



**MISSION REPORT OF THE ACERWC
TO ASSESS THE SITUATION OF CHILDREN
AFFECTED BY THE CONFLICT
IN CENTRAL AFRICAN REPUBLIC**

December 2014

Original French



ACERWC

African Committee of Experts on the Rights and Welfare of the Child

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LIST OF ACRONYMS

ACERWC	African Committee of Experts on the Rights and Welfare of the Child
ACRWC	African Charter on the Rights and Welfare of the Child
AU	African Union
AUC	African Union Commission
CAAC	Children Affected by Armed Conflict
CAR	Central African Republic
CSOs	Civil Society Organizations
DDR	Disarmament, Demobilization and Reintegration
IDPs	Internally Displaced Persons
INGOs	International Non-Governmental Organizations
LRA	Lord's Resistance Army
MINUSCA	United Nations Multidimensional Integrated Stabilization Mission in Central African Republic
MISAC	African Union Mission for Central African Republic and Central Africa
NGOs	Non-Governmental Organizations
OAU	Organization of African Unity
SMS	Short Message Service
SSR	Security Sector Reform
UNHCR	United Nations High Commission for Refugees
UNICEF	United Nations International Children Emergency Fund

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I. BACKGROUND AND JUSTIFICATION

1. The African Charter on the Rights and Welfare of the Child (ACRWC) was adopted at the 26th Conference of Heads of State and Government of the Organization of African Unity (OAU) on July 11, 1990 and entered into force on November 29, 1999. Article 32 of the Charter established the African Committee of Experts on the Rights and Welfare of the Child (ACERWC) whose mandate is, inter alia, to monitor the implementation of the Charter, and promote and protect the rights contained therein.

2. The Committee is deeply concerned about the scale of humanitarian challenges in the Central African Republic, which affect the protection of the rights and welfare of children. The Committee notes that Articles 22, 23 and 25 of the ACRWC explicitly recognize the need to respect international law especially as the impact of armed conflict is more accentuated on children, particularly on those who are displaced and separated from their parents and families.

3. Contrary to the protection accorded through the African Children's Charter, the Committee realised that children in CAR are

among the most vulnerable to a broad range of serious violations, including being involved in armed groups. The Committee was therefore convinced on the importance of a detailed assessment of the situation of children in CAR as they are the most affected group of the Community by the ongoing conflict. This in a way brings the Committee in harmony with the positions of the AU Peace and Security Council to address the needs of children according to the Rights established under the various African Union Human Rights Instruments; including the African Charter on Human and Peoples' Rights, the OAU Convention Governing the Specific Aspects of Refugee Problems in Africa, and the Convention for the Protection and Assistance of Internally Displaced Persons in Africa.

4. In consideration of these facts the ACERWC passed a Resolution on the situations of children in Central African Republic during the 23rd Ordinary Session held from 7 to 16 April 2014 in Addis Ababa, Ethiopia, and decided to undertake a mission whose overall objective was to advocate for improved protection and response to children affected by armed conflict (CAAC) in CAR. Specifically, the Mission had the objective of assessing the impact of armed conflict on children in CAR and determining the key capacity and resource gaps for

the prevention and response for CAAC.

5. To this effect the Committee sent a Note Verbal to the Government of CAR, which accepted and welcomed the Committee's Mission. The ACERWC would like to take this opportunity to extend its appreciation to the Government of CAR for the permission it granted to the Committee. Thus, the Delegation of the ACERWC stayed in Central African Republic from December 14 to 21, 2014. The Delegation comprised:

- Mrs *SIDIKOU Aissatou Alassane Moulaye*, Chairperson of the ACERWC and Head of the Delegation;
- Mr. *Joseph NDAYISENGA*, ACERWC 2nd Vice-Chair ;
- Justice *Alfas Chitakunye*, ACERWC Member ;
- Mrs *Cisse Mariama Mohamed*, Secretary / ACERWC Supervisor ;
- Mr. *BASSE Jean François*, Child Protection Advisor, Peace and Security Department, African Union Commission (AUC);
- Mr *SEKONE Wendyam Philippe*, Child Rights Officer at the Committee's Secretariat;
- Mr *AYALEW Getachew*, Legal Researcher at the Committee's Secretariat and;
- Mr *Kameni Yannick Gael*, Communication Officer at the Committee's Secretariat.



