

Central African Republic - Human Rights Scorecard ¹

The Central African Republic (CAR) is bordered by Sudan, South Sudan, Chad, the Democratic Republic of Congo and the Republic of Congo. For decades, successive military governments misruled CAR. Only recently did CAR elect an independent candidate as president, who works towards peace between the government and armed groups, which has been an ongoing problem in the country. The inadequate health care system, armed conflicts as well as precarious food security have worsened CAR's humanitarian crisis. Much of the population has been internally or externally displaced due to poor quality of life.

Official language: French, Sangho

Ethnic groups: Baya 33%, Banda 27%, Mandjia 13%, Sara 10%, Mboum 7%, M'Baka 4%, Yakoma 4%, other 2%

Government: Semi-presidential republic

• **President:** Faustin-Archange Touadéra

• **Prime Minister:** Simplice Sarandji

Death penalty: Abolished

Population: 5,507,257

Life expectancy: 52.3 years

Under-5 mortality: 129 per 1000

Adult literacy: 36.8%



Section 1: Overall Development

The overall development of a country – considering education, health, income, and other factors – is a strong indicator of whether average citizens have a reasonable chance to enjoy social and economic well-being and mobility.

Human Development (UNDP Human Development Index (HDI)) ²



0.352 – Low Human Development ³

According to the UNDP, Central Africans have a gross national income per capita of \$587, and could expect to have on average 7.1 years of schooling. Compared to other countries with comparable gross national income per capita, this is a high HDI.

Section 2: Respect for the Integrity of the Person

Respect for the integrity of the individual is the most fundamental of human rights groupings. It guarantees protection of the person to ensure the right to life, and freedom from torture. It also prevents arbitrary detention, and disappearances, and ensures the right to a free and fair trial when accused.

Freedom from arbitrary or unlawful deprivation of life



Largely disrespected ⁴

There has been reporting that government security forces arbitrarily killed opposing parties. The killings are often reprisals and include executions and deliberate indiscriminate attacks on civilians.

Freedom from disappearance



Largely disrespected ⁵

There have been many abductions, for the purpose of recruitment and extortion. Those abducted are often civilians or police officers.

Freedom from torture and other cruel, inhuman or degrading treatment or punishment



Partially respected ⁶

Although the law prohibits torture and establishes that those found guilty of such actions would be punished, there have been reports that this is not respected.

Freedom from arbitrary arrest or detention



Largely disrespected ⁷

Arbitrary /detention remains a serious problem in the CAR as the government and militias ignore the provisions of the national law.

Freedom from denial of fair public trial



Largely disrespected⁸

In 2013, a militia group destroyed the courts and the public records. The courts suffer from inefficient administration, a shortage of personnel and the lack of resources. Authorities have not respected court orders.

Freedom from arbitrary interference with privacy, family, home or correspondence



Respected⁹

There have been no reports that the government did not respect these prohibitions.

Section 3: Respect for Civil Liberties

Civil liberties are a basic category of internationally recognized human rights. They include the freedoms of expression, assembly, association, education, and religion. These are inalienable rights which should not be breached by government, and should ensure the rights of all, including women and minority groups.

Freedom of speech and press (*Reporters Without Borders Press Freedom Index*)¹⁰



Score: 36,12, Rank: 113 / 179 – Partially controlled, limited or intimidated¹¹

The CAR has been making gradual improvements since the civil war, which was marked by the ransacking of newspaper offices and destruction of radio stations.

Freedom from academic censorship



Partially respected¹²

Although there have not been reports concerning the restriction of academic freedom, many schools remain closed. In addition, the country has only one university.

Freedom of peaceful assembly and association



Respected¹³

The new constitution provides for the right of assembly and freedom of association. The government respects such provisions.

Freedom of religion



Largely disrespected¹⁴

The new constitution provides for equality regardless of religion. Nonetheless, there were significant and widespread incidents of violence between members of competing armed groups, including the mostly Christian anti-Balaka forces and the predominantly Muslim ex-Seleka forces.

Freedom of movement



Largely disrespected¹⁵

Armed groups and bandits have made in-country movement extremely dangerous. Illegal checkpoints are frequently used by government forces and armed groups to extort funds. Muslims are often targeted.

Protection of refugees and stateless persons



Partially respected¹⁶

Although the law provides for the granting of refugee or asylum status, the growing backlog of applications is problematic.

Overall protection of civil liberties (*FreedomHouse Civil Liberties Index*)^{17 18}



7 / 7 – Not free¹⁹

Due to the suspension of the constitution, the general proliferation of violence and the clash between Muslim and Christian communities, civilians rights are often disrespected.

