

Central African Republic: Untangling the Political Dialogue

I. OVERVIEW

Since the coup d'état that brought President François Bozizé to power on 15 March 2003, the risk of renewed wider violence in the Central African Republic (CAR) has never been greater than today. The opening of an inclusive political dialogue on 8 December – initially planned for June 2008 – has continued to be negotiated inch by inch, but both the regime and the main opposition forces see armed conflict as the ultimate way out of the crisis and are making preparations to return to it. Genuine democratisation and state reform nevertheless seem possible if all sides can overcome that temptation and manage their differences in a consensual way, but the political dialogue needs to be re-focused around organisation of elections in 2010 and negotiation of a credible transitional justice mechanism. To avoid another round of violent regime change, the government should also complete reform of the security sector, including equitable integration of former rebels into the security services.

President Bozizé has more than ever been taken hostage by his close entourage of extremists and refuses to make concessions essential for true democracy. With the goal of ensuring his re-election in 2010, he is distorting the general amnesty he agreed upon with the rebel movements during the peace talks into a weapon of exclusion, at the same time as he grants impunity to his own forces that are guilty of serious abuses and tries to halt the proceedings of the International Criminal Court (ICC), which he himself originally requested in 2004.

With the exception of former Prime Minister Martin Ziguélé, whose authority over the most important opposition party (the Central African People's Liberation Movement, MLPC) has waned due to an upheaval in its stronghold, and the unwavering but shadowy presence of former President Ange-Félix Patassé, Bozizé's main adversaries want to transform the concept of political dialogue that was agreed in December 2006 into a mechanism to produce quick regime change. Their preferred vehicle would be a national conference, an ad hoc constitutional assembly competent to remove

the head of state. At the very least, they count on being able to control a transitional government and to prepare the 2010 elections to their advantage.

The international community bears a share of responsibility for devaluation of the political dialogue. By initiating army reform in early 2008, the donors emptied the political dialogue of the security element that is at the heart of the crisis. They are paying the price today for their complacency about democracy in the CAR, including their readiness to give up on reconciliation in return for simple disarmament. Indeed, they are de facto abetting new insurrections by granting blank concessions to rebel leaders without demanding anything else from them except lip-service to legality.

Against this troubled background, the UN Security Council is scheduled to decide in December 2008 about the takeover of the European force deployed in Chad and the north east of the CAR. Whether the current lull in violence in the north of the country can be maintained depends on the nature of this decision. Budgetary limitations and the difficulty of finding troop contributing countries mean that the UN mission to the CAR and Chad (MINURCAT 2) will essentially concentrate on eastern Chad, to the point that it may have a purely symbolic presence in the CAR. France wants to turn over its responsibilities in Birao, so the job of securing the north east of the CAR would in effect fall to the new regional peacekeeping force, MICOPAX, created by the Economic Community of Central African States (ECCAS), which is in need of reinforcement.

In addition to the internal problems and international uncertainties, the humanitarian crisis continues to worsen. Despite the attention created by the neighbouring Darfur conflict and almost one million civilians affected by the violence in the north of the CAR, humanitarian assistance is not guaranteed: almost a quarter of the modest \$116 million earmarked for the purpose is still missing. The CAR is at risk of yet again disappearing from the international radar screen, which would make all the investment of recent years in vain. Its emergency may seem less than those in Darfur, Chad or the Democratic Republic of Congo, but serious further

deterioration is certain if the following measures are not taken:

- ❑ The political dialogue needs to be refocused by its mediator, Gabon's President Omar Bongo Ondimba. All political movements, and notably all the former rebel groups that have turned themselves into parties, need to accept that its primary objective is to reach consensus on organisation of the 2010 elections. The dialogue must not be misused as a pretext to question the legitimacy of the current government in power; its intended purpose is to produce a responsible and fair process, not power sharing or regime change. Donors should emphasise to all sides that no solution to the political crisis is possible outside the existing legal framework and legitimate elections.
- ❑ The government should make it a priority to amend the amnesty law of October 2008 so as to facilitate the political dialogue without exceptions or conditions. Simultaneously, President Bongo should set creation of a credible transitional justice mechanism as a second key objective of that political dialogue, and donors should condition their support accordingly.
- ❑ The international community should seek to maintain the presence of MINURCAT 2 in the CAR. However, if it is forced to reduce its deployment in the CAR, that UN contingent should harmonise and coordinate its withdrawal with a comparable reinforcement of the regional peacekeeping force (MICOPAX), so there are smooth handovers and transitions between them, as well as with the French forces that are being drawn down, and a coherent security approach is maintained toward the CAR.
- ❑ The military planning law for 2009-2013 just submitted to parliament is an important step, but security sector reform has been begun many times in the CAR without ever being completed. The government needs to transform the security forces into "a structured, versatile, well-equipped and operational defence tool" attractive both to its own troops and the rebel fighters who are meant to be integrated with them. The international community should pledge strong support, financial in particular, but set the firm condition that the security forces must be depoliticised and the integration of rebel groups fairly managed.
- ❑ Donors should maintain their humanitarian aid for the victims of the conflict and ensure that financing is secured for the coming year.

II. NO PROSPECT OF MEANINGFUL DIALOGUE¹

Conceded by President Bozizé on 31 December 2006, just eighteen months after his rule was legitimised through the ballot box – in an election that the international community confirmed as properly run – the inclusive political dialogue has been at the heart of political debate for almost two years in the CAR. Yet, as all the actors on the Central African political scene admit, the dialogue is no more than a semblance of reconciliation, a façade that masks each player's second thoughts. "It is a fantasy that we cultivate, in the hope of attracting the support of the international community, while waiting for the right moment to seize power, if necessary by force", explains a former senior figure in the current regime now in the "radical opposition", speaking anonymously.² In similar vein, the CAR's head of state appears to have no illusions about what he describes as "an endless process – trip after trip to Libreville, merely to encounter a fresh obstacle each time".³ And the regional mediator, Gabon's president, Omar Bongo, no longer bothers to hide his exasperation with "Bozizé's obstructiveness".⁴

Amnesty laws, dismissed as "unacceptable" by opponents of the regime, and a controversial reorganisation of the Higher Judiciary Council in Bangui, have only added to the pending agenda of issues in dispute.⁵ At the conclusion of the second meeting of the Committee for Monitoring the Inclusive Political Dialogue Recommendations or CSDPI, on 24 October 2008, the only point on which the participating Central African parties managed to agree was an appeal to Omar Bongo Ondimba to mediate their disagreements.⁶

¹ This briefing follows the Crisis Group Africa Report N°136, *Central African Republic: Anatomy of a Phantom State*, 13 December 2007. For more details on the historical background, please refer to this earlier publication.

² Crisis Group interview, Paris, 24 September 2008.

³ President François Bozizé, Crisis Group interview, Bangui, 19 June 2008.

⁴ Crisis Group interview, French diplomat, Paris, 26 September 2008.

⁵ "Polémique sur la loi d'amnistie générale" Radio France Internationale (RFI), 1 October 2008, at www.rfi.fr/actufr/articles/106/article_72991.asp.

⁶ Final meeting communiqué, Libreville, 24 October 2008.

A. OBSTRUCTION BY THE INCUMBENT REGIME

The framework conditions for an inclusive political dialogue were negotiated over four months, between 30 November 2007 and 31 March 2008, when the final preparatory report, produced with the assistance of the Centre Henri Dunant, was delivered.⁷ In principle, this third attempt at national catharsis in 10 years – after a first national dialogue in 1998, and a second in 2006 – was supposed to take place within the following 45 days. However, persistent disagreements made it impossible to put in place a full range of negotiated pre-conditions for a fresh democratic start, including a general amnesty, to allow all the politico-military movements to take part in the debates without fear of official action against them.

