

Briefing notes for the examination of the combined initial and second to fifth periodic reports of the Central African Republic
[Prepared by country rapporteur: Patricia Schulz]

Pre-Preliminary Observations

Current Conflict

On 10 December 2012 a mostly Muslim minority alliance of five armed rebel groups known collectively as the Séléka (“alliance” or “union” in Sango) launched a violent offensive of clashes in the Central African Republic intended to force the ouster of President Francois Bozizé, targeting Christians along the way.¹ A shaky ceasefire was negotiated in Libreville in January 2013 and subsequently broken with both sides claiming the other to be responsible. In March 2013 they managed to seize control of the government and capital city of Bangui, continuing to terrorize the mostly Christian majority.² Rebel leader Michael Djotodia declared himself president and was recognized as the transitional head of government at a regional summit in N’Djamena on 18 April 2013. **A transitional constitutional charter was put into force on July 23rd 2013, that replaces the 2004 Constitution.** Djotodia was forced to resign less than a year later amid the increasingly hostile sectarian clashes and an almost total disintegration into state anarchy, and fled to Benin where he remains in exile. On 23 January 2014 former Bangui mayor Catherine Samba-Panza became the caretaker Interim President.

Several Christian militias, most notably the anti-Balaka, (taken both from the French pronunciation “*balles-AhKah*” or AK-47 bullets and the local word for machete in Sango, “balaka”) have formed and are continuing to respond with their own gruesome spates of retaliatory killings and maimings, hunting down Muslims and forcing now hundreds of thousands of people to flee.³ The number of displaced persons has exceeded 900,000 and approximately 1.6 million Central Africans in a population of 4.5 million are in need of humanitarian assistance. The UN High Commissioner for Refugees and its partners project more population movements by the end of 2014.⁴

Precise data on the numbers of the dead are not available, but human rights groups are warning that the targeted killing of Muslims is fast approaching ethnic cleansing levels, with Amnesty International reporting massacres, rape, and torture⁵ and Doctors without Borders decrying “extreme and unprecedented” levels of violence.⁶ In June 2014 a UN international commission of inquiry confirmed “ample evidence” of war crimes and crimes against humanity perpetrated by both sides.⁷ Former colonizer France, the African Union and the European Union have about 7,000 combined troops battling to halt the bloodshed with UN peacekeepers expected to arrive in the fall.

A December 2013 report of Reporter without borders <http://en.rsf.org/car-freedom-of-information-buffeted-23-12-2013,45664.html> underlines that “The armed conflict in Central African Republic led to the complete disbanding of a weakened and discredited media network. By taking sides in the conflict, the print media helped to fuel tension instead of providing reliable news and information”⁸. “The Central African Republic fell from 65th to 109th

¹ Agency for Technical Cooperation and Development, Central African Republic, <http://www.acted.org/en/car>

² Reuters, “*Rebels capture Central African Republic capital, president flees,*” 24 Mar 2013, <http://www.reuters.com/article/2013/03/24/us-centralafrica-rebels-idUSBRE92M0AU20130324>

³ The Washington Post, “*Tens of thousands of Muslims flee Christian militias in Central African Republic,*” 7 Feb 2104, http://www.washingtonpost.com/world/africa/tens-of-thousands-of-muslims-flee-christian-militias-in-central-african-republic/2014/02/07/5a1adbb2-9032-11e3-84e1-27626c5ef5fb_story.html

⁴ (Special Rapporteur report, May 2014)

⁵ Amnesty International, “*Life in the midst of horror in the Central African Republic,*” 18 Feb 2014, <http://www.amnesty.org/en/news/life-midst-horror-central-african-republic-2014-02-18>

⁶ CNN, “*Rights groups warn of ethnic cleansing of Muslims in Central African Republic,*” 12 Feb 2014, <http://www.cnn.com/2014/02/12/world/africa/central-african-republic-muslims/>

⁷ BBC, “*Central African Republic crisis: War crimes committed – UN,*” 5 Jun 2014, <http://www.bbc.com/news/world-africa-27727465>

⁸ <http://en.rsf.org/car-freedom-of-information-buffeted-23-12-2013,45664.html>

position in the 2014 Reporters Without Borders press freedom index. This was the biggest fall of any of the 180 countries ranked in the index”⁹. The Government has banned SMS text messages “from 2 June until further notice”, which represents a *major violation of the free flow of news and information*,” and “*also poses a major obstacle to journalistic work*”, according to RWB¹⁰.

The situation remains dangerous for reporters, with 2 killed in 2 months, and some incarcerated seemingly in violation of the freedom of the press legislation¹¹.

A **2008** report of the Small Arms Survey on CAR shows the importance of the circulation of small arms in the spreading of the conflict, and the necessity of seizing and destroying them¹².

CAR is threatened with partition, with ex-Seleka groups dominating the northern part of the country.

Preliminary Observations

- Core Document originally submitted on 19 March 1999, with a revision submitted 29 July 2005.¹³
 - Country Report appears to give a very thorough account of situation pre-conflict, with a detailed background section and substantive representation of information as it relates to Articles 1 through 16 of the Convention, while reporting little actual progress.
 - Although dated 26 June 2012, the Report covers the period 1991 to 2009 only, so likely a lot of the information provided is (probably) no longer valid. It does give a picture of the catastrophic situation of the country already before the present conflict.
 - List of Issues focuses heavily on present situation and evolving conflict.
 - Responses to the list of issues and questions were very brief
 - There are only five NGO submissions, none from local CAR entities but all helpful. Addressing issues of discrimination in widowhood, corporal punishment of children, persons with disabilities, and one standout report on promoting women’s rights to land and property from The Global Initiative for Economic, Social & Cultural Rights.
 - Some of the UN reports are not very helpful, as they were for the 53rd session or cover the situation only until 2012 (UNHCR submission to the UPR). The OHCHR confidential submission to the Committee is useful (it is only in French).
- **Extremely useful is the Addendum to the Background note on CAR with excerpts of the report of the Independent Expert on the situation of human rights, 30 My 2014**

CEDAW Background information

Ratification of CEDAW: 21 June 1991, without reservation

CEDAW Reporting status

Initial report (due by 1992) and all following were not submitted until State Party was informed it was scheduled for review in absence of report for the 53rd session, October 2012. All overdue reports were then sent in June 2012. Examination was rescheduled from the 53rd session to the 58th session.

Two Lists of issues drafted in the absence of initial and periodic reports had been sent, one in 2009 and one in 2012. The 2013 LOI concentrates on the situation arising from the collapse of the State since 2012, and refers frequently to the Report of the High Commissioner for Human rights following her visit to CAR.

Party to: ICCPR, ICESCR, ICERD, CRC, CRC-OP-SC, CRSR, Rome Statute among others

Signed but not party to: CRC-OP-AC, CRPD

⁹<http://rsf.org/index2014/en-africa.php>

¹⁰ <http://en.rsf.org/car-your-message-has-not-been-sent-04-06-2014,46398.html>

¹¹ <http://en.rsf.org/rca-unjustified-criminal-proceedings-18-04-2014,46174.html>

¹² <http://www.smallarmssurvey.org/fileadmin/docs/D-Book-series/book-07-CAR/SAS-Central-African-Republic-and-Small-Arms.pdf>

¹³ OHCHR, HRI/CORE/1/Add.100, http://tbinternet.ohchr.org/_layouts/TreatyBodyExternal/CoreDocuments.aspx

Not a party to: CAT, CAT-OP, CCRP-OP2-DP, CED, CMW, CRC-OP-AC, CRPD

Geography, Population, Climate

Geography: CAR is a landlocked country of about 623,000km²¹⁴ located in central Africa. It shares borders with six countries, namely Cameroon, Chad, Sudan, South Sudan, the Democratic Republic of Congo, and the Republic of the Congo.

Population: A low-density population of about 4.5 million (2013¹⁵), averaging only about 7.2 inhabitants per km²¹⁶, particularly in the North. Due to the conflict about one fourth of the population has fled their homes, becoming IDP's or refugees in neighboring countries. UNDP estimates that roughly 2.2 million are in urgent need of humanitarian aid, another 1.1 million are experiencing food shortages.

Ethnic Groups: 80+, predominantly Baya 33%, Banda 27%, Mandjia 13%, Sara 10%, Mboum 7%, M'Baka 4%, Yakoma 4%; other 2%.¹⁷

Religion: Information on religion is variable. The Christian majority is estimated to constitute anywhere from 50% to 80% of the population depending on the source, while a Muslim minority, isolated mostly to the north-east and in the capital Bangui, is typically estimated to constitute another 15%. The rest of the population holds mostly either indigenous animist or mixed animistic-Christian beliefs.

Languages: French, Sangho, tribal languages

Climate: tropical with hot, dry winters and mild to hot, wet summers, fertile agricultural conditions¹⁸

Economic/Development/Health Context

Even before the onset of the recent conflict CAR was considered one of the least developed countries in the world, ranking 180 out of 187 countries evaluated by the UNDP Human Development Index and with an estimated 62.8% of the population living below the poverty line.¹⁹ That number is assumed to have increased dramatically since widespread violence has broken out again recently, another episode in a decades-long pattern of coups, rebel offensives, political turmoil and instability.

Current hostilities have disrupted every sector of the economy, including agriculture, which accounts for more than 50% of GDP and in which most of the population is active. CAR is potentially a rich country thanks to abundant natural resources including forests, minerals and water, and a climate that is well suited for agriculture, but corruption is rife and instability constant. Timber, diamonds and cotton account for the majority of export goods.

There is urgent need to relaunch the agricultural sector and transport, but lack of security is a huge obstacle, and a food crisis is looming.

