

End of Mission statement of the Special Rapporteur on trafficking in persons, especially women and children, Siobhán Mullally, on her visit to Central African Republic from 24 to 30 November 2023.

The Special Rapporteur is grateful to the Government of Central African Republic for their willingness to facilitate her visit from November 24 to November 30th, and for the constructive dialogue and engagement on human rights and human trafficking. The Special Rapporteur welcomes the political will of the President and Government to combat trafficking in persons. She particularly thanks the Ministry of Justice for their support and engagement with her mandate in advance of the visit. She commends the Government authorities' engagement in an open and constructive dialogue on the challenges faced in combating the serious human rights violation of trafficking in persons, especially women and children. The Special Rapporteur is grateful to MINUSCA and the UN Country Team for their assistance and expert support in facilitating the visit.

During her visit, the Special Rapporteur visited Bangui and Bria, and held meetings with Government Ministers and officials including the Ministre de Justice, the Ministre de la Promotion de la Femme, de la Famille et de la Protection de l'Enfant, and the Ministre de l'Action Humanitaire et de la Réconciliation nationale. She met with the President of the National Assembly. She also met with the Minister-Counsellor to the President for sexual violence and Minister-Counsellor for Human Rights.

The Special Rapporteur met with the Commission nationale des droits de l'Homme et des libertés fondamentales (CNDHLF) and La Haute Autorité Chargée de la Bonne Gouvernance (HABG). The Special Rapporteur also met with the Public Prosecutor's Office for the Special Criminal Court, the Truth, Justice, Reparation and Reconciliation Commission (CVJRR), with the Office of the Public Prosecutor for the Bangui Court of Appeals and the Prosecutor General and with the President of Lawyers' Bar Association.

In Bria, the Special Rapporteur met with the Préfet, the Mayor, members of FACA, Gendarmerie, Police and the President of the Tribunal. She met with displaced women, youth and community leaders, and observed the devastating impact of displacement, extreme poverty and gender inequality.

During her visit, the Special Rapporteur met with the UN Country team, including UN agencies, MINUSCA, and with development partners. The Special Rapporteur also met with civil society organisations, and is particularly grateful to the civil society organisations for their engagement and in depth analysis of risks of trafficking in persons in the Central African Republic, protection and accountability.

The Special Rapporteur welcomes significant developments in the legislative and policy framework for the protection of human rights, including the adoption of the National Policy on Human Rights, the 2022 Law on Human Trafficking, and the decree establishing the office of the Special Prosecutor on Conflict related sexual violence and Human Trafficking. At the level of national coordination, the establishment of the Comité national de lutte contre la traite des personnes en République centrafricaine et adoption of le Plan d'action opérationnel (2022-23) are welcome developments.

Ongoing work is needed to strengthen the implementation of the action plan, and engagement by the coordination committee with civil society organisations, and victims / survivors.

The Special Rapporteur highlights also the significant developments relating to the rights of the child, specifically the adoption of the Loi no 20.016 du 15 juin 2020, portant Code de protection de l'enfant en République centrafricaine, and the adoption of the Action Plan against the Trafficking of Children in the

Central African Republic. The Special Rapporteur welcomes the commitment to ending child and forced marriage, and associated risks of trafficking, including for sexual exploitation.

Despite such important legislative and policy developments, however, implementation remains a challenge. The presence and functioning of the State outside of the capital Bangui, is very limited, with consequent failures to prevent trafficking in persons and to protect persons at risk, particularly displaced and refugee women and children, and children in street situations.

Central African Republic remains one of the poorest countries in the world, despite significant natural resources. The continuing impact of conflict, climate change and displacement, combined with food insecurity, and limited access to education, greatly increases risks of human trafficking, particularly of women and children. To prevent child trafficking, urgent measures are required to expand access to education, particularly for girls, and to develop an effective, functioning child protection system. Children in street situations are particularly at high risk of trafficking, with limited access to protective environments. The Special Rapporteur commends ongoing work to support the rights of children with disabilities and calls for continued attention to risks of trafficking including through exploitation in begging. The rates of birth registration remain low, with high risks of de facto statelessness and consequent increased risks of trafficking. Universal birth registration is essential.

