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MINUSCA

Human Rights Division

SPECIAL REPORT ON KAGA-BANDORO INCIDENTS

12 to 17 October 2016

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List of Acronyms

CAR	Central African Republic
DDRR	Disarmament, Demobilization, Reintegration and Repatriation
FACA	<i>Forces armées centrafricaines</i> (CAR Armed Forces)
FPRC	<i>Front populaire pour la renaissance de centrafrique</i>
HRD	MINUSCA Human Rights Division
ICC	International Criminal Court
ICRC	International Committee of the Red Cross
IDP	Internally Displaced Person(s)
IHRL	International Human Rights Law
IHL	International Humanitarian Law
MINUSCA	United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic
MPC	<i>Mouvement patriotique pour la centrafrique</i>
NGO	Non-Governmental Organization
OCHA	Office for the Coordination of Humanitarian Affairs
OHCHR	Office of the United Nations High Commissioner for Human Rights
SRI	<i>Service de recherche et d'intervention</i> (of the CAR Gendarmerie)
UNPOL	United Nations Police

I. Summary

This report describes human rights abuses committed by armed elements, mainly ex- Séléka/FPRC and MPC, during attacks on civilians and civilian targets in several parts of Kaga-Bandoro (Nana Grébizi prefecture) on 12 to 17 October 2016. Information provided is based on human rights monitoring field missions conducted by the Human Rights Division (HRD) from 12 to 17 October.

Tension had been mounting in Kaga-Bandoro, between the ex-Séléka and Anti-Balaka elements since August. In September, mistrust between the two groups impelled the Anti-Balaka to regroup in Ndomété¹ and on 16 and 17 September, clashes ensued between the ex-Séléka and Anti-Balaka, leading to the death of four persons and the displacement of approximately 3,200 civilians. MINUSCA took strong measures to protect civilians and establish a weapon-free zone in the city and surrounding region.

On 12 October, the corpse of a Muslim man was discovered in Travaux Publics neighborhood². MINUSCA Forces went to the scene but were prevented from conducting any inquiries by a group of armed elements alleged to be a mix of young men from the Muslim community and ex-Séléka. These armed elements recovered and transported the body towards the main bridge in Kaga-Bandoro. Afterwards, armed Muslim youth and ex-Séléka emerged from different neighborhoods and moved towards the Evêché Internally Displaced Persons (IDP) camp and the prefect's office, and clashed with Anti-Balaka and MINUSCA Forces.

During monitoring missions from 12 to 17 October, MINUSCA confirmed the killing of 37 civilians, including four women, two boys, a girl and a baby of unknown sex. Medical records from the MINUSCA hospital, the General Prefectoral Hospital and Bangui hospital, confirmed the injury of 60 civilians including 22 women and four children (three girls and one boy). MINUSCA received reports from humanitarian partners of three cases of rape allegedly committed by ex-Séléka elements. Satellite imagery taken before and after the crisis confirms the pillaging and torching of at least 400 IDP huts, 130 houses in Kaga-Bandoro town and another 21 houses along the Kaga-Bandoro - Mboto axis. Over 10,000 persons were displaced and in need of humanitarian assistance.

Following the incident, MINUSCA has been protecting the IDPs who are now located close to the MINUSCA base and providing them with immediate humanitarian support, including health care, food and water. The leadership of the different armed groups particularly the ex- Séléka *Mouvement patriotique pour la centrafrique* (MPC) and *Front populaire pour la renaissance de centrafrique* (FPRC) have taken measures to contain their elements.

MINUSCA identified three categories of perpetrators: the ex- Séléka, particularly the MPC and FPRC factions (referred to throughout this report as ex- Séléka), armed civilians from the Christian and Muslim communities and Anti-Balaka. Though victims and witnesses attribute responsibility to the ex- Séléka factions for a number of killings, injuries, pillaging and arson, the Muslim civil society representative attributed the crimes to members of armed civilians from the Muslim community. This report will reflect the attribution of group responsibility reported by the victims

¹ Located 10 kilometers south of Kaga-Bandoro on the Bangui axis

² Located approximately 2 kilometres from Kaga-Bandoro

or witnesses, noting that further investigation will be required to establish individual responsibility with any degree of legal certainty.

MINUSCA recommends that the Government should urgently support the fight against impunity for past and present serious human rights abuses committed in Kaga-Bandoro by ensuring the timely completion of investigations and prosecutions. The Government needs to prioritize and pursue the deployment of civil servants to Kaga-Bandoro, including magistrates, in order to re-establish State authority and the rule of law. The Government should put at the top of its agenda an inclusive national dialogue at all levels and social cohesion amongst the Christian and Muslim communities. International actors need to support the return of humanitarian NGOs that left the area, in order to ensure the provision of relief to the displaced population and jointly address the presence of armed elements in IDP settlements.

