

<b>Country/entity</b>	Central African Republic
<b>Region</b>	Africa (excl MENA)
<b>Agreement name</b>	Transitional National Charter (Interim Constitution)
<b>Date</b>	18 Jul 2013
<b>Agreement status</b>	Multiparty signed/agreed
<b>Interim arrangement</b>	Yes
<b>Agreement/conflict level</b>	Intrastate/intrastate conflict

#### Central African Republic Conflicts (1996 - )

The Central African Republic conflict is one of a set of regionally connected conflicts addressed by the African Great Lakes process. After the country gained independence from France in 1960 it has been ruled by a sequence of autocratic leaders that principally gained power through coups. Since the mid-1990s several waves of internal conflict took place in the Central African Republic, primarily along tribal, and later-on increasingly sectarian, lines. In 1996 and 1997, French troops and soldiers from neighbouring countries intervened to end a mutiny in the capital, Bangui, by factions of the army. The fighting was predominantly along tribal lines, with southern tribes in revolt against the 'northern' government. A UN mission was installed in 1998 to secure the truce. After General Bozizé took control of the country after several coup attempts in 2003, a 'bush war' began led by armed opposition forces. From late 2006 onward, government troops with French military support severely weakened the rebels. Following this, a number of agreements were signed during 2007-2008, but not all factions have accepted them. In 2011, Bozizé was re-elected in supposedly fraudulent elections, which resulted in a new wave of uprisings. Séléka, an alliance of northern rebel groups, took over parts of the country and forced Bozizé to agree to a power-sharing deal. However, after this agreement broke down, Séléka took control of Bangui and Bozizé had to flee the country in 2013. Leader of Séléka, Michel Djotodia, took office and officially disbanded Séléka. However, continual violence between ex-Séléka groups and opposing militias, collectively known as 'anti-balaka', persisted and Djotodia was forced to resign less than a year later. Catherine Samba-Panza was installed as interim president until Faustin Archange Touadéra was elected in January 2016. In February 2019 an agreement was signed between the government and fourteen armed groups, including ex-Seleka groups, committed to disarmament. However, violence between ex-Seleka groups and anti-balaka continues.

Close  
Central African Republic Conflicts (1996 - )

<b>Stage</b>	Framework/substantive - comprehensive
<b>Conflict nature</b>	Government

<b>Peace process</b>	CAR: coups and rebellions process
<b>Parties</b>	[Preamble states parties to be] The Representatives of the driving forces of the Nation, gathered within the National Transition Council (NTC)
<b>Third parties</b>	-
<b>Description</b>	An 'agreed' interim constitution produced by the transitional national council.
<hr/>	
<b>Agreement document</b>	<a href="#">CF_2013_NationalTransitionalCharter.pdf (opens in new tab)</a>   <a href="#">Download PDF</a>
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## Groups

### Children/youth

Groups→Children/youth→Rhetorical  
Page 1, PREAMBLE

...

Reassert their accession to all the international Conventions duly ratified, in particular those relative to the prohibition of any form of discrimination against women and those relative to the protection of children's rights.

Page 2-3, TITLE I: OF THE FUNDAMENTAL BASES OF SOCIETY, Article 6

...

The protection of women and children against violence and insecurity, exploitation and moral, intellectual and physical neglect is a duty for the State and other public authorities. This protection is guaranteed by appropriate measures and State institutions and other public authorities. Parents have a natural right and the primordial duty of raising and educating their children, in order to develop in them good physical, intellectual and moral abilities. They are supported in this task by the State and other public authorities. Children born out of wedlock have the same rights to public assistance as legitimate children. Natural children, legally recognised, have the same rights as legitimate children. The State and other public authorities have the duty to create pre-existing conditions and public institutions that guarantee children's education.

Page 5, TITLE I: OF THE FUNDAMENTAL BASES OF SOCIETY, Article 9

...

Laws establish conditions of assistance and protection granted to workers and more particularly to the young, to the elderly, to disabled workers, to minorities and to all those with health problems.

Groups→Children/youth→Substantive

Page 3, TITLE I: OF THE FUNDAMENTAL BASES OF SOCIETY, Article 7

The education and instruction of youth shall be provided for by public or private institutions.

Private institutions can be opened with the State's authorisation within the conditions prescribed by law. They are placed under the State's control.

Parents have the obligation to provide for the education and instruction of their children until the age of sixteen (16) at least.

The State and other public authorities have the obligation to create and ensure the good functioning of public institutions for the education and instruction of youth.

Education is free in all public institutions at the various levels of education.

### Disabled persons

Groups→Disabled persons→Rhetorical

Page 5, TITLE I: OF THE FUNDAMENTAL BASES OF SOCIETY, Article 9

...

Laws establish conditions of assistance and protection granted to workers and more particularly to the young, to the elderly, to disabled workers, to minorities and to all those with health problems.

<b>Elderly/age</b>	<p>Groups→Elderly/age→Rhetorical</p> <p>Page 5, TITLE I: OF THE FUNDAMENTAL BASES OF SOCIETY, Article 9</p> <p>...</p> <p>Laws establish conditions of assistance and protection granted to workers and more particularly to the young, to the elderly, to disabled workers, to minorities and to all those with health problems.</p>
<b>Migrant workers</b>	<p>No specific mention.</p>
<b>Racial/ethnic/ national group</b>	<p>Groups→Racial/ethnic/national group→Rhetorical</p> <p>Page 5, TITLE I: OF THE FUNDAMENTAL BASES OF SOCIETY, Article 9</p> <p>...</p> <p>Laws establish conditions of assistance and protection granted to workers and more particularly to the young, to the elderly, to disabled workers, to minorities and to all those with health problems.</p> <p>Groups→Racial/ethnic/national group→Anti-discrimination</p> <p>Page 2, TITLE I: OF THE FUNDAMENTAL BASES OF SOCIETY, Article 5</p> <p>All human beings are equal before the law regardless of race, ethnic origin, geographical origin, sex, religion, political affiliation or social status. The law guarantees equal rights for men and women in all matters. In the Central African Republic, no one can be subject to nor privileged by their place of birth, person or family.</p> <p>Groups→Racial/ethnic/national group→Substantive</p> <p>Page 6, TITLE II: OF THE STATE AND SOVEREIGNTY, Article 21</p> <p>Political parties or groups contribute to the expression of universal suffrage, to the political, economic and social life, to the monitoring of their elected members and to the shaping of their members' citizenship. It is forbidden for them to identify with a race, ethnic group, sex, religion, sect, language, region or armed group.</p>
<b>Religious groups</b>	<p>Groups→Religious groups→Anti-discrimination</p> <p>Page 2, TITLE I: OF THE FUNDAMENTAL BASES OF SOCIETY, Article 5</p> <p>All human beings are equal before the law regardless of race, ethnic origin, geographical origin, sex, religion, political affiliation or social status...</p> <p>Page 3, TITLE I: OF THE FUNDAMENTAL BASES OF SOCIETY, Article 9</p> <p>...</p> <p>All citizens are equal regarding employment. No one may be discriminated against in their work because of their origins, their sex, their opinions or their beliefs.</p> <p>Groups→Religious groups→Substantive</p> <p>Page 3, TITLE I: OF THE FUNDAMENTAL BASES OF SOCIETY, Article 8</p> <p>Freedom of conscience, assembly, and freedom of religious worship are guaranteed to all within the conditions prescribed by law. All forms of religious extremism and intolerance are prohibited.</p> <p>Page 6, TITLE II: OF THE STATE AND SOVEREIGNTY, Article 21</p> <p>Political parties or groups contribute to the expression of universal suffrage, to the political, economic and social life, to the monitoring of their elected members and to the shaping of their members' citizenship. It is forbidden for them to identify with a race, ethnic group, sex, religion, sect, language, region or armed group.</p>

<b>Indigenous people</b>	No specific mention.
<b>Other groups</b>	No specific mention.
<b>Refugees/displaced persons</b>	Groups→Refugees/displaced persons→Substantive Page 11, CHAPTER II: OF THE PRIME MINISTER, HEAD OF GOVERNMENT, Article 44 The Transition roadmap defines the measures that the Government intends to put in place in various priority areas of activity during the Transition period, in particular: ... <ul style="list-style-type: none"><li>• Assisting displaced people and encouraging their return and reinstallation;</li></ul>
<b>Social class</b>	No specific mention.

