

CENTRAL AFRICAN REPUBLIC:

New displacement due to ongoing conflict and banditry

A profile of the internal displacement situation

1 December, 2010

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About the Internal Displacement Monitoring Centre

The Internal Displacement Monitoring Centre, established in 1998 by the Norwegian Refugee Council, is the leading international body monitoring conflict-induced internal displacement worldwide.

Through its work, the Centre contributes to improving national and international capacities to protect and assist the millions of people around the globe who have been displaced within their own country as a result of conflicts or human rights violations.

At the request of the United Nations, the Geneva-based Centre runs an online database providing comprehensive information and analysis on internal displacement in some 50 countries.

Based on its monitoring and data collection activities, the Centre advocates for durable solutions to the plight of the internally displaced in line with international standards.

The Internal Displacement Monitoring Centre also carries out training activities to enhance the capacity of local actors to respond to the needs of internally displaced people. In its work, the Centre cooperates with and provides support to local and national civil society initiatives.

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OVERVIEW

Security remains fragile ahead of UN troop withdrawal and presidential election

Armed conflict pitting government forces against various armed groups in northern areas of the Central African Republic (CAR) caused the internal displacement of more than 200,000 people between 2005 and 2008. Following the signing of peace and reconciliation agreements, their number fell to around 108,000, but since 2009 clashes between the army and a splinter rebel group, and attacks on civilians by the Lord's Resistance Army have caused a new wave of displacement. As of November 2010, the number of internally displaced people (IDPs) was estimated at over 192,000.

Civilians have suffered a range of human rights abuses, including killings, the looting and burning of villages, destruction of fields, loss of livelihoods, sexual violence and the abduction and recruitment of children. In June 2010, CAR was one of six African countries that signed the N'Djamena Declaration to end the recruitment of children by all parties to the region's conflicts. The country is also now a signatory to the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict (OPAC).

International peacekeeping forces have had little impact in areas affected by internal displacement. They were deployed in small numbers and without a mandate to engage criminal gangs. Nevertheless the government of CAR fears that the security situation in the north-east of the country will get worse with the scheduled withdrawal of UN peacekeeping troops, due to be completed by the end of the year. The latest wave of attacks highlights the fragility of the peace process and raises serious concerns about stability in the run-up to the presidential election scheduled for 23 January 2011.

Background and causes of displacement

Of Africa's 11.6 million internally displaced people (IDPs), three million live in the regional conflict triangle made up of the Central African Republic (CAR), Chad and Sudan. The triangle is characterised by inter-related armed conflicts, high levels of insecurity despite the presence of international peacekeeping troops, the widespread availability of small arms, and forced displacement within and across borders. The three countries were included on a 2010 list of the world's top ten failed states (Fund for Peace, 21 June 2010).

Internal armed conflict and the overspill of fighting from neighbouring countries has caused successive waves of violence in CAR since 2003, leaving the country with some of the worst humanitarian indicators in the world. It is ranked 159th out of 169 countries on the 2010 Human Development Index (UNDP, 4 November 2010), and six per cent of its population dies every year – a rate four times higher than in any other African country (Foreign Policy, 3 August 2010). One in five children die before their fifth birthday, 60 per cent of the population do not have access to potable water or basic sanitation, and 62 per cent live on less than \$1.25 a day (OCHA, 14 July 2010). The humanitarian crisis in CAR was ranked the world's fourth most under-funded and ignored in 2010 (UN Dispatch, 23 August 2010).

President François Bozizé seized power in a 2003 military coup supported by the government of Chad (Small Arms Survey, December 2008), and after leading a two-year transitional government he won the 2005 presidential election with 64 per cent of the vote (Xinhuanet, 25 May 2005). The

new government failed, however, to develop the north of the country either economically or socially. This fuelled resentment and led to armed conflict between government forces and two main rebels groups in the north-west of the country along the border with Chad – the Popular Army for the Restoration of Democracy (*Armée Populaire pour la Restauration de la Démocratie* or APRD) and the Central African Democratic Front (*Front Démocratique du Peuple Centrafricaine* or FDPC); and one in the north-east of the country along the border with Sudan – the Union of Democratic Forces for Unity (*Union des Forces Démocratiques pour le Rassemblement* or UFDR) (HRW, 14 September 2007). The fighting lasted until mid-2008 and caused the displacement of more than 300,000 people, either across the border into neighbouring Cameroon and Chad, or within CAR, where those who fled sought refuge with impoverished host communities or in the fields and forests without access to basic services.

Criminal gangs known as *coupeurs de route* or *zaraguina* attack the civilian population and have also caused significant displacement. The gangs have acted with impunity, taking advantage of government forces overstretched in the wake of the conflict. In 2008, the UN estimated that a third of all IDPs in CAR had been displaced by criminal gangs (OCHA, November 2008). The state's inability to control its territory has also made CAR a base for foreign armed groups. Uganda's Lord's Resistance Army (LRA) has killed at least 2,000 civilians and abducted another 3,000 in the region since September 2008 (HRW, 11 November 2010).

Peacekeeping operations, peace agreements and presidential elections

Peacekeeping operations

International peacekeeping forces have had little impact in areas of internal displacement. They have been deployed in small numbers, and without a mandate to engage criminal gangs. The Multinational Force in the Central African Republic (*Force Multinationale en Centrafrique* or FOMUC) was deployed in CAR from 2002 to 2008 with a mandate to provide security by patrolling main roads. It was a regional peacekeeping force, funded by the European Union and France, and made up of troops from Central African Economic and Monetary Community member states including Chad, Gabon and the Republic of Congo. However, it was only allocated 200 troops, its area of operations was limited to three towns in the north, and it was not authorised to patrol more than ten kilometres from the centre of each town. In July 2008, FOMUC was replaced by the Mission for the Consolidation of Peace (*Mission de Consolidation de la Paix en Centrafrique* or MICOPAX). Troop numbers were increased to 700, but the force's operational area was not expanded (ICG, 9 December 2008).

In 2007, the UN Security Council authorised the creation of MINURCAT, a joint UN mission to CAR and Chad, in response to the growing levels of insecurity and human rights abuses in both countries. It also approved the deployment of European Union troops (EUFOR) to protect IDPs and refugees affected by the overspill of violence from Darfur, and to safeguard the delivery of humanitarian assistance. The force's impact was limited, however, as less than 200 troops were deployed, and they were sent to north-east CAR near the border with Sudan, while criminal gangs operated predominantly in the north-west, where IDPs were concentrated.

EUFOR was replaced by MINURCAT troops in March 2009, and the mandate of the new force was extended by one year (UN SC, 14 January 2009). The UN Security Council authorised the deployment of 5,200 troops, but MINURCAT never reached more than half of its operational capacity (UN SC, 14 October 2009) due to a lack of funds and problems faced by contributing countries in equipping their troops. In early 2010, President Idriss Déby of Chad called for the withdrawal of MINURCAT troops, alleging that the force had been slow to deploy and had failed to protect civilians or build promised infrastructure projects (ISN, 18 May 2010). In May 2010, the UN Security Council adopted Resolution 1923, approving the withdrawal of all MINURCAT troops and their civilian support from CAR and Chad by the end of the year (UN SC, 25 May 2010).

There are only 296 MINURCAT peacekeepers deployed in CAR, but the government credits them with having protected civilians and secured the delivery of humanitarian assistance (UN News Service, 8 June 2010). President Bozizé has asked the Security Council for continued UN help after the withdrawal of MINURCAT troops (Reuters, 10 August 2010). The head of MINURCAT has said that an urgent solution must be found to fill the security vacuum that the departure of his troops will leave in the north-east of the country (UN News Service, 10 August 2010). Government forces lack the military equipment and logistics to provide effective protection and security.

Peace agreements

Following individual ceasefire agreements with the APRD and UFDR, the government of CAR and all the country's rebel groups signed the Libreville Comprehensive Peace Agreement in June 2008. The Agreement required the government to pass a general amnesty law and to undertake the demobilisation, disarmament and reintegration (DDR) of ex-combatants. These efforts paved the way for further talks in CAR's capital Bangui in December 2008, mediated by Gabon's President Omar Bongo. Both political and armed opposition groups participated in a process known as the "inclusive political dialogue", which led to an agreement to form a unity government including APRD and UFDR leaders in January 2009 (UNICEF, January 2009). Former president Ange-Felix Patassé, overthrown by Bozizé in 2003, returned from exile to participate in the process and announced that he would run as an independent candidate in the upcoming presidential election (Reuters AlertNet, 31 October 2009).

The various peace agreements and the prospect of a new government led to a marked decrease in fighting in the second half of 2008, but a splinter rebel group emerged which challenged the DDR process and accused the government of failing to uphold its power-sharing agreements (ICG, 12 January 2010). In November 2009, the Convention of Patriots for Justice and Peace (*Convention des Patriotes pour la Justice et la Paix* or CPJP) seized the northern town of Ndélé, leading to clashes with the army and new displacement (BBC, 27 November 2009). The latest wave of attacks by the CPJP took place from June to October 2010 (HDPT, 9 November 2010), highlighting the fragility of the peace process and the lack of stability in the run-up to the presidential election, which has now been postponed until January 2011.

Presidential election

CAR's presidential election has been postponed four times in 2010. It was originally scheduled to take place on 25 April, but was delayed because the DDR process had not progressed as planned and voter registration lists were incomplete (AFP, 28 February 2010). Problems with the registration of candidates caused the second postponement, forcing the National Assembly to extend President Bozizé's term of office beyond June 2010 (UN DPI, 20 September 2010). The two latest postponements were the result of the ongoing violence in the north.

The election is currently set to take place on 23 January 2011. The two primary contenders, Bozizé and Patassé, are both tainted by appalling human rights records, including killings and sexual violence perpetrated by troops under their command (Foreign Policy, 3 August 2010). The former defence minister turned rebel Jean-Jacques Deïmafouth, who is now deputy head of the national DDR programme, is a possible third candidate (AFP, 2 August 2010).

Displaced population movement and figures

Nearly eight per cent of CAR's 4.5 million people are either internally displaced or living as refugees outside the country, and the number fleeing has continued to increase during 2010. As of November, the UN estimated the number of IDPs at over 192,000 and the number of Central

African refugees living in Cameroon and Chad at 162,000. CAR also hosts more than 31,000 refugees from the Democratic Republic of Congo (DRC) and Sudan (OCHA, 14 July 2010).

These population movements reveal a worrying trend of increasing violence and renewed displacements. As reported by the former UN secretary general's representative on IDPs' human rights, "efforts to build sustainable peace will be weakened as long as entire communities remain displaced and in despair" (UN News Service, 28 July 2010).

Physical security and basic necessities of life

Since 2005, all parties to CAR's conflict have subjected civilians to a range of human rights abuses, including killings, the looting and burning of villages, destruction of fields, loss of livelihoods, sexual violence, and the abduction and recruitment of children. Government forces committed atrocities until late 2007 in retaliation for civilians' support of rebel groups. As the de facto authorities in some areas, these groups in turn punished civilians if they felt their authority was not respected. Criminal gangs have committed atrocities for financial gain, and self-defence militias created with government support in response to attacks by criminal gangs have recruited children to their ranks (IDMC, November 2008).

IDPs' living conditions in CAR are very different from those in neighbouring countries. Most have dispersed to remote rural towns after long periods living rough in the bush, and they rely almost entirely on their host communities for support. Those still living in the bush receive no humanitarian assistance because of problems of access. In these cases, protection monitoring remains challenging (UNHCR, June 2010), and the difficulty in obtaining accurate displacement figures is yet another obstacle to providing much-needed services to IDPs. Given that IDPs are scattered over very large areas, the "protection by presence" strategies of humanitarian agencies are largely ineffective.

The UN identifies humanitarian priorities in CAR as food security, health, protection, water, sanitation and hygiene, and education (OCHA, 14 July 2010). These pressing needs affect IDPs, refugees, returnees and local host communities alike (ECHO, July 2010). The worsening security situation in 2010 has restricted people's ability to farm, adding to food insecurity. According to the ICRC: "There is plenty of fertile land in the region but violence is interfering with traditional ways of life such as agriculture, hunting and fishing, with farmers often afraid to stray far from town to work their fields for fear of attack. This has reduced production, pushing up prices to the point at which not everyone can afford to buy food, even when it's available" (IRIN, 12 November 2010). The ICRC will distribute food to about 55,000 people until mid-December in areas where the LRA has been active.

National and international responses

National response

Until 2009, the Ministry of Social Affairs was the government office charged with coordinating assistance to IDPs. However, it had neither the funds nor the capacity to respond to their needs. In 2009, CAR's high commissioner for human rights and good governance created the National Standing Committee for IDPs (*Comité National Permanent de Concertation et de Coordination pour la Gestion de la Protection des Droits des Personnes Déplacées*) to coordinate a national response to internal displacement (Office of the President of the Central African Republic, 24 June 2009).

While the government has been unable to assist IDPs, it has given international humanitarian organisations unimpeded access to displaced communities and has allowed them to operate freely in the country. It has allowed UN agencies and NGOs to run rule-of-law projects with local

authorities, security forces and even armed opposition groups such as the APRD. These have included workshops on human rights principles and the protection of IDPs. In July 2010, the government and civil society organisations took part in a workshop on the development of a national legal and institutional framework to address internal displacement (UN GA, 11 August 2010).

