“I Can Still Smell the Dead”

The Forgotten Human Rights Crisis in the Central African Republic
Summary and Recommendations
Gbadene village, where over 100 homes were destroyed by the Seleka and Mbarara from April 10 to April 13, 2013.
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Destroyed homes in Ndaniika, attacked by the Seleka April 14 and April 15, 2013.
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The Seleka (“alliance” in Sango, the main national language) said they aimed to liberate the country and bring peace and security to the people. But for most Central Africans, 2013 has been a dark year, marked by rising violence and vicious Seleka attacks against civilians in Bangui and the provinces. With no checks on their power, the Seleka rule arbitrarily and with complete impunity, with the government failing to follow through on its public commitment to bring to justice those responsible for recent abuses.

Seleka forces have destroyed numerous rural villages, looted country-wide, and raped women and girls. In one attack in Bangui on March 25, Seleka fighters raped two sisters, aged 33 and 23, in their home. The younger sister, who was eight-months pregnant, lost her baby the next day. Rape survivors lack access to adequate health care due to insecurity and lack of health services. Civilians who have been abused have nowhere to turn: the civilian administrative state in CAR has collapsed. In most provinces there are no police or courts. Many health clinics across the country do not function, and in at least one town a hospital has been occupied by the Seleka; most schools are closed.

Interim President Djotodia has denied that Seleka fighters have committed abuses, and continues to shift blame for the violence between Bozizé loyalists, “false Seleka,” and bandits—even though at least one Seleka official in the field admitted responsibility for some attacks to Human Rights Watch. “That was us, the
Seleka,” the executive secretary of the highest-ranking Seleka commander in Bouca told Human Rights Watch after two villages were burned.

Human Rights Watch conducted extensive field research in the Central African Republic from April to June 2013 to document individual cases and identify patterns of violence committed by the Seleka. The research focused primarily on attacks against civilians and the destruction of civilian property. Human Rights Watch confirmed the deliberate killing of scores of civilians—including women, children, and the elderly—between March and June 2013, and received reports of hundreds more from credible sources. Human Rights Watch also confirmed the deliberate destruction of more than 1,000 homes.

The recent fighting has further exacerbated an already grim humanitarian crisis in CAR, a desperately poor landlocked country with high rates of mortality, disease, and food insecurity. In the areas Human Rights Watch visited, thousands of villagers were living in life-threatening conditions. The Seleka stole or destroyed food and seed stocks, and there are now massive food shortages. Residents—including children—are living in the bush near their fields and homes, in tents made from trees and leaves. Most have no access to clean water. In this dire situation, the people of CAR have been left to fend for themselves.

Humanitarian organizations are themselves vulnerable to Seleka attacks, impeding outreach to affected
populations. Civilians looked to the Mission for the Consolidation of Peace in Central African Republic (MICOPAX), a regional peacekeeping mission led by the Economic Community of Central African States (ECCAS), and in particular its military force, the Multinational Forces for Central Africa (FOMAC), for desperately needed protection. On July 19, 2013, the Peace and Security Council at the African Union (AU) adopted a decision to transition MICOPAX into the International Support Mission in the Central African Republic (AFISM-CAR) and to initially support the political transition for six months.

The Bozizé government, and particularly the Presidential Guard, have also been accused of committing serious human rights abuses, especially in northern CAR. Human Rights Watch interviewed former prisoners jailed under Bozizé’s rule who were recently released from an illegal detention facility at the Bossembélé military training center. Prisoners there were held incommunicado for months and even years at a time; were denied food, water, and other basic services; and were tortured, they told Human Rights Watch. The prisoners said that Bozizé was present during torture sessions at the center, where he had a villa flanked by two concrete standing cells in which individuals were left until they died.

In 2013, however, the overwhelming majority of attacks against civilians were committed in Seleka-held territory—including by very young fighters, possibly child soldiers around 13 years old.
Mayor’s office in Kaga Bandoro after it was destroyed by the Seleka.
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ABUSES COMMITTED BY THE SELEKA IN THE PROVINCES

As the Seleka moved down to Bangui from the northeast, they captured major towns along the way. In these towns, the Seleka immediately began to loot the homes of the civilian population; those who tried to resist were threatened, injured, or killed.