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**Gender**

**Women, girls and gender**

Page 1, PREAMBLE

...

Reassert their accession to all the international Conventions duly ratified, in particular those relative to the prohibition of any form of discrimination against women and those relative to the protection of children's rights.

Page 2, TITLE I: OF THE FUNDAMENTAL BASES OF SOCIETY, Article 5

All human beings are equal before the law regardless of race, ethnic origin, geographical origin, sex, religion, political affiliation or social status.

The law guarantees equal rights for men and women in all matters. In the Central African Republic, no one can be subject to nor privileged by their place of birth, person or family.

Page 2, TITLE I: OF THE FUNDAMENTAL BASES OF SOCIETY, Article 6

...

The protection of women and children against violence and insecurity, exploitation and moral, intellectual and physical neglect is a duty for the State and other public authorities. This protection is guaranteed by appropriate measures and State institutions and other public authorities.

Page 3, TITLE I: OF THE FUNDAMENTAL BASES OF SOCIETY, Article 9

...

All citizens are equal regarding employment. No one may be discriminated against in their work because of their origins, their sex, their opinions or their beliefs.

Page 6, TITLE II: OF STATE AND SOVEREIGNTY, Article 20

...

All Central Africans of both (2) sexes, aged eighteen (18) years old or more who enjoy their civil rights, are voters within the conditions prescribed by law.

Page 6, TITLE II: OF THE STATE AND SOVEREIGNTY, Article 21

Political parties or groups contribute to the expression of universal suffrage, to the political, economic and social life, to the monitoring of their elected members and to the shaping of their members' citizenship.

It is forbidden for them to identify with a race, ethnic group, sex, religion, sect, language, region or armed group.

Page 14, TITLE IV: OF THE NATIONAL COUNCIL OF THE TRANSITION, Article 58

The following are matters of law:

1. Rules concerning the following areas:

...

- Respect of gender quotas in decision-making bodies;

Page 21, TITLE VI: OF THE CONSTITUTIONAL COURT OF THE TRANSITION, Article 80

The Constitutional Court of the Transition is composed of nine (9) members of which at least four (4) are women, who will hold the title of Constitutional Judges.

Constitutional Judges are appointed for the full length of the Transition. They are irrevocable and immutable. In the event of the death, voluntary resignation or permanent impeachment of a Constitutional Judge, their replacement will be provided for following the appointment procedure to this effect. The new Constitutional Judge will finish their predecessor's mandate.

Constitutional Judges are appointed from among people with integrity and having at least ten (10) years of professional experience as follows:

- Two (2) magistrates of which one is a woman, elected by their peers.
- Two (2) lawyers of which one is a woman, elected by their peers.
- Two (2) research professors in Law of which one is a woman, elected by their peers.

**Men and boys**

Gender→Men and boys→Gender neutral wording

Page 2, TITLE I: OF THE FUNDAMENTAL BASES OF SOCIETY, Article 5

All human beings are equal before the law regardless of race, ethnic origin, geographical origin, sex, religion, political affiliation or social status.

The law guarantees equal rights for men and women in all matters. In the Central African Republic, no one can be subject to nor privileged by their place of birth, person or family.

Page 3, TITLE I: OF THE FUNDAMENTAL BASES OF SOCIETY, Article 9

...

All citizens are equal regarding employment. No one may be discriminated against in their work because of their origins, their sex, their opinions or their beliefs.

Page 6, TITLE II: OF STATE AND SOVEREIGNTY, Article 20

...

All Central Africans of both (2) sexes, aged eighteen (18) years old or more who enjoy their civil rights, are voters within the conditions prescribed by law.

**LGBTI**

No specific mention.

**Family**

Page 2, TITLE I: OF THE FUNDAMENTAL BASES OF SOCIETY, Article 5

All human beings are equal before the law regardless of race, ethnic origin, geographical origin, sex, religion, political affiliation or social status.

The law guarantees equal rights for men and women in all matters. In the Central African Republic, no one can be subject to nor privileged by their place of birth, person or family.

Page 2, TITLE I: OF THE FUNDAMENTAL BASES OF SOCIETY, Article 6

Marriage and family constitute the natural and moral basis of the human community.

They are placed under the protection of the State.

The State and other public authorities collectively have the duty to oversee the physical and moral health of the family and to promote it socially through appropriate institutions.

...

Parents have a natural right and the primordial duty of raising and educating their children, in order to develop in them good physical, intellectual and moral abilities. They are supported in this task by the State and other public authorities.

Page 14, TITLE IV: OF THE NATIONAL COUNCIL OF THE TRANSITION, Article 58

The following are matters of law:

1. Rules concerning the following areas:

...

- Matrimonial regimes, inheritance and donations;



## State definition

### Nature of state (general)

Page 1, PREAMBLE

...

Reassert their determination of building a State of law and a democratic nation for the reestablishment of the constitutional order

Page 6, TITLE II: OF STATE AND SOVEREIGNTY, Article 20

The Republic's guiding principle is "THE GOVERNMENT OF THE PEOPLE BY THE PEOPLE AND FOR THE PEOPLE".

National sovereignty belongs to the people who exercise it through referendum or through their representatives.

No fraction of the people nor any individual can seize its exercise or alienate it. ...

Page 25, TITLE XI: OF REVISION, Article 101

The following provisions are excluded from any revision:

- The secular and republican nature of the State;

### State configuration

Page 5, TITLE II: OF THE STATE AND SOVEREIGNTY, Article 19

The form of the State is a Republic.

The Central African State's name is CENTRAL AFRICAN REPUBLIC.

The Central African Republic is a State of law, sovereign, indivisible, secular and democratic.

Page 11, CHAPTER II: OF THE PRIME MINISTER, HEAD OF GOVERNMENT, Article 44

The Transition roadmap defines the measures that the Government intends to put in place in various priority areas of activity during the Transition period, in particular:

...

- Reorganizing territorial administration

Page 16, TITLE IV: OF THE NATIONAL COUNCIL OF THE TRANSITION, Article 58

The following are matters of law:

...

2. Fundamental principles:

...

- Of devolution and regionalization;

Page 24, TITLE IX: OF THE LOCAL AUTHORITIES, Article 94

The local authorities of the Central African Republic are the regions and communes. They can be modified only by law.

Other categories of local authorities can be created by law.

Local authorities administer themselves freely through elected bodies.

An organic law will determine the implementation procedure of this provision.

### Self determination

Page 5, TITLE I: OF THE FUNDAMENTAL BASES OF SOCIETY, Article 17

Defence of the homeland and its territorial integrity is a duty for all citizens.

<b>Referendum</b>	<p>Page 24, TITLE X: OF TREATIES AND INTERNATIONAL AGREEMENTS, Article 96</p> <p>...</p> <p>The ratification or denunciation can only happen after authorization of the National Council of the Transition with regards to:</p> <p>...</p> <ul style="list-style-type: none"> <li>• Agreements that include cession, exchange or addition of territory.</li> </ul> <p>No cession, no exchange, no addition of territory is valid without the Central African people's consent called upon to give its opinion by way of referendum.</p>
<b>State symbols</b>	<p>Page 5, TITLE II: OF THE STATE AND SOVEREIGNTY, Article 19</p> <p>...</p> <p>Its capital is BANGUI. It cannot be transferred other than by law, when the superior interest of the Nation requires it.</p> <p>Its official languages are Sango and French.</p> <p>Its emblem is the flag with five (5) bands of colours of which four (4) are horizontal bands of equal width of blue, white, green and yellow, perpendicularly crossed in the middle by a red band of equal width and struck in the upper left corner by a star with five (5) branches of the colour yellow.</p> <p>Its motto is UNITY-DIGNITY-WORK</p> <p>Its anthem is THE RENAISSANCE</p> <p>Its national holiday is set on December 1st, date on which the Republic was proclaimed.</p> <p>...</p> <p>The State's seals and the Republic's coats of arms are defined by law.</p>
<b>Independence/ secession</b>	<p>Page 24, TITLE X: OF TREATIES AND INTERNATIONAL AGREEMENTS, Article 96</p> <p>...</p> <p>The ratification or denunciation can only happen after authorization of the National Council of the Transition with regards to:</p> <p>...</p> <ul style="list-style-type: none"> <li>• Agreements that include cession, exchange or addition of territory.</li> </ul> <p>No cession, no exchange, no addition of territory is valid without the Central African people's consent called upon to give its opinion by way of referendum.</p>
<b>Accession/ unification</b>	No specific mention.
<b>Border delimitation</b>	No specific mention.
<b>Cross-border provision</b>	No specific mention.

