

Submission by the United Nations High Commissioner for Refugees

For the Office of the High Commissioner for Human Rights' Compilation Report

Universal Periodic Review: 3rd Cycle, 31st Session

CENTRAL AFRICAN REPUBLIC

I. BACKGROUND INFORMATION

The Central African Republic (CAR) succeeded to the *1951 Convention relating to the Status of Refugees* on 4 September 1962 and its *1967 Protocol* on 30 August 1967 (hereafter jointly referred to as the *1951 Convention*). CAR is not currently a State party to the *1954 Convention relating to the Status of Stateless Persons* nor the *1961 Convention on the Reduction of Statelessness*. Regarding regional instruments, CAR acceded to *OAU Convention Governing the Specific Aspects of Refugee Problems in Africa* on 23 July 1970 and the *African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa* (the *Kampala Convention*) on 20 December 2010. CAR ratified the *Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict* on 21 September 2017 and the *African Charter on the Rights and Welfare of the Child*, as of 7 July 2016.

As of 31 October 2017, CAR hosted 12,137 refugees and asylum-seekers, with the majority of the population originating from the Democratic Republic of Congo (4,469), Chad (3,223), Sudan (2,073) and South Sudan (2,058), out of whom more than 2,205 (18.17 per cent) are urban refugees who predominantly live in Bangui. The total number of women stands at 6,204 (51 per cent) and the total number of children registered by UNHCR accounts for 55 per cent of the population of concern to UNHCR (6,679) of whom 3,355 are boys and 3,324 are girls. In addition to the refugee population, CAR also has a large population of internally displaced persons (601,642), and 538,696 CAR nationals, representing 10 per cent of the entire population, are residing in neighboring countries.

The current situation in CAR remains distressed following the most recent episode of the long-running crisis in the country that erupted when a rebel coalition, the Séléka, overruled the then President, François Bozizé, in March 2013. The ensuing violence pitted the Séléka against self-defense groups that formed the anti-Balaka, prompting large-scale inter communal violence with religious undertones and a massive protection crisis, including the displacement of a fifth of the population internally and to neighboring countries. The country faced a total breakdown of law and order, and already fragile State institutions completely collapsed.

Notwithstanding some improvement since 2013, civilians continue to be at serious risk and women and children are bearing the brunt of the crisis. Armed groups are still very active, perpetrating killings, inhumane and degrading treatment, extortion, pillaging and the destruction or appropriation of property. Increasing human rights violations by Government security forces, in particular by elements of the armed forces, gendarmerie, police and the Central African Office for the Suppression of Banditry, have been documented, including extrajudicial killings and arbitrary arrests and detentions. Complete impunity for human rights violations and abuses, including sexual violence and grave violations against children, continues to be reported. Conflict-related sexual violence, although being a major concern,

remains largely underreported. Finally, serious abuses against persons accused of witchcraft, mostly older persons, women and children, are also in an upward trend.

II. ACHIEVEMENTS AND POSITIVE DEVELOPMENTS

Positive developments linked to 2nd cycle UPR recommendations

Linked to 2nd cycle UPR recommendation no. 104.30: Enforce existing laws to bring to justice perpetrators of extensive extrajudicial killings, enforced disappearances, attacks on civilians (including children) and instances of sexual and gender-based violence (Sierra Leone).

UNHCR welcomes the Government's achievements towards the establishment of the Special Criminal Court (SCC). Created for five years (renewable) by *Act No. 15.003* of 3 June 2015,¹ the SCC is a special jurisdiction within the Central African justice system set up to investigate and bring to court serious human rights violations and violations of international humanitarian law committed on the territory of CAR since 1 January 2003, as defined by the Central African *Penal Code* and by international law. Complementary to the action of the International Criminal Court, since the latter will focus on the prosecution of senior officials, the SCC will investigate and prosecute perpetrators of serious human rights violations committed since 2012. The work of the SCC will be supported by a mapping report covering human rights violations between 2003 and 2015 in the CAR, drafted by the UN Human Rights Office and the UN Mission in the Central African Republic (MINUSCA).²

III. KEY PROTECTION ISSUES, CHALLENGES AND RECOMMENDATIONS

Challenges linked to outstanding 2nd cycle UPR recommendations

Issue 1: Gender discrimination and sexual and gender-based violence (SGBV)

Linked to 2nd cycle UPR recommendation no. 104.38: Deploy further efforts to prevent and punish grave forms of violence against women, in particular when they result in widespread rape (Italy).