In June 2010, CAR was one of six African countries to sign the N'Djamena Declaration, a binding legal document aimed at ending the recruitment of children by all parties to the region's conflicts (HDPT, 14 June 2010). The other five countries were Cameroon, Chad, Niger, Nigeria, and Sudan. CAR also signed the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict (OPAC) in September 2010 (UN News Centre, 27 September 2010).

CAR is also a signatory to the Pact on Security, Stability and Development in Africa's Great Lakes (known as the Great Lakes Pact), which commits member states to incorporating the UN Guiding Principles on Internal Displacement into domestic law and to creating a practical framework for their implementation (ICGLR, 14-15 December 2006).

In October 2009, the African Union adopted the Convention for the Protection and Assistance of Internally Displaced Persons in Africa (known as the Kampala Convention), the first legally binding regional measure to protect IDPs' rights. The convention, however, will not come into force until it is ratified by at least 15 states. CAR is still to become a signatory, though the prime minister's office and UNHCR did hold a meeting for members of parliament in October 2010 to examine the convention with a view to ratification (HDPT, 9 November 2010).

In November 2010, eight countries in central Africa, including CAR, signed a convention to limit the spread of small and light-calibre weapons in one of the world's most volatile regions. Known as the Kinshasa Convention, it will come into force after ratification by six member states. The other seven signatories of the convention are Angola, Cameroon, Chad, Democratic Republic of Congo (DRC), Gabon, Republic of Congo, and Sao Tome and Principe (IRIN, 22 November 2010).

International response

UN agencies and international NGOs have provided protection and assistance to conflict-affected communities in CAR. Some have also worked on early recovery and development programmes. The cluster system, a coordination mechanism designed to improve humanitarian organisations' ability to protect and assist IDPs, was introduced in CAR in August 2007. Ten clusters now operate, including a protection cluster led by UNHCR (OCHA, 14 July 2010).

Humanitarian projects nevertheless remain severely underfunded. As of November 2010, only 43 per cent of the \$149 million requested in the revised 2010 Consolidated Appeals Process (CAP) was funded, compared with 68 per cent of the \$116 million requested last year (OCHA, 30 November 2009). The health, protection and education sectors were only 17 per cent, 29 per cent and 37 per cent funded respectively (OCHA, 12 November 2010).

The Central Emergency Response Fund (CERF) has allocated UN agencies more than \$3 million to assist 500,000 people affected by the ongoing conflict (CERF, 14 October 2010). The UN Peacebuilding Commission has also allocated \$20 million to support security sector reform, economic revitalisation and rule of law programmes (UN News Service, 4 February 2010). This is in addition to the \$10 million CAR received from the same body last year to kickstart efforts to build a lasting peace.

As required by UN Security Council resolution 1612, the UN country team in CAR established a task force on children and armed conflict in 2008. The task force is meant to implement a monitoring and reporting mechanism on six violations against children: killing or maiming, recruitment as soldiers, attacks against schools or hospitals, rape or other grave sexual violence, abduction, and denial of humanitarian access. While the task force has been slow to submit reports to the UN Security Council, it is taking steps to move the process forward. For example, UNICEF did conduct a workshop in September 2010 to train organisations that advocate for children's rights in the monitoring and reporting of violations. The workshop included training on interviewing children and their families while ensuring confidentiality and security (HDPT, 12 October 2010).

In October 2010, Ministers from CAR, DRC, Sudan and Uganda met in Bangui to set up a joint military task force under the supervision of the African Union to pursue the LRA across the region's vast and porous borders (OpenDemocracy, 18 October 2010). The US Congress also passed legislation requiring the US government to adopt a comprehensive strategy to help governments in the region disarm the LRA and protect civilians. The law calls for the coordination of US diplomatic, economic, intelligence and military efforts, as well as increased humanitarian aid to affected populations (Sudan Tribune, 14 May 2010).

RÉSUMÉ DU PROFIL EN FRANÇAIS

A la veille du retrait des troupes de l'ONU et de l'élection présidentielle la sécurité reste fragile

Entre 2005 et 2008, le conflit armé opposant les forces gouvernementales à plusieurs groupes armés dans le Nord de la République centrafricaine (RCA) a provoqué le déplacement interne de plus de 200 000 personnes. Suite à la signature d'accords de paix et de réconciliation, leur nombre est descendu à environ 108 000, mais, depuis 2009, des affrontements entre l'armée et un groupe d'insurgés dissident, et les attaques contre les civils perpétrées par l'Armée de résistance du Seigneur (Lord's Resistance Army) ont provoqué une nouvelle vague de déplacements. En novembre 2010, le nombre de personnes déplacées internes (PDI) était estimé à plus de 192 000 personnes.

Les civils ont souffert d'une série de violations des droits de l'homme, parmi lesquelles des meurtres, le pillage et l'incendie des villages, la destruction des champs, la perte des moyens d'existence, la violence sexuelle ainsi que l'enlèvement et le recrutement d'enfants. En juin 2010, la RCA a été parmi les six pays africains à signer la Déclaration de N'Djamena sur les enfants soldats qui vise à mettre fin au recrutement et à l'utilisation d'enfants par toutes les parties à des conflits de la région. Le pays a également récemment signé le Protocole facultatif à la Convention relative aux droits de l'enfant concernant l'implication d'enfants dans les conflits armés (OPAC).

Les forces de maintien de la paix internationales ont eu peu d'impact dans les zones touchées par le déplacement interne. Elles ont été déployées en petit nombre et sans mandat pour s'occuper des bandes criminelles. Néanmoins, le gouvernement de la RCA craint que la situation sécuritaire dans le nord-est du pays se détériore avec le retrait prévu des troupes de maintien de l'ONU, qui devrait être achevé d'ici la fin de l'année. La dernière vague d'attaques met en lumière la fragilité du processus de paix et soulève de graves préoccupations quant à la stabilité dans la perspective de l'élection présidentielle fixée au 23 janvier 2011.

Contexte et causes de déplacement

Sur les 11.6 millions de personnes déplacées internes (PDI) en Afrique, trois millions vivent dans le « triangle des conflits » régional formé par l'Est du Tchad, le Darfour et le Nord de la République Centrafricaine (RCA). Le triangle est caractérisé par des conflits armés interdépendants, des niveaux d'insécurité élevés malgré la présence des troupes internationales de maintien de la paix, la présence généralisée d'armes légères et des déplacements forcés à l'intérieur et au-delà des frontières. En 2010, les trois pays ont été classés parmi les dix pays les plus « faillis » du monde (Fund for Peace, 21 juin 2010).

Depuis 2003, le conflit armé interne et les incursions des mouvements armés depuis les pays voisins ont provoqué des vagues successives de violence en RCA. Le pays a ainsi accumulé certains des pires indicateurs humanitaires au monde. Il est classé 159ème sur 169 pays selon l'indice 2010 du développement humain (PNUD, 4 novembre 2010), et six pour cent de sa population meurt chaque année - un taux quatre fois plus élevé que dans tout autre pays africain (Foreign Policy, 3 août 2010). Un enfant sur cinq meurt avant son cinquième anniversaire, 60 pour cent de la population n'a pas accès à l'eau potable ou à des installations sanitaires de base, et 62 pour cent de la population vit avec moins de 1,25 dollars par jour (OCHA, 14 juillet 2010). En 2010, la crise humanitaire en RCA a été classée comme la 4ème crise humanitaire dans le monde la plus sous financée et ignorée (UN Dispatch, 23 août 2010).

En 2003, le président François Bozizé s'est emparé du pouvoir suite à un coup d'Etat militaire, avec le soutien du gouvernement tchadien (Small Arms Survey, décembre 2008). Après avoir dirigé un gouvernement de transition pendant deux ans, François Bozizé a gagné les élections présidentielles de 2005 avec 64 pour cent des voix (Xinhuanet, 25 mai 2005). Cependant, le peu d'intérêt montré par le nouveau gouvernement pour développer le Nord du pays que ce soit au niveau économique ou social a alimenté le ressentiment parmi la population, débouchant sur un conflit armé interne entre les forces du gouvernement et trois principaux groupes rebelles : l'Armée populaire pour la restauration de la démocratie (APRD) et le Front démocratique du peuple centrafricain (FDPC), tous deux basés au nord-ouest de la RCA, le long de la frontière tchadienne, ainsi que l'Union des forces démocratiques pour le rassemblement (UFDR), basée au nord-est, le long de la frontière avec le Soudan (HRW, 14 septembre 2007). Les combats ont duré jusqu'au milieu de l'année 2008 et ont entraîné le déplacement de plus de 300 000 personnes, qui ont été forcées soit de fuir vers le Cameroun ou le Tchad voisins, soit de s'abriter en RCA, dans les champs et les forêts sans accès aux services de base, ou auprès des communautés d'accueil indigentes.

Les bandes criminelles connues sous le nom de coupeurs de route ou « zaraguina » ont attaqué la population civile et également provoqué des déplacements importants. Les bandes ont agi en toute impunité, en tirant parti du fait que les forces du gouvernement étaient mobilisées par le conflit. En 2008, l'ONU estimait qu'un tiers des personnes déplacées en RCA avaient été déplacées par des bandes criminelles (OCHA, novembre 2008). L'incapacité de l'État de contrôler son territoire a également fait de la RCA une base pour des groupes armés étrangers. L'Armée ougandaise de résistance du Seigneur (LRA) a tué au moins 2 000 civils et enlevé au moins 3000 personnes dans la région depuis septembre 2008 (HRW, 11 novembre 2010).

Opérations de maintien de la paix, accords de paix et élections présidentielles

Opérations de maintien de la paix

Les forces de maintien de la paix internationales ont eu peu d'impact dans les zones de déplacement interne. Elles ont été déployées en petit nombre, et sans mandat pour s'occuper des bandes criminelles. La Force multinationale en Centrafrique (FOMUC) a été déployée en République centrafricaine de 2002 à 2008 avec pour mandat d'assurer la sécurité en patrouillant sur les routes principales. Il s'agissait d'une force de maintien de la paix régionale, financée par l'Union européenne et la France, et composée de troupes d'États appartenant à la Communauté

Économique et Monétaire de l'Afrique Centrale (CEMAC), dont le Tchad, le Gabon et la République du Congo. Cependant, seuls 200 soldats lui ont été alloués, sa zone d'opération a été limitée à trois villes du Nord, et elle n'était pas autorisée à patrouiller à plus de dix kilomètres du centre de chaque ville. En juillet 2008, la FOMUC a été remplacée par la Mission de Consolidation de la Paix en Centrafrique (MICOPAX). Le nombre de soldats a été augmenté à 700, mais la zone opérationnelle de la force n'a pas été élargie (ICG, 9 décembre 2008).

En 2007, en réponse à des niveaux croissants d'insécurité et de violations des droits de l'homme dans les deux pays, le Conseil de sécurité a autorisé la création de la MINURCAT, une mission conjointe des Nations Unies en République centrafricaine et au Tchad. Il a également approuvé le déploiement de troupes de l'Union européenne (EUFOR) pour protéger les personnes déplacées et les réfugiés touchés par les conséquences de la violence au Darfour, et pour faciliter l'acheminement de l'aide humanitaire. L'impact de la force a cependant été limité, moins de 200 troupes ont été déployées, et elles ont été envoyées au nord-est près de la frontière avec le Soudan, alors que les bandes criminelles agissaient principalement dans le nord-ouest, là où se trouvait la majorité des personnes déplacées.

L'EUFOR a été remplacée par les troupes de la MINURCAT en mars 2009, et le mandat de la nouvelle force a été prolongé d'un an (CSNU, 14 janvier 2009). Le Conseil de sécurité a autorisé le déploiement de 5 200 soldats, mais la MINURCAT n'a jamais atteint plus de la moitié de sa capacité opérationnelle (CSNU, 14 octobre 2009) en raison d'un manque de financement et de problèmes rencontrés par les pays contributeurs dans l'équipement et le transport de leurs troupes. Début 2010, le président Idriss Déby du Tchad a demandé le retrait des troupes de la MINURCAT, alléguant que la force avait été trop lente à se déployer et qu'elle n'avait pas réussi à protéger les civils ou à construire les projets d'infrastructure promis (ISN, 18 mai 2010). En mai 2010, le Conseil de sécurité a adopté la résolution 1923, approuvant le retrait de toutes les troupes de la MINURCAT et de leur soutien civil de la RCA et du Tchad d'ici la fin de l'année (CSNU, 25 mai 2010).

Seuls 296 casques bleus ont été déployés par la MINURCAT en RCA, mais le gouvernement considère qu'ils ont été efficaces dans la protection des civils et la facilitation de l'acheminement de l'aide humanitaire (Centre d'actualités de l'ONU, 8 juin 2010). Le Président Bozizé a demandé au Conseil de sécurité des Nations Unies de continuer à fournir une aide après le retrait des troupes de la MINURCAT (Reuters, 10 août 2010). Pour le chef de la MINURCAT, une solution urgente doit être trouvée pour combler le vide sécuritaire que le départ de ses troupes provoquera dans le nord-est du pays (Centre d'actualités de l'ONU, 10 août 2010). Les forces gouvernementales ne disposent pas des équipements militaires et de la logistique nécessaires pour assurer une protection et sécurité efficaces.

