



General Assembly

Distr.: Limited
4 October 2021
English
Original: French

Human Rights Council

Forty-eighth session

13 September–8 October 2021

Agenda item 10

Technical assistance and capacity-building

Cameroon* and Turkey:** draft resolution

48/... Technical assistance and capacity-building in the field of human rights in the Central African Republic

The Human Rights Council,

Guided by the purposes and principles of the Charter of the United Nations,

Reaffirming the Universal Declaration of Human Rights,

Recalling the African Charter on Human and Peoples' Rights and other international and African instruments on the protection of human rights,

Recalling also General Assembly resolution 60/251 of 15 March 2006 and Human Rights Council resolutions on technical assistance and capacity-building in the field of human rights in the Central African Republic,

Recalling further Security Council resolutions on the situation in the Central African Republic,

Recalling the joint communiqué signed between the Special Representative of the Secretary-General on Sexual Violence in Conflict and the Government of the Central African Republic on 1 June 2019, in accordance with Security Council resolution 2106 (2013) of 24 June 2013,

Reaffirming that all States have the primary responsibility to promote and protect the human rights and fundamental freedoms enshrined in the Charter of the United Nations, the Universal Declaration of Human Rights, the International Covenants on Human Rights and other international and African human rights instruments to which they are parties,

Recalling that the authorities of the Central African Republic have the primary responsibility to protect all populations in the country from genocide, war crimes, ethnic cleansing and crimes against humanity,

Recalling also the Political Agreement for Peace and Reconciliation in the Central African Republic signed on 6 February 2019,

Recalling further the holding, in 2015, of popular consultations and of the Bangui Forum on National Reconciliation, which was followed by the adoption of the Republican Pact for Peace, National Reconciliation and Reconstruction and the signing of an agreement on disarmament, demobilization and reintegration by the representatives of the main parties

* On behalf of the States Members of the United Nations that are members of the Group of African States.

** State not a member of the Human Rights Council.



to the conflict in the Central African Republic, and emphasizing the need for effective implementation of the recommendations and measures contained therein,

Reaffirming its commitment to the sovereignty, independence, unity and territorial integrity of the Central African Republic,

Commending the Government of the Central African Republic for its efforts to combat the coronavirus disease (COVID-19) pandemic, and welcoming the multifaceted support provided by the United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic, the United Nations country team and international partners in order to prevent and test for the disease, curb its spread, reduce the number of infections and isolate the sick, while remaining concerned about the health, social, economic and humanitarian consequences of the disease,

Deeply concerned about the security situation in the Central African Republic, which remains very unstable, and condemning in particular the abuses that continue to be committed by the parties to the conflict in violation of the Peace Agreement of 6 February 2019, in Bangui and elsewhere in the country, against civilians, United Nations peacekeepers, humanitarian personnel, journalists and health workers,

Taking note of the joint report issued on 4 August 2021 by the United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic and the Office of the United Nations High Commissioner for Human Rights on violations of human rights and international humanitarian law in the Central African Republic during the election period from July 2020 to June 2021,

Condemning the surge in attacks on humanitarian and medical personnel and on civilian and humanitarian facilities and infrastructure, the unlawful taxation of humanitarian aid by armed groups in a context where the number of displaced persons is increasing and the number of refugees remains high, and the fact that more than half of the population, or some 2.8 million Central Africans, continues to need humanitarian assistance in order to survive,

Recalling the need for the Government of the Central African Republic, the international community and humanitarian actors to support the safe, dignified and sustainable voluntary return of displaced persons and refugees and to ensure that they are returned and received in conditions allowing for safe, dignified and sustainable resettlement,

Welcoming the efforts of subregional organizations in the ongoing mediation process, as well as the humanitarian assistance provided by the States members of these organizations to the population of the Central African Republic,

Welcoming also the non-operational and operational military training missions for the Central African armed forces conducted by the European Union and the United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic,

