

Preliminary Agreement on a National Reconciliation Pact

We, the signatories to this Agreement,

- Political parties:^a ADP, CN, ELAN, FC, FPP, GILA-MND, MDD, MDI/PS, MDREC, MESAN, MESAN-BOC, MLPC, MNR, MSCA, PARELI, PCD, PLD, PRC, PSD, RDC, UDR-FK, UDRP, UNDD, UPDES and UPR;
- Trade unions: CCTC, CNTC, CSTC, OSLP and USTC;
- Civil society,

Meeting in Bangui from 11 to 18 January 1997 at the seat of the National Assembly, in the context of the work of the Committee on Consensus-building and Dialogue, under the auspices of the International Monitoring Committee chaired by His Excellency General Amadou Toumani Touré,

Considering that the Nineteenth Summit Meeting of Heads of State and Government of France and Africa, held in Ouagadougou from 4 to 6 December 1996, decided to send a mediation mission to Bangui composed of Their Excellencies El Hadj Omar Bongo of Gabon, Mr. Blaise Compaoré of Burkina Faso, Mr. Idriss Deby of Chad and Mr. Alpha-Oumar Konaré of Mali,

Considering the establishment, following this mission, of the International Monitoring Committee to supervise the implementation of the measures contained in the final communiqué of 8 December 1996 and to help find a peaceful and lasting solution to the Central African crisis, and in view of the positive results achieved,

Considering the address by the President of the Republic on 31 December 1996 announcing a series of de-escalation measures and calling for a national reawakening,

Considering the worsening of socio-political tensions, which are likely to threaten national unity,

Determined, in the higher interest of the Central African nation and of the African continent, to prevent, through dialogue and consensus-building, any return to armed confrontation,

Desirous of reinforcing the democratic process and the rule of law, of ensuring respect for human rights, of safeguarding the achievements of Central African democracy and of preserving peace and national unity,

In view of the general report and recommendations of the Committee on Consensus-building and Dialogue, adopted in Bangui on 18 January 1997,

Have solemnly agreed as follows:

Article 1

We, the signatories to this Agreement, have resolved to respect constitutional legality and to safeguard the democratic process threatened by the grave socio-economic and political crisis and the disastrous consequences of various rebellions.

Article 2

We approve all the provisions of the conclusions stemming from the work of the Committee on Consensus-building and Dialogue, and we undertake to enforce them.

Consequently, we call on the government authorities to approve them and put them into practice in accordance with the provisions of the Constitution.

Article 3

We request that the International Monitoring Committee be retained so as to ensure strict respect for the recommendations of the Committee on Consensus-building and Dialogue.

In the case of non-compliance by one of the parties to this Agreement, any party having a complaint may resort to the arbitration of the International Monitoring Committee.

Article 4

We undertake to participate fully in the meetings of the National Reconciliation Conference to be organized.

Article 5

We support all negotiations and are willing to participate in them to help find a peaceful and lasting solution to all the problems stemming from the Central African crisis.

We undertake to settle, or to help settle through dialogue and consensus-building, all disputes that may arise.

Article 6

We reaffirm our attachment to the implementation of the Political Agreement Protocol, of the conclusions of the General meeting on National Defence and of the Minimum Standards Programme.

Article 7

The general report on the work of the Committee on Consensus-building and Dialogue and the report of the Political and Institutional Commission, the Security and Social Commission and the National Reconciliation and Reparation Commission are attached to this Agreement as enforceable clauses.

DONE at Bangui on 18 January 1997.

(Signed)

Political parties:^a

ADP	CN	ELAN
FC	FPP	GILA-MND
MDD	MDI/PS	MDREC
MESAN	MESAN/B	MLPC
MNR	MSCA	PARELI
PCD	PLD	PRC
PSD	RDC	UDR/FK
UDRP	UNDD	UPDES
UPR		

Trade unions:

CCTC	CNTC	CSTC
OSLP	USTC	

Civil society:

(a) Religious denominations:

AEEC	CECA	CICA
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(b) Human rights, justice and democracy:

ACAT	AFJC	GERDES
LCDH	MDDH	OCDH

(c) National organizations:

JEUNESSE OFCA

(d) Occupational organizations:

UNPC

Notes

^a Complete names of political parties, trade unions and members of civil society signatories to this Agreement:

