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Study of the implementation of the National Strategy for the Demilitarisation of Prisons in the Central African Republic

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List of acronyms

ACAT-RCA :	Association des Chrétiens contre la Torture – RCA (Association of Christians Against Torture – CAR)
AFJC :	Association des Femmes Juristes en Centrafrique (Association of Women Lawyers in Central African Republic)
AUDH :	Action des Universitaires pour les Droits de l’Homme (Action by Academics for Human Rights)
CADJ :	Centre d’Accès au Droit et à la Justice (Centre for Access to Law and Justice)
CAR :	Central African Republic (République Centrafricaine)
CNDHLF :	Commission Nationale des Droits de l’Homme et des Libertés Fondamentales (National Commission for Human Rights and Fundamental Freedoms)
COMUC :	Coordination des Organisations des Musulmans de Centrafrique (Coordination of Muslim Organisations in Central African Republic)
CSO :	Civil Society Organisation (Organisation de la société civile)
DGSP :	Direction Générale des Services Pénitentiaires (Directorate-General of Prison Services)
EUAM RCA:	European Union Advisory Mission to the Central African Republic (Mission de conseil de l’Union européenne en République centrafricaine)
FACA :	Forces Armées Centrafricaines (Central African Armed Forces)
FSI :	Forces de Sécurité Intérieure (Internal Security Forces)
GT :	Groupe Thématique (Thematic Group)
LCDH :	Ligue Centrafricaine des Droits de l’Homme (Central African Human Rights League)
MINUSCA :	Mission multidimensionnelle intégrée des Nations Unies pour la stabilisation en République centrafricaine (United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic)
NGO :	Non-Governmental Organisation (Organisation non gouvernementale)
PARSP-RCA :	Plateforme de la société civile pour l’appui aux réformes du système pénitentiaire en République centrafricaine (Civil society platform supporting prison system reforms in the Central African Republic)
RJDH :	Réseau des Journalistes pour les Droits de l’Homme (Network of Journalists for Human Rights)
TFP :	Technical and Financial Partners (Partenaire technique et financier)

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Executive summary

In January 2019, the Central African Republic (CAR) approved a "National Strategy for the Demilitarisation of Prisons Establishments". This strategy, developed in partnership with the United Nations Multidimensional Integrated Stabilisation Mission in the Central African Republic (MINUSCA) and Penal Reform International (PRI), comprises five components: 1) Security and humanisation of detention; 2) Security and safety of prisons; 3) Security of the prisons and professionalisation of the penitentiary administration; 4) Security of prisons and legal security of detainees and 5) Public security and social reintegration policy for detainees. Following its adoption, the National Demilitarisation Strategy was incorporated into the Justice Sector Policy 2020-2024.

This report presents the results of a study documenting the level of implementation of the National Strategy for the demilitarisation of prisons in all its components, carried out a few months before the end of the implementation cycle. In order to analyse the relevance of the strategy, its degree of implementation, the impact of the strategy's progress and any barriers to its implementation, the research team adopted a mixed approach to data collection. This approach included a literature review, semi-structured interviews, a questionnaire survey and observations in nine prisons across the country. Data collection took place between April and May 2023. The executive summary presents the key findings of the study.

The objectives of the national demilitarisation strategy are fully **relevant** in the CAR context as they aim to reform the prison system, a priority recognised by stakeholders. However, the national strategy neglected the protection needs of detainees, who were not consulted during the analysis phase.

The **level of implementation** of the demilitarisation strategy shows mixed results: less than half of the planned activities were carried out a few months before the end of the programming cycle. The progress made has largely been attributed to the technical and financial partners (TFPs). Although new prison officers have been recruited and trained, their integration by the state has not yet taken place, despite the importance attached to this phase by all national and international stakeholders promoting reform. However, the President's call in June 2023 for accelerating the process could change the situation. In addition, several decrees, some drafted more than two years ago, have still not been adopted. These excessive delays have harmful consequences, as the adoption of these texts is a prerequisite for other activities planned as part of the reform. However, the recent appointment of new members to the *Direction Générale des Services Pénitentiaires* (Directorate-General of Prison Services - DGSP) by decree in May 2023 could bring about positive changes. Lastly, some of the activities carried out, particularly in the areas of legal and judicial assistance and rehabilitation, are useful but remain insufficient in relation to needs and are not sustainable. These isolated initiatives require a more strategic and structured approach to be effective.

This limited progress has had a negative **impact** on prison conditions, leading to a lack of improvement or even a deterioration in the situation of detainees due to the increase in the prison population. Internal and external control mechanisms are generally ineffective, and cases of physical and sexual violence and widespread corruption practices targeting detainees have been reported. These incidents take place in a climate of impunity for military and penitentiary personnel working in prisons. The lack of progress fosters misconduct, particularly among new employees who work without pay. Other employees awaiting

integration are discouraged and some are on strike. In addition, a significant number of detainees suffer from malnutrition, reaching 22% of the prison population in the capital's prison, for example. The number of deaths increased between 2021 and 2022. These prison conditions have led to uprisings among detainees. Finally, given the limited progress made despite the resources mobilised, there is a risk of donor fatigue, which has already resulted in MINUSCA halting construction and rehabilitation projects for the country's prisons.

Apart from a few external factors, two elements in particular have been identified to **explain these mixed results**. Firstly, until very recently, the balance between ministries was not in favour of the Ministry of Justice. In other words, the prison sector was not considered a priority at inter-ministerial level. However, the President of the Republic's recent commitment to the integration of prison staff has given new impetus to the reform and helped to rebalance priorities within the central administration. Moreover, there has been an imbalance in commitment between national and international stakeholders, partly due to the lack of human resources within the Directorate General of Prison Services to deal with all the priorities. This has led the partners to occupy a very important place, and even supplanting the national stakeholders - which, in turn, leads to a risk of disengagement on the part of the national stakeholders. The current strengthening of the DGSP is an opportunity to be seized in order to bring about a new alignment of the stakeholders involved.

On the basis of this analysis, the research team recommends a number of actions, addressed to the various stakeholders. As the National Demilitarisation Strategy is very ambitious given the situation in the country, PRI recommends to focus actions on a few priority areas, which could effectively

contribute to improving respect for the rights of detainees.

Key recommendations

To national authorities:

- i) Integrate new prison staff into the Public Service as civil servant and thereafter deployed them in the prisons as soon as possible;
- ii) Adopt the draft laws on the status of prison staff in CAR and the code of ethics for prison staff, as well as the other pending texts, as soon as possible;
- iii) Draw up and adopt the implementing decrees for these texts and, during the transition phase, develop and implement support and monitoring measures to make them operational;
- iv) Adopt a zero-tolerance stance towards abuses committed by personnel and strengthen the technical and financial capabilities of the Inspectorate General of Judicial Services;
- v) Clarify the techniques for searching detainees with staff in line with the UN Nelson Mandela and Bangkok Rules;
- vi) Test and evaluate the use of several complaints mechanisms in prisons;
- vii) Play a leading role in Thematic Group 5 (GT5) in organising meetings, taking decisions, implementing and following up on them;
- viii) Develop a security plan for prisons during the transition phase from military to civilian rule and after the transition;
- ix) Decentralise the sectors of the Sectoral Justice Policy by strengthening the links between the judicial sector and the penitentiary sector;
- x) Facilitate procedures for obtaining visiting permits for member organisations of the Civil Society

Platform in support of prison system reforms in the Central African Republic;

To all international partners:

- i) As a matter of priority, continue to advocate at all levels for the integration into the Public Service of prison staff and the adoption of texts on ethics and discipline;
- ii) Once integration is complete, provide ongoing training for these staff and develop a monitoring and mentoring process in the prisons to prevent the reproduction of violent or corrupt practices;
- iii) Strengthen the institutional role of the DGSP and the capacities of new management staff;
- iv) Support the introduction of mechanisms for financial accountability of prisons' budgets;
- v) Organise a conference for national and international stakeholders on the strategic vision and content of prison reform;
- vi) Rebalance its position within GT5 ;
- vii) Strengthen the operational capacity of internal and external control mechanisms (Inspectorate General of Judicial Services, *Commission Nationale des Droits de l'Homme et des Libertés Fondamentales* - National Commission for Human Rights and Fundamental Freedoms - CNDHLF - and civil society);
- viii) Strengthen the skills of the CNDHLF and civil society in investigative techniques and advocacy at national, regional and international levels;
- ix) Fund fact-finding and monitoring missions by CNDHLF and civil society stakeholders, as well as advocacy missions before regional and international protection mechanisms for detainees rights.

To the CNDHLF and civil society organisations:

- i) Carry out regular fact-finding and monitoring missions in all the country's prisons in order to document prison conditions;
- ii) Publish investigation reports and lobby national authorities and regional and international protection mechanisms to improve the situation of detainees.

Lessons learned

The research team identified three lessons learned:

- i) **Lesson learned 1.** Developing a strategy to reduce violence in prisons without listening to detainees and prison stakeholders does not allow all needs to be taken into account.
- ii) **Lesson learned 2.** If international partners are too heavily involved, there is a risk that the national side will become disengaged.
- iii) **Lesson learned 3.** A baseline study is necessary to analyse the level of implementation of a reform.

Introduction

1.1. General context

Demilitarisation of prisons in the Central African Republic (CAR)

Since the Central African Republic gained independence in 1960, its prisons have been under the responsibility of the Republican Guard, and since the 1990s under that of the Central African Armed Forces (*Forces Armées Centrafricaines* - FACA). The Central African government's desire to "establish a demilitarised, professional prison system that guarantees respect for international human rights standards and is geared towards the reintegration of detainees"¹ has resulted in the revision of the national legislative and regulatory framework, materialised by the promulgation of law no. 12-003 of 12 April 2012 laying down the fundamental principles of the prison system in CAR and its subsequent implementing decrees signed in 2016.² This law provided for the full management of prisons by civilian staff, under the supervision of the Minister of Justice.³ However, in a context of recurring armed conflicts that have severely affected the justice sector, little had been done to implement this legislation. Given the small number of civilian prison officers in the

country,⁴ the authorities resorted to FACA units and, to a lesser extent, the Internal Security Forces (*Forces de Sécurité Intérieure* - FSI) to ensure the security and surveillance of prisons.⁵

In 2016, the demilitarisation of prisons was included in the mandate of the MINUSCA, which called on PRI to assist with the development and implementation of this process. A "National Strategy for the Demilitarisation of Prisons" was developed in partnership with MINUSCA and the Central African Republic government and approved by the government on 9 January 2019.

The strategy developed was officially endorsed by the CAR's Prime Minister, who affirmed the "political will of the highest state authorities to introduce a modern prison system that respects the rights of persons deprived of their freedom through a decision of the judicial authority".⁶ In view of the needs in the prisons and the conditions of detention, which are considered to be undignified,⁷ the demilitarisation strategy is concerned not only with transferring the management of the prisons to a civilian body – which remains its primary objective⁸ – but also with other aspects, while respecting the fundamental principles governing the treatment of detainees.⁹

¹ According to the operational conclusions of the national seminar on Security Sector Reform (SSR) in April 2008, the Plan de Relèvement et de Consolidation de la Paix en Centrafrique (RCPCA) and the Programme de Réforme Décennale de la Justice en République Centrafricaine adopted by the Council of Ministers on 25 March 2010. Ministry of Justice and Human Rights, *Stratégie nationale de démilitarisation des prisons de la RCA*, 2019, p. 3.

