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Background on Human Rights in the Central African Region

Before you begin reading, please review the following United Nations human rights documents. They are crucial to understanding human rights anywhere in the world and in forming responses to human rights violations.

[Universal Declaration of Human Rights](#)

[International Covenant on Civil and Political Rights](#)

[International Covenant on Economic, Social and Cultural Rights](#)

Other documents you should be familiar with by the time of the conference:

[Convention on the Elimination of All Forms of Discrimination Against Women](#)

[Convention on the Rights of the Child](#)

[Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities](#)

The Office of the High Commissioner for Human Rights has online versions of every major human rights instrument created by the United Nations. Read any and all of these that you think would be helpful for understanding your position.

<http://www.unhchr.ch/html/intlinst.htm>

Also, please familiarize yourself with the geography of the Central African area.



Committee Purpose, Scope, and Mandate

This United Organization Mission in Central Africa was commissioned by the UN Security Council in July 2004 to supervise humanitarian efforts in the region. MONUAC oversees humanitarian assistance efforts such as food and medical supply provision, coordinates the movements of all UN peacekeeping troops in the region, oversees all UNAIDS programmes in the region, directs refugee affairs (the construction and maintenance of refugee camps, including security issues within and outside of the camps, adequate food and medical supplies and staff) and efforts to assist internally displaced persons (IDPs), and undertakes any emergency measures needed in the event of a developing humanitarian crisis or armed conflict.

Currently, the body is also playing a key role in helping transitional governments throughout the region. Because much of the region is war-torn, overrun by ethnic militias, and subject to weak but abusive governments, MONUAC must serve as a pacifying presence in the region. We will monitor ceasefire agreements among rebel groups to ensure that civilians' rights are not abused, in addition to protecting the human rights of vulnerable groups such as women and children.

Our mission has greater power and autonomy than any UN human rights body before it. Because our predecessor, MONUC, which focused specifically on the Democratic Republic of Congo met with limited successes, we have expanded the mission in order to oversee conflicts between Central African nations and deal more effectively with cross-border issues such as refugees and IDPs. MONUAC has the power to address governments directly, dispatch humanitarian relief workers (and UN peacekeepers, for limited purposes) to crisis scenes, coordinate and direct nongovernmental organizations, and we have money to dispense as we see fit. However, we will likely be pressured by individual governments to investigate or ignore certain human rights abuses.

Although we have a fair amount of power and a variety of tools to choose from in responding to human rights problems, we can expect to encounter resistance from some Central African governments. While each country's government has agreed to allow this Task Force access to investigate allegations of abuse, some have done so under pressure and will make it difficult for us to enter the country, inspect facilities, or dispatch peacekeepers and/or supplies for crisis situations within their borders.

It is important to keep in mind the limited capacity of this or any other committee on human rights to influence governments directly. Although the respect that human rights have gained in the international community in the last twenty years is commendable, there are many governments who continue to ignore human rights norms and do not regard promoting human dignity as a priority. Thus, it is likely not the best technique to pressure a government to improve every human rights problem in the country at the same time. While reading this guide, doing your research, and over the course of the weekend, think of which issues of human rights abuse are the most pressing, which are the most politically feasible to change, and which are best addressed at a later date (this does not mean they are not important.)

Regional Human Rights Concerns

Democracy/Political Freedoms: Citizens do not have the right to change their government peacefully in most Central African nations, and political dissension is often crushed with violence. In many nations, the people have not been able to change their government through free elections. Repression of opposition parties and government critics is common to all countries in the region. Political activists are subject to arbitrary application of laws in order to arrest and detain them. The right to peaceful assembly is rarely granted, and freedom of speech is under attack in every country in the region. Members of the media are often threatened and abused by government officials. Judiciaries are often weak, corrupt, and subject to the will of the executive.

Refugees and Internally Displaced Persons (IDPs): As a result of civil war and internal strife, many of the Central African nations are faced with increasing numbers of individuals known as “people of concern” by the UN Refugee Agency. People of concern include refugees, asylum seekers, returned refugees, and internally displaced persons. The number of IDPs in Central Africa has reached the millions. IDPs are not looked upon kindly by others who live in the region—they are seen as criminals and religious extremists, and human rights activists who work to help refugees are viewed as their accomplices. Many of the IDPs receive no assistance because of continuous fighting and the denial of access to NGOs, and many are displaced repeatedly since the start of the wars.

