



**Jeunesse Unie pour la Protection de l'Environnement
et le Développement Communautaire**

UNITED YOUTH FOR THE ENVIRONMENT PROTECTION AND COMMUNITY DEVELOPMENT

SUBMISSION TO THE UN HUMAN RIGHTS COUNCIL 31st SESSION OF THE UNIVERSAL PERIODIC REVIEW WORKING GROUP THIRD CYCLE REVIEW OF THE CENTRAL AFRICAN REPUBLIC

ABOUT UNITED YOUTH FOR THE PROTECTION OF THE ENVIRONMENT AND COMMUNITY DEVELOPMENT

Jeunesse Unie pour la Protection de l'Environnement et le Développement Communautaire (United Youth for the Protection of the Environment and Community Development, **JUPEDEC**) was founded in 2000 in Zemio, in the south east of the Central African Republic (**CAR**), to respond to humanitarian concerns from attacks by the Lord's Resistance Army and to protect the environment. JUPEDEC now operates across CAR, focusing on civilian protection, humanitarian assistance, health, education, and economic development, and has played a crucial role in civilian protection and reconciliation during the most recent conflict. Currently, JUPEDEC is responding to the increased violence in the South East and North West of the country, managing refugee and internally displaced people (**IDP**) centers, and providing humanitarian aid to affected populations. In particular, JUPEDEC has provides vital humanitarian assistance to IDPs in Obo, Zémio and Paoua. JUPEDEC also has 13 centers in all of CAR's prefectures. Annexed to this submission is a map that shows all operational JUPEDEC offices.

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1. SUMMARY

- 1.1. Conditions in CAR are difficult and many parts of the country remains engaged in active armed conflict. In this context, humanitarian actors are essential in mitigating the impact of the armed conflict on civilians. More than half of Central Africans, around 2.5 million people, are in need of humanitarian assistance.ⁱ Given the scale of the humanitarian crisis, JUPEDEC is concerned that the government of CAR has not taken adequate steps to comply with its obligations under international humanitarian law to respect and protect humanitarian personnel, and to ensure the safe and unhindered access of humanitarian personnel and the delivery of supplies and equipment. In addition, national CSOs have not been given sufficient opportunity to draw on their knowledge and local understanding of the conflict to develop and implement humanitarian assistance. Additional action that secures the ability of humanitarian personnel to conduct their activities and draws on the expertise of national CSOs will increase the number of civilians in CAR whose basic needs are met.

2. BACKGROUND

- 2.1. Despite the establishment of a Government and the democratic election of a Head of State in 2016, the problem of the inter-communal and military-political crisis remains unresolved in CAR. We are witnessing the multiplication of conflict zones that are under the control of armed groups. This has provoked large scale population movement and significant humanitarian need. Several reports from the UN Office for the Coordination of Humanitarian Affairs (**OCHA**) highlight a significant increase in the number of IDPs between 2016 and the end of 2017.ⁱⁱ While the government of CAR, national humanitarian organizations, and international organizations continue to collaborate by developing solutions, including crisis response and recovery plans, implementation remains a problem. This submission draws on JUPEDEC's extensive involvement in carrying out humanitarian programs in CAR. It provides recommendations for actions the government can take to promote the participation of national civil society organizations (**CSOs**), protect humanitarian personnel, and provide a more effective and efficient humanitarian response to support vulnerable Central Africans.

3. THE GOVERNMENT OF CAR HAS NOT TAKEN ADEQUATE STEPS TO RESPECT AND PROTECT HUMANITARIAN PERSONNEL

- 3.1. JUPEDEC is a humanitarian organization that upholds the principles of neutrality, impartiality, independence of action and humanity in its humanitarian activities. The government of CAR has an obligation to respect and protect humanitarian organizations like JUPEDEC, working in situations of armed conflict.ⁱⁱⁱ
- 3.2. Like other humanitarian workers in the CAR, JUPEDEC's staff have been attacked and our property has been destroyed in the course of our work protecting and promoting human rights in CAR. Set out below are recent attacks on JUPEDEC.
- 3.3. In July 2017, JUPEDEC's office in Zemio was robbed and destroyed by members of an armed militia. The militia took our computers and also stole goods that we intended to distribute as humanitarian aid. One of our staff members was shot and

killed during the incident. There has been no government action to investigate or prosecute the individuals responsible.

