



DIGITAL RIGHTS AND INCLUSION IN AFRICA REPORT

**CENTRAL AFRICAN REPUBLIC
COUNTRY REPORT**

2024

Central African Republic



Executive Summary

This report assesses thematic areas including internet access and inclusion, freedom of expression, privacy and data protection, AI and other emerging technologies as well access to information in the Central African Republic (CAR) for 2024. On the legislative front, the state has passed and adopted two legislations, one on the protection of personal data and the other on cybersecurity and the fight against cybercrime. This same year, the state completed the project that connected the country to optic fiber which is a milestone to help the country improve internet connectivity. In addition to desk research and interviews conducted, this report assessed the country's compliance with the African Charter on Human and People's Rights *Declaration of Principles on Freedom of Expression and Access to Information (the Declaration)* in the covered areas, using *TheScore* Index rate of 31 out of 60. The report ends with a set of recommendations on ways to improve the state of digital rights and inclusion in the country, drawing on some of last year's report recommendations that had not been implemented.

2

DIGITAL
RIGHTS
AND
INCLUSION
IN AFRICA
REPORT

LONDA
2024



Introduction

3

DIGITAL RIGHTS AND INCLUSION IN AFRICA REPORT

LONDA 2024

The Central African Republic (CAR) is a French-speaking country in the central region of Africa, with Bangui as its capital. It has a surface area of 622,980 km² and a population estimated by the World Bank at 5.74 million in 2023. Independent since 1960, the country is currently led by Faustin Archange Touadéra, re-elected president at the end of 2020. The country has experienced several authoritarian regimes and a civil war. Since 2013, despite various agreements, the country has been plagued by violence from numerous armed groups.²²¹

CAR is party to several international and regional conventions that promote human rights in general as well as the rights to privacy, secrecy of correspondence and free access to information. The most important are the International Covenant on Civil and Political Rights and the African Charter on Human and Peoples' Rights. In general, on the ground and based on international reports, freedom of expression and of the media is guaranteed but journalists report that they are not free enough to exercise their duty due to some forms of harassment and intimidation from pro-government militia operating across the country and mainly in the capital city, as this will be further presented in this report.

The national legislation on electronic communications and Internet governance is not extensive enough but some positive progress has been noted in 2024, which this report will cover. It is related to the adoption and enactment of two important pieces of legislation, the first one on protection of personal data and the second one on cybersecurity and the fight against cybercrime. These came in to supplement Law No 18.002 of January 17, 2018, governing electronic communications in the Central African Republic²²². The electronic communications and internet sector are monitored, with the authority to enforce applicable regulations, by the Autorité de Régulation des Communications Électroniques et de la Poste (ARCEP Centrafrique). This body was created by Law 17.020 of May 17, 2017, establishing ARCEP.²²³

In terms of methodology, a multifaceted approach will be considered consisting of combining empirical and desk-research methods to assess both quantitative and qualitative aspects of digital rights and inclusion in the Central African Republic. This report provides a country analysis with an assessment of specific thematic areas including internet access and digital inclusion, privacy and data protection, the exercise of freedom of expression, AI and other emerging technologies as well as access to information legislations. Compliance with the African Charter on Human and Peoples' Rights' *Declaration of Principles on Freedom of Expression and Access to Information*²²⁴ has been assessed for every issue presented, using all the key indicators of *TheScore Index*²²⁵, that determined the scope of the report.

221 Centrafrique, les dernières actus : <https://www.la-croix.com/Actualite/Monde/Centrafrique> (accessed on November 14, 2024)

222 Electronic Communications Act of 2018, https://arcep.cf/images/textes/lois/Loi_18_002_regissant_les_communications_electroniques_en_RCA.pdf (accessed on November 14, 2024)

223 Law 17.020 of May 17, 2017 establishing ARCEP, https://arcep.cf/images/textes/lois/Loi_17_020_portant_creation_ARCEP.PDF (accessed on November 14, 2024)

224 The ACHPR's Declaration: <https://achpr.au.int/en/node/902> (accessed on November 14, 2024)

225 TheScore Index: TheScore is a digital rights index developed by Paradigm Initiative that evaluates compliance of the country with regard to key human rights elements and is inspired by the African Commission on Human and Peoples' Rights Declaration of Principles on Freedom of Expression and Access to Information.

