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Technical assistance and capacity-building

Resolution adopted by the Human Rights Council on 7 October 2022

51/37. 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 Central African Republic bears the primary responsibility to protect its populations from genocide, war crimes, ethnic cleansing and crimes against humanity,

Recalling also the signing on 6 February 2019 of the Political Agreement for Peace and Reconciliation in the Central African Republic, as well as the Joint Roadmap for Peace in the Central African Republic adopted on 16 September 2021 in Luanda by the International Conference on the Great Lakes Region,

Recalling further the conclusions, 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



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 particularly unstable, and condemning in particular the violations of international humanitarian law and human rights law that continue to be perpetrated by parties to the conflict, including armed groups and other security personnel, in Bangui and the rest of the country, in violation of the Peace Agreement of 6 February 2019, including acts of violence against civilians, United Nations peacekeepers, humanitarian personnel, journalists, and health personnel,

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 can return and be received in conditions allowing for safe, dignified and sustainable reintegration,

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 carry out their duties with full respect for the applicable provisions of international law, particularly international humanitarian law, and must respect human rights and the principle of non-refoulement, expressing its concern at allegations that sexual abuse and other human rights violations or mistreatment 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 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 welcoming the signing on 3 September 2018 of the protocol on information-sharing and reporting of sexual exploitation and abuse,

Noting with concern the joint investigation report issued on 25 July 2022 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 committed in the village of Boyo between 6 and 13 December 2021, including in particular the recruitment of former anti-balaka militia fighters and dozens of young persons, with the assistance of security personnel,

Stressing the urgent and imperative need to end impunity in the Central African Republic, to bring to justice the perpetrators of violations of human rights and of international humanitarian law and to reject any general amnesty for such persons, and the need to

strengthen national and hybrid judicial mechanisms to ensure that they are held to account for their actions,

Recalling 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 effectively and independently and to protect victims and at-risk persons against reprisals, 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 also 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 fair conduct of the forthcoming local and municipal elections in 2023, the organization of which might create conditions conducive to the voluntary, safe and dignified return of refugees and displaced persons,

Stressing that the preparations for the holding of local and municipal elections in 2023 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 of the initiators of the joint road map of 16 September 2021, and with the support of 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, sexual and other gender-based 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 and the joint road map of 16 September 2021;

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, for victims to have access to justice 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 complete, safe and 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, complete, 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 to take measures so that those responsible for such acts are held accountable for them when violence, including on ethnic and religious grounds, takes place, and recalls that individuals or entities who commit 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 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, and the relevant recommendation of the Independent Expert;

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

¹ [A/HRC/51/59](#).

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, 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. *Also encourages* the Government of the Central African Republic to implement, with the support of technical and financial partners, a national strategy for technical and agricultural training and vocational training as a social lever for the transitional process, for the benefit of youth;

16. *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;

17. *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 carry out a systematic follow-up of cases of sexual violence, to ensure that prosecutions are conducted and that criminal penalties are applied, and 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;

18. *Welcomes* the opening on 19 April 2022 of the first trial of the Special Criminal Court related to the killings in Koundjili and Lemouna in 2019, and calls upon the Central African authorities, neighbouring States, the United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic and the international community to provide the necessary support for the conduct of investigations, access to relevant documents and the execution of arrest warrants;

19. *Also 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, notes the opening of the trial of Alfred Yekatom and Patrice-Édouard Ngaïssona on 16 February 2021 and the mobilization of the population of the Central African Republic to follow it remotely, and welcomes the transfer to the Court on 14 March 2022 of Maxime Jeffroy Eli Mokom Gawaka, a former leader of the anti-balaka armed group and former Minister for the disarmament, demobilization, reintegration and repatriation programme, and the fact that, on 28 July 2022 the Court unsealed the arrest warrant issued on 7 January 2019 for Noureddine Adam, the founder of the Convention des patriotes pour la justice et la paix armed group;

20. *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;

21. *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;

22. *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;

23. *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;

24. *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;

25. *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 that the conduct of the national security forces and other security personnel is monitored and that their members are held accountable for their actions, 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;

26. *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;

27. *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 63 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;

28. *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;

29. *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;

30. *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;

31. *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;

32. *Strongly encourages* the Central African authorities to implement the recommendations of the republican dialogue;

33. *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 end such serious violations and abuses and upon the authorities of the Central African Republic to enforce the Child Protection Code;

34. *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;

35. *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;

36. *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;

37. *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;

38. *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;

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

40. *Decides* to convene, at its fifty-second session, a high-level dialogue to enable it to assess human rights developments on the ground, placing special emphasis on the situation of children;

41. *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;

42. *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;

43. *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;

44. *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 fifty-third session and to submit a written report to the Council at its fifty-fourth session, and to the seventy-eighth session of the General Assembly;

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

46. *Decides* to remain seized of this issue.

*44th meeting
7 October 2022*

[Adopted without a vote.]
