

# AMNESTY INTERNATIONAL

## PUBLIC STATEMENT

AI Index: IOR 63/002/2013  
23 May 2013

### **African Union @ 50: Call to Reaffirm the Centrality of Human Rights**

As the African Union celebrates the 50th anniversary of the Organisation of African Unity (OAU), and a little more than a decade since the formation of the African Union (AU), which seeks to promote “an integrated, prosperous and peaceful Africa, driven by its own citizens and representing a dynamic force in global arena”, human rights, peace and security and international justice should be at the top of the agenda. The Heads of State declared the year 2013 the Year of Pan-Africanism and the African Renaissance.

Amnesty International is concerned that the human rights concerns that motivated the creation of the AU (and its predecessor, the OAU), many of which remain unaddressed, will take a back-seat as we enter the next 50 years. Amnesty International is urging African leaders to seize the opportunity of the anniversary to put human rights first, and to implement their promises and commitments.

The Constitutive Act of the AU adopted in 2000 expresses member states’ determination “to promote and protect human and peoples’ rights, consolidate democratic institutions and culture and to ensure good governance and the rule of law in accordance with the African Charter on Human and Peoples’ Rights.” However, despite this and subsequent expressed commitments such as the New Partnership for Africa’s Development (NEPAD) document, the Declaration on Democracy, Political, Economic and Corporate Governance, the Protocol to the African Charter on Human and Peoples’ Rights on the Rights of Women in Africa, and the Protocol to the African Charter on Human and Peoples’ Rights on the establishment of an African Court on Human and Peoples’ Rights, the full and effective realization of human rights remains a distant possibility for the majority of Africans.

Amnesty international believes that the 50<sup>th</sup> anniversary celebration provides a new window of opportunity for African leaders to adopt a plan of action with clear timelines to implement fully their voluntary human rights promises and commitments, and to strengthen and make effective the various mechanisms they have established to protect and promote human rights across the region. The following recommendations highlight some areas which the AU Assembly and the Executive Council and African governments in general should consider if they are to effectively address the enormous human rights challenges confronting the continent.

#### **I. The AU and Human Rights Instruments**

The AU should encourage its member states that have not yet done so to ratify the Protocol Establishing the African Court on Human and Peoples’ Rights and other international human rights treaties.

The Protocol to the African Charter on Human and Peoples’ Rights on the Establishment of an African Court on Human and Peoples’ Rights (the Protocol) which entered into force on 25 January 2004, have so far been ratified only by 26 AU member states, and just five members (Burkina Faso, Ghana, Malawi, Mali and Tanzania) have made declarations that would allow direct access for individuals and NGOs to the court. The Court’s contribution to protection of human rights across Africa will continue to be limited unless all the 54 member states of the

AU embrace and ratify the protocol establishing the court, and simultaneously accept the competence of the court by making the required declaration. Amnesty International urges the AU Assembly and the Executive Council to urgently ensure that:

- African governments that have not yet done so ratify the Protocol (and the Protocol establishing the African Court of Justice and Human Rights that will replace the Human Rights Court) without further delay. In addition, states - including those that have already ratified - should make declarations allowing individuals and non-governmental organizations (NGOs) direct access to the Court.
- African governments review their legislation and practice, to ensure that these are in full conformity with the Protocol and the African Charter.

Amnesty International also asks the AU to urge its member states that have not yet done so to ratify or accede, without reservations, to international human rights treaties, including:

- the Convention against Torture, and Other Cruel, Inhuman or Degrading Treatment or Punishment and its Optional Protocol;
- the International Covenant on Economic, Social and Cultural Rights and its Optional Protocol;
- the International Covenant on Civil and Political Rights, together with the first and second optional protocol;
- the International Convention on the Elimination of All Forms of Racial Discrimination;
- the Convention on the Elimination of All Forms of Discrimination against Women and its Optional Protocol;
- the two Optional Protocols to the Convention on the Rights of the Child;
- the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families;
- the Rome Statute of the International Criminal Court.

## **II. AU and Human Rights Protection Mechanisms**

African governments and the AU must show principled leadership and in particular, be ready to use their influence and, where appropriate, be willing to openly criticise member states that commit human rights violations. 'African solidarity' should be used to improve the human rights record of African governments, not to shield human rights perpetrators. Otherwise, scepticism about the ability of the AU to make a difference in the areas of human rights will remain.