SGBV remains pervasive in CAR and is perpetrated by all parties to the conflict. Sexual violence against children by ex-Seleka and anti-Balaka groups forms part of a larger pattern of violations against civilians in areas under their control. A particularly nefarious form of SGBV prevalent in CAR is gang rape. Against this backdrop, 40 cases of rape are being reported every day.³ More than 70% of protection incidents recorded through the UNHCR protection monitoring system are related to SGBV. In 2017, 4417 cases were reported to UNHCR and partners. The majority of SGBV incidents survivors are internally displaced persons. Thus, an important part of the protection response in CAR is oriented towards the prevention and response to SGBV cases. However, there are indications SGBV is even more widespread as it remains underreported out of fear of stigmatization, shame, risk of rejection by the spouse or family, or fear of reprisals by suspected perpetrators. Underreporting has also been compounded by a lack of trust in or access to the judiciary and the absence of State authorities across the country. The disintegration of the judicial system and the security forces together with most disturbing cases of sexual exploitation and abuse committed by United Nations peacekeepers and non-UN international forces have contributed to a climate of widespread impunity and the absence of protective measures to

¹ Loi organique n°15.003 du 3 juin 2015 portant création, organisation et fonctionnement de la Cour Pénale Spéciale ('Loi organique portant création de la Cour Pénale Spéciale').

² Report of the mapping project documenting serious violations of International human rights law and international humanitarian law committed within the territory of the Central African Republic between January 2003 and December 2015, available at: www.ohchr.org/Documents/Countries/CF/Mapping2003-2015/2017CAR_Mapping_Report_EN.pdf.

³ Global Protection Cluster (GBV prevention and response), Newsletter issue 1, 2016.

separate victims of SGBV from perpetrators. Furthermore, chronic insecurity has hampered access to assistance for victims. In addition to sexual assaults like rape, sex slavery and forced marriage, women and girls are also increasingly being forced into and are resorting to transactional sex, also called “survival sex”, to provide for their families’ most basic needs. Given the high HIV/AIDS infection rates in CAR, survival sex has far-reaching psychological and life-threatening health implications.

Recommendations:

UNHCR recommends that the Government of the Central African Republic:

- (a) Ratify the *Protocol to the African Charter on Human and Peoples’ Rights on the Rights of Women in Africa (the Maputo Protocol)*;
- (b) Adopt a legal aid law to provide legal assistance to victims of crime lacking resources for legal representation, including survivors of sexual violence; and,
- (c) In cooperation with UN agencies, the UN mission, and relevant government ministries, urgently support the development and implementation of a national strategy to combat and respond to sexual violence, including conflict-related sexual violence.

Issue 2: Recruitment and use of child soldiers

Linked to 2nd cycle UPR recommendation no. 105.29: Urgently address the grave violations committed against children, including sexual violence, recruitment of child soldiers and the use of children as human shields during the conflict, ratify the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, and sign and ratify the Optional Protocol to the Convention on the Rights of the Child on a communications procedure (Portugal).

As many as 10,000 children were used by armed groups involved in the latest conflict in CAR. Boys as young as eight are reportedly being used as combatants, guards, messengers, informants and cooks, while girls are used as sex slaves⁴. Despite the agreement signed on 5 May 2015 by 10 armed groups⁵ aiming at ending and preventing the recruitment and use of children and other grave violations against children, human rights observers recently reported continuous association of children with violent activities perpetrated by warring parties. In addition, documented articles⁶ revealed the presence of an undetermined number of children manning checkpoints and barricades alongside armed individuals reportedly sympathetic or affiliated to the mainly Muslim ex-Seleka coalition or the predominantly Christian anti-Balaka militia. On several occasions, suspected anti-Balaka elements used children as shields as they fired at United Nations Multidimensional Integrated Stabilization Mission in Central African Republic (MINUSCA) forces. Finally, village self-defense units, established by towns to combat armed groups and bandits in areas where the national army and gendarmes are not present, also used children as lookouts and porters. As they remain unreported, children casualties are extremely difficult to calculate and any published figures are always believed to be highly underestimated.

