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**Technical assistance and capacity-building**

## Human rights situation in the Central African Republic

### Report of the Independent Expert on the situation of human rights in the Central African Republic, Yao Agbetse\*

#### *Summary*

The present report covers the period from 1 July 2023 to 30 June 2024 and focuses on developments in the implementation of peace instruments, efforts to end impunity and the political, economic, social and humanitarian responses implemented as part of the transition process. It also analyses changes in the situation and makes recommendations to the Government of the Central African Republic and to technical partners on technical assistance services to the country.

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## I. Introduction

1. The present report is submitted pursuant to Human Rights Council resolution 54/31, adopted on 12 October 2023, by which the Council renewed the mandate of the Independent Expert on the situation of human rights in the Central African Republic and requested him to submit a written report to the Council at its fifty-seventh session and to the General Assembly at its seventy-ninth session.
2. The present report is based on information provided by the authorities of the Central African Republic, United Nations agencies present in the country, national and international organizations and civil society organizations working in the field of human rights in the country, as well as testimonies from victims and associations.
3. During the reporting period, the Independent Expert carried out two assessment visits to the Central African Republic, from 9 to 18 August 2023 and from 11 to 22 February 2024. He welcomes the cooperation extended by the authorities of the Central African Republic and expresses his thanks to national and international partners and to the United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic (MINUSCA) for supporting his work.

## II. Political issues and national reconciliation

### A. Status of implementation of the peace instruments (peace agreement and Luanda road map)

4. On 23 October 2023, the second strategic review<sup>1</sup> of the Political Agreement for Peace and Reconciliation in the Central African Republic, signed five years ago, and the joint road map for peace in the Central African Republic (Luanda road map) took place in Bangui. Significant progress was noted, including the efforts of the implementation unit of the national disarmament, demobilization, reintegration and repatriation programme, which had led to the disbanding of 9<sup>2</sup> of the 14 armed groups that were signatories to the Agreement; the disarmament and demobilization of 4,884 former combatants, including 280 women, of whom 1,112 were integrated into the defence and security forces; the reintegration of 3,081 former combatants; and the recovery of 3,255 military weapons, 162,320 rounds of ammunition and 2,143 grenades and other explosives. In addition, in September 2023, 51 former Lord's Resistance Army combatants and their families were repatriated to Uganda with logistical support from MINUSCA.
5. On 1 and 29 May 2024, in Obo, Haut-Mbomou prefecture, ceremonies were held to formalize the integration into the Armed Forces of the Central African Republic, after a month's training, of two groups of 100 former combatants, including 5 women, from the Azande Ani Kpi Gbe militia, which is fighting Union pour la paix en Centrafrique in that prefecture. The Ministry in charge of disarmament, demobilization, reintegration and repatriation and the follow-up to the Political Agreement for Peace and Reconciliation should ensure that demobilized soldiers continue to receive ongoing training in discipline and respect for the right to life, which lies at the heart of the security forces' protection mission.
6. The armed groups of the Coalition des patriotes pour le changement, led by former President François Bozizé from Guinea-Bissau, where he resides, remain active and still have a degree of operational capacity. The Luanda road map, the goal of which is to bring the armed groups of the Coalition back to the negotiating table, is therefore being put to the test. The emergence of new armed groups and self-defence militias such as Azande Ani Kpi Gbe

<sup>1</sup> The first strategic review took place in Bangui on 4 June 2022.

<sup>2</sup> The demobilized armed groups are the following: Mouvement des libérateurs centrafricains pour la justice, Union des forces républicaines fondamentales, Union des forces républicaines, Rassemblement patriotique pour le renouveau de la Centrafrique, Séléka rénovée, Révolution et justice-Belanga branch, Mouvement patriotique pour la Centrafrique-Hassan Adramane branch, Front démocratique du peuple centrafricain and Front populaire pour la renaissance de la Centrafrique-Abdoulaye Hissène branch.

is explained in part by the encouraging but limited results of the peace instruments' implementation. The peace process must ensure the sustainable socioeconomic reintegration of former combatants who are not eligible to join the regular forces. To this end, technical and financial partners in the disarmament, demobilization, reintegration and repatriation process – in particular MINUSCA and its community violence reduction programme, the World Bank and the Central African Economic and Monetary Community – should work together more closely to maximize the benefits of their projects for the target populations. In addition, the disarmament, demobilization, reintegration and repatriation process requires the rapid, large-scale deployment of defence and security forces in demilitarized zones to protect the population and prevent the resurgence of other armed groups or self-defence militias.

7. The Economic Community of Central African States and the African Union should strengthen their leading role, as guarantors and facilitators of the Political Agreement for Peace and Reconciliation, in the area of border management. The presence of armed group leaders in neighbouring States, the possibility that these groups might use the territories of such States as a rear base for training, provisioning and regrouping, and the illegal circulation of arms between countries are crucial issues to be included in the strategic review agenda, along with subregional cooperation, inter alia in executing arrest warrants issued by the Special Criminal Court or national courts and in settling refugee and transhumance issues.

## **B. Status of implementation of the recommendations of the republican dialogue**

8. The 217 recommendations resulting from the republican dialogue held from 21 to 27 March 2022 have been translated into Sango, the national language, thanks to support from the European Union. Pursuant to Decree No. 22.182 of 8 July 2022, a committee was set up to monitor the implementation of the recommendations, together with a funding mechanism.

9. Several State institutions, including certain ministries, define policies and programmes without linking them to the objectives of the republican dialogue or its outcome. This creates problems in terms of information and the mobilization of State services around strategic objectives for the country. There is an urgent need for the recommendations monitoring committee to present a report on the activities it has carried out in its two years of existence and operation.

10. More than ever, it has become clear that political dialogue aimed at building trust is the only instrument capable of uniting and mobilizing the various political players. Implementation of the recommendations of the republican dialogue will help to ease the political climate. Given the stakes of the 2024 and 2025 elections, a confidence-building dialogue is essential. On 14 June 2024, the Bloc républicain pour la défense de la Constitution reiterated its refusal to participate in the local elections scheduled for October 2024. The opposition believes that the conditions for its participation have not been met owing to alleged bias on the part of the National Electoral Authority. On 31 December 2023, the Head of State pledged to build unity in the country. It is important to open channels for a confidence-building dialogue between the majority and the opposition. The release of Representative Dominique Ephrem Yandocka, Chair of the Production, Natural Resources and Environment Committee of the National Assembly, who has been incarcerated since 15 December 2023, and a political gesture with regard to the convictions of certain opposition leaders would send a conciliatory political message.

11. The outcome of the republican dialogue calls for a relentless fight against corruption. The Head of State has undertaken to “firmly establish the values of moral integrity, probity, fairness, transparency, diligence and, above all, the fight against impunity and corruption”. To tackle corruption, which has spread to all sectors, Act No. 23.009 of 7 July 2023 on the prevention and punishment of corruption and related offences was adopted, along with a policy to prevent and combat fraud and corruption in the health-care sector. The toll-free number 1316 has been set up to enable individuals to report cases of corruption. However, the practical arrangements for implementing the law are not yet operational. Enforcement

measures are essential to restore public confidence and reassure technical and financial partners.<sup>3</sup>

### C. New Constitution and human rights

12. The new Constitution was promulgated on 30 August 2023, establishing the seventh Republic of the Central African Republic.

