

Report of the Chair's visit to the Central African Republic (CAR)

6-10 April 2011

I. Introduction

1. The Chairperson of the Central African Configuration (CAR) of the Peacebuilding Commission (PBC), H.E. Mr. Jan Grauls, conducted a working visit¹ to CAR from 6 to 10 April 2011. The main purposes of his visit were to assess progress made in the country's peacebuilding process, particularly following the holding of presidential and parliamentary elections in January and March 2011, discuss the ongoing elaboration by the CAR government of a second generation Poverty Reduction Strategy (PRSP II), and the inclusion therein of a peacebuilding dimension, and the ongoing preparations for a donors' roundtable to be held in June 2011 in Brussels, organised by the Government with the support of the Peacebuilding Commission, the World Bank, UNDP and the African Development Bank.
2. The Chair wishes to convey his appreciation to the Government of the Central African Republic and the United Nations Integrated Peacebuilding Support Office in Central Africa Republic (BINUCA) for their hospitality and most useful assistance during the mission. A particular word of appreciation goes to Ms. Sahle-Work Zewde, the outgoing Special Representative of the Secretary-General in CAR and Head of BINUCA, for her contribution to the peacebuilding process in CAR and her untiring support to the work of the PBC.
3. The Chairperson held meetings with the President, the Prime Minister, the Minister of State for Planning, the Minister of Justice, and met with the Special Representative of the Secretary General, the Deputy Special Representative of the Secretary General, the United Nations Country Team, members of the international community accredited to the Central African Republic, civil society organisations, in particular women's organisations, the humanitarian country team, and the World Bank and UNDP in the context of their support to the elaboration of the country's PRS.
4. The Chairperson travelled to Batangafo, in the Ouham prefecture on Saturday, 9 April, where he visited PBF projects implemented by the Danish Refugee Council (DRC), in the areas of access to justice, training of teachers-parent, and protection of children. The Chairperson visited the Ngaraba central prison in Bangui on Sunday, 10 April, to assess the situation in the penitentiary system, in the rule of law context.
5. This report highlight the key findings of the Chairperson's visit:

¹ 1. The Terms of Reference of the visit are contained in Annex I, and the programme of the visit is contained in Annex II

II. Political context

6. The mission arrived in Bangui just over a week after the holding of the second round of legislative elections in CAR on 27 March 2011. The first round, held on 23 January 2011, had seen the victory of incumbent President François Bozizé, who was formally sworn in on 15 March 2011.
7. Several international observation missions were present in the country, including the Electoral Institute for the Sustainability of Democracy in Africa (EISA), the *Organisation Internationale de la Francophonie* (OIF), and the African Union, complemented by over 500 national observers from the *Observatoire National des Elections* (ONE) supported by the National Democratic Institute (NDI). Overall the electoral process was described as marred by serious operational and technical challenges, including involving the late posting of electoral lists, late opening of several voting sites, and an important number of missing ballot boxes (some of which were later recovered and processed). The Independent Electoral Commission was encouraged to address these shortcomings in the second round. It has been recognized however, that the ballot took place in a peaceful environment, and no major security incidents were reported. A large number of appeals have been filed with the Constitutional Court, some of which have resulted in the invalidation of the results requiring new elections to be held.
8. One additional independent assessment has been conducted by two international elections experts, analysing the final results and comparing them to available international statistics. Some of these assessments have cast serious doubts on the transparency of the electoral process, claiming wide-spread intentional fraud, particularly in the parliamentary elections, aimed at bringing to power a number of politicians with ties to the President. Divisions within the international community and between some key partners of CAR and the Government have occurred as a result of these serious allegations, putting a damper on the outlook for the country in the post-electoral context.
9. At the time of the mission, a Government and Prime Minister had not yet been nominated².

III. PRSP II and preparations for the June 2011 Donors' Round Table

10. The organisation of a donors' round table for the Central African Republic constituted one of the key objectives of the Chairperson's visit. In particular, the chairperson focused on assessing three key variables which will have an influence on the success of the event: (i) the national context; (ii) the quality and timely finalisation of the background documentation to be presented to donors, most notably the PRSP II; and (iii) the level of participation of international partners at the event.

² On 17 April, outgoing Prime Minister Faustin Archange Touadera was reconfirmed in his position by President François Bozizé. On 22 April, the composition of a new government was announced.

