



AMNESTY INTERNATIONAL BRIEFING

AI index: AFR 19/001/2013
14 May 2013

AMNESTY INTERNATIONAL'S BRIEFING ON THE HUMAN RIGHTS SITUATION IN THE CENTRAL AFRICAN REPUBLIC

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. Amnesty International has received information about Seleka soldiers carrying out extrajudicial executions, torture – including rape of women and girls, armed robbery and looting, as well as indiscriminate shootings resulting in multiple deaths and injuries.

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.

Several civil society organizations in the CAR have told Amnesty International that they had hoped that with a new government in place, the CAR authorities would have been better able to enforce the rule of law and protect human rights. Information received by Amnesty International in recent days suggests human rights violations continue unabated. The government and the military leadership of Seleka show scant signs of ending the violations or bringing the perpetrators to justice.

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.

Amnesty International urges the CAR authorities to do all in their power to end the human rights and humanitarian crises. The organization also calls on foreign governments and intergovernmental organizations to exert pressure on the authorities to protect civilians and support them in any such efforts.

Unlawful killings

Reports indicate that Seleka soldiers have carried out summary executions and torture of members of the former government's security forces, sometimes under the pretext of carrying out disarmament. For example, Seleka soldiers in Bouar (western CAR) reportedly abducted and extrajudicially executed two former government soldiers on 24 April. The executions are reported to have been carried out at the Bouar military barracks firing range. A day later, Seleka soldiers reportedly tortured two former government soldiers in the same area.

In addition, civilians have reportedly been targeted and killed, some of them because of their known or suspected support for former President Bozizé's government or their opposition to Seleka. Many of the unlawful killings have occurred in the capital, Bangui, and others in other parts of the country occupied by Seleka before and after the fall of Bozizé's government. Other civilians have been killed while resisting human rights violations, including looting of their property. For example, on 20 April, Seleka soldiers extrajudicially executed three local chiefs in Bema, near Bangassou in eastern CAR. The chiefs were reportedly targeted as a reprisal for the local population resisting looting of their property by the soldiers. During the resistance, local people had reportedly killed two Seleka soldiers.

On 22 April in Mbres, some 90 kilometres from Kaga-Bandoro in Nana-Gribizi province, Seleka soldiers extrajudicially executed as many as 27 people, wounded nearly 60 others and burned nearly 500 homes. The violations were carried out by the soldiers in reprisal for the local population trying to prevent the looting of materials acquired for the construction of a local school.

Fearing for their lives, hundreds of former government officials and their families have gone into hiding or fled the country. A number of former members of the National Assembly have told Amnesty International that several hundred former government officials and members of the National Assembly and their families have taken refuge at a military base of a regional peacekeeping force¹ in Bangui.

Human rights violations against women and children

Seleka soldiers have reportedly raped women, some of them pregnant, and girls. Several women have told Amnesty International that they have since 24 March 2013 been forced to remain indoors for fear of being raped. Some of them said that Seleka soldiers demand money and other valuables, such as mobile telephones, from women and those who have none are often raped.

Sources in the CAR have informed Amnesty International that many children, some of whom had recently been demobilized, have been recruited by Seleka. The UN High Commissioner for Human Rights and the UN Children's Fund (UNICEF) have called on the government to immediately remove children from the armed forces but this call has so far not been heeded

¹ See Background

by the authorities.

Thousands forced to flee violence and human rights violations

According to the UN refugee agency, UNHCR, some 173,000 people have been internally displaced and nearly 50,000 others have fled to neighbouring countries, mostly to the Democratic Republic of Congo (DRC), Chad and Cameroon. In late April, The UNHCR urged government of countries hosting CAR refugees not to forcibly return them to their home country because the situation there is still unsafe.

Attacks against human rights defenders, humanitarian workers and journalists

Amnesty International is seriously concerned for the rights and safety of human rights defenders, humanitarian workers, journalists and members of civil society organizations in general. Several leaders of human rights organizations have gone into hiding and others have fled the country after they were threatened with death by Seleka gunmen. The gunmen have looted property belonging to the organizations, including UN agencies and their workers, as well as orphanages and centres for homeless children. The looting and threats of violence have paralyzed activities of humanitarian organizations, thus endangering the lives of the population that has been dependent on the organizations for their food and medical care. For example, Seleka soldiers opened fire and forced their way into the Village d'enfant SOS orphanage in Bangui. As well as causing trauma to the children, especially because of the shootings, Seleka soldiers looted the residence of the orphanage's director and took away four vehicles, computers and mobile telephones

Much of the looted property is reported to have been taken to neighbouring Chad and Sudan. Some of the victims of the widespread looting have told Amnesty International that they reported the looting and the violence to the authorities who failed to take any action to prevent the abuses or to recover looted property. The authorities in Chad and Sudan are not known to have taken any measures to prevent entry of looted property into their countries or to return it to its owners in the CAR.

