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**REPORT OF THE CHAIRPERSON OF THE COMMISSION**  
**ON THE SITUATION IN THE CENTRAL AFRICAN REPUBLIC**

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**I. INTRODUCTION**

1. This report is being submitted as part of the regular consideration, by Council, of the situation in the Central African Republic (CAR) and in accordance with the communique adopted during the 375<sup>th</sup> meeting of Council on 10 May 2013 [PSC/PR/COMM.3 (CCCLXXV)]. The report, which covers the period from May to June 2013, provides an update on the current situation on the ground and the related regional and international initiatives. It also provides an update on the results of the Military Assessment Mission undertaken by the Commission to the CAR, from 2 to 7 May 2013. It concludes with observations on the way forward.

**II. MAJOR DEVELOPEMENTS IN CAR**

2. The entry of the Seleka rebel elements into Bangui, on 24 March 2013, and its illegal seizure of power, resulted in large-scale pillaging, summary executions, rape and other gross violations of human rights. The level of incidents has reduced, but the situation remains precarious, characterized by weariness among the population, poor functioning of government services, lack of cohesion within Seleka, absence of a strategic vision for the country and a growing humanitarian crisis.

3. The civilian population continues to live in fear of the Seleka elements. The CAR authorities claim that there is currently a process to regroup and canton Seleka forces in the Roux and Kassai camps in Bangui, as well as in Bouar and Bria, in the interior of the country. However, this process is slow to materialize. Seleka elements have reinstated illegal roadblocks on the main roads and are demanding payments from road-users. Incidents of summary execution, abduction and pillaging continue to be reported. On a more encouraging note, Seleka has handed over child soldiers to the United Nations Children's Fund (UNICEF).

4. In another incident, on 24 May 2013, a group of armed men attempted to seize control of the town of Obo, where the Ugandan contingent of the Regional Task Force (RTF) is currently deployed as part of the Regional Cooperation Initiative for the Elimination of the Lord's Resistance Army (RCI-LRA). Elements of the local defense forces, personnel from the CAR gendarmerie and the RTF intervened to stop the attack and arrested forty three (43) assailants. Seven (7) of the twenty nine (29) detainees held by the gendarmerie died due to poor detention conditions. As a consequence, all of the remaining detainees were transferred to the RTF. On 3 May and 7 June 2013, my Special Envoy on the LRA Issue, Francisco Madeira, and the United Nations Special Representative for Central Africa, Abou Moussa, conducted missions to Bangui to meet with the Head of the Transitional Government, Michel Djotodia, to discuss the fight against the LRA and to emphasize the importance of respect by the CAR of its commitments under the RCI-LRA.

5. On the political front, the Prime Minister, Mr. Nicolas Tiangaye, and the Government of National Unity have taken a number of steps in accordance with the Roadmap adopted by the 4<sup>th</sup> Extraordinary Summit of the Economic Community of Central African States (ECCAS), held in Ndjamena on 18 April 2013. The timeline of all the activities to be undertaken by the Government was presented during the inaugural meeting of the International Contact Group on CAR (ICG-CAR), held in Brazzaville on 3 May 2013. The Prime Minister also attended a meeting of the UN Security Council on 15 May 2013, in New York, where he briefed this organ on the situation in the CAR. In addition, the Prime Minister consulted with Central African political entities with a view to forming an inclusive Government in conformity with the recommendations of the 4<sup>th</sup> ECCAS Summit. These consultations resulted in the formation of a Government, on 13 June 2013.

6. The Head of the Government of the Transition, Michel Djotodia, visited Chad on 15 May, Gabon, on 16 and 17 May, Equatorial Guinea, on 18 May, and the Republic of Congo, on 31 May 2013. With a view to preserving inter-religious cohesion, he met, from 27 to 30 May 2013, with the representatives of various religious groups. During those exchanges of views, he stressed the secular nature of the State of the CAR and instructed the Minister Counselor of Religious Affairs and Ethnic Minority to organize an Inter-religious Dialogue. Furthermore, he signed a decree to establish a Joint Commission of Inquiry to shed light on crimes committed from 2005 until the unconstitutional change of government in March 2013, thus leaving aside the massive abuses committed by the Seleka rebellion after their entry into Bangui. On 29 May 2013, the CAR judiciary issued an arrest warrant against former President Francois Bozize, charging him with summary executions, assassinations, arbitrary arrests and the destruction of property.