Human Rights Watch documented attacks on villages by Seleka forces and their allies in northern CAR between February and June 2013. This research focused on a broad triangle of territory within the main roads linking Kaga Bandoro, Batangafo, and Bossangoa.

Evidence indicates that Seleka fighters forced villagers out of their homes in order to loot them. Some villagers reported that the attacks were designed to create space for members of the Mbarara community—nomadic pastoralists who move their cattle between Chad and the Central African Republic and have recently been allied with the Seleka.

Human Rights Watch recorded more than 1,000 homes destroyed in at least 34 villages along these roads. Schools and churches were also looted and burned. The Seleka killed scores of civilians while they were trying to flee and have prompted whole communities to flee into the bush—including 113 families from Maorka. “Now I sleep in the fields,” one Maorka resident said. “I made a small hut out of leaves for my wife and our three children. I cannot come back because we do not have beds or our food stock and there is no security. [The Seleka] took all of...”
our farming tools, they took our hoes. We have to use our hands.”

In one attack, Seleka forces, in collaboration with a self-appointed mayor, Adoum Takaji, executed five men and killed five more people as they attempted to escape the village of Ouin. Eyewitnesses described how Takaji went door to door in the village, reassuring fearful residents it was safe to come out to talk to the Seleka. “The first few left their homes, five of them, and were grouped under a tree,” one eyewitness said. “Their arms were attached to each other. They were then shot down one by one. Takaji was only 50 meters away.” Several witnesses told Human Rights Watch that one individual did not die straight away and the Seleka cut his throat. Later, when some residents returned to the village to bury their dead, the Seleka fired on them again, forcing them to flee once more into the bush. “I can still smell the dead,” one said.

In another attack, on May 19, Seleka forces killed 12 villagers trying to flee from three villages on the Bossangoa-Boguila road. According to residents, members of the Mbarara community also attacked villages outside Batangafo around this time.

Villagers who chose not to leave their homes live in perpetual fear of the prospect of renewed Seleka attacks. These traumatized residents told Human Rights Watch that when they hear a vehicle approaching they run.
Seleka fighter using a maternity room as an office at the hospital in Ouandago.
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ABUSES COMMITTED BY THE SELEKA IN BANGUI

As soon as the Seleka took Bangui on March 24, they started to attack civilians and pillage the city. Human Rights Watch gathered credible testimony that the Seleka killed civilians the day the rebels entered the capital. Virtually every neighborhood was attacked:

- On March 27, Seleka forces killed 17 unarmed people in the Damala neighborhood.
- On April 12, a rocket attack injured 15 people, including 13 children, in the Walingba neighborhood. Two of the children required amputations.
- On April 13, Seleka forces killed 18 unarmed people around the Ngaragba Bridge near the Ouango and Kassai neighborhoods, forcing some residents to flee across the Ubangui River to neighboring Democratic Republic of Congo. Witnesses described seeing Seleka forces kill a priest on the bridge as he appealed for calm holding a Bible aloft. “Three Seleka fighters stepped out of the pick-up, walked toward him and shot him dead,” one witness said. Another witness recounted how a Seleka fighter shot a woman carrying a baby on her back and left her for dead in the street, with her crying infant still strapped to her.
- Between April 13 and 14, Seleka forces attacked the neighborhood of Boy-Rabe and killed approximately 28 unarmed people including three killed in a Seleka rocket attack on a church in Boy-Rabe; 13 people, including children, were seriously injured.
- On April 15, Seleka killed the 26-year-old wife and 18-month-old daughter of a truck driver, whose vehicle they wanted in order to transport stolen goods. A witness described how Seleka shot the baby in the head, before killing her mother as she approached the door to the family house. An eyewitness heard one Seleka say simply to another, “The baby’s head exploded and the wife was shot dead.”
- On June 29, Seleka forces attacked the Gobongo neighborhood and killed at least six unarmed people.