Background

In early December 2012, Seleka launched a major armed offensive to overthrow President Bozizé. Within a matter of weeks, Seleka was on the verge of capturing Bangui when leaders of the Communauté économique des États d'Afrique centrale (CEEAC), of which CAR is a member, called for a halt to the fighting and for the protagonists to negotiate a political settlement. Government and Seleka leaders reached a power-sharing agreement on 11 January 2013. Within weeks of the agreement, Seleka accused President Bozizé's government of renegeing on the agreement and launched a fresh offensive which culminated in the capture of Bangui on 24 March.

Before it took power, Seleka had been accused by local civil society organizations of carrying out widespread human rights abuses. The abuses are reported to have escalated since they captured the capital, Bangui. The government and the military leadership of Seleka show scant signs of ending the abuses or bringing the perpetrators to justice.

In a report published in October 2011, Amnesty International highlighted a consistent pattern of human rights abuses, including unlawful killings, rape and other forms of sexual violence,

and recruitment of children as fighters, by armed groups currently in the Seleka coalition² and the failure of the government led by President Bozizé to prevent the abuses or hold the perpetrators to account.

The human rights situation has deteriorated despite the presence of several international forces including the UN peacebuilding mission in the country since February 2000. The *Bureau intégré des Nations unies pour la consolidation de la paix en République centrafricaine*³ (BINUCA) is mandated to assist the CAR government consolidate peace and national reconciliation and support democratic institutions, as well as monitor and promote human rights. BINUCA is also charged with coordinating UN efforts to support the process of national reconciliation, as well as disarmament, demobilisation and reintegration of armed group fighters. Amnesty International has repeatedly urged the UN to publish its reports on the human rights situation in the CAR but this has so far not happened. Publication of such reports would keep the international community, including Central Africans, informed of indicators of a deteriorating human rights situation that may culminate in a crisis such as the current one.

Among the other forces currently deployed in the CAR is the *Mission de consolidation de la paix en Afrique Centrale* (MICOPAX) drawn from CEEAC member states, particularly Gabon, Cameroon, Chad, the Republic of Congo and, more recently, the Democratic Republic of Congo (DRC). While MICOPAX does not have a mandate to prevent human rights violations, this Force, which is largely funded by the European Union (EU), has a mandate to help CAR government forces secure the territory of the CAR, contribute to national reconciliation processes and facilitate mechanisms to end armed conflict. In April CEEAC leaders⁴ decided to increase the number of MICOPAX troops to 2,000 but did not specify the timing of the deployment or the force's revised mandate.

French government forces have been deployed in the CAR for several decades and there were some 200 French soldiers in the country before Seleka took power. The numbers have since March been increased to over 500 for the protection of French and other foreign civilians. French government forces have in the past participated in operations to support CAR government forces against opposition armed groups. They have also provided intelligence and logistical support, air power, planning and conduct of operations to MICOPAX and CAR government forces.

Other forces in the CAR include the Uganda Peoples Defence Forces (UPDF) which are in the country to pursue the Ugandan Lord's Resistance Army (LRA) armed group which originated from Uganda. The UPDF is deployed in the CAR under the aegis of the African Union (AU). The UPDF is assisted by about 100 members of the United States Special Forces.

The continuation of the armed conflict culminating in the overthrow of the government in March 2013, as well as the escalating human rights and humanitarian situation is ample evidence that peacebuilding efforts have so far not succeeded in their mission.

² See section 5 and Appendix of Amnesty International's report entitled *Central African Republic, Action needed to end decades of abuse*, AI Index: AFR 19/001/2011.

³ UN Integrated Office for the Consolidation of Peace in the CAR

⁴ An extraordinary summit of CEEAC leaders met in the Chadian capital, N'Djamena, to discuss the crisis in the CAR. Others who attended the summit included officials representing the UN Secretary General, the Chairperson of the African Union Commission, the President of the European Union Commission, and of the governments of France and the United States.

Conclusion

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. The African Union together with the United Nations and foreign governments must use their influence to ensure that the administration in Bangui takes immediate measures to protect civilians from human rights violations and enforce the rule of law.

Amnesty International's recommendations

Amnesty International is calling upon 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.

CEEAC countries should:

- Urgently deploy adequate numbers of MICOPAX peacekeepers with the training, resources and capacity to protect civilians in the CAR;
- Give clear instructions to MICOPAX peacekeepers to respect human rights;
- Use their influence on the CAR government to cooperate with MICOPAX to instil discipline and respect for human rights among the CAR security forces;
- Investigate reports of looted property entering their countries from the CAR and ensure it is returned to its rightful owners and the looters are identified and brought to justice.

Foreign governments, such as France and USA, and inter-governmental organizations, particularly the UN, the African Union (AU) and the EU should:

- 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 BINUCA continues to monitor and publicly report on the human rights situation in the CAR in order to keep the international community informed and that it acts on their recommendations.