Recalling that the international forces present in the Central African Republic must act, in carrying out their duties, with full respect for the applicable provisions of international law, particularly international humanitarian law, international human rights law and international refugee law, expressing its concern at the allegations of sexual abuse and other human rights violations that may have been committed by the parties to the conflict, noting with satisfaction that the Government of the Central African Republic has established a special commission of inquiry to conduct an independent, transparent and thorough investigation of these allegations to ensure that those responsible for such acts are brought to justice, welcoming the commitment by the Secretary-General to strictly enforce the zero-tolerance policy of the United Nations on sexual exploitation and abuse, and noting with appreciation the signing on 3 September 2018 of the protocol on information-sharing and reporting of sexual exploitation and abuse,

Stressing the urgent and imperative need to end impunity in the Central African Republic, to bring to justice the perpetrators of human rights violations and abuses and violations of international humanitarian law and to reject any general amnesty for such persons, and the need to bolster national judicial mechanisms to ensure that they are held to account,

Stressing also the primary responsibility of the national authorities to create the conditions necessary to carry out prompt, impartial and transparent investigations, to conduct credible prosecutions, to render judgments efficiently and independently, and to protect victims and at-risk persons against reprisals of any kind, and calling upon international partners, including the United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic, within its mandate, to support the Central African authorities to this end,

Recalling that the international commission of inquiry tasked with investigating allegations of violations of international humanitarian law and international human rights law and of human rights abuses in the Central African Republic concluded that, since January 2013, the main parties to the conflict had committed violations and abuses that may constitute war crimes and crimes against humanity,

Stressing the importance of pursuing investigations into allegations of violations of international humanitarian law and international human rights law and of human rights abuses to complement the work of the international commission of inquiry and the report on the mapping exercise documenting serious violations of international human rights law and international humanitarian law committed in the territory of the Central African Republic between January 2003 and December 2015 prepared by the United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic and the Office of the United Nations High Commissioner for Human Rights,

Welcoming the holding of the most recent presidential and legislative elections and calling for the free and transparent conduct of the forthcoming local and municipal elections in 2022, the organization of which should involve efforts to ensure the safe return of refugees and internally displaced persons,

Stressing that the preparations for the holding of local and municipal elections in 2022 must include an effective framework for consultations among political actors, civil society and other relevant stakeholders in the country, with the support of the guarantors and facilitators of the Peace Agreement of 6 February 2019 and the international community, for an open and inclusive dialogue aimed at seeking consensus and restoring confidence among the various actors,

1. *Strongly condemns* all human rights abuses and violations and violations of international humanitarian law, including killings, acts of torture and other cruel, inhuman or degrading treatment or punishment, conflict-related and gender-based sexual violence, abductions, arbitrary arrests and deprivation of liberty, extortion and looting, the recruitment and use of children, the occupation of schools and attacks on schools, on the injured and the sick, on medical personnel and on health centres and medical vehicles, the denial of humanitarian assistance, the illegal destruction of property and all violations committed against civilians, in particular populations in situations of vulnerability, including women, children and displaced persons, and stresses that those responsible for such violations and abuses must be held accountable for their actions and brought to justice;

2. *Also strongly condemns* the targeted attacks launched by armed groups against civilians, humanitarian workers, health workers, humanitarian supplies and United Nations personnel, and urges armed groups to observe an immediate ceasefire in accordance with their commitment under the Peace Agreement of 6 February 2019;

3. *Reiterates* its call for an immediate end to all abuses and violations of human rights and violations of international humanitarian law committed by all parties, for strict respect for all human rights and all fundamental freedoms and for the re-establishment of the rule of law in the country;

4. *Expresses deep concern* at the humanitarian situation, stresses that insecurity and lack of funding constitute obstacles to the safe, unhindered delivery of humanitarian assistance, calls upon the international community to offer greater support for humanitarian assistance and stabilization efforts in the country, and requests all parties to authorize and facilitate rapid, safe and unhindered access for humanitarian aid and humanitarian workers to the entire national territory, including by strengthening security on the roads;