The AU and African governments should provide political and financial support to strengthen and make more effective already established African human rights institutions. Since the transformation of the Organization of African Unity (OAU) into the African Union (AU) in 2002 African leaders have established human rights institutions, such as the African Court on Human and Peoples' Rights, the African Committee on the Rights and Welfare of the Child, the Economic, Social and Cultural Council (ECOSOC) of the AU, and the Peace and Security Council. African leaders have also made countless promises and commitments to strengthen the AU's principal human rights institution—the African Commission on Human and Peoples' Rights (ACHPR). However, unfulfilled commitments and broken promises have seriously undermined the ability of African human rights institutions to deliver on their mandates. In some other instances, lack of independence, transparency and non-participation of broad based civil society groups in bodies such as the ECOSOC, or the non-implementation of recommendations by human rights institutions, have been the debilitating factors.

The establishment of institutions to oversee the implementation of human rights in Africa are laudable but African leaders must live up to expectations by providing AU's human rights institutions with necessary human, material and financial resources. AU member states must also ensure the full and effective implementation of decisions of the African Commission on

Human and Peoples' Rights and other similar bodies if they are to genuinely implement their good faith obligations under the African Charter.

Amnesty International urges the AU to fully implement all the decisions of the ACHPR to ensure that human rights for all Member States of the AU are fully protected. The ACHPR has also adopted a number of key resolutions which are still to be implemented. Amnesty International calls upon the AU to fully implement these resolutions.

### **III. The AU and International Justice**

One of the most important challenges current facing the African Union is to realize its commitments to end impunity for serious human rights violations, including resolving tensions with the International Criminal Court (ICC). 34 African states have made a vital commitment to international justice by ratifying the Rome Statute of the ICC and have a legal obligation to cooperate fully with the Court. This is entirely consistent with the mission of the African Union. However, in recent years, the African Union has become a forum to undermine support for and cooperation with the ICC.

Amnesty International is particularly appalled at the AU decisions which have sought to stop AU members from fulfilling their legal obligations to arrest Sudanese President Omar al-Bashir, who is accused of genocide, crimes against humanity and war crimes in Darfur. Amnesty International urges AU members, in particular states parties to the Rome Statute, to resist any further efforts to undermine cooperation or support for the ICC through AU decisions and to instead ensure that the AU supports the rule of law and justice for African victims.

### **IV. The AU and Economic, Social and Cultural Rights in Africa**

#### **Forced Evictions in Africa**

The ACHPR guarantees economic, social and cultural rights such as the right to adequate housing but lack of political will by many African governments to implement their obligations has resulted in continuing violations of these human rights.

Lack of respect for economic, social and cultural rights is illustrated by the practice of forced evictions, which has resulted in more than three million Africans being forcibly evicted from their homes. Forced evictions have left people homeless; far from sources of clean water, food, sanitation, livelihood or education; and in most cases without adequate compensation. In many African countries, forced evictions are often accompanied by violations of other human rights, including the use of excessive force by those carrying out the evictions, arbitrary arrests, beatings, rape, torture and even killings.

Amnesty International urges the AU to call upon its Member States to:

- immediately stop forced evictions;
- pass and implement laws that prohibit forced evictions, put in place adequate safeguards that ensure all evictions comply with international and regional human rights standards;
- take immediate steps to give a minimum degree of security of tenure to all people who do not have this protection, after genuine consultations with the affected communities;
- ensure that people living in slums and informal settlements have equal access to water, sanitation, health care, housing, education and fair and effective policing;
- ensure people living in slums genuinely take part in decisions that affect their lives, including slum upgrading, planning and budget processes.

#### **Maternal Mortality and Sexual reproductive Rights in Africa**

Amnesty International welcomes the leadership role that the AU has played so far to address maternal mortality and fight for sexual and reproductive health in Africa. In the AU's Maputo Plan of Action, AU Member States committed themselves to repositioning family planning as

an essential part of making progress on improving maternal health, to addressing sexual and reproductive health needs of young people, to reducing the incidence of unsafe abortions (including by providing safe abortion services to the fullest extent of the law), and to delivering quality and affordable services to promote safe motherhood.