¹⁴ UNData, Central African Republic,

<http://data.un.org/CountryProfile.aspx?crName=Central%20African%20Republic>

¹⁵ UNData, Central African Republic,

<http://data.un.org/CountryProfile.aspx?crName=Central%20African%20Republic>

¹⁶ UNData, Central African Republic,

<http://data.un.org/CountryProfile.aspx?crName=Central%20African%20Republic>

¹⁷ CIA World Factbook, Central African Republic, <https://www.cia.gov/library/publications/the-world-factbook/geos/ct.html>

¹⁸ CIA World Factbook, Central African Republic, <https://www.cia.gov/library/publications/the-world-factbook/geos/ct.html>.

¹⁹ UNDP Human Development Reports, Central African Republic, <http://hdr.undp.org/en/countries/profiles/CAF>

The CAR will not meet the Millennium Development Goals (MDGs) by 2015, especially as schools, health facilities, etc. have been looted and/or destroyed in many parts of the country. According to CharityWater, 46% lack access to water and 93% lack access to sanitation.²⁰ CAR has the world's fourth highest maternal mortality rates after Somalia, Chad and South Sudan, while current life expectancy is estimated to be just over 49 years.

Institutional and geo-political context

Complete breakdown of the State, and rule of law, which were already very weak. Rigged elections have been frequent, in the past, even though the UN has been involved in supporting CAR in a reform of the electoral code and managing of elections²¹, trying with no success to get all parties to embark on a joint process.

Management of public funds has been problematic, also for years, with high levels of corruption. Salaries for civil servants, soldiers and officers, teachers, university professors, all health, police and judicial personnel have not been paid or paid very irregularly for years.

A culture of impunity for corruption, violation of human rights, abuses of power has permeated all the institution and society resulting in lack of confidence of the population in the authorities.

Displacement of population has been going on for years, with a new pattern of ethnic cleansing against Muslim populations, since 2014, and much higher figures.

The international community has failed CAR for years, as the 2011 Report of the SG shows, with the low level of humanitarian funding, and the April 2014 Security Council decision²² to send troops in CAR, but delaying their arrival to September, which will enable further SGBV, other violations of human rights, including hunger, and risks making the return of the Muslim population who have fled outside of CAR impossible.

Insecurity prevails, with little or no control of the State authorities on most parts of the country.

Sexual and gender based violence

Violence against women is widespread, but the conflict has raised the levels and types of acts of violence to new heights. The International Federation of Human Rights' (FIDE) June 2014 situation report on the Central African Republic describes horrific levels of violence, including massacres, torture, mutilation of bodies, rape, gang rape, and other gender-based and sexual crimes, extrajudicial executions, recruitment of child soldiers and other grave violations of human rights perpetrated by both rebels and anti-Balaka militias alike.²³ *The report includes allegations that the largely decentralized anti-balaka forces are supported by the Central African Armed Forces (FACA) as well as prominent politicians with ties to former President Bozizé, while the include(ed) a large number of Sudanese and Chadian mercenaries with a more direct chain of command ending with former President Djotodia. Human Rights Watch reports that many of the "ex-" fighters that have been nominally integrated into the national army since their official September 2013 dissolution have continued to engage in violence aimed at terrorizing local civilian populations*.²⁴

Issues to Be Raised During Constructive Dialogue

²⁰ Charity Water, Central African Republic, <http://www.charitywater.org/projects/countries/central-african-republic/>

²¹ S/2011/739

²² S/RES/2149 (2014)*, http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s_res_2149.pdf

²³ International Federation of Human Rights (FIDE), "Central African Republic: They Must All Leave or Die," 24 Jun 2014, http://www.fidh.org/IMG/pdf/rapport_rca_2014-uk-04.pdf

²⁴ Human Rights Watch, "They Came to Kill: Escalating Atrocities in the Central African Republic," 19 Dec 2013, <http://www.hrw.org/reports/2013/12/18/they-came-kill>

General context

Rebuilding of State authorities and authority, restoration of peace, LOI Q#1

I. State Response, RLOI § 1

The priorities of the current CAR government are the re-establishment of governmental authority and the restoration of peace in the nation. Specifically, the priorities are the following²⁵:

- Restoring and strengthening security throughout the territory to promote humanitarian assistance to the people and vulnerable populations and the return of internally displaced people to their homes;
- Restoration of the State's authority by the redeployment and reorganization of the central and territorial administration;
- Rebuilding of the Courts of Appeal of Bangui buildings and of certain remote villages, the High Courts, Police Stations, Gendarmerie Brigade, and penitentiary centers;
- Ensuring the security of prefects, judges, courts and detention centers;²⁶
- Make available all legal services;
- Redeployment of Judges and Auxiliaries of Justice that has already begun;
- Strengthening of human, operational, and technical capacity of justice, notably, the Chancellor and General Inspector of Legal Services.

II. Additional information

The government's priorities are compelling but vague, and fail to display commitment to ensuring women's human rights are sufficiently protected as attempts are made to secure the country. Ms. Marie-Therese Keita Bocoum, appointed Independent Expert on the Situation of Human Rights in the Central African Republic, recently praised the government's willingness to restore order but observed that serious obstacles persist because of a general lack of resources and insufficient public infrastructure, a total lack of security for courts and judicial personnel, the overcrowding of prisons, and delays in the deployment of public sector staff.²⁷

Special Representative Babcar Gaye briefed the UN Security Council on 24 June 2014, noting that the government's efforts to stabilize the country and institute some sense of order without its own functioning security forces or sufficient resources are moving "too slowly."²⁸

A prevailing culture of impunity has eroded the criminal justice system over a period of decades, with particular regard to rape and crimes of sexual violence, and appears to be one of the underlying causes of instability, comprising past and present efforts at national dialogue and reconciliation. The tenuousness of the rule of law and weak state institutions have created the conditions necessary for the present cycle of vengeance and violent retribution to flourish.

III. Possible questions

- 1) The UN High Commissioner for Human Rights Navi Pillay, during her mission to the Central African Republic in March 2014 learned from the Prime Minister that the Transitional Government is setting up both a Reconciliation Commission and a Permanent Commission on Dialogue. What is the progress made in this regard? When will these mechanisms be established? What will be the competences of these

²⁵ Central African Republic, *List of issues considering the initial to fifth periodic reports of the Central African Republic submitted in one document*, U.N. Doc CEDAW/C/CAF/Q/1-5/Add.1 (2014), § 1.

²⁶ OHCHR confidential submission, June 2014

²⁷ "Preliminary Report of the Independent Expert on the situation of Human Rights in the Central African Republic, Marie-Thérèse Keita Bocoum," 30 May 2014, <http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session26/Pages/ListReports.aspx>

²⁸ UN Security Council Press Release, "DEADLY ATTACKS IN CENTRAL AFRICAN REPUBLIC TEST INTERNATIONAL EFFORTS TO RESTORE CALM, SPECIAL REPRESENTATIVE TELLS SECURITY COUNCIL," 24 Jun 2014, <http://www.un.org/News/Press/docs/2014/sc11449.doc.htm>

mechanisms? How will participation of women be guaranteed in view of the pervasive discrimination against them, and the limited level of formal education that the majority of women in rural areas possess?

- 2) What support from the international community has been granted to rebuild the State authorities?
- 3) What economic measures is the government prepared to undertake to ensure law enforcement and civil administration staff is compensated fairly and on time?
- 4) How are the numerous small arms in circulation going to be seized and destroyed? What is planned within the DDR process? How extensive is the DDR process?
- 5) What commitments can the CAR government make to ensure human rights, and particularly the human rights of women, girls and other vulnerable populations are respected in the efforts to strengthen security?
- 6) Is the ban against SMS (text messages) declared on June 2nd still in force and if so, how does the Government consider it compatible with the freedom of information Act of 2005, and its efforts to ensure an inclusive process of peace building ?
- 7) What measures has the Government taken or is planning to curb and counter the spread of incendiary sectarian rhetoric?
- 8) What human rights, gender sensitization, and sexual and gender-based violence response trainings will the government ensure police, judicial personnel, national security and defense forces receive before returning to active duty?
- 9) How will the CAR government ensure that all members of society, including women and girls, have equal access to legal services?
- 10) What initiatives has the government undertaken to cooperate with and legitimize international peacekeeping efforts?
- 11) What emergency justice measures will the government consider in its attempts to halt the violence, and what precautions undertaken to ensure that the rights and safety of women, girls and other particularly vulnerable populations are protected?

Women's participation at the decision making-level in the peace process and peace building LOI Q#3

I. State Response²⁹

In Sept 2013, the government adopted a national action plan for the implementation of Resolution 1325 of the UN Security Council. Sensitivity training and advocacy before all of the transitional authorities (the Government, National Transition Council, Constitutional Court of Transition) and development partners was organized for the celebration of March 8, International Women's Day, to implore them to fully include women in the resolution of the current crisis. It is in this context that for the first time in its history, the Central African Government is made up of 35% (7/20 ministers).³⁰ In addition, the Government is still in contact with women's organizations to empower them as stakeholders in the resolution of the crisis.

II. Additional information

The efforts made to date to promote women's participation in the peace and reconciliation process address are commendable but limited. UN Women has observed that women leaders from diverse backgrounds and across both Muslim and Christian communities have been engaged in various initiatives aimed at ending the conflict, issuing strong appeals for peace, protection and inclusion.³¹ For peace and stability to take root in CAR the agency notes, women, men and young people must all be engaged and participate equally, playing full roles in shaping national dialogue.³² The NGO Working Group on Women, Peace and Security has also called on the government to foster

²⁹ Central African Republic, *List of issues considering the initial to fifth periodic reports of the Central African Republic submitted in one document*, U.N. Doc CEDAW/C/CAF/Q/1-5/Add.1 (2014), § 3.

