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**MINUSCA**

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United Nations Multidimensional  
Integrated Stabilization Mission in  
the Central African Republic

**Human Rights Division**

# Quarterly Report on Conflict Related Human Rights Violations, Trends and Patterns in CAR



**July  
August  
September  
2018**

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**“There is an urgent need to disarm the armed groups – who remain far too powerful and retain the potential to reignite the conflict – as well as to restore State authority and rule of law, and to ensure the security of all civilians. [...] Improved security and accountability remain absolutely key to the establishment of a sustainable peace and reconciliation in the Central African Republic, [...] The steps taken by the authorities to establish the Special Criminal Court and the adoption of a new Constitution are promising, but I remain concerned at the large number of arbitrary arrests and detentions by security forces, [...] More resources and political will are needed to ensure proper justice for past and current crimes and human rights violations.”**

Zeid Ra’ad Al Hussein, U.N. High Commissioner for Human Rights, Press release 04 July 2016,  
See more at:  
<http://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=20229&LangID=E#sthash.ISRNglLt.dpuf>

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### **List of Acronyms**

<b>CAR</b>	Central African Republic
<b>CTFMR</b>	Country Task Force on Monitoring and Reporting
<b>DDR</b>	Disarmament, Demobilisation and Reintegration
<b>FACA</b>	Forces armées centrafricaines
<b>FPRC</b>	Front populaire pour la renaissance de la Centrafrique
<b>HRC</b>	United Nations Human Rights Council
<b>HRD</b>	Human Rights Division
<b>HRDDP</b>	United Nations Human Rights Due Diligence Policy
<b>ICC</b>	International Criminal Court
<b>IDPs</b>	Internally Displaced Persons
<b>ISF</b>	Internal Security Forces
<b>LRA</b>	Lord's Resistance Army
<b>MINUSCA</b>	Multidimensional Integrated Stabilization Mission in the Central African Republic
<b>MNLC</b>	Mouvement National pour la Libération de la Centrafrique
<b>MPC</b>	Mouvement patriotique pour la Centrafrique
<b>OCRB</b>	Office central pour la répression du grand banditisme
<b>OHCHR</b>	Office of the United Nations High Commissioner for Human Rights
<b>RPRC</b>	Rassemblement populaire pour le renouveau de la Centrafrique
<b>RJ</b>	Révolution et Justice
<b>3R</b>	Retour, réclamation et réhabilitation
<b>UNPOL</b>	United Nations Police
<b>UPC</b>	Unité pour la paix en Centrafrique

## Executive Summary

This report, published by the United Nations Multidimensional Integrated Mission in Central African Republic (MINUSCA), describes conflict related human rights trends and patterns in the Central African Republic (CAR) between 1 July and 30 September 2018. The overview and analysis provided are based on human rights monitoring and investigations conducted by the Human Rights Division (HRD) of MINUSCA. The report presents the results of MINUSCA investigations into violations and abuses of International Human Rights Law (IHRL) and breaches of International Humanitarian Law (IHL) committed by the government security and defence forces and armed groups, namely the *Front populaire pour la renaissance de la Centrafrique* (FPRC), anti-Balaka associated militias, the *Rassemblement populaire pour le renouveau de la Centrafrique* (RPRC), the “*Mouvement Patriotique pour la Centrafrique*” (MPC), the *Unité pour la paix en Centrafrique* (UPC), *Mouvement National pour la Libération de la Centrafrique* (MNLIC), *Révolution et Justice* (RJ), *Retour, réclamation et réhabilitation* (3R), SIRIRI armed group, armed Fulani, Lord’s Resistance Army (LRA), and other unidentified armed groups, including the PK5 armed gangs in Bangui.

MINUSCA conducted its investigation in accordance with the United Nations Security Council Resolution 2387 of 15 November 2017, which mandates MINUSCA to “monitor, help investigate and report publicly to the Security Council on violations of international humanitarian law and on violations and abuses of human rights committed throughout CAR”.

During the reporting period, the violence in CAR took a negative toll on civilians. Armed groups carried out frequent attacks on the civilian population based either on their ethnic or religious affiliations, or in order to conquer territory. The period in review also witnessed an upsurge in the manipulation of civilians and incitement to hatred and violence through different social media platforms.

The hotspots for the period under review included the prefectures of Haute-Kotto, Nana-Grébizi, Mbomou, Mambéré Kadéi, Ouham and Haut Mbomou. Fighting between rival armed groups such as the UPC and anti-Balaka in Mbomou and Ouaka prefectures, the UPC, and (MPC/FPRC coalition and anti-Balaka in Nana-Grébizi prefecture and the anti-Balaka and FPRC in Haute-Kotto prefecture as well as attacks on the civilian population by the MNLIC and SIRIRI armed group in Ouham-Pendé and Mambéré Kadéi prefectures, contributed to the continuous deterioration of the security situation in these areas leading to displacement of the civilians and increased need for humanitarian assistance. According to UNHCR statistics for September 2018, there was a record number of 642.842 IDPs in CAR due to ongoing violence and who are in dire need of humanitarian assistance. In the same period, there was a fair increase in IDPs in Zemio, Mboki, Rafai, Bria, and Kaga Bandoro- which resulted from major armed clashes among the armed groups.

Within the context described above, HRD recorded 493 incidents of violations/abuses of international human rights law and breaches of international humanitarian law affecting 925 victims, including 317 men, 119 women, 79 boys, 46 girls, 10 unknown minors, and 355 unidentified victims. Of the 925 victims, 201 civilians (100 men, 25 women, 13 boys, six girls,

two unknown minors, and 55 unknown adults) thus 21.7 percent were killed and 84 others (31 men, six women, five boys, three girls, one unknown minor and 38 unknown adults) were either injured or maimed.

The human rights violations and abuses committed comprised mainly arbitrary killings, cruel, inhuman or degrading treatment or punishment (ill-treatment), conflict-related sexual violence, arbitrary deprivation of liberty, destruction and confiscation of property, and serious violations and abuses against children, such as recruitment and use of children as soldiers.

Armed groups were responsible for 487 incidents (98.9% of the total number of incidents) and 916 victims (99% of the total number of victims) while State actors, including members of the Armed Forces (FACA) and *Office central pour la répression du grand banditisme* (OCRB), were responsible for six incidents (1.1 percent) affecting nine victims (1 percent) with cases of violations of the right to physical and mental integrity including torture.

These gross human rights abuses and breaches of IHL could constitute war crimes. They also indicate armed groups' failure to respect local agreements reached among themselves and to uphold commitments undertaken in numerous cessation of hostilities agreements, most recently the Rome Agreement of 20 June 2017 signed by FPRC, RPRC, UPC and anti-Balaka representatives. The situations described in this report demonstrate the continued vulnerability of civilians targeted by armed groups who act with complete impunity. They also underscore the absence and/or weakness of State institutions, including the lack of adequate and effective mechanisms to protect civilians and hold alleged perpetrators accountable for their actions. More efforts are needed by all parties to increase respect for international human rights law and international humanitarian law.

HRD has been able to confirm cases of human rights violations at the OCRB unit and at the Bimbo prison. During the quarter, HRD continued to engage with the Central African authorities, notably the Ministry of Justice and Human Rights to advocate for judicial investigations into allegations of human rights violations and to ensure that the perpetrators are held accountable. Moreover, these cases have been brought to the attention of the Head of State by the MINUSCA leadership. The judicial authorities have initiated investigations into some of these cases.