Efforts to reduce preventable maternal mortality and morbidity in the African region should acknowledge the root causes behind it. Around the world, women and girls face violence, discrimination, poverty and inequality, all of which undermine their ability to claim their rights and contribute to preventable maternal deaths and ill-health. Any effective approach to reducing maternal mortality and morbidity must include a clear commitment to the human rights of women and girls, and to gender equality.

Amnesty International calls on the AU and its member states to:

- Promote women's sexual rights and reproductive rights, including universal access to reproductive, sexual, and maternal health.
- Reflect a human rights framework in all the AU's policies and programmes as well as in national policies. In the context of maternal health, such steps must include support for:
  - the elimination of all barriers to maternal health services, including financial and geographical barriers, as well as third party consent requirements for sexual and reproductive related health care;
  - reform of laws and policies that discriminate against women; such as those that fail to prevent child marriage or domestic violence, or which criminalise abortion.

#### **The Post 2015 – Framework**

Amnesty International urges the AU to fully participate in the processes for debating and developing the post-2015 development framework – at the national, regional and international levels. Amnesty International calls for these processes to be:

- Inclusive - proactively facilitating the inclusion of marginalised groups
- Transparent – with information on the process and on the content of deliberations available and accessible to civil society organisation and other affected stakeholders, including marginalised groups
- Participatory –facilitating the meaningful participation of people living in poverty, their representatives, and other civil society organisations, throughout the process
- Informed by human rights standards – ensuring the input and participation of human rights bodies, experts on human rights and relevant civil society actors.

The Post-2015 framework should be used as a tool to empower people to monitor and hold governments, business, third party states, international institutions and other developments actors to account for existing human rights duties and responsibilities,, including those of extraterritorial nature. The post-2015 development framework must be guided by and provide a framework for the realisation of human rights for all those living in poverty. Specifically this requires that the AU calls upon its Member States to show:

- Commitment to ensure development policy and programmes are consistent with human rights obligations and rule of law
- Ensuring that development targets and frameworks are based on international human rights law
- Commitment to enhancing accountability mechanisms for existing human rights obligations as part of the framework for development after 2015
- Commitment to ensure development is inclusive, ends discrimination, guarantees gender equality and prioritises disadvantaged groups
- Reaffirmation of the right of access to information and participation.

## **AU and the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (ICESCR)**

On 5 May 2013, the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (ICESCR) came into force. The United Nations ICESCR provides a firm legal foundation for these fundamental essentials of human life. Yet despite its binding nature, few if any states, including the wealthiest, observe the letter let alone the spirit of the Covenant when it comes to ensuring that all their people can enjoy these rights to the fullest extent.

This Protocol gives people possible redress if they feel these essential rights have been trampled upon. It is a side agreement to the Covenant and sets up an international individual complaints mechanism. The Protocol establishes a vital tool for people, in particular for those living in poverty, to hold their government accountable if their rights are abused.

A year ago, the African Commission for Human and Peoples' Rights adopted a resolution in March 2012 announcing its support for the Protocol. Almost a third of the countries that have formally signed the Protocol are African. They have only one more step to take to ratify it.

It is extremely disappointing that not a single African country has taken the next step and ratified the Protocol - it is one of the regions in the world where people could benefit the most from being able to claim redress if their rights contained in ICESCR are violated. This is surprising given the strong support many African countries have shown to the process of the adoption of the Protocol. Many of these states have been at forefront of calling for the recognition of economic, social and cultural rights.

We urge all African Union members to ratify the Protocol, which is a real milestone for human rights, to ensure that people come closer to living a life of dignity.

## **V. The AU and Peace and Security in Africa**

### **The Democratic Republic Of Congo**

Commitments to stop cycles of violence in the **Democratic Republic of the Congo** made on 24 February by 11 African states<sup>1</sup> as well as the AU, the SADC, the International Conference of the Great Lakes Region (ICGLR) and the UN must without delay be translated into action to protect human rights. Armed groups such as local Mayi-mayi militias as well as the FDLR, FNL and ADF-NALU have reportedly continued to attack the population, including through unlawful killings, rape, abduction as well as burning and looting of property. After a six month truce, fighting between the M23 and the national army resumed this week in the outskirts of Goma, causing further displacement of the population.

