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“NONE OF US ARE SAFE”: WAR CRIMES AND CRIMES AGAINST HUMANITY IN THE CENTRAL AFRICAN REPUBLIC

INTRODUCTION: OVERVIEW OF FINDINGS

An Amnesty International delegation has just returned from a two-week mission to Bangui, Central African Republic (CAR), where it documented serious violations of international humanitarian law and gross violations of human rights, including war crimes and crimes against humanity.¹ These crimes, which took place during and after the 5 December attack in Bangui, should be of concern to the international community as a whole. All states have an obligation to investigate and, where enough admissible evidence is gathered, prosecute war crimes and crimes against humanity.

Amnesty International collected information about serious violations and abuses committed by the de facto government forces, known as ex-Seleka, and the loosely organised armed opposition groups known as anti-balaka, as well as about acts of vigilante violence committed by local civilians. Amnesty International notes with great concern that a key aspect of the current situation is the blurring of lines between organised armed groups and more ad hoc, vigilante mobs.

Both Christians and Muslims were killed on 5 and 6 December, as both ex-Seleka and anti-balaka militias systematically attacked the civilian population. Both groups went house to house, breaking down doors and searching for men to kill. During the first wave of the attack, in the very early morning hours of 5 December, the anti-balaka forces were extremely active in their attacks, but after the ex-Seleka forces managed to push back the anti-balaka groups they began a much more extensive series of reprisal attacks against Christians. Although the ex-Seleka in some cases claimed to be searching for anti-balaka militants, they did not make a meaningful effort to distinguish between militants and non-militant Christian men. In all, some 800 to 1,200 men were killed. While some proportion of those killed on 5 December, particularly those killed in the early morning, were likely to have been

¹ Grave breaches of the Geneva Conventions and Additional Protocol I and most other serious violations of international humanitarian law are war crimes. Definitions of these crimes are included in the Rome Statute of the International Criminal Court. The list of war crimes in Article 8 of the Rome Statute basically reflected customary international law at the time of its adoption, although the list is not complete and a number of important war crimes are not included. According to the Rome Statute, certain acts, if directed against a civilian population as part of a widespread or systematic attack, and as part of a state or organizational policy, amount to crimes against humanity. Such acts include, among others, murder, extermination, enslavement, deportation or forcible transfer of population, imprisonment or other severe deprivation of physical liberty in violation of fundamental rules of international law, torture, rape and other sexual crimes, and enforced disappearances.

killed in combat, the large majority of the killings appear to have been unlawful.

Steve Domdeng, age 28, was killed by ex-Seleka forces at around noon on December 5. A civil servant who worked for the civil aviation authority, he lived in the PK 14 area on the outskirts of Bangui. During reprisal attacks carried out by the ex-Seleka in the wake of the anti-balaka attack on the city, a group of ex-Seleka came to his house. Domdeng, who was said to be unarmed, attempted to flee with another man, but he was caught and killed with a machete, receiving machete wounds on his head and stomach. His family buried him in the fields near his house.

Particularly in the wake of the 5 December violence, the deep sense of anger and grievance that is apparent in the Christian and Muslim communities—as well as these populations' pervasive fear and insecurity—raises serious concerns about a potential downward spiral of inter-communal violence. If, as appears to be the case, the power of the ex-Seleka forces is waning, and anti-Muslim forces are gaining momentum, the minority Muslim community may be particularly at risk.²

BACKGROUND

CAR has a tragic history of human rights violations by successive governments and armed groups. The armed conflict escalated in early December 2012 when Seleka, a coalition of several armed groups, launched an armed offensive against the government of former President François Bozizé. Over the past year, countless civilians have been killed; large numbers of villages have been burned; and thousands of homes have been looted.

Seleka seized power on 24 March 2013. In the subsequent months, Amnesty International documented an ongoing pattern of Seleka soldiers and other armed group—some of them associated with Seleka and others not—committing human rights violations and abuses with almost total impunity across the country. Although President Michel Djotodia formally dissolved Seleka in September 2013, human rights violations and abuses continued.