13. Article 67 of the Constitution provides that any candidate for election to the presidency must “be of Central African Republic origin and hold only the nationality of the Central African Republic”. Thus, all persons with dual nationality are excluded, both in law and in practice. Under article 183, “only persons of Central African Republic origin may stand as candidates in legislative, regional and municipal elections” and “hold senior civil and military posts”. The notion of “Central African Republic origin” is restrictive and could potentially lead to political and social misunderstandings. The authorities of the Central African Republic should heed the criticisms levelled against this provision and ensure, through consensus-based legal and political action, that it does not lead to discrimination, exclusion or marginalization, basing their approach on the philosophy *zo kwe zo* (all people are people).

14. A distinctive feature of the Constitution is that human rights and fundamental freedoms are enshrined in its title II. Civil and political rights (chapter 1), economic, social and cultural rights (chapter 2) and collective rights (chapter 3) have been enshrined in the Constitution in line with the treaty obligations of the Central African Republic. The preamble reaffirms the country’s commitment to African and international human rights instruments. Duties are also set out in the Constitution.

## III. Human rights violations and efforts to end impunity

15. Between 1 July 2023 and 30 June 2024, the MINUSCA Human Rights Division documented 2,724 human rights violations and abuses affecting 4,121 victims, including 2,493 men, 426 women, 306 girls, 524 boys, 5 minors whose sex is unknown and 367 collective victims.

### A. Rights violations by various parties

#### 1. Armed groups

16. Armed groups were responsible for 1,575 human rights violations resulting in 2,199 victims. Armed groups that are signatories to the Political Agreement for Peace and Reconciliation were responsible for 1,014 violations affecting 1,560 victims. Armed groups were mainly responsible for violations of the right to physical and mental integrity (340 violations, 652 victims), violations of the right to property (327 violations, 692 victims), conflict-related sexual violence (265 cases, 357 victims) and violations of the right to life (261 violations, 483 victims). Among the armed groups, Union pour la paix en Centrafrique (390 violations, 551 victims), Retour, réclamation et réhabilitation (3R) (272 violations, 414 victims) and Azande Ani Kpi Gbe (247 violations, 199 victims) remain the chief perpetrators of human rights abuses.

17. Most of these violations by armed groups were perpetrated in Haut-Mbomou prefecture (366 violations, 350 victims) by Union pour la paix en Centrafrique and Azande Ani Kpi Gbe; in Haute-Kotto prefecture (316 violations, 328 victims) by Union pour la paix en Centrafrique and other armed elements linked to Coalition des patriotes pour le changement; in Ouham-Pendé prefecture (176 violations, 252 victims) by 3R; and in

<sup>3</sup> For some anti-corruption recommendations made during the fourth cycle of the universal periodic review of the Central African Republic, see [A/HRC/56/12](#), paras. 114.70 (Cabo Verde) and 114.72 (Germany).

Mbomou prefecture (141 violations, 271 victims) by armed elements linked to Coalition des patriotes pour le changement and Union pour la paix en Centrafrique.

## 2. Defence and security forces

18. Violations committed by the army, police and gendarmerie have declined but not ceased. According to the MINUSCA Human Rights Division, State agents were responsible for 1,149 violations affecting 1,932 victims. They were responsible primarily for arbitrary arrest or detention (mostly by the police and gendarmerie) and violations of the right to physical and mental integrity. Among State agents, members of the Armed Forces of the Central African Republic were the main perpetrators of human rights violations (333 violations, 335 victims), most of which were violations of the right to physical and mental integrity and the right to property.

19. The majority of such violations committed by State agents took place in the prefectures of Nana-Grébizi (147 violations, 237), Ouaka (145 violations, 231 victims), Ombella-Mpoko (136 violations including those committed in Bangui, 302 victims), and Haute-Kotto (118 violations, 175 victims).

## 3. Bilateral forces

20. The welcome contribution of Russian bilateral forces to improving the security situation contrasts with the denunciation of the human rights violations they commit. Consistent testimonies from different sources continue to point to unbridled brutality on the part of Russian forces against civilians, members of the Armed Forces of the Central African Republic and internal security forces, representatives of the public administration and officials of decentralized authorities. This serious misconduct compromises the dual mission of protecting civilians and building the capacity of the Armed Forces of the Central African Republic and internal security forces. The impunity enjoyed by the bilateral forces must end.

21. In June 2023, a report<sup>4</sup> by the non-governmental organization The Sentry documented the strategy of Russian bilateral forces in relation to the exploitation of the country's natural resources. In February 2024, the National Commission on Human Rights and Fundamental Freedoms, after carrying out an inspection of the Bambari prison, where inmates had protested in response to the death of one of their number, established that "Russian soldiers [had] arrived on the scene and [had] fired warning shots" that had "killed two inmates and wounded two others".<sup>5</sup> The authorities of the Central African Republic have an obligation to conduct an investigation and punish the perpetrators of these serious violations.

22. The bilateral forces' operations are not exempt from the law, nor are those of private military and security companies, which are obliged under international law to respect national law and to comply with the principle of accountability for violations of human rights, international humanitarian law and international environmental law. Accountability requires the authorities of the Central African Republic to be transparent in granting authorizations and to make every effort to halt the commission of human rights violations by personnel of private military and security companies, who must refrain from illegally exploiting the country's natural resources.

## 4. Blue Helmets

23. In June 2023, the Tanzanian contingent of MINUSCA, 11 of whose members were alleged to have sexually abused and exploited four victims, was repatriated.<sup>6</sup> The decision to repatriate is the first step in a process to combat impunity, which must continue at the national level with investigations into these allegations and the necessary prosecution of the

<sup>4</sup> The Sentry, "Architects of Terror: The Wagner Group's Blueprint for State Capture in the Central African Republic", June 2023.

<sup>5</sup> National Commission on Human Rights and Fundamental Freedoms, report of the fact-finding and assessment mission regarding the events that took place at Bambari central prison on 2 February 2024, February 2024, p. 4.

<sup>6</sup> A/HRC/54/77, paras. 41 and 42.

peacekeepers involved, as emphasized in Human Rights Council resolution 54/31.<sup>7</sup> The United Republic of Tanzania has provided no information on any investigations or proceedings against the alleged perpetrators. The same applies to Gabon,<sup>8</sup> whose contingent was repatriated in September 2021 for abuses and acts of exploitation committed by some of its members. The victims' right to reparation and rehabilitation must not be sacrificed.