Les accords de paix

En juin 2008, suite aux accords de cessez-le-feu signés avec l'APRD et l'UFDR, le gouvernement de la RCA et tous les groupes rebelles du pays ont signé l'Accord de paix global de Libreville. L'accord exige du gouvernement qu'il adopte une loi d'amnistie générale et qu'il procède à la démobilisation, désarmement et réinsertion (DDR) des anciens combattants. Ces efforts ont ouvert la voie à de nouveaux pourparlers de paix qui ont eu lieu en décembre 2008 à Bangui, capitale de la RCA, sous les auspices du Président du Gabon Omar Bongo. L'opposition politique et armée a participé à un processus connu sous le nom de « dialogue politique inclusif », qui a abouti à un accord en janvier 2009 pour former un gouvernement d'unité incluant des chefs de l'APRD et de l'UFDR (UNICEF, janvier 2009). L'ancien président Ange-Félix Patassé, renversé par François Bozizé en 2003 est rentré de son exil pour participer au processus de paix et a annoncé qu'il se présentera comme candidat indépendant lors des prochaines élections présidentielles (Reuters AlertNet, 31 octobre 2009).

Les différents accords de paix et la perspective d'un nouveau gouvernement ont conduit à une diminution marquée des combats dans la seconde moitié de 2008, mais, un nouveau groupe d'insurgés est apparu remettant en cause le processus de DDR et accusant le gouvernement de ne pas respecter les accords de partage du pouvoir (ICG, 12 janvier 2010). En novembre 2009, la Convention des patriotes pour la justice et la paix (CPJP) s'est emparée de la ville de Ndélé, dans le Nord, conduisant à des affrontements avec l'armée et à de nouveaux déplacements (BBC, 27 novembre 2009). La dernière vague d'attaques de la CPJP a eu lieu de juin à octobre 2010 (HDPT, 9 novembre 2010), mettant en évidence la fragilité du processus de paix et le manque de stabilité dans la perspective de l'élection présidentielle, qui a maintenant été reportée au mois de janvier 2011.

Election présidentielle

L'élection présidentielle en RCA a été reportée à quatre reprises en 2010. Elle devait au départ avoir lieu le 25 avril, mais elle a été retardée parce que le processus de DDR n'avait pas avancé comme prévu et que les listes électorales étaient incomplètes (AFP, 28 février 2010). Des problèmes dans l'enregistrement des candidats ont entraîné le deuxième report, forçant l'Assemblée nationale à prolonger le mandat du Président Bozizé au-delà de juin 2010 (UN DPI, 20 septembre 2010). Les deux derniers reports ont été provoqués par la poursuite des violences dans le Nord.

L'élection est actuellement fixée au 23 janvier 2011. Les deux principaux candidats, M. Bozizé et M. Patassé, sont tous deux commis de graves violations des droits de l'homme, y compris des exécutions et violences sexuelles perpétrées par les troupes sous leur commandement (Foreign Policy, 3 août 2010). L'ancien ministre de la Défense devenu insurgé M. Jean-Jacques Démafouth, qui est maintenant directeur adjoint du programme national de DDR, pourrait être un troisième candidat (AFP, 2 août 2010).

Mouvements et chiffres du déplacement

Près de huit pour cent de la population de la RCA s'élevant à 4,5 millions de personnes est déplacée à l'intérieur du pays ou réfugiée à l'extérieur du pays. Le nombre de personnes fuyant le pays a continué d'augmenter en 2010. En novembre, l'ONU a estimé le nombre de personnes déplacées à plus de 192 000 et le nombre de réfugiés centrafricains vivant au Cameroun et au Tchad à 162 000. La RCA accueille également plus de 31 000 réfugiés de la République démocratique du Congo (RDC) et du Soudan (OCHA, 14 juillet 2010).

Ces mouvements de population révèlent une tendance inquiétante de violence et de déplacements accrus. Comme indiqué par l'ancien Représentant du Secrétaire général des Nations Unies sur les droits de l'homme des personnes déplacées «Les efforts pour construire une paix durable seront affaiblis tant que des communautés entières restent déplacées et dans le désespoir » (Centre d'actualités de l'ONU, 28 juillet 2010).

Besoins d'assistance et de protection des personnes déplacées

Depuis 2005, toutes les parties au conflit en RCA ont fait subir aux civils une série de violations des droits de l'homme, parmi lesquelles des meurtres, le pillage et l'incendie des villages, la destruction des champs, la perte des moyens d'existence, la violence sexuelle ainsi que l'enlèvement et le recrutement d'enfants. Les forces gouvernementales ont commis des atrocités jusqu'à la fin de l'année 2007, en représailles pour le soutien apporté par des civils aux groupes rebelles. En tant qu'autorités *de facto* dans certaines régions, ces groupes ont à leur tour puni les civils lorsqu'ils avaient l'impression que leur autorité n'était pas respectée. Les bandes criminelles ont commis des atrocités pour leur profit, et les milices d'autodéfense créées avec le soutien du

gouvernement en réponse aux attaques par des bandes criminelles ont recruté des enfants (IDMC, novembre 2008).

Les conditions de vie des personnes déplacées en RCA sont très différentes de celles des pays voisins. La plupart se sont dispersées dans des villes rurales isolées après avoir vécu pendant des périodes prolongées dans la brousse, et sont presque entièrement tributaires de leurs communautés d'accueil. Les personnes qui vivent encore dans la brousse ne reçoivent aucune aide humanitaire à cause des difficultés d'accès. Dans ces cas, le suivi de la protection reste difficile (HCR, juin 2010), et la difficulté d'obtenir des chiffres exacts de déplacement est encore un autre obstacle à la fourniture des services essentiels aux personnes déplacées. Étant donné que les personnes déplacées sont éparpillées sur de très vastes régions, la stratégie de "protection par la présence" des agences humanitaires est largement inefficace.

Les priorités humanitaires identifiées par l'ONU en RCA sont la sécurité alimentaire, la santé, la protection, l'eau, l'assainissement et l'hygiène, et l'éducation (OCHA, 14 juillet 2010). Ces besoins pressants touchent aussi bien les personnes déplacées que les réfugiés, les rapatriés et les communautés locales d'accueil (ECHO, juillet 2010). La détérioration de la sécurité en 2010 a limité la capacité des personnes à cultiver les terres, ajoutant à l'insécurité alimentaire. Selon le CICR: « Les terres fertiles ne manquent pas dans la région, mais la violence perturbe les modes de vie traditionnels comme l'agriculture, la chasse et la pêche, et les fermiers ont souvent peur de s'éloigner des villes pour travailler leurs champs, car ils craignent de se faire attaquer. Cela a réduit la production et poussé les prix à la hausse à tel point que tout le monde n'a pas les moyens d'acheter de la nourriture, même lorsque celle-ci est disponible» (IRIN, 15 novembre 2010). Le CICR va distribuer de la nourriture à environ 55 000 personnes d'ici la mi-décembre dans les régions où la LRA a été active.

Réponses nationales et internationales

La réponse nationale

Jusqu'en 2009, le Ministère des Affaires sociales était le bureau gouvernemental en charge de la coordination de l'aide aux personnes déplacées. Cependant, il manquait de financements et n'avait pas la capacité de répondre aux besoins. En 2009, le Haut Commissaire de la RCA aux droits de l'homme et à la bonne gouvernance a créé le Comité National Permanent de Concertation et de Coordination Pour la Gestion de la Protection des Droits des Personnes Déplacées afin de coordonner l'intervention nationale pour les déplacements internes (Bureau du Président de la République centrafricaine, 24 juin 2009).

Même si le gouvernement s'est montré incapable de fournir une aide aux personnes déplacées, il a donné aux organisations humanitaires un libre accès aux personnes déplacées et leur a permis d'agir librement dans le pays. Il a permis aux agences des Nations Unies et aux ONG de mettre en place des activités de promotion de l'état de droit, tels que des ateliers sur les principes des droits de l'homme et la protection des personnes déplacées pour les autorités locales, les forces de sécurité et même des groupes d'opposition armés tels que l'APRD. En juillet 2010, le gouvernement et les organisations de la société civile ont participé à un atelier sur l'élaboration d'un cadre juridique et institutionnel national visant à résoudre les problèmes de déplacement interne (AGNU, le 11 août 2010).

En juin 2010, la RCA a été l'un des six pays africains à signer la Déclaration de N'Djamena, un instrument juridiquement contraignant visant à mettre fin au recrutement d'enfants par toutes les parties à des conflits de la région (HDPT, 14 juin 2010). Les cinq autres pays sont le Cameroun, le Tchad, le Niger, le Nigeria et le Soudan. La RCA a également signé le Protocole facultatif à la Convention relative aux droits de l'enfant concernant l'implication d'enfants dans les conflits armés (OPAC) en septembre 2010 (Centre d'actualités de l'ONU, 27 septembre 2010).

La RCA est également signataire du Pacte sur la sécurité, la stabilité et le développement dans la Région des Grands Lacs (Pacte des Grands Lacs), qui engage les Etats membres à incorporer les Principes directeurs des Nations Unies sur le déplacement interne dans leur droit interne et à adopter un cadre pratique pour leur mise en œuvre (CIRGL, 14-15 décembre 2006).

En octobre 2009, l'Union africaine a adopté la Convention sur la protection et l'assistance des personnes déplacées en Afrique (Convention de Kampala), le premier instrument régional juridiquement contraignant pour la protection des droits des personnes déplacées. La Convention ne peut entrer en vigueur avant d'être ratifiée par au moins 15 Etats. La RCA ne figure toujours pas parmi les signataires. En octobre 2010, le bureau du Premier ministre et le HCR ont organisé une réunion pour les membres du Parlement afin d'examiner la Convention en vue de la ratification (HDPT, 9 novembre 2010).

En novembre 2010, huit pays d'Afrique centrale, y compris la RCA, ont signé la Convention sur le contrôle de la circulation des armes légères et de petit calibre dans l'une des régions les plus instables du monde. Connue sous le nom de Convention de Kinshasa, elle entrera en vigueur après sa ratification par six Etats parties. Les sept autres signataires de la Convention sont l'Angola, le Cameroun, le Tchad, la République démocratique du Congo (RDC), le Gabon, la République du Congo et Sao Tomé et Príncipe (IRIN, 22 novembre 2010).

La réponse internationale

Les agences de l'ONU et les ONG internationales ont fourni de l'aide et de la protection aux communautés touchées par le conflit en RCA. Certaines ont également travaillé sur des programmes de relèvement rapide et de développement. Le système de groupes sectoriels ou *clusters*, un mécanisme de coordination visant à améliorer la capacité des organisations humanitaires pour protéger et aider les personnes déplacées, a été introduit en RCA en août 2007. Dix groupes fonctionnent maintenant, y compris un groupe de protection dirigé par le HCR (OCHA, 14 juillet 2010).

Les programmes d'aide humanitaire sont néanmoins encore très insuffisamment financés. En novembre 2010, seulement 43 pour cent des 149 millions de dollars demandés dans le Processus d'appel global révisé 2010 (CAP) étaient financés par rapport aux 68 pour cent des 116 millions de dollars demandés l'an dernier (OCHA, 30 novembre 2009). Les secteurs de la santé, de la protection et de l'éducation étaient seulement financés à 17 pour cent, 29 pour cent et 37 pour cent respectivement (OCHA, 12 novembre 2010).

Le Fonds central d'intervention d'urgences humanitaires (CERF) a alloué aux agences des Nations Unies plus de 3 millions de dollars pour aider 500 000 personnes touchées par le conflit en cours (CERF, 14 octobre 2010). Le Fonds pour la consolidation de la paix a également alloué 20 millions de dollars pour soutenir des programmes de réforme du secteur de la sécurité, la revitalisation économique et l'état de droit (Centre d'actualités de l'ONU, 4 février 2010). Ceci s'ajoute aux 10 millions de dollars reçus par la CAR de ce même organisme l'an dernier pour relancer le processus de consolidation de la paix.

Tel que requis par la résolution 1612 de l'ONU, l'équipe pays des Nations Unies en RCA a établi un groupe de travail sur les enfants et les conflits armés en 2008. Le groupe de travail vise à mettre en œuvre un mécanisme de surveillance et de rapports sur six violations: le meurtre ou la mutilation, le recrutement comme soldats, les attaques contre des écoles ou des hôpitaux, des viols ou autres violences sexuelles graves, les enlèvements et le déni d'accès humanitaire. Le groupe de travail a été lent à présenter des rapports au Conseil de sécurité de l'ONU, mais il prend des mesures pour faire avancer le processus. Par exemple, en septembre 2010 l'UNICEF a organisé un atelier pour former les organisations qui militent pour les droits des enfants dans le

suivi et le signalement des violations. L'atelier comprenait une formation sur les entretiens avec les enfants et leurs familles tout en assurant la confidentialité et la sécurité (HDPT, 12 octobre 2010).

En octobre 2010, les ministres de la RCA, de la RDC, du Soudan et de l'Ouganda se sont réunis à Bangui pour mettre en place un groupe de travail militaire conjoint, sous la supervision de l'Union africaine afin de poursuivre la LRA à travers les frontières vastes et poreuses de la région (OpenDemocracy, 18 octobre 2010). Le Congrès américain a également promulgué une loi obligeant le gouvernement américain à adopter une stratégie globale pour aider les gouvernements dans la région à désarmer la LRA et protéger les civils. La loi prévoit la coordination des efforts diplomatiques, économiques, de renseignement et militaires des Etats-Unis ainsi qu'une augmentation de l'aide humanitaire aux populations touchées (Sudan Tribune, 14 mai 2010).