The arbitrary and abusive nature of the new government's rule has helped give rise to the current high level of sectarian hostility. The majority of the country's population is Christian, as was the former President François Bozizé. The current transitional president, Michel Djotodia, is Muslim, as are most members of the ex-Seleka forces. Many Christians seem to attribute responsibility for the ex-Seleka's abuses to the Muslim minority as a whole; they seem to think that all Muslims are, at the very least, complicit in ex-Seleka abuses. And many Muslims, too, seem willing to attribute anti-balaka abuses to Christians as a community.

On 5 December the UN Security Council unanimously approved the one-year deployment of troops under an African-led International Support Mission in the Central African Republic (MISCA). African leaders later agreed to expand the force to 6,000 troops, who have taken over from the existing contingent of peacekeepers from central African states on 19 December. Some 1,600 French troops have also deployed separately to the Central African Republic.

CAR is awash with small arms and light weapons, with ex-Seleka fighters, as well as other armed groups and the population, having easy access to weaponry.

² Muslims make up an estimated 15-20 percent of the population of the Central African Republic.

CYCLE OF ATTACKS AND KILLINGS CONTINUE

The arrival of 1,600 French troops, beginning on 6 December, has not stopped the violence in Bangui, though their deployment has likely prevented even more large-scale bloodshed. More than 90 people have been killed in Bangui since 7 December, including a roughly equivalent number of Muslims and Christians. Much of the violence occurs at night, when ex-Seleka reportedly roam neighbourhoods and pillage homes, but there are also revenge attacks that take place in broad daylight.

The morgue at the Ali Babolo mosque in Bangui's PK5 neighbourhood has received daily deliveries of the bodies of Muslims who have been killed, allegedly by anti-balaka forces and local youth associated with anti-balaka forces. The bodies of Christians, believed to be killed both by ex-Seleka forces and by Muslim vigilantes, are sent to the central morgue at the Community Hospital (Hôpital Communautaire), or are buried in family courtyards and local cemeteries.

Rodrigue Burofei, age 34, was killed on Monday, 16 December. Married with five children, Burofei lived in the Ousman neighbourhood; he took refuge at the airport when violence erupted in Bangui on 5 December. Early in the morning of 16 December, Burofei tried to return to his house to retrieve some clothing and personal items. His family did not know of any witnesses who could describe the precise circumstances of his death, which was extremely violent. Burofei's body was found at approximately 8 am that morning, around the corner from a house that is said to be inhabited by a group of ex-Seleka; and his family is convinced it was the ex-Seleka who killed him. He had been stabbed and cut with machetes; his head was badly damaged.

His family said that Burofei was unarmed and not involved in military activity; his profession, they said, was commercial logistics. "He was a family man," one of his family members told Amnesty International. "His killing shows that none of us are safe."

Muslims are also being targeted and killed. Father and son Laden Amadou Dougso (aka Mandra), age 69, and Omaro Amadou Mandra, age 28, were killed together on Saturday, 14 December, reportedly by a violent Christian mob. Laden was born in Cameroon but had lived in Bangui since 1965; all of his children were born in CAR. After the violence broke out in Bangui on 5 December, he took steps to send his family to Cameroon for safety. Several of his grandchildren were at the Cameroonian embassy waiting to travel to the country, and he had gone to the airport to bring some necessary identification papers to facilitate their travel. Taking a motorcycle taxi with his son Omaro back from the airport, they were stopped by a group of men and both Laden and Omaro were killed. Their bodies, which stayed on the street most of the day, were horribly mutilated: the father was nearly decapitated; his genitals were cut off, and at least one of his hands was cut off and attached to a stick. The crowd took photos of the bodies to keep on their cell phones.³

While the large majority of those killed are men, women and children have also been targeted. On 12 December, for example, four Muslim women and a 2-year-old boy were killed, reportedly in Bangui's Combattant neighbourhood.

In addition to unlawful killings, the looting and the physical destruction of property continues. Muslim shops in the Combattant market area were systematically looted between 9 and 11 December, with merchants losing millions of CFA (equivalent to thousands of pounds) worth of goods. Angry Christian mobs destroyed several mosques that

³ An Amnesty International researcher saw the body at the Ali Babolo mosque. An hour later the researcher was shown photos of the mutilated corpse by teenage boys at the location where the killing occurred; the boys seemed delighted by the killing.

same week: in the Fohu, Combattant, and Oahango neighbourhoods. The Amnesty International team witnessed the destruction of the mosque in the Fohu neighbourhood, as well as the burning of the house of the local imam. Ex-Seleka forces continue to loot Christian homes in several neighbourhoods.

