

## **Human Rights Division**

### **Monthly Report**

**November 2018**

#### **I. Key developments**

During the month of November, the security and human rights situation in the Central African Republic (CAR) became quite precarious due to targeted attacks and violent acts against civilians by armed groups and armed men affiliated with them, resulting in several incidents of violations of international humanitarian law and human rights violations and abuses

The prefectures of Ouaka and Basse-Kotto were of major concern due to the significant increase in the number of human rights abuses perpetrated by the *Unité pour la Paix en Centrafrique* (UPC), particularly in Alindao and Bambari.

MINUSCA Human Rights Division (HRD) recorded 130 new incidents of violations/abuses of international human rights as well as breaches to international humanitarian law affecting 296 victims, including 142 men, 55 women, 54 children and 45 unidentified victims. These figures represent an 18.8 percent decrease in the number of incidents and a 11.7 percent increase in the number of victims compared to the previous reporting period during which HRD documented 160 incidents of violations/abuses affecting 265 victims. Targeted attacks and fighting among rival armed groups continued to negatively impact on the protection of civilians, resulting in 113 civilians killed and 124 injured/maimed in November.

Armed groups were responsible for 122 incidents which affected 285 victims while State actors, including members of the Armed Forces (FACA), Police and Gendarmerie, were responsible for eight incidents affecting 11 victims with cases of violations of the right to life and violations of the right to physical and mental integrity.

The most recurrent violations recorded during the month of November were killings, death threats, cruel and inhuman treatment, conflict-related sexual violence, arbitrary deprivation of liberty, abductions, appropriation, destruction/pillaging of property, attacks on Internally displaced persons (IDPs), extortion, humanitarian workers including their equipment, denial of humanitarian access, and occupation of schools.

HRD continued its advocacy activities aimed at strengthening national capacities and enhancing a protective environment, mainly through the holding of and/or participation in seminars/awareness-raising or sensitization sessions on human rights with civil society representatives, local authorities and members of the Internal Security Forces (ISF) and les *Forces Armées Centrafricaines* (FACA).

On 17 November, the Central African authorities extradited Alfred Yekatom aka "Rambo", a member of the National Assembly and former anti-Balaka leader to the International Criminal Court (ICC). Yekatom is alleged to be criminally responsible for war crimes and crimes against humanity committed in western CAR between December 2013 and August 2014 when he was allegedly commanding a group of around 3,000 anti-Balaka elements. HRD continued to provide technical assistance to the Steering Committee of the future Truth, Justice, Reparation and Reconciliation Commission. HRD also completed 13 Risk Assessments as part of its support to the HRDDP process.

#### **II. Recommendations**

In light of the foregoing, HRD reiterates and recommends the following:

**To MINUSCA**

- Continue to support the deployment of State authorities and assist them in their efforts to conduct investigations into allegations of grave violations of human rights and international humanitarian law, particularly in Batangafo in Ouham prefecture and Alindao, Base-Kotto prefecture.

***To GoCAR:***

- Prioritise the fight against impunity for past and present serious human rights violations and abuses by ensuring prompt, independent and impartial investigations for all violations and abuses, particularly those committed in recently in Alindao and Batangafo, to hold those responsible accountable including persons promoting incitement to hatred and violence;
- Continue to collaborate with MINUSCA in the arrest of elements of armed groups who are alleged to have committed violations of IHL and abuses of human rights and ensure judicial investigations;
- Continue strengthening its efforts to restore State authority and the rule of law, in particular through effective deployment of police, *gendarmes*, FACA soldiers and judicial authorities.

***To the armed groups:***

- All armed groups particularly the UPC, should cease indiscriminate attacks on civilians and take positive measures to ensure full respect for international human rights, and humanitarian law.

***To the International Community:***

- Continue to engage in dialogue with all parties to the conflict on their obligation to respect international human rights and humanitarian laws, as well as UN Security Council Resolutions;
- Continue to encourage the Government of CAR to put an end to impunity by investigating past and recently documented human rights and humanitarian law violations and abuses with the aim of bringing perpetrators to justice.

### **III. Human rights violations related to the conflict and trends constituting threats to the protection of civilians**