## B. Response to violations of human rights and international humanitarian law

### 1. Special Criminal Court

24. The Special Criminal Court handed down its first judgment, in which it sentenced three former members of the 3R group to prison terms ranging from 20 years to life for crimes against humanity and war crimes committed in Koundjili and Lemouna, in the prefecture of Lim-Pendé.<sup>9</sup> Appeals were filed against this decision and the Court's Appeals Chamber handed down its judgment on 20 July 2023. The judgment reduced the life sentence imposed on Adoum Issa Sallet, alias Bozizé, to 30 years.<sup>10</sup>

25. On 16 June 2023, the Court's Trial Chamber I handed down judgment No. 001-2023 on civil liability.<sup>11</sup> An appeal against the decision was ruled on by the Appeals Chamber on 23 October 2023.<sup>12</sup>

26. On 5 December 2023, the Court opened its second trial in the case of *Special Prosecutor v. Kalite Azor et al. (Ndélé 1)*<sup>13</sup> concerning acts constituting war crimes and crimes against humanity committed between March and April 2020 in and around Ndélé, in the prefecture of Bamingui-Bangoran, during clashes between the two factions of the Front populaire pour la renaissance de la Centrafrique (Roungas and Goulas). In addition, on 19 June 2024, the Court began hearing a third trial, known as "Ndélé 2", involving other defendants.

27. As at 12 June 2024, the Court had opened 23 judicial inquiries, 4 of which had been closed. A total of 38 people had been charged, of whom 36 were in custody. The Court had issued 46 arrest warrants:<sup>14</sup> 35 at the investigation stage and 11 after indictment. On 27 February 2024, the Court's Investigation Office No. 3 issued an international arrest warrant<sup>15</sup> for former President François Bozizé. On 22 May 2024, in a press release,<sup>16</sup> the Independent Expert stated that, under applicable international law, the obligation to extradite former President Bozizé is incumbent on States, in particular Guinea-Bissau, where the accused resides, particularly as many of the offences covered by the arrest warrant, such as crimes against humanity, are prohibited by preemptory norms (*jus cogens*). States and other

<sup>7</sup> Human Rights Council resolution 54/31, para. 12.

<sup>8</sup> A/HRC/51/59, para. 61.

<sup>9</sup> Special Criminal Court, *Special Prosecutor v. Adoum Issa Sallet alias Bozizé, Ousmane Yaouba and Tahir Mahamat*, judgment No. 003-2022, 31 October 2022, Trial Chamber I, available at <https://legal-tools.org/sccd/doc/lr7fqm/pdf>.

<sup>10</sup> Special Criminal Court, judgment No. 9, 20 July 2023, Appeals Chamber, available at <https://legal-tools.org/sccd/doc/f1s6pp/pdf> (summary in English available at <https://www.legal-tools.org/doc/bqm3v8/pdf>).

<sup>11</sup> Special Criminal Court, *Special Prosecutor v. Adoum Issa Sallet alias Bozizé, Ousmane Yaouba and Tahir Mahamat*, judgment No. 001-2023, 16 June 2023, Trial Chamber I, available at <https://legal-tools.org/sccd/doc/h2js5q/pdf>.

<sup>12</sup> Special Criminal Court, judgment No. 13, 23 October 2023, Appeals Chamber, available at <https://legal-tools.org/sccd/doc/aq1c74/pdf>.

<sup>13</sup> See Special Criminal Court, press release, 7 December 2023.

<sup>14</sup> See Special Criminal Court, *Bulletin trimestriel d'information no. 3* (2024).

<sup>15</sup> Special Criminal Court, international arrest warrant against François Bozizé Yangouvonda, 27 February 2024 (unsealed on 30 April 2024).

<sup>16</sup> Office of the United Nations High Commissioner for Human Rights (OHCHR), "Central African Republic: UN expert urges State cooperation for execution of arrest warrant against ex-president François Bozizé Yangouvonda", press release, 22 May 2024.

entities, including the International Criminal Police Organization (INTERPOL), should cooperate in ensuring that the accused is brought before the Court.

28. The proceedings initiated by the Court against Hassan Bouba Ali, a former senior member of the armed group Union pour la paix en Centrafrique and the current Minister of Livestock Affairs and Animal Health, were interrupted on 26 November 2021 when the gendarmerie prevented Mr. Bouba Ali, who was incarcerated at the time, from appearing in court and escorted him back to his home.<sup>17</sup> This serious obstruction of justice has been ongoing for two and a half years. The Independent Expert calls on the authorities of the Central African Republic to honour their solemn pledge to fight impunity by handing Mr. Bouba Ali over to the Court, and calls on the Court to take all possible measures to continue the proceedings.

29. On 16 October 2023, the International Criminal Court withdrew all charges against Maxime Mokom, considering that there was no longer any reasonable prospect of conviction at trial in view of the changed circumstances regarding the availability of witnesses. The withdrawal of charges does not mean that there have been no crimes or victims. The victims are entitled to some form of reparation even if the alleged perpetrator of an offence has not been convicted. In a ruling dated 21 September 2023, the Bangui Court of Appeal sentenced Mr. Mokom and 23 others in absentia to life imprisonment for offences against internal security and rebellion.

## 2. Truth, Justice, Reparation and Reconciliation Commission

30. Since March 2023, internal misunderstandings within the Truth, Justice, Reparation and Reconciliation Commission have jeopardized its operation. It has been unable to achieve the goals it had set for itself. Despite good offices missions and multiple mediations, including by the Independent Expert, the dysfunction could not be resolved. Decree No. 24 0-139 of 24 May 2024 suspended the mandate of the current commissioners, whose appointment had been confirmed by Decree No. 20.435 of 30 December 2020. A new call for applications was launched in June 2024.

31. Strict precautions are needed to prevent the same problems from impacting the Commission as new candidates are selected. It is imperative that the selection process be free from any hindrance, interference or pressure by the authorities, including the Ministry of Humanitarian Action and National Reconciliation. Once selected, the commissioners should be given the benefit of an induction session to help them better understand the Commission's vision, mission and objectives, as well as its legal, institutional and operational framework. Mobilization by the Government should take the form of a government seminar on political and institutional support for the smooth operation of the Commission. The authorities of the Central African Republic should consider amending article 4 of Act No. 20-009 of 7 April 2020 on the creation, organization and operation of the Commission, concerning the commissioners' term of office, which is set at four years and is renewable only once.<sup>18</sup>

## 3. National institutions

### (a) Justice sector reform

32. On 7 June and 31 December 2023, the Head of State, Faustin-Archange Touadéra, emphasized the importance of an independent judiciary, including the sense of responsibility and dignity of senior judges. On 7 May 2024, at the start of the new judicial term, the Minister of Justice in charge of human rights and good governance called on the judiciary to rigorously avoid all practices of corruption, abuse of authority and abuse of power. The Ministry's circular No. 247/MCJPDHGB/DIRCAB-24 of 7 May 2024 on general instructions for criminal justice policy reflects this new strict approach and prescribes practical guidelines to be implemented by justice officials at the local level. Without justice, there can be no peace.

<sup>17</sup> OHCHR, "Central African authorities must return ex-rebel leader to custody, and under jurisdiction of Special Criminal Court, UN expert says", 9 December 2021.

