



COLLECTIF DES ÉTUDIANTS MUSULMANS CENTRAFRICAINS

SUBMISSION TO THE UN HUMAN RIGHTS COUNCIL 31st SESSION OF THE UNIVERSAL PERIODIC REVIEW WORKING GROUP THIRD CYCLE REVIEW OF THE CENTRAL AFRICAN REPUBLIC

ABOUT THE COLLECTIF DES ÉTUDIANTS MUSULMANS CENTRAFRICAINS

Collectif des Étudiants Musulmans Centrafricain (Collective of Muslim Central African Students, CEMUC) is a civil society organization that was founded in the Central African Republic (CAR) by Muslim university students to counter discrimination against, and a lack of access to education for, Muslim students in CAR. CEMUC represents over 450 students. CEMUC advocates for the right to education, and also responds to the pressing need for education by setting up community primary and secondary schools.

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1. SUMMARY

- 1.1. The government of CAR has not fulfilled its international human rights obligations to respect, protect, and fulfil the right to education. Education is not adequately available, accessible, acceptable, or adaptable to Central African youth.
- 1.2. In addition, the government of CAR has not fulfilled its international human rights obligations to respect, protect, and fulfil the right to non-discrimination, leaving Muslim youth particularly vulnerable.
- 1.3. This submission will address both these issues.

2. BACKGROUND

- 2.1. Most young people in CAR have very limited experience of peacetime. Since the most recent iteration of conflict began, an array of armed groups and political parties have governed the country. Irrespective of who has been in power, there has remained a deficit across CAR in the educational opportunities available to all youth, regardless of background, in primary and secondary schools. Additionally, many young Muslim university students in Bangui who were previously attending the country's only public university, the University of Bangui, have been unable to attend since 2013. Persistent discrimination against CAR's Muslim population has pushed many into Bangui's third arrondissement, the country's largest Muslim enclave (also known as "PK 5"). Access into and out of the third arrondissement can be difficult and travel in the capital can be dangerous if you are identifiable as Muslim. If you are brave enough to leave the third arrondissement, and are able to safely travel in Bangui, there is a culture of discrimination at both public and private schools and the University of Bangui. The third arrondissement does not have enough schools, and has no university.

3. THE RIGHT OF CENTRAL AFRICAN YOUTH TO EDUCATION IS BEING BREACHED

- 3.1. During its second cycle of review in 2013, the government of CAR accepted a number of recommendations that focused on respecting, protecting, and fulfilling the right to education.ⁱ Unfortunately, the level of implementation of accepted recommendations remains limited. CAR has not met its obligations to respect, protect, and fulfill the right to education under article 13 of the International Covenant on Economic and Social Rights. In CAR, education is not adequately available, accessible, acceptable, or adaptable. Education remains a privilege for the few; it is a right that many cannot realize in fact.
- 3.2. CAR has been in a serious armed conflict, and this has greatly impeded access to education. We commend the Ministry of National Education and Technical Training on its adoption of the *Transition Plan 2014 – 2017* in September 2014.ⁱⁱ The government made an important commitment to facilitate the transition from emergency activities to normal teaching conditions and to ensure that access to and quality of primary and secondary education systems will attain the level of results achieved before the 2013 crisis. Unfortunately, these objectives have not yet been met.
- 3.3. **The number of primary and secondary schools in CAR is severely limited.** In some regions outside Bangui, there are no operational primary or secondary schools and school buildings remain abandoned. In 2016, UNOCHA reported that at least 461 schools in CAR were not operational.ⁱⁱⁱ There has been limited monitoring of education indicators by the government since 2013 and we have to rely on anecdotal accounts.^{iv} For example, in the provinces of Vakaga and Ouham Pende, we understand from our members that

there are grossly inadequate numbers of functional primary or secondary schools. Even in Bangui, there are neighborhoods that remain underserved. For example, the third arrondissement has a population of over 120,000 people, many of whom are school-aged youth. In this neighborhood, there are only three public primary schools and no public secondary schools. This is inadequate for the neighborhood's population. In an attempt to respond to this problem, our organization created an additional two community primary schools. There still remains an acute need for more schools to be operational in order for the government to meet its obligation to provide free compulsory primary education and to make secondary and vocational education generally available and accessible.