The African-led Intervention Brigade soon to be deployed in North Kivu under the command of MONUSCO should make the protection of civilians its priority. To this end, the Brigade should consult with civilian sections of MONUSCO and relevant humanitarian agencies in assessing risks to civilians and developing specific plans for their protection, ahead of each operation.

African states must join the broader international community in putting pressure on the DRC government to engage in genuine security sector reform, ensure accountability of FARDC for violations of human rights and humanitarian law, and the setting-up of effective demobilisation and reintegration programmes for those who leave armed groups.

### **Sudan**

In **Sudan**, civilians in Southern Kordofan and Blue Nile states continue to bear the brunt of the violence in the conflict between the Sudan Armed Forces (SAF) and the Sudan Peoples

---

<sup>1</sup> The framework agreement was signed by the following countries :Angola, Burundi, the Central African Republic (CAR), The Republic of Congo, the DRC, Rwanda, South Africa, South Sudan, Uganda, Tanzania and Zambia.

Liberation Army-North (SPLA-N), which erupted in June 2011. The Sudanese army has carried out deliberate attacks on civilians and indiscriminate bombings, which have killed and injured scores of civilians, destroyed civilian property, and may constitute war crimes. The SPLA-N has arbitrarily detained civilians, carried out indiscriminate shelling, and compromised the civilian characters of refugee camps in South Sudan by diverting food supplies and using the camps for recruitment.

The continued denial of humanitarian access by the Sudanese government in both areas has had a dramatic effect on the lives of civilians. Severe food shortages, lack of medical supplies and personnel, adequate water and sanitation facilities, and other humanitarian services have led to over 220,000 people fleeing to Ethiopia and South Sudan. In addition, tens of thousands of civilians are internally displaced in precarious conditions, with the numbers rapidly growing as conflict spreads to other parts of Sudan, including North Kordofan.

Furthermore, the Sudanese government continues to arrest those perceived to be supporting the SPLM-N, the political wing of the SPLA-N, including peaceful activists and lawyers. 25 SPLM-N members were reportedly arrested between 1 and 9 May 2013. Among them was Asma Ahmed, a Sudanese lawyer and human rights activist who has defended political prisoners and prisoners of conscience. She remains in detention without charge or access to a lawyer.

In Abyei tensions between the Dinka Ngok and Misseryia groups in Abyei have significantly heightened following the shooting and killing of the Ngok Dinka Paramount Chief, Kuol Deng Kuol, and a UN peacekeeper on 4 May 2013.

In May 2011, the SAF and its allied-militia attacked the town, leading to the displacement of over 100,000 people. To date, less than half the displaced population have returned. An agreement on the structure of the Abyei Joint Oversight Committee has not been reached in order to ensure adequate policing and administrative support for civilians to safely return to Abyei. Furthermore, the human rights monitoring mechanism included in the mandate of the United Nations Security Force for Abyei (UNISFA), is yet to be implemented.

Amnesty International welcomes the AU's condemnation of the killing of Paramount Chief Kuol Deng Kuol and the UN peacekeeper, and the call for an investigation into the incident; however no investigation has been carried out.

Violations and abuses remain widespread in Darfur, which has witnessed a sharp increase in violence since late 2012, causing the displacement of more than 300,000 people. There were multiple and credible allegations of involvement of government forces, particularly members of the Border Guards and Central Reserve Police, in multiple, large-scale, deliberate attacks against civilians in the context of inter-communal violence.

On 23 February 2013, hundreds of gunmen attacked the town of El Siref, where 60,000 internally displaced people had taken refuge. Local sources indicate that 53 residents were killed and 66 injured in the attack. The overwhelming majority of the victims were civilians. On 9 January, 53 residents of the Martam Bay village were reportedly killed when civilians were attacked in the Jebel 'Amer area by Rizeigat gunmen. In both cases, witnesses named individual Border Guards involved in the attacks and described the use of heavy weapons only available to government forces.

In the aftermath of the attack, Adam Sheikha, a member of parliament for the ruling National Congress Party, was quoted as saying that the attackers "came on government vehicles carrying state-issued weapons and [had received] their salaries from the state".

Over the past year, the Sudanese government has increased its efforts to curb freedom of expression, association and assembly.