³⁰ Central African Republic, *List of issues considering the initial to fifth periodic reports of the Central African Republic submitted in one document*, U.N. Doc CEDAW/C/CAF/Q/1-5/Add.1 (2014), § 3.

³¹ UN Women, "Joint Press Statement on peace & stability in the Central African Republic," 27 May 2014, <http://www.unwomen.org/co/news/stories/2014/5/joint-statement-on-car>

³² Id.

and fully operationalize the provisions of MINUSCA's mandate that call for women's full and effective participation in all mediation, reconciliation, transitional justice and electoral processes.³³

The Special Representative of the Secretary-General on Sexual Violence in Conflict, Ms. Zainab Hawa Bangura, echoed the call for women's increased participation in the peace and reconciliation process, noting that improved data collection, the immediate restoration of the judiciary and increased support and assistance particularly for victims of sexual violence are urgently needed.

III. Possible questions

- 1) What plans does the government have to continue efforts already begun to include women in the peace building process at national level, regional and local levels?
- 2) What targets has the government set for the inclusion of women in the peace building process?
- 3) Has the CAR government identified an appropriate list of women civil society actors, politicians, and other community leaders who should be included in all stages of the peace process?

Violence against women : issues linked to the conflict are treated here in one chapter, Harmful practices, rape, etc. are under Art. 5 and women accused of witchcraft are under Disadvantaged groups of women

A. Screening and vetting of the Central African armed forces and Séléka members/ LOI Q#2

I. State Response³⁴, RLOI

The government has zero tolerance for anyone person who commits violence against women and girls. The Demobilization, Disarmament, and Reintegration project of ex-combatants is a priority for the government and is currently in discussions. However, the initiative to disarm, demobilize, and reintegrate child soldiers is underway.

II. Additional information

The International Federation of Human Rights' (FIDE) June 2014 situation report on the Central African Republic describes horrific levels of violence, including massacres, torture, mutilation of bodies, rape, gang rape, and other gender-based and sexual crimes, extrajudicial executions, recruitment of child soldiers and other grave violations of human rights perpetrated by both rebels and anti-Balaka militias alike.³⁵ The report includes allegations that the largely decentralized anti-balaka forces are supported by the Central African Armed Forces (FACA) as well as prominent politicians with ties to former President Bozizé, while the include(ed) a large number of Sudanese and Chadian mercenaries with a more direct chain of command ending with former President Djotodia.

Human Rights Watch reports that many of the "ex-" fighters that have been nominally integrated into the national army since their official September 2013 dissolution have continued to engage in violence aimed at terrorizing local civilian populations.³⁶

III. Possible questions

- 1) What is the scope and timeline of proposed Disarmament, Demobilization & Reintegration (DDR) plans?³⁷ What measures will be undertaken to ensure mixed participation among and

³³ The NGO Working Group on Women, Peace and Security, "NGOWG MAP Recommendations," June 2014, <http://www.womenpeacesecurity.org/rapid-response/car>

³⁴ Central African Republic, *List of issues considering the initial to fifth periodic reports of the Central African Republic submitted in one document*, U.N. Doc CEDAW/C/CAF/Q/1-5/Add.1 (2014), § 2.

³⁵ International Federation of Human Rights (FIDE), "Central African Republic: They Must All Leave or Die," 24 Jun 2014, http://www.fidh.org/IMG/pdf/rapport_rca_2014-uk-04.pdf

³⁶ Human Rights Watch, "They Came to Kill: Escalating Atrocities in the Central African Republic," 19 Dec 2013, <http://www.hrw.org/reports/2013/12/18/they-came-kill>

³⁷ Amnesty International, "Q&A: The Central African Republic's human rights crisis," 9 Apr 2014, <http://www.amnesty.org/en/news/qa-central-african-republic-s-human-rights-crisis-2014-04-09>

- anti-Balaka fighters? How will the specific needs of women and girl fighters who often experienced rape and other sexual violence themselves be attended to?
- 2) What steps have been taken to identify and arrest specific perpetrators, particularly along the chains of command for both the and the anti-Balaka?
 - 3) What measures will be undertaken to identify violations committed by the “ex-” fighters currently serving in the national security and defense forces?
 - 4) What guarantees can the government make of full cooperation with ICC investigations?
 - 5) How will the government guarantee that those persons accused of having violated international human rights and humanitarian law face justice?
 - 6) What resources (financial, personnel) will the government make available in order to vet members of the national security and defense forces as they are rebuilt?
 - 7) What human rights, gender sensitization, and sexual and gender-based violence response trainings will the government ensure national security and defense forces receive before returning to active duty?

B. Violence against women in conflict and post-conflict situations/ LOI Q#5

Information on the rape of women by force are provided, for the most part, by humanitarians in CAR; the State is virtually absent on the ground due to insecurity, RLIQ § 5, but announces a survey.

Extent of scale of sexual violence in current conflict is hard to ascertain due to high levels of stigma associated with sexual crimes and rape together with a fear of violent reprisal preventing many individuals, especially women and girls, from coming forward to report incidents. More than 7,000 victims of sexual crimes were recorded in the 2002-2003 conflict in CAR, and NGOs estimate that levels in the current conflict are similarly extreme, with this figure representing only a small fraction of the overall number of victims. Pre-existing levels of impunity for such crimes are considered egregiously high, and fear of rape in addition to injury and death has been cited as one of the predominant motivations propelling the mass exodus of refugees.³⁸

In a January 2014 press release calling for an end to the violence, the NGO Nobel Women’s Initiative cited a UN Regional Information Centre for Western Europe report assessing the levels of violence as “astronomical” with 1186 confirmed cases over the previous month alone.³⁹

The FIDE report contains excerpts from interviews with numerous individuals who described instances of rape and gang rape, and notes that an aid worker saw seven rape cases presented in a single day at the Bangui clinic in February 2014.⁴⁰

The International Rescue Committee reported in March 2014 that approximately 70% of the 125 women it was aiding at the time had been gang-raped, and noted that women and girls in Bangui reported feeling increasingly threatened by rising levels of both general and domestic violence.⁴¹ The Independent Expert noted that the situation is particularly fraught in places where victims have little to no access to basic assistance, even health services.⁴²

³⁸ Aljazeera America, “UNICEF: Childrean beheaded, mutilated in Central African Republic,” 30 Dec 2013 <http://america.aljazeera.com/articles/2013/12/30/car-children-beheaded.html>

³⁹ Nobel Women’s Initiative, “Sexual violence crisis in Central African Republic,” 11 Feb 2014, <http://nobelwomensinitiative.org/2014/02/sexual-violence-crisis-in-central-african-republic/>

⁴⁰ International Federation of Human Rights (FIDE), “Central African Republic: They Must All Leave or Die,” 24 Jun 2014, http://www.fidh.org/IMG/pdf/rapport_rca_2014-uk-04.pdf, pg. 41

⁴¹ International Rescue Committee, “Sexual violence biggest fear for women in Central African Republic”, March 2014, <http://www.rescue.org/press-releases/sexual-violence-biggest-fear-women-central-african-republic-says-international-rescue>

⁴² “Preliminary Report of the Independent Expert on the situation of Human Rights in the Central African Republic, Marie-Thérèse Keita Bocoum,” 30 May 2014, <http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session26/Pages/ListReports.aspx>

On 3 and 7 September 2014, UN Human Rights Section in CAR saw the presence of young people (less than 15 years) (boys and girls) among the combatants of the the ex-coalition in camp Leclercl de Bouar. Girls are used for domestic work (OHCHR confidential submission, May 2014)

Possible Questions

- 1) When does the government anticipate it will conclude its survey and when will the results be made public?
- 2) In light of its lack of presence on the ground, how has the State partnered with or supported humanitarian and NGO actors attempting to respond to the issue?

C.Support to victims of sexual violence during the conflict LOI Q#7

I. State Response, RLOI § 7

As part of its emergency program during and post conflict, the government has planned to provide assistance to women victims of sexual violence.⁴³ This assistance is spontaneous and it relates to cases of gender-based violence. Women also benefit from psychosocial support. The Ministry of Public Health, Social Affairs, Promotion of Gender and Humanitarian Action is currently working with partners involved in the fight against violence against women and girls on a management project of integrated and comprehensive care of victims.

II. Additional information

The government response indicates a reliance on other actors and “partners”, assumedly NGOs, in their attempts to provide assistance to survivors of gender-based and sexual violence, characterized in CAR by high rates of rape, gang rape, domestic abuse, child marriage, sexual mutilation including ritual genital mutilation, and sexual slavery. The ICC Trust Fund for Victims had made several support programs for victims of sexual crimes committed during the present conflict available, but all have been suspended due to deteriorated security conditions.⁴⁴

UN Women notes that access to counseling, health services, livelihoods and education is seriously compromised.⁴⁵ The Independent Expert has called upon the government to address these critical gaps by developing a program of psychotherapeutic support and assistance for victims of sexual violence.⁴⁶ The establishment of permanent infrastructure and services for responding to rape and sexual violence in an organized, sustained manner would be preferable to spontaneous, ad hoc efforts.

I. Possible questions

- 1) What specific measures is the government undertaking to cooperate with and support NGOs delivering services on the ground?
- 2) What psychosocial support is currently available to victims of rape and other forms of sexual violence, and how is it accessed?
- 3) What is the size and scope of the management project for integrated and comprehensive victim care?
- 4) Do victims have access to emergency contraception, emergency protection against HIV contamination?

⁴³ Central African Republic, *List of issues considering the initial to fifth periodic reports of the Central African Republic submitted in one document*, U.N. Doc CEDAW/C/CAF/Q/1-5/Add.1 (2014), § 7.