1. During the month of November, the security and human rights situation became very volatile, particularly in Basse-Kotto prefecture. Rivalry among the different armed groups coupled with targeted attacks continued to adversely impact on the protection of civilians as well as on the humanitarian and human rights situation in the country. The highest numbers of civilian casualties during the reporting period were recorded in Alindao (Basse-Kotto), Bassangoa (Ouham), Bambari (Ouaka), Bria (Haute-Kotto) and Obo (Haut-Mbomou) making these prefectures the hotspots of the month.
2. As demonstrated in the annex of this report, in November, HRD documented **130** new incidents<sup>1</sup> of violations and abuses of international human rights law and breaches of international humanitarian law affecting 296 victims including 142 men, 55 women, 54 children (24 boys, 28 girls and two unknown minors) and 45 unidentified victims. Although there was an **18.8** percent decrease in the number of incidents, there was an increase by **11.7** percent in number of victims compared to the previous period (October 2018) which recorded 160 incidents affecting 265 victims. The increase in the number of victims is partly due to a UPC attack on an IDP camp in Alindao (Basse-Kotto) on 15 November, during which more than 65 civilians were killed. This attack is among the deadliest for the year, involving the killing and maiming of IDPs based on their religious affiliation.
3. During the month, HRD recorded the killing of 113 civilians (51 men, 30 women, 15 boys, 16 girls, one unknown adult and the injury or maiming of 24 unknown other civilians. Elements of the ex-Seleka faction, UPC, were

<sup>1</sup> Figures mentioned in the report do not reflect the complete overview of the human rights violations in CAR. The figures relate to cases documented and/or verified by the HRD, though it may be possible that these figures include human rights violations committed during previous months but brought to the attention of the HRD during the month of November 2018. Statistics regarding the number of violations reported may increase or decrease over a given period due to numerous factors outside the control and/or knowledge of the HRD and must therefore be used with caution.

responsible for killing at least 65 IDPs (15 men, 22 women, 12 boys, and 16 girls) including the Vicar of Alindao and a priest from Kongbo, when they unlawfully attacked an IDP site located at the Catholic Church in Alindao on 15 November. Again, about nine other civilians were injured, the Convent, Catholic Church and IDP site vandalized and torched while more than 3,000 IDPs fled into the bush for refuge. It is worth mentioning that during the attack the UPC elements encircled and blocked all exit points of the IDP camp to prevent the IDPs from fleeing. Consequently, some of the victims were caught in the flames and burned to death. It is also worth noting that the UPC armed group was responsible for the vast majority of the civilian casualties (76 civilians killed and nine injured).

4. The remaining 48 civilians who were killed during the month were victims of targeted and reprisal attacks based on their ethnic or religious affiliations. The ex-Séléka splinter groups (UPC, FPRC/MPC Coalition, FPRC and armed Fulani) were responsible for the highest number of casualties, with 96 killings (85%) and 21 injuries (87.5%), followed by the anti-Balaka who accounted for 10 killings (8.9%). Other elements responsible for civilian casualties included the PK5 criminal gangs with three civilians killed (2.7%) and three others injured (12.5%), SIRIRI, two civilians killed (1.8%) and RJ with one civilian killed (0.8%). Amongst the State agents, HRD recorded the killing of one civilian (0.8%) by the Police who severely beat up a male detainee, leading to his death on 12 November.
5. Apart from killings and injuries, other recurrent human rights violations and abuses committed during the reporting period were: (a) one death threat on a man by FACA soldiers; (b) 22 incidents of cruel, inhuman and degrading treatment affecting 29 victims; and (c) conflict related sexual violence with 20 rape incidents and one attempted rape affecting 23 victims (14 women and nine girls) and an attempted rape by two FACA soldiers on one woman.
6. The reporting period also saw some flagrant breaches of international humanitarian law (IHL). HRD recorded: (d) 12 incidents of abductions affecting 43 victims; (e) 16 incidents of arbitrary deprivation of liberty affecting 28 victims; (f) destruction or pillaging/extortion of property, nine incidents affecting six men, four unknown adults and two groups of unknown victims; (g) 13 incidents of unlawful attacks and pillaging of humanitarian personnel/UN peacekeepers including their equipment, affecting one male peacekeeper and another two groups of unidentified victims and (h) the illegal occupation and destruction of six schools by the UPC, FRPC/AH and FPRC/MPC Coalition in Bambari, Bria and Bossangoa.
7. Armed groups<sup>2</sup> accounted for 122 incidents (93.9% of the total number of incidents) and 285 victims (96.3% of the total number of victims) – 134 men, 54 women, 22 boys, 28 girls, two unknown minors and 45 unidentified victims of which 10 involved attacks on an unknown number of persons (collective victims) during which educational and health facilities were either vandalised or occupied by the armed groups. Though the total number of incidents decreased by 20.8 percent compared to the previous month (154 cases in October), there was a 11.3 percent increase in the total number of victims compared to the previous month, which recorded 256 victims.
8. During the month, HRD once more observed a significant increase in the activities of the UPC particularly in Basse-Kotto and Ouaka prefectures. In their quest to chase away the anti-Balaka, UPC elements targeted IDPs and protected areas and killed, injured/maimed, and abducted civilians as well as vandalized and torched their property, including places of worship. On 12 November for example, UPC elements shot and killed a woman and injured her son while they were on their plantation in Donjo village<sup>3</sup>. On 13 November, at an IDP camp in Ippy, UPC elements again encircled civilians in one part of the camp and allegedly killed at least five civilians and abducted a pregnant woman. On 15 November<sup>4</sup>, they attacked the IDP camp in Alindao killing at least 65 civilians, including two Catholic priests.
9. In another incident in Bambari on 09 November, UPC elements allegedly abducted the spokesperson of the Muslim Youth Association who is also a relative to the resigned President of the Islamic Committee. They accused him of collaborating with MINUSCA and transferred him to the UPC base in Bokolobo. A delegation composed of the President of the Islamic Community in Bambari and other community leaders visited Bokolobo and obtained his release some days later.