- 3.4. **There are not enough teachers in CAR and many existing teachers are not sufficiently qualified.** In those schools which are operational, the student to teacher ratios are very high. For example, during a February 2018 visit by CEMUC to a public primary school in Bria, we observed only two teachers for 507 students. Such dire situations are repeated across the country. Even before the 2013 crisis, there were 83 students per teacher on average in primary schools in CAR.^v Additionally, we are aware of numerous cases where individuals, who themselves have not completed primary school, have been commissioned to be school teachers after only two weeks of very limited training. We also know of cases where, due to corrupt officials and administrators, qualified teachers have been overlooked in favor of untrained individuals. A failure to properly train a sufficient number of teachers and a failure to deploy trained teachers to schools only perpetuates socio-economic disadvantage and is a breach of the CAR government's obligation to ensure accessible and quality education.
- 3.5. **Operational schools lack basic facilities and are not truly functional.** Many schools in CAR do not have electricity, sanitation facilities, books, or benches for students to sit on. Outside Bangui, many schools are not safe and secure, and remain susceptible to attacks from armed groups.^{vi} For example, in February 2018, five education workers were killed in an attack near Markounda in the northwestern region of CAR.^{vii} The absence of basic facilities and a safe and secure environment in schools is also a breach of the CAR government's obligation to make education available.
- 3.6. **School and university curricula are not sufficiently adapted to suit local and cultural conditions in CAR.** Significant time has passed since the curricula were updated and, in many cases, there has been minimal revision since CAR's independence in 1960. Therefore, the curricula reflect a Eurocentric focus that is detached from the history and current conditions of CAR. For example, it is possible to complete a degree in agriculture in CAR but still have not learned how to farm any produce that actually grows in the country.
- 3.7. **Economic affluence continues to dictate an individual's ability to access education.** While primary school education is ostensibly free, indirect costs mean that, in reality, many families cannot afford to send their children to primary school. These costs include registration fees, books, and uniforms. If a child is unable to purchase the books needed for class, he or she cannot fully participate and get a quality education. These costs disincentivize the enjoyment of the right to education and jeopardize its realization.^{viii} Additionally, following the crisis, many youth who lost both their parents in conflict can no longer afford to access education at all. There is a severe lack of government-funded scholarships to assist disadvantaged youth to access secondary and higher education. The fact that obtaining an education is closely linked with economic status in CAR is a breach

of the government's obligation to make education accessible by making it affordable for everyone.

- 3.8. **There is an absence of monitoring of the realization of the right to education.** Comprehensive enrolment numbers for primary, secondary, and tertiary education are not available after 2012.^{ix} Additionally, there is insufficient monitoring of the number of functional schools and trained teachers. This is a breach of the government's obligation to monitor the progressive realization of economic and social rights.^x Further, a lack of adequate monitoring inhibits the government's ability to devise appropriate strategies and clearly defined programs targeting implementation of the right.

3.9. **We recommend that the CAR government:**

- 3.9.1. Ensure that the number of public primary and secondary schools in the third arrondissement of Bangui is, at minimum, doubled before CAR's next review.
- 3.9.2. Prioritize the establishment of at least one functioning school in each city and village in each of CAR's prefectures.
- 3.9.3. Enforce national guidelines that require all teachers to have graduated from nationally accredited teacher training institutes before they can teach classes without supervision.
- 3.9.4. Review the teacher training courses at the nationally accredited teacher training institutes and, drawing on expertise of the UN Special Rapporteur on the right to education and UNESCO, modernize the content of training courses to reflect international education best practice before CAR's next review.
- 3.9.5. Take all necessary measures to double the number of qualified teachers in CAR, including by increasing the salaries of teachers so as to attract more qualified applicants and to ensure that teachers are able to earn a living wage.
- 3.9.6. Develop a national system to facilitate the placement of all qualified teachers graduating from teacher training courses into underserved primary and secondary schools in order to reduce the teacher to student ratio in CAR.
- 3.9.7. Facilitate a national review of school and university curricula through the Ministry of Education, involving civil society representatives from all major ethnic and religious groups, to reform curricula to make them suited to local conditions.
- 3.9.8. Make all necessary educational resources, including uniforms and schoolbooks, available to primary school students at no cost.
- 3.9.9. Allocate additional resources to scholarships for students to attend secondary schools and tertiary institutions, with a specific focus on encouraging the enrollment of minorities and economically disadvantaged students.
- 3.9.10. Put in place national mechanisms that monitor and report on the fulfillment of the right to education, with indicators including disaggregated student enrolment numbers, the number and geographic distribution of functional primary and secondary schools, and student to teacher ratios.