² The normative framework has been supplemented by a series of decrees: Decree no. 16.0087 of 16 February 2016, on the organisation and operation of the Central African Republic's prisons and setting out their internal rules; Decree no. 16.0088 of 16 February 2016, redefining the framework of the prison administration; Decree no. 16.0089 of 16 February 2016, defining the uniforms, insignia and stripes of civil servants in the Central African prison administration; Decree no. 16.0090 of 16 February 2016, setting out the standard internal regulations applicable to prisons in CAR; and a health policy and a social reintegration policy, adopted in 2019.

³ From independence until 1980, CAR's public prison service came under the Ministry of the Interior. Decree no. 80-345 of 25 June 1980 transferred the prison administration to the Ministry of Justice. Historically, the task of supervising prisons was carried out by the Republican Guard. The DGSP was created in 2012.

⁴ Only around one hundred civilian prison staff were trained between 1995 and 2012. *Avocats sans frontières-Belgique, Fonctions et réalités de la détention dans les prisons de Bangui et de Berberati*, December 2019, p. 13.

⁵ In particular gendarmes and forest rangers. Ministry of Justice and Human Rights, *Stratégie nationale de démilitarisation des prisons de la RCA*, 2019, pp. 8-10.

⁶ *Ibid*, p. 4.

⁷ *Ibid*, p. 9.

⁸ *Ibid*, p. 6.

⁹ In particular, Standard Minimum Rules for the Treatment of Prisoners (the Mandela Rules); United Nations Rules for the Treatment of Women Prisoners and

The strategy has five components:

- Component 1: Security and humanisation of detention
- Component 2: Safety and security of prisons
- Component 3: Security of the prison and professionalisation of the penitentiary administration
- Component 4: Security of prisons and legal security of detainees
- Component 5: Public security and social reintegration policy for detainees

Following its adoption, the strategy was incorporated into the Justice Sector Policy 2020-2024, which was then being developed. The technical committee monitoring the strategy became Thematic Group 5 (GT5), focusing on “Prison Reform”.

GT5 is composed of representatives of the Ministry of Justice and judicial institutions, TFPs, non-governmental organisations (NGOs) and civil society organisations (CSOs) working in the sector. This group is led by a national stakeholder, the Director General of Penitentiary Services, with a partner, the PRI

project manager, as co-leader, and comprises many stakeholders including MINUSCA, the European Union, the European Union Advisory Mission in the Central African Republic (EUAM CAR), the United Nations Development Programme (UNDP), the International Committee of the Red Cross (ICRC), the CNDHLP, as well as NGOs and CSOs.

An operational action plan covering the five components of the strategy has been developed and is regularly monitored by GT5.

General situation of prisons in CAR

Of the thirty-two prisons in the country before the 2013 security crisis, only twelve were operational and under government control in the first quarter of 2023:¹⁰ three in Bangui (Ngaragba, Camp de Roux, Bimbo – the latter being a women’s prison) and nine outside Bangui (Bambari, Bangassou, Berberati, Bouar, Bria, Carnot, Mbaïki, Nola and Paoua).¹¹ These prisons are shown in green on the map below.

Non-custodial Measures for Women Offenders (the Bangkok Rules): *Ibid*, p. 15.

¹⁰ Twenty prisons were not operational and/or were being rehabilitated and/or were out of government control. We will return to this point *below*.

¹¹ MINUSCA, *Fonctionnement des prisons et présence du personnel pénitentiaire au 28 février 2023*.

Map 1: Location of prisons in operation in CAR



According to information made available at the end of March 2023,¹² the occupancy rate of the twelve prisons in operation in the country was 199%.¹³ However, this rate does not reflect the very significant differences between prisons: five prisons have occupancy rates of over 100% (for Ngaragba prison alone, an occupancy rate of 574%), while the other seven have occupancy rates of between 23% and 98%, as shown in the table below.

¹² MINUSCA, *Summary of prison population statistics for the week of 23 to 29 March 2023*.

¹³ In other words, there are twice as many people as places available.

Table 1: Occupancy rates in prisons in operation in CAR (March 2023)¹⁴

EP	Capacity	Total population	prison	% occupancy
Bambari	85	163		192%
Bangassou	80	62		77%
Berberati	60	129		215%
Bimbo	45	42		93%
Bria	65	32		49%
Bouar	120	87		72%
Camp de Roux	100	89		89%
Carnot	15	17		113%
Mbaïki	67	66		98%
Ngaragba	260	1492		574%
Nola	60	14		23%
Paoua	30	32		107%
TOTAL	1118	2225		199%

In addition, an analysis of prison population data shows that men account for more than 95% of detainees, women for 3.5% and children for 0.6%, as shown in Table 2. The table also shows that the CAR's prisons are characterised by a very high rate of people awaiting trial (75%).

Table 2 Status of the prison population in prisons in operation in CAR (March 2023)¹⁵

	Men	Women	Children ¹⁶	TOTAL
Awaiting trial	1 605	59	13	1 677
Convicted	528	20	0	548
TOTAL	2 133	79	13	2 225

¹⁴ MINUSCA, *Summary of prison population statistics for the week of 23 to 29 March 2023*.

¹⁵ *Ibid.*

¹⁶ We prefer this terminology to designate people under the age of 18, rather than the common use of "minors". The term "minors" emphasises their legal status (under the legal age of majority or emancipation) rather than their situation as children (requiring special treatment in view of their biological, emotional, psychological, social and educational needs, etc.).

In recent years, the number of people in prison has risen considerably, from 1,359 on 31 December 2017 to 2,237 on 31 May 2023.¹⁷ For some international NGOs, the explosion in the number of people detained is part of a penal policy that is considered repressive,¹⁸ resulting in an increase in the use of pre-trial detention. This observation has led NGOs to consider that penal policy is based on a presumption of guilt rather than a presumption of innocence.¹⁹

1.2. Study framework

Aims of the study

PRI, MINUSCA's implementing partner, decided to carry out a study documenting the level of implementation of the National Strategy for the Demilitarisation of Prisons, in all its components. The expected results are a progress study based on the results indicators of the National Demilitarisation Strategy's action plan, including an analysis of its relevance in the Central African context, an analysis of the barriers to change, and the definition of recommendations.

The report of this study is intended to be used as a source of information by the authorities and TFPs in order to identify obstacles, areas for improvement and lessons learned, and to guide future interventions as part of the implementation of the national demilitarisation strategy. The study was conducted by a three-person research team (a senior international consultant, a senior national consultant and a junior national consultant).

Ethical principles

Strict ethical principles were applied. Particular attention was paid to the **confidentiality of the information** collected and to protecting the identity of the people who took part in the study. The questions were formulated in such a way that all respondents clearly understood the purpose of the study, the use of the data collected and the content of the questions asked. As research in prisons can give rise to concerns, special consideration was given to discussions with prison officials to explain the aims of the mission and the confidentiality of the information provided.

All interviews with detainees were conducted in the absence of prison staff or detainees with responsibilities within the prison (*chefs de geôle* – chiefs of cells/delegates).²⁰ For security reasons, the interviews were not recorded but were transcribed.

The research team endeavoured to take into account the needs expressed by prison staff (*people-centred approach*), in line with PRI's vision.²¹ The research team carried out a survey of prison officers and detainees. Gender equity was taken into account throughout the mission. Specific questions were addressed to women and men.

All the interviews with women detainees were conducted by a consultant with solid experience of a gender-sensitive approach and the prison environment. The report includes an analysis of the prison situations of women and men, to ensure that the particular characteristics of each group are adequately taken into account in the analysis. For the purposes of the report, the research team has chosen not to always

¹⁷ Source: MINUSCA.

¹⁸ *Avocats sans frontières-Belgique, Les pratiques de privation de liberté en RCA, reflet d'une justice de crise et d'une justice en crise*, March 2022, p. 36.

¹⁹ *Ibid.*

²⁰ These chiefs of cells are detainees involved in the running of the prison. This mode of operation is an old

mechanism, already observed at the end of the 1980s: D. Bigo, "Ngaragba, 'l'impossible prison'", in *Revue française de science politique*, 39^e année, n°6, 1989, pp. 867-886.

²¹ In accordance with PRI's presentation: "We put people in criminal justice systems at the heart of our work", available at: <https://www.penalreform.org/about-us/> (last accessed on 4 April 2023)

detail whether situations involve children or adults, as there are cases where children could be very easily identified, which could put their safety at risk.²²

Data collection and analysis methods

In order to collect the data, a participatory approach was implemented, involving representatives of national authorities, TFPs, stakeholders in the penal chain at local level (prison staff, judicial stakeholders), detainees (men, women, children) and NGOs and CSOs.

The aim of involving a wide range of stakeholders was twofold: firstly, to produce a shared assessment of the needs and challenges, and secondly, to develop an analysis that was fully adapted to the country's prison context. The research team adopted a mixed qualitative and quantitative method of data collection, including a literature review, semi-structured interviews, a questionnaire and an observation mission. The data collection tools are presented in Appendix 2.

Literature review

The literature review enabled the research team to gather contextual information on the prison environment and, more generally, the justice system in CAR. In particular, the following were analysed: the applicable legal framework, the National Demilitarisation Strategy, the strategy's annual monitoring report, state reports to international protection mechanisms, observations by protection mechanisms, other available reports dealing with the prison sector (reports by MINUSCA, PRI, NGOs and CSOs), and studies on the justice sector.

²² In one case, the specific situation of the children is specified but the prison is not identifiable.

²³ After discussions with the PRI representative in CAR, three prisons were not visited for security reasons: Bangassou, Carnot and Nola.

Semi-structured interviews and observation

Individual and group interviews were conducted in CAR and remotely in April and May 2023. A research mission was carried out at central administration level and in nine of the country's twelve prisons in operation.²³ The mission visited three prisons in Bangui (Ngaragba, Camp de Roux and Bimbo) and six prisons outside Bangui (Bambari, Berberati, Bouar, Bria, Mbaïki and Paoua). This mission was completed by remote interviews with TFPs, NGOs and CSOs.

A total of 123 people took part in the study,²⁴ comprising: five representatives of national authorities (Ministry of Justice and Ministry of Defence), six representatives of TFPs, seven members of NGOs or CSOs - including members of the Platform of Civil Society for the Support of the Reform of the Penitentiary System in CAR (PARSP-RCA),²⁵ one representative of the CNDHLF, eleven prison staff (*régisseurs* - prisons heads, deputy prison heads, controllers, head of surveillance operations, healthcare personnel), seven magistrates, and 86 detainees.²⁶

In the prisons, the interviews were conducted separately between the chiefs of cells and the other detainees. The interviews in the prisons were conducted exclusively by the Central African consultants and then translated into French. The consultants were also able to observe the state of the prisons when they visited each prison.

Questionnaire sent to régisseurs - prison heads

²⁴ Including 31 women and 92 men.

²⁵ This platform was set up as part of the reform.

²⁶ Of which 58 men, 22 women, 5 boys and one girl.

In addition to the interviews, a short questionnaire was administered to the heads of the prisons in order to obtain quantitative data, such as the number and type of staff present (FACA, FSI and civilian prison staff), the number of detainees (by gender, age, category) and the occupancy rate, the presence of an infirmary, the separation between categories of detainees, the number of daily meals and access to rehabilitation activities.

Data management and analysis

To ensure reliability, all data was triangulated. The transcribed data was analysed and cross-referenced. Two triangulation methods were used:

- Triangulation of sources, which makes it possible to analyse the consistency between data collected using the same method (for example, between different interviews);
- Triangulation of methods to analyse the consistency of results generated by different data collection methods (for example, between questionnaires and interviews).