5. *Calls upon* the Government of the Central African Republic, political and religious leaders and civil society organizations to undertake coordinated public action to prevent incitement to violence, including on ethnic and religious grounds, and recalls that individuals or entities who engage in or provide support for acts that undermine the peace, stability and security of the Central African Republic, threaten or impede the political stabilization and reconciliation process, target civilians or attack peacekeepers, incite others to violence, including intercommunity violence, or to hatred, particularly on ethnic or religious grounds, or to sexual or gender-based violence, or who prepare, commit or order the commission of acts that are contrary to human rights and international humanitarian law, recruit children for use in armed conflict, or impede the delivery or distribution of or access to humanitarian assistance may be sanctioned by the Security Council;

6. *Welcomes* the report of the Independent Expert on the situation of human rights in the Central African Republic¹ and the recommendations contained therein;

7. *Calls upon* the authorities of the Central African Republic to fulfil expeditiously the commitments undertaken in 2019 with the signing of the joint communiqué between the United Nations and the Government of the Central African Republic with a view to combating sexual violence in conflict;

8. *Urges* all parties in the Central African Republic to protect all civilians, in particular women and children, against sexual and gender-based violence;

9. *Calls upon* the authorities of the Central African Republic to provide support to the National Observatory for Gender Parity and to strengthen the organization and operations of the National Commission on Human Rights and Fundamental Freedoms, the High Council for Communication, the High Authority for Good Governance, the National Committee on the Prevention and Punishment of the Crime of Genocide, War Crimes, Crimes against Humanity and All Forms of Discrimination, and other State institutions working for the promotion, protection and fulfilment of human rights, the fight against corruption and the promotion of democracy and good governance;

10. *Encourages* the United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic to resolutely implement, in support of the authorities of the Central African Republic and as provided in its mandate, a proactive and effective approach to the protection of civilians, and to lend the necessary assistance to the work of the Special Criminal Court;

11. *Encourages* the United Nations and the countries contributing troops to the United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic and international forces acting under the mandate of the Security Council to take appropriate measures to ensure full respect for the zero-tolerance policy of the United Nations on sexual exploitation and abuse and other forms of sexual violence, and calls upon troop-contributing countries and international forces acting under the mandate of the Security Council to take appropriate measures to prevent such acts and to prevent impunity among their personnel in order to ensure justice for victims;

12. *Calls upon* the Central African authorities, with the support of the United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic and the United Nations country team, to revitalize the disarmament, demobilization, reintegration and repatriation process, and requests Member States and international organizations to continue and to strengthen their financial support for the process, for the operationalization of the Truth, Justice, Reparation and Reconciliation Commission and for initiatives to promote peace, security and reconciliation within the population and the stabilization of the country;

13. *Deplores* the fact that children continue to be used by armed groups as combatants, human shields, domestic workers and sex slaves, as well as the increasing number of child abductions, urges armed groups to release children from their ranks and to put an end to and prevent the recruitment and use of children and early and forced marriages,

¹ A/HRC/48/81.

and in this regard calls upon them to honour the commitments assumed by several of them under the Peace Agreement of 6 February 2019;

14. *Encourages* the Government of the Central African Republic to promptly adopt a national child protection plan and to consider ratifying the Optional Protocol to the Convention on the Rights of the Child on a communications procedure;

15. *Urges* all parties to protect and to regard as victims those children who have been released or otherwise separated from the armed forces and armed groups, and emphasizes the need to protect, release and reintegrate in a sustainable manner all children associated with the armed forces and armed groups and to implement rehabilitation and reintegration programmes that take into account the specific needs of girls, in particular those who have been victims of violence;

16. *Remains deeply concerned* about the extent of conflict-related sexual violence perpetrated by the parties to the conflict, in particular against women, girls and boys, encourages the national authorities and the Special Criminal Court to protect and support victims, recalls in this regard the establishment of the Joint Rapid Response Unit to Combat Sexual Violence against Women and Children, and calls upon the authorities of the Central African Republic to take further steps to provide it with the means necessary for its operation and to ensure, through the relevant services, the provision of psychotherapeutic and socioeconomic support to victims;