4. **MUSLIM CENTRAL AFRICANS ARE DISCRIMINATED AGAINST IN CAR**

- 4.1. As CAR deals with continuing conflict, it is important that a national community is developed that is premised on equality and is free from discrimination of any kind including as to race, religion, birth, or other status. We were encouraged by the

government's adoption of a *National Recovery and Peacebuilding Plan* in 2017 which intends to improve social cohesion in CAR. Unfortunately, at present, discrimination is an entrenched part of the status quo and both private individuals and agents of the government continue to engage in discriminatory behavior on the basis of religion, ethnicity, and gender. It is not sufficient that the laws of CAR do not formally discriminate against minorities. The CAR government has a positive obligation to protect minorities against discrimination and to ensure equal enjoyment of human rights by all.

- 4.2. **The CAR government is not discharging its minimum core obligation of non-discrimination in the right to education.** The CAR government must ensure equal access for all to public education institutions and programs, regardless of their ethnicity or religion. However, for example, many Muslim students that we have spoken to have detailed the stigmatization that they have encountered within the University of Bangui. One student told us of a time his Professor, recognizing that the student had a Muslim name, insulted him in front of his whole class and implied that he was related to an armed group's general. Other students have told us how they have been repeatedly insulted by classmates and told that Muslims cannot be Central African and that CAR is not their country. Many female students have described how they are unable to attend school or university in traditional Muslim clothing and instead have to "disguise" themselves as non-Muslims. Similarly, many students from minorities, with culturally identifiable names, adopt pseudonyms to avoid detection of their background. Students have been called derogatory terms like "Arabo" and "Bengue" by their peers and teachers if overheard speaking Fulani. All students we consulted who had experienced discrimination expressed that university and school authorities were unwilling to take meaningful positive steps to counteract this discrimination, despite the existence of anti-discrimination legislation. In some cases, instead of protecting students against discrimination, administrators have retaliated and penalized Muslim students for speaking out. In this fear ridden environment, where harassment and intimidation go unpunished, one student told us, "[i]f I have to choose between an education and life, I must choose life." The CAR government has not taken necessary measures to prevent, diminish, and eliminate exclusionary behavior and differential treatment at public, state owned schools and universities, thereby violating the right of Muslim students to equal treatment and non-discrimination.
- 4.3. **Government departments in CAR and state owned services discriminate against religious and ethnic minorities.** Files and applications made by religious and ethnic minorities are systematically and repeatedly misplaced. This delays administrative processes and significantly disadvantages minorities. For example, one Muslim youth described to us the difficulties she encountered in getting a copy of her diploma and transcript from the University of Bangui. She required these documents in order to get postgraduate employment. Staff repeatedly "lost" her application, and finally requested a large bribe; non-Muslim students requesting similar documentation did not encounter a similar administrative delay and did not have to pay a similar bribe. In addition to schools and the university, a culture of discrimination has infiltrated other public services in CAR. For example, members of the Muslim community fear going to public hospitals due to allegations that doctors have openly made remarks indicating that they will intentionally provide Muslim patients with inadequate treatment. The CAR government has not taken steps to protect religious and ethnic minorities from the discriminatory conduct of government employees.
- 4.4. **Muslims face discrimination in everyday mobility in CAR.** Community members are concerned about discriminatory practices at government checkpoints. There are

allegations that even when the requisite documents are provided, Muslim travelers are harassed, or prohibited from moving forward without paying a substantial bribe. In one case, a Muslim youth we consulted recalled being confronted by an angry crowd in Bangui while on his motorbike. The crowd demanded to see his identity documentation and began to “feel” for “Muslim marks” on his body (for example, a bump on the forehead from prostrating during prayer). When they saw that he had a Muslim name, they began to physically attack him. The CAR government has an obligation to protect Central African Muslims’ right to freedom of movement not only from public but also from private interference. The government must take steps to enable Central African Muslims to travel freely across the whole territory of the country.