II. OBJECTIVES OF THE MISSION

General objective

6. The general objective of the mission, in accordance with the above mentioned Resolution, is to advocate for enhanced protection of children affected by armed conflict in Central African Republic.

7. More specifically, the Delegation had to:

- Assess the impact of the armed conflict on children in Central African Republic;
- Identify the capacities and needs for enhanced prevention and improved response to the problems of children affected by the armed conflict.

8. During its stay in Central African Republic, the Delegation met Officials from the following institutions :

Government services/Bodies/Officials

- The Vice-Chair of the National Transition Council and the Chairs of Gender and Foreign Affairs Committees;
- The Ministry of Social Affairs and Humanitarian Action ;
- The Ministry of Justice ;
- The Ministry of National Defence, Veterans, War Victims and Army

Restructuring

- The Commission responsible for the Security Sector Reform (SSR) and Disarmament, Demobilization, Reintegration program (DDR);
- The Prefect of Haute-Kotto, Bria
- The Prefect of Ouham, Bossangoa ;
- The African Union Mission for the Central African Republic and Central Africa (MISAC).

UN Agencies, INGOs and NGOs

- UNICEF ;
- UNHCR ;
- Save the Children ;
- Plan International ;
- SOS Children's Villages ;
- Sub-cluster on child protection ;
- Child Protection Unit of the United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic (MINUSCA);
- International and national NGOs.

Field visits

- IDPs Camp of M'Poko Airport of Bangui ;

- Transitional Guidance Center of Bria ;
- Visit in Bossangoa ;
- Visit of Don Bosco Camp ;
- Visit in PK 5 to host families involved for repatriates, the Grand Mosque and the Child-friendly Space.

III. FINDINGS OF THE MISSION

9. The Delegation appreciated the effort that the Government of Central African Republic employed to promote and protect children's rights with the support of the African Union through the African Union Mission for Central African Republic and Central Africa (MISAC), the United Nations Multidimensional Integrated Stabilization Mission in Central African Republic (MINUSCA), UN agencies and national and international NGOs. However, the Committee has noted the absence of the State authority to ensure the security and welfare of the population in general and of children's in particular. The national situation remains fragile and is characterized by multiple, interdependent and cumulative violations of basic children's rights.

a) The Right to Education

10. During the various meetings of the Delegation with stakeholders and partners, problems related to the implementation of children's right to education were raised. Indeed, for over three years schools have not been regularly operating. The Delegation noted that most of the schools are burnt and destroyed; and tables, benches and teaching

materials are stolen. The schools have not been rebuilt and are being occupied by armed groups particularly in rural areas. Some schools remain closed since the outbreak of the conflict. For over one million children, primary universal education is not currently secured. In some regions, children prefer to engage in gold washing activities rather than going to school due to lack of teachers and fear of the conflict and take refuge in more secure areas. The start of the school year scheduled on November 20, 2014 was not effective.



A Child-friendly space in PK 5

11. Despite the various calls of the government to the education staff to return to their position, several teachers did not return to still accessible schools for security reasons. Children who shall cross neighborhoods controlled by rival armed groups to reach school, do not go to school because they fear for their safety. SMS campaigns on mobile networks were also launched urging students to resume classes to save the school year. Development partners have also set up child-friendly spaces where children are gathered according to their age to attend classes delivered by NGO volunteers. Despite all these efforts, it is still very difficult to take all children to school, because the courses are provided in sheds and classrooms are open to the wind.



