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**Working Group on the Universal Periodic Review**  
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## Central African Republic

### Compilation of information prepared by the Office of the United Nations High Commissioner for Human Rights

#### I. Background

1. The present report was prepared pursuant to Human Rights Council resolutions 5/1 and 16/21, taking into consideration the outcome of the previous review.<sup>1</sup> It is a compilation of information contained in relevant United Nations documents, presented in a summarized manner owing to word-limit constraints.

#### II. Scope of international obligations and cooperation with human rights mechanisms

2. The Independent Expert on the situation of human rights in the Central African Republic noted that, with regard to the universal periodic review, the country had not submitted a mid-term report and had not adopted a national plan for the implementation of recommendations.<sup>2</sup> He also noted shortcomings in the implementation of the recommendations of the universal periodic review and the treaty bodies.<sup>3</sup>

3. According to the Independent Expert, the country should adopt a long-term development strategy that includes policies to implement the recommendations of the universal periodic review and other international mechanisms.<sup>4</sup>

4. The United Nations country team encouraged the Central African Republic to ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty.<sup>5</sup>

5. The Office of the United Nations High Commissioner for Refugees (UNHCR) recommended acceding to the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention relating to the Reduction of Statelessness.<sup>6</sup>

#### III. National human rights framework

##### 1. Constitutional and legislative framework

6. Bearing in mind the initiatives to change the Constitution, the Secretary-General expressed concern about the deepening political polarization and reiterated the need to create an environment conducive to an open and meaningful dialogue and an inclusive political process.<sup>7</sup>



7. The United Nations country team called for improvements to be made to the national legal framework in the area of human rights and for the Central African Republic to accede to core international instruments.<sup>8</sup>

## **2. Institutional infrastructure and policy measures**

8. The United Nations country team noted that national policy on human rights had been developed using a participatory and inclusive approach.<sup>9</sup>

9. The United Nations country team noted that several institutions lacked adequate budgets, appropriate premises and sufficient permanent administrative staff to fully carry out their mandates. It recommended that the Central African Republic give more adequate support to national institutions.<sup>10</sup>

10. The Human Rights Committee welcomed the adoption of the act, in 2017, establishing the National Commission on Human Rights and Fundamental Freedoms. However, it regretted that the Commission was still inactive.<sup>11</sup> The Committee recommended effectively disbursing the resources allocated to the Commission in order to enable it to discharge its mandate effectively and independently, providing the Commission with offices and with effective means of operating throughout the national territory, and bringing the Commission into compliance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles).<sup>12</sup>

11. The United Nations High Commissioner for Human Rights urged strong investment by the Government in the health and education systems.<sup>13</sup> The Independent Expert recommended drawing up a national plan for the reconstruction, rehabilitation and equipping of road, school, hospital, judicial and prison infrastructure.<sup>14</sup>

12. The Independent Expert highlighted the absence of significant developments in the implementation of the Political Agreement for Peace and Reconciliation, signed in 2019.<sup>15</sup> He recommended that the Central African Republic revitalize the process of implementing the Luanda Agreement and the Luanda joint road map, commit to the 217 recommendations of the republican dialogue by taking concrete political measures to encourage other actors in the conflict to respect their commitments, and speed up security sector reforms by strengthening the training of defence and security forces.<sup>16</sup>

## **IV. Promotion and protection of human rights**

### **A. Implementation of international human rights obligations, taking into account applicable international humanitarian law**

#### **1. Equality and non-discrimination**

13. The Human Rights Committee and the United Nations country team were concerned about the lack of a comprehensive anti-discrimination law.<sup>17</sup> The United Nations country team recommended the adoption of a comprehensive anti-discrimination law covering all forms of discrimination, including discrimination on the grounds of ethnicity and religion.<sup>18</sup>

14. The United Nations country team was concerned about the stigmatizing discourse directed at certain ethnic and religious minorities, which associated them with armed groups or political organizations and had resulted in acts of violence, intimidation and threats, as well as the denial of certain rights, including that of access to identity documents for these minorities.<sup>19</sup> The United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic (MINUSCA) and the Office of the United Nations High Commissioner for Human Rights (OHCHR) noted that such statements are often made by political or community leaders in political debates broadcast on certain media and on social networks.<sup>20</sup>

15. MINUSCA and OHCHR recommended that the Central African Republic initiate appropriate legislative reforms to strengthen legal mechanisms, including regulations on social networks and new online technologies, in order to better protect communities against the impact of hate speech, ensuring the incorporation of a gender perspective. They also

recommended equipping the National Commission on Human Rights and Fundamental Freedoms and the High Council for Communication with sufficient resources to deal with the problem of incitement to hatred and violence and to guarantee a free press and other media, promote tolerance and cohesion between communities without discrimination, and provide national institutions with sufficient resources to implement the National Plan for the Prevention of Incitement to Hatred and Violence.<sup>21</sup> The Independent Expert recommended ensuring that political and judicial bodies respond swiftly to hate speech.<sup>22</sup>

16. The Independent Expert reported that arbitrary arrests and unlawful detentions were largely targeted at Muslim Fulani communities considered to be complicit with armed groups.<sup>23</sup>

17. The United Nations country team recommended that the Central African Republic ensure that all victims of discrimination are aware of, and have access to, existing civil and administrative remedies, and benefit from sufficient institutional and legal protection.<sup>24</sup>