II. Introduction and context

1. The violence which erupted from 12 to 17 October in Kaga-Bandoro attests to the existence of a complex ethno-political conflict, which can increasingly be seen as sectarian or religious in nature. In Kaga-Bandoro and in most parts of CAR, Christian and Muslim communities have established self-defense groups³ whose main purpose is to protect their neighborhoods and surrounding areas from criminal activities perpetrated by other armed elements.
2. The main perpetrators of abuses of international human rights law and humanitarian law during this violence were the ex-Séléka, particularly the FPRC and MPC factions, the Anti-Balaka, and armed civilians. This violence led to deliberate attacks against civilians in the Evêché IDP camp, as well as other civilians. The limited presence of State authority in Kaga-Bandoro, creates an environment in which perpetrators enjoy almost complete impunity. In much of Kaga-Bandoro and elsewhere, the ex- Séléka act as the *de facto* authority and hold effective control in the area. . Perpetrators of serious abuses of IHRL and IHL are rarely arrested and prosecuted.
3. Tension had been mounting in August and September between the ex- Séléka and Anti-Balaka, as a result of which the Anti-Balaka regrouped in Ndomété, triggering violence on 16 and 17 September in Ndomété and causing the death of four persons and the displacement of 3,200 civilians. Following these attacks, MINUSCA took stronger measures to protect civilians. MINUSCA held meetings with the ex- Séléka FPRC leaders, Lambert Mokove Lissane, Adam Moussa and Saad Ahamat Ali, the ex- Séléka MPC executive chairman, Elbachar Idriss, and the Anti-Balaka coordinator, Bertrand Gazamodo, to end the violence. MINUSCA also dismantled many ex- Séléka FPRC checkpoints, including Gomango⁴, established a weapons-free zone in the area and deployed military troops in support from Bangui.

³ In this report, the term “self-defence group” refers to groups of civilians directly participating in hostilities, which do not have the same level of organization as an armed group. Such groups usually identified their objectives as “self-defence”, although their activities were not always purely defensive.

⁴ Allegedly, after the departure of the ex-Seleka/FPRC-MPC coalition from Gomango, anti Balaka elements took over the site on 21 September. This further aggravated the tension and on 22 September, MINUSCA received two

4. The dismantling of most illegal checkpoints in Kaga-Bandoro seemed to have created frustration among the ex-Seleka, as the checkpoints had been a source of income. Subsequently, insecurity increased and international NGOs were repeatedly targeted. On 1 October, INTERSOS, IRC and *Solidarite Internationale* decided to leave Kaga-Bandoro for a period of at least 10 days as a result of insecurity.
5. On 11 October, approximately 2,000 Muslim civilians held a peaceful demonstration in Kaga-Bandoro, denouncing the ill treatment of the Muslim population⁵ and demanding a plan for the return of refugees from Chad. Shops and businesses across town were closed.
6. On 12 October, MINUSCA was informed of the discovery of the corpse of a Muslim man in the Travaux Publics neighborhood. Initial information received indicated that, on 11 October, an employee of Kaga-Bandoro local radio station killed an ex- Séléka element during an alleged robbery attempt at the employee's residence. Subsequently, a group of ex- Séléka mixed with armed Muslims retrieve the corpse and took it to the Mosque. They then headed towards the Evêché IDP camp, Travaux Publics, Mambéa and Manguépa neighbourhoods, where they carried out attacks on civilians and civilian targets. These attacks led to the killing of 37 civilians, the injury of many others, the pillaging and torching of houses, NGO premises and, churches, and the massive displacement of population to the proximity of the MINUSCA base. Other displacements were observed in Socada neighborhood.
7. It is worth noting that, following the 4 August visit of President Touadéra to Kaga-Bandoro, the ex- Séléka were disappointed that they did not meet with the President⁶. They further manifested discontent about the reorganization and consolidation of the Anti-Balaka in some areas of Kaga-Bandoro.
8. The ex- Séléka accused the local authority, particularly the mayor and deputy prefect, of conniving and assisting the Anti-Balaka in regrouping in different areas of Kaga-Bandoro. On 24 August, under the orders of Al Khatim, leader of ex- Séléka/MPC, six local officials including the '*chefs d'arrondissements et de groupes*' of Gobongo 1 and Gobongo 2, the '*chef de groupe*' of the 5^e *arrondissement* (Socada), Baipo 1, Baipo 3 and Kandimara were illegally arrested. With the intervention of MINUSCA, the six local officials were

communiqués from the ex- Séléka /MPC spokesperson, Saad Ahamat Ali, rejecting the deployment of internal security forces from Bangui and any further administrative agents to the areas where the armed group is the de facto authority. In his first communiqué, the spokesperson stated that this can only be possible following a political agreement with the Government and this is a precondition to join the DDR programme. The second communiqué expressed the MPC disgruntle as unnamed Bangui-based elements had attempted to reactivate anti Balaka factions in Nana Grebizi prefecture. Allegedly, anti Balaka elements continued to regroup in Zaire village (3 km south east of Kaga-Bandoro), Fa village (30 kilometres south west of Kaga-Bandoro) and Bamango village (55 kilometres south east of Kaga-Bandoro). Ex- Séléka/ MPC had accused the GoCAR and the local authorities of manipulating the Anti-Balaka