Limits of the study

The initial methodology envisaged analysing the extent to which the strategy had been implemented by analysing its indicators.²⁷ However, this analysis was not always possible due to the unavailability of baseline data²⁸ or the lack of documentation of other data.²⁹

In addition, some people were absent or unavailable at the time of the mission, which

limited access to some data. For example, in the absence of the prison head, the research team was not permitted to speak with children in Ngaragba prison. This meant that the research team had to rely on secondary sources instead.

Finally, in several prisons, despite the explanations given regarding anonymity, the detainees expressed their fear of reprisals, or even received explicit warnings from prison staff, which led them to withhold specific information from the research team. As the safety of the interviewees was an absolute priority, the research team did not encourage people to speak out if they preferred not to. As a result, the analysis presented in the report probably underestimates certain situations observed in prisons.

Results

The results are divided into four parts: after analysing the relevance of the National Demilitarisation Strategy (2.1.), we present its progress and the main stumbling blocks (2.2.). We then discuss the impact of the state of implementation in the prisons and in the prison sector as a whole (2.3.) and conclude with an analysis of the barriers to change (2.4.). The conclusions and recommendations arising from these findings are not addressed in this section, and will be presented in section 3.

2.1 The relevance of the National Demilitarisation Strategy

²⁷ It was envisaged that the analysis would be based on the indicators mentioned in the National Demilitarisation Strategy, some of which have been reworded or added for clarification purposes. See the analysis table in Appendix 1.

²⁸ The baseline data was not documented. Despite the team's research, some data was not available, such as the malnutrition rate in 2018 or 2019.

²⁹ For example, the recidivism rate, which is not specifically monitored, or medical data, in prisons with no healthcare staff.

An ambitious National Demilitarisation Strategy reflecting a prison reform

The National Demilitarisation Strategy was very ambitious, in that it went beyond "demilitarisation" and envisaged a restructuring of the prison sector within a few years. To achieve this, the national strategy focused its objectives on securing prisons, a concept that was understood in a broad sense.

Indeed, in 2018, it was noted that there was a high level of insecurity in prisons, the

source of which was "multi-faceted violence, inflicted both on detainees and on staff who are poorly trained, poorly coordinated, poorly regarded and poorly equipped".³⁰ It was therefore necessary, as noted in the strategy, to "organise a comprehensive programme of progressive reforms of the prison sub-sector, through a strategy that is both ambitious and realistic, involving all national and international stakeholders".³¹

The demilitarisation strategy comprised five components, each of which was divided into results, as shown in the table below.

Table 3: Expected results of the national demilitarisation strategy

Component 1: Security and humanisation of detention
O1.R1. All detainees have access to water and to food of adequate nutritional value and of an appropriate quality
O1.R2. All detainees have access to healthcare
O1.R3. Controls outside the Penitentiary administration are strengthened
Component 2: Safety and security of prisons
O1.R1. Prisons are made secure through the rehabilitation and upgrading of infrastructures and equipment
O2.R1. The security of prisons is improved through the implementation of internal rules and procedures
O3.R1. The security of prisons and the safety of prison staff and detainees are improved through prison intelligence
Component 3: Security of the prison and professionalisation of the penitentiary administration
O1.R1. Ongoing training services are developed for all prison staff
O1.R2. New DGSP organisation chart
O1.R3. Predictive management of jobs and skills in the prison administration is put in place
Component 4: Security of prisons and legal security of detainees
O1.R1. The controls carried out by the various competent government departments are strengthened
O2.R1. Judicial reviews of detention are systematised
O2.R2. All prisoners have access to law and justice
Component 5: Public security and social reintegration policy for detainees
O1.R1. Realistic social reintegration actions adapted to the local context are gradually implemented in each prison

³⁰ Ministry of Justice and Human Rights, *Stratégie nationale de démilitarisation des prisons de la RCA*, 2019, p. 11. However, as we shall see *below*, the security of

detainees has not been particularly taken into account by the strategy (see section 2.2.).

³¹ *Ibid*, p. 6.

According to the interviews conducted, the use of a very broad definition of "demilitarisation" in the strategy document creates confusion, especially as the objectives and activities of the demilitarisation strategy have been incorporated into the Justice Sector Policy under the heading "Prison Reform". A number of interviewees explained that the contours of the strategy were sometimes misunderstood by the authorities.

Strategic objectives that are relevant

All those interviewed - representatives of the Ministry of Justice and the Ministry of Defence, stakeholders in the penal chain, TFPs, CNDHLF, NGOs and CSOs - indicated that the objectives set out in the strategy were relevant. The people interviewed said that the strategy was likely to promote the humanisation of detention, improve the training of prison staff, guarantee respect for the rights of detainees, improve the conditions for their reintegration after release, and better ensure compliance with the country's international obligations.

While a few people wondered how the prisons would be secured once the demilitarisation process was complete, most of the interviews agreed that the military were not trained to work in prisons and should be redeployed to defence zones to help secure the territory.

It should be noted that in practice there is a certain amount of vagueness surrounding the results of component 4 on prison security and the legal security of prisoners. Indeed, access to legal aid for detainees, which is one of the areas of work of component 4 (O2.R2), is also one of the areas of work of another working group of the Sectoral Justice Policy 2020-2024, GT3,

which deals with "strengthening the demand for justice and access to justice for all".³² The interviews conducted revealed a low level of coordination and exchanges between the groups. In the case of access to legal aid, however, no duplication of activities was noted, as legal aid is not yet effective.³³ However, this aspect, which mainly concerns stakeholders other than prison stakeholders, would undoubtedly benefit from greater coordination with the people involved in GT3, a group that deals with all aspects of legal aid.

The partial inclusion of prisoner safety in the strategy

As we have seen, one of the aims of the strategy was to ensure that detainees were protected from violence and that their rights were better respected. However, during the development of the National Demilitarisation strategy, detainees were not consulted. Similarly, the practical operation of prisons in the country was not studied.

As a result, although the objectives of the strategy are relevant, some activities appear to have been neglected. For example, one of the expected results was access to healthcare for detainees, which, according to the strategy, included the construction of infirmaries. However, although, as we shall see, the lack of health infrastructure is a reality, the health of detainees does not depend solely on curative care. It also involves protecting detainees against violence (particularly physical and sexual violence), especially violence perpetrated by the prison authorities. This aspect has not been analysed or taken into account, despite the fact that certain practices are known and common in the majority of prisons.³⁴

³² Through its Axis 3, Result 8.

³³ The implementing decrees for the National Legal Aid Act of 2020 were not signed until spring 2023.

³⁴ See for example L. de Coster et al. *alheur à l'homme seul : la corruption dans la chaîne pénale à Bangui, en République centrafricaine*, Cambridge, CDA Collaborative

Similarly, the security of prisons is mainly addressed from a security point of view (implementation of security procedures, prison intelligence), whereas the recent riots and mutinies were mainly caused by extremely difficult conditions of detention and situations of suffering. We will come back to these elements in Section 2.3.

2.2 The mixed implementation of the National Demilitarisation Strategy

The people interviewed share a mixed assessment: the demilitarisation strategy has been implemented to a limited extent. According to the interviews, a few months before the end of the programming cycle, less than half of the planned activities had been carried out. Two main bottlenecks in the implementation of the reform were mentioned: on the one hand, the lack of integration of prison staff, and on the other hand, the delays in adopting the texts. These factors affect the implementation of other activities.

Partial implementation of the strategy

A study of the GT5 annual report reveals that, of 71 planned activities, by the end of 2022, 30 had been carried out, seven were in progress and 34 had not been completed.³⁵ Although a few new activities were carried out during the first half of 2023,³⁶ they did not significantly alter these figures. Analysis of this report, coupled with the interviews conducted, reveals that most of the activities that had been carried out relied on partners and not on the national stakeholders.

Learning Projects, 2017, pp. 17-18. See also *infra*, Section 2.3.

³⁵ Ministry of Justice, *GT5 Annual Report 2022. Prison Reform*, 2023.

³⁶ In particular, the appointment of new staff to the DGSP. See *below*.

This is the case for the following activities, for example: the recruitment and training of new prison staff (activity carried out by MINUSCA); immersion stages for CAR prisons staff and working visits of the DGSP abroad (activities organized by PRI); the setting up of PARSP-RCA, a network of 18 Central African CSOs, and the training of its members (activity carried out by PRI); the identification and capacity-building of staff in charge of maintenance services in prisons (activity carried out by PRI); the drafting of a security procedures manual and the training of some prison staff on this subject (activity carried out by EUAM RCA); or literacy or training activities for detainees aimed at reintegration (activity carried out, in particular, by PRI).

The activities carried out and finalised by the authorities have so far been few and far between. If we look at the regulatory framework, as we shall see below, several decrees have been drafted, but very few texts have been adopted. However, it is worth highlighting the adoption of a decree, on 9 May 2023, appointing 33 staff to management or head of department posts within the DGSP: some posts - in particular regional director posts - had been vacant for several months, and in some cases for several years.³⁷ This decree was eagerly awaited. The appointment of these new members of staff is seen by those interviewed as an excellent opportunity to move the reform forward, as it could lead to a concrete strengthening of the DGSP's operational capabilities, and thus its place in the institutional arrangements of the Ministry of Justice. At the time of writing, one month after the adoption of the text, the effects of this new text are not yet being felt. Several recommendations have been made to support this process.³⁸

³⁷ In April 2023, the Director had been managing and coordinating the activities of the DGSP for several months without Regional Directors, and with the sole assistance of a Head of Department.

³⁸ See Section 3 *below*.

Lack of integration of prison staff

One of the most important activities not carried out to date is the failure to integrate new prison staff. As we saw earlier, the severe shortage of prison staff in Central African prisons initially led to the use of FACA and FSI to provide security and surveillance.³⁹ However, these staff are not specifically trained for these tasks and are said to be the source of numerous abuses against detainees and their families - in particular corruption practices and situations of violence.⁴⁰ According to the available data, only 112 specifically trained civilian prison officers are deployed and integrated in 12 functional prisons in the country,⁴¹ for 2,225 detainees,⁴² which represents a ratio of one trained officer for every twenty detainees. This ratio is very low compared with other countries.⁴³ Moreover, some of them will be retiring in the next ten years. The information gathered during the research mission confirms this: 30% of the personnel in the nine prisons visited by the mission were FACA (27%) or FSI (3%) personnel; 39% were civilians; and 31% were MINUSCA support staff.⁴⁴ The integration of new personnel was thus at the heart of the demilitarisation strategy.

The TFPs have supported the recruitment and training of 295 new civilian staff in two waves, one in 2021 and the other in 2023. However, none of them had been integrated into the civil service by the time this report was written at the beginning of June 2023, despite the mobilisation of many stakeholders at different levels to achieve

this objective. This situation, as we shall see, has serious consequences for the degree of motivation of the parties involved, but also for the detainees.⁴⁵

Nonetheless, this issue could well evolve very quickly. On 7 June 2023, at the start of the 2023-2024 judicial year, the President of the Republic officially instructed the Minister of Justice to contact the Minister of Finance and the Minister of the Civil Service in order to "examine as soon as possible" the issue of the integration of prison officers.⁴⁶ This stumbling block could be resolved in the coming weeks.

Excessive delays in adopting legislation

The time taken to adopt texts is considered excessive. Many texts have been drafted, sometimes several years ago, but have not yet been adopted by the authorities. These difficulties go far beyond prison reform: this observation is shared by people working in other areas of the Justice Sector Policy. If we look specifically at the prison reform, the delays concern not only the texts specific to the new prison staff (for example, the prison staff statute and the code of ethics for prison staff, drawn up in 2020), but also other texts necessary for the progress of the reform more generally. These include, in particular, the decree regulating relations between the prison administration and CSOs, the text establishing the Independent Prison Observatory and the decree on architectural standards for prisons.