Still, the 9 May 2008 signature in Libreville of a peace agreement between the incumbent administration and Jean-Jacques Demafouth's Army for the Restoration of Democracy (Armée pour la restauration de la démocratie, APRD) gave reason for hope. This followed agreements that had already been signed in 2007 with two other rebel movements, the Union of Democratic Forces for Unity (Union des forces démocratiques pour le rassemblement, UFDR) commanded by Zacharia Damane and Abdoulaye Miskine's Democratic Front for the Central African People (Front démocratique pour le peuple centrafricain, FDPC). This collection of agreements was brought together through an overall peace agreement, which reinforced the commitments already made in the separate deals. These provided for an end to the fighting and the assembly of rebel forces in containment centres to prepare for a programme of demobilisation, disarmament and reintegration (DDR); the inclusive political dialogue would be preceded by a general amnesty. This was signed in Libreville on 21 June 2008 by all the rebel leaders except Abdoulaye Miskine. The latter, fearing a possible arrest warrant from the International Criminal Court (ICC), did not want to leave Libya, where he lives in exile.

President Bozizé has never made any secret of his mistrust of an inclusive political dialogue, which he sees – not without reason – as essentially a trick by which his political enemies hope to overthrow him without the risk of incurring the opprobrium of the international community. The head of state sees the inclusive dialogue as no more than “a pretext for gangsters, presenting themselves as the opposition, who

seek to seize presidential office with the support of the international community”.⁸ In practice, this position reduces to nothing the political negotiating space that the inclusive dialogue is supposed to provide for. This process therefore appears to have been rendered meaningless in advance, particularly because the donors have already removed another substantial part of the agenda in their insistence on the holding of a national forum on security in spring 2008,⁹ the CAR's external partners effectively decided the fate of the security forces without involving the rebel movements in the process. The essential points were settled between the international community and the incumbent government which, on this subject, showed no willingness to compromise.

The president also bears heavy responsibility for the general deterioration of the political situation in the CAR. At no time has he ever shown a sincere willingness to take into consideration the complaints made against his regime and the measures he has taken have, on the contrary, reinforced the impression that he is acting in bad faith, “talking about dialogue while doing his best to sew up his bid for re-election in 2010”.¹⁰ Indeed, the monopolisation of power on a strongly ethnic basis by Bozizé's circle has been severely criticised by many observers.¹¹

Through the ministry, general secretaries and director generals, the presidency – which has already taken over the defence portfolio – exercises total control over the operation of a government which nevertheless includes several personalities who do not belong to the president's political family. And that camp is itself poorly defined in institutional terms. “The president has no party and, therefore, no parliamentary group that is really loyal to him”, explained a French official who follows developments in CAR. “Bozizé's only backing comes from his war chest; his only activists are those he pays”.¹² In this context, the signature after

⁷ Centre Henri Dunant, www.hdcentre.org/projects/central-african-republic.

⁸ Crisis Group interview, President François Bozizé, Bangui, 19 June 2008.

⁹ To speed up security sector reform (SSR) without waiting for the uncertain culmination of the inclusive political dialogue, donors insisted on the holding of this security forces forum. The armed opposition was thus prevented from fully participating in the discussion of an issue that is central to its demands.

¹⁰ Crisis Group interview, Western diplomat, Bangui, 18 June 2008.

¹¹ Crisis Group interview, French diplomat, Paris, 24 September 2008.

¹² Crisis Group interview, French diplomat, Paris, 26 September 2008.

many months of negotiation of an agreement¹³ with the French firm Areva on the exploitation of the uranium deposit at Bakouma, 800km east of Bangui, is seen as a source of quasi-personal enrichment, as the 'election battle' of 2010 comes into view.¹⁴

The state minister of mining, energy and water, Lieutenant-Colonel Sylvain Ndoutingai, who is related to the head of state and comes from the same village as Bozizé, is said to be at the heart of the inner presidential circle wielding power.¹⁵ The other members of this group are water and forestry minister Yvonne Mboïsona, also a relative of François Bozizé, the minister of justice, Thierry Maleyombo, and the post and telecommunications minister, Fidèle Ngouandjika, who is responsible for new technology. "Rather than risk their anger, some presidential advisers who previously aired their thoughts quite freely now opt to keep quiet".¹⁶

B. AN INTRANSIGENT OPPOSITION

However, responsibility for the delays to the inclusive political dialogue and for the risk of a resurgence in violence must be shared. In effect, the long work of preparing for dialogue was placed in jeopardy on 17 June 2008, just a few days before signature of the Libreville comprehensive peace accord, by a broad spectrum of opponents, including notably Jean-Jacques Demafouth, the leader of the APRD, and Prosper N'Douba, the former special adviser and spokesman of ex-president Ange-Félix Patassé.¹⁷

Gathered in Paris, the 3,007 signatories of the "Manifesto for a truly inclusive political dialogue" attacked the work of the preparatory committee for "restoring a semblance of legitimacy to the administration of Presi-

dent Bozizé, which is at present being rapidly undermined by the disastrous effects of its policy, characterised by bad governance, systematic violations of the constitution, serious large-scale abuses of human rights and acts of war that have provoked a security and humanitarian crisis without precedent in the Central African Republic".¹⁸ They demanded on the one hand that the dialogue should take place outside the territory of the CAR, and on the other, that the decisions of such a forum should be "totally and imperatively carried out and applied to all the participating parties".¹⁹

In other words, the signatories to the manifesto were calling for the holding of a new sovereign national conference, empowered to re-write the constitution adopted by referendum on 5 December 2004. This had already been their position before the four months of negotiation. On 19 October 2007 the first 17 signatories of the Manifesto, including Jean-Jacques Demafouth and Prosper N'Douba, had called for a dialogue outside national territory whose prime purpose would be to address the question of the legitimacy of the government.²⁰

The idea that the inclusive political dialogue should serve as a mechanism for regime change is widespread among the opposition. Among the main actors on the political scene, Martin Ziguélé, prime minister under Ange-Félix Patassé and General Bozizé's challenger in the 2006 presidential election, is one of the few not to regard the dialogue as a substitute for elections, or even a coup d'état. Following Jean-Jacques Demafouth's success in taking control of the APRD, it seems as if many opponents of the government no longer feel that a fair election is the only acceptable way of removing Bozizé.

The former defence minister's dramatic return to the political scene, through taking over the leadership of a rebel movement²¹ has encouraged others to combine

¹³ Under the terms of this agreement, initialled on 1 August 2008, Areva promised to pay the Central African authorities \$40 million by 2012, ie, \$8 million a year; the deal allocates the state 12 per cent of the yellowcake that is due to be produced from 2010 onwards.

¹⁴ Perceptions of the deal in these terms are explained by the large number of would-be intermediaries who have been competing for a role in bringing the talks between Areva and President Bozizé to fruition. See Antoine Glaser and Stephen Smith, *Sarko en Afrique* (Paris, 2008), pp. 114-115.

¹⁵ Crisis Group interviews, diplomats and close colleagues of President Bozizé, Bangui, 18 and 19 June 2008, and French officials, Paris, 24 and 26 September 2008.

¹⁶ Crisis Group email correspondence, close colleague of President Bozizé, 20 October 2008.

¹⁷ The former Central African president Ange-Félix Patassé (1993-2003), exiled in Togo for five years, caused surprise by agreeing to participate in the inclusive dialogue. He arrived in Bangui on 7 December 2008.

¹⁸ "Declaration" published by the Coordination of the Signatories of the "Manifesto for a truly inclusive political dialogue in the Central African Republic" Paris, 7 June 2008,

¹⁹ Ibid.

²⁰ "Manifesto for a Truly Inclusive Political Dialogue in the Central African Republic", Paris, 19 October 2007, given to Crisis Group by one of the initiators of this initiative, Sylvain Demangho, on 26 September 2008. The other initiator is Me Nganatuwa Goungaye Wanfiyo, who is also the president of the Central African Human Rights League (LCDH).

