

Peacebuilding Commission
Country-specific configuration on the Central African Republic

Thematic meeting

Background Paper on Inclusive Political Dialogue

1. The political situation in the Central African Republic over the past one year or so has been basically characterized by attempts to organize an Inclusive Political Dialogue to promote reconciliation among all national political stakeholders in the country. This process is deemed to be critical for the advent of lasting peace and stability in the country. In this regard, and following numerous calls from various quarters including Civil society and the democratic opposition and through the facilitation of BONUCA and other international partners, a 25-member Dialogue Preparatory Committee chaired by the Centre for Humanitarian Dialogue and comprising representatives of all national political stakeholders, including the democratic opposition, the presidential majority, government institutions, politico-military groups and civil society, was set up by the Government in December last year. Its work revolved around the three themes (i) Political and governance issues, (ii) Security situation and politico-military groups, and (iii) Socio-economic development.
2. The Dialogue Preparatory Committee started its work with the initial participation of two of the three politico-military movements, the FDPC and UFDR. The third group, the APRD refused to designate a representative on the pretext that it did not trust the Government. The challenge was to convince the APRD, which was still active in the North-West of the country, to accept to take part in the work of the said Committee.
3. To that effect the Special Representative of the Secretary-General and Head of BONUCA traveled to the APRD stronghold (Paoua) in January 2008 to meet with the APRD leadership with a view to encouraging them to sign the Birao and Syrte accords with the Government, and join the dialogue process. The APRD finally accepted to designate its representative in the Dialogue Preparatory Committee.
4. The work of the Dialogue Preparatory Committee was funded mainly by the United Nations through the Peacebuilding Fund. Financial contributions were also provided by the African Union and the OIF (Organisation Internationale de la Francophonie). At the end of the deliberations of the Dialogue Preparatory Committee, President Bozizé traveled to Libreville with some members of the Committee and international facilitators (UN and OIF) to brief President Elhadj Omar Bongo Ondimba on the conclusions of the Preparatory Committee in his capacity as Chairman of the CEMAC ad hoc Committee for CAR.
5. This visit ushered in three essential decisions for the holding of the inclusive political dialogue in Bangui: (i) the signing of a peace agreement between the CAR Government and the APRD, (ii) the signing of a comprehensive peace agreement between the CAR Government and all politico-military groups, and, (iii) the adoption of appropriate legislative and judicial measures to foster inclusivity. Two of these decisions were subsequently implemented with the signing of a Cease-fire and Peace Agreement

with the APRD on 9 May 2008, followed by a Comprehensive Peace Agreement with the APRD and UFDR on 21 June 2008 in Libreville, under the aegis of President Omar Bongo.

6. At a ceremony attended by Presidents Omar Bongo Ondimba and François Bozizé, the comprehensive peace agreement (CPA) was signed by UFDR Operations Commander Zacharia Damane, APRD President Jean-Jacques Demafouth, CAR Minister in charge of Dialogue, Cyriaque Gonda, and Gabonese Junior Minister at the Ministry of Foreign Affairs Noel Messone. The FDPC was not in a position to sign the agreement, since its leader, Abdoulaye Miskine, did not travel to Libreville for security concerns, and did not delegate authority to sign to his spokesperson, André Ringui Legaillard. The CPA remains open to signature by the FDPC and other politico-military groups.

7. Members of the Committee agreed by consensus that Bangui should be the venue of the Inclusive Political Dialogue, and recommended that the Government adopt measures to enable all key national political stakeholders to participate in the process, particularly members of politico-military groups and CAR opposition leaders in exile, subject of legal proceedings in the CAR. After 3 months of deliberations, on 25 April 2008, the Dialogue Preparatory Committee (DPC) submitted its conclusions, based on consensus, to the Head of State.

8. On 16 June 2008, and in accordance with the recommendations of the DPC, President Bozizé issued a decree establishing a Dialogue Organizing Committee (DOC) with the primary task of mobilizing financial and material resources for the dialogue. The composition of this Committee has however been challenged by the UFVN, which considers that the Government is over-represented on the DOC. This notwithstanding, the said Committee whose work is currently stalled had already held several meetings.