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<sup>2</sup> These armed groups include the anti-Balaka, the UPC, FPRC, FPRC/MPC Coalition, FPRC/AH, armed Fulani, MNLC, LRA, 3R, RJ, SIRIRI, PK5 criminal gangs and other armed groups

<sup>3</sup> Located approximately 7 kilometers on Ippy axis, Bria

<sup>4</sup> It is alleged that this attack was in retaliation following the killing of four Muslims by the anti-Balaka in Alindao

10. It is worth noting that since October 2018, the UPC have been resisting the deployment<sup>5</sup> of FACA in Bambari and have been targeting individuals they accuse of collaborating with MINUSCA or with the FACA deployment. They have also erected barricades to prevent patrols conducted by MINUSCA/FACA in the area. On 02 November, UPC elements again placed barricades on axis leading to the Muslim neighbourhoods of Adji, Bornou, Elevation and Wangaye. On 08 November in Ngakobo<sup>6</sup>, the UPC leader, Ali Darassa, informed MINUSCA that he did not commit to Bambari being a ‘weapons free zone’ and his elements would remain in Bambari. However, he committed to ensuring that the barricades were removed.
11. In the western part of the country, the security and human rights situation in Batangafo (Ouham) remains of major concern due to mounting tension and sporadic clashes between the FPRC/MPC Coalition and the anti-Balaka since the FPRC/MPC targeted attack on IDP camp on 31 October<sup>7</sup>. Both armed groups have been reinforcing; the anti-Balaka from Kambakotta and Ouogo, while the FPRC/MPC coalition has received reinforcement from Kabo. Through its investigation, HRD has been able to confirm the killing of eleven civilians from 30 October to 06 November during the clashes between the two rival armed groups. HRD also recorded the injury of 37 individuals, though it is uncertain if all the injured were civilians. Approximately 90 percent of the IDP camp, including Christian places of worship were torched and pillaged. More than 23,000 IDPs were displaced to the nearby bush, Bercaï orphanage, MSF hospital compound and around MINUSCA base. NGO and INGO staffs were relocated to MINUSCA TOB and others to Bangui.
12. The situation in Batangafo continues to be tense thus posing serious threats to the protection of civilians. MINUSCA Forces have adopted a robust attitude and are conducting continuous patrols to secure the area in order to deter further attacks. Negotiations and discussions are being held with community leaders and different armed groups representatives to diffuse the tension<sup>8</sup>. Parties to the conflict are being reminded of their commitment to the peace initiative and their responsibility to promote and protect human rights.
13. In Bangui, the PK5 criminal gangs continued to operate with impunity, thus negatively impacting on the protection of civilians in the 3<sup>rd</sup> District of Bangui. During the month, on and off security incidents caused some civilian casualties in Bangui. On 25 November, at the PK5 Central Market, elements of the “Appo” criminal group demanded the payment of illegal taxes from local traders who refused to pay. Subsequently, there was an exchange of gunfire between the criminal gang members and the traders, which resulted in the killing of one civilian and injury to three others. “Appo” was shot by a trader and later succumbed to his injuries. MINUSCA dispatched a Quick Reaction Force (QRF) to the scene to protect civilians and prevent retaliation from the criminal gang and also intensified joint patrols with Internal Security Forces (ISF) and FACA.
14. On 26 November, at Jackson Bridge at PK5, gunshots resumed. It was alleged that criminal gang members of “Force”, “You”, and “Appo” had clashed in the area. One civilian was killed during the exchange of fire. MINUSCA continued robust patrols in the area. On 27 November, still near the Jackson Bridge, clashes resumed between the “Appo” criminal gang under the command of its new leader - Abdraham Mahamat, and the local traders who had gained control over Appo’s base. The clash was an attempt to regain control of the base by Appo’s elements. As a result of the clashes, two traders were reportedly injured.
15. As was the case in previous months, targeted attacks against civilians, humanitarian workers/UN peacekeeper and their equipment by the various armed groups resulted in several breaches of international humanitarian law. During the month under review, HRD recorded 44 violations of international humanitarian law (33.9% of the overall number of incidents), all attributed to the armed groups and affecting 94 victims (31.8% of the overall number of victims) with

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<sup>5</sup> The FPRC also continues to resist the deployment of FACA in regions under its control. On 8 November, in Bria (Haute-Kotto), Abdoulaye Hissene, the President of the *Conseil National de Défense et de Sécurité* (CNDS) or the political wing of FPRC, was called upon by MINUSCA to clarify reports that “Generals” Damboucha, Saleh, and Mounir threatened to use force if FACA conducts a recruitment exercises in Bria. Abdoulaye Hissene confirmed and reiterated that any FACA presence in the areas under FPRC’s influence would not be tolerated.