7. The National Transitional Council (NTC), which was reconstituted and expanded to comprise 135 members on 12 May 2013, pursuant to the communiqué of the ECCAS Summit of 18 April 2013, met in an extraordinary session from 6 to 24 May 2013. The NTC adopted its Rules of Procedure and the Draft Electoral Code and considered the Charter of the Transition. The consideration of the Charter of the Transition gave rise to divisions over the inclusion of a motion of censure by the NTC in the Rules of Procedure, on the basis of paragraph 8 of the Declaration of the 3<sup>rd</sup> Summit of the Heads of State of ECCAS, held in N'Djameina on 3 April 2013, which specified that "the National Transition Council has full legislative powers". The Libreville Agreements of 11 January 2013, on the other hand, state that the Prime Minister cannot be removed from power during the period of the Transition. The debate on the issue was deferred to the next session of the NTC, in July 2013.

### **III. REGIONAL AND INTERNATIONAL EFFORTS**

8. The period under consideration was marked by continued efforts at the regional, continental and international levels to address the crisis in the CAR. At its 4<sup>th</sup> Extraordinary Summit, at which the AU was represented, ECCAS adopted a Roadmap on the composition and functioning of the NTC and the priority areas of Government actions during the Transition period. It decided to reactivate the Libreville Agreements Follow-up Committee. It also decided

to increase the size of the ECCAS Peace building Mission in the CAR (MICOPAX) to 2,000 troops and to give it an adequate mandate to support the efforts of the Government of the Transition, both in maintaining security and in the restructuring of the National Defense and Security Forces. Finally, the Summit demanded that the Government of the Transition honor all the international commitments of the CAR, particularly those related to the RCI-LRA.

9. The Summit adopted the N'Djamena Declaration which affirms that the Libreville Agreements remain the fundamental core of the political arrangements during the period of the Transition. The Declaration provides further details on the powers of the Prime Minister, stressing that the Head of State cannot remove him during the Transition period; the duration of the Transition, which will be 18 months; the nature of the Government of National Unity and its main tasks; the role of the NTC; and the establishment of a Constitutional Court for the Transition. The Declaration stipulates that the Head of State, the Prime Minister and the members of the Government of the Transition, as well as the Chairman and the members of the NTC Bureau, cannot stand for the forthcoming elections. Furthermore, the Declaration urges the CAR Government, ECCAS, the AU, the European Union (EU) and the International Organisation of *La Francophonie* (OIF) to hold consultations, as soon as possible, on the security arrangements that should support the Transition period, including those likely to enhance the effectiveness of MICOPAX. In this regard, the Summit requested the AU Commission to take the necessary measures to assess the needs of MICOPAX in terms of strength, equipment and financing, as well as force generation, on the basis of a Concept of Operations and a Concept of Logistics Support, enjoying support from Africa and the rest of the international community.

10. Council will recall that, at its 366<sup>th</sup> meeting held on 16 April 2013, it requested me to initiate the necessary consultations with all the stakeholders concerned, particularly ECCAS and other African actors, with a view to establishing an International Contact Group on the CAR, so as to mobilize the broadest possible support for the continental efforts aimed at restoring constitutional order, on the basis of the relevant AU instruments, and promoting lasting peace, security, stability and good governance in the CAR. At its 4<sup>th</sup> Extraordinary Summit, ECCAS also called for the establishment of an International Contact Group to mobilize the necessary support for the success of the Transition.

11. Pursuant to these decisions, the AU Commission and the Republic of the Congo, in its capacity as the Chairman of the ECCAS Follow-up Committee, organized the inaugural meeting of the ICG-CAR, in Brazzaville on 3 May 2013, under the auspices of President Denis Sassou Nguesso, with the participation of President Jacob Zuma of the Republic of South Africa. In the Brazzaville Appeal adopted at the end of the meeting, the participants reaffirmed their commitment to support the CAR so that the country could break away definitively from the recurrent cycles of instability and unconstitutional change of government affecting it. They requested all the Central African stakeholders scrupulously to honor the commitments made under the Libreville Agreements and stressed the criminal responsibility of individuals involved in serious violations of human rights. They also requested the authorities of the Transition to respect and implement all the regional, continental and international legal instruments to

which the CAR is party, as well as all other international commitments, including those relating to the RCI-LRA. They appealed to the international community to provide multifaceted support to the Transition, including through the establishment of a Trust Fund for the reactivation of the administrative and public services, as well as the financing of the preparation and organization of the electoral operations. In the communiqué adopted at its 375<sup>th</sup> meeting, Council welcomed the convening of the meeting of the ICG-CAR and encouraged President Denis Sassou Nguesso to pursue his efforts to implement the Roadmap of the Transition.

12. During the period that followed, the ECCAS Member States and the Secretariat intensified their efforts to strengthen the progress made on the ground. Chad and the Republic of the Congo dispatched additional troops to the CAR (170 troops in January 2013, and 180 in May 2013, respectively). The ECCAS Secretariat convened an extraordinary session of the Defense and Security Committee (DSC) in Libreville, from 13 to 18 May 2013, to agree on the modalities for the strengthening of MICOPAX. The Commission participated in that meeting. For its part, Council, at its meeting of 10 May 2013, requested the speeding up of the cantonment process of the Seleka elements, as well as the reestablishment of the core of the police and gendarmerie forces. Council requested the Commission to ensure the necessary follow up for the operationalization of the envisaged security arrangements as soon as possible. Finally, Council expressed satisfaction at the dispatch of an AU-led military assessment mission to the CAR and looked forward to the recommendations that the Commission would submit to it.