<sup>18</sup> See OHCHR, "Central African Republic: Independent Expert calls for transparency and independence in the selection process of new Commissioners for Truth Commission", press release, 30 July 2024.

Victims' access to justice is crucial for the success of the transition process and for progress towards reconciliation.

33. In May 2024, the Government of the Central African Republic developed a training manual for judges, prosecutors and justice officials on sexual and gender-based violence,<sup>19</sup> paving the way for the amendment of inadequate legal provisions in the Criminal Code and the Code of Criminal Procedure. In June 2024, 60 judges, prosecutors and justice officials (20 women and 40 men)<sup>20</sup> received training on the basis of this manual. These activities are part of the efforts of the strategic committee to combat conflict-related gender-based violence and its action plan for the period 2022–2024.

(b) *National human rights policy*

34. Decree No. 23.198 approving the national human rights policy was adopted on 26 August 2023. For the first time in its history, the Central African Republic has a strategic instrument for the promotion, protection, implementation and monitoring of human rights. On 6 October 2023, on the sidelines of the fifty-fourth session of the Human Rights Council, the policy and its action plan for the period 2023–2027 were launched in Geneva. In addition, on 6 May 2024, Decree No. 24.118 establishing a steering and monitoring/evaluation mechanism for the national human rights policy led to the creation of a steering committee, a technical secretariat and four thematic groups. Effective coordination and supervision of the implementation process requires regular meetings of the steering committee.

(c) *Criminal sessions of the Bangui Court of Appeal*

35. In 2023, the Bangui Court of Appeal held three criminal sessions, including one extraordinary session. As a result of advocacy by the Independent Expert and support from technical and financial partners, the Bouar Court of Appeal held a session from 14 to 24 May 2024 to hear 27 criminal cases, some of which involved conflict-related sexual violence. It is essential for the Bambari Court of Appeal to hold such sessions as well in order to deal with the many cases pending before it. Strengthening the judicial system also requires the provision of sufficient resources to enable the three courts of appeal to hold ordinary and extraordinary criminal sessions.

(d) *Military justice*

36. The Code of Military Justice, revised in 2021, would be made more effective by an awareness-raising campaign aimed at the bilateral forces and the various components of the defence and security forces (army, police and gendarmerie), including those deployed in the field, most of whom are still unaware of the offences and procedures laid down in the Code, the role of military justice and the forces' accountability for acts committed in the performance of their duties that are punishable under the law. In addition to the challenge of rebuilding and rehabilitating the infrastructure housing the Bouar and Bambari military courts, the absence of a specialized criminal investigation unit to conduct proceedings against military and related personnel accused of offences remains a concern for the Independent Expert.

37. On 20 August 2023, the headquarters of the permanent military court in Bangui was inaugurated thanks to financial support from MINUSCA. On 31 December 2023, the President of the Republic announced that "the military justice system [had] prosecuted and punished military and related personnel who [had] committed offences in the performance of their duties". In 2023, the court martial held two criminal sessions from 30 October to 8 November and from 10 to 25 November. Sentences ranging from disciplinary measures to discharge from duty were handed down to members of the defence and security forces who had violated laws, ethics and the rights of the people they were responsible for protecting. Eight cases were on the docket; four were tried and four adjourned to the next session for

<sup>19</sup> With support from the International Rescue Committee and the United States Agency for International Development (USAID).

<sup>20</sup> Consisting of 5 judges from the Court of Cassation, 10 judges from the Court of Appeal, 10 public prosecutors, 10 investigating judges, 15 judicial trainees and 10 criminal investigation officers.



lack of evidence or procedural defects.<sup>21</sup> Seven people, most of whom were from the Armed Forces of the Central African Republic, were sentenced to terms of imprisonment of between 2 and 20 years.<sup>22</sup>

(e) *Prison system*

38. On 18 July 2024, a joint report<sup>23</sup> of the Office of the United Nations High Commissioner for Human Rights (OHCHR) and MINUSCA detailed the challenges faced by the prison administration. The Independent Expert, in his 2022 annual report, also outlined a number of challenges and made recommendations.<sup>24</sup> Criminal justice reforms<sup>25</sup> should ensure that sufficient human, technical and financial resources are provided for the conduct of preliminary investigations within the legal time frame, in order to avoid lengthy pretrial detention and prison overcrowding. Effective legal assistance, better conditions of detention, prisoner reintegration programmes and demilitarization in practice are challenges that remain to be met.

39. Under Act No. 17.015 of 20 April 2017, the National Commission on Human Rights and Fundamental Freedoms was given a major role in advising and monitoring places of deprivation of liberty. MINUSCA and other technical and financial partners should immediately draw up a three-year mentoring plan (capacity-building with concrete follow-up actions, scholarships, project funding, etc.) to enable the Commission to fully take over the investigation and inspection work currently carried out by the MINUSCA Human Rights Division. In this respect, the Commission's visits to Bambari prison in Ouaka prefecture from 19 to 23 February 2024 and to Bria prison in Haute-Kotto prefecture in July 2024, with financial support from MINUSCA, are initiatives to be welcomed and continued.

40. The Central African Republic acceded to the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment on 11 October 2016. To implement the State's treaty obligation under articles 3 and 17 of that instrument, relating to the implementation of a national mechanism for the prevention of torture, the authorities should amend Act No. 17.015 to designate the National Commission on Human Rights and Fundamental Freedoms as the national preventive mechanism while preserving the Commission's status as a national human rights institution and the roles it performs in that capacity. This should enable the Commission to introduce practical tools, with support from technical and financial partners.

(f) *Joint rapid response unit to prevent sexual violence against women and children*

41. Between 2017 and 2024, 16,716 complaints – of which 61 per cent involved gender-based violence and 39 per cent involved sexual violence, including conflict-related sexual violence – were recorded. The joint rapid response unit to prevent sexual violence against women and children also registered and took statements from 10,399 victims, of whom 2,487 received medical treatment and 381 were referred to external partners. In addition, 5,293 reports were drawn up and forwarded to the Bangui, Bimbo and M'Baïki public prosecutors' offices, and over 200 cases were heard by the criminal courts. Nearly 60 rape cases were tried during the criminal sessions held by the Bangui Court of Appeal.

42. The shortage of financial, logistical and technical resources is an obstacle to the work of the joint unit, which, in order to cover the whole country, should set up branches and build premises in Bambari, Berbérati and Bouar. In addition, the joint unit should improve its

<sup>21</sup> Réseau des journalistes pour les droits de l'homme en Centrafrique, « Centrafrique : sept condamnations prononcées par la Cour martiale au cours de sa session criminelle de l'année 2023 » (Network of Journalists for Human Rights in the Central African Republic, "Central Africa: seven convictions handed down by the court martial during its 2023 criminal session"), 8 November 2023.