CAUSES AND BACKGROUND

Background

Geo-political context

Of Africa's 11.6 million internally displaced people (IDPs), three million live in the regional conflict triangle made up of the Central African Republic (CAR), Chad and Sudan. The triangle is characterised by inter-related armed conflicts, high levels of insecurity despite the presence of international peacekeeping troops, the widespread availability of small arms, and forced displacement within and across borders. The three countries were included on a 2010 list of the world's top ten failed states (Fund for Peace, 21 June 2010).

Internal armed conflict and the overspill of fighting from neighbouring countries has caused successive waves of violence in CAR since 2003, leaving the country with some of the worst humanitarian indicators in the world. It is ranked 159th out of 169 countries on the 2010 Human Development Index (UNDP, 4 November 2010), and six per cent of its population dies every year – a rate four times higher than in any other African country (Foreign Policy, 3 August 2010). One in five children die before their fifth birthday, 60 per cent of the population do not have access to potable water or basic sanitation, and 62 per cent live on less than \$1.25 a day (OCHA, 14 July 2010). The humanitarian crisis in CAR was ranked the world's fourth most under-funded and ignored in 2010 (UN Dispatch, 23 August 2010).

President François Bozizé seized power in a 2003 military coup supported by the government of Chad (Small Arms Survey, December 2008), and after leading a two-year transitional government he won the 2005 presidential election with 64 per cent of the vote (Xinhuanet, 25 May 2005). The new government failed, however, to develop the north of the country either economically or socially. This fuelled resentment and led to armed conflict between government forces and two main rebels groups in the north-west of the country along the border with Chad – the Popular Army for the Restoration of Democracy (*Armée Populaire pour la Restauration de la Démocratie* or APRD) and the Central African Democratic Front (*Front Démocratique du Peuple Centrafricaine* or FDPC); and one in the north-east of the country along the border with Sudan – the Union of Democratic Forces for Unity (*Union des Forces Démocratiques pour le Rassemblement* or UFDR) (HRW, 14 September 2007). The fighting lasted until mid-2008 and caused the displacement of more than 300,000 people, either across the border into neighbouring Cameroon and Chad, or within CAR, where those who fled sought refuge with impoverished host communities or in the fields and forests without access to basic services.

Criminal gangs known as *coupeurs de route* or *zaraguina* attack the civilian population and have also caused significant displacement. The gangs have acted with impunity, taking advantage of government forces overstretched in the wake of the conflict. In 2008, the UN estimated that a third of all IDPs in CAR had been displaced by criminal gangs (OCHA, November 2008). The state's inability to control its territory has also made CAR a base for foreign armed groups. Uganda's Lord's Resistance Army (LRA) has killed at least 2,000 civilians and abducted another 3,000 in the region since September 2008 (HRW, 11 November 2010).

Peacekeeping operations

International peacekeeping forces have had little impact in areas of internal displacement. They have been deployed in small numbers, and without a mandate to engage criminal gangs. The Multinational Force in the Central African Republic (*Force Multinationale en Centrafrique* or FOMUC) was deployed in CAR from 2002 to 2008 with a mandate to provide security by patrolling main roads. It was a regional peacekeeping force, funded by the European Union and France, and made up of troops from Central African Economic and Monetary Community member states including Chad, Gabon and the Republic of Congo. However, it was only allocated 200 troops, its area of operations was limited to three towns in the north, Bozoum, Kaga Bandoro and Paoua, and it was not authorised to patrol more than ten kilometres from the centre of each town. In July 2008, FOMUC was replaced by the Mission for the Consolidation of Peace (*Mission de Consolidation de la Paix en Centrafrique* or MICOPAX). Troop numbers were increased to 700, but the force's operational area was not expanded (ICG, 9 December 2008).

In 2007, the UN Security Council authorised the creation of MINURCAT, a joint UN mission to CAR and Chad, in response to the growing levels of insecurity and human rights abuses in both countries. It also approved the deployment of European Union troops (EUFOR) to protect IDPs and refugees affected by the overspill of violence from Darfur, and to safeguard the delivery of humanitarian assistance. The force's impact was limited, however, as less than 200 troops were deployed, and they were sent to north-east CAR near the border with Sudan, while criminal gangs operated predominantly in the north-west, where IDPs were concentrated.

EUFOR was replaced by MINURCAT troops in March 2009, and the mandate of the new force was extended by one year (UN SC, 14 January 2009). The UN Security Council authorised the deployment of 5,200 troops, but MINURCAT never reached more than half of its operational capacity (UN SC, 14 October 2009) due to a lack of funds and problems faced by contributing countries in equipping their troops. In early 2010, President Idriss Déby of Chad called for the withdrawal of MINURCAT troops, alleging that the force had been slow to deploy and had failed to protect civilians or build promised infrastructure projects (ISN, 18 May 2010). In May 2010, the UN Security Council adopted Resolution 1923, approving the withdrawal of all MINURCAT troops and their civilian support from CAR and Chad by the end of the year (UN SC, 25 May 2010).

There are only 296 MINURCAT peacekeepers deployed in CAR, but the government credits them with having protected civilians and secured the delivery of humanitarian assistance (UN News Service, 8 June 2010). President Bozizé has asked the Security Council for continued UN help after the withdrawal of MINURCAT troops (Reuters, 10 August 2010). The head of MINURCAT has said that an urgent solution must be found to fill the security vacuum that the departure of his troops will leave in the north-east of the country (UN News Centre, 10 August 2010). Government forces lack the military equipment and logistics to provide effective protection and security.

Peace agreements

Following individual ceasefire agreements with the APRD and UFDR, the government of CAR and all the country's rebel groups signed the Libreville Comprehensive Peace Agreement in June 2008. The Agreement required the government to pass a general amnesty law and to undertake the demobilisation, disarmament and reintegration (DDR) of ex-combatants. These efforts paved the way for further talks in CAR's capital Bangui in December 2008, mediated by Gabon's President Omar Bongo. Both political and armed opposition groups participated in a process known as the "inclusive political dialogue", which led to an agreement to form a unity government including APRD and UFDR leaders in January 2009 (UNICEF, January 2009). Former president

Ange-Félix Patassé, overthrown by Bozizé in 2003, returned from exile to participate in the process and announced that he would run as an independent candidate in the upcoming presidential election (Reuters AlertNet, 31 October 2009).

The various peace agreements and the prospect of a new government led to a marked decrease in fighting in the second half of 2008, but a splinter rebel group emerged which challenged the DDR process and accused the government of failing to uphold its power-sharing agreements (ICG, 12 January 2010). In November 2009, the Convention of Patriots for Justice and Peace (*Convention des Patriotes pour la Justice et la Paix* or CPJP) seized the northern town of Ndélé, leading to clashes with the army and new displacement (BBC, 27 November 2009). The latest wave of attacks by the CPJP took place from June to October 2010 (HDPT, 9 November 2010), highlighting the fragility of the peace process and the lack of stability in the run-up to the presidential election, which has now been postponed until January 2011.

CAR's presidential election has been postponed four times in 2010. It was originally scheduled to take place on 25 April, but was delayed because the DDR process had not progressed as planned and voter registration lists were incomplete (AFP, 28 February 2010). Problems with the registration of candidates caused the second postponement, forcing the National Assembly to extend President Bozize's term of office beyond June 2010 (UN DPI, 20 September 2010). The two latest postponements were the result of the ongoing violence in the north.

The election is currently set to take place on 23 January 2011. The two primary contenders, Bozizé and Patassé, are both tainted by appalling human rights records, including killings and sexual violence perpetrated by troops under their command (Foreign Policy, 3 August 2010). The former defence minister turned rebel Jean-Jacques Démafouth, who is now deputy head of the national DDR programme, is a possible third candidate (AFP, 2 August 2010).

Peacebuilding efforts

The UN Peacebuilding Support Office in CAR (BONUCA) was established in 2000 and headed by a Special Representative of the UN Secretary-General to support the government's efforts to consolidate peace and national reconciliation, strengthen democratic institutions, and mobilize international political support and resources for national reconstruction and economic recovery. In addition, BONUCA was tasked with promoting public awareness of human rights issues in the country and monitoring developments in the field of human rights (UN DPI, October 2000).

BONUCA was criticized by many in the UN for being weak on research, analysis, reporting, and development of policy lines (CIC, 10 November 2010). After calls for an overhaul of BONUCA, it was replaced in January 2010 by BINUCA, an integrated peacebuilding office mandated to better coordinate the UN's activities in CAR by integrating both the peacekeeping and the political missions in the country (UN DPA, October 2010). BINUCA's political mission faces two difficult security challenges: the withdrawal of MINURCAT troops by the end of 2010 and infiltration of the Lord's Resistance Army (LRA) into the south-east of the country where it has killed at least 2,000 civilians and abducted another 3,000 since September 2008 (HRW, 11 November 2010).

In June 2008, CAR became the fourth country to be placed on the agenda of the UN Peacebuilding Commission, which was set up to help countries emerging from conflict (HDPT, 16 June 2008). The Commission and the government of CAR have drafted a Strategic Framework for Peacebuilding in CAR, which serves as a road map for peacebuilding in the three priority areas on which the Commission and the government have decided to focus their joint attention: (1) security sector reform, including disarmament, demobilization and reintegration; (2) good

governance and rule of law; and (3) the establishment of local development hubs to stimulate the economy (PBC, 11 February 2010).

In February 2010, the Commission allocated \$20 million to support security sector reform, economic revitalisation and rule of law programmes (UN News Centre, 4 February 2010). This is in addition to the \$10 million CAR received from the Commission in 2009 to kickstart efforts to build lasting peace.

Disarmament, demobilization and reintegration (DDR)

The Libreville Comprehensive Peace Agreement signed in June 2008 by the government and the country's rebel groups, and peace talks known as the "inclusive political dialogue" held in Bangui in December 2008, required the government to undertake the demobilisation, disarmament and reintegration (DDR) of ex-combatants. The government launched the DDR programme in August 2009, which was expected to last 36 months and involve between 6,000 and 10,000 ex-combatants (HDPT, 17 August 2009). The head of the UN Peacebuilding Support Office in CAR (BONUCA) stressed the importance of reintegrating self-defence militias and other armed groups that were not included in the peace process (UN SC, 15 December 2009).

Self-defence militias have become an essential coping strategy throughout northern CAR. The fact that they are operating in a region already saturated with arms – 50,000 illicit small arms are reported to be circulating in the country (UNDP, June 2007) – adds a layer of concern to the protection problems already facing civilians. The recruitment of children by self-defence militias is only one problem; the other is that self-defence militias have the potential to become parties to the conflict if the peace process fails and there is renewed fighting between the army and armed opposition groups (IDMC, November 2008).

The DDR program has endured many challenges and progressed slowly. It is hoped that a recent deployment of military observers from the Economic Community of Central African States (CEEAC-ECCAS) will give the DDR the required sustained attention to ensure completion prior to the upcoming presidential elections. The government of CAR has also implemented a security sector reform initiative with the support of the UN Peacebuilding Commission to restructure and train all security forces in CAR, including the army, gendarmerie, and police.

Socio-economic context

A landlocked country of 4.5 million people, CAR shares borders with Chad to the north, Sudan to the east, the Democratic Republic of the Congo (DRC) and the Republic of the Congo to the south, and Cameroon to the west. It was ranked 159th out of 169 countries on the 2010 Human Development Index (UNDP, 4 November 2010), and it was included on a 2010 list of the world's top ten failed states (Fund for Peace, 21 June 2010). The humanitarian crisis in CAR was ranked the world's fourth most under-funded and ignored in 2010 (UN Dispatch, 23 August 2010).

The country's economy is dominated by small-scale farming, forestry, fishing and herding, which provide a livelihood for only half of the population. While CAR has some of the world's richest soil and fertile plots for cotton and coffee (VOA, 27 October 2010), it is not self-sufficient in food. Subsistence farming and production for export cash crops has collapsed over the years because of conflict and insecurity.

Corruption remains pervasive, despite steps toward reform in recent years. While diamonds account for about half of CAR's export earnings, a large percentage of the stones are thought to circumvent official channels (Freedom House, 2010). The International Monetary Fund (IMF) has frozen all disbursements to the country through the regional Bank of Central African States due to concerns about fraud (Reuters, 10 July 2010). The World Bank ranked CAR the worst country of 183 with which to do business (World Bank, 9 September 2009).

Causes of displacement

Internal armed conflict and criminal gangs

The government of CAR's unwillingness and inability to develop the north of the country either economically or socially fuelled resentment and led to armed conflict between government forces and two main rebel groups in the north-west of the country along the border with Chad – the Popular Army for the Restoration of Democracy (*Armée Populaire pour la Restauration de la Démocratie* or APRD) and the Central African Democratic Front (*Front Démocratique du Peuple Centrafricaine* or FDPC); and one in the north-east of the country along the border with Sudan – the Union of Democratic Forces for Unity (*Union des Forces Démocratiques pour le Rassemblement* or UFDR) (HRW, 14 September 2007). The fighting lasted until mid-2008 and caused the displacement of more than 300,000 people, either across the border into neighbouring Cameroon and Chad, or within CAR, where those who fled sought refuge with impoverished host communities or in the fields and forests without access to basic services.