⁴ There are also documented cases of abduction of children by armed groups, such as the Lord’s Resistance Army (LRA). However, while children abducted by unidentified armed individuals or alleged affiliates of anti-Balaka and ex-Seleka elements were mainly used as combatants or detained for ransom, children kidnapped by LRA were used as porters, cooks and combatants forced to commit atrocities such as looting and burning villages, killing and kidnapping other children. As for abducted girls, they had to endure sexual violence while in captivity and shared among commanders as « wives ». Report of the Secretary-General on children and armed conflict in the Central African Republic, S/2016/103, 12 February 2016.

⁵ Anti-Balaka, Front démocratique pour le progrès de la Centrafrique (FDPC), Front populaire pour la renaissance de la centrafrique (FPRC), Mouvement des libérateurs centrafricains pour la justice (MLCJ), Rassemblement patriotique pour le renouveau de la Centrafrique (RPRC), Révolution et justice, Séléka renouée, Union pour la paix en Centrafrique (UPC), Union des forces républicaines (UFR) and Union des forces républicaines fondamentales (UFRF).

⁶ Report of the Secretary-General on children and armed conflict in the Central African Republic, S/2016/103, 12 February 2016.

Children are also targeted by armed groups and brutally assaulted by machete, firearm and other weaponry on the basis of their religious affiliation.

Recommendations:

UNHCR recommends that the Government of the Central African Republic:

- (a) Promulgate and strengthen national legislation to comply with obligations under the *Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict*, ratified on 20 September 2017, and explicitly criminalize in domestic law the unlawful recruitment of children or their use in hostilities;
- (b) Ensure the urgent implementation of armed groups' commitments on child recruitment, work with the UN to accelerate the demobilization of all child soldiers, and facilitate to signature of time-bound Action Plans to end child recruitment; and,
- (c) Continue to work with the UN and child protection agencies to develop community-based approaches to child DDR (Demobilization, Disarmament and Reintegration), paying particular attention to girls, self-demobilized children, and children associated with self-defense militias.

Additional protection challenges

Issue 3: Lack of appropriate domestic legal framework to effectively protect IDPs

CAR ratified the 2009 *African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (the Kampala Convention)* on 20 December 2010. However, the provisions of this Convention have not yet been integrated in any national act. Although, the finalization of the national policy on IDPs has been significantly delayed due to the extreme violence throughout the country over the past three years, the formalization of these provisions into specific actions would be an important step toward ensuring that these populations can access and enjoy the full protection and rights guaranteed to them under international law.

Recommendations:

UNHCR recommends that the Government of the Central African Republic:

- (a) Ensure compliance with its obligations under the *Kampala Convention* and promote knowledge of the *Convention* among all actors concerned, including IDPs, host communities, civil society and public authorities, at central, regional and local levels; Ensure that all relevant public authorities, including armed and security forces, are fully informed of their obligations and instructed to facilitate freedom of movement and residence of IDPs and the rapid and unimpeded access of humanitarian organizations to IDPs.

Issue 4: Housing, land and property rights

The crisis that engulfed the CAR has resulted in the perpetration of gross human rights violations, including the widespread looting and destruction of homes and, the illegal occupation of land left behind as people fled widespread violence. Attempts to restore rights to housing, land and property are further complicated by CAR's outdated and incomplete legal framework relating to land ownership and eviction. Finally, many Central Africans do not have valid documents to prove ownership of their land or dwellings. Women in particular suffer from discriminatory ownership and inheritance practices that often result in their eviction from their homes following the death of their husbands or partners. Ensuring that the displaced population and returning refugees are able to access their abandoned housing or receive compensation for property destroyed during the conflict can be an important step towards reconciliation between the sharply divided communities in CAR.

Recommendations:

UNHCR recommends that the Government of the Central African Republic:

- (a) Re-establish rule of law across the territory and ensure protection of the rights of all persons living in CAR, as well as the housing, land and property rights of returnees;
- (b) Carry out a preliminary countrywide housing, land and property assessment, focusing on damaged, destroyed, abandoned and occupied housing and land;
- (c) Coordinate a review of the existing national legal framework on housing, land and property issues and develop and apply, as a matter of priority, strategies aimed at addressing these issues in conformity with obligations enshrined in ratified international and regional legal instruments.