<sup>22</sup> For an overview of the legal and practical framework for military justice, see E/CN.4/Sub.2/2005/9, paras. 10–61. See also E/CN.4/Sub.2/2002/4; E/CN.4/Sub.2/2003/4; and E/CN.4/Sub.2/2004/7.

<sup>23</sup> MINUSCA and OHCHR, "Analysis of deprivation of liberty in the Central African Republic: current situation, challenges and responses", July 2024.

<sup>24</sup> A/HRC/51/59, paras. 80–82 and 100 (m) and (q).

<sup>25</sup> See MINUSCA and OHCHR, "Analysis of deprivation of liberty in the Central African Republic", annex B: Responses and comments from the Central African Government.

collaboration with judicial bodies in preliminary investigations, which are too slow, and its coordination with courts and tribunals and the follow-up of criminal cases. Judges sometimes release accused persons without any legal basis, raising questions among the population and undermining trust in the joint unit. Other cases are settled out of court or dropped because of sociocultural pressure, even though they concern acts classified as crimes. Effective solutions have yet to be found in relation to victim and witness protection.

43. Furthermore, the joint unit's financial dependence on technical and financial partners weakens its planning and operations. There is a need to place the unit on a sustainable financial footing, strengthen the technical skills of its staff, including in the area of girls' and women's rights, and help extend its services throughout the Central African Republic. The incipient creation of a centre for clinical forensic medicine to train those involved in the criminal justice system<sup>26</sup> is to be encouraged.

#### **4. Humanitarian challenges**

44. As of June 2024, 38 per cent of the US\$ 367.7-million humanitarian response plan for 2024 had been secured. The plan targets nearly 2 million vulnerable people, or about a third of the country's population. The humanitarian situation is exacerbated by the unrest in Chad, which has led to the arrival of over 38,000 people, mostly women and children, in the north-west, in the Paoua and Markounda sub-prefectures and the Lim-Pendé and Ouham prefectures. In addition, the conflict in the Sudan has caused 28,158 refugees, most of whom are women and children, to flee to Birao and Am Dafock in the Vakaga prefecture, Ndélé in the Bamingui-Bangoran prefecture and Sam Ouandja in the Haute-Kotto prefecture. They are spread over 13 localities far from Am Dafock, their point of entry into the Central African Republic, to ensure their protection away from the border. Humanitarian assistance to all these vulnerable people is dependent on funding for the humanitarian response plan. The Independent Expert calls on technical partners to respond to appeals from humanitarian actors.

45. The safe, dignified and sustainable return of the 750,000 refugees who have fled from the Central African Republic and of the 451,000 internally displaced persons remains a key objective. Their participation in the 2024 and 2025 elections requires an acceleration of the programmes that concern them. One of the challenges faced by humanitarian actors is the need to rethink the way in which support and stability are provided to refugees and displaced persons. The vastness of the Central African Republic, which includes areas that are stable and conflict-free, offers solutions for implementing an innovative strategy for the safe return of refugees, with long-term support for sustainable stabilization projects.

46. The situation concerning explosive devices<sup>27</sup> in the north-west remains a cause of concern because of its impact on the State's ability to maintain and restore its authority through the provision of basic social services, as well as the ability of the region's populations to engage in commerce and agriculture and avoid dependence on humanitarian aid.

## **IV. Restoration, extension and consolidation of State authority**

### **A. Local (municipal and regional) elections**

47. Municipal elections are scheduled for October 2024 and regional elections for January 2025. On 1 March 2024, the Constitutional Council adopted decisions amending certain provisions of the Electoral Code to bring it into line with the new Constitution. On 28 May 2024, the National Assembly adopted the amended Electoral Code, thus laying down the legal framework for the forthcoming elections.

<sup>26</sup> See Centre d'études juridiques africaines, "Atelier de sensibilisation 'Médecine légale et droits humains : enjeux pour la paix en République centrafricaine'" (Centre for African Legal Studies, awareness-raising workshop on "Forensic medicine and human rights: implications for peace in the Central African Republic"), 22 March 2024.

<sup>27</sup> [A/HRC/54/77](#), para. 32.

48. In addition to political dialogue and the participation of refugees and displaced persons, the following challenges remain with regard to local elections:

(a) Plan for securing elections: the integrated security plan for local elections adopted on 14 February 2023 was updated on 11 April 2024. The authorities should ensure that all citizens, including those in areas controlled by armed groups, can take part in this democratic exercise.

(b) Financial resources: the budget for local elections amounts to more than US\$ 14 million. As at 30 June 2024, pledges of funding from technical and financial partners, together with the national contribution, covered barely 50 per cent of the budget, whereas election preparations should be under way and completed at this stage, three months ahead of the polls. On 16 May 2024, an election financing agreement was signed with the European Union and the United Nations Development Programme.

(c) Technical and logistical resources: there has been a delay in registering voters in order to update the electoral roll. With support from MINUSCA and other partners, the electoral roll has been revised and logistical equipment was delivered to the National Electoral Authority on 18 December 2023. The setting up of technical infrastructure has not proceeded at the pace required in order to hold the elections on schedule, even though advance preparation is essential.

(d) Participation of women and young people:<sup>28</sup> the Independent Expert attaches fundamental importance to the participation of women and young people in these elections. Act No. 16.004 of 24 November 2016 instituting gender parity provides for the equal access of men and women to elective office in legislative and executive bodies, specifying that there must be equal numbers of male and female candidates and that women must occupy at least 35 per cent of decision-making positions. Parity requires the creation of “zebra” lists in every case, without exception, to ensure that women are not relegated to the bottom of the lists. To encourage women candidates and women voters to participate, the Government should work to dismantle stereotypes that relegate women to secondary roles and should combat both physical and psychological violence against them.

49. In the current context, local elections represent a social and political solution<sup>29</sup> for restoring, extending and consolidating State authority in the hinterland and setting up local governance bodies for local development.

## **B. Economic, social and cultural rights and the transition process**

50. Transitional justice is a textbook example of a context in which economic, social and cultural rights and civil and political rights are complementary, indivisible and interdependent. Its implementation strengthens access to justice and helps to restore, extend and consolidate the authority of the State in areas that are still outside its control or where public authority is gradually returning. The concerns of the people of the Central African Republic regarding access to basic social services confirm the urgent need to strengthen the rights to education, health, vocational training, social protection and the exercise of commercial activities, as a political and social response to the root causes of the country’s recurring conflicts. State investment in economic, social and cultural rights can potentially help to address the issues of recruitment of young people by armed groups, youth unemployment and inactivity, the socioeconomic reintegration of women victims of conflict-related or gender-based sexual violence and the safe return and stabilization of displaced persons.

51. The national budget for 2023 amounted to more than 234 billion CFA francs (CFAF), including CFAF 140 billion collected by the State itself, accounting for nearly 60 per cent of the total. This budget – which, since 2021, has no longer been supplemented by certain forms of external support – is not commensurate with the needs of transitional justice, which requires substantial investment in various sectors, including security; justice; technical,

<sup>28</sup> Security Council resolution 2709 (2023), para. 8.

