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**STATUS OF HUMAN RIGHTS IN THE CENTRAL AFRICAN REPUBLIC
FOR THE 45TH SESSION OF THE
UNIVERSAL PERIODIC REVIEW**

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Status of Human Rights in the Central African Republic for the 45th Session of the Universal Periodic Review

Introduction

1. The European Centre for Law and Justice (ECLJ) is an international, non-governmental organization dedicated to promoting and protecting human rights around the world. The ECLJ also holds Special Consultative status before the United Nations Economic and Social Council. This report discusses the status of human rights in the Central African Republic for the 45th Session of the Universal Periodic Review (UPR).

Background

2. The Central African Republic is located in Central Africa and has an estimated population of 5.5 million people.¹ The country is predominately Christian, with approximately 89% of the population identifying as Christian, 9% as Muslim, 1% belong to folk religion, and 1% as unaffiliated with any religion.² Despite the country being predominately Christian, and Muslims only representing 9% of the country's population, the Central African Republic is ranked as the twenty fourth worst country for Christians to live in.³ This is because the ongoing conflict between Muslim militias and the Central African forces in the region “has resulted in thousands of Christians losing their homes and livelihoods” since 2013.⁴

3. The Central African Republic's previous review was held on November 9, 2018.⁵ As a result of the review, the Central African Republic received 207 recommendations, 179 of which it supported.⁶ In particular, it was recommended by Argentina, and supported by the Central African Republic, that the government “[d]evelop public policies and awareness-raising campaigns to prevent incitement to violence, among other causes for ethnic or religious reasons, and to investigate and sanction persons or entities that incite violence.”⁷ It was also recommended by Morocco, and supported by the Central African Republic, that the government “[c]ontinue efforts to combat female genital mutilation and other harmful traditional practices.”⁸

Legal Framework

Religious Violence

4. Under Article 10 of the Central African Republic's Constitution, “[t]he freedom of conscience, of assembly, [and] of religion and of beliefs [cultes] are guaranteed to all within the conditions established by the law. Any form of religious fundamentalism [intégrisme] and intolerance is prohibited.”⁹

5. The Central African Republic is also a party to the International Covenant on Civil and Political Rights (ICCPR).¹⁰ Under Article 18 of the ICCPR:

1. Everyone shall have the right to freedom of thought, conscience and religion. This right shall include freedom to have or to adopt a religion or belief of his

choice, and freedom, either individually or in community with others and in public or private, to manifest his religion or belief in worship, observance, practice and teaching.

2. No one shall be subject to coercion which would impair his freedom to have or to adopt a religion or belief of his choice.¹¹

Female Genital Mutilation

6. Under Article 3 of the Central African Republic’s Constitution, “[e]ach has the right to life and to physical and moral integrity.”¹² Further, the Constitution “[r]eaffirms its adherence to all International Conventions duly ratified, notably those concerning the prohibition of all forms of discrimination with regard to women, to the protection of the rights of the child and those relative to the autochthonous and tribal peoples.”¹³

7. Under Article 114 of the Penal Code of the Central African Republic, “[a]nyone who, by traditional or modern methods, has practiced or attempted to practice or favored excision or any method of female genital mutilation, shall be punished by imprisonment for two to five years and a fine of 100,002 to 1,000,000 francs.”¹⁴

8. The Central African Republic is a party to the Convention on the Rights of the Child (CRC)¹⁵ and the Protocol to the African Charter on Human and Peoples’ Rights on the Rights of Women in Africa (Maputo Protocol).¹⁶ Article 19 of the CRC requires that children be protected “from all forms of physical or mental violence.”¹⁷ Further, Article 5 of the Maputo Protocol requires States Parties to “take all necessary legislative and other measures to eliminate such practices, including . . . prohibition, through legislative measures backed by sanctions, of all forms of female genital mutilation, scarification, medicalisation and para-medicalisation of female genital mutilation and all other practices in order to eradicate them.”¹⁸

Religious Violence

9. In 2013, Seleka rebels, a predominately Muslim rebel group¹⁹ from the north, seized power of the government and installed rebel commander Michel Djotodia as the head of state.²⁰ As the country continued to be rocked with violence and instability, Djotodia stepped down and authority was handed over to a transitional president in January 2014.²¹ Elections were then held throughout late 2015 and early 2016.²² The elections resulted in Faustin Archange Touadéra winning the presidency.²³ In January 2021, Touadéra won re-election.²⁴ Even though rebel groups no longer control the government, armed militias have continued to wreak havoc in the Central African Republic resulting in casualties and a massive humanitarian crisis.²⁵ Caught in the crossfire of these armed militias are Christians who are being killed, having their homes destroyed, and being displaced from their homes.²⁶ Additionally, Christians leaders who speak out against the violence have faced violent threats and have even had their churches burned and ransacked.²⁷ This conflict has resulted in the displacement of more than 50,000 Christians in the Central African Republic.²⁸ Below are some of the attacks being perpetrated against Christians in the Central African Republic.