<sup>6</sup> Located 48 kilometers south of Bambari

<sup>7</sup> It is alleged that this attack was in reprisal to the stabbing of a Muslim civilian in the IDP camp by the anti-Balaka who allegedly died. Allegedly, before the stabbing of the Muslim man, eight armed FPRC/MPC Coalition elements had attacked four civilians (including a 10-year old boy) on 30 October between Garo and Gbadene villages (17 and 24 kilometers south of Batangafo, on Bouca axis). Three civilians including two evangelists and a motorcycle rider were killed in the attack.

<sup>8</sup> On 20 November, in Batangafo, a meeting was held between the Sub-Prefect, the Mayor, FPRC leader Maouloud Moussa, anti-Balaka leader Romain Feindjiri and anti-Balaka ComRegion Charlie Weamorem where members agreed to continue dialogue and that an interlocutor will be appointed to engage in a peaceful approach aiming to end the current crisis. The anti-Balaka leaders will appoint a leader who will communicate with MINUSCA.

60 men, seven women, three boys, one girl, 13 unknown individuals and an additional 10 attacks during which an unknown number of persons (groups of collective victims) were affected. On 15 November in Batangafo<sup>9</sup> FPRC/MPC Coalition vandalized four schools, three of which were temporarily occupied by IDPs for shelter following the torching of their homes. It is worth mentioning that due to the tense security situation in Batangafo, schools are not operational. In another incident on 15 November, anti-Balaka elements in Batangafo prevented the sick and injured from the Muslim community from accessing the hospital for treatment.

#### A. Abuses by the ex-Séléka splinter groups: FPRC, UPC, FPRC/MPC coalition, FPRC-AH faction and armed Fulani

16. The UPC (20 incidents), FPRC (19 incidents), FPRC/MPC Coalition (18 incidents), armed Fulani (four incidents), FPRC-AH faction (two incidents), and FPRC/MPC Coalition (two incidents), were the perpetrators of the human rights abuses documented in November amongst the ex-Séléka splinter groups. These different groups committed a total of 63 abuses affecting 181 victims, with the UPC (112 victims), FPRC/MPC Coalition (36 victims) and FPRC (23 victims), responsible for the highest number of incidents and victims. Based on the documented cases perpetrated by the different ex-Séléka splinter groups, there was a 40 percent increase in the total number of incidents and a **110.5** percent increase in the total number of victims as compared to the previous month which recorded 45 incidents and 86 victims.
17. In November, the different ex-Séléka splinter groups accounted for 48.5 percent of the total number of incidents and 61.2 percent of the total number of victims. These armed groups perpetrated:
- (i) 18 incidents of killings [UPC (8), FPRC/MPC Coalition (5), FPRC (3), and armed Fulani (2)] and one death threat [UPC (1)], and affecting 41 men, 26 women, 18 boys, and 16 girls;
  - (ii) 10 incidents of violations of the right to physical and mental integrity [FPRC (6), FPRC/MPC Coalition (3), and UPC (1)], and affecting seven men, one girl and 20 unknown civilians;
  - (iii) nine rape incidents [FPRC (4), armed Fulani (2), FPRC/MPC (2), and FPRC-AH (1)], affecting five women and four girls;
  - (iv) 10 incidents of deprivation of liberty [UPC (4), FPRC/MPC (4) and FPRC (2)] affecting 14 men;
  - (v) five abductions [UPC (4), and FPRC (1)] affecting 17 men and one boy;
  - (vi) seven incidents of unlawful attacks and pillaging of humanitarian workers and their equipment as well attacks on educational and health faculties by UPC (1) FPRC/MPC (5) and FPRC-AH (1) affecting seven groups of an unknown number of civilians;
  - (vii) two incidents of attacks, destruction or pillaging of property by the FPRC (1) and UPC (1) affecting two men; and
  - (viii) one incident where the FPRC recruited two boys.
18. Of the 63 abuses, 40 of them, namely 63.5 percent, occurred in – Haute-Kotto (14), Ouham (13), Ouaka (7), Basse-Kotto (3) and Haut-Mbomou (3) prefectures which have been identified as the main hotspots in the month of November.