⁴⁴ International Federation of Human Rights (FIDE), “*Central African Republic: They Must All Leave or Die*,” 24 Jun 2014, http://www.fidh.org/IMG/pdf/rapport_rca_2014-uk-04.pdf, pg. 79

⁴⁵ UN Women, “Joint Press Statement on peace & stability in the Central African Republic,” 27 May 2014, <http://www.unwomen.org/co/news/stories/2014/5/joint-statement-on-car>

⁴⁶ “*Preliminary Report of the Independent Expert on the situation of Human Rights in the Central African Republic, Marie-Thérèse Keita Bocoum*,” 30 May 2014, <http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session26/Pages/ListReports.aspx>

5) Do women and girls becoming pregnant as consequence of rape have access to safe abortion ?

C. Ending impunity /Access to justice LOI Q#6, RLOI §6

The government has a law of parliamentary origin which punishes all forms of violence against women and girls.⁴⁷ Moreover, in the context of the revision of the Penal Code and the Code of Criminal Procedure, specific measures are taken to protect women against violence and to punish the perpetrators of any kind. However, the access of women to justice is often limited due to, among other things, their low purchasing power (in the face of legal fees), but also because of sociocultural constraints.

I. State Response

A Law promulgated in 2006, punishes all forms of violence against women and girls.⁴⁸ In the context of the revision of the Penal Code and the Code of Criminal Procedure, specific measures are taken to protect women against violence and to punish the perpetrators of any kind. However, the access of women to justice is often limited due to, among other things, their low purchasing power (in the face of legal fees), but also because of sociocultural constraints.

In practice, due indeed to sociocultural constraints and custom, women and girls have far fewer rights and protections than even the law prescribes. The Country Report acknowledges that a large proportion of potential litigants more generally did not have access to the judiciary before this most recent conflict, a situation attributed to “a lack of resources, distances, and ignorance.” The pre-existing levels of impunity and stigma associated with rape and sexual assault confirms and exacerbates this lack of access to justice, and compounds the impacts of gender-based violence.

II. Additional information

With the collapse of the judiciary and near total breakdown of rule of law seen in the current conflict, even the most violent crimes - including grievous violations of international human rights and humanitarian law – have gone unpunished. For example, as of March 2014 Human Rights Watch was unaware of any arrests made in connection with even the brutal mob lynching of an alleged rebel that occurred at the official celebrations marking the reinstatement of the national army in full view of dozens of international journalists and soldiers.⁴⁹

While the government is known to have cooperated with international forces in the arrest of several anti-Balaka leaders in mid-February, most of the prisoners have subsequently escaped, and the vast majority of perpetrators from both sides remain at large.⁵⁰ In March 2014, President Samba-Panza and the Special Representative of the Secretary-General on Sexual Violence in Conflict jointly agreed to support a special UN-backed rapid response unit of the national gendarmerie designed to respond to incidents of sexual violence in Bangui, though the effectiveness of such a measure remains to be seen.⁵¹

⁴⁷ Central African Republic, *List of issues considering the initial to fifth periodic reports of the Central African Republic submitted in one document*, U.N. Doc CEDAW/C/CAF/Q/1-5/Add.1 (2014), ¶ 6.

⁴⁸ Central African Republic, *List of issues considering the initial to fifth periodic reports of the Central African Republic submitted in one document*, U.N. Doc CEDAW/C/CAF/Q/1-5/Add.1 (2014), § 6.

⁴⁹ Human Rights Watch, “Central African Republic Compendium: Materials Published by Human Rights Watch since the March 2013 Coup,” 2014, http://www.hrw.org/sites/default/files/related_material/car0314compendium_web.pdf, pg. 7

⁵⁰ International Federation of Human Rights (FIDE), “Central African Republic: They Must All Leave or Die,” 24 Jun 2014, http://www.fidh.org/IMG/pdf/rapport_rca_2014-uk-04.pdf

⁵¹ UN News Centre, “Central African Republic: sexual violence is constant threat, UN envoy warns,” 21 March 2014, http://www.un.org/apps/news/story.asp?NewsID=47408&utm_source=feedburner&utm_medium=feed&utm_campaign=Feed%3A+ungen+%28UN+gender+equality+news+feed%29#.U7FPnxa0bnc

The Rapporteur Special encouraged the inclusive national program for truth, justice, reparation and reconciliation; (SR report, May 2014)

In March 2014, the UN High Commissioner for Human Rights Navi Pillay indicated that senior members told her there is, in effect, no State: no coherent national army, no police, no justice system, hardly anywhere to detain criminals and no means of charging, prosecuting or convicting them. The so-called ‘penal chain’ is not only missing links, it is not functioning at all. (OHCHR, Opening remarks by UN High Commissioner for Human Rights Navi Pillay at a press conference during her mission to the Central African Republic, Bangui, 20 March 2014)

Regarding the fight against impunity, transitional authorities have taken steps to restore the criminal justice system by establishing human rights violations investigation cells. Despite the willingness expressed by the transitional authorities to effectively fight against impunity and ensure the presence of the administration throughout the country, serious obstacles remain because of the lack of resources, the lack of security for judges, courts and detention centers, inadequate public infrastructure and delays in the deployment of staff in the public administration. (Special rapporteur report, may 2014)

The Independent Expert notes again that insecurity by armed groups in CAR hinders the efforts of the new authorities to fight against impunity. The lack of security for judges, trials and places of detention, and the lack of appropriate infrastructure are serious obstacles to an effective fight against impunity (report of the SR, May 2014)

The provision of legal and financial reparations for victims, including collective reparations, as elements of social justice has never been addressed in CAR. Interlocutors of the Independent Expert, in this case the transitional authorities have recommended the use of transitional justice as a means to strengthen the fight against impunity and better consider individual and collective reparations.

On 20 May 2013, the interim Government issued a decree establishing the Joint National Commission of Inquiry (Commission nationale mixte d’enquête) with a mandate to investigate human rights violations committed in the Central African Republic since 2004, to establish facts and circumstances of violations, and to identify perpetrators, collaborators, accomplices and victims. While the establishment of such a commission is encouraging, its current mandate, composition and functioning are not compliant with international standards, which compromises its independence, credibility, impartiality and transparency. The Commission, unless its mandate and functioning are strengthened in compliance with relevant international standards, will not be able to address impunity by ensuring that perpetrators of human rights abuses are brought to justice.⁵²

III. Possible questions

- 1) Do you plan to revise the mandate, composition and functioning of the Joint National Commission of Inquiry (Commission nationale d’enquête) to respect international standards and thus increase its independence, credibility, impartiality and transparency?
- 2) How will you address the issue of legal and financial reparations for women victims of violations of their human rights by armed groups, including collective reparations?
- 3) What resources and competences do the new Special investigation units have to solidify rule of law and fight impunity, particularly for crimes of gender-based violence?
- 4) What specific legal reforms is the government considering to ensure women and girls have equal access to justice?
- 5) What specific actions will the government undertake to combat stigma along with pervasive customary norms in order to promote women and girls’ equal access to justice in practice?

Internally displaced women LOI Q#8, RLOI §8

⁵² . (Situation of human rights in the Central African Republic, Report of the United Nations High Commissioner for Human Rights, 12 September 2013)

I. State Response

In response to the Committee's concern regarding the issue of internally displaced women, the government of Central African Republic states that measures to return the population to their homes have been hampered by the upsurge of violence since December 5, 2013.⁵³ In addition, the high levels of insecurity in many areas of the country have forced people to take refuge in the bush. Therefore, the current priority for the transitional government is to provide security and restore peace to the country. The Central African Republic government notes that humanitarian actors have provided substantial assistance to displaced populations both in Bangui and in other areas and that the government is hopeful of receiving the support of the international community in its efforts towards peace, national reconciliation and social cohesion.

II. Additional information

According to reports from United Nations High Commissioner for Refugees, as at June 2014, there were 542,400 internally displaced persons living in CAR including 117,400 internally displaced persons in the capital, Bangui.⁵⁴ Findings from an emergency assessment by the International Rescue Committee in March 2014 in Bangui indicate that the threat of sexual violence is the primary concern for women and girls in displacement camps.⁵⁵

Women and girls face great safety risks when collecting food or firewood and they are afraid of using toilets without locks due to the increased possibility of being raped. The preliminary report of the independent expert on the human rights situation in Central African Republic, released on May 30, 2014, confirms the proliferation of weapons and small arms in a number of displacement camps in Bangui that increases the risk of sexual and gender-based violence against women and girls in these camps.⁵⁶ Such safety risks greatly impact women's ability to provide for their families in the displacement camps.

In addition, a situation report in June 2014, from the United Nations Office for the Coordination of Humanitarian Affairs states that appropriate medical and psychosocial support for the survivors of gender-based violence is lacking in more than a dozen displacement sites in Bangui and that the demand for the services will grow as the number of women and girls affected increases.⁵⁷ The report also notes the need for free life-saving health care services and additional vaccination campaigns in the displacement sites to protect vulnerable groups such as women and children against disease outbreaks.

The response of the Central African Republic government to the issue of internally displaced women provides no information regarding the actions and steps that the government has taken to provide protection from violence and access to basic health care, education and clean water for these displaced women and girls. It can be concluded from the response that the government of Central African Republic relies heavily on the work of humanitarian aid agencies and the support of the international community to protect and provide for the internally displaced women and girls.

⁵³ Central African Republic, *List of issues considering the initial to fifth periodic reports of the Central African Republic submitted in one document*, U.N. Doc CEDAW/C/CAF/Q/1-5/Add.1 (2014), § 8.

