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**IMPLEMENTATION OF GENERAL ASSEMBLY RESOLUTION 60/251
OF 15 MARCH 2006 ENTITLED “HUMAN RIGHTS COUNCIL”**

**Report of the Representative of the Secretary-General on human rights
of internally displaced persons, Walter Kälin**

Addendum

**MISSION TO THE CENTRAL AFRICAN REPUBLIC,
PRELIMINARY NOTE***

* This document is submitted late so as to include the most up-to-date information possible.

Preliminary note

1. The Representative of the Secretary-General on human rights of internally displaced persons, Walter Kälin, conducted an official mission to the Central African Republic from 24 February to 3 March 2007.
2. In Bangui, the Representative met with President Bozizé, the Ministers responsible for matters related to internal displacement, representatives of the institutions and organs of the United Nations system present in the Central African Republic and members of civil society. In order to obtain a clearer picture of the situation on the ground, the Representative visited the prefectures of Ouham and Ouham Pendé, where he met the representatives of local authorities and humanitarian organizations, including non-governmental bodies. At each stage of the mission, the Representative was careful to speak with displaced persons themselves, and he is grateful to them for sharing their experiences with him and informing him of the difficulties they face.
3. The Representative would also like to thank the members of the Government, representatives of United Nations organs and organizations and members of non-governmental organizations who agreed to meet with him and who helped to ensure that his visit went smoothly.
4. In accordance with his mandate, the Representative will submit a detailed public report at a forthcoming session of the Human Rights Council. In the meantime, in view of the current sensitive juncture in the crisis that the Central African Republic is undergoing, the Representative wishes to contribute to the search for solutions to the problems facing displaced persons by presenting some preliminary conclusions and recommendations to the Human Rights Council.
5. In the north of the Central African Republic there have been major population displacements. It is estimated that between 150,000 and 200,000 people have been forced to flee their homes, mainly as a result of clashes between rebel groups and the armed forces of the Republic in the north-west and north-east of the country, but also because of attacks by highway bandits (*coupeurs de route*) and incursions by marauders from Chad. In addition, some 70,000 persons have sought refuge in neighbouring countries, principally Chad and Cameroon. Thus, out of a total population of 4.2 million, nearly 300,000 people have been displaced. In the north in particular, this represents approximately 25 per cent of the population. In the north-west regions particularly affected by displacement, the Representative moreover found that along certain main routes such as the Paoua-Batangafo or Batangafo-Kabo highways, practically all the villages had been burnt down and deserted.
6. Following his visit the Representative has arrived at the following preliminary conclusions:
 - (a) The Central African Republic is experiencing a grave protection crisis, as illustrated by the very large number of displaced persons. However, this protection deficit has not yet caused a humanitarian crisis in the traditional sense of the term, since despite the difficulties they have encountered, the displaced persons have so far managed to find ways of

coping with the situation. The Representative nevertheless considers that, unless appropriate measures are taken as a matter of urgency, the present protection crisis could lead to a humanitarian crisis on a large scale that would be difficult to overcome;

(b) The Representative considers that the violence prevailing in the north of the Central African Republic is the main cause of the population displacement. For the most part, this violence takes the form of attacks against civilians and their property, including arbitrary, extrajudicial or summary executions, and the burning of entire villages during security operations, forcing the local population to flee for safety. According to information obtained from humanitarian agencies and the statements of many displaced persons, these violations are mainly attributable to the security forces, in particular the Presidential Guard. The Representative takes this opportunity to point out that, in accordance with international law and the Guiding principles on internal displacement (principle 3), the State has the primary duty and responsibility to safeguard its citizens and to take all possible measures to protect the civilian population (E/CN.4/1998/53/Add.2, annex);

(c) The utterly precarious state in which the displaced persons are living is a source of great concern. Many no longer have accommodation and lack access to drinking water and health care, while their children are deprived of their right to an education. In some cases, displaced persons are experiencing considerable food insecurity, which could rapidly tip over into malnutrition;

(d) Displaced persons dare not return to their villages in search of water or travel to urban centres to seek health care for fear of being intercepted and brutalized by members of the security forces. Internally displaced persons, especially young men, are moreover stigmatized since they are seen by the security forces as rebels, or as collaborating with the rebels. This contributes to a constant sense of insecurity among displaced persons, and consequently limits their freedom of movement. The Representative therefore shares the view of many victims of displacement that the conditions are not yet right for them to return permanently to their usual places of residence;

(e) The Representative is especially concerned about the situation of children recruited into the ranks of certain armed rebel factions, and draws attention to principle 13 of the Guiding principles, which stipulates that in no circumstances should displaced children be recruited into any armed forces.