The report provides key recommendations, including the need for the Government, with the support of MINUSCA, to fight against impunity, adopt robust measures to protect civilians and humanitarian actors, restore State authority and the rule of law, and rebuild legitimate security forces and law enforcement authorities, particularly in areas outside Bangui. The report also calls on armed groups to cease indiscriminate attacks on civilians, including humanitarians, and take positive measures to ensure full respect for international human rights and humanitarian law.

## I. Methodology

1. The report is based on information collected by human rights officers (HROs) during field visits as well as during special investigation and fact-finding missions. Information was collected through interviews with victims and witnesses, community leaders, local administration officials, civil society representatives, law enforcement officials, as well as some representatives of alleged perpetrators. HRD also made full use of imagery and reports obtained from other mission components (Police and Military components and Civil Affairs Section) and evidence collected from site visits. Security and accessibility constraints, exacerbated by poor road conditions during the rainy season prevented HRD from reaching all areas and villages affected by clashes and violence.
2. MINUSCA HRD used two or more different and distinct sources to verify allegations. It triangulated information with additional sources and reports from other components of MINUSCA, United Nations agencies and humanitarian organizations. Where HRD was not present, HRD took a position to have more than one source and where not satisfied with the quality of the information, the incident is referred to as an allegation, unverified or uncorroborated information. Internal protection of civilians' fora and other bilateral engagements proved efficient to share analysis, decrease controversies and gain better understanding on the scope, rationale, impact and implications of documented human rights violations and breaches to IHL in line with the complex CAR political, security and social contexts.
3. Throughout the investigations and the reporting period, HRD took care to protect vulnerable sources from any possible repercussions for providing information, including by taking into account the *do no harm* principle, meeting in safe locations, and assessing the environment for potential risks against any source. HRD also faced and addressed two instances of individual protection in favour of its informants.
4. MINUSCA HRD is guided by the applicable norms of international humanitarian law. HRD defines civilians as persons who are not members of the armed forces or of organized armed groups and have been involved directly or indirectly in any act of belligerence. In some cases, HRD could neither conclusively establish or verify the civilian status of some victims nor confirm their status of combatant.

## II. Applicable legal framework

The legal framework applicable in the Central African Republic, described in previous MINUSCA public reports, remains valid.<sup>1</sup> MINUSCA considers that the nature and intensity

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<sup>1</sup> Violations and Abuses of International Human Rights and Humanitarian Law Committed in Bangui, Central African Republic, between 26 September and 20 October 2015 (available at [https://minusca.unmissions.org/sites/default/files/bangui\\_report\\_final\\_english.pdf](https://minusca.unmissions.org/sites/default/files/bangui_report_final_english.pdf)) and Violations and Abuses of Human Rights and Violations of International Humanitarian Law by the FPRC Coalition and UPC in Haute-Kotto and Ouaka between 21 November 2016 and 21 February 2017 (available at [https://minusca.unmissions.org/sites/default/files/fprc\\_upc\\_bria\\_bakala\\_report\\_16oct2017\\_copy.pdf](https://minusca.unmissions.org/sites/default/files/fprc_upc_bria_bakala_report_16oct2017_copy.pdf)).

The Central African Republic has ratified five international human rights instruments and the two optional protocols related to the Convention on the Rights of the Child. See [http://tbinternet.ohchr.org/\\_layouts/TreatyBodyExternal/Treaty.aspx?CountryID=5&Lang=EN](http://tbinternet.ohchr.org/_layouts/TreatyBodyExternal/Treaty.aspx?CountryID=5&Lang=EN). It is also a State party to the African Charter on Human and Peoples' Rights, the Convention Governing the Specific Aspects of

of the armed violence, the level of territorial control, its protracted nature, and the level of organization of the different ex-Séléka groups, the anti-Balaka factions and other armed groups, attest to the existence of a non-international armed conflict in the country. However, HRD gathered more evidence on the ex-Séléka groups' effective control through issuance of directives on decision making and appointment of commanders unlike the anti-Balaka where no clarity transpired from the chain of command during the reporting period except in few locations such as Bria. HRD analysis of modus operandi and tactics in reported violence from some locations fall under the purview of criminal gangs and banditry.

5. In terms of level of organization, MINUSCA has observed that the different ex-Séléka splinters (FPRC, UPC, and MPC) each have military structures, command hierarchies and internal disciplinary systems. They have established headquarters and other bases, possess the capacity to carry out military operations with defined strategies, and have asserted control over certain territories and effective control over their elements. They have logistical capacities and the ability to recruit and to access weapons and military equipment. While generally less organized, structured, equipped and disciplined than the above-mentioned ex-Séléka groups, anti-Balaka groups exert significant control in some large towns and have carried out well coordinated attacks and ambushes against civilians and MINUSCA in mainly Haute-Kotto, Basse-Kotto and Mbomou prefectures.
6. All parties to a non-international armed conflict are bound by the relevant rules of treaty and customary law applicable to non-international armed conflicts, including Article 3 common to the four Geneva Conventions of 1949<sup>2</sup> which establishes the minimum standards that parties, including State and non-State actors, shall respect in a non-international armed conflict.
7. The International Court of Justice has affirmed that international human rights law applies not only in times of peace, but also during war, when international humanitarian law and international human rights law afford protection in a complementary and mutually reinforcing manner.<sup>3</sup> International human rights law applies primarily to State actors. However, it is increasingly understood that certain non-State actors have obligations to respect human rights when their conduct affects the human rights of the individuals under their control.<sup>4</sup>

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Refugee Problems in Africa, and the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa.

<sup>2</sup> The Central African Republic is a party to the four Geneva Conventions of 12 August 1949 and their Additional Protocols I and II of 1977. The conflict in the Central African Republic has featured the involvement of nomadic Fulani cattle herders as perpetrators as well as victims. In some cases, HRD was able to confirm that members of the Fulani community had acted together with, or with the support of, ex-Séléka armed groups, including in carrying out attacks on civilians, or sharing uniforms and weapons.

<sup>3</sup> See for example *Legality of the Threat or Use of Nuclear Weapons, Advisory Opinion*, ICJ Reports 1996, p. 226; *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, Advisory Opinion*, ICJ Reports 2004, p. 136; *Armed Activities on the Territory of the Congo (Democratic Republic of the Congo v. Uganda)*, Judgment, ICJ Reports 2005, p. 168. For a detailed discussion about the applicability of human rights law in times of armed conflict see *International Legal Protection of Human Rights in Armed Conflict*, OHCHR Publication HR/PUB/11/01 (2011).

<sup>4</sup> See United Nations Secretary-General, *Report of the Secretary-General's Panel of Experts on Accountability in Sri Lanka*, 31 March 2011, para. 188. Also see *Report of the International Commission of Inquiry to investigate all Alleged Violations of International Human Rights Law in the Libyan Arab Jamahiriya* (UN document A/HRC/17/44), 1 June 2011, para. 72; *Report of the International Commission of Inquiry on the Situation of Human Rights in the Syrian Arab Republic* (UN document A/HRC/19/69, para. 106) and United Nations Mission in the Republic of South Sudan, *Conflict in South Sudan: A Human Rights Report*, 8 May 2014, para. 18.