The risks of trafficking of children by armed groups and armed forces remains. The Special Rapporteur welcomes the appointment of a Human Rights Focal Point at the FACA État-Major to address child protection concerns and accountability for grave violations committed by FACA against children. The Special Rapporteur highlights the need for continuing measures to prevent recruitment and use of children by armed groups including international security actors, and welcomes the prioritisation of prevention and protection by the Government.

However, abductions for purposes of child and forced marriage, sexual slavery, domestic servitude, remain a serious concern. Continued action to combat grave violations against children is essential, with international support. The protection of children must remain central to peace efforts, including in the framework of the Accord politique pour la paix et la réconciliation en République centrafricaines, which contains important commitments to child protection. A strong child protection capacity on the ground is crucial to facilitate the ongoing engagement with parties to conflict, and to support reintegration and rehabilitation programmes. The adoption of a handover Protocol for children associated with armed conflict, should be prioritized, and adoption of a National Prevention Plan to prevent children from becoming victims of the armed conflict. Further action to support gender-sensitive and survivor-centred reintegration programs, and child-sensitive disarmament, demobilization and reintegration, including vocational trainings, are required.

The Rapporteur commends the commitment to addressing sexual violence in conflict, including conflict related trafficking for purposes of sexual exploitation, sexual slavery, child and forced marriage, and welcomes the appointment of a Special Prosecutor, and measures to strengthen effective investigations into trafficking in persons.

Continued efforts are needed to strengthen the rule of law, and the security and justice sectors including strengthening capacity for effective investigations and prosecutions, and protection of victims, including through trauma informed, gender sensitive justice procedures and protection measures.

Protection services are almost non-existent, for victims of trafficking including conflict related trafficking. Victims / survivors remain without access to safe accommodation, psycho-social or medical assistance. Longer term measures, including access to education, training and employment are urgently required.

Access to justice, including to effective remedies and reparations, is very limited. The strengthening of the formal justice system, in particularly outside of the capital Bangui, is essential to prevention, protection and accountability. Continued support for the functioning of mobile courts, access to legal aid and strengthening of police and rule of law capacity is critical.

The Special Rapporteur commends the reception of refugees fleeing conflict and persecution, and calls for increased support to strengthen child protection and action to prevent gender based violence, and all forms of trafficking among refugees, and returnees. The Special Rapporteur is concerned at the risks of exploitation for women headed households among refugees and displaced persons, in particular. Further support is needed also for host communities and host families, to address extreme poverty and the risks of trafficking in persons that arise.

The Special Rapporteur is concerned at the high rates of violence against sex workers, and the limited attention given to risks of trafficking and protection needs of sex workers. Further attention is needed to prevent trafficking for purposes of sexual exploitation along transport routes and in cross border movements, prioritising assistance and protection to victims and those at risk.

Continued support for the effective functioning of the Special Criminal Court is essential to ensure accountability for conflict related trafficking, including as a war crime and crime against humanity. The Special Rapporteur highlights the importance of accountability measures, and the rights of victims of conflict related trafficking to remedies, including guarantees of non-recurrence. The Truth, Justice, Reparation and Reconciliation Commission has an important role to play in addressing the calls for justice for victims of all forms of trafficking that occurred.

The Special Rapporteur welcomes the work of the Trust Fund for Victims, and calls for continued support for reparations, including collective and individual reparations addressing the serious human rights violation of trafficking in persons for all purposes of exploitation.

The Women Peace and Security agenda is essential to sustainable peace, and to achievement of Agenda 2030. Prevention of trafficking of women and girls, and protection of victims must be incorporated into the WPS agenda. The leadership and participation of victims / survivors in the design of prevention and protection programmes is essential.

Central African Republic is a country with significant natural resources, in mining, agriculture and forestry. However, action is needed to ensure protection of labour rights, effective labour inspections and enforcement, and prevention of trafficking for purposes of child or forced labour, particularly in high-risk sectors such as mining, forestry and agriculture.

Continued action to strengthen the independence of the judiciary and lawyers is essential to the rule of law and continued peacebuilding. It is also essential to ensuring access to justice for victims of trafficking.

The Special Rapporteur will present her full report to the Human Rights Council in June 2024 and looks forward to continued engagement with the Government of Central African Republic.