Section 4: Respect for Political Rights

Political rights ensure all members of society are able to influence the political process. The assessment of political rights includes an examination of the electoral process and the selection of representatives, the political empowerment of the general public, the tolerance of dissent, the accountability of government, etc.

Overall protection of political rights (*FreedomHouse Political Rights Index*)²⁰



7 / 7 – Not free²¹

Opposition parties do not operate freely. Political participation is largely blocked.

Section 5: Corruption and Lack of Transparency in Government

The civil, political, economic and social rights exercised within a country are often modulated by the degree of transparency and freedom from corruption. Various international metrics assess transparency and corruption, including the OECD anti-bribery convention, the Bribe Payers Index, and the Open Budget Index.

Transparency and freedom from corruption (*Transparency International Corruption Perceptions Index*)²²



Score: 20%, Rank: 159 / 175 – Highly corrupt²³

Political instability and widespread violence significantly undermined the rule of law. The ongoing instability has further exacerbated corruption since the coup in 2013.

Section 6: Governmental Response to Criticism

This section deals specifically with the response heads of state have to civil society or international human rights reports.

Governmental attitudes vis-à-vis independent investigations of alleged human rights violations



Partially respected²⁴

The government has allowed numerous investigations by the UN, or other independent observers, but has seldom initiated investigations.

Section 7: Discrimination and Societal Abuses

Legal and social discriminatory practices related to sex, race, creed or sexual orientation, are violations of human rights. Countries with strong civil liberty traditions should have a fair legal system that ensures the rule of law, allows free economic activity, and ensures equality of opportunity for all.

Endangered Minorities (*Peoples Under Threat – Minority Rights Group International*)²⁵



Listed – Dangers faced by Muslim and Christian minorities²⁶

Land disputes between Muslims and Christians in the centre and north of the country will be challenging to resolve, as will claims for autonomy in the north-east. Muslim communities still living in areas controlled by anti-Balaka are largely confined to enclaves guarded by the UN.

Rights of women (*World Economic Forum Gender Gap Index*)²⁷



Score: 64.8%, Rank: 149 / 159 – Very unequal rights²⁸

Women hold only 12.5% of parliamentary seats. Furthermore, only 12.3% of adult women have reached a secondary level of education, compared to 30% of their male counterparts.

Rights of Children (*KidsRights Index Overall Score*)²⁹



Score: 0%, Rank: 161 / 165 – Extremely vulnerable³⁰

As the situation in the CAR is extremely dangerous, more than 40,000 people have fled, most of them being children. Basic needs in health and education are not met.

Rights of persons with disabilities



Partially respected³¹

The law establishes a 5% quota for businesses to hire persons qualified as disabled; 10% of newly recruited civil service personnel should be persons with disabilities. There are no legislated accessibility provisions.

Rights of national/racial/ethnic minorities (e.g. discrimination, Islamophobia, anti-Semitism etc.)



Largely disrespected³²

Violence by armed groups against the Mbororo and the Ba'aka peoples remain a problem.

Freedom from abuse and discrimination based on sexual orientation or gender identity



Largely disrespected^{33 34}

The penal code criminalizes consensual same-sex sexual activity. There is a high degree of cultural stigmatization and social pressure to conform to heterosexuality.

Section 8: Workers' Rights

Workers' rights are a group of legal rights relating to labour relations between workers and their employers. At their core are things like the ability to negotiate pay, benefits, terms of employment, and safe working conditions. These rights often devolve from the right to unionize and access to collective bargaining.

Rights to freedom of association and to collective bargaining



Partially respected³⁵

The labor code provides for the right of workers to organize and administer trade unions without employer interference and grants trade unions full legal status. Requirements for conducting a legal strike are lengthy and cumbersome.

Freedom from forced or compulsory labour



Largely disrespected³⁶

Forced labor and child labor, including forced child labor, and use of child soldiers remains a problem.

Freedom from forced labour for children, and a minimum age of employment



Largely disrespected³⁷

Although the law provides for the protection against child labor, the government has not enforced child labor laws. Furthermore, the police, military and civilians lack resources to conduct investigations on sexual exploitation or the use of children in armed conflict.

Right to acceptable conditions of work



Largely disrespected³⁸

Although there are minimum wages and workweek hours established by law, they only apply to the formal sector, leaving most of the economy unregulated.

Right to employment



7.6% - Reasonable unemployment³⁹

While the unemployment rate in the CAR has dropped, it remains a big problem as it deters workers from exercising their labor rights.

