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SUMMARY RECORD OF THE FIRST PART (PUBLIC)* OF THE 2213rd MEETING

Held at the Palais Wilson, Geneva,
on Thursday, 22 July 2004, at 3 p.m.

Chairperson: Mr. AMOR

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* The summary record of the second part (closed) of the meeting appears as document CCPR/C/SR.2213/Add.1.

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The meeting was called to order at 3.15 p.m.

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER
ARTICLE 40 OF THE COVENANT (agenda item 6) (continued)

Examination of the situation in the Central African Republic in the absence of a report
(continued) (CCPR/C/79/L/CAF)

1. At the invitation of the Chairperson, the members of the delegation of the Central African Republic resumed their places at the Committee table.
2. The CHAIRPERSON invited the delegation to respond to the remaining questions raised by members of the Committee at the previous meeting.
3. Mr. MALEYOMBO (Central African Republic), responding to a question about the compensation fund for victims, said that his Government was currently seeking contributions to the fund from the United Nations and friendly countries. Responsibility for running the fund had been entrusted to the Vice-President of the Republic. There were also plans to set up a truth and reconciliation commission based on the South African model.
4. The role of the Mediator of the Republic was different from that of the High Commissioner for Human Rights: the Mediator acted as an ombudsman resolving differences between private individuals and the administration, whereas the High Commissioner focused on ensuring respect for human rights.
5. No statistics were available regarding the number of public officials and members of the security forces who had been convicted of criminal offences.
6. The Central African Office for the Suppression of Banditry had succeeded in bringing the security situation under control so that ordinary people in the capital and provincial towns could sleep soundly and walk around freely without fear of robbery or violence. The Office had admittedly been responsible for abuses in the past but since 15 March 2003 every effort had been made to ensure strict discipline. Legal action had been taken against a police captain, who had recently been convicted.
7. All recruits to the army, the police and the gendarmerie received training in human rights and humanitarian law in a course run by the United Nations Peace-building Office (BONUCA). The Government and BONUCA were introducing a system whereby such training would be provided in situ, i.e. in police stations and places of detention rather than in academic institutions.
8. Although the phenomenon of trafficking in children did not exist in the Central African Republic, an inter-ministerial committee had been established to ensure full compliance with the law in cases of adoption in order to preclude any form of abuse. The Office of the High Commissioner had been informed of the fact that minors had been recruited

by the armed forces and was taking action to prevent its recurrence. When the new President, General Bozize, had entered the capital in March 2003, a certain amount of civil strife had ensued because the former regime had distributed weapons indiscriminately to the militias of the former Head of State, which included minors. However, law and order had subsequently been restored. The minimum age for enlistment in the regular army was 18.

9. He had not heard the allegations about Chadians practising torture in the Central African Republic. Admittedly, some fighters who had entered the country to assist in ousting the former regime might have displayed excessive zeal, but the uniformed Chadians working for the Central African Economic and Monetary Community (CEMAC) were there to ensure public order, particularly on the country's frontiers.

10. Some members of law enforcement agencies who had committed murder and rape had been punished and other cases were still pending. Whenever a report of that nature reached the Office of the High Commissioner, he visited the scene of the crime personally in order to ascertain the facts. The Office was now viewed by the people almost as a court of law. Whenever a complaint was received, the complainant was directed to the appropriate judicial authorities.

11. Mr. FEINDIRO (Central African Republic) said that judicial proceedings had been brought against the army lieutenant who had allegedly committed a murder in a secondary school during the baccalaureate examinations. The case was likely to be heard at the forthcoming session of the Military Tribunal. The officer concerned had since been demoted.

12. The Military Tribunal had found five members of the Republican Guard guilty of rape and sentenced each of them to a 12-month prison term. There had been many allegations of rape by rebel soldiers under the command of Jean-Pierre Bemba, currently Vice-President of the Democratic Republic of the Congo. In one case before the investigating judge, evidence had been produced of more than 1,000 cases of rape, murder and theft. It was expected that the alleged perpetrators would appear before Bangui Criminal Court within two to three weeks.