<sup>29</sup> [A/HRC/54/77](#), para. 22.

vocational and agricultural training; innovation and entrepreneurship for young people; women's empowerment; and construction and rehabilitation of administrative, transport, educational, health-care, cultural and artistic infrastructure.

52. On 27 April 2023, the International Monetary Fund approved an Extended Credit Facility arrangement with the Central African Republic amounting to some US\$ 191.4 million over 38 months (2023–2026) and disbursed approximately US\$ 15.2 million to “avert a humanitarian crisis”.<sup>30</sup> On 1 July 2024, as part of the second review under the Extended Credit Facility, a sum of US\$ 25 million was granted.<sup>31</sup> It is important that the International Monetary Fund and other international financial institutions redirect their cooperation with the Central African Republic towards development rather than humanitarian aid, in order to implement the Sustainable Development Goals, the African Union's Agenda 2063 and the national development plan for the period 2024–2028 and to effectively and sustainably combat acute food insecurity and lift the country's poor population, which currently accounts for 80 per cent of the total, out of poverty.

53. Under pressure from international financial institutions, the Finance Act for 2024 abolished subsidies for flour and rice, which are nevertheless vital needs for a population of which 2.8 million people, or 46 per cent, still require humanitarian assistance, according to the 2024 humanitarian response plan. In October 2023, the World Bank published its first report on poverty in the Central African Republic.<sup>32</sup> The report paints an alarming picture, highlighting the depth and breadth of poverty in the country, which has no social protection system to cushion shocks. The population's level of vulnerability is so high that almost all inhabitants of the Central African Republic are one shock away from falling into poverty. In reality, the problem primarily concerns extreme poverty, which seriously undermines the rights of the populations concerned, with the result that they are trapped in poverty across generations.

#### 1. Effectiveness and delivery of public services at the grass-roots level

54. The effective presence of public servants at their posts in the hinterland is an essential element for consolidating the authority of the State, in particular to provide public services, including basic social, justice and security services, to the population. On 31 May 2024, following the adoption of Act No. 21.001 of 21 January 2021 on administrative divisions, three presidential decrees were issued on the appointment of public officials, including 7 regional governors (Plateaux, Équateur, Yadé, Kagas, Fertit, Haut-Oubangui and Bas-Oubangui), 13 prefects and 85 sub-prefects. As of the beginning of June 2024, 147 prefectural and sub-prefectural authorities were present at their posts, representing an effective attendance rate of 84 per cent. In 2023, 2,478 professionals were recruited in the health-care sector, including 122 doctors. They are deployed in the hinterland, where the total number of doctors has risen from 27 in 2016 to 122 in 2023. According to the authorities, each sub-prefecture now has at least one doctor. However, this sector still suffers from the absence of professionals who have been assigned but are still not available on site. In the justice sector, 181 justice and prison officials were deployed with support from MINUSCA. By the end of 2023, the presence of judges, prosecutors, registrars, clerks and data entry operators at courts and prosecutors' offices in the hinterland had fallen by 2.9 percentage points, from 52 per cent to 49.1 per cent, not counting the absenteeism rate of 24.5 per cent.<sup>33</sup> At the beginning of June 2024, 72 per cent of the courts outside the capital were operational. As at 31 May 2024, in the security sector, 1,886 internal security forces personnel were deployed outside the capital and 6,828 in the capital.<sup>34</sup>

<sup>30</sup> International Monetary Fund, press release No. 23/129, 27 April 2023.

<sup>31</sup> International Monetary Fund, press release No. 24/237, 1 July 2024.

<sup>32</sup> World Bank, *Central African Republic Poverty Assessment 2023: A road map towards poverty reduction in the Central African Republic*, October 2023.

<sup>33</sup> MINUSCA and OHCHR, “Analysis of deprivation of liberty in the Central African Republic”, para. 15.

<sup>34</sup> S/2024/473, annex I, p. 20.

## **2. Rebuilding of transport, administrative, security, social, educational, hospital, sports and cultural infrastructure**

55. The restoration, extension and consolidation of State authority necessarily involves the rebuilding of national and community infrastructure. The conflict has resulted in extensive damage to all types of infrastructure. The World Bank estimates that 97 per cent of the road network is in an advanced state of disrepair. Less than 15 per cent of the country's road infrastructure, particularly in the south-west, is said to be in good condition. The impassability of roads during the rainy season (April to October) is a major obstacle for improving the accessibility of regions far from the capital, for the movement of people and goods and for commercial, cultural and other exchanges. Many bridges have been damaged or destroyed by the conflict or the lack of maintenance.

56. Educational and health-care facilities and equipment have been damaged and looted. Water supply and sanitation infrastructure is in a state of disrepair, depriving a large part of the population in the hinterland of drinking water. The electricity distribution network needs to be not only rehabilitated, but also extended to reach regions that had no electricity before 2013. The limited telephone and Internet coverage of the national territory complicates the coordination of military and security forces deployed on the ground and jeopardizes the development of local businesses.

## **V. Functioning of institutions and implementation of human rights treaty obligations**

### **A. National Commission on Human Rights and Fundamental Freedoms**

57. The Independent Expert believes that Act No. 17.015 of 20 April 2017 establishing the National Commission on Human Rights and Fundamental Freedoms should be amended to comply with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles) and the decisions of the Global Alliance of National Human Rights Institutions, to enable the Commission to attain A status. This applies in particular to article 3, on the Commission's headquarters, and article 11, which limits the Commission secretariat's powers to administrative, legal and financial matters, whereas the assistance to be provided to the subcommissions by the Secretary-General of the Commission under article 30 is not necessarily limited to assistance in implementing the decisions of the Commission's governing bodies. Moreover, according to articles 16 and 23, the election of all members of the Commission is approved by decree of the President of the Republic on the report of the Minister of Human Rights; this is contrary to the principle of independence. It is important to establish an independent mechanism and transparent procedures for the selection of members.

58. Furthermore, the approval by the President of the Republic of the rules of procedure on the organization and operation of the Bureau, as provided for in the second paragraph of article 16 of Act No. 17.015, constitutes a breach of guarantees of independence. Under article 62, the decree approving the Commission's rules of procedure also determines the other practical arrangements for the organization and operation of the Commission's organs. This is contrary to the letter and the spirit of the Paris Principles. Article 36 specifies the authorities to which the Commission's annual report is to be submitted, without any further details on the conditions of its publication or distribution or on the debate that should be held in the National Assembly on the basis of the report. Article 61 states that the decree implementing the law is to be issued by the Council of Ministers on the report of the Minister of Human Rights.

59. Other challenges relate to the effective functioning of the Commission and the implementation of its action plans, which are hampered by the lack of suitable premises and available resources. The manual on the handling of complaints and the guide for visits to places of deprivation of liberty are in need of revision. A simple tool for tracking complaints, including online, is also needed.

## B. National Assembly

60. As the body responsible for overseeing government action under article 111 of the Constitution, the National Assembly plays a key role in monitoring compliance with the commitments of the Central African Republic under the international human rights instruments it has ratified and in following up on the implementation of recommendations. Members of the relevant committees of the National Assembly should receive training in human rights monitoring and the use of practical tools to that end.