8. Pursuant to article 8(c) and (e) of the Rome Statute of the International Criminal Court, in a non-international armed conflict, serious violations of Common Article 3 of the Geneva Conventions may constitute war crimes, for which perpetrators may be held individually responsible.<sup>5</sup> This comprises the following acts committed against persons taking no active part in the hostilities, including *hors de combat* fighters:<sup>6</sup> murder, torture or inhumane treatment, or wilfully depriving a protected person of the rights to fair and regular trial. In addition, article 8(e) of the Rome Statute lists a range of other war crimes, including: intentional attacks against civilians not taking part in hostilities; against personnel, installations, material, units or vehicles involved in humanitarian assistance or peacekeeping missions; or against protected buildings (hospitals, schools, religious institutions); as well as acts of sexual violence and pillaging.<sup>7</sup>
9. Pursuant to article 7 of the Rome Statute, certain acts committed in the context of widespread or systematic attacks directed against a civilian population amount to crimes against humanity, and notably include: murder, extermination; deportation or forcible transfer; imprisonment or other severe deprivation of liberty; torture; rape, sexual slavery or other grave sexual violence; persecution against an identifiable group on specific grounds; enforced disappearances. The Central African Republic is a signatory to the Rome statute and ratified the Protocol for the prevention and the punishment of the crime of genocide, war crimes and crimes against humanity and all forms of discriminations<sup>8</sup>, which implies responsibility to protect through preventive measures and adequate responses to international crimes. The country has established a Special Criminal Court<sup>9</sup> to investigate, prosecute and try serious violations of human rights and serious violations of international humanitarian law, in particular the crime of genocide, crimes against humanity, and war crimes committed in the Central African Republic since 1 January 2003. The Government has also referred the situation in its territory since 1 July 2002 to the International Criminal Court.

### III. Political and security context

10. The reporting period was characterized by frequent clashes between rival armed groups, particularly the UPC and the anti-Balaka in Mbomou and Ouaka prefectures, the FPRC/MPC and anti-Balaka in Nana-Grébizi prefecture and the anti-Balaka and FPRC in Haute-Kotto prefecture as well as attacks on the civilian population by the MNLC and SIRIRI armed group in Ouham-Pendé and Mambéré Kadéï prefectures respectively. Consequently, the civilian population suffered loss of lives, injury and maiming, destruction and pillaging of their property as well as forced displacement.

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<sup>5</sup> MINUSCA has publicly warned armed groups that their actions might constitute serious crimes for which they might be held accountable. See for example the MINUSCA press release of 5 March 2017 stressing that “[a]ny attack targeting the civilian population, UN and humanitarian personnel is a war crime that can be prosecuted in accordance with Central African law and international law” at [www.un.org/apps/news/story.asp?NewsID=56293](http://www.un.org/apps/news/story.asp?NewsID=56293) (French original at <http://minusca.unmissions.org/le-fprc-sera-responsable-de-tout-acte-contre-les-casques-bleus-et-les-acteurs-humanitaires>).

<sup>6</sup> Jean-Marie Henckaerts and Louise Doswald-Beck for the International Committee of the Red Cross, *Customary International Humanitarian Law: Volume 1: Rules* (Cambridge University Press 2005), rule 47: “A person *hors de combat* is: (a) anyone who is in the power of an adverse party; (b) anyone who is defenceless because of unconsciousness, shipwreck, wounds or sickness; or (c) anyone who clearly expresses an intention to surrender.” According to Rule 47 and Common Article 3 of the Geneva Conventions, it is prohibited to attack persons who are recognized as *hors de combat*.

<sup>7</sup> Abridged, non-exhaustive list.

<sup>8</sup> Adopted on 29 November 2006 by the International Conference on the Great Lakes Region and domesticated through the establishment of a National Committee on the Prevention of Genocide;

<sup>9</sup> See “*Loi organique no 15.003 du 03 juin 2015, portant création, organisation et fonctionnement de la Cour Pénale Spéciale* »

11. In light of the continued violence and consequent deterioration of the security situation, MINUSCA and the international community were actively engaged in dialogue and mediation efforts in order to put an end to hostilities and promote social cohesion. In Bangui, MINUSCA engaged in dialogue between the Muslim and Christian communities from the 3<sup>rd</sup> and 5<sup>th</sup> District in as well as discussed with the leaders of the PK5 criminal gangs encouraging them to cease criminal activities and resort to disarmament. Similarly, the leadership of the FPRC (Abdoulaye Hissène), MPC (Mahamat Al Katim) and UPC (Ali Darassa) issued two communiqués in which they committed to fight against insecurity and banditry in the transhumance zone and areas under their control and committed to peace, stability, the free movement of goods and civilians, dialogue, and to the African Initiative for Peace and Reconciliation.
12. From 28 to 30 August in Bouar (Nana-Mambéré), under the auspices of the African Initiative Panel, representatives of 14 armed groups signatories of the peace agreements held a workshop to harmonize claims on a series of matters. They submitted 104 demands including, inter alia, power sharing, general amnesty, truth-seeking, return of refugees and IDPs, equal access to state services and non-discrimination as well as assistance to and reparation for victims. At the same time, on 29 August in Khartoum, a meeting between armed groups' representatives (including anti-Balaka Mokom, FPRC, UPC and MPC) under the aegis of the Russian Federation and the Republic of Sudan, led to the signing of a declaration of agreement in which they committed to the restoration of peace, the respect for human rights, the free movement of persons and goods, and the African Initiative (AI). The armed groups also reiterated that the African Initiative was the sole framework for a negotiated agreement.
13. As already mentioned, frequent clashes between rival armed groups were among the main causes of the high number of incidents and victims recorded during the reporting period. In Mbrès, (Nana Grébizi), fighting between anti-Balaka and MPC which began in June continued during the month of July, resulting in massive displacement of the local population. On 10 July, FPRC/MPC Coalition elements from Mbrès clashed with a group of anti-Balaka in the village of Lakouténé<sup>10</sup> on the Mbrès-Bakala axis resulting in the displacement of at least 400 persons from the villages located on the Mbrès-Ndomété axis as well as the village of Zaire towards Kaga-Bandoro.
14. The town of Bria and villages located on the Bria-Irabanda axis were the theatre of serious clashes between the ex-Seleka coalition (UPC/FPRC/RPRC) and the anti-Balaka during the months of August and September. Based on its investigation, MINUSCA found that as many as 31 civilians (including at least 12 women and two children) were killed and at least five injured during attacks along the Bria-Irabanda axis and in Bria town and its vicinity during the period under review. Allegations received by MINUSCA of civilians killed in the bush while fleeing suggest that the number of casualties could be much higher. According to local sources, the clashes forcibly displaced approximately 32,000 civilians, and resulted in the destruction of houses, properties and other means indispensable to civilians' survival in their place of origin. Moreover, HRD investigations established that the FPRC pillaged and burned down the Kolaga Health Centre. The investigations also indicated that the anti-Balaka had occupied the Kolaga School.
15. The eastern part of the country was also the scene of fighting between rival armed groups, namely the anti-Balaka and the UPC. Rivalry between these two armed groups impacted

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<sup>10</sup> Located approximately 7 kilometres from Mbrès

negatively on relations between the Christian and Muslim communities in Zémio, Haut-Mbomou prefecture. Presumed UPC elements shot and killed a human rights activist<sup>11</sup> and teacher on 22 August around 6.00 p.m. in Mboki (Haut-Mbomou). The victim was working for the “*Observatoire Centrafricain des Droits de l’Homme (OCDH)*” as a focal point in Haut-Mbomou prefecture based in Mboki. His killing seemed to have been targeted as he was providing crucial and reliable information on human rights abuses committed by the UPC and LRA in Mboki to the HRD. The murder of the human rights activist threatened to trigger intercommunal tension in Mboki particularly as another teacher had previously been assaulted by alleged UPC elements on 01 May 2018.