³⁹ See Introduction *above*.

⁴⁰ We will return to these points *below*, in Section 2.3.

⁴¹ The last time prison staff were recruited was in 2012. 44 people were recruited and integrated into the civil service.

⁴² Data from March 2023.

⁴³ There is no international standard for the ratio of staff to detainees. However, the ratio of 1 officer per 20 detainees is much lower than in other countries, including on the African continent. The ratio is 1/2 in

Kenya (2017), 1/4 in South Africa (2020), 1/5 in Uganda (2020), 1/7 in Côte d'Ivoire (2019), or 1/17 in Niger (2019): PRI, *Global Prison Trends 2021, 2022*, p. 38.

⁴⁴ N=240.

⁴⁵ See Section 2.3 *below*.

⁴⁶ Speech by His Excellency Professor Faustin-Archange Touadéra, President of the Republic, on the occasion of the start of the 2023-2024 judicial year, Bangui, 7 June 2023.

According to the interviews conducted, some draft texts drawn up over the last two years were rejected by the Texts Committee and returned to the Ministry of Justice in 2023.⁴⁷ However, the adoption of legislation within a reasonable timeframe is considered fundamental to the implementation of other aspects of the strategy, as a number of activities depend on it being completed. For example, the training of staff in procedures relating to the nutritional chain or access to medical care cannot be implemented until the relevant legislation has been adopted. The same applies to activities to disseminate texts, such as the code of conduct for prison staff, which require the decree to be adopted beforehand.

2.3 The impact of progress in implementing the National Demilitarisation Strategy

Violence against detainees and persistent impunity for prison officers

The levels of violence, that the implementation of the strategy intended to reduce, nevertheless persist. As long as there are no changes to the way in which prisons are controlled, situations of abuse will continue which will hamper the achievement of the strategy's objectives. Although we have no point of comparison, given the absence of an initial assessment of the situation,⁴⁸ the interviews conducted with detainees in the prisons revealed widespread violence by prison staff: corruption practices, physical and sexual violence and humiliation.

⁴⁷ While the reasons for this rejection are unclear, some suggest that it was due to the fact that the DGSP, busy with other tasks, was unable to take part in the work before the Texts Committee. Interview with an international stakeholder, 15 May 2023.

⁴⁸ No baseline data collection was carried out at the start of the implementation of the reform. We will return to this point in Section 4 on lessons learned.

Corruption practices were identified in most of the prisons visited. These practices, which can be understood as "all practices of abusive (illegal and/or illegitimate) use of a public office to obtain undue private benefits",⁴⁹ are based on the idea that prison services and goods can be appropriated and become a tool for enrichment.⁵⁰ In the Mbaïki and Bria prisons, male detainees reported that on arrival they had been placed in an isolation cell, considered traumatic and a source of illness, from which they could only leave on payment of a release tax.⁵¹

In the prisons of Ngaragba, Mbaïki, Bimbo, Bria, Bouar, Berberati and Paoua, detainees talked about having to pay a sum of money to be allowed to see their families, to receive food or medicines or to go to hospital - "*you have to pay for everything, even to get permission to go to hospital for treatment*"⁵² - and several mention the confiscation of outside goods, in particular food or medicines. In one of the prisons, it is the male chief of cell who extorts the women detainees: women have to hand over their money, soap, sugar or, more generally, whatever they receive from NGOs. It should also be pointed out that these practices are not limited to the military, but concern also civilian staff.

According to some of the people interviewed, these practices stem from the constraints associated with the staff's working conditions and are therefore similar to an operating mode made necessary by the context: some staff, who are unpaid or poorly paid, pay themselves from the

⁴⁹ G. Blundo and J.-P. Olivier de Sardan, "La corruption quotidienne en Afrique de l'Ouest", *Politique africaine*, no. 83, vol. 3, 2001, pp. 8-9.

⁵⁰ *Ibid*, pp. 32-34.

⁵¹ This sum can be as high as 5,000 CFA francs and does not rule out extortion of the money held by the new arrival beforehand.

⁵² Interviews with detainees at Berberati prison, May 2023.

relatives of the detainees or from the detainees themselves.⁵³ The staff are therefore able to take advantage of their position by benefiting from a "corruption rent",⁵⁴ by capturing prisoners' resources. These practices enable the prison to operate at low cost in a context of limited resources: they are "palliative" norms.⁵⁵ This phenomenon, which is stable and established, will probably not cease until trained and adequately remunerated staff are deployed and supported over the medium term.

There have also been several reports of sexual violence in places where women are imprisoned. Although soldiers are theoretically not allowed access to the women's quarters, several testimonies suggest otherwise. At the prison in Bimbo, a woman is currently pregnant by a FACA soldier. According to information gathered in this prison, this woman has already undergone a clandestine abortion. In 2021, another woman was sexually abused by a nurse who was subsequently transferred. Women prisoners generally report that prison officers do not respect them and threaten them. At Bria prison, where two women are being held, all the prison officers are men.

It should also be noted that personal search techniques do not comply with international or national standards. Article 18, paragraph 3, of Law no. 12-003 states: "Internal body searches are prohibited except in cases of specially motivated imperative. In such cases, they may only be carried out by a

doctor requested for this purpose by the judicial authority"⁵⁶. However, the women interviewed at the Bimbo EP, regardless of their age, spoke of intrusive searches including an examination of natural orifices, carried out by female prison officers: "*they put their fingers into our vaginas with gloves on*".⁵⁷ In addition, all the women interviewed in this prison were confronted with these practices, which, according to international standards, should only be carried out when absolutely necessary.⁵⁸ These intrusive searches, which include an inspection of private parts, also concern children in one of the prisons visited. In Bouar, men carry out strip searches of female detainees, although they do not search intimate areas.⁵⁹

In addition, detainees in the Mbaïki and Berberati prisons have revealed that they were whipped on the hands or ankles by military personnel. Some of them still bear the after-effects on their limbs (deformed fingers, sprained ankles). Several detainees revealed that disciplinary sanctions were sometimes accompanied by physical restraint. At Mbaïki prison, people considered to be brawlers are beaten up before being placed in an isolation cell. Detainees at Bambari prison referred to cases of caning by prison officers as a punishment. One of the detainees interviewed in this prison explained that these conditions of detention had been the source of an uprising among the detainees.

In addition, as mentioned in the introduction, many of the detainees interviewed disclosed their fear of reprisals if

⁵³ Interview with a magistrate, 20 May 2023. Interview with an international stakeholder, 16 May 2023.

⁵⁴ M. Morelle, "La prison centrale de Yaoundé", *Annales de géographie*, no. 691, vol. 3, 2013, p. 343.

⁵⁵ J.-P. Olivier de Sardan, "La routine des comportements non-observants au sein des services publics nigériens. Connaître la culture bureaucratique pour la réformer de l'intérieur", *Etudes et travaux LASDEL*, n° 119, 2014, p. 14.

⁵⁶ Article 18, Act no. 12-003.

⁵⁷ Interview with women detainees, 16 May 2023.

⁵⁸ Mandela Rule 52: "Intrusive searches, including strip and body cavity searches, should be undertaken only if absolutely necessary".

⁵⁹ In violation of Mandela Rule 52: "Intrusive searches shall be conducted in private and by trained staff of the same sex as the prisoner." and Bangkok Rule 19: "Effective measures shall be taken to ensure that women prisoners' dignity and respect are protected during personal searches, which shall only be carried out by women staff who have been properly trained in appropriate searching methods and in accordance with established procedures".

they mentioned situations of violence. The interviewees revealed that there is no confidential complaints mechanism within the prisons that would allow them to access the administration in the event of violence: either complaints go through the surveillance staff, or the chiefs of cells / delegates pass on the complaints to the registrar. As a result, several detainees explained that they no longer contacted the prison administration, as they feared repression from the military, or in some cases from the chiefs of cells / delegates, and did not feel sufficiently safe.

These practices are closely linked to the impunity enjoyed by military personnel, who are not accountable to the DGSP or the Ministry of Justice in general, and to the impunity of prison staff. This widespread impunity, which results from the absence of a specific mechanism for disciplinary sanctions and the failure to use the general mechanism in force at criminal or administrative level, is fuelled by the delay in adopting the relevant texts.

In fact, there is no specific text governing their rights and obligations. According to several interviewees, the lack of an effective control system, of which the establishment of a legal framework is the first step, fosters misconduct by prison officers, as one interviewee pointed out:

"There's a lot of slacking off, a lot of disciplinary slippages. There is widespread impunity. There are situations where you are aware of a deplorable situation, and you report it to the DGSP who [...] says that he has no control over these officers [...] With the adoption of the law, we could do some popularisation to familiarise them, and [ensure that the texts] are applied, [that] they belong to a body that has rights and

⁶⁰ Interview with a stakeholder involved in the prison sector, 15 May 2023.

⁶¹ MINUSCA, *Fonctionnement des prisons et présence du personnel pénitentiaire au 28 février 2023*.

⁶² See the report : Action des Universitaires pour les Droits de l'Homme, *Missions d'évaluation de la mise en*

obligations. The sanctions [will] have consequences for the careers of the agents".⁶⁰

This lack of control is also leading to the disengagement of some prison staff, which is reflected in a high absenteeism rate: on 28 February 2023, only 57% of staff were on duty in functional prisons and 6% in non-functional prisons.⁶¹

Finally, it should be noted that the control mechanisms in prisons are weak. The research mission revealed that magistrates frequently monitor prisons, which is facilitated by their presence in close proximity to detainees. However, the CNDHLF, NGOs and CSOs still do not have sufficient technical, human and financial resources to document violations on a regular basis in all the country's prisons. Few reports are published by civil society on prison conditions, with a few exceptions.⁶² Some CSOs have also reported difficulties in obtaining authorisation from the DGSP to visit prisons.

Very precarious nutritional and health situations

Detention conditions in prisons are generally very precarious, with a lack of sleeping mats, soap, mosquito nets and so on.⁶³ The nutritional and health situation in prisons are extremely worrying.

Nutritional insecurity among prisoners

Food budgets are increasing, rising from FCFA 275,338,000 in 2019 to FCFA 290,052,000 in 2023.⁶⁴ However, this increase has not translated into a significant difference for detainees. Firstly, the food

œuvre des recommandations de la CNDHLF dans le cadre du monitoring des droits humains dans les établissements pénitentiaires en RCA en 2021, 2022.

⁶³ *Ibid.*

⁶⁴ Source: MINUSCA.

budget per day per prisoner remains low: in theory, it is FCFA 275.⁶⁵ According to several of those interviewed, this budget is subject to misappropriation, as one Ministry of Justice official pointed out: "*The question of food... [...] We need to combat mismanagement. Sometimes we know that such and such an amount has been disbursed, but what ends up in the prisoner's dish is not that*".⁶⁶

In addition, the financial shortfalls and disbursement difficulties sometimes encountered by the Ministry lead to late payments to food service providers. Some payments are made on a weekly basis. In some cases, there is no disbursement at all.⁶⁷ These different situations mean that detainees are in a very precarious nutritional situation. In all the prisons visited, only one meal is served each day.

In May 2023, 326 cases of malnutrition were reported at Ngaragba prison, representing 22% of the prison population, and 22 at Bambari prison, including 3 women and 19 men, representing 13% of the prison population.⁶⁸ It should be noted that only three prisons do not have a malnutrition monitoring plan: the number of malnourished people is therefore probably much higher.

The demilitarisation strategy had envisaged developing a plan covering four areas - nutrition, water, hygiene and sanitation in detention - as well as a procedural manual covering these four areas, which would set out rules for the monthly allocation of budgetary resources in each prison (in proportion to the actual prison population) and for monitoring the distribution of inputs.