11. The Chair noted that the prevailing national context at the time of his visit did not present the most favourable conditions for a successful re-engagement by the international community. As referred to above, the controversy related to the outcome of the elections, has caused considerable damage within the international community represented in Bangui, and between some key partners and the Government of CAR.
12. The Chairperson therefore stressed the importance of strong and positive signals needed from the newly sworn in President and his future Government, to reconfirm their commitment to an inclusive national peacebuilding process. The nomination of a consensual Prime Minister, the inclusion of members of the opposition into state functions, the incorporation of the recommendations of the Inclusive Political Dialogue of December 2008 into the Government programme, and proactive steps towards facilitating real progress in the DDR process, and the opening of a dialogue with the remaining rebel groups were some of the signs which would demonstrate that political will.
13. With regard to the technical aspects of the round table, considerable progress has been made by the CAR to prepare the necessary documentation for the event. In particular, the Chair was informed of the inclusive processes set up for the preparation and finalisation of the PRSP II. In this connection, the Chair stressed the imperative of ensuring the appropriate incorporation of the peacebuilding priorities jointly identified in the PBC's Strategic Framework, with a view to moving towards a closer alignment of the PBC's Strategic Framework for Peacebuilding with the country's PRSP II. The Chair was reassured by the Central African authorities that it was also their intention to do so. However, the Chair was not convinced that some specific peacebuilding priorities were being adequately incorporated, and expressed concern that other priorities, such as in the area of SSR, had not been fully coordinated among national partners, and that readily available international expertise had been kept at bay, despite apparent and serious needs for the contrary. Similarly, synergies between the actions proposed under each PRSP II pillar needed to be reinforced, such as between SSR, DDR and rule of law.
14. It is noteworthy to mention that the United Nations Development Assistance Framework (UNDAF+), which constitutes the single framework document articulating the United Nation's contribution to address peacebuilding and development challenges in CAR for 2012 to 2016, is equally aligned to the pillars of the PRSP II.
15. Future discussions between the PBC and the Government of CAR will aim at elaborating their future tool of mutual engagement after the expiration of the Strategic Framework for Peacebuilding beyond 2011; taking into account the PRSP II in as far as it addresses the peacebuilding dimension.
16. The Chair remains concerned with the very tight timeframe in light of what still remains to be done by the national counterpart at the level of documentation, and

practical arrangements. Ideally, the PRSP II document would need to be circulated to potential donors at least one month ahead of the round table.

17. Based on the above, the Chairperson is concerned with the prospects for the appropriate participation of and representation by some of the country's key international partners. Additional efforts also need to be made towards ensuring the broadening of the country's donor base, and to promote south-south cooperation arrangements.

IV. Thematic areas/Peacebuilding Priorities: DDR, SSR, Rule of Law, Development hubs

18. The visit afforded the opportunity to assess progress made in the three priority areas identified in the PBC's Strategic Framework for Peacebuilding.
19. In **DDR** progress continues to be slow, although with the electoral process behind, the attention of all stakeholders will return to DDR. The following are noteworthy developments in this context. 1) With a view to make best use of the limited financial resources available, the UNDP DDR Management Team was temporarily disbanded pending the restart of the DDR process. 2) A technical committee of the DDR Steering Committee has elaborated a national strategy for the reintegration of ex-combatants, which once finalised will be considered and approved by the steering committee. 3) During the visit, the national DDR Steering Committee met to discuss the launch of disarmament and demobilisation in the North West, which had been set to start on 18 April. However, in light of the expected departure on 10 June of the ECCAS military observers, the start of the rainy season which will considerably restrict DDR activity in the North-East, the withdrawal in late February of the Chadian forces from Birao, and the need to re-establish a minimum of security in the North-East to allow for oil prospecting companies to continue their work, the Government opted to proceed first with the verification of ex-combatants in the North East, before starting disarmament and demobilisation in the North-West. 4) Questions remain as to the reinsertion of some ex-combatants into the national defence and security forces, and with respect to the Government's real commitment to move ahead with DDR, including providing funding from the national budget to implement reintegration.
20. In the area of **SSR**, the situation appears even bleaker. In essence, since the departure over a year ago of the multi-disciplinary team which provided support to the work of the Secretariat Technique Permanent (STP), no progress has been made. The prospects of a round table later this year triggered the interest of the STP to provide a meaningful contribution to the PRSP II, with the support of the now fully functional Security Institutions Unit (SIU) in BINUCA, and additional international expertise. However, against the advice of international experts, the national SSR coordinator produced a short document complemented with a list of 10 projects in the area of security sector, mainly promoting the strengthening of the *Forces Armées Centrafricaines* (FACA), to the detriment of a more holistic approach, which would