⁵⁴ United Nations Commissioner for Refugees, "Central African Republic Emergency Situation (as of 19 June 2014)", June, 2014,
http://reliefweb.int/sites/reliefweb.int/files/resources/caf_reference_landscape_140619.pdf

⁵⁵ International Rescue Committee, "Sexual violence biggest fear for women in Central African Republic", March 2014, < <http://www.rescue.org/press-releases/sexual-violence-biggest-fear-women-central-african-republic-says-international-rescue> >

⁵⁶ "Preliminary Report of the Independent Expert on the situation of Human Rights in the Central African Republic, Marie-Thérèse Keita Bocoum," 30 May 2014,
<http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session26/Pages/ListReports.aspx>

⁵⁷ United Nations Office for the Coordination of Humanitarian Affairs, "Central African Republic Situation Report No.30 (as of 17 June 2014)", June 2014.
http://reliefweb.int/sites/reliefweb.int/files/resources/OCHA%20CAR%20Situation%20Report%20No%2030_140619_final.pdf

III. Possible questions

- 1) What is the present scope of displacement?
 - 2) What measures has the government taken to establish security in towns and villages to ensure the safe return of populations, especially women and girls, to their homes?
 - 3) What measures has the government taken to curb the proliferation of weapons and small arms as a means to decrease security risks particularly for vulnerable groups including women and girls?
 - 4) (How) does the government collaborate with humanitarian actors to assess the needs of internally displaced women and girls both in Bangui and other areas and to provide protection, health care services, access to education and water and sanitation for internally displaced women?
-

Part I Article 1

I. State report

Article 5 § 1 of the Transitional constitutional charter ensures that “all human beings are equal before the law, without distinction as to race, ethnic origin, region, gender, religion, political affiliation or and social position” and art. 5 § 2 guarantees men and women equal rights in all fields.

No explicit definition of discrimination against women is given according to § 152 Report which is puzzling, since, as the Transition Constitutional Charter (as the 2004 Constitution) gives international treaties a higher position than to national laws (art. 97), the definition according to art. 1 CEDAW should be seen as part of the national legal order. Convention has not been referred to in Court cases.

A number of other provisions protect women, against violence, and in family and civil matters, see § 154 State Report, but are not implemented.

II. Possible questions:

- 1) Why don't they give priority to the Convention and apply its definition of discrimination since they accept the pre-eminence of international treaties on national laws?
- 2) How do they plan to improve protection of women's rights, especially in the present context : programme of legislative reform ? training of judicial personal? Of police? Of other personnel, social services, etc.?
- 3) What about training of traditional and or religious leaders applying customary law?

Article 2

a) Discriminatory laws

Many laws, see summary in § 156 Report, in particular Family Code (See ad art. 16); expulsion of pregnant girls from school; Labour Code and Act 99.016/1999 on payment of family allowances and taxation of employed wives. And see info provided for in the Report on different Articles.

Possible questions:

- 1) Reform of legislation as part of the transition efforts to make sure women receive equal treatment?
- 2) Awareness that women's subordination contributes to permanent instability of the country?
- 3) Time table for reform of most import pieces of legislation: Family Code in particular?

b) Ratifications of international human treaties

Please refer to Background note to see the need for action.

Possible questions

- 1) Intention of ratifying those international treaties, in particular what is the time table for the ratification of OP CEDAW which has been announced in UPR 2009 and 2014 : where does it stand now?
- 2) What about the ratification of the 1951 Convention on refugees + the 1954 Convention relating to the status of stateless persons, and the 1961 Convention on the Reduction of Statelessness, and the Convention on the prevention and punishment of the crime of genocide?

Article 3 Role of the national mechanism

The present situation, organization and competence of the various entities dealing with gender equality according to the State report are now unclear. State report indicates upgrading of Secretariat of State for Social Affairs to Ministry for the Advancement of women, § 463, as a sign of its commitment to gender equality. Present situation unclear, and role of other entities mentioned in § 126-133 also unclear.

Today, some interlocutors of the Special Rapporteur on the Human Rights Situation in CAR described CAR as a failed State, a bankrupt country or a State that exists only in name. Administrative infrastructure, including official housing, was destroyed. For now, the administration functions with limited means and mainly in Bangui, Bambari, Berbérati and Bouar. In Bangassou, the Independent

Expert met with the acting prefect who received her under a tree for lack of a suitable office or accommodation.⁵⁸

Salaries of civil servants have not been paid from November 2013 to January 2014 (OHCHR confidential submission, June 2014)

Possible questions

- 1) Do the various entities mentioned in the 2012 Report still exist or not ?
- 2) If so, are they able to exercise their competences ? what are their resources or their planned resources?
- 3) Within the present situation, is the administrative repartition of tasks between the national level, the 7 regions, 16 prefectures, 71 sous-prefectures, the 175 communes, and 10 000 villages and quarters, a workable system for gender equality promotion?

Article 4 In view of the situation,

Possible questions

- 1) Is the government considering the immediate introduction of quotas in order to significantly increase the participation of women in all State authorities, in accordance with what both the 2004 Constitution and the Transition Constitutionale Charter foresee (art. 80 °1)?
- 2) Does the government envisage collaborating with women's organizations and the UN to support the participation of women in the planned elections in 2015?

Article 5 / Stereotypes, §184-219, Harmful practices LOI Q#13, RLOI § 13

The situation of women is that of second class citizens although the TCC (and the former Constitution) recognizes gender equality. The Family Code expresses and maintains the domination of men over women. Domestic violence

⁵⁸ Report of the Special rapporteur on the Human Rights Situation in CAR, 30 May 2014

is widely practiced and it is considered normal for a husband to “correct” his wife. SGBV has increased significantly during the present conflict.

Dowry, § 202-210, Rites of widowhood, § 212-213 and 458

I. State Response

According to the government’s response, the national action plan against violence addresses the following offences: rape, pedophilia, incest, sexual harassment, pimping, inciting minors to debauchery, pornography, intentional assault, ill-treatment (harsh punishment), public insults, female genital cutting including all procedures involving partial or total removal of the female genitalia, abuse during widowhood, confiscation of personal property of the wife during widowhood, levirate (brother of deceased man marries deceased man’s widow), sororate (husband marries or has sexual relations with sister of his wife), food taboos, etc.⁵⁹ The government also claims that in addition to enforcing this action plan, the Committee and some women organizations have embarked on awareness raising campaigns. However, the current security and humanitarian crisis in the country has undermined all of these achievements and put women and girls at great risks.⁶⁰

II. Additional information

It is certainly noteworthy that initiatives have been taken by both the government and civil society in the Central African Republic to develop and implement a national action plan with the aim of combating harmful practices and gender-based violence. However, an ongoing gap remains between existing policies and actual practices.

Despite the fact that the Family Code, the Criminal Code and the national action plan prohibit the abuse and ill treatment of widows, confiscation of property and levirate, reports from NGOs indicate that widowhood rites are still practiced in the Central African Republic.⁶¹ Due to that fact that the Family Code recognizes the husband as the head of the family, women face difficulties in exercising their succession rights. Inheritance is transferred from one man to another, for example from father to eldest son, or even to uncles and male cousins. As a result, in many cases widows and their children are evicted from their property. The situation becomes even more complicated in cases of polygamy, which is legal in the Central African Republic.

The government’s national action plan also bans ill treatment or harsh punishment of women and girls; however, there is no explicit prohibition of corporal punishment as a disciplinary measure in penal institutions. According to NGO reports, physical violence against girls and boys in their home is typically not considered as domestic violence because it is used under the concept of “discipline” or “correction.”⁶² The report states that corporal punishment is unlawful as a sentence for crime, but it is lawful in all other settings including home, day care and schools. Also data collected in 2010-2011 under round 4 of the UNICEF Multiple Indicator Cluster Survey program (MICS4) indicates that 92% of the 2-14 years olds had experienced violent “discipline”, with 37% being severely physically punished.⁶³

⁵⁹ Central African Republic, *List of issues considering the initial to fifth periodic reports of the Central African Republic submitted in one document*, U.N. Doc CEDAW/C/CAF/Q/1-5/Add.1 (2014), § 13.

⁶⁰ Central African Republic, *List of issues considering the initial to fifth periodic reports of the Central African Republic submitted in one document*, U.N. Doc CEDAW/C/CAF/Q/1-5/Add.1 (2014), § 13.

⁶¹ Margaret Owen, Laura Castellan, “Issues of Discrimination in Widowhood in Central African Republic”, Widows for Peace Through Democracy, 2014, http://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/CAF/INT_CEDAW_NGO_CAF_17345_E.pdf

⁶² Peter Newell, Global Initiative to End All Corporal Punishment of Children, “Briefing on Central African Republic for the Committee on the Elimination of Discrimination Against Women, Pre-sessional Working Group”, Oct 2013. http://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/CAF/INT_CEDAW_NGO_CAF_15133_E.pdf

⁶³ “L’Institut Centrafricain des Statistiques, et des Etudes Economiques et Sociales (2012), Enquête par grappes à

Research shows that there exists a strong link between corporal punishment of children –girls and boys- and different forms of violence including gender-based violence. Therefore, allowing such practice at home or educational institutions such as day care or school sends the message that physical violence – at least to some degree – is acceptable in the society.

III. Possible questions

- 1) What measures does the government envisage to transform stereotypes about widows and protect them from the social pressure that hampers the full enjoyment of their rights and freedom?
- 2) What measures does the government envisage to prohibit the corporal punishment of children under the guise of “discipline” at home and schools?
- 3) How does the government plan to address the deep-rooted gender stereotypes? When will it launch measures, and in which field, with partners or not? Collaboration with NGO’s and or other partners?

Article 6 § 220-244

I. State report

There is very limited evidence of trafficking of women in the Central African Republic. The Report concentrates on prostitution.