61. On 7 May 2024, MINUSCA organized a videoconference between the network of parliamentarians of the Central African Republic for human rights and the Inter-Parliamentary Union on a self-assessment toolkit entitled “Parliaments and human rights”, which is a practical instrument for evaluating the role of parliaments in promoting human rights. The Independent Expert considers that a strengthened partnership with the Inter-Parliamentary Union should lead to the definition of a framework for institutionalized cooperation.

62. From 7 to 11 June 2024, the Centre d'études juridiques africaines held a workshop in Bangui, part of which was devoted to the role of parliamentarians in the Central African Republic in monitoring the implementation of recommendations issued by regional and international human rights mechanisms.

63. The National Assembly should institutionalize its cooperation with other State institutions whose remit includes good governance and human rights,<sup>35</sup> so that forums for exchange and debate can be included on the agenda of its various sessions. The Government should also systematically present the recommendations of national, African and international human rights mechanisms to the National Assembly. The more parliamentarians are informed of the recommendations made to the Central African Republic, the more fruitful their cooperation with the executive branch will be in enabling it to fulfil its responsibilities, including through the allocation of appropriate resources for their implementation and follow-up.<sup>36</sup>

## C. Women's rights

64. The national human rights policy and its associated action plan for the period 2023–2027 include strategic areas relating to the rights of girls and women. In addition, on 26 January 2024, the Central African Republic took part in the fourth cycle of the universal periodic review. Of the 244 recommendations made following this review at the fifty-sixth session of the Human Rights Council, at least 55 concerned the rights of girls and women.<sup>37</sup> On 9 February 2024, a delegation from the Central African Republic held an interactive dialogue with the members of the Committee on the Elimination of Discrimination against Women, during which a number of issues emerged, including conflict-related violence against women and girls, access to justice, gender stereotypes and harmful practices, female genital mutilation, trafficking and exploitation of prostitution, equal participation in political and public life, economic empowerment of women, the situation of rural women and child marriage.<sup>38</sup> The Independent Expert held a briefing with the Committee secretariat prior to the review and invited the relevant State institutions to respond to the list of issues sent by the Committee. A list of legislative measures and programmes<sup>39</sup> to be implemented by the end of 2024 was presented to the Committee.

65. The visit carried out by the Independent Expert from 11 to 22 February 2024 provided an opportunity to delve deeper into the challenges that women face in seeking to enjoy their rights, with a view to the high-level dialogue held on 28 March 2024 during the fifty-fifth

<sup>35</sup> A/HRC/51/59, paras. 88 and 89.

<sup>36</sup> A/72/351, para. 36; and A/HRC/38/25, paras. 27 and 28.

<sup>37</sup> A/HRC/56/12, paras. 114.173–114.204.

<sup>38</sup> See CEDAW/C/CAF/CO/6.

<sup>39</sup> See

[https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2FCEDAW%2FAIS%2FCAF%2F57494&Lang=en](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2FCEDAW%2FAIS%2FCAF%2F57494&Lang=en).



session of the Human Rights Council, with a particular focus on the situation of women and girls. The participants outlined the challenges that girls and women face in exercising their rights.

66. Under Decree No. 24.046 of 23 February 2024 on the organization and operation of the national observatory for parity, the latter is staffed by 11 people and is tasked, under article 5, with promoting, monitoring and evaluating gender equity in the country's various structures. The Independent Expert endorses the recommendations of the Committee on the Elimination of Discrimination against Women and calls on the authorities of the Central African Republic to allocate adequate human, technical and financial resources to the observatory, ensure gender parity, including by imposing penalties for non-compliance with the 35 per cent quota set by Act No. 16.004, and adopt and effectively implement temporary special measures to achieve the substantive equality of women and men in political, public and economic life, in the fields of education and employment, and in relation to economic empowerment and social security, with time-bound targets and benchmarks, as well as penalties for non-compliance.<sup>40</sup>

67. Women in the Central African Republic are still losing their lives in the act of giving life. The maternal mortality ratio is among the highest in the world, at 882 deaths per 100,000 live births, and the under-5 mortality rate was 116 deaths per 1,000 live births in 2020, according to the United Nations Children's Fund (UNICEF). Trafficking in girls and women remains a scourge, as highlighted by the Special Rapporteur on trafficking in persons, especially women and children, following her visit to the Central African Republic from 24 to 30 November 2023.<sup>41</sup> Women continue to be victims of domestic violence, gender-based violence and stereotypes and prejudices that lead to their marginalization and exclusion, fuelling the feminization of extreme poverty. Most victims of sexual abuse and sexual violence, including conflict-related sexual violence, face long delays in obtaining justice. According to the Office for the Coordination of Humanitarian Affairs, an average of two people per hour are victims of gender-based violence, with women and girls accounting for 97 per cent of the victims. Between January and March 2024, nearly 5,000 cases of gender-based violence were reported, of which 37 per cent involved sexual violence, 25 per cent involved physical assault, 18 per cent involved deprivation of resources, 18 per cent involved psychological violence and 2 per cent involved forced marriage.<sup>42</sup>

68. Women's participation in national decision-making mechanisms remains marginal, as does their place in the ongoing peace and reconciliation process. The proportion of women in the National Assembly is 12 per cent. Women's desire to be voters and candidates in the October 2024 local elections and to play a role in local development comes up against psychological violence, stubborn prejudices and certain customary practices that confine them to subordinate roles. Rural women have no means of escaping from poverty.<sup>43</sup> Girls' access to education is complicated by more than a decade of conflict and insecurity, as well as other social and economic hurdles. The women's vocational secondary school in Bangui suffers from all the resource shortfalls that characterize the vocational training sector in the Central African Republic.

## VI. Conclusions and observations

69. **The continuation of the transition process calls for a gradual shift from humanitarian action – which remains necessary – to sustainable development actions, which require the mobilization of adequate resources for the implementation of national development policies, in particular the national development plan (2024–2028), the national human rights policy and action plan (2023–2027), the recommendations of the 2022 republican dialogue and the Sustainable Development Goals (2015–2030).**

<sup>40</sup> CEDAW/C/CAF/CO/6, paras. 23 and 24.

<sup>41</sup> See A/HRC/56/60/Add.2.

<sup>42</sup> See Office for the Coordination of Humanitarian Affairs, "Central African Republic: Situation Report", updated on 22 July 2024.

<sup>43</sup> CEDAW/C/CAF/CO/6, paras. 45 and 46.

70. Security sector reforms should focus on providing the country with sufficient numbers of trained defence and security forces, which should be deployed throughout the national territory, provided with adequate military and civilian equipment, coordinated by a responsible command and made subject to effective accountability mechanisms in the event of violations of human rights and international humanitarian law.