FORCED DISPLACEMENT

The violence in Bangui has resulted in massive forced displacement of people across the city, as formerly mixed Christian/Muslim neighbourhoods empty out.

More than 210,000 people—at least 25 percent of the city's population—have fled their homes, some moving in with relatives, but the majority staying in ad hoc places of refuge such as churches, monasteries, and the area around the airport. More than 700,000 people have fled their homes across the entire country.⁴

The humanitarian need of these displaced populations is enormous, and the international community has yet to fully respond to it. Many displaced people have only limited access to food, shelter, medical care and sanitation; some sites such as Guitangola and Guitangola Carriere have still not received even basic humanitarian assistance.

URGENT NEED FOR PROTECTION

There can be no prospect of ending the cycle of violence in Bangui until the militias and other armed actors are disarmed, and civilians are protected. Given the proliferation of firearms and other weapons, efforts to carry out meaningful disarmament will be extremely challenging.

During the present period of severe instability, it is crucial that key sites such as hospitals and camps for displaced people receive adequate protection. In particular, displaced persons camps should have a sufficient number of international troops posted at the gate and carrying out regular patrols within and around them. At present the numbers of troops at several sites seem insufficient. When Amnesty International visited the Boy Rabe monastery, for example, where 17,000 people have taken refuge, the researchers saw only four African soldiers. Other sites, such as the Guitangola community, were without any protection at all.

Amnesty International also found that the paediatric hospital lacked any protection. Only ex-Seleka troops were posted in front of the Community Hospital (Hôpital Communautaire), worrying some patients and potentially discouraging others from seeking treatment.⁵

Amnesty International has learned of attacks on those who have been disarmed by mobs seeking revenge. Any disarmament process must therefore be accompanied by effective physical protection measures, particularly in crisis hotspots such as Bangui's PK5, Miskine and Combattant neighbourhoods.

⁴ Central African Republic: Situation Report No. 1 (as of 17 December 2013)

⁵ Amnesty International last visited the Community Hospital on 16 December. This hospital is one of the few functioning hospitals in the city.

NUMBER OF PEOPLE KILLED ON 5-6 DECEMBER

Amnesty International estimates that between 800 and 1,200 people were killed in and around Bangui on 5 and 6 December, the vast majority of whom were men. This rough estimate is based on information gathered through discussions with representatives of the national Red Cross, the central morgue, the Ali Babolo mosque, local human rights organisations, other civil society groups, and numerous family members of victims. It would, however, require a neighbourhood-by-neighbourhood survey to calculate the number of the dead with any real precision.

Without a doubt, the official Red Cross figure of 459 people killed during the initial two-day explosion of violence represents a serious undercount the total death toll. As Red Cross representatives acknowledge, their figure represents the numbers of corpses that Red Cross workers themselves saw and retrieved; it does not include the many victims who were buried by their families in small, ad hoc plots near their homes. Given the extreme dangers of the first two days of violence, a significant proportion of family members did not call the Red Cross, which was unable to meet the overwhelming need. Rather than let their relatives' bodies rot outside in the heat, families buried their loved ones informally. Indeed, some neighbourhoods of Bangui, such as Castor, Fatima, and Boy Rabe, are now dotted with small graves.

Amnesty International visited numerous ad hoc burial sites, many of them located right next to the house of the person who was killed. A large proportion of the family members whom were interviewed said that they had buried their loved ones in this manner, without informing the Red Cross of the death.

The large majority of those killed on 5 and 6 December were Christian men targeted by ex-Seleka forces, but at least 63 of the dead were Muslims. While nearly all of those killed on 5 and 6 December were men, at least five Christian women and four Muslim women were killed (including three from a single family).

CONFLICT ACROSS THE ENTIRE COUNTRY

Similar human rights violations and abuses, including unlawful killings, pillage, and massive forced displacement, are reported to have taken place in other parts of the country before and after the 5 December attack on Bangui.