Between June and August 2012, the National Security Services (NSS) arrested hundreds of demonstrators, activists and civil society members, in response to a wave of largely peaceful protests across the country.

Most detainees were held without charge. They were routinely subjected to treatment which amounted to torture and cruel, inhuman or degrading treatment or punishment, including beating with sticks, rubber hoses and fists; making detainees stand in scorching heat for days at a time; deprivation of food, water and sleep, and forcing detainees to adopt stress positions. Female detainees have been subjected to sexual violence, including rape and so-called 'virginity tests' akin to rape.

Despite the announcement on 1 April 2013 by President Omar al-Bashir that all political prisoners would be freed, the NSS continues to routinely arrest and detain individuals without charges. Dozens of individuals remain in detention without trial, many from Blue Nile and Southern Kordofan.

At least ten people, most of them high school students, were killed in a protest on 31 July 2012 when the NSS and the Central Reserve Police [CRP] used live ammunition against protesters. On 5 December 2012, four students were killed in Al-Jazeera University, Wad Madani, when the NSS and the CRP violently dispersed a peaceful protest.

In late December 2012, the authorities closed down at least three NGOs: Arry, a human rights NGO; the Khatim Adlan Centre for Enlightenment (KACE) and the Sudanese Studies Centre. Members of staff from these organisations were also subjected to harassment and questioning.

The media continues to face intense restrictions and daily censorship by the NSS. The authorities shut down three newspapers in 2012, including Alwan, al-Rai al-Sha'ab, and Tayyar. Editors receive daily visits, calls and text messages by NSS agents to control news coverage, and face threats of dismissal and licence cancellation. The NSS occasionally confiscates entire print runs of newspapers, which has great financial costs for media organisations and threatens their survival. In the past year, journalists, photographers and TV hosts have been detained, harassed, tortured and otherwise ill-treated by the NSS. Local journalists said that tens of media workers have been sacked or made redundant since the summer crackdown of 2012.

Amnesty International calls on the AU Peace and Security Council to take action on the conflict in Southern Kordofan and Blue Nile, in particular:

- demand the Government of Sudan allows humanitarian organizations and independent human rights monitors immediate and unhindered access to the two areas;
- demand an immediate end to deliberate attacks against civilians by the Sudanese government, and to indiscriminate attacks by both sides to the conflict;
- establish an independent enquiry into the alleged violations and abuses of international human rights and humanitarian law by all parties to the conflict in Southern Kordofan and Blue Nile since June 2011.

Amnesty International further calls on the AU to:

- urge Sudan to carry out a thorough and full investigation into human rights abuses committed in Abyei in 2011, including allegations of killings of civilians, and the looting and burning of civilian property, and other violations of international human right and humanitarian law.
- urge Sudan to Stop the harassment of human rights defenders, political dissidents, journalists and civil society activists and guarantee their rights to freedom of expression, movement, association, and peaceful assembly; and abide by its international obligations under regional and international treaties and put an end to human rights violations by the NSS.

Amnesty International calls on the AU to address continued grave breaches of international humanitarian law and violations of international human rights law in Darfur, in particular, to

- make every effort to arrest President al-Bashir and others sought by the ICC and ensure that they are transferred to the ICC; and implement the recommendations of the UN Group of Experts and Panel of Experts on Darfur.
- urge the Sudanese government to take urgent measures to cease attacks by its forces against civilians, undertake prompt investigations into alleged attacks and human rights violations,

### **Somalia**

The political transition in **Somalia** of August 2012 was an important milestone. However violations of human rights and humanitarian law associated with the armed conflict between government forces, affiliated militias, the African Union Mission in Somalia (AMISOM) and the Islamist armed group al-Shabab continue to devastate lives in southern and central Somalia.

While President Hassan Sheikh Mohamoud has repeatedly stated that one of his priorities is security, the security situation remains extremely volatile. Following al Shabab's loss of control in key areas of south and central Somalia, other armed groups have added to the complexity regarding protection of civilians. Militias are being integrated into government forces, and the government forces themselves are failing to protect, and in some cases actually targeting, civilians. There have been large scale arrests of civilians by government forces in areas where the government accuses the population of being sympathetic to al-Shabab; while violence and killings continue to be carried out by al-Shabab where al-Shabab accuses the population of being sympathetic to the government and aligned forces.