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**Political  
institutions (new or  
reformed)**

Governance→Political institutions (new or reformed)→Temporary new institutions

Page 6, TITLE III: OF THE EXECUTIVE POWER, Article 22

The executive power is composed of the Head of State of the Transition and of the Prime Minister, Head of Government of the Transition.

[Summary: CHAPTER I: OF THE HEAD OF STATE OF THE TRANSITION is concerned with the powers, responsibilities and the actions of the Head of State including the election procedure; swearing-in; independence of the position; the promulgation of laws; the joint decision making power with Prime Minister in times of emergency and the appointment of the members of government, high ranking civil service and military positions]

Page 9, CHAPTER I: OF THE HEAD OF STATE OF THE TRANSITION, Article 32

...

The Prime Minister's appointment, the exercise of the right to pardon after advice of the Supreme Judicial Council, the granting of honours of the Republic, appointments within the services of the Head of State of the Transition, in accordance with a pre-established organization chart and the organization of those services, the promulgation of laws, the ratification of Treaties and International Agreements are exercised by the Head of State of the Transition without the Prime Minister's countersignature.

[Summary: CHAPTER II: OF THE PRIME MINISTER, HEAD OF GOVERNMENT OF THE TRANSITION, AND OF THE GOVERNMENT OF THE TRANSITION is concerned with the powers, responsibilities and actions of the Prime Minister including the division of competences between the Head of State and the Head of Government; the implementation of the Transition roadmap; the direction of civil Administration; regulatory powers linked to the daily running of the Administration; ensuring the implementation of laws. The Government responsibilities include provisions relating to security; assistance to displaced peoples; monitoring compliance with human rights; organisation of a Constitutional referendum; reformation of the judicial system and moving forward with the DDR process]

[Summary: TITLE IV: OF THE NATIONAL COUNCIL OF THE TRANSITION is the legislative and constitutive body and this section concerns the composition of the body and their appointment; the election of a bureau from members of the National Council; parliamentary immunity; the adoption of texts; the authority to declare war; and budgetary and financial autonomy. For references to constitutive power and constitutional court, see Constitutional Reform/Making.]

[Summary: TITLE V: OF THE RELATIONSHIP BETWEEN THE NATIONAL COUNCIL OF THE TRANSITION AND THE EXECUTIVE POWER provides for the division of powers between the two institutions including the initiative of submitting the new constitution to a referendum; the legislative initiative; examination of draft laws and legislative proposals; pleas of irreceivability; working sessions; setting of agenda; responsibility for amendments and draft laws; motions of no confidence; and provisions that the the Transitional Council may question the Transitional Government. For references to constitutional court, see Constitutional Reform/Making.]

Page 17, TITLE V: OF THE RELATIONSHIP BETWEEN THE NATIONAL COUNCIL OF THE TRANSITION AND THE EXECUTIVE POWER, Article 66

Legislative initiative belongs jointly to the Government of the Transition and to the National Councilors. Draft laws emanating from the Government, and legislative proposals emanating from the National Council of the Transition, are filed with the Bureau of the National Council of the Transition which sends them to be examined by specialized commissions, the composition and assignment of which are set out by the

## Elections

Page 6, TITLE II: OF STATE AND SOVEREIGNTY, Article 20

...

All Central Africans of both (2) sexes, aged eighteen (18) years old or more who enjoy their civil rights, are voters within the conditions prescribed by law.

Every citizen has the right to vote.

Suffrage can be direct or indirect within the conditions prescribed by law. It is always universal, equal and secret.

Page 7, CHAPTER I: OF THE HEAD OF STATE OF THE TRANSITION, Article 23

The Head of State of the Transition is elected by the National Council of the Transition for the duration of the Transition.

...

The National Council of the Transition will proceed to organize the election of a new Head of State of the Transition within fifteen (15) days following the announcement of the vacancy by the Constitutional Court of the Transition. If it is not in session, an extraordinary session will be convened immediately to this end.

Page 10, CHAPTER II: OF THE PRIME MINISTER, HEAD OF GOVERNMENT, Article 43

The Government establishes the Transition roadmap, as well as an election timetable, that it submits to the Monitoring Committee of Libreville and to the International Contact Group for approval. It presents it to the National Council of the Transition within eight (8) days of its adoption by the Council of Ministers. It shall take into account the enriching modifications of the National Council of the Transition. ...

Page 11, CHAPTER II: OF THE PRIME MINISTER, HEAD OF GOVERNMENT, Article 44

The Transition roadmap defines the measures that the Government intends to put in place in various priority areas of activity during the Transition period, in particular:

...

- Preparing and organizing a constitutional referendum as well as free, democratic, transparent and regular presidential and legislative elections;

Page 11, CHAPTER II: OF THE PRIME MINISTER, HEAD OF GOVERNMENT, Article 45

The elections timetable defines the tasks, the different stages, the implementation calendar as well as those in charge of the different tasks necessary to the smooth running of the electoral process during the Transition, including the adoption of an electoral code and the implementation and operationalization of the Elections National Authority (ENA).

Page 14, TITLE IV: OF THE NATIONAL COUNCIL OF THE TRANSITION, Article 55

The National Council of the Transition is in charge amongst other things of:

...

- Adopting as it is the draft law on an electoral code agreed on by consensus on September 21st 2012

Page 15, TITLE IV: OF THE NATIONAL COUNCIL OF THE TRANSITION, Article 58

The following are matters of law:

1. Rules concerning the following areas:

...

- The electoral code;

Page 20, TITLE VI: OF THE CONSTITUTIONAL COURT OF THE TRANSITION, Article 76

A Constitutional Court of the Transition will be established and will be in charge of:

...

- Hearing all electoral complaints;

<b>Electoral commission</b>	<p>Page 11, CHAPTER II: OF THE PRIME MINISTER, HEAD OF GOVERNMENT, Article 45 The elections timetable defines the tasks, the different stages, the implementation calendar as well as those in charge of the different tasks necessary to the smooth running of the electoral process during the Transition, including the adoption of an electoral code and the implementation and operationalization of the Elections National Authority (ENA).</p>
<b>Political parties reform</b>	<p>Page 20, TITLE VI: OF THE CONSTITUTIONAL COURT OF THE TRANSITION, Article 76 A Constitutional Court of the Transition will be established and will be in charge of: ...  <ul style="list-style-type: none"> <li>• Hearing all electoral complaints;</li> <li>• Overseeing the regularity of electoral consultations, examining and declaring the results;</li> <li>• Overseeing the regularity of referendum operations, examining and declaring the results;</li> </ul> </p> <p>Governance→Political parties reform→Other political parties reform  Page 6, TITLE II: OF THE STATE AND SOVEREIGNTY, Article 21  Political parties or groups contribute to the expression of universal suffrage, to the political, economic and social life, to the monitoring of their elected members and to the shaping of their members' citizenship.  It is forbidden for them to identify with a race, ethnic group, sex, religion, sect, language, region or armed group.  They are formed and exercise their activities freely. They are under the obligation to respect the principle of democracy, of unity and of national sovereignty, of Human Rights, of secularity and of the republican system of the State, in accordance with the laws and regulations in force.  The conditions of their formation, functioning, financing and dissolution are determined by the texts in force.</p>
<b>Civil society</b>	No specific mention.
<b>Traditional/ religious leaders</b>	No specific mention.