#### B. Abuses by the anti-Balaka

19. The anti-Balaka were responsible for 35 abuses which affected 60 victims. This represents 26.9 percent of the total number of incidents and 20.3 percent of the total number of victims recorded during the month. These figures also represent a 49.3 percent decrease in the number of incidents compared to the previous month (69 abuses in October) and a 43.4 percent decrease in the number of victims (106 victims in October). During the reporting period, continuous tension between the anti-Balaka and the different ex-Séléka splinter groups, particularly the FPRC and UPC, led to more targeted attacks on civilians and their IDP sites. Attacks were based on ethnic or religious affiliations and also aimed at pushing back the anti-Balaka from places they had occupied. These attacks were mainly observed in Basse-Kotto (Alindao), Ouaka (Bambari), Bria (Haute-Kotto) and Ouham (Batangafo) prefectures. In other incidents, the anti-Balaka targeted civilians because they were accused of witchcraft and charlatanism and in other cases, in order to confiscate their property for economic gains.

<sup>9</sup> Located approximately 130 kilometers north east of Bossangoa

20. Documented abuses by the anti-Balaka were violations of the right to life, namely the killing of seven men and three women. There were also nine incidents of cruel, inhuman and degrading treatment, affecting nine men, two women and one girl; and six incidents of rape against seven women and two girls. Breaches of international humanitarian law committed by the anti-Balaka included: (i) four incidents of abduction, affecting one man, three women, one girl and nine unknown victims; (ii) five incidents of unlawful attacks, destruction and pillaging of property affecting three men, three unknown adults and one group of collective victims; (iii) two incidents of arbitrary deprivation of liberty affecting five men and two women; (iv) one incident of denial of medical care affecting an unknown number of civilians.. Of the 35 abuses committed by the anti-Balaka, 24 of them or 68.6 percent occurred in the main hotspots identified during the month in review, particularly Haute-Kotto, Ouham and Ouaka prefectures.

### C. Abuses by the other armed groups notably the MNLC, LRA, 3R of Sidiki, SIRIRI, RJ, PK5 criminal gangs and other unidentified armed groups

21. The other armed groups, notably the MNLC (4), LRA (4) 3R of Sidiki (3), SIRIRI (3), RJ (2), PK5 criminal gangs (6) and other unidentified armed groups (2) accounted for 24 abuses affecting 44 victims. This represents **18.5** percent of the total number of incidents and **14.8** percent of the total number of victims recorded during the month. These figures also represent a 40 percent decrease in the number of incidents compared to the previous month (40 abuses in October) and a 31.3 percent decrease in the number of victims (64 victims in October). The LRA (19 victims) and PK5 criminal gangs (8 victims) elements recorded a high number of victims due to their activities in Haut-Mbomou prefecture and Bangui where they harass and extort civilians to gain economic strength. It is worth mentioning that during the month, the SIRIRI continued its activities in Mambéré-Kadéï prefecture and even went as far as attacking a MINUSCA TOB in Gbambia<sup>10</sup>. In an exchange of gunshots, one peacekeeper sustained injuries and later succumbed to his injuries. On another note, on 28 November, a letter signed by 3R of Sidiki and some factions of the SIRIRI armed group announced the formation of a coalition between the 3R and SIRIRI. The Coalition is willing to engage in the DDR process and the African initiative for Peace and Reconciliation if their demands are met by the GoCAR. HRD will monitor and report on any abuses by this new Coalition group in the western part of CAR.

22. Documented abuses by these armed groups were six incidents of killing affecting five men, one woman and one boy; seven incidents of violations of the right to physical and mental integrity, affecting six men, one boy and three unknown civilians. The victims were either subjected to cruel and inhuman treatment, maimed or injured. There were also four incidents involving the rape of two women and three girls; three incidents of abduction affecting 16 men, and one woman, and three boys; and four incidents of unlawful attacks and pillaging of civilian property affecting two men, one unknown adult and one group of unknown persons (collective victims).

### D. Human Rights Violations attributable to State agents

23. State agents<sup>11</sup> were responsible for **eight** violations (6.1% of the total number of incidents for November) of international human rights law committed against eight men, one woman and two boys (3.7% of the total number of victims for November) committed by the CAR Armed Forces – FACA, the Police and the Gendarmerie. The eight cases involved the killing of one man by the Police, death threats against another man by the FACA, violations of the right to physical and mental integrity by the FACA and an attempted rape of a woman by the FACA. On 16 November, a FACA soldier intercepted a 12-year-old Fulani IDP boy and subjected him to a severe beating because of his ethnic affiliation. Reportedly, the soldier also uttered insults and threats against Fulani people<sup>12</sup>.