17. *Welcomes* the opening of an investigation by the International Criminal Court in September 2014 at the request of the authorities of the Central African Republic, focusing principally on war crimes and crimes against humanity committed since 1 August 2012, the arrest on 17 November 2018 of Alfred Yekatom, who was surrendered to the Court by the authorities of the Central African Republic, the arrest on 12 December 2018, by the authorities of France pursuant to an arrest warrant issued by the Court on 7 December 2018, of Patrice-Edouard Ngaïssona, senior leader and national general coordinator of the anti-balaka, and the surrender of Mahamat Said Abdel Kani to the Court on 24 January 2021 by the authorities of the Central African Republic pursuant to an arrest warrant issued on 7 January 2019, and notes the opening of the trial of Alfred Yekatom and Patrice-Edouard Ngaïssona on 16 February 2021 and the mobilization of the population of the Central African Republic to follow it remotely;

18. *Urges* neighbouring States of the Central African Republic to cooperate in combating insecurity and the impunity of members of armed groups, including through cooperation with national and international courts and the Truth, Justice, Reparation and Reconciliation Commission;

19. *Welcomes* the efforts of the authorities of the Central African Republic that led to the operationalization of the Special Criminal Court with competence in respect of serious violations of human rights and violations of international humanitarian law, and encourages the Government of the Central African Republic, with support from the international community, to continue its cooperation with the Special Prosecutor of the Court so that those responsible for international crimes, regardless of their status or their affiliation, are identified, arrested and brought to justice without delay;

20. *Calls upon* the authorities of the Central African Republic to strengthen the financial and human resources allocated for the purpose of re-establishing the effective authority of the State over the entire country by continuing to redeploy the State administration, particularly in the areas of criminal justice and prison administration, in the provinces with a view to combating impunity and ensuring stable, responsible, inclusive and transparent governance at the national and local levels;

21. *Urges* the authorities of the Central African Republic to implement the national strategy for the protection of victims and witnesses involved in judicial proceedings and to establish appropriate programmes to provide victims of violations and their families with material and symbolic reparations, at both the individual and collective levels;

22. *Encourages* the authorities to fully implement security sector reform in order to establish multi-ethnic, professional, representative and well-equipped national defence and internal security forces, and recalls that these forces must respect the principles of

accountability and the rule of law in order to win and retain the trust of local communities, including by ensuring that candidates for recruitment are subject to appropriate vetting and background checks, particularly with regard to respect for human rights;

23. *Invites* the United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic to continue to apply a policy of due diligence in the field of human rights so as to ensure oversight and accountability in relation to the conduct of the national security forces and other security personnel, and to continue to publish reports on the situation of human rights in the Central African Republic in order to enable the international community to monitor the situation;

24. *Stresses* the need for effective access to health care, the need for the effective functioning of schools and vocational training centres whose premises are occupied by armed groups and security personnel or have been destroyed or damaged because of the conflict, the need for access to sanitation and drinking water in places where storage, treatment and distribution facilities have deteriorated as a result of the conflict, the need for the resumption of agropastoral activities disrupted by insecurity and the COVID-19 pandemic, the need to register births and civil status, and the need to ensure the provision of local justice services in the context of the inadequate restoration of State authority, and requests the partners of the Central African Republic to help the country to meet these challenges;

25. *Requests* States Members of the United Nations and international and regional organizations to provide urgent support to local populations in response to the food insecurity affecting nearly 57 per cent of the population by supporting humanitarian assistance and stabilization efforts, while expanding the role of the Economic Community of Central African States in peace efforts and cross-border issues, including the seasonal migration of animals;

26. *Requests* the international community to enhance its support for the fight against the COVID-19 pandemic in the Central African Republic in order to prevent the health crisis from turning into a social, economic and humanitarian crisis that could lastingly undermine the results achieved in several areas, in particular the progress made on priorities such as the mechanisms implementing the Peace Agreement of 6 February 2019, the normative framework, efforts to combat impunity and reconciliation mechanisms at the local level;