**Public  
administration**

Page 9, CHAPTER I: OF THE HEAD OF STATE OF THE TRANSITION, Article 32

...

The Head of State of the Transition, in agreement with the Prime Minister, appoints high ranking civil and military servants during the Council of Ministers. Appointment decrees are countersigned by the Prime Minister and the relevant Minister. ...

Page 10, CHAPTER II: OF THE PRIME MINISTER, HEAD OF GOVERNMENT, Article 39

The Government directs the civil Administration.

The Prime Minister can call on the control and inspection bodies of the various State services with the exception of the Inspectorate-General of the Judicial Services and the State Inspectorate-General. The Prime Minister acts on their reports.

Page 15, TITLE IV: OF THE NATIONAL COUNCIL OF THE TRANSITION, Article 58

The following are matters of law:

1. Rules concerning the following areas:

...

- The organization of public and ministerial offices, the professions of public and ministerial officials and liberal professions;
- Fundamental safeguards granted to military and civil servants;

...

- The creation and dissolution of public institutions;
- The creation and dissolution of bodies of control, consultation, regulation and mediation;

Page 25

Title VIII: Of the High Council of  
Communication of the Transition

Article 93

The role of member of the High Council of Communication is incompatible with the practice of any political or administrative role or any role within a political party, any lucrative activity, any position of professional representation or any salaried employment, except teaching and the practice of medicine.

## Constitution

Governance→Constitution→Constitutional reform/making

Page 1, PREAMBLE

...

Reassert their determination of building a State of law and a democratic nation for the reestablishment of the constitutional order

Page 5, TITLE I: OF THE FUNDAMENTAL BASES OF SOCIETY, Article 18

...

Any person living in the national territory has the duty to respect, in all circumstances, the constitutional order, the laws and regulations in force in the Central African Republic.

Page 7, CHAPTER I: OF THE HEAD OF STATE OF THE TRANSITION, Article 26

The Head of State of the Transition personifies and symbolizes national unity. They monitor respect for the Constitutional Charter of the Transition. They ensure, through his arbitration, the regular functioning of public powers as well as the State's future. They are the guarantor of national independence, of territorial integrity, of the security of people and assets throughout the entire national territory and of respect for international commitments.

Page 8, CHAPTER I: OF THE HEAD OF STATE OF THE TRANSITION, Article 31

The Head of State of the Transition promulgates laws within fifteen (15) days following the transmission to the Government of the definitive adoption of the law by the National Council of the Transition. During this delay, the Head of State of the Transition, on their own initiative or under proposal of the Prime Minister, can ask for a new deliberation on the law or on certain articles. The demand must be substantiated. The new deliberation cannot be refused. If the National Council of the Transition is nearly out of session, this second deliberation, with an absolute majority of attending members, automatically takes place during the next ordinary session.

If it is not promulgated within the required delays, the law automatically comes into force after a finding by the Constitutional Court of the Transition.

Page 11, CHAPTER II: OF THE PRIME MINISTER, HEAD OF GOVERNMENT, Article 44

The Transition roadmap defines the measures that the Government intends to put in place in various priority areas of activity during the Transition period, in particular:

...

Page 12, TITLE IV: OF THE NATIONAL COUNCIL OF THE TRANSITION,

Article 47

The Government examines draft laws and the draft Constitution in the Council of Ministers before

their submission to the Bureau of the National Council of the Transition.

It gives its advice on legislative proposals before they are put on the National Council of the

Transition's agenda. It takes part in the debate in the committee-stage and in the plenary within

the National Council of the Transition. It can put forward amendments on any draft law or any Constitutional or legislative proposal during the National Council of the Transition's work.

Article 49

Page 16 of 38

The legislative and constitutive power of the Central African Republic lies with the National Council of the Transition



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**Power sharing**

## Political power sharing

Power sharing→Political power sharing→Executive coalition  
State level

Page 8, TITLE II: OF THE STATE AND SOVEREIGNTY, Article 29

The Head of State of the Transition approves the nomination of the Prime Minister, Head of Government, in accordance with the Libreville Agreements of January 11th 2013. On proposal of the Prime Minister, they appoint the members of the Government of the Transition and terminate their mandates.

Page 11

Chapter II: Of the Prime Minister, Head of Government of the Transition, and of the Government of the Transition

Article 35

The Government consists of the Prime Minister and the Ministers.

The Prime Minister is the Head of Government. They are responsible for coordinating the activities of different ministerial departments.

The function of member of the Government is incompatible with those of Head of State of the Transition, member of the National Council of the Transition, member of the Constitutional Court of the Transition and with the exercise of any other political or judicial role, any other mandate or elected role, any lucrative activity, any position of professional representation or any salaried employment.

Article 36

Competences other than those expressly delegated to the Head of State of the Transition and to the National Council of the Transition fall within the Prime Minister's remit.

Neither the Head of State of the Transition nor the National Council of the Transition can dismiss him during the Transition period.

In the event of the death, voluntary resignation or permanent incapacity due to medical causes of the Prime Minister, the Head of State of the Transition will appoint a new Prime Minister without delay after widespread consultation and in accordance with the Libreville Agreements of January 11th 2013.

The Government of the Transition, inclusive in nature, is formed on the basis of the spirit of the political Agreement of Libreville and of the N'Djamena Declaration of April 18th 2013.

Power sharing→Political power sharing→Proportionality in legislature  
State level

Page 14

Title IV: Of the National Council of the Transition

Article 49

The legislative and constitutive power of the Central African Republic lies with the National Council of the Transition.

Article 50

The National Council of the Transition is composed of one hundred and thirty five (135) members representing the different political and socio-professional categories of the country.

**Territorial power sharing** No specific mention.

**Economic power sharing** No specific mention.

**Military power sharing** No specific mention.

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## **Human rights and equality**

**Human rights/RoL general** Page 6, TITLE II: OF THE STATE AND SOVEREIGNTY, Article 21  
Political parties or groups contribute to the expression of universal suffrage, to the political, economic and social life, to the monitoring of their elected members and to the shaping of their members' citizenship.  
It is forbidden for them to identify with a race, ethnic group, sex, religion, sect, language, region or armed group.  
They are formed and exercise their activities freely. They are under the obligation to respect the principle of democracy, of unity and of national sovereignty, of Human Rights, of secularity and of the republican system of the State, in accordance with the laws and regulations in force.

Page 11, CHAPTER II: OF THE PRIME MINISTER, HEAD OF GOVERNMENT, Article 44  
The Transition roadmap defines the measures that the Government intends to put in place in various priority areas of activity during the Transition period, in particular:  
...  
• Monitoring the strict compliance of Human Rights, pluralism and the freedoms of citizens;

Page 14, TITLE IV: OF THE NATIONAL COUNCIL OF THE TRANSITION, Article 58  
The following are matters of law:  
1. Rules concerning the following areas:  
• Civil rights and fundamental safeguards granted to citizens as well as public freedoms

**Bill of rights/similar** Page 4, Title I: Of the Fundamental Bases of Society Article 1 The human person is sacred and inviolable. All agents of the public power, all organisations, have the absolute duty to respect and protect it. The Republic recognizes Human Rights as the basis of any human community, of peace and justice in the world.

Page 25, TITLE XI: OF REVISION, Article 101  
The following provisions are excluded from any revision:  
...  
• The fundamental rights and freedoms of the citizen;

**Treaty  
incorporation**

Page 1, PREAMBLE

The Representatives of the driving forces of the Nation, gathered within the National Transition Council (NTC)

...

Reassert their accession to the Charter of the United Nations, to the Universal Declaration of Human Rights of December 10th 1948, to the International Covenants of December 16th 1966 on economic, social and cultural rights on the one hand, and on civil and political rights on the other;

Reassert their commitment to the African Charter on Human and Peoples' Rights of June 27th 1981

Reassert their accession to all the international Conventions duly ratified, in particular those relative to the prohibition of any form of discrimination against women and those relative to the protection of children's rights.