The various peace agreements and the prospect of a new government led to a marked decrease in fighting in the second half of 2008, but a splinter rebel group emerged which challenged the DDR process and accused the government of failing to uphold its power-sharing agreements (ICG, 12 January 2010). In November 2009, the Convention of Patriots for Justice and Peace (*Convention des Patriotes pour la Justice et la Paix* or CPJP) seized the northern town of Ndélé, leading to clashes with the army and new displacement (BBC, 27 November 2009). The latest wave of attacks by the CPJP took place from June to October 2010 (HDPT, 9 November 2010), highlighting the fragility of the peace process and the lack of stability in the run-up to the presidential election, which has now been postponed until January 2011.

In addition to internal armed conflict, criminal gangs known as *coupeurs de route* or *zaraguina* attack the civilian population and have also caused significant displacement. The gangs have acted with impunity, taking advantage of government forces overstretched in the wake of the conflict. In 2008, the UN estimated that a third of all IDPs in CAR had been displaced by criminal gangs (OCHA, November 2008). The gangs are well-armed and well-organized, travelling across CAR's porous borders with Cameroon and Chad, and even from as far away as Niger and Nigeria. It is thought that aggressive anti-Zaraguina policies in Cameroon have effectively pushed many of the criminal gangs into CAR.

The government's inability to control its territory has also made CAR a base for foreign armed groups. Uganda's Lord's Resistance Army (LRA) has killed at least 2,000 civilians and abducted another 3,000 in the region since September 2008 (HRW, 11 November 2010).

Lord's Resistance Army (LRA)

The Lord's Resistance Army (LRA) took up arms against the government of Uganda in the 1980s under the leadership of Joseph Kony. In recent years, it has been forced into remote areas of nearby countries by the Ugandan army (AFP, 10 June 2010). In CAR, the LRA has carried out a brutal terror campaign in which it has killed at least 2,000 civilians and abducted another 3,000 in the region since September 2008, including children (HRW, 11 November 2010), causing forced internal displacement.

In 2010 alone, attacks against civilians by the LRA are thought to have displaced more than 20,000 people in CAR, increasing insecurity and the likelihood that newly displaced populations will be unable to vote in the upcoming presidential election (VOA, 30 April 2010; Reuters AlertNet, 3 March 2010). The top commanders of the LRA are sought by the International Criminal Court (ICC) under arrest warrants issued in July 2005 for war crimes and crimes against humanity in northern Uganda.

IDPs in areas of LRA activity in the south-east of the country remain of major concern to the UN (UNHCR, June 2010). UN and NGO inter-agency assessment missions were deployed to these areas in March and June 2010, to coordinate the humanitarian response to IDPs who had fled their villages following LRA attacks (HDPT, 28 June 2010).

In October 2010, the LRA attacked the north-eastern town of Birao, abducting children, looting property, and setting fire to shops and homes. This attack is significant as it shows that the LRA is pushing north, where it will be more difficult to pursue. While MINURCAT peacekeeping troops are stationed in Birao, they are scheduled to withdraw from CAR at the end of 2010. The Union of Democratic Forces for Unity (*Union des Forces Démocratiques pour le Rassemblement* or UFRD), a rebel group that is now part of the peace process in CAR, has been helping the army to fight against the LRA in the north-east (Reuters, 8 October 2010).

In October 2010, Ministers from CAR, DRC, Sudan and Uganda met in Bangui to set up a joint military task force to pursue the LRA across the region's vast and porous borders under the supervision of the African Union (OpenDemocracy, 18 October 2010). The US Congress also passed legislation requiring the Obama administration to adopt a comprehensive strategy to help governments in the region disarm the LRA and protect civilians. The law calls for the coordination of US diplomatic, economic, intelligence and military efforts, as well as increased humanitarian aid to affected populations (Sudan Tribune, 14 May 2010).

Cross-border violence from Chad and Sudan

The Central African Republic (CAR), Chad and Sudan form a triangle that is characterised by inter-related armed conflicts, high levels of insecurity despite the presence of international peacekeeping troops, the widespread availability of small arms and forced displacement within and across borders. The three countries were included on a 2010 list of the world's top ten failed states (Fund for Peace, 21 June 2010). The UN Secretary-General has expressed his fear that the triangle has become a sanctuary for armed groups (HDPT, 10 May 2010).

Cross-border linkages between rebel groups have a long history in the triangle, as have the volatile and ever-changing government alliances of the three countries. CAR was a safe haven for the Sudan People's Liberation Army (SPLA) during its 22 year civil war with the government of Sudan, while Sudanese armed forces used CAR as a staging ground for attacks against the SPLA in southern Sudan. At least 36,000 southern Sudanese refugees fled to CAR, and repatriation of these refugees back to Sudan is ongoing (ICG, 20 March 2007).

President François Bozizé took control of CAR in a 2003 military coup with strong support from Chadian President Idriss Déby. Besides enabling Bozizé's return to power with the help of the Chadian army, Chad also maintains military forces in the north of CAR and provides Bozizé with a personal Chadian security force (HRW, January 2009). The two governments have signed military agreements that allow each other's armies to pursue their rebels into the other's territory.

Initially in 2005, when violence erupted in Chad and later in CAR, the media, human rights advocates and some analysts described these conflicts as a simple 'spill-over' from the war in Darfur. It is now understood that armed conflict in CAR, Chad, and Sudan have become so interwoven that they form one 'system of conflict' rather than three distinct conflicts (Crisis States Research Centre, April 2009).

This system of conflict became evident on April 2006, when Chadian rebels launched an attack on the Chadian capital N'Djamena. At first, the attempted coup seemed to be strictly a Chadian affair, but a close look revealed the more complicated regional dimension. The weapons and pick-up trucks used by the Chadian rebels during the attempted coup were provided by the Sudanese government. The Chadian rebels prepared the attack in western Darfur, launched the attack from CAR's ungoverned north-east, and many fighters among their ranks were mercenaries from CAR and Sudan (Crisis States Research Centre, April 2009).

Following the failed coup attempt, there were reports of aircraft crossing from Sudan into north-east CAR to deliver military equipment. In October 2006, CAR rebels captured several towns in the north-east during well-planned attacks against the army. Bozizé insisted that the CAR rebels were backed by Sudan (ICG, 20 March 2007). While both the CAR rebels and the government of Sudan deny such claims, the cross-border linkages and alliance between armed forces and armed groups is further evidence of the regional dimension of the conflicts in the triangle.

IDP POPULATION FIGURES

Number of IDPs, disaggregated by age and sex where data are available

Number of IDPs

Nearly eight per cent of CAR's 4.5 million people are either internally displaced or living as refugees outside the country. As of November, the UN estimated the number of IDPs at over 192,000 and the number of Central African refugees living in Cameroon and Chad at 162,000. CAR also hosts more than 31,000 refugees from the Democratic Republic of Congo (DRC) and Sudan (OCHA, 14 July 2010).

Armed conflict pitting government forces against various armed groups in northern areas of the Central African Republic (CAR) caused the internal displacement of more than 200,000 people between 2005 and 2008. Following the signing of peace and reconciliation agreements, the number fell to around 108,000, but since 2009 clashes between the army and a splinter rebel group, and attacks against civilians by the Lord's Resistance Army have caused new displacement.

In its 2008 country report on human rights practices, the US Department of State reported that ongoing insecurity and violence had had a disproportionate effect on children in CAR, who in 2007 accounted for almost 50 per cent of all IDPs (U.S. DOS, 11 March 2008). According to UNHCR, the percentage is even higher in provinces like Ouham and Ouham-Pendé, where 61 per cent of IDPs are children (UNHCR, March 2008).

Location of IDP populations

Location of IDPs

IDPs' living conditions in CAR are very different from those in neighbouring countries. Most have dispersed to remote rural towns after long periods living rough in the bush, and they rely almost entirely on their host communities for support. Those still living in the bush receive no humanitarian assistance because of problems of access. In these cases, protection monitoring remains challenging (UNHCR, June 2010), and the difficulty in obtaining accurate displacement figures is yet another obstacle to providing much-needed services to IDPs.

While most IDPs are located in the north-west part of CAR, new displacement in 2010 has happened in the east of the country.

In north-east CAR

In April 2010, attacks by the Lord's Resistance Army (LRA) in the city of Ndélé caused new displacement. Many people sought refuge across the border in Chad, while others fled into the

bush and were living with no access to humanitarian aid (HDPT, 28 June 2010). In May and June 2010, Ndélé was also the site of fighting between the army and the splinter rebel group CPJP (IOL, 10 June 2010). The UN has estimated that 29 villages north of Ndélé have been completely abandoned as residents have been forced to flee (AFP, 10 June 2010).

In October 2010, LRA attacks in the city of Birao caused new displacement. UN Peacekeeping troops were based in Birao until their withdrawal at the end of October 2010. UNHCR has expressed concern about the situation of IDPs in the region which has also seen clashes between the army and rebel groups (UN News Centre, 15 October 2010).

In south-east CAR

The provinces of Mbomou and Haut-Mbomou have also reported new displacement due to multiple attacks by the LRA. Villagers have fled to the town of Obo hoping to find security and assistance (Ha'aretz, 10 June 2010). Community self-defence militias, such as the Obo Auto Defense Committee, have been created by residents who feel constantly under threat from the LRA. They use home-made weapons to protect themselves (ICRC, 11 June 2010).

PHYSICAL SECURITY AND INTEGRITY

Physical security, dignity, mental and moral integrity

Physical security and integrity

Since 2005, all parties to CAR's conflict have subjected civilians to a range of human rights abuses, including killings, the looting and burning of villages, destruction of fields, loss of livelihoods, sexual violence, and the abduction and recruitment of children. Government forces committed atrocities until late 2007 in retaliation for civilians' support of rebel groups. As the de facto authorities in some areas, these groups in turn punished civilians if they felt their authority was not respected. Criminal gangs have committed atrocities for financial gain, and self-defence militias created with government support in response to attacks by criminal gangs have recruited children to their ranks (IDMC, November 2008). Given that IDPs are scattered over very large areas, the "protection by presence" strategies of humanitarian agencies are largely ineffective.

Results published in a recent issue of the Journal of the American Medical Association (JAMA) reveal that CAR is besieged by violence and extreme poverty, a combination that has resulted in a monthly death rate of 5 out of 1,000 people. More than three fourths of the 2,000 adults interviewed for the JAMA study had either witnessed or personally experienced traumatic events since violence began in 2003. One in four respondents felt unsafe while walking to the nearest village, sleeping at night, or meeting strangers (JAMA, 4 August 2010).

Impunity for human rights violations is one of the main reasons why civilians in CAR face insecurity and psychological trauma. The UN High Commissioner for Human Rights reported that "summary executions, enforced disappearances, illegal arrests and detention are all issues that have surfaced in connection with state security and defense institutions" (UN News Service, 19 February 2010). In response to the problem of impunity, the government of CAR has implemented a security sector reform initiative with the support of the UN Peacebuilding Commission to restructure and train all security forces in CAR, including the army, gendarmerie, and police. It has also taken steps to revise its Criminal Code and Code of Criminal Procedure (SCR, June 2010).

Physical security threats targeting children

Principle 4, Guiding Principles on Internal Displacement

2. Certain internally displaced persons, such as children, especially unaccompanied minors, expectant mothers, mothers with young children, female heads of household, persons with disabilities and elderly persons, shall be entitled to protection and assistance required by their condition and to treatment which takes into account their special needs.

Principle 13, Guiding Principles on Internal Displacement

1. In no circumstances shall displaced children be recruited nor be required or permitted to take part in hostilities.

There have been enormous delays in the disarmament, demobilization and reintegration (DDR) process for adults, but DDR for children is progressing nearly on schedule (OpenDemocracy, 10 March 2010). This is a major accomplishment as seven parties are known to recruit or use children, kill or maim children, and/or commit rape and other forms of sexual violence against children in CAR (UN GA, 3 September 2010).

In 2007, the Union of Democratic Forces for Unity (*Union des Forces Démocratiques pour le Rassemblement* or UFDR) released approximately 450 children from its ranks, seventy-five per cent of them boys between the ages of 13 and 17 who had participated in military operations and combat for sustained periods of nine months to a year. Around ten per cent were boys between the ages of 10 and 13 (UN SC, 21 December 2007). UNICEF reported that UFDR demobilised another 180 children during 2009, and that the Popular Army for the Restoration of Democracy (*Armée Populaire pour la Restauration de la Démocratie* or APRD) demobilised 711 children in 2009 (U.S. DOS, June 2009).

According to the Coalition to Stop the Use of Child Soldiers, children are also thought to be present in government armed forces, but are not believed to be actively involved in hostilities (Coalition to stop the use of Child Soldiers, 20 May 2008). The government, however, has not acknowledged having children in its ranks. CAR is party to the Convention on the Rights of the Child, the ILO Worst Forms of Child Labour Convention (No.182), and the Rome Statute of the International Criminal Court, all of which prohibit the recruitment of children under 15 for use in armed conflict.