II. Additional information

“Central African Republic (CAR) is a source and destination country for children subjected to forced labor and sex trafficking and possibly women subjected to forced prostitution; most victims appear to be CAR citizens exploited within the country, and that a smaller number are transported back and forth between the CAR and Cameroon, Chad, Nigeria, Republic of the Congo, Democratic Republic of the Congo, Sudan, and South Sudan; children are forced into domestic servitude, commercial sexual exploitation, agricultural labor, mining, and street vending; armed groups operating in the CAR, including the Lord's Resistance Army, continue to recruit and use children for military activities while village self-defense units use children as combatants, lookouts, and porters

tier rating: Tier 3 - Central African Republic does not fully comply with the minimum standards for the elimination of trafficking and is not making significant efforts to do so; the government does not investigate or prosecute any suspected cases of human trafficking, including the use of child soldiers; the government also fails to identify, provide protection to, or refer to service providers any trafficking victims; in collaboration with an NGO, the government has convened a working group to develop a national action plan to combat human trafficking (2013)”,

III. Possible questions

- 1) Evaluation of the present numbers of women and girls trafficked and by whom?
- 2) Legislative action?
- 3) Practical efforts on the ground?
- 4) Bilateral agreements with other States?

indicateurs multiples MICS, RCA 2010, Bangui: ICASEES.<

<http://www.endcorporalpunishment.org/pages/research/central-african-rep.html>>

⁶⁴ <https://www.cia.gov/library/publications/the-world-factbook/geos/ct.html>

Articles 7 and 8/ LOI Q#4 , RLOI § 4

I. State Response

The strengthening of the capacity of women is essential for their effective and efficient participation in political and economic restructuring.⁶⁵ The government intends to urgently reinforce the managerial and leadership capacity of women. The Transition Constitutional Charter, art. 80, (as the 2004 Constitution) foresees a quota of women for the Constitutional court (4 out of the 9 members, respected). Article 58 § 1) foresees that measures to introduce respect of gender parity have to be taken by laws⁶⁶ ; no such legislation has been adopted.

II. Additional information

Table 3 gives information on the situation in 2008.

Table 3
Representation of women in decision-making bodies

<i>Decision-making position or body</i>	<i>Women</i>	<i>Men</i>
Office of the President	2	-
Minister	5	23
Ambassador	2	-
Principal Private Secretary	3	23
Member of National Assembly	10	105
Constitutional Court	4	9
Mayor	11	168
Leader of a political party	3	48
Prefect	1	16
Sub-prefect	5	75
Audiovisual and Communications Regulatory Authority	3	9
Committee for Monitoring the Inclusive Political Dialogue	2	18
Bar	8	125
Judiciary	8	-
Economic and Social Council	8	74
Council of State	2	8

Source: Report of G23 workshop/BONUCA, November 2008.

The National Democratic Institute has pointed out that President Samba-Panza's appointment as the first female president of a Francophone country is a powerful symbol for African women across the continent, as well as domestically within CAR.⁶⁷ However, the overall political climate in CAR is one of repression, volatility, lack of access and disenfranchisement such that the prospects for women's increased participation are fraught with obstacles. In a recent assessment, Freedom House found democratic conditions within the country to have declined drastically according to its political freedoms ranking index, assessing the worst rankings possible in the categories of civil liberties and political rights, and ranking the nation overall as 'not free.'⁶⁸

⁶⁵ Central African Republic, *List of issues considering the initial to fifth periodic reports of the Central African Republic submitted in one document*, U.N. Doc CEDAW/C/CAF/Q/1-5/Add.1 (2014), § 4.

⁶⁶ le respect de la parité-genre dans les instances de prise de décisions

⁶⁷ NDI, "CAR President Catherine Samba-Panza Inspires Congolese Women Politicians," 23 Apr 2014, <https://www.ndi.org/node/21491>

⁶⁸ Freedom House, "Freedom in the World: Central African Republic," 2014, <http://www.freedomhouse.org/report/freedom-world/2014/central-african-republic-0#.U7Fawxa0bnc>

CAR is scheduled to hold general elections in February 2015 but Mr. Gaye, the Secretary-General's Special Representative and Head of the United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic (MINUSCA), has reported that current conditions of violent social antagonism and deep mistrust do not bode well for their successful completion.⁶⁹

III. Possible questions

- 1) What specific measures is the government prepared to take to reinforce the managerial and leadership capacity of women?
- 2) Does the government anticipate turning to the use of quotas (as was recognized by the 2004 Constitution) or other special measures in order to ensure increased political participation from women?
- 3) What assurances can the government make that a culture of democratic choice and peaceful opposition will be permitted and fostered?

Article 9 : Report, § 273-283

I'm to sure how to tackle this question. In view of the other, more pressing problems, I would suggest **dropping** this article. If not, Report shows that there is still discrimination, mainly in that CAR women cannot transmit their nationality to their foreign husbands. So we could ask :

Possible question :

Ask if they plan to equalize conditions entirely and enable foreign men to acquire CAR nationality upon solemnization of marriage with a CAR woman, as it is for foreign women marrying CAR men.

Article 10 LOI Q#14

I. State Response

The government report states that following December 5, 2013 the security and humanitarian conditions deteriorated, all of the schools were closed for approximately three months, then in March 2014 courses began to resume slowly.⁷⁰ The response of the government with regard to the percentage of State resources allocated to education is unclear.

II. Additional information

According to a survey by UNICEF, approximately two thirds of schools in the Central African Republic remain closed, although more than half of the 12-month school year has already passed.⁷¹ Souleymane Diabaté, UNICEF Representative in Central African Republic, states in a press release on May 9, 2014, that "many teachers have not

⁶⁹ UN Security Council Press Release, "DEADLY ATTACKS IN CENTRAL AFRICAN REPUBLIC TEST INTERNATIONAL EFFORTS TO RESTORE CALM, SPECIAL REPRESENTATIVE TELLS SECURITY COUNCIL," 24 Jun 2014, <http://www.un.org/News/Press/docs/2014/sc11449.doc.htm>

⁷⁰ Central African Republic, *List of issues considering the initial to fifth periodic reports of the Central African Republic submitted in one document*, U.N. Doc CEDAW/C/CAF/Q/1-5/Add.1 (2014), § 14.

⁷¹ UNICEF, "Over six months into academic year, most schools remain closed in Central African Republic", May 2014. http://www.unicef.org/infobycountry/media_73450.html

been paid for months; there are no textbooks; the little infrastructure that existed before the crisis has been damaged.”

The survey also reveals that on average, schools have only been open for four weeks since October 2012 due to the destruction of classrooms, the slow return of teachers to duty posts and delayed payment of teachers’ salaries. According to the report by UNICEF, one third of the 355 schools that participated in the survey have been attacked and hit by bullets, set on fire, and looted or occupied by armed groups. In addition, one in three children who were enrolled in the last school year did not go back to school this year, causing the enrollment rates to drop dramatically.⁷²

The conflict in Central African Republic has disrupted nearly two school years since the crisis deteriorated at the end of 2012 and many families still refuse to send their children back to school due to high security risks. The Ministry of Education announced the resumption of the ongoing school year in Central African Republic on March 3, 2014. In her report on the human rights situation in the Central African Republic, the Independent Expert states that at least a dozen schools have been damaged and looted by armed groups while the majority of the public schools remain closed in Bangui and other areas in the country.⁷³

In its recent report of the humanitarian situation in Central African Republic, the United Nations Office for the Coordination of Humanitarian Affairs states that 24 schools which are currently hosting 12,967 children have been rehabilitated and the provinces of Ombella M’Poko, Nana Mambere, Ouaka and Ouham Pendé are receiving school feeding activities.⁷⁴ Nevertheless, it indicates that there is a greater need for establishing temporary safe learning spaces or ETAPes in camps for internally displaced persons and the teachers require psychosocial training. Furthermore, the report notes that in the central part of the country – Nana-Gribizi and Kémo prefectures – only 6 per cent of schools have reopened and due to insecurity, most teachers in this area are not coming to work.

During her first visit to CAR in March 2014, the Special Rapporteur on the Human Rights situation in CAR noted that, when the Ex-Seleka were proceeding toward Bangui, they occupied and looted all school structures on their way. As a result of their acts, schools were closed for several months. (SR report, May 2014)

III. Possible questions

- 1) Due to the fact that the government’s response to the issue of allocated expenditure for education is not clear, please indicate the percentage of the State resources that the State party envisages allocating to education?
- 2) What measures does the government envisage to rehabilitate the educational infrastructure and encourage both students and teachers to return to school?
- 3) How does the government plan to attend to the specific needs of girls while rehabilitating schools (latrines, security on the way to and from school)?
- 4) What measures does the government envisage to provide temporary safe learning spaces with age-sensitive educational and recreational activities in camps for the internally displaced persons?

Article 11_Owing to the present situation and the large number of women in the informal sector, I think we could drop art. 11 (possible questions 2 and 3 are accordingly crossed out below) .

⁷² UNICEF, “Over six months into academic year, most schools remain closed in Central African Republic”, May 2014. http://www.unicef.org/infobycountry/media_73450.html

⁷³ “Preliminary Report of the Independent Expert on the situation of Human Rights in the Central African Republic, Marie-Thérèse Keita Bocoum,” 30 May 2014, <http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session26/Pages/ListReports.aspx>

⁷⁴ United Nations Office for the Coordination of Humanitarian Affairs, “Central African Republic Situation Report No.30 (as of 17 June 2014)”, June 2014. <http://reliefweb.int/report/central-african-republic/central-african-republic-car-situation-report-no-30-17-june-2014>

If not, we should concentrate on women in the informal sector and how to relaunch the informal sector, which can come also under Article 13 and/or 14.

