

Introduction

The Central African Republic (CAR) is a secular and democratic state. The current constitution, adopted after a national referendum in December 2015, guarantees freedom of conscience, assembly and worship. However, the constitutional provisions do not express the full definition of FoRB as outlined in the Universal Declaration of Human Rights (UDHR) and international treaties, including the ICCPR.

The civil conflict and transition period

On 10 December 2012 fighting broke out between the Bozizé government and the Seleka rebel alliance, leading to a significant deterioration in the human rights and humanitarian situation in the CAR. The CAR had no previous history of sectarian violence, but during this time local sources noted the increased targeting of the Christian population by Seleka elements.

In March 2016 the CAR returned to democratic rule; however, the transition period between the Seleka's seizure of power in March 2013 and the election of Faustin-Archange Touadéra three years later saw widespread violations of the right to freedom of religion or belief (FoRB). Violence was regularly reported during the transition period, including grenade attacks, bombs thrown into occupied church buildings, looting, desecration of places of worship, and destruction of buildings providing essential social services.

Since November 2016 armed groups have increasingly split into factions, causing an upsurge in violence, which in turn has led to large scale population displacement. Armed groups continue to operate without restraint across the country, and these groups are responsible for the majority of human rights violations, including of the right to FoRB.

Peace agreement

In February 2019 the government negotiated a peace agreement with 14 armed groups operational in the country. Negotiations were led by the African Union and welcomed by the UN. The peace agreement was the 23rd of its kind signed in the CAR over a 13 year period. It called for the immediate surrendering of arms by the armed groups and a cessation of hostilities; however, armed groups continued to use force to demonstrate their displeasure at the power sharing arrangements. Humanitarian organisations, including the World Food Programme, have continued to report security incidents

in the Douala corridor in the west of the CAR, disrupting the transit of food and commodities.

Upon the signing of the agreement, a new prime minister, Firmin Ngrebada, was appointed and a new cabinet announced. The original cabinet only included representatives of ten armed groups, but a revised cabinet was announced on 22 March 2019 which included representatives of all 14 groups party to the agreement.

Impunity

There remain serious concerns regarding impunity and the restoration of justice. While impunity is mentioned in the text of the peace agreement, there are no mechanisms specifically cited to address the violations perpetrated by leaders of the armed groups that are now in the government. Religious leaders who participated in the peace talks have expressed concerns that the negotiated peace agreement could culminate in a return to a transitional administration, resulting in impunity for perpetrators at the heart of government.

The establishment of a Special Criminal Court mandated to investigate and prosecute grave violations is a welcome step. The court, which was created in 2015 by the Transitional Government, began investigating cases at the beginning of 2019. However, while it has received widespread support from the international community, the finances needed to fulfil its mandate are yet to be met. Additionally the International Criminal Court has arrested two anti-Balaka leaders and their cases are being processed in The Hague. These developments are significant steps towards realising justice for the people of the CAR. However, they do not adequately challenge the impunity that perpetrators of grave violations of human rights and international humanitarian law have enjoyed since the start of the December 2012 crisis.

Recent developments

Continued violence

In December 2019 at least 47 people were killed and 72 people injured in clashes between militias and traders in the volatile PK5 quarter of Bangui. On 26 December the imam of the Ali Babolo mosque confirmed to France 24 that at least 30 bodies had been brought to the mosque in the predominantly Muslim quarter. The fighting broke out after traders took up arms to resist illegal taxes imposed by militia groups.

Clashes between the CAR's armed forces and elements of the UPC armed group in Alindao, 300KM east of Bangui were reported on 9 January 2020. The tensions had been rising for some time and the clashes resulted in the

destruction of two camps for internally displaced persons (IDP). 650 families sought refuge in a nearby hospital and at least 2000 people were displaced.

On 17 January 2020 two people were killed and 40 houses were razed to the ground in Birao, northeastern CAR, after tensions between armed groups operating in the region spiralled into violence. On 16 February fighting erupted in Birao resulting in the death of 12 members of the armed group Popular Front for the Rebirth of Central Africa (FPRC). The FPRC attempted to attack an IDP camp and an army base but was repelled by the army and UN Peacekeeping troops, who restored order to the town. The FPRC, a signatory to the government peace agreement, had taken over the town in 2014 and was able to control levies of goods crossing between CAR and neighbouring Sudan.

On 11 February over 100 homes were destroyed and supplies were damaged in an arson attack on an IDP camp located in the Catholic Church compound of Alindao at around 11pm. No one was injured as residents at the camp worked together to extinguish the fire.

On 7 March civilians in Ndele found the body of a UN Peacekeeper riddled with bullets in the bush. The Peacekeeper had reportedly been killed by FPRC fighters. In the days after the discovery of the body, skirmishes were reported in the town.

On 15 March the UN Secretary General reported that another UN peacekeeper had been killed after anti-Balaka fighters led by Dimitri Ayoloma launched an attack on the town of Girmari, 200 km north east of Bangui, starting with the homes of the mayor. The peacekeeper was fatally wounded during the fighting after MINUSCA, the UN peacekeeping mission, was deployed to protect civilians and repel the armed assault.

Other developments

On 15 December 2019 CAR's former president, Francois Boizize, returned to the country after six years in exile. Since his return, Boizize has toured parts of the country, holding rallies in areas where his party, Kwa na Kwa, has strong support. On 18 January Boizize met with representatives of the African Union in Bangui at his party headquarters to discuss his return, the February 2019 peace agreement, and the contribution that he would bring to peace and reconciliation in the country.

On 27 February the National Assembly passed a bill to set up a Truth, Justice, Repair and Reconciliation Commission. The commission is tasked to promote

national reflection on events that have affected citizens in the country since 29 March 1959, the day that President Barthelemy Bogansa disappeared, until 2019. The commission will comprise 11 commissioners, at least four of whom will be women, and will create a listening space where the memories of citizens will be honoured and recognition given to the violations committed in the nation's 50 year history. The commission will be formed for a period of four years with the option to renew for a further two months, and will work on the fundamental principles of independence, transparency, impartiality and inclusiveness.

Recommendations

To the government of the Central African Republic:

- Ensure that the freedom of change religion is guaranteed in law, and support peace and reconciliation projects that aim to rebuild trust between religious communities.
- Ensure that relevant provisions within the constitution reflect the right to freedom of religion or belief as set out in the ICCPR
- Work towards disarming and demobilizing armed groups operating within the country in order to ensure the right to life and security for all citizens.
- Work to re-establish state authority and administration throughout the territory in order to prevent armed groups from restricting the right to FoRB.
- Ensure that individuals who have committed human rights abuses during the recent or previous conflicts are brought to justice, and are not given political positions or appointed to the armed forces.