In June 2010, CAR was one of six African countries to sign the N'Djamena Declaration, a binding legal document aimed at ending the recruitment of children by all parties to the region's conflicts (HDPT, 14 June 2010). The other five countries were Cameroon, Chad, Niger, Nigeria, and Sudan. UNICEF called the N'Djamena Declaration "a new beginning in Africa, a firm step towards giving all children in the region the dignity of a childhood they've so often been deprived of by decades of conflict" (UNICEF, 9 June 2010). CAR also signed the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict (OPAC) in September 2010 (UN News Centre, 27 September 2010). This protocol is particularly important because it raises the minimum age for recruitment and use of children in armed conflict from 15, as provided in the instruments listed above, to 18; it also prohibits non-state armed groups from recruiting and using children under 18 in armed conflict.

As required by UN Security Council resolution 1612, the UN country team in CAR established a task force on children and armed conflict in 2008. The task force is meant to implement a monitoring and reporting mechanism on six violations against children: killing or maiming, recruitment as soldiers, attacks against schools or hospitals, rape or other grave sexual violence, abduction, and denial of humanitarian access. While the task force has been slow to submit reports to the UN Security Council, it is taking steps to move the process forward. For example, UNICEF did conduct a workshop in September 2010 to train organisations that advocate for children's rights in the monitoring and reporting of violations. The workshop included training on interviewing children and their families while ensuring confidentiality and security (HDPT, 12 October 2010).

In CAR, internally displaced children have also suffered trauma after witnessing extreme levels of violence, such as the killing of family members, when their villages were attacked by criminal gangs. During these attacks, some displaced children, including girls, have been abducted to work as porters of stolen property or kidnapped for ransom. The LRA in particular has abducted children for use as cooks, porters, combatants, and sex slaves. Humanitarian organisations in CAR are working to return children to their families who were abducted by the LRA. In October 2010, the International Committee of the Red Cross (ICRC) reported that it had, in partnership with the Central African Red Cross Society, enabled the exchange of 417 Red Cross messages,

and reunited nine children with their families (ICRC, 4 October 2010). Displaced children have also faced economic exploitation as they have been forced to work in fields belonging to host communities in exchange for food or meager pay (IDMC, November 2008).

Sexual violence against displaced women and girls

Principle 4, Guiding Principles on Internal Displacement

2. Certain internally displaced persons, such as children, especially unaccompanied minors, expectant mothers, mothers with young children, female heads of household, persons with disabilities and elderly persons, shall be entitled to protection and assistance required by their condition and to treatment which takes into account their special needs.

Principle 11, Guiding Principles on Internal Displacement

2. Internally displaced persons, whether or not their liberty has been restricted, shall be protected in particular against:

- (a) Rape, mutilation, torture, cruel, inhuman or degrading treatment or punishment, and other outrages upon personal dignity, such as acts of gender specific violence, forced prostitution and any form of indecent assault;
- (b) Slavery or any contemporary form of slavery, such as sale into marriage, sexual exploitation, or forced labour of children.

Sexual violence is widespread in conflict areas in CAR. According to the International Federation for Human Rights (IFHR), sexual violence affects more than 15 per cent of women and girls in the north of the country (CRIN, 4 May 2009). Women and girls have suffered sexual violence committed by government forces and rebel groups in conflict areas, and many have suffered domestic violence committed by members of their own families. Adding to their physical and psychosocial injuries, CAR's survivors of sexual violence are often denied justice and face rejection from their communities (HDPT, 30 April 2008).

In 2009 and 2010, human rights researchers from the University of California in Berkeley interviewed almost 2,000 adults in five different regions in CAR, including two conflict-affected regions in the north of the country, to document the devastating human impact of violence in the country. Twenty-one per cent of all respondents reported witnessing acts of sexual violence by armed groups, six per cent of the women interviewed reported an experience of sexual violence committed by armed groups, and six per cent reported sexual violence committed by perpetrators other than armed groups. Sexual violence was most frequently reported by women in the north province of Ouham Pende (14%), a rate comparable to that found in the eastern Democratic Republic of Congo. In addition to conflict-related violence, the researchers found that domestic violence is pervasive. Twenty-two per cent of the women reported having been physically beaten by a household member, most frequently for disobeying or arguing (Human Rights Center / University of Berkeley, 4 August 2010).

While international humanitarian organisations and national NGOs are responding to the problem of sexual violence, it remains a prevalent issue (Freedom House, 3 May 2010). The International Rescue Committee (IRC) has been assisting survivors of SGBV in CAR since April 2007. IRC provides medical and psychosocial services in Kaga Bandoro and Bocaranga, two towns in the conflict-affected northern part of the country. IRC's community workers also bring awareness of existing services to displaced communities, and encourage both men and women to step forward to get the care they deserve. Services have also been provided for survivors of domestic violence (IRC, November 2010)

The UN Population Fund (UNFPA) and the World Health Organisation (WHO) are also addressing the problem of sexual violence in CAR, specially its physical health consequences, including HIV infection. UNFPA and WHO have trained health staff and social workers, supplied health centres with rape kits and treatment kits for sexually transmitted infections, mobilised community leaders about the effects of sexual violence, and strengthened the capacity of NGOs to assist survivors of sexual violence (OCHA, 30 November 2006).

The Strategic Framework for Peacebuilding in the Central African Republic, adopted by the government and the Peacebuilding Commission in May 2009, includes commitments for the prevention of sexual and gender based violence, including the provision of human rights training for security forces, identification and support to victims of violence, and a call to bring perpetrators of crimes of sexual violence against women and children to justice (ReliefWeb, 2 February 2010).

The Organisation for Compassion and Development for Families in Distress (OCODEFAD), a national NGO, has created a network of survivors of sexual violence in CAR and has trained them to collect testimonies: "They are in the best position to meet other victims. Only they can understand the pain and the humiliation, especially in male rape cases." With the help of two doctors, one psychiatrist, three lawyers, several priests, and numerous volunteers, OCODEFAD has gathered more than 2,000 testimonies from women and men across the country. "We have decided to stop victim registrations, simply because we cannot provide them with assistance" explains the director and founder of OCODEFAD, "but there are many more victims" (HDPT, 30 April 2008). The collection of testimonies by OCODEFAD was started to provide evidence for the trial of Jean-Pierre Bemba by the International Criminal Court (ICC).

The ICC has charged Bemba, the former vice-president of the Democratic Republic of Congo (DRC), with command responsibility for crimes against humanity (rape and murder) and war crimes (rape, murder and pillaging), committed in CAR from October 2002 to March 2003 by his militia, Movement for the Liberation of Congo (*Mouvement de Libération du Congo* or MLC), sent to support the former Central African President Ange-Félix Patassé. Bemba is currently being tried in The Hague.

In April 2010, the Association of Women Jurists (*Association des Femmes Juristes de Centrafrique* or AFJC) launched a counselling centre in Bangui for women who are survivors of violence, including sexual violence. The centre provides legal and psychosocial assistance, and is supported by the European Union and implemented by Mercy Corps. The Bangui centre is one of four such centres, including the ones in Bambari, Bouar, and Bangassou. AFJC reported that women in CAR are subjected to physical, sexual and emotional violence on a daily basis. The centre aims to fight impunity by bringing legal cases against perpetrators (HDPT, 3 May 2010).

The problem in CAR is not the lack of legal norms but the failure to respect, protect and fulfil these rights. The Constitution (2004) provides for the adherence to all international conventions duly ratified, most notably those relating to the prohibition of all forms of discrimination against women and those regarding the protection of the rights of the child. It also provides that the state and other public institutions are obligated to protect women and children against violence and insecurity. The Law governing the protection of women against violence (2006) criminalises all forms of female genital mutilation, as well as rape and attempted rape. The Criminal Code (1961) prohibits rape, assault and battery against children, and the abduction of minors. The penalties in these laws range from a minimum of three months to a maximum of life in prison, and impose monetary fines (IDMC, November 2008).

In 2008, CAR also adopted a national policy document for the promotion of equality and equity. The objectives of this policy are to: (1) promote the participation of men and especially women in the sustainable development of their society as decision-makers and on an equal footing; (2) reduce inequality between women and men in access to resources and the benefits of

development and the control of these resources and benefits; (3) encourage, through a transversal approach, recognition of situations and needs of women and men in the development, implementation, monitoring and evaluation of national policy; (4) set specific measures to encourage specific categories of women and of men, with targeted objectives to reduce inequalities; (5) eradicate individual and collective tolerance of acts of violence; (6) take appropriate measures to ensure coherence between existing and future legal texts and their application; and (7) support women and girls in the promotion, protection, and full exercise of their basic rights (UNICEF, September 2010).

The national, regional and international commitments made by CAR to protect and assist women and girls who are survivors of sexual violence are of little consequence if they are not properly enforced. The international community has a role to play by encouraging CAR to meet its obligations and by holding the government accountable through review mechanisms and even sanctions. The UN High Commissioner for Human Rights visited CAR in February 2010 and urged the government to take more measures and concrete actions to provide assistance to victims and to prosecute perpetrators. She expressed deep concern about the widespread sexual violence that women and girls are facing (UN News Service, 19 February 2010).

BASIC NECESSITIES OF LIFE

Food and water

Sectors and funding for basic necessities

The cluster system was introduced in CAR in August 2007. It is a coordination mechanism designed to improve humanitarian organisations' ability to protect and assist IDPs. However, the humanitarian crisis in CAR was ranked the world's fourth most under-funded and ignored in 2010 (UN Dispatch, 23 August 2010). IDPs' most urgent needs are their most basic ones: food, water, shelter, and medical care (ICRC, 5 May 2010).

Funding for the health and education sectors continue to be severely underfunded – they were only 17 per cent and 37 per cent funded respectively in the 2010 consolidated appeal (OCHA, 12 November 2010).

Food

Principle 18, Guiding Principles on Internal Displacement

1. All internally displaced persons have the right to an adequate standard of living.
2. At the minimum, regardless of the circumstances, and without discrimination, competent authorities shall provide internally displaced persons with and ensure safe access to:
 - (a) Essential food and potable water.

In 2010, the food security cluster, which is led by the UN Food and Agriculture Organisation (FAO), reported that much of the rural population in CAR is suffering from food insecurity, whether or not they area affected by conflict. Food aid is desperately needed for communities that are newly displaced in LRA-affected areas and that no longer have access to land for farming (OCHA, 14 July 2010). According to the International Committee for the Red Cross (ICRC), "There is plenty of fertile land in the region but violence is interfering with traditional ways of life such as agriculture, hunting and fishing, with farmers often afraid to stray far from town to work their fields for fear of attack. This has reduced production, pushing up prices to the point at which not everyone can afford to buy food, even when it's available" (IRIN, 12 November 2010). The ICRC will distribute food to about 55,000 people in areas of LRA activity until mid-December 2010.

The food security cluster's objectives for 2010 included providing food assistance to vulnerable and conflict-affected communities; distributing basic quality inputs such as sheds, agricultural tools, fertilizers, pesticides, livestock, and veterinary inputs and services; reinforcing the technical capacities of farmers' groups and government structures; diversifying agricultural activities; facilitating access to markets for agricultural products; and improving data collection/Early Warning System (OCHA, 14 July 2010).

Water, sanitation and hygiene (WASH)

Principle 18, Guiding Principles on Internal Displacement

1. All internally displaced persons have the right to an adequate standard of living.
2. At the minimum, regardless of the circumstances, and without discrimination, competent authorities shall provide internally displaced persons with and ensure safe access to:
 - (a) Essential food and potable water.
 - (d) Essential medical services and sanitation.

In 2010, the UN reported that 60 per cent of the population does not have access to potable water or basic sanitation services (OCHA, 14 July 2010). The 2010 objectives of the water, sanitation and hygiene (WASH) cluster, which is led by UNICEF, included repairing and/or rehabilitating existing water points and building new water points in social facilities such as schools and health centres; promoting good hygiene practices at household level; training village water management communities in pump mechanics; and supporting communities to construct or repair family and community latrines (OCHA, 14 July 2010).

Shelter and housing

Shelter and non-food items (NFIs)

Principle 18, Guiding Principles on Internal Displacement

1. All internally displaced persons have the right to an adequate standard of living.
2. At the minimum, regardless of the circumstances, and without discrimination, competent authorities shall provide internally displaced persons with and ensure safe access to:
 - (b) Basic shelter and housing.

The 2010 objectives of the shelter and non-food items (NFIs) cluster, which is led by UNICEF, included assessing the needs of newly displaced populations and monitoring the situation of the population that had received NFIs in the previous six months; increasing access to essential NFIs adapted to the emergency needs for a total of 120,000 vulnerable people (IDPs, returnees, refugees and flood victims); and strengthening local capacity through delivery of NFIs to strategic locations in the field, including to UN warehouses in Paoua, Bossangoa, and Kaga Bandoro, and to NGOs in Batangafo, Ndele and Sam Ounadja (OCHA, 14 July 2010).

Medical care and sanitation

Health

Principle 19, Guiding Principles on Internal Displacement

1. All wounded and sick internally displaced persons as well as those with disabilities shall receive to the fullest extent practicable and with the least possible delay, the medical care and attention they require, without distinction on any grounds other than medical ones. When necessary, internally displaced persons shall have access to psychological and social services.
2. Special attention should be paid to the health needs of women, including access to female health care providers and services, such as reproductive health care, as well as appropriate counseling for victims of sexual and other abuses.

CAR has one of the highest child mortality rates in the world, with one in five children dying before their fifth birthday (Medical News Today, 30 May 2010). Six per cent of the population in CAR dies every year – a rate four times higher than in other African countries (Foreign Policy, 3 August 2010). Epidemics and the country's lack of basic health care services contribute more to CAR's startling mortality figures than does armed conflict.