I. State report,

Report gives no indication on the proportion of women in the formal sector. The state reports give information on a situation that actually corresponds to a double discrimination against women concerning equality in remuneration, but it doesn't see it like this. 1 Article 258 on heavy work by women is probably incompatible with present views on protective measures.

Possible questions

- 1) What does the government plan to support women in the informal sector and the re-launching of economic activity in this filed ?
- 2) ~~Is the government aware of social protection schemes in other countries, for workers in the informal sector and does it plan to introduce such a scheme?~~
- 3) ~~When will the government present a bill to Parliament to revise art. 222 of the Labour code that is in contradiction with art. 11 CEDAW and Convention 100 on 2 counts:-
a. on equal pay for work of equal value?
b. by discriminating against married women~~

Article	12	LOI	Q#15
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I. State Response

The CAR government states that in 2013, it allocated 8.65% (CFA 23,584,430,000.00) of its national budget for the health sector while in 2014, there was a marked improvement in the amount of CFA 25,056,223,000.00.⁷⁵ They assert this increase is justified due to the current crisis. The state also reports that using a humanitarian response framework, a strategic plan was developed with partners whose total sum was \$565 million U.S. dollars.⁷⁶ Up until May 2014, CAR asserts, only 32% or \$178,404,576.00 USD has been disbursed.

II. Additional information

The Integrated Regional Info Networks (“IRIN”) reported in 2011 that the CAR government relies on 19 public health NGOs to provide medical equipment, drugs, and trainings to health workers.⁷⁷ IRIN provides that CAR has spent only 1.5% of GDP on public health since 2008 and this accounts for the heavy dependency on NGOs. In August 2012, Dr. Unni Karunakara, International President of Doctors without Borders, explained that there is severely limited access to healthcare outside of Bangui.⁷⁸ He asserted that for a population of five million in CAR, there were 300 doctors, the majority of which were located in Bangui.⁷⁹ Dr. Karunakara included that the Ministry of Health has “a very weak presence outside the capital” and that very few facilities operate outside of Bangui. The Office for the Coordination of Humanitarian Affairs (“OCHA”) and UN World Food Programme (“WFP”) provides in the January 2014 Multi-Cluster/Sector Initial Rapid Assessment (“MIRA”) that CAR’s already weak

⁷⁵ Central African Republic, *List of issues considering the initial to fifth periodic reports of the Central African Republic submitted in one document*, U.N. Doc CEDAW/C/CAF/Q/1-5/Add.1 (2014), § 15.

⁷⁶ Central African Republic, *List of issues considering the initial to fifth periodic reports of the Central African Republic submitted in one document*, U.N. Doc CEDAW/C/CAF/Q/1-5/Add.1 (2014), § 15.

⁷⁷ IRIN, *Central African Republic: Struggling for Healthcare* (1 March 2011), available at: <http://www.irinnews.org/report/92069/central-african-republic-struggling-for-healthcare>, last visited 26 June 2014.

⁷⁸ MSF, *People are Dying in Unacceptable Numbers in Central African Republic* (17 Aug. 2012), available at: <http://www.doctorswithoutborders.org/article/people-are-dying-unacceptable-numbers-central-african-republic>, last visited 26 June 2014.

⁷⁹ MSF, *People are Dying in Unacceptable Numbers in Central African Republic* (17 Aug. 2012), available at: <http://www.doctorswithoutborders.org/article/people-are-dying-unacceptable-numbers-central-african-republic>, last visited 26 June 2014.

health system has nearly collapsed under the crisis.⁸⁰ In the MIRA report, OCHA and WFP assert, “priority needs are in immediate and life-saving health care to people affected by difficult or extremely limited access to care, particularly emergency care (including access to obstetrical care), endemic diseases, malnourished children, epidemics and injury from conflict, and complications during childbirth.”

While CAR does assert that in 2014, a little over 8.65% of the national budget was allocated for the health sector, individuals, especially women, continue to lack access to health services in and outside of Bangui as OCHA and WFP has documented. The government’s response has not indicated any plans or measures to allocate more government funds towards addressing CAR’s current public access to health crisis nor does their response include information about restoring access to public health facilities. The government’s response is also silent as to measures it may take to restore women’s access to reproductive health services.

During the conflict, 80% of health facilities were destroyed and only humanitarian organizations could handle emergencies. Inside the country, health centres were looted by the belligerents or by the populations. They have no medical personnel or medicines for emergency care. Women give birth in appalling conditions and many of them die in childbirth. The rate of HIV /AIDS is high in CAR. It would be higher among girls because of rapes reported.⁸¹ Personnel of International NGOs have been victims of attacks in hospitals (SR report, May 2014)

III. Possible questions

- 1) Aside from the government’s allocation of funds towards the health sector, what measures has the government undertaken to restore access to health services as there is greater need due to the crisis?
 - 2) What plans does the government have to increase its ability to allocate a greater percentage of resources towards the health sector, in particular for services needed by women?
 - 3) Is abortion for girls and women victims of rape accessible under safe conditions?
 - 4) What measures has the government taken (or plans) to address CAR’s women population who are in need of reproductive health services, specifically women who are in need of emergency obstetrical care, pre- and postnatal care?
 - 5) How does the government plan to offer the adequate services to women living in rural areas?
 - 6) What measures are envisaged to ensure that women have access to information on contraceptive methods and contraceptives?
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Article 13, Report § 371-389.

In view of the situation I suggest concentrating on micro credit and other means to restart the economic activities, especially for women in the informal sector. Information from State report and possible questions based on it are therefore crossed out

Possible questions

What does the government plan to support women wanting to go back to their activities in the informal sector? Micro-credit ? Training? Help to the creation of cooperatives? Other measures?

~~I. State report~~

~~Women are discriminated against for family allowances, paid to civil servants: in general, the husband gets the money, Report § 374, even if both spouses work as civil servants. In the private sector, “women who are not wage~~

⁸⁰ OCHA and WFP, *Central African Republic: Multi-Cluster/Sector Initial Rapid Assessment* (Jan. 2014) 1, available at:

<http://reliefweb.int/sites/reliefweb.int/files/resources/Multi%20cluster%20sector%20rapid%20assessment.pdf>

⁸¹ (Report of the Special Rapporteur, May 2014)

~~earners are not entitled to receive any benefits (§378), even when the husband doesn't pay child support after separation.~~

~~Maternity benefits are paid only to women civil servants, § 379. No social protection floor... and the conflict has worsened the situation for most.~~

II. Possible questions

- ~~1) Does the government intend to modify the present system of family allowances?~~
- ~~2) Does the government consider reinforcing the situation of women heads of households?~~

Article 14 Rural women

I. State report, § 390-415

Women do about 70 % of agricultural work. Yet they are not compensated or respected for that. The Report draws a dramatic picture of their situation, even worse for unmarried women, married women without children, women heading households and widows. The conflict has disrupted agricultural work which means poverty and hunger are even greater than before, and that in a country whose potential is enormous, with plenty of water (apart in the North) and fertile land.

Due to insecurity, farmers have difficulty engaging in agricultural and pastoral occupations. If nothing is done to put an end to this situation and create the conditions for a recovery of agricultural activity, the country could, in the medium term, be facing a food crisis. (Report of the Special Rapporteur on the Human Rights situation in CAR, May 2014)

Access to credit nearly impossible according to § 382.

Health services are insufficient. Husbands have the power to decide if their wives will access contraception (§ 395). High levels of illiteracy for girls and women.

II. Possible questions

- 1) What measures are taken or planned to re-launch agricultural activities, with which part of the budget going into rural development ?
- 2) How do you plan to associate women to all plans, decisions, on rural development, access to safe water, dwells, sanitation, improved transport, valorization of products?

Disadvantaged groups of women

Women in detention LOI Q#16

I. State Response, RLOI § 16

The CAR government asserts that with the assistance of partners including the United Nations Development Programme's Project Strengthening the Rule of Law, it has renovated prisons in major cities throughout the nation.⁸² In Bimbo, the government states that the women's prison was renovated to meet international standards. However, CAR asserts that the conflict has caused near total destruction of prisons and the government plans to conduct a survey to measure the damage. The state also provides that as part of reorganizing the state, legal services are in the process of being restored in Bangui and in the provinces while the state is evaluating the conditions of incarcerated women.

II. Additional information

⁸² Central African Republic, *List of issues considering the initial to fifth periodic reports of the Central African Republic submitted in one document*, U.N. Doc CEDAW/C/CAF/Q/1-5/Add.1 (2014), § 16.

With the exception of the central prison in Bangui, no prison is functional in the interior of the country because they were destroyed or because they have been emptied of prisoners since the beginning of the crisis or simply because they are run-down. (Report of the Special Rapporteur on the Human Rights situation in CAR, May 2014)

In January 2014, Navi Pillay indicated that Muslim civilians are now extremely vulnerable. Many are being pushed out of the country, alongside ex-Séléka, and are now fleeing, mostly towards the Chadian border”. Serious incidents of violence have also been reported beyond Bangui as ex-Séléka and Muslim civilians flee the country. (OHCHR, High Commissioner for Human Rights press release, Geneva, 27 January 2014).

III. Possible questions

- 1) What measures has the government taken to restore prison facilities that have been destroyed due to the crisis?
- 2) In prisons that are currently in operation, what measures has the government taken to provide women prison guards in women’s detention facilities or wings?
- 3) What efforts has the government taken to recapture prisoners who have escaped from destroyed prisons?
- 4) What plans has the government taken to evaluate the conditions of prisons in the provinces and rural areas to determine whether they meet international standards?