13. During the period under consideration, my Special Representative for the CAR, Hawa Ahmed Youssouf, maintained close contacts with the Central African actors, as well as with the international partners, particularly the Special Representative and Head of the UN Integrated Office in the CAR (BINUCA), Margaret Vogt. Under her direction, BINUCA continued to play a crucial role in the ongoing efforts.

#### **IV. MILITARY ASSESSMENT MISSION OF MICOPAX**

14. As mentioned above, the Military Assessment Mission of MICOPAX dispatched by the Commission to the CAR was undertaken from 2 to 7 May 2013, as a follow-up to the measures contained in the Declaration of the 4<sup>th</sup> Extraordinary Summit of ECCAS. In addition to the AU, which led the Mission, it included representatives of ECCAS, the UN and OIF.

15. The Mission noted that, in spite of the numerous efforts and initiatives taken so far, the security and humanitarian situation remains a matter of concern. In this regard, the Mission identified a number of factors that contribute to the present state of affairs:

- **the disintegration of the Central African Armed Forces (FACA):** Estimated at about 6,000 men, the FACA were composed mainly of units concentrated in Bangui, from where they can be projected to other areas. Demoralized and fearful of the abuses and acts of retaliation by the forces of Seleka, they have sought refuge among the population since the arrival of the rebels in the capital. Only about 10% of the Force has

resumed work, despite the numerous appeals made by the de facto authorities calling on them to return to work. The same situation applies to the police force. The security void that resulted from their dislocation must be urgently addressed;

- **the absence of cohesion within Seleka:** The Mission is of the view that the Seleka force, which brought Michel Djotodia to power, comprises, in addition to several Central African groups, many foreign elements. With a strength ranging, according to estimates, from 10,000 to 20,000 troops, of which 4,000 are in Bangui, Seleka is disorganized and lacks a unified command structure, as each of its factions continues to respond to its respective commanders. Seleka has become notorious for the many incidents of rape and cases of violation of human rights and pillaging by its elements, including in the churches. The possibility of clashes between the different Seleka factions cannot be ruled out;
- **the emergence of self-defense groups and anti-Seleka militias:** The emergence of anti-Seleka groups is likely to complicate further the security situation and the process of stabilization that the region, the AU and the rest of the international community are calling for;
- **the proliferation of small arms and light weapons:** Another factor of insecurity which can contribute significantly to instability in the country is the proliferation of small arms and light weapons. Some of the FACA elements fled with their weapons and ammunition. Furthermore, President Bozize had distributed weapons to his supporters to counter the Seleka forces. Seleka had also distributed weapons on its entry in Bangui, particularly in the “Combatants” and “PK 5” neighborhood. This arsenal, combined with the weapons in the hands of the uncontrolled elements of Seleka, significantly increased the number of small arms and light weapons which are outside official control, thereby creating an environment conducive to the perpetuation of violence; and
- **the disorganization of the economy and the deterioration of the humanitarian situation:** Many companies have closed down, and the economic activities have stalled. The Central African part of the transport corridor linking the CAR to Cameroon, through which most of the import and export products transit, is not secure. The traders who ventured there have been looted and, in some cases, assassinated. As a result, the cost of living has risen. Insecurity has also disrupted the farming season, causing food shortages. Hence, the humanitarian situation is of great concern.

16. MICOPAX was deployed by ECCAS in 2008. It took over from the Multinational Force of Central Africa (FOMUC) which operated under the authority of the Economic and Monetary Community (CEMAC). With an initial force strength of 730 troops, MICOPAX is composed of forces from the DRC, the Republic of Congo, Cameroon and Gabon, deployed in Bangui and in the localities of Kaga-Bandoro, Ndele and Paoua. The principal objectives of MICOPAX are to ensure the security of the capital and the rest of the country, as well as support to

humanitarian actions and DDR process. Its financing is provided by the countries of the region and the EU through the African Peace Facility. France also provides logistical support to the Mission.

17. MICOPAX has made sustained efforts and the troop contributing countries should be commended for their commitment and sacrifices. However, the Mission faces many challenges, related particularly to the inappropriateness of its mandate within the present security context, the lack of clarity in its chain of command, the lack of logistics and financial resources, the lack of clarity in the security plan for Bangui and the disproportionate size of its headquarters compared to the size of the Mission.