71. Justice sector reforms require continued multifaceted support in the fight against corruption, the strengthening of accountability mechanisms for justice and security officials, efforts to make the justice system more accessible to the people, including through a duly funded legal aid system, and the construction and rehabilitation of police, judicial and prison infrastructure.

72. The restoration, extension and consolidation of State authority are contingent on the construction and rehabilitation of administrative, transport, health-care, educational, cultural and artistic infrastructure and on the effective implementation of economic, social and cultural rights, so that the population has access to basic social services and to justice and security services.

73. Decentralization and local governance are meant to provide day-to-day solutions to local problems at the community level. They require the commensurate mobilization of resources, a resource allocation mechanism and the creation of synergies, both between the actions of local elected officials and local stakeholders and between the actions of local and national elected officials.

74. The National Assembly should play a more active role in monitoring the implementation of recommendations made by mechanisms that supervise compliance with treaty obligations by the Central African Republic and should work in closer coordination with other institutions whose remit includes governance and human rights.

75. Efforts to end impunity, including through non-judicial mechanisms, should be stepped up to satisfy victims' demand for justice. The revitalization of the Truth, Justice, Reparation and Reconciliation Commission, the decentralization of its activities and the planning of hearings on the basis of practical tools are essential. The creation of a reparations fund is also of paramount importance.

76. Strategic and operational convergence between the projects of the United Nations country team and those of other technical and financial partners is necessary, with a view to implementing the public policies and action plans defined by the Government.

77. The volatile subregional context, marked by conflict and insecurity, calls for a surge in subregional cooperation on security, humanitarian and development issues. The convening of a subregional conference on peace and development should be considered in the short term.

78. The Central African Republic has reached a critical stage in its transitional justice process, where the international community needs to step up its investment. Technical and financial partners should avoid imposing any conditionalities that are incompatible with human rights principles.

## **VII. Recommendations**

79. The Independent Expert recommends that the Government of the Central African Republic take the following measures:

(a) Promptly open a confidence-building dialogue with the opposition and civil society organizations with a view to the 2024 and 2025 elections, which are crucial for the peace and reconciliation process;

(b) Hold free and transparent local elections, ensuring the participation of women, young people, refugees and internally displaced persons;



(c) **Build the capacity of local elected officials to draw up and implement local development plans, including in terms of gender mainstreaming, local implementation of human rights recommendations and cooperation with other local stakeholders, in particular traditional and religious leaders and community structures;**

(d) **Establish a committee in the National Assembly to promote dialogue between national representatives and local and regional elected officials;**

(e) **Mobilize the public prosecution service and the relevant agencies to promptly carry out impartial investigations into all allegations of human rights violations and follow up on the recommendations contained in the investigation reports;**

(f) **Systematically present all recommendations made by national, regional and international monitoring mechanisms to the National Assembly to facilitate cooperation between the various political authorities;**

(g) **Provide annual updates on the status of implementation of the national development plan for the period 2024–2028, the national human rights policy and the recommendations of the republican dialogue;**

(h) **Ensure the financial independence of the joint rapid response unit to prevent sexual violence against women and children, and amend the texts governing its organization and operation to place it under the supervision of a single ministry, the Ministry of Justice, with a framework for regular exchanges with other institutions;**

(i) **Mobilize the necessary resources, including through multifaceted partnerships, for the effective implementation of the national development plan (2024–2028), the national human rights policy and its action plan (2023–2027) and the recommendations resulting from the republican dialogue and the universal periodic review or formulated by treaty bodies and special procedure mandate holders, including the Independent Expert;**

(j) **Ensure that the strict measures enacted to combat corruption in the justice, security and health systems are translated into concrete actions, in particular investigation and monitoring missions, periodic evaluation reports by the relevant institutions and frameworks for exchange and consultation, with the participation of civil society organizations and technical and financial partners;**

(k) **Incorporate the various recommendations of human rights monitoring bodies into the national human rights policy and its action plan or into the corresponding sectoral programmes;**

(l) **Consider drawing up an institutional strategy on the exploitation of natural resources;**

(m) **Ensure that civil society organizations have space to operate, including by adopting the bill on human rights defenders;**

(n) **Immediately amend the law establishing the National Commission on Human Rights and Fundamental Freedoms to bring it into line with the Paris Principles and the procedures of the Global Alliance of National Human Rights Institutions;**

(o) **Ensure that the Truth, Justice, Reparation and Reconciliation Commission is reconstituted in line with the principles of independence and impartiality and that the Commission is provided with a permanent headquarters and the resources necessary for its operation, and consider amending article 4 of Act No. 20-009 of 7 April 2020 on the duration of the commissioners' mandate, which is currently set at four years and is renewable only once;**

(p) **Develop a major national infrastructure (re)construction plan as a means of restoring, extending and consolidating State authority.**

80. **The Independent Expert recommends that the guarantors and facilitators of the Political Agreement for Peace and Reconciliation take the following measures:**

(a) **Include the issues of border management, the circulation of arms, refugees and transhumance on the agenda of the strategic reviews of the Peace Agreement;**

(b) Consider, in the short term, the organization of a subregional conference on peace and development.

81. The Independent Expert recommends that MINUSCA take the following measures:

(a) Continue to support the State in the implementation of the Political Agreement for Peace and Reconciliation, the Luanda road map, the recommendations of the republican dialogue, the national development plan for the period 2024–2028, the national human rights policy and other sectoral policies, particularly with regard to border management issues;

(b) Work to create an institutionalized framework for ongoing dialogue between the executive branch, the opposition, State institutions whose remit includes governance and human rights, and civil society organizations;

(c) Strengthen its cooperation with the Armed Forces of the Central African Republic and internal security forces, in particular on alerts, operations to anticipate the movements of armed groups, increased joint ground patrols and air support, especially on the outskirts of towns and in high-risk areas, to ensure the protection of civilian populations;

(d) Continue to build the capacities of government agencies and institutions in the areas covered by the Mission's thematic components with a view to the gradual handover of the tasks currently carried out by MINUSCA;

(e) Emphasize capacity-building for civil society organizations on documenting cases of human rights violations, drafting reports, monitoring the implementation of recommendations made to the Central African Republic and engaging in ongoing dialogue with the various political authorities and the media;

(f) Support and empower the bodies in charge of the various State programmes.

82. The Independent Expert recommends that the international community take the following measures:

(a) Step up the process of securing the country by strengthening the training, equipment and deployment of the Armed Forces of the Central African Republic and internal security forces and their effective command based on accountability;

(b) Include in the mandate of MINUSCA, over a sufficiently long period, the training and coordination of the Armed Forces of the Central African Republic and internal security forces and the provision of mentoring on military command with accountability tools;

(c) Ensure that the States that made recommendations in the context of the universal periodic review provide financial and technical support to the Central African Republic for the implementation of the recommendations made and accepted;

(d) Strengthen support for the various transitional justice programmes, in particular those relating to the fight against impunity, justice system reform, efforts to secure the country, local governance, humanitarian response and national institution-building;

(e) Provide the necessary resources to the Mine Action Service for the clearance of explosive devices in the north-west of the country.