16. In the western part of CAR, the growing strength of the SIRIRI armed group was observed during the reporting period causing the local population in some villages to flee for fear of attacks from this armed group. This armed group has also engaged in erecting illicit checkpoints where they collect illegal taxes from the local population, notably along the Abba – Baboua axis. On 16 August in Gamboula village<sup>12</sup> (Mambéré-Kadéi), local sources reported that more than 70 villagers escaped to Berberati due to fear of the presence of SIRIRI elements in Dilapoko village<sup>13</sup>. Still in Dilapoko, on 23 August, SIRIRI elements apprehended the village Chief, accusing him of being a MINUSCA informant. They confiscated his mobile phone and inspected the phone log. The victim managed to escape and fled into the bush, his whereabouts are still unknown. HRD have also received reports that the SIRIRI armed group is reinforcing its positions particularly in Noufou and Dilapoko villages and seems to be expanding to other areas of the prefecture.

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

17. During the period under review, the security and human rights situation continued to be precarious, particularly in Haute-Kotto, Ouaka, Nana-Grébizi, Mbomou and Mambéré Kadéi, prefectures. Rivalry among the different armed groups coupled with targeted attacks against the civilian population and humanitarian actors, continued to adversely impact on the protection of civilians, thus increasing the volatile nature of the security situation and adversely affecting the human rights and humanitarian situation of civilians. Frequent clashes between rival armed groups triggered the number of incidents and victims recorded during the reporting period.
18. HRD documented **493** incidents<sup>14</sup> of violations and abuses of international human rights law and breaches of international humanitarian law affecting **925** victims including 317 men, 119

<sup>11</sup> This human rights activist was also a reliable informant for the HRD in Obo field and during three JAM in Mboki between December 2017 to April 2018, he was instrumental in providing and denouncing documented human rights abuses committed by the armed groups in the region, cases which he shared with the HRD during their field missions. He also publicly met with local leaders and representatives from the UPC, where he condemned human rights abuses committed by these including unlawful attacks, pillaging, death threats, rapes, the recruitment and use of children by the UPC and LRA in Mboki. He also denounced the attacks in Zemio and condemned UPC’s participation in these attacks.

<sup>12</sup> Located approximately 85 kilometers south west of Berberati

<sup>13</sup> Located approximately 80 kilometers north west of Berberati and 35 kilometers north of Gamboula

<sup>14</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 reporting period. 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.

women, 134 children (78 boys, 46 girls and 10 unknown minors) and 355 unidentified victims including 105 groups of collective victims. As compared to the same period of last year (July, August and September 2017) which recorded 492 incidents with 676 victims, there was a **0.2** percent increase in the number of incidents with a **36.8** percent increase in the number of victims. This increase in the number of victims attests to the fact that the armed groups are increasingly engaged in clashes and targeted attacks on villages which impact on a greater number of civilians. Despite ongoing mediation and dialogue processes which encourage peaceful coexistence and the call for disarmament of the armed groups, the different armed groups remain persistent in their activities and their quest to gain or maintain economic strength, particularly in areas under their control.

19. HRD recorded the killing of **201** civilians (100 men, 25 women, 13 boys, six girls, two unknown minors, and 55 unknown adults) and the injury or maiming of 84 others (31 men, six women, five boys, three girls, one unknown minor and 38 unknown adults). State agents, notably the FACA, accounted for the injury of three civilians. The ex-Séléka splinter groups (FPRC, MPC, UPC, FPRC/MPC/UPC Coalition, FPRC/MPC Coalition, RPRC, FPRC/AH faction, and armed Fulani) accounted for the highest number of civilian casualties with 139 civilian fatalities (69.2 %), and 34 others injured (40.5%) in mainly Haute-Kotto, Ouaka and Nana-Grébizi prefectures. The victims were killed or injured/maimed mainly during attacks on launched along the Bria-Irabanda axis and in Bria and its surroundings.
20. The anti-Balaka also accounted for 63 civilian casualties with 24 (11.9%) persons killed and 39 (46.4%) others injured. The victims were killed or injured/maimed when the anti-Balaka attacked and pillaged their property (cattle) due to their ethnic affiliation or because they associated the victims with witchcraft and charlatanism. The remaining 38 (18.9%) civilian fatalities and 11 (13.1%) others injured were victims of targeted and reprisal attacks perpetrated by the SIRIRI (16 men), MNLC (nine men), RJ (two men and one boy), and other unknown armed groups including the PK5 criminal gangs (14 men, one woman, and three girls) for the armed groups, and the FACA (three men) for the State agents. Most of these fatalities and injuries were recorded in Ouham-Pendé, Mambéré-Kadéï and Haut – Mbomou prefectures.
21. Apart from killings and injuries, other recurrent human rights violations and abuses committed during the reporting period were: (a) death threats with 32 incidents against 39 victims; (b) physical and mental integrity with 80 incidents causing 124 victims; and (c) conflict related sexual violence with 69 incidents affecting 69 victims (13 women and 10 girls) with a majority being rape cases (61 cases with 61 victims).
22. The reporting period also saw some flagrant breaches of international humanitarian law (IHL). HRD recorded: (d) 22 incidents of abductions affecting 155 victims; (e) 16 incidents of arbitrary deprivation of liberty affecting 35 victims; (f) destruction or pillaging/extortion of property and illegal taxation, 89 incidents affecting 122 victims of which 79 were groups of collective victims; (g) 31 incidents involving the recruitment of 36 boys, three girls and five unknown minors into the armed groups and (h) six incidents of unlawful attacks and pillaging of humanitarian personnel/UN Peacekeepers including their equipment and attacks on religious facilities, educational premises and medical centre, affecting 17 men, nine unknown adults and 22 groups of unidentified victims.

23. Armed groups<sup>15</sup> accounted for 487 incidents (98.9% of the total number of incidents) and 916 victims (99% of the total number of victims) – 308 men, 119 women, 134 children and 355 unidentified victims of which 105 involved attacks affecting an unknown number of persons including protected facilities, humanitarian workers (collective victims) and their equipment. There was a **1.9** percent increase in the total number of incidents as compared to the same period in 2017 with 478 cases, and a **38.8** percent increase in the total number of victims compared to the same period in 2017, which recorded 660 victims by the armed groups. This increase is due to the higher number of targeted attacks by the armed groups and the increased activities of new groups such as the SIRIRI and MNLC in the western part of CAR.