Page 24, TITLE X: OF TREATIES AND INTERNATIONAL AGREEMENTS, Article 96

...

The ratification or denunciation can only happen after authorization of the National Council of the Transition with regards to:

...

- Agreements that concern the welfare of people and human rights;

## **Civil and political rights**

Human rights and equality→Civil and political rights→Life

Page 1, TITLE I: OF THE FUNDAMENTAL BASES OF SOCIETY, Article 1

The human person is sacred and inviolable. All agents of the public power, all organisations, have the absolute duty to respect and protect it.

The Republic recognizes Human Rights as the basis of any human community, of peace and justice in the world.

Page 2, TITLE I: OF THE FUNDAMENTAL BASES OF SOCIETY, Article 3

Everyone has the right to life and physical integrity. These rights cannot be infringed upon.

Human rights and equality→Civil and political rights→Torture

Page 2, TITLE I: OF THE FUNDAMENTAL BASES OF SOCIETY, Article 3

...

No one shall be subjected to torture, nor to rape, nor to abuse or cruel, inhuman, degrading or humiliating treatment. Any person, any state agent, any organisation that is guilty of such acts shall be punished in accordance with the texts in force.

Human rights and equality→Civil and political rights→Equality

Page 1, PREAMBLE

...

Reassert their determination to cooperate peacefully and in friendship with all States, to work for the African Union in accordance with the Constitutive Act adopted on July 12th 2000, to promote the peaceful resolution of disagreements between States in respect for Justice, Equality, Liberty and the sovereignty of people

Page 2, TITLE I: OF THE FUNDAMENTAL BASES OF SOCIETY, Article 5

All human beings are equal before the law regardless of race, ethnic origin, geographical origin, sex, religion, political affiliation or social status.

The law guarantees equal rights for men and women in all matters. In the Central African Republic, no one can be subject to nor privileged by their place of birth, person or family.

Page 3, TITLE I: OF THE FUNDAMENTAL BASES OF SOCIETY, Article 9

...

All citizens are equal regarding employment. No one may be discriminated against in their work because of their origins, their sex, their opinions or their beliefs.

Page 5, TITLE I: OF THE FUNDAMENTAL BASES OF SOCIETY, Article 16

All citizens are equal regarding public responsibilities and in particular regarding taxes that only the law may create and redistribute. They bear, in all solidarity, the responsibilities resulting from natural catastrophes or endemic, epidemic or incurable diseases.

Human rights and equality→Civil and political rights→Liberty and security of person

Page 2, TITLE I: OF THE FUNDAMENTAL BASES OF SOCIETY, Article 3

...

No one may be arbitrarily arrested or detained. Every defendant shall be presumed innocent until proven guilty through a trial offering him the necessary guarantees for his defence. The legal delay of detention must be respected.

No one may be condemned except by virtue of a law that has entered into force before the act committed.

Defence rights are exercised freely before all the Courts and Administrations of the Republic.

Any person being subjected to a measure that restricts their freedom has the right to be examined and treated by the doctor of their choice.

## **Socio-economic rights**

Human rights and equality→Socio-economic rights→Property

Page 4, TITLE I: OF THE FUNDAMENTAL BASES OF SOCIETY, Article 15

Every physical or moral person has the right to property. No one shall be deprived of their property, save for a matter of public utility legally established and under the condition of a just and prior indemnisation.

The home, like all private property, is inviolable. It can only be infringed upon following a judicial decision and for a set period of time, and, if there is a danger within the home, by other authorities designated by law and obliged to do so in ways prescribed by law.

Measures infringing the inviolability of the home or of any private property or restricting it for a set period of time can be taken to avert an imminent or unpredictable public threat or to protect people in danger, in exchange for fair compensation.

These measures can be taken when applying a law for the protection of the public order against imminent threats, in particular to fight the risks of epidemic, fires or to protect people in danger.

The property and assets of people as well as the cultural heritage of the Nation are inviolable. The State and public authorities as well as all citizens have the duty to protect them.

Human rights and equality→Socio-economic rights→Work

Page 3, TITLE I: OF THE FUNDAMENTAL BASES OF SOCIETY, Article 9

The Republic guarantees to each citizen the right to work, to a healthy environment, to rest and leisure in keeping with the requirements of national development. It guarantees favourable conditions for their personal development through an efficient employment policy.

All citizens are equal regarding employment. No one may be discriminated against in their work because of their origins, their sex, their opinions or their beliefs.

All workers take part, through their representatives, in the determination of their working conditions.

Laws establish conditions of assistance and protection granted to workers and more particularly to the young, to the elderly, to disabled workers, to minorities and to all those with health problems.

Page 16, TITLE IV: OF THE NATIONAL COUNCIL OF THE TRANSITION, Article 58

The following are matters of law:

2. Fundamental principles:

...

- Of the right to work, the right to join a union and social security.

Human rights and equality→Socio-economic rights→Health

Page 3, TITLE I: OF THE FUNDAMENTAL BASES OF SOCIETY, Article 9

The Republic guarantees to each citizen the right to work, to a healthy environment, to rest and leisure in keeping with the requirements of national development. It guarantees favourable conditions for their personal development through an efficient employment policy.

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All citizens are equal regarding employment. No one may be discriminated against in their work because of their origins, their sex, their opinions or their beliefs.

All workers take part, through their representatives, in the determination of their working conditions.

Laws establish conditions of assistance and protection granted to workers and more particularly to the young, to the elderly, to disabled workers, to minorities and to all those with health problems.

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## Rights related issues

### Citizenship

Rights related issues→Citizenship→Citizen, general

Page 6, TITLE II: OF THE STATE AND SOVEREIGNTY, Article 21

Political parties or groups contribute to the expression of universal suffrage, to the political, economic and social life, to the monitoring of their elected members and to the shaping of their members' citizenship.

Page 14, TITLE IV: OF THE NATIONAL COUNCIL OF THE TRANSITION, Article 58

The following are matters of law:

1. Rules concerning the following areas:

...

- Constraints imposed on Central Africans and on resident foreigners on their person or assets in the name of public interest and national defense;
- The nationality, status and capacity of people;

...

- The status of foreigners and immigration;
- The organization of the civil registry;

Rights related issues→Citizenship→Citizens, specific rights

Page 6, TITLE II: OF STATE AND SOVEREIGNTY, Article 20

...

Every citizen has the right to vote. ...

### Democracy

Page 1, PREAMBLE

...

Reassert their determination of building a State of law and a democratic nation for the reestablishment of the constitutional order

Page 6, TITLE II: OF THE STATE AND SOVEREIGNTY, Article 21

Political parties or groups contribute to the expression of universal suffrage, to the political, economic and social life, to the monitoring of their elected members and to the shaping of their members' citizenship.

It is forbidden for them to identify with a race, ethnic group, sex, religion, sect, language, region or armed group.

They are formed and exercise their activities freely. They are under the obligation to respect the principle of democracy, of unity and of national sovereignty, of Human Rights, of secularity and of the republican system of the State, in accordance with the laws and regulations in force.

### Detention procedures

No specific mention.



## **Media and communication**

Rights related issues→Media and communication→Governance of media

Page 23, TITLE VIII: OF THE HIGH COUNCIL OF COMMUNICATION OF THE TRANSITION, Article 90

A High Council of Communication of the Transition will be established.

The High Council of Communication of the Transition is independent of all political power, of all political parties, of all associations or of all pressure groups.

The High Council of Communication of the Transition is in charge of ensuring the practice of freedom of expression and equal access for all to the media, in full conformity with the legislation in force.

The High Council of Communication of the Transition has regulatory and decision-making powers.

Page 23, TITLE VIII: OF THE HIGH COUNCIL OF COMMUNICATION OF THE TRANSITION, Article 91

The High Council of Communication of the Transition is composed of nine (9) members of which at least four (4) are women.

