



**International Covenant on
Civil and Political Rights**

Distr.: General
11 September 2019
English
Original: French
English, French and Spanish only

Human Rights Committee

127th session

14 October–8 November 2019

Item 4 of the provisional agenda

**Consideration of reports submitted by States parties
under article 40 of the Covenant**

**List of issues in relation to the third periodic report of the
Central African Republic**

Addendum

Replies of the Central African Republic to the list of issues*

[Date received: 6 September 2019]

* The present document is being issued without formal editing.



Constitutional and legal framework within which the Covenant is implemented

Reply to paragraph 1 of the list of issues

1. There have not yet been any cases in which the courts have directly applied the provisions of the Covenant.
2. Following the public awareness campaign, currently under way, the Government will trigger the Optional Protocol ratification procedure.

Reply to paragraph 2 of the list of issues

3. The Government has provided the National Commission on Human Rights and Fundamental Freedoms with premises and the National Assembly has approved its operating budget.
4. The members of the Commission receive salaries and allowances from the Government.
5. The Commission enjoys financial and administrative autonomy in accordance with article 2 (2) of the relevant organic act.
6. While the Commission has not yet been seized of any particular dispute, it has recently ex officio decided to examine, and launch an investigation into, a case of alleged torture on the premises of the Central African Office for the Suppression of Banditry (92 *Logements* office in the sixth district of Bangui).
7. The decree establishing the rules of procedure of the Commission provides for regional and local representation through prefectural, sub-prefectural and municipal offices, as required.

Reply to paragraph 3 of the list of issues

8. No trace of the case *Mamour v. Central African Republic* was unfortunately found in judicial records. However, the alleged victim, General Mamour, currently Grand Chancellor for the Office of the President of the Republic, appears to be unconcerned and to have recovered all his rights.

Efforts to combat impunity

Reply to paragraph 4 of the list of issues

9. On 6 February 2019, the signing of the Political Agreement for Peace and Reconciliation raised great hopes not only in the country, but also in the subregion and the international community. An inclusive Government was then established on 22 March 2019. A government seminar on the implementation of the Agreement was held in June 2019, with the support of the international community, to strengthen coherence within the team.
10. The Executive Monitoring Committee for the Agreement, co-chaired by the Prime Minister and the Special Representative of the African Union, has met regularly since its launch on 15 May.
11. The Government, with the support of the United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic (MINUSCA), is working to implement the mechanisms for the application of the Agreement at the local level, with the establishment of 12 prefectural implementation committees and 13 technical security committees. However, despite these positive developments, MINUSCA has reported between 50 and 70 violations of the ceasefire, primarily committed by armed groups against civilians. Thus, on 21 May 2019, in Ouham-Pendé, members of the armed group “retour, réclamation et réhabilitation” (return, reclamation and rehabilitation), known as 3R, murdered 39 innocent civilians and caused the displacement of some 12,000 persons in the course of a cowardly assault. At the fourth session of the Executive Monitoring Committee in July 2019, it was recommended that sanctions be imposed under article 35 of the

Agreement by the African Union and MINUSCA, and to strengthen the latter's mandate, without prejudice to the ability to prosecute and bring to justice the perpetrators of the crimes committed in the country.

12. Efforts are being made to implement the security arrangements provided for in the Agreement, including the establishment of joint security units to help reduce transhumance-related violence.

13. Article 7 of the Agreement provides that the parties, rejecting any notion of impunity but recognizing the principle of presumption of innocence, acknowledge the painful consequences of serious crimes and the scars that they leave on all citizens and communities.

14. In May 2015, the Bangui Forum on National Reconciliation – one of the key recommendations of which is to combat impunity – instructed the Truth, Justice, Reparation and National Reconciliation Commission to contribute to the achievement of sustainable peace by pursuing the search for truth, restoring victims' rights, fostering reconciliation and strengthening national unity.

15. A steering committee was set up to this end.

16. The launch, in June 2019, of national consultations in the seven administrative regions of the country for the establishment of the Commission was a crucial step in the national agenda for transitional justice and will help identify ways of preventing the repetition of crimes.