- 3.4. In February 2018, a JUPEDEC staff member was captured by armed militia in Rafaï and arbitrarily detained. The armed militia took all the possessions on the staff member's person but refused to release him. He was eventually released after local advocacy efforts. There has been no government action to investigate or prosecute the individuals responsible.
- 3.5. In March 2018, a JUPEDEC vehicle was attacked by armed militia in Bangassou when returning from a trip to the local air strip to collect staff members and humanitarian supplies that had come from Obo. Staff in the vehicle were robbed of all the possessions on their person and the militia left with the vehicle. There has been no government action to investigate or prosecute the individuals responsible.
- 3.6. The incidents described above are not exhaustive. Humanitarian relief personnel in CAR work under the persistent threat of violent attacks by armed militia, looting and banditry, and arbitrary detention. From December 2013 to August 2014, the Panel of Experts on the CAR has identified 123 cases of looting of humanitarian relief goods.^{iv} CAR has been described by the UN Secretary General as “one of the most dangerous places for humanitarian work worldwide”, with 14 aid workers killed in just 2017.^v
- 3.7. The civilian population of CAR a right to access humanitarian assistance. As a necessary corollary to this right, the government has an obligation to respect and protect humanitarian personnel. Additional steps must be taken by the government to discharge this obligation.

3.8. We recommend that the government of CAR:

- 3.8.1. Strengthen respect for and protection of the right of humanitarian relief personnel to exercise their activities without harassment.
- 3.8.2. Allocate government resources to ensure the safe transportation and distribution of humanitarian supplies and equipment, in strict compliance with humanitarian principles.
- 3.8.3. Fully and thoroughly investigate and prosecute incidents of violence against humanitarian relief personnel.

4. THE GOVERNMENT OF CAR HAS NOT TAKEN ADEQUATE STEPS TO ENSURE THE SAFE AND UNHINDERED ACCESS OF HUMANITARIAN PERSONNEL

- 4.1. Many parts of the South East of CAR remain inaccessible due to the presence of militia and the deteriorating condition of roads. JUPEDEC is active in the South East in towns and villages including Alindao, Mobaye, Gambo, Bangassou, Rafaï, Zemio, Mboki, Djémah and Obo. JUPEDEC also provides humanitarian relief to villages along the Mbomou river. We have encountered significant difficulty in gaining humanitarian access to these regions.
- 4.2. The physical condition of roads in many parts of South East CAR and other parts of the country means that goods cannot be transported by normal vehicles or motorbike and must be transported by large, aid trucks. These trucks are very slow and are therefore significantly more susceptible to attack en route.

- 4.3. Security conditions in the South East remain precarious and armed militia routinely stop the passage of humanitarian aid.
- 4.4. We are encouraged by the positive steps that the government of CAR has taken to promote the safe passage of humanitarian convoys through the territory. This is in line with recommendations accepted by the government in CAR's last review.^{vi}
- 4.5. For example, in February 2018, World Food Program (WFP) transported food aid from Bambouti to Zemio, that was to be distributed by JUPEDEC to IDPs and refugees. On the Bambouti to Obo axis there was a road block that had been set up by supposed members of the Lord's Resistance Army. The WFP was only able to travel safely through this road block because its convoy received the support of the National forces called "Forces Armées Centrafricaines (FACA)", with JUPEDEC's local advocacy to MINUSCA. The government, in conjunction with the UN peacekeeping mission in the country, MINUSCA, must increase the protection that is given to humanitarian organizations.
- 4.6. The government must also take steps to sensitize armed groups as to the nature and role of humanitarian organizations as neutral, impartial actors, and the need for humanitarian aid delivery. JUPEDEC has successfully taken steps towards this goal, and we believe a broader, national effort would assist in increasing humanitarian access to the areas of CAR most affected by conflict.
- 4.7. For example, in October 2017, a JUPEDEC medical team encountered members of both the ex-Seleka and Anti-Balaka on the way from Bangui to Kouango. At each road block the JUPEDEC team engaged in sensitization advocacy to members of both armed groups, explaining our status as a neutral organization respecting humanitarian principles, describing what services we would be providing to people in Kouango, and explaining why there was a need for these services to be provided. At both road blocks, after negotiation with the groups, our team was given permission to pass. Demonstrating how effective our sensitization work was, on the way back from Kouango our vehicle access was not impeded again.
- 4.8. Similarly, in November 2017, our team arrived in Alindao to implement a sanitation program for IDPs. Members of the armed militia Front Populaire pour la Renaissance de la Centrafrique (FPRC) were present in the town and attempted to prevent us from implementing the project. We engaged in sensitization advocacy again and, after four days of discussion, we were able to commence the project. Since then, we have not encountered difficulty with this armed group as they now understand our position as a neutral organization that respects humanitarian principles and does not serve any political function.
- 4.9. We recommend that the government of CAR:**
 - 4.9.1. Improve the conditions of roads in the South East and other areas of CAR to facilitate the rapid, safe, and unimpeded access of humanitarian assistance to all persons in need.
 - 4.9.2. Protect humanitarian personnel and medical personnel operating in areas that are under siege or hard to reach, ensuring strict compliance with humanitarian principles.