²¹ Among analysts of the Central African situation, views are divided on the question of how much control Jean-Jacques Demafouth really wields over the rebel movement. In an interview with Crisis Group in Paris on 26 September 2008 a French official responsible for CAR issues went so far as to argue that "his control over the APRD is an illusion; it is more a case of a convergence of interests". Still, if divisions

military and political ambitions. The most striking example is that of Charles Massi, a former minister of state sacked by General Bozizé, who on 25 May had himself installed as the political coordinator of the other rebel movement, the Union of Democratic Forces for Unity, taking up his old military rank of colonel pharmacist for this purpose.²²

To escape from the impasse in which he found himself after his enforced departure from government and President Bozizé's refusal to let him have a seat in the inclusive political dialogue under the banner of the ruling coalition, Charles Massi went into exile, offering his services as a political frontman to the UFDR. In contrast to Jean-Jacques Demafouth, who comes from the regional heartland of the APRD rebellion, Massi has no connection to Vakaga province in the far north east of the CAR, where supporters of the UFDR take their orders from Zacharia Damane, a former hunting tracker (*pisteur*) and one-time municipal councillor in Gordil. Far from their base and without the means to exert pressure on the course of new developments, the original leaders of the UFDR,²³ who have been in Cotonou since November 2006, saw in Charles Massi a useful tool for staging a comeback.

In a "Memorandum concerning political solutions for bringing the Central African Republic out of crisis and achieving political stability in central Africa" on 18 September 2008, Charles Massi set out his stance, in the name of his new 'rebel camp'. This document, formally addressed to Gabon's President Omar Bongo and the Guide of the Libyan Jamahiriya, Colonel Muammar Gadhafi, sets out Massi's damning assessment of the Bozizé years. It then goes on to justify the intransigent stance already adopted by Jean-Jacques Demafouth, Prosper N'Douba and the other signatories of the Manifesto. The Memorandum demands that "The Inclusive Political Dialogue should be constituted as a Forum for National Public Salvation and held outside the Central African Republic"; it adds that the resolu-

do exist within the APRD, they have yet to emerge into the open.

²²"Declaration N°001/08" issued on 25 May 2008 by the UFDR, at www.centrafrique.com/declarationdeLagos.pdf. To avoid upsetting the Beninese authorities, the document states itself to have been "issued in Lagos" (Nigeria), but the rebel movement's gathering in fact took place in Cotonou.

²³These are Captain Abakar Sabone, Commandant Hassan Justin and Michel Djotodia; see Crisis Group Report, *Central African Republic*, op. cit., p. 28. They were arrested in Cotonou on 25 November 2006 under an arrest warrant issued by Bangui, but freed in the summer of 2008.

tions adopted by the dialogue "should carry the status of international treaties and be enforced immediately".²⁴

Besides the Ziguélé wing of the MLPC,²⁵ other less important opposition parties are campaigning for democratisation and, above all, a change of government without resort to armed force. To this end, new movements continue to be formed despite the plethora of existing parties, already about 50 in number for a population of 4 million inhabitants. One such is the Republican Convention for Social Progress (Convention républicaine pour le progrès social, CRPS), founded on 23 May 2008 by the former President of the Central African Human Rights League, Me Nicolas Tiangaye, and the former Prime Minister Denis Kossi Bella.

However, politics is dominated by the struggle for resources. This is as true for the parties of the governing coalition as for the former ruling groups, such as the Patassé wing of the MLPC or the Central African Democratic Rally (Rassemblement démocratique centrafricain, RDC) of former President André Kolingba, now fighting to recover their old access to patronage. Each built around one strong personality, most political movements are as lacking in institutional capacity as the state itself. They are weakened by ethnic rivalries; and without a reliable flow of members' subscription payments, they are starved of resources.²⁶

²⁴See "Memorandum concerning political solutions for bringing the Central African Republic out of crisis and achieving political stability in central Africa", dated 19 September 2008, under the imprimatur of the Alliance of Democratic Forces for Change, the political front for the UFDR. This document was sent to Crisis Group by Charles Massi on 28 September 2008.

²⁵Since the last congress of the MLPC, which was held in June 2007 in Bangui, Martin Ziguélé has been trying to de-personalise a party that had for a long time been built around the strong personality of former President Ange-Félix Patassé, who has been in exile in Togo since he was overthrown in 2003. As part of his strategy in September 2008 Martin Ziguélé led the MLPC into the Socialist International. But Ziguélé, born in Paoua in 1956, suffers a double handicap: he belongs to the Karé, who are only a minority ethnic group in the centre-west; and the population of his electoral heartland, who are suffering the full force of the government army's harsh measures, regard him as a moderate or even weak figure.

²⁶The dynastic succession in the leadership of one of the oldest parties in the CAR, the Patriotic Front for Progress (Front patriotique pour le progrès, FPP), founded by Abel Goumba just after independence, illustrates the similarities between partisan groups and a state that is itself taken over by a "boss" and his loyal supporters: on 4 September 2008, after two years of judicial guerrilla warfare with a rival faction, Alexandre Philippe Goumba succeeded his father as

III. USE OF THE JUDICIAL SYSTEM FOR POLITICAL PURPOSES

The amnesty, which was supposed to pave the road to reconciliation, proved unable to fill this role because of the growing mistrust amongst political figures. At both national and international levels, justice has come to be used as a weapon in the national crisis. Rebel movements and much of the opposition have complained that the general amnesty as codified by the Bangui government amounts to a mechanism for absolving armed supporters of the regime for abuses they have committed since General Bozizé's takeover of power on 15 March 2003, well before the insurrection in the north, which did not break out until mid-2005. Outside the country, the activities of the International Criminal Court attract attention. Both the incumbent regime and its critics – armed and unarmed – are trying to use the ICC as a tool for influencing the control of power. The militarisation of political life in the Central African Republic is matched by the manipulation of the judiciary, which is seen as a tool for securing the support of the international community for one camp or another.

A. POLITICAL MANIPULATION OF THE AMNESTY LAW

On 13 October 2008, President Bozizé promulgated an amnesty law which had been adopted by the ruling coalition in parliament on 29 September, in the face of almost unanimous opposition by the opposition parties and rebel forces. The amnesty law – promised by all the peace agreements signed with the rebels since 2007 – became a stumbling block on the road to dialogue. While General Bozizé certainly used the measure to award himself a tailor-made legal impunity, the law that went into force on 13 October 2008 also gave the rebels a tactical pretext for buying themselves time, allowing conditions to deteriorate. Indeed, unless the inclusive political dialogue leads to the installation of a transitional administration – which seems highly improbable in present circumstances – constructive engagement with the incumbent government has little interest for an opposition which is aiming for regime

leader of the FPP. In February 2006 Abel Goumba became the official Mediator of the Republic, a role that is incompatible with a political party leadership position such as head of the FPP. See "Alexandre Goumba succède à son père à la tête de l'un des tous premiers partis politiques", APANEWS, 6 October 2008, at www.jeuneafrique.com/pays/centrafrique/article_depeche.asp?art_cle=APA45308alexasequit0.

change, preferably straight away, or else by making itself the dominant factor in the 2010 elections.

As it currently stands, the amnesty provides both the government army and the Presidential Guard with a blank cheque – except for "crimes of genocide, crimes against humanity and war crimes" or any crime "falling under the jurisdiction of the International Criminal Court". Despite this, several witnesses' reports²⁷ indicate that the Guard was guilty of some of the worst human rights violations in the conflict zones. The measure also accords impunity for the crimes carried out by the former liberators, that is to say, the fighters who brought General Bozizé to power on 15 March 2003. The law actually stipulates that amnesty is granted for "all offences committed by members of the defence and security forces and the civil and military authorities as part of their operations to maintain order and defend national territory" since the overthrow of former President Patassé.²⁸

The rebels benefit from the law's exoneration for "the leaders and members of politico-military groups situated in national territory or in exile". However, its sixth article sets them a 60-day deadline "to end violence and adopt an immediate and unconditional ceasefire". By the same deadline the former insurgents should submit to arrangements for "gathering in assembly areas, for disarmament and reconversion"; failure to comply would cost them their right to impunity. The rebel movements regard this timetable as unrealistic; and they are also challenging article 8 of the law, which states that "beneficiaries of the amnesty who remain in contact with a rebel group will be banned from all political activity for a period of 10 years". According to rebel leaders and many in the opposition, this provision could be used as a pretext for depriving whole groups from the benefits of the amnesty.

The law enacted on 13 October 2008 specifically names some prominent individuals who benefit from the amnesty – the former President Ange-Félix Patassé, his former minister of Defence and current APRD leader Jean-Jacques Demafouth, as well as the leader of another rebel movement in the north, Martin Koumtamadji, better known as Colonel Abdoulaye Miskine.