Issue 5: Identification, prevention and reduction of statelessness

While there is no available study on stateless or at-risk persons in Central African Republic, the low birth registration rate, targeted destruction of civil status registries; hindered access to individual documentation⁷; and massive forced displacement inside and outside the country constitute significant statelessness risk factors.

On 16 October 2017 in Brazzaville, the Foreign Affairs Ministers of the Member States of the International Conference on the Great Lakes Region (ICGLR) signed a *Declaration on the Eradication of Statelessness*.⁸ The eleven commitments of this *Declaration* include developing and implementing national action plans to end statelessness and undertaking nationality law reforms to guard against statelessness. ICGLR Member States, including Central African Republic, also committed to acceding to the *Statelessness Conventions*, an achievement expected by 2019 as per the *Brazzaville Declaration's Regional Action Plan to eradicate statelessness*.⁹ Ratifying these two *Conventions* is essential to strengthening international efforts to end statelessness by 2024, and ensuring full enjoyment of the right to a nationality, which is paramount for the effective enjoyment of other fundamental rights. Importantly, ratification of both *Statelessness Conventions* and their domestication are crucial to foster inclusion of all and create the conducive conditions for security and stability in the country.

Recommendations:

UNHCR recommends that the Government of Central African Republic:

- (a) Accede to, and domesticate, *the 1954 Convention relating to the Status of Stateless Persons* and to *the 1961 Convention on the Reduction of Statelessness*;
- (b) Consider ratifying the *Organization of African Union Convention Governing Specific Aspects of Refugee Problems in Africa*.

**UNHCR
March 2018**

⁷ *Etat Civil en République Centrafricaine : Enjeux et Pratiques*, Avocats Sans Frontières (2017), p. 17; *Groupe thématique gouvernance : Rapport*, Commission Préparatoire du Forum National de Bangui (2015), p.16; *Rapport du Groupe de Travail de la Commission Africaine sur les Populations / Communautés Autochtones : Visite de Recherche et d'Information en République Centrafricaine 15 – 28 janvier 2007*, CADHP and International Work Group for Indigenous Affairs (2007), p. 55.

⁸ The ICGLR Declaration on eradication of statelessness signed by the 12 Ministers of Foreign Affairs of ICGLR Member States available at : <http://www.refworld.org/docid/59e9cb8c4.html>

⁹ The 2017-2019 Action Plan of IGCLR on eradication of statelessness available at : <http://www.refworld.org/docid/5a7c16aa4.html>

ANNEX

Excerpts of relevant Recommendations from the 2nd cycle Universal Periodic Review, Concluding Observations from UN Treaty Bodies and Recommendations of Special Procedures mandate holders

CENTRAL AFRICAN REPUBLIC

We would like to bring your attention to the following excerpts from the 2nd cycle UPR recommendations, UN Treaty Monitoring Bodies' Concluding Observations, and recommendations from UN Special Procedures mandate holders' reports relating to issues of interest and persons of concern to UNHCR with regards to the Central African Republic.

I. Universal Periodic Review (Second Cycle – 2014)

Recommendation ¹⁰	Recommending State/s	Position
Accession to international instruments		
104.25 Consider ratifying the Organization of African Unity Convention Governing Specific Aspects of Refugee Problems in Africa, the International Convention for the Protection of All Persons from Enforced Disappearance, the Convention for the Elimination of Mercenaries in Africa, and the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.	Congo	Supported
Refugees and internally displaced persons		
104.77 Ensure, with the support of the international technical assistance, access for the entire population, including internally displaced persons, to drinking water and sanitation, food and nutrition, as well as health services.	Republic of Moldova	Supported
104.92 Facilitate the return of refugees and internally displaced persons.	Czech Republic	Supported
104.93 Maintain the efforts for the effective protection of the rights of internally displaced persons, with special attention to women, children and persons with special needs.	Ecuador	Supported
Gender discrimination and SGBV		
104.29 Take all measures to ensure protection of women and girls from violence and to end impunity of perpetrators of such crimes.	Slovakia	Supported
104.30 Enforce existing laws to bring to justice perpetrators of extensive extrajudicial killings, enforced disappearances, attacks on civilians (including children) and instances of sexual and gender-based violence.	Sierra Leone	Supported
104.35 Continue its efforts in fighting acts of sexual violence, including the establishment of mechanisms for the identification, reporting and monitoring of such cases.	Republic of Moldova	Supported
104.36 Develop and apply, as a matter of priority, strategies aimed at combating sexual violence against women, and especially girls, and ensure that they are provided with support for physical and mental health.	Croatia	Supported
104.38 Deploy further efforts to prevent and punish grave forms of violence against women, in particular when they result in widespread rape.	Italy	Supported