Internet Access and Digital Inclusion

In terms of connectivity, Data Reportal²²⁶ shares that in early 2024, there were 616,600 internet users in CAR, when internet penetration stood at 10.6% and that a total of 1.86 million cellular mobile connections were active, with this figure equivalent to 32% of the total population. These figures are from February 2024, just at the time the fiber optic was inaugurated, too soon to appreciate its impact on the subsequent growth of internet users. Unfortunately, there is no up to date data from the Regulatory Agency's online platforms.

The year 2024 was the “year of connectivity” for the CAR citizens as they witnessed the deployment and start of the operationalisation of the optic fiber cable, linking the country to its neighbours, the Republic of Congo and Cameroon, and to the Atlantic Ocean, providing affordable and high-speed connectivity for the region. This is part of a project jointly funded by the African Development Bank and the European Union with an objective to “put a definitive end to the CAR's digital isolation by linking it to international submarine cables that have landing points in neighbouring coastal countries” as highlighted by the Bank's representative in CAR.²²⁷

However, by the end of October 2024, citizens were not yet satisfied with the services provided in terms of cost and quality of service, deepening the digital gap. This situation led the Regulator to launch a call for a consultant. The selected consultant's mission would be to “audit the costs of the fixed and mobile telephony networks, as well as those of the fibre optic infrastructure operator (MTN Bahobab) and propose a model for regulating the wholesale markets, while taking into account the purchasing power of consumers and the interests of operators”²²⁸. According to various comments through social media in the country, this came as a response to the “passivity” which citizens thought the Regulator was in by staying powerless towards operators at the expense of consumers. As of the time of writing of this report, there was no public data on the outcome of this audit, which at least could be considered as a positive sign towards promoting universal, equitable, affordable and meaningful access to the internet for all.

The fiber adopted management model²²⁹ is that Baobab, an MTN subsidiary, would buy wholesale and distribute in retail to the telecommunications companies for wider distribution, who conducted all technical trial phases paving the way for a groundbreaking era of connectivity. This model led to new requirements, including that all operators needed to acquire new licenses (4G and 5G), which was yet another sign that the CAR government is working at making sure the country enters a new phase of technological innovation for the benefit of citizens.²³⁰

The country has three main operators (offering both internet and voice), which are Telecel Centrafrique, Orange Centrafrique and Moov Africa Centrafrique. There is no up-to-date data on the market share from the Regulator's public platform (its website). However, Moov Africa claims 8% of the market²³¹ while Orange, the French operator in CAR, claims to have “the best 3G+ network coverage in the Central African Republic, with 109 cities covered”²³². From their Facebook posts, all telecom operators in CAR are still advertising and claiming their leadership in deploying a minimum of 3G and a max of 3G+ for their mobile internet customers.

In terms of network disruptions, there are no reports of state-imposed disruptions in the year 2024. However, many news outlets reported the low quality of internet connectivity or some network disruptions caused by technical failures such as those related to the widely reported cable cuts²³³

226 Digital 2024 : The Central African Republic: <https://datareportal.com/reports/digital-2024-central-african-republic> (accessed on January 9, 2025)

227 Centrafrique : installer la fibre optique pour un réseau internet fiable et rapide : https://international-partnerships.ec.europa.eu/news-and-events/stories/centrafrique-installer-la-fibre-optique-pour-un-reseau-internet-fiable-et-rapide_en (accessed on November 14, 2024)

228 Centrafrique : le gouvernement va auditer les couts des services de télécommunications : <https://ecomatin.net/centrafrique-le-gouvernement-va-auditer-les-couts-des-services-de-telecommunications> (accessed on January 9, 2025)

229 Londa 2023 on CAR: <https://paradigmhq.org/wp-content/uploads/2024/06/CAR-Londa-Report.pdf> (accessed on November 14, 2024)

230 L'ère de la Fibre Optique en Centrafrique est arrivée : bientôt, un pas vers la connectivité totale : <https://corbeaunews-centrafrique.org/lere-de-la-fibre-optique-en-centrafrique-est-arrivee-bientot-un-pas-vers-la-connectivite-totale/> (accessed on November 14, 2024)

