of awareness of the requirements of the law.

Child Abuse: Child abuse was illegal, with penalties of up to life in prison, a substantial fine, or both. According to NGOs, child abuse occurred, including sexual abuse.

Child, Early, and Forced Marriage: The minimum age for marriage was 15 for girls and 18 for boys and the government generally enforced this requirement. NGOs and the UN Population Fund, however, agreed early marriages were more common among Indigenous ethnic groups, who had significantly different lifestyles and societal norms, and the government did not actively prevent these practices.

Sexual Exploitation of Children: The age of consent was 15 for girls and 18 for boys. The law prohibited child sex trafficking and child pornography, and authorities generally enforced the law. Perpetrators of child trafficking or a child pornography-related offense could be sentenced to between two- and five-years' imprisonment. Under the law, sex trafficking of a child was aggravated child trafficking, punishable by life imprisonment and substantial

finer. Possession of child pornography was punishable by imprisonment of six months to one year and a substantial fine.

Antisemitism

The Jewish population was very small, 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: There were no laws criminalizing same-sex sexual conduct, nor disproportionate prosecution of apparently neutral laws against LGBTQI+ persons.

Violence and Harassment: There were no reports that state actors incited, perpetrated, condoned, or tolerated violence or harassment against LGBTQI+ persons. Civil society and media reported that LGBTQI+ persons were subject to verbal abuse or assault. Such incidents were rarely reported to police.

Discrimination: No law prohibited state or nonstate actors from discriminating based on sexual orientation, gender identity or expression, or sex characteristics. The law did not recognize LGBTQI+ individuals or families. Civil society contacts reported nearly 100 percent unemployment amongst openly LGBTQI+ persons, with those who were openly LGBTQI+ limited to jobs as hair stylists, makeup artists, or caterers. Transgender persons were excluded from employment in most sectors and were often forced into prostitution to survive. There were no openly LGBTQI+ individuals employed at any level of the government, and LGBTQI+ civil society organizations were excluded from participation in talks with the Transition Council. The Transition Council’s Transitional Charter defined “marriage” as the “union between two persons of different sexes,” as did the suspended constitution.

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

Involuntary or Coercive Medical or Psychological Practices: Members of the LGBTQI+ community reported that individuals were subjected to involuntary conversion therapies, most predominantly through religious groups and traditional rituals. Individuals reported the use of exorcisms, intense religious indoctrination, and psychological therapies to “cure” LGBTQI+ individuals.

Restrictions of Freedom of Expression, Association, or Peaceful Assembly:

There were no legal restrictions on speaking out on LGBTQI+ topics. Some LGBTQI+ organizations, however, reported being unable to register legally or convene events.

Persons with Disabilities

Persons with disabilities could not access education, health services, public buildings, and transportation on an equal basis with others, even though the law required they have access to public transport and services, including health care and education, and public buildings, including voter access to election polling centers. Most public buildings, however, did not provide adequate access and accommodation for persons with disabilities, hindering their ability to obtain state services and take part in the judicial system.

Enforcement of the rights of persons with disabilities to education, health care, and transportation was limited; there were no government programs to provide access to buildings, information, and communications for persons with disabilities. Children with disabilities generally attended school at all levels, including mainstream schools. There was accommodation for persons with disabilities in air travel but not for ground transportation.

The law prohibited discrimination against persons with “physical, mental, congenital, and accidental” disabilities. The law subsumed sensory disabilities under congenital and “accidental” disabilities but did not recognize the concept of intellectual disability. Although the law prohibited

employment discrimination against persons with disabilities, individuals with physical disabilities faced barriers in obtaining employment, such as gaining access to human resources offices to apply for jobs, because public buildings did not provide access for persons with physical disabilities. The inaccessibility of buses and taxis complicated efforts to seek jobs or get to places of employment by those without their own means of transportation. There were no laws limiting persons with disabilities from participating in civic life, although government and private buildings often lacked accessibility for persons with disabilities which could prevent their participation.

Other Societal Violence or Discrimination

Local NGOs reported discrimination against persons with HIV and AIDS. Such persons encountered difficulties obtaining loans and finding employment in some sectors. NGOs worked closely with the Ministry of Health and Social Affairs to combat both the associated stigma and the spread of HIV.