The members of the High Council of Communication of the Transition are appointed among people with at least ten (10) years of professional experience.

Their appointment is approved by decree of the Head of State of the Transition and countersigned by the Prime Minister.

Page 23, TITLE VIII: OF THE HIGH COUNCIL OF COMMUNICATION OF THE TRANSITION, Article 92

Members of the High Council of Communication of the Transition elect within their number a President from those members that are media or communications professionals, and a Vice-President.

They can be neither prosecuted nor arrested without the authorisation of the Constitutional Court.

Page 23, TITLE VIII: OF THE HIGH COUNCIL OF COMMUNICATION OF THE TRANSITION, Article 93

The role of member of the High Council of Communication is incompatible with the practice of any political or administrative role or any role within a political party, any lucrative activity, any position of professional representation or any salaried employment, except teaching and the practice of medicine.

Members of the High Council of Communication of the Transition are appointed for the full length of the Transition. They are irrevocable. In the event of the death, voluntary resignation or permanent impeachment of a member of the High Council of Communication, their replacement will be provided for following the designation procedure to this effect. The new member of the High Council of Communication will finish their predecessor's mandate.

A law will determine the organization and functioning of the High Council of Communication of the Transition and the immunity of its members.

Page 25, TITLE XI: OF REVISION, Article 101

The following provisions are excluded from any revision:

...

- The incompatibilities to the functions of Head of State of the Transition, Prime Minister of the Transition, President of the National Council of the Transition, Constitutional Judge of the Transition and member of the High Council of Information and Communication of the Transition;

Page 26, TITLE XII: OF THE TRANSITORY AND FINAL PROVISIONS, Article 104

...

The High Council of Information and Communication will remain in place until the

<b>Mobility/access</b>	No specific mention.
<b>Protection measures</b>	<p>Rights related issues→Protection measures→Protection of civilians Page 14, Title I: Of the Fundamental Bases of Society</p> <p>Article 44 The Transition roadmap defines the measures that the Government intends to put in place in various priority areas of activity during the Transition period, in particular:</p> <ul style="list-style-type: none"> <li>• Monitoring the protection of civilian populations throughout the entire territory of the Central African Republic;</li> </ul> <p>Rights related issues→Protection measures→Protection of groups Page 3, Preamble Reassert their accession to all the international Conventions duly ratified, in particular those relative to the prohibition of any form of discrimination against women and those relative to the protection of children's rights.</p> <p>Page 5, Title I: Of the Fundamental Bases of Society Article 6 The protection of women and children against violence and insecurity, exploitation and moral, intellectual and physical neglect is a duty for the State and other public authorities. This protection is guaranteed by appropriate measures and State institutions and other public authorities.</p> <p>Page 6, Article 9 Laws establish conditions of assistance and protection granted to workers and more particularly to the young, to the elderly, to disabled workers, to minorities and to all those with health problems</p>
<b>Other</b>	<p>Page 16, TITLE IV: OF THE NATIONAL COUNCIL OF THE TRANSITION, Article 58 The following are matters of law:</p> <p>...</p> <p>2. Fundamental principles:</p> <p>...</p> <ul style="list-style-type: none"> <li>• Of the right to assembly and peaceful demonstration;</li> <li>• Of the right to petition;</li> </ul> <p>...</p> <ul style="list-style-type: none"> <li>• Of the right to work, the right to join a union and social security.</li> </ul>

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## **Rights institutions**

### **NHRI**

Rights institutions→NHRI→Mentions of NHRI

Page 4, TITLE I: OF THE FUNDAMENTAL BASES OF SOCIETY, Article 14

...

Freedom of press is recognised and guaranteed. It is exercised within the conditions prescribed by law.

The exercise of this freedom and equal access for all to the media are guaranteed by an independent body, with regulatory and decision-making powers, and whose status is established by law.

### **Regional or international human rights institutions**

No specific mention.

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## Justice sector reform

### **Criminal justice and emergency law** Justice sector reform→Criminal justice and emergency law→Reform to specific laws

Page 8, CHAPTER I: OF THE HEAD OF STATE OF THE TRANSITION, Article 32

Decrees are taken in the Council of Ministers by consensus. In case of emergency, Decrees can be taken through a joint decision by the Head of State of the Transition, the Prime Minister and the relevant Minister. ...

Page 15, TITLE IV: OF THE NATIONAL COUNCIL OF THE TRANSITION, Article 58

The following are matters of law:

1. Rules concerning the following areas:

...

- The determination of crimes and offences along with the corresponding penalties;
- Criminal procedure, civil procedure, commercial law, social law, amnesty, the creation of new jurisdictional orders, the status of magistrates and of the law profession;

...

- State of warning, state of emergency, state of alert and state of siege;

Justice sector reform→Criminal justice and emergency law→Criminal Justice System reform

Page 15, TITLE IV: OF THE NATIONAL COUNCIL OF THE TRANSITION, Article 58

The following are matters of law:

1. Rules concerning the following areas:

...

- Criminal procedure, civil procedure, commercial law, social law, amnesty, the creation of new jurisdictional orders, the status of magistrates and of the law profession;

...

### **State of emergency provisions** Page 11, Article 32, Decrees are taken in the Council of Ministers by consensus. In case of emergency, Decrees can be taken through a joint decision by the Head of State of the Transition, the Prime Minister and the relevant Minister.

Page 18, Article 58, The following are matters of law: 1. Rules concerning the following areas: ... • State of warning, state of emergency, state of alert and state of siege;

Page 20, Article 63

The National Council of the Transition meets once per semester during ordinary sessions for a period of three (3) months, after having been invited to do so by the President. In case of emergency, the National Council of the Transition will convene in extraordinary session, the agenda having been set by the Head of State of the Transition or by the National Council of the Transition through an absolute majority vote of existing members. The extraordinary session will be closed as soon as the agenda has been worked through.

Extraordinary sessions of the National Council of the Transition are opened and closed by Decree taken in the Council of Ministers.

Page 23, Article 79

The Constitutional Court of the Transition must give a ruling within one month. In case of emergency, this delay is brought to eight (8) days.

Abstention is forbidden. In the event of a tie, the President shall have the casting vote.

<b>Judiciary and courts</b>	<p>Page 15, TITLE IV: OF THE NATIONAL COUNCIL OF THE TRANSITION, Article 58</p> <p>The following are matters of law:</p> <p>1. Rules concerning the following areas:</p> <p>...</p> <ul style="list-style-type: none"> <li>• The determination of crimes and offences along with the corresponding penalties;</li> <li>• Criminal procedure, civil procedure, commercial law, social law, amnesty, the creation of new jurisdictional orders, the status of magistrates and of the law profession;</li> </ul> <p>...</p> <ul style="list-style-type: none"> <li>• State of warning, state of emergency, state of alert and state of siege;</li> </ul>
<b>Prisons and detention</b>	<p>Page 16, TITLE IV: OF THE NATIONAL COUNCIL OF THE TRANSITION, Article 58</p> <p>The following are matters of law:</p> <p>...</p> <p>2. Fundamental principles:</p> <p>...</p> <ul style="list-style-type: none"> <li>• Of the general organization of the justice and prison system</li> </ul>
<b>Traditional Laws</b>	No specific mention.

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## **Socio-economic reconstruction**

<b>Development or socio-economic reconstruction</b>	<p>Socio-economic reconstruction→Development or socio-economic reconstruction→Socio-economic development</p> <p>Page 11, CHAPTER II: OF THE PRIME MINISTER, HEAD OF GOVERNMENT, Article 44</p> <p>The Transition roadmap defines the measures that the Government intends to put in place in various priority areas of activity during the Transition period, in particular:</p> <p>...</p> <ul style="list-style-type: none"> <li>• Initiate economic and social reforms</li> </ul>
<b>National economic plan</b>	<p>Page 15, TITLE IV: OF THE NATIONAL COUNCIL OF THE TRANSITION, Article 58</p> <p>The following are matters of law:</p> <p>1. Rules concerning the following areas:</p> <p>... • The development plan of the Republic; ...</p>
<b>Natural resources</b>	<p>Page 15, TITLE IV: OF THE NATIONAL COUNCIL OF THE TRANSITION, Article 58</p> <p>The following are matters of law:</p> <p>1. Rules concerning the following areas:</p> <p>...</p> <ul style="list-style-type: none"> <li>• Protecting the environment, the regimes of domains, lands, forestry and mining;</li> </ul> <p>Page 24, TITLE X: OF TREATIES AND INTERNATIONAL AGREEMENTS, Article 96</p> <p>...</p> <p>The ratification or denunciation can only happen after authorization of the National Council of the Transition with regards to:</p> <p>...</p> <ul style="list-style-type: none"> <li>• Treaties concerning the environment and natural resources;</li> </ul>
<b>International funds</b>	No specific mention.