231 Centrafrique : <https://www.iam.ma/groupe-maroc-telecom/nous-connaître/gouvernance-et-dates-cles/filiales-participations/Centrafrique.aspx> (accessed on November 14, 2024)

232 L'internet haut débit 3G+ d'Orange : <https://www.orangerca.com/fr/3g-orange.html> (accessed on November 14, 2024)

233 Plusieurs pays africains privés d'Internet en raison de câbles sous-marins défectueux : https://www.lemonde.fr/afrique/article/2024/03/15/plusieurs-pays-africains-privés-d-internet-en-raison-de-cables-sous-marins-defectueux_6222161_3212.html (accessed on November 14, 2024)

affecting more than 10 countries in West Africa, in March 2024. The CAR's fibre optic cable comes through Cameroon, one of the affected countries. Other disruptions were reported in September 2024 affecting calls as well as internet connectivity. It was reported that Telecel²³⁴ sent apologies to its customers explaining that it was due to an issue with the cable from Cameroon, which is a positive example of tech accountability.

The 2023 CAR Londa country report²³⁵ described the Universal Service Fund (USF) as an initiative under the Electronic Communications Law of 2018 on articles 77 to 81. It is defined as “a minimum set of defined services of specified quality that is accessible to the whole population under affordable tariff conditions throughout the territory” (Article 77). It is established with contributions from each operator at a rate of “2% of the previous year's turnover of each operator” (Article 79). Similar to 2023, high-level sources from the Regulator's office interviewed as part of this study confirmed that this Committee hasn't been formed but the process is still ongoing. This demonstrates the unwillingness of the CAR government to ensure this provision of the law is put into practice in order to respond to the needs of thousands of citizens who don't have access to the Internet simply because they live in regions not served by traditional operators.

Freedom of expression

Freedom of expression is recognised and guaranteed by the Central African Republic's 2023 Constitution²³⁶ under Article 23²³⁷ and access to information as well as freedom of the press are guaranteed under Article 24²³⁸. The country also has Law No 20-027 of December 21, 2020 related to freedom of communication in Central African Republic²³⁹ that is progressive in the sense that it depenalises press offences, making sure journalists are technically not prosecuted for what they say while doing their job.

Freedom House's score for 2024²⁴⁰ is 5/100 presenting the country as “not free” due to widespread insecurity justified by the fact that state authority is not felt in a large part of the country. The country is further presented as a state with acute risk in many areas due to “violent attacks against civilians, including sexual violence”. It is also said about the country that journalists are not receiving enough support from the government in the exercise of their work, especially in those regions controlled by rebel groups where they feel unsafe. However, when comparing data from Freedom House, although the country is labeled all through as “not free”, it is worth noting that CAR has considerably improved its score going from 10/100 in 2020 to 5/100 in 2024.

For 2024, Reporters Sans Frontières (RSF) ranks²⁴¹ the country at 76/180 on freedom of expression which is an improvement compared to 2023 which was 98/180. This is notable and celebrated by CAR's authorities, such as the President of the High Council for Communication who proudly shared “*The diverse and critical headlines in the Central African media bear witness to this freedom*”.²⁴² He insists that no journalist is detained for his or her journalistic activities. However, journalists interviewed as part of this study confess they still face hardships in the exercise of their work in the country.

234 Centrafrique : des usagers déplorent une mauvaise qualité de connexion internet : https://www.lemonde.fr/afrique/article/2024/03/15/plusieurs-pays-africains-privés-d-internet-en-raison-de-cables-sous-marins-defectueux_6222161_3212.html (accessed on November 14, 2024)

235 Londa 2023 on Centrafican Republic: <https://paradigmhq.org/wp-content/uploads/2024/06/CAR-Londa-Report.pdf> (accessed on January 10, 2024)

236 The Constitution de la 7e République (enacted on August 30, 2023) : <https://mjp.univ-perp.fr/constit/cf2023.htm> (accessed on November 12, 2024)

237 Article 23 of the 2023 Constitution: “Everyone has the right to freedom of expression. This right implies the freedom to express one's opinions or beliefs, in particular through speech, writing and images, subject to respect for the law, public order and morality.”