⁵ This was triggered by the killing of a Muslim moto-taxi driver and three Fulani men by FACA soldiers in Bangui on 4 October, following the killing of a FACA major by an unidentified armed man.

⁶ The meeting did not take place because the ex-Seleka elements presented themselves in military uniform whereas all representatives of armed groups had been told to wear civilian attire to meet the President.

released on 25 August. Mistrust amongst the two groups had been growing since then. Rising discontent with MINUSCA had also been observed.

III. Methodology

9. MINUSCA conducted a field mission from 12 to 17 October to interview eyewitnesses, victims, local authorities, leaders of the ex- Séléka armed groups (MPC and FPRC), civil society members, and community and religious leaders⁷. The investigation team also collected statements during meetings organized by MINUSCA with different stakeholders, including local authorities, armed groups and the Muslim community, humanitarian actors, medical doctors, hospital personnel, school teachers, representatives of the IDP camps, and Muslim Youth representatives.
10. Documentation of incidents was established through photos, medical reports and updates from other MINUSCA components. At least two independent sources were used to meet the requisite verification standard of proof. Specifically, cases of unlawful killings were supported by medical reports which detailed the number of corpses collected, the number of burials and testimonies from different family members with proof of burial and/or identity of the victims. Information that did not meet the requisite standard of proof was reported as an allegation and will need further verification.
11. Many testimonies were collected from the Christian community, however HRD lacked access to the Muslim community due to insecurity. In addition, sources living in areas controlled by a particular armed group tend to be sympathetic to that group, which made it difficult to establish the exact number of casualties and to identify the perpetrators of the abuses.
12. It should be noted that the deterioration of the security situation and the restriction of movement for all UN personnel in Kaga-Bandoro prevented the team from collecting additional information during the course of the event. Furthermore, the attacks on humanitarian partners made it impossible to liaise with them during and after the incidents and their aftermath.

IV. Applicable legal framework

13. CAR has until recently only ratified five out of ten core international human rights treaties: The International Covenant on Economic, Social and Cultural Rights (ICESCR / acceded on 8 May 1981); the International Covenant on Civil and Political Rights and its first Optional Protocol (ICCPR / OP / 8 May 1981); the International Convention of the Elimination of All Forms of Racial Discrimination (ratified on 16 March 1971); the Convention on the Elimination of All Forms of Discrimination against Women (acceded on 21 June 1991); the Convention of the Rights of the Child (ratified on 23 April 1992). However, on 11 October 2016 CAR became a party to the Convention against Torture and its optional protocol (acceded 11 October 2016), the Convention on the Rights of Persons

⁷ At the time of the monitoring field visit, HRD could not meet with the Anti-Balaka leaders for they were not available.

with Disabilities and its optional protocol (ratified on 11 October 2016), the Convention on Enforced Disappearances (acceded on 11 October 2016) the optional protocol to the Convention on the Elimination of all forms of Discrimination against Women (acceded 11 October 2016) and the optional protocol to the International Covenant on economic, Social and Cultural Rights (Acceded 11 October 2016).

14. CAR has also ratified the Convention related to the Status of Refugees (24 September 1962) and is a party to the Rome Statute of the International Criminal Court (ratified on 3 October 2001). At the regional level, CAR is a State party to the African Charter on Human and Peoples' Rights (ratified on 26 April 1986), the Convention Governing the Specific Aspects of Refugee Problems in Africa (ratified on 23 July 1970) and the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (ratified on 20 December 2010). With regard to international humanitarian law, CAR is a party to the four Geneva Conventions of 12 August 1949 (ratified on 1 August 1966) and their Additional Protocols I and II of 1977 (ratified on 17 July 1984). CAR is also a party to the Rome Statute of the International Criminal Court (ratified in October 2001).⁸ CAR is obligated by IHRL and IHL during time of peace and armed conflict.
15. Non-state actors are increasingly understood to have human rights obligations when they are considered as *de facto* authorities or holding effective control over territory and exercising some government-like functions. This is the case in Kaga-Bandoro where the ex- Séléka are the *de facto* authorities in certain areas. The ex- Séléka and its various factions perform security functions, and in so doing also illegally deprive civilians of liberty, and impose illegal fines. They are also responsible for killings, injuries, rapes, pillaging, attacks on protected persons and forced displacement of civilians as is the case of the recent violence in Kaga-Bandoro between 12 to 17 October. The same will apply to the Anti-Balaka in the areas where they have control particularly in the Evêché IDP camp. For this incident, armed civilians from both the Muslim and Christian community were responsible for serious crimes.