## **2. Right to life, liberty and security of person, and freedom from torture**

18. The High Commissioner, the Independent Expert and the United Nations country team welcomed the law abolishing the death penalty, adopted in 2022.<sup>25</sup>

19. The Independent Expert and the United Nations country team provided information about serious human rights violations, abuses and breaches of international humanitarian law, attributed to armed groups that were signatories to the Political Agreement for Peace and Reconciliation, and to national security forces and other security personnel, which included killings of children, summary executions, extrajudicial killings, mutilations, torture or ill-treatment, conflict-related sexual violence including rapes, acts of intimidation, destruction of homes, threats, and extortion.<sup>26</sup>

20. The Secretary-General called upon all parties to stop the violence.<sup>27</sup> The Human Rights Committee recommended disarming and demobilizing armed groups, and ensuring that allegations of extrajudicial killings and other serious human rights violations were investigated and that all perpetrators, regardless of their affiliation, were prosecuted and punished in proportion to the gravity of the acts; and enabling the victims to know the truth and obtain reparation.<sup>28</sup> The High Commissioner called upon the Government to adopt practical measures to prevent those serious violations and to provide comprehensive care for victims.<sup>29</sup>

21. The Human Rights Committee was concerned at the lack of information on the number of prosecutions and convictions for acts of torture. It recommended amending domestic laws to include a definition of torture consistent with the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; ensuring that confessions made under torture were inadmissible in criminal proceedings; strengthening the training of justice, defence and security officials; ensuring that alleged acts of torture or ill-treatment were investigated, and that suspected perpetrators were prosecuted and, if found guilty, duly punished; and establishing a national mechanism for the prevention of torture, in line with the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.<sup>30</sup>

22. The Human Rights Committee was concerned at reports that the statutory time limits for police custody and pretrial detention were not observed in practice and that judges and prosecutors rarely visited places of deprivation of liberty. It recommended bringing the law into line with the International Covenant on Civil and Political Rights and guaranteeing that persons in police custody or pretrial detention were informed of their rights and were afforded fundamental legal safeguards, in particular the right of access to a lawyer.<sup>31</sup>

23. The Human Rights Committee recommended that the Central African Republic step up its efforts to ascertain the facts in cases involving reprisals or killings for witchcraft or charlatanism.<sup>32</sup>

24. The Human Rights Committee was concerned about the inadequate conditions of detention in those places under the country's control. It recommended improving detention conditions, and ensuring that prisoners were separated by category, in accordance with the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela

Rules); addressing prison overcrowding, in particular by establishing a policy of using alternatives to deprivation of liberty, especially for women accused of charlatanism or witchcraft; and renovating existing detention centres and building new ones.<sup>33</sup>

25. The Independent Expert recommended training and equipping the criminal investigation police to conduct preliminary investigations; setting up rehabilitation programmes; and giving priority to non-custodial measures, including for children in conflict with the law.<sup>34</sup>

26. The Independent Expert expressed concern that many areas of the north-west were riddled with mines and explosive devices, causing fatal accidents that sometimes involved children.<sup>35</sup>

### **3. International humanitarian law**

27. The United Nations country team noted that 56 per cent of the population required humanitarian assistance and protection.<sup>36</sup> In 2023, the Independent Expert noted that the number of people requiring humanitarian aid was 10 per cent higher than in 2022.<sup>37</sup>

28. MINUSCA and OHCHR reported that members of armed groups had attacked, looted and threatened humanitarian organizations and actors, and that these incidents had restricted access to humanitarian assistance for vulnerable civilian populations.<sup>38</sup> The United Nations country team expressed concern about attacks on humanitarian convoys and the dilapidated state of infrastructure, which made it difficult to access certain areas.<sup>39</sup>

### **4. Administration of justice, including impunity, and the rule of law**

29. The High Commissioner highlighted the pervasive impunity in the country, including an absence of judicial authorities and the lack of a functioning judicial system.<sup>40</sup>

30. The Human Rights Committee regretted that allegations of corruption in the judiciary had not been addressed. It recommended fighting corruption within the judiciary, including by reforming the Supreme Council and by strengthening procedures for shielding judges and prosecutors from any form of interference or corruption; ensuring, in practice, that judges and prosecutors had security of tenure; and investing in mobile justice systems.<sup>41</sup>

31. The Independent Expert recommended undertaking a thorough reform of the system of administration of justice, and establishing or operationalizing oversight and accountability mechanisms.<sup>42</sup> The Secretary-General considered it critical to improve the functioning of the courts outside Bangui to guarantee equal access to justice for all.<sup>43</sup> The United Nations country team recommended that the Central African Republic expedite the investigation and trial of persons suspected of committing human rights violations, and ensure that all victims and their families receive full reparation for the violations suffered.<sup>44</sup>

32. The Independent Expert found it regrettable that the Special Criminal Court and the Truth, Justice, Reparation and Reconciliation Commission were not specifically endowed with a reparations fund for victims.<sup>45</sup> He recommended that the Central African Republic ensure the effective functioning of the Commission by providing it with appropriate resources and a permanent headquarters, and that the mechanisms for combating impunity be endowed with funds to provide reparations to victims.<sup>46</sup>