## Business

Page 4, TITLE I: OF THE FUNDAMENTAL BASES OF SOCIETY, Article 11  
Free enterprise is guaranteed within the framework of the laws in force.

Page 15, TITLE IV: OF THE NATIONAL COUNCIL OF THE TRANSITION, Article 58

The following are matters of law:

1. Rules concerning the following areas:

...

- Criminal procedure, civil procedure, commercial law, social law, amnesty, the creation of new jurisdictional orders, the status of magistrates and of the law profession;

...

- The privatization of public sector companies and the nationalization of companies;

Page 16, TITLE IV: OF THE NATIONAL COUNCIL OF THE TRANSITION, Article 58

The following are matters of law:

...

2. Fundamental principles:

- Of property law, civil and commercial rights and obligations;

...

- Of insurance, cooperatives and credit;

Page 24, TITLE X: OF TREATIES AND INTERNATIONAL AGREEMENTS, Article 96

...

The ratification or denunciation can only happen after authorization of the National Council of the Transition with regards to:

...

- Commercial treaties;

## Taxation

Socio-economic reconstruction→Taxation→Reform of taxation

Page 5, TITLE I: OF THE FUNDAMENTAL BASES OF SOCIETY, Article 16

All citizens are equal regarding public responsibilities and in particular regarding taxes that only the law may create and redistribute. They bear, in all solidarity, the responsibilities resulting from natural catastrophes or endemic, epidemic or incurable diseases.

Page 6, TITLE II: OF THE STATE AND SOVEREIGNTY, Article 19

...

Its currency is defined by law. ...

Page 13, TITLE IV: OF THE NATIONAL COUNCIL OF THE TRANSITION, Article 54

The National Council of the Transition has a special budget and enjoys financial autonomy.

The Budget Managers of the National Council of the Transition are appointed from outside of its members, by the President of the National Council of the Transition after consultation with the Bureau.

Control of budget management is subject to the rules of public finance accounting.

Page 14, TITLE IV: OF THE NATIONAL COUNCIL OF THE TRANSITION, Article 56

The National Council of the Transition regulates the Nation's accounts. To this end, it is assisted by the Court of Auditors.

It can put the Court of Auditors in charge of any enquiry or study to do with public receipts and expenditure or with the management of the national treasury and public resources.

Page 15, TITLE IV: OF THE NATIONAL COUNCIL OF THE TRANSITION, Article 58

The following are matters of law:

1. Rules concerning the following areas:

...

- General financial and administrative organization;

...

- Finance laws;

- The laws of regulations;

- The base, rates and collection methods of taxes and impositions of all types;

- The issuing of currency;

Page 16, TITLE IV: OF THE NATIONAL COUNCIL OF THE TRANSITION, Article 59

Finance laws determine the nature, amount and allocation of resources and expenditure of the State for a certain year taking into account an economic and financial balance that they define.

Finance laws are necessarily voted before the end of the fiscal year at hand. If the finance law setting out the resources and expenditure for a fiscal year is not passed in time by the Government, the latter will ask as a matter of urgency for the National Council of the Transition to adopt a law continuing by provisional twelfths of the previous fiscal year's finance law.

Tabled by the Government at the latest on October 15th, the budget is authorized by the finance law, before the beginning of a new year. This law can only include provisions of a financial nature.

Any amendment proposal to the finance law is irreceivable when it has as a consequence either a reduction of resources not made up for by savings, or an increase in State expenditure not made up for by an equivalent increase in resources.

The irreceivability of an amendment shall be established by the President of the National Council of the Transition, after consulting with the Bureau of the National Council of the Transition.

**Banks** No specific mention.

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## **Land, property and environment**

**Land reform/rights** Land, property and environment→Land reform/rights→Land reform and management  
Page 15, TITLE IV: OF THE NATIONAL COUNCIL OF THE TRANSITION, Article 58

The following are matters of law:

1. Rules concerning the following areas:

... • Protecting the environment, the regimes of domains, lands, forestry and mining;

Land, property and environment→Land reform/rights→Other land rights

Page 16, TITLE IV: OF THE NATIONAL COUNCIL OF THE TRANSITION, Article 58

The following are matters of law:

... 2. Fundamental principles:

• Of property law, civil and commercial rights and obligations;

**Pastoralist/  
nomadism rights** No specific mention.

**Cultural heritage** Land, property and environment→Cultural heritage→Promotion  
Page 5, TITLE I: OF THE FUNDAMENTAL BASES OF SOCIETY, Article 15  
... The property and assets of people as well as the cultural heritage of the Nation are inviolable. The State and public authorities as well as all citizens have the duty to protect them.

Page 15, TITLE IV: OF THE NATIONAL COUNCIL OF THE TRANSITION, Article 58

The following are matters of law:

1. Rules concerning the following areas:

... • The progressive and widespread development and implementation plan of the Sango language;



**Environment**

Page 5, TITLE I: OF THE FUNDAMENTAL BASES OF SOCIETY, Article 15

...

Measures infringing the inviolability of the home or of any private property or restricting it for a set period of time can be taken to avert an imminent or unpredictable public threat or to protect people in danger, in exchange for fair compensation.

These measures can be taken when applying a law for the protection of the public order against imminent threats, in particular to fight the risks of epidemic, fires or to protect people in danger.

Page 5, TITLE I: OF THE FUNDAMENTAL BASES OF SOCIETY, Article 16

All citizens are equal regarding public responsibilities and in particular regarding taxes that only the law may create and redistribute. They bear, in all solidarity, the responsibilities resulting from natural catastrophes or endemic, epidemic or incurable diseases.

Page 15, TITLE IV: OF THE NATIONAL COUNCIL OF THE TRANSITION, Article 58

The following are matters of law:

1. Rules concerning the following areas:

...

- Protecting the environment, the regimes of domains, lands, forestry and mining;

**Water or riparian rights or access**

No specific mention.

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**Security sector****Security Guarantees**

Page 7, CHAPTER I: OF THE HEAD OF STATE OF THE TRANSITION, Article 26

The Head of State of the Transition personifies and symbolizes national unity. They monitor respect for the Constitutional Charter of the Transition. They ensure, through his arbitration, the regular functioning of public powers as well as the State's future. They are the guarantor of national independence, of territorial integrity, of the security of people and assets throughout the entire national territory and of respect for international commitments.

Page 11, CHAPTER II: OF THE PRIME MINISTER, HEAD OF GOVERNMENT, Article 44

The Transition roadmap defines the measures that the Government intends to put in place in various priority areas of activity during the Transition period, in particular:

- Restoring peace and security of people and assets
- Monitoring the protection of civilian populations throughout the entire territory of the Central African Republic;

...

- Reorganizing the areas of defense and security;

...

- Press ahead with the process of Disarmament, Demobilization and Reintegration (DDR) and of the Security Sector Reform (SSR) with the support of the International Community;

**Ceasefire**

No specific mention.