*A. Abuses by the anti-Balaka*

24. The growing military strength of the anti-Balaka since January 2017, has undoubtedly impacted very negatively on the protection of civilians and the enjoyment of their human rights. More so, the lack of a proper chain of command and the ease with which elements of this group intermingle within the population particularly within some IDP camps, make it difficult to hold a particular anti-Balaka faction or chain of command accountable for abuses committed by the anti-Balaka. HRD also notes that the anti-Balaka have moved from their traditional tactics of targeting mostly civilians associated with witchcraft and charlatanism and targeting civilians for economic gains (pillaging) to committing more violent attacks and clashes based on ethnic or religious affiliations.
25. Their provocative killing of Fulani and other ethnic groups attracted overreactions from ex-Seleka armed groups on anti-Balaka “associated-ethnic groups”. Consequently, during the period under review, the anti-Balaka were responsible for **147** incidents affecting **222** victims while accounting for **29.8 percent** of the total number of incidents and **24 percent** of the total number of victims. As compared to the same reporting period in 2017, which recorded 157 incidents and 252 victims, there was a 6.4 percent decrease in the number of incidents and a 11.9 percent decrease in the number of victims.
26. During the reporting period, the number of civilians killed mainly due to targeted attacks directly involving the anti-Balaka were at least 39, of which 15 were men, three women, four boys, and 17 adults whose sex and age could not be determined. These killings were recorded mostly in the Ouaka, Ouham and Mbomou prefectures during intentional and targeted attacks on civilians. Apart from civilians being killed, 39 others (10 men, one woman, one boy and 27 adults whose sex and age could not be determined) sustained injuries or got maimed as a result of these targeted attacks. On 17 July for example, a group of anti-Balaka attacked the village of Pombolo<sup>16</sup> (Mbomou), causing the death of two civilians, injury to 27 others and the wounding of three MINUSCA peacekeepers. It is worth recalling that a similar attack by the anti-Balaka on Pombolo occurred on 18 and 20 October 2017 during which 41 men, four women, one boy and one girl got killed and about 55 others injured.
27. HRD also recorded 23 cases of death threats affecting 30 civilians; 31 cases of cruel, inhuman and degrading treatment including threats to physical and mental integrity affecting 35 victims; 23 cases of Conflict Related Sexual Violence (CRSV) mainly rape cases (20) affecting 23 victims; 22 cases of recruitment of children affecting 28 boys and three girls; five cases of

<sup>15</sup> These armed groups include the anti-Balaka, the UPC, FPRC, MPC, FPRC/AH, FPRC/MPC Coalition, other FPRC led Coalitions, armed Fulani, MNLC, LRA, RJ, 3R, PK5 armed groups (FORCE/APO), and SIRIRI

<sup>16</sup> Located approximately 123 kilometres west of Bangassou

deprivation of liberty affecting 17 victims; eight cases of extortion and pillaging affecting 11 civilians ; and nine incidents of unlawful attacks on humanitarian and MINUSCA peacekeepers and/or their equipment affecting seven men and five groups of collective victims.

*B. Abuses by UPC, FPRC, RPRC, MPC, FPRC/MPC coalition, FPRC/AH, FPRC/MPC/UPC/RPRC Coalition, and armed Fulani*

28. The different ex-Séléka factions, who mostly control the centre and eastern part of CAR, continued to resist efforts by the anti-Balaka to conquer new territories in areas under their control. Consequently, during the reporting period, particularly in Haute-Kotto prefecture, the ex-Seleka factions carried out several attacks on areas occupied by the anti-Balaka in the attempt to chase them out of these regions. Human rights abuses recorded by the ex-Séléka splinter groups during the review period were attributed to the FPRC (84 incidents), UPC (41 incidents), MPC (33 incidents), FPRC/MPC Coalition (16 incidents), FPRC/MPC/RPRC/UPC coalition (14 incident), FPRC-AH faction (10 incidents), armed Fulani (10 incidents) and RPRC (four incidents). These different groups committed a total of **212** abuses affecting **462** victims, with the FPRC (222 victims), UPC (46 victims), and MPC (86 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 **19.1** percent decrease in the total number of incidents though with a **34.7** percent increase in the total number of victims as compared to the same reporting period in 2017 which recorded 262 incidents and 343 victims.
29. During the reporting period, the ex-Séléka splinter factions accounted for the killing of 139 civilians (49 men, 21 women, nine boys, five girls, two minors of unknown sex and another 53 adults whose age and sex could not be determined) and injury of an additional 34 others (13 men, five women, three boys, one girl, one unknown minor and 11 adults whose age and sex could not be determined). These killings were recorded mostly in the Haute-Kotto, Ouaka, and Mbomou prefectures during targeted attacks perpetrated mainly by the FPRC (30 civilians killed, eight injured), MPC (57 killed, 15 injured), UPC (12 killed, four injured), and FPRC/MPC/UPC Coalition (19 killed).
30. Of significance, on 05 August, the FPRC launched attacks on villages along the Bria - Irabanda axis with the intention to dislodge anti-Balaka militias led by “*General*” Thierry-Francois Plenga alias “Bokassa”, in villages<sup>17</sup> under their control and another clash between the anti-Balaka and a coalition of ex-Séléka elements (FPRC, RPRC) and UPC) in the Bornou District of Bria which caused the death of at least 16 civilians and lots of civilian displacements. In another incident on 05 and 06 September, armed FPRC elements abducted and killed seven IDP women and two IDP men near the PK3 IDP camp in Bria. The different ex-Séléka splinter groups accounted for **43 percent** of the total number of incidents and **50 percent** of the total number of victims.
31. These armed groups also perpetrated **(i) six** death threats [FPRC (3), armed Fulani (2), UPC (1)] and affecting **three** men, **one** woman, **one** girl, and **one** group of collective victims; **(ii) 15** incidents of cruel, inhumane and degrading treatment and **nine** incidents of threats to physical and mental integrity [FPRC (11), UPC (6), FPRC/MPC Coalition (3), FPRC-AH (2) and armed Fulani (1)], and affecting **27** men, **four** women and **four** boys; **(iii) 30** conflict related sexual violence incidents (28 rape, one attempted rape and two forced marriages) [FPRC (11), UPC

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<sup>17</sup> All the villages – at least eight - located between Bria and along 45 kilometres on the Irabanda axis were destroyed.

(8), FPRC/MPC (6), armed Fulani (5) and MPC (2)], affecting **13** women, **11** girls, **two** unknown minors and **four** unknown adults; **(iv)** **49** incidents of attacks, appropriation or pillaging of property by the FPRC (40) UPC (2), FPRC-AH (2), FPRC/MPC/UPC/RPRC Coalition (2), MPC (1), RPRC (1), and FPRC/MPC Coalition (1), affecting **three** men, **two** women, and **69** groups of unknown individuals (collective victims); **(v)** **nine** incidents of deprivation of liberty [UPC (4), FPRC (2), MPC (1), FPRC/MPC Coalition (1) and FPRC-AH (1)] affecting **11** men, **two** women and **two** boys; **(vi)** **six** abductions [FPRC (2), MPC (2), FPRC/MPC (1) and UPC (1)] affecting **four** men, **two** women, **one** boy, **one** girl, **100** unknown adults and an additional **one** group of unknown individuals; **(vii)** **12** incidents of unlawful attacks on humanitarian workers and/or their equipment and unlawful attacks and destruction of protected areas including health centres and religious premises by the MPC (7), UPC (2), FPRC-AH (1), FPRC/MPC Coalition (1) and armed Fulani (1), which prevents an unknown number of civilians (collective victims) from health and religious services, and **(viii)** **two** cases where the FPRC recruited **two** boys into their armed group.