13. With regard to the unarmed civilians murdered in the PK12 district of Bangui, the offences committed had been characterized as war crimes. The International Federation for Human Rights had filed a complaint and the Government was preparing to take the requisite action. However, the proceedings had to await adoption by the National Transition Council of the new Code of Criminal Procedure, which had been amended in line with United Nations recommendations. In the meantime, the case had been submitted to the International Criminal Court.

14. The characteristics of the offence of charlatanism and witchcraft, which had been included in the first Penal Code enacted at the time of independence, had not been specified. Although the death penalty had been prescribed for such practices, it had never been imposed. The Department of Criminal Affairs and Pardons had changed its status from an ordinary to a minor offence. Persons wrongly accused of such offences could bring proceedings against the accuser for defamation. The offence would be redefined in the new Criminal Code which was currently being drafted.

15. Article 13 of the draft Constitution provided for states of emergency in cases where there was a serious and immediate threat to the institutions of the Republic, the national territory, fulfilment of the country's international obligations or the normal functioning of the public authorities.

16. MR. MALEYOMBO (Central African Republic) said he was surprised to hear an allegation from the Committee to the effect that the President of the National Human Rights Commission had been denied access to places of detention to conduct an inspection. The Commission had been frozen since 1996 and the Office of the High Commissioner for Human Rights now performed its functions, including visiting prisons throughout the country together with representatives of NGOs.

17. Mr. DIBA (Central African Republic) said that 36 per cent of a sample of 5,000 Central African women had been subjected to genital mutilation, which was not a nationwide phenomenon but limited to certain ethnic groups. The study had been financed by UNICEF. Female genital mutilation was a complex and deep-rooted traditional phenomenon that had to be addressed, above all, through awareness-raising campaigns. It would be characterized as an offence in the new Criminal Code.

18. The only case of child trafficking had been recorded in 2000 in Togo. With the assistance of UNICEF, the Minister for Social Affairs had secured the return of the child to his parents.

19. Mr. FEINDIRO (Central African Republic) said that offences such as cannibalism had been included in the Penal Code adopted immediately after independence but there had never been any case of cannibalism in practice; the offence had been removed from the new Criminal Code.

20. The new Code of Criminal Procedure would specify time limits for police custody and pre-trial detention.

21. The CHAIRPERSON invited the delegation to respond to questions 18 to 30 of the list of issues (CCPR/C/79/L/CAF).

22. Mr. MALEYOMBO (Central African Republic) said that in view of the time constraint and since the Committee had received written answers to the questions, he would focus on a few salient points.

23. In response to question 18, he said that the Ministry of Justice, in conjunction with BONUCA, had been engaged in a reform of the Penal Code and the Code of Penal Procedure since February 2002.

24. In reply to question 19, he said that the Standing Military Tribunal was governed by Order No. 85.013 of 19 April 1985. In time of war it had sole competence under article 4 of the Order to hear cases involving serious offences against State security and military installations and establishments, insults to the Head of State and symbols of the motherland, and all related serious offences. Today the Tribunal was used only to try cases of human rights violations by members of the security forces.

25. Turning to question 20, he said that it was difficult to confirm the existence prior to March 2003 of a military court under rebel control that had dispensed summary justice. No independent or official inquiry had been conducted to date owing to the lack of credible information. He stressed, however, that the country was currently under a form of international protectorate since a whole range of international institutions were monitoring progress towards the rule of law.

26. In reply to question 21, he said that articles 8 and 12 of Constitutional Act No. 2 provided for the independence of the judiciary.

27. Moving on to question 22 on the situation in prisons, he said that the country was just emerging from a six-year crisis. The authorities had difficulty in paying wages and the economy had been wrecked by the previous regime. That accounted for the poor state of the country's prisons. Nevertheless, an effort was being made to improve conditions, especially in the long-stay central prison. Although medical supplies were still inadequate, prisoners were at least being fed properly and received regular visits from family members.

28. In response to question 23, he said the poor representation of women in the National Transition Council was due to the fact that political parties, NGOs, trade unions and other bodies had been left completely free to nominate the candidates of their choice. It was not therefore the Government's fault that they had mostly opted for male candidates. The same unfortunately applied to the executive branch.