10. In December 2022, a Muslim militia group engaged in conflict with Central African forces. As a result of the conflict, one of the leaders of the militia group was killed.²⁹ The militia group responded by surrounding a church and stabbing the pastor to death.³⁰ In addition, the militia wounded more than twenty-four people and set two churches and a school on fire.³¹

11. On January 22, 2022, an armed rebel group attacked the Union of Evangelical Churches of the Brothers (UEEF).³²
12. In November 2021, an armed group burned down the Apostolic Church in Gouzama.³³
13. On October 2021, the Union for Peace in the Central African Republic (UPC), a Muslim militant group, looted a Catholic church in Konan.³⁴
14. On June 8, 2021, a convoy carrying approximately 300 people back from a church convention was attacked by armed militia.³⁵ The attackers proceeded to set fire to seven vehicles and took all their valuables.³⁶ Thankfully, no one was killed in the attack.³⁷
15. That same month, a Christian farmer chased cattle that belonged to a rebel group that wandered onto his property.³⁸ The rebel group retaliated by killing the farmer, a pastor, and ten more Christians.³⁹ Additionally, the rebel group also destroyed multiple homes and two churches.⁴⁰
16. On April 1, 2020, armed men burned down two churches that belonged to the Apostolic Church.⁴¹
17. On March 3, 2020, the Catholic Bishop of Kaga-Bandoro, was robbed and harassed by armed men.⁴² The bishop shared that he and his fellow priests were threatened repeatedly by men armed with guns and knives.⁴³
18. In June 2019, fifty people were killed in a predominately Christian village.⁴⁴ One villager described the horrific attack stating, “they started to tie us up. They tore my shirt to tie my arms . . . They piled us on top of each other, then started shooting. It felt like it was raining bullets.”⁴⁵
19. In May 2019, a seventy-seven-year-old French-Spanish nun was beheaded.⁴⁶ She was working to teach impoverished women and girls.⁴⁷ No group claimed responsibility for the attack.⁴⁸
20. In order to stop the violence, on February 6, 2019, the Central African Republic signed the Political Agreement for Peace and Stability (APPR) with fourteen armed groups.⁴⁹ However, this agreement was short-lived, and within months, all parties violated the terms of the agreement.⁵⁰
21. Churches have stepped up to help those who are being displaced by the violence.⁵¹ For example, in the city of Grimri, about 1,500 Muslims and Christians gathered in churches for shelter.⁵² In late 2018, a militia attacked a Church-run displacement camp, killing more than 110 people, most of whom were Christian.⁵³ This camp provided shelter to more than 26,000 people and was completely destroyed in the attack.⁵⁴ Bishop Cyr-Nestor Yapaupa of Alinado described the attack: “The old people and the handicapped were simply burned alive, if they were not already shot dead or beheaded. . . The attackers simply fired indiscriminately on the people.”⁵⁵

Female Genital Mutilation

22. Despite being illegal, approximately 21.6% of girls between the ages of fifteen and forty-nine have undergone female genital mutilation (FGM).⁵⁶ Most girls undergo this harmful procedure between the ages of ten and fourteen.⁵⁷ In the central regions of the country, prevalence rates are much higher: Bamingui-Bangoran (76.6%), Ouaka (72.9%) and Haute-Kotto (67.1%).⁵⁸ In the west and southeast, prevalence rates are between 3% and 4%.⁵⁹

23. One victim shared her story of undergoing FGM at the age of twelve: “I was mutilated at the age of 12. During our initiation in a secret place, one of our group members bled and died during the process. I have experienced the pain of mutilation.”⁶⁰ Later, when she had a family of her own, she had her first two daughters cut.⁶¹ Then, after attending an awareness and educational talk hosted by the International Medical Corps, she refused to have her third daughter cut.⁶²

24. Thankfully, FGM is on a slight decline in the Central African Republic.⁶³ Between 2010 and 2019, the prevalence of women between the ages of fifteen and forty-nine who have undergone FGM dropped from 24.2% to 21.6%.⁶⁴ A crucial factor that is preventing the Central African Republic from fully eradicating FGM is the fact that the Central African Republic currently lacks a functioning judicial system and lacks critical resources and staff.⁶⁵ Further, given the humanitarian crisis and many people being displaced from their homes, enforcement of laws criminalizing FGM is difficult.⁶⁶

25. There is a significant need in the country to educate its population that FGM is extremely dangerous and can have long-lasting health effects that can seriously impact the health of women and girls. FGM has been shown to cause the following complications:

Immediate complications include severe pain, shock, haemorrhage, tetanus or infection, urine retention, ulceration of the genital region and injury to adjacent tissue, wound infection, urinary infection, fever, and septicemia. Haemorrhage and infection can be severe enough to cause death.

