

Legal framework

The Central African Republic (CAR) is a secular and democratic state. The current constitution was adopted by the Constitutional Court in August 2024, which validated the July 2023 constitutional referendum that altered the qualifications for becoming president and removed term limits. The post conflict constitution, adopted in 2016 after a national referendum in December 2015, guarantees freedom of conscience, assembly and worship. However, the constitutional provisions do not fully reflect the definition of freedom of religion or belief (FoRB) as outlined in the International Covenant on Civil and Political Rights (ICCPR) or the African Charter on Human and Peoples Rights, which the CAR has ratified.

Political context

The CAR returned to democratic rule in 2016 following the election of President Faustin-Archange Touadéra. In March 2013 a coup led by the Seleka rebel alliance removed Bozizé's government and saw a significant deterioration in the human rights and humanitarian situation. The CAR had no previous history of sectarian violence, but during this time there was increased targeting of the Christian population by Seleka elements. By December 2013, significant violence began as the country's minority Muslim community was attacked by anti-Balaka militia who were identified as Christian, but who eventually also targeted members of the Christian community.

Violence regularly reported during the transition period included grenade attacks, bombs thrown into occupied church buildings, looting, desecration of places of worship, and the destruction of buildings providing essential social services. Religious leaders working toward peace and protecting vulnerable groups, and especially the Muslim community, were also targeted by armed groups.

Since November 2016 armed groups formally part of both the Seleka alliance and the anti-Balaka have splintered and continued to target civilians, and state authorities, remaining responsible for most human rights violations underway in the country.

2019 peace agreement

In February 2019, a peace agreement negotiated by the African Union (AU) was settled between the government and 14 armed groups operational in the country. It called for the immediate surrendering of arms by the armed groups and a cessation of hostilities. A new prime minister, Firmin Ngrebada, was appointed, and a revised cabinet was announced on 22 March 2019 that included representatives of all 14 armed groups which were party to the agreement. The peace agreement was seen as a path towards security and stability; however, it raised significant concerns as civil

society expressed reservations regarding the immunities extended to armed groups that had committed gross human rights violations.

December 2020 elections

Violence escalated particularly ahead of and during the country's parliamentary and presidential elections in 2020, following a Constitutional Court ruling against the candidacy of former president Bozize.

Soon afterwards, a coalition of six major armed groups linked with Bozize known as the Coalition of Patriots for Change (CPC) that comprised former Seleka and anti-Balaka elements announced its intention to disrupt the 27 December elections. It launched an extensive campaign of violence ahead of the vote that included the targeting of the president's second home in Damara. The creation of the alliance marked the breakdown of the 2019 peace agreement.

The fighting pitted the allied militia against the national army, the United Nations Multidimensional Integrated Stabilisation Mission in the Central African Republic (MINUSCA), and troops from Russia and Rwanda, whose presence was secured following bilateral agreements between the CAR and their respective governments. The UN Special Representative and Head of MINUSCA, Mr Mankeur Ndiaye, reported that a government counter-offensive against the CPC had led to 'an unprecedented humanitarian crisis', resulting in over 57% of the population needing humanitarian assistance.

On 4 January 2021, President Touadéra won a second term in office, with an estimated 53.9% of votes cast, a declaration that was subsequently confirmed by the Constitutional Court on 18 January, although the political opposition demanded the annulment of the elections on the grounds that fighting had prevented over half of all registered voters from voting.