CAR also faces enormous challenges in its fight against HIV/AIDS and malaria. The adult HIV prevalence rate between the ages of 15 and 49 is 6.3 per cent (UNHCR, June 2010). Malaria is a renewed concern in CAR, ranking as the number one cause of death for children under five years of age (Medical News Today, 30 May 2010). Médecins sans frontières (MSF) has provided health care to IDPs and host communities in LRA-affected areas since May 2010 (MSF, 22 July 2010). The most recurrent illnesses treated by MSF doctors have been malaria, diarrhoea, and upper respiratory infections. MSF also launched a measles vaccination campaign in June 2010 during which 1,600 children were vaccinated. In September 2010, UNICEF and the Ministry of Health launched a distribution campaign of 800,000 insecticide-treated bed nets across the country, in an effort to deliver bed nets to every household (ReliefWeb, 24 September 2010).

The 2010 objectives of the health cluster, which is led by the World Health Organisation (WHO), included increasing access to basic health care through outreach and fixed strategies using mobile clinics and by improving secondary health care; improving personal and general hygiene conditions in health infrastructures and among communities affected by insecurity; strengthen technical capacity of health personnel and humanitarian stakeholders during disaster response; making health infrastructures safe and resistant to crises and disasters (rehabilitation, equipment of health infrastructures); and reinforcing local and national partners in order to sustain humanitarian assistance (OCHA, 14 July 2010).

Nutrition

The 2010 objectives of the nutrition cluster, which is led by UNICEF, included conducting reliable and updated nutrition data collection through studies or nutritional surveys; strengthening the nutritional early warning system with the possibility of operational research on nutrition problems in affected areas; reinforcing or creating therapeutic feeding units (TFU) throughout the country and especially in areas most affected by nutrition problems; building the capacity of nutrition workers in NGOs, health centres and TFUs; training health workers in the prevention of AIDS transmission from parents to children in emergency areas with high potentiality risk profile; and reinforcing synergies between the nutrition, health, food security and WASH clusters (OCHA, 14 July 2010).

In August 2010, the UN World Food Program (WFP) reported that it would have to cut its feeding program to 600,000 people in the conflict-affected areas of northern CAR and to at least 14,000 IDPs in the south-east areas affected by LRA attacks, due to a \$15 million shortfall. The influx of 17,500 Congolese refugees since 2009 is thought to have aggravated WFP's funding problems (UN News Centre, 24 August 2010).

PROPERTY, LIVELIHOODS, EDUCATION AND OTHER ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Primary education and educational programmes

Education

Principle 23, Guiding Principles on Internal Displacement

1. Every human being has the right to education.
2. To give effect to this right for internally displaced persons, the authorities concerned shall ensure that such persons, in particular displaced children, receive education which shall be free and compulsory at the primary level. Education should respect their cultural identity, language and religion.
3. Special efforts should be made to ensure the full and equal participation of women and girls in educational programmes.
4. Education and training facilities shall be made available to internally displaced persons, in particular adolescents and women, whether or not living in camps, as soon as conditions permit.

Conflict and violence have destroyed an already fragile education system in CAR, where primary enrolment rates have not improved in 15 years. School buildings have been looted or destroyed, and qualified teachers have left for the safety of Bangui, the capital. In addition, the national government spends less than 1.5 per cent of its gross domestic product on education, which is below the African continent's average (UNICEF, 13 May 2010).

Even before the outbreak of the most recent armed conflict in 2005, social services were virtually non-existent in the north of the country. The education sector serves as a case in point: prior to the conflict, a mere 40 per cent of children in the north were enrolled in school. In 2007, in the middle of the conflict, an assessment mission found that only ten per cent of children were still going to school (HDPT, June 2008). Today, UNICEF estimates that nearly half of all primary school-aged children in CAR are not enrolled in school, and up to 160,000 children in conflict areas are in immediate need of schooling (OCHA, 14 July 2010). Girls in particular are victims of ongoing discrimination that denies their right to go to school (UNICEF, September 2010). Cultural practices such as early marriage and pregnancy force girls to stay at home to care for household duties.

Other problems facing displaced communities are that schools remain closed because of insecurity and that few qualified teachers are willing to work in areas of displacement (UNHCR, June 2010). Villages on the roads north of Ndele, for example, have had no access to education for nearly two years as all schools have remained closed due to insecurity (HPDT, 28 June 2010). UNICEF and partner NGOs are responding to the education crisis by rehabilitating and building schools, latrines and water points; training teachers; providing textbooks and school kits; and promoting 'child-friendly' approaches to education – which focuses on the rights of each child.

The 2010 objectives of the education cluster, which is led by UNICEF, included providing access to safe learning spaces for 160,000 children (maintain 145,000 children in school and bring back 15,000 children to school); providing daily school meals for 160,000 children; establishing parents associations in 1,000 schools or learning spaces; training 3,000 parents as teachers; training 100 partners in emergency education, including government officials and NGOs; building/rehabilitating

and equipping school rooms; rehabilitating and equipping school buildings with water and sanitation facilities; and establishing a code of conduct and a monitoring and reference system for cases of violence in schools (OCHA, 14 July 2010).

Despite the difficult situation facing the education sector, there are a few achievements worth highlighting. Strong advocacy from humanitarian organisations has led to agreements with rebel groups, who had a history of kidnapping teachers and parents, to allow for “neutral areas” where internally displaced children can sit for examinations (UNESCO, June 2010). Displaced children attend schools run by their own communities, known as bush schools, and are taught by parents since teachers are not willing to work in areas of displacement or have fled conflict areas for safety. UNICEF and partner NGOs are also working to ensure that children affected by conflict in CAR have literature, mathematics and science books. The current ratio for the country is about 2 books for every 9 students. In 2010, with funding from the Belgian Government, UNICEF provided 60,000 mathematics books, 60,000 French books and 2,400 teachers’ guides to the Ministry of National Education, Higher Education and Research. The UNICEF project covers various provinces affected by armed conflict (Afrol News, 17 March 2010).

FAMILY LIFE, PARTICIPATION, ACCESS TO JUSTICE AND OTHER CIVIL AND POLITICAL RIGHTS

Other civil and political rights

Voting rights

Principle 22, Guiding Principles on Internal Displacement

1. Internally displaced persons, whether or not they are living in camps, shall not be discriminated against as a result of their displacement in the enjoyment of the following rights:

(d) The right to vote and to participate in governmental and public affairs, including the right to have access to the means necessary to exercise this right.

In 2010, attacks against civilians by the Lord's Resistance Army (LRA) are thought to have displaced more than 20,000 people in CAR, increasing insecurity and the likelihood that newly displaced populations will be unable to vote in the upcoming presidential election scheduled for 23 January 2011 (VOA, 30 April 2010; Reuters AlertNet, 3 March 2010).

DURABLE SOLUTIONS (RETURN, LOCAL INTEGRATION, SETTLEMENT ELSEWHERE IN THE COUNTRY)

Documented returns, settled locally and settled elsewhere

Documented returns

Principle 28, Guiding Principles on Internal Displacement

1. Competent authorities have the primary duty and responsibility to establish conditions, as well as provide the means, which allow internally displaced persons to return voluntarily, in safety and with dignity, to their homes or places of habitual residence, or to resettle voluntarily in another part of the country. Such authorities shall endeavour to facilitate the reintegration of returned or resettled internally displaced persons.

Security in north-west CAR improved temporarily after the signing of peace agreements and the holding of peace talks in 2008. In December 2009, the UN estimated that over 73,000 people in north-west CAR were able to return to their villages of origin, albeit to unstable conditions (UN SC, 8 December 2009). With humanitarian assistance, some returnees were able to resume farming and access shelter and potable water (ICRC, 5 May 2010).

However, increasing violence in CAR in 2010 caused new and renewed internal displacement. In July 2010, the UN estimated that 25,000 IDPs were trying to return to villages of origin, but without the right conditions for durable solutions, including security (OCHA, 14 July 2010). The much hoped massive return of IDPs in north-west CAR is not a likely scenario until the demobilisation, disarmament and reintegration (DDR) process moves successfully forward and the presidential election scheduled for January 2011 consolidates peace.

Prospects for and obstacles to voluntary return, local settlement and settlement elsewhere

Obstacles to voluntary return

Principle 15, Guiding Principles on Internal Displacement

Internally displaced persons have:

(d) The right to be protected against forcible return to or resettlement in any place where their life, safety, liberty and/or health would be at risk.

For most IDPs in CAR, return is not yet a viable option. Besides security concerns, an important factor contributing to the reluctance of IDPs to return to their villages of origin is the lack of basic services and infrastructure available in areas of return. Houses have been burned, health posts, schools, and water pumps are unlikely to be functioning, and infrastructure has been damaged for nearly ten years, leaving very little incentive for people to return (UN GA, 18 April 2008).

Some of the IDPs who returned in 2009 did not do so voluntarily. There is evidence that government forces and rebel groups forced villagers to return to destroyed and looted homes in order to extract “taxes” from them (IRIN, 28 May 2009). This trend poses serious protection concerns as it further increases the vulnerability of the displaced population.

While security is a precondition for the return of IDPs to villages of origin, the end of violence does not mean necessarily that IDPs will find durable solutions upon return. The restitution of property and a successful and comprehensive demobilization program that includes reintegration of former combatants is necessary for a stable environment inviting returns. In northwest CAR, IDPs have also demanded accountability from those responsible for past crimes (Representative of the UN Secretary-General on the human rights of IDPs, 25 March 2010).

Support for return integration and reintegration

Early recovery cluster

The early recovery cluster, which is led by UNDP, has placed greater emphasis on recovery activities in the northwest of the country, where returns have taken place, not only to pave the way for the return of IDPs and refugees, but also to build a more conducive environment for the reintegration of former combatants (OCHA, 14 July 2010).

The 2010 objectives of the early recovery cluster were improving access and accessibility to basic social services and the free circulation of goods and people, specially to isolated areas with high density population; strengthening and building the capacities of community-based organizations and national and local administration officials to ensure effective basic social services; rehabilitating essential social infrastructures including schools, health centres, water points, boreholes, and bridges; and supporting economic revitalisation by increasing access to income generating activities, particularly for women (OCHA, 14 July 2010).

NATIONAL AND INTERNATIONAL RESPONSE

International human rights and humanitarian law framework including references to the Guiding Principles on Internal Displacement

CAR's human rights commitments

International human rights commitments made by CAR

Instruments	Entry into Force	Signature	Ratification, Accession, Succession
Forced Labour Convention/ International Labour Convention Number 29 (1930)	28 June 1930		Ratification 27 October 1960
Charter of the United Nations (1945)	24 October 1945	(Joined the UN 20 June 1960)	
Geneva Convention (I) for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field (1949)	21 October 1950		R / A 1 August 1966
Geneva Convention (II) for the Amelioration of the Condition of the Wounded, Sick and Shipwrecked Members of Armed Forces at Sea (1949)	21 October 1950		R / A 1 August 1966
Geneva Convention (III) Relative to the Treatment of Prisoners of War (1949)	21 October 1950		R / A 1 August 1966
Geneva Convention (IV) Relative to the Protection of Civilian Persons in Time of War (1949)	21 October 1950		R / A 1 August 1966
Convention Relating to the Status of Refugees (1951)	22 April 1954		Succession 4 September 1962
Abolition of the Forced Labour Convention (1957)/ International Labour Convention Number 105 (1961)	25 June 1957		Ratification 9 June 1964
Internal Convention on the Elimination of all Forms of Racial Discrimination (1965)	4 January 1969	7 March 1967	Ratification 16 March 1971
International Covenant on Economic, Social and Cultural Rights (1966)	3 January 1976		Accession 8 May 1981
International Covenant of Civil and Political Rights (1966)	23 March 1976		Accession 8 May 1981

Optional Protocol to the International Covenant on Civil and Political Rights (1966)	23 March 1976		Accession 8 May 1981
Minimum Age Convention/ International Labour Organization Number 138	19 June 1976		Ratification 28 June 2000
Additional Protocol I to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflict (1977)	7 December 1978		R / A 17 July 1984
Additional Protocol II to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (1977)	7 December 1978		R / A 17 July 1984
Convention on the Elimination of all Forms of Discrimination against Women (1979)	3 September 1981		Accession 21 June 1991
Convention on the Rights of the Child (1989)	2 September 1990	30 July 1990	23 April 1992
Worst Forms of Child Labour Convention/ International Labour Organization Number 182 (1999)	19 November 2000		Ratification 28 June 2000
Rome Statute of the International Criminal Court (1998)	1 July 2002	20 October 1999	1 November 2006
UNESCO Convention Against Discrimination in Education (1960)			Accepted 22 February 1962

International human rights commitments not ratified by CAR

Instruments
Universal Declaration of Human Rights (1948)
Convention on the Prevention and Punishment of the Crime of Genocide (1948)
Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the Abolition of the Death Penalty (1989)
International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (1990)
International Convention for the Protection of All Persons from Enforced Disappearance (1992)
Optional Protocol to the Convention on the Elimination of Discrimination Against Women (1999)
Palermo Protocol to Suppress and Punish the Trafficking in Persons, Especially Women and Children (2000)
Optional Protocol to the Convention on the Rights of Persons with Disabilities (2007)
Optional Protocol to the Convention Against Torture (2007)
Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1984)
Convention on the Reduction of Statelessness (1961)
Protocol Relating to the Status of Refugees (1967)
Convention on the Rights of Persons with Disabilities (2007) (signed 9 May 2007)

Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution, and child pornography (signed 27 September 2010)
Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (signed 27 September 2010)

Regional human rights commitments made by CAR

Instruments	Entry into Force	Signature	Ratification/ Accession
Organization of African Unity Convention Governing the Specific Aspects of Refugee Problems in Africa (1969)	20 June 1974	10 September 1969	Ratification 23 July 1970
African Charter on Human and Peoples' Rights (1981)	21 October 1986	4 February 1986	Ratification 26 April 1986
Pact on Security, Stability and Development in the Great Lakes Region (2006)	21 June 2008	15 December 2006	15 December 2006

Regional human rights commitments not ratified by CAR

Instruments	Entry into Force	Signature	Ratification/ Accession
Protocol to the African Charter on Human and Peoples' Rights on the Establishment of an African Court on Human and Peoples' Rights (1998)	25 January 2005	4 March 2002	
Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women In Africa (2003)	25 November 2005	17 June 2008	
African Union Convention for the Protection and Assistance to Internally Displaced Persons	(Entry into force after ratification by 15 member states)	23 October 2009	
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U.S. Department of State (U.S. DOS), June 2010, Trafficking in Persons Report: Central African Republic

References to the Guiding Principles on Internal Displacement

In CAR, UN agencies and international NGOs have used the Guiding Principles on Internal Displacement to promote the rights of IDPs by using them in protection training workshops for humanitarian observers, local authorities, government forces, international peacekeeping troops, and armed opposition groups such as the the Popular Army for the Restoration of Democracy (*Armée Populaire pour la Restauration de la Démocratie* or APRD).