238 Article 24 of the 2023 Constitution: “Everyone has the right to information. Freedom of the press, of information and of broadcasting by radio and television, the written press or any other means of communication shall be guaranteed, subject to respect for the law, public order and morality...”

239 Law on Freedom of Communication: https://drive.google.com/file/d/19UeGtAbU00TQ9UWN_rs-hsypa-6xRLzq/view (accessed on January 10, 2025)

240 Central African Republic: <https://freedomhouse.org/country/central-african-republic/freedom-world/2024> (accessed on November 13, 2024)

241 Republique centrafricaine : <https://rsf.org/fr/pays-r%C3%A9publique-centrafricaine> (accessed on November 13, 2024)

242 Liberté de la presse en Centrafrique, selon José Richard Pouambi, vision ou illusion ? : <https://corbeaunews-centrafrique.org/liberte-de-la-presse-en-centrafrique-selon-jose-richard-pouambi-vision-ou-illusion/> (accessed on November 14, 2024)

“*We work with fear in our stomachs*”, says the President of the Union of Central African Journalists, during an interview with the American media, VOA²⁴³.

Conversations with local journalists as part of this study revealed that there is little support for independent media in Bangui. For their survival, some of them are obliged to have good relationships with politicians who give them little money in exchange for positive commentary in their productions and who can also protect them in the event they face some troubles based on opinions they expressed in their productions.

Since January 1, 2024, RSF’s barometer²⁴⁴ has recorded that no journalist media collaborator was killed nor detained in the Central African Republic. Yet, journalists and opposition leaders are being harassed, such as journalist²⁴⁵ Jefferson Cyrille Yapendé and his cameraman Jospin Bissi briefly detained and harassed while doing their work or Crépin Mboli Goumba, a prominent political opponent²⁴⁶ who was briefly arrested and jailed after a press conference.

The country has recently witnessed a rise of disinformation campaigns, with thousands of fake profiles spreading disinformation. Victims suffer invasion of their privacy, damage to their reputation and even emotional harm according to a group of fact-checkers²⁴⁷ who are working at raising awareness of this phenomenon and working with stakeholders to mitigate the various disinformation campaigns. These fact-checkers comprise civil society leaders, journalists and researchers “who verify information, identify fake accounts and false information”.

The Law of Freedom of communication has provisions on “fake news” but like similar laws in other African states, there is no clear definition of what’s “fake” information or what type of content could be considered as disturbing the public peace or “likely to undermine the discipline or morale of the armed forces or hinder the nation’s war effort”, considered as an offence under this law (Article 123). The law speaks of a fine of between 50.000 to 250.000 FCFA on anyone who is found guilty as the author of fake news, according to Article 144.

Article 132²⁴⁸ of the Central African Republic’s Penal Code²⁴⁹ has provisions on defamation or any insulting speech against a public authority which constitutes an outrageous action and therefore punishable under the law. According to Article 133, this action is punishable by “imprisonment for a term of three to 10 years and a fine of 100,002 to 500,000 francs, or both”. On this note in 2021, an opposition leader, Jean Serge Wafio, was sentenced to four years imprisonment for allegations of defamation, insult and public outrage against the then Prime Minister Firmin Ngrébada²⁵⁰.

The Cambridge Dictionary defines²⁵¹ sedition as “language or behavior that is intended to persuade other people to oppose their government”. Sedition practices and their criminalisation in the African context are most often linked to those of defamation which is one of the ways citizens express their disaffection on a public service authority. When this is publicly stated through a speech, it leads the authority to feel threatened and therefore will call it a form of rebellion against the authority of the state, which is a clear violation of freedom of expression guaranteed by the laws. The Central African Republic’s Penal Code, in Article 289, has provisions on this practice and punishes authors with either imprisonment sentence of between five to 10 years or forced labor depending on whether the person adheres, participates in any such action or whether they were

243 Liberté de la presse en RCA : <https://www.voaafrique.com/a/libert%C3%A9-de-la-presse-nous-travaillons-avec-la-peur-au-ventre-%C3%A9moigne-le-pr%C3%A9sident-de-l-union-des-journalistes-centrafricains-/7605010.html> (accessed on November 14, 2024)