Once they took Bangui, the Seleka began targeting members of the national army, the Central African Armed Forces (Forces Armées Centrafricaines, FAC). Human Rights Watch has recorded numerous cases of extrajudicial killings of members of the FAC by the Seleka. In the worst incident on April 18, residents found the bodies of eight members of the FAC 15 kilometers outside Bangui on the Sceaux Bridge. Family members of some of the victims had to go and retrieve the bodies of their loved ones from the bridge.

The Seleka also summarily executed men it believed were FAC members. On April 15, the Seleka executed five men at the Mpoko River outside Bangui. Human Rights Watch received other credible reports of the killing of suspected FAC at the river.
The lack of accountability for serious human rights abuses committed since independence in the Central African Republic has contributed to renewed cycles of violence and the breakdown of normative behavior, further fueling abuses. As one lawyer and local human rights defender said, “Now a waiter is killed after giving a beer, a taxi driver is killed after transporting a person.... This is the negation of the existence of humanity.”

Part of the problem of poor accountability relates to the loose command structure within the Seleka and the difficulty that high-ranking generals have maintaining control over their troops. Fighters often only answer to their direct commander, and different factions do not necessarily recognize one another. In April 2013, Human Rights Watch recorded multiple incidents of Seleka fighters killing other Seleka fighters to control territory in Bangui. Human Rights Watch also found inadequate efforts by Seleka leaders to ensure their subordinates do not commit serious abuses or are punished for crimes committed.

The transitional government appears unable to reign in Seleka forces or to restore order in the country. However, the larger problem stems from the government’s unwillingness to recognize that Seleka are committing abuses and/or bring to justice those responsible.

On May 20, President Djotodia set up a National Commission of Inquiry, composed of judges, human rights defenders, and police officers, to investigate serious crimes committed in the country since 2002. The commission has the authority to look into crimes...
Seleka fighters standing outside former President François Bozizé’s villa at the Bossembélé military training center. The concrete hole in the foreground is one of two reported to be cells where individuals were forced to stand.

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committed both in the Bozizé era and since the Seleka took power. However, as of the end of June, the commission had not yet received funds or logistical support from the transitional government that would allow it to start its work.

The minister of justice has publicly committed to investigate and prosecute those responsible for past and current abuses. However, few steps have been taken and any efforts lacked impartiality. Isolated arrests of so-called false Seleka have occurred in connection with recent looting in the capital, but the state prosecutor has failed to carry out investigations or to arrest Seleka. The state prosecutor has also failed to investigate more serious crimes, including extrajudicial killings, rape, pillage, and torture. The only other cases being investigated appear to target members of the former government, including former President Bozizé and other former ministers.

The Seleka was formed partly due to frustration over the Bozizé government’s refusal to investigate crimes committed in the northeast by both rebel groups and government forces since mid-2005. Yet, the Seleka are now committing similar abuses with near total impunity in Bangui and the provinces. Human Rights Watch welcomes the establishment of a commission of inquiry and the government’s stated commitment to tackle impunity. But we are concerned about the lack of political will to ensure fair and impartial justice for all persons responsible for abuses. National judicial authorities must make legitimate efforts to hold violators of human rights responsible, including Seleka members, in order to ensure equitable justice.
The self-proclaimed mayor of Batangafo, Adoum Takaji. Witnesses say Takaji helped coordinate Seleka attacks on the road from Batangafo to Bouca between April 10 and 14, 2013 and was present during killings of civilians in Ouin on May 1, 2013. Takaji denies participating in these attacks and insists that the Seleka are in the area to provide protection, saying he wants people to “come back to the village and re-start their lives.”