33. The United Nations country team recommended that the Central African Republic ensure that the Special Criminal Court has sufficient resources to carry out its mandate.<sup>47</sup> The Human Rights Committee recommended ensuring, including through international cooperation, that the international judges of the Special Criminal Court took up their posts expeditiously; and mainstreaming the gender dimension throughout the transitional justice process.<sup>48</sup>

34. The Independent Expert recommended ensuring the necessary collaboration between judicial and non-judicial bodies in combating impunity;<sup>49</sup> he also encouraged the Special Criminal Court and the Truth, Justice, Reparation and Reconciliation Commission to expedite the adoption of their memorandum of understanding on collaboration,<sup>50</sup> and recommended that the Central African Republic guarantee the protection of victims and witnesses against reprisals.<sup>51</sup>

35. The Independent Expert recommended that the courts of appeal in Bangui, Bambari and Bouar hold criminal hearings and that the military courts resume their operations. He also recommended that the Central African Republic provide the Joint Unit for Rapid Intervention and Suppression of Sexual Violence against Women and Children with adequate resources to carry out its mission throughout the country.<sup>52</sup>

36. The Human Rights Committee recommended prohibiting any amnesty for gross violations of international human rights law and serious violations of international humanitarian law; and strengthening vetting processes to prevent those accused of violations of the International Covenant on Civil and Political Rights from holding public office or being promoted.<sup>53</sup>

## **5. Fundamental freedoms and the right to participate in public and political life**

37. The Human Rights Committee was concerned that freedom of movement of individuals belonging to minorities was restricted, particularly in areas controlled by ex-Séléka and anti-balaka militias. It recommended guaranteeing that freedom of religion and belief could be effectively exercised in practice, in accordance with the International Covenant on Civil and Political Rights; and combating violence against any religious community, in particular by providing the High Council for Communication with the necessary tools and expertise to carry out its monitoring role.<sup>54</sup>

38. The Independent Expert noted that the rise in political tensions engendered by the proposed constitutional referendum was accompanied by a shrinking of civic space, characterized by intimidation, threats and repression directed at civil society, the media and opposition parties.<sup>55</sup>

39. The United Nations country team recommended that the Central African Republic take the necessary measures to ensure a free civic space and participation in democratic debate for all.<sup>56</sup>

40. The Human Rights Committee recommended developing comprehensive gender- and age-sensitive legislation and policies to protect human rights defenders; and investigating, prosecuting and sentencing those responsible for harassment, threats or intimidation against journalists or human rights defenders.<sup>57</sup> The United Nations Educational, Scientific and Cultural Organization (UNESCO) urged the country to investigate the cases of killed journalists.<sup>58</sup>

41. UNESCO recommended decriminalizing defamation and placing it within the Civil Code in accordance with international standards.<sup>59</sup>

42. According to the Independent Expert, the constitutional referendum had led to the suspension of local elections.<sup>60</sup> He recommended that the Central African Republic promptly establish a new schedule for these elections and mobilize the resources needed to organize them.<sup>61</sup>

43. Against the backdrop of the elections, MINUSCA documented violations of freedom of movement, obstacles to voter registration, freedom of expression and the right to information, infringement of the freedom of peaceful assembly and discrimination.<sup>62</sup>

## **6. Prohibition of all forms of slavery, including trafficking in persons**

44. The Human Rights Committee was alarmed at allegations that children were used as sex slaves or as workers in the mining sector. It recommended that the Central African Republic prevent, combat and punish contemporary forms of slavery, forced labour and human trafficking by strictly enforcing the provisions of the Criminal Code.<sup>63</sup>

45. The same Committee was concerned about allegations that some Mbororo and Baka individuals had been reduced to slavery. It recommended adopting a national strategy to promote the rights of Indigenous Peoples, with a view to eradicating practices involving the enslavement of Indigenous populations.<sup>64</sup>

## 7. Right to work and to just and favourable conditions of work

46. The United Nations country team found that employment policies based on a human rights approach had not yet been developed. It reiterated its recommendation to amend article 252 of the Labour Code to combat occupational segregation and gender stereotyping, and to incorporate the ILO Violence and Harassment Convention, 2019 (No. 190) into national law in order to foster women's development in the labour market.<sup>65</sup>

47. According to the Independent Expert, the expansion of the informal sector partly resulted from the lack of professionally qualified young people and their inability to find work, which pushed them towards joining armed groups or entering into an early marriage.<sup>66</sup> He recommended that the Central African Republic set up vocational training programmes for young people and women, with priority being given to courses in agriculture and new technologies, and that incentives, including tax incentives, be used to encourage youth entrepreneurship.<sup>67</sup>

48. The Committee of Experts on the Application of Conventions and Recommendations of the International Labour Organization (ILO) requested that the Central African Republic provide labour inspectors with the means necessary for the effective performance of their duties.<sup>68</sup>

## 8. Right to social security

49. The United Nations country team recommended that, as part of the national policy on social protection currently being drawn up, the Central African Republic develop and establish a sustainable mechanism to protect populations against food insecurity and a multisectoral programme to prevent chronic malnutrition.<sup>69</sup>

## 9. Right to an adequate standard of living

50. The Independent Expert and the United Nations country team expressed concern about the high poverty rate and pointed out that the Central African Republic ranked 188th out of 191 countries on the human development index of the United Nations Development Programme.<sup>70</sup>