17. The aim is to involve citizens by gauging their expectations and soliciting their opinions and recommendations on the four pillars of the Commission, thus lending popular legitimacy to the transitional justice system.

Reply to paragraph 5 of the list of issues

18. Act No. 15.003 of 3 June 2015 on the Criminal Code was amended by Act No. 18.010 of 2 July 2018 on the rules of procedure and evidence of the Special Criminal Court. Investigations have indeed been undertaken and the ordinary courts are transferring their jurisdiction over cases to the Special Criminal Court, which is already deploying its staff in the field under the direction of the deputy prosecutors.

19. The Court's strategy is to leverage the Mapping Project, which provides authoritative information on major human rights abuses and international humanitarian law violations constituting serious international crimes. On this basis, a number of investigations have been launched and are ongoing.

20. The Court does not have the power to grant amnesties. However, chapter 2, article 64, of the Court statutes provides for legal aid for persons on trial and for the establishment of the special witness protection unit.

21. The practical steps taken and envisaged with regard to cooperation with the International Criminal Court are provided for in chapter 3, article 14, of Act No. 18.009 amending the provisions of the Act on the statutes of the Special Criminal Court.

Reply to paragraph 6 of the list of issues

22. The National Commission of Inquiry was established on 22 May 2013 by Decree No. 13.106 with the following objectives:

- To investigate murders and similar offences, economic crimes, human rights violations and offences, property crimes and attacks against individuals occurring since 2004;
- To identify perpetrators, co-perpetrators, accomplices and victims of such crimes;
- To assess the damage suffered in respect of possible compensation procedures.

23. The National Commission has received complaints and denunciations by victims, and produced records of related interviews. However, owing to the lack of resources made available to the Commission (limited cash flow), the security situation, the inability of some

victims to travel and the lack of victim protection, the effective implementation of its mandate, the results of which have yet to be made public, have been severely hampered.

Non-discrimination and equality between men and women

Reply to paragraph 7 of the list of issues

24. Having enacted various laws on the prohibition of discrimination, notably against women and persons with disabilities, the Government is working towards adopting a general law against discrimination.

25. It recognizes the need to include a gender dimension in all aspects of transitional justice initiatives, including in the prosecutorial strategy of the Special Criminal Court. This is being taken into account by the Steering Committee of the Truth, Justice, Reparation and National Reconciliation Commission and by the Special Criminal Court in their current approach to the transitional justice process.

Reply to paragraph 8 of the list of issues

26. In accordance with Act No. 16.004 of 24 November 2016 establishing gender parity, and in particular equal access for men and women to elective offices and posts, the Government established the National Parity Observatory, which is chaired by the Minister for the Advancement of Women, the Family and the Protection of Children.

27. The Government encourages political organizations to attract and nominate male and female candidates for elected positions in equal numbers, as stipulated in the new draft electoral code, which makes this an obligation.

28. In recently held competitions for recruitment to the internal security forces, applications from female candidates were strongly encouraged.

29. Campaigns are regularly organized to raise awareness of the principles of gender equality in all spheres of life, so as to challenge established discriminatory practices.

Harmful practices and sexual violence

Reply to paragraph 9 of the list of issues

30. Polygamy is a deeply rooted practice in the Central African Republic, particularly in rural areas where the majority of the population lives. To abolish it would require a major awareness-raising campaign to change current attitudes. The Government and women's rights NGOs are taking steps in this regard.

31. For sociocultural reasons, victims of female genital mutilation tend not to complain to the courts, which means that a new awareness needs be raised among the target population.

32. Strategic priority No. 3 of the Interim Plan for the Health Sector of the Central African Republic provides for a holistic approach to sexual violence and female genital mutilation. With the support of the World Health Organization and the United Nations Development Programme, national guidelines on this issue were drawn up in 2016.

Reply to paragraph 10 of the list of issues

33. The early marriage of girls occurs frequently in rural areas. The national child marriage rate is among the 10 highest of all countries in Central and West Africa. This is attributable primarily to the inability of young girls to access education, and to a large extent to economic factors. Other reasons related to morals and customs also play a role.