¹⁰ All recommendations made to Central African Republic during its 2nd cycle UPR can be found in: "Report of the Working Group on the Universal Periodic Review of Central African Republic" (6 January 2014), A/HRC/25/11, available at: <http://www.ohchr.org/EN/HRBodies/UPR/Pages/CFIndex.aspx> .

105.12 Improve the situation of women and children by implementing the United Nations Security Council resolution 1325 and related resolutions on women, peace and security.	Estonia	Supported ¹¹
Children		
105.22 Adopt without delay proper measures aimed at ensuring the immediate release of all children-soldiers and tackle this grave breach of human rights as a high priority.	Italy	Supported ¹²
105.24 Cease the use of child soldiers by local militia groups.	Japan	Supported ¹³
105.25 Take all the necessary measures to ensure the protection of the rights of the child, put an end to the recruitment and use of child soldiers by all the parties to the conflict, and create mechanisms to support the reintegration of demobilized children.	Luxembourg	Supported ¹⁴
105.29 Urgently address the grave violations committed against children, including sexual violence, recruitment of child soldiers and the use of children as human shields during the conflict, ratify the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, and sign and ratify the Optional Protocol to the Convention on the Rights of the Child on a communications procedure.	Portugal	Supported ¹⁵
Access to health and education		
104.79 Continue to fight tuberculosis and other endemic diseases in order to promote the right to health of the citizens of the Central African Republic.	Nigeria	Supported
104.80 Take additional steps to strengthen the sexual and reproductive health and rights of girls and women.	Sweden	Supported
104.81 With the support from the relevant international organisations, continue to provide public health care services to its people, especially women and children.	Singapore	Supported
104.85 Adopt additional measures, including legal measures aimed at protecting and promoting the right to education for all.	Armenia	Supported
104.87 Ensure access and right to education, especially among children and youth and to provide free and compulsory primary education for all children.	Maldives	Supported
104.90 Adopt appropriate measures to guarantee equal access to education without any discrimination to pave the way to the country's economic and social development in a sustainable manner.	Thailand	Supported
Ethnic and religious discrimination		
104.67 Prevent the involvement of foreign mercenaries in the internal conflict and their attempts to turn human rights violations into an ethnic and religious conflict.	Czech Republic	Supported
104.68 Work with religious leaders on an urgent basis to promote religious tolerance, restore inter-religious harmony and to prevent a cycle of violence and reprisals.	Sierra Leone	Supported
104.70 Prevent clashes and tensions occurred between the majority Christian population and the Muslim minorities.	Spain	Supported

¹¹ **Addendum:** "This recommendation is supported by the government of Central African Republic, which considers it is already implemented or in the process of implementation."

¹² *Ibid.*

¹³ *Ibid.*

¹⁴ *Ibid.*

¹⁵ *Ibid.*

II. Treaty Bodies

Committee on the Elimination of Discrimination against Women

Concluding Observations, (24 July 2014), [CEDAW/C/CAF/CO/1-5](#)

13. The Committee considers that the implementation of the Convention is the most effective safeguard to ensure full respect for and enjoyment of women's rights at all times and stresses that women are key actors in achieving peace. The Committee reminds the State party that its obligations under the Convention to eliminate all forms of discrimination against women, including violence against women and girls, are non-derogable and continue to apply during conflict situations, as indicated in its general recommendation No. 28 on the core obligations of State parties under article 2 of the Convention. It also recalls that in such situations the provisions of the Convention are complemented by the applicable international humanitarian, refugee and criminal law, as indicated in its general recommendation No. 30 on women in conflict prevention, conflict and post-conflict situations.