- 4.5. **Young Muslims searching for employment also face rampant discrimination.** For example, one youth, who recently completed a medical degree, told us that during his residency, his supervising doctor told him that because he was Muslim he should not be a doctor, but instead belonged in a shop. The youth could not have recourse to any effective complaints mechanism and, in this hostile environment, was unable to complete his medical residency.
- 4.6. **Central African women also face discrimination.** Due to a combination of cultural beliefs and socio-economic disadvantage, many young girls in CAR are married before the age of 16 and are then unable to continue their education. While this practice is illegal, the law is not enforced. At one of our schools, an 11 year old girl was recently forced to marry a man more than five times her age and the man has prohibited her from attending school. The government must take active steps to counter this discriminatory practice.
- 4.7. **We recommend that the CAR government:**
 - 4.7.1. Mainstream policies of inclusion and diversity across all government departments and agencies, public institutions, and law enforcement to ensure the representation and participation of minority groups at all levels.
 - 4.7.2. Require all senior government officials, Parliamentarians, and agency heads to urgently publicly recognize that Muslims are Central Africans and that all Central African citizens have the same rights.
 - 4.7.3. Encourage diversity and tolerance of other faiths and beliefs in the education system by monitoring, recording and publicizing incidents of discrimination, and sanctioning perpetrators.
 - 4.7.4. Train educators in schools and universities to promote tolerance and respect for cultural diversity and to counter prejudice, stereotypes, discrimination, and racism inside and outside the classroom.
 - 4.7.5. Operationalize the National Human Rights Commission with urgency, and give the Commission the power to accept and investigate individual complaints of discrimination, and to make recommendations for prosecution where an allegation is substantiated.
 - 4.7.6. Ensure that minority groups are represented in the composition of the National Human Rights Commission.
 - 4.7.7. Publish annual statistics about the number and type of discrimination complaints that have been made to the National Human Rights Commission in the last year, the number of complaints investigated and substantiated, and the number of prosecutions commenced.

- 4.7.8. Implement a National Plan of Action educating religious leaders, community leaders, and parents to reduce the prevalence of child marriage.
- 4.7.9. Instruct law enforcement to enforce the provisions of the Family Code and Penal Code that set a minimum age for marriage, indicting those that breach these provisions.

ⁱ See, eg, Human Rights Council, "Report of the Working Group on the Universal - Central African Republic" (6 January 2014), UN Doc A/HRC/25/11, Recommendations 104.83 – 104.91.

ⁱⁱ Ministère de l'Éducation Nationale et de l'Enseignement Technique, *Plan de Transition 2014-2017* (5 September 2014).

ⁱⁱⁱ UN OCHA, "Plan de Reponse Humanitaire - Republique Centrafricaine" (November 2016) https://reliefweb.int/sites/reliefweb.int/files/resources/rca_ocha_2016_hrp.pdf, p 8.

^{iv} See, eg, UNICEF, *Data: Central African Republic*, <https://data.unicef.org/country/caf/>; UNESCO, *SDG Data: Central African Republic*, <http://uis.unesco.org/en/country/cf#slideoutmenu>.

^v Global Partnership for Education, *Central African Republic* (2018), <https://www.globalpartnership.org/country/central-african-republic>.

^{vi} See Human Rights Watch, "No Class: When Armed Groups Use Schools in the Central African Republic" (March 2017) https://www.hrw.org/sites/default/files/report_pdf/car0317_web.pdf.

^{vii} Global Partnership for Education, "Statement by Alice Albright on the attack against education workers in the Central African Republic" (28 February 2018) <https://www.globalpartnership.org/news-and-media/news/statement-alice-albright-attack-against-education-workers-central-african-republic>. See also UN Security Council, "Report of the Secretary-General on children and armed conflict in the Central African Republic" (12 February 2016), UN Doc S/2016/133, paras 32-35.

^{viii} UN Committee on Economic, Social and Cultural Rights, "General Comment No. 11: Plans of Action for Primary Education (Art. 14 of the Covenant)" (10 May 1999), UN Doc E/1992/23, para 7.

^{ix} See, eg, UNESCO Institute for Statistics, "Central African Republic", <http://uis.unesco.org/en/country/cf#slideoutmenu>.

^x UN Committee on Economic, Social and Cultural Rights, "General Comment No. 13: The Right to Education (Art. 13)" (8 December 1999), UN Doc E/C.12/1999/10, para 52.