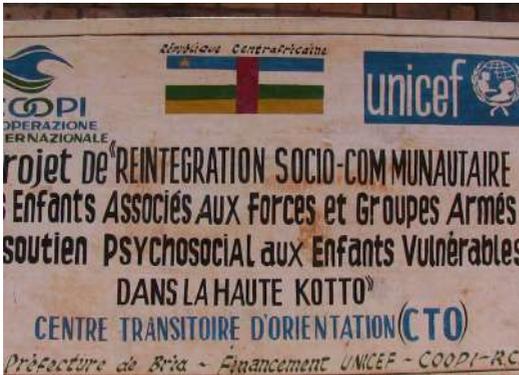
Children are kept busing with their peer to prevent idleness and drives to join armed groups

b) Right to Health

12. The Delegation received information that indicates the health service system is in crisis and primary health care is not available, particularly in rural areas. Inequalities and regional disparities are found on number of medical staffs and access to basic health services. Indicators show high rate of infant mortality mainly due to malaria, malnutrition and infections. Many children aged from 0 to 5 are not vaccinated, because it is very difficult to access health care centers. One out of eight children dies before the age of five, and almost half of the children under five are stunted.

13. The Delegation also learned that many health facilities run by humanitarian staff are not open every day and do not allow taking care of sick children. There are however few NGOs such as Médecins sans Frontières and Doctors of Africa that provide technical support to public facilities for medical care for the sick.

14. A large number of children are victims of physical and sexual violence in refugee camps, which in the long term have psychological effects on them. Despite the actions of some NGOs,



Signboard of a re-insertion Program targeting former children associated with armed groups in Bria



Families living in the courtyard of the Mosque in PK5

Discussion with the communities that fled to the Mosque in PK5, Bangui





Children in th child-friendly space at the Mpoko IDPs Camp, Bangui

Child friendly space setup by NGOs in Bria



A child in the courtyard of the Mosque in PK5 where communities have fled to



children do not benefit from appropriate psychological care for lack of trained professionals. During the field visits, the Delegation found that counseling services provided by NGOs are not sufficient to restore confidence to children that are victims of abuses.

c) Justice System

15. The Delegation noted that the judicial system in general and the juvenile justice system in particular do not function effectively. Several crimes are committed by armed groups on young girls and the perpetrators are left without punishment in line with the law. The Delegation was informed that out of the 254 cases of sexual violence against women and children perpetrated by armed groups registered for the period covering July to September 2014, no cases have resulted in lawsuit let alone conviction.

16. Furthermore, rape and sexual abuses on children are the most frequently reported cases in Police and Gendarmerie stations. Children have also been targeted by armed groups and subjected to beatings and extreme violence in Bangui and in the Sub-Prefectures of Lobaye, Kemo, Mobaye, Ndjoukou, Ngaoundaye and Berberati.

17. The Delegation noted the lack of State authority to hold perpetrators accountable and effectively administer justice. Out of the six juvenile courts existing in the territory, only the one under the territorial jurisdiction of Bangui is still working though it lacks sufficient human resources to conduct investigations. In Berberati, the Court of Appeal works with only four magistrates.

18. Thus, there is a need to rebuild the justice system in general and restore the systematic synergies between the various Government Organs with a view of establishing accountability against those who are violating children's rights.

d) Displaced and Separated Children

19. The Delegation noted the existence of a number of displaced and separated children. The Committee's Delegation also noted that there are several IDP camps, where children are neglected because they are orphans. Forced displacements have led to family separations and a dramatic increase of street children in urban areas. Existing mechanisms do not always guarantee assistance or protection to displaced children, particularly when they are not

accompanied or are separated from their relatives. In the refugee camps of M'Poko airport visited by the Delegation, many children especially young girls are at the mercy of armed groups who use them for all sorts of chores.

20. The Delegation also visited families that host separated and displaced children and families. Usually these families came from other prefectures where their homes and belongings were looted and burnt. They found refuge in Bangui and its environs to stay with relatives to escape the killings and various reprisals because of their religious affiliation. The heads of host families who often have also lost their jobs, struggle to cater for the needs of the children and family members they have received. The children often do not have food adapted to their ages and meals are not varied.

e) Recruitment by Armed Groups

21. The information received by the Committee members reveals nearly 10,000 children, including girls, are recruited, exploited and used by the two rival armed groups, i.e. former Seleka and anti-Balaka members. In the south, particularly in the region of Obo, young

people are abducted and forcibly recruited by the Lord's Resistance Army (LRA).