Divisions within the CPC

On 26 July 2024 a faction leader within the CPC, Ali Darassa, signed a statement announcing the cessation of hostilities with the government and an intention to return to the negotiating table. Darassa, leader of the armed group Union for Peace in Central Africa (UPC), was party to the 2019 peace agreement that gave the signatories political positions and immunity from prosecution.¹ On 24 August six UPC ex-combatants who had voluntarily laid down their arms in Gambo, located 35km from Pombolo in the Mbomou prefecture, were transferred to the Research and Investigation Brigade of Bangassou, pending the decision of the disarmament program implementation unit (DDRR).²

1 Radio Ndeke Luka, 'Centrafrique : dissidence au sein de la CPC autour d'une abdication', 5 August 2024 <https://www.radiondekeluka.org/72054-centrafrique-dissidence-au-sein-de-la-cpc-autour-dune-abdication>

2 Radio Ndeke Luka, 'Sécurité: des combattants de l'UPC déposent les armes dans le Mbomou', 27 August 2024 <https://www.radiondekeluka.org/73075-securite-des-combattants-de-lupc-deposent-les-armes-dans-le-mbomou>

In September, Francois Boizize reorganised the group, referring to it as the CPC-F following the departure of the UPC. The 3R movement and elements of the anti-Balaka support his leadership.

Violations by Russian Africa Corps (Wagner Group) and the FACA

A group of UN experts, including the Working Group on Mercenaries, raised concerns in March 2021 about private military and foreign security contractors working in coordination with the government of CAR and maintaining close contact with UN peacekeepers.

The UN experts cited reports from the ground that Russian contractors connected to the Wagner group, a paramilitary group which included forces that saw action in Syria and the Ukraine, were implicated in gross violations of international human rights and humanitarian law, including the use of torture, summary executions and attacks on humanitarian workers.

On 21 January 2022, AFP news agency reported a UN announcement that it would investigate reports of more than 30 civilians killed by CAR forces and Africa corps mercenaries in a military operation on 16-17 January 2022 targeting the UPC. It also reported that the UN expert group had not been functioning since 31 August 2021, when Russia blocked the renewal of its mandate.

Young men from CAR are alleged to be among hundreds from Africa and Asia recruited by the Wagner group and transported to Russia and fight in Ukraine.³

Insecurity in the southeast: Zemio

Zemio, a town and sub-prefecture of the Haut-Mbomou prefecture in the southeast, sits along CAR's border with the Democratic Republic of Congo (DRC), and is located 1025 km west of the capital, Bangui. In May 2024, after two months of training by Russian soldiers, 100 Azande Ani Kpi Gbe militiamen who had surrendered their arms were integrated into the Central African Armed Forces (FACA). The Azande militia was formed in 2023 to fight against the UPC in the Haut-Mbomou Prefecture.

In August and September 2024, tensions in Zemio increased as members of the Puel or Fulani ethnic group called on the government to relocate them away from the area. Their leaders referred to the Azande militia men who had integrated into the FACA as the 'Wagner Ti Azande,' referencing their working relationship and training they received from the Russian mercenaries. On 29 August, one leader was killed in the raid, and was buried on the same day, causing tensions and fear within the community.

Imam of Zemio arrested and beaten

The Imam of Zemio Central Mosque, Imam Moussa was arrested by the Azande unit of the FACA. The religious leader was detained and accused of hiding weapons in his home; however, his home was not searched. The day after his arrest the Imam was reportedly taken out of his cell and publicly beaten by members of the Azande unit. The Imam was released following intervention by the MINUSCA, who also provided security for him at their base.

Such violations pose a threat to social cohesion between communities and raise questions over the ability of the state to provide adequate security across the country and to hold perpetrators of violence against civilians to account.

Constitutional change and elections

In July 2023, the Constitutional Court validated a referendum vote on a constitutional amendment that raised the presidential term from five to seven years, and removed the two-term presidential limit. The change will allow President Touadera to seek a third term in 2025.

The President formed a new commission to draft a new constitution in 2022; however, the president of the Constitutional Court, Daniele Darlan, objected to the changes that allow the removal of term limits. In October 2022 she was removed from her position after refusing to bow to executive pressure.

Local elections originally scheduled for 25 October 2024 were postponed to April 2025 by the government. The local elections will be the first of their kind since 1988 and will bring the state closer to the people. These elections will now occur eight months ahead of legislative and presidential elections scheduled for December 2025.

The postponement followed months of government assurances that local elections would proceed as expected. Civil society, including representatives of other political parties, consider the holding of local elections as vital to CAR's democracy.