34. Various national plans are linked to objectives to eliminate the sexual exploitation of children. In 2014, the Ministry of Education drew up a national transition plan with the main aim of promoting and rebuilding a basic education system. The plan provides for free education for children up to primary school level. In 2016, the National Recovery and

Peacebuilding Plan 2017–2021 defined courses of action addressing the problems of violence and the sexual exploitation of children, including early marriage.

35. A draft law on child protection has been submitted to the National Assembly, which, if adopted, will have an impact on the Criminal Code and is expected to lead to a revision of article 105, bringing it into line with the provisions of the Convention on the Rights of the Child.

Reply to paragraph 11 of the list of issues

36. In addition to the draft law on child protection, Act No. 06.032 of 27 December 2006 on the protection of women from violence in the Central African Republic is of particular note.

37. One of the missions of the Joint Unit for Rapid Intervention and Suppression of Sexual Violence against Women and Children, created in 2015, is to facilitate the submission of complaints in this respect.

38. There are no official statistics available on such offences.

39. Protection measures are taken through the Joint Unit.

40. Care and support for victims of sexual violence are provided for in the Interim Plan for the Health Sector.

41. The Joint Unit is charged with receiving complaints from victims, investigating the facts and forwarding the cases to the public prosecutor's office, which initiates the necessary proceedings and procedures.

42. The Joint Unit collaborates with the Special Criminal Court on cases of sexual violence.

43. Training courses and awareness-raising campaigns on sexual violence are regularly organized by the government departments concerned (Ministry of Justice and Human Rights, Ministry for the Advancement of Women, the Family and Child Protection), with the support of MINUSCA and the United Nations Children's Fund, for the benefit of criminal investigation officers and military, hospital and prison staff in particular.

Maternal and infant mortality and voluntary termination of pregnancy

Reply to paragraph 12 of the list of issues

44. Infant and child mortality remains very high. According to the latest multi-indicator cluster survey, MICS 4 (2010), it stands at 174 deaths per 1,000 births, with infant mortality at 105 per 1,000 and neonatal mortality at 45 per 1,000.

45. The general objective of the Interim Plan for the Health Sector is to provide universal health coverage in the Central African Republic. Specifically, it aims to:

- Provide the population with a minimum and complementary package of quality health care;
- Improve maternal and child health care;
- Improve the management and handling of emergencies and disasters and strengthen the fight against communicable and non-communicable diseases.

46. The Bangayassi Act of 20 June 2006 provides for measures to address reproductive health problems for all women in the Central African Republic without exception (including contraception, voluntary termination of pregnancy, the rights of people affected by sexually transmitted infections and HIV/AIDS, etc.).

47. In addition, Act No. 06.32 of 27 December 2006 on the protection of women from violence provides for protection against rape.

Right to life, protection of civilians, and excessive use of force

Reply to paragraph 13 of the list of issues

48. Owing to the major crisis that continues to affect the country, the enactment of the draft law to abolish the death penalty and amend certain provisions of the Criminal Code, proposed by a member of parliament, calls for prior awareness-raising among those who still bear the scars of the violence suffered over years of armed conflict. Following a campaign to that end, the draft law will be submitted to the National Assembly. Once the law has been adopted, article 17 of the Criminal Code will be revised de facto.

Reply to paragraph 14 of the list of issues

49. As part of efforts to re-establish the authority of the State, the Ministry of Justice has been working for several months, with the support of the MINUSCA, to redeploy all judges and other judicial officials throughout the national territory.

50. The security arrangements under the Khartoum Peace Agreement include the establishment of joint special security units to help ensure the protection of civilian populations in conflict areas.

51. Serious violations of international humanitarian and human rights law in the cases cited fall within the jurisdiction of the Special Criminal Court, whose special prosecutor's office is working on the investigation and criminal prosecution of the alleged perpetrators.