29. Replying to question 25, he said that the rights and duties of spouses within marriage and regarding parental authority were laid down in Act No. 97.013 of 11 November 1997 containing the Family Code.

30. Turning to question 26 concerning displaced persons, he said that during the military and political crises of 2001 to 2003 thousands of persons had sought refuge either elsewhere within the country or abroad. However, an amnesty law had been enacted to enable them to return to their homes and jobs, and to encourage all Central Africans to unite in restoring peace and promoting economic and social development.

31. Question 27 concerning political leaders who had sought shelter in embassies was no longer relevant. The new authorities had opted for a consensual approach, not a witch-hunt. Members of the former regime were still at the helm of a number of institutions and State companies, and the party of the former President, Mr. Patassé, had just organized a national congress.

32. Replying to question 28, he said that the National Transition Council intended to reinstate the Supreme Council of Communication and was drafting legislation to that end.

33. In response to question 29, he said that nobody was sentenced by the new regime for expressing his or her beliefs. Although the editor of a newspaper had been arrested, it was not a case involving the Government or a public institution but a private civil case. The former Director-General of the Electricity Supply Company had brought an action against the editor.

34. Replying to question 30, he said that incitement to national, racial or religious hatred was prohibited by articles 77 et seq. of Act No. 61.239 of 18 July 1961.

35. The CHAIRPERSON invited the members of the Committee to put additional questions to the delegation.

36. Mr. SHEARER said that, in its written replies, the State party had referred to the Penal Code and the Code of Penal Procedure as obsolete with respect to human rights during the period when a person was held in police custody. In the light of that apparent legal gap, he asked what regulations currently applied in practice pending new legislation.

37. He noted with satisfaction that the jurisdiction of the Standing Military Tribunal over civilians was limited to wartime, while in peacetime it was only competent to try law enforcement and military personnel. He would, nevertheless, welcome clarification on the legal or practical definition of “war” in the reporting State. He asked whether the State regarded the threshold of civil war as being that laid down in the Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts.

38. In its oral reply to question 20, the delegation had referred to the State party as currently being “under an international protectorate”. He was unclear as to the meaning of that phrase and wondered how it related to the question. The Committee had been interested to learn whether the present Government intended to investigate allegations of excessive use of force by members of the rebel forces before the March 2003 coup. According to the written replies, “no credible information” regarding such allegations was available. However, reputable sources had provided the Committee with information containing detailed accounts of the nature of the alleged excesses, and he called on the State party to undertake serious inquiries into those allegations.

39. He would welcome further details on prison conditions, in particular with respect to overcrowding.

40. Ms. WEDGWOOD observed that the lack of information available to a State party on a given issue did not relieve it of its duty of proactive inquiry.

41. If the methods currently used for the appointment of women to public office resulted in a gender imbalance, it was advisable that the State party change those methods with a view to enabling women to participate in the conduct of public affairs.

42. While article 251 of the national Constitution stipulated the right of each wife to equality of treatment in the case of polygamy, the very existence of polygamy, as well as the husband’s extensive rights in his capacity as “head of household”, precluded equality between husband and wife. It was unclear whether one wife had the right to refuse entry into another wife’s household and whether women were entitled to enter into contracts or own property. She called on the State party to include the criminal offence of female genital mutilation in the revised Penal Code.

43. Internationally agreed principles on internally displaced persons recommended extending certain refugee rights to those persons. She invited the State party to review the situation of post-war displaced persons with that consideration in mind.

44. As to the problem of child soldiers, a lack of information did not necessarily suggest that the phenomenon was non-existent. Even if children might not be used in the regular armed forces, close monitoring of informal armed groups was crucial to a realistic assessment of the situation.

45. Mr. YALDEN agreed with Ms. Wedgwood that, if the underrepresentation of women in government was due to unsatisfactory procedures for their appointment, a change of procedures would be well-advised. The extensive rights granted to the husband as “head of household”, as well as the concept of polygamy, were incompatible with the principle of gender equality as enshrined in the Covenant; the current state of affairs was in dire need of review.