27. *Urges* the authorities of the Central African Republic to provide the Truth, Justice, Reparation and Reconciliation Commission with all appropriate means for the effective fulfilment of its mandate, including with respect to the fight against impunity and the promotion of reparation and guarantees of non-repetition, complementing the Special Criminal Court and the ordinary courts;

28. *Also urges* the authorities of the Central African Republic to continue inclusive efforts for the effective implementation of transitional justice mechanisms, with the support of the United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic and other international partners;

29. *Stresses* the need to involve all sectors of Central African civil society and to promote the full and effective participation of victims, women and young people in the dialogue between the authorities of the Central African Republic and the armed groups within the framework of the African Initiative for Peace and Reconciliation in the Central African Republic and its road map, which is the main framework for a political solution in the Central African Republic, as well as the need to coordinate the peace process with transitional justice in order to facilitate national reconciliation;

30. *Strongly encourages* the authorities of the Central African Republic to expedite the holding of the national republican dialogue, the organizational committee for which has just been established;

31. *Remains concerned* about the surge in the number of children recruited by armed groups, calls for the establishment and implementation of socioeconomic reintegration and psychological support programmes for minors who are victims of the six most serious violations suffered by children in armed conflict, encourages greater advocacy to improve the protection of children in armed conflict, including by taking account of the specific needs

of girls, and calls upon armed groups to put an end to such serious violations and abuses and upon the authorities of the Central African Republic to prevent them by enforcing the Child Protection Code;

32. *Remains deeply concerned* about the conditions in which displaced persons and refugees are living, and encourages the international community to support the national authorities and host countries to ensure appropriate protection and support for victims of violence, in particular women, children and persons with disabilities;

33. *Calls upon* the national authorities to protect and promote the right to freedom of movement for all, including internally displaced persons, without distinction, and to respect their right to choose their place of residence, to return home or to seek protection elsewhere;

34. *Encourages* States Members of the United Nations, within the framework of international cooperation, the relevant United Nations bodies, international financial institutions and other international organizations concerned, and also donors, to provide the Central African Republic with technical assistance and capacity-building in order to assist it in promoting respect for human rights and undertaking reform of the justice and security sectors, and to stand ready to respond to the urgent needs and priorities identified by the Central African Republic;

35. *Decides* to renew, for one year, the mandate of the Independent Expert on the situation of human rights in the Central African Republic, which is to assess, monitor and report on the situation with a view to making recommendations relating to technical assistance and capacity-building in the field of human rights;

36. *Requests* the Independent Expert to pay particular attention to violations of human rights and international humanitarian law alleged to have been committed by all parties to the conflict;

37. *Requests* all parties to cooperate fully with the Independent Expert in carrying out his mandate;

38. *Decides* to organize, at its forty-ninth session, a high-level interactive dialogue to assess developments in the situation of human rights on the ground, placing special emphasis on the reconciliation process and the implementation of guarantees of non-repetition, including through the effective fulfilment of the mandate of the Truth, Justice, Reparation and Reconciliation Commission, with the participation of the Independent Expert and representatives of the Government of the Central African Republic, the United Nations, the African Union, the Truth, Justice, Reparation and Reconciliation Commission and civil society;

39. *Requests* the Independent Expert to work closely with the United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic and United Nations bodies, particularly in the area of transitional justice;

40. *Also requests* the Independent Expert to work closely with all United Nations bodies, the African Union and the Economic Community of Central African States, as well as with other relevant international organizations, Central African civil society and all relevant human rights mechanisms;

41. *Further requests* the Independent Expert to work closely with the Special Representative of the Secretary-General on Sexual Violence in Conflict and the Special Representative of the Secretary-General for Children and Armed Conflict;

42. *Requests* the Independent Expert to provide an oral update on his report on technical assistance and capacity-building in the field of human rights in the Central African Republic to the Human Rights Council at its fiftieth session and to submit a written report to the Council at its fifty-first session;

43. *Requests* the United Nations High Commissioner for Human Rights to continue to provide the Independent Expert with all the financial and human resources necessary to enable him to carry out fully his mandate;

44. *Decides* to remain seized of the matter.