51. The Independent Expert expressed his concern about the population's access to water, hygiene, sanitation, food security and health.<sup>71</sup>

52. According to UNHCR, conflict-affected communities often lived in dire conditions, with a lack of basic hygiene services and no electricity, being unprepared for floods, windstorms, and other potential climatic shocks.<sup>72</sup>

53. The World Food Programme noted that almost half of the population remained food-insecure.<sup>73</sup> The Secretary-General further noted that three out of five people in the Central African Republic did not have access to safe drinking water and sanitation, with 2.7 million in an emergency or crisis situation, 641,500 at risk of starvation, and 40 per cent of children suffering from chronic malnutrition.<sup>74</sup>

54. UNHCR noted that many individuals did not have title deeds to prove ownership of their land or dwellings. Women suffered from discriminatory ownership and inheritance practices that often resulted in their eviction from their homes.<sup>75</sup> UNHCR recommended adopting a legal framework relating to land ownership and eviction.<sup>76</sup>

55. According to UNHCR, survival sex was a reality due to the extreme poverty and marginalization to which forcibly displaced women and girls were particularly exposed.<sup>77</sup>

## 10. Right to health

56. The United Nations country team noted that significant progress had been made in the health sector. However, it remained concerned about the high rate of HIV. It recommended that the Central African Republic ensure the effective implementation of the law on HIV, incorporate the law into training programmes in key sectors, and strengthen the national prevention and protection system throughout the country.<sup>78</sup>

57. In view of allegations of recourse to clandestine unsafe abortions, the Human Rights Committee recommended amending the legislation to guarantee effective access to safe, legal abortion when the life or health of a pregnant woman or girl was endangered and when carrying a pregnancy to term would cause the woman or girl substantial pain or suffering, when the pregnancy was the result of rape or incest or when it was not viable; and ensuring that women and girls who had recourse to abortion and the doctors who attended to them were not subject to criminal penalties.<sup>79</sup>

## **11. Right to education**

58. Despite the progress made, the United Nations country team noted that children did not have access to free education throughout the country and that such access was hindered by the use and recruitment of children, the occupation of schools by parties to the conflict and the use of children in mining activities.<sup>80</sup>

59. The High Commissioner noted a critical lack of qualified teachers and inadequate school facilities.<sup>81</sup> The Independent Expert recommended that the Central African Republic mobilize the necessary resources to revive the education sector by rebuilding and rehabilitating school infrastructure.<sup>82</sup>

60. UNESCO encouraged the Central African Republic to enshrine education as a universal right in both the constitutional and the legislative framework, to standardize laws on compulsory schooling, to explicitly guarantee 12 years of free primary and secondary education, to introduce at least one year of free and compulsory pre-primary education, and to pursue efforts to ensure schooling for children and young people, including at the secondary level.<sup>83</sup>

61. The ILO Committee of Experts urged the Government to intensify its efforts to improve the functioning of the education system in the country and to facilitate access to free basic education for all children, including girls and in areas affected by conflict.<sup>84</sup>

62. The United Nations country team recommended that the Central African Republic take measures to reduce dropout rates among children from disadvantaged, rural or vulnerable backgrounds, to reduce school fees and improve the quality of education, and to promote the enrolment of girls in school.<sup>85</sup>

## **12. Development, the environment, and business and human rights**

63. The Independent Expert noted reports of a multinational company that financed armed groups in the country and had a tacit security agreement with an armed group. He recalled that all companies, national and international, were expected to operate in accordance with the Guiding Principles on Business and Human Rights, and that the obligation was also incumbent on the State in which the companies operated.<sup>86</sup>

64. The United Nations country team noted the low level of involvement of local communities in the conclusion of contracts relating to natural resource management, and the involvement of actors such as armed and paramilitary groups in the exploitation of such resources. It recommended that the Central African Republic prevent armed actors from becoming involved in the activities concerned and encourage the participation of communities by holding consultations prior to the conclusion of contracts that unquestionably had a social and environmental impact on their living environment.<sup>87</sup>

65. The Independent Expert recommended that the Central African Republic put an end to the illegal exploitation of natural resources by reorganizing the natural resource exploitation sector, including at the governance level, and reorganizing the allocation of exploitation permits and the redistribution of revenue from exploitation activities to fund development programmes.<sup>88</sup>

## **B. Rights of specific persons or groups**

### **1. Women**

66. While noting the multisectoral policy to protect women's rights, the United Nations country team remained concerned about the obstacles to gender equality and the persistence of harmful traditional practices, particularly in the Vakaga, Bamingui-Bangoran and Haute-Kotto prefectures.<sup>89</sup>

67. The Independent Expert noted that women of the Central African Republic faced domestic violence and accusations of witchcraft and discrimination and that their access to justice remained limited.<sup>90</sup> The Secretary-General noted the more than 100 per cent increase in the number of cases of gender-based violence recorded in 2022, compared with 2021.<sup>91</sup>

68. The Independent Expert was concerned at conflict-related sexual violence, and that the lack of investigating judges had resulted in a large backlog of cases and a small percentage of enforced decisions.<sup>92</sup>