46. With regard to freedom of expression, he expressed his hope that the Government would honour its commitment to re-establishing the Supreme Council of Communication. Information brought to the Committee’s attention indicated that a number of persons had been arrested for expressing their beliefs, and that journalists were not always free to exercise their profession. He noted with satisfaction that incitement to national, racial or religious hatred was prohibited by law.

47. Mr. SOLARI YRIGOYEN pointed out that the provisions of the Family Code that currently applied in the State party were incompatible with the Covenant.

48. He was concerned at the fact that the Standing Military Tribunal was competent to try members of the armed forces for ordinary offences and that it did not appear to be in a position to guarantee the right to a fair trial.

49. While the delegation had stated that the practice of female genital mutilation in the reporting State was rare, he considered 36 per cent a very high figure. The problem required urgent remedy.

50. In his earlier statement, he had not implied that the members of the National Human Rights Commission did not have the right to interview prisoners, but that, in practice, they had been refused permission to do so.

51. He noted that certain provisions of the draft Constitution, once enacted, were liable to be inconsistent with Covenant provisions. Article 3 of the draft stated that the right to life and physical integrity might be subject only to such limitations as were prescribed by law. He wondered what law could limit the physical integrity of a person and whether the provision implied the permissibility of corporal punishment. If so, he reminded the delegation that the practice of corporal punishment contravened the provisions of the Covenant.

52. Article 6 of the draft Constitution stated that only those children born out of wedlock who were formally recognized were granted the same rights as legitimate children. In practice, that stipulation amounted to discrimination against illegitimate children and thus violated the relevant Covenant provisions.

53. Article 13 provided for the establishment of an independent body to guarantee freedom of the press. He wondered how the existence of a regulatory body was compatible with press freedom, a concept which precluded the idea of regulation.

54. There was also concern over article 16 of the draft Constitution on compulsory military service. He called on the State party to establish alternative service of a clearly civilian nature, which should be neither deterrent nor punitive in character in relation to the right to conscientious objection.

55. Ms. CHANET asked the delegation to elaborate on the organization of the judiciary. The principle of judicial independence was enshrined in the Constitution and it would be useful to know how that provision was implemented in practice. She requested detailed information on procedures for the appointment of judges, on the length of their tenure, and on procedures for the imposition of disciplinary measures on judges.

56. Mr. LALLAH asked how many members of the judiciary had been in office throughout the various stages of political change in the State party, and whether disciplinary sanctions had been imposed on any of them.

57. Sir Nigel RODLEY asked for clarification as to the identity of the journalist referred to by the delegation in its oral reply to question 29 of the list of issues. According to the delegation, the journalist had been prosecuted in a private affair. Information placed at the Committee's disposal stated that the editor of the newspaper Les Citoyens had been prosecuted for criminal defamation and been arrested one month previously. Should the delegation's statement concern the same person, he would welcome clarification as to how, in a private affair, a person could be detained on the basis of a complaint lodged by another person about his or her behaviour. He also requested information on the current status of the case.

58. The CHAIRPERSON invited the delegation to reply to the questions raised by Committee members.

59. Mr. FEINDIRO (Central African Republic) explained that the Penal Code and the Code of Penal Procedure were considered obsolete since they did not incorporate the provisions of international human rights instruments to which his country was a party. Penal legislation, as it stood, did not limit the period of pre-trial detention or require the presence of a lawyer during preliminary interrogations. In recognition of such shortcomings, the Government had undertaken to reform the country's penal legislation in conformity with international human rights standards.

60. Legislation governing the proceedings of the Standing Military Tribunal was also being reviewed in the light of international standards. New provisions were currently being drafted in cooperation with BONUCA.

61. It was true that the conditions in most prisons did not meet international standards. Budgetary constraints were hampering efforts to improve conditions, and the situation with regard to sanitation and nutrition gave cause for concern.

62. In response to the absence of adequate health-care facilities, provision had been made to enable inmates to receive hospital treatment outside prisons. In cases of serious illness, prisoners were granted extended leave to receive adequate treatment. The construction of a separate prison for women held for ordinary offences was nearing completion.

