



JANUARY 2009

COUNTRY SUMMARY

Central African Republic (CAR)

Civilians continue to suffer serious human rights abuses at the hands of multiple armed groups active in the north of Central African Republic, which has been an area of antigovernment insurgency since 2004. Loosely organized criminal gangs known as *zaraguinas* that are not party to the conflict in CAR have also been responsible for criminal abuse.

The CAR government and the major rebel groups signed a peace agreement in June, but disagreements between rebels and the government over an amnesty law passed by parliament in September threatened to derail the peace process. Rebel leaders contended that the amnesty insulated government officials from responsibility for war crimes.

Abuses in the North

Government security forces were responsible for the majority of human rights violations in the northwest of CAR from 2005 to 2007. Abuses by government forces, however, have diminished since most of the elite Presidential Guard (GP) forces, which committed the most serious abuses, were withdrawn from the region in mid-2007, in response to international concern. Taking the place of the GP in the north were Central African Armed Forces (FACA) units, with well-trained commanders installed in a deliberate effort to address indiscipline.

Although FACA soldiers were responsible for thefts and harassment of civilians in 2008, particularly at roadblocks and checkpoints along roads in the northwest, violent abuses against civilians by FACA elements appeared to be isolated incidents rather than systematic. In September the CAR government established an office for international humanitarian law within the FACA that is responsible for conveying the laws of war to members of the army.

However, civilians in the north continue to face violence and harassment at the hands of multiple armed groups, and the government is failing to provide them with protection. The FACA has yet to plug a security vacuum created by the withdrawal of the GP, and rebel factions and criminal gangs have taken advantage of this to commit abuses with complete impunity. In the northwest, rebel fighters from the Popular Army for the Restoration of the Republic and Democracy (APRD) were responsible for unlawful killings, rapes and property thefts. APRD abuses increased in 2008, with a high incidence of abuses in areas where none had been reported one year earlier, thanks to the relative absence of government security forces. Since January, the Chadian National Army (ANT) has launched cross-border raids on villages in northwestern CAR, killing civilians, burning villages, and stealing cattle.

Lawlessness and the *Zaraguinas*

The past year has seen a sharp increase in the number, scope, and frequency of attacks perpetrated by loosely organized criminal gangs known as *zaraguinas*, which have come to constitute the single greatest threat to civilians in the north of CAR. *Zaraguinas* are not parties to conflict in CAR but have goals that are purely criminal and engage in tactics that include hostage-taking. *Zaraguinas* have killed hostages when ransom demands were not met.

In July the United Nations estimated that 197,200 people in the north of the country had been displaced due to insecurity, in many cases *zaraguina* attacks. *Zaraguina* activities have had a deleterious impact on humanitarian operations in the north of the country, with private transporters contracted by the UN to deliver aid supplies frequently fired upon.

Lack of Accountability

The government has taken some steps to counter impunity in CAR by prosecuting individual members of the CAR security forces found to be responsible for crimes such as theft and assault, but for the most part the CAR government turned a blind eye to abuses committed by its forces. Senior GP commanders responsible for abuses in 2006-2007 that may have been at the level of war crimes have never been brought to trial or even disciplined. Diplomats in Bangui urged CAR President Francois Bozizé to institute judicial proceedings against Eugène Ngaïkosset, the

commander of a GP unit that has been implicated in widespread atrocities in the northwest. Instead, Ngaïkosset was promoted to the rank of captain and placed in charge of a GP security brigade.

Activities of the International Criminal Court

On May 24, 2008, Belgian authorities arrested Jean-Pierre Bemba, leader of the Movement for the Liberation of Congo (MLC). He was transferred to the Hague, where the International Criminal Court (ICC) charged him with four counts of war crimes and two counts of crimes against humanity, all allegedly committed in the south of CAR between October 2002 and March 2003. In June 2008 the office of the prosecutor was permitted to include two additional counts, one of war crimes and one of crimes against humanity. In May 2007 the office of the prosecutor had announced that it would monitor more recent events to determine whether an investigation into crimes committed in the north of the country would warrant investigation. On June 10, 2008, ICC Prosecutor Luis Moreno-Ocampo addressed a letter to President Bozizé noting that acts of violence committed in the north of the country would require sustained attention.

Ocampo's letter resulted in a letter from President Bozizé to UN Secretary-General Ban-Ki Moon in August, wherein Bozizé asked the United Nations to intercede in any possible ICC investigations of crimes in the north of the country pursuant to article 16 of the Rome Statute of the ICC, which empowers the Security Council to suspend court proceedings for up to 12 months renewable if required to maintain international peace and security. Security Council intercession is highly unlikely given that the only ongoing ICC proceedings in CAR pertain to crimes committed in the south of the country in the 2002-2003 period, and there are no ICC investigations concerning northern CAR at this point.

Key International Actors

The United Nations Peace Building Support Office in the Central African Republic (BONUCA) has been present in Bangui since 2000 with a mandate to support peace efforts. BONUCA raises human rights cases with CAR government officials.

In September 2007 the UN Security Council approved a resolution to dispatch a European Union-United Nations hybrid civilian protection mission to Chad and the Central African Republic. The UN humanitarian component of the mission, the United Nations Mission in Central African Republic and Chad (MINURCAT), and the EU military component, the European Union Force (EUFOR Tchad/RCA), established a base in Birao in northeast CAR in 2008.

In 2008, the Economic and Monetary Union of Central Africa (CEMAC) established the Mission for the Consolidation of Peace in Central Africa (MICOPAX), a peacebuilding mission incorporating combat troops, police, gendarmes and a civilian element mandated to help revive political dialogue in CAR. MICOPAX assumed operational responsibility in CAR from a predecessor force, the Multinational Force of the Central African Economic and Monetary Community (FOMUC), which was deployed by CEMAC in 2002 to support the regime of then-president Ange-Félix Patassé.

Although MINURCAT personnel have yet to deploy to Birao, the presence of EUFOR patrols has helped stabilize the fragile tri-border zone where CAR, Chad, and Sudan meet, and is reported by the UN to have deterred attacks against civilians. EUFOR troops airlifted nine humanitarian aid workers out of Ouandja, 120 kilometers south of Birao, following an exchange of gunfire between unidentified armed groups in November 2008.

The government of Chad wields a great deal of influence in CAR, especially since President Bozizé's ascension to the presidency in 2003. A significant number of the soldiers who helped Bozizé seize power in 2003 were Chadian nationals, many of them placed at Bozizé's disposal with the consent of Chadian President Idriss Déby Itno. The Chadian government maintains military forces in the north of CAR, and provides the 100 commandos that make up President Bozizé's personal security detail. President Bozizé cancelled a planned trip to Sudan in 2006 after Chad, which is engaged in a bitter proxy war with Sudan, threatened to withdraw military assistance.

French military intervention in December 2006 helped quash rebellion by the Union of Democratic Forces for Unity, allowing the government to regain control of the

northeast. Both France and South Africa maintain defense cooperation agreements with Bangui.

CAR is due to be reviewed under the Universal Periodic Review mechanism of the UN Human Rights Council in May 2009.