4.9.3. Implement an education campaign targeting members of armed groups to inform them of the nature and role of humanitarian organizations in conflict.

5. THE GOVERNMENT OF CAR HAS NOT TAKEN ADEQUATE STEPS TO INCLUDE NATIONAL CSOs IN THE DEVELOPMENT AND IMPLEMENTATION OF HUMANITARIAN ASSISTANCE

5.1. JUPEDDEC, and other national CSOs, have a recognized right “to submit to governmental bodies and agencies and organizations concerned with public affairs criticism and proposals for improving their functioning and to draw attention to any aspect of their work that may hinder or impede the promotion, protection and realization of human rights and fundamental freedoms.”^{vii}

5.2. Aligned with this obligation, in its last review the government accepted a recommendation to “[e]nsure an enabling environment for the activities of...stakeholders of civil society.”^{viii}

5.3. Some efforts have been made to this end and we were encouraged by the government’s acknowledgment in the *National Recovery and Peacebuilding Plan 2017-2021* that “[p]ositive community dynamics, as well as an active civil society, are also factors of resilience that can help rebuild the national social fabric.”^{ix} Further, the government prioritized building the capacity of CSOs as a cross-cutting objective of this plan.^x

5.4. However, there remains room for significant improvement. National CSOs are still precluded from full participation in the development and implementation of humanitarian assistance. For example, in advance of the third cycle of the UPR, there was no widespread consultation or public dialogue with national CSOs in the development of the National Report. Further, while we are encouraged that the distribution of funds from the Humanitarian Fund in CAR to national CSOs has risen from 3% in 2011 to 13% in 2016, this number should be further improved.^{xi}

5.5. This can be done, in part, through an increase in formal partnerships between national CSOs and international organizations. For example, JUPEDDEC has maintained successful, mutually beneficial partnerships with international organizations like the Centre for Humanitarian Dialogue and Oxfam.

5.6. While we are appreciative of the international community’s ongoing support and assistance to the government of CAR, it is important to ensure that national CSOs are supported to have a prominent role in the national recovery. We have a thorough understanding of local conditions and dynamics, and can make a vital contribution to the development and implementation of humanitarian assistance. Both the government of CAR and the international community can take steps to more fully include, and build the expertise of, national CSOs.

5.7. We recommend that the government of CAR:

5.7.1. Create a national body with representatives from civil society organizations in the CAR, ensuring representation of ethnic minorities, to consult on the development and implementation of all humanitarian response plans.

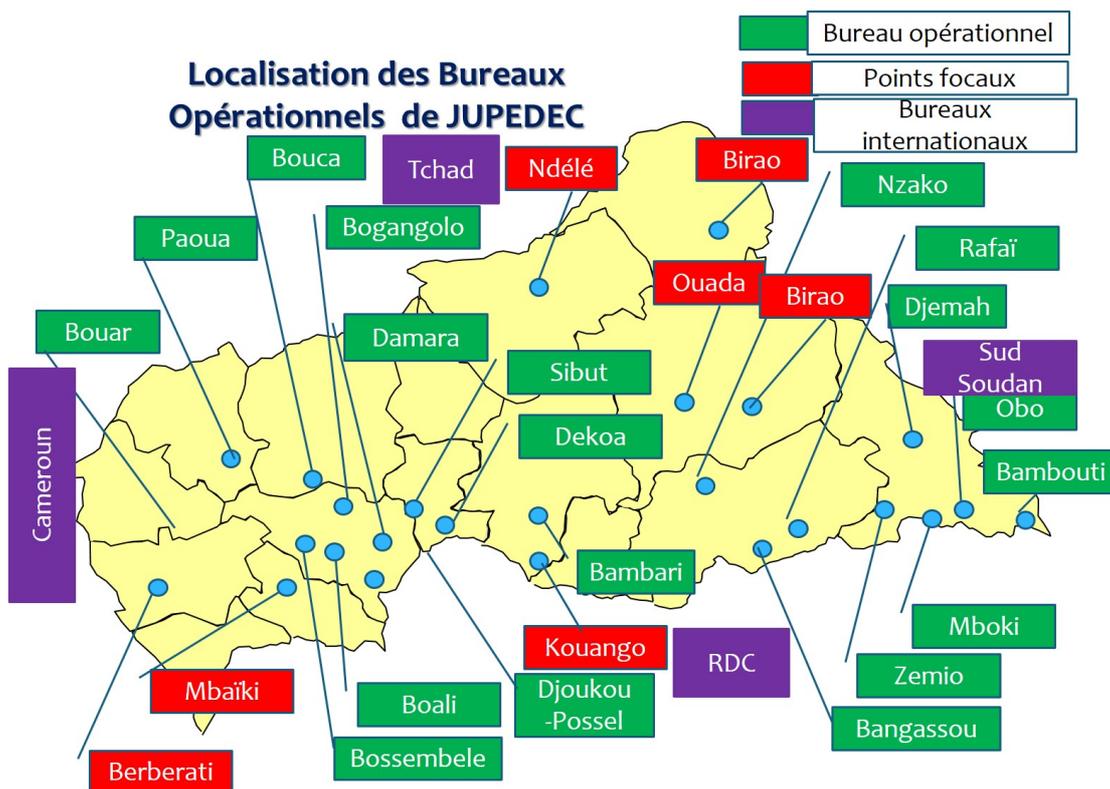
5.7.2. Commission a study that identifies and evaluates the capacity of national CSOs to contribute to humanitarian and development work in CAR in