<sup>10</sup> Located approximately 112 kilometers north west of Berberati

<sup>11</sup> State authorities include the Gendarmerie and its different specialized units (*Section des Recherches et d'Investigation* (SRI), *Direction de la Surveillance Territoriale* (DST), *Compagnie Nationale de Sécurité* (CNS), *Forces de sécurité intérieure* (FSI)), the Police with its different specialised units (*Direction des Services de la Police Judiciaire* (DSPJ), the '*Office Central pour la Répression du Grand Banditisme*' (OCRB)), the *Unité Mixte d'Intervention Rapide et de Répression des Violences Sexuelles* (UMIRR), administrative authorities as well as the military - '*Forces Armées Centrafricaines* (FACA)

<sup>12</sup> It is alleged that the soldier blurted out that he has killed many Fulani children of his kind - « *des enfants Peulhs de ce genre, j'en ai tué plusieurs* »

#### IV. Children in armed conflict

24. During the period under review, the Country Task Force on Monitoring and Reporting (CTFMR) documented and verified **19** incidents of grave child rights violations directly affecting **14** children (10 boys and four girls). This reflects a 26.7 percent increase compared to 15 incidents verified during the previous reporting period. This increase could be attributed to the rise in attacks against humanitarian personnel and premises by armed men.
25. The most recurrent violations were killings and maiming with six incidents that affected seven boys, followed by attacks against schools and hospitals (7 incidents), rape (3) abduction (2), and recruitment and use of children (1). During the reporting period, the CTFMR received an allegation on the killing of 15 Fulani children (six boys, eight girls and a new born of undetermined sex) reportedly by anti-Balaka in the village of Bahr<sup>13</sup> which is yet to be verified. Of the 19 incidents, three were perpetrated by FPRC, FPRC/MPC coalition (5), UPC (3), anti-Balaka (2), unidentified armed men (2), 3R (1), SIRIRI (1), PK5 criminal gangs (1) and a stray bullet from an unidentified source in Bangui.
26. Grave child rights violations were recurrent in the Ouham (7 incidents) followed by Haute-Kotto (4), Ouaka (3), Bngui (2), Nana-Gribizi (1) Mambéré-Kadei (1) and Ouham-Pendé (1) prefectures. The prevalence of violations in Ouham prefecture can be attributed to recent eruption of violence between the anti-Balaka and FPRC/MPC Coalition in the prefecture and due to the JPT verification mission which confirmed a number of allegations.

#### V. Conflict Related Sexual Violence

27. In November, HRD documented 21 incidents of conflict-related sexual violence affecting 24 victims (15 women and nine girls), compared with 22 cases (4.5% decrease) affecting 23 victims (4.3% increase) for the previous period. The violations committed were rape (20) and attempted rape (1) perpetrated by the anti-Balaka (6), FPRC (4), FPRC/MPC Coalition (2), armed Fulani (2), FPRC-AH (1), 3R (1), and unidentified armed groups (1) as well as one attempted rape by the FACA. In one incident which occurred on 05 November in Bissingale village<sup>14</sup> (Nana-Grébizi), an armed Fulani element threatened to kill a 15-year-old girl, then raped her, while she was collecting tomatoes in a farm. The girl was referred to the hospital for treatment and the alleged perpetrator was seized by the FPRC/MPC elements and kept in their holding cell, and later released.

#### VI. Observations on trends and patterns

28. As observed during the previous months, during the month of November, ongoing tension among rival armed groups particularly between the anti-Balaka and FPRC/MPC Coalitions, and the anti-Balaka and UPC, was the main cause of insecurity, the commission of atrocious crimes and more threats to the protection of civilians. The constant mistrust by the armed groups and the quest to expand their control to other areas have produced a very volatile characterised by targeted attacks against civilians and protected sites, such as IDP camps.
29. HRD notes that, in spite of the public commitment of the various armed groups to the restoration of peace, respect for human rights, and the freedom of movement of persons and goods in Bossangoa, Bria, Kaga-Bandoro and Bambari, as well as their commitment to the African initiative, they continue to engage in retaliatory and targeted attacks against the civilian population.
30. HRD remains concerned about the steady increase in IHL violations committed by UPC in Basse-Kotto and Ouaka prefectures. The determination of the UPC to chase out the anti-Balaka from regions they consider as their stronghold has led them to carry out attacks against protected sites such as IDP camps and places of worship, killing over 76 civilians and maiming several others during the reporting period. The 15 November attack on the IDP camp in Alindao, Basse-Kotto prefecture, is a vivid example. In addition, the UPC leader, Ali Darassa, during a meeting with MINUSCA on 8 November, claimed that he had never committed to the weapons-free zone that the Government and MINUSCA established in Bambari in February 2017, after ordering him to leave that town, which was his stronghold.