Preliminary recommendations

7. To provide a lasting solution to the problem of displacement in the Central African Republic and to offer the victims protection and assistance, the Representative recommends a threefold strategy: to pursue a political dialogue between the Government and the various armed groups so as to tackle the primary causes of displacement; to strengthen the humanitarian and protective presence of international organizations to help protect the population that is the target of these attacks; and to implement a development programme focused on the north of the country so as to address the fundamental causes of the crisis, which lie in the marginalization and underdevelopment of this region.

8. In particular, the Representative shares the view expressed by the President of the Republic, who has declared himself convinced that dialogue is the only way out of the conflict that besets the country, and that the use of force alone is not a viable option. The Representative welcomes the initiative taken by the authorities to enter into a dialogue with certain armed groups, and encourages the authorities to broaden this dialogue to include all armed groups and the various elements in civil society. He also believes that, while political dialogue with the various armed groups operating within Central African territory is vital to achieving a lasting peace, establishing a dialogue with the citizens, including displaced persons, is equally important. This dialogue and consultation with displaced populations must be open and constructive in order to rebuild confidence, which is essential if those concerned are to consider returning to their homes.

9. In the context of efforts to combat impunity, the Representative welcomes recent initiatives by the armed forces to withdraw officers responsible for human rights violations from the regions concerned. He stresses, however, that exclusion of the personnel in question is not in itself sufficient, since it fails to deliver justice to the victims and deprives them of their right to compensation (see paragraph 10 (c) below).

10. In this context, the Representative recommends that the Government should:

(a) Observe, when planning and carrying out security operations, the fundamental distinction between combatants and civilians, and refrain from all actions prohibited under international humanitarian and international human rights law, including attacks against civilians and their property, the burning of villages, summary and extrajudicial executions, torture, and ill-treatment;

(b) Make a clear statement, at the highest level, specifying the role and bounds of permissible behaviour of the security forces and reminding those concerned of their obligations under international humanitarian law; and, at the same time, set up without delay a proactive training programme for members of the security forces to promote awareness of international humanitarian law and human rights;

(c) Take effective steps, in view of the numerous violations of international law of which some members of the security forces - in particular the Presidential Guard - have been accused, to combat impunity by holding inquiries and bringing to justice those primarily responsible for human rights violations, including arbitrary displacement;

(d) Re-establish and strengthen the presence of the State at all levels in the north of the country by restoring as a matter of priority basic services, education, the justice system, the police and health care, among other things by encouraging devolved and decentralized authorities to return to their localities;

(e) Tackle the fundamental causes of the crisis, such as the marginalization of or discrimination against certain regions, manifest in particular in underinvestment and the concentration of wealth around the capital and in the south of the country. To this end, the authorities should ensure fairer access to the country's resources, with particular regard to the areas in greatest difficulty.

11. The Representative recalls that armed groups have a duty to respect international humanitarian law. In particular, they must observe the fundamental distinction between combatants and civilians, and refrain from all acts prohibited under international humanitarian law, such as using the civilian population as a base for their operations, recruiting children in their ranks, and exposing the civilian population to the risk of reprisals. The Representative calls for the immediate disarmament and rehabilitation of child soldiers, in close cooperation with international organizations specialized in this field.

12. The Representative recommends that the international community and donor agencies should in particular:

(a) Increase their field presence, especially in areas receiving large numbers of displaced persons, in order to provide them with appropriate protection and assistance;

(b) Continue to provide humanitarian assistance to the displaced persons, particularly in the form of non-food products and seeds to enable them to pursue their agricultural activities;

(c) As the rainy season approaches, make a special effort to supply materials to enable the victims of displacement to build shelters in order to protect themselves from the elements;

(d) Work with the Government to train the security forces to increase their awareness, in particular, of international humanitarian law, human rights, and the Guiding principles on internal displacement;

(e) Support the Government in its efforts to strengthen the local presence of State institutions, with particular reference to the spheres of education, justice, the police and health care;

(f) Provide sustained support for a development programme focused on the north of the country, in order to tackle the fundamental causes of the crisis, which lie in the marginalization and underdevelopment of this region.