18. Considering the deteriorating security situation in the whole of the Central African Republic territory, particularly in Bangui, the Military Assessment Mission stressed the need to restore public order and security, in order to protect the civilian population against violence, abuse, rape and other forms of sexual violence. The Mission also proposed the strengthening of the international presence within MICOPAX. The objective would be to support the Government of the Transition in the restoration of peace and security in the whole territory of the CAR within the framework of a robust mandate aimed, initially, at restoring public order and security in Bangui.

19. More specifically, the tasks to be carried out would be, within the limits of its capacities and in the agreed areas of operation, to:

- contribute to the protection of the civilian population and properties;
- conduct robust patrols to prevent acts of violence and all other forms of illicit activities;
- contribute to the protection and security of national institutions;
- assist, as necessary, in the protection of diplomatic representations and international institutions;
- monitor and observe the implementation of the agreement on cessation of hostilities;
- establish a security perimeter around the city of Bangui;
- facilitate the free movement of persons and goods;
- conduct police and mentoring actions for the Central African police force;
- facilitate the humanitarian operations;

- support, at the appropriate time, the Security Sector Reform (SSR) and the Disarmament, Demobilization and Reintegration (DDR) process; and
- support the reorganization, instruction and training of the new defense and security forces.

20. The initial force level of the proposed mission is estimated at 3,437 uniformed personnel, including 1,025 police. However, this force level and distribution may be revised following further assessment and analysis and depending on the evolution of the security situation in the CAR. Initially, the international force will limit its operations to Bangui, in order to accelerate the return to normalcy in the capital, before being sent outside the capital.

## **V. OBSERVATIONS**

21. Nearly three months after the illegal seizure of power by Seleka, the situation in the CAR remains particularly alarming. Security is far from being restored and the risks of further deterioration of the situation cannot be ruled out. Hence the need for sustained efforts to speed up the restoration of normalcy and facilitate the restoration of constitutional order.

22. In this context, I would like to reiterate the appreciation of the Commission for the efforts made by the leaders of the region, who mobilized themselves in an exemplary manner to facilitate a negotiated solution to the crisis. I would, in particular, like to point out the commitment of President Idriss Deby Itno of Chad, Current Chairman of ECCAS, and President Denis Sassou Nguesso of the Republic of the Congo, who chairs the ECCAS Follow-up Committee on the CAR. I also wish to pay tribute to all the countries of ECCAS which contributed troops to MICOPAX and to those which, among them, host, in a spirit of African brotherhood, Central African refugees.

23. In the coming months, African efforts should continue to prioritize the political, humanitarian and security aspects of the situation. At the political level, efforts should be pursued to conclude successfully the process of the restoration of constitutional order. The successive Summits of ECCAS and the conclusions of the inaugural meeting of the ICG-CAR provide useful benchmarks. The full implementation of commitments made by the Central African actors should continue to mobilize the region and the continent.

24. With regard to the humanitarian situation, it is important that Member States mobilize themselves further to support the populations affected by the crisis. In this regard, I make an urgent appeal to all Member States to contribute to the current efforts. I also call upon our international partners to increase their assistance. In a related manner, the Commission will continue to pay the necessary attention to the particularly worrisome state of human rights situation in the CAR. Pursuant to the press statement of Council, adopted at its 366<sup>th</sup> meeting, held on 16 April 2013, the African Commission on Human and Peoples' Rights is planning to

launch a Commission of Inquiry on the abuses perpetrated since the resumption of hostilities in the CAR in December 2012, at the initiative of the Seleka rebellion.

25. Finally, at the security level, it is critically important to enhance the international presence in the CAR. Based on the conclusions and recommendations of the Military Assessment Mission, led by the AU, I intend to hold consultations with ECCAS and other international actors, especially the UN and the EU, to agree on the modalities for a strengthened international presence that would include the ECCAS forces and contributions from other African States which are in a position to assist in the restoration of security and carry out other related tasks. On the basis of these consultations, the Commission will develop a Concept of Operations and submit detailed recommendations on the mandate, the *modus operandi*, and the command and control structure of the proposed strengthened mission, as well as on the financing modalities. In this context, I recommend that Council decides to establish an African-led international support mission to the CAR (AFISM-CAR).

26. All of the above planned actions will require the support of the international partners. In this regard, the ICG-CAR will continue to play a crucial role in the mobilization of the international community to support the African efforts. In particular, it is hoped that the UN and other international partners, including the EU, will work to mobilize the necessary financial and logistical support to ensure a reinforced international security presence on the ground. I welcome the sustained action of BINUCA in the field and the outstanding commitment of its Head, Ms. Margaret Vogt, who has performed remarkably well throughout her term in the CAR. I also welcome the persevering action of the AU Liaison Office in Bangui, under the leadership of my Special Representative, Mrs. Hawa Ahmed Youssouf.

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