*C. Abuses by other armed groups: SIRIRI, MNLC, Fulani affiliated with 3R under the effective control of Colonel Sidiki, RJ, LRA, other unidentified armed groups, including the PK5 armed gangs in Bangui, and anti-Balaka militias*

32. In the western part of CAR, the growing influence of armed groups such as SIRIRI and MNLC operating in Mambéré-Kadéï and Ouham-Pendé prefectures respectively, as well as activities of the PK5 armed gangs led to an increase in the number of human rights abuses by other armed groups. Unlike previous reporting periods, the activities of the Lord Resistance Army (LRA) were not very recurrent, and recorded cases associated with this armed group decreased significantly. Other armed groups, including the PK5 armed gangs in Bangui were responsible for **124** incidents affecting **228** victims, of which 121 were men, 18 women, 17 boys, 13 girls, another five children and 42 adults whose age and sex could not be determined and 12 groups of unknown individuals (collective victims). These armed groups accounted for **25.1 percent** of the total number of incidents and **24.7 percent** of the total number of victims. Based on the documented cases perpetrated by these armed groups, there was an increase by **117.5 percent** in the total number of incidents and an increase by **230.4 percent** in the total number of victims as compared to the same reporting period in 2017 which recorded 57 incidents and 69 victims.
33. These different armed groups killed 38 civilians and injured another eight. The main perpetrators of these killings and injuries were the SIRIRI who killed 16 men and the MNLC who killed seven men and injured two others as they harassed civilians in an attempt to extort them of their property and gain economic strength. Other documented abuses by these armed groups were mainly **12** incidents of cruel, inhuman and degrading treatment affecting **14** men, **three** women, **two** boys and **25** unknown adults; **16** incidents of conflict-related sexual violence including the rape of six women and eight girls and the forced marriage of an additional two girls by the LRA; **29** incidents of unlawful attacks and pillage of property affecting **27** men, **five** unknown adults and **four** groups of unknown individuals (collective victims); **15** incidents of abductions affecting **27** men, **five** woman, **10** boys and **three** unknown adults; and five incidents where the LRA and 3R recruited **four** boys and **five** unknown children into their armed groups.

*D. Human rights violations by State agents*

34. Data collected by HRD indicated that State agents were responsible for **six** cases of serious human rights violations related directly to the conflict. There was a total of **nine** men affected

by these violations perpetrated by the FACA (seven men), the OCRB specialized police unit (one man) and an agent of the Ministry of Water and Forestry (one man). State agents accounted for **2.1 percent** of the total number of incidents and **1.3 percent** of the total number of victims.

35. The most serious incidents of violations by the State agents were perpetrated by FACA soldiers and the OCRB unit. In one of the cases, on 12 August in Wapo village<sup>18</sup>, two FACA soldiers<sup>19</sup> fired at an angry unarmed crowd who were demonstrating against the internal security forces<sup>20</sup>, accusing them of longstanding harassment, extortion and racketeering by security forces and civil servants at the joint, multi-purpose road checkpoint. As a result, three men were injured. Though the two officers were arrested and disarmed by the gendarmerie, an unnamed official of the Ministry of Defense ordered the gendarmes to release them and return their weapons. Reportedly, the commanding officers claimed that the men discharged their weapons in self-defense.
36. On 14 August Berberati's prosecutor instructed the gendarmerie to open a judicial investigation. The FACA commander of Berberati detachment was subsequently summoned to Bangui by the Ministry of Defense for further investigations. Again, the OCRB unit detained and allegedly tortured a male detainee accused of murder. In an interview with this detainee, he reported having been tortured by officers while detained at the OCRB holding cell from 10 August to 11 September. The detainee reported never having been brought before a judicial authority, denied legal representation and family visits. On 11 September, the detainee was placed under committal order and charged with criminal conspiracy, unlawful possession of weapons of war, and murder. He was subsequently transferred to the Ngaragba prison.
37. It is worth noting that MINUSCA is providing support to FACA for their redeployment throughout CAR to extend State authority. In accordance with UN Human Rights Due Diligence Policy (HRDDP), HRD received 16 requests for support to defence and security forces for human rights and risks assessments. HRD monitored FACA and ISF, particularly those who receive direct support from MINUSCA, to ensure that they do not constitute any risk to the stabilization of the country, civilians or the political and peace process<sup>21</sup>. As the Government continues to extend State authority by deploying State agents including the FACA, HRD will continue to monitor and report on any violations committed by the internal security and defence forces in close cooperation with competent GoCAR authorities who displayed commitment to addressing reported concerns as they transpired. In addition to HRDDP process,

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<sup>18</sup> Located approximately 8 kilometers east of Berberati

<sup>19</sup> A *caporal* (corporal) and a *caporal-chef* (master corporal); names on file with HRD (case no. CAR/18/0796). HRD also has on file the name of the police *brigadier* (corporal) who initially arrested the two drunken squabblers. In a subsequent, unrelated incident the FACA *caporal* reportedly stabbed and injured his wife on 18 August 2018, then prevented her from going to hospital.

<sup>20</sup> While HRD investigated the incident of 12 August, witnesses stated that any FACA soldier, policeman or gendarme whom the population called for help when faced with crimes, these security and defense forces would routinely demand excessive amounts of "fuel money" before coming to perform their duty.

<sup>21</sup> As of August 2018, FACA units supported by MINUSCA have been deployed to Paoua (Ouham Pendé), Sibut (Kémo), Bangassou (Mbomou) and Obo (Haut-Mbomou) while the arrival of units in Dekoa (Kémo) and Bouar (Nana-Mambéré) is imminent. Deployments of units to Bambari (Ouaka) and Grimari (Ouaka) were planned for in September 2018. Self-sufficient FACA units not receiving any support from MINUSCA were operational in Bouar, Berengo (Lobaye), Boali (Ombella M'Poko), Bossangoa (Ouham), Nola (Sangha-Mbaéré), Mongoumba (Lobaye) and Am Dafok (Vakaga).



HRD received requests for verification and human rights background check of 197 candidates for recruitment into correction services (150 posts) under GoCAR vetting procedures.

38. During the reporting period, HRD continued to note that most of the violations committed by the Internal Security Forces (gendarmes and police including their various specialized units) were related to the right to liberty and security of persons, mainly cases of arbitrary detention, poor conditions of detention and inmates being kept together without any distinction made between age and sex<sup>22</sup>. The high prevalence of cases of arbitrary detention was due to the continued non-observance of the 72-hour renewable-once legal limit for holding suspects before bringing them before the Public Prosecutor's Office or releasing them. Other causes of the recurrence of arbitrary detention include the lack of capacity, as well as structural and logistical constraints faced by the police, gendarmerie and judicial institutions. Most of the recorded cases occurred in Bangui where there is a presence of State authorities.<sup>23</sup>
39. In all cases of arbitrary detention, poor conditions of detention and adults being detained along with children, HRD met with the relevant authorities and advocated for the respect of the legal procedures including the respect for the Criminal Procedure Code and the required minimum standard for the treatment of prisoners.<sup>24</sup> However, continuous violations of detainees' rights in Bimbo prison and reports of abuses within and by the OCRB unit remain of concern. HRD will continue to work with other MINUSCA components and the State authorities to identify feasible means to address these challenges, advance investigations into the death of a detainee while in detention in the OCRB holding cell, as well as allegations of sexual violence and abuses against female detainees at the Bimbo Prison. The slow pace of GoCAR judicial investigation over these two instances implies provisional measures pending the completion of judicial proceedings.