have taken into account other parts of the national security institutions, and would have promoted more synergies with proposed activities for instance in the field of rule of law and strengthening of the justice sector. The alleged refusal by the national coordinator to make use of international expertise to support a more effective process was noted as a serious concern. A meeting with the *Ministre Délégué* in charge of Defence, where some of these concerns could have been raised, could not take place. The Chair intends to write to the Minister upon his return to New York.

21. As regards **rule of law**, the Chair was appraised of the latest developments during his meeting with H.E. Mr. Laurent Ngon Baba, Minister of Justice of CAR. The Minister briefed the Chair on the prisons construction projects in Bouca and Bria, which includes recruitment and training of 46 commissioners and prison guards, with due consideration to gender considerations (32 out of the 46 commissioners and prison guards being trained are women). Highlighting the weak capacity of the country's justice system (200 judges for the whole country), the Minister briefed the Chair on ongoing efforts to train magistrates through the *Ecole Nationale d'Administration et de Magistrature* (ENAM), at a pace of 50 judges per year.
22. Justice and rule of law are fully integrated into the peace and security pillar of the PRSP II. However, linkages to strengthen synergies between the rule of law and security sectors seemed weak and could benefit from being revisited once PRSP II reaches a more advanced stage.
23. Witchcraft and accusations thereof remain a serious concern in the Central African Republic. The Chair was informed that one of the reasons why witchcraft is still considered illegal in CAR is to allow for the formal legal system to deal with cases brought to the courts. Appropriate protective mechanisms would need to be put in place before witchcraft is de-penalised, otherwise those accused of witchcraft will be put at risk of being killed by their own community.

V. Other issues: The situation of women and children

24. With each interlocutor, the Chairperson highlighted the **specific situation of women and children**, particularly those who have or continue to be affected by conflict or displacement. Ahead of his visit, the Chair was briefed by the Special Representative of the Secretary-General for Children and Armed Conflict, and the Special Representative of the Secretary-General on Sexual Violence in Conflict on the situation in the Central African Republic pertaining to their respective mandates.
25. In particular, the Chair stressed the importance of including **women** in the new Government, as well as ensuring their participation in peacebuilding and decision-making processes to ensure a gender sensitive approach. The number of women representatives in the new National Assembly is slightly higher than in the previous legislature, but still remain below the 30 percent mark called for in legal texts. Problems also remain with regard to the implementation of Security Council resolutions 1325 and 1960, including monitoring, analysis and reporting

arrangements. The lack of capacities of national institutions, including the *Direction Générale de la Promotion de la Femme*, further hampers the improvement of the situation of women, as does the limited attention given by international partners, including the United Nations system due to capacity constraints.

26. As evidenced during the Chair's visit to Batangafo (see below) the situation of **children** in the Central African Republic remains dire. Many communities are now relying on teacher-parent solutions to ensure a basic instruction for their children, some of which are displaced from their communities of origin due to insecurity and violence between various armed groups, and tensions arising between communities and Chadian cattle herders migrating south. The Chair raised the issue of elaborating and signing individual action plans between rebel groups and the United Nations, with a view to being removed from the list of armed groups suing and recruiting child soldiers. A first attempt in that regard had been blocked by the Government who expressed preference to develop a global plan of action, which would have included all armed groups signatories to the peace agreement. The Chair stressed with his interlocutors the need to adhere fully to the provisions of relevant Security Council resolution, which calls for individual action plans. On UN side, limited attention has been given to the specific issue of action plans, as has been the case for the establishment of a robust monitoring and reporting mechanism.
27. Finally, during his meeting with the Prime Minister, the Chair raised the issue of the establishment of the *Conseil National pour la Protection de l'Enfance* (National Council for the Protection of Children). The Prime Minister reassured the Chair that the last stumbling block to its effective functioning had now been removed, and that the Council would soon start its activities.