In 2007, UNHCR in CAR translated the Guiding Principles into Sango, the national language, and included illustrations in an effort to make them as accessible as possible to non-literate communities. Although the Sango version has been distributed to government ministries, local human rights NGOs and civil society organisations, there is still a need to distribute it more widely and make it accessible to displaced communities so they can use it as a tool for the realization of their rights (IDMC, November 2008).

National response

National response

Principle 3, Guiding Principles on Internal Displacement

1. National authorities have the primary duty and responsibility to provide protection and humanitarian assistance to internally displaced persons within their jurisdiction.

2. Internally displaced persons have the right to request and to receive protection and humanitarian assistance from these authorities. They shall not be persecuted or punished for making such a request.

Principle 25, Guiding Principles on Internal Displacement

1. The primary duty and responsibility for providing humanitarian assistance to internally displaced persons lies with national authorities.

Until 2009, the Ministry of Social Affairs was the government office charged with coordinating assistance to IDPs. However, it had neither the funds nor the capacity to respond to their needs. In 2009, CAR's high commissioner for human rights and good governance created the National Standing Committee for IDPs (*Comité National Permanent de Concertation et de Coordination pour la Gestion de la Protection des Droits des Personnes Déplacées*) to coordinate a national response to internal displacement (Office of the President of the Central African Republic, 24 June 2009).

While the government has been unable to assist IDPs, it has given international humanitarian organisations unimpeded access to displaced communities and has allowed them to operate freely in the country. It has allowed UN agencies and NGOs to run rule-of-law projects with local authorities, security forces and even armed opposition groups such as the APRD. These have included workshops on human rights principles and the protection of IDPs.

In July 2010, the government and civil society organisations took part in a workshop on the development of a national legal and institutional framework to address internal displacement (UN GA, 11 August 2010). The former UN Secretary-General's Representative on the Human Rights of IDPs, Walter Kälin, also took part in the workshop and stated that by passing legislation to protect IDPs "CAR would set an example for the Great Lakes region and create the legal and institutional framework necessary to address the serious challenges on the ground and take on its responsibilities to protect and assist internally displaced persons" (UN News Service, 16 July 2010). CAR is also a signatory to the Pact on Security, Stability and Development in Africa's Great Lakes (known as the Great Lakes Pact), which commits member states to incorporating the Guiding Principles on Internal Displacement into domestic law and to creating a practical framework for their implementation (ICGLR, 15 December 2006).

In October 2009, the African Union adopted the Convention for the Protection and Assistance of Internally Displaced Persons in Africa (known as the Kampala Convention), the first legally binding regional measure to protect IDPs' rights. The convention, however, will not come into force until it is ratified by at least 15 states. CAR is still to become a signatory, though the prime minister's office and UNHCR did hold a meeting for members of parliament in October 2010 to examine the convention with a view to ratification (HDPT, 9 November 2010).

In November 2010, eight countries in central Africa, including CAR, signed a convention to limit the spread of small and light-calibre weapons in one of the world's most volatile regions. Known as the Kinshasa Convention, it will come into force after ratification by six member states. According to the UN Representative for Disarmament, the illicit traffic in small arms and light weapons poses a real threat to global human security (IRIN, 22 November 2010). He called the event "a big step forward in the efforts for peace and lasting security". The other seven signatories of the convention are Angola, Cameroon, Chad, Democratic Republic of Congo (DRC), Gabon, Republic of Congo, and Sao Tome and Principe.

Humanitarian access and assistance

Humanitarian access

Principle 24, Guiding Principles on Internal Displacement

2. Humanitarian assistance to internally displaced persons shall not be diverted, in particular for political or military reasons.

Principle 25, Guiding Principles on Internal Displacement

3. All authorities concerned shall grant and facilitate the free passage of humanitarian assistance and grant persons engaged in the provision of such assistance rapid and unimpeded access to the internally displaced.

Principle 26, Guiding Principles on Internal Displacement

Persons engaged in humanitarian assistance, their transport and supplies shall be respected and protected. They shall not be the object of attack or other acts of violence.

Principle 30, Guiding Principles on Internal Displacement

All authorities concerned shall grant and facilitate for international humanitarian organizations and other appropriate actors, in the exercise of their respective mandates, rapid and unimpeded access to internally displaced persons to assist in their return or resettlement and reintegration.

Although the Government has not impeded the operations of humanitarian organisations, access is a big challenge in CAR for both logistical and security reasons. The long distances between Bangui and displaced and conflict-affected communities, and the collapsed road infrastructure mean that transport is cumbersome and costly. During the rainy season, which runs roughly from May to October, most roads to the north from the capital are impassable, and humanitarians can only access the far northeast of the country by air.

The areas in the south-east attacked by the LRA are five days from Bangui by car, preventing a fast response to the needs of people affected. The impact of these difficult conditions on the delivery of humanitarian assistance is exacerbated by the fact that the IDPs most in need of help do not live in concentrated groups. This makes distributions of goods and services time-consuming and highly labour-intensive, increasing the cost of humanitarian operations (Reuters AlertNet, 15 May 2007).

Continuing insecurity also restricts humanitarian access. Criminal gangs kidnapped three French aid workers in the north-east of CAR in 2009, forcing several humanitarian organisations to relocate field staff to the capital (IRIN, 4 December 2009; Reuters AlertNet, 1 December 2009). Despite the presence of UN peacekeeping troops mandated to protect IDPs, refugees and the delivery of humanitarian assistance, 2010 has been marked by a steady erosion of humanitarian space in CAR. Attacks by the LRA forced humanitarian organisations to use armed escorts for the delivery of assistance (OCHA, 14 July 2010).

In April 2010, humanitarian organisations working in Ndele had to withdraw temporarily due to attacks by the splinter rebel group Convention of Patriots for Justice and Peace (*Convention des Patriotes pour la Justice et la Paix* or CPJP) (HDPT, 28 June 2010). This not only interrupted the delivery of aid, but also impaired the ability of aid organisations to conduct needs assessments. The result has been limited information regarding the humanitarian situation of IDPs living in the north-east of CAR (OCHA, 14 July 2010). Attacks by CPJP continued in June and October 2010 (HDPT, 9 November 2010), highlighting the fragility of the peace process and the lack of stability in the run-up to the presidential election, which has now been postponed until January 2011.

International response

International response

Principle 25, Guiding Principles on Internal Displacement

2. International humanitarian organizations and other appropriate actors have the right to offer their services in support of the internally displaced. Such an offer shall not be regarded as an unfriendly act or interference in a State's internal affairs and shall be considered in good faith. Consent thereto shall not be arbitrarily withheld, particularly when authorities concerned are unable or unwilling to provide the required humanitarian assistance.

Principle 27, Guiding Principles on Internal Displacement

1. International humanitarian organizations and other appropriate actors when providing assistance should give due regard to the protection needs and human rights of internally displaced persons and take appropriate measures in this regard. In so doing, these organizations and actors should respect relevant international standards and codes of conduct.

UN agencies, ICRC, and international NGOs have provided protection and assistance to conflict-affected communities in CAR. Some have also worked on early recovery and development programmes. The cluster system, a coordination mechanism designed to improve humanitarian organisations' ability to protect and assist IDPs, was introduced in CAR in August 2007. Ten clusters now operate, including a protection cluster led by UNHCR (OCHA, 14 July 2010).

Humanitarian projects nevertheless remain severely underfunded. As of November 2010, only 43 per cent of the \$149 million requested in the revised 2010 Consolidated Appeals Process (CAP) was funded, compared with 68 per cent of the \$116 million requested last year (OCHA, 30 November 2009). The health, protection and education sectors were only 17 per cent, 29 per cent and 37 per cent funded respectively (OCHA, 12 November 2010). The Special Representative of the UN Secretary-General for CAR stated that the international community "must remain committed to providing a strong financial and political support to CAR in order to enable it to meet the pressing challenges of implementing the recommendations of inclusive political dialogue" (HDPT, 28 June 2010).

The Central Emergency Response Fund (CERF) has allocated UN agencies more than \$3 million to assist 500,000 people affected by the ongoing conflict (CERF, 14 October 2010). The UN Peacebuilding Commission has also allocated \$20 million to support security sector reform, economic revitalisation and rule of law programmes (UN News Centre, 4 February 2010). This is in addition to the \$10 million CAR received from the same body last year to kickstart efforts to build a lasting peace.

The European Union allocated 9.9 million Euros for the rehabilitation of infrastructure for social services in CAR. The funding agreement signed in June 2010 is part of the 10th European Development Fund (HDPT, 28 June 2010). Another 10 million Euros from the European Union was transferred to a basket fund set up by UNDP to assist in the preparation of elections in CAR (HDPT, 27 September 2010). The Japanese government has donated \$1 million to UNHCR to improve the living conditions of IDPs and refugees in CAR.

However, the UN World Food Program (WFP) warned that due to a \$15 million shortfall it may have to cut its feeding program to 600,000 people in the conflict-affected areas in the north of the country and to at least 14,000 IDPs in LRA-affected areas in the south-east. The influx of 17,500 Congolese refugees since 2009 is another factor contributing to WFP's shortfall of funds.

Furthermore, CAR's landlocked position renders transportation costs extremely high (UN News Centre, 24 August 2010).

In October 2010, Ministers from CAR, DRC, Sudan and Uganda met in Bangui to set up a joint military task force under the supervision of the African Union to pursue the LRA across the region's vast and porous borders (OpenDemocracy, 18 October 2010). The US Congress also passed legislation requiring the US government to adopt a comprehensive strategy to help governments in the region disarm the LRA and protect civilians. The law calls for the coordination of US diplomatic, economic, intelligence and military efforts, as well as increased humanitarian aid to affected populations (Sudan Tribune, 14 May 2010).

Recommendations by international human rights bodies

Recommendations by international human rights bodies and the international community

The government of CAR has shown willingness to engage with the UN human rights system, including during the review by the Human Rights Council in May 2009 of the human rights situation in the country (UN GA, 23 February 2009). The government has also cooperated with the Special Rapporteur on extrajudicial, summary or arbitrary executions, the Representative of the UN Secretary-General on the human rights of IDPs, and the Special Representative of the UN Secretary-General for Children and Armed Conflict. The National Assembly recently revised the Criminal Code and Code of Criminal Procedure in order to improve the administration of justice in CAR, in particular the independence of the judiciary and the fight against impunity (OCHA, 18 February 2010).

After the Human Rights Council review in May 2009 of the human rights situation in CAR, the government made commitments to strengthen the National Human Rights Commission by allocating adequate funding, and by making the necessary changes to its statute and mandate to bring it into line with the Principles Relating to the Status of National Institutions for the Promotion and Protection of Human Rights (the Paris Principles); and to adopt a National Plan of Action on Human Rights by the end of 2010. However, both commitments are far behind schedule and should be prioritised (OCHA, 18 February 2010).

According to the UN, the government of CAR has only implemented a small percentage of the recommendations agreed upon during the peace talks held in CAR's capital Bangui in December 2008 known as the "inclusive political dialogue". The talks led to an agreement to form a unity government and push forward the demobilisation, disarmament and reintegration (DDR) of ex-combatants and security sector reform (SSR). The lack of political will to implement the pending recommendations will hamper efforts to establish state authority in the provinces that have suffered internal armed conflict or to hold credible nationwide elections (ICG, 12 January 2010). The UN has strongly encouraged the government to follow through on implementing 114 pending recommendations from the talks (UN SC, 10 June 2010). The Human Rights Council has encourage CAR to ratify the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, which it signed on 27 September 2010 (UN GA, 3 September 2010).

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