14. The Committee urges the State party:

- (a) To comply with its obligations under the Convention and international humanitarian, refugee and criminal law so as to ensure protection for women and girls from all forms of discrimination, including violence;**
- (b) To give priority to and implement without delay the Committee's recommendations contained in the present concluding observations relating to violence against women and impunity, internally displaced women, women and peace and security, education and health, giving due consideration to general recommendation No. 30;**
- (c) To ensure the implementation during the peacebuilding process of all other recommendations contained in the present concluding observations.**

Internally displaced women and women refugees

17. The Committee expresses its concern at the high number of internally displaced persons, estimated at more than 900,000, the insufficient international resources to support them and the heightened risk among internally displaced women of falling victim to sexual violence. It is also concerned about the attacks perpetrated against camps for internally displaced persons. It is further concerned about the lack of security provided to civilians in their places of residence and about the absence of guarantees for their safe return to those places following flight and/or evacuation.

18. The Committee recalls that the Convention applies at every stage of the displacement cycle, as indicated in its general recommendation No. 30. The Committee urges the State party, with support from the international community:

- (a) To consider as a priority and take all measures to ensure the security of civilians, in particular women and girls, in their places of residence and to proceed to evacuation only as a measure of last resort, in full consultation with the people concerned and in accordance with international standards;**
- (b) To guarantee to internally displaced persons and Central African refugees the right to return to their places of residence and to other benefits as nationals of the Central African Republic;**
- (c) To take measures, including securing the places of origin of internally displaced persons, to ensure safe return;**
- (d) To provide internally displaced women with security and access to basic services and food, and ensure that accountability services are available for victims of sexual and other forms of violence.**

Trafficking in women and exploitation of prostitution

29. While the Committee notes that the revised Penal Code criminalizes trafficking in persons, it is concerned about the absence of a study on the extent and causes of trafficking

in women and girls in the State party. It is also concerned about the absence of data on the prevalence of prostitution in the State party.

30. The Committee recommends that the State party:

- (a) **Carry out a study on the prevalence of trafficking in women and girls and prostitution in the State party to inform the development of a strategy to combat trafficking and forced prostitution and to address the root causes, including poverty, in order to eliminate the vulnerability of women and girls to sexual exploitation and trafficking, and ensure the rehabilitation and social reintegration of victims;**
- (b) **Seek the cooperation of States in the region to prevent and combat trafficking in women and girls and their exploitation in prostitution;**
- (c) **Consider ratifying the United Nations Convention against Transnational Organized Crime and the protocols supplementing the Convention, in particular the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children.**

Nationality

33. The Committee is concerned about the lack of birth registration throughout the State party owing to the conflict. It is also concerned at the situation of refugee women and their children in neighbouring countries. It is further concerned that, according to the Nationality Code of 1961, a Central African woman cannot transmit her nationality to her foreign husband through marriage on an equal basis with a Central African man married to a foreign wife.

34. The Committee recalls its general recommendation No. 21 on equality in marriage and family relations and its general recommendation No. 30 and recommends that the State party:

- (a) **Ensure that all children, including girls, born on the territory of the State party are registered at birth, paying particular attention to the registration of internally displaced girls and boys;**
- (b) **Ensure, through its consulates and in cooperation with the Office of the United Nations High Commissioner for Refugees, that Central African refugee children born in foreign countries are registered at birth and that women and their children will be provided with valid travel documents;**
- (c) **Amend the Nationality Code to ensure that Central African women can transfer their nationality to their foreign husband on an equal basis with Central African men married to a foreign wife, in line with article 9 of the Convention.**

Committee on the Rights of the Child

Concluding Observations, (8 March 2017), [CRC/C/CAF/CO/2](#)

Factors and difficulties impeding the implementation of the Convention

4. The Committee notes the severe impact of the political and security crisis affecting the State party, particularly since 2012, and the difficulties faced in bringing an end to incidents of extreme violence between armed groups, which have led and continue to lead to severe violations of children's rights, and constitute a serious obstacle to the implementation of the rights enshrined in the Convention. The Committee notes the large movements of refugees and internally displaced people, as well as the serious economic problems faced by the State party, which are a further impediment to the implementation of children's rights. The Committee further notes that the situation of instability and insecurity warrants the continuing need for a United Nations peacekeeping presence.