22. The Delegation also found the actual participation of children in the conflict with collected testimonies of children who reported having committed abuses on the rival group to avenge the killing of their parents or family members. Other children have also explained that they assisted "their elder brothers" for night patrols to ensure their security. These children often have no contact with their parents though their parents live with them in the same refugee camp. They explained that they choose to abandon their parents and live with armed group leaders (whom they call "*Tontons*") who can ensure their security and give them food. The young girls do household chores or prepare coffee for the "*Tontons*" and also recognize participating in night rounds and even in hostilities. Children often join militias to avoid idleness, to find security and eat and sometimes for revenge, even if counseling activities of NGOs deter them from doing it.

f) Rape and violence against children

23. The Delegation received information that reveals over 550 000

children in psychological distress or suffering from mental disorders for being victims, authors or witnesses of acts of extreme violence or emotionally unbearable scenes. During its meeting with children, the Delegation was informed that many children experienced rape by the rival group and wish to turn the page and reintegrate the society through socio-professional activities. NGOs' resource persons act as buffer between armed groups and displaced persons to enable them to return to their neighborhood and have a peaceful life.

24. Though the Delegation noted that the activity called "peer education" is also used to make children sensitize other children who are recruited by armed groups. Unfortunately, this sensitization is limited because there are no alternatives to offer to children who agree to disarm, since schools are closed and socio-professional activities are insufficient due to the lack of resources.

g) Humanitarian action

25. The Delegation, in its meeting with stakeholders working on humanitarian assistance, noted that the need for humanitarian assistance is increasing while the resource mobilized by the Government of Central

African Republic is decreasing. The fact that partners have directed their priorities to other countries due to the emergence of new humanitarian problems also aggravated the situation.

26. There is poor sanitation in areas where children live. Enclaves and shelters where children are living are also under the threat of attacks by armed groups. The situation is particularly worrying for the population and children living in PK 5 and PK 12 enclaves, in the suburbs of Bangui, Boda, Bouar and Bossangoa.

27. Humanitarian staff often has difficulty to reach these areas, because several families have also sought refuge in hardly accessible forests.

h) Security Sector Reform and DDR

28. It is the Delegation's high concern that most of the prefectures are not accessible but with the recent deployment of the MINUSCA force, security has improved significantly.

29. As for Security Sector Reforms, there should be a

prerequisite which is security. MISCA interacts with two main armed groups (Ex Seleka and Anti Balaka) to bring peace and to implement the various reforms.

30. Though some fighters (about 8,000) have passed through the DDR process between 2009 and 2014, the circulation and supply of weapons and arsenals among the rebel groups remains to be the same. The joint AU-UN assessment mission has identified the need to plan for DDR and Security Sector Reform (SSR) in CAR so that the processes can contribute to short and long term stabilization of the security situation.

31. National authorities should therefore take the responsibility of strengthening the SSR in CAR. The implementation of a national program on SSR as soon as possible is strongly recommended.

i) Ratification of the African Charter on the Rights and Welfare of the Child

32. The Delegation seized the opportunity of meetings with the authorities of Central African Republic to raise the issue relating to the

ratification of the African Charter on the Rights and Welfare of the Child. Central African Republic appears on the list of Member States that have not yet ratified the Charter. Following verification, it appears that CAR had ratified the Charter, and a copy of the decree signed on July 6, 2002 by former President Ange Felix Patassé was produced. But as long as the ratification document is not deposited with the African Union Commission, the Country will still be considered as non-ratifying State. The Delegation therefore urged Central African Republic authorities to forward, as a matter of emergency, the ratification document to the African Union Commission.

33. The authorities of Central African Republic regretted the non-transmission of the ratification documents and promised to take the necessary steps to remedy this situation.



Photo Credit /Ibrahim Sanusi, AU DPA-2014 Bossangoa CAR



IV. CONCLUSION AND RECOMMENDATIONS

34. The ACERWC Delegation concludes that, in the framework of Republic, there are several issues relating to the protection of children's rights that need to be addressed urgently, including: the restoration of the State Machinery systems including the security sector, basic social systems such as health, education, justice, the disarmament, demobilization and reintegration of children involved in armed groups, psycho-social care for children victims of violence and the revival of socio-economic activities with a view of creating an enabling environment which is fit for the welfare and rights of children in Central African Republic.