Rights of Women and Children: Women continue to be victims of discrimination in all parts of Central Africa. They are not given equal access to education, economic hardship forces many women into early marriage, and domestic violence is prevalent throughout the region. Girls who have been raped often find it difficult to get married while married women who are raped are abandoned by their husbands. Violent gang rapes by members of armed groups and militias are common. In addition, female genital mutilation is a widely accepted practice in many areas. Sexual violence has only contributed to the spread of HIV/AIDS in the area, which is already a severe problem. Trafficking in persons is an issue in Central Africa as well. Armed groups abduct women and children from their villages for labor, military services and sexual services. Child prostitution and recruitment of child soldiers is an especially widespread problem, as is child labor.

Country-Specific Human Rights Concerns *From the US State Department Country Reports, 2003*

Angola:

When Angola gained independence from Portugal in 1975, the country became violently divided. Jose Eduardo Dos Santos, leader of the Popular Movement for the Liberation of Angola (MPLA), has been in power since 1979 and won legitimate popular elections in 1992. However, Jonas Savimbi and the National Union for the Total Independence of Angola (UNITA) did not accept the legitimacy of Dos Santos’ government and waged a twenty-seven year war that left 1.5 million dead, 4 million

displaced and landmines littering the countryside. That war, which ended in 2002 with the death of Savimbi, has shaped the political, economic and social landscape for Angola—and will continue to do so for years to come.

Angola is now a constitutional republic, but it is highly centralized and dominated by the MPLA-controlled executive branch. With this domination have come allegations of corruption, censorship and mismanagement of money. Angola's constitution guarantees the right to a fair trial, but the judicial system is often subjected to the will of the executive branch. In many cases, basic trial rights are denied to citizens. Dos Santos pledges that national elections will take place in 2006. Only the state-run Angolan National Radio can broadcast throughout the country and Angola Public Television is the only available television station. In recent years, some independent and foreign radio has been allowed.

The economy is dominated by oil exports as well as diamond mines that benefit only a small population of the agrarian-based society where 80% of the population lives in poverty. Much of the country's infrastructure is still in disarray from the fighting, but there have been steady improvements in the past two years. A large number of Angolan refugees have already returned to the country. By the end of 2003, the UN Office for the Coordination of Humanitarian Affairs (OCHA) estimated that 3.1 million refugees had already returned, but that 2.7 million citizens still were at risk of food insecurity. The country also harbors a large number of refugees from the DRC.

Women and children's rights remain problematic in Angola. Rape, domestic abuse and spousal homicide are widespread. No laws exist with regard to sexual harassment. Prostitution is a popular occupation for adults and children, with as many as 1,000 prostitutes under the age of 12 in Luanda alone. No laws exist to prevent human trafficking and reports state that women and children are currently being trafficked to Europe and South Africa for labor and sexual exploitation. Child labor remains a concern as children are allowed to work at the age of 14 and are allowed to work on family farms for no compensation at any age.

As with all of sub-Saharan Africa, AIDS is a devastating epidemic. More than 1 million of 13 million citizens carry HIV, and by 2009, 430,000 adults will have died, leaving 315,000 orphans. While measures for awareness and prevention are being improved, the growth of AIDS is rapidly outpacing efforts to contain it in a country still devastated by internal conflict.

Burundi:

Burundi is a republic ruled by a Transitional Government that has been in place since November 2001. The Transitional Government's human rights record is poor. Security forces commit numerous arbitrary and unlawful killings, torture, beat, rape civilians. There have also been reports of disappearances. The court system does not ensure fair trials. The Transitional Government infringed on citizens' privacy rights, restricting freedoms of speech, the press, assembly, association, and movement. Citizens also do not have the right to change their government. Commercial sexual exploitation of children, child labor, and trafficking of persons is also a problem. Rebels have also perpetrated serious human rights abuses against civilians, including killings, kidnappings, rapes, theft, extortion, the forcible recruitment and employment of children as child soldiers, and forced labor. Societal discrimination between the Hutus and Tutsis persist.