V. ABUSES OF HUMAN RIGHTS AND HUMANITARIAN LAW

16. MINUSCA confirmed grave human rights and humanitarian law abuses, including the killing of 37 civilians including four women, two boys, a girl and a baby of unknown sex; the injury of 60 others; the pillaging and torching of at least 400 IDP huts in the Evêché IDP camp, 130 houses in Kaga-Bandoro town and 21 houses on the axis Kaga-Bandoro-Mboto according to satellite images taken before and after the attacks. Furthermore, MINUSCA confirmed the displacement of more than 10,000 civilians. These abuses have been attributed mostly to the ex- Séléka, the Anti-Balaka and armed civilians from both the Muslim and Christian communities.

⁸ On 30 May 2014, the Government of CAR referred crimes allegedly committed on CAR territory since 1 August 2012 to the ICC. This is in line with Security Council Resolution 2217 (2015) which '[demands that all militias and non-state armed groups lay down their arms, cease all forms of violence and destabilizing activities immediately [...]].' The same Security Council Resolution '[noted the decision made by the Prosecutor of the International Criminal Court, on 24 September 2014, to open, following the request of the national authorities, an investigation into alleged crimes committed since 2012...'. On 22 April 2015, the National Transitional Council adopted the law establishing the Special Criminal Court to investigate serious violations of human rights and IHL committed in CAR since 1 January 2003. However the Court has not yet been set up.

A. Abuses committed by ex-Séléka and armed Muslim civilians

Right to life

17. MINUSCA monitored cases and confirmed the killing of 35 civilians, including three women and three children, consisting of two boys, and one girl by the ex-Seleka and armed Muslim civilians. Amongst those killed were four teachers including the Director of the '*Centre pédagogique régional*' and one male national staff of the International Committee of the Red Cross (ICRC). Most of the victims reportedly belong to the Christian community and are mainly IDPs, following indiscriminate attacks at the Evêché IDP camp, Travaux Publics neighborhood, as well as in Mambéa and Manguépa areas. Interviews with different sources attest to the fact that the alleged perpetrators were either ex- Séléka or elements of the armed Muslim civilians.
18. Information of unlawful killings was collected from medical records, reports from MINUSCA hospital and Prefectural hospital including through an inspection of the corpses recovered from the scene. Amongst those killed, 32 bodies were recovered, 12 of which were clearly identified by family members, whereas 20 others remain unidentified. According to medical records from the MINUSCA hospital, five people were killed at the Evêché IDP camp amongst whom was a 17 year-old child (age confirmed by the father). According to medical records, three died from gunshots, one was stabbed and another was burnt to death. All five victims were civilians.
19. Reportedly, during the course of the event, while the population was fleeing towards MINUSCA base at around 9.00 a.m., the Evêché IDP Camp was burning. On 13 October, a representative of the IDP Camp confirmed that houses at the Evêché IDP camp were burnt down on 12 October and eight people killed there on the same day. He provided pictures of burning houses to the team. He claimed that ex- Séléka elements invaded the Camp, attacked the population, burned the IDP Camp and also confronted MINUSCA Forces and a group of Anti-Balaka elements that were living in the Camp. MINUSCA Forces reacted to protect the civilians and killed one of the attackers. The same information was confirmed by a Muslim youth leader during an interview on 15 October.
20. Witnesses reported that the Regional Director of the '*Centre Pédagogique National*' and a teacher at the Ecole Polyvalente were killed by a group of ex- Séléka elements who were moving towards the IDP Camp. Two independent sources confirmed this information. A teacher who witnessed the attack at Lycée Polyvalent around 9.00 a.m. on 12 October informed HRD on 14 October that:

60 Maitres Parents were attending a training at the Lycée Polyvalent when a crowd of ex- Séléka wearing boubou, moving towards the IDP Camp, chasing away people and attacking them. Following this attack on the Lycee Polyvalent, he witnessed the killing of the Director of the 'Centre Pédagogique Régional' and reported that at least another 'Maitre parents' was killed but could not give more information about the identity of the second victim.