¹ A hybrid human rights and freedoms model, leveraging both legal principles and intuitive classifications, has been used for this human rights assessment. The CJPME Foundation has sought to integrate as many independent sources and metrics into its summary analysis as possible. In many cases, for qualitative material pertaining to the respect for a particular right in a country, the CJPME Foundation has drawn on material from Human Rights Watch and the US State Department country reports. Human Rights Watch (HRW) publishes a World Report which assesses the respect for human rights in each country. HRW uses a methodology of local reporting and interviewing, combined with research and analysis to assess the level of respect of human rights. The U.S State Department keeps an updated publication on the state of human rights internationally. Their system of research and accountability draws from the research of official US State Department officials, as well as local civil-society and international human rights organizations.

² The UN Development Program HDI was created to emphasize that people and their capabilities should be the ultimate criteria for assessing the development of a country, not economic growth alone. The HDI can also be used to question national policy choices, asking how two countries with the same level of GNI per capita can end up with different human development outcomes. These contrasts can stimulate debate about government policy priorities. The Human Development Index (HDI) is a summary measure of average achievement in key dimensions of human development: a long and healthy life, being knowledgeable and have a decent standard of living. Accessed June 7, 2017 <http://hdr.undp.org/en/composite/HDI>

³ "Table 1: Human Development Index and its components, Central African Republic" UNDP, based on 2014 or the most recent year available. Accessed June 7, 2017. <http://hdr.undp.org/en/composite/HDI>.

⁴ "CENTRAL AFRICAN REPUBLIC 2016 HUMAN RIGHTS REPORT." U.S Department of State. January 1, 2013. Accessed June 7, 2017. <https://www.state.gov/documents/organization/265448.pdf>.

⁵ Ibid. U.S Department of State. For purposes of the present analysis, a “disappearance” is different than simple arbitrary detention because a “disappearance” is considered permanent.

⁶ Ibid. U.S Department of State.

⁷ Ibid. U.S Department of State.

⁸ Ibid. U.S Department of State.

⁹ Ibid. U.S Department of State.

¹⁰ The Press Freedom Index published by Reporters Without Borders ranks the level of freedom of information in 180 countries. This is determined through the polling of local NGOs and freedom of expression civil society organizations across the globe. This index is also determined by local correspondents and follow-up work done on reports of infringement to press freedom where ever it takes place. Their methodology looks at six different indicators: 1) Media pluralism, 2) Media independence, 3) Media atmosphere and self-censorship, 4) the Law around media, 5) Media transparency, and 6) Media infrastructure. The score from these six indicators is combined with a rating for the violence against journalists in the country to create an overall score. The CJPME Foundation classifies the Press Freedom Index as follows: 0 – 14.99 (16 countries), Largely free, diverse and independent; 15 – 24.99 (37 countries), Mostly free, diverse and independent; 25 – 29.99 (31 countries), Partially free, diverse and independent; 30 – 39.99 (39 countries), Partially controlled, limited or intimidated; 40 & higher (57 countries), Highly controlled, limited or intimidated.

¹¹ "World Press Freedom Index." Reporters Without Borders: For Freedom of Information. January 1, 2014. Accessed June 7, 2017. <http://rsf.org/index2014/en-index2014.php>.

¹² "CENTRAL AFRICAN REPUBLIC 2016 HUMAN RIGHTS REPORT." U.S Department of State. January 1, 2013. Accessed June 7, 2017. <https://www.state.gov/documents/organization/265448.pdf>.

¹³ "Central African Republic." World Report 2014: Central African Republic. January 1, 2014. Accessed June 7, 2017. <https://www.hrw.org/world-report/2014>.

¹⁴ Ibid. World Report 2014: Central African Republic.

¹⁵ Ibid. World Report 2014: Central African Republic.

¹⁶ Ibid. World Report 2014: Central African Republic.

¹⁷ Freedom House is an internationally recognized NGO based in the U.S which documents and rates the quality of democratic practice in a given country. Freedom House splits its grading system between the two areas of civil and political rights in a country. On each scale, the Freedom House rating is 1-2.5 (free), 3-5.5 (partly free) and 6-7 (not free).

¹⁸ Freedom House's Civil Liberties index measures things such as a) freedom of expression and belief, b) associational and organizational rights, c) the rule of law, and d) personal autonomy and individual rights. Freedom House rates countries as 1-2.5 (free), 3-5.5 (partly free) and 6-7 (not free). Accessed June 7, 2017.

<https://www.freedomhouse.org/report/freedom-world-2014/methodology#.VIdwWzHF98F>

¹⁹ "Central African Republic." Freedom in the World 2014: Central African Republic. January 1, 2014. Accessed June 7, 2017. <https://freedomhouse.org/report-types/freedom-world#.VliYszGG9e8>.