Prohibition of torture and of cruel, inhuman or degrading treatment

Reply to paragraph 15 of the list of issues

52. This topic has already been covered in the information provided on the rules of procedure and evidence of the Special Criminal Court. The Government will obviously ensure harmonization with the Criminal Code and the Code of Criminal Procedure.

53. The measures taken in this regard are provided for in the Khartoum Agreement and include the recommendations arising from the fourth session of the Executive Monitoring Committee for the Agreement, namely (in addition to the sanctions provided for in article 5):

- The issuance of a formal notice to former armed groups regarding gender-based violence considered as a violation of the Agreement;
- The issuance of a formal notice with deadline to those former armed groups that have failed to provide an appropriate response to the violent acts of which they are accused, as well as the formal dissolution of their groups.

54. The ordinary courts and tribunals and the Special Criminal Court continue to deal with complaints in this respect.

55. No relevant statistics in this respect have been issued as yet by the judicial institutions. The Government plans to create a reparation fund under the future Act on the Truth, Justice, Reparation and National Reconciliation Commission, which will be funded by contributions from partners.

56. This is taken into account in the rules of procedure and evidence of the Special Criminal Court.

57. The content of the training provided to law enforcement personnel is varied but includes inter alia an introduction to international human rights law, international humanitarian law, the Criminal Code and the Code of Criminal Procedure.

Reply to paragraph 16 of the list of issues

58. Pending the adoption of the new Family Code, the Ministry for the Advancement of Women, the Family and the Protection of Children has initiated an awareness-raising campaign on the harm caused by corporal punishment and its impact on the future of

children. An ad hoc committee is conducting a review, including grass-roots consultations, to determine the main themes of the new Code. Besides this, there are no other standalone initiatives. Only the restoration of state authority throughout the national territory (redeployment of prefectural and sub-prefectural authorities, judges, internal security forces, and so on), which the Government is currently working towards, will enable the prevention and punishment of all such offences. Campaigns are also regularly organized by the church and non-governmental organizations to raise public awareness of the dangers of mob justice in respect of witchcraft.

Treatment of persons deprived of their liberty

Reply to paragraph 17 of the list of issues

59. Ngaragba Prison, the main prison of the Central African Republic, was built in the colonial era to accommodate 400 prisoners but currently houses more than 1,000. The European Union supports the prison system through its multi-year programme for the rehabilitation of the justice and police sectors, which has a total budget of €18 million, including approximately €400,000 for prisons (including training programmes, building renovations, infirmary equipment and equipment for civilian monitors).

60. Overcrowding and health and nutrition problems are the main ones encountered in prisons in the country. The support of the European Union should enable prisons to meet international standards (with the separation of adult and juvenile quarters, improved nutrition, access to health care, etc.).

61. More than 70 per cent of prisoners have yet to be tried: a large number of individuals are detained without charge and are kept waiting a very long time for their trials, partly owing to the slow workings of the judicial system. The Minister of Justice and Human Rights has instructed the heads of court to act quickly to regularize this situation and to relieve the overcrowding of the Ngaragba detention centre in particular.

Reply to paragraph 18 of the list of issues

62. Within their respective remits, the public prosecutor and the sentence enforcement judge regularly carry out checks on places of deprivation of liberty. Reports on the basis of these checks are transmitted to the Directorate-General for Penitentiary Administration, the Inspectorate-General of Judicial Services and the Minister of Justice and Human Rights.

63. In accordance with their mandates, the National Commission on Human Rights and Fundamental Freedoms, the Human Rights Division of MINUSCA and human rights NGOs are authorized to carry out monitoring visits (general and/or targeted) to detention centres.

64. Owing to the military and political crises that have undermined the functioning of the Republic's institutions, the Government has been unable to fully implement the national mechanism for the prevention of torture.

Liberty and security of person

Reply to paragraph 19 of the list of issues

65. The Minister of Justice and Human Rights has issued clear instructions to the Inspectorate-General of Judicial Services on the basis of these questions to rectify the violations at issue, enforce the law and punish those responsible.