Since 1993, the civil war has caused thousands of civilian deaths and massive internal population displacement. The armed forces limited access to certain areas by human rights observers, citing security conditions. Burundians make up the largest refugee population in Africa. Some 570,000 civilians are officially recognized refugees, most of whom live in Tanzania. The UN estimates that as many as ten percent of Burundians are internally displaced and dispersed persons (IDPs). Because negotiations and fighting are taking place simultaneously, an estimated 40,000 Burundians returned to peaceful parts of the country while a similar number fled the ongoing fighting elsewhere.

Part of the desire of many refugees to return home is due to the fact that the camps are not entirely the safe refuge they are supposed to be. In Tanzania, the refugee camps that host about 350,000 Burundians are too close to the Burundian border, prompting rebel groups to use them as bases for rest and relaxation, a significant problem for both the Burundi government and the civilian population in the camps. In addition, the refugee camps suffer from serious food shortages, health issues, and safety problems. International support to aid the refugees consistently comes up short, and Tanzania has been restricting its refugee policy, inhibiting refugees from employment and tilling arable land. Due to the exacerbated poverty of the camp inhabitants, serious problems of violence against women and children have arisen, including rapes and domestic violence. Internally displaced persons are joining refugees in returning to their original homes and villages.

Burundi, similar to other African nations, has a severe HIV/AIDS problem. The Burundi government states that although the HIV infection prevalence in urban areas has stabilized at 18.6 percent, it is concerned by a significant increase in the level of infection in rural areas. At 1 percent in 1989, HIV prevalence in rural areas was 7.5 percent by 2001. The Burundi minister for HIV/AIDS issues attributed the stabilization in urban areas to a higher literacy rate, better means of communication, and increased acceptance and availability of condoms. In order to avoid further deterioration of the situation in rural areas, a national action plan targets vulnerable groups by way of an information campaign carried out through peer educators, the promotion of condom use, counseling people living with HIV/AIDS, the reduction of the epidemic's socioeconomic impact on people by promoting various revenue-generating activities, and the social integration and education of orphans. The government estimates that if HIV transmission continues at its current rate, the average life expectancy will drop to below 40 years in 2010. The difficulty of remedying this epidemic is increased by Burundi's limited medical infrastructure as well as the lack of funding and trained personnel.

Congo:

Congo is currently ruled by a government largely controlled by President Denis Sassou-Nguesso, who was elected in March 2002. However due to flaws in the elections process, the government has been challenged by opposition members and some NGOs. Elections in some areas have not been held due to security problems. The government is working on a disarmament, demobilization, and reintegration program to end the violence in these areas, though this project has not yet begun. Poverty is a problem in the nation, as 70% of the population lives in poverty. The inefficiency and lack of transparency in the government has prevented speedy rehabilitation and development.

The Government's human rights record is poor. Security forces were responsible for unlawful killings in addition to rapes, beatings, arbitrary arrest, detention and abuse of detainees. The government was also involved in looting, and solicitation of bribes. The judiciary is corrupt and overburdened, and consequently unable to conduct fair and expeditious trials. The Government controls most domestic media outlets. Domestic violence, trafficking, child labor, and societal discrimination against women are problems.

The social disruption caused by the 1997-1999 civil war caused many city dwellers to escape to the forests and countryside. The number of internally displaced people has been estimated at 810,000, or 35% of the population. Rural areas of the country remain isolated, without adequate transportation, market access or basic social services. The area lacks a functioning infrastructure and adequate security and as such, only 50% of the displaced had returned to their places of origin by late 2003, according to the International Committee of the Red Cross (ICRC). There are also more than 121,000 refugees in Congo who have escaped from conflicts in neighboring countries. 90,000 are from the neighboring Democratic Republic of Congo.