Violations against civilians, particularly rape and looting, are commonplace, associated with poor discipline and command control within government forces. It is a key issue in areas populated by internally displaced people (IDPs). Conditions in IDP settlements remain extremely poor with regular reports of sexual and gender based violence against women and girls. Camp populations are predominantly women and children who are vulnerable to abuse and exploitation. Many rape attacks are alleged to have been committed by government forces.

Population displacement is an on-going and serious problem, occurring prior to or during hostilities, though also due to civilian fear of being recruited or being accused of spying. Despite an action plan signed by the Transitional Federal Government (TFG) to end the killing and maiming of children in conflict in August 2012, there have been few positive measures to end the role of children in government and aligned armed groups. Children are still recruited by al-Shabab and aligned armed groups.

Somalia journalists and media workers continue to be attacked, harassed and intimidated by parties to the conflict. At least 23 journalists have been killed in Mogadishu since December 2011, three of which were in 2013. In November 2012, the President announced a taskforce would be established to investigate the killings of journalists and identify the perpetrators. No one has yet been appointed to the taskforce, and there have been no investigations into the killings of journalists. The Puntland and Somaliland authorities also continue to arbitrarily restrict media freedom.

There is ongoing lack of accountability for grave abuses of international humanitarian and human rights law on all sides of the conflict, including AMIOM. This continues to send a message to perpetrators that there will be no repercussions for crimes under international law or human rights abuses, and gives very little reason to fear justice.

Amnesty International calls on the AU to:

- Support the Somali Federal Government (SFG) to take steps to exercise greater control over the actions of its armed forces and any associated forces, through clearly upholding the principle of command responsibility.



- Urge all parties to the conflict to adhere to international humanitarian and human rights law. This includes delivering on obligations to protect the civilian population from the effect of hostilities and ceasing the recruitment or use of persons under the age of 18 into armed forces or militia, in line with the action plan signed by the TFG in August 2012.
- Insist that the Somali government to conduct full and impartial investigations into international humanitarian or human rights violations, and deliver on its commitments in November 2012 to investigate and prosecute perpetrators of rape and sexual violence.
- Urge the Somali government to deliver on their commitments to set up a task force to investigate all killings of journalists. Call upon Somali authorities to ensure the protection of journalists through prompt, effective and impartial investigations into killings, attacks and harassment, bringing those responsible to justice.
- Ensure that all AMISOM forces respect International Humanitarian Law and International Human Rights Law, including through establishing a permanent and transparent oversight mechanism, the civilian casualty tracking, analysis and response cell, to investigate and address allegations of misconduct by its troops, in accordance with United Nations Security Council Resolution 2093.

### **Cote d'Ivoire**

In **Côte d'Ivoire** two years after the end of the post-electoral crisis which resulted in almost 3,000 deaths, Côte d'Ivoire continues to be home to serious human rights violations committed against known or suspected supporters of former President Laurent Gbagbo. The *Forces républicaines de Côte d'Ivoire* (FRCI, Republican Forces of Côte d'Ivoire, the national army) and the military police have been responsible for numerous human rights violations after arresting and detaining individuals outside any legal framework and often solely on the basis of ethnic identity and political motivations. These actions were made possible by the multiplication of unrecognized places of detention where individuals suspected of attempts against state security were held incommunicado, sometimes for long periods, and in inhumane and degrading conditions.

In western Côte d'Ivoire, the last internally displaced persons (IDP) camp in Nahibly near the city of Duékoué (450 km from Abidjan) was attacked and destroyed in July 2012 by local people supported by Dozos, a militia of traditional hunters sponsored by the state and the army.

Amnesty International is calling the AU to:

- Ensure that the Ivorian security forces stop targeting people on grounds of ethnicity and political affiliations and that the authorities bring to trial all individuals responsible for human rights violations;
- Ensure that an international commission of enquiry is set up into the human rights violations and abuses committed during and after the attack of the Nahibly camp on 20 July 2012.

### **Mali**

In **Mali** since the beginning of the crisis in January 2012, and after the March 2012 military coup, serious human rights violations and abuses have been committed by all sides to the conflict, including the Malian army and the Tuareg and Islamist armed opposition groups that controlled the north of the country until the January 2013 military offensive led by the French and the Malian armies. The Malian army has reportedly committed serious human rights violations in the recovered territories targeting in particular Tuaregs, Arabs and more widely "light skinned" people suspected to have links with the armed opposition groups.