66. Based on the most recent check by the Directorate-General for Penitentiary Administration, the time limit for the pretrial detention of most detainees in the Ngaragba remand centre has been far exceeded. The matter has been referred to the Inspectorate-General of Judicial Services so that the offices of the judges responsible for the cases can conclude their examinations.

67. Judges have a range of measures at their disposal in addition to deprivation of liberty, such as:

68. During proceedings:
- Simple provisional release;
 - Provisional release subject to judicial oversight, with measures restricting the freedom of movement of the accused, such as a ban on leaving the country without the express permission of the examining judge, or on travelling to certain public places;
 - Provisional release on payment of a bond, generally in proceedings for misappropriation of public funds.
69. During trial:
- Suspended sentence, which avoids deprivation of liberty for the offender;
 - Community service for a period of between 35 and 420 hours (conditions for the implementation of this measure have unfortunately not yet been determined);
 - Fines of 100,000 CFA francs or more for less serious offences.

Administration of justice

Reply to paragraph 20 of the list of issues

70. Judges have not been able to return to their posts owing to the insecurity caused by the armed groups controlling certain parts of the country. As part of efforts to re-establish the authority of the State, the Ministry of Justice has been working for several months, with the support of MINUSCA, to redeploy all judges and other judicial officials throughout the national territory in order to end the abuses committed by armed groups. This has been made possible in part thanks to the signing of the Khartoum Agreement.

71. To facilitate equal access by all citizens to the public justice service, mobile courts will be reintroduced under the jurisdiction of functioning courts, particularly in sub-prefectures where there are no judges in residence. In other areas, where judges are obliged to reside close to the premises of appeal courts or local courts for security reasons, mobile courts will also be set up to try pending cases.

72. About twenty junior judges have recently completed their training and have been admitted to the service. This training will continue with the support of external partners.

Reply to paragraph 21 of the list of issues

73. Independence of the judiciary is a major challenge for the judicial system of the Central African Republic. The country's successive constitutions have affirmed and reaffirmed the principle of judges' independence and security of tenure. The guarantee of independence of the judiciary is reflected in particular in the conditions for the appointment of judges, the composition of the Higher Council of the Judiciary, the Advisory Commission of the State Council and the Conference of Presidents and Principal State Prosecutor of the Auditor-General's Department, and in the judges' statutes and codes of ethics. The country's institutional and political system follows the French model. In theory, the principle of the separation of powers, enshrined in the Constitution, should afford the judiciary the necessary independence from other constitutional powers to enforce the law and individual rights and freedoms. In practice, however, in the light of the assessment carried out for the elaboration of the justice sector policy for 2019–2023, the above rules do not ensure the effective independence of the judiciary vis-à-vis the executive. In this regard, the following proposals are made in the draft justice sector policy report:

- Review the legal framework of the Higher Council of the Judiciary, the Advisory Commission of the State Council and the Conference of Presidents and Principal State Prosecutor of the Auditor-General's Department with a view to strengthening the independence of the judiciary. Substantive changes would also need to be made in the functioning and role of the Higher Council of the Judiciary and the other two bodies. The proposed review should focus on organic texts as well as on the laws

governing the status of the judicial and administrative courts and the Auditor-General's Department;

- Strengthen those bodies' operational and organizational capacities and coordinate their actions;
- Improve the career management of judges and the system for appointing court officials to ensure transparency.

74. Judicial independence is conducive to the public accountability of judges. This is ensured by the Inspectorate-General of Judicial Services and the heads of the higher courts, whose role is to promote judicial ethics and effectively combat the corruption that permeates the judicial system. To achieve this, the draft justice sector policy document suggests:

- Building up the capacities of judicial officials through both initial and in-service training;
- Strengthening the role and activities of career management bodies (by developing a code of ethics and standards, providing training in the enforcement of ethical standards and ethics, implementing disciplinary procedures, etc.);
- Improving the prevention of, and response to, corruption among judicial officials (through effective sanctions imposed by disciplinary bodies, the training and regular monitoring of officials, establishing a system for litigants and others to lodge complaints with the Inspectorate-General of Judicial Services, etc.).