<b>Police</b>	No specific mention.
<b>Armed forces</b>	<p>Page 8, CHAPTER I: OF THE HEAD OF STATE OF THE TRANSITION, Article 27  The Head of State of the Transition is the Supreme Commander of the Armed Forces.  They head the Supreme Councils and Committees of National Defense.  They ensure the maintenance of public security and order.</p> <p>Page 9, CHAPTER I: OF THE HEAD OF STATE OF THE TRANSITION, Article 32  ...  The Head of State of the Transition, in agreement with the Prime Minister, appoints high ranking civil and military servants during the Council of Ministers. Appointment decrees are countersigned by the Prime Minister and the relevant Minister. ...</p> <p>Page 16, TITLE IV: OF THE NATIONAL COUNCIL OF THE TRANSITION, Article 58  The following are matters of law:  ...  2. Fundamental principles:  ...  • Of the general organization of national defense;</p>
<b>DDR</b>	<p>Security sector→DDR→DDR programmes</p> <p>Page 11, CHAPTER II: OF THE PRIME MINISTER, HEAD OF GOVERNMENT, Article 44  The Transition roadmap defines the measures that the Government intends to put in place in various priority areas of activity during the Transition period, in particular:  ...  • Press ahead with the process of Disarmament, Demobilization and Reintegration (DDR) and of the Security Sector Reform (SSR) with the support of the International Community;</p>
<b>Intelligence services</b>	No specific mention.
<b>Parastatal/rebel and opposition group forces</b>	No specific mention.
<b>Withdrawal of foreign forces</b>	No specific mention.
<b>Corruption</b>	<p>Page 14, TITLE IV: OF THE NATIONAL COUNCIL OF THE TRANSITION, Article 56  The National Council of the Transition regulates the Nation's accounts. To this end, it is assisted by the Court of Auditors.  It can put the Court of Auditors in charge of any enquiry or study to do with public receipts and expenditure or with the management of the national treasury and public resources.</p>
<b>Crime/organised crime</b>	No specific mention.

**Drugs** No specific mention.

**Terrorism** No specific mention.

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## **Transitional justice**

**Transitional justice general** No specific mention.

**Amnesty/pardon** Transitional justice→Amnesty/pardon→Power to amnesty  
Page 8, CHAPTER I: OF THE HEAD OF STATE OF THE TRANSITION, Article 28  
The Head of State of the Transition is the guarantor of judicial independence. ... They exercise the right of pardon.

Page 9, CHAPTER I: OF THE HEAD OF STATE OF THE TRANSITION, Article 32  
...  
The Prime Minister's appointment, the exercise of the right to pardon after advice of the Supreme Judicial Council, the granting of honours of the Republic, appointments within the services of the Head of State of the Transition, in accordance with a pre-established organization chart and the organization of those services, the promulgation of laws, the ratification of Treaties and International Agreements are exercised by the Head of State of the Transition without the Prime Minister's countersignature.

Page 11, CHAPTER II: OF THE PRIME MINISTER, HEAD OF GOVERNMENT, Article 48  
A law sets out the advantages given to the Prime Minister of the Transition and to the members of the Government during the Transition. It organizes the pension regime, their security, their protocol rank and the immunities of previous Prime Ministers.

Page 15, TITLE IV: OF THE NATIONAL COUNCIL OF THE TRANSITION, Article 58  
The following are matters of law:  
1. Rules concerning the following areas:  
... • Criminal procedure, civil procedure, commercial law, social law, amnesty, the creation of new jurisdictional orders, the status of magistrates and of the law profession;

**Courts** No specific mention.

**Mechanism** No specific mention.

**Prisoner release** No specific mention.

**Vetting** No specific mention.

**Victims** No specific mention.

**Missing persons** No specific mention.

<b>Reparations</b>	No specific mention.
<b>Reconciliation</b>	Page 26, TITLE XII: OF THE TRANSITORY AND FINAL PROVISIONS, Article 103 The Head of State of the Transition, the Prime Minister, members of the Government of the Transition and members of the National Council of the Transition commit themselves in good faith to doing everything in their power to conclude and preserve national reconciliation.

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## Implementation

**UN signatory** No specific mention.

**Other international signatory** No specific mention.

**Referendum for agreement** No specific mention.

**International mission/force/similar**

Page 10, CHAPTER II: OF THE PRIME MINISTER, HEAD OF GOVERNMENT OF THE TRANSITION AND OF THE GOVERNMENT OF THE TRANSITION, Article 43  
The Government establishes the Transition roadmap, as well as an election timetable, that it submits to the Monitoring Committee of Libreville and to the International Contact Group for approval. It presents it to the National Council of the Transition within eight (8) days of its adoption by the Council of Ministers. It shall take into account the enriching modifications of the National Council of the Transition.  
It reports back to the National Council of the Transition once every semester on the implementation of the Transition roadmap. Government reports to the National Council of the Transition can be subject to debate without, however, ever giving rise to a vote.

Page 26, TITLE XII: OF THE TRANSITORY AND FINAL PROVISIONS, Article 103  
...  
In the event of a continuing disagreement, they pledge to refer the matter to the Monitoring Committee put in place by the Libreville Agreements, on the initiative of one of the parties, and, if necessary, to refer it to the Mediator of the Central African crisis, or even, if need be, to the Heads of State Conference of the Economic Community of Central African States (ECCAS).

## **Enforcement mechanism**

Page 10, CHAPTER II: OF THE PRIME MINISTER, HEAD OF GOVERNMENT OF THE TRANSITION AND OF THE GOVERNMENT OF THE TRANSITION, Article 43

The Government establishes the Transition roadmap, as well as an election timetable, that it submits to the Monitoring Committee of Libreville and to the International Contact Group for approval. It presents it to the National Council of the Transition within eight (8) days of its adoption by the Council of Ministers. It shall take into account the enriching modifications of the National Council of the Transition.

It reports back to the National Council of the Transition once every semester on the implementation of the Transition roadmap. Government reports to the National Council of the Transition can be subject to debate without, however, ever giving rise to a vote.

Page 25, TITLE XI: OF REVISION, Article 99

The initiative of revision of this Constitutional Charter of the Transition belongs to the Government together with two-thirds (2/3) of National Councilors, after obtaining the assent of the Mediator of the Central African crisis.

Page 25, TITLE XI: OF REVISION, Article 100

Revision occurs when the project on which is based the request for assent has been voted by the National Council of the Transition with a majority of three-quarters (3/4) of its existing members.

Page 25, TITLE XI: OF REVISION, Article 101

The following provisions are excluded from any revision:

- The secular and republican nature of the State;
- The ineligibility of the Head of State of the Transition, of the Prime Minister, of members of the Government of the Transition and of the members of the Bureau of the National Council of the Transition to stand for the presidential and legislative elections organized during the Transition;
- The ineligibility of Constitutional Judges of the Transition and of members of the High Council of Information and Communication of the Transition to stand for presidential and legislative elections;
- The irrevocability and reduction of the Prime Minister's powers;
- The incompatibilities to the functions of Head of State of the Transition, Prime Minister of the Transition, President of the National Council of the Transition, Constitutional Judge of the Transition and member of the High Council of Information and Communication of the Transition;
- The fundamental rights and freedoms of the citizen;
- This article.

Page 26, TITLE XII: OF THE TRANSITORY AND FINAL PROVISIONS, Article 102

The Transition will last eighteen (18) months, extended to twenty-four (24) after assent of the Mediator.

In case of necessity, the length of the Transition can be examined by the Heads of State and Governments Conference of the ECCAS after a joint and justified proposal of the Head of State of the Transition, the Prime Minister and the President of the National Council of the Transition.

The Transition period starts with an official ceremony after the entry into force of this Constitutional Charter of the Transition.

Constitutional Judges followed by the Head of State of the Transition will take their oath during the ceremony.

Page 26, TITLE XII: OF THE TRANSITORY AND FINAL PROVISIONS, Article 103

...

In the event of a continuing disagreement, they pledge to refer the matter to the Monitoring Committee put in place by the Libreville Agreements, on the initiative of one

**Related cases** No specific mention.

**Source** Constitute Project, [https://web.archive.org/web/20200107164056/https://www.constituteproject.org/constitution/Central\\_African\\_Republic\\_2013.pdf](https://web.archive.org/web/20200107164056/https://www.constituteproject.org/constitution/Central_African_Republic_2013.pdf)

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