Birth registration name and nationality

32. The Committee welcomes the measures taken to promote birth registration, in particular decree No. 14.228 of 2014 providing free birth registration to children born during the conflict that took place between 2012 and 2014, and the reconstruction of its national civil administration, which resulted in the registration of over 35,000 children. However, the Committee is concerned about:

- (a) The enduring low rate of registered children and the major disparities between urban and rural areas;
- (b) Birth registration not being freely provided to all children;
- (c) The limited period for birth registration, as provided by article 134 of the Family Code;
- (d) The limited awareness of the population of the importance of birth registration.

33. Taking note of target 16.9 of the Sustainable Development Goals on providing legal identity for all, including birth registration, the Committee urges the State party to:

- (a) **Prioritize measures to ensure that effective birth registration is available to all children, both in urban and rural areas;**
- (b) **Take all measures necessary to provide free birth registration;**
- (c) **Consider reviewing, or suspending, article 134 of the Family Code to ensure that children are still able to be registered without penalties after the one-month period allowed;**
- (d) **Intensify its efforts to raise awareness among the population in general, and mothers in particular, of the importance of birth registration;**
- (e) **Provide training to registration officials and equip them with the necessary technical resources;**
- (f) **Seek technical assistance from UNDP and UNICEF, among others, for the implementation of these recommendations.**

Refugee and internally displaced children

64. The Committee appreciates that despite the difficult economic, political and security context, the State party has continued to host and integrate refugee and asylum-seeking children and welcomes the measures taken to provide health care and education to children in camps for refugees and internally displaced persons. The Committee is however seriously concerned that almost 500,000 of the State party's nationals are refugees in neighbouring countries, while another 500,000 are internally displaced, representing about one fifth of the population living away from their usual place of residence. The Committee is further concerned about refugee and internally displaced children, who may have been or are at risk of being recruited and/or used in hostilities and/or sexually abused by armed groups.

65. The Committee urges the State party to:

- (a) **Take all measures necessary to guarantee the rights and well-being of internally displaced children, including by providing access to clean water, adequate sanitation, food and shelter, and paying due attention to their needs in terms of health and education;**
- (b) **Develop a system of psychosocial support and assistance for children who are internally displaced, refugees and returnees, addressing their special recovery needs after the traumatic experiences of war;**
- (c) **Establish a mechanism to identify at the earliest possible stage children who may have been or are at risk of being recruited and/or used in hostilities and/or sexually abused by armed groups;**
- (d) **Continue to cooperate with the Office of the United Nations High Commissioner for Refugees and UNICEF in that regard.**

III. Special Procedures Mandate Holders

Report of the Independent Expert on the situation of human rights in the Central African Republic (28 July 2017) [A/HRC/36/64](#)

106. The Independent Expert reiterates the recommendations contained in her previous report (see A/HRC/33/63, para. 122), which remain pending. She calls on the Government, with the support of the international community:

(a) To continue to participate actively, transparently and with due respect for its human rights obligations in conflict-mediation initiatives in order to achieve an immediate end to hostilities and a lasting peace in a sovereign and united Central African Republic;

[...]

(j) To develop an effective strategy to combat, and provide protection against, the plundering of natural resources, including by securing roads and production areas, and to punish traffickers, where necessary;

(k) To strengthen advocacy and action to ensure a humanitarian response that is in line with the urgent needs for assistance and protection of populations affected by fresh outbreaks of violence, in particular displaced persons and refugees; and to create the necessary conditions, in those areas where it can be done, to enable voluntary and sustainable return and reintegration, taking into account the exercise of the right to property and goods;

[...]

(m) To support civil society actors working for peaceful coexistence, conflict prevention and resolution, and human rights; to evaluate and build capacity and resources for prevention and peaceful resolution of conflicts through traditional mechanisms; and to support local peace and reconciliation committees and replicate them within the country;

[...]

(o) To strengthen initiatives to protect children and, in particular, initiatives to benefit young people removed from the armed groups;