VI. Field visit and visit to the prison

28. The Chairperson travelled to **Batangafo**, in the Ouham prefecture. During his visit, the Chairperson was able to visit ongoing projects funded by the Peacebuilding Fund and implemented by *Médecins Sans Frontières* (MSF) and the Danish Refugee Council (DRC). These projects aim at increasing access to quality education to promote a culture of respect for human rights and to reinvigorate the community dialogue on the promotion of peace. Concretely, the Chair attended a training of teacher-parents (*maitre-parent*), which provides parents in the community with the basic skills to hold classes in displaced communities, and communities where traditional teachers have left. The Chair also visited a *clinique juridique* (legal clinic) which are integrated into the strategy of the Ministry of Justice to promote people's access to justice in areas that have experienced significant population displacement. The legal clinics are managed by members of the *Association des Femmes Juristes Centrafricaines* (AFJC) and work towards familiarizing communities on women's rights and strengthening their capacity to assert themselves.
29. Separately the Chairperson visited the **Ngaraba central prison** in Bangui, where he could see for himself the conditions of detention. In a prepared statement, a

representative of the detainees raised concerns related to preliminary detention timeframes, which are regularly overstepped, both in cases of minor offences (maximum six months) and major crimes (maximum one year). A large number of detainees remain incarcerated for periods of time exceeding these limits, without ever being formally charged with a crime. Detainees also complained about the lack of facilities for physical exercise, reading, basic health facilities, and basic furniture such as beds. Most detainees sleep on the floor. Prison officials expressed their frustration with the limited resources available to them, including clean water supply, electricity, and even the basic means of transportation to bring detainees in secure conditions to the court of justice, or even to the hospital. Convicts are walked to the court of justice and the hospital when necessary. In some cases, prison officials have had to requisition passing civilian cars for emergency transportation of seriously ill prisoners. Brand new computer equipment made available by UNDP in the context of its *Programme de Renforcement de l'Etat de Droit* (PRED) remained unused due to the lack of electricity in the prison facilities.

**Visit to the Central African Republic by the
Chairperson of the CAR CSM**

6 to 10 April 2011

Objectives and key messages

I. Objectives of the visit

Overall objectives:

- (a) To continue the dialogue with the Government of the Central African Republic and other relevant actors in the country's peacebuilding process;
- (b) To discuss the progress made in the implementation of key peacebuilding priorities in the Central African Republic as commonly defined in the country's Strategic Framework for Peacebuilding, with a focus on the electoral process;
- (c) To discuss and assess the recently completed electoral cycle.

Specific objectives:

- (a) To discuss the state of play for the organization of a donors' round table for peacebuilding and reconstruction challenges in the Central African Republic (Government, United Nations, World Bank);
- (b) To learn about the status of preparation of the country's second generation Poverty Reduction Strategy (PRS);
- (c) To meet with the European Union delegation and discuss plans for the start of the implementation of the development hubs programme;
- (d) To assess progress made in the Disarmament, Demobilization and Reintegration (DDR) programme, and assess the latest development in the elaboration of a reintegration strategy;
- (e) To assess progress made on the second review of the Strategic Framework for Peacebuilding in the Central African Republic (Government, United Nations).

II. Key Messages

To all interlocutors:

- (a) The Peacebuilding Commission (PBC) followed closely the electoral process in the Central African Republic, as well as the ongoing developments in the country's DDR process;
- (b) The focus of the PBC's interest will gradually shift towards the other peacebuilding priorities: SSR, rule of law and good governance and the development hubs programme;

- (c) The PBC would benefit from the views of the actors in CAR on the next steps in the country's peacebuilding process, and how the PBC can best support efforts to that effect;
- (d) The PBC is interested in hearing partners' views on how to take forward its engagement with the Central African Republic, taking advantage of the ongoing elaboration of a second generation Poverty Reduction Strategy (PRS) and the review process of the Strategic Framework;
- (e) The PBC reiterates its readiness to support, with the World Bank and UNDP, the organization of a donors' round table to mobilize resources for peacebuilding and reconstruction challenges in CAR, after the holding of elections and the completion of a DDR programme;
- (f) To assess progress made in the implementation of the recommendations of the Working Group on Children and Armed Conflict, in particular regarding the development of individual action plans to halt the recruitment and use of child soldiers by rebel groups.