HIV/AIDS has been the main cause of death for people from ages 15 to 49 in recent years. Massive population displacement, armed conflict and sexual violence by soldiers have also contributed to the spread of HIV/AIDS—soldiers with HIV occupy over 20% of the country's hospital beds. Effective public health and HIV/AIDS prevention programs mostly broke down during the war. Foreign agencies operating in the public health sector, in conjunction with the Ministry of Health, are attempting to resurrect efforts to promote simple preventive measures.

Democratic Republic of the Congo:

The Democratic Republic of the Congo, whose territory was once divided among many rebel factions, Ugandan troops, and ethnically based militias, recently formed a Transitional Government in June of 2003. The current government's purpose is to prepare the country for elections in 2005. However, none of the main militias fighting for control of the Ituri district were included in the Transitional Government and a series of cease-fire agreements have continuously been violated in spite of the presence of the U.N. mission MONUC. In January of 2005, protesters took to the streets in Kinshasa to demand elections. At one demonstration, several protesters were killed by the police. The government has shown little progress since then in bringing about the elections.

The current Transitional Government is weak, corrupt, and responsible for countless human rights violations. In areas under government control, security forces have carried out torture, rape, extortion, and unlawful killings. Arbitrary arrests are common, and the Military Order Court was known to try civilians for political offenses, though it has since been disbanded by President Kabila. The government has also coordinated operations with militia groups such as the Hutu and Mai Mai, committing grave human rights abuses such as killings, rape, and kidnappings of civilians. Rebel factions supported by the governments of Rwanda and Uganda also continue to operate in more than half the country.

Continued fighting between loyalist troops and rebel factions of the Congolese army has displaced more than 180,000 civilians in the eastern Kivu region. Many residents of villages have fled to the forest to escape the looting of their homes and shops.

In addition, between 8,000 and 12,000 members of the Democratic Forces for the Liberation of Rwanda (FDLR) are taking shelter in the Kiyu region. The presence of the Hutu rebels, who are opposed to the Rwandese government, provide an excuse for Rwanda to threaten military intervention. Rwandan troops have invaded the Democratic Republic of Congo twice in the last decade, and have reportedly crossed into the Congo again. 3.3 million lives have been lost in the last five years due to the violence and instability in the region.

The recruitment of child soldiers, child prostitution, and trafficking are also severe problems. Violence and discrimination against women is common, and female genital mutilation is an accepted practice in northern regions. Currently more than one million Congolese are afflicted with HIV, many in the eastern parts of the country. Sexual violence has contributed to the spread of the epidemic. The military base at Kamina is a center for UN-supported HIV prevention and care initiatives. In areas not under central government control, the rebel authorities commit serious abuses of human rights such as large-scale killings, disappearances, mutilation, looting, burning of villages, rape and torture. In spite of the presence of the U.N. mission MONUC, which was founded in 1999, serious problems persist in the area. Recently the U.N. Security Council authorized an increase in MONUC troops from 10,000 to 16,000 soldiers, but the troops have yet to stop the violence in the area.

Rwanda:

Rwanda gained its independence in 1962, and is currently a republic dominated by a strong presidency. Following the civil war and genocide, the Rwandan Patriotic Front took power in 1994. Since then, Rwanda has held its first multi-candidate national elections since independence. The RPF President was elected to a 7-year term and the largely Tutsi party won the majority of legislative seats. Rwanda's economy is driven by the agricultural sector, and 60% of Rwandese live in poverty.

After the formal withdrawal of the Rwanda Defence Forces (RDF) from the Democratic Republic of the Congo in 2002, the government decided to decrease the size of its military force. Government authorities often were not effective in controlling security forces, and often members of the force acted independently in committing serious human rights abuses. There are no longer reports of abuses committed by forces in DR Congo, but the Government continues to commit serious violations of rights in other areas. Several witnesses to the 1994 genocide were killed, and the government continues to conduct genocide trials at a slow pace. Arbitrary arrest and detention of opposition supporters remain serious problems. The police are involved in violence and torture of suspects. There were reports of politically motivated disappearances. The judiciary is largely corrupt and ineffective, and has not always ensured due process. The right of citizens to change their government, freedom of speech, press, association, and assembly have all been limited or restricted by the government. Some local governments also restrict the freedom of religion. Violence and discrimination against women, child labor, trafficking in persons, and rape are widespread societal problems. Domestic violence is a common occurrence