69. The United Nations country team recommended that the Central African Republic prevent and combat all forms of violence against women by establishing marital rape, forced marriage, early marriage and female genital mutilation as offences. It also recommended mainstreaming the prevention of violence against women in all sectors, including national security, political life and the workplace, combating impunity for harmful traditional practices and protecting victims.<sup>93</sup>

70. The United Nations country team noted that the normative framework contained numerous discriminatory provisions against women.<sup>94</sup>

71. The Human Rights Committee recommended intensifying efforts to combat entrenched patriarchal attitudes and gender role stereotypes, which were conducive to serious violations against women and girls; repealing all provisions, including those of the Family Code and the Criminal Code, that were conducive to violations of the integrity of women and girls, in particular article 105 of the Criminal Code; strengthening the capacity of the Joint Unit for Rapid Intervention and Suppression of Sexual Violence against Women and Children to ensure that all cases of sexual violence, including child marriage and female genital mutilation, were investigated and that suspected perpetrators were brought to justice and, if found guilty, punished; raising awareness among the population, especially traditional and religious leaders, of the harmful long-term consequences of violence against women and girls; expediting the training of judges and prosecutors, including those of the Special Criminal Court, and of law enforcement officers; and establishing a reliable system for the collection of disaggregated statistical data on violence against women and harmful practices.<sup>95</sup>

72. UNHCR recommended adopting a legal aid law to provide legal assistance to victims of crime lacking resources for legal representation, including survivors of sexual violence; and developing and effectively implementing a national strategy to combat and respond to sexual violence, including conflict-related sexual violence.<sup>96</sup>

73. The Independent Expert recommended that the Central African Republic implement laws and programmes to promote the advancement of women, their participation in decision-making processes, their empowerment, and gender parity in institutions and in access to justice,<sup>97</sup> while the United Nations country team recommended that the Central African Republic set up a mechanism to operationalize the law on parity.<sup>98</sup> The Human Rights Committee recommended sensitizing the public in order to combat gender stereotypes.<sup>99</sup>

### **2. Children**

74. The Secretary-General noted grave violations against children, including the recruitment and use of children, killing, maiming, rape, abduction and the denial of humanitarian access. He stressed that in 2022, children had accounted for 50 per cent of civilian victims of explosive remnants of war, compared with 6 per cent in 2021.<sup>100</sup> The Independent Expert noted that the perpetuation of the conflict had made life more precarious



for children, and that the Central African Republic was among the 10 countries where children were most affected by climate change.<sup>101</sup>

75. The High Commissioner noted that the lack of health care had led to very high rates of child mortality; and that children, especially girls, were subjected to deplorable acts of conflict-related sexual violence.<sup>102</sup> The Independent Expert recommended taking specific measures to give effect to the Child Protection Code provisions on the prohibition and punishment of the recruitment and use of children in hostilities, the prohibition of forced and early marriage, and the fight against trafficking in persons, especially women and children.<sup>103</sup>

76. The Human Rights Committee recommended that the Central African Republic expedite measures to disarm and demobilize armed groups and to reunite children with their families, while ensuring the best interests of these children; and eliminate all forms of exploitation of child labour, particularly in the extractive industries.<sup>104</sup> The ILO Committee of Experts urged the Government to step up efforts for the rehabilitation and social integration of those children; and requested the Government to ensure that all children removed from armed groups and from the armed forces benefited from reintegration programmes.<sup>105</sup>

77. The ILO Committee of Experts urged the Government to ensure that all persons, including members of the regular armed forces, who recruited children for use in armed conflict, were thoroughly investigated and prosecuted, and that sufficiently effective and dissuasive penalties were imposed in practice, particularly within the framework of national jurisdictions and the Special Criminal Court.<sup>106</sup>

78. The United Nations country team noted that the national child protection policy was still pending validation. It was also concerned about the functioning of the justice system, which was not in line with the Child Protection Code. It recommended that the Central African Republic expedite the adoption of the national policy once it had been updated, bring the Criminal Code into line with the Child Protection Code, strengthen the technical and operational capacities of protection officers, and set up a body of social workers.<sup>107</sup>

### **3. Older persons**

79. The United Nations country team recommended that the Central African Republic ensure closer monitoring of prosecutions for witchcraft, which mainly involved older women.<sup>108</sup>

### **4. Persons with disabilities**

80. The United Nations country team found it regrettable that disability was not mainstreamed in sectoral policies and strategies and that persons with disabilities were not included in decision-making bodies. It also noted that insufficient and inadequate account was taken of the situation of children with disabilities, who had difficulty accessing education, rehabilitation, care and leisure. It recommended that the Central African Republic implement a national policy and a specific strategy to guarantee the dignity, autonomy and participation of persons with disabilities throughout the country, and that specific provisions on the care of children with disabilities be incorporated into the national child protection policy.<sup>109</sup>

### **5. Indigenous Peoples and minorities**

81. The Human Rights Committee was concerned about reports that Mbororo and Baka Indigenous communities continued to face significant obstacles to the enjoyment of their rights. The Committee recommended adopting a national strategy to promote and protect the rights of Indigenous populations, promoting their participation in public affairs, and obtaining their free, prior and informed consent with regard to all decisions affecting them.<sup>110</sup>

### **6. Migrants, refugees and asylum-seekers**

82. The High Commissioner noted the high number of refugees and asylum-seekers and stated that the situation had severe social repercussions. More than 72 per cent of refugees were reportedly requiring psychological, material and financial support.<sup>111</sup>

