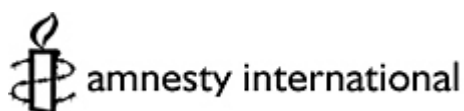


Title	Amnesty International Annual Report 2012 - Congo (Republic of)
Publisher	Amnesty International
Country	Republic of the Congo
Publication Date	24 May 2012
Cite as	Amnesty International, <i>Amnesty International Annual Report 2012 - Congo (Republic of)</i> , 24 May 2012, available at: http://www.unhcr.org/refworld/docid/4fbe3946c.html [accessed 10 January 2013]
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Amnesty International Annual Report 2012 - Congo (Republic of)

Head of state and government: **Denis Sassou-Nguesso**

Death penalty: **abolitionist in practice**

Population: **4.1 million**

Life expectancy: **57.4 years**

Under-5 mortality: **128.2 per 1,000**

Torture and other ill-treatment by members of the security forces were reported, in some cases leading to deaths. Three asylum-seekers from the Democratic Republic of the Congo (DRC) remained in detention without charge or trial after almost eight years. Government critics were arbitrarily arrested or ill-treated by security forces. The expected termination of refugee status for most Rwandan and Angolan refugees gathered momentum. At least three prisoners were sentenced to death.

Background

In February, President Sassou-Nguesso promulgated a law to protect the rights of Indigenous People and to make it an offence to identify them as Pygmies.

The government of the DRC accused the Republic of Congo of supporting an armed group that reportedly attacked the residence of DRC President Joseph Kabila in February. Former DRC army general Faustin Munene, the alleged leader of the armed group who had fled to the Republic of Congo, sought asylum in Poland. He had been sentenced in his absence to life imprisonment on 4 March by a DRC military court, which found him guilty of fomenting rebellion.

In July, the government of Gabon proceeded to cease the refugee status of 9,500 Congolese, most of whom had fled the armed conflict in the Republic of Congo during the 1990s. Those who wished to remain in Gabon were given the option to apply either for a residence permit under Gabonese law and remain in the country as migrants, or for exemption from termination of their refugee status. UNHCR, the UN refugee agency, assisted 685 Congolese to return home and 900 others to obtain Gabonese residence permits.

President Sassou-Nguesso visited Rwanda in November and his delegation reportedly discussed with the Rwandese authorities the termination of refugee status of Rwandan refugees in the Republic of Congo.

Torture and other ill-treatment

Members of the security forces tortured or otherwise ill-treated detainees with impunity, in some cases resulting in deaths. The judiciary failed to respond to complaints by relatives of detainees who died in custody in previous years.

- Anicet Elion Kouvandila died on 2 June after he was detained for eight days and severely beaten at Lumumba police station in the capital, Brazzaville. Relatives found his body at a mortuary, registered under a different name.
- A pregnant woman, Blanche Kongo, was arrested on 17 October with her child by police seeking her husband regarding an alleged theft. Blanche Kongo was severely beaten at Mbota police station and suffered a miscarriage.
- On 28 August, an army colonel severely beat Jean Karat Kouloukoulou and Rock Inzonzi in a land dispute. The colonel buried the men up to their necks, threatening to bury them alive. A local government official and police officers stopped the ill-treatment but no action was taken against the colonel.

Refugees and asylum-seekers

At the end of November, Germain Ndabamenya Etikilime, Médard Mabwaka Egbonde and Bosch Ndala Umba, asylum-seekers from the DRC detained for almost eight years without charge or trial in Brazzaville, were transferred from military custody to the General Directorate for the Surveillance of the Territory. Government officials told Amnesty International delegates in December that their situation would soon be resolved but gave no further details. The delegates were refused access to the detainees.

At the end of the year, the Congolese government announced that in 2012 the refugee status of nearly 8,000 Rwandan refugees and 800 Angolan refugees would change, on the grounds that in both countries there had been a fundamental, durable and stable change of circumstances. Congolese officials stated that no refugees would be forced to return, but failed to clarify what would be the status of those choosing to stay in the Republic of Congo.

Freedom of expression and association

The authorities broke up demonstrations by government opponents. A government critic was briefly detained.

- Eric Mampouya, a blogger and government critic, was arbitrarily arrested on 7 August after he arrived at Brazzaville airport from France, where he was resident. Members of the security forces held him unlawfully for 10 hours before releasing him with a warning to end his criticism of the government.
- The co-ordinator of the Rally for Young Patriots, Jean-Marie Mpouele, and several members of the organization were beaten on 1 September by armed men in civilian clothes, believed to be members of the security services. The group had been attempting to hold a demonstration in Brazzaville.

Enforced disappearances

A delegation of the UN Working Group on Enforced or Involuntary Disappearances visited the Republic of Congo from 24 September to 3 October to gather information on efforts to investigate and prevent enforced disappearances. Discussions focused on the 1999 disappearance of some 350 refugees returning from the DRC, and the 2005 trial of 16 security and government officials which failed to establish individual criminal responsibility. The UN Working Group made several recommendations to the government, including enactment of a law criminalizing enforced disappearances.

Death penalty

Three people were sentenced to death in July after a court convicted them of trafficking human bones. The authorities had not revealed how many people were on death row by the end of the year.

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