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“Bebe Darine,” killed with her mother, Sandrine Poumengakola, by the Seleka in Boy-Rabe on April 15, 2013.
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Sandrine Poumengakola killed by the Seleka in Boy-Rabe on April 15, 2013.
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The identity card of Jacques Ouilebon, killed by the Seleka in Bougone on May 19, 2013.
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The identity card of Tiburce-Jefferson Yankoisse, killed by the Seleka in Boy-Rabe on April 14, 2013.
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Ludociv Hehine, killed by the Seleka in Damala on March 27, 2013.
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Rodrigue Gbenerio, killed by the Seleka in Damala on March 27, 2013.
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Raphael Bingilego, killed by the Seleka in Damala on March 27, 2013.
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Human Rights Watch documented the destruction of more than 1,000 homes destroyed by the Seleka in Northern Central African Republic. Satellite imagery collected in July 2013 confirms this widespread destruction. Human Rights Watch collected eye witness testimony to confirm that the Seleka, or individuals working with the Seleka, were responsible for these acts.

All before images were taken in 2010 (exact date unknown). The after images were taken on July 9, 2013.

**Bobafio**

Before
© DigitalGlobe 2013,
Source: Bing Maps Aerial, Microsoft Corporation

After
© Astrium 2013

**Bogoro**

Before
© DigitalGlobe 2013,
Source: Bing Maps Aerial, Microsoft Corporation

After
© Astrium 2013
Gbadene II

Before
© DigitalGlobe 2013,
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After
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Kadi

Before
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After
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TO THE TRANSITIONAL GOVERNMENT OF THE CENTRAL AFRICAN REPUBLIC

• Issue a public declaration that the government will not tolerate attacks on civilians and will hold accountable anyone found responsible for murder, rape, pillage, and other serious violations of international humanitarian and human rights law.

• Investigate and prosecute, in accordance with international fair trial standards, all persons against whom there is evidence of criminal responsibility for grave crimes, including those liable under command responsibility, for their failure to prevent or prosecute these crimes.

• Investigate attacks on schools, medical centers, and humanitarian actors, and prosecute or take disciplinary measures against any member of the Seleka found responsible.

• Restore law and order in the 15 provinces under its control by urgently deploying provincial military commanders under the leadership of the Ministry of Public Security and the Ministry of Defence and deploying the provincial governors (Prêfets) under the leadership of the Ministry of Territorial Administration.

• After a vetting process to exclude individuals who have committed human rights abuses, reinstate security institutions in the country, including the police, the gendarmerie, and the regular army. Ensure that members of the police, gendarmerie, and military are trained on human rights and international humanitarian law before deployment.

• Ensure that Seleka fighters found responsible for serious human rights abuses are not reintegrated into (or allowed to join) the national army and are not given other official positions within the government.

• Ensure all police, gendarmes, and soldiers receive a regular and adequate salary, and enforce a zero tolerance policy on looting.

• Ensure all soldiers are lodged in military barracks in order to ensure they do not occupy schools or hospitals.

• Provide the National Commission of Inquiry with the necessary resources to promptly, thoroughly, and independently investigate allegations of human rights abuses by all parties, including by Seleka rebels.

• Provide access to health and other services for victims of human rights violations, paying special attention to the needs of women and girls who have survived sexual violence.

• Expedite the rebuilding, repair, and re-opening of schools.

• Seek financial and technical assistance from international donors, and give guarantees that all steps will be taken to ensure fair and credible domestic investigations and prosecutions of grave crimes.

• Seek financial and technical assistance from international donors to support the National Commission of Inquiry and give guarantees that all steps will be taken to ensure the inquiry will be objective, transparent, and efficient.

• Continue to provide full cooperation and unhindered access to the International Criminal Court and other human rights investigators.

RECOMMENDATIONS
TO SELEKA FORCES

- Cease immediately all attacks on civilians. Put in place measures to deter, prevent, and punish individuals who commit human rights abuses and cooperate with all national investigations and prosecutions of Seleka members, including the National Commission of Inquiry.

- Cease immediately all attacks on humanitarian actors and make public assurances that they will have safe passage to carry out their work.