63. Mr. MALEYOMBO (Central African Republic), referring to question 20, said that he had used the term “international protectorate” to describe the considerable assistance and advice that his country had received from various international bodies. He agreed with the Committee about the representation of women in government, but noted that the few women who were represented in the National Transition Council held relatively senior posts. He also agreed that both polygamy and the legal status of the man as the head of the family were discriminatory against women, and hoped the Government would be able to turn its reform efforts to the Family Code. As a result of the concerted effort made by the Government, all internally displaced persons in the Central African Republic had been able to return home.

64. He conceded that child soldiers might have been involved during General Bozize’s march on the capital, but having paid regular visits to military establishments, he was confident that there were no longer any child soldiers in his country’s regular army. Moreover, the demobilization and reintegration into society of members of militias precluded any possibility of there still being child soldiers in the militias. He explained that the term “patriots” referred to veterans who had fought alongside General Bozize, some of whom had opted to take up a civilian activity, while others had been integrated into the regular military forces.

65. He wished to make it clear that the figure of 36 per cent of women who had suffered genital mutilation was not a percentage of the entire female population but of a sample group. He reiterated that the draft Constitution which the Committee had before it had been significantly amended before it had been adopted by the National Transition Council; he would submit a copy of the amended draft as soon as possible.

66. Mr. FEINDIRO (Central African Republic) explained that the judicial system comprised ordinary courts and administrative courts. The ordinary courts comprised regional courts in Bangui and each prefecture, as well as in certain sub-prefectures where there was fast population growth. They were overseen by the Court of Cassation, as well as by three courts of appeal, two of which were not yet fully operational. The administrative courts were headed by the Council of State, which adjudicated disputes over regulations issued by the President of the Republic, and also heard appeals against decisions handed down by administrative courts. At present there was only one administrative court, in Bangui, but regional administrative courts were planned. The Auditor-General’s Department also had administrative jurisdiction and ruled on the public accountability of ministries or Parliament.

67. Judges in the ordinary or administrative courts were appointed following a meeting of the competent body: for the ordinary courts, that meant the Higher Council of the Judiciary; for the administrative courts, it meant the Consultative Commission of the Council of State; and for the Auditor-General’s Department, it was the Conference of Presidents. All three bodies were headed by the President of the Republic, represented by the Minister for Justice, and comprised some members elected by judges and others who were members by virtue of the post they occupied, as well as two lay persons. Discipline was ensured by a Disciplinary Council headed by the President of the Court of Cassation. Judges who were called before the Disciplinary Council for having committed an error were assessed only by professional judges. The Disciplinary Council for judges in the administrative court system was headed by the

President of the Council of State. Once they had been appointed, judges could only be moved to another court with their consent, whereas prosecutors or law officers could be moved in accordance with the needs of the State. During the periods of crisis in the country, three judges had been shot and killed, and several judges and prosecutors, himself included, had been victims of looting.

68. Mr. MALEYOMBO (Central African Republic) confirmed that he and Sir Nigel Rodley had been talking about the same case, namely the arrest of Mr. Maka Gbossokotto, the editor-in-chief of the daily newspaper, Le Citoyen. However, the report that Mr. Gbossokotto had been arrested one month previously was incorrect. As High Commissioner for Human Rights, he had been informed by members of the public when Mr. Gbossokotto had been arrested, and had immediately visited his place of detention to ascertain the conditions in which he was being held. He had also organized a visit for human rights NGOs and journalists to the prison where he was being held so that they could see conditions for themselves. In referring to the case as a civil matter, he had meant that it was not the State that had made the complaint of defamation against Mr. Gbossokotto, but a private aggrieved party.