244 Barometre RSF : https://rsf.org/fr/barometre?exaction_pays_pays=83&exaction_pays_annee=2024&exaction_pays_statut=prison#exaction-pays (accessed on November 13, 2024)

245 Bangui : consternation de la presse après l'agression de deux journalistes par le ministre de la Sécurité publique: <https://www.radiondekeluka.org/71900-bangui-consternation-de-la-presse-apres-lagression-de-deux-journalistes-par-le-ministre-de-la-securite-publique> (accessed on March 10, 2025)

246 Opposition Leader in Court in Central African Republic: <https://www.hrw.org/news/2024/03/18/opposition-leader-court-central-african-republic> (accessed on March 10, 2025)

247 Centrafrique : l'essor des fake news et la riposte des fact-checkeurs : <https://www.rfi.fr/fr/podcasts/la-fabrique-des-fake-news/20240808-centrafrique-l-essor-des-fake-news-et-la-riposte-des-fact-checkeurs> (accessed on November 14, 2024)

248 Art.132: Any expression whose threatening, defamatory or insulting meaning is likely to diminish the respect due to a public official constitutes an outrage.

249 Republique Centrafricaine: Code penal: <https://www.refworld.org/legal/legislation/natlegbod/2010/fr/104201> (accessed on January 12, 2025)

250 Rapport 2021 sur les droits de la personne – RCA (US Embassy, Page 20) : https://cf.usembassy.gov/wp-content/uploads/sites/255/2021-HRR-CAR_French.pdf (accessed on January 12, 2025)

251 Cambridge Dictionary: <https://dictionary.cambridge.org/fr/dictionnaire/anglais/sedition> (accessed on February 6, 2025)

part of the preparation of such movements leading to rebellion against the state authority. Sedition is therefore criminalized in CAR.

Data Protection and Privacy

The Central African Republic's supreme law, the 2023 Constitution speaks about the necessity of citizen's data protection, under Article 31²⁵². On 27th of December 2023 by acclamation, members of CAR's Parliament adopted the *Law on the protection of personal data*, an initiative of the government through the Ministry of digital affairs, with the objective, “on one hand, to protect people's personal data in the use of new products linked to the development of new technologies and, on the other, to provide state bodies with an essential legal instrument to prevent the use of other people's personal data for illicit purposes.”²⁵³ The *Law No 24-001 on the Protection of personal data* was enacted by the President of the Republic on January 25, 2024²⁵⁴.

A few weeks later, on January 25, 2024, CAR's Parliament adopted, by acclamation, the *Law on cybersecurity and the fight against cybercrime*, in order to respond to the long existing vacuum. An initiative of the government through the Ministry of digital affairs, whose minister pointed out, after an interview with RFI, the French media, that “*This law is of the utmost importance. You must be aware of the rate of defamation and extortion! It's easy for people to hack into the entire economy of a corporate body or individual... to destabilize even a country through information...*”²⁵⁵ The *Law No 24-002 on Cybersecurity and the fight against cybercrime* was enacted by the President of the Republic on February 21, 2024.²⁵⁶

The law on cybersecurity and the fight against cybercrime paves the way for the creation of the National Agency on Cybersecurity (ANCy), an entity to be placed under the authority of the Ministry of Public Safety as well as the one of Digital affairs, with as mission as “ensuring the security of information systems, handling alerts and regulating the sector, among other things”. As of the time of writing of this report, no public data suggests this agency has been created.

Article 14 of the Law institutes a mandatory security audit, conducted by the ANCy, on all electronic communication networks as well as information systems of all operators, certification authorities as well as all electronic communication providers. In our opinion, this is a positive move to ensure they operate according to the best security practices but the said security audit will need to be well designed and well organised according to the best and international industry practices and standards as this practice has the potential to lead to security breach as well as violating privacy rights and abuse of users' personal data that these audited agencies are in charge of. The law on the protection of personal data should be put to use when such time arrives.

It is safe to mention that although the country has enacted both laws, it hasn't adopted the African Union's Convention on Cybersecurity and Personal Data Protection, known as the Malabo Convention, which would probably have been the next step after the enactment of these laws. At the time of writing of this report, there are no readily accessible reports on whether the State has used any sections under both laws to undermine citizen's privacy. However, it is clear, from reading both laws, that a lot of care needs to be taken with regard to user's personal data or their manipulation, such as by the judiciary.