83. The Independent Expert recommended that the authorities work promptly for the safe, dignified and sustainable voluntary return of displaced persons and refugees and ensure effective coordination among United Nations agencies and humanitarian organizations to prevent insecurity among internally displaced persons and refugees.<sup>112</sup>

## 7. Internally displaced persons

84. The Secretary-General stressed that violence had continued to trigger displacement: one out of five people in the country was either internally displaced or a refugee.<sup>113</sup> UNHCR and the United Nations country team noted the lack of an appropriate domestic legal framework to effectively protect internally displaced persons, and challenges in ending the forced displacement of its population. They recommended incorporating the provisions of the Kampala Convention into national legislation; promoting knowledge of the Convention among all actors concerned; and ensuring that all relevant public authorities, including armed and security forces, were fully informed of their obligations, and were instructed to facilitate the freedom of movement and residence of internally displaced persons and the rapid and unimpeded access of humanitarian organizations to internally displaced persons.<sup>114</sup>

85. The Human Rights Committee recommended developing and adopting a legal framework and a national strategy for assisting and protecting internally displaced persons in accordance with the relevant international standards; and creating conditions that were conducive to sustainable solutions for displaced persons and stateless refugees, including their voluntary and safe return.<sup>115</sup>

86. The High Commissioner affirmed that it was of the utmost importance to ensure adequate shelter and food, and access to clean water and sanitation facilities, for internally displaced persons.<sup>116</sup>

87. UNHCR recommended ensuring that the displaced population and returning refugees could access their abandoned housing or were compensated for property destroyed during the conflict; expanding data collection efforts to obtain information on the needs of internally displaced persons in sites; expanding aid to internally displaced persons seeking safety outside displacement sites; and updating the durable solutions strategy.<sup>117</sup>

## 8. Stateless persons

88. The United Nations country team noted that a national action plan for the eradication of statelessness had been adopted. However, it remained concerned about the situation of certain groups, such as the Mbororo, who faced increased risks of statelessness, and about the destruction of the majority of civil registry centres as a result of the conflict, combined with the centralization of document issuance procedures in Bangui, which did not facilitate access to administrative documents.<sup>118</sup>

89. UNHCR noted that, during past election registrations, over 60 per cent of the population were found not to have identity documents.<sup>119</sup>

90. According to the Independent Expert, the effective implementation of the Child Protection Code was the key to resolving the challenges of birth registration and delayed registration and particular attention should be paid, through the adoption of a rights-based approach, to the issuance of identity documents for the Fulani and Muslim communities.<sup>120</sup>

91. UNHCR recommended amending the Nationality Code to comply with international standards on the prevention and reduction of statelessness; establishing a national legal framework for the protection of stateless persons, in accordance with the 1954 Convention; and reinforcing civil registration centres, and decentralizing document issuance procedures to enable undocumented nationals to reconstitute civil registration documents.<sup>121</sup> The Human Rights Committee recommended facilitating birth registration, including by raising public awareness.<sup>122</sup>

### Notes

<sup>1</sup> [A/HRC/40/12](#), [A/HRC/40/12/Add.1](#) and [A/HRC/40/2](#).