Pygmy women LOI Q#17, RLOI § 17

I. State Response

The CAR government reports that its commitment to the promotion and protection of the rights of Pygmies is evidenced by their August 2010 ratification of Convention 169 of the International Labour Organization concerning Indigenous and Tribal Peoples and having voted in favor of the UN Declaration on the Rights of Aboriginal Peoples in September 2007.⁸³ The government also reports that in line with Convention 169, a draft law promoting and protecting aboriginal people against slavery is underway. CAR asserts that Article 18 of the draft law specifically outlaws slavery, forced labor or debt bondage of members of the aboriginal community. No information is provided on the aggravation of their situation by the conflict.

II. Additional information

In its 2013 report, the United States Department of State writes that Ba’aka people have been targeted for “social and economic discrimination and exploitation, which the transitional government did little to prevent.”⁸⁴ USDoS found that the Ba’aka and its children are often coerced into various type of labor, including agricultural and domestic labor; they are also viewed as a slave class and if they are paid wages, they receive amounts far below the standard provided by the labor code.⁸⁵ USDoS reports that in 2013, no enslaved Ba’aka victim children have been liberated.⁸⁶ Additionally, Refugees International reports that “the Ba’aka were effectively “second-class citizens,” and the popular prejudice that they were barbaric and subhuman further caused their exclusion from mainstream society.”⁸⁷ While CAR indicates that it has ratified Convention 169 and has drafted a similar proposed law, the government has not taken additional steps to address the current disparate treatment of the Ba’aka population. In its state response, the CAR government has not provided information concerning the protection of Ba’aka women from slavery or measures it intends to take to tackle this issue.

III. Possible questions

⁸³ Central African Republic, *List of issues considering the initial to fifth periodic reports of the Central African Republic submitted in one document*, U.N. Doc CEDAW/C/CAF/Q/1-5/Add.1 (2014), § 17.

⁸⁴ U.S Department of State, *Central African Republic 2013 Human Rights Report*, 26.

⁸⁵ U.S Department of State, *Central African Republic 2013 Human Rights Report*, 26.

⁸⁶ U.S Department of State, *Central African Republic 2013 Human Rights Report*, 30.

⁸⁷ U.S Department of State, *Central African Republic 2013 Human Rights Report*, 26.

- 1) What measures has the government taken to sensitize the greater public of the forms of discrimination and mistreatment against the Ba'aka people that are prohibited under Convention 169?
- 2) What plans has the government taken to integrate the Ba'aka people into greater CAR society? For example, have the Ba'aka people been given national CAR identity cards to recognize them as citizens, which can give them greater access to opportunities?
- 3) What efforts has the government taken to specifically protect women and girls of the Ba'aka people from slavery?
- 4) Does the government take measures to ensure that no traditional lands are sold or accorded in concession without due participation of the Pygmy population and due compensation ?

Violence against women and girls perceived as witches. LOI Q#12, RLOI § 12

I. State Response

Violence against women perceived as witches is considered a criminal offence according to the Criminal Code and elements of law enforcement are authorized to make arrests upon observing a violation.⁸⁸ The government further adds that ministry in charge of gender issues is responsible for implementing the law on the subject of “popular justice” and has conducted community awareness campaigns regarding this crime.⁸⁹

However, women accused of witchcraft are frequently the victims of mob violence. In many cases, they are killed with impunity in the presence of Government and rebel forces.⁹⁰ In 2013 and 2014, many women accused of witchcraft have been buried alive.⁹¹

II. Additional information

Presently there are no official statistics on the number of individual subjected to violence on the basis of practicing witchcraft in Central African Republic. According to the report of the United Nations Special Rapporteur on extrajudicial, summary or arbitrary executions in May 2010, at the time of his visit, the **Criminal Code of the country criminalized witchcraft and provided for penalties of a prison sentence or a fine.**⁹²

The Special Rapporteur states in his report that many of the individuals accused of witchcraft are “simply members of vulnerable groups, such as women and children, the elderly or the mentally ill, and are the victims of an accuser’s personal grudge. In many cases they are killed with impunity, whether by private persons, government security forces, or rebel groups. They may also be punished or effectively banished and excluded from society.”

Therefore, he recommends that “witchcraft” be decriminalized by the government due to the fact that it reinforces social stigmatization of those accused of practicing witchcraft and legitimizes the exercise of violence against them by the broader community. The government’s response does not indicate whether the State party has decriminalized “witchcraft” or not and there is no information regarding the impact of community awareness campaigns.

III. Possible questions

- 1) What measures does the government envisage to decriminalize “witchcraft” in order to delegitimize the targeting and killing of alleged witches?

⁸⁸ Central African Republic, *List of issues considering the initial to fifth periodic reports of the Central African Republic submitted in one document*, U.N. Doc CEDAW/C/CAF/Q/1-5/Add.1 (2014), § 12.

⁸⁹ Central African Republic, *List of issues considering the initial to fifth periodic reports of the Central African Republic submitted in one document*, U.N. Doc CEDAW/C/CAF/Q/1-5/Add.1 (2014), § 12.

⁹⁰ • Follow-up to the report of the Special Rapporteur on extrajudicial, summary or arbitrary executions, Mr. Philip Alston, Addendum (A/HRC/14/24/Add.5), 19 May 2010

⁹¹ (OHCHR confidential submission, June 2014, paras 38-39-40-41)

⁹² Philip Alston, “Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions”, May 19, 2010 < <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G10/134/66/PDF/G1013466.pdf?OpenElement> >

- 2) What measures does the government envisage to eradicate social perceptions regarding the practice of “witchcraft” and raise awareness on the law against “popular justice”?

Article 15 ???

Marriage and family relations

Child marriage and polygamy LOI Q#18

I. State Response

The government reports that the Bangayassi Laws, passed December 2006, eliminates the practice of early marriage.⁹³

II. Additional informations

From data collected between 2002 and 2011, UNICEF reported that 68% of women were married before age 18 while 29% of women were marriage before the age of 15.⁹⁴ The USDoS, in its 2013 Country Report on Human Rights Practices, says that the transitional government has taken no steps to address early marriage and that in 2013, there have been reports of forced marriages of young girls to members of the Séléka.⁹⁵

While CAR allows the practice of polygamy without substantive restrictions⁹⁶, OECD Development Centre reports in its 2010 Social Institutions and Gender Index that resistance towards the practice is growing amongst educated women.⁹⁷ OECD in its CAR country profile provides that more recent data is unavailable but that in 1995, 28% of women were in polygamous relationships, “including 21% of girls between 15 – 19 years old.” The CAR’s government response is silent as to whether the government has considered abolishing polygamy.

III. Possible questions

- 1) What measures has the government taken to address the urgent crisis of early forced marriages between girl children and members of Seleka?
- 2) What efforts has the government taken, especially during this crisis, to enforce the Bangayassi Laws?
- 3) What plans has the government developed to provide trainings of police authorities and law enforcement officials, including judges and lawyers, so that they are sensitized to the issue of child marriage and are able to handle these cases?
- 4) What strides has the government made in abolishing polygamy? Is it part of the planned reform of the Family Code?

Family code and Article 16, see § 156-157, 202-206 and 437-459 State report

⁹³ Central African Republic, *List of issues considering the initial to fifth periodic reports of the Central African Republic submitted in one document*, U.N. Doc CEDAW/C/CAF/Q/1-5/Add.1 (2014), § 18.

⁹⁴ UNHCR, *CORI Country Report Central African Republic, October 2013*, 73.

⁹⁵ U.S Department of State, *Central African Republic 2013 Human Rights Report*, 23.

⁹⁶ Vanessa Von Struensee, *The Contribution of Polygamy to Women’s Oppression and Impoverishment: an Argument for its Prohibition*, [2005] MurUEJL2, 98, available at: <http://www.austlii.edu.au/au/journals/MurUEJL/2005/2.html>.

⁹⁷ OECD, *Social Institutions and Gender Index*, 1, available at:

<http://reseaudesjournalistesrca.files.wordpress.com/2011/11/central-african-republic-gender-car.pdf>.

Persistence of many harmful practices, levirate, sororate, etc.

Family code very discriminatory. Delay in its revision, announced in the State report § 157, but no time-frame given, also not in the Response, § 21.

Discriminatory rules : Husband head of family, art. 254; decides on domicile, art. 255; administers property depending on matrimonial regime; husband may opt for polygamy upon celebration of marriage, wife has no say, art. 230; § 202-206 on dowry, legal; complex system of matrimonial regimes, not clear, § 446-448 and 457 Report; widespread discrimination against widows. according to the law, they should get one quarter in usufruct (§ 457 Report), but in practice this is not respected and many customs deprive women of any right (§ 458 Report). Property and inheritance therefore continue to follow the tenets of customary law under which land rights are transferred from eldest male to eldest male and husbands own all marital property.⁹⁸ In effect, most population ruled by customary law.

Possible questions

1. In view of the extent of discrimination against women and the levels of violence against them, does the Transition Authority see the revision of the Family Code as a top priority to ensure that women will cease to be considered second class citizens? What is the time-frame? Does the government plan information campaigns on the rights of women?
2. Does the government plan training of traditional, religious leaders to ensure an implementation of women rights when customary law is applied?

Ratification of the Optional Protocol to the Convention and acceptance of the amendment to article 20 (1) of the Convention, LOI Q#19

I. State Response

The CAR government states that while they have considered the ratification of legal instruments that have not yet been ratified, their efforts have been disrupted by the conflict. The government says it plans to revisit this at a better time.

II. Possible questions

- 1) What steps has the government taken to ratify the Optional Protocol to CEDAW?
- 2) Is the time frame decided?

⁹⁸ The Global Initiative for Economic, Social and Cultural Rights, “*Alternative Report to the United Nations Committee on the Elimination of Discrimination Against Women*,” Oct 2012, http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=INT%2fCEDAW%2fNGO%2fCAF%2f14961&Lang=en