The law on Cybersecurity, for example, grants the right to disclose “connexion and traffic data” during “judiciary investigations” (Article 17) or that the judiciary authority can request to communicate personal data such as those “enabling the identification of any person who has contributed to the creation of the content” from electronic communications providers (Article 28, d). The law does not clearly specify how this is to be conducted or what security measures and safeguards are put in place to protect the judiciary from the misuse of user's personal data they can have access to,

252 Article 31 of the 2023 Constitution: « Everyone has the right to respect for his or her private life and to secrecy of correspondence or any other form of communication. This right may only be infringed in the cases provided for by law. »

253 La RCA dotée désormais d'une Loi portant protection des données à caractère personnel : <https://mondeafricain24.com/tpost/p6puf2tth1-la-rca-dote-dsormais-dune-loi-portant-pr> (accessed on November 14, 2024)

254 Loi No 24-001 portant protection des données personnelles : https://arcep.cf/fr/images/documents/reglementation/lois/Loi_24_001_portant_protection_des_donnes_a_caractere_personnel.PDF (accessed on November 14, 2024)

255 Face à l'explosion des crimes, la Centrafrique approuve une loi sur la cybersécurité : <https://www.rfi.fr/fr/afrique/20240126-face-%C3%A0-l-explosion-des-crimes-la-centrafrique-approuve-une-loi-sur-la-cybers%C3%A9curit%C3%A9> (accessed on November 14, 2024)

256 Loi No 24-002 sur la cybersécurité et la lutte contre la cybercriminalité : https://arcep.cf/fr/images/documents/reglementation/lois/Loi_24_002_relative_a_la_cyber_securite.pdf (accessed on November 14, 2024)

as per the law.

On government requests for content take down sent to intermediaries, our research shows that CAR did not make any such request to Meta or to Google. Meta's Transparency Center²⁵⁷ shares that they do respond to government requests for data in accordance with applicable law and their terms of service. It is a good sign that the state seems to be fully compliant with this requirement of the Declaration in a sense that unlike countries like neighbor Cameroon or Kenya that have respectively requested two and 23 users/accounts information to Meta for the first semester of 2024.

Access to information

The Central African Republic has no law on access to information that obliges the government to be open and transparent in its processes nor to be open to journalists' requests for information. Freedom House's 2024 report says that, "Government operations are largely nontransparent, and civil society groups and others have limited opportunity to influence impending policy decisions. Citizens outside of Bangui have limited access to their legislators. President Touadéra and his inner circle pursued constitutional reform without consulting legislators or the wider public."

Such practice ensures citizens are unable to follow governmental actions and therefore not able to hold it accountable, suggestive of an authoritarian government. Being able to publicly access governmental information, enforced through the existence of such a law, is an essential practice of good governance which shows openness of the government towards citizen's participation. It is even worse if citizens from other regions (outside of Bangui) don't have easy access to their legislators and that the government does not care about involving the legislators in some of their constitutional reforms, let alone the general public.

This depicts the situation in the country in terms of openness. During a meet-up with the press²⁵⁸ organised by CAR's President, Faustin-Archange Touadéra in Bangui, some journalists were disappointed that he did not address many of the questions related to their activities including access to official sources information in public service entities which clearly does not make their work easy.

At the time of writing, official websites such as that of the government had outdated data such as on ongoing projects and it provides links to various ministries' online portals but many of these show "website under construction" while others have expired domain names. This is a similar situation for the Regulatory body's website which has outdated data not allowing readers or researchers to have access to real and accurate data on the development of the sector.

It is however worth noting that it is a practice by the Ministry of Information and Communication to conduct a press briefing every week in order to update citizens on major updates on the government policies and activities. This briefing is done on the national TV, the footage published on their dedicated Facebook page²⁵⁹, including a summary as bullet points. This practice is in line with Principle 29 of the Declaration on Proactive disclosure, especially on Section 3.²⁶⁰ But more needs to be done on that front in order to be fully compliant and the country should use sustainable channels such as websites rather than social media platforms to disclose information.