ACAT	Association Centrafricaine de Lutte contre la Torture et l'Abolition de la Peina de Mort
ADP	Alliance pour la Démocratie et le Progrès
AEEC	Association des Eglises Evangéliques Centrafricaines
AFJC	Association des Femmes juristes de Centrafrique
CCTC	Confédération Chrétienne des Travailleurs Centrafricains
CECA	Conférence Episcopale Centrafricaine
CICA	Communauté Islamique Centrafricaine
CN	Convention Nationale
CNTC	Confédération Nationale des Travailleurs Centrafricains
CSTC	Confédération Syndicale des Travailleurs Centrafricains
ELAN	Effort Libéral en Afrique Noire
FC	Forum Civique
FPP	Front Patriotique pour le Progès
GERDDES	Groupement d'Etudes et de Recherches pour la Démocratie et le Développement Economique et Social
GILA/MND	GILA-Mouvement National pour la Démocratie
JEUNESSE	Comité Ad Hoc de la Jeunesse
LCDH	Ligue Centrafricaine des Droits de l'Homme
MDD	Mouvement pour la Démocratie et le Développement

MDDH	Mouvement pour la Défense des Droits de l'Homme
MDI/PS	Mouvement pour la Démocratie, l'Indépendance et le Progrès Social
MDREC	Mouvement pour la Démocratie en République Centrafricaine
MESAN	Mouvement d'Evolution Sociale de l'Afrique Noire
MESAN/B	Mouvement d'Evolution Sociale de l'Afrique Noire/Barthélémy Boganda
MLPC	Mouvement de Libération du Peuple Centrafricain
MNR	Mouvement de National pour le Renouveau
MSCA	Mouvement Socialiste Centrafricain
OCDH	Observatoire Centrafricain des Droits de l'Homme
OFCA	Organisation des Femmes Centrafricaines
OSLP	Organisation des Syndicats Libres des Secteurs Public, Para-Public et Privé
PARELI	Parti Républicain Libéral
UNPC	Union Nationale du Patronat Centrafricain
PCD	Parti Chrétien Démocrate
PLD	Parti Libéral Démocrate
PRC	Parti Républicain Centrafricain
PSD	Parti Social Démocrate
RDC	Rassemblement du Peuple Centrafricain
UND/FK	Union Démocratie Républicaine/Fini Kodro
UDRP	Union pour la Démocratie et le Renouveau Panafricain
UNDD	Union Nationale pour la Défense de la Démocratie
UPDES	Union du Peuple pour le Développement Economique et Social
UPR	Union pour la République
USTC	Union Syndicale des Travailleurs de Centrafrique

General report of the Committee on Consensus-building
and Dialogue

From 11 to 16 January 1997 in Bangui, capital of the Central African Republic, a meeting was held of the Committee on Consensus-building and Dialogue, a body set up by the International Monitoring Committee to find solutions to the crisis in that country, with the logistical and technical support of the Resident Representative of the United Nations Development Programme (UNDP) in Bangui.

Attending the meeting were representatives of political parties and civil society, dynamic forces of the Central African Republic, under the chairmanship of His Excellency General Amadou Toumani Touré, former head of State of Mali and Chairman of the International Monitoring Committee. The opening meeting of the Committee on Consensus-building and Dialogue took place at the seat of the Central African National Assembly.

In his opening address, General Touré said that three rebellions in eight months was not acceptable. He called on all parties to come to their senses. Accordingly, after a number of consultations, he had decided to initiate two levels of dialogue and consensus-building to examine the problems thoroughly in order to find lasting solutions to the crisis rocking the country.

The first level of dialogue and consensus-building would function among the rebel youth of the Central African Armed Forces, and the second among the political parties, civil society and resource persons. He hoped that through frank, calm discussions, especially on the basis of mutual good faith, understanding and respect, the dynamic forces of the Central African nation would, on the one hand, help implement the measures announced by the head of State, His Excellency Ange-Félix Patasse, in his New Year's message to the nation on 31 December 1996 and, on the other hand, take stock of the old and/or new measures proposed; lastly, he hoped that they would follow the progress of the parallel negotiations being held between the International Monitoring Committee and the rebel youth, and take into account their results.

At the request of several members, the Committee decided, before beginning its work, to issue a declaration in which the participants undertook to work together to reach conclusions which would restore calm and hope to the Central African people and requested all the parties involved in the crisis to avoid all actions or words that might disturb the peaceful pursuit of their work.

The participants on the Committee on Consensus-building and Dialogue then decided to continue their work in three commissions: the Political and Institutional Commission, the Security and Social Commission and the National Reconciliation and Reparation Commission.

Each commission was chaired by a member of the International Monitoring Committee, each assisted by two or three rapporteurs appointed by each Commission.

The General Rapporteur, Chairman of the Review Committee and representative of the Study and Research Group on the Democratic, Economic and Social Development of Africa (GERDDES-Africa), was appointed by the International Monitoring Committee.

Upon completion of their work, the participants drew up a list of measures whose implementation, they trusted, would allow the Central African Republic to restore peace definitively so that it could finally pursue sustainable human development for the greater benefit of its people.