#### **V. Conflict-related sexual violence**

40. During the reporting period, HRD documented 70 cases<sup>25</sup> of conflict-related sexual violence (CRSV) affecting 70 victims, of which 26 were women, 31 girls, three unknown minors and 10 unknown adults. The cases of conflict-related sexual violence continued to be of serious concern with cases of rape, gang rape, attempted rape, indecent assault, and forced marriages. Most of the cases were rapes and gang rapes (62 cases) and the victims (21 women, 28 girls three unknown minors and 10 unknown adults) were women and girls who were attacked while carrying out their daily livelihood activities or during attacks on villages by mostly anti-Balaka, ex-Séléka factions particularly the FPRC and UPC, and MNLC. Most of the cases perpetrated by the ex-Séléka and its affiliates [FPRC (10 incidents), UPC (8), FPRC/MPC (6), armed Fulani (5) and MPC (2)] were recorded in Nana-Grébizi and Haute-Kotto prefectures where judicial institutions do not exist. The cases committed by the anti-Balaka were recorded mainly in Haute-Kotto prefecture and for the other armed groups particularly the MNLC were in Ouham-Pendé prefecture.

<sup>22</sup> Most of these cases are not directly linked to the conflict related human rights and are thus not reflected in the statistics in this report.

<sup>23</sup> In Bangui, different courts operate, including civil and criminal courts, a Court of Appeal and a Supreme Court. There are also three prisons: Ngaragba, Camp de Roux and a prison for women. In addition, both *gendarmerie* and police units, including their specialised units, have holding cells.

<sup>24</sup> See <http://www.ohchr.org/EN/ProfessionalInterest/Pages/TreatmentOfPrisoners.aspx> and Article 232 and 235 of the Criminal Procedure Code. These rules were revised and adopted in January 2015 and are also known as the Nelson Mandela Rules.

<sup>25</sup> The figures cited in this section of the report are reflected in the overall figures mentioned in paragraph 18.

41. In one incident on 7 July, two FPRC/MPC Coalition elements who were uniformed, armed with military firearms and spoke Sango and Arabic, intercepted a 25-year-old woman who was on her way to her fields in Kétééré village<sup>26</sup> (Nana-Grébizi). One of the perpetrators raped the woman. The victim sought medical treatment at the Kaga-Bandoro hospital on 9 July. In another incident, on 04 September around 02:00 p.m. in Ippy<sup>27</sup> (Ouaka), a UPC element raped a 15-year-old girl near an illegal check point called “Bougouyo”, located less than 100 meters from the Catholic Church IDP site. Reportedly, six girls from the Catholic Church IDP site were intercepted by the UPC elements at the Bougouyo check point in the presence of ten other elements. All but the 15-year-old girl managed to escape. The perpetrator threatened to shoot her if she tried to flee and then raped her. An international non-governmental organization (INGO) referred the girl to the hospital on 5 September where she received treatment.
42. Due to the fear of reprisal from armed groups, particularly victims living in areas where the armed groups are the de facto authorities, as well as effects suffered from family members and society, victims are reluctant to file complaints against perpetrators. Consequently, there are still many cases that remain unreported. It is also worth noting that victims are also reluctant to report cases even where law enforcement personnel and judicial authorities exist due to lack of trust in the ability or willingness of the authorities to take appropriate action. The absence of a functioning judicial system, fear of stigma, acceptance due to ignorance of referral or judicial paths and geographical isolation all contributed to low reporting of cases. In order to encourage victims to come forward, HRD has been conducting trainings and awareness raising sensitization on CRSV, where they encourage local authorities, community leaders, women and youth groups and the community as a whole to avoid the stigmatization of victims, avoid impunity and report on cases of CRSV. Through these sessions, HRD also inform participants on various reporting mechanism and victims assistance programs.

## **VI. Grave violations against children**

43. During the reporting period, children continued to be victims of grave child rights violations committed by the parties to the conflict throughout much of the country. The Country Task Force on Monitoring and Reporting (CTFMR) verified 119 incidents<sup>28</sup> of grave violations against children affecting 65 children (34 boys and 31 girls). This represents an increase of over 50 percent in the total number of verified incidents relative to the previous quarter when 79 incidents were verified. The number of verified victims, 65 children, decreased by 17 percent compared to the previous quarter which recorded 78 victims. The CTFMR was particularly concerned over the significant increase in the number of verified incidents of denial of humanitarian access (89%) as well as the increase in the number of verified victims of rape and other sexual violence related violations (55%) compared to the previous reporting period.
44. There was, however, a 39 percent decrease in the number of verified victims of recruitment in the number of killings and maiming as well as incidents of attacks against schools and hospitals – which decreased by more than half in number. The decrease could be attributed to a drop in recorded cases of sectarian violence between the Christian and Muslim communities in Bangui, Kaga Bandoro (Nana-Grébizi) and Ndele (Bamingui-Bangoran) which had previously spiked after manipulative media reporting on operation “Sukula” in May 2018. The number of verified victims of abduction remained similar (13) to that of the previous quarter.

<sup>26</sup> Located approximately 15 kilometres east of Kaga-Bandoro

<sup>27</sup> Located approximately 103 kilometres north of Bambari

<sup>28</sup> The figures cited in this section of the report are reflected in the overall figures mentioned in paragraph 18.

45. Anti-Balaka elements perpetrated 37 incidents affecting 24 victims (16 boys and eight girls) accounting for 31 percent of the overall incidents and 35 percent of the overall victims. The different splinter factions of the ex-Séléka accounted for 26 incidents - FPRC (11); MPC (6); UPC (3); unidentified ex-Séléka elements (2); RPRC (2); MNLC (1); and FPRC/UPC Coalition elements (1). Unidentified armed elements accounted for 46 incidents; the LRA - five incidents; criminal gangs operating in the PK5 neighbourhood of Bangui, three incidents; 3R, one incident and RJ, one incident. The Nana-Grébizi prefecture was the most affected prefecture, accounting for 34% of verified incidents (40), followed by Haute-Kotto prefecture (29).
46. During the reporting period, sporadic retaliatory clashes took place between the anti-Balaka and ex-Séléka factions across the country. On 13 August in Nana-Grébizi for example, anti-Balaka elements led by “Pele” attacked an FPRC controlled mining site on the Mbres-Azene axis, killing four civilians, including two children. On the same day on the Kaga-Bandoro - Dekoa axis, the anti-Balaka tried to pillage a truck escorted by MPC elements resulting in the deaths of two MPC combatants including the Comzone “General” Abdallah Amkire. In retaliation, the MPC torched houses in a village along the Ndomete-Mbres axis and killed a boy. In addition, ex-Séléka elements in both Kaga-Bandoro and Ndele increased criminal activities targeting INGOs. As a result, ICRC suspended its activities at both prefectural hospitals from 17 to 19 September.
47. On 25 and 26 August in Bria clashes between the FPRC/MPC/RPRC Coalition elements and anti-Balaka resulted in the deaths of the anti-Balaka leader - Theophile, some of his elements, and the Banda Chief of Bornou, triggering the displacement of more than 2000 civilians towards the PK3 IDP site and the Bornou Baptist Church. In retaliation, the anti-Balaka killed one FPRC element and injured a second on 6 September in PK18, along the Bria-Ippy axis. These incidents caused the killings of four children and the abduction of three others from both Christian and Muslim communities.
48. In Bangui, tensions persisted in PK5 between criminal gangs led by ‘FORCE’ and Danda over the control of the illegal taxation of traders. Consequently, two girls were maimed by elements of FORCE.