21. On 12 October, an ICRC nurse was killed in the Manguepa area by ex- Séléka elements in retaliation for the killing of a Muslim woman and her baby by Anti-Balaka at the Evêché IDP camp. According to the statement of a female eye-witness, the ex- Séléka elements believed that the hospital staff were indirectly responsible for the insecurity of the nutrition centre managed by ICRC. The witness reported the following:

I saw the ICRC staff running towards his house, after having been stabbed and covered in blood, crying that ex-Seleka were running after him. I entered the house with him to call for help, I heard the voice of one ex-Seleka entering the house and stabbing him. I heard him cry “He stabbed me”. I was hiding under the bed and heard one of the alleged perpetrators say: “He has a badge. These are the kind of people we are looking for. We need to slaughter him not to simply kill him with a weapon”. I heard the victim crying again until his voice stopped. The perpetrators set the house on fire and left.

22. In another targeted attack, a 42-year-old teacher from Blakadja was killed in the neighborhood of the Bamou IDP site⁹ on 13 October by allegedly ex- Séléka under the command of Hamat Chatou, Comzone of the FPRC in Kaga-Bandoro. The Comzone was allegedly responsible for conducting patrols in the area. On 14 October a relative of the victim reported that the victim was a teacher and a participant in the training at the Lycée Polyvalent. He was found dead in the road leading towards Dekoa near the IDP site of Bamou. The relative reported that he was killed by stabbing and was buried on 14 October near the aerodrome in front of MINUSCA base.
23. MINUSCA received numerous reports that civilians were killed by unidentified armed elements after the incidents on 12 October. Four cases of killings including two children were reported by local authorities. The two children were allegedly killed on 14 October while attempting to go back home and recover some goods in Mambéa neighborhood near Ecole Saint Thérèse. One of the victims was killed in front of INTERSOS and another in the Travaux Publics neighborhood. In a meeting with MINUSCA, local authorities reportedly declared that three persons from Botto were also killed on the same day. These cases are not yet confirmed.
24. According to a representative of the Muslim youth, at least four armed Muslims were killed during the violence. They were part of the group who invaded the Christian areas following the recovery of the corpse of a Muslim man who was discovered at the Travaux Publics neighborhood on 12 October. According to the representative, these armed men were not ex- Séléka but rather armed Muslims. Corroborating testimonies from different sources stated that armed Muslims were some of the perpetrators who attacked the IDP camps. While they were supported or were tolerated by ex- Séléka armed groups, there is no indication that they belonged to them.

Right to physical and mental integrity

⁹ Located approximately 3 kilometers from Kaga-Bandoro

25. Abuses of the right to physical and mental integrity were also recorded in the aftermath of the attacks of 12 October. MINUSCA confirmed the injury of 60 civilians including some cases of psycho-social trauma. Information was collected from the victims admitted to hospitals and from humanitarian partners. HRD also received allegations of the rape of three women, but this information needs further investigation.
26. The MINUSCA hospital provided a list of 40 persons including 22 women and four children (three girls and one boy) who were admitted between 12 and 13 October. According to the medical records, at least nine people sustained injuries from gunshots, two suffered from burns and eleven were stabbed. Others were admitted for minor psycho-social trauma such as panic attacks. In addition, the General Prefectoral Hospital confirmed that they received 17 persons injured on 12 October. Most of them sustained injuries while running away from the perpetrators at the Evêché IDP camp, Travaux Publics neighborhood, Mambéa and Manguépa areas during the indiscriminate attacks of ex- Séléka.
27. MINUSCA gathered the following testimony from a relative of an injured victim:

Around 9.00 a.m., my brother was about to do some gardening when I saw ex- Séléka coming behind the camp. I have known them for longtime in Kaga-Bandoro. I saw them first hitting him on his head with a knife and later, when he fell on the floor, injuring him again twice, on his shoulder and buttock. In response, Burundi forces intervened by shooting three times in the air and then bringing the victim to their base. He was transferred to MINUSCA hospital who confirmed the incident.

28. Some local authorities were also attacked by ex-Séléka during the crisis. They claimed that they were accused of supporting Anti-Balaka and the Christian community. One of the victims is the Sub Prefect of Kaga-Bandoro who reported on 12 October the following:

Upon getting information on the killing of the Muslim in the Travaux Publics neighbourhood early on 12 October, I went there at around 5.45 a.m. and noted the presence of the dead body of an ex- Séléka, well known as a ‘moto taxi’, killed while he was allegedly trying to rob the house of a journalist from Kaga-Bandoro radio. I immediately left the place, fleeing towards MINUSCA base around 6.00 a.m. to inform the security officer. I later went back to my house to get some clothes. While there, I saw a crowd of ex- Séléka shouting and running in my direction. They were dressed in civilian clothes but had knives. Six of them grabbed me and searched me while shouting: “*You killed one of us, we will get our revenge*”. The perpetrators had their face uncovered and three of them were speaking Sango without a particular accent. They wanted to stab me but I managed to escape into the bush and arrived at the MINUSCA base.