- Cease all recruitment and use of children as soldiers. Groups that have already concluded action plans with the United Nations (the Convention of Patriots for Justice and Peace [CPJP] and the Union of Democratic Forces for Unity [UFDR]) should fulfil all obligations under these agreements. All other groups that have been listed by the United Nations Secretary-General’s annual report on children and armed conflict (the CPJP, the Patriotic Convention for the Salvation of Kodro [CPSK], and the Union of Republican Forces [UFR]) should develop plans to address grave violations against children.

- Cease immediately all attacks on schools and medical centers. If occupied, vacate these premises immediately. Prohibit the use of such facilities in any manner in violation of international humanitarian law, or which impede the right to education.

- Put in place measures to prevent harassment or intimidation by Seleka members of any potential witnesses in future investigations or a national commission of inquiry.

TO THE ECONOMIC COMMUNITY OF CENTRAL AFRICAN STATES (ECCAS)

- Urgently bolster peacekeeping efforts in the Central African Republic by implementing the African Union Peace and Security Council’s July 19, 2013, decision to protect civilians, restore security and public order, and create the necessary security conditions for the provision of humanitarian assistance.

- Deploy additional, trained, and well-equipped troops throughout the country to ensure civilian protection.

TO THE AFRICAN UNION PEACE AND SECURITY COUNCIL AND AFISM-CAR

- Ensure that the African-led International Support Mission in the Central African Republic (AFISM-CAR) has the logistical and financial support to fulfil its mandate on civilian protection.

- Consider troop deployment from other member states and expanding the nucleus of the contingent to countries that were not originally a part of MICOPAX.

- Exclude any troops from AFISM-CAR whose presence might compromise the perceived neutrality of the AU force.
RECOMMENDATIONS

TO THE UNITED NATIONS SECURITY COUNCIL

• Impose targeted sanctions against individuals, including Seleka leaders, responsible for serious human rights abuses since December 2012, as recommended by UN Secretary General Ban Ki-moon.

• As requested by the AU, give full support to the AU and ECCAS to facilitate the implementation of AFISMCAR’s mandate to protect civilians, including through the provision of the necessary financial, logistical, and technical support.

• Expand the mandate of the United Nations Integrated Peacebuilding Office in the Central African Republic (BINUCA) to allow the mission to monitor, investigate and report publicly and to the Council on any abuses or violations of human rights or international humanitarian law committed throughout the country.

• Ask the UN secretary general to deploy a group of experts in the protection of civilians to the Central African Republic to inquire into, and rapidly report on, civilian protection needs and challenges. The group should recommend concrete measures to advance the protection of civilians, ensure unhindered humanitarian access and assistance, and end impunity for serious crimes and violations of international law.

• Task the BINUCA with monitoring closely the Central African Republic government’s pursuit of justice to ensure that national efforts to investigate and prosecute those responsible for abuses are carried out in accordance with international fair trial standards.

• Request to be briefed by the United Nations High Commissioner for Human Rights on the fact-finding mission to the Central African Republic conducted in June and July and covering human rights violations committed in Bangui and other localities since December 2012.

TO THE UNITED NATIONS INTEGRATED PEACEBUILDING OFFICE IN THE CENTRAL AFRICAN REPUBLIC (BINUCA)

• Ensure the office’s Human Rights and Justice Unit has the necessary resources and staff to effectively monitor, investigate, and report on past and on-going human rights abuses in the Central African Republic.

• Provide assistance to the National Commission of Inquiry and urge the transitional government to investigate and prosecute all persons against whom there is evidence of criminal responsibility for grave crimes.

• Assist the government to re-establish the rule of law with a focus on the independence and impartiality of the justice system, the humane treatment of detainees, and the protection of the accused and witnesses.
**TO THE OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS (OHCHR)**

- Publish an interim report on the human rights situation including the findings of the OHCHR fact-finding mission to CAR in June-July, as well as continue to report publicly on any deterioration of the situation.

**TO THE HUMAN RIGHTS COUNCIL**

- Remain seized of the human rights situation in the Central African Republic and consider a special session in case the situation deteriorates.

- Consider the report of the OHCHR fact-finding mission in CAR and consider establishing the mandate of an Independent Expert to provide technical assistance to the transitional government, monitor and report on the situation of human rights, and report to the Council on human rights developments and challenges.