- <sup>2</sup> A/HRC/51/59, para. 44.
- <sup>3</sup> A/HRC/54/77, para. 70.
- <sup>4</sup> Ibid., para. 85.
- <sup>5</sup> United Nations country team submission for the universal periodic review of the Central African Republic, para. 16.
- <sup>6</sup> UNHCR submission for the universal periodic review of the Central African Republic, p. 5.
- <sup>7</sup> S/2023/108, para. 82. See also <https://www.ohchr.org/en/press-releases/2023/08/central-african-republic-un-expert-calls-action-end-impunity>.
- <sup>8</sup> United Nations country team submission, para. 6.
- <sup>9</sup> Ibid., para. 2.
- <sup>10</sup> Ibid., para. 8.
- <sup>11</sup> CCPR/C/CAF/CO/3, paras. 3 (d) and 7.
- <sup>12</sup> Ibid., para. 8.
- <sup>13</sup> See <https://www.ohchr.org/en/speeches/2023/03/central-african-republic-atrocities-must-end-says-volker-turk>.
- <sup>14</sup> A/HRC/51/59, para. 100 (q).
- <sup>15</sup> Ibid., para. 10.
- <sup>16</sup> A/HRC/54/77, paras. 87 (a) and (b). See also A/HRC/51/59, para. 100 (a).
- <sup>17</sup> CCPR/C/CAF/CO/3, para. 11; and United Nations country team submission, para. 10.
- <sup>18</sup> United Nations country team submission, para. 11. See also CCPR/C/CAF/CO/3, para. 12 (a).
- <sup>19</sup> United Nations country team submission, para. 24.
- <sup>20</sup> MINUSCA and OHCHR, “L’incitation à la haine et à la violence en République centrafricaine (2017–2020)”, December 2020, p. 7, available at [https://www.ohchr.org/sites/default/files/Documents/Countries/CF/Rapport\\_incitation\\_haine\\_et\\_violence.pdf](https://www.ohchr.org/sites/default/files/Documents/Countries/CF/Rapport_incitation_haine_et_violence.pdf). See also United Nations country team submission, para. 10.
- <sup>21</sup> MINUSCA and OHCHR, “L’incitation à la haine et à la violence en République centrafricaine (2017–2020)”, December 2020, pp. 32 and 33, available at [https://www.ohchr.org/sites/default/files/Documents/Countries/CF/Rapport\\_incitation\\_haine\\_et\\_violence.pdf](https://www.ohchr.org/sites/default/files/Documents/Countries/CF/Rapport_incitation_haine_et_violence.pdf). See also A/HRC/51/59, para. 100 (c).
- <sup>22</sup> A/HRC/54/77, para. 87 (h).
- <sup>23</sup> Ibid., para. 36.
- <sup>24</sup> United Nations country team submission, para. 11.
- <sup>25</sup> A/HRC/51/59, para. 37; and United Nations country team submission, para. 2; and see <https://www.ohchr.org/en/statements/2022/06/comment-un-high-commissioner-human-rights-michelle-bachelet-adoption-law>.
- <sup>26</sup> A/HRC/51/59, paras. 46–55; A/HRC/54/77, para. 33; and United Nations country team submission, para. 4.
- <sup>27</sup> S/2023/108, para. 89. See also <https://www.ohchr.org/en/statements/2022/03/bachelet-updates-human-rights-council-central-african-republic>.
- <sup>28</sup> CCPR/C/CAF/CO/3, paras. 19 and 20.
- <sup>29</sup> See <https://www.ohchr.org/en/speeches/2023/03/central-african-republic-atrocities-must-end-says-volker-turk>.
- <sup>30</sup> CCPR/C/CAF/CO/3, paras. 21 and 22.
- <sup>31</sup> Ibid., paras. 25 and 26.
- <sup>32</sup> Ibid., paras. 19 and 20.
- <sup>33</sup> Ibid., paras. 23 and 24. See also United Nations country team submission, paras. 17 and 18.
- <sup>34</sup> A/HRC/51/59, paras. 80–82 and 100 (e).
- <sup>35</sup> A/HRC/54/77, para. 32.
- <sup>36</sup> United Nations country team submission, para. 6.
- <sup>37</sup> A/HRC/54/77, para. 29.
- <sup>38</sup> MINUSCA and OHCHR, “Rapport public sur les violations des droits de l’homme et du droit international humanitaire en République centrafricaine durant la période électorale : juillet 2020–juin 2021”, June 2021, paras. 102 and 103, available at [https://www.ohchr.org/sites/default/files/Documents/Countries/CF/report\\_abuses\\_violations\\_HR\\_InternationalHumanitarianLaw\\_Elections\\_CAR.pdf](https://www.ohchr.org/sites/default/files/Documents/Countries/CF/report_abuses_violations_HR_InternationalHumanitarianLaw_Elections_CAR.pdf).
- <sup>39</sup> United Nations country team submission, para. 30.
- <sup>40</sup> See <https://www.ohchr.org/en/speeches/2023/03/central-african-republic-atrocities-must-end-says-volker-turk>. See also UNHCR submission, p. 2.
- <sup>41</sup> CCPR/C/CAF/CO/3, paras. 27 and 28.
- <sup>42</sup> A/HRC/51/59, para. 100 (m) and (o).
- <sup>43</sup> S/2023/108, para. 88.
- <sup>44</sup> United Nations country team submission, para. 22.
- <sup>45</sup> A/HRC/54/77, para. 47.