29. MINUSCA was informed by a humanitarian partner of at least three cases of rape allegedly perpetrated by ex-Séléka elements during the attacks on 12 to 17 October. The three women were raped while attempting to go back to collect goods in their respective houses on 14 October. Further investigations are needed to ascertain the facts.

B. Abuses committed by Anti-Balaka

Right to life

30. MINUSCA recorded the killing of a Muslim woman and her six or eight month-old baby (sex of the child unknown) who was receiving treatment at the nutrition center managed by the ICRC located in the medical centre of the Evêché IDP Camp, on 12 October. On 14 October, a representative of the Muslim Youth informed MINUSCA that the woman was killed by Anti-Balaka elements together with her baby while she was being treated for malnutrition. In addition, another representative of the IDP Camp reported that he was informed of the killings around 1.00 p.m. on 12 October and that they were probably killed by stabbing. Other sources told the team that the woman and her baby were killed by Anti-Balaka as a reprisal against the ex-Séléka/ armed Muslim civilians. The Hospital personnel also confirmed this information.

Liberty and personal integrity

31. On 17 October, MINUSCA was informed of the illegal detention and ill-treatment of two civilian Muslims by Anti-Balaka elements in the area of Bamou on 15 October. They had sustained injuries and were referred to the MINUSCA hospital. They were released to their families on 20 October.

C. Unlawful attacks and destruction

32. Several victims and witnesses confirmed the destruction and pillaging of the Evêché IDP Camp, Manguépa, Mambéa and Travaux Publics neighbourhoods. Hundreds of houses were burnt down in those areas by armed groups of ex-Séléka.
33. A representative of the Evêché IDP Camp reported that almost the entire IDP camp was torched. The team met with humanitarian agencies on 14 October and they confirmed the information. Satellite imagery shows that at least 400 IDP huts, 130 houses in Kaga-Bandoro town and another 21 houses along the Kaga-Bandoro - Mbotto axis were burnt down. During the monitoring visit on 17 October, HRD noted that the Evêché IDP camp was empty and almost burnt down entirely.
34. MINUSCA received reports from different humanitarian sources that an ICRC national staff was stabbed during the incident of 12 October and transferred to Bangui on 14 October for further medical attention. The Mission equally noted on 12 October that the offices of humanitarian NGOs including INTERSOS, CARITAS Health Centre, and Echelle base were vandalized. Other testimonies received from humanitarian actors indicated that there were multiple attempts of looting at the Solidarité Internationale, IRC and UNHCR bases. These attempts were unsuccessful because those NGO premises were closely protected by MINUSCA Forces. The Prefectoral Hospital of Kaga-Bandoro closed from 13 to 18 October due to the suspension of ICRC activities following the killing of its staff and attacks on medical personnel.

35. Furthermore, MINUSCA investigators confirmed that the private houses of local authorities and churches were also looted and pillaged. The Sub Prefect reported that his house was completely looted. The Prefect reported that on 12 October, around 7.30 a.m., after being informed by the Sub-prefect of the attacks in town, he left his house to find shelter at the MINUSCA base and while there his house was looted and burnt and his personal belongings lost. MINUSCA visited the area and confirmed that the house of the Prefect was partially burnt and vandalized. During the looting of the IDP Camp, the perpetrators attacked the residence of the priests forcing them to seek shelter at the MINUSCA base. The Nativity Church which was hosting an IDP camp was also attacked and looted.
36. Some MINUSCA local staff were victims of pillaging and reports also indicate that national and international staff of NGOs were victims of targeted attacks.

VI. PROTECTION OF CIVILIANS AND THE HUMANITARIAN SITUATION

The situation of the internally displaced population, Humanitarian NGOs and MINUSCA Forces

37. At the beginning of October, flooding had created a humanitarian emergency in most areas in Kaga-Bandoro. With the clash in Ndomété on 16 September, the delivery of humanitarian assistance became difficult as insecurity increased in the area where humanitarian NGOs were targeted. On 14 October, during a meeting with OCHA, HRD was informed that the Evêché IDP camp had hosted about 7,117 persons and around 4,000 returnees from Chad were living in the neighborhood.
38. During the attacks on civilians and the IDP Camp on 12 October, more than 10.000 civilians fled from Manguépa, Mambéa, the Travaux Publics neighborhood and the Evêché IDP Camp towards the MINUSCA base for protection. In an area close to Socada neighborhood, which is a Muslim stronghold, more than a thousand civilians fled towards MINUSCA base for fear of attacks. These civilians were gathered by the Muslim community and persuaded to return to their homes which were not affected by the violence. On 14 October, HRD received a letter from the “Union des Federation des Eglises Baptiste” informing MINUSCA that 600 displaced persons, occupying the Biblical school of Kaga-Bandoro (Quartier Malo, near Lycee Polyvalent), were in need of security and humanitarian assistance. When MINUSCA Forces visited the area on 15 October, they found the area deserted.
39. On 15 October, six trucks filled with IDPs who paid 5000 XAF each left for Bangui, as they feared for their security if they remained in the area. MINUSCA Forces confirmed that they had to protect nine civilian Muslims in Mambéa, near the Prefect’s residence from elements of Anti-Balaka. They were reportedly threatened, and one contingent of MINUSCA Forces was stoned, during the visit of the Head of State on 17 October.