There remain 4,158 Internally Displaced Persons in the northwest regions of the country. The IDPs were displaced from the Hutu rebel incursion of 1997. The Government harassed refugees who refused to leave the country, as well as NGOs who

were present to help refugees. The Tutsis, Hutus, Hemas, and Lendus remain in ethnic conflict, and several political rebels and armed gangs continue to terrorize regions of the country. The presence of government forces hoping to gain control of populated lands and natural resources in the Great Lakes region has also led to border conflict with DR Congo, Burundi, and Uganda. However, the Rwandese government has pledged to end this conflict.

Uganda:

Uganda is a republic of 25.4 million people led by President Yoweri Museveni who has ruled since 1986. President Museveni came to become president through the Movement, a political party and state institution that has control over the legislative branch and receives state support. His reelection in March 2001 was marked by irregularities such as violence and restrictions on political party activities. Some political parties have refused to register to protest the continued ban on most political party activities. The judicial branch is weak and the President has power over judicial appointment.

The Uganda People's Defense Force (UPDF) is the country's key security force, assisting the police in rural areas with the Local Defense Units (LDUs). The UPDF controls the Chieftancy of Military Intelligence (CMI) that are responsible for civilians suspected of rebel and terrorists activity. The UPDF, along with recruited armed militia groups, also is responsible for "Operation Iron Fist" against rebels of the Lord's Resistance Army (LRA). While the government withdrew the UPDF from the Democratic Republic of the Congo (DRC) and international peacekeepers were deployed, there have still been reports of the government supported militia activities in DRC.

Uganda's human rights record remains poor. There are restrictions against free speech, peaceful assembly, religion, movement within the country, and people's role in the government, even though these are rights guaranteed in the Constitution. In addition, woman's and children's rights are restricted. There are continued unconfirmed reports of unlawful killings by government and security forces for political motives. The police have also been reported to have used excessive forces to disperse crowds. There has been no action taken against the actions of these forces. The UPDF is also reported to be responsible for killings in the DRC, especially in the northeastern section of the country. While there have been no confirmed reports of politically motivated disappearances by government organizations, there have been reports of disappears where the person reported as having disappeared was found in the custody of police. The LRA and other rebel groups have been responsible for the abduction of 38,000 children and adults. The LRA is responsible for 20,000 of these abductions for training as guerrillas, sex slaves, cooks, and porters. The group also relies on the use of landmines and other atrocities. There are also reports that security forces use torture and beatings to force confessions in unregistered detentions.

The judicial system is inadequate. Lower courts are understaffed, weak and inefficient. Upper court judges are appointed by the president. There is a backlog of cases which the courts have not made much progress in hearing. Defendants unable to afford legal representatives are not being represented as the Constitution requires due to lack of funds. Attorneys are often untrained. Due process and fair trials do not occur.

Prison conditions are harsh, overcrowded, and under funded. Security forces are also known for the arbitrary arrest and detainment of civilians.

Further reading

Human Rights Watch. *D.R. Congo: Fleeing Civilians Face Grave Risks*. December 2004. Online: <http://hrw.org/english/docs/2004/12/21/congo9919.htm>

Human Rights Watch. *Democratic Republic of Congo – Rwanda Conflict*. December 2004. Online: <http://hrw.org/english/docs/2004/12/04/congo9767.htm>

Human Rights Watch. *Child Soldiers in Burundi*.
Online: <http://hrw.org/reports/2004/childsoldiers0104/4.htm>

Human Rights Watch. *Domestic Violence Worsens AIDS*. August 2003. Online: <http://www.hrw.org/press/2003/08/uganda081303.htm>

MONUC website. *Serious rights violations still plague Africa: Human Rights Watch*. January 2005. Online: <http://www.monuc.org/news.aspx?newsID=5161>

General information:

[MONUC website](#)

[Amnesty International](#)

[Human Rights Watch](#)

[State Department Human Rights Reports](#) for each country

[The UN Refugee Agency](#)