69. Mr. FEINDIRO (Central African Republic) explained that although the charges had been brought in response to a complaint by a private citizen and not by the State, the case comprised charges of abuse and defamation. Mr. Gbossokotto had been responsible for a series of articles over a period of several months that had repeatedly accused the head of a utility company of embezzlement, until finally a complaint had been made. Mr. Gbossokotto had refused to respond to a summons on two occasions, before turning up five hours late in response to a third summons. He had refused to make any statement to back up the accusations he had made, and the public prosecutor had subsequently issued a detention order. Although journalists had a right to publish information, they also had responsibilities with regard to the information that they provided. Mr. Gbossokotto had been assisted by nine lawyers when his case had been heard in a public court three days later. Since the case was at the deliberation stage, it would be up to the sitting judge to decide its outcome. Attempts had been made to politicize the case by claiming that it constituted an attack on the press, but it was in reality the case of a citizen who had refused to comply with the law and its institutions.

70. Mr. MALEYOMBO (Central African Republic) said that the more his Government had done to decriminalize offences relating to freedom of the press, the more it had found the press failed to comply with its own code of ethics. For that reason, the Minister for Communications had arranged to meet with representatives of the press in the hope of working together to design a strategy which would ensure that the press was responsible and better able to inform the public.

71. Mr. DIBA (Central African Republic) said his Government acknowledged that conditions of detention were, owing to the country's economic difficulties, generally deplorable; it was however, working with a number of experts around the country to try to improve them. Overcrowding was a serious problem and prisoners had to be detained in unsuitable premises, such as police stations. Funding was being sought to implement a project that would refurbish prisons in order to bring them into line with the Standard Minimum Rules. Parliament had also enacted legislation that provided for community service as an alternative to imprisonment. Information on that provision was being disseminated through seminars for judges responsible for sentencing.

72. Sir Nigel RODLEY thanked the delegation for the information it had provided regarding the case of Mr. Gbossokotto. He understood how defamation could result in the victim deciding to sue, so that the issue was decided by the courts without anybody being arrested. However, he was puzzled as to why, in a case in which a journalist had accused somebody of a crime, namely embezzlement, and that person had then complained that the accusations were false, the prosecutorial authorities had thought it necessary to pursue the journalist who had made the accusations without also considering that those accusations might point to a crime that required investigation. Moreover, he did not understand why there was a need for deprivation of liberty. If, as the delegation seemed to have indicated, part of the answer lay in Mr. Gbossokotto's refusal to make a statement, that would be a violation of article 14 of the Covenant.

73. Ms. CHANET also voiced her concern about a possible link between Mr. Gbossokotto's refusal to make a statement and his detention, and added that depriving somebody of his liberty with respect to charges of defamation was not compatible with article 19 of the Covenant. She noted that Le Citoyen had made use of the remarkable freedom of expression it enjoyed to severely criticize a number of politicians. She wondered whether the newspaper's criticism of the Government might lie behind the charges against Mr. Gbossokotto and asked whether the newspaper continued to be published.

74. Mr. SHEARER noted that the draft Constitution referred to the United Nations Charter, the Universal Declaration of Human Rights, and the 1966 Covenants, as well as to the African Charter on Human and People's Rights and international conventions, only in the preamble. Article 72 of the draft Constitution, which dealt with the question of their primacy over domestic law, referred only to treaties or agreements, and not to conventions. Moreover, the superior force accorded to treaties or agreements was dependent on reciprocity - a provision that made sense in terms of bilateral treaties, but not in terms of multilateral agreements such as the Covenant. He suggested the drafters had intended article 72 to provide for the superior authority of "conventions, treaties, and agreements", with only treaties and agreements being subject to the condition of reciprocity.

75. Mr. FEINDIRO (Central African Republic) said that Mr. Gbossokotto had been deprived of his liberty purely in connection with the defamation charges against him, and not because of his refusal to make a statement. Imprisonment for defamation was provided for under the Penal Code. Moreover, Mr. Gbossokotto had been a repeat offender. His newspaper's criticism of politicians had not been a factor in the decision to bring charges. The public prosecutor had however wished to make it clear that journalists had responsibilities as well as rights, and must abide by their code of ethics. Several articles had been printed that infringed the private interests of an individual; the public prosecutor had decided to bring charges because that individual had made a complaint, because that complaint had contained a number of allegations, and because there had been multiple offences.