- Encourage the Human Rights Council Special Procedures to respond to the standing invitation issued by the CAR minister of justice in June 2013 to visit CAR.

**TO THE PROSECUTOR OF THE INTERNATIONAL CRIMINAL COURT (ICC)**

- Continue to actively monitor developments in the Central African Republic to determine whether crimes within the ICC’s jurisdiction are being committed.

- Remind all parties of the ICC’s jurisdiction and, as appropriate, issue public statements assessing the situation.

- Press national authorities to investigate and prosecute all persons against whom there is evidence of criminal responsibility for grave crimes, including those liable under command responsibility, in accordance with international fair trial standards.

- Monitor any domestic efforts to prosecute these crimes to ensure that the trials are fair, credible, and meet international standards.

- Discuss with national authorities international assistance that may be available to assist accountability efforts and identify areas where ICC officials may have practical expertise to share, such as conducting investigations of complex crimes and ensuring witness protection.
RECOMMENDATIONS

TO THE GOVERNMENTS OF FRANCE, THE EUROPEAN UNION, THE UNITED STATES, AND OTHER INTERNATIONAL DONORS

• As requested by the AU, give full support to the AU and ECCAS to facilitate the implementation of AFISM-CAR’s mandate to protect civilians, including through the provision of the necessary financial, logistical, and technical support.

• Incorporate training on human rights protection in any security sector reform programs and create vetting mechanisms to ensure that Seleka fighters who have committed human rights abuses are not reintegrated into the national army or given other official positions within the government.

• Support programs that protect, demobilize, and rehabilitate child soldiers.

• Assist national authorities in their efforts to restore the rule of law and to conduct trials for grave crimes in accordance with international fair trial standards, including by conducting an assessment of the domestic judicial system with the view toward identifying possible areas of assistance.

• Ensure adequate humanitarian funding to restore education.

TO THE GOVERNMENT OF CHAD

• Investigate and publish findings into allegations of Chadian involvement with and/or support to the Seleka. If evidence of Chadian involvement is discovered, ensure this activity ceases immediately.
On March 24, 2013, the Seleka alliance, having overthrown former President François Bozizé, seized power in the Central African Republic (CAR), unlawfully killing scores of civilians in the process. Since then, the Seleka have ruled with complete impunity, abusing and killing civilians, raping women and girls, and looting properties.

Based on field research in April to June 2013, “I Can Still Smell the Dead”: The Forgotten Human Rights Crisis in the Central African Republic, documents the litany of serious violations committed against civilians by the Seleka since the alliance of rebel groups took power, as well as the response of the transitional government and Seleka leaders. It also describes human rights abuses that occurred under Bozizé’s rule at an illegal detention facility at the Bossembélé military training center.

In the capital, Bangui, the Seleka have executed individuals who served in the national army under Bozizé, or whom they believed to be members of the army, attacking and looting neighbourhoods. Many unarmed civilians were killed in these attacks, forcing residents—including children—to seek refuge in the bush and in tents made from trees and leaves. Most have no access to clean water and there are serious food shortages.

The Seleka takeover has caused the collapse of the civilian administration. Hospitals and schools have closed down. Humanitarian organizations operating outside of the capital are themselves vulnerable to Seleka attacks, impeding outreach to affected populations. The transitional government has utterly failed to ensure security for its citizens, or to take measures to prevent and prosecute human rights violations. In this dire situation, the people of CAR have been left to fend for themselves, as the response from the international community has been minimal.

Human Rights Watch calls on the transitional government to take prompt measures to ensure that those responsible for the unlawful killing of civilians are brought to justice and to prevent further killings by the Seleka. Leaders of the Seleka should take immediate action to prevent their men from attacking civilians and destroying homes. International actors should take steps, including considering sanctions, to pressure the Seleka to hold their members to account and to ensure the transitional government seeks to prevent further abuses. All necessary support should be given to the African Union’s International Support Mission in the Central African Republic, the peacekeeping force in the country mandated with civilian protection.