To the Government:

- (a) Political dialogue: How is the implementation of the recommendations of the inclusive political dialogue proceeding? The international community is hoping that progress will accelerate in the post-electoral phase laying the foundation for progress on other fronts;
- (b) National Ownership: The PBC remains fully committed to the principle of national ownership by the Government of CAR, which is best demonstrated through the development of a shared vision for the country's future, as exemplified by the Inclusive Political Dialogue's recommendations;
- (c) Elections: Express concern about the conditions in which the parliamentary elections took place. In this context, urge the CAR authorities to restart without delay the political dialogue with the opposition, to correct any electoral deficiencies for future elections. Express the will to take due account of the efforts made in this regard in its work with the newly elected authorities and other national stakeholders on furthering the country's peacebuilding agenda. Stress the importance of ensuring the inclusion of the political opposition in the future government, and to respect the rights and liberties of all, including representatives of the opposition;
- (d) DDR: Inquire about the status of elaboration of the reintegration strategy, and about the financial contribution the Government of CAR intends to make, and through which mechanism, to fund its implementation;
- (e) Resource mobilization: Inform about the perspective of additional PBC resource mobilization efforts, including through the organization of a possible donors roundtable, in a post-electoral context in order to fund peacebuilding and reconstruction activities. Stress the importance for the Government to work with

the international community's support on developing a solid second generation peacebuilding-sensitive PRSP, which would serve as the basic document at the forthcoming donors' round table;

- (f) SSR: Discuss the importance of pursuing efforts towards the development of a SSR strategy, elements of which could be included in the second generation PRS;
- (g) Children and Armed Conflict: explain the need to develop individual action plans per rebel group to halt the recruitment and use of child soldiers.

To the UN family:

- (a) Praise the UN for the impressive job they are doing, in very challenging circumstances, and inquire about how the PBC can best support the UN's activities on the ground;
- (b) Inquire about how the newly developed UN Integrated Strategic Framework (ISF) and the future UNDAF+ are being articulated with the ongoing process of elaborating the second generation PRS;
- (c) Inquire about how the UN is supporting national authorities in developing a peacebuilding sensitive PRS which will serve as a key document for the upcoming donors' round table;
- (d) Inquire about how the UN is supporting the implementation of the recommendations of the Security Council Working Group on Children and Armed Conflict;
- (e) Inquire about the implications of the inclusion of the CAR on the list of priority countries of the Special Representative of the Secretary General on Sexual Violence and Conflict.

To International partners:

- (a) Inquire about the assessment by international partners of the situation in the Central African Republic;
- (b) Inquire about the prospects for a donor's round table.

To women's associations:

- (a) Inquire about the assessment by women's organizations of the level of participation by women in the electoral process;
- (b) Inquire about the current situation of sexual violence and violence against children in the country and how this situation is being addressed.

Annex 2: Programme of Visit

Time	Activity
Wednesday, 6 April 2011	
19:30	<i>Meeting with SRSG Sahle-Work Zewde</i>
Thursday, 7 April 2011	
8:45 – 9:00	<i>Meeting with SRSG and DSRSG</i>
9:00 – 10:15	<i>Meeting with SRSG, DSRSG, World Bank, UNDP</i>
10:30 – 11:00	<i>Meeting with the UN Country Team and BINUCA Section Chiefs</i>
11:30	<i>Meeting with the President – followed by working lunch</i>
15:30 – 17:15	<i>Meeting with the Minister of State for Planning and PRSP II Steering Committee</i>
17:30 – 18:30	<i>Meeting with the SRSG, DSRSG, World Bank, UNDP, EU, France, US</i>
18:45 – 19:45	<i>Meeting with representatives of humanitarian community</i>
20:00	<i>Dinner with international partners</i>
Friday, 8 April 2011	
8:30	<i>Briefing on SSR (SRSG, Chief Security Institutions Unit, BINUCA)</i>
9:00 – 10:00	<i>Meeting with representatives of women's organisations</i>
10:30 – 11:30	<i>Meeting with the Minister of Justice</i>
12:45	<i>Working lunch at United States Embassy</i>
14:30 – 15:30	<i>Meeting with European Union</i>
16:00 – 17:00	<i>Meeting with the Prime Minister</i>
Saturday, 9 April 2011	
9:00 – 17:00	<i>Visit to Batangafo, Ouham prefecture</i>
17:30	<i>Press Conference</i>
Sunday, 10 April 2011	
9:00 – 10:00	<i>Visit of Ngaraba prison</i>