²⁷ See "Government tramples on the basic rights of detainees," Amnesty International, 30 November 2006; "Detailed report on events in Kaga-Bandoro, in the period from August 2006 to March 2007", Diocesan Justice and Peace Commission, March 2007; and "State of Anarchy: Rebellion and Abuses against Civilians," Human Rights Watch, 14 September 2007.

²⁸ See "Bozizé promulgue la loi d'amnistie générale", APANEWS, 14 October 2008, at centrafrique-presse.over-blog.com/article-23734731.html.

They are assured of impunity for the embezzlement of public money, killings and complicity in killings. In principle this should cover, for example, the acts of which the CAR's courts accuse Jean-Jacques Demafouth, who has been living in Paris since a case was launched against him in Bangui in connection with Kembé affair.²⁹ Yet the 13 October 2008 amnesty has not opened the door to participation in political dialogue with the Bangui authorities either for the leader of the APRD or for ex-President Patassé, who is living under a dual threat from both the national justice system and the International Criminal Court.³⁰

²⁹This refers to the violent death in October 1999 of three supposed activist supporters of former President Kolingba, killed in the course of a reprisal operation by the Central African army in Basse-Kotto prefecture, in the south east of the country. Jean-Jacques Demafouth says he was in no way responsible for this affair, stressing that he was only appointed defence minister on 1 November 1999 and that it was his predecessor in this position, Doctor Pascal Kado and the chief of staff of the FACA (Forces Armées Centrafricaines) at the time, now President Bozizé, whom President Patassé had entrusted with this operation. In any case, because of the action launched against him in Bangui, Jean-Jacques Demafouth says that he is not prepared to come to the Central African Republic. "I am not prepared to set foot there in the current conditions", he explained in an interview with Crisis Group in Paris on 26 September 2008. He gave Crisis Group a copy of the "Special Bulletin" of the Second Bureau of the FACA, dated 20 October 1999, which alerts the president, the minister of defence and the director of the National Gendarmerie about the violent activities of a "group led by Kolingba's children" in the Kembé region. The death of "several activists from the MLPC" – the party in power at the time – is reported, and the document "informs the state's highest authorities of the situation, so that adequate measures can be taken to stop [the trouble-makers] from causing harm". On 22 October, Bozizé raised this subject with President Patassé. Then, on 28 October, the defence minister, Pascal Kado, on the instructions of the head of state, gave orders for "a mission to establish security in Basse-Kotto". The death toll from this exercise, carried out in early November, is today attributed, in spite of the alleged facts of the situation, to the man who was appointed Minister of Defence in the interlude between the issuing of this order and the point when it was actually carried out.

³⁰Besides procedures pending against him in Bangui for "economic crimes", the former head of state probably fears that he is targeted by the ICC, which arranged for arrest of the former vice president of the Democratic Republic of Congo, Jean-Pierre Bemba, on 25 May 2008 in a Brussels suburb. Bemba was subsequently transferred to The Hague and indicted for "war crimes and crimes against humanity" allegedly committed in 2002 and 2003 in the Central African Republic. Leader of a rebel movement at the time, Jean-Pierre Bemba had intervened in support of President Patassé, at the latter's request, to suppress a rebellion in Bangui. Abdoulaye Miskine's absence from the signature

Promulgating a no less controversial reform of the judiciary on 17 October 2008, in the wake of the controversial amnesty, President Bozizé has exacerbated the climate of suspicion, thus preventing any reconciliation with his armed opponents. Moreover, the law governing the organisation and operation of the Higher Judiciary Council was only published on 23 October, after a week of secrecy, by the Justice Minister Thierry Savonarole Maleyombo. He stated that comments made by the Constitutional Court in Bangui, which had rejected certain features of the reform in advance, had already been taken into consideration – a claim that was vehemently disputed by the whole of the opposition and much of civil society.³¹ In fact, no change was made to the provisions for the disciplining of judges and their retirement. Now, according to an ambassador in Bangui, "this removes the last obstacles to the purely political management of Central African justice".³²

B. THE ICC AS AN ANTI-BOZIZE *DEUS EX MACHINA*

On 21 December 2004, nine months after seizing power in Bangui, President Bozizé invited the International Criminal Court to "enquire into crimes falling under the jurisdiction of the Court which may have been committed since 2 July 2002 at any place in the Central African Republic". On that date, Ange-Félix Patassé was still president.³³ On 22 May 2007, the prosecutor of the ICC, Luis Moreno-Ocampo, did indeed decide to open an investigation in the CAR, but stated that this would also "monitor the current situation in the Central African Republic" because of "worrying reports of violence and crimes being committed in the northern areas of the country bordering Chad and Sudan".³⁴

of the overall CAR peace agreement on 21 June 2008 is explained by his fear that an arrest warrant could be issued against him by the ICC. According to several witness reports that have reached Crisis Group, the rebel leader did not dare leave Libya, where he lives in exile, to travel to Gabon [for the signing ceremony].

³¹"Le pouvoir défie la démocratie" *Le Confident*, 27 October 2008, at www.leconfident.net/LE-POUVOIR-DEFIE-LA-DEMOCRATIE-!_a4003.html.

³²Crisis Group interview, Western diplomat, Bangui, 18 June 2008.

³³See "Decision Assigning Situation in the Central African Republic to Pre-Trial Chamber III", International Criminal Court, 19 January 2005 (see, in particular, the final page of this document, the letter from the Prosecutor to the President of the ICC, dated 22 December 2004) and the International Criminal Court, "Prosecutor Receives Referral Concerning Central African Republic," The Hague, 7 January 2005.

³⁴See "Prosecutor opens an investigation in the Central African Republic," press release, ICC, 22 May 2007, at www2.icc-cpi.org.

This focus, reinforced with the opening of a permanent ICC office in Bangui in September 2007, led President Bozizé to change his view about the prospect of the international justice system taking action in the CAR.³⁵ Indeed, in a letter dated 1 August 2008, the president asked United Nations Secretary-General Ban Ki-moon “to intercede with the United Nations Security Council, to secure the adoption of a resolution stating that the Central African judicial system retains jurisdiction over events taking place in the periods covered by the amnesty laws”. The latter was a reference to the amnesty that Bangui was going to adopt, as agreed under the overall peace accord signed in Libreville.³⁶ To clarify: by invoking Article 16 of the Rome Statute, President Bozizé was asking for the Security Council to suspend the ICC investigation that he had himself triggered as a means of targeting his predecessor.³⁷

The reasons put forward by the president in support of his request are illuminating. He refers to a letter of 10 June 2008 from the ICC prosecutor, in which Luis Moreno-Ocampo confirmed that he was “continuously monitoring acts of violence committed in the north of the Central African Republic”. With some clumsiness,

François Bozizé indicates that the ICC’s right to keep an eye on developments is a cause of “some concern” for his government. He goes on to cite the “jurisdictional complementarities” between the ICC and Rome Statute signatory states – such as the CAR – pointing out that “the Central African Republic has not so far been officially declared to be unable to rule judicially on events relating to 2005”. Indeed, he states, “On the contrary, the Permanent Military Tribunal is ready to set to work – a point that can be confirmed by consulting the records of this judicial authority”.

The president concluded by arguing that the interests of national reconciliation in the Central African Republic should take precedence: “If the terms set out in the letter from the Prosecutor of the International Criminal Court are carried out in full, and one of the parties to the conflict was arrested under these potential indictments, the survival of the overall peace accord would be put at risk”. In particular, he said, this would be the case if “such a combatant” happened to be the commander-in-chief of the government forces, the current president, who is also the incumbent minister of defence.