Reply to paragraph 22 of the list of issues

75. In April 2019, a workshop on the technical pre-approval of the National Good Governance Strategy in the Central African Republic was organized by the Higher Authority for Good Governance, with the technical and financial assistance of the United Nations Development Programme.

76. The Higher Authority for Good Governance is a relatively recent institution. Established in accordance with the Constitution of 30 March 2016, it leads governance oversight efforts and is charged with promoting transparency in the management of political, administrative, economic and financial affairs and preventing and combating bad governance. To this end, it requires the guidance of a national strategy document. The National Good Governance Strategy – which embodies the institution's vision of political, democratic, administrative, economic and financial governance – is aimed at overhauling practices, attitudes and behaviours characteristic of the bad governance that has long plagued Central African society.

77. The Political Agreement for Peace and Reconciliation, also known as the Khartoum Agreement, has restored good governance at the heart of the Government's political actions as a vehicle for peace and national reconciliation.

78. The global vision underpinning the National Good Governance Strategy is to make the Central African Republic a modern state, respectful of the principles of good governance and democracy, by 2024. To this end, four strategic objectives have been identified:

- Moralizing public life (by combating corruption and related offences, promoting transparency in the management of public affairs, etc.);
- Strengthening social cohesion and coexistence (by promoting transparency in the management of public affairs, ensuring fair representation of the regions in appointments and recruitment, etc.);
- Protecting and transparently managing heritage and natural and mineral resources (by ensuring transparency in the exploitation and sustainable management of natural and mineral resources, etc.);

- Ensuring territorial indivisibility (by making sure that the regions take a proper part in the governance of the Central African Republic, as well as by strictly complying with the rules applying to the issuing of civil status documents, etc.).

79. As things stand, it will not be possible to discuss results or take stock of the situation until the National Good Governance Strategy comes into force in 2024.

Trafficking in persons, forced labour and child soldiers

Reply to paragraph 23 of the list of issues

80. It has not been possible unfortunately to obtain any official statistics from the courts in this respect.

Reply to paragraph 24 of the list of issues

81. The armed conflict that has affected the Central African Republic for a number of years has had multiple consequences for thousands of children, who have been recruited by and involved in the crimes of the armed groups that operate in most areas of the country.

82. Several thousand more children are deprived of their right to education, as schools and hospitals have been vandalized, looted and destroyed by rebels.

83. Those responsible for recruiting and using minors during armed conflicts have never been brought to justice for their actions, due to the lack of adequate legislative provisions.

84. By ratifying the Optional Protocol, the Government undertook to introduce all the necessary legislative and regulatory measures to:

- Prohibit and punish the perpetrators of the recruitment and use of children in armed conflict;
- Recognize such children as victims and not as perpetrators of crimes and offences committed under the influence of these armed groups, in accordance with the Paris Principles (2007), to which the Central African Republic is a party;
- Establish a procedure to protect and discharge children brought before the courts, in accordance with the Paris Principles and other international protocols to which the country has adhered;
- Ensure that children released from armed groups receive the necessary support to facilitate their reintegration into their communities.

85. To ensure the implementation of the Optional Protocol and thus provide better protection for children involved in conflict, the Ministry of Justice and Human Rights and the Ministry for the Advancement of Women, the Family and the Protection of Children are working with the technical support of MINUSCA and the United Nations Children's Fund (UNICEF) to produce a memorandum of understanding on the care of children who have escaped from armed groups or been arrested at the front by the defence and security forces for transfer to child protection partners. In June 2019, the relevant ministerial departments, in collaboration with the Child Protection Section and the Communications and Public Information Section of MINUSCA, organized a workshop to raise awareness, among those involved in implementing the Optional Protocol, of the involvement of children in armed conflict and of the memorandum of understanding. An ad hoc committee is carrying out consultations with a view to drafting a bill to criminalize the recruitment of child soldiers.

86. So far, a few armed groups have agreed to remove recruited children from their ranks, with the assistance of MINUSCA, as part of the campaign to stop the recruitment of children.