²⁰ See footnote about the Freedom House organization above. The Freedom House Political Rights assessment looks at a) the electoral process, b) political pluralism and participation, and c) the functioning of government. Accessed June 7, 2017. <https://www.freedomhouse.org/report/freedom-world-2014/methodology#.VIdwWzHF98F>

²¹ "Central African Republic." Freedom in the World 2014: Central African Republic. January 1, 2014. Accessed June 7, 2017. <https://freedomhouse.org/report-types/freedom-world#.VliYszGG9e8>.

²² Transparency International (TI) publishes a “Corruption Perceptions Index” annually, which is based on independent research and polling. The main categories of corruption are broken down within the index to provide particulars on issues including things such as perceptions of corruption, control of corruption, and financial secrecy. A country receives a score on 100; the higher the score, the less corrupt the society. The CJPME foundation has classified them into categories as follows: 80-100 (11 countries): Very limited corruption; 60-79 (27 countries): Limited corruption; 40-59 (41 countries): Some corruption; 20-39 (80 countries): Highly corrupt; 0-19 (15 countries): Extremely corrupt

²³ "Central African Republic." Corruption by Country. January 1, 2014. Accessed June 7, 2017. <https://www.transparency.org/country>.

²⁴ "CENTRAL AFRICAN REPUBLIC 2016 HUMAN RIGHTS REPORT." U.S Department of State. January 1, 2013. Accessed June 7, 2017. <https://www.state.gov/documents/organization/265448.pdf>.

²⁵ The Peoples under Threat assessment by Minority Rights Group International highlights countries most at risk of genocide and mass killing. The ranking is created by compiling data on the known antecedents to genocide or mass political killing. Accessed June 7, 2017. <http://peoplesunderthreat.org/>.

²⁶ "Central African Republic." Peoples under Threat, Minority Rights Group International. 2015, or most recent data. Accessed June 7, 2017. <http://peoplesunderthreat.org/>.

²⁷ This metric is based on the World Economic Forum's Gender Gap Index. 0.00 denotes inequality between the sexes, and 1.00 denotes fully equality between the sexes. This index looks at four subdomains: economic participation and opportunity; educational attainment; health and survival; and political empowerment. Each country is given a percentage score; the higher the percentage, the better the protections. The CJPME Foundation classed the percentages as follows: 80-100% (5 countries): Almost equal rights; 70-79% (60 countries): Somewhat unequal rights; 0-69% (77 countries): Very unequal rights

²⁸ "Central African Republic." World Economic Forum. January 1, 2014. Accessed June 7, 2017. <http://reports.weforum.org/global-gender-gap-report-2014/economies/>.

²⁹ This metric is based on the KidsRights Index Overall Score. This index has five subdomains: life expectancy and maternal mortality; health; education; protection; and child rights environment. Each country is given a percentage score; the higher the percentage, the better the protections. KidsRights classes the countries according to these percentages, and the CJPME Foundation has given each class a term as follows: 70-100% (77 countries): Protected; 60-70% (29 countries): Somewhat protected; 45-50% (33 countries): Slightly vulnerable; 30-45% (12 countries): Highly vulnerable; Lower than 30% (11 countries): Extremely vulnerable

³⁰ "The KidsRights Index: Overall Ranking." The KidsRights Index. Accessed June 7, 2017. <http://www.kidsrightsindex.org/>

³¹ "CENTRAL AFRICAN REPUBLIC 2016 HUMAN RIGHTS REPORT." U.S Department of State. January 1, 2013. Accessed June 7, 2017. <https://www.state.gov/documents/organization/265448.pdf>.

³² Ibid. U.S Department of State.

³³ Ibid. U.S Department of State.

³⁴ ILGA, the International, Lesbian, Gay, Bisexual, Trans and Intersex Association, was founded in 1978 on the principle of highlighting state sponsored homophobia where it exists around the world. ILGA annually publishes a map with an accompanying report on sexual and gender based harassment, which focuses on both the legal and non-legal acts of state sponsored discrimination.

³⁵ "CENTRAL AFRICAN REPUBLIC 2016 HUMAN RIGHTS REPORT." U.S Department of State. January 1, 2013. Accessed June 7, 2017. <https://www.state.gov/documents/organization/265448.pdf>.

³⁶ Ibid. U.S Department of State.

³⁷ Ibid. U.S Department of State.

³⁸ Ibid. U.S Department of State.

³⁹ "Global Employment Trends." International Labour Organization. January 1, 2013. Accessed June 7, 2017. http://www.ilo.org/global/research/global-reports/global-employment-trends/2014/WCMS_233936/lang-en/index.htm.