<sup>13</sup> Located approximately 30 kilometers west of Zemio

<sup>14</sup> Located approximately 05 kilometers from Kaga-Bandoro on Bangui axis

31. HRD reiterates that such atrocities are in violation of International Human Rights and International Humanitarian Law and can amount to crimes against humanity. Ali Darassa has full knowledge of ongoing threats and human rights abuses and violations of IHL attributable to UPC elements under his overall command and should therefore be held accountable. HRD is of the view that a warning letter from OHCHR to the UPC leader could prevent a further escalation of this crisis as per previous observations and recommendations derived from HRD public report<sup>15</sup> and early warning indicators observed.
32. Again, the activities of the FPRC/MPC in Batangafo were also of concern during the reporting period. FRPC/MPC elements on 31 October also deliberately targeted and attacked a Christian IDP camp, including Christian places of worships where they killed civilians, injured others and systematically pillaged and/or torched more than 200 civilian houses and five places of worship. Continuous targeted attacks on civilians based on their religious affiliation and on places of worship have become very common in CAR and are used by the armed groups as war tactics against their 'enemies'. MINUSCA will continue to encourage more mediation and dialogue amongst these armed groups and support the CAR authorities in the fight against impunity.
33. Incidents of attacks on civilians, humanitarian workers and their equipment, schools and hospitals continue to prevent the opening of a humanitarian corridor for civilians, particularly the IDPs, as well as guaranteeing their protection. During the reporting period, HRD continued to record a high number of attacks on INGOs and their personnel or equipment (6) perpetrated by either the anti-Balaka, the FPRC/MPC or UPC in Batangafo (Ouham) and Bria (Haute-Kotto).

## **VII. Incitement to violence and hate speech**

34. As part of its mandate to support the government in its peacebuilding process through, among other things, the fight against incitement to hatred and violence in CAR, HRD has been closely monitoring the dissemination of incendiary statements on social media platforms in connection with the security situation in Batangafo and Alindao, and analyzing them with support from the UN Support Office in Valencia, Spain. The report and findings from office in Valencia are being analyzed by MINUSCA Taskforce on public incitement to violence.

## **VIII. Support efforts by the national stakeholders to address transitional justice as part of the peace and reconciliation process**

35. On 8 November, HRD briefed the diplomatic community including representatives of embassies (US, France, Russia and Cameroon), regional organizations and ICRC, on the Transitional Justice Process in CAR. During the briefing, participants were informed on the Transitional Justice mandate, Transitional Justice mechanisms derived from the Bangui Forum, the Republican Pact and the National Recovery and Peace Consolidation Plan. HRD underscored the UN approach to Transitional Justice in line with SG guidance note thereon. It updated the meeting on the status of both judicial and non-judicial measures initiated and shared main achievements as well as key challenges facing TJ agenda in CAR. Major issues raised during plenary discussions included reparation options and victims' rights to remedies.
36. In line with efforts to address Transitional Justice, HRD received from the Ministry of Reconciliation a training programme for facilitators selected for the National Consultation on Truth-Seeking. HRD suggested that both programme and training modules should be submitted to the technical secretariat composed of United Nations, African Union, Humanitarian Dialogue and the Government for review before delivery.
37. On 28 November in Bangui, HRD met with representatives of a Victims' Association to assess their ongoing initiatives and challenges faced with a view to adjusting MINUSCA's support. The meeting underscored significant efforts made in the mapping of victims in Bangui and discussed challenges preventing national coverage on the same. The representatives also welcomed GoCAR and the Special Criminal Court's openness to dialogue, especially their

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<sup>15</sup> MINUSCA HRD report: *Human Rights violations and atrocity crimes committed in the South-East of Central African Republic (Alindao\_Kembe\_Pombolo, Zemio and Bangassou) May to December 2017*

involvement in national consultations on the Truth-Seeking process as member of the Steering Committee and Technical Secretariat. The meeting requested the Victims' Association to submit proposal on agreed cooperation areas including the extension of the mapping project to all 16 regions, capacity building program on documentation, data management and information sharing as well as expertise on victims' rights, psychosocial assistance, and reparation related issues. The representatives informed on their intention to establish a network which would increase their political leverage, optimize their resources and develop joint programs using Quick Impact Projects.

38. HRD represented the United Nations in the deliberations of the Steering Committee for the establishment of the truth-seeking commission. The Steering Committee committed to complete the nationwide consultative process and submit its final report and draft legislation to the Government by 30 November 2018. The Steering Committee selected Facilitators from political parties, religious communities, victims' associations, Human Rights and Transitional Justice NGOs, women's' associations, and line ministries. The Steering Committee agreed to include MINUSCA, UNWOMEN, UNDP, UNICEF and other specialized INGOs as observers throughout the consultation process and while drafting the laws establishing the future truth commission.