Refugees, asylum seekers and displaced persons

Reply to paragraph 25 of the list of issues

87. In order to deal with the situation, on 19 May 2017, the Ministry of Humanitarian Action and National Reconciliation, with the assistance of the World Bank, launched the project to support communities affected by displacement, with US\$ 28 million worth of funding. The objective is to allow them better access to basic services, local infrastructures and social safety nets (for cash transfers). The project follows a multidimensional approach to the support for displaced persons. Structured around three components, it offers a broad range of services that improve the living conditions of displaced households and their host communities, while paving the way for an intensification of economic activity and the reduction of poverty, which is one of the Government's priorities.

88. Regarding return perspectives, the Government, with the support of the United Nations High Commissioner for Refugees (UNHCR), launched the support project for return and resettlement in the Central African Republic, with a view to speeding up the return and resettlement of interested displaced persons.

89. The project is being implemented in stages, with an initial focus on internally displaced persons living on private premises in Bangui. These displaced persons, who are practically all living on private or church properties, are constantly under the threat of being evicted, while the displaced persons themselves are seeking the help of either the authorities, humanitarian outfits or development organizations to return to their homes.

90. This particular project, which is entirely aimed at assisting the return and resettlement of displaced persons, with the backing of sustainable solutions, is gradually starting to bear fruit, in the form of:

- Reception and assistance for the voluntary return of displaced persons to their home environment, in secure and dignified conditions, with particular care for vulnerable persons;
- A regulatory framework as a basis for sustainable solutions, ensuring that the rights of displaced persons are respected in conformity with the Kampala Convention;
- The gradual resettlement and reintegration of the displaced persons in their home environment, with support for action to rebuild and rehabilitate basic social infrastructures;
- Government activities to promote social cohesion and peaceful coexistence in return areas, focusing on the restitution of housing, land and property.

91. Lastly, the Central African Republic, in accordance with the African Union Convention on the Protection and Assistance of Internally Displaced Persons in Africa, has adopted a national policy for the protection and assistance of internally displaced persons in Central Africa.

92. There are several other legislative texts that deal with the condition of refugees in Central Africa, such as:

- Decree No. 68/279 of 15 November 1968 governing the terms of issue of identity cards and travel documents to refugees in the Central African Republic;
- Decree No. 83.278 of 14 June 1983 on the organization and functioning of the National Commission for Refugees in the Central African Republic;
- Order No. 16/MIAT/CAB/SGCNR of 27 October 1987 on the establishment of the subcommission on eligibility within the National Commission for Refugees;
- Order No. 010/NSPAT/SE/CAB/SG/SP of 22 August 1990 on the establishment of the subcommission for assistance and determination of refugee status in the National Commission for Refugees.

Freedom of religion

Reply to paragraph 26 of the list of issues

93. Muslim populations are not the only displaced persons in the country. Without exception, all the areas controlled by the armed groups have been abandoned by their traditional occupants. For example, on 21 May 2019, in Ouham-Pendé, members (mainly Muslim) of the armed group “retour, réclamation et réhabilitation” in the course of a cowardly attack killed 39 innocent civilians and caused the displacement of some 12,000 people.

94. Absolutely all places of worship are affected by the disturbances, despite the fact that freedom of worship and movement and equal access to public services for all are guaranteed under the Constitution.

95. After the disturbances that began in 2013, the Government encouraged and supported the establishment of an interreligious group made up of the three leading religious figures of Central Africa, cardinal Dieudonné Nzapalainga, Imam Oumar Kobine Layama, and Pastor Nicolas Guérékoyaméné-Gbangou, who jointly rejected the idea of the religious causes of the conflict that undermines the Central African Republic. The group’s objective is to prove that peaceful coexistence between Christians and Muslims is possible in the country and that religion is merely used as a tool by the armed groups.