The UN Secretary-General and the Security Council apparently see no reason for haste. It was only on 18 September 2008 that Ban Ki-moon forwarded the letter from President Bozizé, which he had received six weeks earlier.³⁸ And the United Nations’ supreme decision-making body does not seem ready to act on the president’s request. However, Bozizé is not alone in seeing judicial mechanisms as a *deus ex machina* to reorder the CAR political landscape as desired. During the course of several interviews with Crisis Group in Bangui and Paris, opponents of the president raised the hypothesis of an ICC indictment of the president himself. They felt that to prepare for such a development it would be wise to put in place a transitional government as soon as possible. Each opposition leader saw himself as best-placed to lead this – and to take over from the present head of state once the latter is rendered incapable as a result of having been indicted by the ICC.

icc-cpi.int/menus/icc/pressandmedia/pressreleases/2007/prosecutor opens investigation in the central african republic.

³⁵ Already in July 2007 President Bozizé told Crisis Group: “Can you compare a country like ours to Switzerland? You have to see things in proportion. You can’t waste your time constantly explaining and justifying”. See Crisis Group report, *Central African Republic*, op. cit., p. 34.

³⁶ Crisis Group has managed to obtain this letter.

³⁷ Article 16 of the Rome Statute stipulates: “No investigation may be commenced or proceeded with under this Statute for a period of 12 months after the Security Council, in a resolution adopted under Chapter VII of the Charter of the United Nations, has requested the Court to that effect; that request may be renewed by the Council under the same conditions”. Although the Security Council has never considered nor accorded any request for adjournment, Article 16 has been invoked in three of the four situations that the ICC prosecutor is currently investigating – the CAR, Darfur (which was referred to the ICC by the Security Council) and Uganda (referred by the Ugandan government). In the latter two cases, the requests were made on the part of the individuals being sought, that is to say the LRA rebel chief Joseph Kony and President Omar Bashir of Sudan, supposedly in exchange for promised progress in peace processes. Although there could be a limited role for cases of adjournment under Article 16 in specific cases, such situations should be extremely rare, to avoid weakening the Court itself. Moreover, any adjournment should be used only as a last resort, in order to obtain or guarantee substantial progress in terms of peace, and it should always be accompanied by strict conditions concerning the actions of the party that benefits from it.

³⁸ Crisis Group also has a copy of this letter of referral, sent to the president of the Security Council, who at the time was Michel Kafando, the ambassador of Burkina Faso to the United Nations.

IV. PERSISTENT SECURITY CHALLENGES

A. FRAGILE CALM AND NEW RISKS

From a strictly military point of view, the north of the country is no longer a theatre of operations pitting the loyalist army against rebel movements determined to overthrow the Bangui government through force. Outbreaks of fighting can still occur, but they remain sporadic and limited in scale. Furthermore, clashes with highway bandits (*zaraguinas*) are more frequent, a sign that criminality now prevails over fighting in the strict sense of the word.

For the moment, the north east of the CAR appears to be secure thanks to the presence both of a French army instructor team which is training local units of the Central African Armed Forces (Forces Armées Centrafricaines, FACA), and 200 troops from the European peacekeeping force EUFOR. EUFOR is being deployed for a year, to 15 March 2009, in the east of Chad and in the CAR. Another factor is the presence of Zacharia Damane, who has remained in the area instead of seeking to play a role in politics in Bangui; he controls the UFDR troops and is keeping his promises.

But the situation is different in the centre-west APRD stronghold, even though the fighting which has been taking place there since the June 2008 signature of the overall peace accord has been limited to skirmishes provoked by rogue elements.³⁹ These clashes have mainly occurred in the area between Paoua, Ngaoundaye and Bozoum, which is in theory under the command of the APRD spokesman Laurent Djimwe. He had to make a formal apology after an ambush attack on 3 October 2008 against the Chadian contingent of the Central African peace force (MICOPAX), which had been carrying out a joint patrol with a unit of the CAR army.⁴⁰ Although two of their troops were wounded, the Chadian contingent did not respond to the attack.

The Central African army, on the other hand, did launch reprisals on 5 October, on the Bozoum-Paoua road. On 10 October, the APRD issued a 48-hour ultimatum to FACA, threatening a resumption of large-scale hostilities. The army then pulled out of the areas that it had occupied.

Whatever the level of fighting, the current relative calm in the north could prove deceptive. The temptation to take up arms again remains a real one. Indeed, the structural weakness of the Central African state fuels a vicious circle of permanent rebellion.⁴¹ The incompetence of the state apparatus, illustrated by the way that its efforts to maintain order veer off course, is seen by opponents as a justification for armed struggle. Not without reason, they are not optimistic about the prospects of success through non-violent political action. Rebellion leads to a seizure of power by force, thereby reigniting a new cycle of violence – or the rebels are coopted into the incumbent regime in the name of national reconciliation, crushing what remains of the state with a new parasitic burden and providing a justification for new insurrections. Either way, the downward spiral continues.

The first report of the UN Peacebuilding Support Office in the Central African Republic (Bureau des Nations unies en Centrafrique, BONUCA) on the human rights situation in the CAR, published on 17 October 2008, gives only a partial account of the cycle of incapacity, opposition, repression and rebellion. Reporting on the period from January to April, this document is, justifiably, very severe in its assessment of the current government and its security institutions. The latter have been accused of responsibility for the majority of the abuses committed in the CAR, including extrajudicial executions, torture and other degrading treatment; security force vehicles even paraded “through the town of Bouar, with human heads without bodies, presented as the heads of highway bandits who had been killed”.⁴² However, in light of the eyewitness accounts collected by Crisis Group, it is surprising to see how little emphasis is given in either the executive summary or the conclusions of the report to the rebels and their abuses against the civilian population.⁴³ Reflecting this lack of balance, none of

³⁹ Crisis Group email correspondence, Western military source in Bangui, 20 October 2008. On 1 August 2008, the APRD left the peace process with an announcement that it was re-launching its military operations. But this threat was not carried out – as a further meeting of the Oversight Committee, in September in Libreville, conceded. Crisis Group interview with Jean-Jacques Demafouth, Paris, 26 September 2008.

⁴⁰ “Embuscade de l’APRD contre une patrouille de la MICOPAX”, APANEWS, 9 October 2008, centrafrique-presse.over-blog.com/article-23585253.html.

⁴¹ See Crisis Group Report, *Central African Republic*, op. cit., p. 22.

⁴² BONUCA report on human rights in CAR covering the period January-April 2008, 10 October 2008, p. 6.

⁴³ The report’s conclusions completely fail to mention the rebels, to whom the executive summary of the investigation, which introduces the document, attributes “extra-judicial executions”. In the APRD heartland, around Paoua, these arbitrary executions are said to have taken place “from 2006

BONUCA's final recommendations is addressed to a rebel movement.

Yet the APRD is poorly placed to lecture government forces on the subject of human rights. According to independent sources, rebels have been responsible for the main abuses committed in the centre-west since the signature of the overall peace agreement.⁴⁴ They have imposed a tax and expelled those who have a poor payment record from their homes, which are then taken over by APRD supporters. As of mid-October 2008, some 7,000 displaced people, who for the most part fled from the parish of Ngaoundaye, were being forced to travel long distances on foot to reach their fields while avoiding contact with the rebels. They would then work in their fields for two or three days in a row before returning to the village to spend time with their families in safety. Fear among civilians has plumbed new depths since the APRD established courts to try those it describes as bad patriots. By mid-October, 16 people had been condemned to death and executed as a result of this exercise in sham justice.