Amnesty International is calling the AU to:

- Ensure that the Malian army stops the reprisals against people targeted on ethnic grounds and against political opponents and journalists;
- Ensure that the African troops composing the African-led International Support Mission to Mali (AFISMA) that will be integrated in a forthcoming UN peacekeeping force are properly vetted and that this peacekeeping force has a robust human rights component with a sizable number of human rights observers deployed throughout Mali.

### **Central Africa Republic (CAR)**

Amnesty International is deeply concerned about reports of continuing widespread and serious human rights violations in the **Central African Republic (CAR)** since Seleka, a coalition of armed groups, seized power in a coup on 24 March 2013.

As in the past, civilians bear the brunt of the human rights violations. Scores of civilians have been killed, others have been tortured, women and girls have been raped, children have continued to be recruited as soldiers, and tens of thousands of civilians have been displaced. The organization is further worried that not only do the new authorities appear to lack the will or the capacity to prevent or stop the violations, it is Seleka soldiers who seem to be the main perpetrators. There have also been reports of human rights abuses, including killings of civilians and burning of houses and other civilian properties perpetrated by bandits, armed nomads and poachers. Successive CAR governments have failed to adequately protect civilians or prevent abuses by these non-state actors.

The government has announced investigations into human rights violations by the government of former President Bozizé but there is reportedly no evidence that the new government has plans to bring its own soldiers who carried out human rights violations to justice.

The ability and capacity of humanitarian organizations to assist civilians, including sick and malnourished children, in dire need of aid has been severely reduced. This situation has arisen as a result of widespread insecurity and looting of vehicles and equipment, as well as of stocks of food, medical supplies from humanitarian organizations. Seleka soldiers are reported to have been responsible for much of the looting and creation of a climate of insecurity for humanitarian workers.

The human rights situation has deteriorated despite the presence of several international forces and peace-building missions, including the African Union's Central African Liaison Office. The AU liaison office monitors the political situation in the CAR and contributes to national reconciliation processes.

The human rights and humanitarian situation in the CAR are at a critical stage. A continuation or even a potential deterioration is intolerable. It has already affected neighbouring countries, several of which are unstable and plagued with armed conflicts and attendant human rights crises themselves. Amnesty International strongly urges the African Union to use its 50<sup>th</sup> anniversary to give impetus to its resolve to take the lead in ensuring that the new administration in Bangui takes immediate measures to protect civilians from human rights violations and enforce the rule of law.

The African Union should use its influence and urge the CAR authorities to:

- Publicly and unequivocally condemn human rights violations by Seleka soldiers;
- Immediately suspend any persons suspected of involvement in human rights violation from frontline duties;
- Set up an independent and impartial commission of inquiry, in consultation with CAR civil society organizations, to investigate human rights violations carried out, especially since December 2012, to identify the perpetrators with a view to bringing them to justice as well as provide detailed recommendations to ensure that victims and their

families are provided with reparations and that such violations are not repeated;

- Where sufficient admissible evidence exists, persons suspected of offences involving human rights violations, including those with command responsibility, should face justice in proceedings which meet international standards of fairness and without recourse to the death penalty. The authorities must provide reparations to victims and their families;
- Assure human rights defenders, humanitarian workers and journalists that they can carry out their work without fear and that those who attack them will be brought to justice in fair trials;
- Reorganise and rebuild the justice system, including by granting judicial officials with the resources and security to investigate human rights violations and bring the perpetrators to justice;
- Immediately disarm and demobilise all child soldiers and instruct all commanders to ensure that no children are recruited into the security forces. Ensure that former child soldiers are appropriately reintegrated into civilian life.

Amnesty International calls on the African Union to:

- Provide material assistance and personnel to enable the CAR government to promote and protect human rights, including investigating human rights violations, bringing perpetrators to justice and providing reparations to victims;
- Urge the CAR government to respect, protect and promote human rights, including by establishing a commission of inquiry into recent human rights violations;
- Ensure that the AU's Central African Republic Liaison Office is given political support and resources to gather and publish information about the human rights situation in the country, with specific recommendations to the AU for the protection and promotion of human rights in the CAR.