Ritual killings were reported in which persons were killed and their limbs, genitals, or other organs removed. The law criminalized ritual killing and organ trafficking. A local ritual crimes watchdog NGO reported five cases of ritual killing for organ removal, including three children and two men. There were eight cases of ritual crimes associated with forced disappearances or

kidnappings, including six children and two men.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The law provided for the rights of workers to form and join independent unions and to bargain collectively. The law provided for the right to strike, with restrictions. Antiunion discrimination was illegal, and the law provided for the reinstatement of workers dismissed for union activities. The government required unions to register with the government to obtain official recognition, and the government routinely granted registration. Agreements negotiated by unions also applied to nonunion workers.

Strikes could be called only after eight days' advance notification and only after mandatory arbitration failed. Public-sector employees' right to strike could be restricted where the government determined it posed a threat to public safety. The law did not define the essential-services sectors in which strikes were prohibited; however, the armed services were prohibited from unionizing and striking. The law prohibited government action against strikers who abided by the notification and arbitration provisions and excluded no groups from this protection.

The government generally enforced applicable laws. Resources to protect

the right to form unions, bargain collectively, and strike were adequate. Penalties for violations of these rights were compensatory, determined on a case-by-case basis, and commensurate with those for other laws involving denials of civil rights. Administrative and judicial procedures were sometimes delayed. Penalties were sometimes applied against violators.

Freedom of association and the right to collective bargaining were not always respected. Some unions were politically active, and the government accused them of siding with opposition parties. The government sometimes restricted strikes.

Employers created and controlled some unions. Although antiunion discrimination was illegal, some trade unionists in both the public and private sectors complained of occasional discrimination, including the blacklisting of union members, unfair dismissals, and threats to workers who unionized. Trade union representatives complained they experienced hurdles accessing educational establishments during their efforts to represent and defend their members' interests. Labor union leaders reported that most labor violations stemmed from illegal dismissals, including of workers on strike, leaving them without social security and insurance benefits.

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 government established a national monthly minimum wage that was above the official poverty line. Authorities did not enforce wage laws adequately, although workers could file suit if they received less than the minimum wage. Labor inspections were infrequent. Minimum wage laws were not enforced in the informal sector, which accounted for most workers.

The labor code stipulated a 40-hour workweek with a minimum rest period of 48 consecutive hours. The law also provided for paid annual holidays. The government required employers to compensate workers for overtime work as determined by collective agreements or government regulations. By law, the daily limit for compulsory overtime could be extended from 30

minutes to two hours to perform specified preparatory or complementary work, such as starting machines in a factory or supervising a workplace. It also could be extended for urgent work to prevent or repair damage from accidents. The daily limit did not apply to establishments in which work was continuous or to establishments providing retail, transport, dock work, hotel and catering services, housekeeping, security services, medical establishments, domestic work, and journalism. Employers generally respected minimum wage standards. Formal-sector employees could submit complaints regarding overtime, and the ministry's labor inspectors investigated such complaints. The government penalized violations with a range of fines that were commensurate with those for similar crimes.

Occupational Safety and Health: The Ministry of Health and Social Affairs established occupational safety and health (OSH) standards. Formal-sector employees could submit complaints regarding health and safety standards, and labor inspectors investigated such complaints. In the formal sector, workers could remove themselves from situations that endanger health or safety without jeopardy to their employment, and authorities effectively protected employees in this situation.

Wage, Hour, and OSH Enforcement: The government did not effectively enforce minimum wage, overtime, and OSH laws, particularly in the informal sector. The number of labor inspectors was not sufficient to enforce compliance and COVID-19-mitigation measures further limited enforcement

action. The government penalized violations with a range of fines commensurate with those for similar crimes. Penalties were sometimes applied against violators depending on the sector.

Significant numbers of persons worked in the informal sector in the country, mainly in the retail and agriculture sectors. The government did not enforce labor code provisions in the informal economy, for part-time work, or in sectors staffed predominantly by undocumented foreign workers, such as in mining, timber, and domestic work. Employers forced foreign workers to work under substandard conditions, dismissed them without notice or recourse, and often physically mistreated them. Employers frequently paid noncitizens less than they paid citizens for the same work and required them to work longer hours, often hiring them on a short-term, casual basis to avoid paying taxes, social security contributions, and other benefits. No official entity provided social protection programs for informal economy workers.