



**International covenant
on civil and
political rights**

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HUMAN RIGHTS COMMITTEE
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**List of issues to be taken up in connection with the consideration of the
second periodic report of the CENTRAL AFRICAN REPUBLIC
(CCPR/C/CAF/2004/2)**

**Constitutional and legal framework within which the Covenant is
implemented; combating impunity (art. 2)**

1. What is the status of the Covenant in the constitutional and domestic legal framework? Have the provisions of the Covenant been invoked directly before the courts or the administrative authorities? If so, under what procedures and with what results?
2. Has the State party taken steps to establish a commission of inquiry charged with carrying out a comprehensive, independent and impartial evaluation of the serious violations of human rights and international humanitarian law committed during the events of 2002 and 2003, including the alleged violence to hundreds of women and girls (provisional final observations, para. 8)? In that regard, has there been any follow-up to the recommendations of the “national dialogue” of 2003 concerning the setting up of a Truth and Reconciliation Commission and a victim compensation fund?
3. Please state what supervisory measures have effectively been put in place to put an immediate stop to all forms of human rights abuses, and with what results. Have such supervisory measures led to any prosecutions and convictions, and have victims been compensated?
4. What steps have been taken by the State party to guarantee that victims of serious violations of the right to life and inviolability of the person have the right to an effective remedy in all circumstances, including the right to compensation?

**Equality between men and women; combating discrimination
(arts. 3 and 26)**

5. Has the State party taken steps to confer the same rights on both spouses in marriage, particularly with regard to the exercise of parental authority and choice of residence, and to abolish polygamy, as recommended by the Committee?
6. Has the State party taken positive and effective steps to ensure the equitable representation of women in political life?

Right to life and prohibition of torture (arts. 6 and 7)

7. What crimes carry the death penalty under the new Criminal Code? Does the State party intend to abolish the death penalty and become a party to the Second Optional Protocol to the International Covenant on Civil and Political Rights?
8. What steps have been taken to put an end to the summary and extrajudicial executions allegedly carried out by the Central Office for the Prevention of Banditry (OCRB)?
9. Please give the numbers of persons prosecuted and convicted for abuses committed against the civil population - including extrajudicial executions - the majority since the coup d'état of 15 March 2003.
10. Please indicate what steps have been taken to put an end to the torture allegedly committed by the various forces of law and order. Have the perpetrators been prosecuted? If so, please provide information on the outcome of the inquiries.
11. Please indicate what steps have been taken to put a stop to the practice of genital mutilation. Please also provide statistics on the percentage of women and girls who are victims of this practice, giving a breakdown by region and ethnic group.
12. Article 27 of the new Criminal Code apparently provides that persons sentenced to forced labour shall be assigned the harshest tasks. Please define the concept of "the harshest tasks" in the light of article 7 of the Covenant.
13. According to information received by the Committee, charlatanism and sorcery, which used to be subject to the death penalty, have been redefined in the new Criminal Code. Please give precise information on the new definition and the compatibility of the penalty established with article 6, paragraph 2, of the Covenant.

Security of the person and freedom from arbitrary arrest (art. 9)

14. Please inform the Committee whether General Ferdinand Bombayake, former director-general of the Presidential Security Unit (USP), is still incarcerated at Camp Roux.
15. What is the maximum duration of police custody and pretrial detention? Do prisoners in police custody have access to a lawyer and a physician?
16. Have steps been taken to reduce the duration of military custody?

Treatment of persons deprived of their liberty (art. 10)

17. What measures have been taken to guarantee the right of prisoners to be treated humanely and with respect for their dignity, particularly their right to sanitary accommodation and access to health care and adequate food? Has the prison population been reduced as recommended by the Committee? Please state how many prison institutions there are in the territory of the State party and the actual number of detainees.

18. Please state whether minors in detention are held separately from adults.

Right to a fair trial (art. 14)

19. Please state how the independence of the judiciary is guaranteed in the Central African Republic.

20. Please state whether the law guarantees that any person found guilty of an offence has the right to have their verdict and sentence reviewed by a higher court.

**Freedom of conscience, religion, expression and association
(arts. 18, 19 and 22)**

21. Please state whether a non-punitive alternative service to military service has been instituted, and if so, of what nature?

22. Please explain the conditions restricting recognition of an association in the light of articles 18, 19 and 22 of the Covenant.

23. Please comment on persistent allegations that the freedom of expression of journalists is under threat in the Central African Republic. A number of journalists have allegedly received death threats from members of the Presidential guard for their media coverage of the electoral process in the Central African Republic and their alleged participation in a “disinformation campaign”.

24. According to the State party, freedom of association and expression are limited by the obligation of secrecy or neutrality. Please indicate the scope of this restriction in the light of articles 18, 19 and 22 of the Covenant.

**Dissemination of information on the Covenant and the
Optional Protocol (art. 2)**

25. Please indicate the steps taken to disseminate information on this report, on its consideration by the Committee and on the Committee’s concluding observations.