order to develop a thorough, holistic understanding of the areas in which national CSOs can lead projects, and the areas where there is a need to build additional capacity.

- 5.7.3. Require international organizations working in CAR to nominate at least one local civil society organization that they will work in partnership with when planning and implementing a humanitarian relief project.
- 5.7.4. Encourage international organizations, specifically MINUSCA and the UNDP, to treat local civil society organizations as mutual partners with significant contributions to make in the quest to build a prosperous, peaceful CAR.
- 5.7.5. Create an inclusive and consultative national body, with a wide range of civil society representatives, to advise, monitor and evaluate implementation of UPR recommendations.

ANNEX

Location of Operational JUPEDEC Offices in CAR



ⁱ UN Security Council, “Report of the Secretary-General on the Central African Republic” (15 February 2018), UN Doc S/2018/125, para 28.

ⁱⁱ See, eg, UN OCHA, “Review of Humanitarian Action in the Central African Republic in 2017” (Press Release, 2 February 2018); UN OCHA, “The Resurgence of Conflicts Puts the Dividends of Peace At Risk” (Report, October 2017).

ⁱⁱⁱ UN Security Council, Resolution 1502 (26 August 2003), UN Doc S/RES/1502(2003); UN General Assembly, “Resolution 70/104: Safety and security of humanitarian personnel and protection of United Nations personnel” (10 December 2015), UN Doc A/RES/70/104; Jean-Marie Henckaerts and Louise Doswald-Beck, *Customary International Humanitarian Law*, (Cambridge University Press, 2005) vol 1, rule 32; *Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the*

Protection of Victims of International Armed Conflicts (Protocol I), 8 June 1977, art 71(2); *Rome Statute of the International Criminal Court*, 17 July 1998, art 8(2)(e)(iii).

^{iv} UN Security Council, “Report of the Panel of Experts on the Central African Republic established pursuant to Security Council resolution 2127 (2013)” (1 July 2014), UN Doc S/2014/452, annex 24; UN Security Council, “Final report of the Panel of Experts on the Central African Republic established pursuant to Security Council resolution 2127 (2013)” (29 October 2014), UN Doc S/2014/762, annex 59.

^v UN Security Council, “Report of the Secretary-General on the Central African Republic” (15 February 2018), UN Doc S/2018/125, para 32.

^{vi} UN Human Rights Council, “Report of the Working Group on the Universal - Central African Republic” (6 January 2014), UN Doc A/HRC/25/11, Recommendations 105.59 – 105.61.

^{vii} UN General Assembly, “Resolution 53/144: Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms” (8 March 1999), UN Doc A/RES/53/144, annex, art 8.

^{viii} UN Human Rights Council, “Report of the Working Group on the Universal - Central African Republic” (6 January 2014), UN Doc A/HRC/25/11, Recommendation 104.73.

^{ix} *Central African Republic: National Recovery and Peacebuilding Plan (2017 - 2021)*, p 11.

^x *Central African Republic: National Recovery and Peacebuilding Plan (2017 - 2021)*, p 19.

^{xi} UN OCHA, “Humanitarian Fund CAR” (May 2017)

https://reliefweb.int/sites/reliefweb.int/files/resources/rca_ocha_what_is_the_humanitarian_fund_in_car_en.pdf.