Diplomatic sources in Bangui report that in the government camp, officials from the Gbaya ethnic group – the same ethnicity as the president – are getting organised to ensure that, by whatever means, President Bozizé secures re-election in 2010.⁴⁵ An example of the extreme forms that such support could lead to is provided by the proliferation of security companies in the capital. No doubt part of this phenomenon could be explained by the rise in crime in Bangui and allowance must also be made for the paranoid fears of the opposition. Still, eyewitness reports of the formation of pro-government militias cannot be dismissed lightly. Moreover, during the course of his journeys to and from New York, where he attended the United Nations General Assembly in September 2008, Bozizé approached at least two French security companies to discuss contracts, relating in particular to his close personal protection.⁴⁶

According to a source at the presidency, however, these talks were not completed because the financial demands were felt to be unacceptable.⁴⁷ According to

a source in Paris, the contacts continue,⁴⁸ and the prospect of a bodyguard unit made up of foreign security personnel exacerbates the fears already aroused by the new Rapid Intervention Unit (Compagnie d'intervention rapide, CIR). The CIR has been in existence since the days of former President Patassé – as a special unit for the maintenance of order, forming part of the Battalion for the Protection and Security of Institutions (Bataillon de protection et de sécurité des institutions, BPSI). But recent heavy-handed raids by its members, who now wear balaclavas, have spread panic in Bangui.⁴⁹ Against this background, donors have been sceptical about the project for "Reinforcement of the Rule of Law in the Central African Republic through Justice and Security", which was launched on 29 October 2008 by Prime Minister Faustin Archange Touadéra.⁵⁰ The head of government may have declared that the administration will always give an enthusiastic welcome to various types of advice from the international community; but it has not hitherto done so in the human rights field, for example.⁵¹

Interviewed by Radio France Internationale on 21 October 2008 about the abuses committed by the FACA, which had been documented 10 days earlier in a BONUCA report,⁵² General Bozizé appeared clearly irritated. He accused the UN office of exaggeration, of "continuing to turn the knife in the wound to blacken the image of the Central African Republic". While one million civilians are affected by the violence in the north and 100,000 Central Africans have sought refuge in neighbouring countries, half in Chad, the president insisted that "people live in peace in the north and go about their normal occupations".⁵³

onwards", in other words, from the point when the rebels became established.

⁴⁴ Eyewitness reports collected by Crisis Group by telephone from humanitarian and diplomatic sources in Bangui, 15-22 October 2008.

⁴⁵ Crisis Group interviews, diplomats, Bangui, 18 and 19 June 2008.

⁴⁶ Crisis Group interview, French diplomat, Paris, 26 September 2008.

⁴⁷ Crisis Group email correspondence, sources in Bangui, 14-21 October 2008.

⁴⁸ Crisis Group telephone interview, security company manager, Paris, 29 October 2008.

⁴⁹ Eyewitness accounts collected by Crisis Group in Bangui, in June 2008, or contained in subsequent email exchanges. According to several sources, the name of the current commander of the CIR, Gustave Bolé, has been cited in connection with the murder, on 28 May 2001, of the former head of Ange-Félix Patassé's Presidential Guard, General François Ndjadder Beddaya (one of whose sons, Lieutenant Florian Ndjadder Beddaya, joined the APDR in late 2005). However, no judicial action has so far been launched against Gustave Bolé. See "Centrafrique: Bozizé veut dessaisir la CPI", *La Lettre du Continent*, N°549, 2 October 2008; and "L'effervescence sécuritaire, terreur à Bangui après le départ de Bozizé", *Centrafrique-Presse.com*, 21 September 2008, at centrafrique-presse.over-blog.com/article-23020950.html.

⁵⁰ Crisis Group interviews, diplomats, Bangui, 18 and 19 June 2008.

⁵¹ Interview with RFI, President Bozizé, 21 October 2008, www.rfi.fr/actufr/articles/106/article_73779.asp.

⁵² BONUCA report, op. cit.

⁵³ Interview with RFI, President Bozizé, 21 October 2008, www.rfi.fr/actufr/articles/106/article_73779.asp.

B. INTERNATIONAL PEACEKEEPING OPERATIONS

At a time when France is negotiating to lower the hefty defence and military cooperation treaty commitments which have linked it for almost half a century to its former African colonies,⁵⁴ the CAR is seeking a new peace architecture. In its planned military programmes, the Bangui government therefore expects to “promote military cooperation in the region, which could culminate in the signature of defence agreements”.⁵⁵ At the same time, this is an unrealistic vision for the short and medium term. If the international community does not want to see the emergence of an unstable zone in the heart of the continent, it will need to underpin the transition from an increasingly small French presence to a new structure for collective security that is still in development and whose dimensions within Africa remain to be defined.

On the basis of ad hoc regional initiatives and international bridging operations (“opérations de relais”), this new architecture is now being put in place. In July 2008 a new regional force drawn from the Economic Community of Central African States (CEEAC) – the Mission for the Consolidation of Peace in the Central African Republic (MICOPAX) – took over from the old Multinational Force in the Central African Republic (FOMUC), which had been set up in 2002 solely by the “franc zone” member states of the Central African Economic and Monetary Community (CEMAC). This changing of the guard substantially broadened the base of the regional effort by including, notably, both the Democratic Republic of Congo and Angola, an emerging regional power.

The former FOMUC contingents have already been supplemented with 120 Cameroonian troops, and they should be followed by 120 Angolan policemen. The new regional peacekeeping force should thus achieve its planned manpower of 700 personnel in the first

quarter of 2009.⁵⁶ MICOPAX will include soldiers, police and gendarmes (paramilitary police), together with a small civil component. Its military force is commanded by an admiral from Congo-Brazzaville, Hilaire Moko,⁵⁷ who took over in mid-2008 from the Gabonese general Roger-Auguste Bibaye Itandas, who had been posted in Bangui since 2004. Logistical support is provided by France through its Operation Boali,⁵⁸ while the cost of MICOPAX is being met by the European Union.

Taking over from FOMUC, the new regional force plays an essential role in the redeployment of the Central African army within the country as a force present on the ground in a way that FACA has not in practice been for 20 years. Financed yet again by Europe, barracks have been built for each military region, or are in the process of being built. Each is being occupied by MICOPAX, which will prepare the ground and then welcome a company of FACA troops, to whom they will then hand over after a transition period of several months. Ultimately, especially given the presence of French Mirage fighters based at N’Djamena, the new regional force should be in a position to ensure the security of the far north east of the CAR, Vakaga province, which neighbours Darfur. However, the official mediator, Gabonese President Omar Bongo, has vetoed any use of force along the regional border with Sudan.⁵⁹

For the moment, therefore, the international community has been left with responsibility for ensuring the security of the north east of the CAR. A number of different entities have assumed this task. French troops intervened twice in Vakaga – in November 2006 and

⁵⁴ “Défense et Sécurité nationale: le Livre blanc”, Paris, June 2008, envisages this revision of “outmoded” agreements currently underway and the closure of all French military bases in Africa except for those in Libreville and Djibouti. According to French officials, this “remoulding of the presence” should be completed in 2010, a symbolic marker of the 50th anniversary of the independence of most former French colonies in Africa. It will translate into a historic reduction in the scale of the French presence on the continent. See also. *Sarko en Afrique*, op. cit., passim.

⁵⁵ See “Projet de Loi de programmation militaire, 2009-2013, 2008”, National Assembly, p. 7.

⁵⁶ In preparation for their deployment the soldiers sent by Kinshasa were sent on a basic training course at the training centre of the French Sixth Marine Infantry Battalion (6e BIMa) in the Cap Estérias forest, north of Libreville. See *La Lettre du Continent*, N°542, 5 June 2008. They then joined the former FOMUC contingents – from Gabon, Chad and Congo-Brazzaville – who have been reassigned to the new MICOPAX.

⁵⁷ Director of presidential security in Brazzaville for a decade, from 1997 to 2007, the 55-year old Hilaire Moko is a nephew of the Congolese president, Denis Sassou Nguesso.

⁵⁸ The increased size of the MICOPAX force poses a problem for the French logistical operation, which is equipped to support 500 men. Now, at a time when budgets are being squeezed in Paris and when each official post – ETP, or “full time equivalent” in administrative jargon – is being carefully counted, there seems no prospect of an increase in the budget. Crisis Group interview, official responsible for French Africa policy, Paris, 26 September 2008.

⁵⁹ Crisis Group interviews, diplomats, Bangui, 18-19 June 2008 and Paris, 26 September 2008.

then in March 2007 – to halt advances by UFDR rebels. In March 2008 the French were absorbed into the transitional European security force, which was then deployed for a year in Chad and the Central African Republic. In their turn, at the end of the European mission, the 200 EUFOR troops in the CAR were due to don the blue helmets of the UN as part of MINURCAT 2, the United Nations Mission in Central African Republic and Chad.