⁶⁵ Taking into account 19% VAT. Source: MINUSCA.

⁶⁶ Interview with a Ministry of Justice official, 12 May 2023.

⁶⁷ Interview with an NGO stakeholder, 4 May 2023. Interview with a TFP, 9 May 2023. Interview with a stakeholder from the Ministry of Justice, 12 May 2023.

⁶⁸ For 1492 people detained in Ngaragba and 163 in Bambari. Source: MINUSCA.

However, these two texts have not been adopted. A decree defining the nutritional chain is currently being drafted, but, like most of the other texts, has not yet been adopted. These various factors explain the lack of positive developments in this area.

The precarious health of prisoners

Healthcare for detainees depends on the prison in question. Of the nine establishments visited by the research mission, only four had an infirmary: Ngaragba, Camp de Roux, Berberati and Bimbo. At the prison in Bimbo, where there are only women, specific gynaecological care is available.

However, the presence of an infirmary does not mean that it is operational: although the infirmary at Berberati prison has recently been built, the interviews conducted revealed that it has no equipment. As a result, in this prison, as in the other prisons without an infirmary, detainees are treated at the hospital outside the prison.

This situation leads to late treatment. Several deaths have been reported. At the Mbaïki prison, three deaths were recorded between November 2022 and March 2023, for a prison population of around 80 people.⁶⁹ For one of the stakeholders in the penal chain we met, this situation is extremely worrying, and is not solely due to a lack of resources: "*I think that prison staff can also be blamed for failing to assist sick prisoners*".⁷⁰ At the prison in Bambari, detainees reported four deaths, the last of which, in April 2023 - a man whose detention order had expired - led to a demonstration within the prison.⁷¹

⁶⁹ Interview with a magistrate, 20 May 2023.

⁷⁰ Interview with a magistrate, 20 May 2023.

⁷¹ Interview with detainees, 9 May 2023. Interview with a magistrate, 9 May 2023. The man who died on 15 April 2023 had been placed under a committal order on 26 October 2021, and had spent 1.5 years in detention without extension.

Given the lack of improvement in the situation and the considerable increase in the number of prisoners,⁷² the number of deaths in prisons has not decreased in recent years. On the contrary, it almost doubled between 2021 (11 deaths) and 2022 (20 deaths).⁷³

Discouragement of new staff and reproduction of bad practices

Since the initial training of new staff, a number of ongoing training activities have been organised for them, including training workshops, seminars and internships abroad, organised by PRI.⁷⁴ However, the lack of integration is a major problem for the staff who have been trained, particularly those in the first wave who have been waiting to be integrated since 2021. Many of them are on strike; according to the interviews conducted, others work in the prisons without being paid, which leads them to resort to corruption practices, the first victims of which are the detainees, as we mentioned earlier.⁷⁵

Risk of TFPs losing interest

The failure to integrate staff also had a major impact on the TFPs. It was planned that once the staff had been integrated, they would be partially deployed in the provinces, in the prisons that had been renovated by the TFPs.⁷⁶ Without the integration of new staff, these newly renovated prisons are currently closed and not operational. This situation has not been without consequences: it has already resulted in MINUSCA halting the construction and rehabilitation of the country's prisons.

⁷² See introduction *above*.

⁷³ Source: MINUSCA. Of the 20 people who died in 2022, twelve were being held at the Ngaragba, two in Bambari, two in Mbaïki, one in Nola, one in Carnot, one in Bouar and one in Bangassou.

⁷⁴ Workshops were held on topics related to the needs of prisons. These included human rights monitoring (a workshop for prison staff and CSOs), technical

Reduced impact of certain activities

The conditions under which some of the activities are carried out do not meet the needs of prisoners. This can be illustrated by two activities.

On the one hand, with 75% of prisoners awaiting trial at national level,⁷⁷ requests for legal and judicial assistance from prisoners awaiting trial are very high. For example, according to the information gathered, 62 people had an expired detention permit at the time of the mission, including 21 at the Bambari, 2 in Berberati and 39 at the Camp de Roux. Although the support activities implemented by the CSOs of the PARSP-RCA have made it possible to assist fifty people in 2022 - twenty people will be assisted in 2023 - this assistance is insufficient to meet needs. These one-off, unsustainable activities do not address the real structural difficulties which stem, in particular, from a penal policy deemed repressive.⁷⁸ It should be noted, however, that the adoption in May 2023 of the new decrees on legal aid could help to improve this situation. For greater impact, the activities carried out in this area by GT5 could be coordinated with GT3, which is focusing specifically on this issue.

On the other hand, the social reintegration activities (vocational training workshops, literacy courses) that have been set up are only aimed at a very small number of prisoners. Here too, demand is very high, but the resources available are insufficient to meet it. In 2022, around one hundred people took vocational training and around one hundred took literacy classes. In some prisons, such as Camp de Roux, Bambari, Paoua and Bria, prison staff indicated that

maintenance services for prisons and the management of prison production units.

⁷⁵ See "Violence against detainees and persistent impunity for prison officers" *above*.

⁷⁶ The four prisons are Bossangoa, Bossembele, Kaga-Bandoro and Sibut.

⁷⁷ See introduction *above*.

⁷⁸ See introduction *above*.

there were no functional vocational rehabilitation activities.⁷⁹ It should be noted here that the perception of the usefulness of vocational training activities for the reintegration of detainees is sometimes considered mixed by the people interviewed, and depends on the activities offered: the sewing activity at Bimbo is considered useless by four of the five women interviewed taking part in it; gardening is considered useless by five of the seven people taking part in this activity. The carpentry workshop and bag-making, on the other hand, were considered useful.

In addition, some activities are not always followed up by prison officials. Of the five carpentry workshops set up by PRI, those in Bimbo and Bambari were no longer operating, on the grounds that the detainees who had been trained had been released. At

the time of the mission's visit, the workshop in Berberati had also recently been suspended. The one in Ngaragba is still operational. Its products are sold to private and public institutions outside the prison. The lack of sustainability of these activities is closely linked here to the commitment of prison officials.

Results indicator monitoring table

The following table shows the performance indicators monitored by GT5 as part of the prison reform. Some indicators, which were reformulated or added during the preparation phase of the study,⁸⁰ appear in italics.

Table 4: Results indicator monitoring table

Target indicators	Analysis
Component 1: Security and humanisation of detention	
The rate of malnutrition in prison falls by 25% every year	Baseline data not available.
Prison staff systematically apply procedures for distributing food to prisoners	Food distribution procedures not finalised. New staff not integrated.
The mortality rate in prison falls by 25% each year	Increase in the number of deaths between 2021 (11 people) and 2022 (20 people).
All prisons have functional infirmaries	At least six prisons do not have functional infirmaries.
Decree regulating relations between CSOs and the prison administration	Decree not adopted.
Number of visits/inspections by approved civil society organisations	Decree not adopted.
Component 2: Safety and security of prisons	
Number/year of functional prisons meeting established construction standards	Construction standards not adopted.
<i>Occupancy rate proportional to the (normative) capacity of functional prisons</i>	In March 2023, 5 prisons had the following over-occupation rates: 574% in Ngaragba, 216% in Berberati, 192% in Bambari, 113% in Carnot and 107% in Paoua.

⁷⁹ We do not count socio-cultural activities, such as singing competitions, as professional reintegration activities.

⁸⁰ Some indicators have been formulated or added for clarification and precision.

<i>Adoption of new texts on prison safety (emergency plan, safety procedures, shift orders)</i>	Some of the texts are in the process of being adopted: the security procedures manual, the Bangui emergency plan and post orders.
<i>Staff trained acquire new skills in internal rules and procedures</i>	New knowledge of security categories (internal, external). Mention of the need not to let FACA intervene in women's quarters.
<i>Examples of the application of new skills by staff trained in the emergency plan in prisons</i>	Testimonies from detainees reveal the lack of application of these new powers.
Reduction in the percentage of escapes per year and per prison	Increase in the number of escapes: 21 escapes in 2021, 28 escapes in 2022.
<i>Existence of an effective and confidential complaints mechanism from detainees to the prison administration</i>	No effective and confidential complaints mechanism for detainees.
<i>The security of prisons and the safety of staff and detainees have been enhanced by the creation of a prison intelligence service</i>	Prison intelligence service not created.
<i>Reduction in the rate of incidents (mass escapes, mutinies, riots, hostage-taking, natural disasters, fires, etc.) per year and per prison</i>	Baseline data not available.
<i>Reduction in the number of documented cases of physical and sexual violence</i>	Physical and sexual violence not specifically documented in prisons. Most prisons have no infirmary.

Component 3: Security of the prison and professionalisation of the penitentiary administration

Ongoing training is being developed for all prison staff	Training engineering developed at the École nationale d'administration et de magistrature.
Rate of new curricula introduced / year in programmes	Data not available.
Number of trainees recruited under the new training framework	295 staff trained, 0 integrated.
Number of training courses for prison staff	Two waves of initial training (2021 and 2023). Several types of continuing education (workshops, internships abroad, etc.).
New organisation chart for the DGSP	Organisation chart adopted, with new staff appointed by decree in May 2023.
Number of staff assigned under the new organisation chart	33 new staff appointed.
Number of training courses organised for staff newly assigned to the DGSP	Very recently appointed staff.
Percentage of key reference documents developed and validated	Very recently appointed staff.
<i>Adequacy between DGSP budgets and needs</i>	No budget for the DGSP.
<i>Adequacy of the DGSP's resources to its needs</i>	Appointment of new staff by decree in May 2023.

Component 4: Security of prisons and legal security of detainees

Number of visits carried out by departments other than the Inspectorate General of Judicial Services (IGJS)	Data not available.
Number of IGJS visits to prisons	Data not available.
Number of disciplinary proceedings per year	Data not available.

Number of judges and prosecutors trained	No specific training.
Annual rate of pre-trial detainees released	15 people in 2022, 3 in 2023.
Actual legal aid budget	No dedicated legal aid budget line in 2023
Number of prisoners receiving legal aid	50 people in 2022, 20 people in 2023 (with priority given to women and children)

Component 5: Public security and social reintegration policy for detainees

Number of social reintegration preparation activities initiated annually in all prisons	Under the responsibility of PRI: 2 prisons in 2020 (Ngaragba and Bimbo: woodwork; Ngaragba: sanitary plumbing). 3 prisons in 2022 (Berberati, Bouar, Bambari: woodwork). 3 prisons in 2023 (Berberati, Paoua, Bria: fruit and ornamental tree production). In progress: ruminant rearing in two prisons (Berberati and Bambari). Other occasional training: bag-making (Berberati), sewing (Bimbo).
Rate of literate prisoners	100 detainees by 2022.
Annual rate of convicts benefiting from social reintegration preparation activities in all prisons	100 detainees by 2022.
Recidivism rate of prisoners having benefited from a social reintegration programme	No system for collecting data on recidivism.

2.4 Barriers to implementing the National Demilitarisation Strategy

A number of reasons for the delays have been identified. Firstly, external factors, in particular the COVID-19 health crisis and the electoral crisis in 2020-2021, have slowed down the implementation of the Justice Sector Policy as a whole, and have affected the implementation of the prison reform.