40. The humanitarian situation of the displaced persons remains fragile due to the absence of sanitary facilities, lack of food and water and almost nonexistent personal hygiene. Urgent measures need to be taken to provide humanitarian relief to the displaced population in order to avoid the spread of disease and a bigger humanitarian crisis. The area needs to be secured in order to facilitate the flow of humanitarian assistance.

VII. ALLEGED PERPETRATORS

41. MINUSCA investigations indicate that the main perpetrators are members of ex- Séléka, Anti-Balaka and armed civilians from the Muslim and Christian communities.
42. Information collected suggests that armed elements from ex- Séléka groups of MPC and FPRC respectively under the Command of Al Khatim and Saleh Zabadi were involved in the incidents. These two are the only active ex- Séléka groups in Kaga-Bandoro. The ex-Séléka /MPC Chairperson - Idriss El Bachar confirmed to MINUSCA that the Muslim man who was killed at the Travaux Publics neighborhood on 12 October, was an element of MPC. Other sources confirmed that this man was the bodyguard of Abdel Kader Hassan a former FACA, and Chief of Staff in charge of operations.
43. MINUSCA reported that around 45 armed elements carrying AK47s, grenades and knives prevented them from undertaking the investigation into the killing of a Muslim man on 12 October in Travaux Publics neighborhood. These same armed elements later attacked the Travaux Publics neighborhood, Mambéa and Manguépa areas and Evêché IDP Camp in retaliation to being provoked by the Anti-Balaka while they were transporting the corpse of the Muslim man. Sources confirmed that these elements were under the leadership of the ex- Séléka /MPC Chief of Staff in charge of operations.
44. MINUSCA investigations indicate that the reorganized Anti-Balaka elements in the area were activated by Bertrand Gazamodo and Ledger Ngaya who have a stronghold at the Evêché IDP Camp. The ex- Séléka suspect the local authorities of supporting this reorganization of the Anti-Balaka and Bertrand Gazamodo refuses to be part of the pre-DDR process.
45. Credible and independent sources confirmed the involvement of Anti-Balaka elements during the 12 October violence. Reports confirmed that they were directly responsible for the killing of a Muslim woman and her six or eight-month baby at the nutrition centre in the Evêché IDP camp hospital, managed by ICRC. The elements were also responsible for pillaging the Priest's residence located in Evêché IDP camp.
46. MINUSCA investigations also confirm the implication of armed civilians belonging to the Muslim and Christian communities during the attacks between 12 and 17 October. A representative of the Muslim community referred to the attacks of the Evêché IDP Camp as a spontaneous reaction against the killing of the Muslim man at the Travaux Publics neighborhood. The source claimed that at least four armed Muslims were allegedly killed by MINUSCA forces and Anti-Balaka elements. The source explained to the investigators

that a significant number of individuals are generally armed and capable of using their weapons but are not affiliated to either ex- Séléka or Anti-Balaka.

VIII. ACTIONS TAKEN BY MINUSCA AND HUMANITARIAN ACTORS

47. MINUSCA Forces took strong measures to protect civilians during the crisis and assisted in providing immediate humanitarian assistance to the displaced in the form of food, water and health care.
48. MINUSCA issued a press statement to condemn the attacks, call on ex- Séléka and Anti-Balaka to refrain from violence, and remind all perpetrators that they would be arrested and brought to justice.
49. MINUSCA provided medical care to 40 injured persons, and collected and transferred 13 dead bodies to the General Prefectural hospital.
50. MINUSCA provided security for several international NGO compounds and UN agencies to safeguard them from pillaging and lootings, and ensured the protection of several humanitarian staff from the violence.
51. Humanitarian actors provided medical support to several seriously injured and facilitated their transfer to Bangui, as well as humanitarian assistance to approximately 10,000 newly displaced.
52. MINUSCA engaged with the local authorities, armed groups and civil society organizations in Kaga-Bandoro to ease the tensions and facilitate the safe return of the populations to their respective neighborhoods. The leadership of ex- Séléka /MPC and FPRC informed MINUSCA that they have set up a joint brigade to prevent further attacks and enforce discipline among their elements.

