## CAR (Country Case Study)

### [CAR] Focal Point:

**A. Background:** Justice, peace and security in the Central African Republic: progress towards SDG16+ in a context of conflict and fragility.

1. Which UNCT members have collaborated on this case study?
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   - ...
   - ...

2. Which national partners (governmental and non-governmental) were involved in developing this case study and how?
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   - ...
   - ...

3. Does the case study illustrate one or several phases or levels?
   - [ ] Adapting SDG 16
   - [ ] Implementing SDG 16
   - [ ] Monitoring & Reporting on SDG 16
   - [ ] National level
   - [ ] Regional level
   - [ ] Local level

### B. Case Study

**OPTION 2 (self-structured, covering elements under 4.-7. above)**

Country context for the achievement of SDG 16:

The Central African Republic (CAR) has been marked since independence by a succession of politico-military crises characterized by serious violations of human rights, looting and systematic destruction of public and private buildings. The situation worsened with the recent crisis that culminated in a March 2013 coup by the Seleka coalition. The rise of the anti-Balaka militia and the formation of numerous "self-defense groups" in reaction to the Seleka coalition led to abuses and settling of scores on the civilian population. The resulting humanitarian crisis is unprecedented in the country's history with almost 3 million people in need\(^1\), and the State lacking authority in a majority of its territory.

However, there is much reason for optimism and hope, most recently with the signature of a peace agreement between the Government and 14 armed groups in February 2019. The vast national consultations culminating the 2015 Bangui Forum demonstrated the populations demands for peace, justice and the fight against impunity. The National Recovery and Peacebuilding Plan for 2017 – 2021 (RCPCA) is being implemented since 2016 with 2 of its 3 pillars directly contributing to the achievement of SDG16, namely: (i) restoring peace, security and reconciliation; ii) renew the social

\(^1\) [https://www.unocha.org/car](https://www.unocha.org/car)
contract between the state and the population. Specific objectives related to SDG16 are i. support the reduction of violence through the disarmament and reintegration of ex-combatants and children associated with armed groups, ii. Promoting stability through security sector reform, iii. Reform the judiciary and promote the fight against impunity, iv. Facilitating reconciliation and social cohesion, v. setting the conditions for the return of refugees and durable solutions for displaced persons, vi. Redeploy the administration throughout the country and put in place an inclusive local governance, and vii. Strengthen macroeconomic stability and good governance (management and control of public finances, tax revenue and fight against corruption).

However, decades of conflict and fragility have weakened capacity of line Ministries and state institutions. The security situation remains difficult and volatile posing major challenges for the impact of efforts towards achievement of SDG16 and Agenda 2030 overall, especially the lack of state authority in several parts of the country, mainly in the north and east. This directly affects progress on SDG16 indicators related to justice and security, with the hostility and opposition expressed by the armed groups to the redeployment of officials and security personnel continue to prevent the reopening of several courts, judicial and prison staff having abandoned their posts during the crisis.

The UN is playing a lead role in supporting the authorities and population on development, peacebuilding, humanitarian assistance and the rule of law. The UNCT and MINUSCA (United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic established in 2014 by the Security Council) work hand in hand. Rule of Law assistance is provided jointly by UNDP and MINUSCA through joint programmes in support to the Special Criminal Court, the ordinary justice sector and security sector reform, in the spirit of the Global Focal Point arrangement on the rule of law (DPO, UNDP, UNODC, UN HCR, OHCHR, UN Women) to build on respective mandates and political, technical and operational capacity and leverage.

Efforts to achieve SDG 16 and Results so far and Way Forward:

Impact of Rule of Law assistance

As mentioned above, there is Government commitment to implement broad reforms contributing to peace, justice and security – i.e. SDG16+ – including to strengthen the presence of the State across the country, and strong commitment of support by the UN and other international partners. As a key step towards the fight against impunity, after years of setting it up, in 2018 the inaugural session of the Special Criminal Court took place, a hybrid national and international court with jurisdiction to investigate and prosecute grave crimes in collaboration and complementarity with national courts and the International Criminal Court. Internal Security Forces (police and gendarmerie) are being recruited, trained, vetted in line with the UN Human Rights Due Diligence Policy and deployed, with 500 new recruits in 2018. Judicial activity is slowly picking up again with the holding of criminal sessions in Bangui and Bouar in the past 2 years, including judgements on cases of SGBV and a high-profile armed group leader. Infrastructure for peace and the rule of law is being rebuilt, rehabilitated and equipped, for example for courts in Bangui, but also in M’Baïki, Bambari, Bouar, Bossangoa, Sibut and Birao where the works of rehabilitation of the Courts of High Instance (TGI) and courts of eapeal are in progress; prisons in Bossembele, Bossangoa, Berberati, Mbaïki and Ngaragba; pilot police stations of the 2nd 4th and 6th district of Bangui and judicial police units at the central level and the brigade