Secondly, if we look specifically at the integration of staff, some interviewees suggested that the Ministry of the Civil Service gave priority to regularising existing lists of civil servants rather than integrating new members - which seemed to illustrate the lack of importance attached to this issue. Others stressed the need to arbitrate between different ministries and to reconcile sectoral priorities at a time when government resources are limited. In this context, a rebalancing of priorities within the central administration in favour of the prison

sector was essential if progress was to be made. Many national and international stakeholders have indicated that they are lobbying at all levels, including the highest state authorities, to get things moving. The involvement of the President of the Republic in the issue of integrating prison staff was seen as crucial to guaranteeing significant and sustained progress in the reform. The President's speech calling for this issue to be resolved as quickly as possible provides fresh impetus for the rest of the reform process, at least on this specific issue.

It should be noted that the handling of this issue is part of a much more general context, that of asymmetrical commitment between national and international stakeholders in the implementation of the reform.⁸¹ According to the people interviewed, this difference in the degree of commitment can be explained by the fact that the reform was too ambitious in relation to the technical and operational capacities of the national stakeholders in charge of implementation.

⁸¹ The reduced commitment of national stakeholders had already been identified in the evaluation report: PRI,

Démilitarisation et réforme du système pénitentiaire en RCA, 2020, p. 27.

Indeed, as we have noted, the DGSP had very limited staff:⁸² for several months it had had only one Director and one Head of Department and could not cope with the multiple priorities of the prisons and the prison service at national level. This was reflected, for example, in the time taken to adopt legislation: the DGSP was unable to attend all the preparatory meetings for each of the texts being adopted. Against a backdrop of heavy bureaucracy in the adoption process, the advocacy role was very actively taken on by international stakeholders.

This imbalance was also apparent in the way GT5 was set up. Like all the other working groups, GT5 is a group made up of national and international stakeholders, but led by a national stakeholder (the DGSP), with an international partner (the PRI project leader) as co-leader.⁸³ Generally speaking, GT5, which deals with prison reform, is considered to be a particularly dynamic thematic group: it meets regularly to monitor activities and publishes minutes of meetings, which, according to those interviewed, is not the case for all the GTs. In addition, PRI's presence within the Ministry of Justice has made it a privileged partner of the DGSP. This day-to-day presence of a stakeholder highly committed to its mission is appreciated by the authorities.

However, according to the interviews conducted, GT5 meetings are sometimes led by the PRI project manager, without any representative of the national side being present. These practices are not conducive to the implementation of decisions. One international partner made this point eloquently: *"Sometimes the Director General of Services is absent, and [PRI] is in charge. [... PRI] sometimes ends up chairing*

meetings, but for whom? It's not up to you to implement the decision. Sometimes we only meet with partners and discuss technical issues between partners. The main stakeholder is absent".⁸⁴ Another confirmed this: *"Sometimes the group is made up of partners, members of the Ministry of Justice and civil society. But sometimes there are only partners, and the prison administration is not involved"*.⁸⁵ As one of the international stakeholders interviewed pointed out, this leads to a vicious circle: *"the TFPs are redoubling their efforts to prevent the whole thing from falling apart, but there is no longer any respect for everyone's place or role"*.⁸⁶

These interviews raise questions about the respective roles of national and international stakeholders in the Central African context. The dominant role of the TFPs is seen as problematic, in that it leads to a loss of control by national stakeholders over strategic decisions - including the ability to adapt reforms to their realities and needs - and over the implementation of reforms, which may ultimately result in the national stakeholders losing control. There is also a risk that some reforms will be implemented without being fully endorsed by national stakeholders, which could compromise their sustainability.

This explanation is put forward to explain the lack of sustainability of certain reintegration activities at local level once the partners stop monitoring them. The observation is that *"when the funding stops, the project stops. Sustainability is a problem"*.⁸⁷ In this context, the rise of the DGSP within the Ministry of Justice and the new attention given to the prison sector by the highest state authorities are opportunities to restore balance to the dynamics between stakeholders.

⁸² The new staff appointments will probably help to change the dynamics.

⁸³ See also the introduction *above*.

⁸⁴ Interview with an international stakeholder, 16 May 2023.

⁸⁵ Interview with an international stakeholder, 22 May 2023.

⁸⁶ Interview with an international stakeholder, 4 May 2023.

⁸⁷ Interview with an international stakeholder, 16 May 2023.

Conclusion and recommendations

Based on a study using questionnaires, a literature analysis and discussions with institutional stakeholders, TFPs, NGOs, CSOs and detainees, this study shows that the objectives of the National Demilitarisation Strategy are fully relevant in the CAR context. They aim to reform the prison system, which is still considered a priority by the stakeholders. However, the protection needs of detainees, who were not consulted during the analysis phase, have been neglected in the national strategy.

The level of implementation of the demilitarisation strategy is mixed: less than half of the planned activities had been carried out a few months before the end of the programming cycle. Much of the progress made can be attributed to the activities of the TFPs. For example, while new prison staff have been recruited and trained, they have not yet been integrated by the state, even though this integration is a priority shared by all national and international stakeholders in order to move the reform forward. In this context, the presidential call in June 2023 to speed up the process could change the situation in the coming months. In addition, several decrees, some of which have been in preparation for more than two years, have still not been adopted. These excessive timeframes are causing delays, as the adoption of the texts is a prerequisite for other activities planned as part of the reform. However, the new appointment of staff within the DGSP by decree in May 2023 could bring about positive changes. Finally, some of the activities carried out, particularly in the field of legal and judicial assistance and in the field of rehabilitation, are useful but are too limited in relation to needs and are not sustainable. These one-off activities require

a more strategic and structured vision if they are to be effective.

This lack of progress is reflected in a lack of improvement in prisons, and in some cases in a deterioration in the situation of detainees, against a backdrop of increasing prison populations. While internal and external control mechanisms are generally weak, several cases of physical and sexual violence have been reported, as well as widespread corruption practices against detainees, in a climate of total impunity for military personnel and civilian staff working in prisons. This lack of progress fosters misconduct, in particular of new staff working without pay. Other staff awaiting integration are discouraged: some are on strike. In addition, the number of malnourished people is high, representing for example 22% of those incarcerated in the capital's prison. The number of deaths increased between 2021 and 2022. These detention conditions lead to prisoner uprisings. Finally, given the weaknesses in terms of the resources mobilised, there is a risk that the TFPs will lose interest, which has already resulted in MINUSCA halting the construction and rehabilitation of the country's prisons.

Apart from a few external factors, two elements in particular have been identified to explain these mixed results. Firstly, until very recently, arbitration between ministries was not in favour of the Ministry of Justice. In other words, the prison sector was not prioritised at inter-ministerial level. Against this backdrop, the President of the Republic's new official commitment to the integration of prison staff has breathed new life into the reform and helped to rebalance priorities within the central administration. On the other hand, there was a shared observation of asymmetrical commitment between national and international stakeholders, which was explained by the fact that the DGSP did not have the necessary human resources to tackle all the

priorities simultaneously. This has led the TFPs to take on a very important role, and sometimes to supplant the national stakeholders - which, in turn, entails a risk of disengagement on the part of the national stakeholders. The strengthening of the DGSP, which has now been achieved, is an opportunity to be seized to bring about a new alignment of the stakeholders.

On the basis of this analysis, the research team recommends a number of actions, addressed to the various stakeholders. The recommendations indicate to whom they should be addressed as a priority. As the national demilitarisation strategy is very ambitious given the situation in the country, the research team proposes to focus the actions on a few priority areas, which could effectively contribute to improving respect for the rights of detainees.

Recommendations to national authorities:

- i) Integrate new prison staff into the Public Service as soon as possible and thereafter deploy them in the prisons;
- ii) Adopt as soon as possible the draft laws on the status of prison staff in CAR and the code of ethics for prison staff, as well as the other pending texts, in particular the one on the independent observatory for prisons in CAR;
- iii) Draw up and adopt the implementing decrees for these texts and, during the transition phase, develop and implement support and monitoring measures to make them operational;
- iv) Adopt a zero-tolerance stance towards abuses committed by personnel, in particular physical, sexual and economic violence, including through public and transparent communication on the prohibition of these practices, through the establishment of independent investigations into violence committed in places of detention, and through legal proceedings, where appropriate.
- v) In accordance with component 4 of the National Demilitarisation Strategy, strengthen the technical and financial capacity of the Inspectorate General of Judicial Services to enable it to carry out its role of monitoring, control and, if necessary, disciplinary proceedings against prison staff, for instance by training its members and allocating the resources needed to carry out its tasks in prisons;
- vi) Clarify the techniques for searching detainees with staff, for example by sending a circular reminding all staff of the provisions of the law;
- vii) Test and evaluate the use of several complaints mechanisms in prisons to enable detainees to address the administration in a confidential and accessible manner, for example by identifying state staff responsible for receiving complaints, by setting up complaints register with focal points chosen by the detainees or by setting up complaints "boxes" in discreet areas that will be regularly opened by the head of the establishment;
- viii) Play a leading role in GT5, organising meetings, taking decisions, implementing and following up on them;
- ix) Develop a security plan for prisons during the transition phase from military to civilian rule and after the transition;
- x) Decentralise the sectors of the Sectoral Justice Policy by strengthening the links between the judicial sector and the penitentiary sector, in particular between GT5 and GT3 in order to

coordinate actions relating to the fight against overcrowding and in favour of access to justice for incarcerated persons;

- xi) Facilitate the procedures for obtaining visiting permits for PARSP-RCA member organisations;

Recommendations to all international partners:

- x) As a matter of priority, continue to advocate at all levels (Ministry of Justice, Ministry of Finance, Ministry of the Civil Service, Prime Minister, President of the Republic) for the integration of prison staff and the adoption of texts on ethics and discipline;
- xi) Once integration is complete, provide ongoing training for these staff - in particular on the protection of detainees, the fight against physical and sexual violence, and gender considerations - and develop a monitoring and mentoring process in the prisons to prevent the reproduction of violent or corruption practices;
- xii) Strengthen the institutional role of the DGSP and the capacities of new management staff, in particular: raise staff awareness of the content of prison reform, but also strengthen their cross-cutting skills in management, project management, planning, human resources monitoring, accountability and financial transparency;
- xiii) Support the introduction of mechanisms for financial accountability of prisons' budgets;
- xiv) Organise a conference for national and international stakeholders on the strategic vision of prison reform and its content. In this context,

consider the use of the term "prison reform" - a term that seems more appropriate today as it gives a better appreciation of its content and is used in the Justice Sector Policy documents;

- xv) Rebalance its position within GT5, and avoid substituting itself for the DGSP;
- xvi) Strengthen the operational capacities of internal and external control mechanisms, in particular the Inspectorate General of Judicial Services, to enable it to increase its inspection, control and disciplinary missions, and the CNDHLF and civil society, to increase its control missions in the prisons and publish reports;
- xvii) Strengthen the skills of the CNDHLF and civil society in investigative techniques and advocacy at national, regional and international levels;
- xviii)** Fund fact-finding and monitoring missions by CNDHLF and civil society stakeholders, as well as advocacy missions before regional and international protection mechanisms.

Recommendations to the CNDHLF and civil society organisations

- iii)** Carry out regular fact-finding and monitoring missions in all the country's prisons in order to document prison conditions - paying particular attention to situations of physical violence and sexual violence against men, women and children - and to monitor detention conditions;
- iv)** Publish investigation reports and lobby national authorities and regional and international protection mechanisms to improve the situation of detainees.

Lessons learned

The research team identified three lessons learned.

Lesson learned 1. Developing a strategy to reduce violence in prisons without listening to prisoners and prison stakeholders does not allow all needs to be taken into account.

The aim of the demilitarisation strategy was to reduce violence in prisons, but the needs of detainees were only partially taken into account in this strategy. This is because the voices of prisoners, prison staff and local magistrates have not been heard. The research team stresses that any reform must start with those most affected, i.e. those involved in the prison, including prisoners, taking into account their specific characteristics, whether they are men, women or children.