## **VII. Observations**

49. The trends and patterns as observed in previous reporting periods indicate that clashes between rival groups (anti-Balaka and FPRC including the FPRC led Coalitions, UPC and anti-Balaka, MPC and anti-Balaka, 3R and MNLC) over the control of territory have continued to impact negatively on the protection of civilians and on the security and human rights situation in several parts of CAR. Hundreds of civilians continue to be deliberately targeted and/or are collateral damage of the incessant rivalry and human rights abuses that the armed groups commit with full impunity. Unless efforts are made to end this violence and continuous attacks or clashes through mediation and dialogue, the centre and eastern part of CAR will continue to experience a circle of violence.
50. HRD notes that, despite the signing of a declaration of agreement by which armed groups’ representatives (including anti-Balaka Mokom, FPRC, UPC and MPC) committed to the restoration of peace, the respect for human rights, the free movement of persons and goods,

and the African Initiative (AI) on 29 August in Khartoum, more retaliatory and targeted attacks by the different rival armed groups have continued to be recorded during this reporting period. Again, HRD continues to observe a tendency on the part of the major ex-Séléka splinter factions – FPRC, MPC, UPC and RPRC –to unite their forces in order to fight against the anti-Balaka, sometimes within the context of a FPRC/MPC/UPC coalition or FPRC/RPRC Coalition mostly in Haute-Kotto prefecture.

51. Another major concern during the period under review was the urgent need to address recorded violations committed by State actors, including two cases of torture by agents of the OCRB, one of which resulted in the death of a male detainee. HRD notes with concern that despite the suspension of UN support to OCRB as well as regular and high-level engagements with GoCAR, OCRB agents continue to commit human rights violations, including cruel, inhuman and degrading treatment, and torture.
52. Also of grave concern is the situation at the Bimbo Prison for women where there have been credible allegations of sexual violence and exploitation of female detainees. HRD has also conducted investigations into two incidents of abuse of power by unit commanders of the FACA. HRD encouraged the Central African authorities to continue efforts to bring to justice those involved and to put an end to such violations at the OCRB and Bimbo Prison. Protracted record of human rights violations attributable to OCRB requires an audit and reform of this institution which benefits from special arrangements and status within internal security forces.
53. Another continuing trend observed during the reporting period concerns the frequent attacks that armed groups, mainly the anti-Balaka and the UPC have carried out against the humanitarian community or UN peacekeepers. In this reporting period, HRD recorded attacks on at least 17 INGO and its personnel or equipment perpetrated by either the UPC, anti-Balaka, SIRIRI or unidentified armed elements in Berberati (Mambéré-Kadéï), Batangafo (Ouham), Paoua (Ouham-Pendé), Bouca (Ouham), Bangassou (Mbomou), Mobaye (Basse-Kotto), Bria (Haute-Kotto), and Kaga-Bandoro (Nana-Grébizi). HRD also recorded 10 more attacks by anti-Balaka and UPC elements on MINUSCA peacekeepers including on their vehicles, in Pombolo (Mbomou), Alindao (Basse-Kotto), Paoua, Bria and Bangassou.
54. Another characteristic of this period was the increase in attacks by armed groups on MINUSCA peacekeepers and humanitarians. On 17 July in Pombolo, anti-Balaka elements attacked MINUSCA peacekeepers wounding three of them. They also wounded two other peacekeepers when they attacked MINUSCA Force between Akondo and Pombolo villages, in Mbomou prefecture. Also, armed UPC elements attacked members of MINUSCA Force who were stationed at the entrance of the Catholic Church IDP site in Alindao, Basse-Kotto prefecture, on the morning of 6 July. On the same day, an INGO suspended its services in Bria due to continuous attacks and pillaging of their base by armed men, the most recent being that of the night of 4-5 July. On 23 August, anti-Balaka elements shot and injured one peacekeeper during an attack on MINUSCA Forces in Pavika village<sup>29</sup> (Basse-Kotto). The injured peacekeeper later succumbed to his injuries.
55. The report demonstrates the direct impact of the political and security situation on the human rights situation in CAR. Civilians continue to bear the brunt of the conflict. The report calls for more action on the part of all actors not only to protect civilians but also to prevent the reoccurrence of violence and its consequent human rights violations and abuses. Despite efforts

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<sup>29</sup> Located approximately 20 kilometers south east of Alindao

on the part of the Government, CAR needs the urgent support of the international community to address the human rights situation.

56. With the continuous hostilities in the central and eastern parts of CAR leading to an increase in human rights abuses, it is imperative for the Government to prioritise accountability for human rights violations and abuses and create a conducive environment for effective and independent investigations, prosecution and adjudication of crimes in CAR.

### **VIII. Recommendations**

57. In order to ensure the progressive improvement of the human rights situation in the CAR, HRD reiterate the following recommendations, and urge:

*The Government of the Central African Republic to:*

- 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 and to hold those responsible accountable including persons promoting incitement to hatred and violence;
- Expedite investigations related to torture and/or ill treatment and human rights violations attributable to both OCRB and the Director of Bimbo Prison.
- Initiate the audit and reform of the OCRB and explore structural arrangements to address the status of unregistered gendarmes and police personnel operating without formal condition of services and entitlements;
- Continue strengthening its efforts to restore State authority and the rule of law, in particular through effective deployment of police, *gendarmes* and judicial authorities;
- Respect its commitment and obligation to provide the necessary conditions to ensure the full operationalisation of the Human Rights Commission;
- Continue to collaborate with MINUSCA in the arrest of notorious elements of armed groups and ensure judicial investigations;
- Create conditions to assist victims of conflict related sexual violence, forced marriages and teenage mothers, including provisions of medical, psychological and legal support;
- Ensure that victims/survivors have access to an effective remedy, including gender-sensitive, transformative and victim-centred reparations;
- Strengthen child protection initiatives and encourage the release of children still associated with armed groups; initiate strategies and support programmes for child victims of armed groups and children released from armed groups, and update the National Plan for the Protection of Children; and

- Prevent, prosecute and punish all perpetrators of human rights violations and abuses against persons accused of witchcraft and charlatanism, including through a review the criminal code to ensure the decriminalisation of acts of witchcraft and sensitisation campaigns on witchcraft allegations.

*All armed groups to:*

- Respect their obligations under international human rights law and international humanitarian law, including the prohibition of committing the six grave child rights violations. Sanctions will be taken against those who commit violations. Remind that the Special Criminal Court and the International Criminal Court are also closely monitoring these types of violations;
- Cease indiscriminate attacks on civilians, including humanitarians, and take positive measures, as may be required, to ensure full respect for international human rights, and humanitarian law, including respect for;
- Facilitate the return of legitimate authorities in the administration and security sector throughout the territory; and
- Engage in continuous awareness raising and dialogue with signatories for an increased respect for IHL in line with provisions of the different peace accords.

*The international community to:*

- 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; and
- Initiate concerted and multi-layered engagements with signatories of the different peace accords, communities including through the ongoing mediation efforts.

\*\*\*\*\* **END** \*\*\*\*\*