IX. ACTIONS TAKEN BY NATIONAL AND LOCAL AUTHORITIES, ARMED GROUPS AND CIVIL SOCIETY

53. A governmental delegation composed of President Touadéra and members of his cabinet visited Kaga-Bandoro on 17 October and held meetings with ex-Seleka representatives (MPC and FPRC) to ease the tensions and prevent further attacks. The delegation explained their readiness to enter into political dialogue with the armed groups and urged their participation in dialogue on DDRR to raise political issues and resolve conflict. Prior to the President's visit, on 15 October, the Minister of Reconciliation and the DSRSG-HC-RC met with armed group representatives, the humanitarian community and civil society organizations to appeal for calm.
54. Leadership from ex- Séléka FPRC and MPC held a meeting in the Muslim area on 12 October to ease tensions, and reiterated messages of peace and social cohesion between the two communities.

55. The Muslim civil society discussed with inhabitants who gathered in front of MINUSCA base and convinced them to return to their homes in neighbourhoods that were not affected by the violence. They guaranteed their security by setting-up a joint self-defense group composed of Christians and Muslims that will patrol and deter potential thieves from operating within the community. However, some humanitarian actors alleged that the return of IDPs was the result of intimidations and threats from armed elements of ex-Séléka who joined the Muslim civil society in their sensitization campaign.

X. CONCLUSIONS AND RECOMMENDATIONS

56. The human rights abuses described in the report have demonstrated the fragility and volatility of the security situation in Kaga-Bandoro. Small arms are widely available in CAR and sizeable weapons caches remain. Armed groups, particularly the ex-Séléka and Anti-Balaka, remain reluctant to give up their weapons. In addition, during the incidents of 12 to 17 October, many civilians alleged to be from the Muslim community were seen carrying sharp instruments or improvised weapons (machetes, knives, metal rods) capable of inflicting serious injuries.

57. There is an urgent need for all armed groups to lay down their arms and participate in the DDRR processes. Until that time, the presence of armed elements in their midst will continue to expose civilians to the risk of indiscriminate attacks.

58. MINUSCA confirmed the implication in the 12 to 17 October attacks of ex- Séléka, Anti-Balaka and armed civilians belonging to both the Muslim and Christian communities. All these groups committed serious human rights and humanitarian law abuses in Kaga-Bandoro. Abuses included killings both indiscriminate and targeted; attacks on physical and mental integrity; grave violations of international humanitarian law including attacks against civilians; attacks against peacekeepers and humanitarian actors; pillaging and attacks against civilian objects such as churches and IDP Camps leading to forced displacement of the local population.

59. MINUSCA is concerned that efforts to bring to justice perpetrators of abuses of crimes committed between 12 and 17 October will be delayed due to the absence of relevant government authorities. The following recommendations highlight the need for the CAR authorities to take effective action to bring to justice the perpetrators of these abuses, and for the international community to strengthen their support for national authorities.

60. In order to ensure the progressive improvement of the human rights situation, MINUSCA recommends and urges:

The Government:

- To continue and enhance its efforts to achieve an inclusive DDRR dialogue with armed groups;

- To open prompt, independent and impartial investigations for all abuses committed in Kaga-Bandoro and to hold accountable those responsible;
- To take measures to protect victims, witnesses and to ensure protection measures for the judicial authorities who undertake the investigations;
- To coordinate disarmament, demobilization, reintegration and repatriation (DDRR) initiatives with transitional justice processes and mechanisms, so that each reinforces the other;¹⁰
- To launch a communication campaign on the responsibility of all CAR citizens to refrain from supporting armed groups in Kaga-Bandoro and elsewhere and to engage in initiatives that support cohesion and peaceful cohabitation;
- To prioritize and pursue, as a matter of urgency, the deployment of civil servants to Kaga-Bandoro, including magistrates, to re-establish State authority, provide security and the rule of law.

Armed groups:

- To cease with immediate effect abuses against civilians, and to take note that armed group members and their leaders who commit abuses of human rights law and violations of international humanitarian law will be held individually responsible for their crimes;
- To lay down weapons with immediate effect and participate in the national dialogue on DDRR;
- To respect humanitarian principles and immediately cease attacks against humanitarian staff and equipment, recalling that violence against aid workers is a serious breach of IHL, as is obstruction of humanitarian access, and theft on humanitarian premises.

International community:

- To provide the necessary support to the national and local authorities to ensure that all those responsible for human rights abuses and international humanitarian law violations are held accountable;
- To provide financial and technical support for the establishment and full operationalization of the Special Criminal Court, including a programme for the protection of victims and witnesses, and technical assistance to the justice system. / **END**

¹⁰ Guidance Note of the Secretary General on the UN Approach to Transitional Justice, 2010