- 46 Ibid., para. 87 (f) and (g).
- 47 United Nations country team submission, para. 22.
- 48 [CCPR/C/CAF/CO/3](#), paras. 10 (a) and 12 (b).
- 49 [A/HRC/51/59](#), para. 100 (i).
- 50 [A/HRC/54/77](#), para. 48.
- 51 United Nations country team submission, para. 15.
- 52 [A/HRC/54/77](#), para. 87 (c) and (d).
- 53 [CCPR/C/CAF/CO/3](#), para. 10. See also [A/HRC/51/59](#), para. 100 (g); and <https://www.ohchr.org/en/statements/2022/02/republique-centrafricaine-toutes-les-parties-prenantes-doivent-agir-pour-mettre>.
- 54 [CCPR/C/CAF/CO/3](#), paras. 33 and 34.
- 55 [A/HRC/54/77](#), para. 9.
- 56 United Nations country team submission, para. 26.
- 57 [CCPR/C/CAF/CO/3](#), paras. 35 and 36.
- 58 UNESCO submission for the universal periodic review of the Central African Republic, p. 5.
- 59 Ibid., p. 4.
- 60 [A/HRC/54/77](#), para. 19.
- 61 Ibid., para. 87 (l).
- 62 MINUSCA and OHCHR, “Rapport public sur les violations des droits de l’homme et du droit international humanitaire en République centrafricaine durant la période électorale : juillet 2020–juin 2021”, paras. 122–127.
- 63 [CCPR/C/CAF/CO/3](#), paras. 29 and 30.
- 64 Ibid., paras. 37 and 38.
- 65 United Nations country team submission, paras. 27 and 28.
- 66 [A/HRC/54/77](#), para. 64.
- 67 Ibid., para. 87 (i).
- 68 See [https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID,P13100\\_COUNTRY\\_ID:4325913,103381](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P13100_COUNTRY_ID:4325913,103381).
- 69 United Nations country team submission, para. 31.
- 70 Ibid., para. 5; and [A/HRC/54/77](#), para. 72.
- 71 [A/HRC/54/77](#), para. 29.
- 72 UNHCR submission, p. 2.
- 73 See [https://docs.wfp.org/api/documents/WFP-0000147936/download/?\\_ga=2.2823027.2113143950.1695120783-1424254097.1695120783](https://docs.wfp.org/api/documents/WFP-0000147936/download/?_ga=2.2823027.2113143950.1695120783-1424254097.1695120783), p. 3.
- 74 [S/2023/108](#), para. 30.
- 75 UNHCR submission, p. 5.
- 76 Ibid., p. 6.
- 77 Ibid., p. 3.
- 78 United Nations country team submission, paras. 32–34.
- 79 [CCPR/C/CAF/CO/3](#), paras. 15 and 16.
- 80 United Nations country team submission, para. 36.
- 81 See <https://www.ohchr.org/en/speeches/2023/03/central-african-republic-atrocities-must-end-says-volker-turk>.
- 82 [A/HRC/54/77](#), para. 87 (i).
- 83 UNESCO submission, para. 13.
- 84 See [https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID,P13100\\_COUNTRY\\_ID:4317928,103381](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P13100_COUNTRY_ID:4317928,103381).
- 85 United Nations country team submission, para. 37.
- 86 [A/HRC/51/59](#), paras. 63 and 64.
- 87 United Nations country team submission, paras. 12 and 13.
- 88 [A/HRC/54/77](#), para. 87 (k).
- 89 United Nations country team submission, para. 38. See also [CCPR/C/CAF/CO/3](#), para. 13.
- 90 [A/HRC/54/77](#), paras. 62 and 63. See also [A/HRC/54/77](#), paras. 60 and 61.
- 91 [S/2023/108](#), para. 31.
- 92 [A/HRC/51/59](#), paras. 56–62. See also [S/2023/108](#), paras. 58–60; <https://www.ohchr.org/en/statements/2022/03/bachelet-updates-human-rights-council-central-african-republic>; and UNHCR submission, p. 3.
- 93 United Nations country team submission, para. 39. See also [CCPR/C/CAF/CO/3](#), para. 13.
- 94 United Nations country team submission, para. 10.
- 95 [CCPR/C/CAF/CO/3](#), para. 14.
- 96 UNHCR submission, pp. 3 and 4.

- <sup>97</sup> [A/HRC/54/77](#), para. 87 (j).
- <sup>98</sup> United Nations country team submission, para. 11. See also [CCPR/C/CAF/CO/3](#), para. 12 (a).
- <sup>99</sup> [CCPR/C/CAF/CO/3](#), para. 12 (b) and (c).
- <sup>100</sup> [S/2023/108](#), para. 61.
- <sup>101</sup> [A/HRC/54/77](#), paras. 57 and 58.
- <sup>102</sup> See <https://www.ohchr.org/en/speeches/2023/03/central-african-republic-atrocities-must-end-says-volker-turk>.
- <sup>103</sup> [A/HRC/51/59](#), para. 100 (f).
- <sup>104</sup> [CCPR/C/CAF/CO/3](#), paras. 29 and 30.
- <sup>105</sup> See [https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:13100:0::NO::P13100\\_COMMENT\\_ID,P13100\\_COUNTRY\\_ID:4317928,103381](https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:13100:0::NO::P13100_COMMENT_ID,P13100_COUNTRY_ID:4317928,103381).
- <sup>106</sup> *Ibid.*
- <sup>107</sup> United Nations country team submission, paras. 41 and 42.
- <sup>108</sup> *Ibid.*, para. 39. See also [CCPR/C/CAF/CO/3](#), paras. 14, 19, 20, 23 and 24.
- <sup>109</sup> United Nations country team submission, paras. 42–44.
- <sup>110</sup> [CCPR/C/CAF/CO/3](#), paras. 37 and 38.
- <sup>111</sup> See <https://www.ohchr.org/en/press-releases/2023/08/central-african-republic-un-expert-calls-action-end-impunity>.
- <sup>112</sup> [A/HRC/51/59](#), paras. 35 and 100 (h).
- <sup>113</sup> [S/2023/108](#), para. 31.
- <sup>114</sup> UNHCR submission, p. 4; and United Nations country team submission, para. 48.
- <sup>115</sup> [CCPR/C/CAF/CO/3](#), paras. 31 and 32.
- <sup>116</sup> See <https://www.ohchr.org/en/speeches/2023/03/central-african-republic-atrocities-must-end-says-volker-turk>.
- <sup>117</sup> UNHCR submission, pp. 5 and 6.
- <sup>118</sup> United Nations country team submission, paras. 46 and 47.
- <sup>119</sup> UNHCR submission, pp. 4 and 5.
- <sup>120</sup> See <https://www.ohchr.org/en/statements/2022/02/republique-centrafricaine-toutes-les-parties-prenantes-doivent-agir-pour-mettre>.
- <sup>121</sup> UNHCR submission, p. 5. See also [CCPR/C/CAF/CO/3](#), paras. 31 and 32.
- <sup>122</sup> [CCPR/C/CAF/CO/3](#), paras. 31 and 32.