35. The Delegation appreciates the remarkable achievements in addressing children's situation in Central African Republic with technical and financial support of the international community. The situation in Central African Republic in general, and of children in particular, should not be covered up by the emerging phenomena affecting other countries. The Delegation encourages partners to continue efforts of restoring peace and assisting children to live with their family.

36. ACERWC therefore wishes to draw the attention of the Government of Central African Republic, the Member States of the African Union and other stakeholders on the following recommendations:

- The Committee notes that there is no clear mechanism to effectively coordinate the implementation of the various government and non-government initiatives to protect children affected by the conflict. The Committee is deeply concerned about the fact that the action of the various governmental entities dealing with children is limited by low allocation of budgetary resources. It also notes with concern that the social sectors dealing with children rely heavily on funding from external donors, whose contribution is not guaranteed over time and currently tends to decrease.

- The Committee urges the State to ensure that a competent high-level body, with sufficient authority, a clear mandate and proper human, technical and financial resources, is created to effectively coordinate efforts undertaken for the promotion of children's rights in the various sectors, both at national and decentralized levels. It recommends for the State to

conduct a comprehensive assessment of the needs of vulnerable children and adopt a budgeting method allowing to progressively address the persistent disparities in the exercise of children's rights.

- The Committee strongly encourages authorities to carry on efforts to ensure security sector reform and the progressive establishment of an administration of juvenile justice, and urges the State to make a strong commitment towards a greater protection of children through the adoption of a Child Protection Code.

- The Committee recommends a systematic training on children's rights and protection for all professional groups working with children, including law enforcement officers, judges, prosecutors, teachers, health sector staff, social workers and prison staff.

- The Committee recommends for the State to take the necessary steps for the effective ratification of the African Charter on the Rights and Welfare of the Child. It also recommends, to further promote the exercise of the rights of children, to ratify the main international instruments on human to which it is not yet a party.

- The Committee recommends for the State to strengthen

efforts to ensure the right to life, survival and development for all children. It urges the State to restore hope for millions of children and implement educational programs for the public, and respect for the rights and well-being of the child; to take all necessary steps to ensure that children who are victims of violence receive psychosocial support and rehabilitation services; and that they are familiar with the complaints procedures and encouraged to report cases of violence to authorities.

- The Committee recommends for the State to take stronger action to end all forms of discrimination against children and urges the Government to formulate a comprehensive strategy to modify and eliminate discriminatory attitudes and practices and support all initiatives to strengthen social cohesion.

- The Committee urges the State to take concrete steps to protect children against sexual abuse and child prostitution and investigate effectively all cases of child sexual abuse, including rape, provide better protection for victims and ensure that perpetrators are brought to justice and punished; set up a complaint system for investigations suitable to children and a legal procedure to protect

confidentiality and develop policies and programs for the prevention, rehabilitation and social reintegration of victims.

- The Committee recommends for the State to, as part of the Security Sector Reform process, take the necessary measures to prevent the recruitment and use of children by armed groups, investigate effectively and systematically on these recruitments and provide a psychological support and the necessary rehabilitation assistance for child victims of these practices with the support of the UN.

- The Committee recommends that the State strengthen its assistance to displaced children, with a particular attention to children that are unaccompanied and separated from their families, ensuring that a particular mechanism is in place to protect and assist them.

- The Committee recommends for the State to design and implement a strong system of primary health care throughout the country; take adequate measures to serve the areas characterized by disparities in medical facilities and services to ensure a quality of care and set up medical facilities and clinics equipped and staffed with qualified medical personnel.

- The Committee recommends that the State allocates more

funds in the field of education for schools, services and training and increase the number of schools at all levels of education, especially in rural areas, to ensure equal access to education for all children, including those from minority ethnic groups.

- The Committee recommends for the UN Stabilization Mission in the Central African Republic to continue supporting the Central African authorities and ensure the training of troops for child protection before and during deployment.

- The Committee recommends that the international community continues to support Central African Republic in its efforts for reconstruction, peace and social cohesion consolidation, restoration of the state authority, and the establishment of rule of law.

37. The Committee expresses again its appreciation to the Government of the Central African Republic for facilitating this mission and welcomes the constructive dialogue with the high level authorities, which allowed it to better understand the situation of children.



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