## **IX. Support to fight against impunity, HRDDP and accountability mechanisms**

### **A. Implementation of HRDDP**

39. During the reporting period, HRDDP Secretariat received 13 requests and approved all 13 from United Nations Police (UNPOL), United Nations Mine Action Service (UNMAS) and Security Sector Reform for the HRDDP process to support the ISF and FACA through technical cooperation, training and logistical support (transportation). HRDDP secretariat also screened 338 internal security forces (police and gendarmes) and FACA as well as three civilians who were to benefit from UN support.
40. Following the recommendations to replace a police officer and a gendarme identified as perpetrators of human rights violations while working respectively in Berberati on 12 August 2018 and Bossangoa on 26 June 2015, UNPOL presented these cases to the inspector of Central police for administrative and judicial investigation. In a follow-up to the measures taken by the ISF authorities on these cases, the ISF officers who were already detained and investigations ongoing, were replaced and will no longer benefit from any support provided by MINUSCA. A total of 19 ISF (08 Police officers and 11 gendarmes) suspected of human rights violations have been recorded this far.
41. To ensure compliance with the UN SG's Human rights diligence policy, a request was for the national authorities to consider auditing OCRB unit as a priority for a reform of the national security sector; and examine the case of auxiliaries within the ISF, while raising their awareness on the respect for human rights.
42. MINUSCA leadership continues to engage the GoCAR on concerns relating to the appointment of the DG of police. In a related matter, the SRSR sent a correspondence to the Minister of Defence on the violation of human rights committed by a FACA element in Paoua.

### **B. Support to the fight against impunity**

43. Significant developments transpired in the fight against impunity by CAR authorities during the reporting period. HRD continued to work jointly with UNPOL in the development and implementation of plans to arrest the country's most dangerous criminals under the Urgent Temporary Measures (UTM).
44. On 06 November in Bangui, HRD participated in the preparatory workshop of the annual review of the National Recovery and Peace Consolidation Plan (RCPCA) Pillar 1 related to Justice Reform of Justice and the fight against impunity. The workshop brought together experts from different departments and technical partners who held discussions on the performance of the past two past years (2017 and 2018). On 07 to 09 November in Bangui, HRD also participated in a workshop on the sectoral justice policy in CAR which was organized jointly with the Ministry of Justice, UNDP and MINUSCA.

45. On 17 November, Alfred Yekatom, alias “Rambo”, Member of the National Assembly and former anti-Balaka leader, was extradited to the International Criminal Court (ICC) by the Central African authorities. The ICC Pre Trial Chamber II had issued a warrant of arrest against Yekatom on 11 November for his alleged criminal responsibility for war crimes and crimes against humanity committed in western CAR between December 2013 and August 2014 when he was allegedly commanding a group of around 3,000 anti-Balaka elements. He is alleged to be responsible for crimes committed in various locations, including Bangui and the Lobaye Prefecture. Several NGOs expressed their appreciation for the efforts made by the Government to bring to justice perpetrators of grave crimes in CAR. These NGOs have called upon the Government to continue to be objective in its approach and bring to justice not only members of the anti-Balaka armed group but also ex-Séléka members who have committed atrocious crimes in the Central African Republic.

### C. Support to the vetting Process

46. In the framework of SSR process, on 27 November, HRD participated in a meeting of the verification committee of ISF to discuss mitigation measures in respect of the HRDDP (policy) mainly related to the distribution of 4500 uniforms donated by UNDP, UNPOL, and other UN entities. After discussions, the committee agreed to start at the earliest time possible, the distribution of uniforms to ISF in collaboration with UNPOL and UNDP, based on the verified list of names approved and endorsed by the Minister of Interior. HRD took the opportunity to remind GoCAR counterparts on their compliance with HRDDP and the firm implementation of the mitigation measures as part of the risk assessment report approved by both chairpersons of HRDDP task force (DSRSGs).
47. During the reporting period, HRD continued the vetting of 655 elements of the FACA BIT2.

## X. Other Human Rights Developments

48. MINUSCA continued to engage with line ministries and UN Agencies to provide technical and logistical support for human rights activities. In order to raise awareness, and build the capacity of national stakeholders, while promoting a human rights culture among the law enforcement officers, on 19 and 20 November in Bangui, HRD organized three training sessions on International Human Rights and Humanitarian Law. These sessions were attended by 30 ISF (22 men and eight women), 22 MINUSCA Police Officers (18 men and two women) and 40 members of the Early Warning Network (26 men and 14 women). HRD focused its presentations on the protection of human rights particularly for vulnerable people in their day to day activities. HRD also presented on different human rights principles and standards, as well as rights governing arrests, detention and investigations. HRD again presented on the techniques/methodology of monitoring and reporting.
49. On 26 November in Paoua, HRD participated in the launching of activities marking the 16 days of activism on violence against women and girls jointly organized with UNHCR, DRC and IRC. The interlocutors in the event drew inspiration from the different international conventions which protect women’s rights, while calling upon the respect, protection and promotion of women’s rights for both women and girls and encouraging reporting of such violations to the competent authorities so that perpetrators could be brought to justice.

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