These measures, as discussed below, include political and institutional measures, social and security measures and national reconciliation measures.

I. POLITICAL AND INSTITUTIONAL MEASURES

1. With regard to the address by the head of State on 31 December 1996, the participants welcomed the announcement of a voting timetable, but they felt there was first a need to revise the electoral code to take into account the municipal elections. It was recommended that an independent, joint electoral commission should be set up whose function it would be to specify the timetable, taking into account the availability of funding and the level of security prevailing in the country.

2. The formation of a real government of national union, expanded to include all the political parties and civil society, was specified as a precondition. The criteria to be used to choose its members would be competence, integrity and geopolitical considerations.

3. Most participants agreed that a pension should be granted to former heads of State. Nonetheless, some of the representatives of civil society, i.e., some trade unions, expressed reservations, pointing out that if a pension was granted to former heads of State, it would also be necessary to take care of the population in general.

4. Concerning the suspension of the judicial enforcement of the parliamentary audit, the participants asked that it simply be abandoned for purposes of promoting peace. However, some of the representatives of civil society expressed reservations, noting that this practice was likely to introduce the idea of impunity into Central African customs, to encourage poor management of government affairs and financial resources and to diminish accountability, an important element of good governance.

5. The establishment of a high-level council on broadcasting is being awaited impatiently. However, so as not to "put the cart before the horse", the participants proposed that a draft law on a press code should first be submitted to the National Assembly.

6. The participants felt that the proposed amnesty measure was indispensable and urgent.

The participants hoped it would be general but limited to events and acts relating to the third rebellion.

7. As for the General Meeting on the National Defence, the participants on the Committee on Consensus-building and Dialogue recommended that the acts promulgated by it should be enforced. The same applied to the conclusions of the General Meeting on Youth, which had not yet been implemented.

8. The discussions showed that there was an urgent need to revise the provisions of the code of penal procedure, providing a control mechanism for periods of preventive detention. Human and material resources should also be increased to improve the operation of the judicial system.

9. A long debate was held on the failure to respect procedures for acceding to various posts at the University of Bangui, which violated the standards of the universities members of the African and Malagasy Council on Higher Education (CAMES). The participants recommended that the government authorities should respect the autonomy of this institution. They also stressed the criteria of competence, integrity and experience for appointments to civil service posts.

10. The participants felt that there were so many departments under the Presidency of the Republic that they overlapped with the ministries and often presented a barrier between the head of State and his people. They therefore suggested that these departments should be considerably cut back, leaving only the essential services and reducing at the same time the costs of operating this Government institution.

11. One of the focal points of the debates was the revision of certain articles of the Constitution. The participants recommended a re-reading of the Basic Law.

12. The crucial problem on which the participants focused was the failure to enforce legal and regulatory texts and consensual acts. They strongly recommended the effective enforcement of these texts, including the Political Agreement Protocol and soon the Minimum Standards Programme. The participants also recommended that the authorities should take into account the conclusions of the work of the Committee on Consensus-building and Dialogue.

13. The participants decided to make an appeal for respect for the Constitution, for constitutional legality, for the institutions, laws and regulations of the Republic and for democratic principles and human rights.

II. NATIONAL RECONCILIATION MEASURES

14. National reconciliation requires first taking into account the harm that has been suffered by all sides. The participants therefor advocated the organization of an appropriate framework for a thorough evaluation of the damage caused by the various crises, and for just compensation for the victims.

15. In order to lay the groundwork for a lasting peace, the participants recommended holding a National Reconciliation Conference. However, the time

periods announced by the head of State seemed too short. The participants therefore suggested that those periods should be adjusted to allow time for adequate preparation.

To that end, the participants hoped that such a forum would be preceded by meetings at the prefectural level, which would send delegations and their proposals to the National Reconciliation Conference so as to involve all segments of the population.

The National Reconciliation Conference would conclude with a solemn commitment to peace by all participants.

16. For national reconciliation to last, the participants felt it was essential to establish a system of government management in the Central African Republic based on the principles of good governance, in particular skilful management of human and financial resources, transparency, the banning of impunity, the establishment of accountability and respect for human rights, so that a true culture of peace and democracy could take root in the country.

17. The participants suggested that the rebel soldiers in the Central African Armed Forces should be reintegrated with honour and dignity.

III. SOCIAL AND SECURITY MEASURES

18. Despite appeals to those connected with government institutions to return to their work and courses, the administrative offices and educational establishments are nearly empty. It is urgent to create conditions of confidence and security in order to remedy this situation.

The participants also recommended the payment of back salaries, pensions and scholarships and the revision of the 1996-1997 school calendar.