AI and Emerging Technologies national strategies

Despite the lack of specific legislation on artificial intelligence (AI) nor any such national strategy, Franck (name changed) shared: "We, as young people in the country, have started recognising the importance of this technology and we have therefore started learning and getting training on its applications such as in robotics". We spoke with Franck, 26, as part of conversations with local experts as part of this research.

257 Central African Republic: <https://transparency.meta.com/reports/government-data-requests/country/CF/> (accessed on January 13, 2025)

258 RCA : le président Touadéra fait face à la presse : <https://www.dw.com/fr/rca-pr%C3%A9sident-faustin-archange-touad%C3%A9re-face-presse/a-69843533> (accessed on January 13, 2025)

259 Conférence hebdomadaire du 11 novembre 2024 (Ministère de la Communication et des Médias – RCA) : <https://web.facebook.com/mincomrca/videos/1068003828248149/> (accessed on November 14, 2024)

260 ACHPR's Declaration, P29(3): "Information required to be proactively disclosed shall be disseminated through all available mediums, including digital technologies. In particular, States shall proactively publish information in accordance with internationally accepted open data principles."

The Central African Republic passed the Law no 22.004 of April 22, 2022 on Cryptocurrency²⁶¹ designed “to govern all transactions in cryptocurrencies and makes bitcoin a reference currency alongside the CFA Francs”²⁶², at the general surprise of everyone, being the first country in Africa to make such a move. Although this can be considered as a positive sign, the country is yet to leverage on that piece of legislation to bring positive development in the country.

Franck, 25, a student at a university in Bangui shared that they do not understand the plan their President has by bringing in conversations and legislations on technologies such as bitcoin rather than investing in more positive and progressive emerging technologies such as artificial intelligence which have many applications in their daily lives and have potential to help them compete in international contests, as developers.

9

DIGITAL
RIGHTS
AND
INCLUSION
IN AFRICA
REPORT

LONDA
2024

Adoption of specific child laws, policies and measures promoting children’s digital safety and privacy online

There are a number of initiatives dealing with the protection of children in CAR from various issues such as against conflict-related consequences or any other abuses and violence but there is no readily available data that speaks about child online protection. In fact, the country adopted a Children’s Code²⁶³ in 2020 as well as the national strategy to end child’s marriage (2024-2027)²⁶⁴ but these speak more about other rights but nothing on their online presence such as ensuring their online presence is protected and regulated.

261 Loi sur la Cryptomonnaie en Centrafrique : <http://www.droit-afrique.com/uploads/RCA-Loi-2022-04-cryptomonnaie.pdf> (accessed on January 13, 2025)

262 Londa 2022 on CAR: <https://paradigmhq.org/wp-content/uploads/2023/06/CAR-Londa-2022.pdf> (accessed on January 13, 2025)

263 Declaration (MINUSCA): https://minusca.unmissions.org/sites/default/files/declaration_de_la_representante_de_lunicef_en_rca_et_du_representant_special_du_secretaire_general_pour_la_rca_et_chef_de_la_minusca_-15_juin_2.pdf (accessed on March 10, 2025)

264 La RCA adopte une stratégie nationale pour mettre fin au mariage des enfants (2024-2027) : <https://www.fillespasepouses.org/articles/la-r%C3%A9publique-centrafricaine-adopte-une-strat%C3%A9gie-nationale-pour-mettre-fin-au-mariage-des-enfants-2024-2027>

Conclusion and Recommendations

The Central African Republic has improved especially on the legislative front as well on freedom of expression compared to last year, but there is still a lot that needs to be done in order to better cater for the digital rights of CAR citizens. The following recommendations are therefore presented to the various stakeholders for action:

The Government and Regulator :

- The government should leverage the availability of the optic fiber and work with telecom operators to provide competitive connectivity offers to customers;
- The regulator (Arcep Centrafrique) should ensure the interests of end-users prevail against commercial interests of operators when deploying their services;
- The government should work at establishing the necessary entities to operationalize the Universal Service Fund, an important mechanism as per national laws, to support the deployment of technology infrastructures and connectivity to remote areas;
- The regulator should consider updating its public sources of information (such as its website) in order to allow researchers to access data on the evolution of the telecommunications market as it used to be the practice. The available data is outdated;
- With the laws on data protection and cybersecurity in place, the government should consider adopting implementing measures and join the Malabo Convention;

Civil society:

- Civil society groups should play the role of watchdog, ensuring the various government-led or announced projects in the digital area are implemented, especially those directed by available national laws and regulations;
- Civil society entities should consider funding opportunities such as through international donors and partnering with the government to develop digital literacy programs that will increase technology uptake in the country and therefore digital inclusion.