Freedom of expression and the protection of journalists

Reply to paragraph 27 of the list of issues

96. The investigation into last year’s murder of the Russian journalists Orkhan Jemal, Alexandre Rastorgouev and Kirill Radtchenko has continued. It is being conducted by the Central African judicial authorities, in conjunction with the Commission of Inquiry of the Russian Federation. On 6 June 2019, at a meeting between the head of Central African diplomacy, Sylvie Baïpo-Temon, and the Russian Foreign Affairs Minister, Sergueï Lavrov, on the occasion of the 23rd Saint Petersburg International Economic Forum, the need was raised to pursue the investigation more vigorously, for which the Central African Ministry of Justice and Human Rights requested legal aid. On 26 July 2019, the Attorney-General’s Office published a communique, according to which satisfactory progress had been made and that the results would shortly be made public.

97. On the other hand, the Camille Lepage case has made very little headway, on account in particular of the difficulties the investigators are confronted with in their efforts to visit the scene of the crime owing to the prevalent insecurity. Earlier on the initial proceedings had been interrupted because of the Anti Balaka prosecutions. New proceedings concerning only the murder of Camille Lepage have now been opened.

98. A Ministry of Justice bill on the protection of human rights defenders is currently reaching its final stages.

99. A workshop has recently been opened by the Higher Council for Communication with the purpose of reviewing Order No. 05.002 of 22 February 2005 on press freedom in the Central African Republic in order to further strengthen press freedom and the protection afforded to journalists in the performance of their professional duties.

Indigenous populations

Reply to paragraph 28 of the list of issues

100. In August 2010, the Central African Republic ratified the Indigenous and Tribal Peoples Convention No. 169 (C 169) of the International Labour Office, thereby becoming the first African state and the 22nd in the world to do so. This ratification, coupled with the vote in favour of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) and other national measures, reflected the political determination of the Central

African Republic to lend a new dynamic to the promotion and protection of the rights of indigenous peoples.

101. In the same spirit, the Government, with the support of the United Nations Population Fund (UNFPA) and ILO, developed the project known as support for the promotion of the rights of indigenous peoples in Central Africa, financed by the secretariat of the United Nations Indigenous Peoples' Partnership (UNIPP) and the regular UNFPA Central African Republic fund. The general aim of the project is to enhance the indigenous peoples' enjoyment of their rights under international treaties. Action is planned in three main areas:

- Engaging legal and institutional reforms to incorporate issues related to indigenous peoples in legal texts currently undergoing review or development (such as the Forestry Code, the Private and State-owned Land Code, the Town Planning Code, the Act on Violence against Women, the Family Code, the Reproductive Health Act (also known as the Bangayassi Act), etc.);
- Strengthening the capacities of those dealing with indigenous issues (through the development of tools such as informing and educating the public and publicizing the rights of indigenous peoples);
- Strengthening indigenous peoples' rights to reproductive health services and protection against sexual violence, against the backdrop of a widespread HIV epidemic, and protection against all forms of discrimination.

102. Considerable progress has been achieved thanks to this project, particularly in such areas as combating discrimination against indigenous peoples, improving their representation and the part they play in public affairs, or taking their situation into account in the relevant legislation.

Dissemination of information relating to the Covenant and its Optional Protocols

Reply to paragraph 29 of the list of issues

103. The Government will obviously be present when the report is considered by the Committee.

Later it is planning to:

- Hold a restitution workshop for all those concerned;
- Launch a caravan campaign of awareness to the Covenant throughout the country with MINUSCA's help.

104. The present report has been jointly prepared and coordinated by the Ministry of Justice and Human Rights, through the National Committee for the Drafting of Human Rights Reports in accordance with human rights obligations. The Committee is made of representatives of ministerial departments, trade union federations, the National Assembly, non-governmental organizations for the defence of human rights (Central African Human Rights League, Association of Women Lawyers, the Bar, etc.) as well as other civil society bodies representing young people (National Youth Council), women (Central African Women's Organization), disabled persons (National Organization of Disabled Persons), etc.

105. The report went through the following stages:

- Collection of information and data with the assistance of the staff of the National Commission for Human Rights and Fundamental Freedoms;
- Preparation of the draft report by the National Committee;
- Consideration and adoption of the draft report by the Cabinet of the Ministry of Justice and Human Rights.