Lesson learned 2. If international partners are too heavily involved, there is a risk that the national side will become disengaged.

It is essential to establish a balanced partnership between international

stakeholders and national institutions, ensuring that reforms are designed and implemented in an inclusive, transparent and locally adapted manner. Close cooperation, based on mutual respect and alignment of priorities, is essential to ensure that TFPs play a constructive role and genuinely support national capacity building in the judicial field.

Lesson learned 3. A baseline study is needed to analyse the level of implementation of a reform

Although the demilitarisation strategy was set out in an action plan within the Justice Sector Policy, including indicators to be achieved, no initial study was carried out to document the baseline indicators, which would also have made it possible to adjust them if necessary. Some indicators, such as the reoffending rate, cannot therefore be analysed due to the lack of documentation mechanisms in place. This makes it difficult to assess the progress of these indicators. The research team stresses the importance of documenting the baseline data, which then makes it possible to analyse changes in the indicators and, *ultimately*, strengthens the quality of the analysis.

Appendix 1: Analysis indicators

The following table shows the elements of the study's analysis. Indicators that have been reformulated or added appear in italics.

Table 5: Analysis table

Results	Indicators
Component 1: Security and humanisation of detention	
O1.R1. All detainees have access to water and to food of adequate nutritional value and of an appropriate quality	The rate of malnutrition in prison falls by 25% each year Prison staff systematically apply procedures for distributing food to prisoners
O1.R2. All detainees have access to healthcare	The mortality rate in prison falls by 25% every year All prisons have functional infirmaries
O1.R3. Controls outside the Penitentiary administration are strengthened	Decree regulating relations between CSOs and the prison administration Number of visits/inspections by approved civil society organisations
Component 2: Safety and security of prisons	
O1.R1. Prisons are made secure through the rehabilitation and upgrading of infrastructures and equipment	Number/year of functional prisons meeting established construction standards <i>Occupancy rate proportional to the (normative) capacity of functional prisons (old indicator: Occupancy rate of (normative) capacity of functional prisons >20%/year)</i>
O2.R1. The security of prisons is improved through the implementation of internal rules and procedures	<i>Adoption of new texts on prison safety (emergency plan, safety procedures, shift orders)</i> <i>Staff trained acquire new skills in internal rules and procedures</i> <i>Examples of the application of new skills by staff trained in the emergency plan in prisons (old indicator: prison safety is enhanced by the implementation of internal rules and procedures)</i> Reduction in the percentage of escapes per year and per prison <i>Existence of an effective and confidential complaints mechanism from prisoners to the prison administration (new indicator)</i>
O3.R1. The security of prisons and the safety of prison staff and detainees are improved through prison intelligence	<i>The security of prisons and the safety of staff and detainees are enhanced by the creation of a prison intelligence service (old indicator: The security of prisons and the safety of staff and detainees are enhanced by prison intelligence)</i> <i>Reduction in the rate of incidents (mass escapes, mutinies, riots, hostage-taking, natural disasters, fires, etc.) per year and per prison (old indicator: Rate of incidents per year and per prison)</i> <i>Reduction in the number of documented cases of physical and sexual violence (new indicator)</i>
Component 3: Security of the prison and professionalisation of the penitentiary administration	
O1.R1. Ongoing training services are developed for all prison staff	Ongoing training is being developed for all prison staff Rate of new curricula introduced / year in programmes Number of trainees recruited under the new training framework Number of training courses for prison staff
O1.R2. New DGSP organisation chart	New organisation chart for the DGSP Number of staff assigned under the new organisation chart Number of training courses organised for newly-assigned staff
O1.R3. Predictive management of jobs and skills in the prison administration is put in place	Percentage of key reference documents developed and validated <i>Adequacy between DGSP budgets and needs</i> <i>Adequacy of the DGSP's resources to its needs</i> <i>(former indicator: Impact rate of the DGSP's new missions on the prison administration budget and prison staff recruitment)</i>
Component 4: Security of prisons and legal security of detainees	
O1.R1. The controls carried out by the various competent government departments are strengthened	Number of visits carried out by departments other than the IGJS Number of IGJS visits to prisons Number of disciplinary proceedings per year

O2.R1. Judicial reviews of detention are systematised	Number of judges and prosecutors trained Annual rate of pre-trial detainees released
O2.R2. All prisoners have access to law and justice	Actual legal aid budget Number of prisoners receiving legal aid

Component 5: Public security and social reintegration policy for detainees

O1.R1. Realistic social reintegration actions adapted to the local context are gradually implemented in each prison.	Number of social reintegration preparation activities initiated annually in all prisons Rate of literate prisoners Annual rate of convicts benefiting from social reintegration preparation activities in all prisons Recidivism rate of prisoners who have benefited from a social reintegration programme
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Appendix 2: Data collection tools

Questionnaire for the attention of all head of functional prisons in CAR

The aim of this questionnaire is to collect information on all functional prisons in CAR. Its aim is to understand how the situation of prisons is evolving. We thank you in advance for taking the time to complete it.

Estimated time: 1 hour

1. Date : _____ 2023
2. Name of prison _____
3. Title of respondent : _____
4. Theoretical capacity: _____
5. Number of personnel available (specify number MINUSCA, FACA, FSI, civilians)

6. Prison population:

	Adult men	Adult women	Boys	Girls
Convicted				
Awaiting judgment				

7. Are there any statistics by type of offence? If so, please complete the following table:

	Adult men	Adult women	Boys	Girls
Convicted				
Murder				
National security offences				
Flight				
Financial crime (debt)				
Other offence punishable by more than 12 months' imprisonment				
Other offence punishable by less than 12 months' imprisonment				
Awaiting judgment				
Murder				
National security offences				
Flight				
Financial crime (debt)				
Other offence punishable by more than 12 months' imprisonment				
Other offence punishable by less than 12 months' imprisonment				

8. Number of foreign nationals imprisoned:
9. Country of origin:
10. Number of children under 3 accompanying their mother:
11. Number of children aged over 3 accompanying their mother:

12. Does the registry have a computerised system?

Yes No

13. How many people awaiting trial have expired detention orders? _____

14. How many convicted offenders have served their sentences and are still in prison?

15. If so, what is the explanation?

16. Are there any legal aid programmes to support prisoners?

Yes No

17. If so, how many people have these programmes supported in the prison?

18. How many escapes were there in 2022? _____

19. In the first quarter of 2023? _____

20. How many escapees were recaptured in 2022? _____

21. In the first quarter of 2023? _____

22. How many prisoners were prosecuted for escaping in 2022? _____

23. In the first quarter of 2023? _____

24. How many were convicted of escape in 2022? _____

25. In the first quarter of 2023? _____

Separation

26. Are adult men separated from children? Yes No

27. Are adult women separated from girls? Yes No

28. Are people awaiting trial separated from convicts? Yes No

29. Is there a classification of detainees according to their dangerousness (are those considered dangerous separated from others)? Yes No

Infrastructure

30. How many showers are available for washing in the men's section?

31. How many showers for washing are available in the women's section (if any)?

32. How many showers for washing are available in the children's section (if any)?

33. How many latrines (if any) are available and functional in the men's section?

34. How many latrines (if any) are functional in the women's section (if any)?

35. How many latrines (if any) are operational in the children's section (if any)?

Health and food

36. Does the prison have an infirmary? Yes No

37. Is the infirmary functional (does it have essential equipment, essential medicines)?
 Yes No

38. How many and what types of healthcare staff work in the prison (give details)?

39. Who supplies medical inputs to the prison?

- Ministry of Justice
- Ministry of Health
- ICRC / CSOs
- Other: please specify: _____

40. Are women's needs specifically catered for (pregnancy monitoring, etc.)?

- Yes No

41. Where are the healthcare staff located?

- Within the prison: specify your working days and hours
- Outside

42. How many meals are served each day? _____

43. How many deaths have been documented in the last three months?

Psychosocial and socio-economic reintegration activities

44. Do psycho-social activities (sport, library, school education) or socio-economic reintegration activities (workshops, vocational training, agricultural activities, etc.) exist in your prison?
 Yes No

45. If so, how many people benefited in 2021 and 2022 and from which activities?
⇒ 45A: _____ For _____ adult _____ men:

⇒ 45B: _____ For _____ adult _____ women:

⇒ 45C _____ : _____ For _____ boys:

⇒ 45D _____ : _____ For _____ girls:

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46. Who is implementing these activities (FACA, FSI, Ministry of Justice, NGOs, CSOs, other)?

47. How are the beneficiaries of these activities selected?

Visits

48. When can families visit? _____

49. In the last three months, have family visits been suspended for any reason? If so, for what reasons and for how long?

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50. Are any NGOs implementing activities in your prison? If so, which NGOs? Which activities?

51. Over the last three months, have NGO visits been suspended for any reason? If so, for what reasons and for how long?

Governance

52. What responsibilities do the chiefs of cells have within the prison?

53. Is there a complaints mechanism for detainees when there are problems in prison? If so, how does it work? How many complaints do you receive per week?

54. For what type of behaviour are people sent to solitary confinement? What is the maximum length of time in isolation?

55. Is there anything else you would like to mention?

56. Can we take photos of the facility (rooms, kitchen, infirmary, latrines, isolation cell, etc.)?

Thank you very much for your answers.

Interview guides

Note on the guides: the guides are only intended to guide the interviews and to ensure that the team does not forget any important elements during the discussions. The questions will not necessarily be asked in the order described in the guides. The questions may vary according to the reactions of the participants. New areas of interest may emerge during the discussions.

*Before any interview, the team will explain: the purpose of the mission, the duration of the interviews, the voluntary nature of the interviews and the possibility of stopping at any time if the respondents so wish, the detailed note-taking method, the consent of the participants, and the fact that the **consultants are stakeholders external to PRI and MINUSCA, in order to ensure that the answers are not biased.***

Interview guide no. 1 for prison supervisory staff (head of prison, surveillance staff)

Estimated time per interview: 30 minutes

1. What are the main challenges in the prisons?
2. Have you taken any training courses in the last 12 months?
3. If so, how many and what was their theme(s)?
4. Have you received training in prison safety procedures (emergency plan)?
5. If so, could you explain what you learned from it?
6. What are you doing now that you were not doing before (ask for examples)?
7. Were you trained in prison intelligence?
8. If so, could you explain what this means?
9. What are you doing now that you were not doing before (ask for examples)?
10. Have you received specific training on the treatment of women prisoners?
11. If so, what are you doing now that you were not doing before (ask for examples)?

18. Who provides medical care for prisoners in prisons and in referral hospitals?
19. Who supplies essential medicines and other medical inputs?
20. What do you see as the main difficulties?
21. Is there anything we have not covered that you'd like to share?

Guide for prisoners

Estimated time per interview: 30 minutes

Interviews must be separated between the chief of cell, the detainees in his/her team and the detainees who are not part of his/her team. They must be individual and confidential, to ensure personal safety.

Interview guide no. 3: chiefs of cells and detainees in his/her team (individual interviews)

1. Have you been convicted? Are you awaiting trial?
2. Have you received any legal aid?
3. How long have you been in prison?
4. Could you explain the main problems faced by prisoners?
5. What about access to the infirmary? Access to food?
6. How are the prisoners organised? When do you call on the prison administration?
7. Are there any differences between prisoners in terms of sleeping conditions? On what basis?
8. Are there ever fights between detainees?
9. What happens when this happens? Is there an effective complaints mechanism for problems between prisoners? If so, could you describe it?
10. Is there ever violence between guards and detainees?
11. What happens when this happens? Is there an effective complaints mechanism in the event of violence between guards and detainees? If so, could you describe it?
12. Where rehabilitation activities are available, how are the prisoners selected to take part?
13. Are socio-educational and cultural activities organised in prison?
14. If so, do you take part? What criteria are used to select prisoners?