In Resolution 1834, adopted on 24 September 2008, the Security Council “expresses its intention to authorise the deployment of a United Nations military component to follow up EUFOR Chad/CAR in both Chad and the Central African Republic”.⁶⁰ Even so, there will only be certainty over the continued presence of a UN contingent in the Central African Republic when there actually is a vote authorising the deployment of MINURCAT 2 and specifying its manpower and resources.

Facing huge difficulty in its search for troop contributing countries for the 6,000 blue helmets planned for Chad, and the air support necessary to ensure that this peacekeeping force is effective, the UN will be obliged to leave doubts hovering over its presence in the Central African Republic.⁶¹ Indeed, these doubts are reinforced by the expected high cost of the operation, which is due partly to the logistical hurdles that will have to be overcome.⁶² Indeed, even if, in the case of

the CAR, the supposed “domino effect” of Darfur was no more than media shorthand and an argument mobilised in the cause of raising funds, the international community still has a watching brief to fill in the triangle between Sudan, Chad and the CAR.⁶³ The Central African segment of MINURCAT should thus be integrated into MICOPAX to avoid the proliferation of peacekeeping missions in the CAR, and in the region in general, and to guarantee coherence in the way that security is brought to the country.

C. SECURITY SECTOR REFORM

In November 2008 the draft “Military Framework Law 2009-2013” was presented to the National Assembly, which was supposed to discuss it as soon as possible. For the first time since independence, the CAR would thus have a five-year plan for its security sector, with a detailed forecast of the manpower, equipment and expenses of the security forces. A frustrating task pursued over many years by the French military cooperation programme, this plan was finally drawn up through two years’ evaluation and coordination work between the Central African authorities and the international community, by a French adviser working alongside General Bozizé at the presidency in Bangui. In a sign that the Central African Republic is also moving on from the post-colonial era – albeit 10 or 15 years later than the rest of francophone Africa – General Henri-Alain Guillou has just changed donor: taking off the French képi, he has donned a European military beret for the launch of the security sector re-

⁶⁰United Nations Security Council, Resolution 1834 (2008), S/RES/1834 (2008), pp. 2 and 3.

⁶¹On 12 September 2008, in his “Report of the Secretary-General on the United Nations Mission in the Central African Republic and Chad, addressed to the Security Council”, Ban Ki-moon was already stressing a clear priority: “The enhanced mandate of MINURCAT would concentrate on eastern Chad, with a limited military contingent in the north-eastern part of the Central African Republic”. (p. 13). <http://daccessdds.un.org/doc/UNDOC/GEN/N08/500/55/PDF/N0850055.pdf?OpenElement>. One month later, on 15 October, in the course of a press conference in N’Djamena, the new Under-Secretary-General in charge of UN peacekeeping operations, Alain Le Roy, indicated the difficulties entailed in setting up the new, enlarged MINURCAT when he said: “Of course, on 15 March the EUFOR will have finished its first year, will have completed its mandate. So, from the 15 of March, in the ordinary course of events, *insha’ Allah*, United Nations forces will replace EUFOR forces”. See transcript of the press conference, p. 6.

⁶²The current MINURCAT 1, employs 724 people, at a cost of \$315 million per year – of which \$45 million had not yet been covered by contributions by October 2008. MINURCAT 2, whose military component alone envisages 6 000 blue helmets just in Chad, stationed along the frontier with Darfur, will inevitably send costs soaring. As a compar-

ative indicator, the budget of the current EUFOR, with 3,300 troops deployed, was €800 million.

⁶³In essence, this is the point that the UN Secretary General made in his “Report”, *op. cit.*, pp. 15-16: “With regard to the Central African Republic, while the security situation in the EUFOR area of operations is relatively benign, a continued military presence in the north east could have a positive impact on security by deterring criminal activities and other acts of violence which constitute the greatest threat to civilians in that region. Should the Council authorise such a presence, the United Nations military requirements for this force would have to be further assessed. The troop numbers for this force would be in addition to the requirements noted above for eastern Chad. It should be noted that the support requirements for such a presence would be challenging, given the remoteness of the region and its distance from the remainder of the force. Support to these troops and implementation of their mandated tasks would require a concept based on aviation assets. In the meantime, it would be important to enhance the activities of BONUCA to ensure proper support to the peacebuilding needs of the Central African Republic.”

form plan that he has designed and which will henceforth be financed by Brussels.

The announced objective of the framework law is the transformation of the security forces into “a structured, multifunctional, well-equipped and operational defence tool”.⁶⁴ In appearance the document – 60 pages long including appendices – respects the sensibilities of the incumbent government.⁶⁵ But fundamentally, it makes an uncompromising assessment, demonstrating that almost everything has to be rebuilt, and that in effect this will mean setting everything up from scratch.⁶⁶ To this end, the future security forces are assigned four tasks: the defence of the CAR’s territorial integrity; guaranteeing domestic peace; military cooperation at the regional level; and, through this, contributing to the peace architecture of central Africa. Out of a range of four possible scenarios, which include the possibility of natural disasters and the FACA’s future participation in international peace operations, it considers the risk of external aggression to be low, despite the instability in Darfur, Chad and the Democratic Republic of Congo.⁶⁷ By contrast, the probability of internal armed conflict remains very high.

In order to face up to future centres of rebellion, the Central African army is set an operational goal that says much about its present lack of capacity: the aim is that by 2013 it should be able to deploy two infantry companies, of about 180 soldiers each, to two different theatres of operation within the country at the same time. In parallel with this, a “stance of permanent security” (posture permanente de sécurité, PPS) would continue to be guaranteed thanks to the presence of 3,166 soldiers stationed around the country. To carry out these tasks, the manpower of the army and, above all, the national gendarmerie, should be substantially increased – with the number of FACA sol-

diers rising, over five years, from 5, 349 to 7, 135 and the number of gendarmes (paramilitary police) increasing from today’s 1, 729 to some 3,284.⁶⁸

The security forces would therefore see their ranks inflated from the current total of 6, 518 personnel to some 10, 419 in 2013. Obviously, this expansion would incur extra cost. This is budgeted at 1.5 billion CFA francs (€2.26 million) for equipment judged to be essential, and 75 billion CFA francs (€15 million) – that is to say, an annual average of 15 billion CFA francs (€2 million) – for the five-year capital budget for supplies and infrastructure. The overall financial requirement, spread over five years, is estimated at 112 billion CFA francs (€171 million). This leads to what is almost certainly the most realistic conclusion of this planning exercise: “The assistance of the international community is essential for us”. Moreover, the early launch of this process, if it is carried out in a professional and depoliticised manner, is in no way in contradiction with the inclusive political dialogue and the disarmament of the rebel groups. It is better for the rebel forces to be integrated into a defence institution that is set to be restructured and become professional.

It remains to be seen how far the CAR’s donors will invest in a security structure that for more than a decade has been notable only for a cycle of mutinies, coup attempts and abuses against civilians. “It would be both logical and unsurprising, given the risks that would be in store if it goes off the rails again. And how could it be otherwise?” says a military cooperation adviser in Bangui.⁶⁹ Much will depend upon the general political context and, thus, the progress of national reconciliation in the CAR. But however the situation develops, the international community has little alternative, unless it resigns itself to the prospect of repeated costly peacekeeping operations – or abandons the country to an existence as a no man’s land, a crossroads for all the region’s belligerents.

In March 2008 the Ugandan rebels of the Lord’s Resistance Army (LRA) made a deep incursion, pillaging communities and abducting Central African villagers to act as their porters, as child soldiers or sexual slaves.⁷⁰

⁶⁴ “Projet de Loi de Programmation 2009-2013”, Central African National Assembly, Bangui, November 2008.

⁶⁵ For example: “Within the country, while the patriotic leap of 15 March 2003 [General Bozizé’s seizure of power] has permitted an improvement in the security situation, many threats to order and public security are still discernible”, *Ibid.*, p. 6.

⁶⁶ The conclusion of the draft law stresses what is at stake: “This year, the [Central African] Armed Forces have come to a crossroads. Learning the lessons of their past and what they have done, they now resolutely turn towards a future characterised by the fundamental reestablishment of their structures, their resources and also the mentality of their personnel. That is where the real challenge of this plan lies”. *Ibid.*, p. 36.