Private sector:

- Telecommunications companies should support the government in its efforts to develop and operationalise the Universal Service Fund to help deploy connectivity to underserved and unserved areas;
- Private entities operating in the technology space should comply with the law and international standards to protect the private communications and personal data of their users;
- Telecommunications operators should leverage on the deployed optic fiber to increase capacity and provide broadband connectivity to citizens by considering tariffs that are affordable for the low-income users.

The Score Index

Londa 2025 Key Indicators	ACHPR Declaration	Score	Justification
Internet Shutdowns	P38 (2)	5	The state has not condoned any network disruptions (such as internet shutdowns)
Inexistent laws, policies and other measures to promote universal, equitable, affordable and meaningful access to the internet	P37	2	The state has shown efforts and good practices to ensure the availability of meaningful access to the internet for marginalised groups (such as the operationalisation of the fiber as well as the fact that the Regulator called for an audit in order to understand why access is high despite the presence of the fiber). But efforts need to be done, especially by making sure there are laws to back government efforts in support for meaningful connectivity.
False News Criminalisation	P22 (2)	2	On sanctions, the law on Freedom of communication refers to the Penal Code and speaks of a fine and jail for anyone who is found guilty of having authored or spread fake news and defamation. But there are no reports of this being applied in 2024. The state needs to look at this, stop criminalisation of fake news in order to be fully compliant.
Sedition Legislation	P22 (2)	2	Sedition (or similar actions such as defamation or rebellion) is somehow mentioned in CAR's legislation, specifically, authors are sentenced under the Penal Code. But there are no reports of this being applied in 2024. Yet, such provisions in the law should be repealed to ensure it is not hanging as a threat to freedom of expression.
Arbitrary Arrests and Harassments of the Media, HRDs and Citizens	P20 (1) & (2)	3	RSF's barometer has recorded no journalist jailed or killed for 2024. There are at least a few reported cases of harassment and brief detention so the state can do better in ensuring HRDs and citizens across the country are free from harassments from other parties such as rebels and mercenaries. The country should also work at dealing with the insecurity that puts HRDs and citizens into fear of exactions from the military and mercenaries.
Data Protection Legislation.	P42	4	The state has adopted and enacted a law on the protection of personal data early in the year. However, the state should take action to adopt relevant regulations such as appointing and installing the Data Protection Authority in order to demonstrate independence in the management of cases.
States interfere and require the removal of online content by internet intermediaries	P38 and P39 (4)	3	Data on this indicator is not readily accessible on the government side but according to Meta Transparency Centre, CAR has made no such request for the last few years. It is however important that the government be proactive in disclosing compliance with due process in order to be fully compliant.

Invasion of Privacy of Communications	P41	4	The 2018 Electronic Communication law provides for judicial oversight with provisions on how best practices should be enforced. No readily available data present evidence of acts of invasion on people's communication privacy.
AI and Emerging Technologies national strategies	P39 (6)	2	There is no national strategy on AI but there is a law governing cryptocurrency that was adopted in 2022, the first in Africa.
Failure by the government to disclose or proactively disclose and disseminate information through digital technologies.	P29 (3)	1	There is no law on access to information in CAR, there is no up-to-date data on government-related websites platforms that disclose information, other than the mentioned Facebook page of the Ministry of communication and media for which this score is given as a starting point. But there is a lot that needs to be done for CAR to be fully compliant.
Digital Inclusion	P37 (3)	2	The USF is in the 2018 law but it is yet to be implemented to serve for its purpose. The government has also introduced optic fiber early this year in order to increase connectivity. But there are no direct government-led efforts such as impactful programs or measures to bridge the digital divide among various groups including vulnerable ones.
Adoption of specific child laws, policies and measures promoting children's digital safety and privacy online	P37(5)	1	There is no clear child online policy or law in CAR, other than the general provisions that cater for children's other broad rights.
TOTAL (up to 60)		31	