15. Is there anything we have not covered that you would like to share?

Interview guide no. 4 for male detainees (excluding the chief of the cell)

Estimated time per interview: 30 minutes

1. Have you been convicted? Are you awaiting trial?
2. Have you received any legal aid?
3. How long have you been in prison?
4. Could you describe what it was like to arrive at the prison?
5. Who is in charge of searching you and putting you in the rooms?
6. How is the choice of sleeping area made? Are there any differences between detainees? On what basis?
7. Could you describe your sleeping arrangements?
8. Could you describe how you access the infirmary (how does it work when you are ill?).
9. Do you personally have access to the infirmary when you need it?
10. Are the medicines you need available?
11. How many meals are served each day?
12. Do you eat prison meals or meals from outside?
13. Do the meals available at the prison allow you to eat as much as you like? Why or why not?
14. Are there ever fights between detainees?
15. What happens when this happens? Is there an effective complaints mechanism in the event of a problem between detainees (e.g. a fight or theft)? If so, could you describe it?
16. Is there ever violence between guards and detainees?
17. What happens when this happens? Is there an effective complaints mechanism in the event of violence between guards and detainees? If so, could you describe it?
18. Do you receive visits from your family? If so, how often?

For those taking part in a reintegration activity:

19. What reintegration activities are you involved in?
20. How often?

21. How were you chosen?
22. Do you think this activity will be useful to you after your release?

For those who do not take part in a reintegration activity even though activities are available in the prison :

23. Are socio-educational and cultural activities organised in prison?
24. If so, what criteria are used to select prisoners?
25. Why don't you take part in activities?

26. Is there anything we have not covered that you would like to share?

Interview guide no. 5 for women prisoners

Estimated time per interview: 45 minutes

1. Have you been convicted? Are you awaiting trial?
2. Have you received any legal aid?
3. How long have you been in prison?
4. How is the choice of sleeping area made? Are there any differences between detainees? On what basis?
5. Could you describe your sleeping arrangements?
6. Could you describe how you access the infirmary (how does it work when you are ill?).
7. Do you personally have access to the infirmary when you need it?
8. Are the medicines you need available?
9. Do you have access to gynaecological care?
10. Are any women pregnant, breastfeeding or with a baby? Is special care available in these cases? If so, which ones?
11. How many meals are served each day?
12. Do you eat prison meals or meals from outside?
13. Do the meals available at the prison allow you to eat as much as you like? Why or why not?
14. Are there ever fights between detainees?
15. What happens when this happens? Is there an effective complaints mechanism for problems between detainees? If so, could you describe it?
16. Is there ever violence between guards and detainees?

17. What happens when this happens? Is there an effective complaints mechanism in the event of violence between guards and detainees? If so, could you describe it?
18. Do you ever have your body searched by staff? If so, are they male or female?
19. Does the body search include internal cavities?
20. How are relations with prison staff? If you had to describe them, would you say they are more caring or more authoritarian?
21. Why is this?
22. Have you or anyone in your detention area experienced violence at the hands of prison staff or other detainees?
23. If so, have you spoken to anyone about it?
24. If you talked about it, what happened? If you didn't talk about it, why not?
25. Do you receive visits from your family? If so, how often?

For those taking part in a reintegration activity :

26. What reintegration activities are you involved in?
27. How often?
28. How were you chosen?
29. Do you think this activity will be useful to you after your release?

For those who do not take part in a reintegration activity even though activities are available in the prison :

30. Are socio-educational and cultural activities organised in prison?
31. If so, what criteria are used to select prisoners?
32. Why don't you take part in activities?

33. Is there anything we have not covered that you would like to share?

Interview guide no. 6 for children in detention

Estimated time per interview: 45 minutes

1. Have you been convicted? Are you awaiting trial?
2. How old are you?
3. Have you received any legal aid?
4. How long have you been in prison?
5. Could you describe what it was like to arrive at the prison?

6. Who was in charge of searching you and putting you in the rooms?
7. How is the choice of sleeping area made? Are there any differences between detainees? On what basis?
8. Could you describe your sleeping arrangements?
9. Could you describe how you access the infirmary (how does it work when you are ill?).
10. Do you personally have access to the infirmary when you need it?
11. Are the medicines you need available?
12. How many meals are served each day?
13. Do you eat prison meals or meals from outside?
14. Do the meals available at the prison allow you to eat as much as you like? Why or why not?
15. Are there ever fights between detainees?
16. What happens when this happens? Is there an effective complaints mechanism for problems between prisoners? If so, could you describe it?
17. Is there ever violence between guards and detainees?
18. What happens when this happens? Is there an effective complaints mechanism in the event of violence between guards and detainees? If so, could you describe it?
19. Are you ever strip-searched by staff?
20. If so, does the body search include internal cavities?
21. Do you receive visits from your family? If so, how often?

For those taking part in a reintegration activity:

22. What reintegration activities are you involved in?
23. How often?
24. How were you chosen?
25. Do you think this activity will be useful to you after your release?

For those who do not take part in a reintegration activity even though activities are available in the prison :

26. Are socio-educational and cultural activities organised in prison?
27. What criteria are used to select prisoners?
28. Why don't you take part in activities?
29. Is there anything we have not covered that you would like to share?

Interview guide no. 7 for a representative of the Minister of Justice (excluding DGSP)

Estimated interview time: 30 minutes

1. What is your opinion of the National Demilitarisation Strategy?
2. Do you think it is appropriate and relevant? Why or why not?
3. Do you have any particular points to make about the strategy?
4. A number of texts have been drafted but, to our knowledge, have not yet been adopted or implemented (for example, the Code of Conduct for prison staff, the status of prison staff, the draft decree instituting the classification of prisoners in CAR, the organisation chart of the DGSP, the draft decree regulating relations between CSOs and the penitentiary administration, the appointment of regional directors, the creation of the Independent Prison Observatory, etc.). In your opinion, what are the reasons why they have not been validated?
5. Are the reasons the same for all texts?
6. Is there some reluctance?
7. If so, what kind? At what level? For what reason?
8. Do you think it is necessary to continue implementing the Demilitarisation Strategy over the next five years (2024-2028)?
9. Is there anything we have not covered that you would like to share?

Interview guide no. 8 for the DGSP

Estimated time for interview: 1h/1h30

1. Could you explain the current status of the prison demilitarisation process?
2. What points are still outstanding?
3. What are the reasons for this?
4. In your opinion, what are the main difficulties preventing us from achieving our objective?
5. What strategies are being considered to get round these factors?
6. Do you think the military authorities are convinced of the need to transfer the management of prisons to a civilian body?
7. Why is this?

8. A number of texts have been drafted but, to our knowledge, have not yet been adopted or implemented (for example, the Code of Conduct for prison staff, the status of prison staff, the draft decree instituting the classification of prisoners in CAR, the organisation chart of the DGSP, the draft decree regulating relations between CSOs and the penitentiary administration, the appointment of regional directors, the creation of the Independent Prison Observatory, etc.). In your opinion, what are the reasons why they have not been validated?
9. Are the reasons the same for all texts?
10. Is there any reluctance on the part of the authorities?
11. If so, at what level? For what reason?
12. Has the training framework for the new corps been finalised?
13. How many modules have been developed in 2021 and 2022?
14. How many training courses have been run?
15. How many trained agents have been integrated and deployed? What are the challenges?
16. Has the decree regulating relations between CSOs and the prison administration been adopted? If not, why / where do you think there is a blockage?
17. How many CSOs are approved to carry out prison visits?
18. Do you know how many visits these associations make each year? If so, how many?
19. What are the Ministry's priority needs in terms of prison conditions?
20. What is the DGSP's budget?
21. Is this budget sufficient to meet needs? Why or why not?
22. In your opinion, does the DGSP have enough staff? Why or why not? What are the obstacles?
23. Is there a collection mechanism for recidivism?
24. What is your opinion of the national demilitarisation strategy?
25. Do you think it is appropriate and relevant? Why or why not?
26. Do you have any particular points to make about the strategy?
27. Is the development of the strategy in response to a request from the authorities?

28. Do you feel that you are sufficiently involved in the implementation of all the strategy's activities?
29. In your opinion, is there a strong political will to achieve the objectives set by the national strategy? What are the obstacles?
30. Do you think it is necessary to continue implementing the Demilitarisation Strategy over the next five years (2024-2028)?
31. What recommendations do you have to bring about a real improvement in conditions of detention in prisons in CAR?
32. If you consider the strategy to be relevant, what timeframe do you see for the successful implementation of the prisons demilitarisation strategy in CAR? 10 years, 15 years, 20 years?
33. What would be the conditions for its success?
34. Is there anything we have not covered that you would like to share?

Interview guide no. 9 for military stakeholders at central level

Estimated time for interview: 1 hour

1. Could you explain the state of progress of the transfer of the management of prison security to the Ministry of Justice by the Ministry of Defence? At what level will you place your cursor on a dial graduated from 0 to 100%?
2. What points are still outstanding?
3. What are the reasons for this?
4. Are you convinced of the need to transfer the entire management of prisons to a civilian body made up of prison staff?
5. Why is this?
6. What is your opinion of the National Demilitarisation Strategy?
7. Do you think it is appropriate and relevant? Why or why not?
8. Do you have any particular points to make about the strategy?
9. What recommendations would you make to improve the situation in prisons? Do you think that more in-depth exchanges between ministries would be a good way forward? If so, of what nature?
10. Is there anything we have not covered that you would like to share?

Interview guide no. 10 for judicial stakeholders

Estimated time per interview: 20 minutes

1. Do you visit prisons? If so, do you monitor detention permits?
2. If so, how often?
3. How many visits have you made in 2022? In the first quarter of 2023?
4. What are the obstacles to visits?
5. How would you describe the prisons in your locality?
6. Is there a collection mechanism for recidivism?
7. What do you see as the main challenges facing the prison system?
8. Have you ever heard of the National Demilitarisation Strategy?
9. If so, do you think it is appropriate and relevant to the context in your country? Why or why not?
10. Is there anything we have not covered that you would like to share?

Interview guide no. 11 for TFPs, NGOs/CSOs, CNDHLF

Estimated time per interview: 30 minutes to 1 hour

1. What activities do you carry out in prisons / which prisons do you work in?
2. How many prison visits did you make in 2022?
3. In the first quarter of 2023?
4. Could you describe your priorities for action (prison conditions, rehabilitation, legal aid, etc.)?
5. What do you see as the main challenges in improving prison conditions?
6. What do you see as the main challenges to implementing effective and sustainable activities?
7. What is your opinion of the National Demilitarisation Strategy?
8. Do you think it is appropriate and relevant? Why or why not?
9. Do you have any particular points to make about the strategy?

Specifically for the IGJS:

10. *How many prison disciplinary proceedings were initiated in 2022?*

11. *Which prisons were involved?*
12. *And for which behaviours?*
13. *In the first quarter of 2023?*
14. *Which prisons were involved?*
15. *And for which behaviours?*
16. *Did you monitor detention permits during your prison visits?*
17. *If so, what do you think?*
18. *What recommendations would you make to improve the situation?*

Specifically for CSOs/NGOs:

19. *Are you approved to enter prison?*
 20. *What is your relationship with the Prison Service? With the military?*
 21. *Do you have any problems accessing prisons or carrying out follow-up visits?*
 22. *What are your findings?*
23. Is there anything we have not covered that you would like to share?