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Beyond the implementation of structural reforms, strategies and programmes, with the challenges and results as mentioned above, efforts are being made to improve the collection and analysis of data to enhance evidence-based interventions and to contribute to measuring progress on SDG16. With fragile state institutions and the correspondent weak national capacity, lacking electricity, IT and means even in the capital Bangui, it is a challenge for the Government and sectoral ministries to identify data related to peace, justice and security. The joint UNDP/MINUSCA Rule of Law programme is supporting the establishment of judicial statistics and case management mechanisms, partners with the national statistics office on databases and mechanisms for e.g. human resource management within the police and justice sector, and other UN agencies, UMIIR and CSOs have data related to SGBV prevalence and reporting. But a large
part of reliable “hard” data in relation to peace, justice and security – SDG16+ - is collected and provided to national authorities by MINUSCA: e.g. on deaths related to crime, violence and regular attacks on Internally Displaced People camps. UN Police have data on criminality, the Corrections Unit supports running of and has data on 5 prisons and thus provided statistics on 16.3 and pre-trial detention (73% of the total prison population as of December 31, 2018), UNODC and UNMAS are supporting set-up of mechanisms and strategies to be able to collect data on small arms and weapons as well as corruption.

In the context of the preparation for the CAR VNR and the SDG16 national progress report 2016-2018, the Ministry of Plan is leading the effort for data collection and reporting, with UNDP support. In relation to justice, peace and security, UNDP CAR is benefitting from the “UNDP Initiative on the Rule of Law and the 2030 Agenda” for initiatives throughout 2019 to collect and analyse data from the rule of law sector to support planning and monitoring progress towards Agenda 2030 and SDG 16. In February this began with a consultation meeting led by the UNDP/MINUSCA joint programme on the role of law with stakeholders from the planning, security and justice sectors, both state and non-state, as well as the UN family. This initial dialogue illustrated the i. gap in data, ii. lack of existing or reliable data collection and analysis mechanisms, iii. flawed coordination across the sectors, the existence of different numbers on e.g. SGBV with different numbers from justice, police, UMIRR and civil society. It also enhanced awareness of the options for the government (as well as the international community) of using third party data to assess and report on progress on SDG16+.

The perhaps most relevant and enriching third-party data comes from the UNDP and MINUSCA supported perception surveys on peace, justice and security, led by the Harvard Humanitarian Initiative. 4 polls have been undertaken since 2017 in CAR as well as in a refugee camp in Cameroon, in partnership with UN Women, UN HCHR, the Team of Experts of the Special Representative of the SG on Sexual Violence in Conflict. The perception surveys show increased trust over the past 2 years in the state, the internal security forces especially where interventions were supported. It also gives concrete numbers for Central African’s demands: 57% state that for peace to return to the CAR it is necessary to "try those responsible for the crimes", as well as an increase up to 71% of trust in the justice sector.

Going forward building on unanswered questions and momentum: justice, peace and security and SDG16+ are a process

The momentum and gained awareness on the need for data and measurement through the drafting of the VNR and SDG16 reports, provides a much needed sense of urgency to establish sector-wide data and statistics mechanisms for the justice and security sectors, building on state and also third party – i.e. civil society and UN - data and systems.

What national authorities and UN and other partners will now need to identify is how to keep systems simple and adapted to the national context and reflect the nation-wide situation, for example building on innovative means like the UNDP supported tablets for data collection across courts that will function and be used in Central Africa beyond its pilots in Bangui and Bimbo, or MINUSCA data on pre-trial detention that reflects the whole country and not only 5 prisons.

How to ensure no one is left behind in monitoring and reporting on SDG16+ when a large part of the country is not even accessible for security reasons?

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4 http://www.peacebuildingdata.org/kmaps/maps/bangui03/#/?indicator=10_5_1
And how can we contextualize analysis on, for example, access to justice and SDG 16.3 to illustrate the issue of both fighting impunity for grave crimes as well as promoting alternative dispute resolution for grievances?

What has been learned from the data presently gathered for the state reports and the perception surveys, beyond providing numbers and evidence to inform policy and SDG16+ reporting, is that this demonstrates the impact of efforts and investment in justice and security sector reform and provision of services. The momentum must continue and be guaranteed with continued support to the justice and security sectors, and the UN should pay attention not to reduce support and, in particular, continue to support the “ordinary” justice sector as a complement and as a basis for the Special Criminal Court, as well as strong support to the implementation of the peace agreement signed in Khartoum in February 2019 between the government and 14 armed groups to contribute to peace, justice and security in CAR.