



# REPUBLIC OF THE CONGO

## THE ISSUE:

President Denis Sassou Nguesso has maintained power for more than three decades by using legislation and his security forces to intimidate citizens and repress political opponents.

Although the Republic of Congo constitution guarantees the right to assembly and peaceful protests, freedom of expression, access to information and communication, and prohibits censorship, government authorities regularly violate these rights using national law provisions. Political opponents, human rights defenders, and journalists are pressured, threatened, and imprisoned. Groups must receive official authorization from local and national authorities to hold public assemblies, and permission is routinely denied. Government forces employ excessive violence against protesters or to disperse assemblies.

The constitution and national laws also prohibit arbitrary arrest and detention. But the current government frequently ignores these laws and relies on more restrictive legislation for arrests and detentions of political opponents, journalists and human rights defenders. The constitution and laws give detainees the right to challenge their detention before a judge or authority and due process, but these are routinely ignored.

The Nguesso administration has been consistently linked to cases of torture, which is prohibited under the constitution. National law contains a general prohibition against assault and battery, but there is no legal framework specifically banning torture under the criminal code and the judicial remedy is impossible as the judicial system is underfunded, dominated by Sassou Nguesso's administration and his allies and is vulnerable to corruption and political influence.

As a result, dozens of political opponents remain in detention; some are prisoners of conscience. There are reports of cases of cruel, inhuman, and degrading treatment by security forces and prison guards. But no investigations have been conducted into these allegations.

## TALKING POINTS:

- The Republic of Congo is a signatory to the Torture Convention. It is therefore incumbent on President Sassou Nguesso to change his country's laws to comply with international standards, and we urge him to do that as quickly as possible.

## RECOMMENDATIONS:

- The White House and the Department of State should write to President Denis Sassou Nguesso and urge him to:
  - ◇ Change the definition of torture in its criminal code to align with the UN Convention Against Torture and investigate all allegations of torture and ill-treatment, and bring suspected perpetrators to justice in fair trials

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