Transparent, inclusive and democratic elections are of paramount importance, as the electing and positioning of local democratically elected officials furthers the state's control across the nation, both militarily and administratively.

Burial rights

In the Commune of Bimbo 3, 110 bodies buried in the grounds of the Brothers of Boulata Evangelical Church are being exhumed and reburied in the Muslim cemetery. The bodies were buried on church grounds between 2013-2014 with the permission of the Protestant Church as the Muslim Cemetery location behind Bangui Airport was inaccessible due to the conflict.

³ Africa ExPress, 'I tentacoli della Russia in Africa: Wagner arruola giovani centrafricani per combattere in Ucraina', 15 October 2024 <https://www.africa-express.info/2024/10/15/i-tentacoli-della-russia-in-africa-wagner-arruola-giovani-centrafricani-per-combattere-in-ucraina/>

The bodies were buried at the height of the crisis after the Seleka coup and the rise of the anti-Balaka.⁴ The process will continue until all 110 bodies have been identified and exhumed, after which the land will be returned to the church. Similar operations are being conducted throughout the country as part of the peace and reconciliation efforts.

In parts of Bangui there are tensions between Christian and Muslim communities over burial rights. Ahamat Deleris, President of the High Islamic Council of CAR, is concerned about having adequate and separate places of burial across the city and country.⁵ The issues highlight that sectarian tensions must be addressed and managed carefully by the state.

Recommendations

To the government of the Central African Republic:

- Respect the rule of law and the independence of the judiciary by recognising the limits of executive power and not seeking to unduly influence the composition of the courts.
- Work towards disarming and demobilising armed groups operating within the country to ensure the right to life and security of all citizens.
- Ensure that the process to disarm and demobilize armed groups and the integration of combatants into the army follows internationally recognised standards of training including the respect of humanitarian and human rights laws, and that former combatants that have committed gross human rights violations are barred from joining the army.
- Ensure that former combatants integrated into the FACA are not deployed into communities and regions where they were fighting and where their presence will not exacerbate tensions within communities.
- Investigate and bring to justice all those involved in FoRB violations including the targeting of religious leaders despite their position within the state.
- Ensure a thorough investigation of and accountability for the violations highlighted by the UN Working Group on Mercenaries.
- 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.

To the government of the United Kingdom:

- Urge the government of the CAR to respect the rule of law and guarantee the independence of the judiciary by ending executive interference in court structures and processes and ensuring courts and legal professionals can operate without experience political or military pressure, particularly in cases involving human rights abuses.
- Encourage the government of the CAR to ensure perpetrators of gross human rights violations, whether recent or historical, are held accountable, and are not appointed to political or military positions.
- Press for the disarmament of all armed groups and ensure the transparent reintegration of combatants into society.
- Support the Special Criminal Court and the International Criminal Court (ICC) in prosecuting perpetrators of war crimes and crimes against humanity.
- Provide resources for reconciliation initiatives that aim to rebuild trust between religious communities.
- Increase humanitarian aid to CAR, focusing on displaced communities, while addressing the root causes of the conflict causing their displacement.

4 Radio Ndeke Luka, 'Pour leur mémoire : début d'exhumation des restes des corps enterrés dans l'enceinte de l'église Boulata à Bangui', 29 August 2024 <https://www.radiondekeluka.org/73218-pour-leur-memoire-debut-dexhumation-des-restes-des-corps-enterrés-dans-lenceinte-de-leglise-boulata-a-bangui>

5 France 24, 'Crowded cemeteries raise tensions between CAR's Muslims and Christians', 19 July 2024 <https://www.france24.com/en/video/20240719-crowded-cemeteries-raise-tensions-between-car-s-muslims-and-christians>

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T +44 (0)20 8329 0010
 @CSWAdvocacy
 /CSWUK
 csw.org.uk

PO Box 99
 New Malden
 Surrey, KT3 3YF
 United Kingdom

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