The team visited a children's hospital where 10 Peuhl children injured in an attack on a Peuhl village near the town of Boali (90 km from Bangui) were being treated.⁶ During the attack, which took place a few days before the eruption of violence in Bangui, nearly all of the children received direct machete hits to the head; some were shot. Most of their parents had been killed during the attack, which was allegedly carried out by anti-balaka forces. "We were defenseless," one of the surviving mothers told Amnesty International. "They slaughtered us mercilessly."

⁶ The Peuhl are a largely nomadic ethnic group who traditionally engage in cattle herding. Some Peuhl are now sedentary and live in Bangui, among other places. Some members of the Peuhl ethnic group have been implicated in serious abuses against Christian villagers in the Central African Republic.

ENDING IMPUNITY

The Central African Republic has seen decades of impunity for serious human rights violations. None of the country's previous governments has ever delivered fair and impartial justice, even for serious crimes such as enforced disappearances, extrajudicial executions, and torture. At present, the lack of justice for serious crimes perpetuates the cycle of violence, as some victims believe that the only way to punish the suspected perpetrators is to engage in vigilante action. Ending the reign of impunity—by properly investigating, prosecuting and punishing those responsible for serious violations—would do much to assuage inter-communal tensions and restore confidence in the rule of law.

Amnesty International has received credible information regarding the identity of several ex-Seleka commanders who personally led killings in parts of Bangui between 5 and 6 December. These incidents include killings in areas of the 3rd arrondissement and attacks on two local hospitals, from which at least a dozen people were taken and killed. These men, as well as abusive anti-balaka commanders, should be investigated and, where appropriate, prosecuted, either by domestic or international judicial mechanisms. The planned UN Commission of Inquiry should make recommendations regarding the best means of ensuring individual accountability for the crimes that have been committed.

CONCLUSION AND RECOMMENDATIONS

Civilians in the Central African Republic live in imminent risk of attack. Impunity for crimes under international law is rampant, and inter-communal distrust and hostility is fuelling tit-for-tat killings, vigilantism and mob violence. What remains of the state has utterly failed to offer effective protection to all communities without distinction. At present, the civilian population is in urgent need of physical protection, basic humanitarian assistance, the disarmament of militias and other armed groups, and an end to impunity.

The international community can do much to end this human rights and humanitarian crisis. In order to prevent a further deterioration of the situation and to re-establish the rule of law, Amnesty International makes the following recommendations:

Amnesty International calls on the international community, and in particular the African Union (AU) and the United Nations (UN), to:

- Provide the African-led International Support Mission in the Central African Republic (MISCA) and other international peacekeeping forces in the Central African Republic with sufficient resources, including additional personnel and materials, to enhance their capacity to rapidly deploy in all regions of the country in order to provide effective protection to the civilian population and prevent the commission of new attacks;
- Speed up the UN Secretary-General's assessment of the conditions on the ground for the possible transformation of MISCA to a United Nations peacekeeping operation, and immediately start contingency preparations and planning for that transformation, as requested by Security Council resolution 2127 (2013);
- Expeditiously dispatch an adequate number of UN monitors to investigate and publicly report on all violations of human rights and international humanitarian law as part of the UN Integrated

Peacebuilding Office in the CAR (BINUCA) mandated by Security Council resolution 2121 (2013). Human rights monitors must have logistical and other support, including protection, so that they can travel safely to all areas of the country;

- Expedite the deployment of the international commission of inquiry as decided in Security Council resolution 2127 (2013) to look into violations and abuses of international humanitarian law and international human rights law in CAR by all parties, in order to help identify the perpetrators and ensure that they are held accountable;
- Expedite the appointment of the UN Human Rights Council's Independent Expert on the situation of human rights in the Central African Republic.

Amnesty International calls on the parties to the conflict to:

- Immediately cease carrying out deliberate attacks on civilians and other violations of international humanitarian law, as well as human rights abuses;
- Publicly condemn, from the highest level of leadership, all unlawful killings and other human rights abuses and violations of international humanitarian law committed by their forces;
- Instruct their forces that such abuses will not be tolerated under any circumstances and those who commit such abuses will be held fully accountable;
- Remove from the ranks anyone suspected of ordering or committing serious violations of international humanitarian law or human rights abuses;
- Cooperate with independent and impartial investigations into violations, including the planned UN commission of inquiry.