76. Mr. MALEYOMBO (Central African Republic) said that the victim of the alleged defamation had been removed from his post following the publication of the articles. He emphasized that the judiciary was independent; the decision to arrest Mr. Gbossokotto had been taken by the public prosecutor, not by the Government. He would ensure that the amendments suggested by Mr. Shearer were incorporated in the amended draft Constitution.

77. Mr. ANDO said he was aware that BONUCA was working on a programme intended to introduce certain aspects of international criminal justice into the Central African Republic's legal system. He wished to know whether the Government planned to make increasing use of the International Criminal Court.

78. Mr. MALEYOMBO (Central African Republic) said that the transitional Government was collaborating closely with BONUCA in reforming the Penal Code and the Code of Penal Procedure. Such collaboration was essential in order to improve the country's justice system.

79. The CHAIRPERSON thanked the delegation for having made the effort to appear before the Committee. It was clear that measures were being taken to establish the rule of law in the Central African Republic, to ensure that citizens benefited from laws and that institutions worked effectively. The drafting of the new Constitution was a positive step, and he hoped that the corrections suggested by members of the Committee would be made as soon as possible. The Committee commended the will of the authorities to ensure a return to institutional and peaceful political activity. Elections were due to be held and an electoral committee established. Efforts must be made to compile an electoral register so as to ensure that all citizens could participate in public life, since that was a basic human right.

80. Those positive aspects notwithstanding, the Committee had read the written replies submitted by the delegation and received information from a variety of other sources, all of which indicated that a lot of work remained to be done. Much of the information received from the delegation contradicted that received from other sources. Regarding disappearances, the Committee had been informed that several disappeared persons had not been found and, indeed, no efforts had been made to find them. According to many observers, police violence seemed to be common in the Central African Republic. The delegation had admitted that prison conditions were exceptionally poor and although the Committee understood that the country was facing a serious shortage of financial resources, it was imperative that minimum prison standards were guaranteed to prisoners. Conflicts and tensions in prisons must be resolved. The rights of detainees were not guaranteed, and urgent action must be taken to ensure that all detainees, even those in pre-trial detention, had access to a lawyer. Measures must also be taken to deal with displaced persons.

81. Trafficking in children was a serious problem, and urgent action must be taken to solve cases and prevent the practice recurring. Information received by the Committee in that regard had been contradictory. Many of the Committee's sources had also reported large numbers of children being recruited into the armed forces. The political progress of women in the Central African Republic was extremely slow and a cause of great concern to the Committee. The practice of genital mutilation was a serious violation of women's rights and urgent measures must be taken to raise public awareness of the problem and generate the view that the practice should not be tolerated. Polygamy, which was degrading to women and in violation of the Covenant, was commonplace.

82. Although the Central African Republic had been independent for nearly 50 years, several Presidents had been ousted by coups d'état and the overall impression of the country was that its institutions had never functioned and that efforts had never been made to ensure political peace. He could not help but wonder how long that situation would last, and for how long persons committing acts of violence for political ends would remain protected by impunity.

83. He noted with interest the efforts that had been made, and wished the Government success in its future action. It was hoped that in future the State party would submit its periodic reports regularly and punctually in future.

84. Mr. MALEYOMBO (Central African Republic) said that his delegation had taken note of the Committee's comments. The people of his country had endured considerable suffering through a variety of military and political crises. Appalling crimes had been committed and human rights gravely violated. He wished to reassure the Committee that neither the transitional Government nor the people wanted any more conflict or violence. International aid and the country's own limited financial resources would be used to establish peace and security. The transitional Government would do everything in its power to eradicate violence and all risks to the lives of the population. The country had lost its dignity in the eyes of the international community, despite the fact that his compatriots were peaceful people who had called for dialogue on many occasions. Changes were beginning to take place and the establishment of a peaceful society would be a victory for the whole population.

85. It had been difficult for his delegation to appear before the Committee owing to financial restrictions, but his Government wanted to establish peace and harmony and could only do so through dialogue with international bodies. His delegation had tried to describe the Government's determination to restore the Central African Republic's reputation as a respectable and dignified country.

The public part of the meeting rose at 5.45 p.m.