Long-term consequences include complications during childbirth, anaemia, the formation of cysts and abscesses, keloid scar formation, damage to the urethra resulting in urinary incontinence, dyspareunia (painful sexual intercourse), sexual dysfunction, hypersensitivity of the genital area and increased risk of HIV transmission, as well as psychological effects.⁶⁷

Recommendations

26. Violence against Christians by armed Muslim militias must be stopped. The government must commit to ending the senseless violence and protect Christians from further death and destruction. Further, the government must also provide aid and resources to Christians so that those who have been internally displaced can safely return to their homes.

27. To end the practice of FGM in the Central African Republic, the government must take this issue seriously and enforce the laws that are already in place. The government must allocate resources toward the enforcement of the ban on the procedure. Further, educational awareness campaigns are critical to educating the population on the dangers of FGM in order to protect young girls and women from this harmful procedure.

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- ² *Id.*
- ³ *Central African Republic*, OPEN DOORS UK, <https://www.opendoorsuk.org/persecution/world-watch-list/central-african-republic/> (last visited May 23, 2023).
- ⁴ *Id.*
- ⁵ *Universal Periodic Review – Central African Republic*, OHCHR, <https://www.ohchr.org/en/hr-bodies/upr/cf-index> (last visited May 23, 2023).
- ⁶ *Central African Republic 31st*, OHCHR, https://www.ohchr.org/sites/default/files/lib-docs/HRBodies/UPR/Documents/Session31/CF/CENTRAL_AFRICAN_REPUBLIC_Infographic_31st.pdf (last visited May 23, 2023).
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- ⁸ *Id.*
- ⁹ CONSTITUTION OF THE CENTRAL AFRICAN REPUBLIC 2016, art. 10, https://www.constituteproject.org/constitution/Central_African_Republic_2016.pdf?lang=en.
- ¹⁰ *Ratification Status for Central African Republic*, OHCHR, https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/Treaty.aspx?CountryID=33&Lang=EN (last visited May 23, 2023).
- ¹¹ International Covenant on Civil and Political Rights art. 18, *adopted* Dec. 16, 1966, 999 U.N.T.S. 171, <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-civil-and-political-rights> [hereinafter ICCPR].
- ¹² CONSTITUTION OF THE CENTRAL AFRICAN REPUBLIC 2016, art. 3.
- ¹³ *Id.* p.mbl.
- ¹⁴ PORTANT CODE PENAL CENTRAFRICAN [PENAL CODE] [PENAL CODE OF THE CENTRAL AFRICAN REPUBLIC] art. 114, [https://acjr.org.za/resource-centre/penal-code-of-the-central-african-republic-2010/@_@download/file/Penal%20Code%20of%20the%20Central%20African%20Republic%20\(2010\).pdf](https://acjr.org.za/resource-centre/penal-code-of-the-central-african-republic-2010/@_@download/file/Penal%20Code%20of%20the%20Central%20African%20Republic%20(2010).pdf) (unofficial internal translation).
- ¹⁵ *Ratification Status for Central African Republic*, *supra* note 10.
- ¹⁶ Protocol to the African Charter on Human and Peoples’ Rights on the Rights of Women in Africa, *adopted* July 11, 2003, <https://www.ohchr.org/sites/default/files/Documents/Issues/Women/WG/ProtocolontheRightsofWomen.pdf> [hereinafter Maputo Protocol].
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- ¹⁸ Maputo Protocol art. 5, *supra* note 16.
- ¹⁹ *Central African Republic: War Crimes by Ex-Seleka Rebels*, HUM. RTS. WATCH (Nov. 24, 2013, 10:00 PM), <https://www.hrw.org/news/2013/11/24/central-african-republic-war-crimes-ex-seleka-rebels>.
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- ²² *Id.*
- ²³ *Central African Republic: Touadera Wins Election*, AL JAZEERA (Feb. 21, 2016), <https://www.aljazeera.com/news/2016/2/21/central-african-republic-touadera-wins-election>.
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³⁰ *Id.*

³¹ *Id.*

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³³ *Id.*

³⁴ *Id.* at 7, 21.

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³⁷ *Id.*

³⁸ *Central African Republic*, *supra* note 3.

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⁵⁴ *Id.*

⁵⁵ *Id.*

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⁶² *Id.*

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