⁶⁷ Painting a rosy picture of the current situation, the military plan gives itself the task of “maintaining balanced neighbourhood ties with the adjacent powers”. *Ibid.*, p. 7.

⁶⁸ The renewal of army manpower is in reality greater than these figures indicate: 560 troops who have reached the age limit for service are about to take up their retirement, financed by Europe. They will be replaced by new recruits. *Ibid.*, p. 9.

⁶⁹ Crisis Group email correspondence, technical military adviser, Bangui, 22 October 2008.

⁷⁰ For two weeks the supporters of Joseph Kony occupied the town of Obo, in eastern CAR, while the Central African army failed to intervene to force them out. Cf. “Obo, cible ou base arrière de la LRA?”, *Le Confident*, 7 May 2008, at

At the end of September, an attack from Sudan on the frontier town of Am-Dafok mounted by UFDR dissidents provided a reminder that the far north-east of the CAR remains exposed to the danger of destabilisation.⁷¹ The reconstruction of the Central African army is an urgent priority.

Finally, the outside world cannot assume the role of the Central Africans and their ruling class. The 2009-2013 military framework law which has just been submitted to the Central African parliament marks a decisive step in the reform of the security sector in the CAR, a task often started in the past but never completed. It is now up to the Central African authorities to reach the goal that they have set themselves by transforming the security forces into “a defence tool capable of several tasks, well-equipped and operational”, as attractive for its current personnel as for the rebel forces that are due to be integrated into it. The committed support of the international community for the reform of FACA, particularly in financial terms, should be provided. But it should be conditional on the depoliticisation of the armed forces and on an even-handed management of the process of integrating rebel forces.

V. REFOCUSING THE DIALOGUE, INVESTING IN STABILITY

The case of the CAR may seem less urgent when compared to the dramatic situations of neighbouring Darfur, Chad and Democratic Republic of Congo. But the coming months will show whether the elements of a real dialogue can be renewed, whether reconciliation can provide the basis for democratic legitimacy in the elections of 2010 and whether the scale of the humanitarian emergency, especially in the north, will

leave any scope for development projects.⁷² The alternative is a return to the continuous rebellions that have been ravaging the country for 15 years, the shipwreck of a phantom state whose only role is to look after its public servants, and the frustrating task of pouring aid endlessly into a black hole.

The chicanery that currently surrounds the organisation of the inclusive political dialogue, and the temptation to take up arms again – a lure as much for the presidential camp as for an opposition that increasingly combines politics and military activity – do not leave much room for hope. Nor, finally, does the weariness of an international community that feels it has tried everything. In this context of multiple simultaneous threats, the objective should be to avoid the transformation of a country at the heart of Africa, larger than France but with only four million inhabitants, into the hub of a regional crisis.

To avert this danger, not only the timetable but also the goal of the inclusive political dialogue needs to be defined and fully accepted by the protagonists. Otherwise there may be a breakdown in negotiations, which should deal with how power can be responsibly used rather than how it is shared out. Donors should send the same message to both government and opposition: there can be no way forward other than the most scrupulous legality and the legitimacy that can only be secured through the ballot box. The mediator Omar Bongo Ondimba should therefore refocus the inclusive political dialogue on the consensual organisation of elections in 2010. All political groups – and, in particular, the former politico-military forces that have become parties – should be able to enter the contest. Without serving as a pretext for questioning the legitimacy of the incumbent government, this objective needs to be accepted in full by all the Central African protagonists.

www.leconfident.net/OBO-CIBLE-OU-BASE-ARRIERE-DE-LA-LRA-_a3766.html; and “Soudan, RDC et Centrafrique déstabilisés par des rebelles ougandais”, Agence France-Presse, 27 October 2008, at www.jeuneafrique.com/jeune-afrique/article_depeche.asp?art_cle=AFP21338soudasiadna0.
⁷¹ According to the Central African government, which responded with a communiqué on 30 September 2008 criticising the Sudanese authorities for their “complacent attitude”, supporters of Oumar Soudiam were responsible. Soudiam has been challenging the leadership of Zacharia Damane and the peace agreement reached with Bangui. See “Le gouvernement dénonce l’attitude complaisante des dirigeants soudanais”, APANEWS, 1 October 2008, at www.jeuneafrique.com/pays/centrafrique/article_depeche.asp?art_cle=APA93958legousianad0.

⁷² It should be borne in mind that the CAR is approaching the completion point of the HIPC (Heavily Indebted Poor Countries) initiative programme that it agreed in 2006 with the International Monetary Fund (IMF) and the World Bank. On the base of this, a three-year plan enabled it to secure the reengagement of the Bretton Woods institutions and the African Development Bank. On 30 October 2008, France cancelled 25bn CFA francs in debt (€38 million/\$48 million), opening the path to other debt cuts. The HIPC initiative will eventually allow the CAR to benefit from a \$602 million (313 billion CFA francs) reduction in debt and the cancellation of \$101 million (5.25 billion CFA francs) in multilateral debt. The country has already benefited from the cancellation of \$9.9 million (5.1 billion CFA francs) in debt and the rescheduling of \$26.2 million (13.5 billion CFA francs) by the Paris Club. See “La France efface 38 millions d’euros de dettes, selon Bangui”, Agence France-Presse, 30 October 2008.

Moreover, the government should amend the October 2008 amnesty law to facilitate the holding of the inclusive political dialogue on an inclusive basis, without any exceptions or conditions tied to the regrouping of forces or disarmament. At the same time, the Gabonese mediator Omar Bongo Ondimba should make the negotiation of a credible mechanism for transitional justice a central point of the agenda of the planned inclusive political dialogue between the Central African political movements. Impunity and the manipulation of national or international judicial procedures must come to an end. The donors who are financing the process should make this a condition of their support.

The international community is making a real effort, despite a highly uncertain international economic environment, by committing itself to engagement in the Central African Republic in order to restore peace and to relaunch the development process. It is financing the establishment of domestic security, notably through the deployment of MICOPAX. If MINURCAT 2 is forced to reduce its presence, the United Nations contingent in the CAR should harmonise and coordinate its withdrawal with the reinforcement of the regional peace force, MICOPAX, so that the latter can take over from it, ensuring a coherent approach to the restoration of security within the country and facilitating the transition between the French forces and the new African collective security structure that is being built.

VI. CONCLUSION

The CAR is at an important crossroads in its history. Genuine democratisation and reform of the state appear possible if the Central African protagonists manage to overcome the internal obstacles to dialogue in a consensual manner and to refrain from returning to violence in order to secure or to retain power. At the same time, the security situation remains precarious and the population continues to suffer, while the international community seems tempted to end its involvement with this conflict zone at the heart of Africa to focus on other crises in the continent such as Darfur or the DRC. The inclusive political dialogue must imperatively be refocused on the organisation of elections in 2010 and the negotiation of a credible transitional justice mechanism. Finally, to escape from the cycle of armed rebellions and avert any new seizure of power by force, the Central African government should take the reform of the security sector through to completion and permit the integration of rebel forces through an equitable process.

Nairobi/Brussels, 9 December 2008



International Headquarters

149 Avenue Louise, 1050 Brussels, Belgium · Tel: +32 2 502 90 38 · Fax: +32 2 502 50 38
Email: brussels@crisisgroup.org

New York Office

420 Lexington Avenue, Suite 2640, New York 10170 · Tel: +1 212 813 0820 · Fax: +1 212 813 0825
Email: newyork@crisisgroup.org

Washington Office

1629 K Street, Suite 450, Washington DC 20006 · Tel: +1 202 785 1601 · Fax: +1 202 785 1630
Email: washington@crisisgroup.org

London Office

48 Gray's Inn Road, London WC1X 8LT · Tel: +44 20 7831 1436 · Fax: +44 20 7242 8135
Email: london@crisisgroup.org

Moscow Office

Belomorskaya st., 14-1 – Moscow 125195 Russia · Tel/Fax: +7-495-455-9798
Email: moscow@crisisgroup.org

Regional Offices and Field Representation

Crisis Group also operates out of over 25 different locations in Africa, Asia, Europe, the Middle East and Latin America.

See www.crisisgroup.org for details.