9. In early August 2008, preparations for the Inclusive Political Dialogue, were halted, following the publication in the local papers of three amnesty bills tabled by the Government before an extraordinary session of the National Assembly. The APRD and UFVN, threatened to suspend their participation from the dialogue, since the draft bills were not in consonance with the letter and spirit of the provisions of the Libreville accords and the recommendations of the Dialogue Preparatory Committee. Furthermore, APRD, UFNV and others felt that the bills were covering alleged human rights violations and atrocities committed by President Bozizé's forces in 2003 during the coup d'état that brought him to power, and by the CAR security forces during the 2005 rebellion in the north of the country. The general amnesty law should have covered alleged offences and crimes committed by all signatories to the peace accords, including the killing of supporters of former President Kolingba in 1999 by elements of the CAR security forces, which the APRD President is accused of masterminding while serving as Defence Minister under former President Patassé.

10. The withdrawal of the UFVN and APRD from the dialogue process prompted SRSG Fall to engage in intense consultations with the various national stakeholders and international partners¹, to break the impasse and revive the stalled process. An

¹ Including President Bozizé, the leadership of the UFVN, the French Ambassador, members of COPESPOD, the APRD President Jean Jacques Demafouth and its Zone Commander Laurent Djim Woe

understanding was reached to resolve the crisis with President Bozizé reaffirming his resolve to ensure that the National Assembly adopts an amnesty law in consonance with the spirit of the recommendations of the Dialogue Preparatory Committee and the Libreville peace accords and that was responsive to the concerns of the various parties. It was also agreed that immediately upon the enactment of this Law, the composition of the Dialogue Organizing Committee would be reviewed to address the concerns of the UFVN, which felt it was under-represented. The announcement of the starting date of the Inclusive Political Dialogue would follow shortly after.

11. As part of his efforts to revive the peace process, SRSB Fall also visited Gabon at the end of August for consultations with the Gabonese and ECCAS authorities. This visit was followed by the convening on 15 September 2008 of the first meeting of the Follow up Committee under the Libreville Comprehensive Peace Agreement under the chairmanship of the Gabonese Minister of Foreign Affairs, Ms. Laure Gondjout².

12. The meeting concluded with the adoption of a Final Communiqué, which recommended, *inter alia*, strict compliance with the provisions of the Cease-fire and Peace Agreement of 9 May 2008 and the Comprehensive Peace Agreement of 21 June 2008 respectively. The ECCAS-led regional peace-building force, MICOPAX, was mandated to supervise the implementation of an immediate cease-fire. During the meeting, the APRD President, Jean Jacques Demafouth, announced the return of his movement to the peace process.

13. Meanwhile, the CAR National Assembly concluded its consideration of the amnesty bills on 29 September with the adoption of a single consolidated general amnesty law³. The amnesty law does not cover crimes falling under the jurisdiction of the ICC, particularly those relating to genocide, crimes against humanity and war crimes. It also protects the right of recourse of victims.

14. The adoption of this law, which addresses the concerns of the various national stakeholders and international partners, will constitute a significant breakthrough for the holding of the Inclusive Political Dialogue. The next step would now be the review of the composition of the Dialogue Organizing Committee to make it more balanced and representative to be followed by the announcement of the dialogue.

² In attendance were representatives of the CAR Government, politico-military groups signatories to the said accords (UFDR and APRD), ECCAS (SRSB to the CAR and MICOPX Force Commander), European Union Presidency (French Ambassador in Gabon), CEN-SAD, OIF and UN.

³ The law covers offences/crimes committed throughout the country by elements of the CAR armed forces, civil and military authorities while exercising their law enforcement and defence functions between 1st January 1999 and the date of promulgation of the said law, politico-military elements that participated in the events that resulted in the 15 March change of government, CAR nationals and politico-military groups within the country or in exile between 15 March 2003 to the date of promulgation of the said law accused of offences/crimes against state security or national defence and former Heads of State for crimes committed in the discharge of their functions.