



# Mandate, Objectives and Methodology

The Mapping project<sup>1</sup> was developed by the United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic (MINUSCA) and the Office of the United Nations High Commissioner for Human Rights (OHCHR).

## ● Origin of the Mapping Project:

**The Bangui Forum of May 2015** on national reconciliation organized by the government authorities acknowledged that the establishment of transitional justice mechanisms would be essential in order to fight against impunity and ensure national reconciliation in the Central African Republic (CAR). In September 2015, in follow-up to the Bangui Forum, **an international seminar on the fight against impunity** was jointly organized by the CAR national authorities, OHCHR and MINUSCA in Bangui. The Minister of Justice and the Minister of National Reconciliation of the Central African Republic participated in the seminar. The Mapping report finds its origin in the recommendations of this seminar.

## ● Legal Basis and Objective:

**U.N. Security Council Resolution 2301 of 26 July 2016** mandated MINUSCA to 'monitor (...) violations of international humanitarian law and (...) violations and abuses of human rights committed throughout the CAR, including undertaking a mapping of such violations and abuses since 2003 to inform efforts to fight impunity'. The objective of the Mapping Project is therefore to support the commitment of the Central African authorities and of the international community towards the fight against impunity, and thereby contribute to preventing the recurrence of conflicts.

## ● Mandate: The mandate and objectives of the Mapping Project were:

- To conduct a **mapping of serious violations of human rights and international humanitarian law** committed on the territory of the Central African Republic from 1 January 2003 to 31 December 2015;
- To identify existing **transitional justice mechanisms, and to propose a strategy** for the possible development of mechanisms for establishing the truth, reparations and guarantees of non-repetition; and
- To propose **priority areas for future investigations** by the Special Criminal Court on the basis of this mapping, and to contribute to the preparation of a **prosecutorial strategy** for the Special Criminal Court.

The Mapping Project was implemented over a ten month timeframe from May 2016 to March 2017 by a team of eight persons, supported by a senior expert on methodology, and with the support of MINUSCA, UNDP, and the Team of Experts on the Rule of Law and Sexual Violence in Conflict.

## ● Methodology:

As a preliminary exercise, the Project was intended to gather basic information, often from public sources, and not to replace in-depth investigations into the incidents reported. The Project did not seek to gather evidence to be used as such in a court of law, but rather **to 'provide the basis for the formulation of initial hypotheses of investigation'** by giving a sense of the scale and the nature of violations committed.

To include an incident in the report, the Mapping Project used a gravity threshold and a standard of proof of **reasonable suspicion**. This standard of proof, which requires that there should be "a reliable body of material **consistent with other verified circumstances** tending to show that an incident or event did happen", is consistent with U.N. Guidance and Practice on Commissions of Inquiry and Fact-Finding Missions on international human rights and humanitarian law (OHCHR, 2015).

The Mapping Project team conducted **a desk review, analysing information from more than 1,200 confidential and open sources** contained in documents such as United Nations reports, reports by international non-governmental organizations (NGOs), media reports, academic articles and books. To fill priority information gaps identified by the desk review, the project conducted investigations and visits to sites of alleged incidents in most regions of the CAR. Investigators conducted interviews with around 120 persons, including victims and witnesses, State authorities, religious and community leaders, human rights defenders and alleged perpetrators.

IN TOTAL **620** incidents which met the gravity threshold and were corroborated have been included in the report.

Considering the standard of proof of 'reasonable suspicion' used for the exercise, the principle of the presumption of innocence, and the requirements of due process, the report **does not name specific individuals** in relation to their alleged responsibility for the incidents documented. The report however does name individuals when their identity has been previously publicly disclosed by available arrest warrants, judgements, or included in sanctions lists of the U.N. Security Council. While it does not name individuals, it identifies the groups and institutions involved in the commission of serious violations and abuses.

<sup>1</sup> The French translations of "mapping" – cartographie, inventaire or état des lieux – fail to reflect accurately the scope of the mapping exercise's mandate, and it was decided by the team to retain the generic English term to designate this exercise in French.



- **Content of the Mapping Report:** The Report is comprised of three parts.

## Part I

**Part I** presents 620 serious violations of international human rights law and international humanitarian law. These are contained in Chapters I to IV, each covering one of four major periods, presented in chronological order. Chapter V analyses sexual violence in armed conflict and gender based violence committed in the CAR, based on the incidents documented in the first four chapters of the report, and from other sources. Chapter VI presents the legal framework applicable in the CAR, while Chapter VII provides a legal analysis of selected incidents documented in Chapters I to IV. This preliminary legal classification indicates the types of violations and crimes that these incidents may constitute, if proven in a court of law.

## Part II

**Part II** of the report presents the range of processes and mechanisms of transitional justice, which may be put in place in a society's attempt to come to terms with a legacy of large-scale past abuses, in order to ensure accountability, serve justice, and achieve reconciliation. It examines each of the pillars of transitional justice - criminal justice, truth-seeking, reparations and guarantees of non-repetition - identifying challenges and required future actions, in order to optimize their chances of success in the CAR. It identifies contextual pre-conditions for effective transitional justice processes in the country, and proposes a sequential approach for establishing them, as well key preparatory activities that should be undertaken to initiate future transitional justice processes.

## Part III

**Part III** of the report examines the context of accountability through criminal justice for violations committed in the CAR, and makes recommendations on possible elements of a prosecutorial strategy for the Special Criminal Court. It further identifies some priority areas for investigation which could be pursued by the Prosecutor, in light of the incidents documented in the report.